

Public Document Pack



COTSWOLD
DISTRICT COUNCIL

5th April 2022

Tel: 01285 623208 or 623210
e-mail - democratic@cotswold.gov.uk

PLANNING AND LICENSING COMMITTEE

A meeting of the Planning and Licensing Committee will be held at Council Chamber - Trinity Road on **Wednesday, 13 April 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 - 12)**
To confirm the minutes of the meeting of the Committee held on 9th March 2022
5. **Chair's Announcements (if any)**
6. **Schedule of Applications (Pages 13 - 130)**
To consider and determine the applications contained within the enclosed schedule:

Application No	Description	Ward Councillor(s)	Case Officer / Page No:
21/04185/OUT	Outline application for up to 8 no. dwellings including access and associated works with all other matters reserved at Land South Of Charlham Way Down Ampney Gloucestershire	Councillor Lisa Spivey	Andrew Moody
21/00837/FUL	Erection of two storey side and rear extension and single storey front extension, driveway enlargement at 35 Glass House Road Mickleton Chipping Campden Gloucestershire GL55 6PF	Councillor Gina Blomefield Councillor Tom Stowe	Hannah Rose
19/01916/FUL	Two storey rear extension and	Councillor Gary	Harrison Bowley

	addition of dormer window at 84 Watermoor Road, Cirencester, Gloucestershire, GL& ILF	Selwyn	
21/04349/FUL	Demolition of existing modern (late-C20th) garage (51.77 cubic metres). Internal works (removal of modern timber stud partition, re-wiring and re-plumbing) and external alterations to include: breach of small section of east gable wall and erection of single storey extension; and wholesale replacement of existing rainwater goods. Demolition and re-build as new the single storey early-C20th brick outbuilding at Brookford Cottage Shipton Oliffe, Cheltenham, Gloucestershire, GL54 4JF	Councillor Robin Hughes	Ed Leeson
21/04350/LBC	Demolition of existing modern (late-C20th) garage (51.77 cubic metres). Internal works (removal of modern timber stud partition, re-wiring and re-plumbing) and external alterations to include: breach of small section of east gable wall and	Councillor Robin Hughes	Ed Leeson

	erection of single storey extension; and wholesale replacement of existing rainwater goods. Demolition and re-build as new the single storey early-C20th brick outbuilding at Brookford Cottage Shipton Oliffe, Cheltenham, Gloucestershire, GL54 4JF		
21/03907/LBC	Replace side and rear existing wooden casement single glazed windows with slim profile double glazed, wooden casement windows at Old Farm House Preston Cirencester Gloucestershire GL7 5PR	Councillor Mike Every	Charlotte Bowles-Lewis

7. **Sites Inspection Briefing**

Members for Wednesday 4 May 2022 (if required):

Councillors Ray Brassington, Sue Jepson, Steve Trotter, Dilys Neill, Clive Webster

8. **Licensing Sub-Committee**

Members for 18th May 2022 (if required):

Councillors Ray Brassington, Stephen Hirst, Dilys Neill, Juliet Layton and Clive Webster.

(END)

Planning and Licensing Committee
09/March2022



COTSWOLD
DISTRICT COUNCIL

Minutes of a meeting of the Planning and Licensing Committee held on Wednesday, 9 March 2022.

Councillors present:

Ray Brassington
Patrick Coleman
Stephen Hirst
Sue Jepson

Julia Judd
Richard Keeling
Juliet Layton
Andrew Maclean

Dilys Neill
Gary Selwyn
Clive Webster

Officers present:

Susan Gargett, Interim Head of Legal Services
Amy Hill, Planning Case Officer
Andrew Moody, Senior Case Officer
Mike Napper, Major Developments Delivery & Appeals Manager
Ben Patel-Sadler, Senior Democratic Services Officer

78 Apologies

Apologies for absence were received from Councillor Steve Trotter.

79 Substitute Members

Councillor Richard Keeling was substituting for Councillor Steve Trotter.

80 Declarations of Interest

Councillor Patrick Coleman declared an interest in relation to item 1 (20/04673/FUL). The item had been considered at the Planning Committee at Cirencester Town Council (of which Councillor Coleman was a Member).

81 Minutes

The Committee agreed that the following amendments should be made to the draft minutes of the 9 February 2022 meeting:

At page 7 of the minutes, paragraph two, Councillor Clive Webster indicated that a sentence should be added to reflect that there were differing views of the Committee in relation to the proposed gable end, specifically that some Members believed that the gable end should be proportionate to the existing gable end.

At page 7 of the minutes, paragraph two, Councillor Patrick Coleman indicated that the wording should be amended to read 'a range a views was expressed by Members'

At page 9, paragraph five, a typo should be corrected so that the wording reads 'the impact of the garden room'.

Subject to the above recommendations being made, the Minutes of the meeting held on the 9 February 2022 were agreed as a true, accurate record.

Record of Voting – for: 10, against: 0, abstention: 1, absent: 0.

82 Chair's Announcements (if any)

The Chair wished to place on record his thanks to Claire Baker (Planning Officer) who would shortly be leaving the Council after 20 years of service.

83 Schedule of Applications

20/04673/FUL

Land At Gloucester Road, Stratton, Cirencester, Gloucestershire, GL7 2L

The Planning Case Officer, Andrew Moody, introduced the application:

Provision of a new secure roadside truck stop facility, including associated HGV and car parking, drivers facilities building, vehicular access, service yard and landscaping at Land At Gloucester Road, Stratton, Cirencester, Gloucestershire, GL7 2LJ.

The Committee noted the additional pages update which included further representations made by third parties and additional information which was provided to the Biodiversity and Tree Officers.

The Committee noted that there was one refusal reason associated with this application as outlined in the report.

The Committee noted the location of the application site, photographs of the site, and the and proposed plans. They were also shown a block plan of the site and vehicular access from the highway. The landscape strategy drawing was also shown to the Committee.

The following people addressed the Committee:

Councillor John Milner (Baunton Parish Council)

Michael St. John (Objector)

Mr Rhys Williams (Supporter)

Mr William Gilder (Applicant)

Councillor Jenny Forde (Ward Member)

The Committee noted the feedback from those Members who had attended the site visit to the proposed location.

The Committee noted that the existing site contained sheep and many trees and hedges.

The site could be suitable for the proposed facility due to its size although it would impact heavily on the AONB. There could also be an impact on the surrounding views if the development was undertaken.

The proposed site was surrounded by nature and the countryside and was on high ground.

Traffic noise could be heard from the proposed location.

Some Members of the Committee had received additional documentation very late in the evening before this meeting. Members did not have the opportunity to read the sizeable documents in advance of the meeting and as such they should not be considered as part of the application. The documents had not been received by Officers.

The Committee noted that the application covered several wards which would be affected by the development. The Ward Members representing these areas were Members of the Planning and Licensing Committee. The existing protocol did not allow for representations to be made directly from Wards.

The Committee noted that the proposal was solely a planning matter.

The Committee further noted that this application should be considered on its own merits – it was not a matter for the Planning Committee to determine if other sites might be suitable for the development.

The Committee noted that electric vehicle charging points had not been included as part of these proposals although this could be conditioned.

In relation to lighting, the Committee noted that low-level bollard lighting would be included.

The proposed lighting had resulted in concerns being raised by the Biodiversity Officer in relation to the potential impact on local wildlife.

The Committee noted that Officers had considered similar facilities in the locality and had determined that there was no current legislation in terms of how many of these facilities should be available within a specified area.

The Committee noted that an appropriate handover of the case had taken place from the previously responsible Officer to Andrew Moody. The application had been overseen by a number of Planning Officers over a sustained period of time. The application had been analysed thoroughly.

The Committee noted that the proposed screening of the site had been proposed by the applicant.

The Committee further noted that the proposed location of the development could result in a significant amount of traffic turning off the main highway, finding the site full and then having to turn and rejoin the road network (wasted journeys).

The Committee noted the importance of HGVs sticking to designated freight routes. The location of the proposed development would result in traffic deviating from these routes.

The Committee noted the importance of ensuring that HGV drivers had appropriate places to rest, eat and wash.

The Committee notice the importance of ensuring that areas of AONB were retained and protected (as per the Glover Review).

The Committee thanked local residents for the representations which they had made in respect of this application.

Councillor Sue Jepson proposed that the Committee approve the Officer recommendations as outlined in the report and refuse the application.

This was seconded by Councillor Clive Webster.

Record of Voting - for: 11, against: 0, abstention: 0, absent: 0.

The application was refused.

21/00139/FUL

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

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

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

The Committee noted the location of the application site, photographs of the site, and the and proposed plans.

The following people addressed the Committee:

Bourton-on-the-Water Parish Council (Parish Council) - Written submission read out by Democratic Services

Steven O'Leary (Applicant) - Written submission read out by Democratic Services

Councillor Nick Maunder (Ward Member) - Written submission read out by Democratic Services)

The Committee noted the feedback provided by Members who attended the site visit related to this application.

Members noted that the plot was large, with the garden room being relatively discreet in terms of where it had been placed although it did not enhance the AONB.

The Committee noted the potential impact of noise from the garden room on the neighbouring walkway.

Members noted the cumulative development and evolution of the site over time (which was significant).

The Committee noted that landscaping of the site could not be conditioned.

The Committee noted they had to consider whether or not the development harmed the surrounding area.

Members noted that the garden room was not permitted development and so there were controls in relation to the stipulation of the materials used.

The Committee noted that the majority of public who would have a view of the site would be those walking along the riverside.

The Committee noted that subject to distance and height parameters, further permitted development could take place on the site.

The Committee further noted that there were aspects of the development which did not fit with the Cotswold vernacular.

The Committee expressed a view that although the development did not enhance the AONB or the Conservation Area, there was not significant harm presented in terms of grounds to refuse the application.

The Committee expressed a view that it was helpful if planning permission was sought by applicants before works commenced.

Councillor Clive Webster proposed that the application was refused on the grounds of harm to the AONB and Conservation Area.

This was seconded by Councillor Sue Jepson.

Record of Voting - for: 5, against: 6, abstention: 0, absent: 0.

The vote was lost.

Councillor Stephen Hirst proposed that the Committee accept the recommendations as outlined in the report.

This was seconded by Councillor Andrew Maclean

Record of Voting - for: 6, against: 5, abstention: 0, absent: 0.

The application was approved.

21/00143/FUL

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

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

Extensions to existing garage block (part retrospective) at The Dower House
High Street Bourton-On-The-Water Cheltenham Gloucestershire GL54 2AP.

The Committee noted the location of the application site, photographs of the site, and the and proposed plans.

The Committee noted that one condition had been attached to the application which related to the gable end which would not allow the applicant to install any widows to the gable.

The following people addressed the Committee:

Bourton-on-the-Water Parish Council (Parish Council) - Written submission read out by Democratic Services

Steven O'Leary (Applicant) - Written submission read out by Democratic Services

Councillor Nick Maunder (Ward Member) - Written submission read out by Democratic Services)

The Committee noted the feedback provided by Members who attended the site visit related to this application.

The Committee noted that this was a large plot which could accommodate the coach house comfortably.

Members noted that the placement of the coach house within the plot was acceptable.

The size of the coach house in relation to the main house resulted in it being proportionate.

The Committee expressed concern that the development may lead to an increase in use of the accommodation as rented accommodation.

The Committee noted that the coach house was not easily visible from the street.

The Committee noted that it was permissible for the applicant to block up the garage doors should they so wish.

Councillor Patrick Coleman proposed that the Committee accept the recommendations as outlined in the report.

This was seconded by Councillor Dilys Neill

Record of Voting - for: 10, against: 1, abstention: 0, absent: 0.

The application was approved.

22/00416/TPO

Beeches Car Park, Beeches Road, Cirencester, Gloucestershire, GL7 1AE

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

Lawson Cypress (T4) - Crown lift to 3m above parking area at Beeches Car Park, Beeches Road, Cirencester, Gloucestershire, GL7 1AE

The Committee noted the update provided by the Officer.

Councillor Andrew Maclean proposed that the Committee accept the recommendations as outlined in the report.

This was seconded by Councillor Juliet Layton.

Record of Voting - for: 11, against: 0, abstention: 0, absent: 0.

The application was approved.

22/00421/TPO

Abbey Grounds, Dugdale Road, Cirencester, Gloucestershire
GL7 2DA

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

T3 (Yew) - remove deadwood; T26 (Snakebark Maple) - remove dead limb; T32 (Plane) - Crown lift; and T37 (Turkey Oak) - reduce weighted limbs at Abbey Grounds, Dugdale Road, Cirencester, Gloucestershire, GL7 2DA.

The Committee noted the update provided by the Officer.

Councillor Patrick Coleman proposed that the Committee accept the recommendations as outlined in the report.

This was seconded by Councillor Dilys Neill

Record of Voting - for: 11, against: 0, abstention: 0, absent: 0.

84 Sites Inspection Briefing

The Committee noted the rota for attendance at the Sites Inspection Briefing on Wednesday 6 April 2022 (if required).

85 **Licensing Sub-Committees**

The Committee noted the rota for attendance at the Licensing Sub-Committee on Wednesday 23 March 2022 (if required).

The meeting commenced at 10:00am and closed at 12.32pm

Chair

(END)

PLANNING AND LICENSING COMMITTEE 13th April 2022

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 April 2022
INDEX TO APPLICATIONS FOR CONSIDERATION AND DECISION

Parish	Application	Schedule No.
Down Ampney	Land South Of Charlham Way Down Ampney Glos 21/04185/OUT Outline Application	01
Mickleton	35 Glass House Road Mickleton Chipping Campden Glos 21/00837/FUL Full Application	02
Cirencester	84 Watermoor Road Cirencester Glos 19/01916/FUL Full Application	03
Sipton	Brookford Cottage Sipton Oliffe 21/04349/FUL Full Application	04
Sipton	Brookford Cottage Sipton Oliffe Glos 21/04350/LBC Listed Building Consent	05
Preston	Old Farm House Preston Cirencester Glos 21/03907/LBC Listed Building Consent	06

Item No 01:-

21/04185/OUT

**Land South Of
Charlham Way
Down Ampney
Gloucestershire**

Item No 01:-

Outline application for up to 8 no. dwellings including access and associated works with all other matters reserved at Land South Of Charlham Way Down Ampney Gloucestershire

Outline Application 21/04185/OUT	
Applicant:	The Co-operative Group
Agent:	Pegasus Planning Group Ltd
Case Officer:	Andrew Moody
Ward Member(s):	Councillor Lisa Spivey
Committee Date:	13th April 2022
RECOMMENDATION:	THAT THE PLANNING INSPECTORATE BE ADVISED THAT THE LOCAL PLANNING AUTHORITY WOULD HAVE REFUSED THE APPLICATION, HAD IT HAD THE OPPORTUNITY TO DETERMINE THE APPLICATION

1. Main Issues:

- (a) The Principle of Residential Development
- (b) Design and Impact upon Heritage Assets
- (c) Landscape Impact
- (d) Residential Amenity
- (e) Biodiversity
- (f) Trees
- (g) Highway Safety and Parking
- (h) Drainage and Flood Risk
- (i) CIL

2. Reasons for Referral:

2.1 The application is reported to the Planning and Licensing Committee following the receipt of an appeal against the non-determination of the application within the statutory 8-week target.

2.2 In these circumstances, the Local Planning Authority must advise the Planning Inspectorate (PINS) of the decision that it would have made upon the application. In the event of a recommendation to permit, a list of suggested conditions is then forwarded to PINS, or alternatively should it be determined that the application would have been refused, 'putative' refusal reasons must be forwarded with justification for that decision.

3. Site Description:

3.1 The application site is located to the southern side of the road leading through Down

Ampney village, and is an area of grass within private ownership with residential development to the west, south and east, whilst on the opposite side of the highway to the north is the village Primary School, the entrance to the Village Hall and shop, and other residential properties.

3.2 There is an existing entrance to the northern boundary, in addition to 7 trees subject to Tree Preservation Orders inside the northern and eastern boundaries of the site

3.3 The site is within the development boundary defined for the village, which is one of the 17 Principal Settlement identified within the Local Plan, and is not subject to any open space protection. The Primary School and a pair of semi-detached properties opposite are the only designated heritage assets adjoining the site, which is approximately 380 metres from the Conservation Area designated for the village.

3.4 The site is also not subject to any statutory landscape designation.

4. Relevant Planning History:

4.1 None

5. Planning Policies:

- TNPPF The National Planning Policy Framework
- DSI Development Strategy
- DS2 Dev within Development Boundaries
- S4 S4 - Down Ampney
- EN1 Built, Natural & Historic Environment
- EN2 Design of Built & Natural Environment
- EN4 The Wider Natural & Historic Landscape
- EN7 Trees, Hedgerows & Woodlands
- EN8 Bio & Geo: Features Habitats & Species
- EN9 Bio & Geo: Designated Sites
- EN10 HE: Designated Heritage Assets
- EN14 Managing Flood Risk
- EN15 Pollution & Contaminated Land
- INF3 Sustainable Transport
- INF4 Highway Safety
- INF5 Parking Provision
- INF7 Green Infrastructure

6. Observations of Consultees:

6.1 Forward Planning: No objection to the principle of development

6.2 Conservation Officer: No objection subject to condition, comments incorporated into the report

6.3 Landscape Officer: No objection, comments incorporated into the report

6.4 Biodiversity Officer: No objection subject to conditions, comments incorporated into the report

6.5 Tree Officer: No objection to the loss of the tree, other comments incorporated into the report

6.6 Drainage Engineers: No objection, recommend condition

6.7 ERS Contamination: No objection

6.8 Highways Authority: No objection subject to conditions

6.9 Thames Water: No objection subject to condition

7. View of Town/Parish Council:

7.1 Objection - due to the length of the objections these are attached as an appendix to this report

8. Other Representations:

8.1 120 objections have been received making the following comments:

- the field is an invaluable asset contributing to the character of the village
- insufficient waste and drainage in the village
- there are other locations in the village allocated for housing
- when Dukes Field was built villagers were told this field would not be developed
- the site is a green lung and regarded as the village green
- traffic congestion at peak school times
- increased risk of traffic safety problems with a crossroads being formed
- low water pressure in the village
- impact upon privacy and light
- brownfield land should be prioritised
- setting of listed buildings
- Down Ampney is not a sustainable location for new housing
- the Neighbourhood Development Plan protects the land from development
- already permission for 44 dwellings and a further 31 potentially on land owned by the Co-Op and CDC
- the land is not included for development in the Local Plan
- only limited public transport
- impact upon amenity and property values
- capacity of sewerage system
- increased surface water flooding

8.2 1 representation in support of the application has been received:

- proposal accords with the Development Plan
- would wish to see a better housing mix

- smaller units would meet the aspirations of the Neighbourhood Plan

9. Applicant's Supporting Information:

- Planning Statement
- Heritage Statement
- Transport Statement
- Arboricultural Report
- Preliminary Ecological Appraisal
- Bat Roost Assessment of Trees
- Flood Risk Statement and Surface Water Drainage Strategy
- Proposed Plans

10. Officer's Assessment:

(a) The Principle of Residential Development

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.

10.2 The application is in outline for the erection of up to 8 dwellings, with all matters reserved other than the means of access. The site is on the southern side of Charlham Way in the centre of Down Ampney village, and is currently an area of grass upon which livestock graze.

10.3 Down Ampney is one of the Principal Settlements designated in the Cotswold District Local Plan, and the application site is within the boundary defined for the village. Therefore, having regard to Policy DS2 of the Local Plan, there is a presumption in favour of development, regardless of whether the land is designated within the Local Plan.

10.4 The Council's Development Strategy seeks to both boost significantly the supply of homes in the Local Plan period and to direct new homes to where they are needed in accordance with the aspirations of paragraph 60 of the NPPF. Evidence to demonstrate that the Council is significantly boosting the supply of homes in the District is available in the Council's housing land supply figures which stands at 7.2 years and the Government's Housing Delivery Test: 2020 Measurement which gives Cotswold District a figure of 186%, which is well in excess of the 95% pass score. However, the fact that the Council has a 5-year housing land supply does not preclude unallocated sites being developed, as the principle is established through the designation of the settlement boundary.

10.5 A number of representations, including those from the Parish Council, refer to the land being safeguarded from development, with reference being made to the field being a village green. Reference is also made to a S.106 Legal Agreement that was signed at the time of the Dukes Field development, immediately to the south of the site, being developed.

10.6 The site is within the designated area of the Down Ampney Neighbourhood Development Plan (NDP), which is near/at Regulation 14 stage. Once 'made' the NDP will form part of the development plan for the area.

10.7 The draft NDP describes the site as a field, 'akin to a village green' and is tranquil. The proposal for residential use conflicts with the Down Ampney NDP Draft Policy LP2, which seeks to designate the site as Local Green Space (green areas of particular local importance), where development will not be permitted unless in exceptional circumstances. Appendix I of the NDP also includes the draft Down Ampney Design Guide.

10.8 The emerging NDP is a material consideration. The material weight attributed to the emerging policy is in part dependent on the stage of progress of the Plan 'the more advanced its preparation, the greater the weight that may be given' (NPPF para. 48). Guidance also explains, 'where the local planning authority publishes notice of a referendum, the emerging neighbourhood plan should be given more weight....' (NPPG Paragraph: 007 Reference ID: 41-007-20190509).

10.9 It is also possible to justify refusal of planning permission before the NDP has been brought into force (NPPG Paragraph: 008 Reference ID: 41-008-20190509) on the relevance of prematurity (NPPF para 49). However, this is in limited circumstances based on both consideration of the substantial and cumulative effect of the proposal (being so significant as to undermine the emerging Plan - i.e. predetermining scale or location central to the emerging plan) and the advanced stage of the Plan.

10.10 This is not considered to be the case in this instance. Refusal on the basis of prematurity is unlikely as it would require the emerging NDP to be at a more advanced stage i.e. 'in the case of a neighbourhood plan - before the end of the local planning authority publicity period on the draft plan' (NPPF para.50).

10.11 Therefore, whilst the NDP has reached the Regulation 14 stage in the plan-making process, this is not considered to be an advanced stage; the NDP would need to advance to the examination or referendum stage to achieve this status. This is important as it is at this stage where unresolved matters and issues are considered, and where possible mitigated, by an independent examiner. It is worth noting any objections to an emerging policy as '...the less significant the unresolved objections, the greater the weight that may be given' (NPPF para. 48).

10.12 With regard to the Legal Agreement that was entered into in respect of the Dukes Field development, at that time the Local Plan adopted in 1999 did afford protection to the application site, however this was not carried forward to subsequent Local Plans.

10.13 The Agreement included only two requirements, which were to either 'to cut the grass on the Green Land twice a year to a height of approximately 50mm and remove the resultant arisings therefrom' or alternatively 'to allow the Green Land to be grazed by livestock in accordance with good agricultural practice and if so requested by the Council's Director of Development and Heritage to cut the grass to a height of approximately 50mm no more than twice a year.'

10.14 The reference to 'Green Land' refers to the shading on the plan attached to the Legal Agreement, which includes the current application site. However, clause 7 in the Legal Agreement stated the following:

'Nothing in this planning obligation shall be construed as prohibiting or limit any right to develop and part of the Green Land in accordance with any planning permission granted by the Council or Secretary of State after the date of this planning obligation.'

10.15 The Local Plan adopted in 2006 only afforded protection to open spaces identified within Principal Settlements. As Down Ampney was not included within the list of Principal Settlements in that Plan, the protection previously provided did not form part of this Local Plan as the policies to control new housebuilding outside designated settlements were more strictly controlled.

10.16 At that time, unless a new residential development accorded with the exceptions allowed in open countryside, i.e. affordable housing, replacement dwellings or the conversion of rural buildings, all new housing allocations and development were directed to the 10 Principal Settlements only.

10.17 The site was not put forward for consideration as a Local Green Space when the currently adopted Local Plan was being prepared, although two other sites in Down Ampney were assessed in Down Ampney for their potential to become a Local Green Space, but were found to be unsuitable for this designation in the Local Plan.

10.18 In conclusion, whilst the principle of residential development may be considered acceptable upon the site due to it being within the development boundary defined for Down Ampney in the Local Plan, as discussed below, there are concerns that result in Officers concluding that the development of the site would not be in accordance with the Development Plan when read as a whole.

(b) Design and Impact upon Heritage Assets

10.19 There are listed buildings on the opposite side of Charlham Way, including the Primary School and Nos. 16 and 17 Down Ampney. The Local Planning Authority is statutorily required to have special regard to the desirability of preserving the setting of listed buildings, in accordance with Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

10.20 Section 16 of the National Planning Policy Framework requires that Local Planning Authorities should take account of the desirability of sustaining or enhancing the significance of heritage assets. Paragraph 199 states that when considering the impact of the proposed works on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 200 states that any harm to, or loss of, the significance (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Paragraph 202 states that where a development proposal will lead to less than substantial harm to a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

10.21 Section 12 of the National Planning Policy Framework states that good design is a key aspect of sustainable development, and that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Paragraph 130 states that planning decisions should ensure that developments: function well and add to the overall quality of an area; are visually attractive as a result of good architecture and layout; are sympathetic to local character and history; establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places.

10.22 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.

10.23 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.

10.24 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.

10.25 The site is set apart from the listed buildings by the road running through the village, whilst Down Ampney Conservation Area is approximately 380m away with limited visual connectivity. The site is surrounded by modern development and in particular mid- to late-20th century bungalows, a modern cul-de-sac development and the development at Dukes Field.

10.26 It is considered that the residential development of the site would not be harmful to the setting of the designated assets or the wider conservation area which is some distance away. The stone boundary walling has been identified as being of some historic interest and could be considered as a non-designated heritage asset as set out with the heritage report submitted with the application. It is noted that the scheme submitted seeks to retain these boundary treatments and this is welcomed as they contribute to the character and appearance of the site and the wider street scene. A condition is recommended for the repair and retention of the boundary walling and any repair should follow a traditional approach using matching stone.

10.27 The scheme is therefore considered to meet the requirements of Section 66(1) of the Planning (LBCA) Act 1990, Sections 12 and 16 of the NPPF, and Policies EN1, EN2 and EN10 of the Local Plan.

(c) Landscape Impact

10.28 Policy EN1 of the Local Plan states that new development will, where appropriate, promote the protection, conservation and enhancement of the historic and natural environment by:

- a. ensuring the protection and enhancement of existing natural and historic environmental assets and their settings in proportion with the significance of the asset;
- b. contributing to the provision and enhancement of multi-functioning green infrastructure;
- c. addressing climate change, habitat loss and fragmentation through creating new habitats and the better management of existing habitats;
- d. seeking to improve air, soil and water quality where feasible; and
- e. ensuring design standards that complement the character of the area and the sustainable use of the development.

10.29 Policy EN2 of the Local Plan states that development will be permitted which accords with the Design Code (Appendix D). Proposals should be of design quality that respects the character and distinctive appearance of the locality.

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

10.31 Policy INF7 of the Local Plan states that development proposals must contribute, depending on their scale, use and location, to the protection and enhancement of existing Green Infrastructure and/or the delivery of new Green Infrastructure. Green Infrastructure will be designed in accordance with principles set out in the Cotswold Design Code (Appendix D).

10.32 Paragraph 131 of the National Planning Policy Framework states that planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible.

10.33 Paragraph 174 of the National Planning Policy Framework requires the planning system to recognise the intrinsic character and beauty of the countryside.

10.34 The site is located within the settlement of Down Ampney which is not located within the Cotswolds AONB or a Special Landscape Area (SLA). The site itself occupies a small agricultural field, located to the south of the main village road and contained by housing to three sides. The site is

currently used for grazing sheep and it does not have any public access. Key features of the site include a number TPO trees and also an attractive Cotswold stone wall which defines the frontage along the road. The topography of the site is generally flat.

10.35 The site is located within Landscape Character Type (LCT) River Basin Lowland and Landscape Character Area (LCA) TV1B: Down Ampney as defined within the Gloucestershire Landscape Character Assessment (GLCA, January 2006). The site is also defined within the Cotswold Water Park Landscape Character Assessment as being within the River Basin Clay Vale LCT and LCA 3B: Down Ampney and Meysey Clay Vale Farmland. Both assessments share the same key characteristics. Down Ampney is described as a very small and quiet village which retains the sense of a rural idyll and has a dispersed settlement pattern.

10.36 The application seeks outline planning permission for up to 8 dwellings including access and associated works with all other matters reserved. The site occupies an attractive green parcel which contributes positively to the character and appearance of the village and reinforces the rural identity of the settlement. As such, encroachment of built development into this open green parcel may result in detrimental landscape effects. These changes would be perceived from the main village road.

10.37 It is noted that the site is also influenced by existing development, adjoins the road to the north and is contained by housing to the remaining three sides, and as such, the site does not read as part of the wider rural landscape. The site is also contained by various boundary treatments, including an unattractive close board and trellis fence and as such it is considered that there is scope for enhancement.

10.38 The proposed scheme is low density and the Illustrative Masterplan indicates that the layout would retain and protect the TPO trees and also the low stone wall to the frontage. However, notwithstanding that the site is not allocated as a Local Green Space in the Local Plan, it is considered to be important within its setting in the centre of Down Ampney village. Policy EN2 of the Local Plan cross references the Cotswold Design Code at Appendix D, and Members attention is drawn to the following paragraphs D.11, D.13 and D.14:

D.11 Cotswold towns typically have many buildings tightly arranged at their core, with building lines set immediately on, or close to, the rear of the pavement. Many feature gently curving streets, and are centred on wide thoroughfares or market places. Nearly all settlements incorporate important open spaces. Some Cotswold villages are arranged around village greens. Others are set out in a linear fashion, or are more dispersed and rural.

D.13 Traditional Cotswold street scenes contain buildings of a variety of scales and architectural styles. Together, however, there is a sense of rhythm, harmony and balance, and this should be continued in any new development. The particular character of existing streets should be respected, including gaps between buildings, which can often be important. New additions might add interest but should not appear out-of-keeping.

D.14 In designing new development, close attention to the site and its setting should work at all levels, from the overall principle, density and grain, to the scale, form, roofscapes, elevations and detailed features of the buildings, and then to the landscaping surrounding them.

10.39 It is considered that the proposed scheme would result in landscape and visual harm, and the loss of an open space that is of importance to the character of the settlement,

regardless of whether it is protected. The Design Code requires consideration of features including open space, the gaps between buildings, and the 'density and grain' of development. As such, it is considered that the introduction of housing to the site would be contrary to Policy EN2 of the Local Plan and the Cotswold Design Code with regard to its impact upon the street-scene and the character of the settlement.

10.40 If the principle is established through the appeal being allowed, the development would be expected to comply with the requirements of the Cotswold Design Code and deliver high quality green infrastructure design.

(d) Residential Amenity

10.41 Policy EN2 and the Cotswold Design Code require consideration of the impact of development in terms of residential amenity, which is also referred to within paragraph 130 (f) of the NPPF.

10.42 The plans submitted are illustrative, and whilst objections have raised concerns about the impact upon existing neighbouring properties, these cannot be attributed significant weight as the layout, scale and design of the properties would be the subject of a subsequent reserved matters application.

10.43 The proposal therefore is considered to accord with Policy EN2 and the Cotswold Design Code (Appendix D) of the Local Plan, insofar as they relate to residential amenity, and paragraph 130(f) of the NPPF which requires an acceptable level of amenity for existing and future users.

(e) Biodiversity

10.44 Section 15 of the NPPF seeks to ensure development minimises the impact on and provided net gains for biodiversity.

10.45 Local Plan Policy EN1 requires that new development will, where appropriate, promote the protection, conservation and enhancement of the historic and natural environment, including by ensuring the protection and enhancement of existing natural and historic environmental assets and their settings in proportion with the significance of the asset.

10.46 Policy EN8 supports development that conserves and enhances biodiversity and geodiversity, providing net gains where possible.

10.47 Policy EN9 requires consideration of the impact of development upon International, National and Local designated wildlife sites.

10.48 A Preliminary Ecological Appraisal and a Preliminary Ground Level Bat Roost Assessment of Trees have been submitted with the application. Six of the seven trees upon the site are considered to have high potential for supporting roosting bats, although otherwise there is limited impact upon protected species considering that the land is grazed by sheep. A number of measures are suggested to enhance habitat, for example bat boxes, appropriate use of lighting that would not impact upon bats, as well as other measures relating to site clearance outside the bird-nesting season, covering exposed excavations or providing a ramp for mammals to climb out if left overnight.

10.49 In this respect, the Biodiversity Officer has considered the submitted proposals and is raising no objection.

10.50 However, a Habitat Regulations Assessment (HRA) is required with regard to the North Meadow and Clattinger Farm Special Area of Conservation (SAC) as the application site lies within the 8km Zone of Influence for North Meadow. This is due to the likely significant effects resulting from an increase in residential pressure, particularly in combination with other development projects.

10.51 This is a lowland hay meadow within North Wiltshire that represents an exceptional survival of the traditional pattern of the management of such areas, and exhibits a high degree of conservation of structure and function. This site also contains a very high proportion (>90%) of the surviving UK population of fritillary *Fritillaria meleagris*, a species highly characteristic of damp lowland meadows in Europe.

10.52 A mitigation strategy is currently in preparation in conjunction with Swindon Borough Council and Wiltshire Council, which is likely to result in a need to obtain developer contributions from residential development within the zone of influence. Once the strategy is agreed and a cost per unit identified, then the HRA can be completed subject to the required payment being secured, with this most likely to require a S.106 Legal Agreement. The contribution would be used to fund the required mitigation measures at the site, including the employment of seasonal wardens and the installation of fencing and signage (as a visitor management action).

10.53 The HRA cannot be completed at present as an Appropriate Assessment is required and therefore mitigation measures need to be put in place. Natural England must be consulted on any proposal once the Appropriate Assessment has been completed. If this process is not followed, it leaves any decision made, either by the Local Planning Authority or the Planning Inspectorate, open to Judicial Review.

10.54 It should be noted that whilst undertaking the HRA process is the responsibility of the decision maker as the Competent Authority for the purpose of the Habitats Regulations, it is the responsibility of the applicant to provide the Competent Authority with the information that they require for this purpose.

10.55 Therefore, there is insufficient information provided to allow this matter to be considered at the present time, and the proposed development is contrary to Policies EN1, EN8 and EN9 of the Local Plan, in addition to paragraphs 174, 180, 181 and 182 of the NPPF.

(f) Trees

10.56 Having regard to Policy EN7 of the Local Plan, there are even trees within the site that are subject to Tree Preservation Orders (TPO).

10.57 The arboricultural information submitted with the application is considered to be acceptable, with the proposal including one tree to be removed. This is a dead sycamore tree which is considered to be in need of removal regardless of site development.

10.58 All other trees on, and just off site (including those currently protected by a TPO) are proposed to be retained and can be protected adequately using the tree protection measures set out in the tree consultancy report submitted with the application.

(g) Highway Safety and Parking

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

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

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

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

10.63 The site is opposite local amenities including primary school, local shop, post office, village hall and walking distance to other amenities including the football club and church. There are also local bus services stopping in the village adjacent to the site and northwest which are infrequent but provide some services to surrounding schools and to Cirencester for shops.

10.64 The Highway Authority is raising no objection to the proposal, notwithstanding the concerns raised by the local community regarding proximity to the Primary School. Visibility at the entrance is considered acceptable, with the road being the subject of a 30 mph speed limit.

10.65 Conditions are recommended requiring the provision of electric vehicle charging for each dwelling, secure covered cycle parking for two bikes per dwelling with direct highway access, and a Travel Plan to promote alternative modes of transport other than the private car.

10.66 Therefore, the proposal is considered to accord with Policies INF4 and INF5 of the Local Plan, and Section 9 of the NPPF.

(h) Drainage and Flood Risk

10.67 Policy EN14 of the Local Plan requires 'Development proposals must avoid areas at risk of flooding, in accordance with a risk-based sequential approach that takes account of all potential sources of flooding. 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.'

10.68 The NPPF provides national policy upon this subject at Section 14, with paragraph 159 stating 'Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.'

10.69 Paragraph 161 continues to state 'All plans should apply a sequential, risk-based approach to the location of development - taking into account all sources of flood risk and the current and future impacts of climate change - so as to avoid, where possible, flood risk to people and property...'

10.70 The application site is within Flood Zone 1 as defined by the Environment Agency, and therefore has the lowest probability of flooding. A number of representations have raised this as a concern, however.

10.71 A Flood Risk Statement and Surface Water Drainage Strategy has been submitted with the application, which has been consulted upon with both Thames Water and the Council's Drainage Engineers, neither of which are raising any objection to the proposal subject to the conditions recommended.

10.72 With regard to foul drainage, Thames Water are raising no objection based upon the information submitted with the application, and that in respect of surface water drainage, Thames Water has commented that if the developer follows the sequential approach to the disposal of surface water there would have no objection. The proposed drainage strategy is considered to accord with this, and as such the proposed drainage of the site would accord with Policy EN14 of the Local Plan and Section 14 of the NPPF.

(i) CIL

10.73 This is an outline application. The proposed development will be liable for a CIL charge, and the chargeable amount will be calculated when the reserved matters application is determined.

11. Conclusion:

11.1 The proposed development is contrary to the policies in the Development Plan in addition to the NPPF, which are not outweighed by other material planning considerations.

11.2 The recommendation is for the Planning Inspectorate to be informed that the Local Planning Authority would have refused planning permission for the development, for the reasons set out below.

12. Reasons for Refusal:

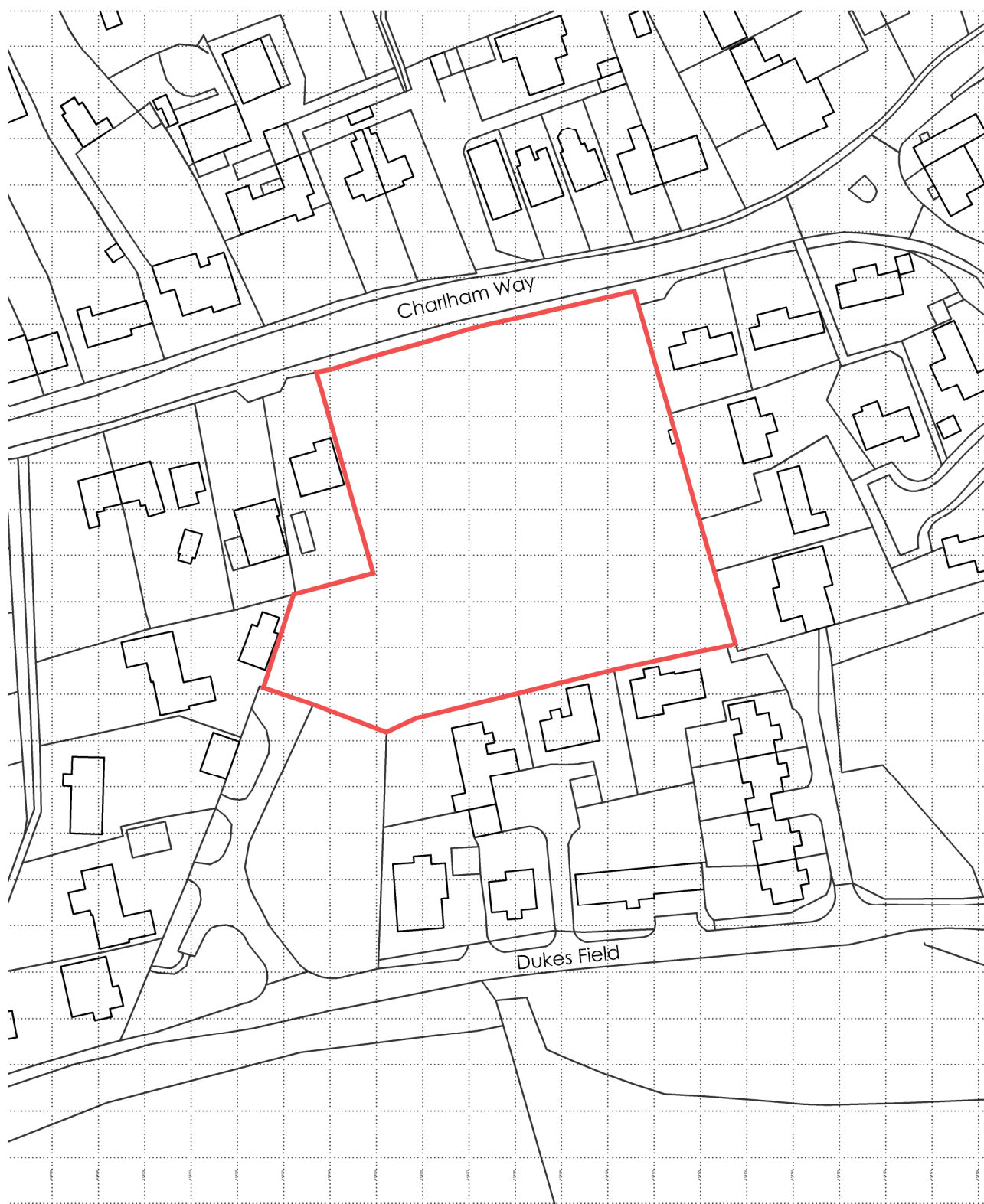
1. The proposed development would result in landscape and visual harm through the loss of an open space that is of importance to the character of the settlement. The Cotswold Design Code requires consideration of features including open space, the gaps between buildings, and the 'density and grain' of development. As such, it is considered that the introduction of housing to the site would be contrary to Policy EN2 of the Local Plan and the

Cotswold Design Code, in particular paragraphs D.11, D.13 and D.14, with regard to its impact upon the street-scene and the character of the settlement.

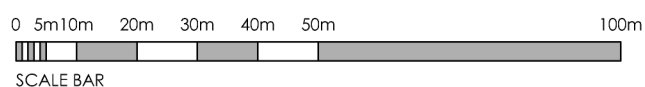
2. Insufficient information has been provided to allow consideration of the impact of the proposed development upon the North Meadow and Clattinger Farm Special Area of Conservation, which is an internationally designated wildlife site. No Habitat Regulations Assessment has therefore been completed as no information has been provided to allow an Appropriate Assessment to be undertaken. In the absence of this information, which it is the requirement of the applicant to provide, the proposal is contrary to Policies EN1, EN8 and EN9 of the Cotswold District Local Plan and paragraphs 174, 180, 181 and 182 of the National Planning Policy Framework.

Informative:

1. Please note that the proposed development set out in this application would have been liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) if planning permission had been granted. Therefore, if an appeal is lodged and subsequently allowed, the CIL liability will be applied. Any revised application would also be CIL liable.



Ordnance Survey, (c) Crown Copyright 2021. All rights reserved. Licence number 100022432



Date: 20.10.21

Checked by : CB

Sheet Name: Location Plan

Project No: 8617

Revision: P2

Drawn by: BB

Scale @ A4 : 1:1250

Purpose of issue: Planning

Status:

Drawing No: 8617-BOW-A0-XX-DR-A-0001

Do not scale from this drawing

This drawing is the copyright of Bowman Riley Architects Limited. ©

Page 30 of 30

Land South of Charlham Way, Down Ampney



P2 Stone structure added 20.12.21 cb cb

Revision	Date	By	Chk
----------	------	----	-----



Page 31

Illustrative Masterplan
Scale 1:200 @ A1

Site Information

Total Site Area: 1.50 Acres / 0.60 Hectares
Total Developable Area: 1.20 Acres / 0.48 Hectares

Key

- Existing Tree and Root Protection Area
- Proposed Tree and Root Protection Area (Indicative)
- Existing Hedgerow
- Proposed Hedgerow (Indicative)
- Proposed SuDS/Biodiversity Enhancement Zone (Indicative)
- Proposed 5.5m (w) Estate Road and 2m (w) Footpath
- Proposed 4.8m (w) Private Driveway

Accommodation Schedule

House Type	Area (m ²)	Quantity	Area (m ²)
1.5-2 storey/3 bed	97	4	388
1.5-2 storey/4 bed	118	4	471
Garages	17	8	137
Total		8	996

P7	Plot 8 set back from Tree T1.	12.01.22	BB	CB
P6	Hatching amended.	17.12.21	CB	CB
P5	Annotation amended.	17.12.21	CB	CB
P4	Existing bread oven added.	16.12.21	BB	CB
P3	Hedge and trees to southern boundary amended.	08.12.21	BB	CB
P2	Site boundary amended.	22.11.21	CB	CB
P1	Issued for planning.	20.10.21	BB	CB
Revision		Date	By	Chk

All dimensions to be verified on site, and the Architect informed of any discrepancy. All drawings and specifications should be read in conjunction with the Health and Safety Plan; all conflicts should be reported to the appointed Principal Designer.

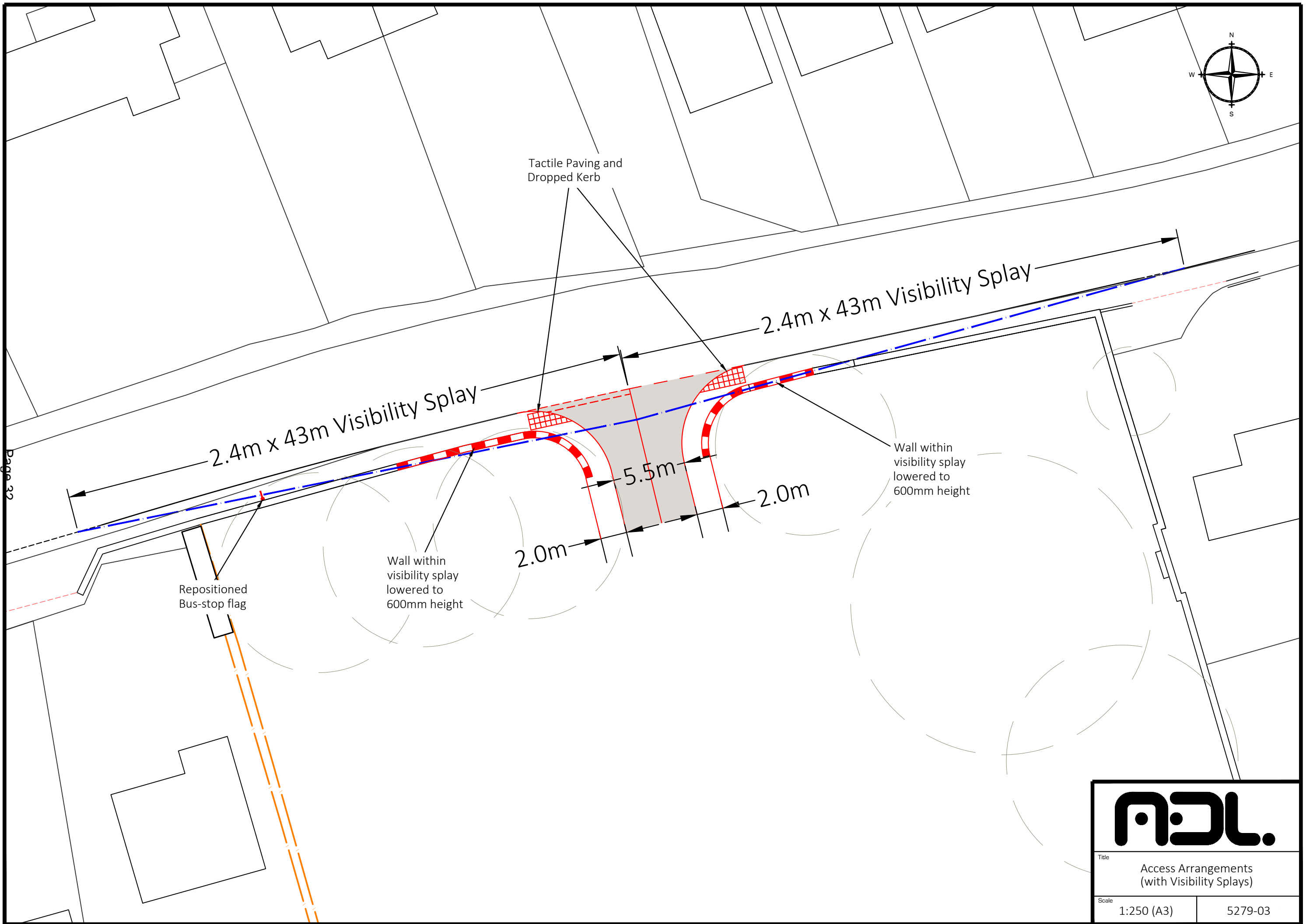
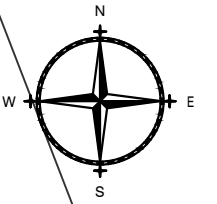


Co-op Property
Proposed Residential Development
Land South of Charlham Way, Down Ampney
Sheet Name: Illustrative Masterplan

Purpose of issue: Planning Status:
Date: 20.10.21 Checked by: CB
Drawn by: BB Scale @ A1: 1:200
Project No: 8617 Revision: P7
Drawing No: 8671-BOW-A0-XX-DR-A-0004



Do not scale from this drawing. This drawing is the copyright of Bowman Riley Architects Limited. © G:\P8617 - Millennium Field, Down Ampney\8617 - 03 Cad\0000 Existing, Presentation, Planning\8617-BOW-A0-XX-DR-A-0004-07_Illustrative Masterplan.dwg



Page 32



Title	
Access Arrangements (with Visibility Splays)	
Scale	
1:250 (A3)	5279-03













Objections to Millennium Field application number 21/04185/OUT

Please note that the address on the application should be the Down Ampney Road and not Charlham Way.

Reasons for objection:-

1). History and acceptance of being called green space.

This is the one small field in the centre of the village that holds a special place for residents. Before the Co-op renamed the field Millennium Field it was known as Duke's Field after the horse which used to graze there. A paddock scene enjoyed through the years by the passing school children and adults alike. More recently it has been grazed by sheep enhancing the rural aspect. It is **the only green space** left in the centre of the village and its importance and speciality has been documented for nearly 30 years when it was highlighted in "Design in Down Ampney", a Cotswold District Council publication that won awards.

There are several documents and statements where this field is identified, and even accepted by the Co-op as green space:-

a). This field has never before been identified for development and it has been accepted in the past by the Co-op that this field is **so important** to the village as green space. During the submission by the Co-op to the Cotswold Local Plan Examination on 27th Sept 2017 in the "Hearing Statement" Matter 6a: South Cotswold Sub area on page 12 the map shows extensive proposed development everywhere in the village except for the field the Co-op now call the Millennium Field. The Millennium Field is identified as "Existing open space". Appendix 1.

b). In an earlier document that was issued by Hourigan Connolly Planning and showed in the Cotswold District Council Development Strategy and Site allocation consultation (January 2015) a vision of up to five development sites. Yet again the Millennium Field is not allocated housing. Appendix 2.

c). In the Case Officer comments to the Duke's Field application number 98/00828 in section Open Space it states, "The field fronting the development is identified as an important Open Space in the Local Plan. This is currently grazed and contributes to the agricultural character of the village". Appendix 3.

d). In the application paperwork 98/00828 in a document submitted by the Co-op and called Site A Design statement CT.0148/H it is stated "The field is considered by the District Council to be part of the character of the village and was therefore excluded from the land allocated for development". Appendix 4.

e). The very recent up-dated SHELAA issued by CDC on Oct 2021 does not identify this site for development. The summary map Down Ampney Site Assessments does not show this field as considered for development. It is considered by CDC forward planning that Down Ampney has been allocated sufficient developable land to fulfil the demands of the District to 2031. The CDC local plan 2011-2031 does not identify this site for development. Appendix 5.

f). The Co-op knowing that the Neighbourhood Development Plan ,which is currently being produced by the village, is nearing Reg 14 stage and is looking to designate the field as “Green Space” have applied for planning permission to build eight houses on this one last piece of remaining green field sites in the heart of the village. As a matter of courtesy the Co-op were given an advance draft copy of the Reg 14 submission. Therefore this application is seen as an **opportunistic pre-empting** the adoption of the Neighbourhood Plan.

2). S106 agreement on Duke’s Field site dated 16th July 1999:-

The agreement is contradictory in points 7, 8 & 9. Item 7 states, “Nothing in this planning obligation shall be construed as prohibiting or limit any right to develop any part of the site in accordance with any planning permission granted by the Council or by the Secretary of State after the date of this planning obligation”. Yet the covenant in 8 is binding by the words “**successors in title**” which means that the field sold to whoever, has to be mown or grazed as stated in 9, and you cannot do that if built on. Appendix 6.

3). National Planning Policy Framework 2021:-

Paragraph 40 states:- Local planning authorities have a key role to play in encouraging other parties to take maximum advantage of the pre-application stage. They cannot require that a developer engages with them before submitting a planning application, but they should encourage take-up of any pre-application services they offer. They should also, where they think this would be beneficial, encourage any applicants who are not already required to do so by law **to engage with the local community** and, where relevant, with statutory and non-statutory consultees, before submitting their applications.

Far from following this policy:- In a meeting held on Oct 12th 2021 between the Chairman and Deputy Chairman of the Down Ampney Neighbourhood Plan with the Co-op representaives (will put in their titles) as part of the Reg 14 procedure it was shown that the Millenium Field was being put forward for “green space”. No comment was made by the Co-op that they were going to put forward this field for planning permission.

Paragraph 102 states. The Local Green Space designation should only be used where the green space is:

- a) in reasonably close proximity to the community it serves;
- b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and
- c) local in character and is not an extensive tract of land.

For the above reasons the Millenium Field has been identified as a Green Space in the emerging Neighbourhood Plan and in the CDC consultation last year on Green Space and Green Infrastructure.

4). Sewage:-

The problems of the lack of capacity of the Ampney St Peter sewage treatment works is well documented. Objections on this subject are made at every application, and yet development continues. There are many meetings being held on this topic, but as yet no solution, or timescales proposed. In the next couple of years approx. 64 additional dwellings will be added to the already overloaded system. No connection must be made to the existing system until the Ampney St Peter works has been updated and this must be made a condition.

5). Access:-

The proposed access is directly opposite the school. At “dropping off and collecting” times the number of cars and parking is a major safety issue. To have an access opposite the schools will only exacerbate the traffic problems. The track to the village shop, hall, playground is along a single track and regularly cars have to back out on to the main road as cars try to exit the hub car park.

6). Number of dwellings:-

The number of dwellings proposed is overdevelopment of the site and resulted in the proposed new dwellings being far too close to existing houses and a dramatic impact on privacy. Down Ampney is a rural village, and its ambience and culture must be observed.

7). Flooding:-

This field regularly floods during peak rainfall periods and takes a long time to drain away as there are no ditches in the area. Where to discharge this run-off water, and who maintains the pipes/pumps/ditches must be identified.

8). Grade 2 listed properties:-

Opposite the proposed site there are two grade two houses and the village school. This development would seriously degrade the view that these houses and the school have had for generations. There is very detailed attention and restrictions made by CDC Conservation when any modifications are made to these properties. Any proposed changes to their surroundings should equally be critically considered and standards maintained.

9). Wildlife and Conservation:-

This is the last remaining green space in the centre of the village. There is considerable public dialogue at present on the importance of green space and open fields allowing the natural environment for birds, flowers, bees to thrive.

Conclusion:-

On behalf of this village Down Ampney Parish Council strongly object to this application.

Down Ampney Parish Council
Dec 6th 2021



Hearing Statement

Cotswold Local Plan Examination

Matter 6a: South Cotswold Sub-Area

27 September 2017

Representor ID: 024A

Contents

- 1. Introduction 2
- 2. Response to Issue 6.2 (Down Ampney) 3

Appendix 1 – Down Ampney Development Framework

1. Introduction

- 1.1. This Statement provides a response to the Inspector's Matters, Issues & Questions for Examination¹, in respect of Matter 6 (*"Are the Housing, Employment and Infrastructure Proposals for the South Cotswold Sub Area justified?"*) and the Co-op's interests in Down Ampney. It also provides a factual update, where relevant, on any omission sites, which may assist the Examination. A Development Framework for Down Ampney is provided at **Appendix 1**.
- 1.2. For ease of reference, a plan showing the extent of the Co-op's ownership in Down Ampney is provided below. The land shown in red comprises land in which the Co-op retain a freehold interest (with the exception of Broadway Farm indicated in blue, which was sold to Sanctuary Homes in 2016). The land denoted in pink was sold to the Wellcome Trust in 2014 as part of a UK-wide rationalisation of the former Co-op Farms business.

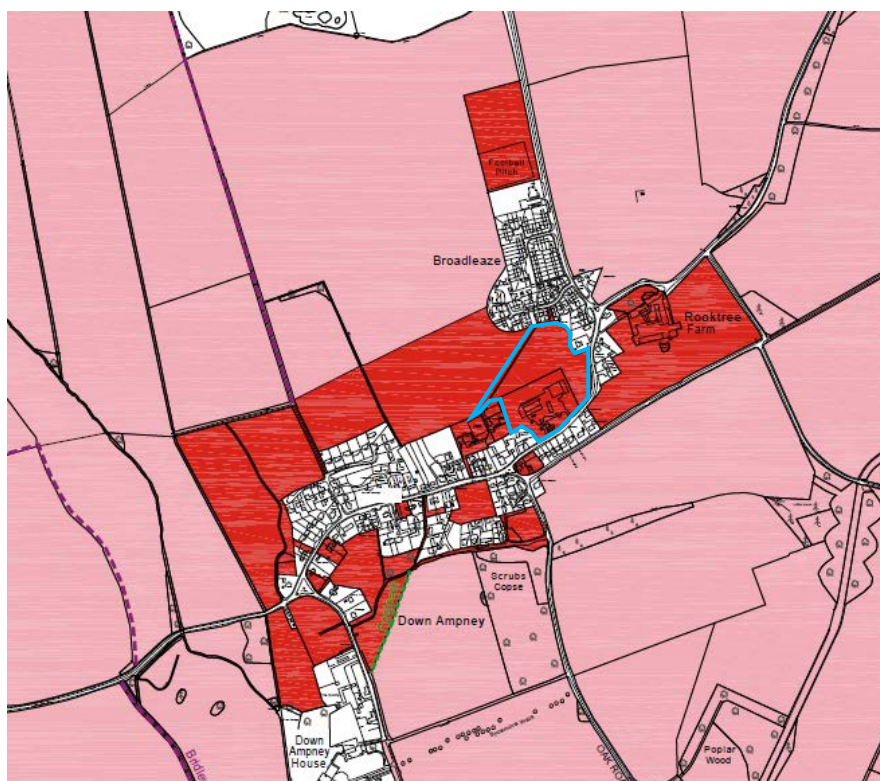


Fig. 1 – Co-op land ownership within Down Ampney (excluding land denoted in blue)

¹ Examination Document Ref: ED013i

2. Response to Issue 6.2 (Down Ampney)

73. Are the three housing sites allocated in policy S4 suitably located for residential development, and could they be developed in an acceptable manner having regard to their particular characteristics, surroundings, and local infrastructure and services?

- 2.1. Yes, in part; the Co-op considers that the three allocated housing sites are suitably located for residential development in principle. However, based on current information the Co-op would question the delivery of DA_8 (Land at Broadleaze) and considers that there is a clear case for further modifications to Policy S4 (Down Ampney) generally, for the reasons explained below.
- 2.2. Site DA_2 (Dukes Field), which is allocated for 10 dwellings (net), is within the Co-op ownership and free from any known technical constraints to redevelopment. It is bounded by existing housing on two sides and visually contained by Scrubs Copse to the south. It has not been subject to any previous planning applications or appeals.
- 2.3. The 2017 Strategic Housing and Economic Land Availability Assessment (SHELAA)² raises concerns regarding potential access problems on Oak Road, which leads to Dukes Field. However, representations by the Co-op at Regulation 18 stage (February 2015) include an indicative masterplan for Dukes Field (Appendix 2) and a Technical Note on highways and transportation matters (Appendix 4) prepared by Mayer Brown consulting engineers. It is instructive to note the Technical Note in particular, which concludes *inter alia*:
- Oak Road is a no through road, leading to Duke's Field which is a shared surface with brick paver surfacing and passing places, which gives access to 14 units; it is a private road owned by the Co-op.
 - As part of any planning application, it would be proposed to formally reduce the speed limit on Oak Road, to just beyond its junction with Duke's Field, to 30mph, as well as reducing the speed limit on Duke's Field itself.
 - Visibility of 90m is achievable to the north onto Oak Road; visibility of approximately 35m is achievable to the south due to the sharp bend in the road

² Examination Document Refs: EB012a, EB012b and EB012c

from Oak Road into Duke's Field. This bend means that traffic is unlikely to be travelling at high speeds and therefore the achievable visibility is expected to be acceptable. A simple priority junction will be sufficient for the proposed development.

- The trip generation demonstrates that this level of development would only result in a minimal increase in vehicular traffic during peak hours, which could be accommodated within the local highway network without materially affecting capacity.

2.4. For these reasons, it is respectfully submitted that the proposed allocation at Dukes Field could be accessed safely and it is a suitable location for housing. Moreover, the expectation is that this site could be delivered in 0-5 years rather than the 11-15 year timeframe anticipated in the SHELAA.

2.5. In respect of Site Ref: DA_5A (Buildings at Rooktree Farm) which is allocated for 8 dwellings (net), again this allocation is supported and the site is considered deliverable. It has not been subject to any previous planning applications or appeals. Potential access constraints referred to in the SHELAA have also been addressed via earlier representations at Regulation 18 Stage by the Co-op.

2.6. However, the SHELAA also states at p.47 that this site "*should ideally be developed with DA_5C* [Land South of Rooktree Farm]" which is an omission site, also owned and promoted by the Co-op³. Earlier representations by the Co-op envisaged the conversion of the existing farmstead at DA_5A to provide 531sqm of employment/commercial floorspace (Village Business Innovation Centre) with a phased housing allocation at DA_5C and DA_5B (Land East of Rooktree Farm Buildings). It is maintained that this would bring a more appropriate balance of uses to support the growth of Down Ampney over the Plan period. It is noted that the Plan seeks to deliver *at least* 27 hectares of Class B employment use⁴ over the Plan period within the Principal Settlements, of which many benefit from protected employment sites or allocations, whereas Down Ampney does not. To ensure the long-term sustainable growth of Down Ampney, a mixed use allocation across DA_5A and DA_5C would be commensurate with wider strategic objectives of the Plan and potentially mitigate against any delay in the delivery of employment space at the

³ The corresponding conclusion on site DA_5C in the 2017 SHELAA states: "*The site should ideally be developed in conjunction with DA_5A / DA_E1.*"

⁴ Policy DS1 (Development Strategy) refers

Chesterton Strategic Site, for example. Such an allocation would also be consistent with the Council's conclusions as regards the deliverability of these two sites.

- 2.7. In reference to draft allocation DA_8 Land at Broadleaze (10 dwellings net), it is understood that this land is owned by Cotswold District Council and the clubhouse leased to Down Ampney FC (on a 14 year lease beginning 1st September 2014). The SHELAA notes that the existing clubhouse (immediately east of the allocation) would:

“...either need to be retained or a replacement club house provided, although a suitable location for the new club house and the costs of relocating the clubhouse mean that relocation is improbable”.

- 2.8. It is also noted that the clubhouse was previously included within DA_8 in the Regulation 18 Stage draft Plan⁵ in January 2015 (see extract below) but removed at Regulation 19 Stage (with the number of dwellings subsequently reduced from 13 to 10). It is unclear from the Local Plan evidence base what material change in circumstances prompted the exclusion of the clubhouse, other than a belated recognition that relocation would be improbable in any scenario, so retention is seemingly unavoidable if the allocation is to be delivered.

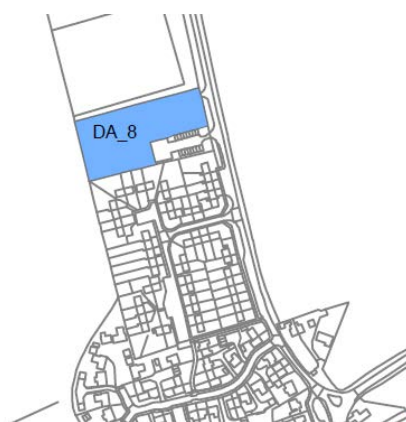


Fig. 2: Extract from Map 7: *Housing and Employment Allocations (Down Ampney)*, Local Plan Development Strategy and Site Allocations (Jan 2015)

- 2.9. Access to the site is also potentially constrained by a line of mature trees along the northern boundary of the clubhouse car park. It is assumed that access to the allocated housing site would pass to the north of the clubhouse building but there is an absence of any technical evidence to demonstrate that the trees would be unaffected or a satisfactory access could be achieved. These constraints are perhaps reflected in the

⁵ Examination Document EB004

expectation, set out in the SHELAA, that this site would not deliver ten dwellings until Years 11-15 of the Plan. Again, it has not been subject to any previous planning applications or appeals.

- 2.10. The Co-op maintains its position that DA_8 would be more suited to allotment use, for which there is an acknowledged need, as referred to in Policy S4, within Down Ampney.

74. Are the numbers of dwellings assumed to be built on each of the housing allocations referred to in policy S4 reasonable and justified by the available evidence?

- 2.11. For the reasons given above, it is respectfully contended that DA_2 (Dukes Field) provides for an appropriate quantum of development that is reasonable and justified, based on all the evidence available, including previous representations by the Co-op.
- 2.12. However, whilst the proposed allocation of DA_5A (Buildings at Rooktree Farm) for 8 dwellings is welcomed, there is scope for a comprehensive mixed use allocation as set out above, in tandem with DA_5C (up to 40 dwellings) and potentially DA_5B (as a later phase of up to 70 dwellings). This would support the economic objectives of the Plan.
- 2.13. In addition, there appear to be constraints to the delivery of 10 dwellings at DA_8 (Land at Broadleaze), as acknowledged in the Local Plan evidence base and consideration needs to be given to meeting the shortfall on alternative sites in Down Ampney.
- 2.14. In contrast, the Omission Sites which have been promoted by the Co-op in Down Ampney are considered deliverable. They are being promoted via a willing landowner and assessed in detail as part of a comprehensive Development Framework and *Vision for Down Ampney*, prepared by the Co-op⁶.
- 2.15. In addition, it is contended that a greater proportion of the housing need identified in the Plan can be met in Down Ampney over the Plan period. Just 0.9% of the total housing allocations in the draft Plan are apportioned to Down Ampney⁷. Similarly, once completions, commitments and windfalls are accounted for, just 0.81% of the total

⁶ See Appendices 1 and 2 to Representations made in January 2015 (by Hourigan Connolly on behalf of the Co-op)

⁷ Examination Document ED010A refers

growth in the Cotswolds for the Plan period is apportioned to Down Ampney. Notably, there was just a single net housing completion in Down Ampney recorded for the period 1 April 2011 – 31 March 2016⁸. It is arguable that this level of growth, within a *Principal Settlement* can not lead to a sustainable community. Lack of access to housing would limit social mobility and the ability of first-time buyers and young families to remain in Down Ampney.

2.16. Despite this, Down Ampney is acknowledged as one of 17 Principal Settlements in the District. Indeed, it is instructive to note the status of Down Ampney as the Local Plan (and associated evidence base) has evolved⁹. The Local Plan Strategy Evidence Paper (April 2013) originally excluded Down Ampney from the list of 17 Settlements. However, in response to consultation on the Preferred Development Strategy in May 2013, a report to Cabinet in December 2013 noted that sufficient sites had been put forward in Down Ampney via the SHLAA review for Down Ampney to be upgraded for inclusion in the Development Strategy¹⁰. Siddington was also deleted, resulting in the overall figure of 17 settlements being maintained.

2.17. The relative suitability and accessibility of Down Ampney was also considered by an Inspector in relation to Broadway Farm (Sites DA_1A and DA_1B). In allowing an appeal for 44 dwellings in March 2016¹¹, the Inspector noted:

“13. The Council suggested that the provision of up to 44 dwellings in a single timeframe would be difficult to deal with. But, as noted, the community has successfully dealt with a similar proportionate increase previously. I am also unconvinced by the arguments that the provision of 50% affordable dwellings might leave some of their occupants at a disadvantage if they are on low incomes in a village location. Down Ampney is not the best served by public transport, but there is a rudimentary bus service and it is not very far from Cirencester. I am far from convinced that the village would not be able to cope, and that social harm resulting from the ‘sheer numbers’ of new residents, as referred to at the hearing, would materialise. There is no evidence that the vitality of the village would be compromised, and it is difficult to envisage how new residents could do other than increase vitality, especially if encouraged to make use of and become involved with village facilities.

⁸ Examination Document ED010A refers

⁹ Examination Document EB010 provides a helpful chronological summary

¹⁰ See Para. 4.3 of Examination Document EB010

¹¹ PINS Ref: APP/F1610/W/15/3131716

14. With regard to benefits I have referred briefly to the likely support for the village shop and other facilities. I am told that the local school also has places available and that new residents with children would assist in keeping it viable. The Council does not contest that the provision of up to 22 affordable homes would be of significant benefit, and although the community is unaware of the 12 people with local need, it is clear from the Council's housing enabling officer that the provision would be welcome and would assist in addressing the need for affordable housing in the District."

- 2.18. In addition, it is emphasised that 80% of the District is within the Cotswolds Area of Outstanding Natural Beauty (AONB). Of the 17 Principal Settlements, 10 lie wholly within the AONB with an additional two (Cirencester and Moreton-in-Marsh) partly constrained by either the AONB or Special Landscape Area (SLA) designations.



Fig. 3: Extract (Portrait 2) from Submission Local Plan

















- 2.19. In spatial terms, there is considered to be a case for greater apportionment of growth to those settlements in the south-east of the District which are comparatively unconstrained by landscape designations, including Down Ampney. This is given added emphasis given the uncertainty surrounding the Chesterton Strategic Site and

the Council's decision on 26th September 2017 to defer determination of the outline planning application for three months, as the Examination will doubtless be aware. Given the potential risks to delivery of that site, in contrast to the Council's expectations, it would be appropriate to consider alternative sites in both the short term and over the Plan period.



This drawing is the property of FPCR Environment and Design Ltd and is issued on the condition it is not reproduced, retained or disclosed to any unauthorised person, either wholly or in part without written consent of FPCR Environment and Design Ltd.

Ordnance Survey Mastermap - Crown Copyright. All rights reserved. Licence Number: 100019980 (Centremapslive.com)

-  Proposed Sites
-  Proposed Development Areas
-  Permissive Paths
-  Bridleways
-  Public Footpaths
-  Proposed Footpaths
-  Proposed Play Areas
-  Proposed Pedestrian / Cycle Link
-  Existing Open Space
-  Existing Woodland
-  Indicative Tree Planting
-  Proposed Public Open Space
-  Potential Allotments
-  Potential Horse Paddocks / Small Holding Use
-  Potential Drainage Attenuation Feature
-  Proposed Access Roads



Page 53

J:\6600\6654\LANDS\Plans\6654-L-01A Development Framework.indd

The Co-operative Group
Down Ampney
Cotswolds

DEVELOPMENT FRAMEWORK

1:5000@A3
24 February 2015 MST / DH
6654-L-01 ... A

fpcr
 landscape design • FPCR Environment and Design Ltd
 urban design • Lockington Hall
 strategy • Lockington Hall
 architecture • Dority, CEF4 2014
 arboriculture •
 01509 672772
 01509 674666
 email@fpcr.co.uk
 www.fpcr.co.uk



DOWN AMPNEY, COTSWOLDS

FPCR supported Hourigan Connolly Planning in their representations to the current Cotswold District Council Development Strategy and Site Allocations Consultation (January 2015) for the allocation of five development sites at Down Ampney. The practice produced a Vision Document which analysed the landscape and visual character of Down Ampney and recommended a sustainable development strategy for the village over the forthcoming plan period. The outcome of this appraisal was driven by the assessed environmental capacity of the settlement form and its countryside setting, taking into account potential constraints such as heritage and biodiversity. A village-wide masterplan was prepared, to demonstrate how up to 245 dwellings, 530sqm of office space and Green infrastructure (including allotments) could be sensitively assimilated into the Cotswolds village, across 5 separate sites.



FPCR ENVIRONMENT AND DESIGN LTD

Registered in England. Company Number: 7128076

Registered Office: Lockington Hall, Lockington, Derby, DE74 2RH

CONNECT

[LATEST NEWS \(HTTPS://WWW.FPCR.CO.UK/CATEGORY/LATEST-NEWS/\)](https://www.fpcr.co.uk/category/latest-news/) • [FACEBOOK \(HTTPS://WWW.FACEBOOK.COM/FPCRLTD\)](https://www.facebook.com/fpcrltd) • [INSTAGRAM \(HTTPS://WWW.INSTAGRAM.COM/FPCRLTD\)](https://www.instagram.com/fpcrltd) • [LINKEDIN \(HTTPS://WWW.LINKEDIN.COM/COMPANY/FPCR\)](https://www.linkedin.com/company/fpcr) • [TWITTER \(HTTPS://TWITTER.COM/FPCRLTD\)](https://twitter.com/fpcrltd)

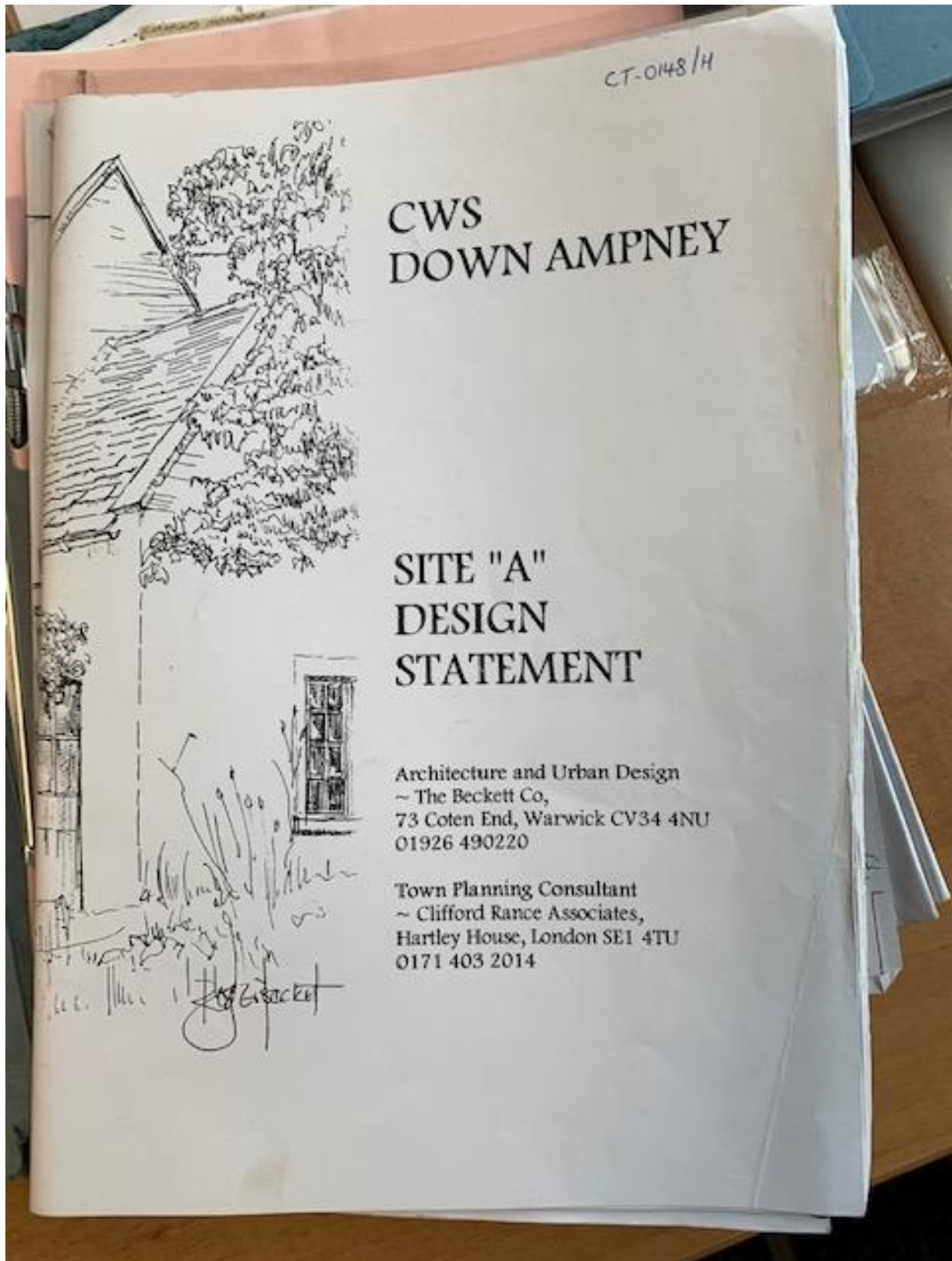
SITE MAP

[ABOUT \(HTTPS://WWW.FPCR.CO.UK/ABOUT/\)](https://www.fpcr.co.uk/about/) • [PROJECTS \(HTTPS://WWW.FPCR.CO.UK/PROJECTS/\)](https://www.fpcr.co.uk/projects/) • [SERVICES \(HTTPS://WWW.FPCR.CO.UK/SERVICES/\)](https://www.fpcr.co.uk/services/) • [CAREERS \(HTTPS://WWW.FPCR.CO.UK/CAREERS/\)](https://www.fpcr.co.uk/careers/) • [CONTACT US \(HTTPS://WWW.FPCR.CO.UK/CONTACT-US/\)](https://www.fpcr.co.uk/contact-us/)



© 2013-2019 [FPCR ENVIRONMENT AND DESIGN LTD \(HTTPS://WWW.FPCR.CO.UK\)](https://www.fpcr.co.uk) [PRIVACY NOTICE \(HTTPS://WWW.FPCR.CO.UK/PRIVACY-NOTICE/\)](https://www.fpcr.co.uk/privacy-notice/) [COOKIE POLICY \(HTTPS://WWW.FPCR.CO.UK/COOKIE-POLICY/\)](https://www.fpcr.co.uk/cookie-policy/) DESIGN BY [INK & WATER \(HTTP://WWW.INKANDWATER.CO.UK/\)](http://www.inkandwater.co.uk/)

Appendix 4



been built in either stone or reconstituted stone so as to fit in with the traditional properties.

The use of Cotswold stone in this way, creamy or pale golden depending on the light, brings a unity that helps to bind the variations in style and design. The traditional buildings were often dressed stone with strong gables and steep stone roofs that emphasise the vertical. Typically windows are close to the eaves line, with stone surrounds and 100mm reveals to the windows and doors. The original buildings of the village have been augmented by estate cottages, either singly or in pairs, along the main road and by newer buildings showing a greater variety of designs. Plot sizes are irregular, parking is on plot behind stone boundary walls or, sometimes, hedges.

To the north of the site is the field that is to be retained as open land. The field interrupts the development pattern of the main village street, emphasising the rural character. The field is bounded on the north, street, side by a stone wall. The field is considered by the District Council to be part of the character of the village and was therefore excluded from the land allocated for development.

It should be noted, however, that there are already quite modern houses in the village centre, including developments and individual buildings neighbouring or opposite the site. The site is not therefore seen only in the context of the traditional village buildings.

Development objectives

The objective is that the proposal should, as far as possible, appear to be an intrinsic part of the village. Careful consideration has therefore been given as to how the site relates to the village and the context in which the development will be seen.

The local plan requires the development to retain a "viewing corridor" from the village street looking across the field

towards the church spire. Access to the western parcel has, however, to be via this corridor and must be achieved without harming the rural character. It is therefore proposed to incorporate the viewing corridor into the layout in the form of a drove road (known in some parts of the country as a drift or driftway). This is a wide, generally grassed, route over which livestock could be driven. Remnants of such routes are found in many parts of the country, and the proposed drove road should therefore meet the objective to retain the rural character and fit the character of the village. This proposed drove road also serves the practical purpose of linking the retained field with the main part of the farm estate land to the south.

The site is seen from the centre of the village across the retained field, the new houses being some 100 metres back from the main street behind a dry stone. The field contains a number of mature trees. The combined effect of distance, the wall and trees, together with the new hedges and boundary walls of the proposed development, means that the main impact of the development in views from the village centre will largely be in the context of the first floors and, particularly, the roofs of the new houses.

In views from the church, the site is seen in the context of the farmland to the south of the village and is partly obscured by the trees lining the track. Again, the boundary hedges of the houses will mean that it is the first floors and roofs that will be seen.

The viewpoints to both east and, particularly, west of the site afford much closer views of the development. However from neither viewpoint, nor from the road to the immediate south of the site, will it be possible to gain more than a partial view of the development as a whole. The houses in the foreground will hide those behind.

On the west side the site is bounded by a footpath which is bordered by a mature hedgerow, and this hedgerow will be

Appendix 3

The garages have a cart-shed design to give a rural appearance.

Access

The development utilises the existing road from the east (Oak Road). The County Highways Officer is satisfied with the access in principle with conditions to comply with standards of road adoption. The Local Plan Policy 8.6:1 requires the access to the west to be gated to discourage use and this should be conditioned.

Open Space

The field fronting the development is identified as an important Open Space in the Local Plan. This is currently grazed and contributes to the agricultural character of the village. This should be either periodically grazed or mown a couple of times a year to maintain the pasture. A Section 106 agreement will be required for this. Public access will be permitted and accordingly gates are proposed.

Landscaping

There are some very important mature trees on the field by the development, and it is felt that this character could be enhanced by further planting. Similarly, important would be the boundary treatment for the domestic curtilages. A predominance of hedges rather than stone walls would maintain a rural character and there is also potential for incidental tree planting. It is felt that aspects can be conditioned.

Officer Recommendation: PERMIT, SUBJECT TO THE SIGNING OF A SECTION 106 AGREEMENT ON THE MANAGEMENT OF THE ADJACENT OPEN SPACE.

- C4 (lifetime of full permission)
- C10 (removal of permitted development rights - maintaining open area)
- C76 (samples of materials to be approved)
- C77 (sample walling/render panel to be approved on site)
- C87 (recessed door and window frames)
- C88 (traditional timber external doors)
- C90 (painted timberwork)
- C92 (paint/stain sample for approval)
- C111 (chimney details)
- C110 (rooflights to be flush with roof surface)
- C106 (natural stone windows)
- C34 (Cotswold drystone wall to be constructed)
- C36 (hedge(s) to be laid)
- C38 (landscaping scheme to be approved)
- C40 (timing of completion of landscaping)
- C41 (replacement of any planting for 5 years)

Non-standard:

All the roof valleys shall be swept..

Reason: To ensure that these important features are appropriately detailed.

Non-standard:

The surfaces and kerbs on all new roads shall be agreed with the Local Planning Authority beforehand and implemented accordingly.

Reason: To ensure that these surfaces are appropriate to the character of the area.

Non-standard:

Officer Comments:

Principle

The site is allocated for low density residential development in the Local Plan. A contribution to affordable housing for the village as a whole was negotiated in relation to the recent planning application at Broadleaze, at the northern part of the village, and is not required to be considered here.

Layout

The site lies between the centre of the village and the edge of the countryside. This kind of relationship between buildings and the countryside is fundamental to the character of Down Ampney, with its predominantly linear form.

The site is very prominent visually from the school on the other side of the main village street. The proposed layout shows a broken frontage to the open space immediately to the south. This should make it appear that the open area filters into the loose-knit development immediately adjacent.

Officers have tried to negotiate a similar design to the west, whereby the spaces between the buildings are discernible. They are orientated to show three dwellings facing the open space, another facing the approach road and a fifth facing an existing footpath. The detached garages are proposed abutting a stone boundary wall which would give a barn-like appearance.

At the eastern part of the development a row of terraced cottages overlook an open field and directly front it, with garden space to the rear. This creates private gardens and should allow for garden paraphernalia to be inconspicuous. Garages are also located to the rear. The Design Statement states 'the traditional cottages of Down Ampney do not have garages, and this contributes to their simple charm. New garages should preferably be set to the rear of the property'.

Residential Amenity

The houses have generous gardens as this would be a genuine low density development. Similarly there is at least 22m distance between facing windows in accordance with Local Plan Policy 44. This also applies to the relationship with the existing dwellings.

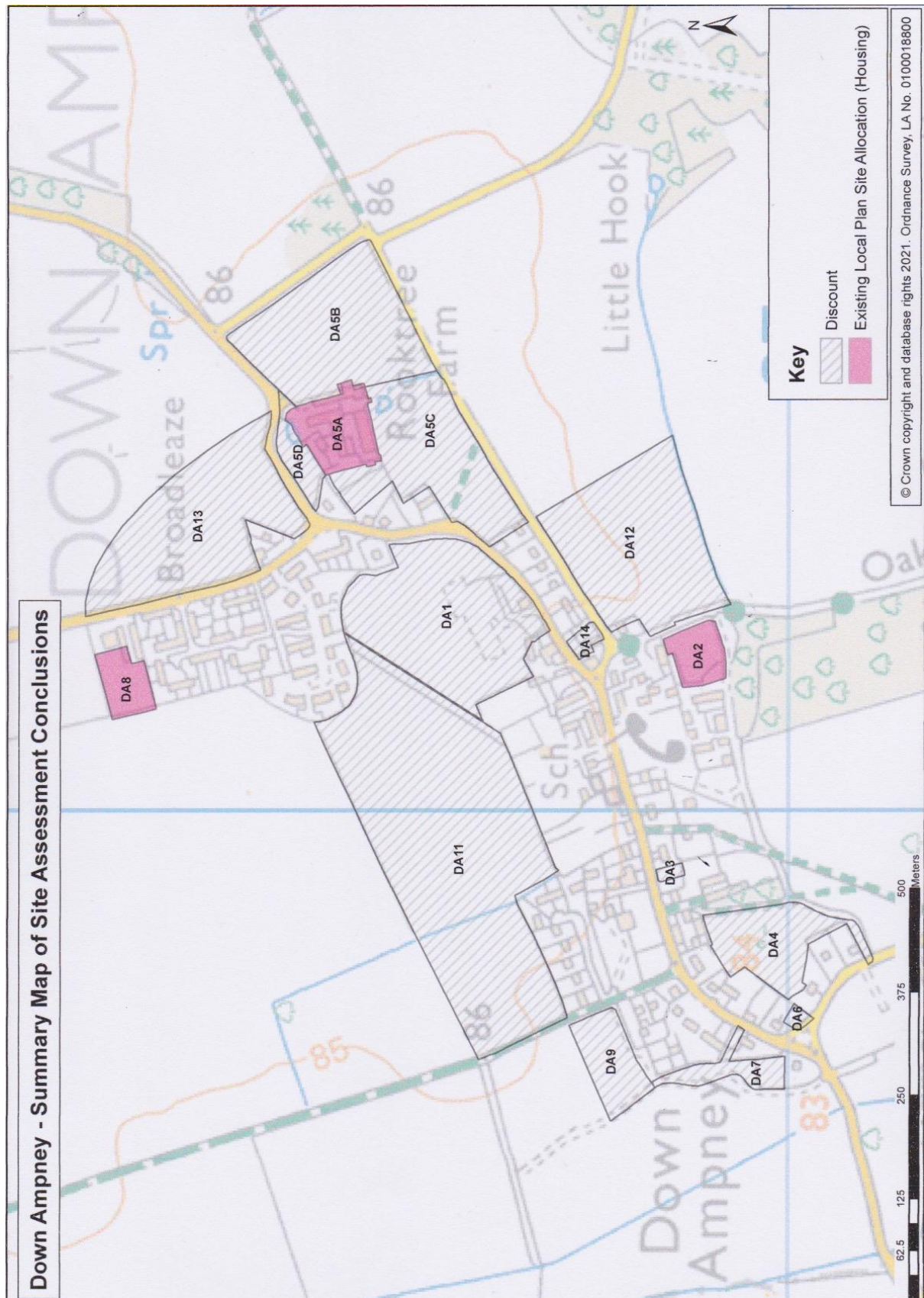
Detailed Design

Down Ampney has a discernible style of building, essentially a Victorian estate character. The architectural detailing is very distinctive and The Design in Down Ampney Design publication strives to reassert this vernacular.

The proposed design makes good use of distinctive chimneys especially on corner plots. Similarly, well proportioned stone porches are proposed which are an appealing feature throughout the village. Doors and fenestration, with the exception of a couple of plots which are still to be negotiated, are generally in accordance with the Design Statement rather than a general South Cotswold style.

The massing of the dwellings is well broken and there is a predominance of linear form which is a characteristic of the village.

will create further traffic up & down the narrow length of Green St, which is frequently



Page 61

7. Nothing in this planning obligation shall be construed as prohibiting or limiting any right to develop any part of the ^{Green Land} ~~plot~~ in accordance with any planning permission granted by the Council or by the Secretary of State after the date of this planning obligation.

9. The Owner hereby covenants with the Council:

- Alternatively

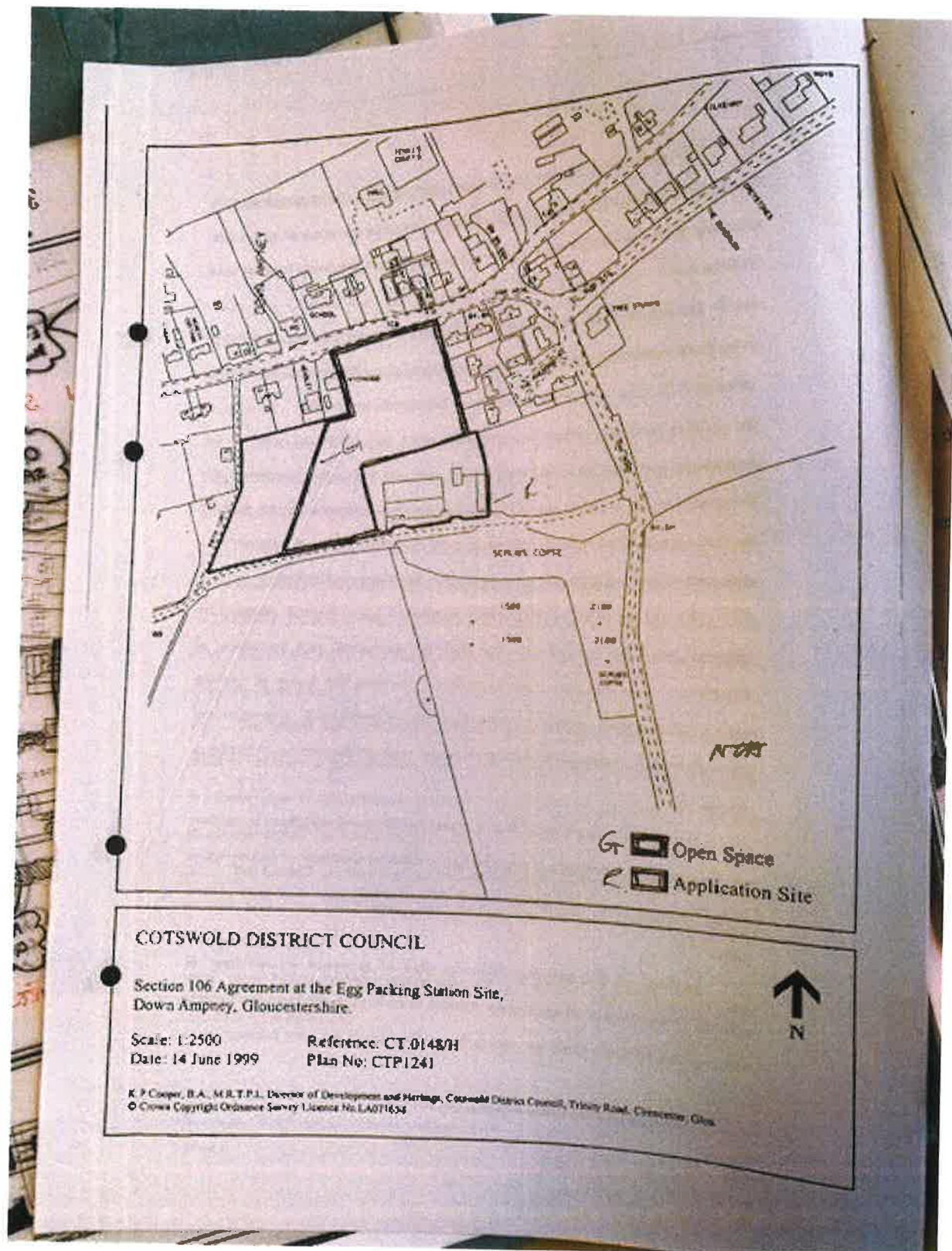
- IN WITNESS whereof the parties to this Deed have executed it as a Deed on or before
the date first before written

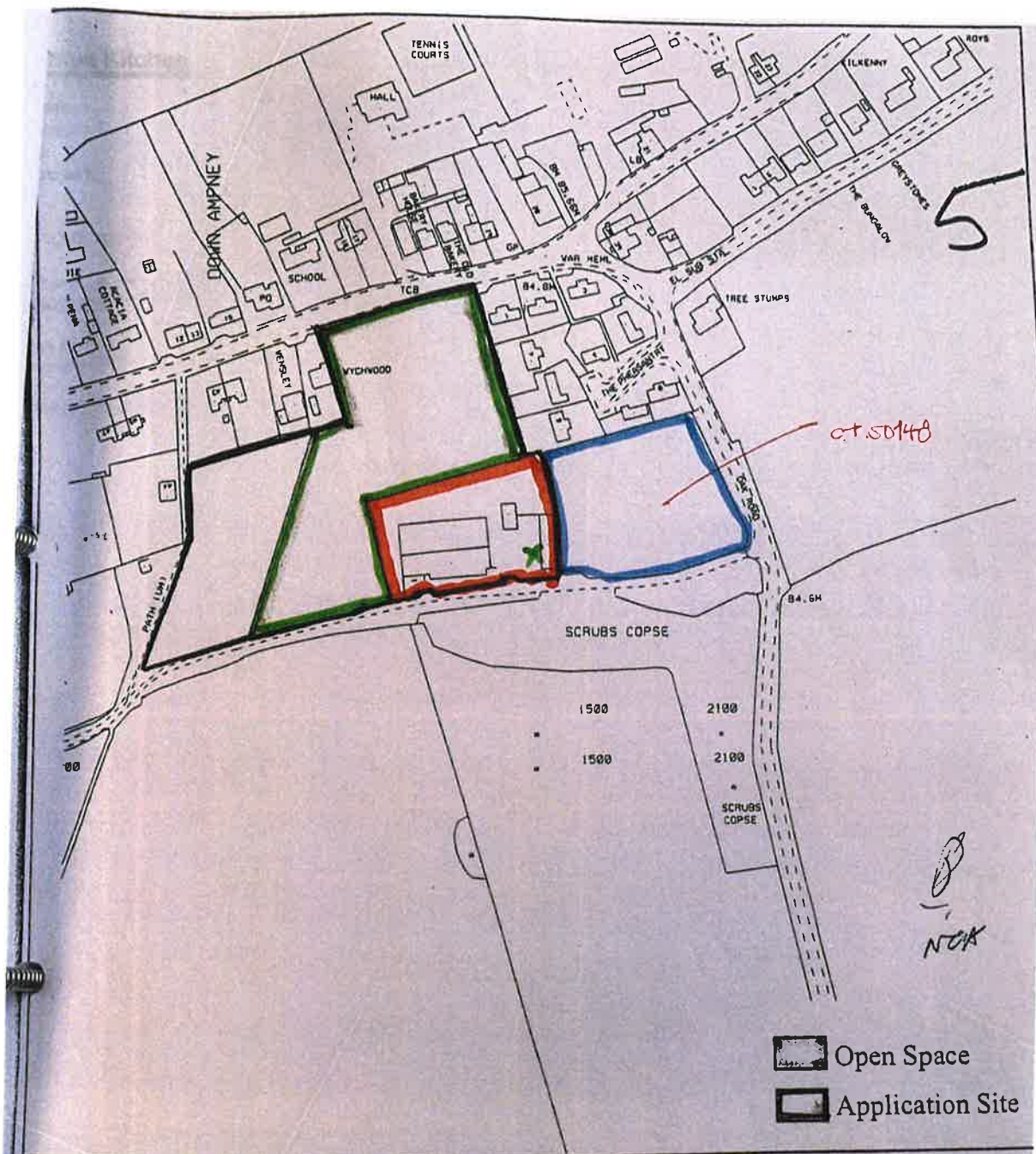
THE COMMON SEAL of COTSWOLD DISTRICT COUNCIL was hereunto affixed in the presence of:-

Chairman

Chief Executive

14099 1010
Niederlande/GESAMT-Export/Gesamt 1982-83
CZB
Verdicht





COTSWOLD DISTRICT COUNCIL

Section 106 Agreement at the Egg Packing Station Site,
Down Ampney, Gloucestershire.

Scale: 1:2500

Date: 14 June 1999

Reference: CT.0148/H

Plan No: CTP1241

Cotswold District Council Post Room		
Attn Of	Initials	Date Recd
24 JAN 2002		
Ack Date		
Reply Date		
File Ref		



K P Cooper, B.A., M.R.T.P.I., Director of Development and Heritage, Cotswold District Council, Trinity Road, Cirencester, Glos.
© Crown Copyright Ordnance Survey Licence No.LA077658

DATED

16th July

1999

Cotswold District Council

and

Co-Operative Wholesale
Society Limited

AGREEMENT

pursuant to Section 106 of the Town
and Country Planning Act 1990
relating to land at former Egg Packing Station
Down Ampney Gloucestershire

Item No 02:-

21/00837/FUL

**35 Glass House Road
Mickleton
Chipping Campden
Gloucestershire
GL55 6PF**

Item No 02:-

Erection of two storey side and rear extension and single storey front extension, driveway enlargement at 35 Glass House Road Mickleton Chipping Campden Gloucestershire GL55 6PF

Full Application 21/00837/FUL	
Applicant:	Mr Neil Harvey
Agent:	King Designs
Case Officer:	Hannah Rose
Ward Member(s):	Councillor Gina Blomefield Councillor Tom Stowe
Committee Date:	13th April 2022
RECOMMENDATION:	PERMIT

1. Main Issues:

- (a) Design and Impact on Character and Appearance
- (b) Residential Amenity

2. Reasons for Referral:

2.1 The application has been referred to Planning and Licensing Committee by Councillor Gina Blomfield for the following reasons:

- " this is a carefully designed new housing estate where purchasers expect the design and style to remain the same as when they bought their homes;
- allowing this large double storey extension would set a precedent which could well be followed by others as most of the medium and large properties have generous space around them;
- the extension is overbearing on its neighbouring property;
- taking away the front garden to allow three cars to park is at variance with the design of the estate and is detrimental to the streetscape; and
- the front extension is out of keeping with the estate design."

3. Site Description:

3.1 The application site comprises a recently constructed two storey detached dwelling located within a new housing development in Mickleton and is within the village's Development Boundary. The site is located outside of the Cotswolds Area of Outstanding Natural Beauty.

4. Relevant Planning History:

4.1 14/02365/OUT - Residential development (up to 90 dwellings), access, parking, public open space, landscaping and associated infrastructure. Allowed at appeal 20/10/2014

4.2 16/02049/REM - Reserved Matters application in pursuance of Condition 1 of planning permission ref. no. 14/02365/OUT (APP/F1610/A/14/2228762) for the erection of 90 dwellings, and associated infrastructure and Public Open Space. Permitted 13/1/2016

5. Planning Policies:

- NPPF National Planning Policy Framework
- CDCLP CDC LOCAL PLAN 2011-2031
- EN1 Built, Natural & Historic Environment
- EN2 Design of Built & Natural Environment
- DS2 Dev within Development Boundaries

6. Observations of Consultees:

6.1 N/A

7. View of Town/Parish Council:

7.1 No comments received.

8. Other Representations:

8.1 Objections were received to the originally submitted scheme from six neighbouring households. Subsequent revisions to the scheme received objections from three neighbouring households, comprising adjoining neighbours to the left side and rear of the site.

8.2 In summary, the objections raise the following concerns:

- The revised proposals still result in an overdevelopment of the plot;
- The extensions will be overbearing and will result in overlooking and overshadowing of neighbouring gardens; and
- Building work would cause distress, noise and dust.

9. Applicant's Supporting Information:

- Drawings

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.

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

Proposal and Background

10.3 The applicant is seeking planning permission for the demolition of a detached single garage and the erection of a two storey side and rear extension to the left (north-west elevation) measuring 2.9 metres wide to the side. The extension would continue backwards beyond the rear building line, measuring approximately 7.7 metres deep in total and 2.25 metres beyond the existing rear elevation. This extension would provide a larger kitchen diner and utility room to the ground floor and allow existing floorspace to be converted into a study and a larger third and additional fourth bedroom above. A 0.9 metre deep extension is also proposed to the front elevation to the existing living room which would also provide an open porch above the existing entrance.

10.4 The proposed plans also show an extension to the existing driveway in which surface water would be drained within the site.

(a) Design and Appearance

10.5 Local Plan Policy DS2 (Development within Development Boundaries) states that "Within the Development Boundaries indicated on the Policies Maps, applications for development will be permissible in principle".

10.6 Local Plan Policy EN1 seeks where appropriate, to promote the protection, conservation and enhancement of the historic and natural environment.

10.7 Local Plan Policy EN2 states that development will be permitted which accords with the Cotswold Design Code. The Design Code sets out a number of key principles for residential extensions which include the following:

- a. Extensions should respect the scale, proportions, materials and character of the building.*
- b. They should not obscure important elevations or features of interest, or in any way diminish the quality or integrity of the building, and they should not detract from the surroundings.*
- c. Excessive bulk should be avoided. Modern extensions should not dominate or compete with the original building, either individually or cumulatively.*
- d. They should generally be subservient in height, area and overall mass to the original building, leaving the form and evolution of the building apparent.*

10.8 The property is a new-build dwelling located within a new-build estate with varying building densities. As existing, there is a detached single garage located to the side of the dwelling which abuts the north-western site boundary. The rear elevation of the original dwelling is sited 3.8 metres from the property boundary at its nearest point, owing to the angled rear boundary. There are neighbouring dwellings either side and to the rear of the property.

10.9 The proposed two storey extension would take the place of the single garage. The extension would measure 2.9 metres in width and comprise less than half of the width of the original dwelling, and leave a gap of 1.25 metres between the extension and side boundary. The extension would have a pitched roof and form a gable to the rear. It would be set back from the building line of the principal elevation and with a dropped ridge line lower than the existing dwelling.

10.10 Concerns have been raised that the extension would result in the overdevelopment of the plot. However, Officers consider that the extension is proportionate to the dwelling and in keeping with its scale and form. It is acknowledged that the extension would take up space currently used for the garage, off-street parking and garden. However, a garage is not a necessity, and adequate off-street parking would still remain within the curtilage, as shown by the proposed site plan. Adequate garden space for a family dwelling would also remain to the rear, with sufficient rear garden space for several activities to take place at once, such as sitting out, playing and drying of clothes. In the wider context, the two storey extension would infill the space to the side of the dwelling, reducing the openness between the dwelling and neighbouring properties to the north/north-west. However, the streetscene is characterised by modern dwellings of varying massing and orientation and the proposed extension is considered not to appear out of place or cramped in the wider context.

10.11 Taking the above into account, it is considered that the proposed side and rear extension would respect the scale, form and design of the existing dwelling and wider streetscene and would not result in a cramped form of development, in accordance with the Cotswold Design Code and section 12 of the NPPF.

(b) Residential Amenity

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

10.13 The Design Code states that, *'Extensions should respect the amenity of dwellings, giving due consideration to issues of garden space, privacy, daylight and overbearing effect. To ensure adequate privacy, the minimum distance between facing windows of one and two storey dwellings should be no less than 22m and, for buildings higher than two storeys, no less than 28m. Where the distance between facing windows is less than 28m in one and two storey dwellings, or less than 32m for buildings higher than two storeys, permitted development rights may be removed. For these purposes, facing windows are those which can readily be seen into from within principal rooms in another property, including windows at an angle to one another, but excluding windows on front elevations. Much will depend on the angle and the topography. A principal room is a bedroom, living room, dining room, kitchen, study or other living space, but not a hallway, stairs, bathroom, utility or store.'*

10.14 Adjoining residents have raised concerns that the proposed side and rear extension would be overbearing and result in a loss of privacy. With regard to overbearing impact, although there is an existing garage abutting the north-west side boundary, shared with No.33 Glass House Road, the extension that would take its place would be two storeys in height. No.33 Glass House Road is located approximately 14.5 metres to the north-west side of the host dwelling. Furthermore, as existing, there is approximately 11.5 metres between the host dwelling and No.4 Corn Close, located to the rear of the property at a right angle. The proposed extension would reduce this separation distance to 8.6 metres at its nearest point. Taking into account the positioning, orientation and separation distances between the host dwelling and neighbouring dwellings, the extension is considered not to have an overbearing impact to such a degree to cause material harm.

10.15 With regard to loss of privacy, no side-facing windows are proposed in the extension. To the rear, the extension would replace one clear glazed bedroom window with a new bedroom window and a bathroom window. The new rear facing windows in the first floor of the extension would be fixed shut and obscurely glazed to avoid overlooking to the garden of No.4 Corn Close. One single pane, clear glazed, first floor window is proposed to serve the new bedroom on the south-east facing right side elevation. This window would face onto the garden of the neighbouring dwelling, No. 37 Glass House Road. Owing to the staggered building line, the new window would not result in any overlooking to this neighbouring dwelling. Furthermore, the window would only look to only the northern half of the garden, which is generous in size in comparison to the dwelling.

10.16 Overall, the neighbouring concerns have been considered. Taking into account the positioning, orientation and scale of the proposed extension is considered not to result in an unacceptable level of overlooking or have an unacceptably overbearing impact. The proposed development is therefore considered to accord with the objectives of Cotswold District Local Plan Policy EN2 and the residential amenity considerations contained in Section 12 of the NPPF.

(c) Other Issues

10.17 The Ward Member has raised concern that this proposal, being the first planning application for extensions and alterations to a dwelling on the estate, would set a precedent for other properties on the estate to extend and/or alter. It is accepted that new-build estates are generally planned to make the most efficient use of the land. However, this does not preclude properties being extended or altered in principle. Furthermore, occupiers should not expect such estates to remain unextended or unaltered in perpetuity and there is no planning reason why, in principle, a recently constructed dwelling cannot be extended. Each application is determined on its merits and would not be recommended for approval if it did not accord with the Cotswold Design Code with regard to scale, massing, design or impact on the amenity of existing and future occupiers.

10.18 A neighbouring occupier has raised concern that the proposed works would cause disruption by way of noise and dust during the construction period. Any disruption would be temporary and would not result in permanent harm to the amenity of neighbouring occupiers. A condition can be imposed to ensure construction work does not take place outside of normal working hours, although some degree is always to be expected for the construction period and therefore officers consider that there are no exceptional circumstances in this particular instance that would make such a condition necessary.

10.19 This development is not liable for CIL because it comprises less than 100m² of new build that does not result in the creation of a dwelling, and therefore benefits from Minor Development Exemption under CIL Regulation 42.

11. Conclusion:

11.1 The proposal is considered to comply with national guidance and the relevant policies of the Development Plan with regard to design and residential amenity. As such, planning permission should be granted.

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):

Site Location Plan and Proposed Plans 20/86-02 REV C.

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.

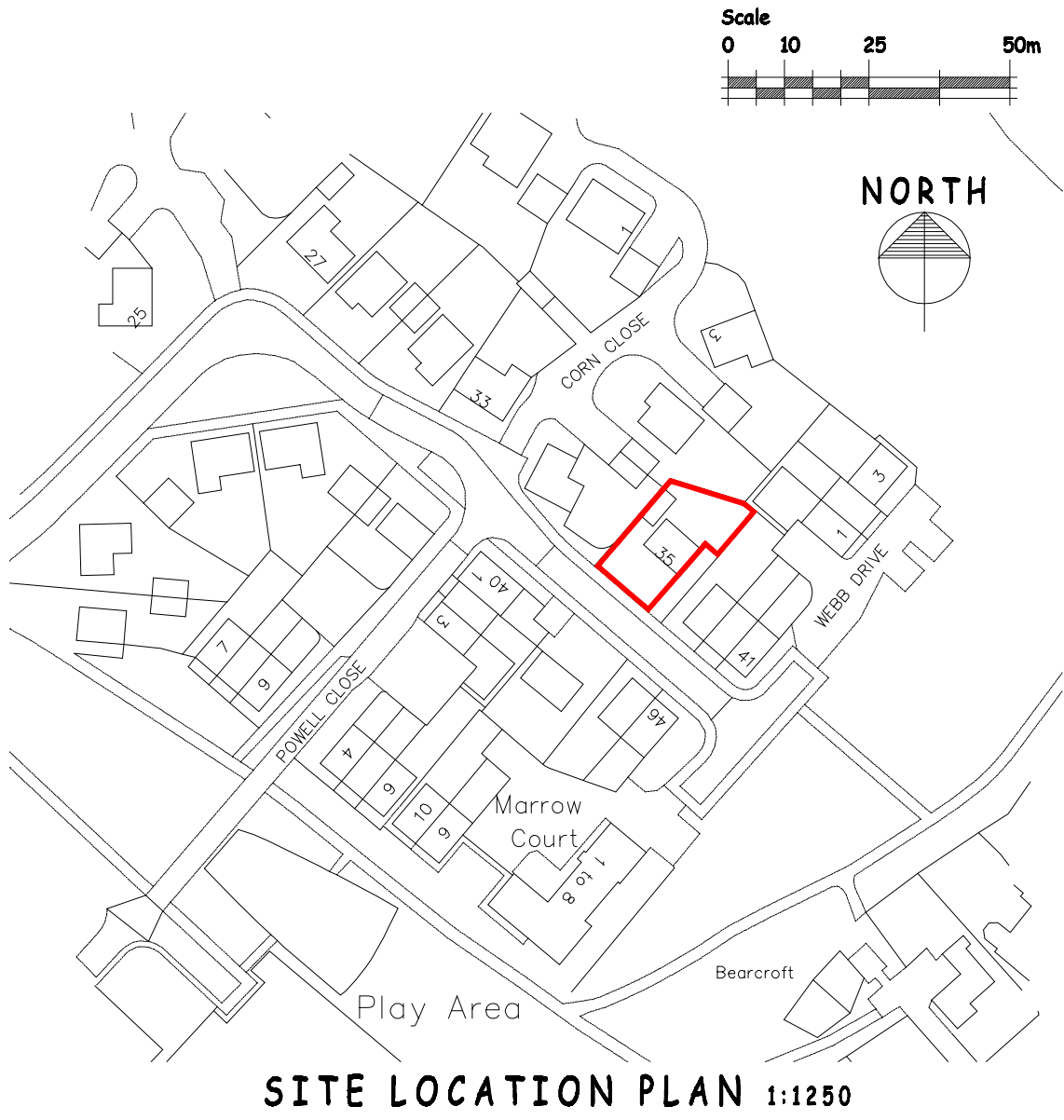
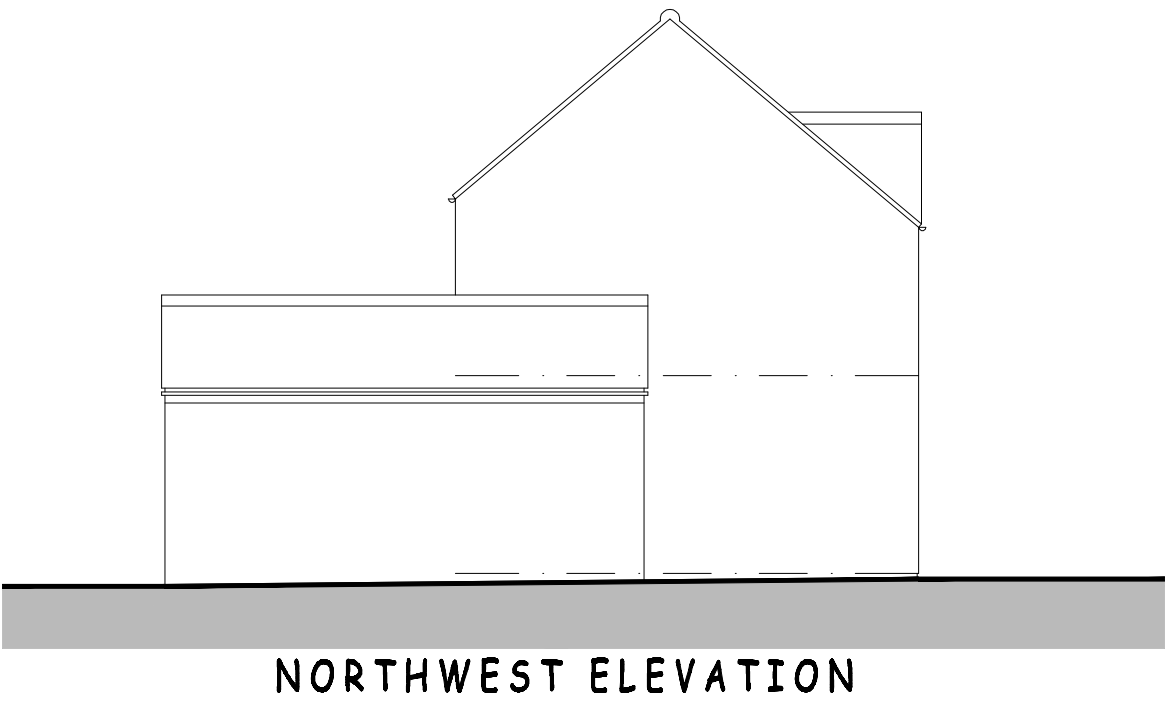
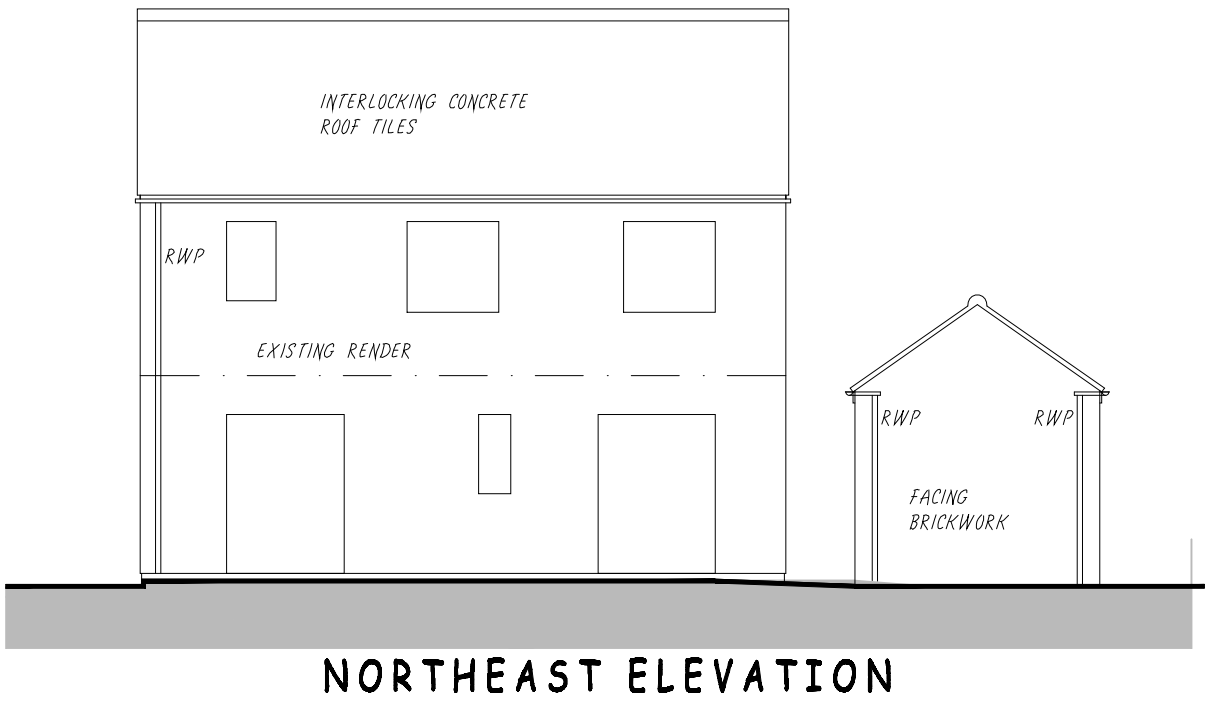
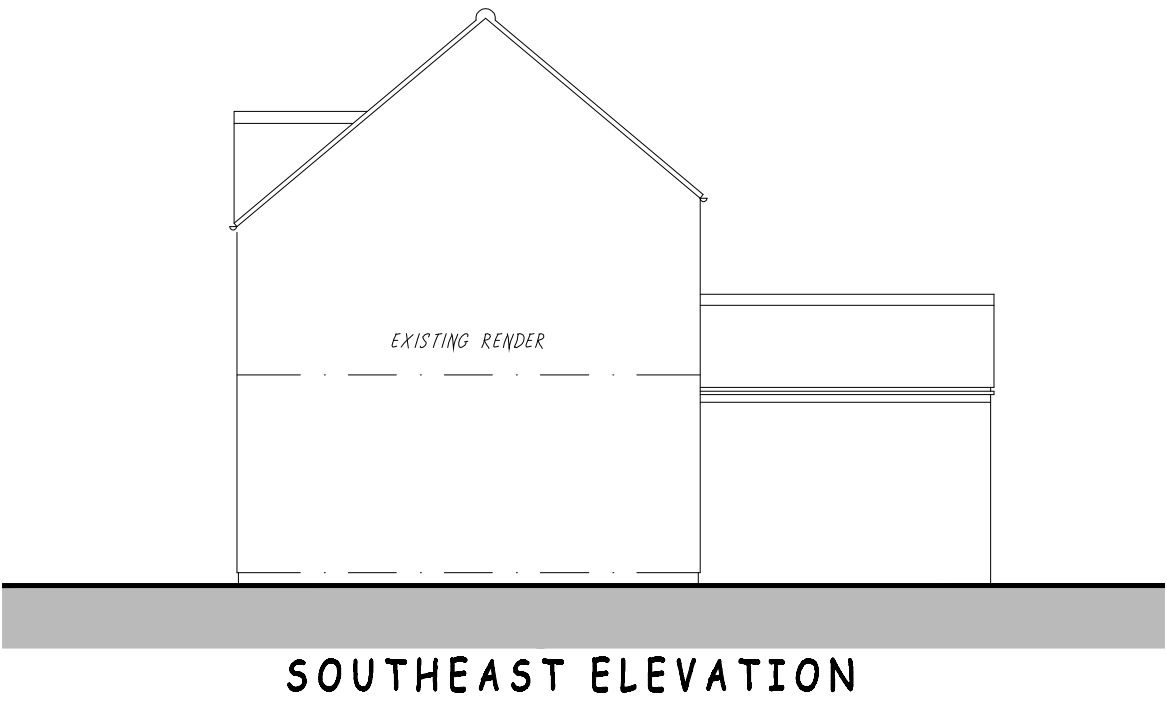
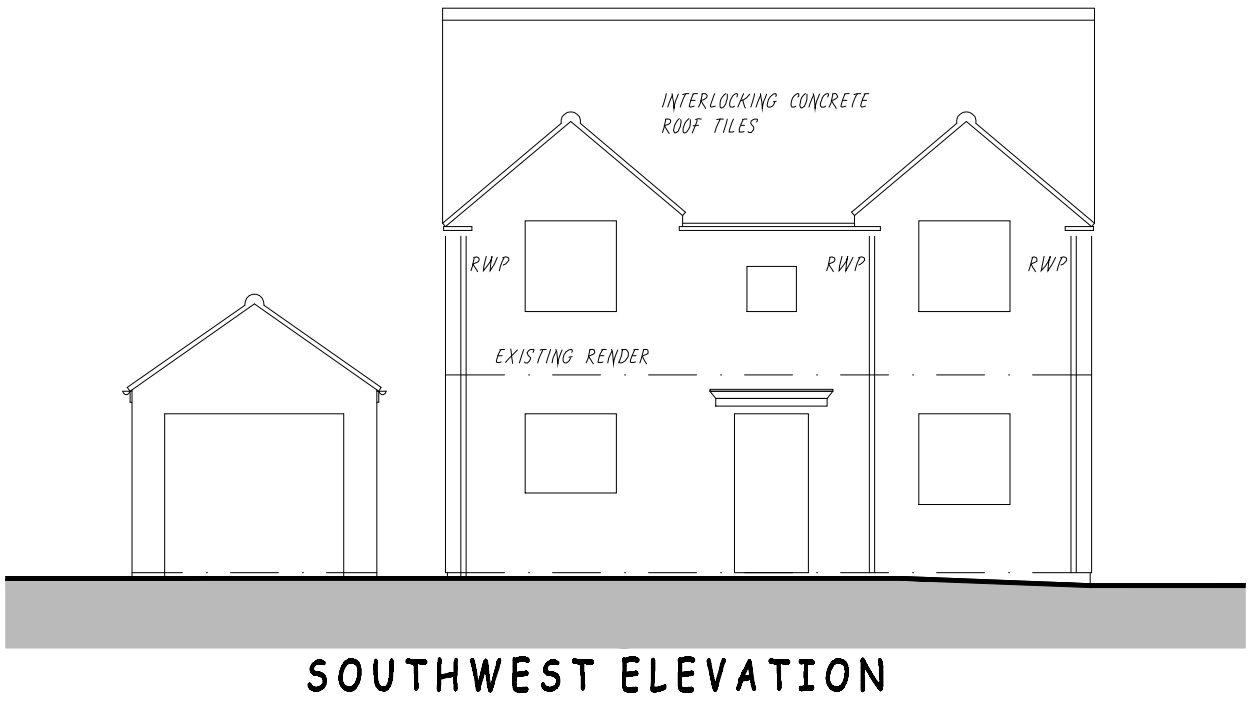
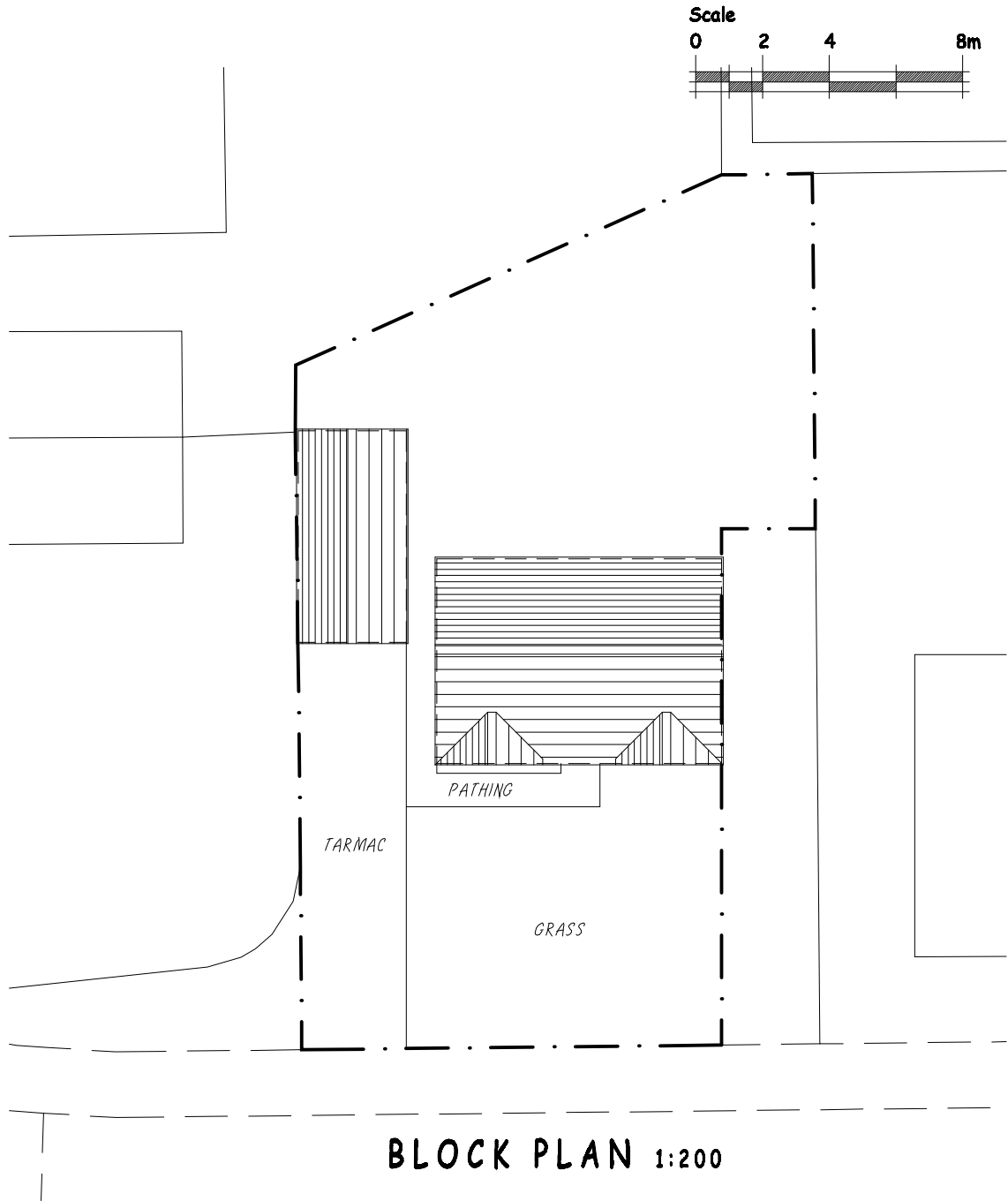
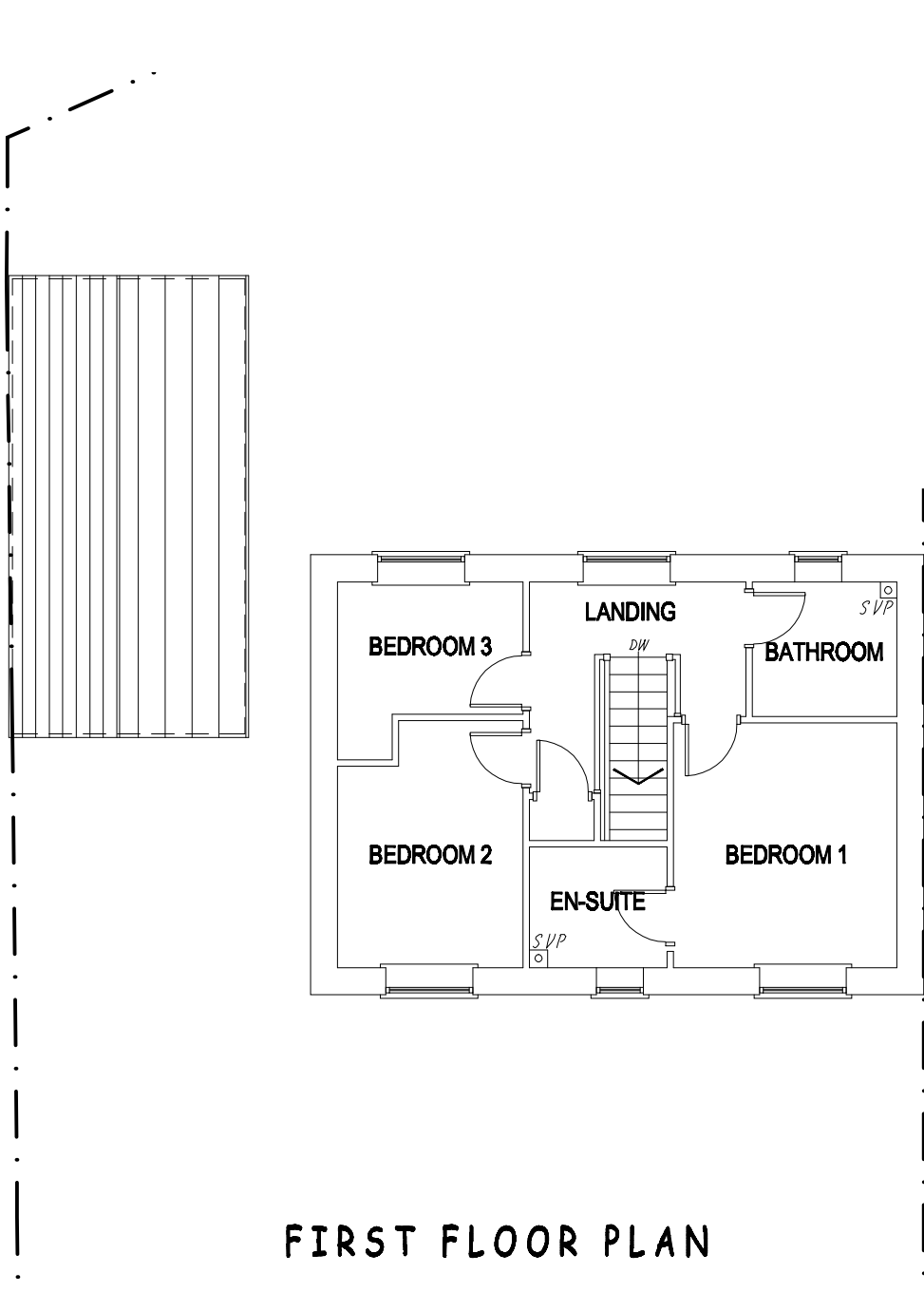
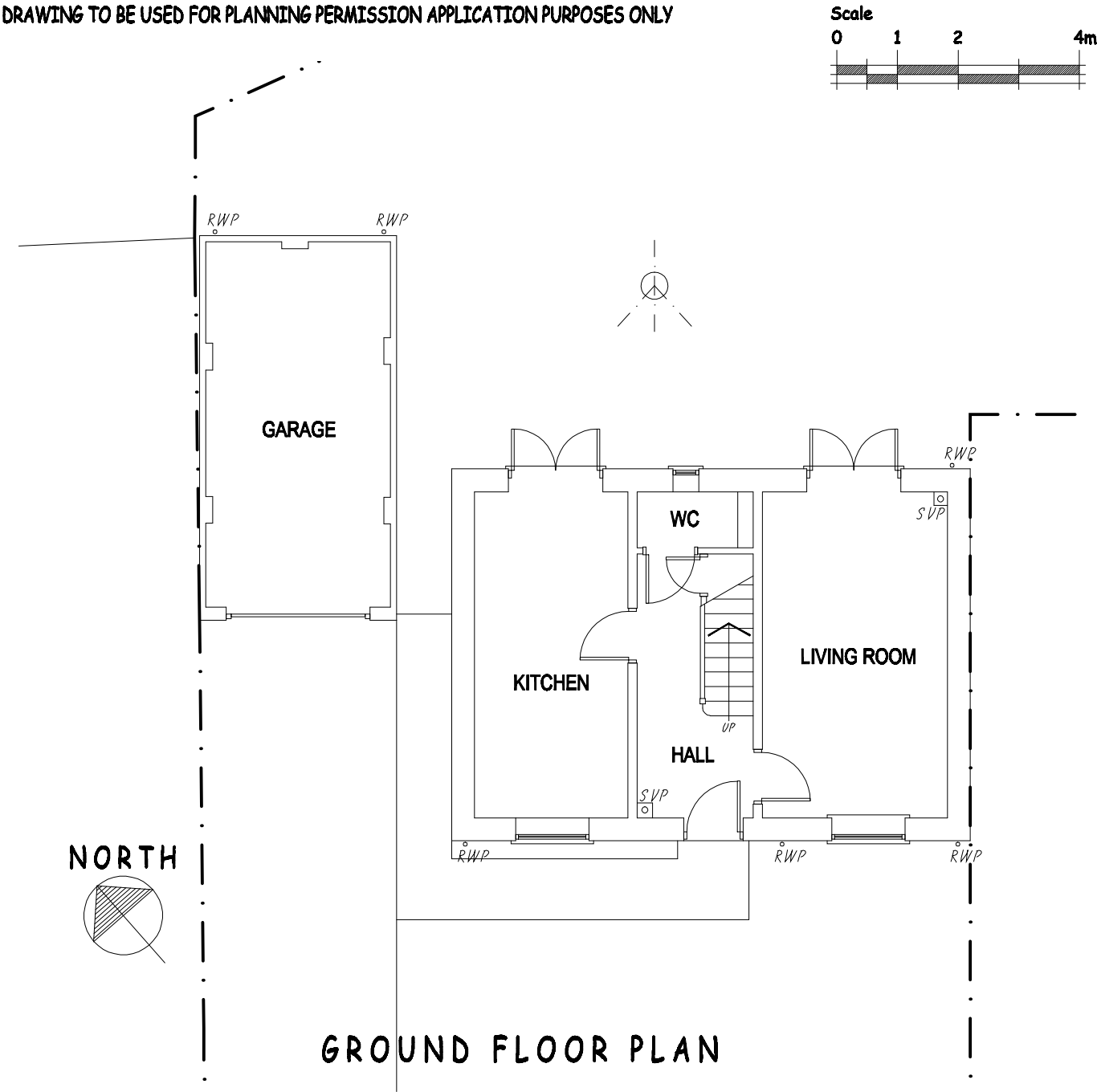
Reason: To ensure that, in accordance with Cotswold District Local Plan Policy EN2, the development hereby permitted is completed in a manner appropriate to the site and its surroundings.

4. Prior to the first occupation of the development hereby approved the windows in the rear facing north-east elevation of the extension shall be fitted with obscure glazing and shall be non-opening and shall be permanently retained as such thereafter.

Reason: To protect the privacy of the occupants of neighbouring dwellings in accordance with Cotswold District Local Plan Policy EN2.

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 comprises less than 100m² of new build that does not result in the creation of a dwelling, and therefore benefits from Minor Development Exemption under CIL Regulation 42.



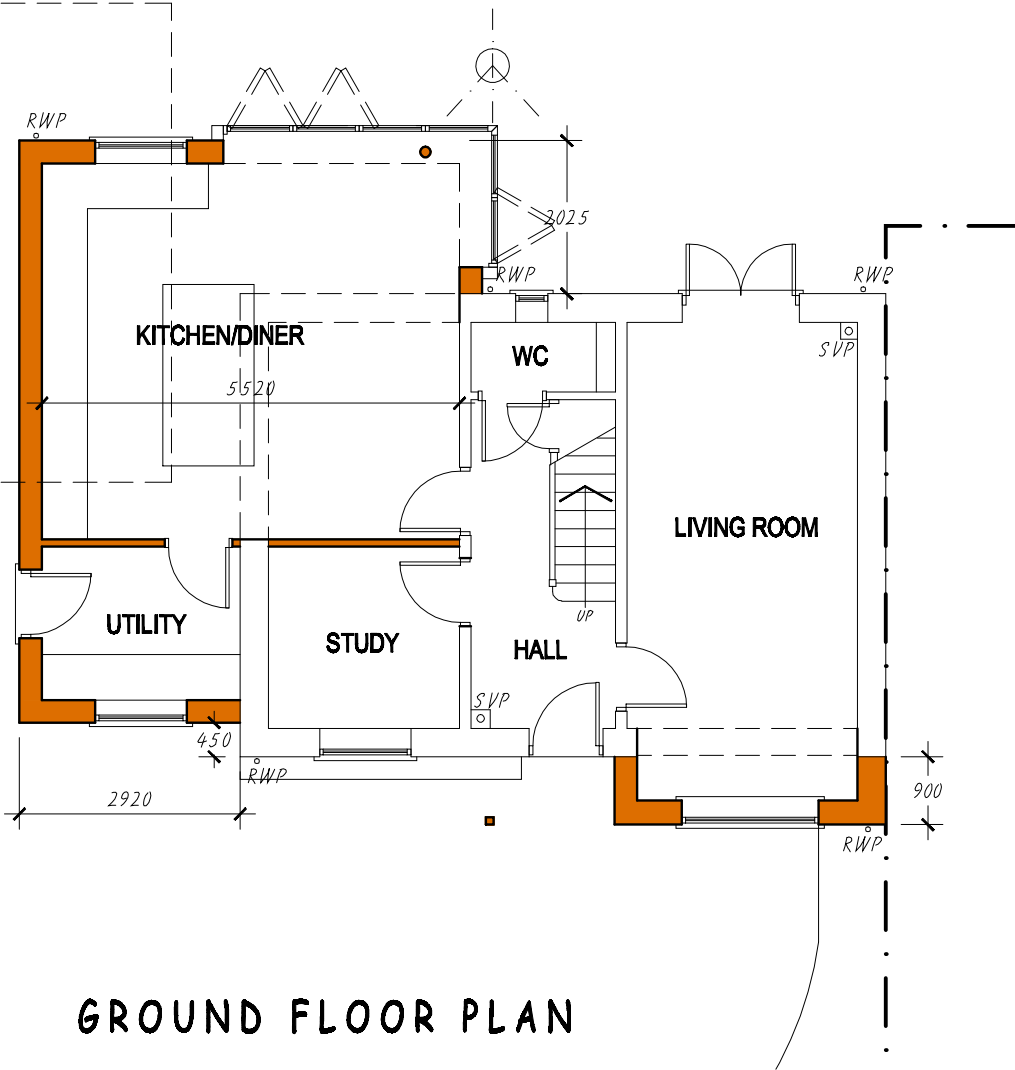
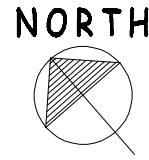
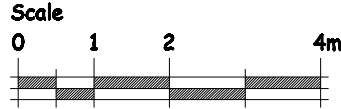
revisions

king designs
architectural consultants
33 lime avenue - lillington - leamington spa
warwickshire - CV32 7DE. telephone
01926 741938 or mobile 07899 923586

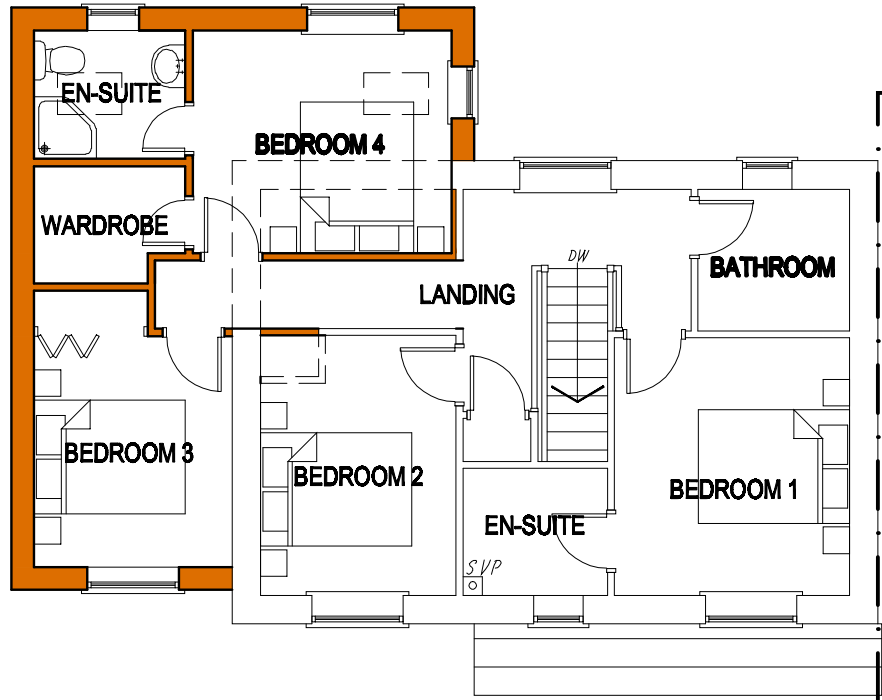
Project Description: PROPOSED EXTENSION AND ALTERATIONS at 35 GLASSHOUSE ROAD,
MICKLETON for Mr & Mrs HARVEY
Drawing Description: EXISTING PLANS, ELEVATIONS, BLOCK PLAN AND SITE LOCATION PLAN
Dwg No. 20/86-01

Scale @ A2 : 1:100/1:200/1:1250

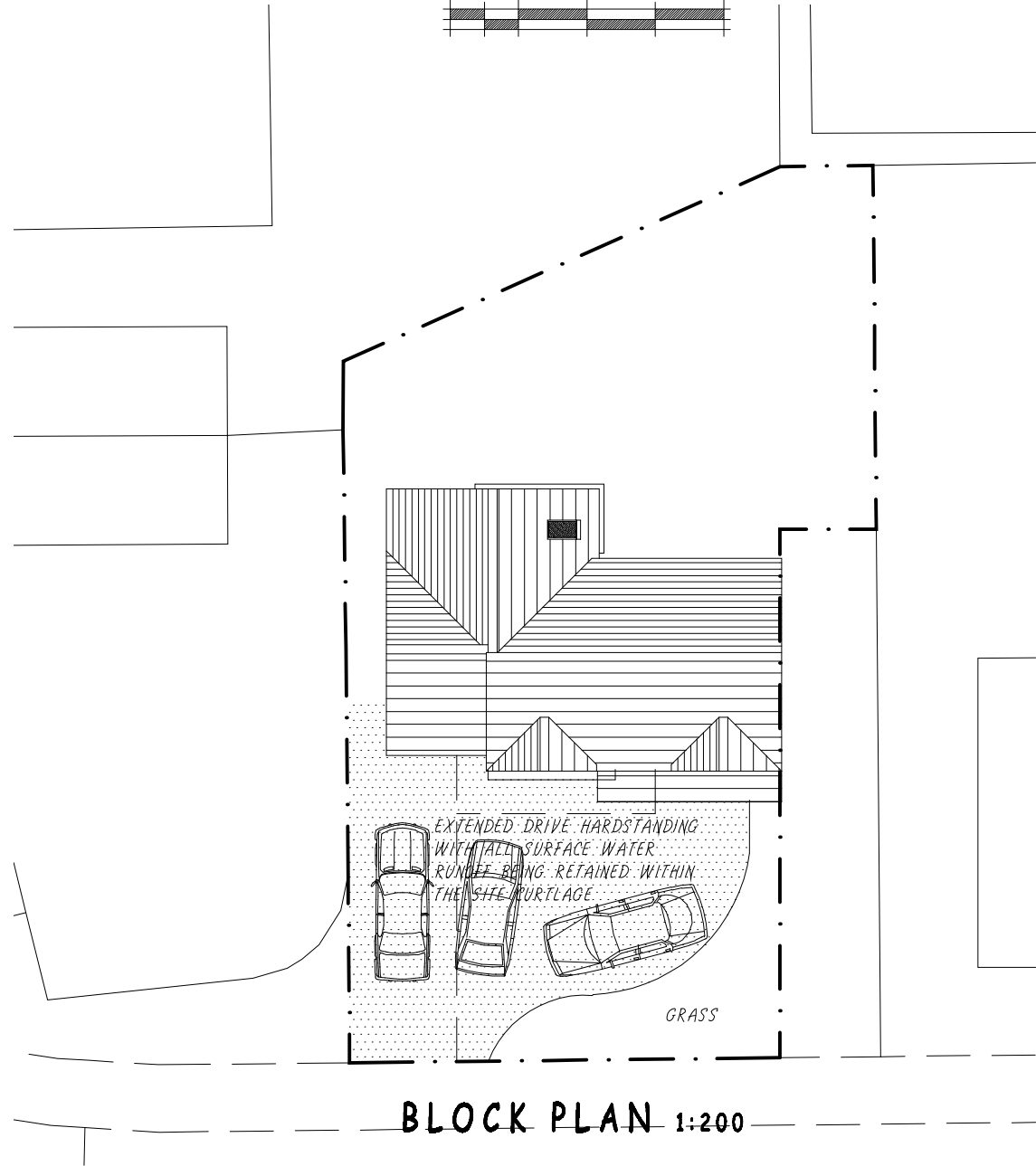
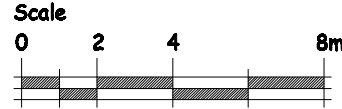
king designs is a trading name of arcell limited. company registration number 02497970



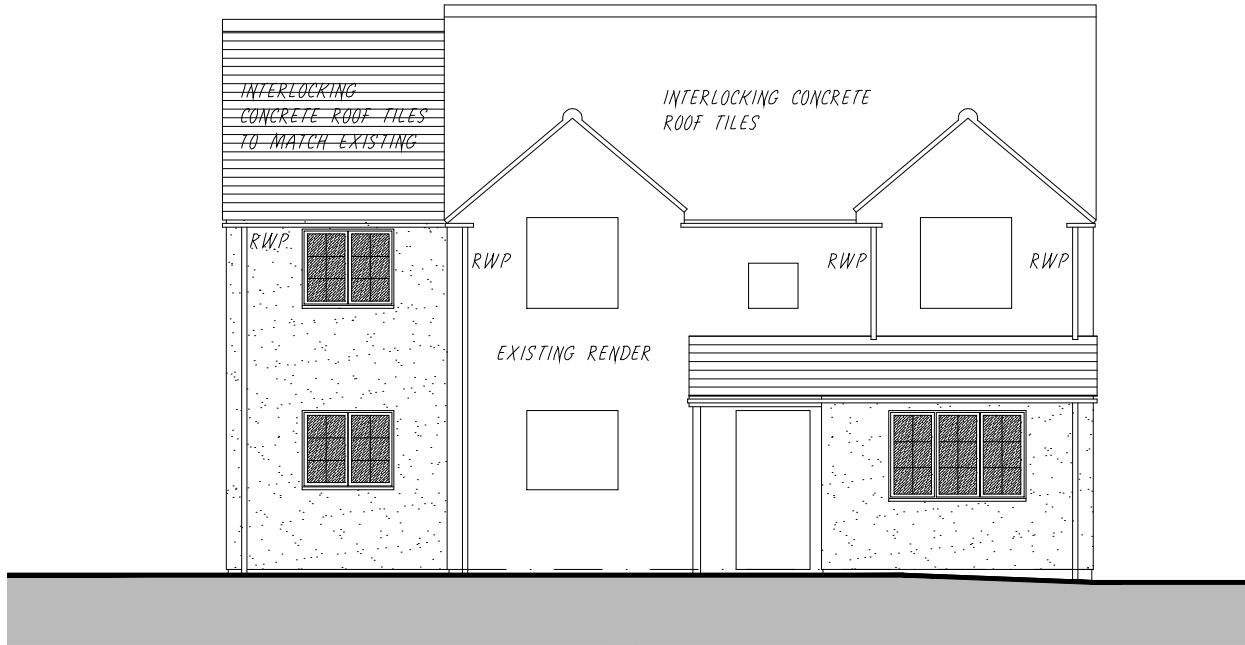
GROUND FLOOR PLAN



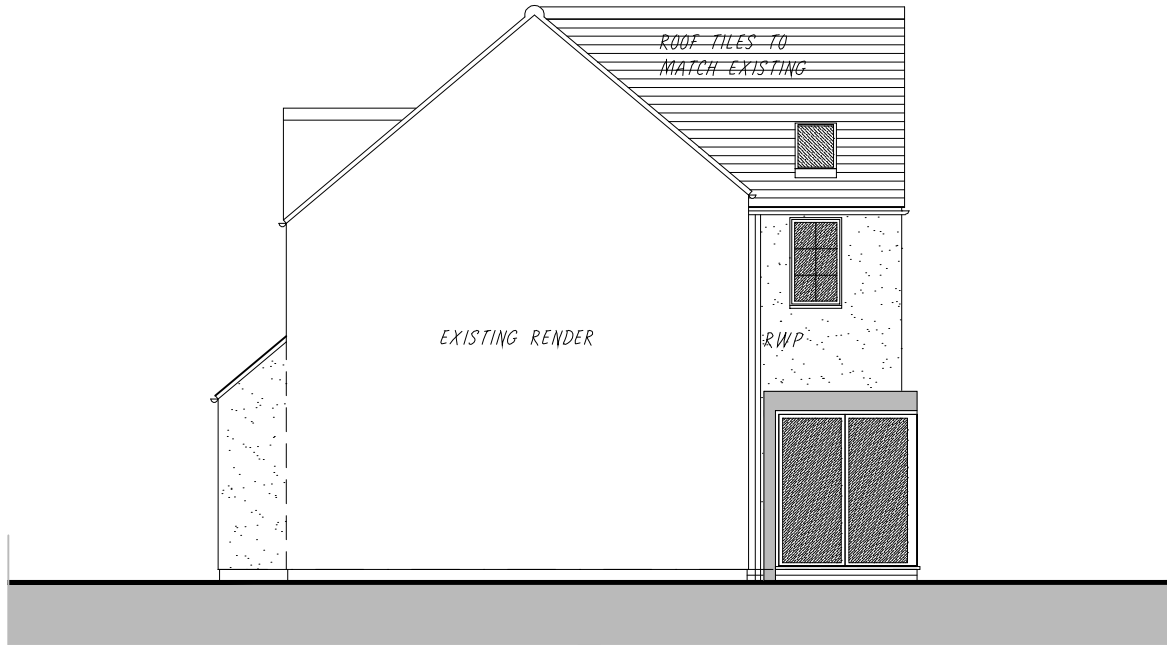
FIRST FLOOR PLAN



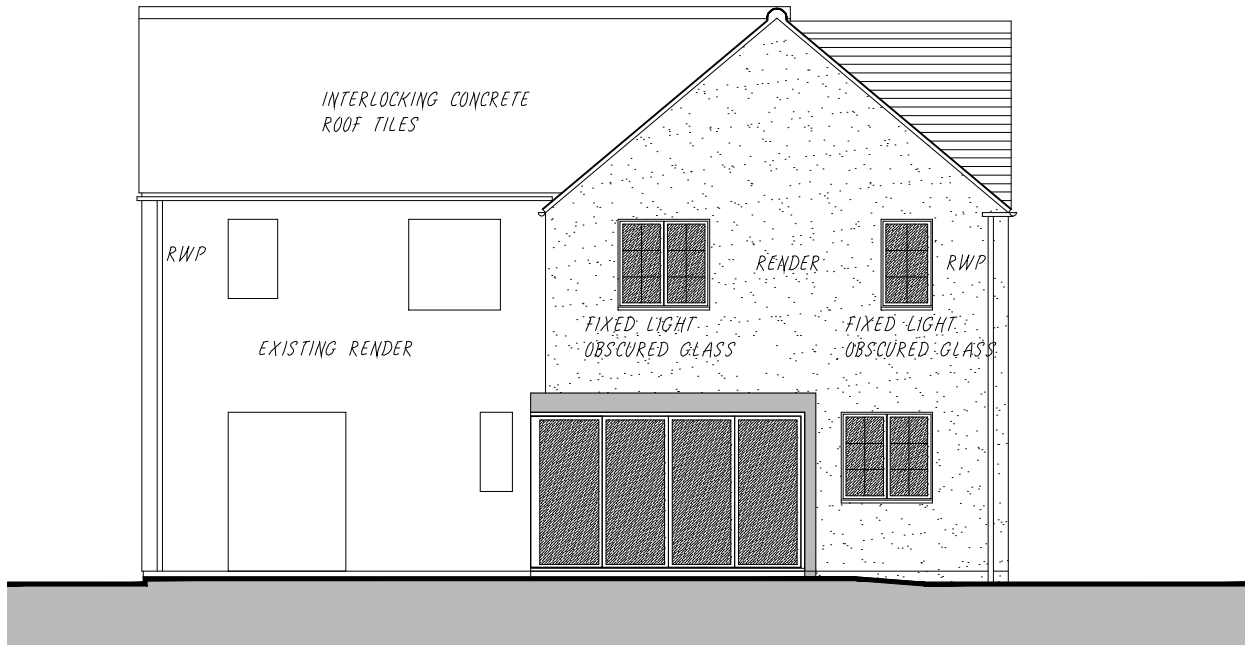
BLOCK PLAN 1:200



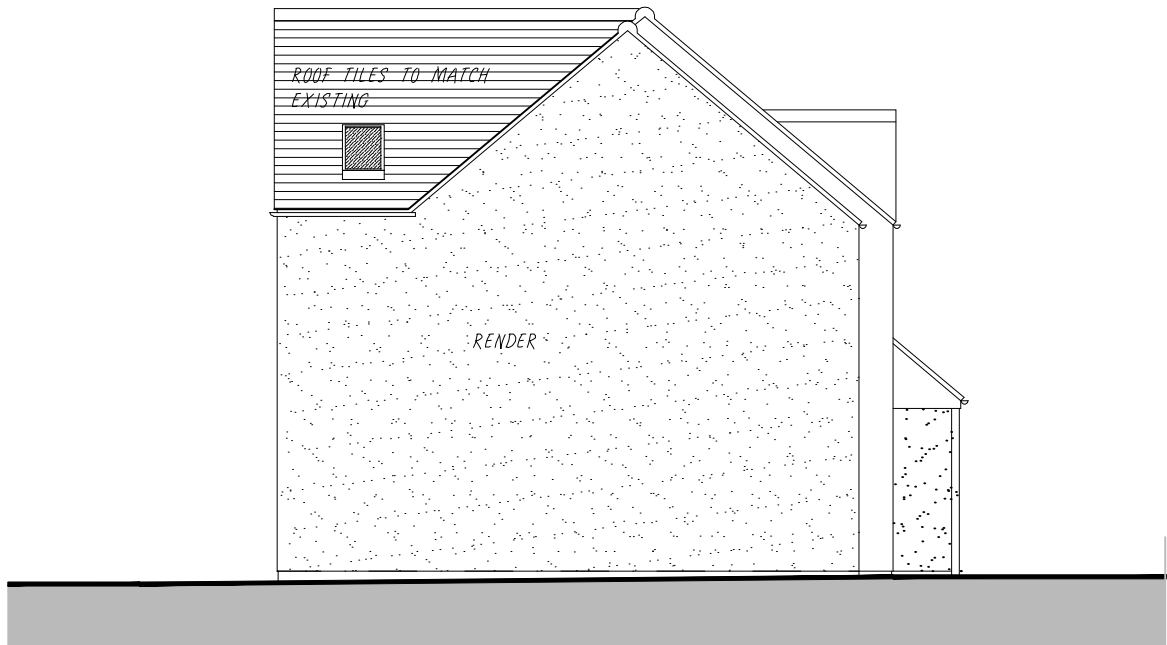
SOUTHWEST ELEVATION



SOUTHEAST ELEVATION



NORTHEAST ELEVATION



NORTHWEST ELEVATION

revisions

- REV A:- EXISTING GARAGE REMOVED. FOOTPRINT & SCALE OF PROPOSED EXTENSION REDUCED
REV B:- BEDROOM 3 AND BATHROOM HANDED. BATHROOM WINDOW REDUCED IN WIDTH AND PROVIDED WITH OBSCURED GLASS.
REV C:- FIRST FLOOR EXTENSION WINDOWS CONFIRMED AS BEING FIXED LIGHT AND OBSCURED GLASS. LAYOUT AMENDED.

king designs is a trading name of arccell limited. company registration number 02457970

king designs
33 lime avenue - lillington - leamington spa
warwickshire - CV32 7DE. telephone
architectural consultants 01926 741938 or mobile 07899 923586

Project Description: PROPOSED EXTENSION AND ALTERATIONS at 35 GLASSHOUSE ROAD,

MICKLETON for Mr & Mrs HARVEY

Drawing Description: PROPOSED PLANS, ELEVATIONS AND BLOCK PLAN

Dwg No. 20/86-02 C

Scale @ A2 : 1:100/ 1:200



Figure 1 Host dwelling- where extension is proposed



Figure 2 To left (north-western) side of host dwelling



Figure 3 From rear garden of host dwelling towards rear boundary

This page is intentionally left blank

Item No 03:-

19/01916/FUL

**84 Watermoor Road
Cirencester
Gloucestershire
GL7 1LF**

Item No 03:-

Two storey rear extension and addition of dormer window at 84 Watermoor Road Cirencester Gloucestershire GL7 1LF

Full Application 19/01916/FUL	
Applicant:	Ms Sian Jones
Agent:	
Case Officer:	Harrison Bowley
Ward Member(s):	Councillor Gary Selwyn
Committee Date:	13th April 2022
RECOMMENDATION:	REFUSE

1. Main Issues:

- (a) Design and Impact on Cirencester South Conservation Area
- (b) Impact on Residential Amenity

2. Reasons for Referral:

2.1 The application is recommended for refusal. The Ward Member, Councillor Gary Selwyn, has referred the application to the Planning & Licensing Committee on the grounds of considering the balance of harm to the neighbour against the benefits of future proofing the terraced dwelling and improving the housing stock through the accommodation of reasonable attempts at enlargement of the building.

3. Site Description:

3.1 The application site consists of a two-storey, mid-terrace dwelling located along Watermoor Road within the Cirencester Development Boundary. The property is of a historic nature, constructed in the late 19th century, present on maps dated 1891 - 1912. The building has a simple formal frontage, uniform with neighbouring dwellings and constructed of red brick. The property has a generous linear, south facing garden which backs onto an industrial building.

3.2 The site lies within the Cirencester South Conservation Area.

4. Relevant Planning History:

4.1 N/A

5. Planning Policies:

- TNPPF The National Planning Policy Framework
- DSI Development Strategy
- DS2 Dev within Development Boundaries

- EN1 Built, Natural & Historic Environment
- EN2 Design of Built & Natural Environment
- EN4 The Wider Natural & Historic Landscape
- EN10 HE: Designated Heritage Assets
- EN11 HE: DHA - Conservation Areas

6. Observations of Consultees:

6.1 None.

7. View of Town/Parish Council:

7.1 "Object to the proposed two storey rear extension. The works appear to be intrusive and not in keeping with the surrounding properties and would have an adverse affect on neighbouring properties."

8. Other Representations:

8.1 The application has received five letters objection from two neighbours; one letter of support and one general comments.

Summary of objection comments:

- i. Loss of light/overshadowing;
- ii. Out of keeping with scale and character of street;
- iii. Materials are out of keeping with traditional property.

8.2 Summary of support comments:

- i. Development will enhance community and encourage families.

8.3 Summary of general comments:

- i. Impact on guttering/drainage requiring party wall agreement;
- ii. Impact of foundations on neighbouring property.

9. Applicant's Supporting Information:

- Design and Access Statement (including shadow survey), Proposed Elevations.

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.'

10.2 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.

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

Background and Proposed Development

10.4 The application proposes the construction of a two-storey and single-storey rear extension and the construction of a flat roof dormer window. The scheme has been through various iterations during the course of the application, with a final scheme having been submitted on 01/02/2022.

10.5 The proposed extension would project a total of 4.6m at ground floor, spanning the full 4.3m width of the plot. The first floor element would project 3.3m, spanning a width of 3.1m, set 1.2m from the western boundary. The extension would have a total ridge height of 5.7m and eaves of 4.6m, with the addition taking the form of a shallow mono-pitch roof. The single-storey aspect would incorporate a similar mono-pitched design, with a ridge of 3.3m and eaves of 2.3m. The proposed dormer window would project 2.1m from the existing roof slope, spanning a width of 3.2m and a height of 1.8m, in a flat roof design. The extension would incorporate a mix of matching render and contemporary zinc and timber cladding.

(a) Impact on the Cirencester South Conservation Area

10.6 The site lies within the Cirencester South 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.

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

10.8 Local Plan Policy EN11 states that development proposals, including demolition, 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, proportion, design, materials and the retention of positive features. Development in conservation areas will not result in loss of open spaces, including garden areas and village greens, which make a valuable contribution to the character and/or appearance, and/or allow important views into or out of the conservation area.

10.9 NPPF Section 12 requires good design, providing sustainable development and creating better place to live and work in. Paragraph 130 states 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 of the NPPF (2018) seeks to conserve and enhance the historic environment and is consistent with Policies EN10 and EN11.

10.11 The existing dwelling is of a relatively historic form, incorporating a simple and traditional design which is continued within the wider street. The rear elevation is not visible from within the wider street scene, with only limited views available from private rear gardens.

10.12 The rear elevations of Watermoor Road have been subject to some alterations, with examples of both two-storey and single-storey additions. First floor additions are generally limited to half width, often connected to an adjoining neighbour. An example of a full width, two-storey extension is noted at No. 80 Watermoor Road, this addition was added in the early-mid 2000's and the building constitutes an end-of-terrace dwelling, thus allowing for more variation in design as the terrace is 'squared off'. It is also noted that a number of dormer windows are present on the rear elevations of dwellings along the terraced row. Whilst these contain a mix of forms, it is noted that a number are unauthorised, with a single permission having been granted in 2015 for two pitched roof dormers on the adjoining property.

10.13 The current proposal is for a two-storey catslide-style rear extension. The addition would cover a large portion of the rear elevation, however, would be stepped at first floor back from the shared boundary. Whilst generous in scale, the addition would appear proportionate to the rear elevation and would not dominate the existing property. The design approach appears somewhat awkward in its relationship to the host dwelling, however, would achieve a lower ridge line that could otherwise be achieved through a pitched design. The use of render would appear sympathetic subject to an appropriate sample being provided and the use of zinc, whilst not strictly in keeping, would, when viewed in the context of the host and rendered walls, not appear incongruous.

10.14 The proposed dormer would be set within the established roof slope, adjoining a neighbouring dormer window. The proposed plans show a large dormer window to No. 82 Watermoor Road, which it is noted has not been constructed in accordance with plans permitted in 2015, which approved two modest pitched roof additions. The proposed plans also include a flat roof addition to the other neighbour at No. 86. The roofslope of No. 86 does not contain a dormer, however, whilst No. 88 does contain an addition of a similar scale to that shown. This feature similarly appears to be unauthorised having been added between 2006 and 2014 without the benefit of planning permission.

10.15 The current proposed addition of a flat-roof dormer window would be generous in scale and would appear as a dominant and disproportionate addition to the existing roof slope. The design would be flat-roof with a somewhat contemporary approach. The Cotswold Design Code outlines that dormers should be in-keeping with the host building in their placement, scale and design and should not be excessive in bulk; and extensions should respect the scale and proportions of the building to which they are added. The current proposal, by virtue of its scale and large flat roof design, would result in a bulky and disproportionate form of development that would fail to respond sensitively to the simple uniform design of the host dwelling. Whilst the use of zinc is not in and of itself, unreasonable; it would exacerbate the disproportionate appearance of the dormer, leading to an incongruous and prominent addition within the rear roof slope. Whilst the addition would not be prominent within wider public views, it would nevertheless fail to comply with the requirements of the Cotswold Design Code and would appear out of keeping with the character of the host dwelling.

10.16 Overall, whilst the proposed extension is not considered to result in any harm with regard to its design, the proposed dormer window would, by virtue of the design, form, scale, sitting and use of inappropriate materials, harm the character and appearance of the host dwelling. Moreover, the dormer addition would fail to accord with the requirements of the Cotswold Design Code and would therefore be contrary to Local Planning Policy EN2.

(b) Impact on Residential Amenity

10.17 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. The Cotswold Design Code outlines that *"To avoid undue loss of daylight, when considering planning applications, the Council will take into account the advice contained in the Building Research Establishment publication IP 23/12 - Site Layout Planning for Daylight."*

10.18 The neighbouring dwelling, No. 82 Watermoor Road, has a single-storey rear extension containing a kitchen that runs parallel to the boundary of the property. The kitchen contains a single east-facing window which faces the application site and is the sole window serving the primary room within the dwelling. The window is set around 2m from the shared property boundary. The proposed development would intersect the 25 degree line taken from the central point of the window facing the extension, and would intersect the 45 degree line in plan form. The neighbouring dwelling also contains a dining room within the original dwelling, which contains a single south-facing window serving the primary room. The proposed extension would intersect the 45-degree line taken from the central point of the window in both elevation and plan form.

10.19 The BRE document, referenced above, outlines that where a proposed development would intersect an angle to the horizontal greater than 25 degrees, it is likely to lead to a substantial impact on the diffuse daylighting of the existing building. The document goes on to outline that for non-facing windows, a diagonally drawn line is to be taken at an angle of 45 degrees from the central point of the window. Where the line intersects with the extension in both plan and elevation form, then the extension may well cause a significant reduction in daylight received by the window.

10.20 As has been noted, the extension would intersect the angles drawn, both in terms of the facing kitchen and dining room windows. The development therefore fails to accord with the guidance of the Cotswold Design Code. Evidence has been provided demonstrating the impact of overshadowing on the property. Whilst the evidence does indicate that there is an existing mutual level of overshadowing, officers are not in agreement with the conclusion that the development would have a limited impact when compared with the existing context. Moreover, it is noted that the evidence solely addresses the impacts from overshadowing and not loss of daylight or diffuse daylight to the rooms of the dwelling. The shadow survey indicates that there will be an increase in overshadowing on the kitchen and dining room windows, most notably at midday January, morning April and Morning July where both windows will be entirely, or almost entirely, overshadowed. It is noted that no evidence has been submitted in the form of loss of daylight/sunlight calculations, and compliance with the guidance within the design code has not been evidenced as part of the application.

10.21 Whilst the 'IP 23/12 - Site Layout Planning for Daylight' outlines that the guidance should be applied sensibly and flexibly, it is considered that the proposed development would lead to an unreasonable and detrimental loss of light to two out of three primary rooms of the ground floor of the neighbouring dwelling. This would result in a significant negative impact on the amenity of the property.

10.22 It is considered that the extension would also lead to a level of overbearing impact, leading to the rear courtyard of No. 82 Watermoor Road feeling 'hemmed in' or enclosed. The development would extend up to the boundary of the property, with the two-storey element set just 1.2m from the shared boundary. The addition would therefore lead to an unreasonable level of overbearing impact, which when viewed in conjunction with the identified overshadowing and loss of light to the primary rooms of the dwelling, would exacerbate and enforce the impact on the neighbouring dwelling.

10.23 Overall, it is considered that the proposed extension would lead to an unacceptable and detrimental impact on the amenity of the neighbouring dwelling in terms of loss of light, overshadowing and overbearing impact. The development therefore fails to comply with Local Plan Policy EN2 or the Cotswold Design Code and the guidance contained within 'IP 23/12 - Site Layout Planning for Daylight'.

Other Matters

10.24 The proposed development is not liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended). This is because it is less than 100m² of new build that does not result in the creation of a dwelling, and therefore benefits from Minor Development Exemption under CIL Regulation 42.

11. Conclusion:

11.1 It is considered that the proposed two-storey rear extension would lead to a harmful loss of light to the sole windows serving primary rooms within the adjoining dwelling and would cause a level of overshadowing and overbearing impact on the building, courtyard and immediate amenity space associated with the dwelling. Additionally, the proposed dormer window would result in a bulky, disproportionate and dominant addition to the roofslope of the existing dwelling, by virtue of the design, form, scale, sitting and use of materials.

11.2 Subsequently, the proposed development is recommended for refusal.

12. Reasons for Refusal:

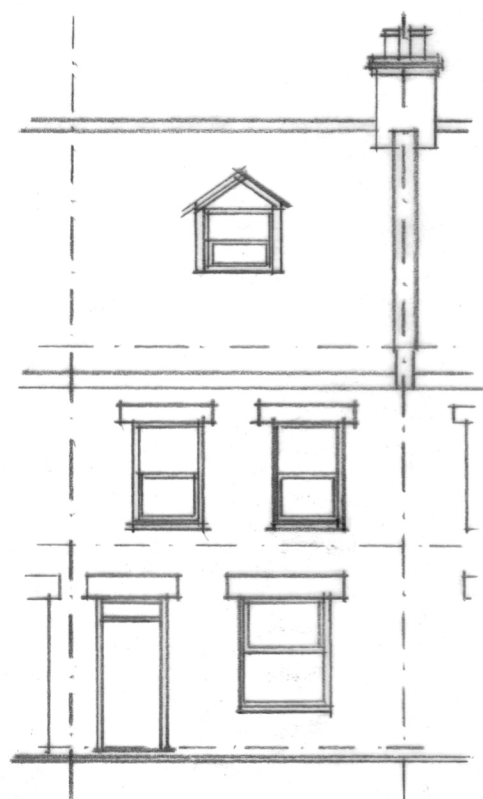
1. The proposed single and two-storey extensions would lead to a harmful loss of light to the sole windows serving primary rooms within the adjoining dwelling and would cause a level of overshadowing and overbearing impact on the building, courtyard and immediate amenity space associated with the dwelling. The proposed extension would therefore result in an unacceptable and detrimental impact on the amenity of the neighbouring dwelling, contrary to Local Plan Policy EN2, and Section 12 of the NPPF.

2. The proposed dormer window extension would result in a bulky and disproportionate addition to the roofslope of the existing dwelling, by virtue of the design, form, scale, sitting and use of materials. The addition would dominate the rear roofslope, causing harm to the character and appearance of the existing dwellinghouse. The proposed development would therefore fail to comply with the requirements of the Cotswold Design Code and will be contrary to Local Plan Policy EN2 and Section 12 of the NPPF.



84 Watermoor Road
Cirencester
Glos
GL7 1LF

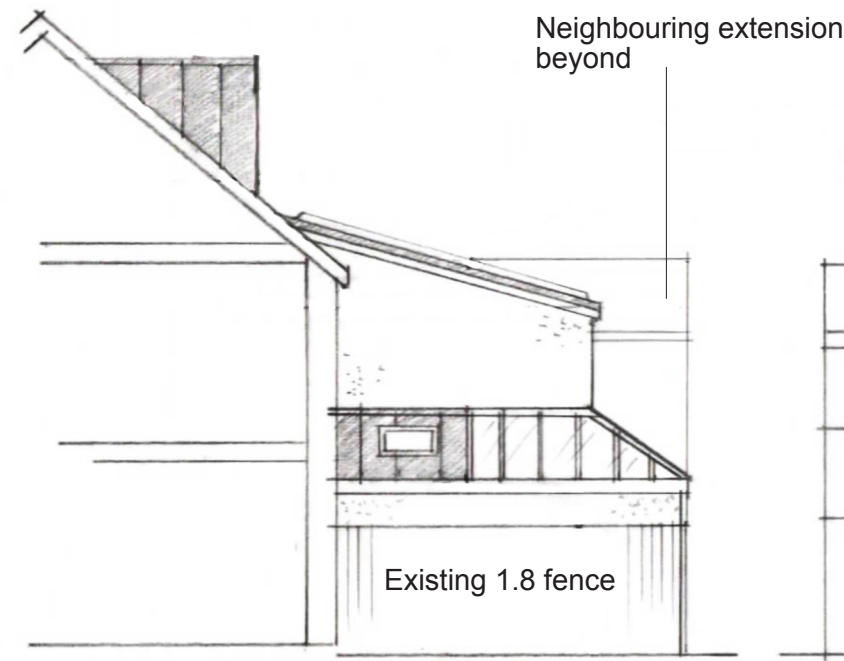
Site Location Plan
scale 1:1250 @ A3



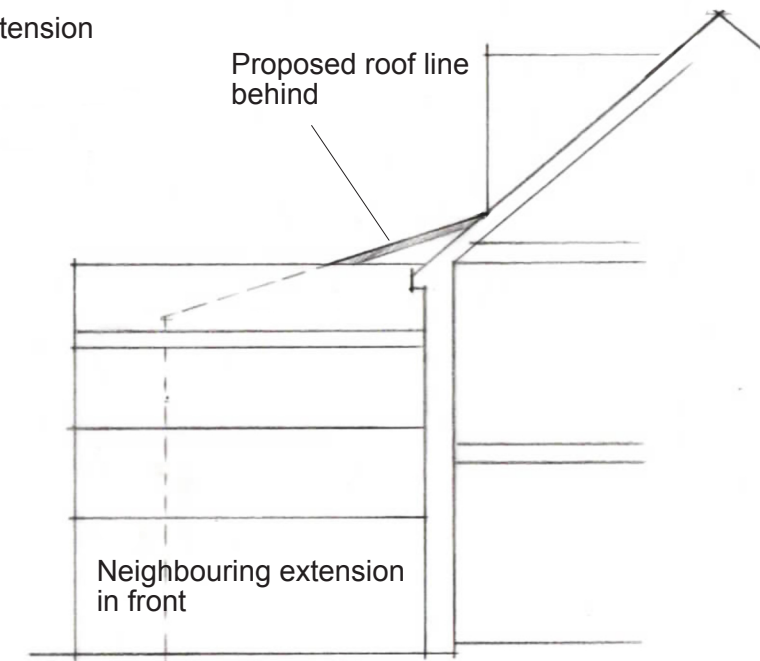
FRONT ELEVATION -
AS PROPOSED (UNCHANGED)



REAR ELEVATION - AS PROPOSED

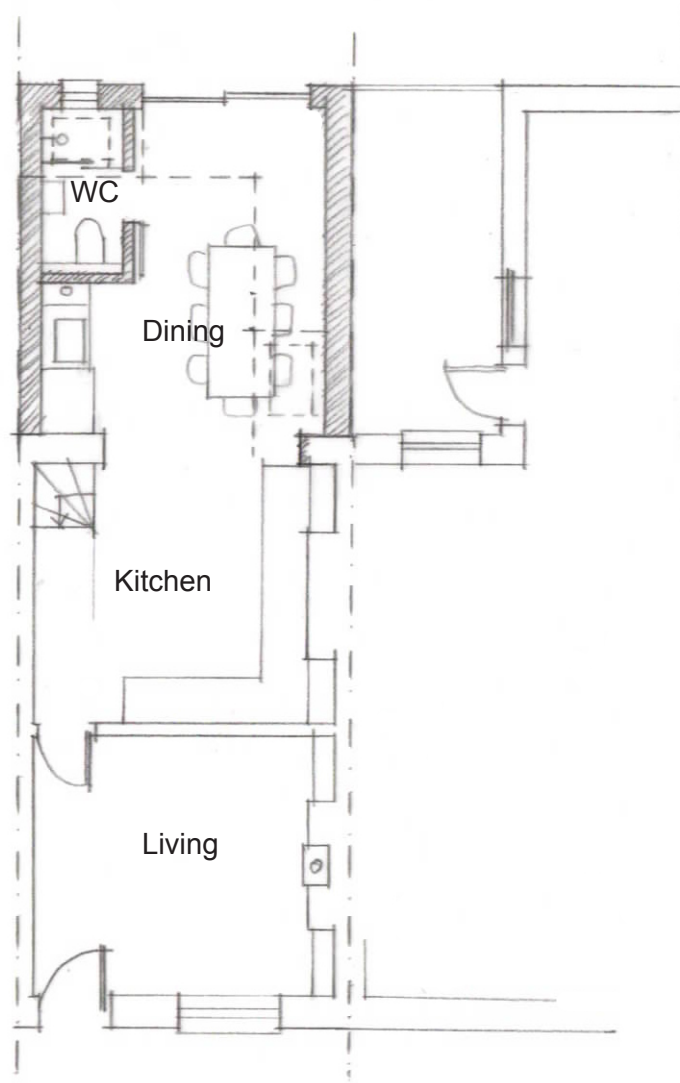


SIDE ELEVATION - AS PROPOSED

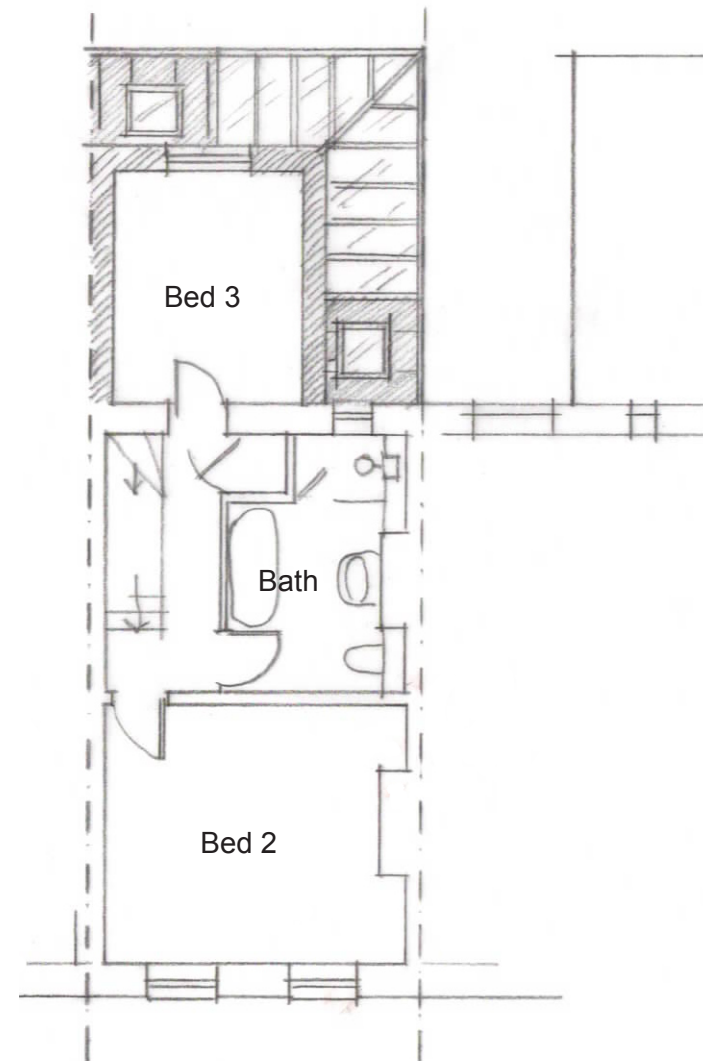


SIDE ELEVATION - AS PROPOSED

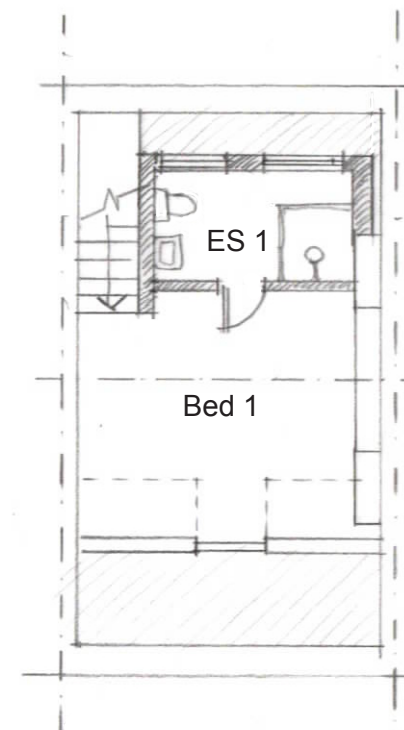
Page 85



GROUND FLOOR - AS PROPOSED



FIRST FLOOR - AS PROPOSED



SECOND FLOOR - AS PROPOSED

PROPOSED MATERIALS:

GF walls - painted render
GF roof - zinc standing seam / patent glazing
FF walls - painted render
FF roof - zinc standing seam
Dormer - zinc and timber cladding

84 Watermoor Road
Cirencester
Glos
GL7 1LF

002Q
Proposed Plans and Elevations
Scale 1:100 @A3

This page is intentionally left blank

Item No 04:-

21/04349/FUL

**Brookford Cottage
Shipton Oliffe
Cheltenham
Gloucestershire
GL54 4JF**

Item No 04:-

Demolition of existing modern (late-C20th) garage (51.77 cubic metres). Internal works (removal of modern timber stud partition, re-wiring and re-plumbing) and external alterations to include: breach of small section of east gable wall and erection of single storey side extension; and wholesale replacement of existing rainwater goods. Demolition and re-build as new the single storey early-C20th brick outbuilding at Brookford Cottage Shipton Oliffe Cheltenham Gloucestershire GL54 4JF

Full Application 21/04349/FUL	
Applicant:	Mr Richard Hall
Agent:	Corinium Planning Services
Case Officer:	Ed Leeson
Ward Member(s):	Councillor Robin Hughes
Committee Date:	13th April 2022
RECOMMENDATION:	REFUSE

1. Main Issues:

- (a) Design and Impact on Heritage Assets including the Shipton Conservation Area
- (b) Impact on Residential Amenity
- (c) Impact on Cotswolds Area of Outstanding Natural Beauty (AONB)
- (d) Impact on trees
- (e) Flood Risk
- (f) Impact on Biodiversity
- (g) Community Infrastructure Levy (CIL)

2. Reasons for Referral:

This application has been referred to Planning and Licensing Committee following a request from Councillor Hughes. The reasons for doing so include:

- The historic environment has been shaped by people and investment of successive generations, and each generation should therefore shape and sustain the historic environment in ways that allow people to use, enjoy and benefit from it, without compromising the ability of future generations to do the same;
- Change in the historic environment is inevitable, caused by people's responses to social, economic and technological change and that new work should aspire to a quality of design and execution which may be valued both now and in the future; and
- Keeping a significant place in use is likely to require continual adaptation and change and owners of significant places should not be discouraged from adding further layers of potential future interest and value, provided that recognised heritage values are not eroded or compromised in the process.

3. Site Description:

3.1 Brookford Cottage comprises a modest detached cottage which appears to date back to the 17th century with a 19th century extension, and is constructed of large blocks of coursed squared and dressed limestone with Cotswold stone tiles. It is a Grade II listed building within the Shipton Conservation Area.

3.2 The property sits within a generous garden, but is closely constrained to the north and west, by the road and neighbouring properties.

3.3 The site is bordered by a tributary to the River Coln to the south, and it is partially within Flood Zones 2 and 3.

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

4. Relevant Planning History:

4.1 21/00588/FUL - Alterations to dormer window (retrospective). Permitted 13.07.2021.

4.2 21/00589/LBC - Re-roofing and associated repairs and alterations, replacement of porch, alterations to dormer window and re-pointing (retrospective). Permitted 13.07.2021.

5. Planning Policies:

- EN1 Built, Natural & Historic Environment
- EN2 Design of Built & Natural Environment
- EN4 The Wider Natural & Historic Landscape
- EN5 Cotswolds AONB
- EN7 Trees, Hedgerows & Woodlands
- EN8 Bio & Geo: Features Habitats & Species
- EN10 HE: Designated Heritage Assets
- EN11 HE: DHA - Conservation Areas
- EN14 Managing Flood Risk

6. Observations of Consultees:

6.1 Conservation Officer: views incorporated within the Officer's report.

6.2 Tree Officer: no objection subject to conditions.

6.3 Newt Officer: no objection.

7. View of Town/Parish Council:

7.1 Shipton Parish Council have not provided comments on this application however have provided comments of support on the accompanying listed building consent application 21/04350/LBC stating:

"Shipton Parish Council support this application and the renovations. It is important that this property is occupied asap so that further deterioration does not occur."

8. Other Representations:

8.1 4 third-party comments of support have been received.

9. Applicant's Supporting Information:

- i. Drawings
- ii. Heritage Impact Assessment & Planning Statement
- iii. Flood Risk Assessment
- iv. Biodiversity Survey and Report
- v. Schedule of Works & Method Statement with associated photographs
- vi. Structural Engineering Report
- vii. Further clarification on amendments supplied via email

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.

Proposal

10.2 The proposed scheme comprises a number of elements including:

- i. Erection of single-storey side extension;
- ii. Demolition of brick outbuilding and erection of replacement garden store; and
- iii. Demolition of garage.

10.3 The single-storey side extension was originally proposed to extend from the side gable by 4.2m and out past the rear elevation, creating an L-shape to the property's floorplan. The length from its front to rear elevation would have been 11.6m.

10.4 Following discussions with the applicant's agent, this extension was amended and reduced in size so that it no longer extended past the rear elevation of the existing dwelling. It is now proposed to have a dual-pitch roof with side gable, extending out approximately 4.3m with a length of 2.9m. Its height would be around 3.1m with 2m-high eaves.

10.5 It should be noted that the description of development for this application includes other proposed elements which do not require planning permission, only listed building consent, and therefore will not form part of this application's assessment. These elements are outlined below and will be dealt with and assessed under the accompanying listed building consent application (ref. 21/04350/LBC):

- i. Internal alterations;
- ii. Replacement of existing rainwater goods; and
- iii. Replacement of 4no. windows.

(a) Design and Impact on Heritage Assets including the Shipton Conservation Area

10.6 Brookford Cottage is a Grade II Listed Designated Heritage Asset. As such the Local Planning Authority is statutorily required to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest it possesses. This duty is required in relation to Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Section 16 of the National Planning Policy Framework.

10.7 The site lies within the Shipton 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 above Act.

10.8 Local Plan Policy EN1 promotes the protection, conservation and enhancement of the built, historic and natural environment in new development. It seeks to ensure the protection and conservation of such assets and their setting in proportion with the significance of the asset. It seeks development contributes to the provision and enhancement of multi-functional green infrastructure and helps address climate change, habitat loss and fragmentation whilst improving air, soil and water quality where feasible. It seeks to ensure design standards complement the character of the area and the sustainable use of the development.

10.9 Policy EN2 asserts that developments will be permitted provided they accord with the Cotswold Design Code (Appendix D), and that "proposals should be of design quality that respects the character and distinctive appearance of the locality."

10.10 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 a 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.

10.11 Policy EN11 (Designated Heritage Assets - Conservation Areas) of the adopted Local Plan is also relevant.

10.12 Section 12 of the NPPF sets out criteria for achieving well-designed places, with paragraph 130 requiring that planning policies and decisions should ensure that developments: "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; are visually attractive as a result of good architecture; are sympathetic to local character and history, including the surrounding built environment and landscape setting; create places ... with a high standard of amenity for existing and future users."

10.13 Section 16 of the National Planning Policy Framework asks that Local Planning Authorities should take account of the desirability of sustaining or enhancing the significance

of heritage assets. Paragraph 193 states that when considering the impact of the proposed works on the significance of a designated heritage asset, great weight should be given to the asset's conservation. It also notes that significance can be harmed through alteration or development within the setting. Paragraph 194 states that any harm to or loss of the significance of a heritage asset should require clear and convincing justification. Paragraph 195 states that where a proposed development will lead to substantial harm applications should be refused unless it is demonstrated that that harm is necessary to achieve substantial public benefits, whilst Paragraph 196 states that where a development proposal will cause harm to the significance of a designated heritage asset that is less than substantial harm, that harm is weighed against the public benefits of those works.

Erection of single-storey side extension

10.14 As outlined above, the initial proposal was amended and reduced in size so as to now be proposing an entrance lobby with a footprint of around 12.50 square metres (depth of 2.92m by frontage width of 4.30m), and a height of approximately 3.15m.

10.15 Brookford Cottage comprises a modest detached cottage which appears to date back to the 17th century and was extended in the 19th century. It is a Grade II listed building within the Shipton Conservation Area and is in a prominent location in the streetscene. The earlier part of the building is constructed of large blocks of coursed squared and dressed limestone, whilst the 19th century addition is made of limestone rubble and brick. The roof appears to be Cotswold stone tiles.

10.16 Whilst Brookford Cottage may have been historically extended in the 19th century, it remains a modest and compact building; indeed part of the significance of this building is its modest size and its contained character. The property sits within a generous garden, but is closely constrained to the north and west, by the road and neighbouring properties. Despite Brookford Cottage's position to the north of the site, its principal elevation faces south, into the garden of the property. Whilst the south elevation of Brookford Cottage is considered to be its principal one, its gabled east elevation is one of its most notable and significant features. It is unbroken apart from what appears to be an historic hood moulded mullioned window. The elevation appears intact, without evidence of change of alteration; as such it makes a considerable contribution to the significance of this modest yet charming listed building.

10.17 Whilst the proposal would be subservient to the existing cottage, and only a small area of historic fabric would be removed, with around a quarter of the existing C17th gable end being "masked" externally by the extension, Officers have concerns over the impact the proposal would have on the significance of the heritage asset.

10.18 Firstly, access to an extension created through an opening in the eastern gable end of the property is a proposal which would not only lead to the loss of 17th century historic fabric, but also the alteration of this intact historic feature which appears to be from the original construction of the building. The addition of an extension in this location, would also cause further harm, masking the eastern gable end and, while set back from the roadside elevation, would detract from the host building and be harmful to the modest architectural and spatial character of the designated heritage asset.

10.19 Whilst it is noted that there would be reuse of stone work, this is not considered to mitigate the harm of the new opening within the 17th century gable which would result in the loss of 17th century historic fabric which is considered to be harmful to its significance and the extension will also partially obscure the historic gable walling of the asset. Once fabric is removed, this results in a loss of its historic integrity and a change in the spatial character of the gable wall.

10.20 On the basis of the revised proposals, the scheme is assessed as being of 'less than substantial harm' in terms of the relevant section of the NPPF. As such Paragraph 196, which states that less than substantial harm should be weighed against the public benefits of the proposal, would be pertinent. Although considered 'less than substantial' under the terms of the NPPF, the proposals would still cause harm to the designated heritage assets. The building is not designated on the building at risk register and its use is as a private dwellinghouse; therefore, there are limited public benefits to outweigh the harm identified.

10.21 Although generally not available to view publicly, it is noted that an application for pre-application advice was submitted in November 2019 (ref. 19/04174/PAYPRE) which included proposed additions to the side elevation of Brookford Cottage. The advice provided is broadly consistent with the assessment undertaken here; the advice provided outlined that a side extension would cause harm to the listed building by virtue of the removal of historic fabric and the masking of the prominent gable end.

10.22 Although it is noted that the initial proposal was considered harmful to the character and appearance of the conservation area due to its lack of subservience and prominent and open siting within it, the amended plans show a small protruding addition set back from the front elevation, subservient in massing, height and footprint. As such, its adverse impact on the character and appearance of the conservation area is considered to have been alleviated, however there is still considered to be some minor harm due to the prominence of the dwelling within the street scene.

10.23 Notwithstanding this, due to the harm caused to the listed building through the loss of historic fabric and the obscuring of the historic gable wall, the reduced impact on the conservation area is not outweighed by that caused to the heritage asset.

10.24 Taking the above into account, this aspect of the application cannot be supported as it is not considered to sustain or enhance the significance of the heritage asset, which is at odds with Local Plan Policies EN1, EN2, EN10 and EN11, and Sections 12 and 16 of the NPPF.

Demolition of brick outbuilding and erection of replacement garden store

10.25 To the property's rear is a brick outbuilding which comprises of two sections; the north-east facing section, which faces the principal elevation of the cottage, containing three timber-boarded doors, painted pale blue, and a window frame with UPVC cill and has a modern roof of artificial Welsh slate; and is the remains of a much larger L-shaped structure. This outbuilding is considered to be curtilage listed.

10.26 The building is in poor condition and it is proposed to demolish it and replace it with a single-storey outbuilding of the same footprint (5m by 6.2m) with an increase in its overall height from 2.7m to 3.1m.

10.27 The removal of the existing building is not objectionable due to its condition and its proposed replacement with one of a like-for-like massing and pitch roof. Additionally, the materials seek to reuse the metal cladding which would help assimilate the new addition within the site's current context.

10.28 Although visible from the public realm, the building would be set back from the property's frontage and would consist of a linear design with a dual-pitched roof, which would be sympathetic having regard for the character of the host dwelling and the locality. This aspect of the proposal is therefore considered acceptable and compliant with local and national policy.

10.29 Notwithstanding, it is recommended a condition is added to any permission granted requiring scaled drawings of windows and doors, together with a roof sample.

Demolition of garage

10.30 The garage building is not of historic interest or one of architectural merit, and therefore its proposed removal is not objectionable. This aspect of the scheme is therefore considered to comply with the requirements of Local Plan Policies EN1, EN2, and EN10 and Sections 12 and 16 of the NPPF.

(b) Impact on Residential Amenity

10.31 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 130 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.

10.32 The proposed side extension is set away from the application site's boundaries and is single-storey in height. As such, it is considered its construction would not cause undue impact to the residential amenities of neighbouring properties.

10.33 Similarly, the proposed replacement outbuilding is also away from any shared boundaries and single-storey, which would have no adverse impact on residential amenity. Further, the removal of the garage would have no impact.

10.34 As such, the proposals are considered to comply, with the residential amenity considerations of Policy EN2 and the NPPF.

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

10.35 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.

10.36 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.

10.37 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.

10.38 The proposals would be contained within the residential curtilage of the host dwelling with no encroachment into open countryside. Officers are therefore satisfied that the development would not be harmful to the character or appearance of the Cotswolds AONB and so the scheme would comply with Local Plan Policies EN4, EN5 and the NPPF.

(d) Impact on trees

10.39 Policy EN7 asserts that "development will not be permitted that fails to conserve and enhance trees of high landscape, amenity, ecological or historical value", which includes trees that are protected by virtue of being within a conservation area.

10.40 There are 2 mature trees that are at risk of being affected by the proposed replacement outbuilding due to their proximity. As such, the Tree Officer was informally consulted.

10.41 He has advised that he does not have concerns over the demolition and rebuilding of the outbuilding, but would wish to see measures to protect the nearby tree(s) during site works. Officers are therefore satisfied that this issue could be covered via a pre-commencement condition requiring the submission and approval of a tree protection plan and arboricultural method statement with the tree protection to be complied with in full during demolition and construction works, in the event that the application were approved.

10.42 Subject to the addition of the above conditions and informative, the proposals are considered to comply with Local Plan Policy EN7.

(e) Flood Risk

10.43 A small strip of the application site may be, potentially, at risk of flooding from the adjacent brook, a tributary of the River Coln that runs along the south-eastern boundary of the site. Additionally, whilst the location for the proposed extension to the cottage lies in Flood Zone 1, land assessed as having a less than 1 in 1000 annual probability of river flooding in any year, the existing outbuilding (and its proposed replacement) can be seen to lay partially within Flood Zone 3.

10.44 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.

10.45 A Flood Risk Assessment (FRA) has been submitted with the application, and has assessed the potential implications for the proposals. As the extension to the cottage lies outside of the flood zone extents, it is therefore deemed not to be at risk of flooding

10.46 With regards to the outbuilding, the FRA identifies that it has a medium risk of fluvial flooding and a low risk of surface water flooding. 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.

10.47 The increase in footprint is 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.

10.48 Due to the proximity of the development to the water course, a permit is required from the Environment Agency. 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.

(f) Impact on Biodiversity

10.49 Local Plan Policy EN8 (Biodiversity And Geodiversity: Features, Habitats And Species) requires development to conserve and enhance biodiversity and geodiversity. Proposals that would result in the loss or deterioration of irreplaceable habitats and resources, or which are likely to have an adverse effect on internationally protected species, will not be permitted.

10.50 NPPF Section 15 seeks to conserve and enhance the natural environment. Specifically Paragraph 174 states that planning decisions should protect and enhance valued landscapes and sites of biodiversity. Paragraph 180 states that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused; whereas development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

10.51 Due to the potential for bats within the buildings on site, a survey was undertaken and provided. The conclusion however is the site offers negligible potential for bats within the garage and brick shed and lean-to structure, although the cottage provides moderate bat roost potential with potential roost features being identified under roof tiles. Although the proposal would not result in damage to the cottage's roof, the report outlines that it would cause disturbance if bats are present, suggesting a precautionary working method statement be designed to ensure that short-term impacts from pre-development and development phases to the stream habitat and its associated habitats and species are avoided (including disturbance to bats, nesting birds, water vole, otter, crayfish, fish, and aquatic invertebrates, if present). As such, a condition would be attached requiring the submission of a precautionary working method.

10.52 Additionally, it's considered the proposal offers opportunity for biodiversity enhancement features and, as such, a condition would be added to any permission granted requiring the submission of bat and bird box details which could be incorporated into the new outbuilding, and/ or on trees within the site and the proposals' vicinity.

10.53 Taking the above into account, the proposals are considered to comply with Local Plan Policy EN8 and the NPPF.

Newts

10.54 The application site lies within the amber impact zone as per district licence impact mapping, and within 50m of a pond. The Officer in charge of great crested newt district licensing was consulted and provided no objection to the proposals.

(g) Community Infrastructure Levy (CIL)

10.55 This development is not liable for CIL because it is:

10.56 Less than 100m² of new build that does not result in the creation of a dwelling, and therefore benefits from Minor Development Exemption under CIL Regulation 42.

11. Conclusion:

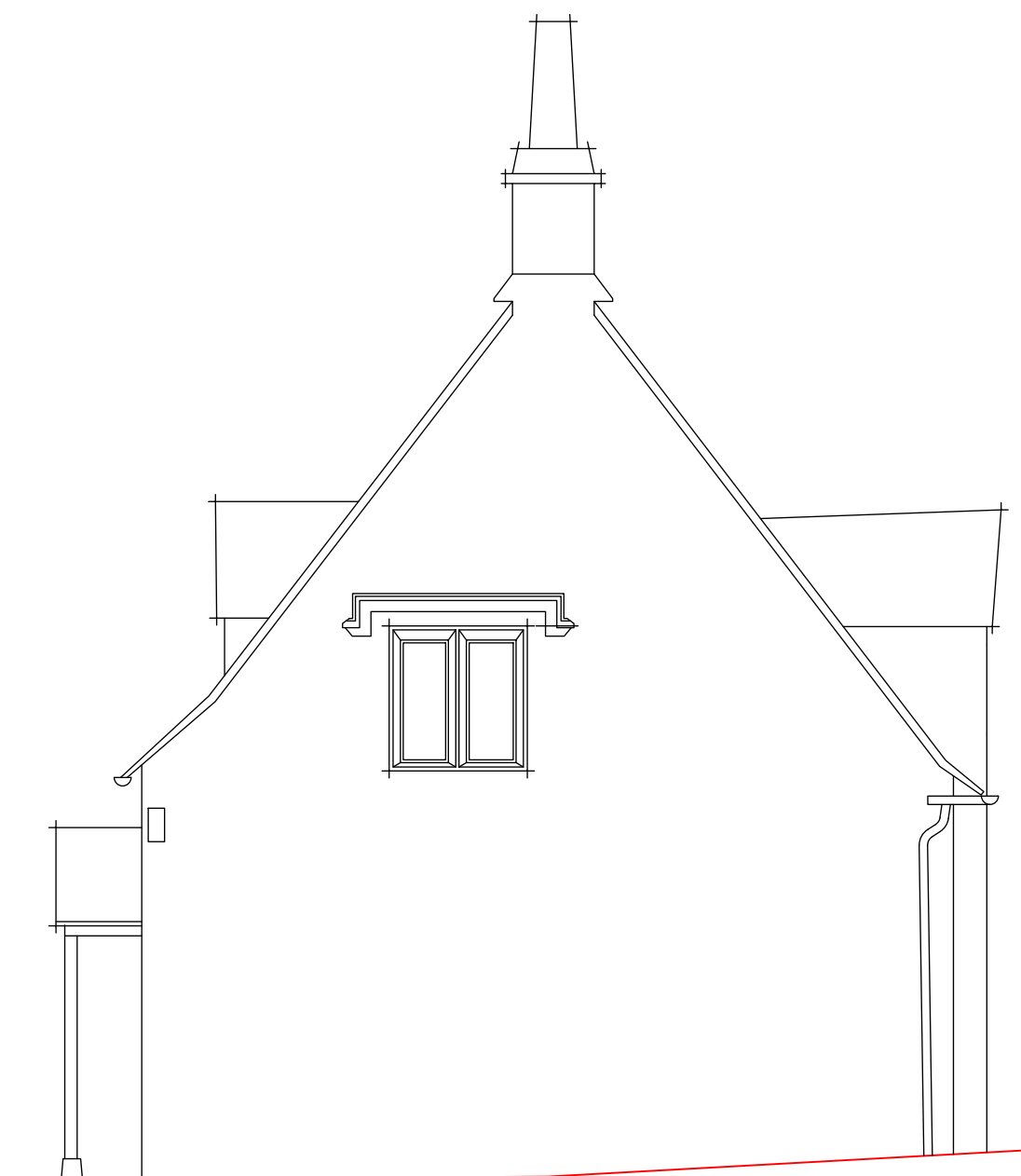
11.1 For the reasons outlined above, although a number of elements within the application proposal are considered to be acceptable, the scheme as a whole is not considered to comply with local and national guidance. As such, the application is recommended for refusal.

12. Reason for Refusal:

1. Brookford Cottage is a grade II listed building, comprising a modest detached cottage which appears to date back to the 17th century with a 19th century extension, and is constructed of large blocks of coursed squared and dressed limestone with Cotswold stone tiles. Under the Planning (Listed Buildings and Conservation Areas) Act, 1990, the Local Planning Authority is statutorily required to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The current proposal, by virtue of the loss of 17th century historic fabric, as well as the alteration and masking of the property's gable end which is an intact historic feature, would neither preserve the special architectural or historic interest of the listed building, nor sustain its significance as a designated heritage asset. The harm would be less-than-substantial, but not be outweighed by any resultant public benefits. As such the proposal conflicts with Section 16 of the National Planning Policy Framework, and to grant consent would be contrary to the requirements of Section 16 of the Framework, and the statutory requirements of Section 16(2) of the 1990 Act. The proposal is also contrary to Policies EN1, EN2, EN10 and EN11.



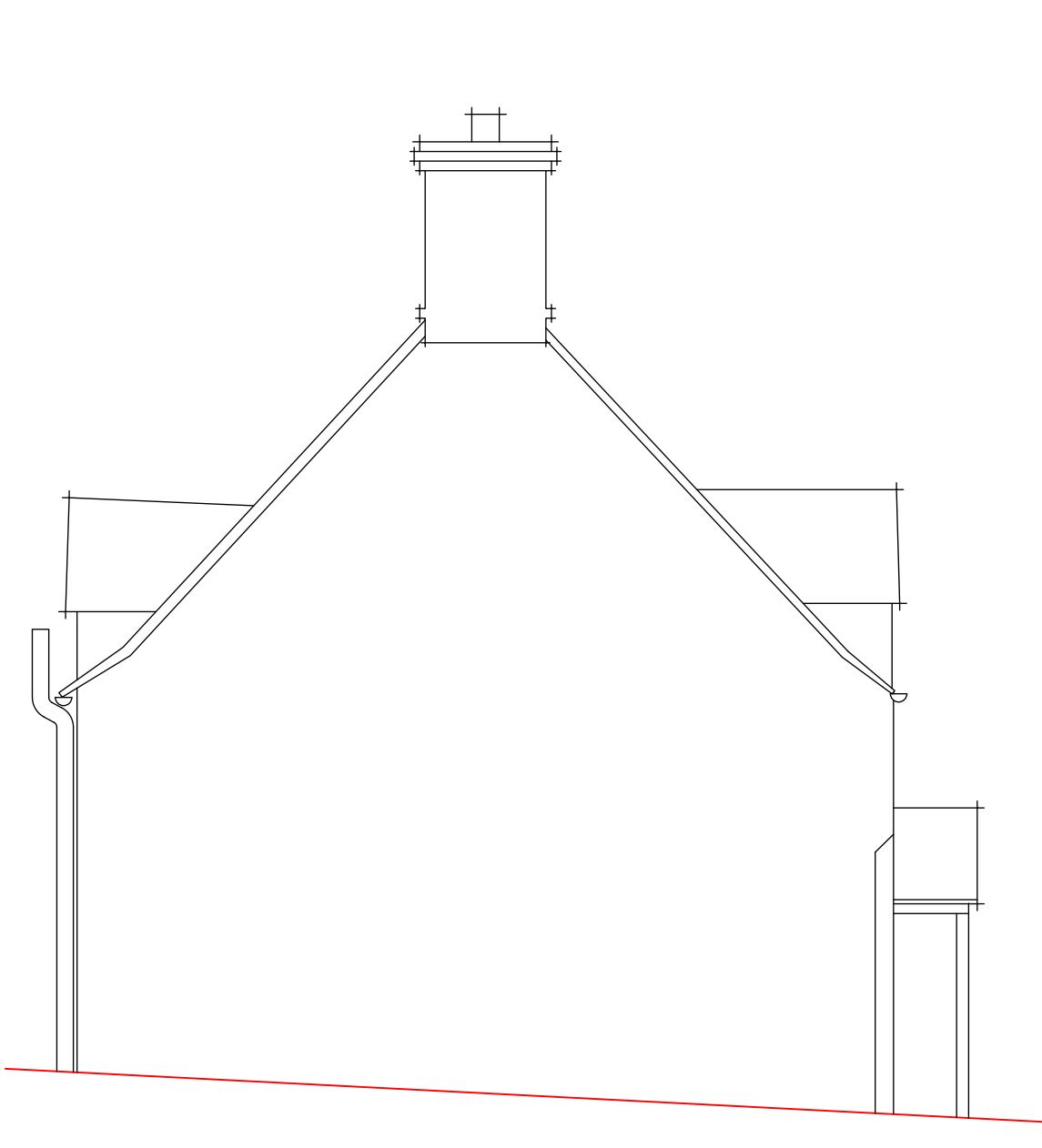
Existing North



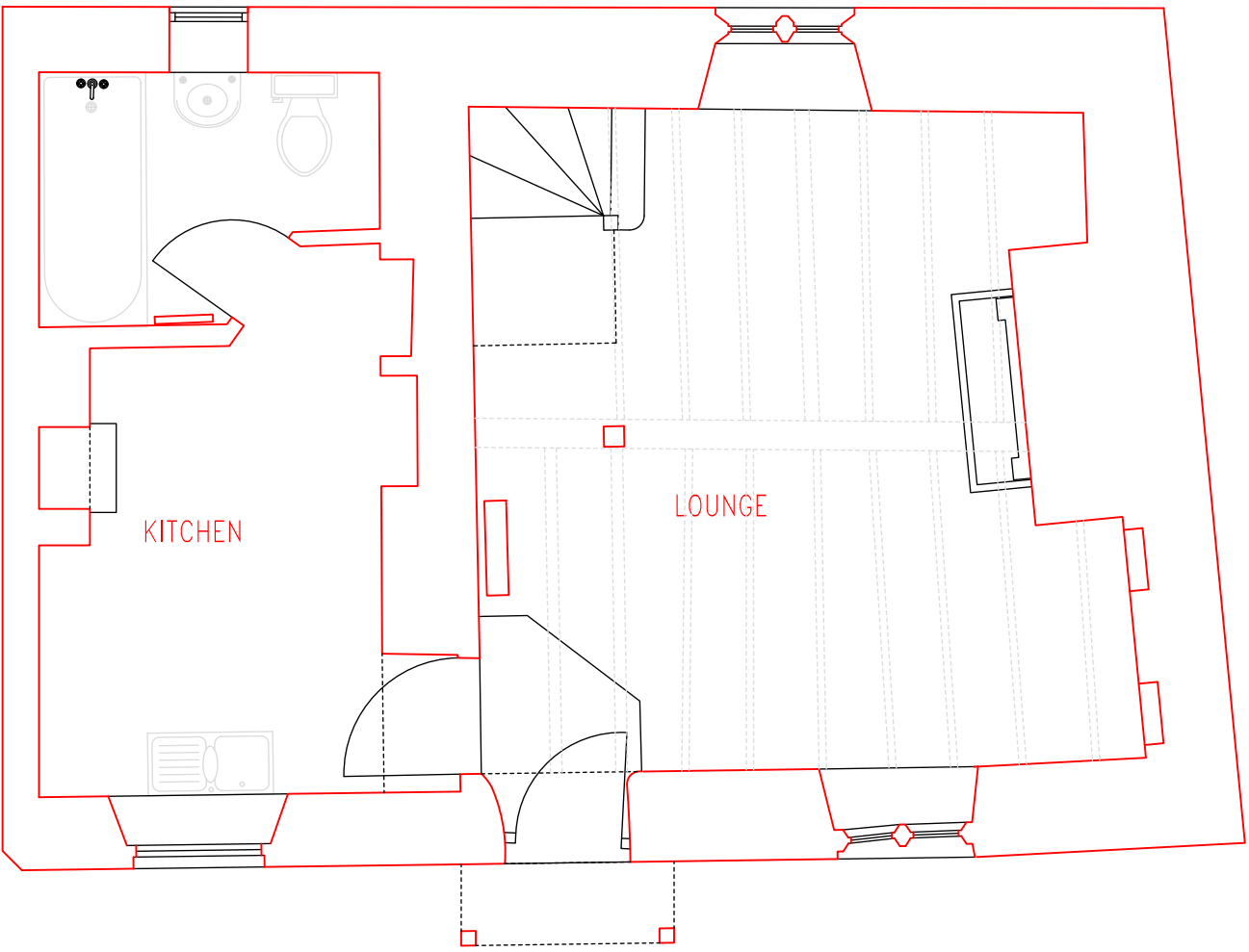
Existing West



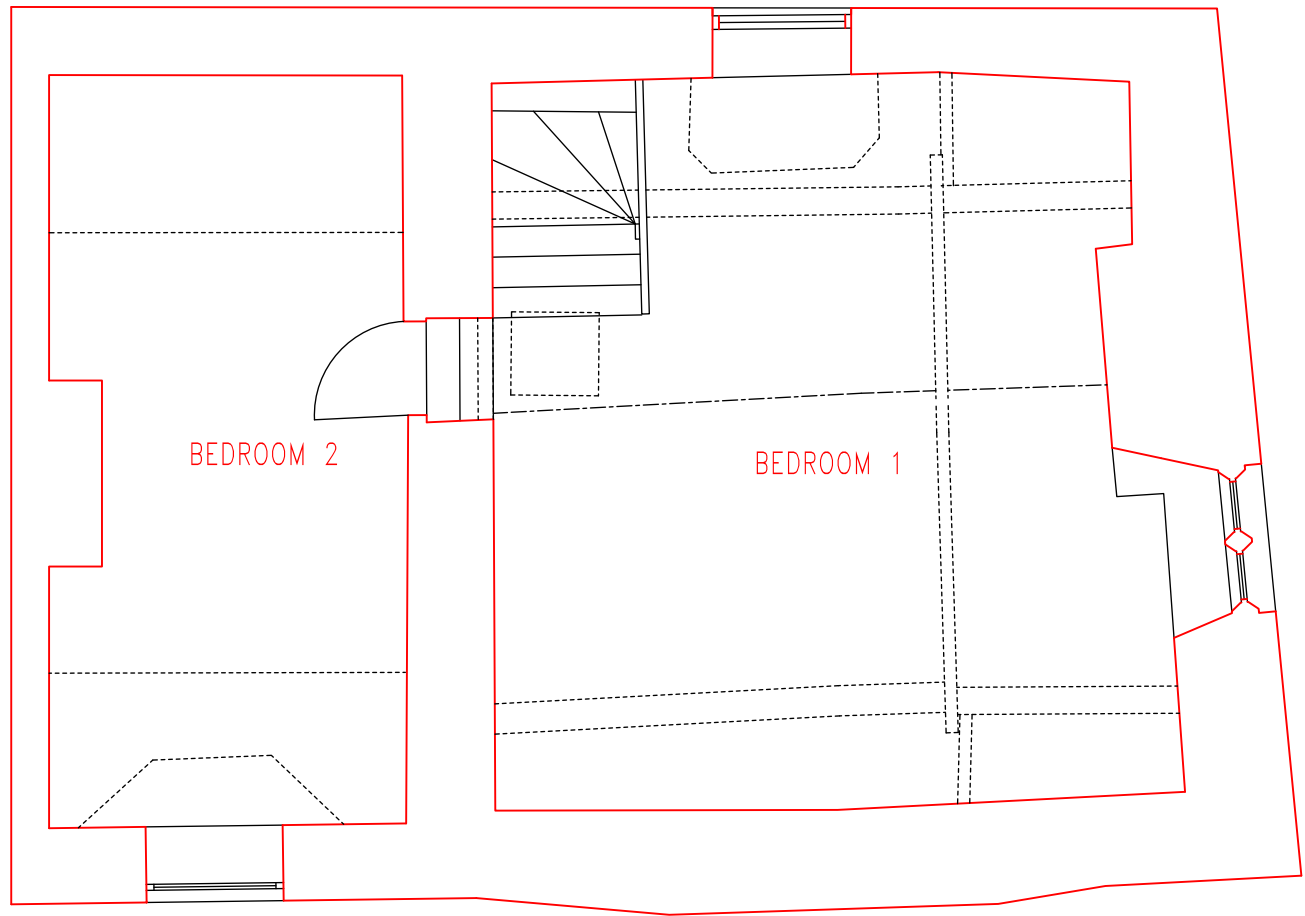
Existing South



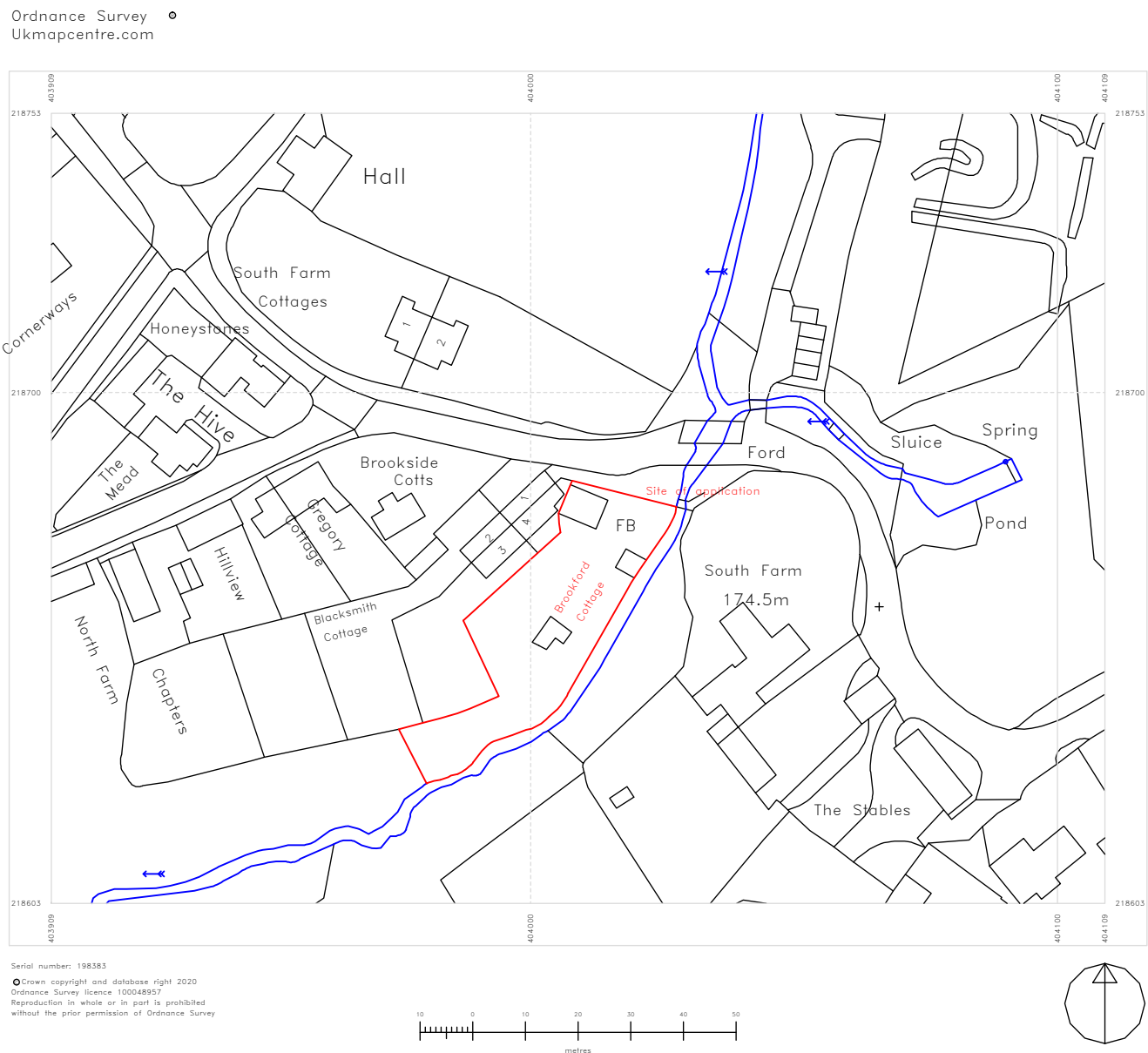
Existing East



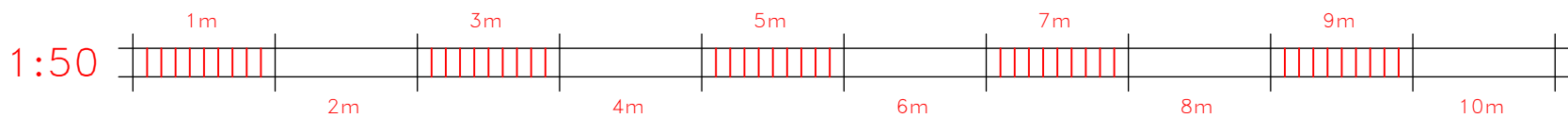
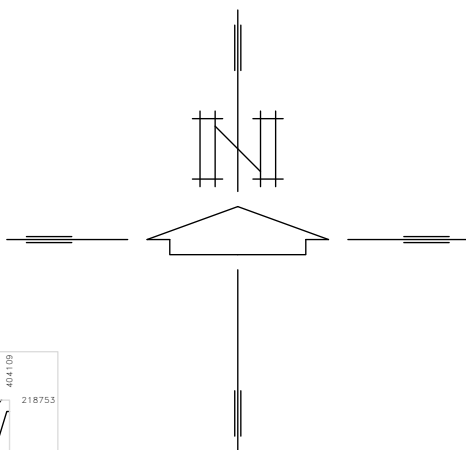
Existing Ground Floor



Existing First Floor



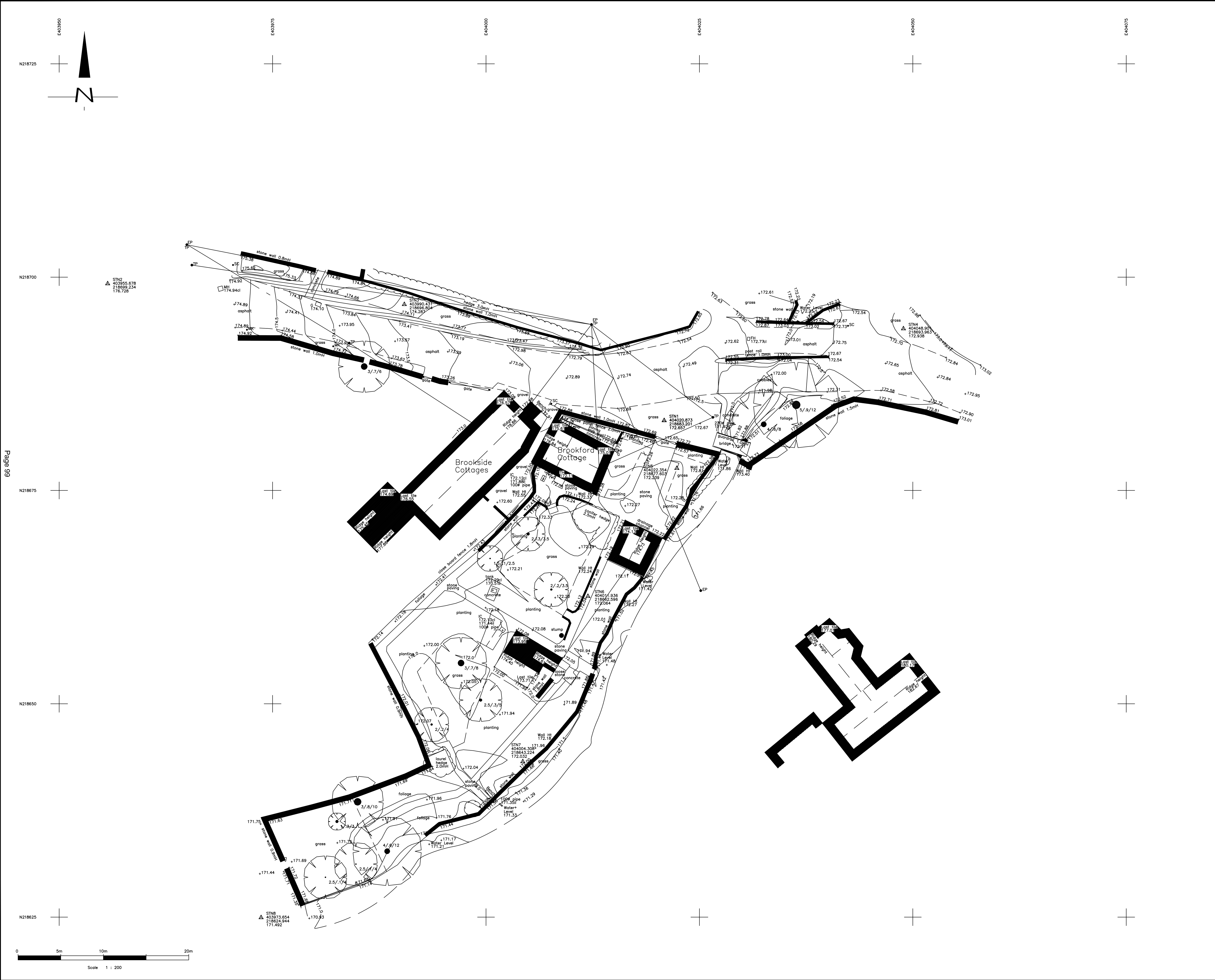
Location Plan — 1:1250



Brookford Cottage
Shipton Oliffe
Glos
GL54 4JF

CLIENT: Mr R Hall
SHEET NO: 2042/1
SCALE : 1:50
DATE : Oct 2020
REV : B

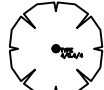
Corinium Architectural Services
64 Queen Elizabeth Road
Cirencester, Glos, GL7 1DJ
Tel: 01285 65 85 65
E-Mail: Info@CoriniumAS.co.uk



Trees/Tree Abbreviations

ASH	Ash	LP	London Plane
BAY	Bay	MAP	Maple
BEE	Beech	OAK	Oak
CB	Copper Beech	POP	Poplar
CED	Cedar	RM	Red Maple
CHE	Cherry	RW	Redwood
CON	Conifer	SB	Silver Birch
EUC	Eucalyptus	SER	Service Tree
FR	Fruit	SP	Scots Pine
HAW	Hawthorn	SYC	Sycamore
HAZ	Hazel	WAL	Walnut
HC	Horse Chestnut	WILL	Willow
HOL	Holly	WP	Weeping Willow
LAB	Laburnum	YEW	Yew
LAU	Laurel	**MB	Multiple stems/trunks
LI	Lime		Overall dia. shown

Tree Dimensions (average)
Spread/Trunk Dia/Height



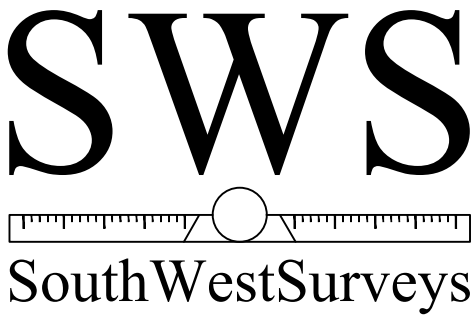
Trees denoted with "approx" have been surveyed by remote methods and therefore their positions & dimensions cannot be guaranteed.

Abbreviations

AV	Air Valve	LP	Lamp Post
BL	Bollard	M	Meter
BM	Bench Mark	MH	Manhole Cover
BP	Boundary Point	MK	Marker
BT	BT Cover	MS	Milestone
CATV	Cable Television Cover	RG	Ridge Level
CAB	Cabinet	RS	Road Sign
CL	Cover Level	rwp	Rain Water Pipe
EP	Electric Power Pole	SC	Stop Cock
EV	Eaves Level	Str	Strainer
FH	Fire Hydrant	SV	Stop Valve
FL	Floor Level	svp	Soil Vent Pipe
FP	Fence Post	TH	Threshold Level
G	Gully	TL	Traffic Light
GP	Gate Post	TP	Telephone Pole
GV	Gas Valve	UTL	Unable To Lift
IC	Inspection Chamber	VP	Vent Pipe
IL	Invert Level	WM	Water Meter
KO	Kerb Outlet	WO	Wash Out

Linetypes

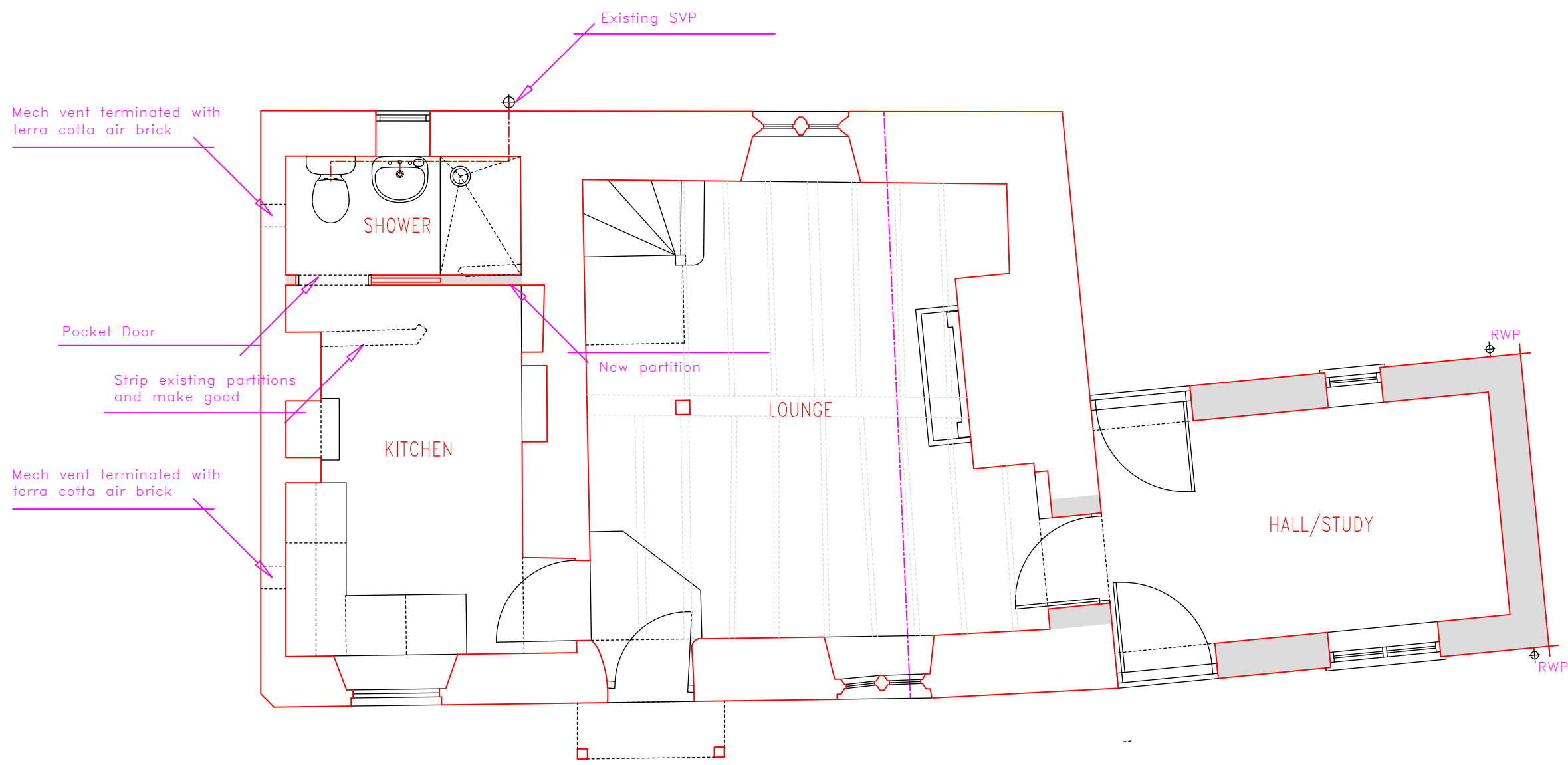
Bank (spt/bottom)	-----
Building	=====
Drop kerb	-----
Electric	-----
Fence	-----
Foliage	-----
FWS (Estimated Size From Surface)	-----
Hedge	-----
Kerb	=====
Pipe	=====
SWS (Estimated Size From Surface)	-----
Telephone	-----
Track/Path	-----
Tree Canopy	-----
Verge	-----
Water line	-----
Wall	=====
✦ Bore Hole	↔ Double Gates
⊠ Trial Pit	↔ Single Gate
△ Station Control	□ ○ △ Manhole
Tree Dimensions (average) Spread/Trunk Dia/Height	



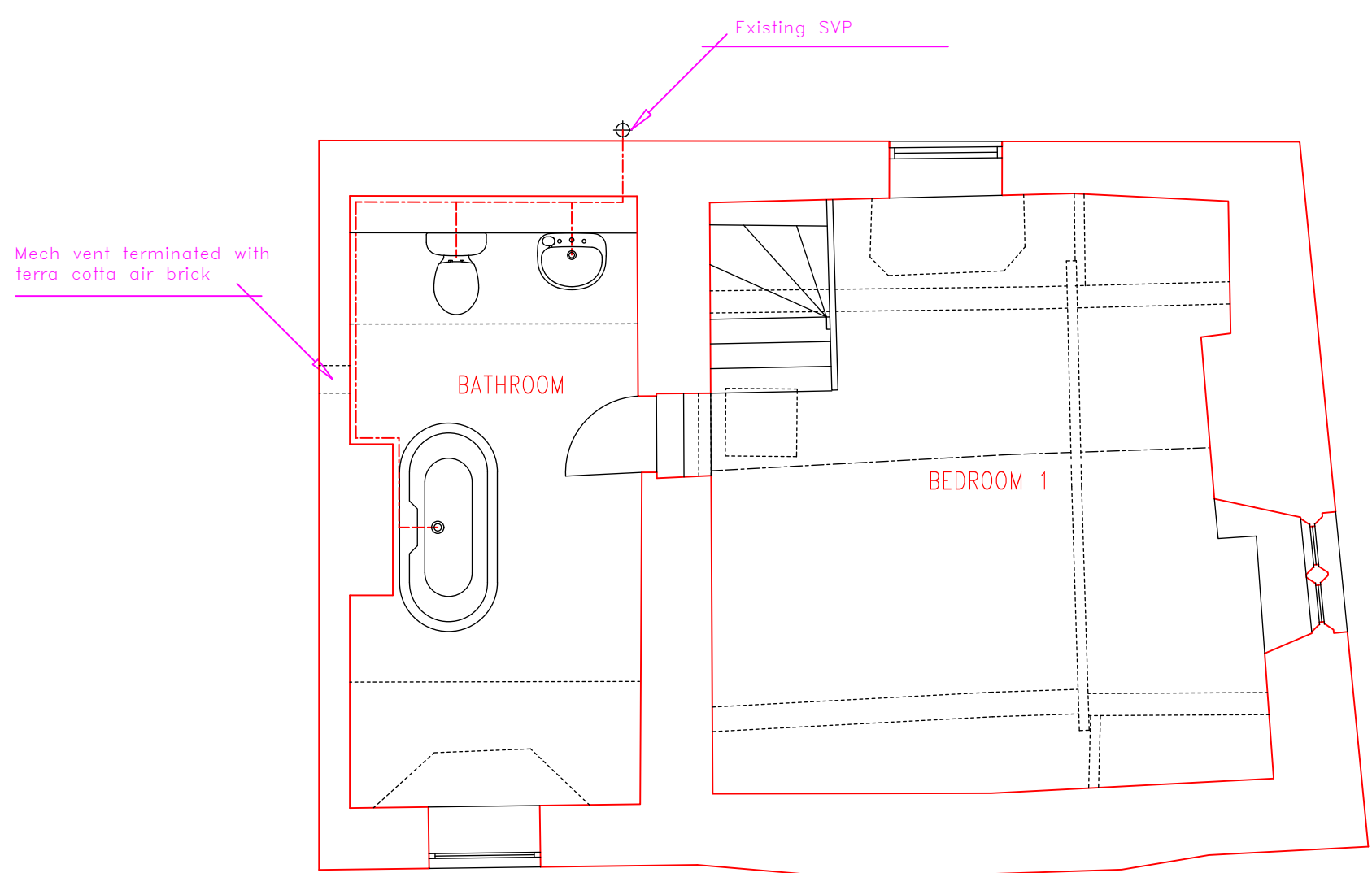
Tel: 01454 501683 28 Rudgeway Park
Mobile: 07595946495 Rudgeway
www.southwestsurveys.co.uk Bristol
info@southwestsurveys.co.uk South Glos
BS35 3RU

Drawing Title: Topographical Survey			
Project Name: Brookford Cottage Shipton Oliffe, GL54 4JF			
Client: Richard Hall Agent: Fatkin			
Site Level Datum OS GPS		Grid Orientation North GPS	
Date: 22nd January 2019		Scale: 1:200 @ A1	
Surveyed By RP	Drawn By RP	Sheet ID SWS011905topo	Rev rev

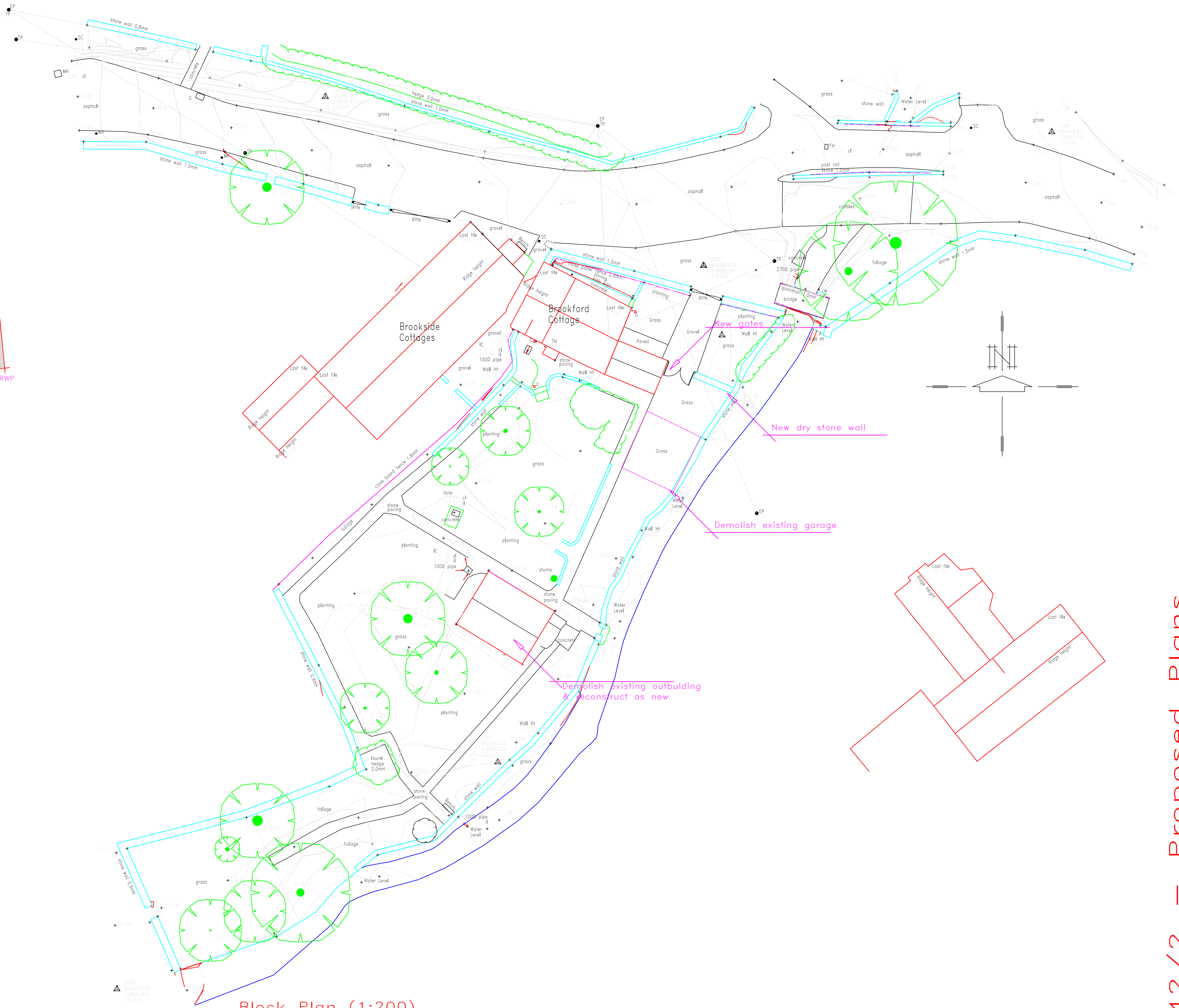
REV A: Updated to meeting notes
REV B: Updated to client feedback
REV C: Block plan updated
REV D: Updated to feedback
REV E: Outbuilding updated
REV F: Minor updates
REV G: Updated to feedback



Proposed Ground Floor



Proposed First Floor



Block Plan (1:200)

1:200 5m 10m 15m 20m

1:50 1m 2m 3m 4m 5m 6m 7m 8m 9m 10m

2042/2 - Proposed Plans

Brookford Cottage
Shipton Oliffe
Glos
GL54 4JF

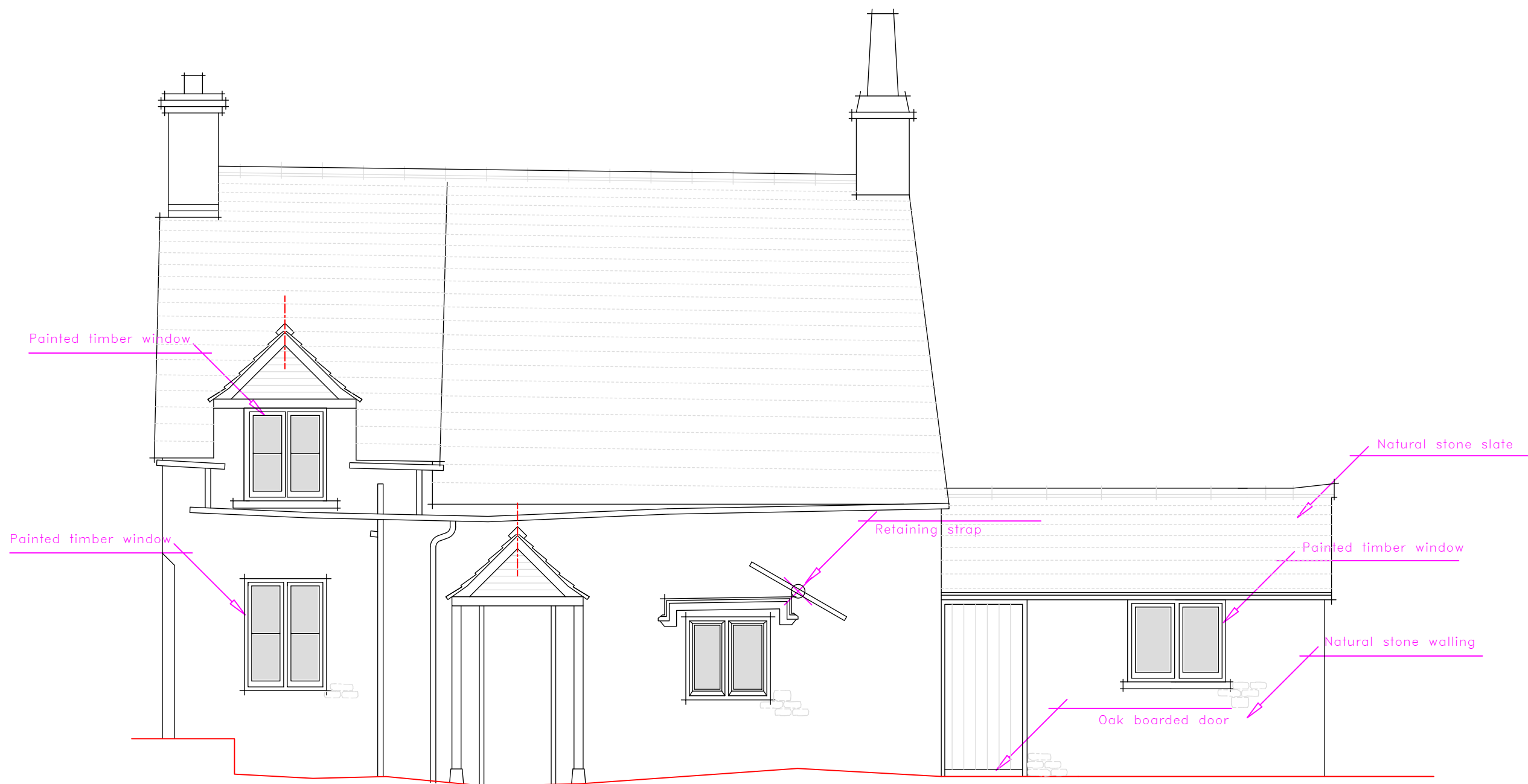
CLIENT: Mr R Hall
SHEET NO: 2042/2
SCALE : 1:50,1:200
DATE : Oct 2020
REV : G

Corinium Architectural Services
64 Queen Elizabeth Road
Cirencester, Glos, GL7 1DJ
Tel: 01285 65 85 65
E-Mail: Info@CoriniumAS.co.uk

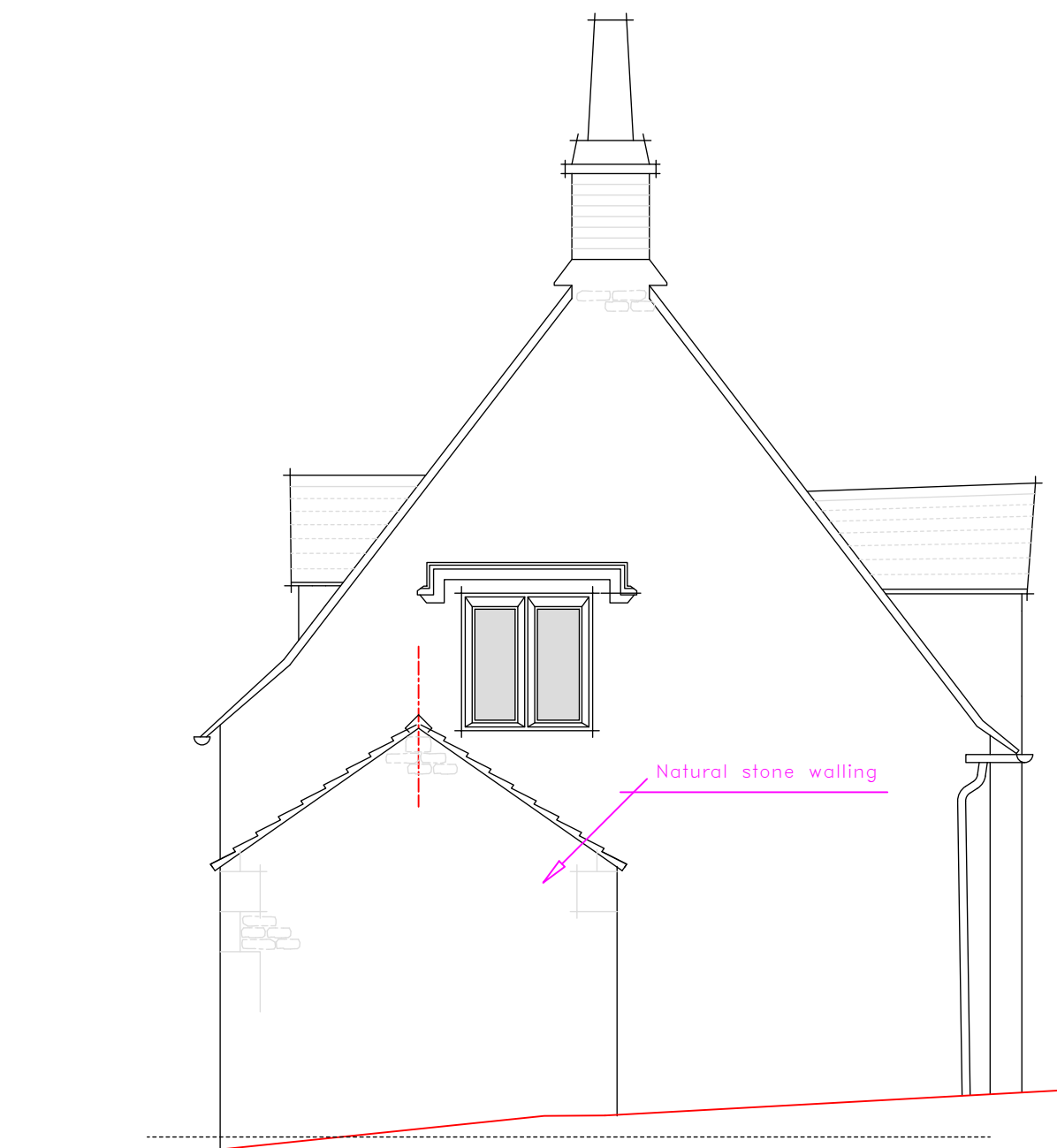
REV A: Updated to meeting notes
REV B: Updated to client feedback
REV C: Updated to feedback
REV D: Updated to feedback
REV E: Strap position updated
REV F: Updated to feedback
REV G: Updated to feedback
REV H: Extension roof amended



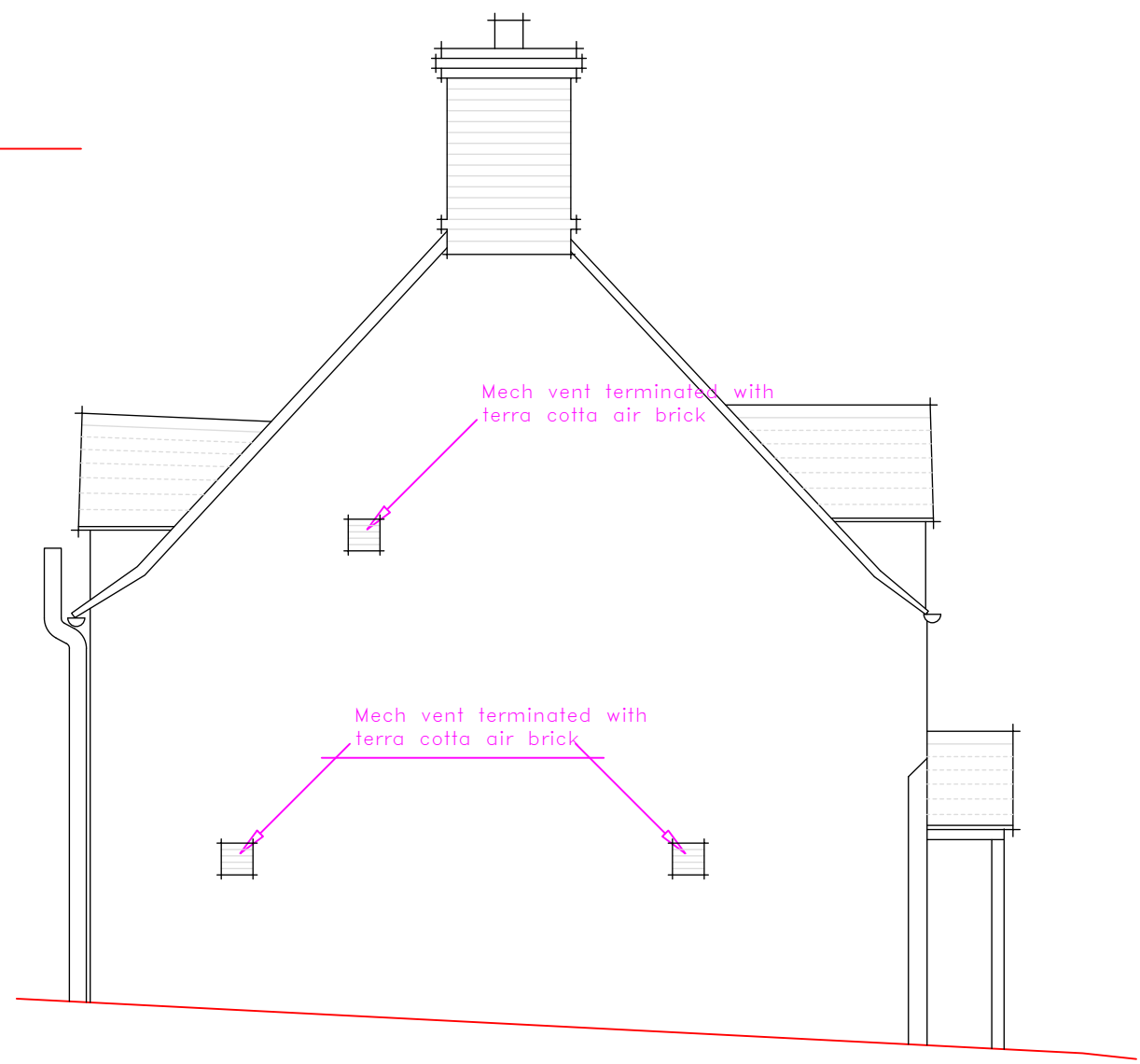
Proposed North



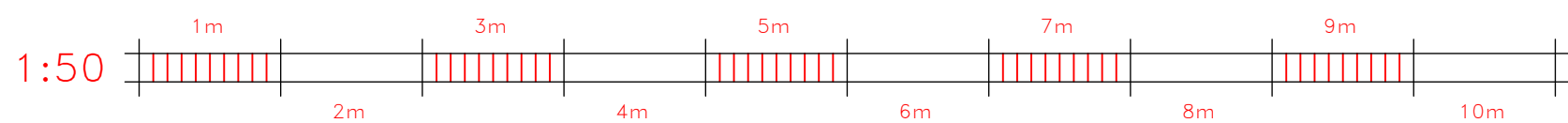
Proposed South



Proposed East



Proposed West

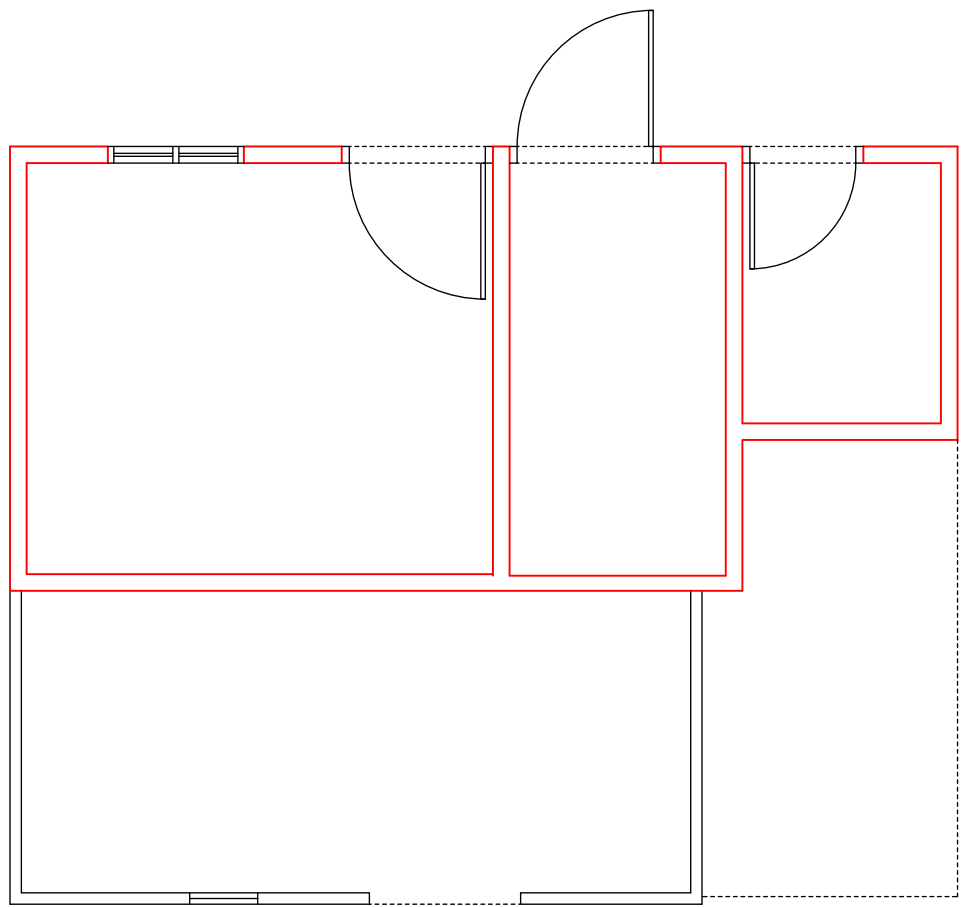
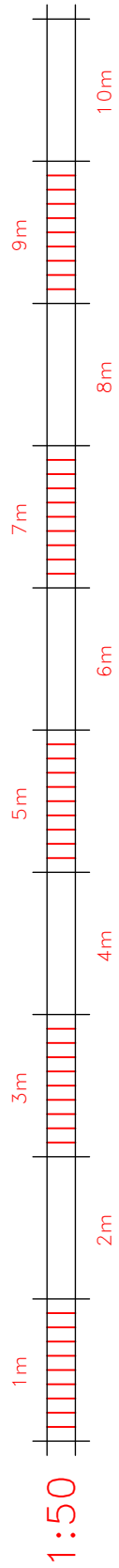


2042/3 – Proposed elevations

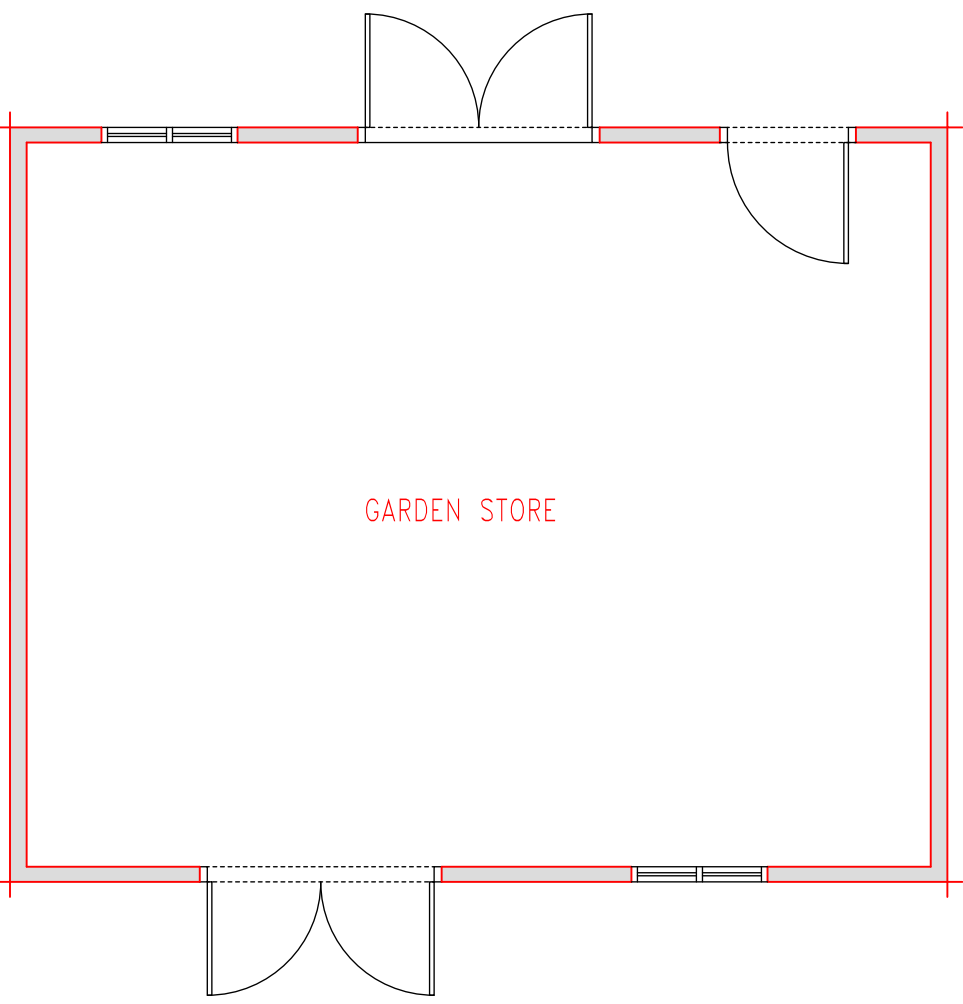
Brookford Cottage
Shipton Olfiffe
Glos
GL54 4JF

CLIENT: Mr R Hall
SHEET NO: 2042/3
SCALE : 1:50
DATE : Oct 2020
REV : H

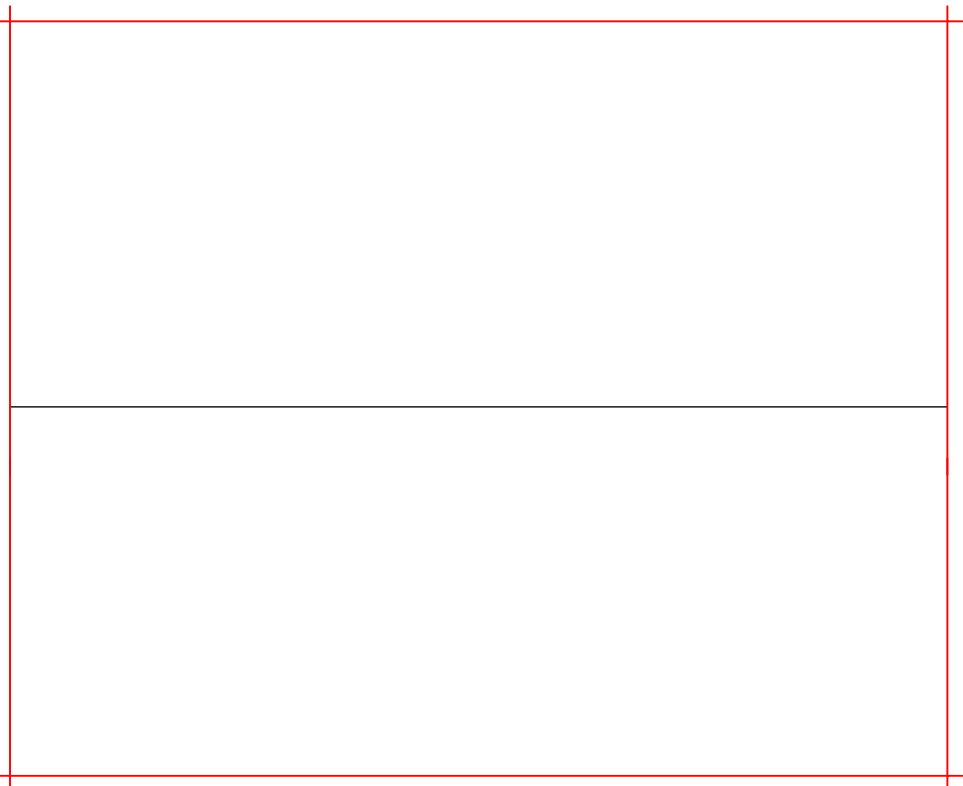
Corinium Architectural Services
64 Queen Elizabeth Road
Cirencester, Glos, GL7 1DJ
Tel: 01285 65 85 65
E-Mail: Info@CoriniumAS.co.uk



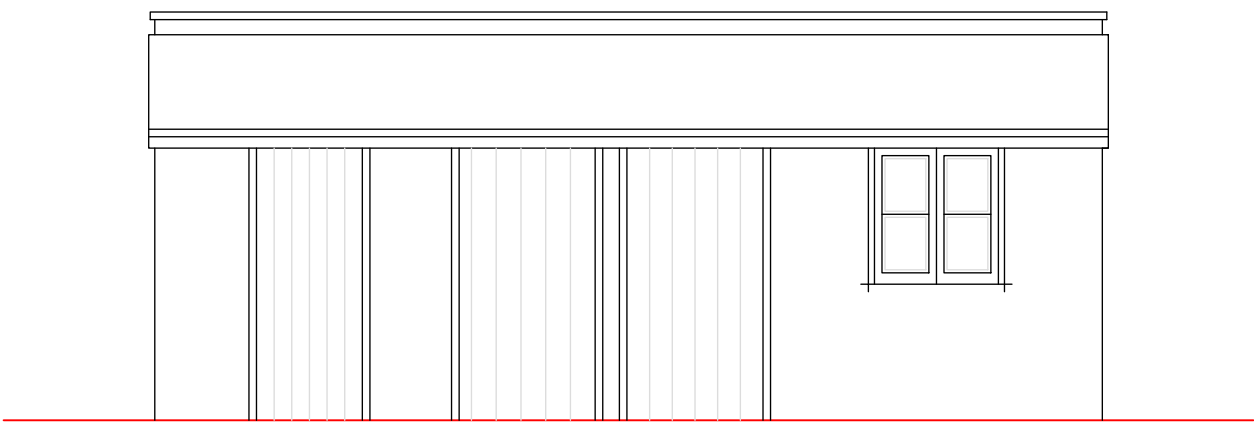
Outbuilding
Existing Plan



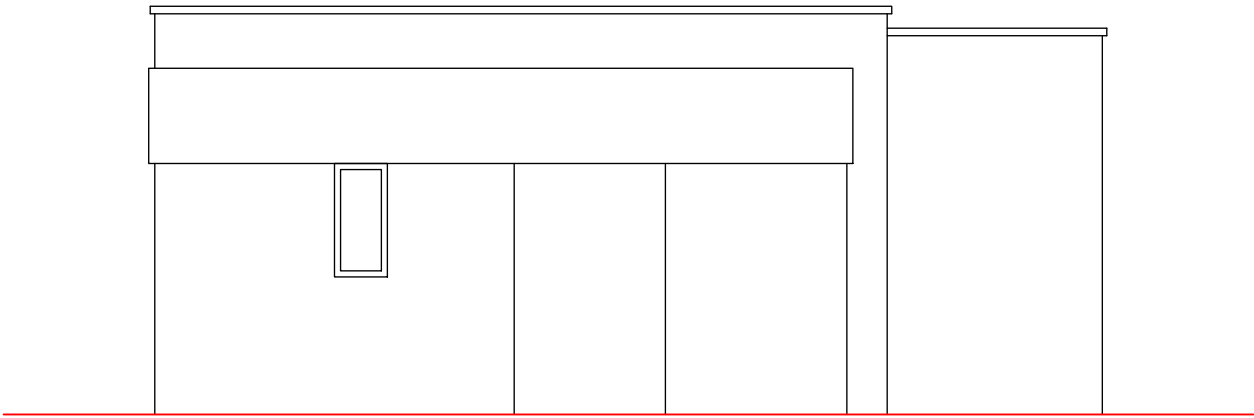
Outbuilding
Proposed Plan



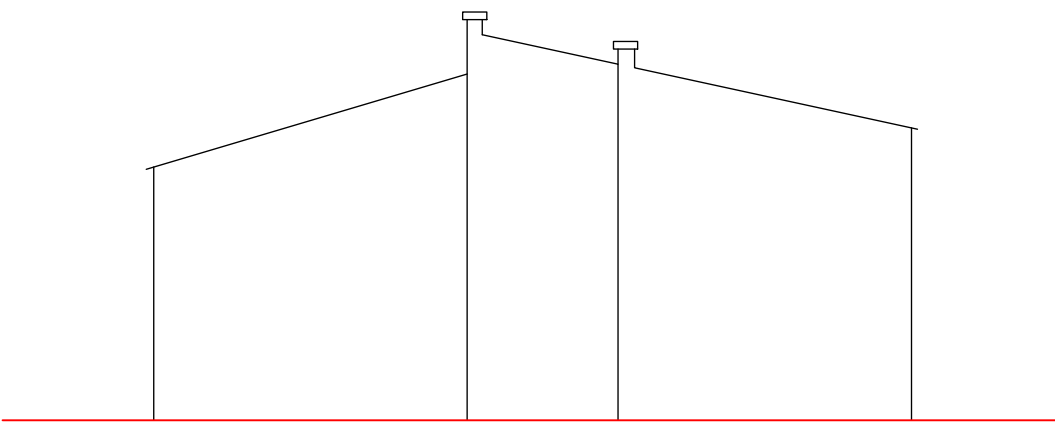
Outbuilding
Proposed Roof Plan



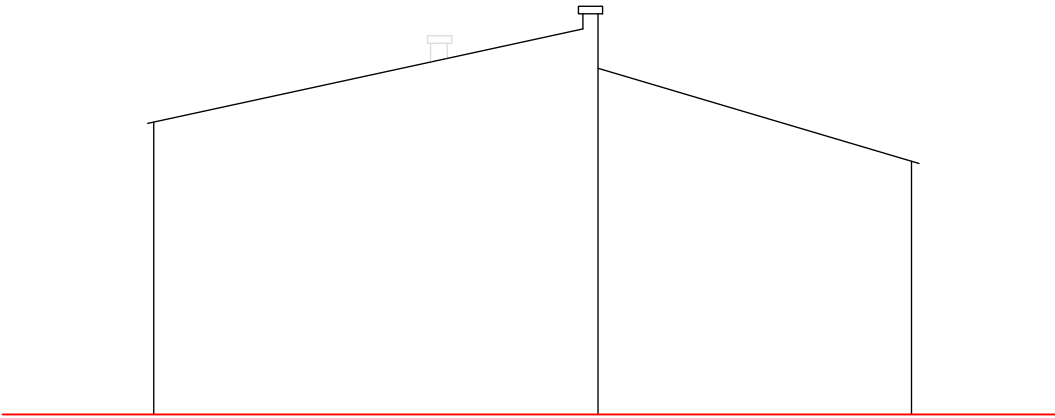
Outbuilding
Existing North



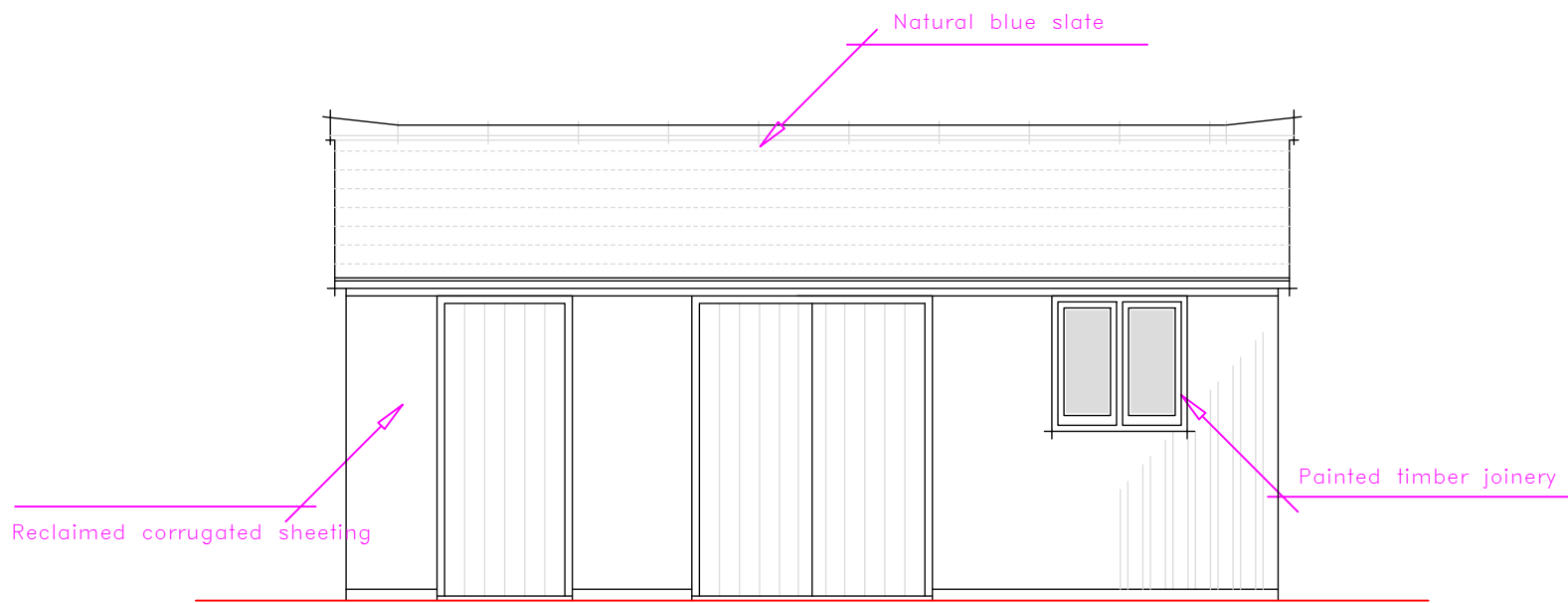
Outbuilding
Existing South



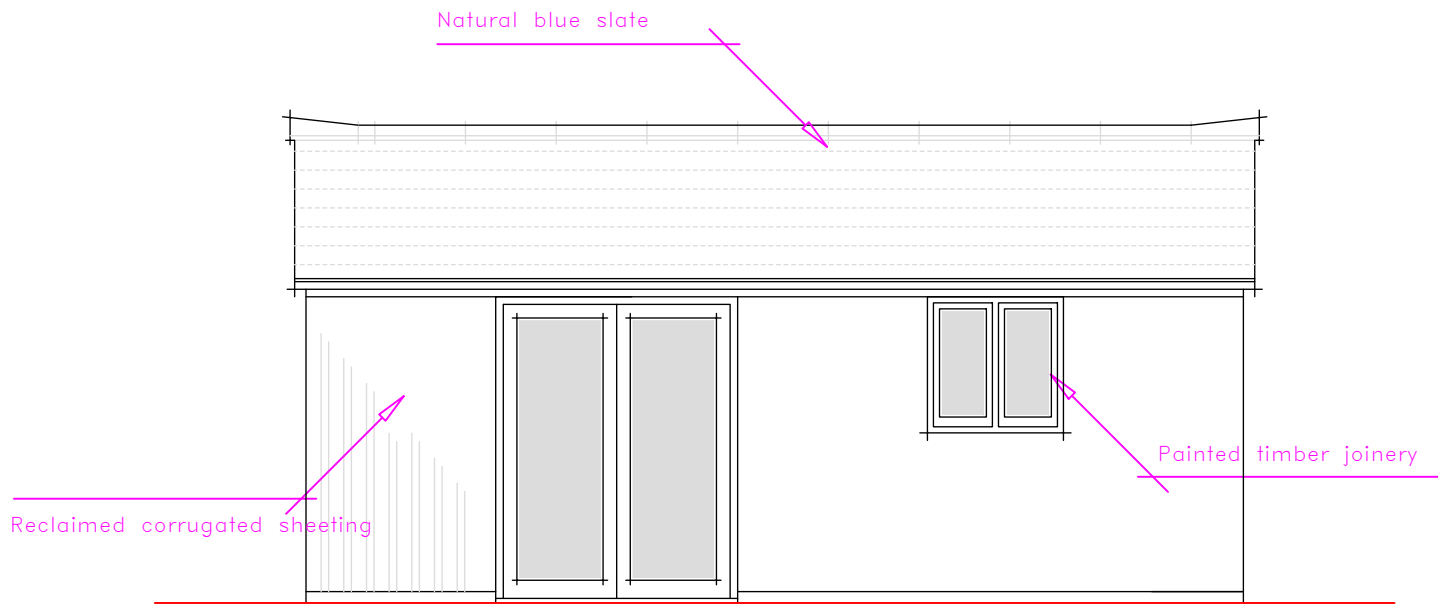
Outbuilding
Existing East



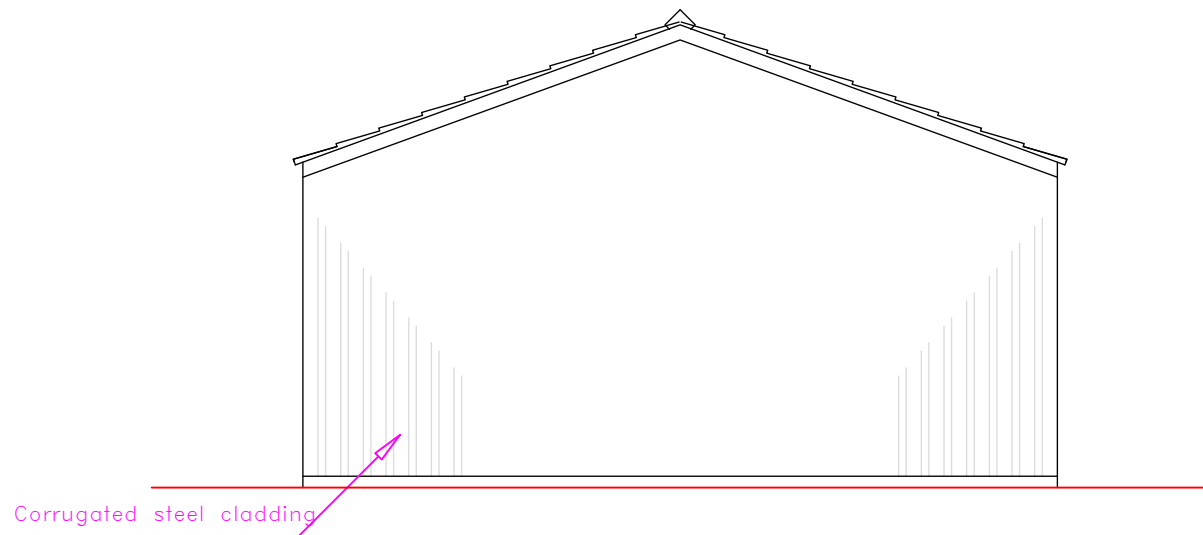
Outbuilding
Existing West



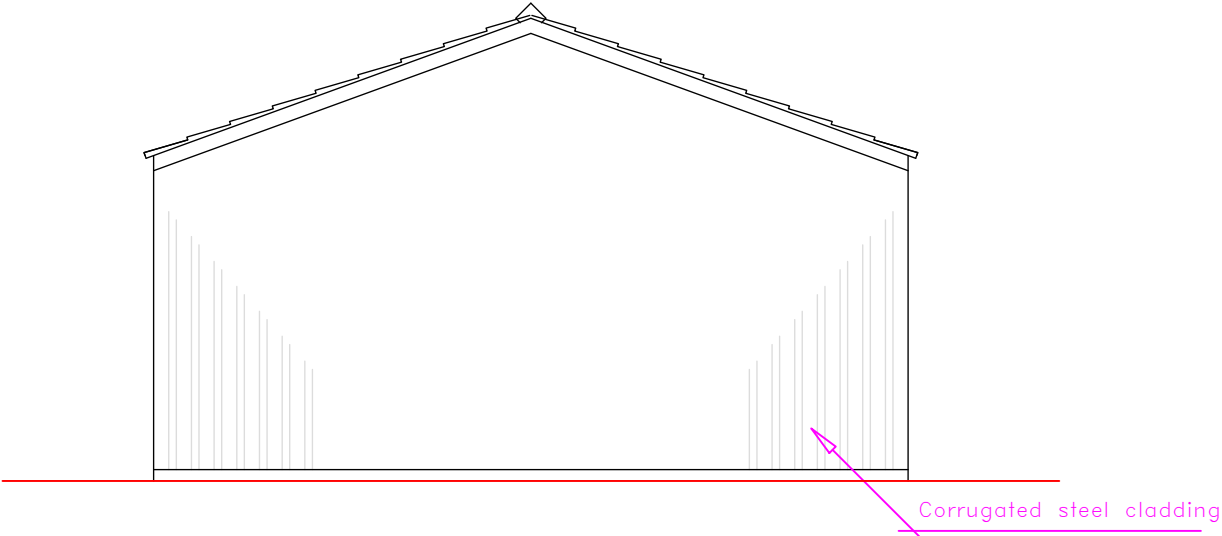
Outbuilding
Proposed North



Outbuilding
Proposed South



Outbuilding
Proposed East



Outbuilding
Proposed West

REV A: Second draft plans
REV B: Minor updates
REV C: Minor updates
REV D: Minor updates
REV E: Minor updates

Brookford Cottage
Shipton Olfiffe
Glos
GL54 4JF

CLIENT: Mr R Hall
SHEET NO: 2042/4
SCALE : 1:50
DATE : Apr 2021
REV : E

Corinium Architectural Services
64 Queen Elizabeth Road
Cirencester, Glos, GL7 1DJ
Tel: 01285 65 85 65
E-Mail: Info@CoriniumAS.co.uk

Item No 05:-

21/04350/LBC

**Brookford Cottage
Shipton Oliffe
Cheltenham
Gloucestershire
GL54 4JF**

Item No 05:-

Demolition of existing modern (late-C20th) garage (51.77 cubic metres). Internal works (removal of modern timber stud partition, re-wiring and re-plumbing) and external alterations to include: breach of small section of east gable wall and erection of single storey side extension; and wholesale replacement of existing rainwater goods. Demolition and re-build as new the single storey early-C20th brick outbuilding at Brookford Cottage Shipton Oliffe Cheltenham Gloucestershire GL54 4JF

Listed Building Consent 21/04350/LBC	
Applicant:	Mr Richard Hall
Agent:	Corinium Planning Services
Case Officer:	Ed Leeson
Ward Member(s):	Councillor Robin Hughes
Committee Date:	13th April 2022
RECOMMENDATION:	REFUSE

1. Main Issues:

(a) Impact on the listed building, its setting, and any features of special architectural or historic interest that it may possess

2. Reasons for Referral:

2. This application has been referred to Planning and Licensing Committee following a request from Councillor Hughes. The reasons for doing so include:

- The historic environment has been shaped by people and investment of successive generations, and each generation should therefore shape and sustain the historic environment in ways that allow people to use, enjoy and benefit from it, without compromising the ability of future generations to do the same;
- Change in the historic environment is inevitable, caused by people's responses to social, economic and technological change and that new work should aspire to a quality of design and execution which may be valued both now and in the future; and
- Keeping a significant place in use is likely to require continual adaptation and change and owners of significant places should not be discouraged from adding further layers of potential future interest and value, provided that recognised heritage values are not eroded or compromised in the process.

3. Site Description:

3.1 Brookford Cottage comprises a modest detached cottage which appears to date back to the 17th century with a 19th century extension, and is constructed of large blocks of

coursed squared and dressed limestone with Cotswold stone tiles. It is a Grade II listed building within the Shipton Conservation Area.

3.2 The property sits within a generous garden, but is closely constrained to the north and west, by the road and neighbouring properties.

3.3 The site is bordered by a tributary to the River Coln to the south, and it is partially within Flood Zones 2 and 3.

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

4. Relevant Planning History:

4.1 21/00589/LBC - Re-roofing and associated repairs and alterations, replacement of porch, alterations to dormer window and re-pointing (retrospective). Permitted 13.07.2021.

5. Planning Policies:

5.1 TNPPF The National Planning Policy Framework

6. Observations of Consultees:

6.1 Conservation Officer: views incorporated within the Officer's report

7. View of Town/Parish Council:

7.1 Shipton Parish Council have provided comments of support stating:

"Shipton Parish Council support this application and the renovations. It is important that this property is occupied asap so that further deterioration does not occur."

8. Other Representations:

8.1 One third-party comment of support has been received.

9. Applicant's Supporting Information:

- Drawings
- Heritage Impact Assessment & Planning Statement
- Flood Risk Assessment
- Biodiversity Survey and Report
- Schedule of Works & Method Statement with associated photographs
- Structural Engineering Report
- Further clarification on amendments supplied via email

10. Officer's Assessment:

Proposal

10.1 The proposed scheme comprises a number of internal and external alterations including:

- i. Removal of a number of modern timber plasterboard partitions;
- ii. Re-wiring and re-plumbing;
- iii. Structural works including tie beams, and repairs to lintels;
- iv. Replacement of existing rainwater goods;
- v. Replacement of 4no. windows;
- vi. Erection of single-storey side extension; and
- vii. Demolition of curtilage listed brick outbuilding.

10.2 The single-storey side extension was originally proposed to extend from the side gable by 4.2m and out past the rear elevation, creating an L-shape to the property's floorplan. The length from its front to rear elevation would have been 11.6m.

10.3 Following discussions with the applicant's agent, this extension was amended and reduced in size so that it no longer extended past the rear elevation of the existing dwelling. It is now proposed to have a dual-pitch roof with side gable, extending out approximately 4.3m with a length of 2.9m. Its height would be around 3.1m with 2m-high eaves.

10.4 It should be noted that the description of development for this application includes other proposed elements which do not require listed building consent, only planning permission, and therefore will not form part of this application's assessment. These elements are outlined below and will be dealt with and assessed under the accompanying planning application (ref. 21/04349/FUL):

- i. Erection of replacement garden store; and
- ii. Demolition of garage.

(a) Impact on the listed building, its setting, and any features of special architectural or historic interest that it may possess

10.5 Brookford Cottage is a Grade II Listed Designated Heritage Asset. As such the Local Planning Authority is statutorily required to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest it possesses. This duty is required in relation to Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Section 16 of the National Planning Policy Framework.

10.6 Section 16 of the National Planning Policy Framework asks that Local Planning Authorities should take account of the desirability of sustaining or enhancing the significance of heritage assets. Paragraph 199 states that when considering the impact of the proposed works on the significance of a designated heritage asset, great weight should be given to the asset's conservation. It also notes that significance can be harmed through alteration or development within the setting. Paragraph 200 states that any harm to or loss of the significance of a heritage asset should require clear and convincing justification. Paragraph 201 states that where a proposed development will lead to substantial harm applications should

be refused unless it is demonstrated that that harm is necessary to achieve substantial public benefits, whilst Paragraph 202 states that where a development proposal will cause harm to the significance of a designated heritage asset that is less than substantial harm, that harm is weighed against the public benefits of those works.

Removal of a number of modern timber plasterboard partitions; re-wiring and re-plumbing; and structural works including tie beams, and repairs to lintels

10.7 These works are considered to be acceptable.

Replacement of existing rainwater goods

10.8 The existing rainwater goods (RWG) are a mix of black painted, mixed cast iron and modern plastic rainwater goods and brackets. It was proposed that they would be removed and wholly replaced with Alumasc. There is no objection to the use of Alumasc to replace any of the property's existing plastic RWG however, where cast iron exists, this should be replaced on a like for like basis. The applicant has since advised they would agree to a 'periodic renewal' of the existing cast-iron goods on a like-for-like basis which is considered an acceptable compromise. This would be secured by a condition to any consent granted.

Replacement of 4no. windows

10.9 The applicant proposes the replacement of 4no. windows:

- i. The ground-floor bathroom window on the right-hand side of the north/ roadside elevation, which is currently modern white uPVC;
- ii. The ground-floor kitchen window located on the left-hand side of the south elevation, which is a 2-light stone mullion with non-opening double-glazed sealed units fixed directly to stone;
- iii. The first-floor dormer window on the north/ roadside elevation which is an aluminium top-hung opening casement; and
- iv. The first-floor dormer window on the south/ garden-side elevation which is also an aluminium top-hung opening casement.

10.10 The proposed replacement window for the ground-floor uPVC would be a timber frame with single opening casement 14mm double-glazed unit. The other 3no. windows are all proposed to be 2-light timber framed windows, one fixed and one side-hung opening, side-hung casements, each with clear glass 14mm double-glazed unit.

10.11 The replacement of the windows with timber casements is considered acceptable in principal however there is concern over the proposed 14mm glazing dimensions with 10-12mm being preferable due to the scale of the framing detailing. Notwithstanding this, further details of the windows have been requested but these have not been provided. Whilst the applicant has suggested that the details could be submitted and approved prior to implementation by way of the addition of a condition, due to the concern expressed over the proposal, this information is required to be assessed prior to determination. It is considered detailed scaled drawings cannot be conditioned for listed buildings as it is critical to review the proposed replacements and whether they are appropriate for the designated asset.

10.12 As the detailed information has not been provided, Officers do not consider that the windows' acceptability can be fully assessed and approved.

Erection of single-storey side extension

10.13 As outlined above, the initial proposal was amended and reduced in size so as to now be proposing an entrance lobby to the gable end of the dwelling with a footprint of around 12.50 square metres (depth of 2.92m by frontage width of 4.30m), and a height of approximately 3.15m.

10.14 Brookford Cottage comprises a modest detached cottage which appears to date back to the 17th century and was extended in the 19th century. It is a Grade II listed building within the Shipton Conservation Area and is in a prominent location in the streetscene. The earlier part of the building is constructed of large blocks of coursed squared and dressed limestone, whilst the 19th century addition is made of limestone rubble and brick. The roof appears to be Cotswold stone tiles.

10.15 Whilst Brookford Cottage may have been historically extended in the 19th century, it remains a modest and compact building; indeed part of the significance of this building is its modest size and its contained character. The property sits within a generous garden, but is closely constrained to the north and west, by the road and neighbouring properties. Despite Brookford Cottage's position to the north of the site, its principal elevation faces south, into the garden of the property. Whilst the south elevation of Brookford Cottage is considered to be its principal one, its gabled east elevation is one of its most notable and significant features. It is unbroken apart from what appears to be an historic hood moulded mullioned window. The elevation appears intact, without evidence of change of alteration; as such it makes a considerable contribution to the significance of this modest yet charming listed building.

10.16 Whilst the proposal would be subservient to the existing cottage, and only a small area of historic fabric would be removed, with around a quarter of the existing 17th gable end being "masked" externally by the extension, Officers have concerns over the impact the proposal would have on the significance of the heritage asset.

10.17 Firstly, access to an extension created through an opening in the eastern gable end of the property is a proposal which would not only lead to the loss of 17th century historic fabric, but also the alteration of this intact historic feature which appears to be from the original construction of the building. The addition of an extension in this location, would also cause further harm, masking the eastern gable end and, while set back from the roadside elevation, would detract from the host building and be harmful to the modest architectural and spatial character of the designated heritage asset.

10.18 Whilst it is noted that there would be reuse of stone work, this is not considered to mitigate the harm of the new opening within the 17th century gable which would result in the loss of 17th century historic fabric which is considered to be harmful to its significance and the extension will also partially obscure the historic gable walling of the asset. Once fabric is removed, this results in a loss of its historic integrity and a change in the spatial character of the gable wall.

10.19 On the basis of the revised proposals, the scheme is assessed as being of 'less than substantial harm' in terms of the relevant section of the NPPF. As such Paragraph 196, which states that less than substantial harm should be weighed against the public benefits of the proposal, would be pertinent. Although considered 'less than substantial' under the terms of the NPPF, the proposals would still cause harm to the designated heritage assets. The building is not designated on the building at risk register and its use is as a private dwellinghouse; therefore, there are limited public benefits to outweigh the harm identified.

10.20 Although generally not available to view publicly, it is noted that an application for pre-application advice was submitted in November 2019 (ref. 19/04174/PAYPRE) which included proposed additions to the side elevation of Brookford Cottage. The advice provided is broadly consistent with the assessment undertaken here; the advice provided outlined that a side extension would cause harm to the listed building by virtue of the removal of historic fabric and the masking of the prominent gable end.

10.21 Taking the above into account, this aspect of the application cannot be supported as it is not considered to sustain or enhance the significance of the heritage asset, which is at odds with Section 16 of the NPPF.

Demolition of curtilage listed brick outbuilding

10.22 To the property's rear is a brick outbuilding which comprises of two sections; the north-east facing section, which faces the principal elevation of the cottage, containing three timber-boarded doors, painted pale blue, and a window frame with UPVC cill and has a modern roof of artificial Welsh slate; and is the remains of a much larger L-shaped structure. This outbuilding is considered to be curtilage listed.

10.23 The building is in poor condition and it is proposed to demolish it and replace it with a single-storey outbuilding of similar footprint (the full assessment of which will be carried out under the accompanying planning application (ref. 21/04349/FUL).

10.24 The removal of the building is not objectionable due to its condition and its proposed replacement with a building of similar massing and the reuse of some of the building's materials.

11. Conclusion:

11.1 For the reasons outlined above, although the majority of the elements within the application proposal are considered to be acceptable, the scheme as a whole is not considered to comply with national guidance. As such, the application is recommended for refusal.

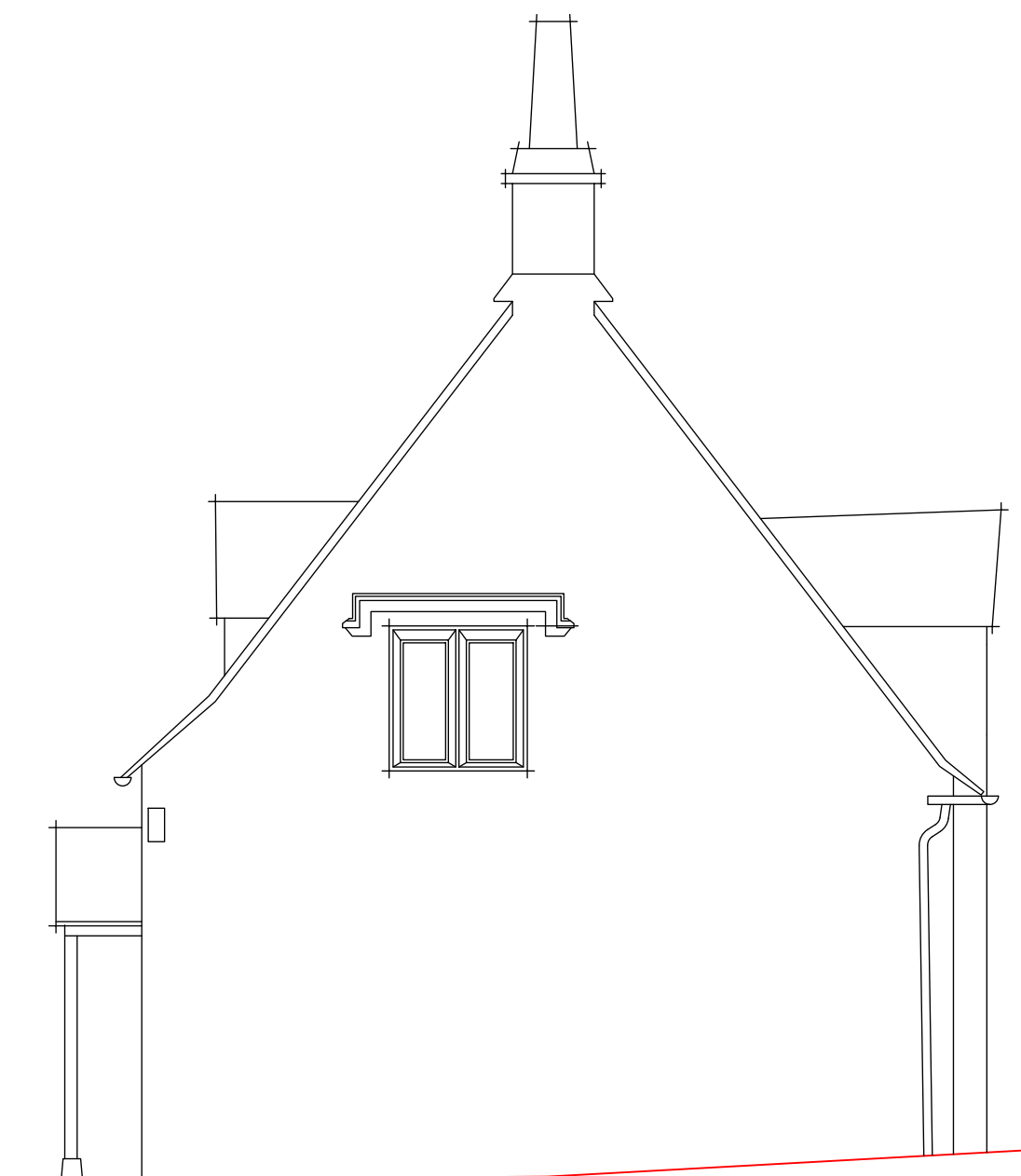
12. Reason for Refusal:

1. Brookford Cottage is a grade II listed building, comprising a modest detached cottage which appears to date back to the 17th century with a 19th century extension, and is constructed of large blocks of coursed squared and dressed limestone with Cotswold stone tiles. Under the Planning (Listed Buildings and Conservation Areas) Act, 1990, the Local Planning Authority is statutorily required to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The proposed extension, by virtue of the loss of 17th century historic

fabric, as well as the alteration and masking of the property's gable end which is an intact historic feature, would neither preserve the special architectural or historic interest of the listed building, nor sustain its significance as a designated heritage asset. The harm would be less-than-substantial, but not be outweighed by any resultant public benefits. As such the proposal conflicts with Section 16 of the National Planning Policy Framework, and to grant consent would be contrary to the requirements of Section 16 of the Framework, and the statutory requirements of Section 16(2) of the 1990 Act.



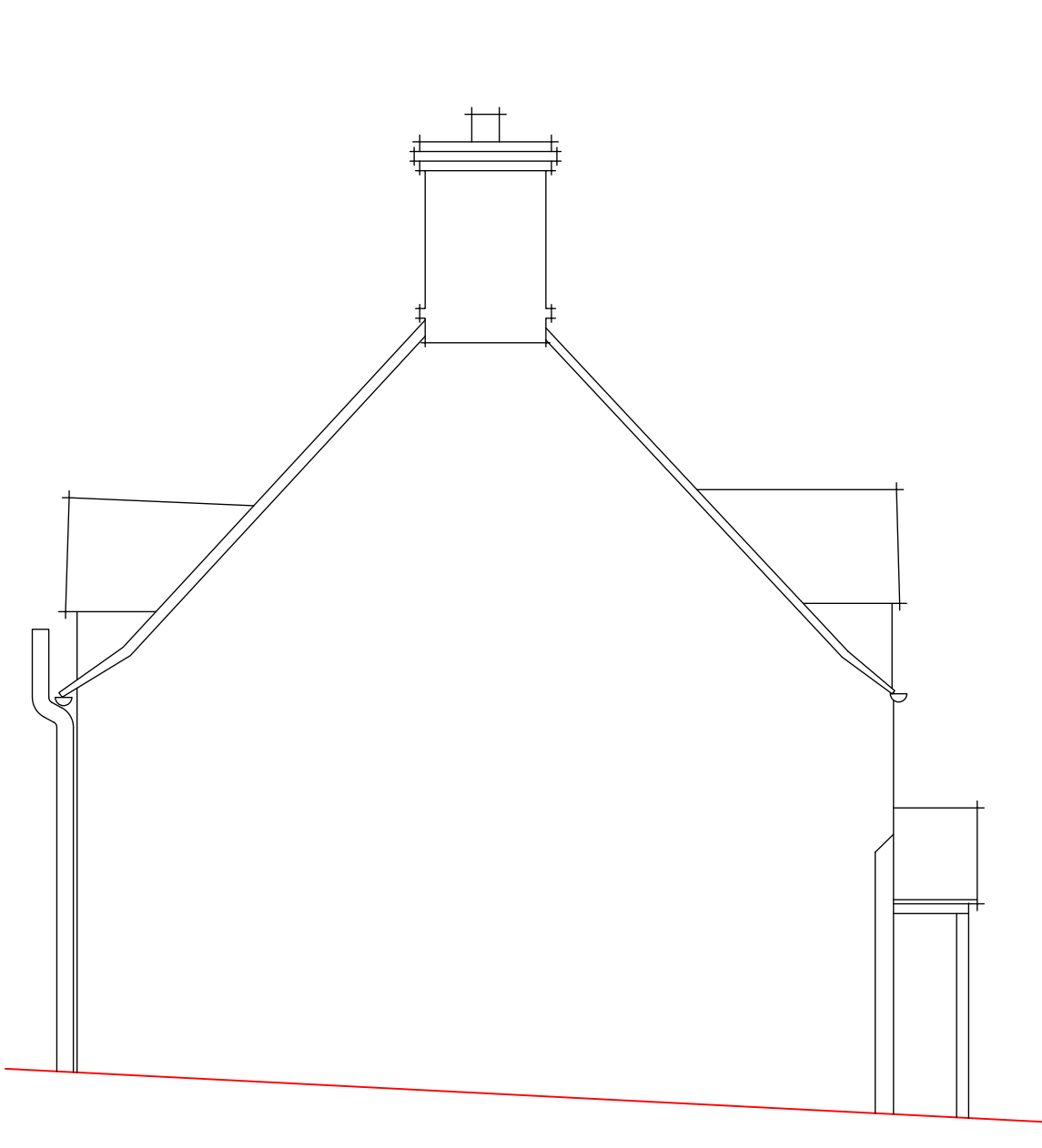
Existing North



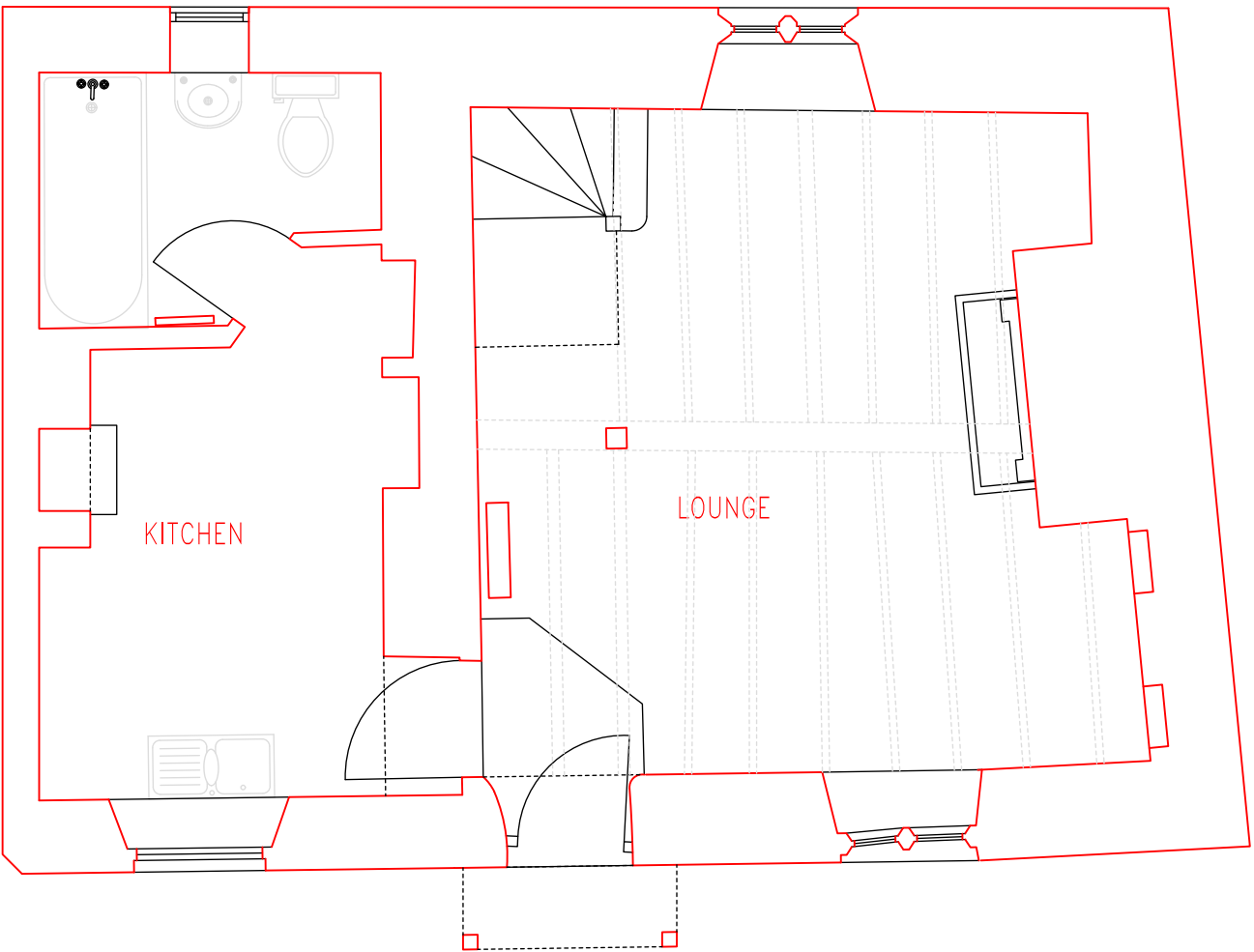
Existing West



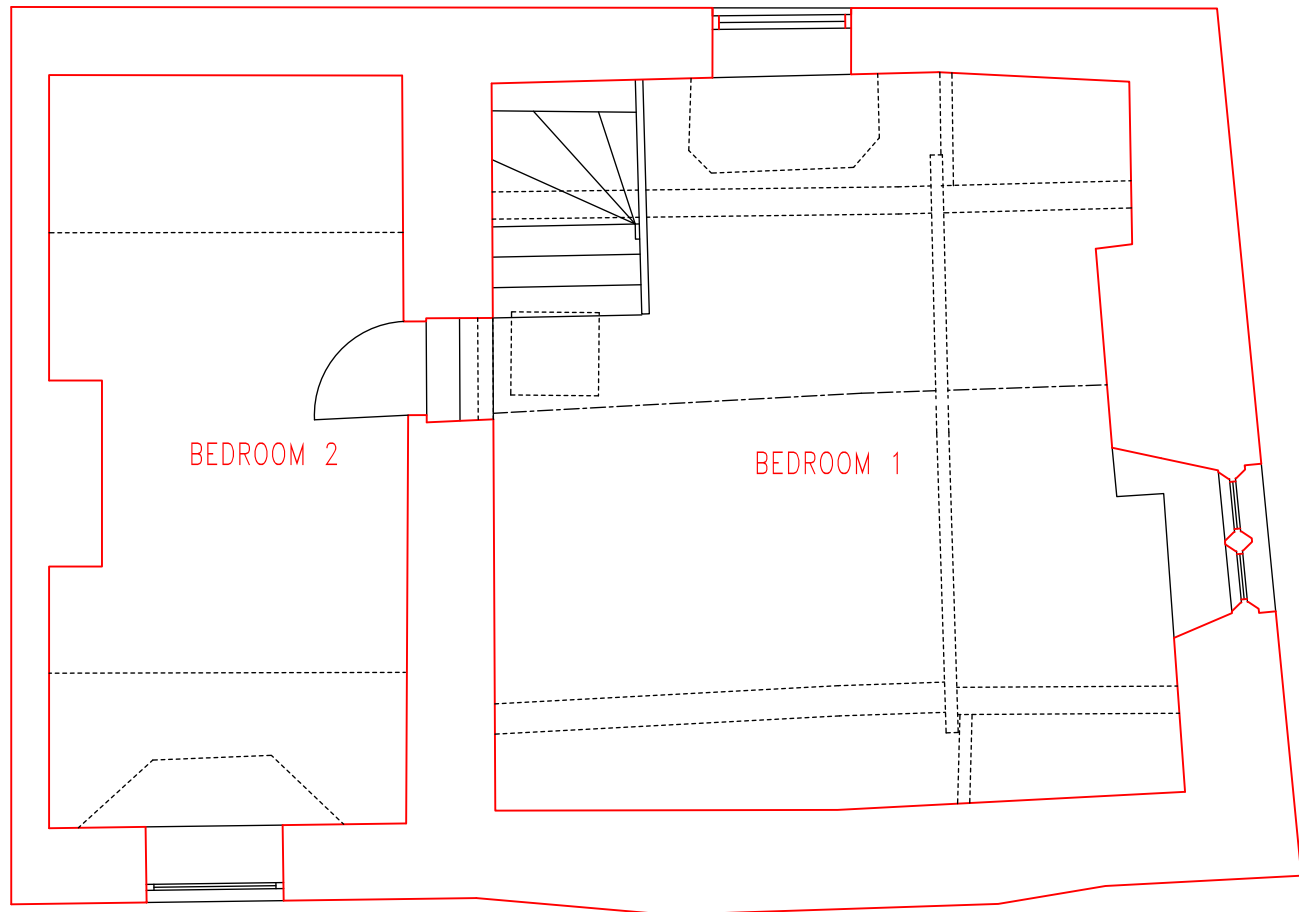
Existing South



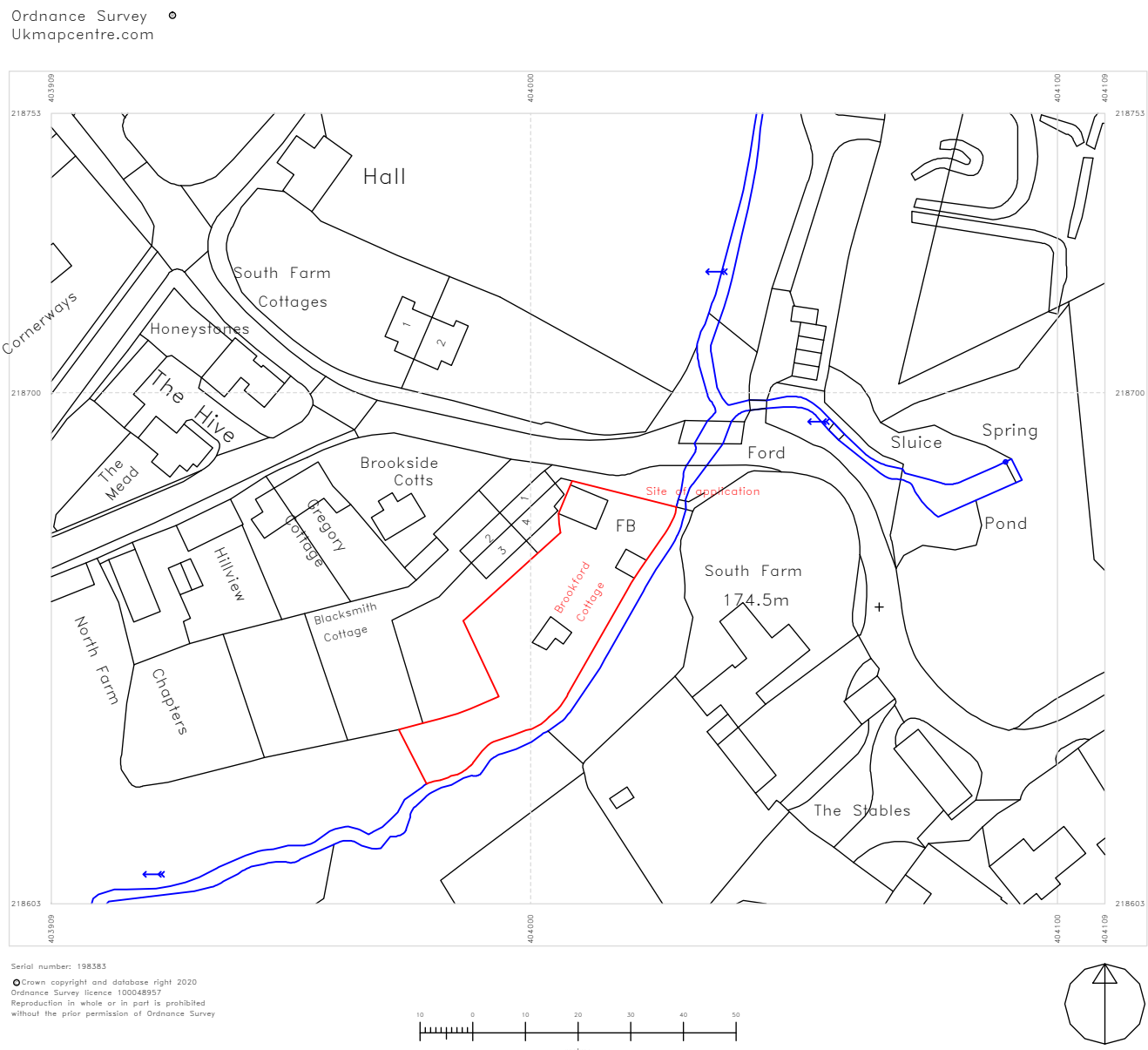
Existing East



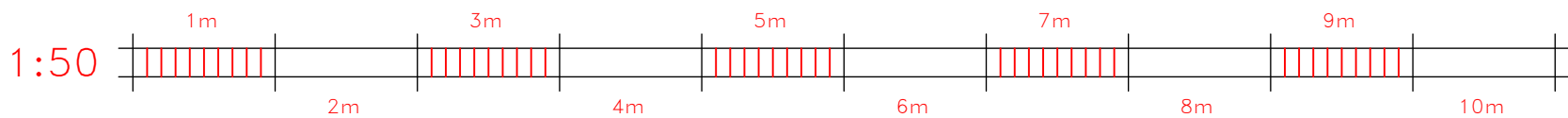
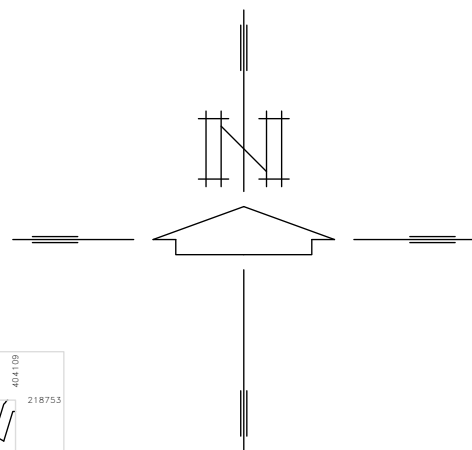
Existing Ground Floor



Existing First Floor



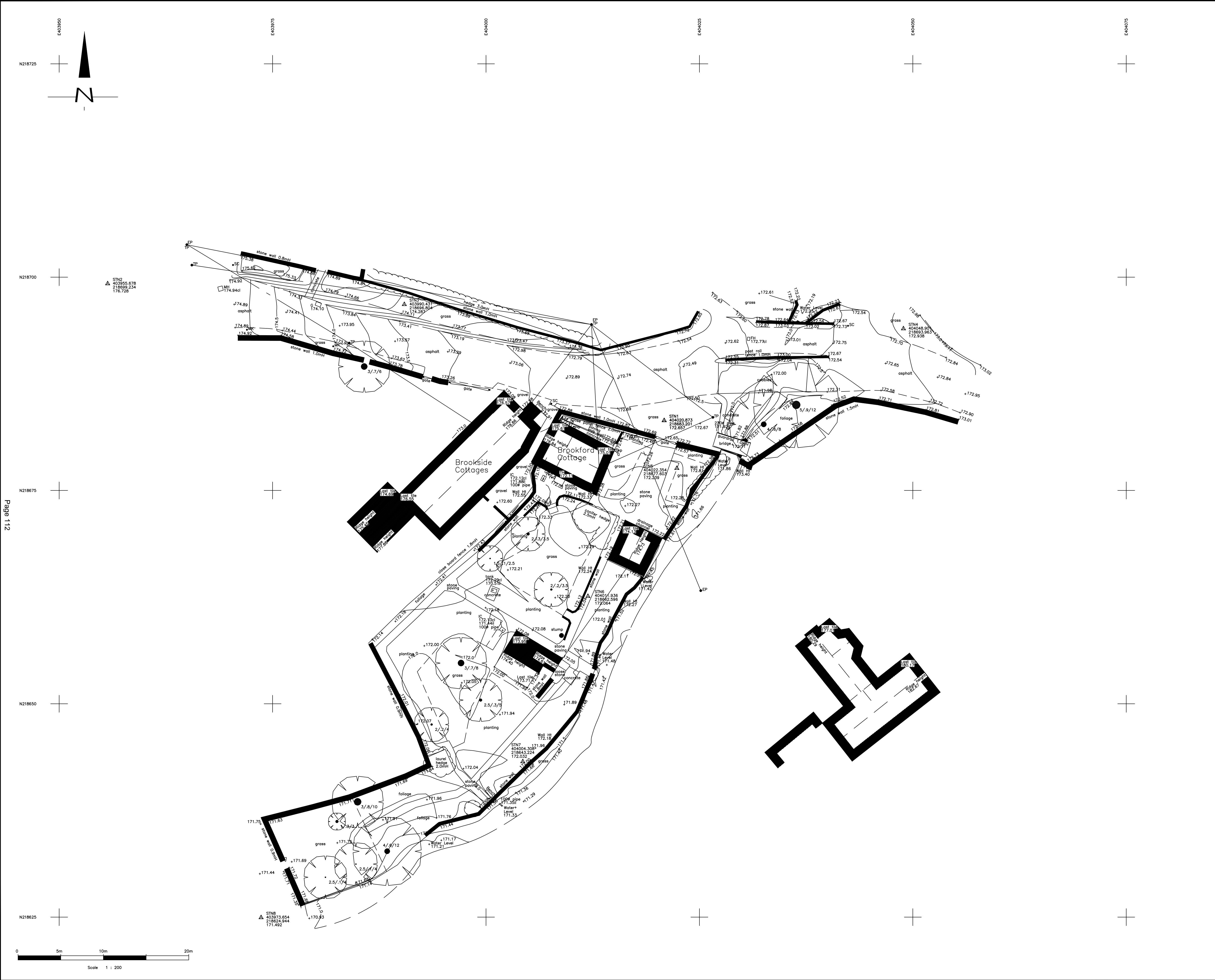
Location Plan — 1:1250



Brookford Cottage
Shipton Olliffe
Glos
GL54 4JF

CLIENT: Mr R Hall
SHEET NO: 2042/1
SCALE : 1:50
DATE : Oct 2020
REV : B

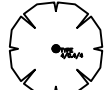
Corinium Architectural Services
64 Queen Elizabeth Road
Cirencester, Glos, GL7 1DJ
Tel: 01285 65 85 65
E-Mail: Info@CoriniumAS.co.uk



Trees/Tree Abbreviations

ASH	Ash	LP	London Plane
BAY	Bay	MAP	Maple
BEE	Beech	OAK	Oak
CB	Copper Beech	POP	Poplar
CED	Cedar	RM	Red Maple
CHE	Cherry	RW	Redwood
CON	Conifer	SB	Silver Birch
EUC	Eucalyptus	SER	Service Tree
FR	Fruit	SP	Scots Pine
HAW	Hawthorn	SYC	Sycamore
HAZ	Hazel	WAL	Walnut
HC	Horse Chestnut	WILL	Willow
HOL	Holly	WP	Weeping Willow
LAB	Laburnum	YEW	Yew
LAU	Laurel	**MB	Multiple stems/trunks
LI	Lime		Overall dia. shown

Tree Dimensions (average)
Spread/Trunk Dia/Height



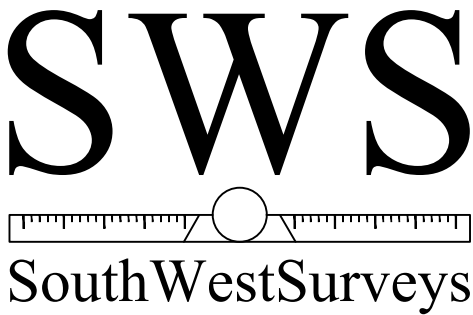
Trees denoted with "approx" have been surveyed by remote methods and therefore their positions & dimensions cannot be guaranteed.

Abbreviations

AV	Air Valve	LP	Lamp Post
BL	Bollard	M	Meter
BM	Bench Mark	MH	Manhole Cover
BP	Boundary Point	MK	Marker
BT	BT Cover	MS	Milestone
CATV	Cable Television Cover	RG	Ridge Level
CAB	Cabinet	RS	Road Sign
CL	Cover Level	rwp	Rain Water Pipe
EP	Electric Power Pole	SC	Stop Cock
EV	Eaves Level	Str	Strainer
FH	Fire Hydrant	SV	Stop Valve
FL	Floor Level	svp	Soil Vent Pipe
FP	Fence Post	TH	Threshold Level
G	Gully	TL	Traffic Light
GP	Gate Post	TP	Telephone Pole
GV	Gas Valve	UTL	Unable To Lift
IC	Inspection Chamber	VP	Vent Pipe
IL	Invert Level	WM	Water Meter
KO	Kerb Outlet	WO	Wash Out

Linetypes

Bank (sp/bottom)	-----
Building	=====
Drop kerb	-----
Electric	-----
Fence	-----
Foliage	-----
FWS (Estimated Size From Surface)	-----
Hedge	-----
Kerb	=====
Pipe	-----
SWS (Estimated Size From Surface)	-----
Telephone	-----
Track/Path	-----
Tree Canopy	-----
Verge	-----
Water line	-----
Wall	-----
✦ Bore Hole	↔ Double Gates
▣ Trial Pit	↔ Single Gate
▲ Station Control	□ ○ △ Manhole
Tree Dimensions (average) Spread/Trunk Dia/Height	



Tel: 01454 501683 28 Rudgeway Park
Mobile: 07595946495 Rudgeway
www.southwestsurveys.co.uk Bristol
info@southwestsurveys.co.uk South Glos
BS35 3RU

Drawing Title:
Topographical Survey

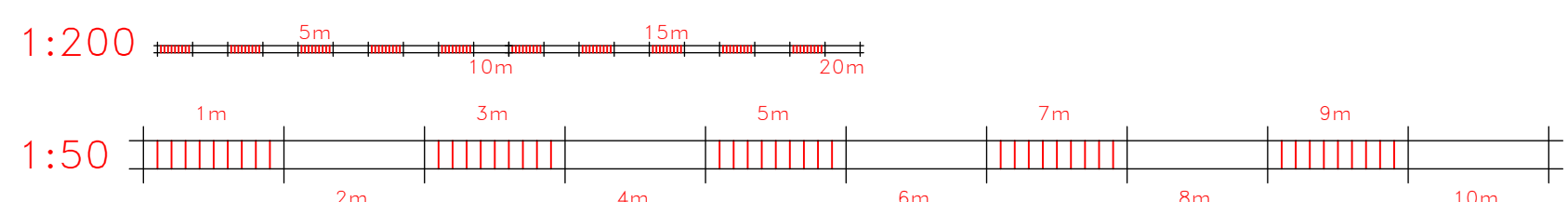
Project Name:
Brookford Cottage
Shipton Oliffe, GL54 4JF

Client:
Richard Hall
Agent:
Fatkin

Site Level Datum OS GPS	Grid Orientation North GPS
----------------------------	-------------------------------

Date: 22nd January 2019	Scale: 1:200 @ A1
-------------------------	-------------------

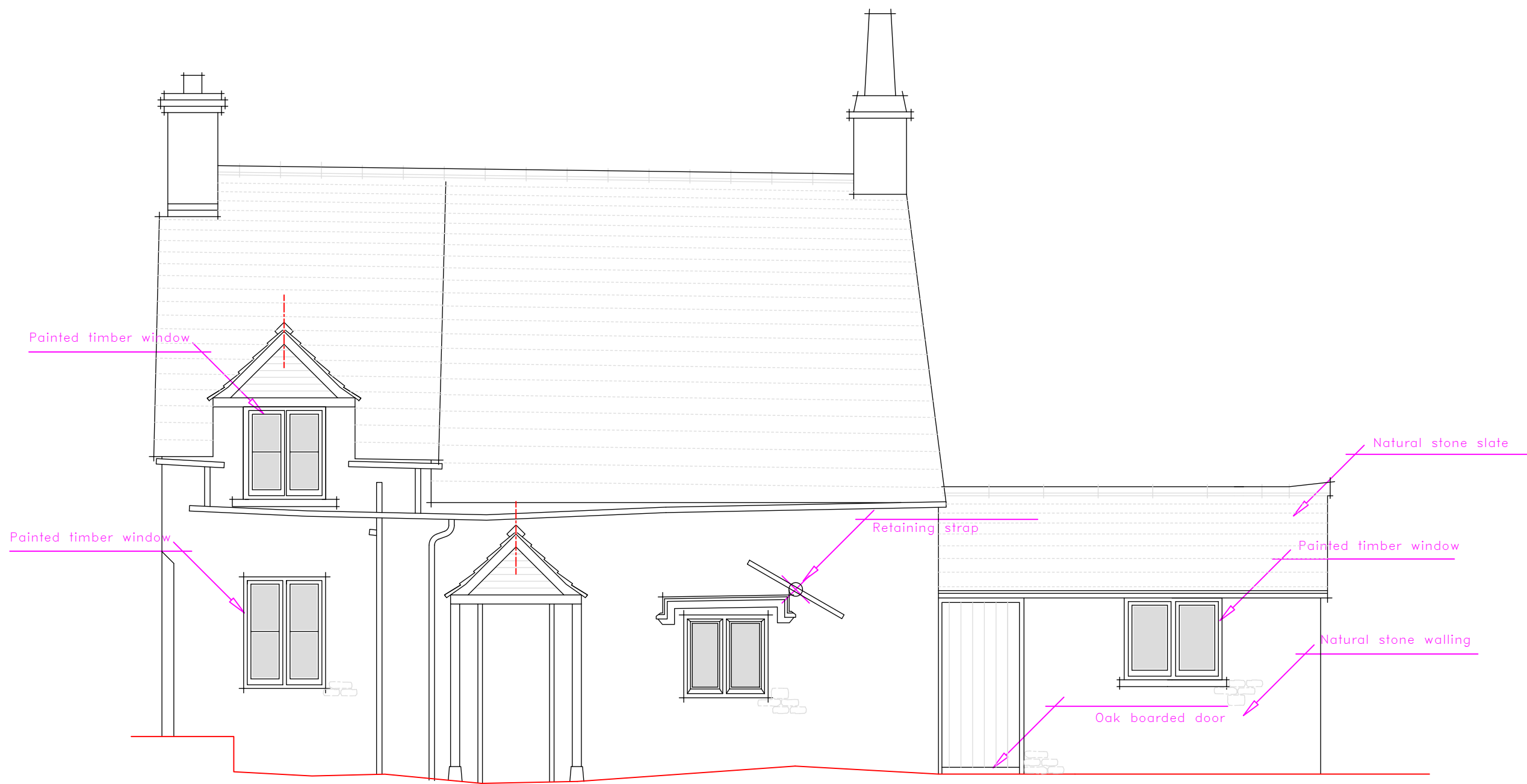
Surveyed By RP	Drawn By RP	Sheet ID SWS011905topo	Rev rev
-------------------	----------------	---------------------------	------------



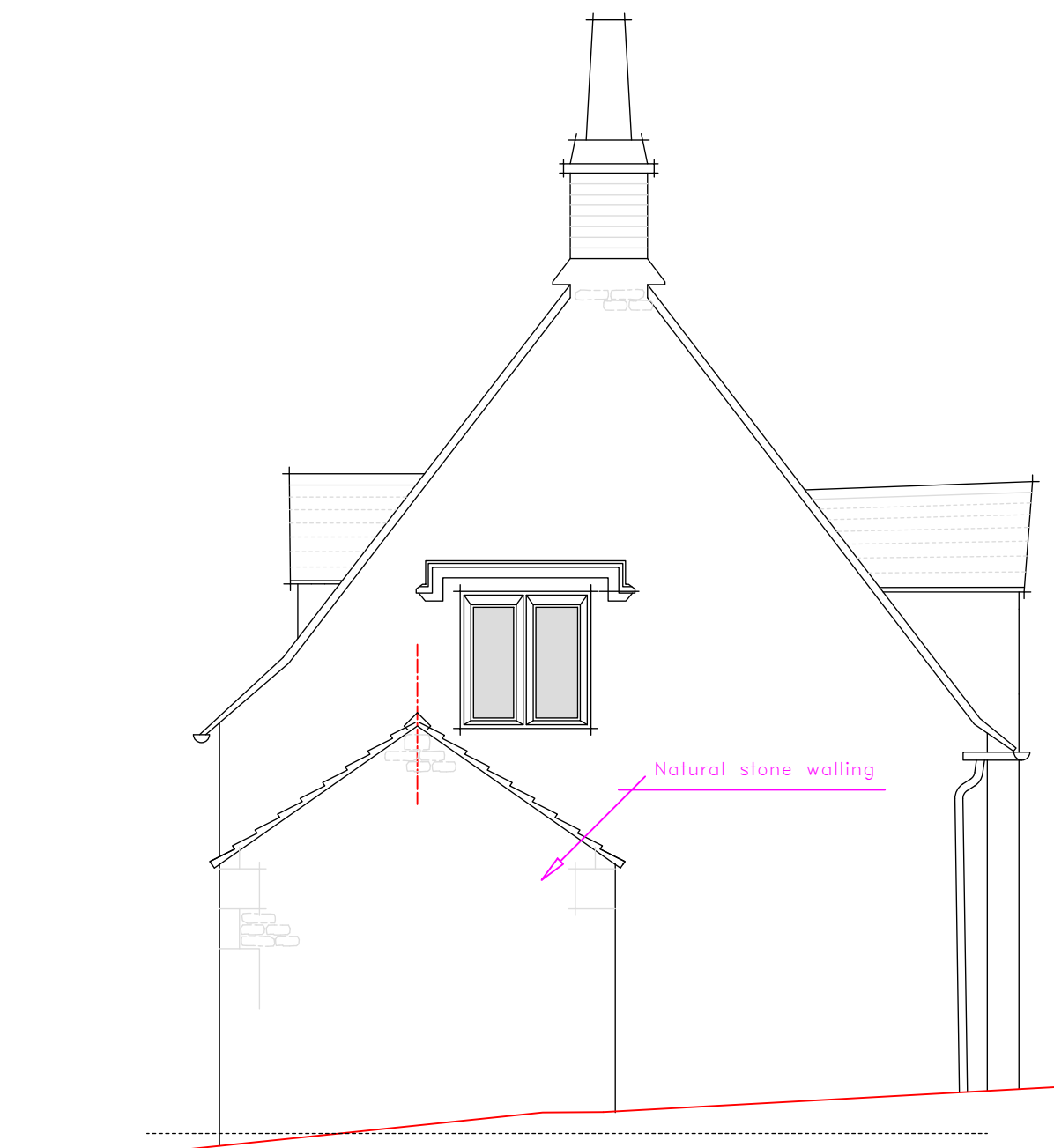
REV A: Updated to meeting notes
REV B: Updated to client feedback
REV C: Updated to feedback
REV D: Updated to feedback
REV E: Strap position updated
REV F: Updated to feedback
REV G: Updated to feedback
REV H: Extension roof amended



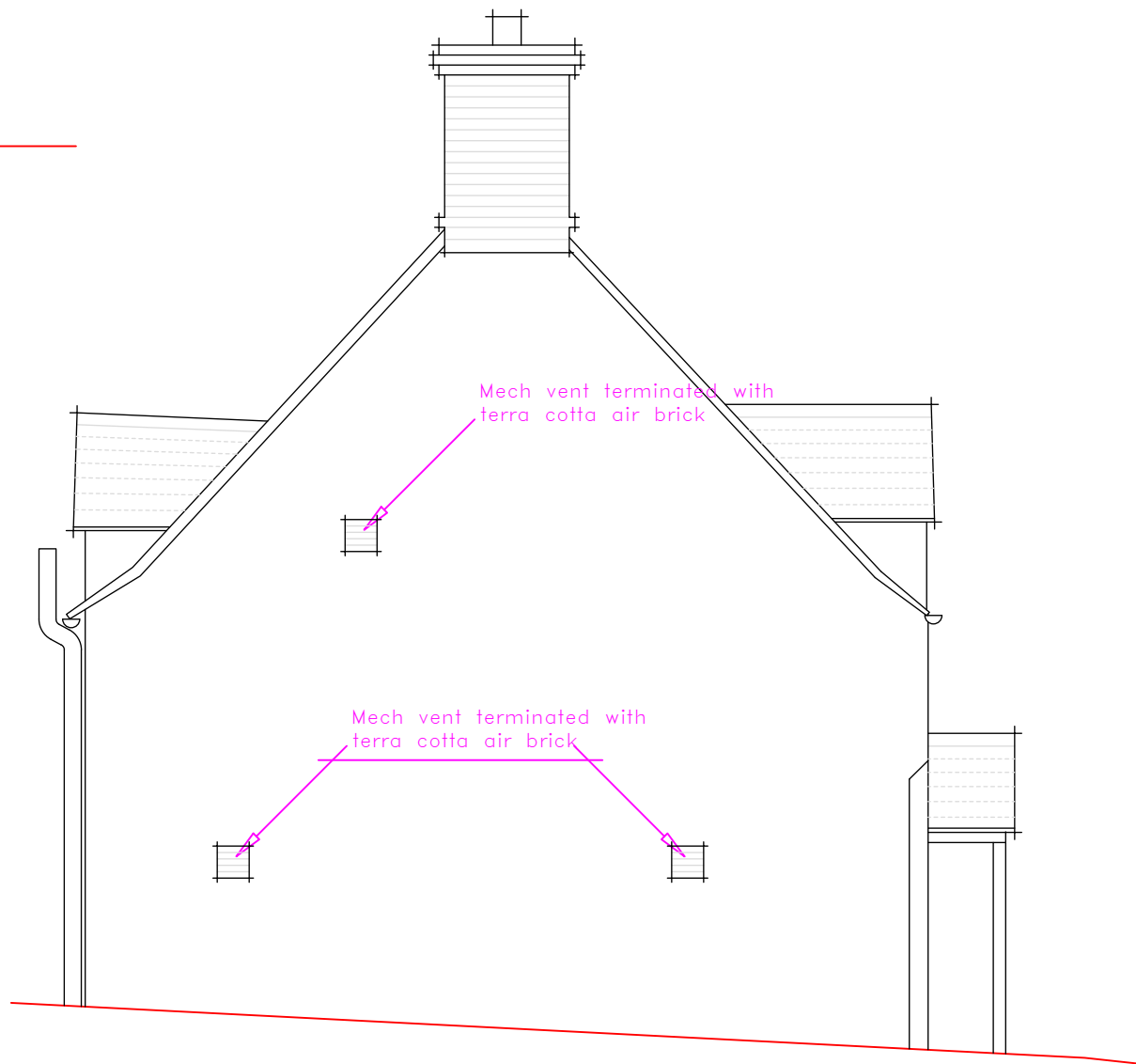
Proposed North



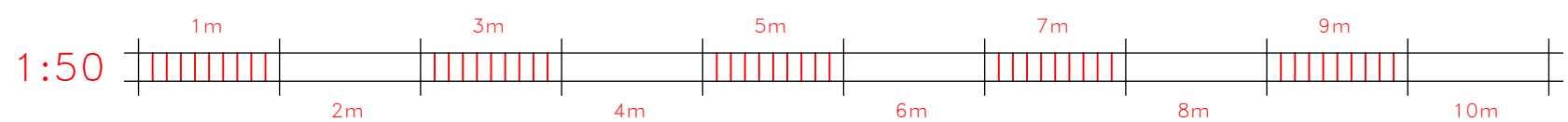
Proposed South



Proposed East



Proposed West

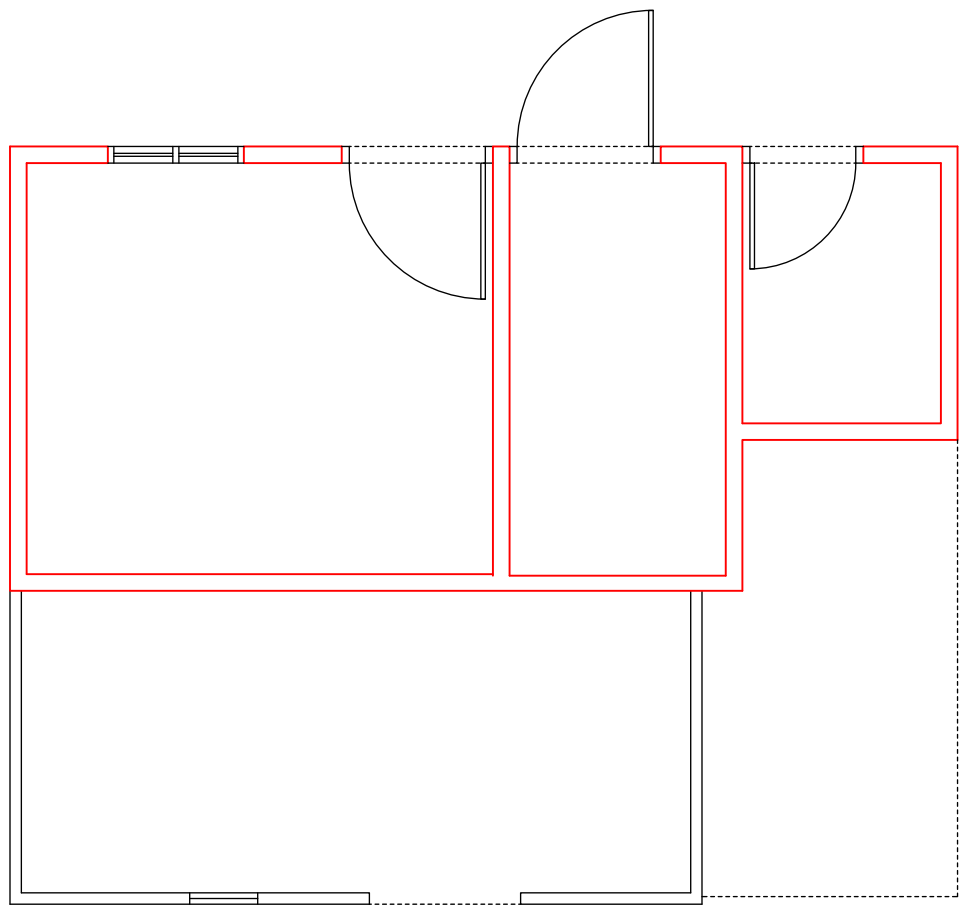
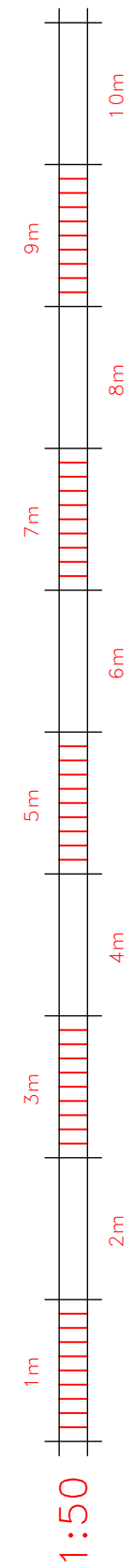


2042/3 – Proposed elevations

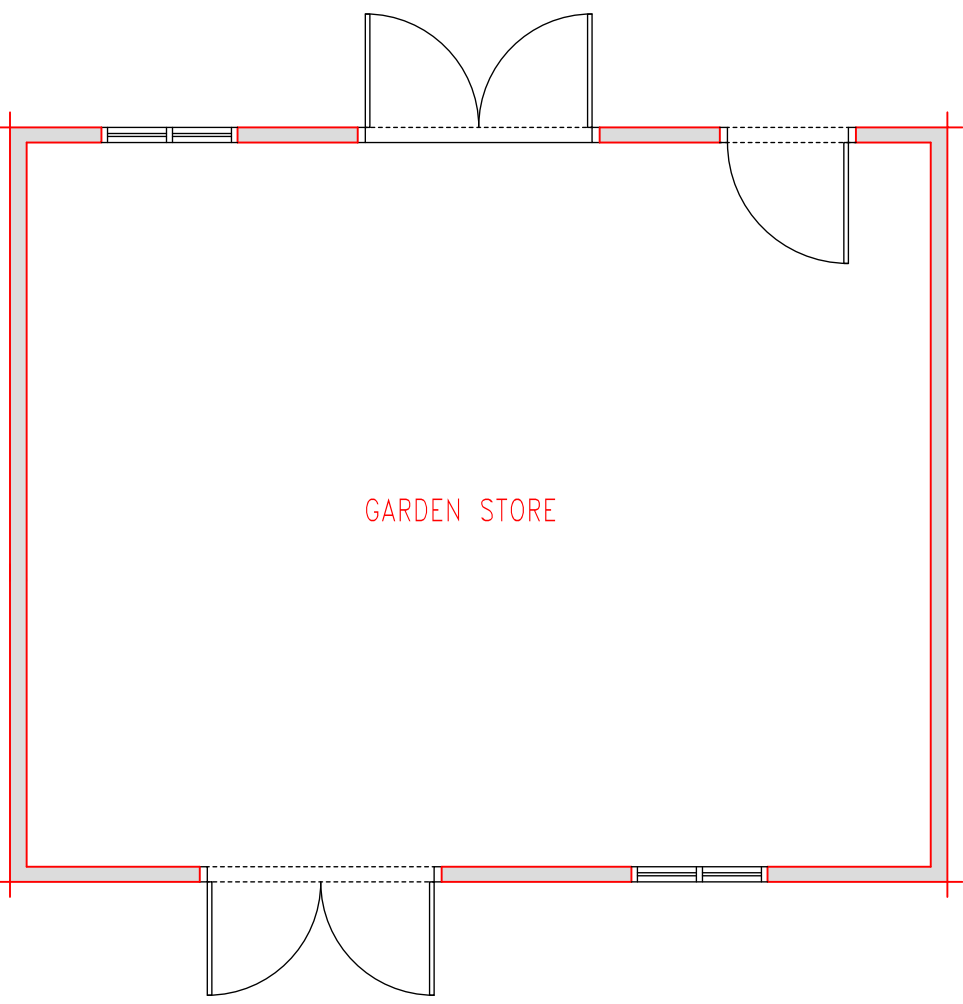
Brookford Cottage
Shipton Olfiffe
Glos
GL54 4JF

CLIENT: Mr R Hall
SHEET NO: 2042/3
SCALE : 1:50
DATE : Oct 2020
REV : H

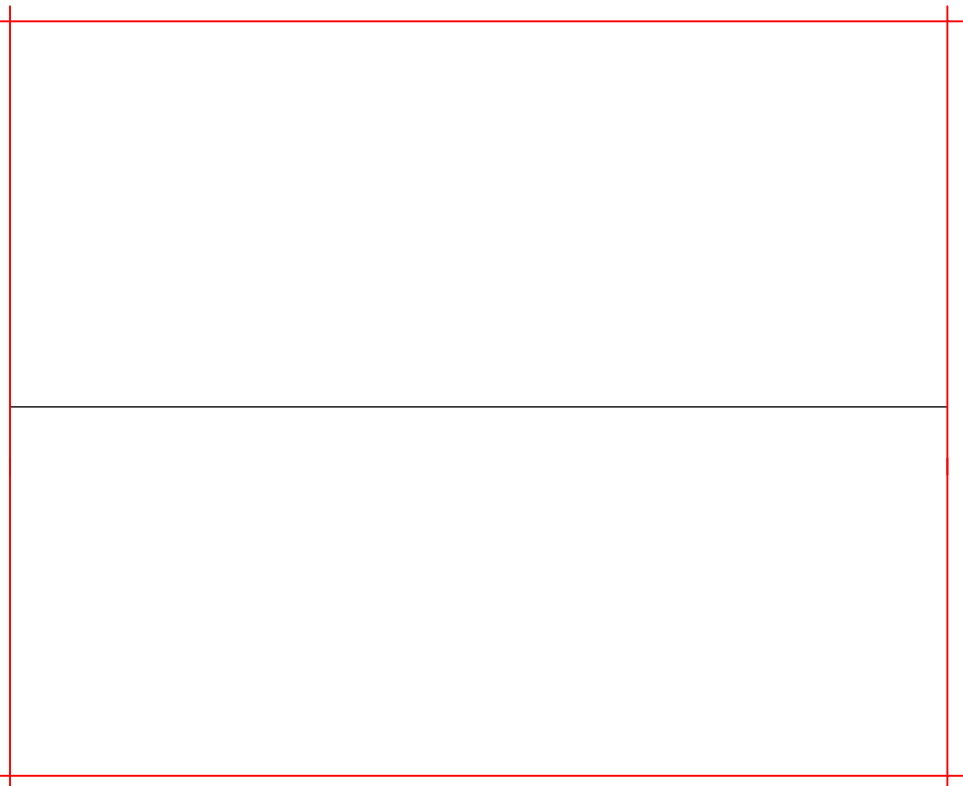
Corinium Architectural Services
64 Queen Elizabeth Road
Cirencester, Glos, GL7 1DJ
Tel: 01285 65 85 65
E-Mail: Info@CoriniumAS.co.uk



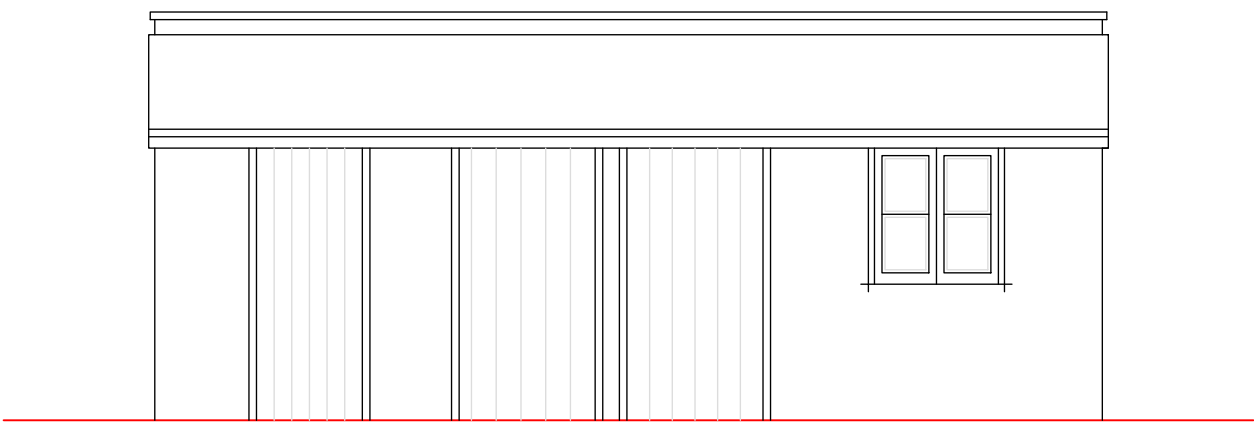
Outbuilding
Existing Plan



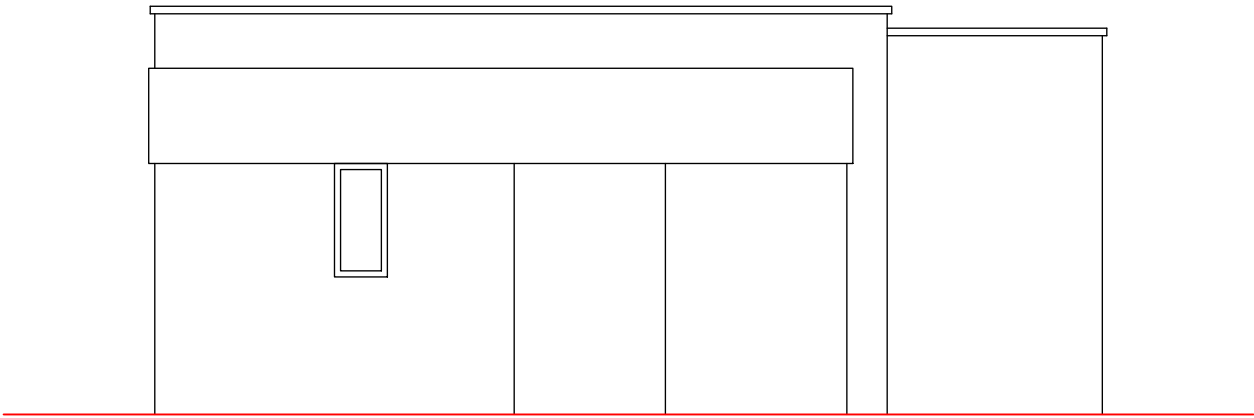
Outbuilding
Proposed Plan



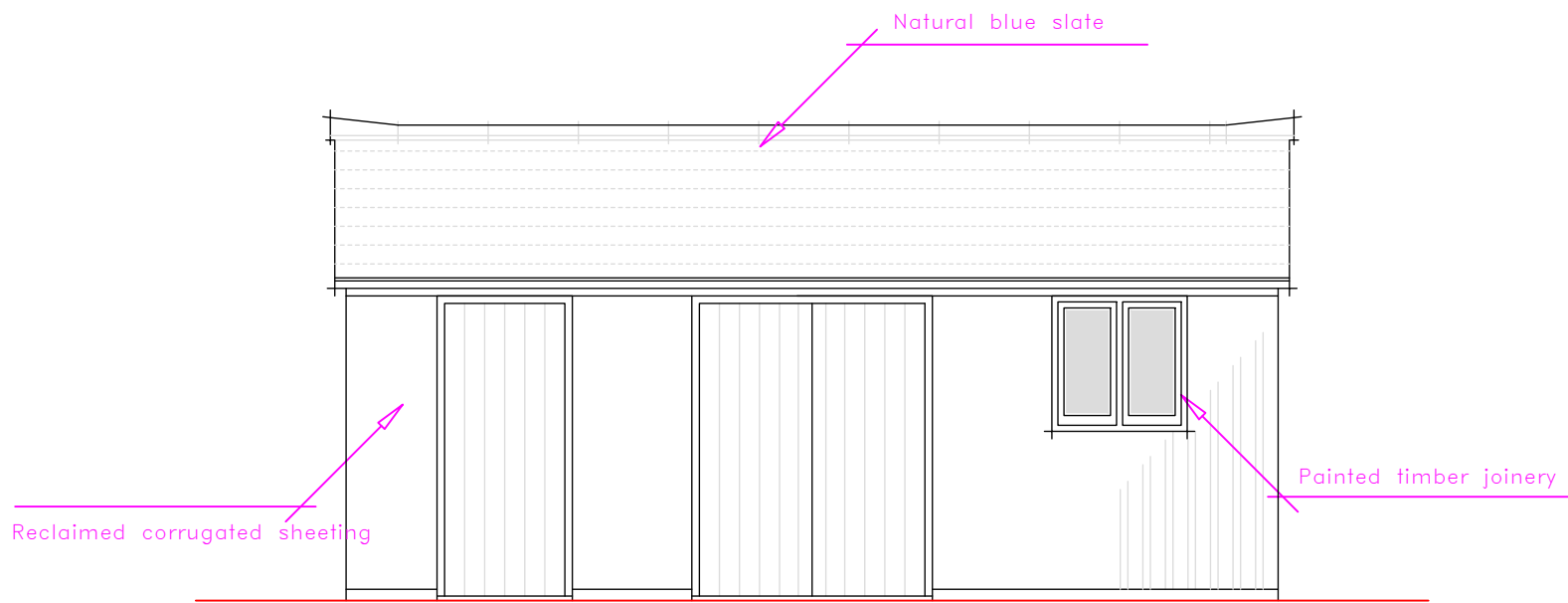
Outbuilding
Proposed Roof Plan



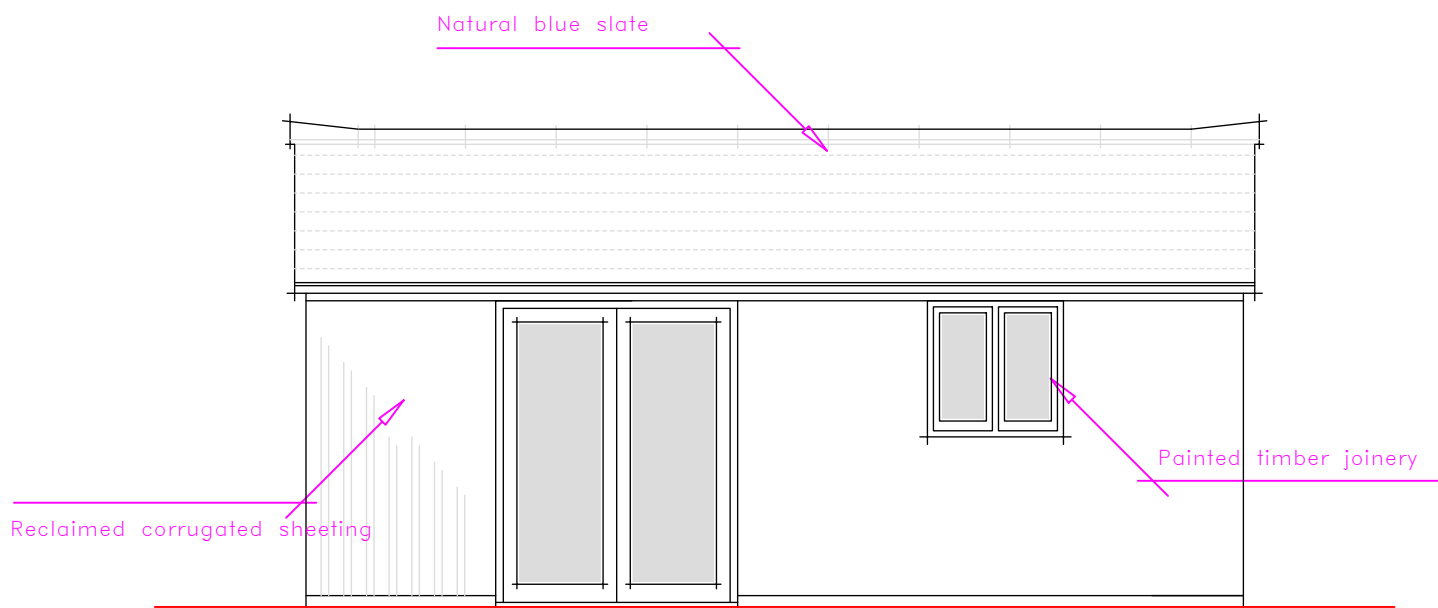
Outbuilding
Existing North



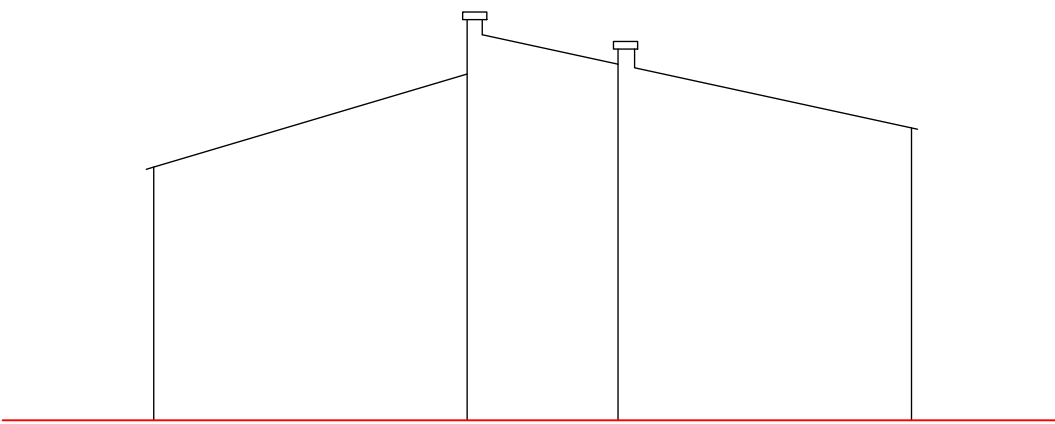
Outbuilding
Existing South



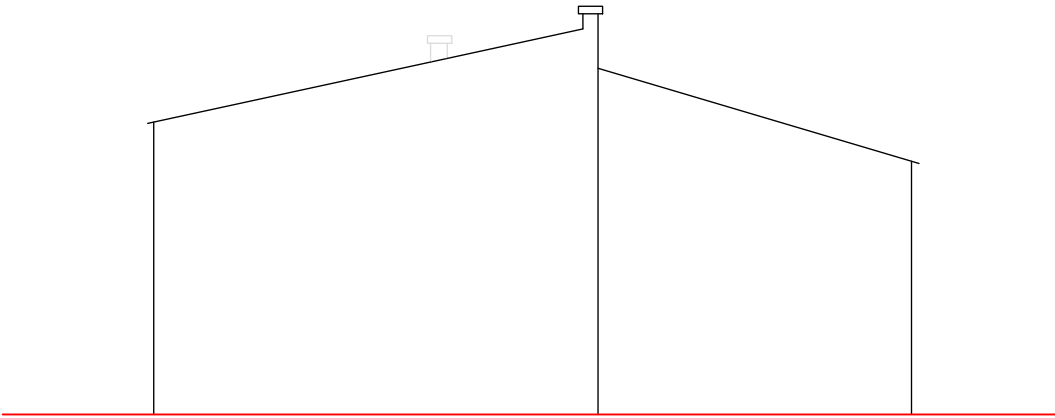
Outbuilding
Proposed North



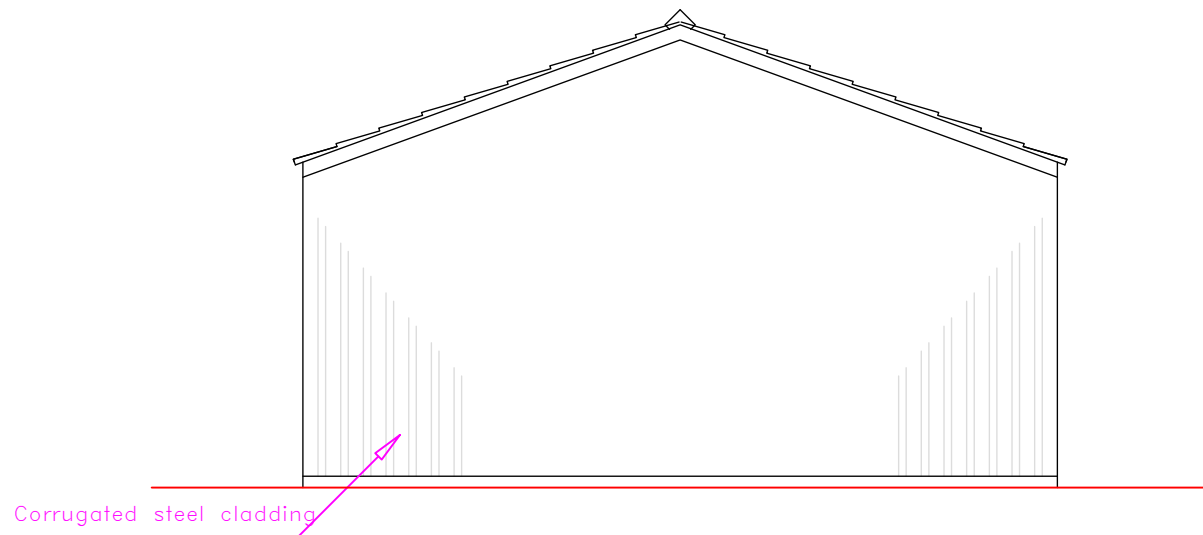
Outbuilding
Proposed South



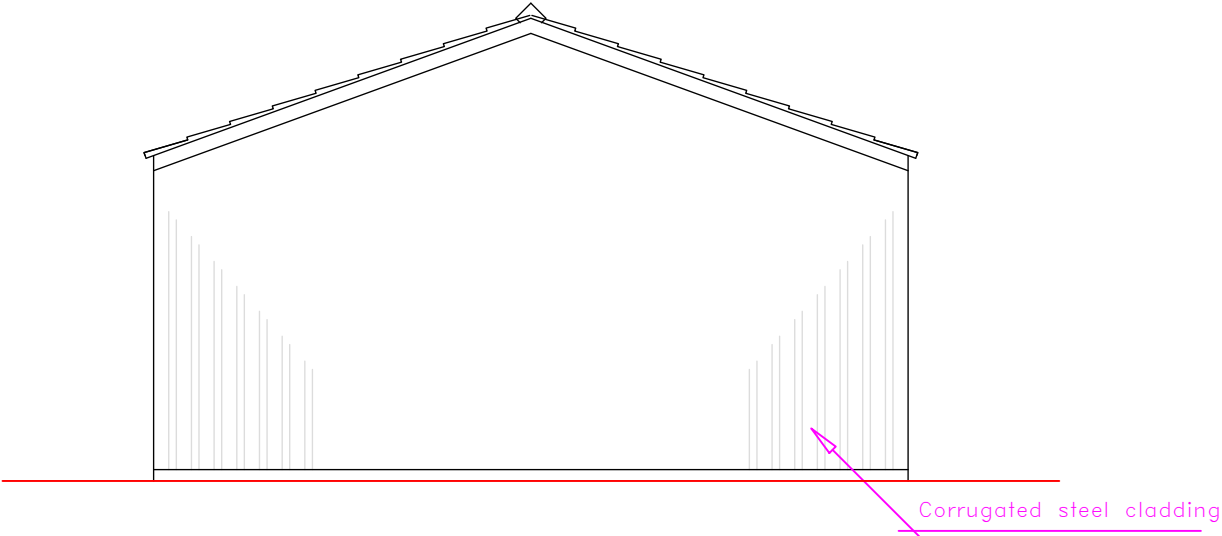
Outbuilding
Existing East



Outbuilding
Existing West



Outbuilding
Proposed East



Outbuilding
Proposed West

REV A: Second draft plans
REV B: Minor updates
REV C: Minor updates
REV D: Minor updates
REV E: Minor updates

Brookford Cottage
Shipton Oliffe
Glos
GL54 4JF

CLIENT: Mr R Hall
SHEET NO: 2042/4
SCALE : 1:50
DATE : Apr 2021
REV : E

Corinium Architectural Services
64 Queen Elizabeth Road
Cirencester, Glos, GL7 1DJ
Tel: 01285 65 85 65
E-Mail: Info@CoriniumAS.co.uk

This page is intentionally left blank

Item No 06:-

21/03907/LBC

**Old Farm House
Preston
Cirencester
Gloucestershire
GL7 5PR**

Item No 06:-

Replace side and rear existing wooden casement single glazed windows with slim profile double glazed, wooden casement windows at Old Farm House Preston Cirencester Gloucestershire GL7 5PR

Listed Building Consent 21/03907/LBC	
Applicant:	Mr & Mrs Adam & Lisa Spivey
Agent:	
Case Officer:	Charlotte Bowles-Lewis
Ward Member(s):	Councillor Mike Evemy
Committee Date:	13th April 2022
RECOMMENDATION:	PERMIT

1. Main Issues:

- (a) Impact on Listed Building and its setting;
- (b) Character and appearance of conservation area.

2. Reason for Referral:

2.1 The application has been made by Councillor Lisa Spivey, Councillor for The Ampneys and Hampton Ward and Cabinet Member for Housing and Homelessness. Consequently, the Council's Scheme of Delegation requires that all such applications are determined by the Committee.

3. Site Description:

3.1 The application site comprises a Grade II listed building within the Preston Conservation Area. The building fronts the main route through the village and occupies a prominent location with smaller adjacent cottages forming a ribbon-like settlement.

3.2 The listed building description is as follows: "The Old Farmhouse II Detached farmhouse. Probably early C19. Random coursed rubble stone with alternating flush quoins, stone slate roof, brick end stacks. 'L'-shape range, 2 storeys. Three windows, 3/2/3-light casements with flat stone voussoir heads. Two 3-light on ground floor flanking central half-glazed door, also with flat stone voussoir head. Left hand return of rear wing has 2-light on first floor, 4-light below."

4. Relevant Planning History:

4.1 91.02271 and 91.02272 Extension to house to provide first floor ensuite bathroom over existing utility and replacement of three windows: Permitted 24.02.1992.

4.2 18/01036/FUL External alterations including demolition of single storey extension and erection of replacement extension, conversion of workshop barn to living accommodation,

demolition of existing lean-to and erection of link extension, erection of porch to rear. Demolition of pigsty walls and repairs to barn. Installation of new gates and hard landscaping: Permitted 26.07.2018.

4.3 18/01037/LBC External and internal alterations including demolition of single storey extension and erection of replacement extension, conversion of workshop barn to living accommodation, demolition of existing lean-to and erection of link extension, erection of porch to rear. Demolition of pigsty wall and repairs to barn. Installation of new gates and hard landscaping: Permitted 26.07.2018.

5. Planning Policies:

5.1 TNPPF The National Planning Policy Framework

6. Observations of Consultees:

6.1 None

7. View of Town/Parish Council:

7.1 Preston Parish Council has no objection to this application

8. Other Representations:

8.1 None received

9. Applicant's Supporting Information:

- Design and access statement
- Photographs of the existing windows
- Existing and proposed elevations
- Window details from contractor

10. Officer's Assessment:

10.1 Old Farm House, Preston, Cirencester is a Grade II listed building. Therefore the Local Planning Authority is statutorily required to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses in accordance with Section 16(2) of the Planning (Listed Building and Conservation Areas) Act 1990.

10.2 The property is located within the Preston Conservation Area wherein the Local Planning Authority is statutorily obliged to pay special attention to the desirability of preserving or enhancing the character or appearance of the locality. This duty is required in relation to Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

10.3 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 199 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 200). 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 proposal, where appropriate, securing its optimal viable use.

10.4 The application seeks Listed Building Consent for the replacement of existing timber single glazed casement windows to the side and rear elevations of the property. The existing windows are of a high quality, traditional design and, while single glazed, they are in good condition with only minor repairs being required. The site is prominent within the street scene and the aesthetic nature of the windows, replicating historic window proportions and traditional casement detailing, contribute to the significance of the listed building within the street scene.

10.5 The scheme has been amended by the applicant after discussions with officers to the replacement of windows only to the side and rear elevations of the property, rather than throughout as originally proposed. A review of the submission and on completion of a site visit, it was identified that the windows were good examples of modern replacements approximately 40 years old. The applicant confirms these were replaced prior to listing in 1986.

10.6 The replacement windows are proposed to be flush timber casements incorporating slim profile (10 - 16mm) double-glazing, supported by true (functional) glazing bars.

(a) Impact on the Listed Building and its setting

10.7 Section 16 of the NPPF states that "heritage assets should be conserved in a manner appropriate to their significance". Whilst not historic, the existing windows to the Old Farm House replicate the design and appearance of traditional casement windows that were common during the mid-19th century. The original windows would have been single glazed. Whilst the general design and appearance of the existing casement windows have been replicated in the submitted proposals, it is the opinion of Officers that the increased thickness of the glazing, and the appearance of double-panes would diminish the aesthetic qualities on its prominent front elevation. This is particularly important given the building's prominent location with the Preston Conservation Area on the main route through the village. Following consideration of the initial proposals, officers therefore concluded that the replacement of the single glazing to the Old Farm House with double glazing to the front of the building would result in the loss of a traditional design feature, and detract from the aesthetic value of the building, thereby harming its significance and have a detrimental impact on the integrity and significance of the Designated Heritage Asset (the Listed Building).

10.8 The justification submitted by the applicant for replacing and upgrading the existing windows was based on thermal improvements seeking to install double-glazing. Upgrading of the windows was based on thermal improvements and further information was provided to the applicant regarding a whole house approach and alternative methods of thermal improvements such as secondary glazing, draught proofing and window shutters.

10.9 A number of options to improve or provide comparable thermal efficiency to double glazed units without replacing windows to the front elevation was provided to the applicant. There have been many studies by Historic England that demonstrate the use of shutters, curtains and secondary glazing to provide improved thermal efficiency without the need of double-glazing. The windows in place do have a long lifespan, being hardwood can last up to 100 years when appropriately maintained.

10.10 A compromise scenario was therefore agreed, where Officers confirmed that they would be willing to support the introduction of heritage double-glazing to the rear and side of the cottage only. The windows to the front principal façade would remain as existing, thereby ensuring the architectural significance of the asset is sustained. The windows proposed for replacement are modern and located to the rear and side aspects of the building. Their replacement in a slim heritage double glazed form and true glazing bars in this instance will not result in a harmful impact on the historic building. The existing casement windows are proposed to be replicated following the architectural form of the historic building. The revised proposal will have a limited impact on the street scene and conservation area due to the windows being on the side and rear facades and therefore is this particular instance is acceptable.

10.11 Officers are therefore satisfied that the revised proposals to replace the rear and side windows would not result in the loss of historic fabric, impact on the historic or architectural significance of the asset or be prominent in the street scene and conservation area. A condition will be required to agree detailed scaled and section drawings for the replacement windows as well as colour.

11. Conclusion:

11.1 The works proposed to provide slim heritage double glazed windows to the rear and side facades of the Old Farm House will preserve the special architectural or historic interest of the Listed Building and maintain its significance. The proposals are not prominent in the conservation area and preserves the character and appearance of the designated area. The proposals therefore accord with the requirements of the 1990 Act and policy 16 of the NPPF.

12. Proposed conditions:

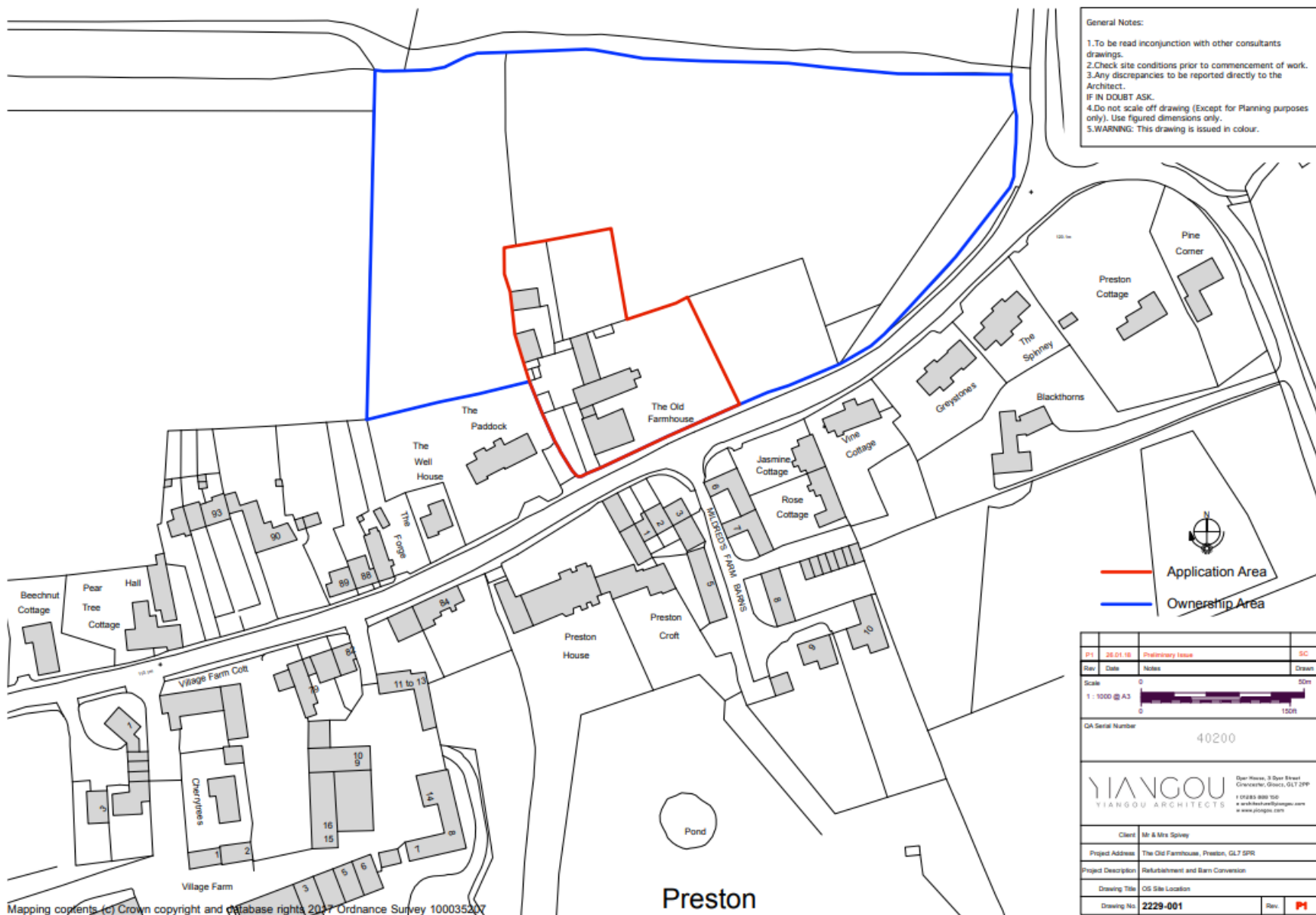
1. The development shall be started by 3 years from the date of this decision notice.

Reason: To comply with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. No windows to side and rear of Old Farmhouse Preston shall be installed/inserted in the development hereby approved until its/their design have been submitted to and approved in writing by the Local Planning Authority. The design and details shall be accompanied by drawings to a minimum scale of 1:5 with full size moulding cross section profiles, elevations and sections. The development shall only be carried out in accordance with the approved details and retained as such at all times.

Reason: To ensure that the design of the aforementioned details are appropriate to the character of the building, which is listed as being of architectural or historic interest, thereby

preserving the special architectural or historic interest which it possesses in accordance with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the National Planning Policy Framework. These are important details which need to be undertaken in a manner which ensures that they serve to preserve the special merit of the building.

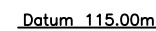


THIS DRAWING HAS BEEN PRODUCED WITH A PLOT SCALE ACCURACY OF 1:50

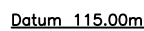
BUILDING SURVEY KEY :-

[illegible]

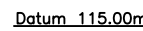
SERVICES KEY :

[illegible]

SOUTH ELEVATION



SOUTH ELEVATION



EAST ELEVATION

NORTH POINT :=

SHEET LAYOUT :-

**MIDLAND SURVEY LTD**

HEAD OFFICE

Fromwell House, Westfield Road, Southern, Warwickshire, CV47 0JH.
Tel: 01926 810811 Fax 01926 810812
E-Mail: mail@midlandsurvey.co.uk
www.midlandsurvey.co.uk

Client: YANGOU ARCHITECTS LTD

Project THE OLD FARMHOUSE, PRESTON, GL7 5PQ

711a MAIN HOUSE ELEVATIONS

Date: NOVEMBER 2017

Page 1 of 1

100

BUILDING



Existing windows proposed for replacement -
Window 6 (rear)



Window 7 (rear)



Window 8 & 9 (Rear)



Window 10 (Side)



Window 11 (side)



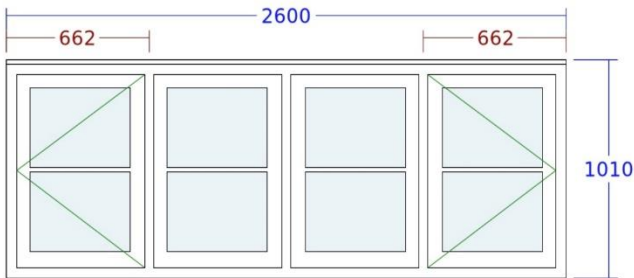
Window 12 (side)



FLUSH CASEMENT WINDOW
FINGER JOINTED REDWOOD



QUOTE REF: 3857/1 V1
ITEM REFERENCE: Kitchen



Drawing Notes: Viewed from outside. Point of arrow denotes hinge position.

IRONMONGERY OPTIONS



COLOUR CHOICES



SIZE SPECIFICATIONS

Frame Head Size	60mm
Head Drip	20mm (included in overall ht)
Height	1010mm
Size of Bar	22mm (True Bar)
Width	2600mm

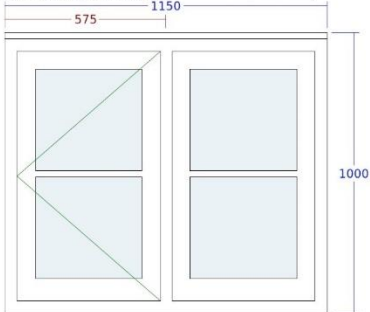
TECHNICAL SPECIFICATIONS

Add Ons Required	No
Cill	None
Dummy Hinges	None
Equalise Glass Widths	Yes
FSC® Certified	Yes
Feature Mould	Ovolo
Glass Pattern	Clear
Glass Type	4mm Anl/6mm Krypton/4mm Anl LowE (Putty Glazed)
Glazing Features	Horizontal Astragal Bars
Head Drip Horns	No
Hinge System	Pivot with Seigenia locks
Peg Stay Alignment	Opening end pointing to handle
Style Option	Dummy Sash
Swept Heads	No
Trickle Vents Required	No
Window Board Required	No

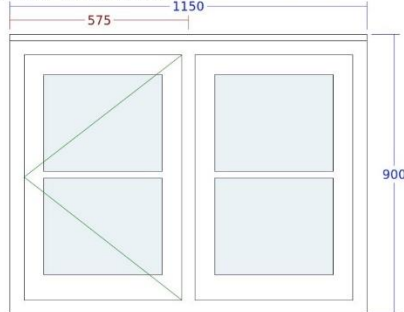
PRODUCTS AT A GLANCE FOR QUOTE REF: 3857/1 V1



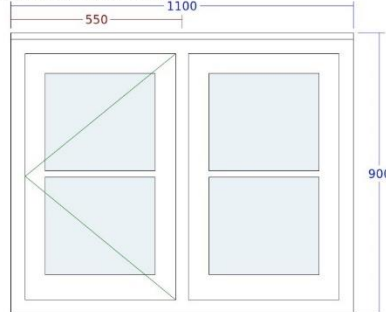
7. Flush Casement Window



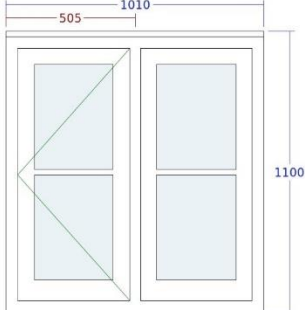
8. Flush Casement Window



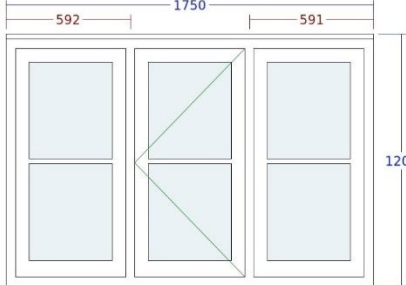
9. Flush Casement Window



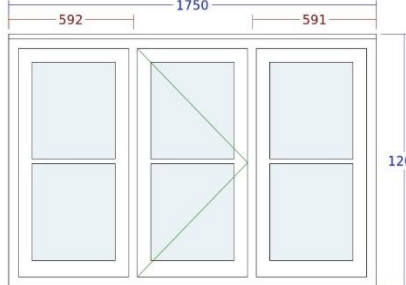
10. Flush Casement Window



11. Flush Casement Window



12. Flush Casement Window



This page is intentionally left blank