



1 November 2022

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PLANNING AND LICENSING COMMITTEE

A meeting of the Planning and Licensing Committee will be held at Council Chamber - Trinity Road on **Wednesday, 9 November 2022 at 10.00 am.**

Rob Weaver
Chief Executive

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

Recording of Proceedings – The law allows the public proceedings of Council, Cabinet, and Committee Meetings to be recorded, which includes filming as well as audio-recording. Photography is also permitted.

As a matter of courtesy, if you intend to record any part of the proceedings please let the Committee Administrator know prior to the date of the meeting.

AGENDA

1. **Apologies**
2. **Substitute Members**
To note details of any substitution arrangements in place for the Meeting.
3. **Declarations of Interest**
To receive any declarations of interest from Members and Officers, relating to items to be considered at the meeting.
4. **Minutes (Pages 5 - 10)**
To confirm the minutes of the meeting of the Committee held on Wednesday 12th October 2022.
5. **Chair's Announcements (if any)**
6. **Tree Preservation Order 22/00005/IND (Pages 11 - 34)**
Purpose
To consider comments of objection and support to the making of Tree Preservation Order 22/00005/IND in respect of a tree at Waterfront Tea Room, Victoria Street, Bourton on the Water.

Recommendation
To confirm TPO22/00005/IND.

7. **Schedule of Applications (Pages 35 - 140)**

Application No.	Description	Ward Member	Case Officer
20/02798/FUL	Demolition of single storey lean to, fenestration alterations and landscaping (part retrospective) at Middle Hill Farm Saintbury Broadway Gloucestershire WR12 7PX	Councillor Gina Blomefield/Councillor Tom Stowe	Ed Leeson
20/02799/LBC	Demolition of single storey lean to, fenestration alterations, internal alterations to include new mechanical and electrical works,	Councillor Gina Blomefield/Councillor Tom Stowe	Ed Leeson

	and landscaping (part retrospective) at Middle Hill Farm Saintbury Broadway Gloucestershire WR12 7PX		
21/00549/FUL	45 residential dwellings with associated garages/parking, including demolition of existing petrol filling station and other existing buildings at Northfield Garage London Road Tetbury Gloucestershire GL8 8HW	Councillor Nikki Ind	Mike Napper
21/04342/FUL	Extension to yard used for the storage of horticultural products at Melcourt Industries Limited Boldridge Brake Crudwell Lane Long Newnton Tetbury Gloucestershire GL8 8RT	Councillor Nikki Ind	Andrew Moody
22/02837/FUL	Variation of condition 8 (timber windows) of permission 16/03602/FUL (Demolition of existing buildings and erection of four dwellings) to replace warped timber windows with new PVC-U at 77 Victoria Road Cirencester Gloucestershire GL7 1ES	Councillor Joe Harris	Sophie Browne

8. **Sites Inspection Briefing**
Members for 30th November 2022 (if required)

Councillors Ray Brassington, Patrick Coleman, Andrew Maclean, Steve Trotter and Gary Selwyn

9. **Licensing Sub-Committee**
Members for 23rd November (if required)

Councillors Julia Judd, Patrick Coleman, Sue Jepson, Steve Trotter and Clive Webster

(END)

Planning and Licensing Committee
12/October2022



COTSWOLD
DISTRICT COUNCIL

Minutes of a meeting of Planning and Licensing Committee held on Wednesday, 12 October 2022.

Councillors present:

Ray Brassington - Chair
Stephen Hirst
Sue Jepson
Julia Judd

Patrick Coleman – Vice Chair
Andrew Maclean
Dilys Neill
Gary Selwyn

Steve Trotter
Clive Webster

Officers present:

Susan Gargett – Head of Legal Services
David Morren - Development Control Manager
Mike Napper – Major Developments and Appeals Manager
Martin Perks – Principal Planning Officer
Ed Leeson – Senior Enforcement Officer
Florence Maxwell – Senior Conservation and Design Officer
Caleb Harris – Democratic Services
Wayne Smith – Democratic Services

129 Apologies

No Apologies had been received from Members.

Councillor Mark Harris was absent

130 Substitute Members

There were no Substitute Members.

131 Declarations of Interest

Councillor Webster declared an interest as a Councillor of Moreton-In-Marsh Town Council.

There were no Declarations of Interest from Officers.

132 Minutes

Minutes of the Planning and Licensing Committee held on 14 September 2022 were considered.

Councillor Webster had raised a query with the vote on an item with Democratic Services, but had since received a response clarifying the voting process.

RESOLVED: The Committee agreed that the Minutes of the Planning and Licensing Committee meeting held on 14 September 2022 were an accurate record.

Voting Record - For 10, Against 0, Abstentions, Absent 1,

133 Chair's Announcements (if any)

The Chair announced that an appeal had been made for an application for a lorry park at Daglingworth Way.

134 Schedule of Applications

Application 22/00688 - Two residential units within the curtilage of the main house approved under application 18/00051/FUL, removal of approved garage outbuilding and associated amended driveway and landscape enhancements at Land At New Covert, Ewen, Gloucestershire.

Major Developments and Appeals Manager introduced the application that had been deferred from the Planning and Licencing Committee Meeting 14 September 2022, and reminded the Committee that the deferral had been made to enable the applicant to continue in negotiation with the Council with pre-commencement conditions. These negotiations had concluded successfully (for conditions 4 and 19) and no further information was required from the applicant prior to the commencement of the development to satisfy these.

The Committee noted the original application (18/00051/FUL) was for a single dwelling, and the current application was for three dwellings, with the two additional residential units being within the vicinity of the main house, and that the development was now being considered under policy DS3 as it was now considered to be part of the (non-principal settlement) village of Ewen.

The Major Developments and Appeals manager summarised the development's location, site and dwelling designs and presented site and location maps, photographs and illustrations to provide context for what was being proposed.

The Committee noted that 60-75% of the site was existing woodland and new native-tree, shrub and meadow planting would increase biodiversity by 31%.

The Committee noted that each of the three dwellings were highly energy efficient with Standard Assessment Procedure (SAP) ratings in excess of the 100 maximum.

The following people addressed the Committee:
Councillor Tony Berry – Ward Member

The Committee noted the proximity of high tension wires did not represent a risk to health of occupants of the proposed development.

The Committee noted that the original single dwelling's 'outstanding design in an exceptional location' consideration was less significant, now that the development had been considered to be part of the village of Ewan, and was being assessed under policy DS3.

The Committee noted that although the applicant had described the two additional dwellings as annexes to the main, house, they had been considered as new dwellings for the purposes of

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addressing relevant policies and therefore further development or extensions to the properties without the need for further planning permission had been prevented by the removal of permitted development rights in the recommended conditions.

The Committee noted that all of the land at the development was privately owned and no public access had been had been applied for.

The Committee noted that should either of the two additional dwellings be sold, the requirements and conditions in the application would remain in force and remain the responsibility of the relevant land owner.

Councillor Jepson proposed and Councillor Trotter seconded that the application should be **REFUSED** due to the two additional dwellings taking away and lessening the ‘exceptional site and outstanding design’ of the main building.

**Voting History – For 3, Against 7, Abstentions 0, Absent 1,
This vote was lost**

Councillor Webster proposed and Councillor Neill seconded that the application should be **PERMITTED** for the reasons provided by the Major Developments and Appeals Manager.

RESOLVED: The Committee agreed to **PERMIT** the application for the reasons provided by the Major Developments and Appeals Manager

Voting Record – For 7, Against 3, Abstentions 0, Absent 1

The Committee **PERMITTED** the application in agreement with the recommendation of the Major Developments and Appeals Manager

22/02 | 19/REM - Erection of 15 dwellings with associated access arrangements and ancillary works (Reserved Matters application) at Land West Of Davies Road/Mosedale Moreton-in-Marsh Gloucestershire.

The Principal Planning Officer introduced the application and drew the Committee’s attention to additional written representations from local residents and a written statement from the Ward Member that had arrived on the day of the Committee.

The Chair provided a period of time for the Committee to read and note the additional written representations.

The Principal Planning Officer summarised the history and location of the proposed development on a grassed area of land within the town’s development boundary on the eastern side of Moreton-In-Marsh. The site location, proposed access and build design were presented, along with maps, photographs and illustrations to provide context for the 15 social rental dwellings that were being proposed.

The Committee noted that the development was not in a Conservation Area or in an Area of Outstanding Natural Beauty (AONB).

Planning and Licensing Committee

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The Committee noted that, following discussions, the proposed properties' gable depths had been reduced in width, rear extensions had been added and roof pitches had been increased in height in order to tie in more closely with properties in Davies Road and Mosedale.

The following people addressed the Committee:

A representative from Moreton-In-Marsh Town Council

Simon Jones & Mrs E Miller (written statement to be read out) – Objectors

Charlie Scherer – Applicant

Councillor Rachel Coxcoon (written statement submitted)

The Committee noted that the Ward Member had not referred the original application to the Committee in 2020.

The Committee noted that the application had now been referred to the Committee, as Cotswold District Council had now become involved with the development and scrutiny was now required.

The Committee noted that the following matters had been decided prior to CDC's involvement and therefore did not need to be considered by the Committee:

- The Outline Application
- Drainage Plans
- Ecology Report
- Access Plans

The Committee noted that the Committee would be able to focus its consideration of the application's four reserved-matters application area i.e. Appearance, Layout, Landscape and Scale

The Committee noted that, although the current application was for 15 social rented dwellings, the original S106 agreement required only six social rented dwellings to be part of the development, and this had not changed.

The Committee noted that the development was for 11 three-bed, 2 two-bed and 2 one-bed dwellings.

The Committee asked that 'Control of Noise and 'Hours of (Building) Working' conditions should be added to the Construction Plan.

Councillor Maclean proposed and Councillor Neil seconded that the application should be **PERMITTED** for the reasons provided by the Principal Planning Officer

RESOLVED: The Committee agreed to **PERMIT** the application for the reasons provided by the Principal Planning Officer

Voting Record – For 6, Against 4, Abstentions 0, Absent - 1

The Committee agreed to **PERMIT** the application in agreement with the Principal Planning Officer.

20/02798/FUL - Demolition of single storey lean to, fenestration alterations and landscaping (part retrospective) at Middle Hill Farm, Saintbury, Broadway, Gloucestershire WR12 7PX

And

20/02799/LBC - Demolition of single storey lean to, fenestration alterations, internal alterations to include new mechanical and electrical works, and landscaping (part retrospective) at Middle Hill Farm Saintbury Broadway Gloucestershire WR12 7PX

The Chair announced that the two applications would be considered and discussed together, but separate votes would then be taken for each application.

The Senior Planning Enforcement Officer introduced the applications and drew the Committee's attention to six additional updates that had been received, and a period of time was provided for the Committee to read and note the additional updates.

The Senior Planning Enforcement Officer re-introduced the applications seeking planning permission for the demolition of a single storey lean-to, fenestration alterations, internal alterations including new mechanical and electrical works both of which were part-retrospective. The site location, maps, photographs and illustrations were presented to provide context for the proposed works.

The Committee noted that there was an ongoing enforcement investigation at the property relating to a number of unauthorised works that had been undertaken at the property which were considered unacceptable, and some of which formed part of the two applications. A listed building enforcement notice had also been served.

The Committee noted that the property was a Grade II listed 18th century farmhouse located within the Saintbury Conservation Area, which was located within the Cotswold Area of Outstanding Natural Beauty.

The following people addressed the Committee:

Anne Thomas – Saintbury Parish Meeting

Mr John Evetts – Applicant

Councillors Gina Blomefield and Tom Stowe (written statement) – Ward Members

The Committee noted that Planning Officers had engaged with the applicant throughout the planning process starting with the advice on the original proposals in October 2020. The Applicant had been advised that certain elements of the proposed work would not be considered acceptable, but should these be removed the remainder of the application could continue.

The Committee noted that the term 'Great Hall' had been used by the Applicant in the original application and had continued to be used in subsequent documentation.

The Committee noted that it was not uncommon in multi-phased buildings to have differing, but equally significant, historic phases and it was considered that this layering added richness and texture to the history and character of a listed building and should be retained.

Councillor Jepson proposed and Councillor Judd seconded that an all Member **SITE INSPECTION** should be arranged, to assess the works undertaken in situ to assess any harm to the listed building, and enable a more informed decision of application **20/02798/FUL**.

Voting Record – For 5, Against 4, Abstentions 1, Absent 1,

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Councillor Jepson proposed and Councillor Judd seconded that an all Member **SITE INSPECTION** should be arranged, to assess the works undertaken in situ to assess any harm to the listed building and enable a more informed decision of application **20/02799/LBC**.

Voting Record – For 5, Against 4, Abstentions 1, Absent 1,

RESOLVED: The Committee **AGREED** to an all Member **SITE INSPECTION** to the property to assess the works undertaken in situ to assess any harm to the listed building, and enable more informed decisions to be determined.

135 Sites Inspection Briefing

There were no Site Inspection updates

136 Licensing Sub-Committee

There was no Licensing Sub-Committee updates.

The Meeting commenced at 2.00pm and closed at 4.25 pm

Chair

(END)

Council name	COTSWOLD DISTRICT COUNCIL
Name and date of Committee	PLANNING AND LICENSING COMMITTEE – 09.11.2022
Report Number	AGENDA ITEM 6
Subject	TREE PRESERVATION ORDER – 22/00005/IND
Wards affected	Bourton Village
Accountable member	Cllr N Maunder Email: nick.maunder@cotswold.gov.uk
Accountable officer	Justin Hobbs (Tree Officer, Heritage & Design) Email: Justin.Hobbs@publicagroup.uk
Summary/Purpose	To consider comments of objection and support to the making of Tree Preservation Order 22/00005/IND in respect of a tree at Waterfront Tea Room, Victoria Street, Bourton on the Water.
Annexes	Annex A – Tree Preservation Order 22/00005/IND (Plan & Schedule) Annex B – Cotswold District Council Tree Preservation Order Appraisal Form Annex C – Photographs of the tree Annex D – Tree Maintenance Ltd Report in support of objection to the making of the TPO
Recommendation(s)	<i>To confirm TPO22/00005/IND</i>
Corporate priorities	<ul style="list-style-type: none"> • Delivering our services to the highest standards • Responding to the challenges presented by the climate crisis
Key Decision	NO
Exempt	NO
Consultees/ Consultation	Heritage and Design Manager, Chair of the Planning and Licensing Committee and the local Ward Members.



I. BACKGROUND

I.1 A Section 211 Notification to remove a Black Walnut tree in the Bourton-on-the-Water Conservation Area at Waterfront Tea Room, Victoria Street was received by the Council on 18/05/2022. Ref 22/01728/TCONR.

I.2 Although not a requirement to do so, the Notice provided reasoning for felling the tree. These were, as stated on the Notice:

The tree has dangerous snapped limbs overhanging the public footpath and when in leaf will become heavy and have increased risk of falling. The root are severely lifting the pavement and patio area and are causing a trip hazard on a busy high street. The roots are at risk of causing structural damage to properties near by.

I.3 The public visual amenity of the tree was assessed and it was considered expedient to serve a TPO to prevent the tree from being felled without other options being explored in response to the reasoning provided on the Notice. Cotswold District Council Tree Preservation Order Appraisal Form is included in **Annex B**.

I.4 The reasons for making the TPO were given on the relevant TPO notice as:

A section 211 Notice has been submitted to fell this tree. The tree is worthy of a TPO by virtue of its public amenity value. The tree is a prominent arboricultural feature and a highly visible asset to the Bourton on the Water Conservation Area.

I.5 Photographs of the tree are included in **Annex C**.

I.6 Following consultation with the Chair of the Planning (Regulatory) Committee and the local Ward Member, the TPO was served on 21/06/2022.

I.7 Under the provisions of the legislation the TPO takes effect immediately but must be confirmed by the Council within six months if it is to take permanent effect. Prior to confirming a TPO, the Council must thoroughly consider any objections and/or representations that have been made.

I.8 There were 3 representations received objecting to the Section 211 Notification (22/00291/TCONR) to fell the tree, and 2 in support of the Notification.



2. MAIN POINTS

- 2.1 An email from the Deputy Area Manager For Gloucestershire Highways was received 21/06/2022 stating:

I do not object to the making of the TPO, but consideration must be given to the maintenance liability experienced by GCC directly because of the tree and the risk to pedestrians who use the path by the tree.

- 2.2 A letter of objection to the making of the TPO from the owner of the property was received 01.07.2022. The letter states the reasons for objecting as:

- 1) The roots have lifted the public footpath which is a danger to the public; people are constantly tripping on the uneven pavement and shout abuse at my tenants.*
- 2) The roots have also made the patio in the garden of the tearoom uneven and again this is a danger to the public.*
- 3) There is at least one dead branch in the tree and it is just hanging and if it falls could hit someone and cause injury.*
- 4) The highways department have taped around the outside of the tree on the public footpath and put up plastic barriers which looks unsightly and can surely only be a temporary solution.*
- 5) Even if the pavement is repaired it won't be long before the roots push it back up again.*
- 6) The roots are at risk of causing structural damage to the nearby properties including the Waterfront Tea Room which is a listed building.*

- 2.3 An email from the Parish Council was received on 14/07/2022 objecting to the TPO being made permanent (i.e. being confirmed).

- 2.4 A report objecting to the making of the TPO on behalf of the owner by Tree Maintenance Ltd was received 27/07/2022. Refer to **Annex D** for the full report. The report concludes:

Although the tree has significant amenity value, its size, restricted growing environment and potential for future growth will continue to cause ongoing damage and create unacceptable liability for the owner and/or occupiers of the Tea Room and restaurant.

The boundary, footpath and paving cannot be permanently repaired, and any works undertaken with the tree retained will be only temporary, resulting in ongoing and unreasonable costs.

The short-term loss of visual amenity would be regrettable; however, this is somewhat mitigated by the presence of the adjacent semi-mature Lime which is



currently suppressed by the Walnut but could be allowed to reach its full potential by the removal of the Walnut.

2.5 At the request of the Parish Council a site meeting was held on 15/08/2022 with your tree officer, the property owners, representatives from the parish council, and the Highway's Deputy Area Manager present to discuss the matter.

2.6 Following the meeting, an email was received from the Parish Council withdrawing their objection to the making of the TPO permanent (i.e. confirming the TPO) on 23.08.2022.

2.7 Officers Response

- In accordance with Government guidance a TPO was served in the first instance to offer immediate protection to the tree and allow other options to be investigated in response to the reasons given for removal.
- The making and confirmation of the TPO does not prevent applications for works in the future, and these are likely to be granted consent, if the reasoning for the works is appropriate.
- Assessment and inspection could find no significant physiological or structural defects with the tree. One dead branch in the upper canopy was noted and the owner informed that no application would be required to remove this.
- No evidence or reports has been submitted regarding any alleged damage to the main building at the address.
- The roots' impact on the adjacent public footpath will be addressed in early December, at which time the footpath is going to be repaired. Your officer will be present during the repairs and it may be possible to prune a small number of roots to assist with the repairs.
- There are alternative options and solutions to felling the tree available in regard to the patio area. Possible options include replacing patio slabs around the tree with gravel.
- The ultimate size and spread of the tree will be dictated by the immediate environmental conditions it is growing in, and around. It is highly unlikely that this tree would reach the dimensions and size it would in its natural setting. The size and spread of the tree can be managed through appropriate pruning, if this is required.
- An adjacent lime tree would not replace the amenity value that *both* these trees currently provide.



- Being located centrally within the village, and appreciated by huge numbers of tourists and local residents alike, this prominent tree provides significant amenity value, and enhances the Bourton on the Water Conservation Area.

3. CONCLUSIONS

- 3.1 Assessment of the tree, and the alternative solutions available to resolve inconveniences associated with the tree, indicates it is expedient to confirm the TPO.

5. FINANCIAL IMPLICATIONS

- 5.1 None.

6. LEGAL IMPLICATIONS

- 6.1 The TPO is a legally binding document.

7. RISK ASSESSMENT

- 7.1 No risks identified.

8. EQUALITIES IMPACT

- 8.1 None.

9. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS

- 9.1 The retention of old trees has both climate mitigation and ecological benefits.

10. ALTERNATIVE OPTIONS

- 10.1 To not confirm the TPO.

11. BACKGROUND PAPERS

- 11.1 The following documents have been identified by the author of the report in accordance with section 100D.5(a) of the Local Government Act 1972 and are listed in accordance with section 100 D.1(a) for inspection by members of the public:

- None.

(END)

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COTSWOLD
DISTRICT COUNCIL

Dated 21st June 2022

**COTSWOLD DISTRICT COUNCIL
TREE PRESERVATION ORDER NO 22/00005/IND**

**Waterfront Tea Room, Victoria Street, Bourton on the Water
Gloucestershire, 2022**

Town and Country Planning Act 1990

**The Town and Country Planning (Tree Preservation)(England)
Regulations 2012**

TREE PRESERVATION ORDER

relating to

**Waterfront Tea Room, Victoria Street, Bourton on the Water
Gloucestershire 2022**

**TOWN AND COUNTRY PLANNING ACT 1990
THE TOWN AND COUNTRY PLANNING (TREE
PRESERVATION)(ENGLAND) REGULATIONS 2012**

**COTSWOLD DISTRICT COUNCIL TREE PRESERVATION ORDER
NO 22/00005/IND**

**Waterfront Tea Room, Victoria Street, Bourton on the Water,
Gloucestershire 2022**

The Cotswold District Council, in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 make the following Order-

Citation

1. This Order may be cited as TPO Number **22/00005/IND, Waterfront Tea Room, Victoria Street, Bourton on the Water, Gloucestershire, 2022**

Interpretation

2. (1) In this Order "the authority" means the Cotswold District Council.
(2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

Effect

3. (1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.
(2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall-

- (a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or
(b) cause or permit the cutting down, topping, lopping, wilful damage or wilful destruction of,

any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

Application to trees to be planted pursuant to a condition

4. In relation to any tree identified in the first column of the Schedule by the letter "C", being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

13476

51

CONFIRMATION OF ORDER

OR

on the day of 20

Robert Weaver – Chief Executive; Susan Gargett – Legal Services Manager
Authorised by The Council to sign in that behalf

DECISION NOT TO CONFIRM ORDER

A decision not to confirm this Order was taken by Cotswold District Council
on the _____ day of _____ 20____

Signed on behalf of The Cotswold District Council

Robert Weaver – Chief Executive; Legal; Susan Gargett – Legal Services Manager
Authorised by The Council to sign in that behalf

VARIATION OF ORDER

This Order was varied by the Cotswold District Council on the
day of 20

by a variation order under reference number [*insert reference number to the variation order*] a copy of which is attached]

Signed on behalf of The Cotswold District Council

Robert Weaver – Chief Executive; Susan Gargett – Legal Services Manager
Authorised by The Council to sign in that behalf

REVOCATION OF ORDER

This Order was revoked by the Cotswold District Council on the
day of 20

under the reference number

Signed on behalf of The Cotswold District Council

Robert Weaver – Chief Executive; Patrick Arran – Monitoring Officer and Head of Legal; Susan Gargett – Legal Services Manager
Authorised by The Council to sign in that behalf

SCHEDULE
SPECIFICATION OF TREES

TREES SPECIFIED INDIVIDUALLY (encircled in black on the map)

Reference on map	Description	Situation
T1	Black Walnut, <i>Juglans nigra</i>	On frontage of property, north-east of main building and adjacent to public footpath

TREES SPECIFIED BY REFERENCE TO AN AREA (within a dotted black line on the map)

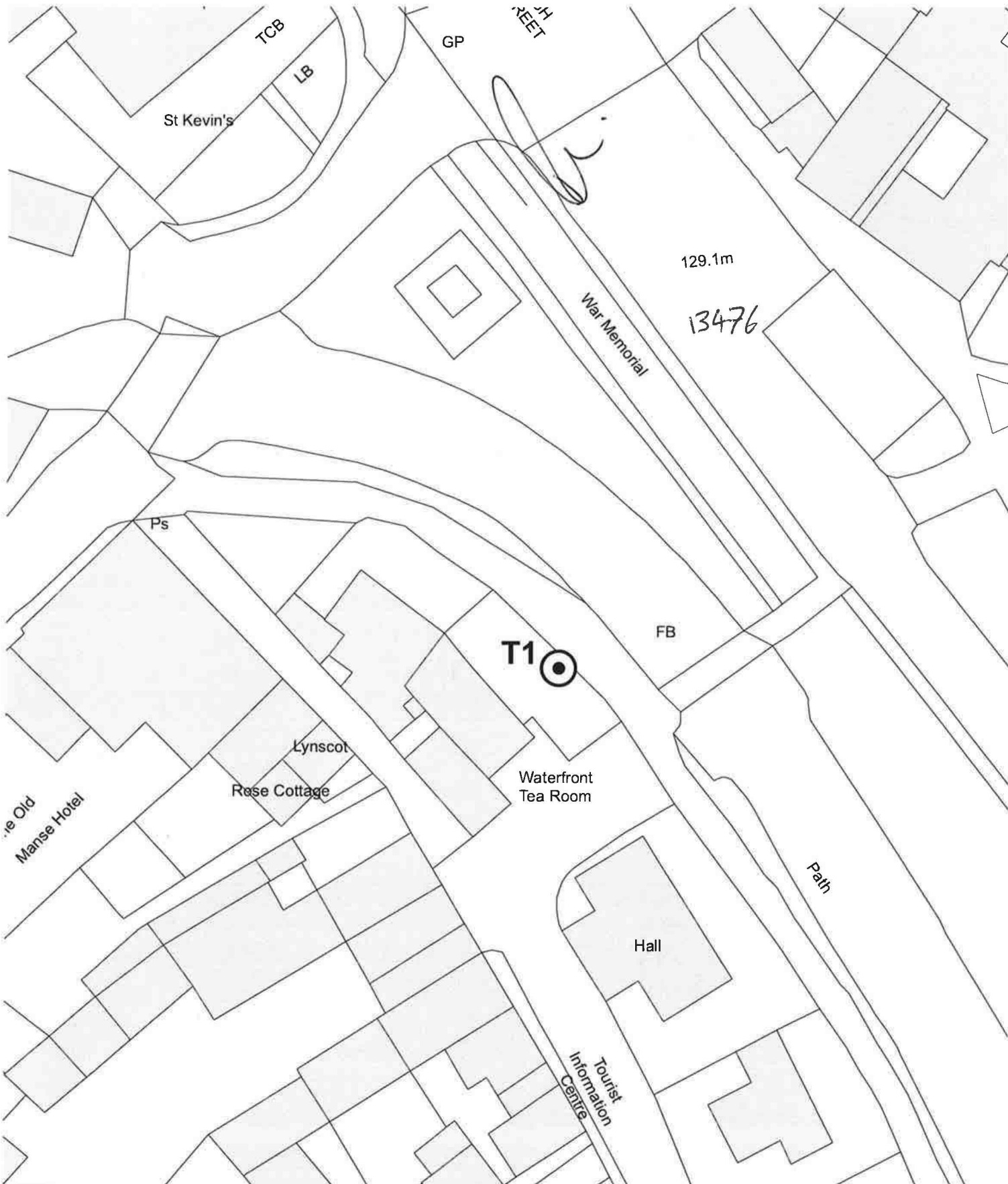
Reference on map	Description	Situation
None		

GROUPS OF TREES (within a broken black line on the map)

Reference on map	Description	Situation
None		

WOODLANDS (within a continuous black line on the map)

Reference on map	Description	Situation
None		



COTSWOLD DISTRICT COUNCIL

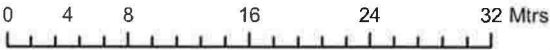
Tree Preservation Order

Waterfront Tea Room, Victoria Street, Bourton-on-the-Water

Scale: 1:500

Plan No: TPO 22/00005/IND

Date: 08 June 2022



Cotswold District Council Tree Preservation Order Appraisal

Site: Waterfront Team Room, B-o-t-W

Date: 07/06/2022

Officer: JH

General Description of Tree(s) (or group of trees/woodland):

Mature black walnut to front of the premises in outside garden area.

1 Public Visibility

Public places from which the tree can be seen (including future considerations such as development)

Highly visible in the main village centre. Adjacent to public path.

Is/are the tree/trees a skyline feature?

No

Is/are the tree/trees seen against a backdrop of other trees?

No

Is/are the tree/trees a visual feature in a Conservation Area or AONB?

Yes highly visible in centre of B-o-t-W

2 Arboricultural Quality

Is/are the tree/trees in reasonable arboricultural condition?

Yes, minor deadwood, hanging branch (still attached – owner made aware) otherwise no significant defects.

Is/are the tree/trees an appropriate species for the character of the locality and landscape?

Yes

Is/are the tree/trees a particularly old or large example of its species and/or does the tree have veteran characteristics?

Tree is a large example of species, but no veteran characteristics.

Does/do the tree/trees have specific cultural, historic or biodiversity interest?

No

3 Life Expectancy and Replaceability

Has/have the tree/trees a biological life expectancy of more than 20 years?

Yes, although intervention/appropriate management may be required in the future due to location being highly used by the public.

Is/are the tree/trees growing in sufficient space to be allowed to grow for a further 20 years?

Yes

Could the visual amenity value of the tree/s be replaced by new planting within 10 years?

No

Is there clear evidence of structural damage to property caused by the tree(s) that could only be resolved by removal of the tree(s)?

No. There is slight damage to the highway and the patio area around the base of the tree – other alternative solutions available to tree removal.

4 Impact of Removal

Would the loss of the tree(s) be noticeable from public places?

Yes

Would the removal of the tree(s) harm or benefit the health or stability of other trees?

No

Would the removal of the tree(s) result in loss of screening of an eyesore or poor quality landscape feature?

No

Is/are the tree/trees part of an agreed landscape/ tree retention scheme or replacement planting scheme subject to a planning condition?

No

Conclusions

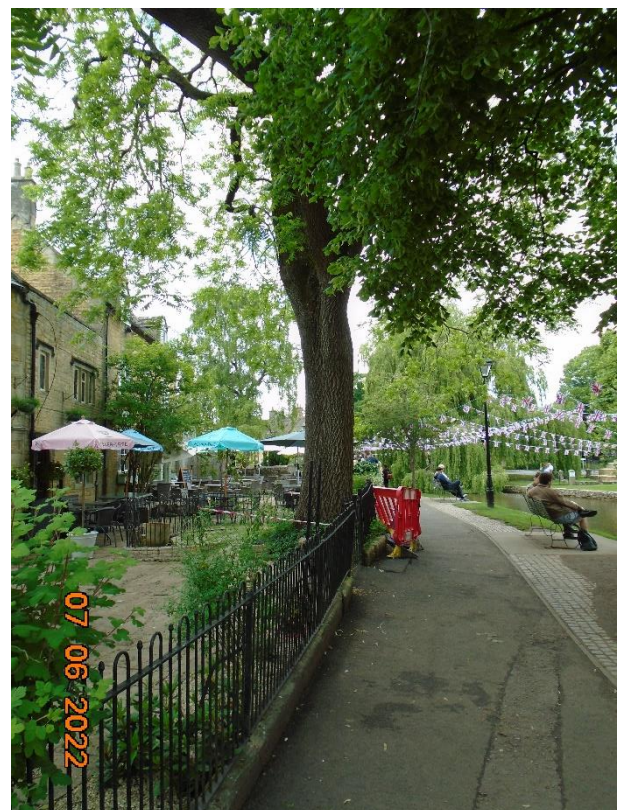
Would the removal of the tree(a) have a significant negative impact on the local environment and its enjoyment by the public?

Yes

Would protection with a TPO bring a reasonable degree of public benefit in the present or future?

Yes

APPENDIX C – PHOTOGRAPHS OF THE TREE



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Tree Officer
Cotswold District Council
Council Offices,
Trinity Road
Cirencester
GL7 1PX

26 July 2022

Our Reference: 15598 / 68259

Unit 60, Aston Down, Stroud
Gloucestershire GL6 8GA
Tel 01285 760466
sales@treemaintenance.co.uk
www.treemaintenance.co.uk

Stephen Cullis, Managing Director

Ken Sheppard, Senior Arboricultural Consultant
MICFor FArborA Dip Arb (RFS) Tech Cert (Arbor A) CUEW

Dear Sir/ Madam

**RE: Objection to Cotswold District Council Tree Preservation Order TPO
No. 22/00005/IND Waterfront Tea Room, Victoria Street, Bourton on the Water
Gloucestershire, 2022**

I have been instructed Mrs H Kemp landlord of the Waterfront Tea Room, Victoria Street, Bourton on the Water to provide an objection to the above Tree Preservation Order in accordance with regulation 6 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012.

It is recognised that the objection has been provided after the deadline of 19th July stated in the notification letter dated 21st June 2022, but it has been agreed with the Tree Officer Justin Hobbs that the objection will be considered prior to the determination of the confirmation of the Order.

The objection is in relation to the serving of a tree preservation order on the early mature American Walnut located on the eastern boundary of the property.

I attended site on 21st July 2022, met with tenant of the restaurant and tea rooms and carried out a unaccompanied site inspection. At the time, the tenant indicated that the floor of the tearoom required repair as it is being pushed up however, she confirmed that no investigations into the cause of the damage had been undertaken to confirm if tree roots are responsible.

Setting

The Tea Room is adjacent to, and has a shared boundary and front garden/ serving area with, the Rose Tree Restaurant, a Grade II listed building (List No. 1088714). The continuous boundary consists of a low stone wall surmounted by iron hoop top railings with a pedestrian access to the north and matching pedestrian gate to the southeast (photograph 1)

The area to the front of the tea room and restaurant is paved with pennant stones and has a raised seating area and low retaining wall around the base of the tree. The paving and boundary feature is in keeping with the Conservation Area and setting of the listed building.

The 1.8-metre-wide, tarmac public footpath is located directly adjacent to the front boundary beyond which is a narrow 1.3-metre-wide grass verge and stone retained river bank of the River Windrush. The high use footpath is mainly level with service scars to the southeast of the tree and evidence of recent historic patching along the footpath edge (photograph 2).

The Walnut (Blue outline photograph 3), although one of the larger trees in this area, is only one of a number of trees along the river corridor which includes a council-owned, developing semi mature Lime (Red outline photograph 3) around 3 metres to the southeast (photograph 3).

The Tree

The tree is an early mature Black Walnut (*Juglans nigra*). It is around 18 metres in height with an average crown radius of 9 metres. It is somewhat restricted on the southeast side by the neighbouring Lime but otherwise broad and spreading and overhanging the roof of the adjacent tearoom. The crown contains minor deadwood which is normal for a developing tree.

The trunk is upright, dividing into main scaffold limbs at around three and a half metres. There is a girdling root at the base on the east side.

The tree is of good structural and physiological condition with considerable potential for future growth. Mitchell's *Trees of Britain and Northern Europe* suggests that the tree is capable of doubling in size and this species can attain a height of 30-36 metres under UK conditions.

Current Damage

The tree has displaced the stone boundary wall by around 150mm into the public footpath and is starting to displace the railings which have already been broken and are now held together with a temporary repair (photograph 4).

Around a one-third of the width of the, mainly flat, footpath surface has been displaced upwards by as much as 200-300mm, immediately adjacent to the tree, tapering down towards the centre of the footpath. In addition, there are radiating cracks extending across the remainder of the path surface. This damage is on-going and has been repaired in the recent past, but the path continues to be displaced (photographs 5 and 6).

The internal raised seating area's retaining wall has been pushed substantially upward and out to the south. Paving within the seating area is being displaced, creating a trip hazard and limiting the use of the area (photograph 7).

The gate pillar for the pedestrian access gate to the south of the tree has been displaced and no longer closes (photograph 8). Paving across the pedestrian access for the raised seating area has been displaced and can no longer be used safely due to the trip hazard caused. Increasing levels either of the footpath or paving to limit damage would be difficult to achieve and likely to create further trip hazards or limit access from the public footpath.

Reasons for Objection

The tree, due to its position directly adjacent to the boundary, is causing direct damage to the stone boundary wall, railings and internal paving, and cracking and displacement of the public footpath external to the site.

Due to the tree's size, vitality and potential for future growth, it is possible that the tree could be implicated in the internal damage to the tearoom floor once investigations and repair works are carried out.

The tree has considerable potential for future growth and therefore any repairs can only be temporary, with further and ongoing damage occurring as the tree continues too rapidly mature. If solutions to retain the tree were to be considered for paving, boundary and retaining walls they will need to be engineered designed to prevent future displacement and require specialist building services beyond that associated with normal building maintenance. This could result in claims for compensation to Cotswold District Council if consent for removal is refused and additional expense is incurred for works.

Works to the footpath will remain the Local Authorities responsibility but is likely to be difficult to resolve without impacting on the general flat level nature of the river riverside path even then ongoing growth is likely to result in repeated repair costs and periods of increased risk of litigation as a result of increasingly deforming surface.

The landlord and the tenants of the restaurant and tearoom have a general duty of care and duties under the Health and Safety at Work Act 1974 to ensure their property is reasonably safe and does not pose an unacceptable hazard to staff, visitors, patrons or neighbours (users of the public footpath). Currently it is impossible to adequately repair the displaced structures and surfaces with the tree remaining.

The Council has already recognised that the public footpath is a trip hazard, installing temporary pedestrian barriers around the worst of the displacement. This is only partially successful, as several people complained to me during my site survey that they had stumbled over the localised uneven surface. In addition, the barrier substantially narrows the effective footpath width and would be unreasonable to retain in the long term.

The tenants are concerned that claims could arise from personal injury due to tripping accidents on their property or as a result of trespass of roots onto the local authority land resulting in unnecessary increased future insurance costs.

In order to minimize the risks mentioned above, the closing off of seating areas to the front of the tearoom and restaurant has already been implemented and will need to be extended in the future. This would result in fewer tables being available and a reduction in revenue. Closing off internal areas would in no way reduce displacement of the adjacent footpath which will continue to be an increasing hazard.

Conclusion

Although the tree has significant amenity value, its size, restricted growing environment and potential for future growth will continue to cause ongoing damage and create unacceptable liability for the owner and/or occupiers of the Tea Room and restaurant.

The boundary, footpath and paving cannot be permanently repaired, and any works undertaken with the tree retained will be only temporary, resulting in ongoing and unreasonable costs.

The short-term loss of visual amenity would be regrettable; however, this is somewhat mitigated by the presence of the adjacent semi-mature Lime which is currently suppressed by the Walnut but could be allowed to reach its full potential by the removal of the Walnut.

For the above reasons, I am of the opinion that the tree is causing and will continue to cause unacceptable damage to the building fabric and public footpath and the council should not confirm the Order in this instance.

Please confirm receipt of the objection and that the comments will be considered prior to any confirmation decision. If you have any queries, please do not hesitate to contact me on 07817 262569.

Yours sincerely

Signed:

A black rectangular box redacting the signature of Ken Sheppard.

Ken Sheppard, MICFor, FArborA, Dip Arb (RFS), Tech Cert (ArborA), CUEW.

Senior Arboricultural Consultant

Encs: 15998_68259 Appendix 1. Site Photographs.

15598 / 68259 Appendix 1. Site Photographs Waterfront Tea Room, Victoria Street, Bourton on the Water, Gloucestershire.

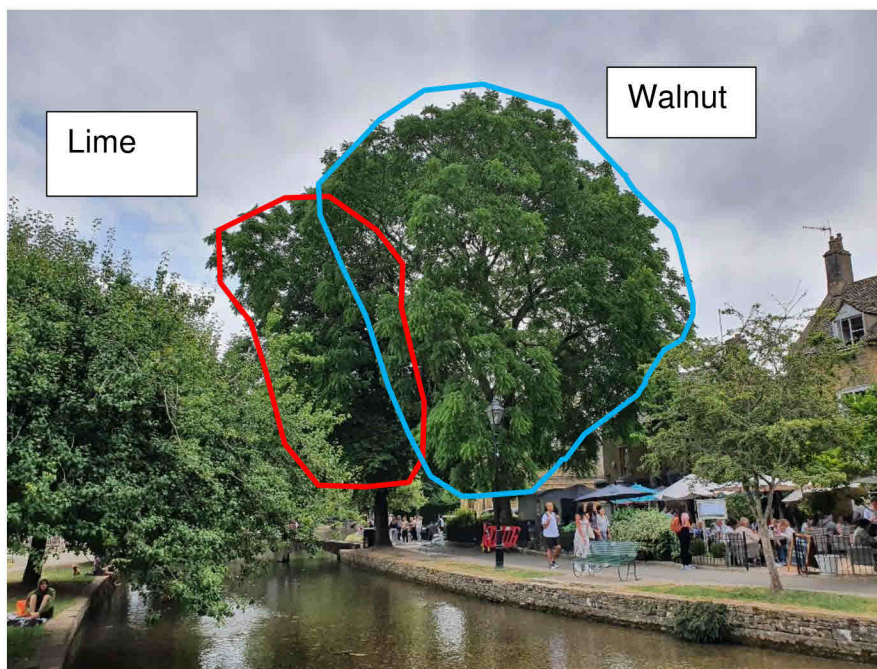
Photograph 1. Front Boundary



Photograph 2. Footpath (with service scar) and verge



Photograph 3 Walnut and Lime



Photograph 4. Boundary displaced into footpath



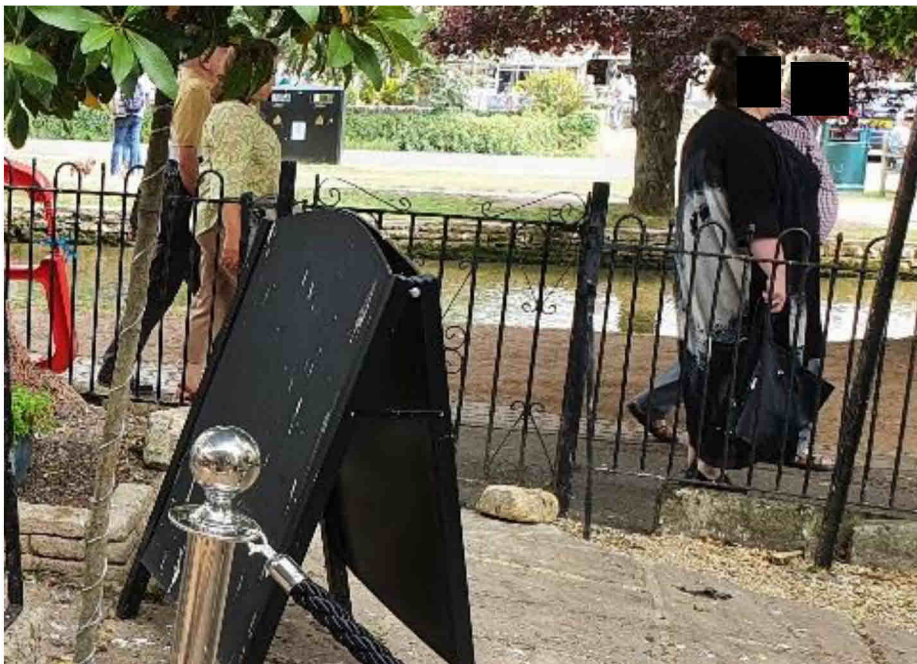
Photograph 5 and 6. Vertical displacement of footpath and developing radial cracks



Photograph 7. Displacement of internal retaining wall and paving.



Photograph 8. Displaced pedestrian gate access



PLANNING AND LICENSING COMMITTEE 9th November 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 9th November 2022
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Parish	Application	Schedule No.
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Saintbury	Middle Hill Farm Saintbury Broadway Gloucestershire WR12 7PX 20/02799/LBC Listed Building Consent	02
Tetbury	Northfield Garage London Road Tetbury Gloucestershire GL8 8HW 21/00549/FUL Full Application	03
Long Newnton	Melcourt Industries Limited Boldridge Brake Crudwell Lane Long Newnton Tetbury Gloucestershire GL8 8RT 21/04342/FUL Full Application	04
Cirencester	77 Victoria Road Cirencester Gloucestershire GL7 1ES 22/02837/FUL Full Application	05

Item No 01:-

20/02798/FUL

**Middle Hill Farm
Saintbury
Broadway
Gloucestershire
WR12 7PX**

Item No 01:-

Demolition of single storey lean to, fenestration alterations and landscaping (part retrospective) at Middle Hill Farm Saintbury Broadway Gloucestershire WR12 7PX

Full Application 20/02798/FUL	
Applicant:	Mr John Evetts
Agent:	Mr Richard Nares
Case Officer:	Ed Leeson
Ward Member(s):	Councillor Gina Blomefield Councillor Tom Stowe
Committee Date:	12th October 2022
RECOMMENDATION:	REFUSE

UPDATE: The application was deferred at the **October Planning & Licensing Committee Meeting** to allow for a **Sites Inspection Briefing**, to assist Members in their consideration of the impact of the proposed alterations on the significance of the **Listed Building**. Members will provide comments regarding their site visit at the **Committee Meeting**.

At the October Meeting, officers provided updates in the Committee's Additional Pages in respect of the application for Listed Building Consent. Those updates to the Case Officer's report are provided in bold type within the relevant text of the Listed Building Consent application report.

1. Main Issues:

- (a) Design and Impact on the Grade II Listed Building
- (b) Impact on the Saintbury Conservation Area
- (c) Impact on Cotswolds Area of Outstanding Natural Beauty (AONB)
- (d) Impact on Biodiversity
- (e) Community Infrastructure Levy (CIL)

2. Reason for Referral:

2.1 An Appeal has been lodged against non-determination of the application and therefore it is necessary for the Committee's resolution to either confirm or overturn the Officer's Recommendation, which will then inform the Appeal process.

3. Site Description:

3.1 Middle Hill Farmhouse is a Grade II listed building comprising an early-18th century farmhouse, modest in scale, but with some elements of rather high-status detailing and incorporating elements of an earlier building.

3.2 The property is set back from the public highway and occupies a large plot with a number of associated farm buildings, some of which are considered to be curtilage listed.

3.3 The main farmhouse and associated stone buildings are located within Saintbury Conservation Area, with the post-war farm buildings located to the west of the historic buildings being located outside the conservation area.

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

3.5 A Grade II listed building, described as 'Stable and Pound approximately 30m east of Middle Farmhouse', is located on the eastern side of the road opposite Middle Hill Farm.

4. Relevant Planning History:

4.1 CD.8240 - Conversion of redundant agricultural building to a dwelling. Refused 24.03.1998.

4.2 CD.8240/A - Conversion of redundant agricultural building to a dwelling. Refused 13.02.1998.

4.3 CD.8240/B - Conversion of redundant agricultural building to a dwelling. Refused 11.12.1998.

4.4 CD.8240/C - Proposed conversion of redundant agricultural building to a dwelling. Permitted 17.06.1999.

4.5 CD.8552 - Erection of silage barn and sheep accommodation. Granted 27.03.2001.

4.6 02/01324/LBC - Re-lay flagstone flooring and erection of stud partition wall in existing ground floor store. Granted 01.08.2002.

4.7 20/02798/FUL - Demolition of single storey lean to, fenestration alterations and landscaping (part retrospective). Pending determination.

4.8 20/02799/LBC - Demolition of single storey lean to, fenestration alterations, internal alterations to include new mechanical and electrical works, and landscaping (part retrospective). Pending determination.

4.9 21/04415/FUL - Proposed conversion of agricultural barn to ancillary accommodation/domestic workshop and store. Granted 13.05.2022.

4.10 21/04416/LBC - Proposed conversion of agricultural barn to ancillary accommodation/domestic workshop and store. Granted 13.05.2022.

4.11 Listed Building Enforcement Notice issued on 22.05.22 for a number of unauthorised works under LPA reference 21/00092/LIST - subject to current Appeal.

5. Planning Policies:

EN1 Built, Natural & Historic Environment
EN2 Design of Built & Natural Environment
EN4 The Wider Natural & Historic Landscape
EN5 Cotswolds AONB
EN8 Bio & Geo: Features Habitats & Species
EN10 HE: Designated Heritage Assets
EN11 HE: DHA - Conservation Areas
TNPPF The National Planning Policy Framework

6. Observations of Consultees:

6.1 Conservation Officer: Objects (comments incorporated within Officer's Assessment).

7. View of Town/Parish Council:

7.1 No comments received at time of writing report.

8. Other Representations:

8.1 No comments received at time of writing report.

9. Applicant's Supporting Information:

- (i) Drawings
- (ii) Design and Access/ Heritage Statement
- (iii) Finishes Schedule
- (iv) Photos

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 and background

10.2 The application seeks planning permission for the demolition of a single storey lean-to, fenestration alterations and landscaping, and is part retrospective. For clarification, the specific works that are considered to require planning permission and, thus, form the application, are as follows:

- The removal of the modern lean-to to the north elevation and the adjacent boundary wall being made good;

- The 'reinstating' of a wall at the entrance to the courtyard at the rear of the property; and
- Levelling the areas to the front and rear of the farmhouse to their 'historic level'. This element, on balance, is considered to cumulatively equate to an engineering operation due to the volume of material proposed to be removed.

10.3 It should be noted that the alterations to the property's fenestration are not considered to require planning permission as the materials to be used would match those within the property and would therefore be permitted development under Part I, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015.

10.4 It should also be noted that the Council's Conservation Officer provided his consultee comments to the applicant/agent on 2nd October 2020, advising that a number of the proposals that formed part of the accompanying Listed Building Consent application required further information to be submitted to be fully assessed, or were considered unacceptable. Subsequent visits to the property, however, found that these works had largely been implemented, without the requested amendments or further information submitted and, evidentially, without Consent having been granted.

10.5 An enforcement investigation was subsequently opened (under the Council's reference 21/00092/LIST) due to the works being undertaken without Listed Building Consent being granted. A number of these works were considered to have a harmful impact on the special character and historic interest of the Grade II listed designated heritage asset, and were considered to fail to accord with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

10.6 The planning agent for the applications was advised via emails on 13th May 2021 that the Council would be continuing with formal enforcement action for the elements that were considered harmful. It was recommended the applications 20/02798/FUL and 20/02799/LBC were withdrawn and resubmitted for the proposals that were considered uncontentious, with the works deemed unacceptable and that would eventually form the Listed Building Enforcement Notice removed from the drawings.

10.7 On 19th May 2021, however, in an email to the planning agent, it was confirmed by the Council that the current applications could be amended, as opposed to being withdrawn and resubmitted, with the works deemed unacceptable removed from the drawings.

10.8 Whilst amended drawings were eventually submitted on 11th November 2021, the contentious elements had not been removed from the drawings. The Council therefore continued with issuing a Listed Building Enforcement Notice (LBEN) on 26th May 2022, and the applications were left in a state of the current non-determination. For clarity, one aspect of this planning application (as opposed to the other works under enforcement, which only need Listed Building Consent), the wall at the entrance to the courtyard, has formed part of the LBEN due to the works being undertaken without prior consent and it being considered to be unacceptable, for reasons outlined within this report.

(a) Design and Impact on the Grade II Listed Building

10.9 Middle Hill Farmhouse 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 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Section 16 of the National Planning Policy Framework.

10.10 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.

10.11 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."

10.12 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, proposals would not be supported unless clear and convincing justification of public benefit can be demonstrated to outweigh that harm.

10.13 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."

10.14 Section 16 of the National Planning Policy Framework requires that Local Planning Authorities 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.

The removal of the modern lean-to to the north elevation and the adjacent boundary wall being made good

10.15 The proposals include the removal of a modern lean-to on the northern elevation of the property, which has already been carried out. As part of this, the boundary wall has been repaired, and partially rebuilt. It appears from historic photographic records that the lean-to

was likely to be of a twentieth century construction, constructed in brickwork. The lean-to therefore had limited significance, and its removal has therefore not harmed the overall significance of the listed building. The partial rebuilding of the boundary wall has been carried out in a sympathetic manner, and follows the character of the wall, re-using much of the original stone. This would therefore not cause harm to the significance of the listed building and is considered acceptable.

The 'reinstating' of a wall at the entrance to the courtyard at the rear of the property

10.16 To the rear of the property, an external wall has been inserted at the entrance to the courtyard. This wall appears to be shown on historic mapping in this location, and therefore the creation of a wall in this location is acceptable. No details have been provided within the application for the design of the wall, nor any details of the proposed materials. It is evident, however, as this has already been constructed, that inappropriate modern materials have been utilised in the construction. Due to the historic character of the listed building, including the intrinsic use of traditional materials, it is important that the proposals are carried out to a suitable standard to match the existing building. The wall has been constructed from breeze block, with stone facing, which is an unauthentic creation and officers consider to be entirely uncharacteristic of the high quality materials used elsewhere on and around the listed building. The construction of this wall is therefore considered to dilute the quality of the listed building and its setting, and this therefore causes a low degree of harm to the overall significance of the listed building.

Levelling the areas to the front and rear of the farmhouse to their 'historic level'

10.17 The proposals involve altering the levels of the land surrounding the house. The proposals state that this is a 're-instatement' of historic levels. Evidence has not been provided for these historic levels. Nevertheless, the proposed changing levels to the front of the property are unlikely to cause any harm to the significance of the listed building, or to the Conservation Area. There is therefore no objection to this element of the proposals. Evidence would need to be provided, however, to show that this will not impact the foundations of the main house, thereby potentially harming the historic fabric of the asset.

10.18 Taking the above into account, cumulatively, the proposals are not considered to accord with Local Plan Policies EN1, EN2 and EN10, and Sections 12 and 16 of the NPPF.

10.19 Notwithstanding the above, the importance of incorporating proposals and amendments that have a positive impact on the energy performance of developments is recognised. The proposed alterations to the building here would have been unlikely to improve the energy performance of the building, instead resulting in the loss of embodied carbon through altering historic features. The windows proposed for replacement within the building were not of any notable age, and therefore there would have been no objection to the replacement of these, subject to these being traditional in style and appearance, and upon agreement it may have been possible to insert windows which had better energy performance. If the proposals had not already been implemented, the proposed changes would have resulted in a net negative impact on the environment, due to the loss of embodied carbon with unnecessary alterations which did not have any positive impact on the energy efficiency of the house. In addition, the use of non-traditional materials, such as expanding foam, has introduced a non-sustainable material, with results that could have easily been achieved with a traditional lime mortar.

(b) Impact on the Saintbury Conservation Area

10.20 The site lies within the Saintbury 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 Buildings and Conservation Areas) Act 1990.

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

As outlined at section (a), Section 16 of the National Planning Policy Framework requires that Local Planning Authorities take account of the desirability of sustaining or enhancing the significance of heritage assets.

10.22 Middle Hill Farmhouse makes a positive contribution to the overall significance of the Conservation Area, due to architectural features, traditional Cotswold Design and its farm character, contributing to the agricultural character evident in this part of the village. As outlined at section (a), the harmful element that forms part of this application, the courtyard wall, is located to the rear of the building. It is therefore considered that there will be no overall impact on the significance of the Saintbury Conservation Area and the proposals comply with Local Plan Policy EN11 and Section 16 of the NPPF.

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

10.23 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.

10.24 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 be expected to 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.

10.25 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.

10.26 The proposals would be contained within the residential curtilage of the host dwelling with no encroachment into open countryside or significant impact on views of the site from the surrounding AONB. 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 Biodiversity

10.27 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.

10.28 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.

10.29 Whilst the application site relates to works to a historic building, they do not include works to the roof of the building, and the proposals are considered relatively minor in their nature. Although no biodiversity enhancements have been proposed as part of the application, the development is not considered to have had resulted, or would result, in the deterioration or unacceptable impact on existing habitats or protected species.

10.30 Taking the above into account, the proposals are considered to conserve biodiversity and geodiversity and therefore comply with Local Plan Policy EN8 and the NPPF.

(e) Community Infrastructure Levy (CIL)

10.31 This development is not liable for CIL 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.

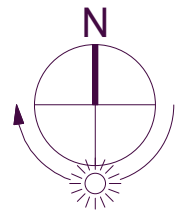
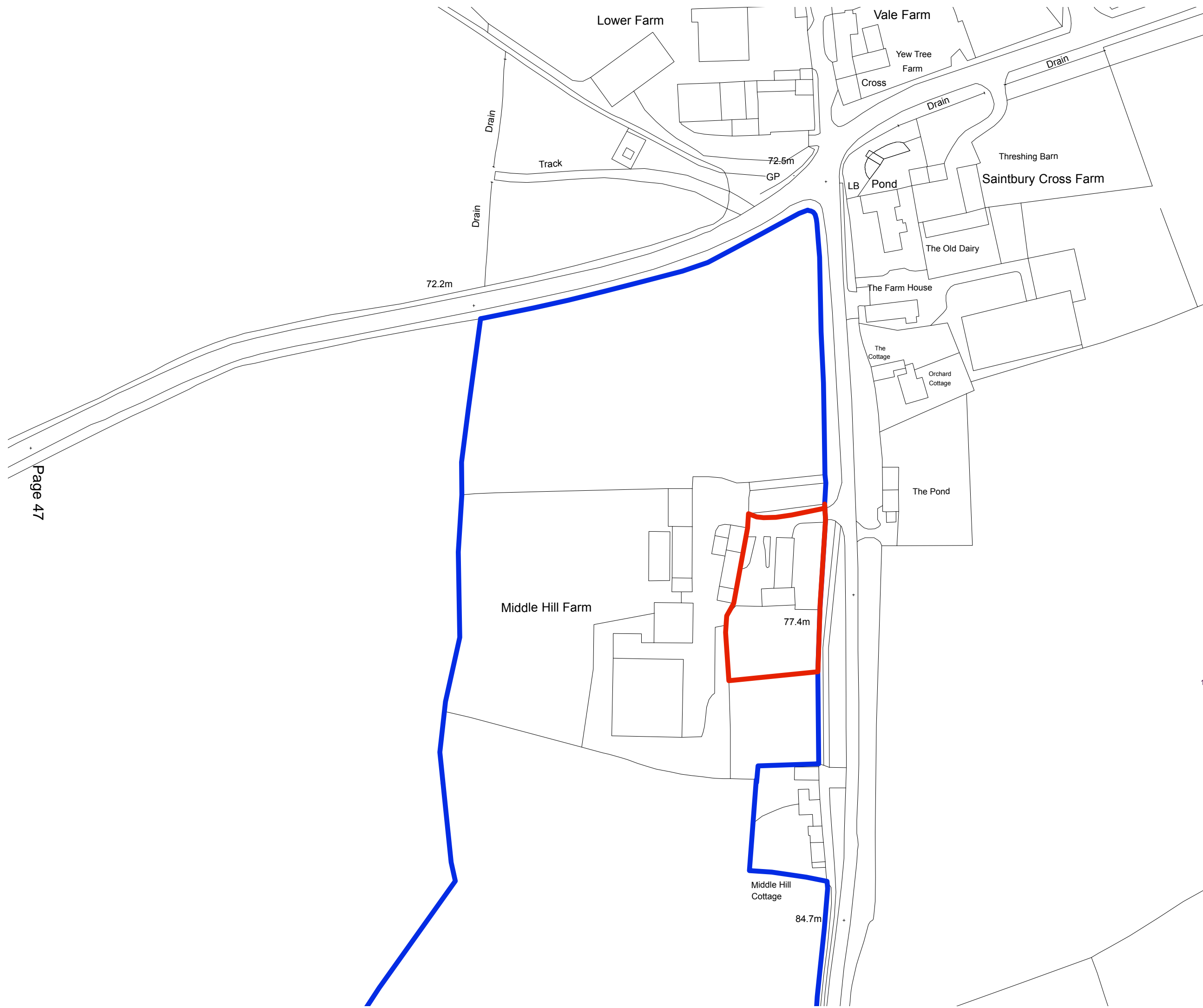
11. Conclusion:

11.1 The Local Planning Authority considers that the proposals, most notably the poor quality construction of the external courtyard wall, are wholly contrary to both the policies within the Cotswold District Local Plan and the NPPF for the reasons stated above, which are not outweighed by any other material planning considerations. The harm that's considered to arise from this element of the proposal would be less-than-substantial, but not be outweighed by any resultant public benefits. As such, the proposals as a whole also conflict with paragraph 202 of the National Planning Policy Framework. As such, the application is recommended for refusal.

11.2 Whilst, as ever, the application needs to be considered on its merits, should there be an absence of support for the recommendation to refuse the application and the application is permitted the LPA will then find itself in the position whereby it is finding acceptable works against which it has previously taken enforcement action and which were found to be unacceptable.

12. Reason for Refusal:

Middle Hill Farmhouse is a Grade II listed building. Under the Planning (Listed Buildings and Conservation Areas) Act, 1990, there is a statutory duty for the Local Planning Authority 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 proposals would harm aspects of the listed building's fabric, character, appearance and setting that contribute positively to its significance, thereby neither preserving its special architectural or historic interest, nor sustaining its significance as a designated heritage asset. This harm would arise from a number of elements, most notably the poor quality construction of the external courtyard wall. The harm would be less-than-substantial, but not be outweighed by any resultant public benefits. As such the proposals conflict with paragraph 202 of the National Planning Policy Framework, and to grant permission would be contrary to the requirements of Section 16 of the Framework, and the statutory duty of Section 66(1) of the 1990 Act. The proposal is also contrary to Policies EN2, EN10 and EN11 of the Cotswold District Local Plan.



KEY

- Application Area
- Land in Client Ownership



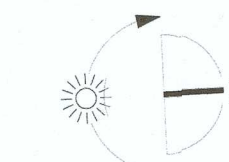
Mr John Evetts

*Middle Hill Farm
Saintbury
Gloucestershire
WR12 7PX*

OS Location Plan

Drawing 100.001 Rev A

July 2020



1 : 200 @ A1
0 5 10 20 30m

Mr John Evetts


Middle Hill Farm
Saintbury
Gloucestershire
WR12 7PX


Existing Block Plan


Drawing 100.010 Rev A

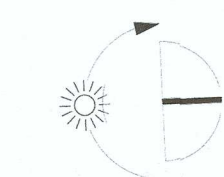
Rev B October 2021

KEY:

 Existing Buildings

 Proposed Walls

 Demolitions



1 : 200 @ A1

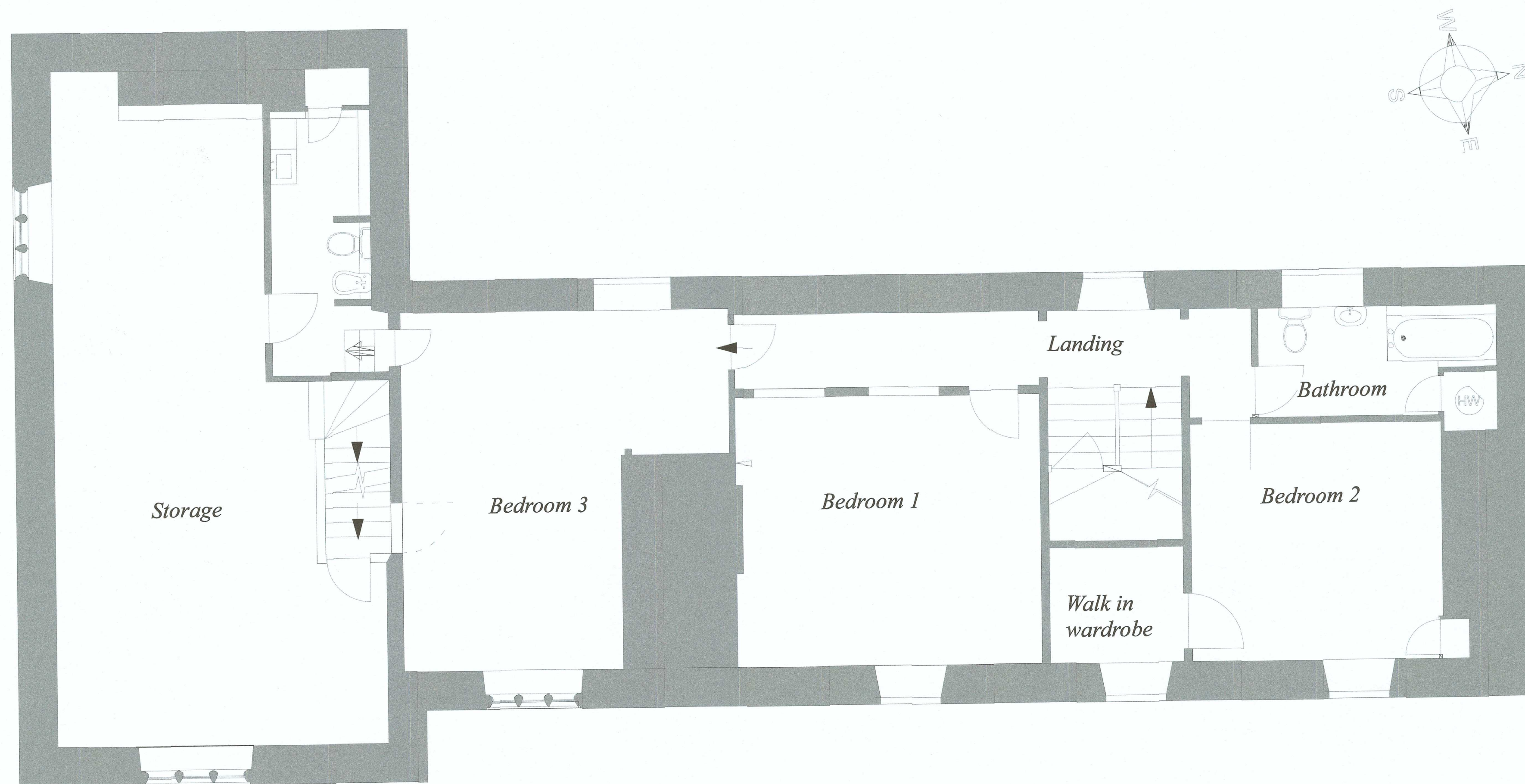
Mr John Evetts

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WR12 7PX*

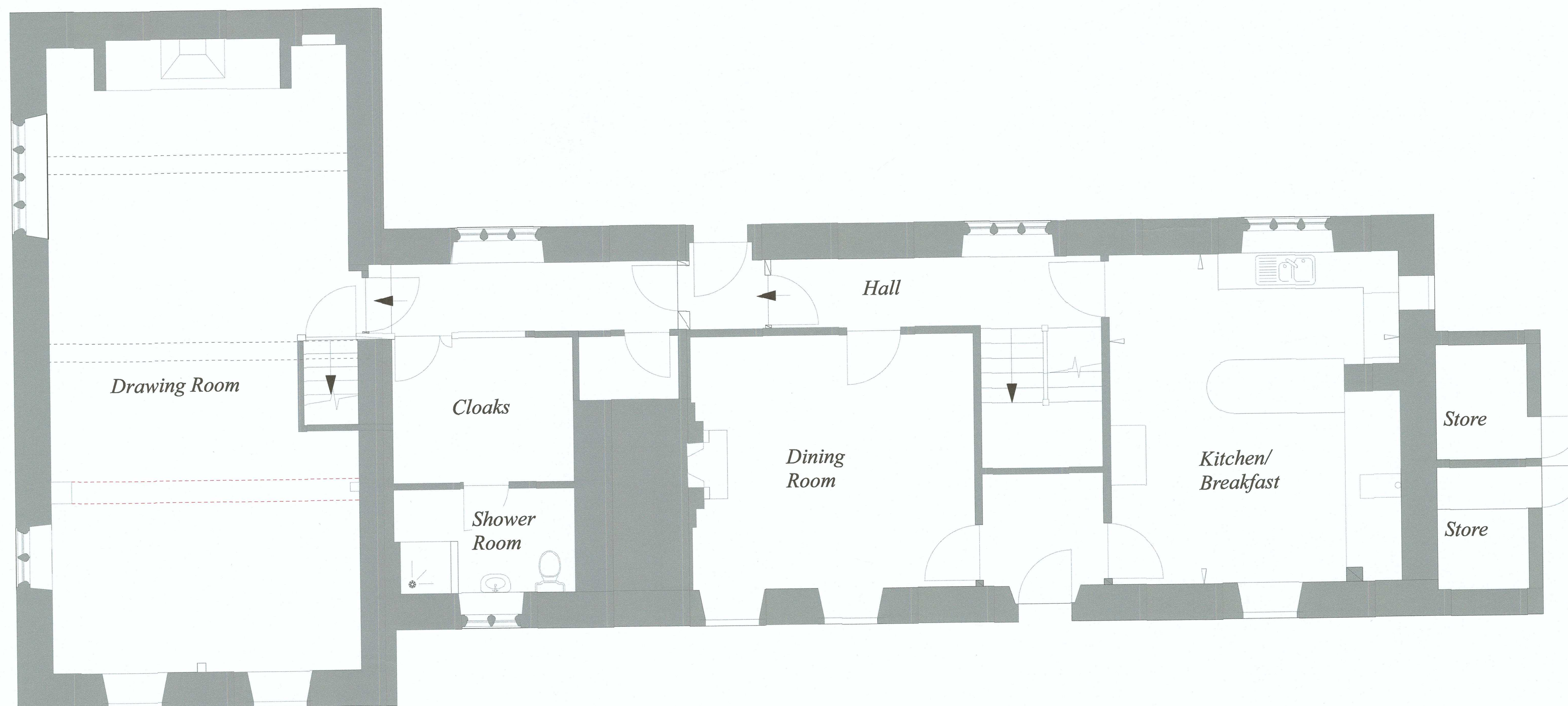
Proposed Block Plan

Drawing 100.110 Rev A

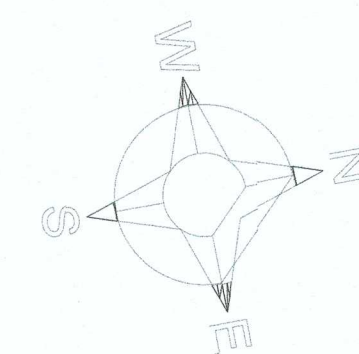
Rev B October 2021



First Floor



Ground Floor



1:50 @ A1
0 1 2 3m
0 5 10ft

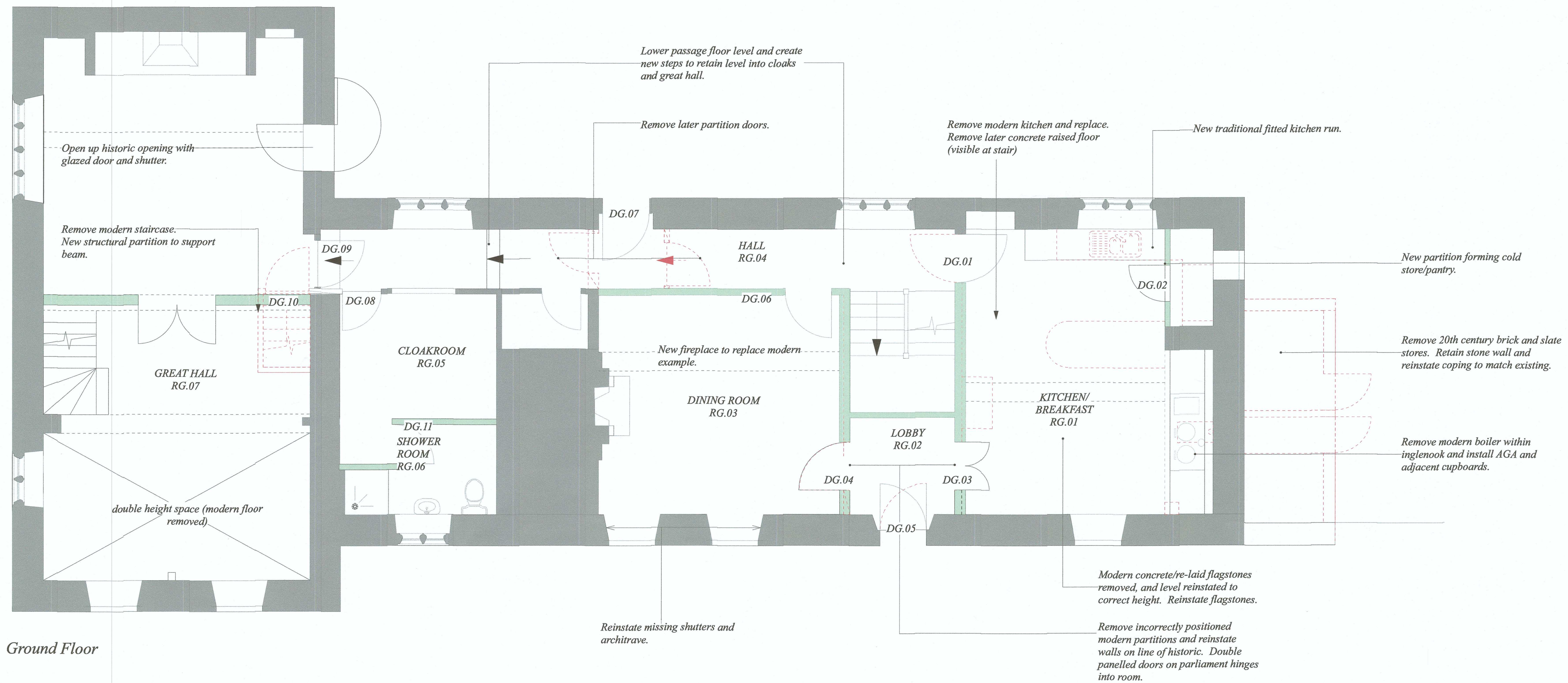
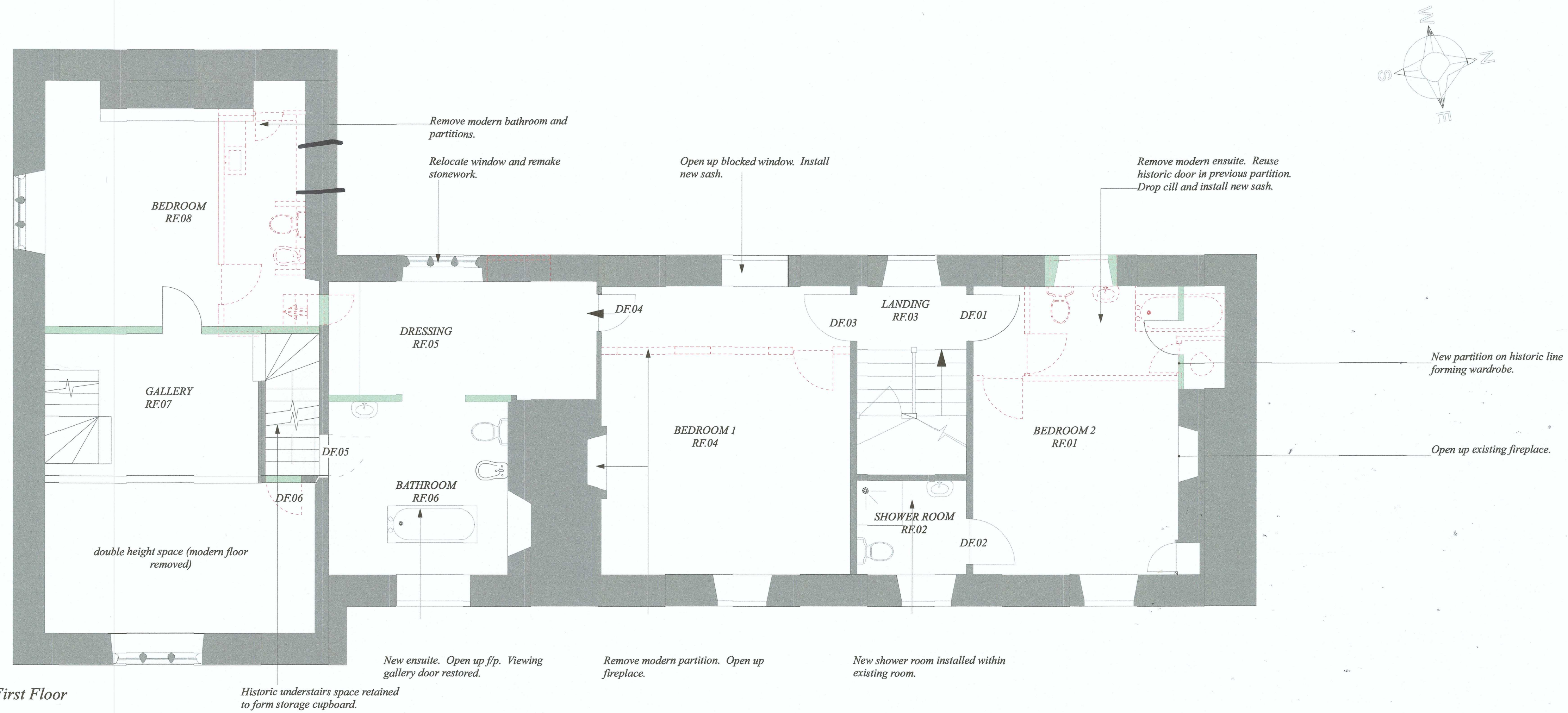
Mr John Evetts

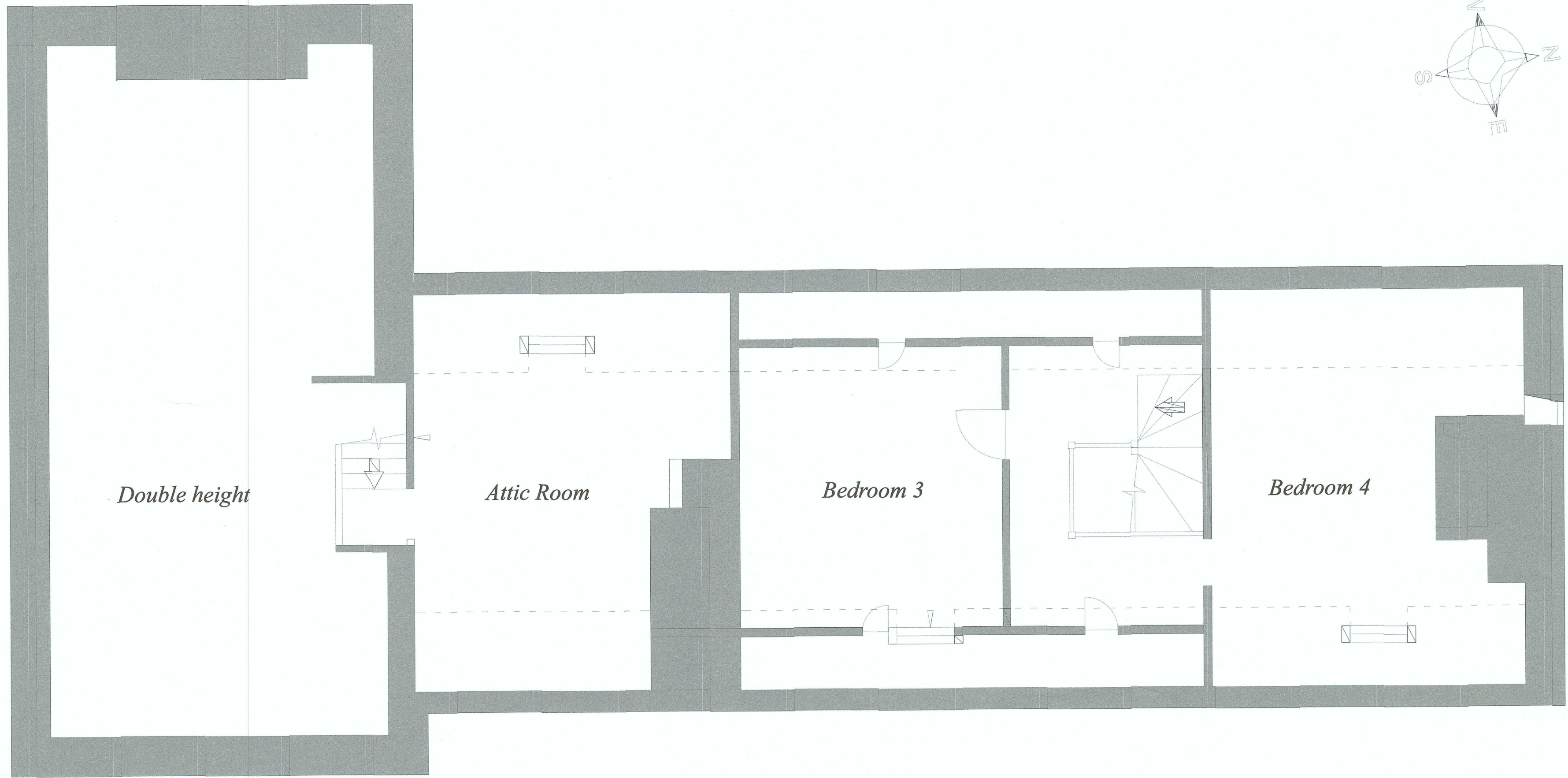
*Middle Hill Farm
Saintbury
Gloucestershire
WR12 7PX*

Existing Ground + First Floor Plan

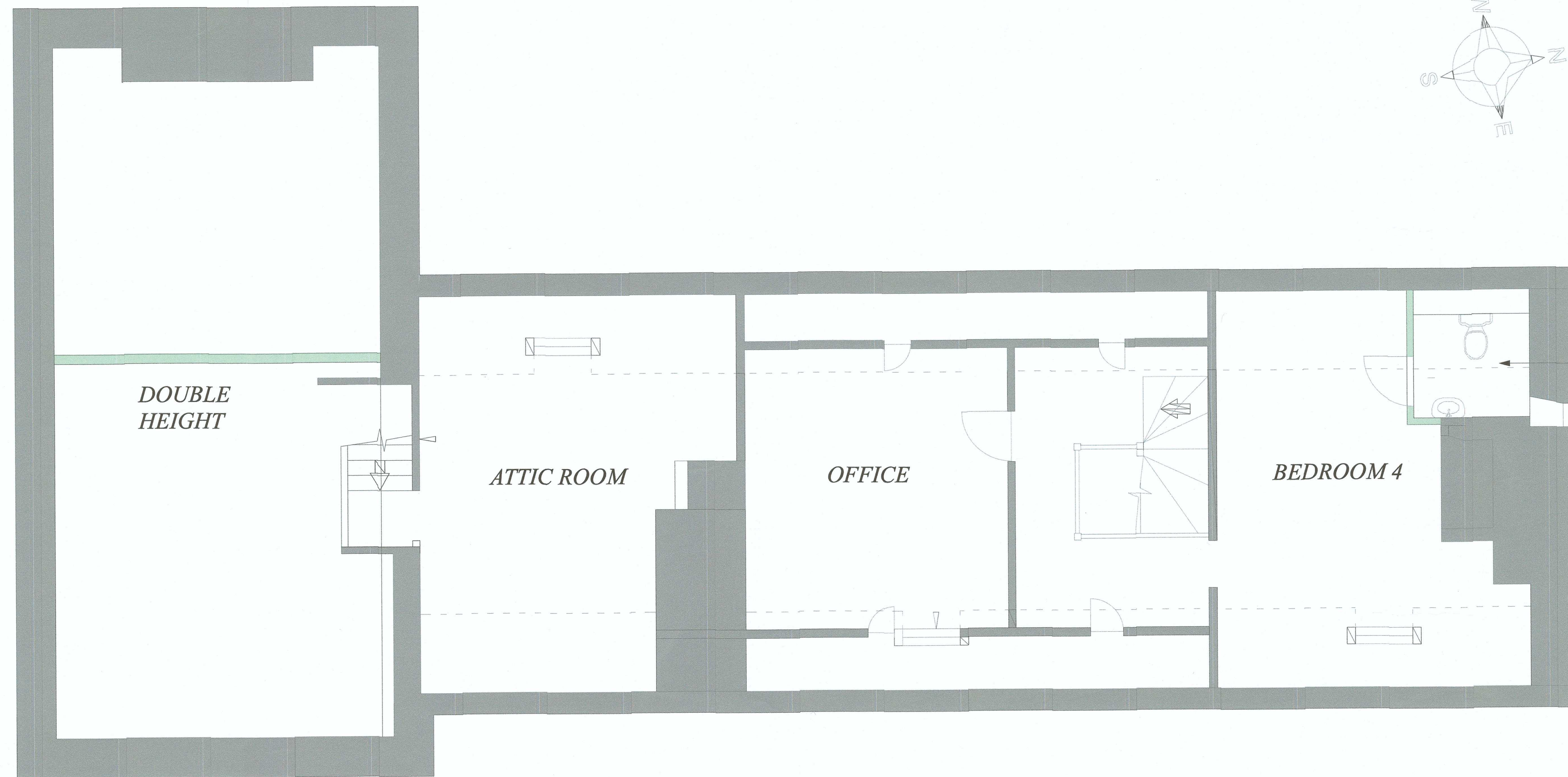
Drawing 100.011 Rev A

Rev B October 2021





Second Floor



SECOND FLOOR

- KEY:
- Existing Walls
 - Proposed Walls
 - Demolitions

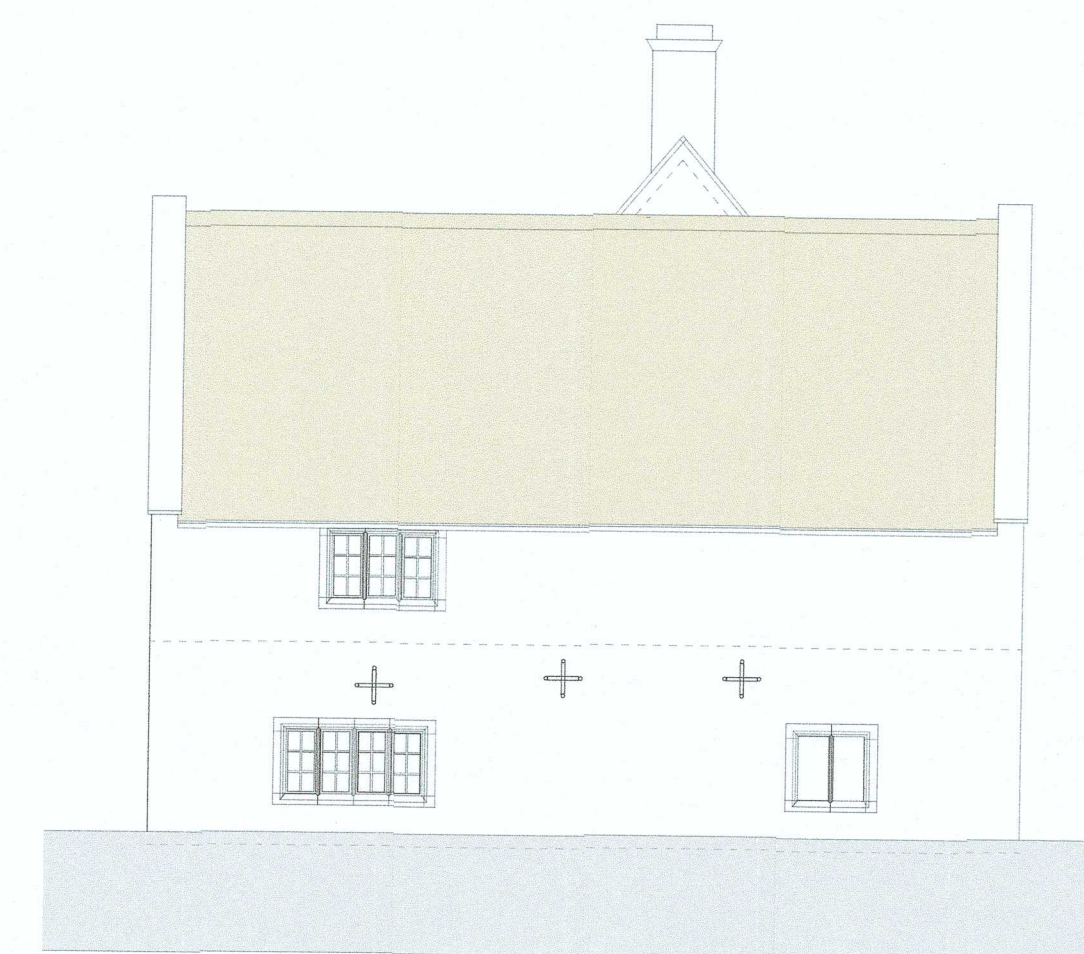
1:50 @ A1

Mr John Evetts
Middle Hill Farm
Saintbury
Gloucestershire
WR12 7PX

Existing and Proposed Second Floor Plans
Drawing 100.112 Rev A
July 2020



EAST ELEVATION



SOUTH ELEVATION



WEST ELEVATION



NORTH ELEVATION

1 : 100 @ A1
0 5m
0 15ft

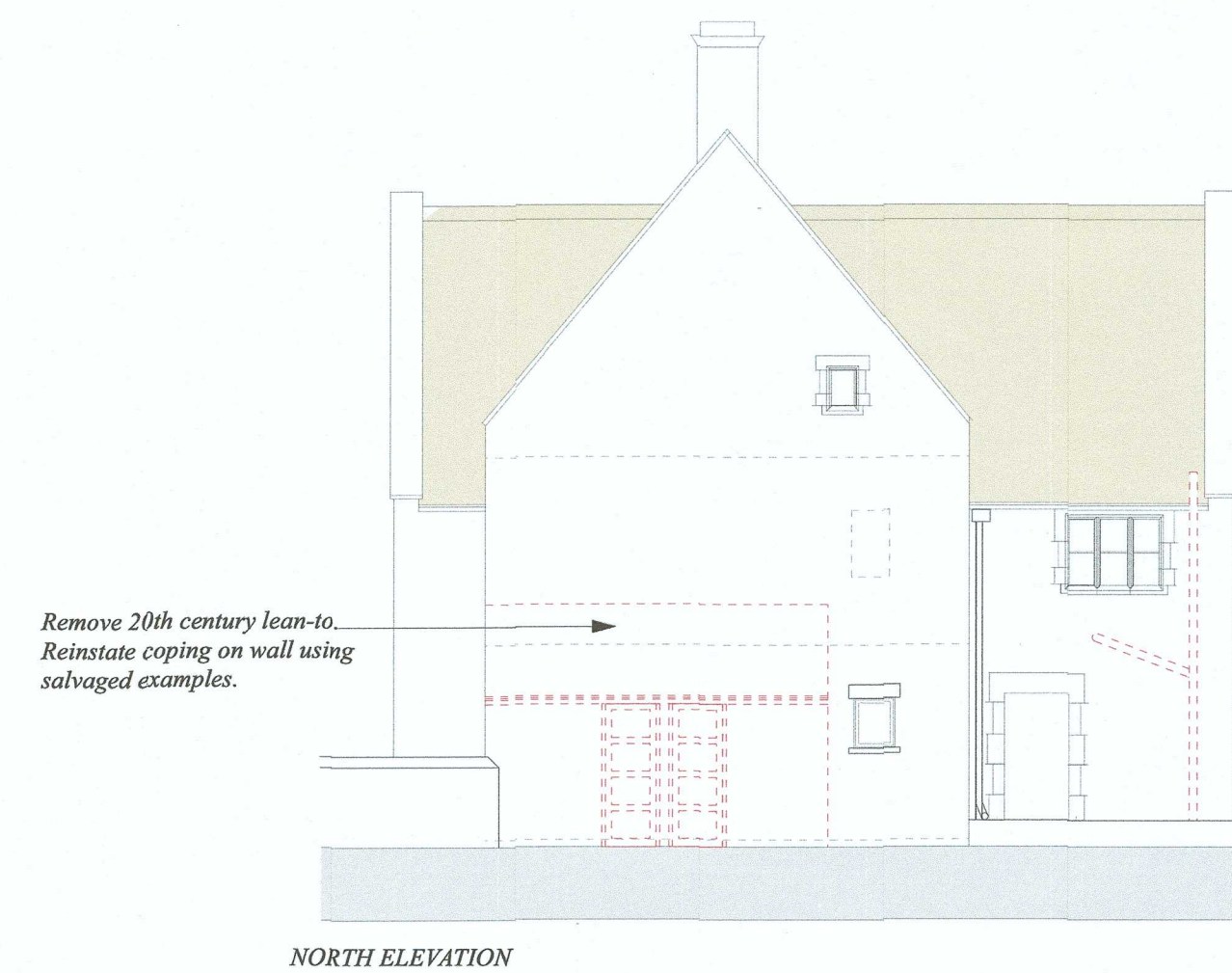
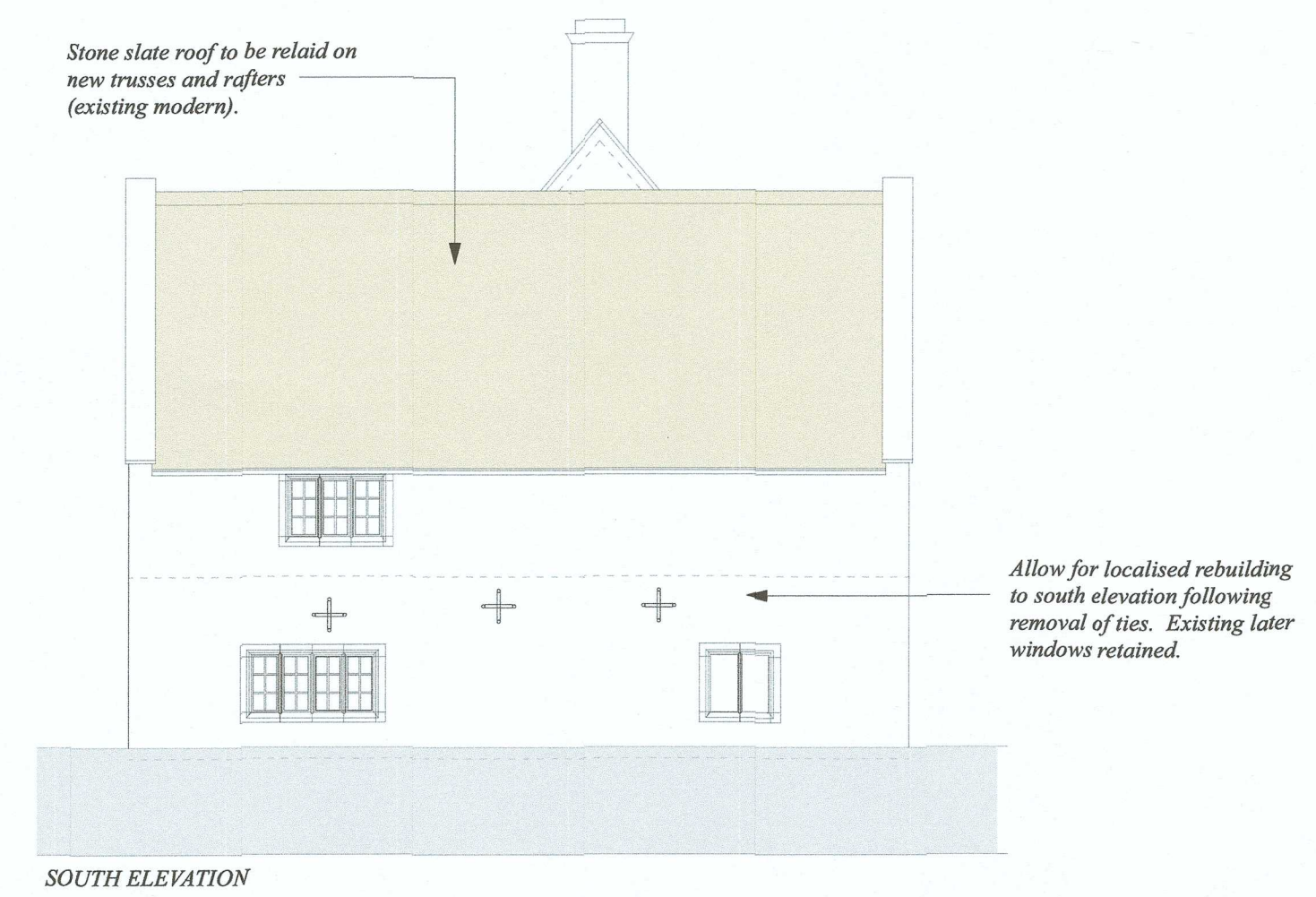
Mr John Evetts

Middle Hill Farm
Saintbury
Gloucestershire
WR12 7PX

Existing Elevations

Drawing 100.013 Rev A

Rev B October 2021



KEY:
----- Demolitions

1 : 100 @ A1
0 5m
0 15ft

Mr John Evetts
Middle Hill Farm
Saintbury
Gloucestershire
WR12 7PX

Proposed Elevations
Drawing 100.010 Rev A
July 2020

Item No 02:-

20/02799/LBC

**Middle Hill Farm
Saintbury
Broadway
Gloucestershire
WR12 7PX**

Item No 02:-

Demolition of single storey lean to, fenestration alterations, internal alterations to include new mechanical and electrical works, and landscaping (part retrospective) at Middle Hill Farm Saintbury Broadway Gloucestershire WR12 7PX

Listed Building Consent 20/02799/LBC	
Applicant:	Mr John Evetts
Agent:	Mr Richard Nares
Case Officer:	Ed Leeson
Ward Member(s):	Councillor Gina Blomefield Councillor Tom Stowe
Committee Date:	12th October 2022
RECOMMENDATION:	REFUSE

UPDATE: The application was deferred at the October Planning & Licensing Committee Meeting to allow for a Sites Inspection Briefing, to assist Members in their consideration of the impact of the proposed alterations on the significance of the Listed Building. Members will provide comments regarding their site visit at the Committee Meeting.

At the October Meeting, officers provided updates in the Committee's Additional Pages in respect of the application for Listed Building Consent. Those updates to the Case Officer's report are provided in bold type within the relevant text of the following report.

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. Reason for Referral:

2.1 An Appeal has been lodged against non-determination of the application and therefore it is necessary for the Committee's resolution to either confirm or overturn the Officer's Recommendation, which will then inform the Appeal process.

3. Site Description:

3.1 Middle Hill Farmhouse is a Grade II listed building comprising an early-18th century farmhouse, modest in scale, but with some elements of rather high-status detailing and incorporating elements of an earlier building.

3.2 The property is set back from the public highway and occupies a large plot with a number of associated farm buildings, some of which are considered to be curtilage listed.

3.3 The main farmhouse and associated stone buildings are located within Saintbury Conservation Area, with the post-war farm buildings located to the west of the historic buildings being located outside the conservation area.

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

3.5 A Grade II listed building, described as 'Stable and Pound approximately 30m east of Middle Farmhouse', is located on the eastern side of the road opposite Middle Hill Farm.

4. Relevant Planning History:

4.1 CD.8240 - Conversion of redundant agricultural building to a dwelling. Refused 24.03.1998.

4.2 CD.8240/A - Conversion of redundant agricultural building to a dwelling. Refused 13.02.1998.

4.3 CD.8240/B - Conversion of redundant agricultural building to a dwelling. Refused 11.12.1998.

4.4 CD.8240/C - Proposed conversion of redundant agricultural building to a dwelling. Permitted 17.06.1999.

4.5 CD.8552 - Erection of silage barn and sheep accommodation. Granted 27.03.2001.

4.6 02/01324/LBC - Re-lay flagstone flooring and erection of stud partition wall in existing ground floor store. Granted 01.08.2002.

4.7 20/02798/FUL - Demolition of single storey lean to, fenestration alterations and landscaping (part retrospective). Pending determination.

4.8 20/02799/LBC - Demolition of single storey lean to, fenestration alterations, internal alterations to include new mechanical and electrical works, and landscaping (part retrospective). Pending determination.

4.9 21/04415/FUL - Proposed conversion of agricultural barn to ancillary accommodation/domestic workshop and store. Granted 13.05.2022.

4.10 21/04416/LBC - Proposed conversion of agricultural barn to ancillary accommodation/domestic workshop and store. Granted 13.05.2022.

4.11 Listed Building Enforcement Notice issued on 22.05.22 for a number of unauthorised works under LPA reference 21/00092/LIST - subject to current Appeal.

5. Planning Policies:

TNPPF The National Planning Policy Framework

6. Observations of Consultees:

6.1 Conservation Officer: Objects (comments incorporated within Officer's Assessment).

7. View of Town/Parish Council:

7.1 No comments received at time of writing report.

8. Other Representations:

8.1 No comments received at time of writing report.

9. Applicant's Supporting Information:

- (i) Drawings
- (ii) Design and Access/ Heritage Statement
- (iii) Finishes Schedule
- (iv) Photos

10. Officer's Assessment:

Proposal and background

10.1 The application seeks Listed Building Consent for the demolition of a single storey lean-to, fenestration alterations, internal alterations to include new mechanical and electrical works, and landscaping, and is part retrospective.

10.2 It should be noted that the Council's Conservation Officer provided his consultee comments to the applicant/agent on 2nd October 2020, advising that a number of the proposals required further information to be submitted to be fully assessed, or were considered unacceptable. Subsequent visits to the property, however, found that these works had largely been implemented, without the requested amendments or further information submitted and, evidentially, without Consent having been granted.

10.3 An enforcement investigation was subsequently opened (under the Council's reference 21/00092/LIST) due to the works being undertaken without Listed Building Consent being granted. A number of these works were considered to have a harmful impact on the special character and historic interest of the Grade II listed designated heritage asset, and were considered to fail to accord with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

10.4 The planning agent for the applications was advised via emails on 13th May 2021 that the Council would be continuing with formal enforcement action for the elements that were considered harmful. It was recommended the applications 20/02798/FUL and 20/02799/LBC were withdrawn and resubmitted for the proposals that were considered uncontentious, with

the works deemed unacceptable and that would eventually form the Listed Building Enforcement Notice removed from the drawings.

10.5 On 19th May 2021, however, in an email to the planning agent, it was confirmed by the Council that the current applications could be amended, as opposed to being withdrawn and resubmitted, with the works deemed unacceptable removed from the drawings.

10.6 Whilst amended drawings were eventually submitted on 11th November 2021, the contentious elements had not been removed from the drawings. The Council therefore continued with issuing a Listed Building Enforcement Notice on 26th May 2022, and the applications were left in a state of the current non-determination.

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

10.7 Middle Hill Farmhouse 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.

10.8 The National Planning Policy Framework (NPPF) outlines the Government's planning policies for England. Section 16 of the NPPF states that LPAs should take account of the desirability of sustaining or enhancing the significance of heritage assets and advises that heritage assets are "an irreplaceable resource, and should be conserved in a manner appropriate to their significance." (NPPF, paragraph 189).

Paragraph 199 states that:

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

10.9 It also states that significance can be harmed through alteration or development within the setting. The Planning Practice Guidance document 'Historic Environment' supports this and states, "harm may arise from works to the asset or from development within its setting." (PPG, paragraph: 018 Reference ID: 18a-018-20190723).

10.10 In terms of case law, in the case of Barnwell Manor Wind Energy Ltd v. E. Northants DC, English Heritage, National Trust [2014] EWCA Civ 137, the High Court held that in Section 66(1) of the 1990 Act, Parliament intended that the desirability of preserving the settings of listed buildings be of "considerable importance and weight" in the balancing exercise, and that less than substantial harm does not equate to a less than substantial objection.

10.11 The definition of 'significance' is set out within the Glossary as: "The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic."; and "Significance derives not only from a heritage asset's physical presence, but also from its setting." (NPPF, page 71 & 72).

10.12 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 redevelopment will lead to substantial harm, consent 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.

The removal of the modern lean-to to the north elevation and the adjacent boundary wall being made good

10.13 The proposals include the removal of a modern lean-to on the northern elevation of the property, which has already been carried out. As part of this, the boundary wall has been repaired, and partially rebuilt. It appears from historic photographic records that the lean-to was likely to be of a twentieth century construction, constructed in brickwork. The lean-to therefore had limited significance, and its removal has therefore not harmed the overall significance of the listed building. The partial rebuilding of the boundary wall has been carried out in a sympathetic manner, and follows the character of the wall, re-using much of the original stone. This would therefore not cause harm to the significance of the listed building and is considered acceptable.

The 'reinstating' of a wall at the entrance to the courtyard at the rear of the property

10.14 To the rear of the property, an external wall has been inserted at the entrance to the courtyard. This wall appears to be shown on historic mapping in this location, and therefore the creation of a wall in this location is acceptable. No details have been provided within the application for the design of the wall, nor any details of the proposed materials. It is evident, however, as this has already been constructed, that inappropriate modern materials have been utilised in the construction. Due to the historic character of the listed building, including the intrinsic the use of traditional materials, it is important that the proposals are carried out to a suitable standard to match the existing building. The wall has been constructed from breeze block, with stone facing, which is an unauthentic creation and officers consider to be entirely uncharacteristic of the high quality materials used elsewhere on and around the listed building. The construction of this wall is therefore considered to dilute the quality of the listed building and its setting, and this therefore causes a low degree of harm to the overall significance of the listed building.

The rebuilding of the south elevation wall due to severe structural movement

10.15 No evidence has been provided demonstrating the need to rebuild the southern elevation, nor details provided to show how this would be carried out. In addition, no assessment has been provided which analysed or interpreted the Southern Cross wing.

10.16 As outlined within in Listed Building Consent: Historic England Advice Note 16, "Historic England recommends that the level of detail provided [on Listed Building Consent applications] must be sufficient to describe the significance of a heritage asset, to understand the impacts of a proposal on that significance and therefore the steps which follow on (avoidance, minimising of impact, and enhancement of significance). Understanding

significance/special interest smooths the path to a better scheme and assists the assessment of impact by the LPA."

10.17 There is therefore insufficient information to enable the LPA to assess this element of the proposal, and it is not possible to fully assess how the proposals would impact the significance of the listed building. This information was requested as part of the initial feedback to the agent following Conservation Officer consultation. This was not, however, provided. This element of the proposals therefore has the potential to cause less than substantial harm, through loss of historic fabric and loss of architectural interest.

Removal of two UPVC windows on west elevation and matching adjacent historic windows installed

10.18 Evidence on the building suggests that there was an historic opening in the location proposed. The infilling of this opening represents a subsequent phase in the building's development, although this contributes little to the overall significance of the listed building. The reinstatement of the room with the two windows would outweigh the potential harm caused through opening up an historic infill. There would therefore be no resultant harm to the significance of the listed building, and this element of the proposals is therefore acceptable. Details of the windows inserted would, however, be required in order to ensure their suitability.

10.19 The replacement of the modern bathroom window with a sash, restoring the former opening size, would cause no harm to the overall significance of the listed building and is therefore considered acceptable. As with the above, the details of the inserted window have not been provided, and these would be required in order to ensure they are an accurate replacement window.

First-floor window opening created and existing window blocked up

UPDATE: Evidence has been presented by the applicant that demonstrates that there may have been a historic opening in a similar position to the newly inserted window. This latter window is, however, a very different size and formation to the newly inserted window. From externally, there was no evidence in the stonework of the historic opening. The previous, now removed, window opening had been there for many years (pre-1900s), albeit with a later window of no significance, and demonstrated the historic evolution of the building, with windows inserted where needed. As such, the proposed new window, due its size, formal design and directly lined up to the window below, is not appropriate and is not in keeping with the less formal arrangement which existed prior to the unauthorised work. The comments below are therefore still accurate.

10.20 The movement of the window on the first floor of the west elevation in order to align with the window below is not considered to be acceptable. The window itself is of no value, and its replacement would be acceptable, but nevertheless the window appears to be in its historic position, with the stone reveals demonstrating this as the historic location and there being no evidence within the stone work of an earlier window elsewhere. The stonework where the window has been inserted likely dates to the seventeenth century. This work has been carried out without Consent. This has damaged the historic fabric of the building, thereby harming the significance of the building. In addition, the creation of a balanced

elevation is not typical of the evolution of rear elevations of buildings, and prescribes modern day architectural ideals to historic buildings. The placement of the window offset from the window below is a historic feature of interest, typical of rear elevations of buildings at this time, with the window being inserted to suit the internal layout rather than to create a formal façade at the rear, and moving this window would impact this. The window was an integral part of the evolution of the multi-phased listed building, and therefore contributed to the significance of the listed building. The creation of a formal window aligned to that below has created an overly formal character, resulting in the loss of understanding of the building. There is an existing window within the proposed room, and moving this to align with the window below would therefore provide no public benefit against which to weigh up any potential harm. It is therefore considered that this element of the proposals is contrary to Paragraph 202 of the NPPF.

The modern SVP pipes will be removed from the exterior

10.21 This element of the scheme would cause no harm to the significance of the asset.

Any poor quality downpipes will be replaced with cast iron

10.22 This element of the scheme would cause no harm to the significance of the asset.

The later floor level will be removed and the flagstones re-laid

10.23 As with the reinstatement of the historic window opening, the later floor level represents a part of the evolution of the building. This is, however, considered to contribute very little to the overall significance of the listed building. Any new floor surface below the re-laid flagstones would need to be traditional floor surfaces, with breathable surfaces. No details have been provided for the methodology, and these would be required.

Insertion of double-door openings either side of entrance lobby

10.24 The insertion of double doors either side of the entrance lobby would be uncharacteristic of this age and status of building, with a traditional planform being of single doors located opposite one another. This formal eighteenth century entrance was of a comparatively high status, and the positioning and size of these doorways contributes to this character. Altering this element of the plan form will impact the understanding of the historic flow of the building, and would therefore have an impact on the significance of the building, through eroding the quintessential eighteenth century planform. The amended plans show the reduction in size of the proposed openings, but still remove the formal symmetry through the use of the same doors at either side of the entrance hallway. This therefore causes harm to the significance of the building and is not outweighed by any resultant public benefit.

Missing architectural elements such as shutter boxes and fireplaces will be reinstated

10.25 The proposals show the reinstatement of a number of fireplaces. The fireplaces inserted into the Dining Room, Bedroom 2, and the new first floor bathroom have not caused harm to the significance of the listed building and are generally considered acceptable in this instance, given the lower status of these rooms. This element of the proposals in isolation would therefore have been considered acceptable. However, within Bedroom 1 on the first floor, there is panelling which demonstrates the relatively high status of this room. The

fireplace in this room should comprise a substantial timber bolection moulding, which would emphasise the fireplace as one of the principal features of the interior, typical of an eighteenth century room of this status. The inserted fireplace is too simplistic, which gives it an inauthentic styling when viewed in the context of the eighteenth century panelling. The principle of a fireplace reinstatement in this room would be acceptable, although the current inserted example is not appropriate, and details would be needed of the proposed fireplace.

Modern partitions will be removed and reinstalled on the correct line in hallway

10.26 It appears from photographic evidence that the existing partition walls which were removed were modern, machined softwood, constructed over a concrete slab. It is considered, however, that the early eighteenth century staircase appears to remain in situ, and the cellular nature of the plan form, with the characteristic arrangement of two rooms symmetrically flanking the separate stair core, is characteristic of this period of architecture. Whilst the fabric of the walls is therefore in itself not of significance, these likely represent the original plan, and as such are of considerable significance, when viewed with the extant original features such as the stair. In the opinion of officers, these should therefore remain and not be moved. The movement of these walls would cause less than substantial harm which is not outweighed by any public benefit.

New panelled doors will be installed where missing to match historic examples

10.27 This element would not cause any harm to the overall significance of the listed building. Details of the proposed doors would be required prior to their insertion.

Later partition doors in the hallway will be removed

10.28 The removal of the later partition doors at the rear entrance to the building will not impact on the significance of the listed building, with these later doors breaking up the rear corridor. This element of the scheme is therefore acceptable, and will cause no harm to the overall significance of the listed building.

Poor quality bathroom fit out and partitions will be removed

10.29 It is proposed to turn the small central dressing room into a shower room; this is reasonable in principle, subject to details of pipe runs and ventilation.

Elm floorboards will be restored

10.30 The restoration of the elm floorboards is welcome, but no details have been provided for the methodology behind this.

The panelled room will be restored to its original proportions with a new fireplace

10.31 Bedroom 1 comprises a fine, fully panelled eighteenth century room, which has been altered with the insertion of a later partition. The removal of the later partition within Bedroom 1 would form an element of enhancement within the scheme, with this restoring the original form of the room, and demonstrating the status of the room. Within Bedroom 2, the removal of later partitions would also restore the original layout of the building, and therefore represents a positive alteration. There is therefore no objection to this element of

the scheme. For clarity, the matter of installing a fireplace within the panelled room has been assessed above.

A fitted closet will be installed on an original partition line

10.32 There is no objection to the installation of a fitted closet.

A new bathroom will be installed where appropriate including partitions

10.33 There is no objection to the insertion of a bathroom within the northern attic room. Details would be required of the pipe runs and adequate ventilation, in order to ensure that no damage is caused.

The great hall will be restored in one section back to a full height space

10.34 No assessment was provided of the southern cross-wing within the application, and whilst this was requested, no information has been forthcoming. As such, it is impossible to fully understand the historic development of the space. Whilst it is possible that the great hall was historically a full height space, it is also equally possible that this was not the case. The insertion of a second floor within the room is also a part of the historic development of the building, and it is therefore not accepted practice to remove later significant elements to 'restore' an earlier phase. In any event, no evidence has been provided that this space was historically a full height space. This element should therefore be refused on lack of sufficient evidence, and potential impact to the significance of the listed building.

Removal of stair & addition of partition wall in the 'great hall'

10.35 From the fragments that were found on site of worn probably elm treads and risers constructed with forged nails, and its location beneath the historic upper stair, the removed stair appears to have been historic, and its removal would have been unacceptable. Whilst the stair may have clashed with an historic door, it is not uncommon in multi-phased buildings to have differing but equally significant historic phases conflicting; this is part of the layering of phases that adds richness and texture to the history and character of the listed building. A photograph prior to the works also shows potentially historic vertical boarding around the stair at ground floor. If too damaged to be repaired and reinstated, the stair and its enclosure should be replicated on a like-for-like basis.

10.36 The proposals also include the insertion of a partition into the ground floor of the southern cross wing. This has been carried out, and a partition has been inserted into the centre of the great hall in the south wing. This has been cut into the historic floor surface, thereby damaging historic fabric. There does appear to be some degree of variation in floor surface throughout this room, but this appears to be randomly placed, and reminiscent of minor alterations to the room, and repairs to flooring, rather than through the historic subdivision of this space. A detailed assessment of this wing has not been provided, and therefore it is not possible to conclude without doubt that the room has never been divided. It is possible to conclude, however, that this room has been a large undivided space for a large part of its history. It is therefore not accepted practice to restore potential earlier phases of a building, at the expense of later, also significant, phases.

10.37 The understanding of this space, with its architectural features, greatly differs from the more formal later part of the property, and this contributes to the understanding of the evolution of the building. The hall is characteristic of an open space from this period, and the loss of this openness has impacted the character of the building, thereby leading to harm to the significance of the building. In addition, the insertion of the wall into the historic floor surface has resulted in damage to the historic fabric of the building. Historic England in Making Changes to Heritage Assets, state 'The historic fabric will always be an important part of the asset's significance'. In this instance, the loss of fabric removes the legibility of the room as one space. The works done here therefore cause harm to the listed building. This harm is less than substantial harm, but there is no demonstrable public benefit derived from the partition.

10.38 Notwithstanding the above, the importance of incorporating proposals and amendments that have a positive impact on the energy performance of developments is recognised. The proposed alterations to the building here would have been unlikely to improve the energy performance of the building, instead resulting in the loss of embodied carbon through altering historic features. The windows proposed for replacement within the building were not of any notable age, and therefore there would have been no objection to the replacement of these, subject to these being traditional in style and appearance, and upon agreement it may have been possible to insert windows which had better energy performance. If the proposals had not already been implemented, the proposed changes would have resulted in a net negative impact on the environment, due to the loss of embodied carbon with unnecessary alterations which did not have any positive impact on the energy efficiency of the house. In addition, the use of non-traditional materials, such as expanding foam, has introduced a non-sustainable material, with results that could have easily been achieved with a traditional lime mortar.

11. Conclusion:

11.1 The Local Planning Authority considers that a number of elements of the Appeal proposal are contrary to the NPPF for the reasons stated above, which are not outweighed by any other material planning considerations. These elements include the poor quality construction of the external courtyard wall; the loss of historic fabric in rebuilding the south elevation wall with no evidence as to how this will be carried out or why this is required; the creation of the window in the west elevation which will cause loss of historic fabric and creates an overly formal character for a rear elevation; the alterations in planform and understanding of the eighteenth century layout through the insertion of double doors and the changing of partitions in the entrance hall; the insertion of an inauthentic fireplace in Room 1 which is low status and not characteristic of the room; and the alterations to the great hall, including removing the first floor in parts to create a full height space, removal of historic stairs and the insertion of a partition within the space.

11.2 The harm that is considered to arise from these elements of the proposal would be less-than-substantial, but not outweighed by any resultant public benefits. As such the proposals also conflict with paragraph 202 of the National Planning Policy Framework. As such, the application is recommended for refusal.

11.3 Whilst, as ever, the application needs to be considered on its merits, should there be an absence of support for the recommendation to refuse the application and the application is permitted the LPA will then find itself in the position whereby it is finding acceptable works

against which it has previously taken enforcement action and which were found to be unacceptable.

12. Reason for Refusal:

Middle Hill Farmhouse is a Grade II listed building. Under the Planning (Listed Buildings and Conservation Areas) Act, 1990, there is a statutory duty for the Local Planning Authority 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 proposals would harm aspects of the listed building's fabric, character, appearance and setting that contribute positively to its significance, thereby neither preserving its special architectural or historic interest, nor sustaining its significance as a designated heritage asset. This harm would arise from a number of elements, most notably: the poor quality construction of the external courtyard wall; the loss of historic fabric in rebuilding the south elevation wall with no evidence as to how this will be carried out or why this is required; the creation of the window in the west elevation which will cause loss of historic fabric and creates an overly formal character for a rear elevation; the alterations in planform and understanding of the eighteenth century layout through the insertion of double doors and the changing of partitions in the entrance hall; the insertion of an inauthentic fireplace in Room 1 which is low status and not characteristic of the room; and the alterations to the great hall, including removing the first floor in parts to create a full height space, removal of historic stairs and the insertion of a partition within the space. The harm would be less-than-substantial, but would not be outweighed by any resultant public benefits. As such the proposals conflict with paragraph 202 of the National Planning Policy Framework, and to grant permission would be contrary to the requirements of Section 16 of the Framework, and the statutory duty of Section 16(2) of the 1990 Act.

Item No 03:-

21/00549/FUL

**Northfield Garage
London Road
Tetbury
Gloucestershire
GL8 8HW**

Item No 03:-

45 residential dwellings with associated garages/parking, including demolition of existing petrol filling station and other existing buildings at Northfield Garage London Road Tetbury Gloucestershire GL8 8HW

Full Application 21/00549/FUL	
Applicant:	Newland Homes Ltd
Agent:	
Case Officer:	Mike Napper
Ward Member(s):	Councillor Nikki Ind
Committee Date:	9th November 2022
RECOMMENDATION:	DELEGATED PERMISSION subject to i) completion of S106 in respect of Affordable Housing, ii) confirmation of Water Company satisfaction and iii) confirmation of Lead Local Flood Authority satisfaction

1. Main Issues:

- (a) The Principle of the Development
- (b) Design and Visual Impact
- (c) Highways Issues
- (d) Residential Amenity
- (e) Flood Risk

2. Reasons for Referral:

2.1 The Ward Member (Councillor Ind) referred the application for the consideration of the Planning and Licensing Committee for the following reasons:-

"Local Plan Policy S9 - Tetbury

2.2 Whilst this is an allocated Housing development for Tetbury this policy is for 18 Houses (net) on this site - whilst I appreciate this doesn't appear to include the existing petrol station or part of the charity shop, the application for 45 houses is more than double, whilst the increase in site size is not double - it would appear that this could be an overdevelopment of the site. Parking allocation on site is a concern and I also understand that no affordable housing will be provided on this site either, due to the cost in decontamination around the Petrol site, so all housing will be at market value. Given the current cost of living crisis and the need for socially rented houses in the District, I am concerned that this is not a requirement.

2.3 Whilst I understand that there is nothing currently in the Local Plan, consideration of the Climate Emergency declared by Gloucestershire County and Cotswold District Councils would be welcomed, I have noted some allowance in the most recent plans for this site, but

we do need to ensure that we are not building houses which will need to be retrofitted in the next 10 years or so - at a further cost to our residents.

2.4 Policy DS2 - 6.2.6 - Open Spaces, gardens, gaps - Apart from the domestic gardens there is no open space within this development, only grass adjacent to London Road at the entrance to the development. Consideration for the ecological emergency declared by the District Council should also be considered.

Cotswold Design Code

2.5 D10 - Settlements are distinctive in how they sit within the landscape. They have their own unique layouts and patterns of streets. These characteristics should be reflected in the location and design of developments

D11 - tightly arranged

D13- - sense of rhythm

D14 - elevations

I refer to my earlier point about potential overdevelopment of this site.

Policy EN14 - Managing Flood Risk

2.6 Cookspool on opposite side of road is known to flood through the dry-stone wall and across London Road at events of heavy rainfall, consideration must be given to how this could affect the development on the opposite side of the road."

3. Site Description:

3.1 The site of approximately 0.85 ha lies within Tetbury's Development Boundary and is situated on the corner of London Road and Northfield Road and is prominent on a key eastern approach to Tetbury from the A433 (London Road), from which it is accessed. It comprises a former car showroom (formerly Northfield Garage) and a charity shop, with the former Tesco petrol filling (PFS) station to the centre of the London Road frontage. There is existing residential development to the north, south-east and east of the site and Tescos supermarket is located to the south-west of the site. The terraced housing lining Northfield Road is probably early C20, which gives the site some historic context. The site is outside of the town's Conservation Area, which is drawn around its historic market town core to the south-west of the application site. A mature lime tree at the London Road frontage is the subject of a Tree Preservation Order (TPO).

3.2 The majority of the site (excluding the PFS) is allocated within the Cotswold District Local Plan (site reference T_51) for housing re-development with an indicative net delivery of 18 dwellings.

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

3.4 The site is within Flood Zone 1, which is at least risk of surface water flooding. The site is also located within the inner Source Protection Zone (SPZI) for Long Newton Public Water Abstraction.

4. Relevant Planning History:

- 4.1 CT.0547/3/D Change of use of offices to car showroom: Permitted 20.08.92.
- 4.2 CT.0547/3/K Alterations and extension to existing showroom and workshop: Permitted 27.12.95.
- 4.3 CT.0547/3/N Alterations to existing showroom, workshop and forecourt shop (revised scheme): Permitted 29.11.96.
- 4.4 CT.0547/3/P New Audi showroom and body/paint shop: Permitted 20.12.96.
- 4.5 21/00312/FUL Petrol Filling Station and associated works within car parking area of Tesco: Permitted 12.08.21. **N.B. Adjacent to current application site.**

5. Planning Policies:

NPPF National Planning Policy Framework
DS1 Development Strategy
DS2 Dev within Development Boundaries
EN2 Design of Built & Natural Environment
S9 S9 - Tetbury
S9_NG T_51 - Northfield Garage

6. Observations of Consultees:

- 6.1 Housing Strategy Officer: No objections, subject to completion of S106 legal agreement.
- 6.2 Conservation & Design Officer: No objection.
- 6.3 Highways Officer: No objections.
- 6.4 ERS Officer (Pollution): No objection in respect of air quality, noise or contamination.
- 6.5 Waste Manager: Initial comments - Accessibility for waste collection vehicles appears to be satisfactory, but dependent on location of on-street parking. Carry distance for waste operators appears to exceed required 10m.
- 6.6 Biodiversity Officer: No objection.
- 6.7 Tree Officer: No objection.
- 6.8 Lead Local Flood Authority: Awaiting further comments in respect of highway drainage proposals.
- 6.9 Water Company: Comments awaited.

7. View of Town/Parish Council:

Tetbury Town Council: Objects: "There are too many units on a small parcel of land. The location is out of place on the entrance into Tetbury. There still remains a significant problem about the traffic pulling out from this estate, Northfield Road, Tesco and Conygar all onto London Road."

8. Other Representations:

8.1 30 Third Party Objectors:

- i) through thorough viability assessment in relation to Housing policies that seek a minimum 10% Affordable Housing, the development should deliver a minimum of three Affordable Housing units, preferably by commuted sum for off-site provision;
- ii) The density of the development is high and is only achievable by having; no common open play space, that would normally be expected in a residential development of this scale; having 3 electric charge points, obstructing the entrance; and having relatively unbroken car spaces, that as laid out will give a relatively cluttered appearance, not being broken up by sufficiently by Landscaping. Such is not possible, given the number of car spaces, to satisfy standards. The density of the surrounding residential areas and recently approved Tetbury new build developments is approximately 28 dwellings per hectare. The applicant is proposing 50 dwellings per hectare (45 dwellings in 0.9 hectares) this is more than twice the local area and 50dph is more akin to inner city areas. The density needs to be substantially reduced. This would reduce the amount of car parking required and allow the central area of housing to be replaced with a central park area of usable green space and wildflower meadow/trees. It is not acceptable that some plots have no private or usable shared amenity space (e.g. plots 39-40). The garden sizes on a number of plots are also vastly insufficient, 3 bedroom homes should expect a garden size of 60m squared not the 25m squared provided (e.g. plots 1 and 2);
- iii) having regard to Local Plan Policy SAI, there would seem to be a legitimate case for S106 funding, towards GP facilities. In this case that would be towards the new Healthcare Centre. After all, as the existing Surgery is too small, and needs relocating, with expansion. There is a clear necessity, justifying a S106 Agreement. Also, investigation of any need, related to schooling and library contributions is required;
- iv) likely to create extra congestion at the Northfield Rd junction, which is unsafe due to on-street parking and excessive speed. On-site parking is insufficient, which would result in additional cars using roadside parking to the detriment of highway safety; extra traffic generated would create a bottleneck at the nearby London Rd roundabout;
- v) the current petrol station should not be decommissioned until the new one is up and running due to there being no other local petrol station as there is no other way for local residents to get petrol other than driving all the way to Cirencester or Malmesbury;
- vi) The proposed elevations of the dwellings still do not sit well with the more traditional Cotswold vernacular of Tetbury further design changes are required to meet the Cotswold Design Guide. The porches should take cues from the recent new build developments at either end of Tetbury. The fenestration layout is still not symmetrical and lacks prominent lintels;
- vii) Within the development, the street scene is predominantly views of parking. Parking needs to be located to the sides of buildings and not fronting the road. The position of some plots is very far away from their parking space (e.g. 6 and 7) and in reality residents will not be bothered to walk such distances to their car and instead park inappropriately on the

development on Northfield Road. Please look at every recent new build development in Tetbury to see how many cars are parked on the roads due to lack of parking provision. This also makes access for refuse vehicles difficult and dangerous;

viii) The proposed scheme involves the creation of more than 20 dwellings. Criterion 3 of Policy H1 states that 'proposals for more than 20 dwellings will be expected to provide 5% of dwelling plots for sale as serviced or self or custom build plots.' Therefore, 2 self-build plots will need to be provided. This is especially important as the recent Bromford development to the north of Tetbury failed to provide any self-build plots even though the policy required them to do so. The lack of self-build plots is especially frustrating for Tetbury residents;

ix) "Tetbury is over populated and cannot cope with new developments. Council should not let big business rough shot [sic] over people's wishes"; "It is about time the residents of Tetbury were able to live in their town which is not in a continual state of being a building site. We have been living with this for well over 5 years now with all the new developments. This land should be used as a green space for residents."; Lack of adequate local infrastructure facilities and local employment opportunities;

x) the mature trees currently on the site should be retained for biodiversity and carbon dioxide absorption reasons, and also for reasons of privacy; xi) site would be better used to provide an urgently needed new surgery and/or other community facilities, including a public car park;

xii) insufficient regard to Sustainable energy/water-use in the design details and layout; xiii) the proposals need to make on-site provision for children's play as it is not safely accessible to existing alternatives;

xiv) the applicant has made no attempt to engage with or involve local nature conservation organisations (who have the required local expertise) in the design of the development;

xv) the development would create noise and air pollution for existing residents;

xvi) Scale of proposed two and a half & three storey dwellings would create lack of privacy and daylight to existing residents on Northfield Rd, including to a difference in ground levels. Proposed tree screening would not be permanent in the longer term;

xvii) poor design of the development could set an irresistible and dangerous precedent for other sites within the District;

xviii) loss of the charity shop on the site would be detrimental to the town; and

ix) potential use of private drive for turning due to limitations of proposed layout.

9. Applicant's Supporting Information:

Planning Statement

Design & Access Statement

Viability Assessment

Sustainability Statement

Flood Risk Assessment & Drainage Strategy

Ground Investigation Report

Ecological Assessment

5 Year Landscape Management Plan

Noise Impact Assessment

Acoustics Report

Waste Management Plan

10. Officer's Assessment:

The Proposals

10.1 Permission is sought for the redevelopment of the application site to provide 45 new-build dwellings (37 houses, 4 flats above garages and 4 apartments in two blocks), now including 8 units (approx. 17%) of Affordable Housing (4 x 1-bed flats for Social Rent (Plots 27, 28, 39 and 40), 2 x 2-bed houses for Affordable Rent (plots 37 and 38) and 2 x 2-bed houses for Shared Ownership (plots 25 and 26)). The overall mix of house sizes proposed is 4 x 1-bed, 12 x 2-bed, 17 x 3-bed and 12 x 4-bed dwellings.

10.2 The proposed dwellings are of a vernacular-influenced contemporary design and comprise a mix of 2 and 2.5 storeys in height of predominantly Cotswold stone and reconstituted stone, with a smaller amount of render walling, together with a mix of natural blue slate and reconstituted stone roofing. The developer adopts a 'fabric first' approach to sustainable energy performance for all of its new buildings with an objective of achieving Band B of the energy efficiency rating range for new houses. Drawings are attached to this report to show examples of the building types.

10.3 The proposed development would have vehicular access from London Road. Parking provision would comprise 100 spaces in total, with 72 garages and undercroft spaces, 19 open allocated, 6 visitor and 3 for unrestricted use. Electric vehicle charging points would be provided or available for each new dwelling.

(a) The Principle of the Development

10.4 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 an application would therefore be the current development plan for the District which is the Cotswold District Local Plan 2011-2031.

10.5 Local Plan Policy DSI (Development Strategy) states that "Sufficient land will be allocated, which together with commitments and dwellings completed since 2011, will deliver at least 8,400 dwellings and at least 24 hectares for B class employment use over the Plan period 2011-2031." The policy then lists the 17 Principal Settlements across the District, including Tetbury, within which the specific allocations are made. The supporting text of the Policy confirms that "The Principal Settlements listed in Policy DSI have been identified as the most sustainable locations to deliver future growth, with Cirencester being the District's main centre by a very considerable margin. These settlements were selected on the basis of their social and economic sustainability, including accessibility to services and facilities. The availability of suitable land capable of delivering sustainable development during the Plan period also helped determine which settlements to include in the Development Strategy." (paragraph 6.1.9).

10.6 In terms of the delivery of the above strategy, which remains up-to-date, Policy S9 (Tetbury) identifies the land allocated as a result of Policy DSI and includes the majority of the current application site for housing as 'T_51 Northfield Garage' with an indicative capacity for 18 dwellings. The policy's supporting text explains that "As part of the site allocation

process, various constraints and issues (including flood risk, archaeology, landscape, form, scale and access) have been taken fully into account. In some instances, these considerations have resulted in the allocation of fewer units or smaller sites areas being assumed to be built than might otherwise have been anticipated. Further high-level guidance on such considerations, and possible means by which they might be addressed, are included in the Local Plan evidence base, particularly the SHELAA. The number of dwellings referred to for each allocated site is an indication of assumed capacity rather than a policy requirement or limit on the amount of development."

10.7 Importantly, the whole site has also been re-assessed as part of the on-going SHELAA (Strategic Housing and Economic Land Availability Assessment) review process as a potential candidate for re-allocation in the Local Plan Review document for 50 dwellings. The supporting text to the Site Capacity section (paragraph 2.10) explains that "A conservative approach has been used when assessing the capacities of sites to ensure that development trajectories are not over-optimistic. The adopted Local Plan policies have guided the assessment of development potential and site capacities, which provides robust and deliverable estimates."

10.8 Paragraph 2.11 further expands that "As a starting point, the capacities of residential sites have been calculated using a Density Multiplier Assumption. This uses a basic assumption of 30 dwellings per hectare but takes account of the patterns of development. For example, larger developments would be required to provide sustainable drainage, green infrastructure, walking and cycling facilities, some new roads and parking areas, recreational space, and so on. This affects the overall density of the development. To reflect this, the Density Multiplier Assumption makes a deduction on the capacity of larger sites. This method has proven to be realistic and deliverable for the site allocations of the adopted Local Plan."

10.9 The application site is located within Tetbury Development Boundary and Policy DS2 (Development Within Development Boundaries) is also applicable to residential development in such locations, which states that:-

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

10.10 Of additional relevance are paragraphs 176 and 177 of the NPPF that relate to development within AONBs, which states that great weight should be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty and that major development should be refused other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. In this instance, the site is an allocated site within the town's Development Boundary and currently makes no beneficial contribution to the scenic beauty of the AONB. Clause 2 of Local Plan Policy EN5 (Cotswolds Area of Outstanding Natural Beauty) accords with paragraph 177, but clarifies, in paragraph 10.5.2 of the supporting text, that "Clause 2 does not apply to development sites allocated by the Local Plan because the need for those developments and scope for them to be accommodated outside the AONB was assessed during plan preparation."

10.11 In the context of the above policy considerations, the erection of new-build housing on the site is therefore acceptable in principle. Issues of the acceptability of the details of the application, including the impacts of the number of dwelling proposed, will be addressed in

the following sections of this report, assessed against other Local Plan policies and national guidance.

(b) Design and Visual Impact

10.12 Local Plan Policy EN2 (Design of the Built and Natural Environment) policy is applicable to this application, which states that "Development will be permitted which accords with the Cotswold Design Code. Proposals should be of design quality that respects the character and distinctive appearance of the locality." Appendix D of the Design Code reinforces and expands upon these principles and requires that development should respond to its context, and its specific townscape setting (paragraph D.9); There should be close attention to the site and its setting, in determining the overall principle, density and grain, scale and form of new buildings (paragraph D.14); and that excessive or uncharacteristic bulk should be avoided. Whatever the architectural approach (vernacular or contemporary), any design should respond to its context and to local distinctiveness. A high quality of materials, details and finishes is also expected (paragraph D.17).

10.13 Policy INF7 (Green Infrastructure) requires that new 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.

10.14 Tetbury and Tetbury Upton Neighbourhood Plan 2015-2030 was formally 'made' in 2017 and is also a material policy consideration. Policy 1 (Types of Housing) states that "Housing development should, where appropriate and viable, provide for a range of dwelling types and sizes, to reflect local demand." Policy 2 (Enhancement of Tetbury's Townscape and Character) requires that "Development Proposals will be required to pay regard to the Tetbury Townscape and Character Assessment Report 2016 and the Cotswold Design Guide 2000 and any future adopted update to the Cotswold Design Guide."

10.15 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, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); establish a strong sense of place; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

10.16 Paragraph 131 emphasises that trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined.

10.17 Paragraph 134 states that permission should be refused for development that is not well designed and, conversely, development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents and/or outstanding or innovative designs which promote

high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

10.18 Section 14 of the NPPF deals with climate change. Paragraph 157 states that "local planning authorities should expect new development to: (a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and (b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption."

10.19 Concerns have been raised by the local community in respect of the amount of the proposed new development and the site's capacity. It is clear from the above policies that it is nevertheless important to ensure the efficient use of allocated sites, whilst also ensuring that each development appropriately addresses other relevant planning policy considerations, including regarding Policy EN2 and those relating to highways issues which will be addressed in the next section of the report. As explained in the preceding section of this report, the SHELAA review assesses that the site has capacity for 50 dwellings. A large proportion of the proposed units within this scheme are smaller dwellings (33 would be 3-bed or smaller), which is considered to be beneficial having regard to Policy H1 (Housing Mix & Tenure to Meet Local Needs) in delivering a suitable mix and range of housing in terms of size, type and tenure.

10.20 The redevelopment of the site creates an opportunity for enhancement from an urban design perspective and there are no significant built heritage constraints that directly inform the design approach. The density of the wider area of the town within which the site is located is itself characteristically relatively high and, in terms of basic layout pattern of this development, officers have also sought to add visual quality to the London Road and Northfield Road streetscenes, and to ensuring an appropriate quality of design within the site. As again will be explained later in this report, officers have also had regard to the impact of the proposals on the amenity of existing residents adjoining the application site. The assessment of the various relevant policy considerations has resulted in officers concluding that the number of dwellings as laid out in the submitted details can be successfully accommodated on the site without material demonstrable harm being caused and in delivering a development of an appropriate quality.

10.21 A feature of the proposed layout is the creation of new residential streetscenes to the prominent London Road and Northfield Road frontages. Along the London Road, the proposed dwellings would be set back thereby allowing the re-landscaping to provide a wide tree'd verge with improved pedestrian footpaths, which are currently interrupted by the two wide vehicular access splays. Existing trees would be retained to the London Road frontage (including the mature lime protected by the TPO), as would mature hedges along the southern boundary abutting existing neighbouring residential development. A new beech hedge would be also be planted to define the verges from the roadside. The new areas of verge will be seeded with native meadow mix grassland, together with areas of native bulb planting, and native tree and shrub planting would be undertaken through the interior of the site to create streetscene character, break up areas of hard surface, and to provide focal points at junctions. The dwellings that would face onto London Road and Northfield Road would have traditional cottage-style frontages with low Cotswold stone walls.

10.22 In terms of the building design approach, the redevelopment of the site lends itself to the 'contemporary vernacular' design approach proposed. Following negotiations, the most

prominent street frontages along London Road and Northfield Road would be primarily of natural stone walling with visual variety created with the use of roughcast render. The remainder of the site would include the addition of reconstituted stone walling. A mix of natural blue slate and reconstituted stone slate would be used for the roofing throughout the site. The buildings would create strong building lines to reinforce the residential streetscene of this town approach, which is considered to be a beneficial, incorporating terraces and semi-detached dwellings in a sympathetic and visually attractive mix of roof forms and elevational treatments, whilst maintaining traditional simplicity of the local vernacular.

10.23 Central to the design approach of the development is to achieve Energy Performance Certificate (EPC) Energy Efficiency Rating band A, which means that each home creates as much Prime Energy (i.e. energy required for lighting, heating and hot water) as it needs and is the current optimum rating. The applicant has stated that all of the company's new-build dwellings now require as standard a Dwelling Emission Rate (DER), as set out in part L1A of the Building Regulations, of 0 kgCO₂/(m²/yr) in terms of its prime energy usage as indicated in the 'As-Built SAP calculations' and as displayed in the PEA's & EPC's, which places them well in excess of the latest Part L Building Regulations. To achieve this standard the dwellings are designed on a 'fabric first' approach to energy conservation and without the use of gas at the properties. The dwellings will be provided with Air Source Heat Pumps for heating and hot water with electricity will be provided to the home on a renewable tariff, and with additional renewable energy from integrated solar panels. Each dwelling would be fitted with a water butt.

10.24 In terms of green infrastructure and biodiversity, the existing site and use has low ecological value and therefore makes a very low level of contribution. The current proposals would provide a positive contribution as a result of the proposed new landscaping, which has been designed to address this issue. Additionally, the proposals will incorporate new nest boxes for birds and bats as recommended within the submitted Ecological Assessment. Although no formal Public Open Space is proposed within the scheme, the development provides ample garden space for the dwellinghouses and the site is well connected to other open space opportunities within the town. On this basis, officers are content that the proposals would accord with Local Plan policies EN2, EN5, EN8 and INF7.

10.25 Overall, it is considered that the proposed development will not have an adverse impact on the character and appearance of the area, and would, in fact, enhance the existing streetscene frontages, whilst also seeking to address the impact of climate change at this allocated redevelopment site and providing affordable homes for local people.

(c) Affordable Housing

10.26 This application seeks permission for more than 10 dwellings and is therefore subject to the requirements of Local Plan Policy H2 (Affordable Housing). Policy H2 seeks to secure up to 30% on-site affordable housing provision. However, in considering the level of affordable provision on the site, it is also necessary to have regard to national guidance and, in particular, the Vacant Building Credit (VBC). Paragraph 026 (Reference ID:23b-026-20190315) of the Planning Practice Guidance (PPG) is a significant material consideration and states:

"National policy provides an incentive for brownfield development on sites containing vacant buildings. Where a vacant building is brought back into any lawful use, or is demolished to be replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross

floorspace of relevant vacant buildings when the local planning authority calculates any affordable housing contribution which will be sought. Affordable housing contributions may be required for any increase in floorspace."

10.27 At the submission of the application, the applicant was uncertain that this 'brownfield' site, with significant challenges resulting from its previous use, could be viably developed with on-site Affordable Housing contribution. Following formal Viability Assessment undertaken by the District Valuer on behalf of officers and subsequent negotiations, the proposals now include 8 units of Affordable Housing (approx. 17%). This meets the results of the Viability Assessment, having taken account of limiting site factors and particularly Vacant Building Credit in respect of existing buildings on the site. Due to the pressing local need for Affordable Housing in Tetbury and the redevelopment constraints of the site, officers have, in this instance, focussed upon maximising the amount of Affordable Housing, rather than the provision of any self-build units on the site, which is also sought by Policy H1 in developments of over 20 units.

10.28 In terms of design, officers are content that the Affordable Housing units would be 'tenure blind' in appearance and would be well-integrated within the overall development. Similarly, officers have ensured that the units would meet the established living space standards required as part of the Council's standards for the relevant S106 legal agreements. As such, officers are content that the proposed development would deliver an appropriate number and type of Affordable Housing, subject to the final completion of the associated legal agreement.

(d) Highways Issues

10.29 At the outset, the Highways Officer has been mindful of the Local Plan indication of the site's capacity for 18 dwellings and local concerns regarding highway safety, congestion and parking resulting from the number of dwellings now proposed. Consequently, during the course of the application, clarification and revisions relating to a number of issues have requested. As a result, further consultation with the Highways Officer has now confirmed that the traffic surveys used to determine vehicle flows on London Road are considered to be reliable, and that the scale of the proposed development would be unlikely to have an adverse impact on the wider network or the local junctions as concluded by the submitted Transport Assessment.

10.30 The parking schedule indicates that 72 allocated parking spaces would be provided and overall the provision is considered to be acceptable. It is noted that the previously proposed potentially problematical parking on Northfield Road has been removed.

10.31 Additional details were provided to confirm the acceptability of the roads for waste collection and other services. Although the Highway Officer and Waste Manager do have some remaining concerns regarding carry distances (in excess of 10m) for Plots 1-4, the distances are within the Building Regulation parameters and are considered not so significant to be practically problematical to the functionality of the overall development.

10.32 The Highway Officer has confirmed that a robust assessment of the planning application has been undertaken and that, based on the analysis of the information submitted, the Highway Authority concludes that there would not be an unacceptable impact on Highway

Safety or a severe impact on congestion. As such, there are no justifiable grounds on which an objection could be maintained.

10.33 Overall and subject to the separate completion of legal agreements between the developer and the Highway Authority regarding works to the public highway and adoption, it is considered that the proposed scheme can be undertaken without having an adverse impact on highway safety or parking. Provision is also made for electric vehicles and bicycles to encourage more sustainable modes of travel. The proposal is considered to accord with Local Plan Policies INF3, INF4 and INF5. Having regard to paragraph 109 of the NPPF, there is not considered to be an unacceptable impact on highway safety considering the traffic that would be generated if the established use of the existing buildings upon the site was to be recommenced, and that the residual cumulative impacts on the road network would not be 'severe'.

(d) Residential Amenity

10.34 The floorspace of the proposed dwellings meets the Government's Technical Housing Standards, the Nationally Described Space Standards document, as required by Local Plan Policy HI.

10.35 Each dwelling will be provided with an appropriate level of private outdoor garden space which is considered to be commensurate with the size of the dwellings proposed in accordance with guidance in the Cotswold Design Code.

10.36 The proposed dwellings will be orientated and positioned so as to ensure that occupiers of the proposed and existing dwellings will receive adequate levels of light in accordance with guidance in BRE document IP23/12 Site Layout Planning for Daylight.

10.37 The windows of the proposed dwellings will be in excess of 22m of the minimum distance set out in the Cotswold Design Code for facing windows of existing dwellings, unless in relation to facing frontages across the public highways. It is considered that the proposed development can be undertaken without having an adverse impact on privacy.

10.38 Overall, it is considered that the proposed development accords with guidance in the Cotswold Design Code concerning residential amenity.

(e) Flood Risk

10.39 The proposed dwellings will be located in a Flood Zone 1 which is the lowest designation of flood zone and wherein new residential development can be acceptable in principle. Nevertheless, there has been local concerns regarding flood risk. The applicant has submitted a Flood Risk Assessment (FRA) with the application.

10.40 A full assessment of potential flood risk has been undertaken as part of the application process in consultation with the Lead Local Flood Authority (LLFA). The LLFA has noted that there is a risk that surface water accumulates on site. Much of this will be from rainfall that falls on the site itself so will be managed by the new surface water drainage. There are no records of the site flooding and overland flow will be managed through the overland flow routes. The rate that surface water will leave the site will be reduced by approximately 40% of the current peak runoff rate.

10.41 The applicant has provided a plan to deal with this flooding, which is to incorporate two underground attenuation tanks to store surface water. This strategy is acceptable, subject to a detailed design condition.

10.42 Climate change has been accommodated using a value of 40% added to the peak rainfall intensity, which is in line with the latest Environment Agency estimates. Surface water flow paths, during events greater than the 1 in 100 year rainfall event, would be directed and contained within the highway. Additional confirmation is currently awaited from the LLFA regarding the details of the adoption details for the highways drainage, which will hopefully be reported with any related conditions at the Committee Meeting. Subject to the resolution of this final issues, It is considered that the proposed development can be undertaken without have an adverse impact on foul or surface water drainage in accordance with Local Plan Policy EN14.

10.43 A full consultation has been undertaken with the Council's Environmental Regulatory Services in respect of addressing potential ground pollution in relation to the previous use of the site and no objections have been raised subject to the conditions recommended.

10.44 Comments are awaited from the Water Company to ensure their satisfaction with the proposals and it is expected that an updated can be provided at the Committee Meeting.

(f) Other Matters

10.45 Officers can confirm that the new PFS, as previously permitted under application reference 21/00312/FUL in 2021, is now in full operation at the adjacent Tesco Store development to the south-west of the site.

10.46 The proposed development is liable for the Community Infrastructure Levy (CIL). Section 143 of the Localism Act 2011 states that any financial sum that an authority has received, will, or could receive, in payment of CIL is a material 'local finance consideration' in planning decisions. Notwithstanding this, a CIL exemption can be secured if the development is for affordable housing provided by a registered provider. No payment would be required if an exemption is sought prior to the commencement of development.

11. Conclusion

11.1 Subject to the final conclusion of the outstanding issues, it is considered that the proposed development represents the sustainable re-development of a redundant brownfield site, in accordance with the Local Plan allocation. Officers therefore recommend that the application should be permitted on completion of the related S106 legal agreement.

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): .

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

3. The development hereby permitted shall be completed such that, prior to the occupancy of each dwelling, those dwellings achieve a minimum of Energy Performance Certificate (EPC) Energy Efficiency Rating Band A.

Reason: In order to ensure the creation of an energy efficient development that addresses the impact of climate change.

4. Prior to the commencement of the development hereby permitted details of a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be adhered to throughout the demolition/construction period. The plan shall include but not be restricted to:

- Parking of vehicles of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of
- neighbouring properties during construction);
- Advisory routes for construction traffic;
- Any temporary access to the site;
- Locations for loading/unloading and storage of plant, waste and construction materials;
- Method of preventing mud and dust being carried onto the highway;
- Arrangements for turning vehicles;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

Reason: In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development.

5. Prior to the first occupation of each dwelling forming part of the development hereby permitted vehicle parking, including electric vehicle charging points, and cycle storage shall be provided in accordance with the approved drawings. The parking, storage and charging points shall be maintained for this purpose thereafter.

Reason: To promote sustainable travel and healthy communities

6. Prior to the first occupation of any dwelling forming part of the development hereby permitted a residential welcome pack promoting sustainable forms of access to the development shall be submitted to and approved in writing by the Local Planning Authority. The pack shall be provided to each resident at the point of the first occupation of the dwelling.

Reason: To reduce vehicle movements and promote sustainable access.

7. Prior to the first occupation of any dwelling forming part of the development hereby permitted the site access and associated highway improvement works on London Road shall be provided in accordance with drawing no 776-141-3.

Reason: In the interests of highway safety.

8. Prior to the first occupation of any dwelling forming part of the development hereby permitted visibility splays shall be provided from a point 0.6m above carriageway level at the centre of the access to the application site and 2.4 metres back from the near side edge of the adjoining London Road carriageway, (measured perpendicularly), for a distance in each direction as shown on drawing no 776-141-3. These splays shall thereafter be permanently kept free of all obstructions to visibility over 0.6m in height above carriageway level.

Reason: In the interests of highway safety.

9. Prior to the commencement of the development hereby permitted full details of all proposed street tree planting, root protection systems, future management plan, and the proposed times of planting, shall have been submitted to and approved in writing by the Local Planning Authority, and all tree planting shall be carried out in accordance with those details and at those times.

Reason: To ensure the continued wellbeing of the trees in the interests of the amenity and environmental quality of the locality.

10. No development shall take place until a desk study has been produced to assess the nature and extent of any contamination, whether or not it originated on site, the report must include a risk assessment of potential source-pathway-receptor linkages. If potential pollutant linkages are identified, a site investigation of the nature and extent of contamination must be carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development begins. If any significant contamination is found during the site investigation, a Remediation Scheme specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before any development begins.

The Remediation Scheme, as agreed in writing by the Local Planning Authority, shall be fully implemented in accordance with the approved timetable of works and before the development hereby permitted is first occupied. Any variation to the scheme shall be agreed in writing with the Local Planning Authority in advance of works being undertaken. On completion of the works the developer shall submit to the Local Planning Authority a Verification Report confirming that all works were completed in accordance with the agreed details. If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.

Reason: To ensure any contamination of the site is identified and appropriately remediated, in accordance with Cotswold District Local Plan Policy EN15 and Section 15 of the NPPF.

11. The dwellings hereby approved shall be designed and constructed to incorporate measures to ensure that as a minimum, they achieve the internal and external ambient noise levels contained in British Standard 8233:2014 (or later versions) These standards currently require:

- i) Resting 35 dB LAeq,16hour
 - ii) Dining 40 dB LAeq,16hour
 - iii) Sleeping 30 dB LAeq, 8hour
- 45dB LAFmax and any external amenity space(s) should achieve 50dB.

Reason: To protect those living in the dwellings from traffic or other external noise sources in accordance with Cotswold District Local Plan Policy EN15.

12. Prior to the commencement of any works on site (including demolition and site clearance), the tree protection as detailed on Tree Protection Plan , shall be installed in accordance with the specifications set out within the plan and BS5837:2012 'Trees in relation to design, demolition and construction - recommendations' and shall remain in place until the completion of the construction process. No part of the protection shall be removed or altered without prior written approval of the Local Planning Authority.

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

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

13. The entire landscaping scheme shown by drawing number 20265.101 Rev. G shall be completed by the end of the planting season immediately following the completion of the development or the site being brought into use, whichever is the sooner.

Reason: To ensure that the landscaping is carried out and to enable the planting to begin to become established at the earliest stage practical and thereby achieving the objective of Cotswold District Local Plan Policy EN4.

14. Any trees or plants shown on the approved landscaping scheme to be planted or retained which die, are removed, are damaged or become diseased, or grassed areas which become eroded or damaged, within 5 years of the completion of the approved landscaping scheme, shall be replaced by the end of the next planting season. Replacement trees and plants shall be of the same size and species as those lost, unless the Local Planning Authority approves alternatives in writing.

Reason: To ensure that the planting becomes established and thereby achieves the objective of Cotswold District Local Plan Policy EN2.

15. All new trees are to be adequately staked, protected and mulched. All works to accord with BS3936-1:1992 Nursery stock. Specification for trees and shrubs and BS 4428:1989 Code of practice for general landscape operations (excluding hard surfaces) and BS 8545:2014 Trees: from nursery to independence in the landscape Recommendations.

Should any of the trees be removed, die or become severely damaged or seriously diseased within 5 years of planting, they must be replaced by trees of a similar size and species to that originally planted. The tree planting shall be completed by the end of the planting season immediately following the completion of the development or the site being brought into use, whichever is the sooner.

Reason: To ensure the development is completed in a manner that is sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policy EN7.

16. Prior to the occupation of each dwellinghouse, surface water attenuation/storage works for the said dwelling hereby permitted shall be provided by the installation of a functioning water butt (minimum capacity 200 litres) in a position to be agreed. The water butt shall thereafter be permanently maintained in working order in the agreed position unless an alternative siting is approved in writing by the Local Planning Authority.

Reason: To enhance water conservation and as a precautionary measure to reduce the possible increased risks of flooding associated with water runoff in accordance with Cotswold District Local Plan Policy EN14.

17. Prior to the construction of any external wall of the development hereby approved, samples of the proposed walling materials (including boundary walling) shall be approved in writing by the Local Planning Authority and only the approved materials shall be used.

Reason: To ensure that, in accordance with Cotswold District Local Plan Policy EN2, the development will be constructed of materials of a type, colour, texture and quality that will be appropriate to the site and its surroundings.

18. Prior to the construction of any external wall of the development hereby approved, sample panels of stone and render walling of at least one metre square in size showing i) the proposed stone colour, coursing, bonding, treatment of corners, method of pointing and mix and colour of mortar for stonework and ii) showing the proposed texture and colour of render, shall be erected on the site and subsequently approved in writing by the Local Planning Authority and the walls shall be constructed only in the same way as the approved panel. The panels shall be retained on site until the completion of the development.

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

19. The development shall not be brought into use or occupied until traditional Cotswold drystone walling has been constructed in accordance with the approved drawings and in accordance with construction details (including capping treatment) to be submitted to and approved in writing by the Local Planning Authority. The wall shall then be maintained in accordance with the approved details.

Reason: To ensure that the development is completed in a manner that is sympathetic to its surroundings in accordance with Cotswold District Local Plan Policy EN2.

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

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

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

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

22. No windows and doors, garage doors, head and cill treatments, eaves, verges, rooflights, porches and porch canopies, copings, chimneys, and/or dormer windows shall be installed/inserted/constructed in the development hereby approved, until their design and details have been submitted to and approved in writing by the Local Planning Authority.

The design and details shall be accompanied by drawings to a minimum scale of 1:5 with full size moulding cross section profiles, elevations and sections. The development shall only be carried out in accordance with the approved details and retained as such at all times.

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

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

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

24. The development shall be completed in accordance with the recommendations in Section 3 of the Ecological Assessment, dated January 2021, prepared by Tyler Grange as submitted with the planning application. All the recommendations shall be implemented in full according to the specified timescales, unless otherwise agreed in writing by the local planning authority, and shall thereafter be permanently retained.

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

Informatives:

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

- Drafting the Agreement
- A Monitoring Fee
- Approving the highway details
- Inspecting the highway works

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

3. All new streets must be tree lined as required in the National Planning Policy Framework. All proposed street trees must be suitable for transport corridors as defined by Trees and Design Action Group (TDAG). Details should be provided of what management systems are to be included, this includes root protections, watering and ongoing management. Street trees are likely to be subject to a commuted sum.

4. You are advised that as a result of the private nature of the proposed surface water drainage outfall, the internal access road and surface water drainage will not be accepted for adoption by the Highway Authority under Section 38 of the Highways Act 1980.

5. The development will be bound by Sections 219 to 225 (the Advance Payments Code) of the Highways Act 1980. The exemption from adoption will be held as a Land Charge against all properties within the application boundary.

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



NOTES
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Key
[Red line] Site Boundary

Issued for Planning	NS	SC	25/01 2021	-
Notes	DR	CH	Date	Rev

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Project
London Road, Tetbury

Drawing
Site Location Plan

Drawing number
1521.E.001

Scale
1:1250 @ A3

Revision number
-

1521.E.001 Site Location Plan 1:1250@A3



DO NOT SCALE FROM THIS DRAWING
All dimensions to be checked on site prior to manufacture of prefabricated items. Any discrepancy or query to be reported and clarified before associated work proceeds. All construction to be in accordance with relevant Trade and Professional Standards and Guidelines, Statutory requirements and product manufacturers' specifications. Read in conjunction with Finishing specification, Workmanship specification, all other associated drawings issued and details which may be issued from time to time.
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Notes:

1. All levels relate to Ordnance Datum.
2. This drawing is to be read in conjunction with drawing 142 - Drainage & Levels layout
3. For adoptable roads and sewer details refer to drawing 101,102, 111,121-123
4. Refer to construction detail drawings 151 to 156 for additional construction details and specification.

Key

- Electrical Charger Points
900x1800 Shed

Health & Safety Note :

Refer to standard detail drawings 100 to 108 for additional health & safety notes

The sub-contractor should be familiar with the contents of the geo-environmental reports and protect against any risks that arise.

The sub-contractor is responsible for obtaining copies of service and drainage record plans and taking all care to ensure that existing services are protected or disconnected

All waste material should be placed in appropriate skips or removed from site to avoid trip hazards

The following items require method statements:-

- Any excavations including safe access and support
- Working in confined spaces
- Working in or adjacent to the public highway
- Working in or connecting to live sewers
- Working near live or overhead services
- Protection to trees and landscaping
- Handling & erection of all steelwork, precast concrete units & pad stones & any units greater than 20kg in weight.
- Protection from risk of fall into all excavations and from exposed faces (including floor slabs) where changes in level where falls could cause an injury

A	Parking for Plots 6-8 along Northfield Road removed. Housetypes changed for Plots 3-5, 8-10 and 19-22. BR2 dormers moved to rear. Landscaping added.	14.07.21	ZS
-	First Issue	16.12.19	AJH

REV DATE INITIAL



London Road,
Tetbury
External Works Layout

1:250 @ A1
Scale

229 - 141
Drawing No.

AJH
Drawn

16.12.19
First Issue

A
Revision



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- LEGEND
- Natural Stone
 - Dry Stone Wall
 - Recon Stone
 - Render - Rough Cast
 - Slate Roof Tile - SIGA 37 Natural Slate
 - Cotswold Recon Stone Roof Tile

A	Updated Following Comments	13.10.20	SS	
Rev	Description	Date	Initial	Checked



London Road, Tetbury

External Materials Schedule

Superstore

Tree Planting Schedules

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

TREES			
Key	Species	Specification	No.
ACS	Acer campestre 'Streetwise'	HVY STD 12-14cm girth rootballed	6
CS	Crataegus 'Stricta'	HVY STD 12-14cm girth rootballed	5
ME	Malus 'Evereste'	HVY STD 12-14cm girth rootballed	7
PAP	Prunus avium 'Plena'	HVY STD 12-14cm girth rootballed	4
PSA	Prunus subhirtella 'Autumnalis Rosea'	HVY STD 12-14cm girth rootballed	3
PSR	Prunus x sargentii 'Rancho'	HVY STD 12-14cm girth rootballed	5
PCC	Pyrus 'Chanticleer'	HVY STD 12-14cm girth rootballed	3
SAS	Sorbus aucuparia 'Streetwise'	HVY STD 12-14cm girth rootballed	4
TCS	Tilia cordata 'Streetwise'	Ex HVY STD 16-18cm girth rootballed	2

SINGLE SPECIES NATIVE HEDGE TO SITE FRONTAGE

Key	Species	Size/Type	No.
Fs	Fagus sylvatica	Transplant 1+1 60-80cm Bareroot	945

To be planted in a double staggered row, 300 mm between plants and 400mm between rows. (7 plants per m). Protect with shrub shelter/ guard 60cm in height supported by cane.

IMPLEMENTATION PROGRAMME

Rootballed trees and containerised planting stock to be planted within dormant season (Nov -March) within the first planting season following completion of the building works. Grass seed to be sown in the first spring following completion of the building and planting work.



Key

- Land ownership boundary
- Existing tree - for full arboriculture report see Tree Maintenance Ltd Arboricultural Implications Assessment March 2021
- Existing hedge
- Root Protection Area - with protective fence as per Tree Maintenance Ltd Arboricultural Implications Assessment
- Tree planting
- Tree planting in restricted space using a proprietary root crate system
- Hedge planting
- Groundcover planting
- Specimen shrubs
- Amenity grass / lawn
- Bulb planting
- Wildflower meadow mix to hedgerow margin - Emorsgate EM2
- 3no. new bat boxes (To be located on a south to southwesterly aspect, at a height of between 2.5 - 4m on retained trees.)
- 3no. new bird boxes (To be located on a northern aspect, at a height of between 3 - 5m on retained trees.)
- Limestone chippings (Note: Any narrow infills and building trim 400mm or less to be limestone chippings)
- Buff coloured small unit paving to vehicle areas
- Buff coloured paving to pedestrian areas
- Tarmac surface

Landscape boundaries

- Low Cotswold stone wall
- Freestanding Cotswold stone wall / screen wall
- Retaining wall
- Timber closeboard or timber panel fence

Notes

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

1	Plots A & B updated with car rooms	09-12-21	HS	AT
2	Tree schedule as submitted to client	12-12-21	HS	AT
3	Revised tree schedule as submitted to client	12-12-21	HS	AT
4	Updates to layout, tree and fence planting information added	09-12-21	HS	AT
5	Amendments as indicated by client	28-12-21	HS	AT
6	Updates to base garden tree scheduling as indicated by client	22-12-21	HS	AT
7	Updates following client comments. Planting dates added	09-12-21	HS	AT

Revisions:

Project: London Road, Tetbury

Client: Newland Homes

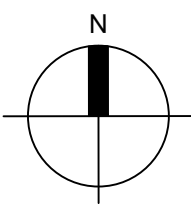
Title: Landscape Proposals

Drawing number: 20265.101 Rev: G

Status: For Planning

Drawn By: HS Checked By: AT Date: 12-1-21 Scale @ A1: 1:250

London Road, Tetbury
Landscape Proposals



MHP DESIGN LTD CORINTH HOUSE 117 BATH ROAD CHELTENHAM GL53 7SL
T 01242 250 822 E mhp@mhpdesign.com www.mhpdesign.com

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Street Scene A-A 1:500 @A3
London Rd



Street Scene B-B 1:500 @A3
Northfield Rd



KEY PLAN :NTS



A	Drawing amended	14/10/2021	SS	
Rev	Description	Date	Initial	Checked



London Rd, Tetbury

Street Scenes

1:500 @A3
Scale

229-12
Drawing No.

SS
Drawn
14.10.2021
First issue

A
Revision

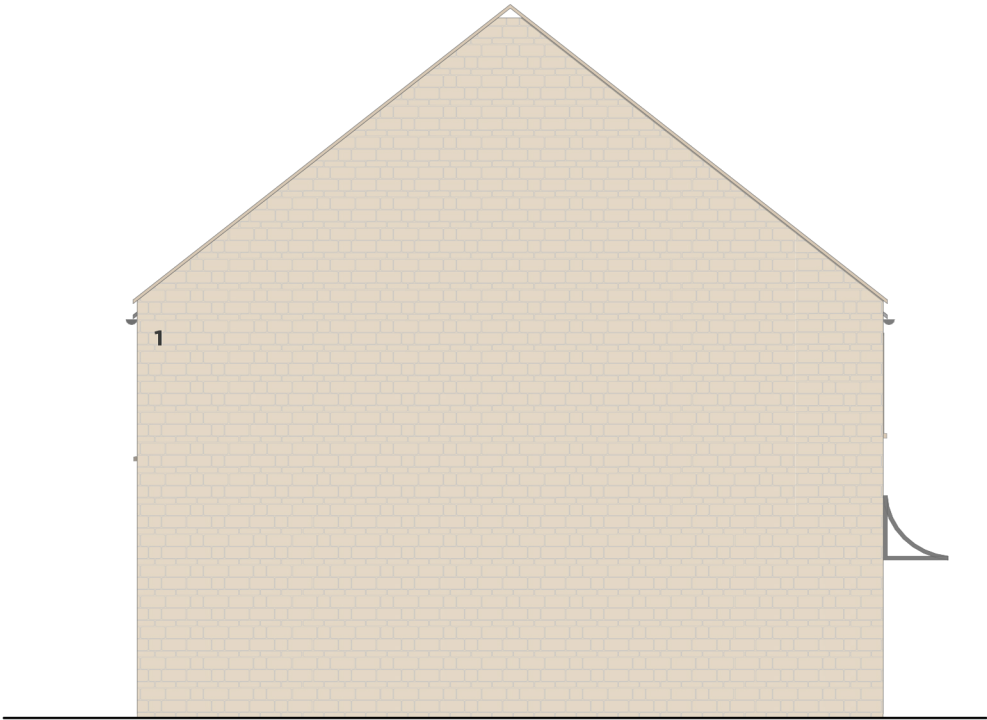
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CR3a Front Elevation



CR3a Rear Elevation



CR3a Side Elevation



NOTES
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- Material Key**
- 1. Cotswold Stone
 - 2. Reconstituted Stone
 - 3. Render
 - 4. Slate Roof Tiles
 - 5. Reconstituted Stone Roof Tiles
 - 6. Window (Light Colour Frames) with Stone Surround
 - 7. Window (Light Colour Frames)
 - 8. Rooflight (Frame Colour to Match Windows)
 - 9. Timber Front Door
 - 10. Timber Garage Door
 - 11. Stone Coping
 - 12. Porch (Grey Colour)
 - 13. Rainwater Goods (Grey Colour)
 - 14. Dormer (Window Frame Colour to Match Windows)
 - 15. Black Single Ply Membrane Roof Finish

Amendments	SS			B
Amendments	NS	SC	13/07 2021	A
Issued for Planning	NS	SC	25/01 2021	-

Notes	DR	CH	Date	Rev
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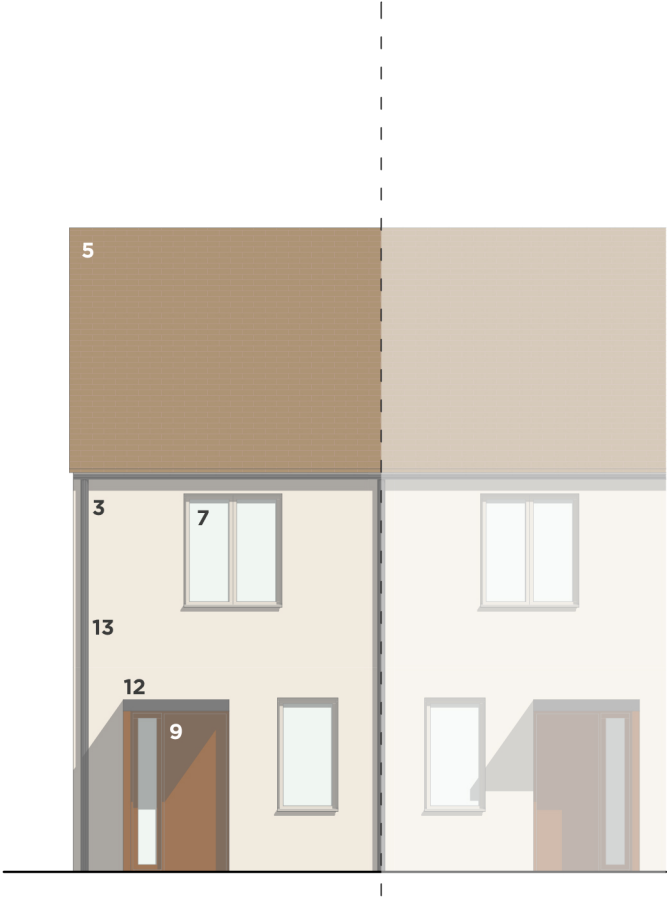
Drawing
CR3a Elevations

Drawing number
1521.P.HT.CR3a.101

Scale
1:100 @ A3

Revision number
B

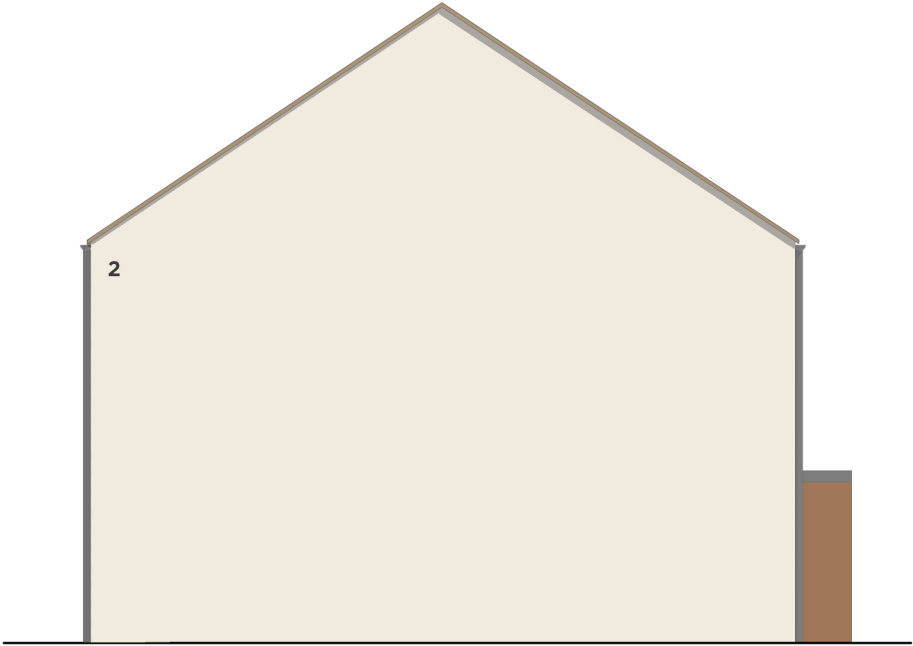
Original drawing size A3



S2a Front Elevation



S2a Rear Elevation



S2a Side Elevation



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Amendments	SS			B
Amendments	NS	SC	15/07 2021	A
Issued for Planning	NS	SC	25/01 2021	-

Notes	DR	CH	Date	Rev
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Drawing
S2a Elevations

Drawing number
1521.P.HT.S2a.101

Scale
1:100 @ A3

Revision number
B

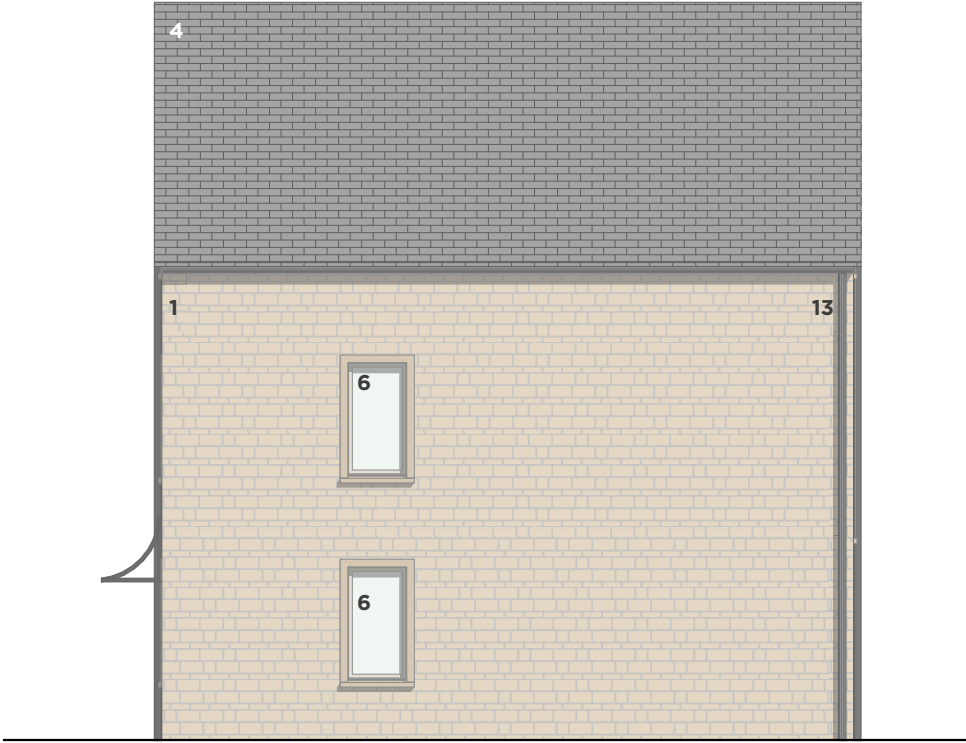
Original drawing size A3



N4b Front Elevation



N4b Rear Elevation



N4b Side Elevation



1521.P.HT.N4b.101 N4b Elevations 1:100@A3

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- 14. Dormer (Window Frame Colour to Match Windows)
- 15. Black Single Ply Membrane Roof Finish

Amendments	NS	SC	14/07 2021	A
Issued for Planning	NS	SC	23/02 2021	-

Notes	DR	CH	Date	Rev
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Drawing
N4b Elevations

Drawing number
1521.P.HT.N4b.101

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Revision number
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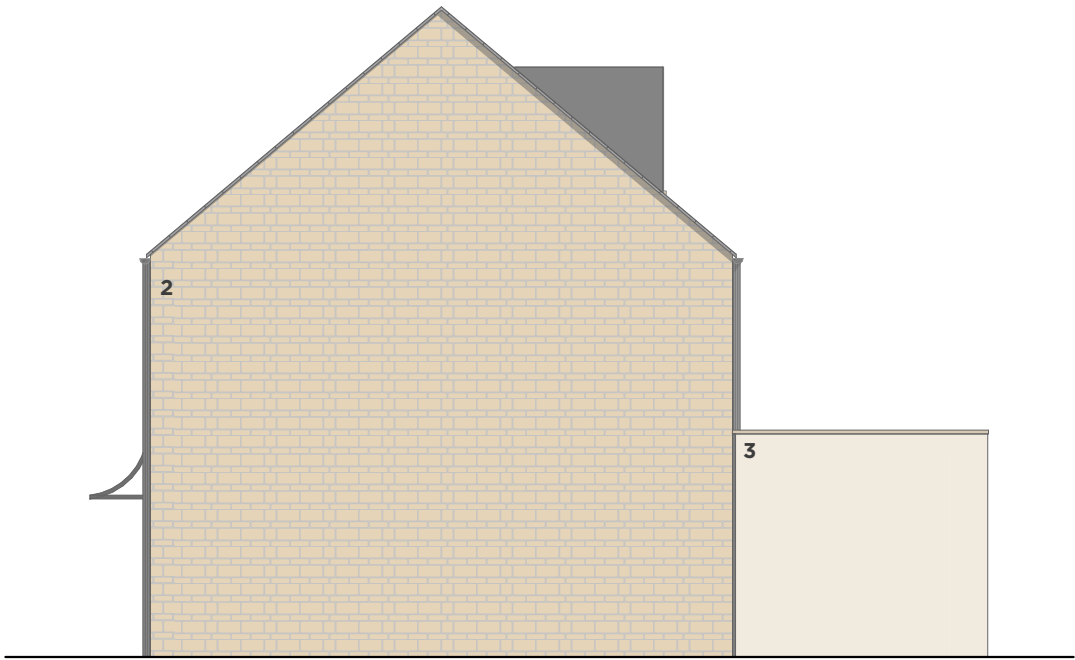
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BR3e Front Elevation



BR3e Rear Elevation



BR3e Side Elevation



1521.P.HT.BR3e.101 BR3e Elevations 1:100@A3



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Material Key

- 1. Cotswold Stone
- 2. Reconstituted Stone
- 3. Render
- 4. Slate Roof Tiles
- 5. Reconstituted Stone Roof Tiles
- 6. Window (Light Colour Frames) with Stone Surround
- 7. Window (Light Colour Frames)
- 8. Rooflight (Frame Colour to Match Windows)
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- 11. Stone Coping
- 12. Porch (Grey Colour)
- 13. Rainwater Goods (Grey Colour)
- 14. Dormer (Window Frame Colour to Match Windows)
- 15. Black Single Ply Membrane Roof Finish

Amendments	NS	SC	14/07 2021	A
Issued for Planning	NS	SC	23/02 2021	-

Notes	DR	CH	Date	Rev
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Drawing

BR3e Elevations

Drawing number

1521.P.HT.BR3e.101

Scale

1:100 @ A3

Revision number

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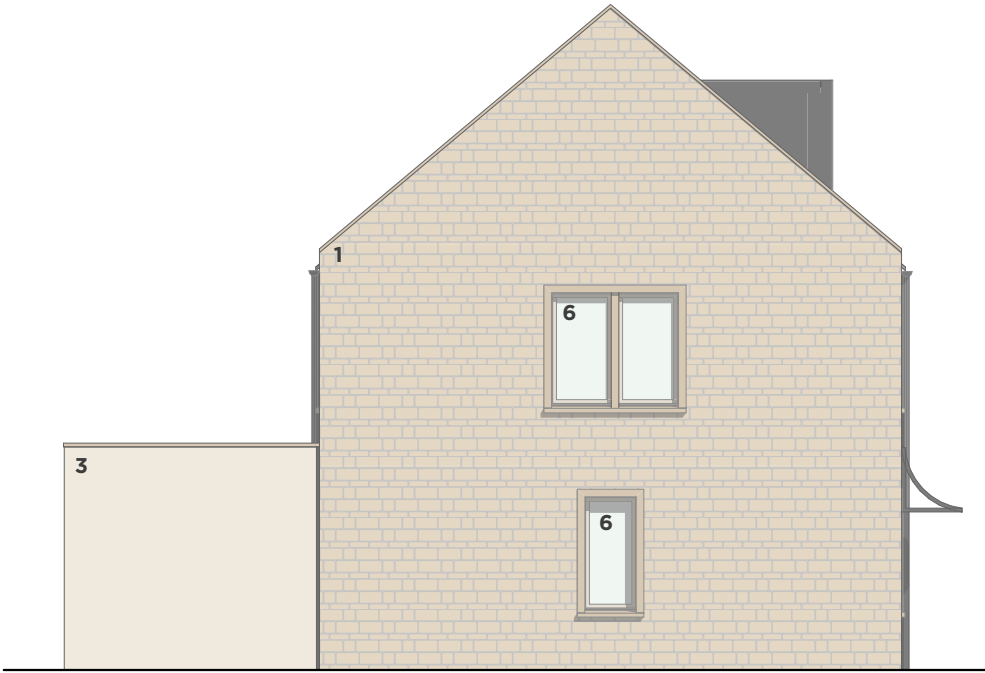
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BR3a Front Elevation



BR3a Rear Elevation



BR3a Front Elevation



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Issued for Planning	NS	SC	25/01 2021	-

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Drawing
BR3g Elevations

Drawing number
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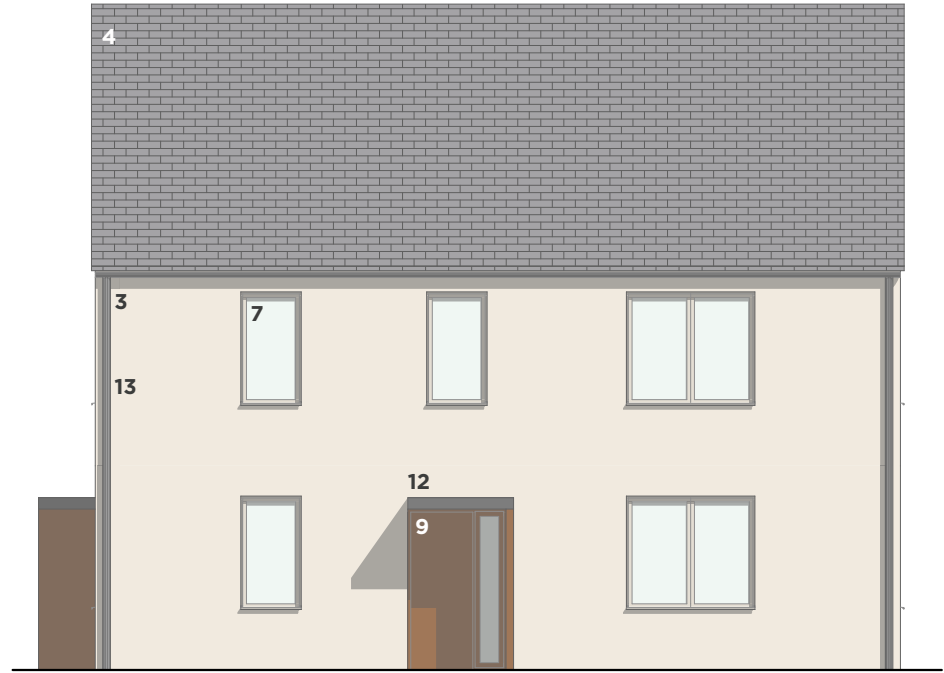
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1B2Pb Front Elevation



1B2Pb Rear Elevation



1B2Pb Side Elevation



1521.P.HT.1B2Pb.101 1B2Pb Elevations 1:100@A3



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Drawing number
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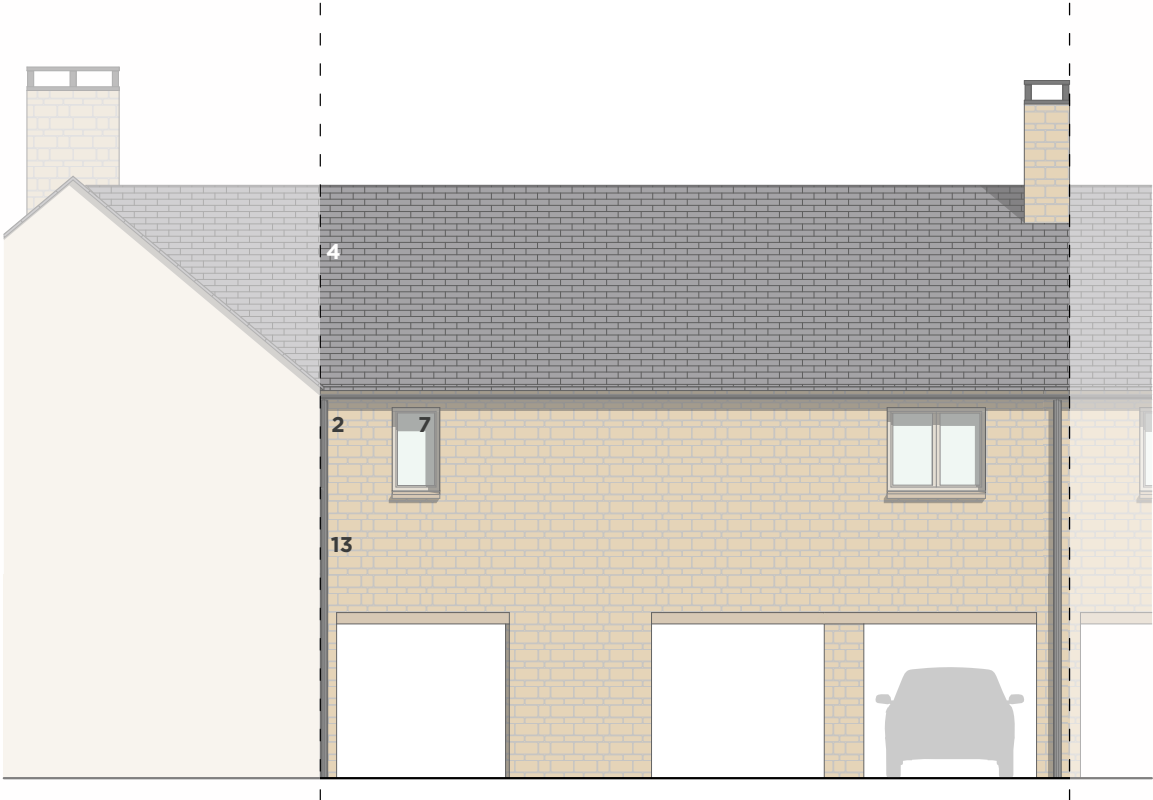
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FR2a Front Elevation



FR2a Rear Elevation

1521.P.HT.FR2a.101 FR2a Elevations 1:100@A3



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FR2a Elevations

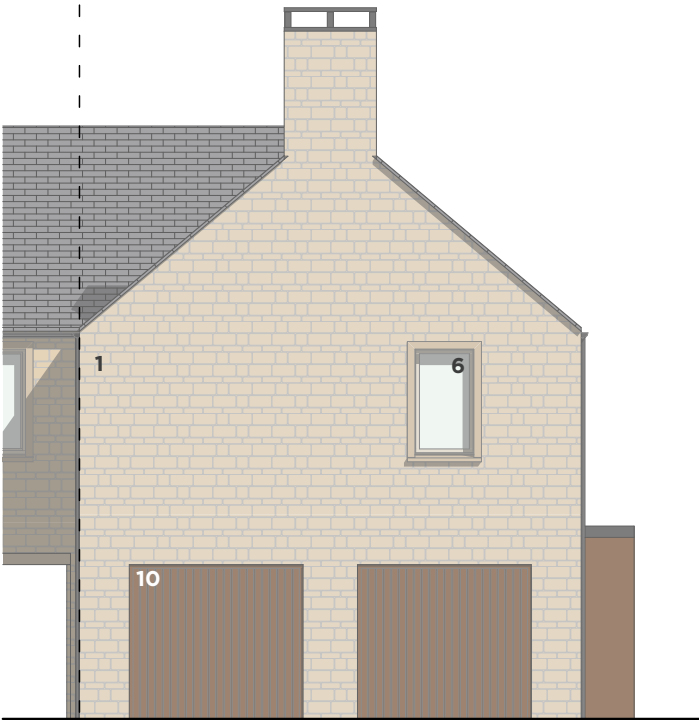
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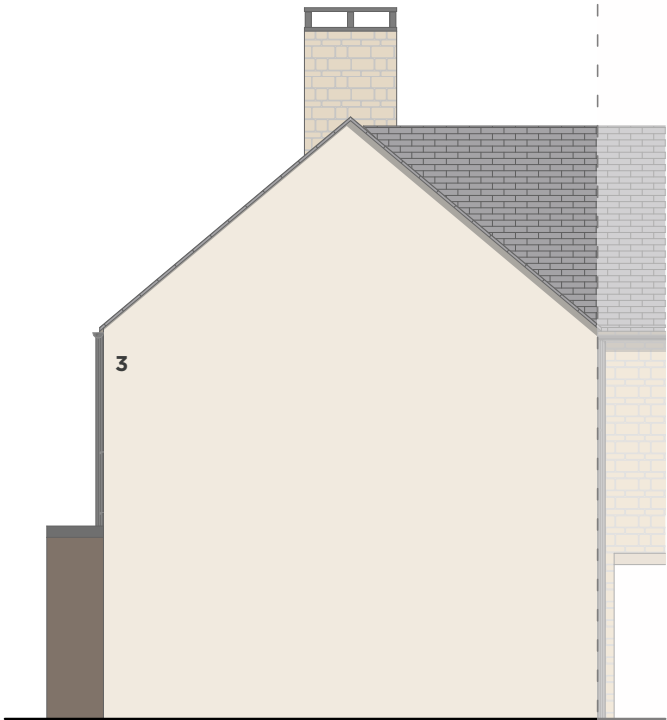
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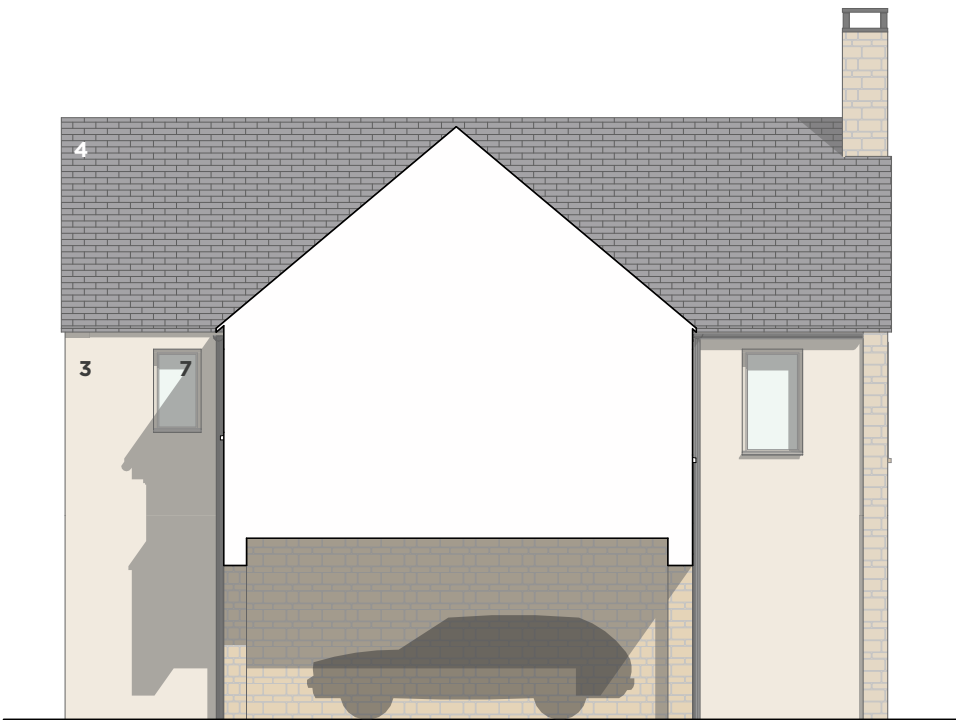
FR2b Front Elevation



FR2b Side Elevation



FR2b Side Elevation



FR2b Rear Elevation

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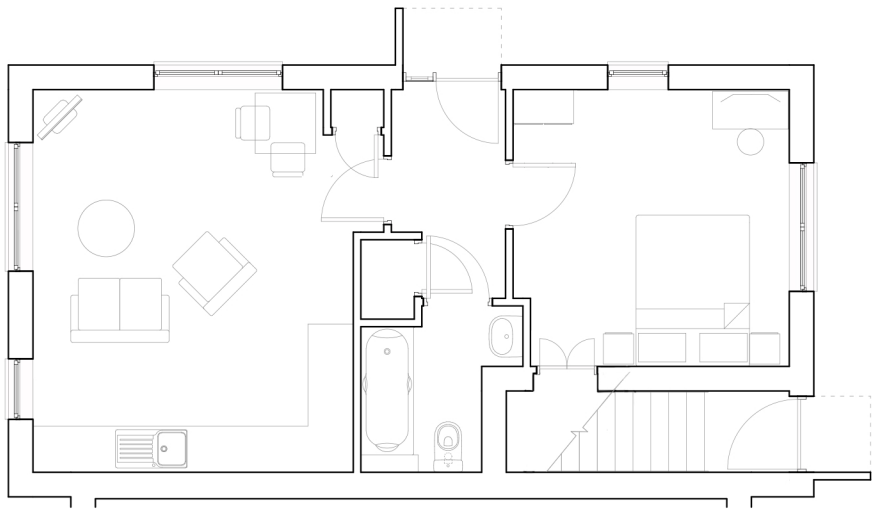
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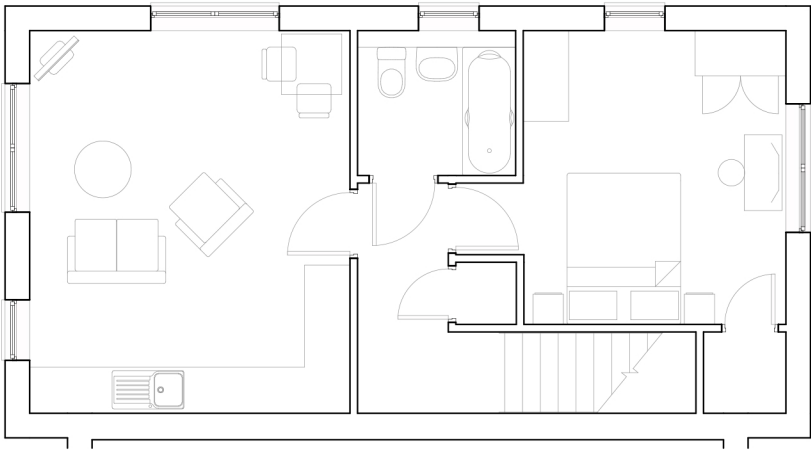
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1B2Pb Ground Floor Plan



1B2Pb First Floor Plan



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Amendments	SS				B
Amendments	NS	SC	15/07 2021		A
Issued for Planning	NS	SC	25/01 2021		-

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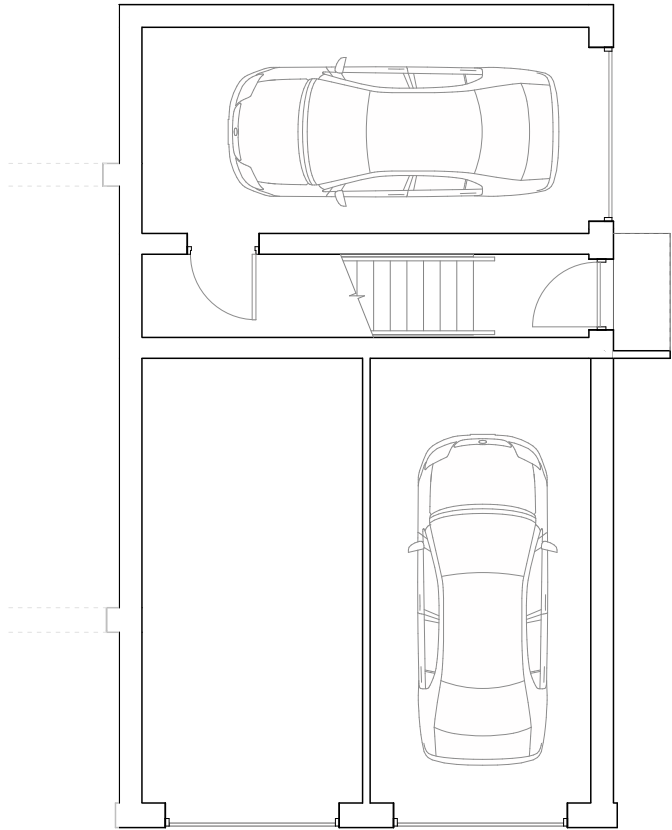
Drawing
1B2Pb Floor Plans

Drawing number
1521.P.HT.1B2Pb.100

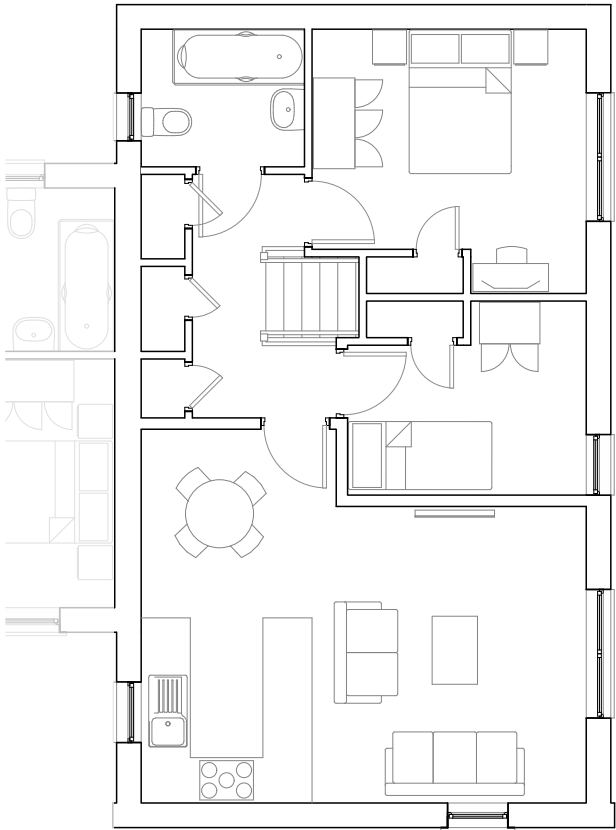
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FR2b Ground Floor Plan



FR2b First Floor Plan

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Project
London Road, Tetbury

Drawing
FR2b Floor Plans

Drawing number
1521.P.HT.FR2b.100

Scale
1:100 @ A3

Revision number
-

Item No 04:-

21/04342/FUL

**Melcourt Industries Limited
Boldridge Brake
Crudwell Lane
Long Newton
Tetbury
Gloucestershire
GL8 8RT**

Item No 04:-

Extension to yard used for the storage of horticultural products at Melcourt Industries Limited Boldridge Brake Crudwell Lane Long Newnton Tetbury Gloucestershire GL8 8RT

Full Application 21/04342/FUL	
Applicant:	Melcourt Industries Limited
Agent:	Land & Mineral Management
Case Officer:	Andrew Moody
Ward Member(s):	Councillor Nikki Ind
Committee Date:	9th November 2022
RECOMMENDATION:	PERMIT

1. Main Issues:

- (a) The principle of development
- (b) Landscape impact
- (c) Impact upon biodiversity
- (d) Residential amenity
- (e) Surface water drainage
- (f) Highways

2. Reasons for Referral:

2.1 This application has been referred to the Planning and Licensing Committee for determination by the Ward Member (Councillor Ind) for the following reasons:-

2.2 "As Ward Councillor and following consideration of all reports, comments and objections, could I please request that this matter be referred to the Planning & Licensing Committee for further consideration and determination. I would like to draw to the attention of the Committee the issues of Highway Safety, the AONB, Conservation Areas and also highlight the strength of feeling in a small rural village which is affected daily by HGV movements at this site.

Highway Safety

2.3 Whilst I appreciate that a report has been received from the Local Highways Authority - Gloucestershire County Council – primarily, I am not satisfied that the major safety concerns highlighted regarding the junction of the B4014 and Church Lane have been addressed.

2.4 **B4014/Church Lane Junction** - It appears that no consideration has been given to this junction, which is the access point for all HGVs onto Church Lane and the route outlined in the Local Highways Authority response dated 18th July 2022 at pages 2/3 - **Access**. This junction is currently unsafe, as vehicles have been witnessed mounting the pavement and reversing onto the B4014, due to the narrowing of the highway and inability for an HGV and

car to pass safely. Consideration must be given to the width and safety of this vital junction. In addition, whilst the B4014 has a 30mph speed limit, there is evidence that traffic travels along this road much faster and even at 30mph, reversing onto the B4014 is dangerous and is contrary to **Policy INF4 Point A** - well integrated with the existing network within and beyond the development, **Point D** - avoids locations where the cumulative impact of congestion or other undesirable impact on the transport network is likely to remain severe following mitigation and **NPPF Point 110 (b)** - safe and suitable access to the site can be achieved by all users. The lack of addressing this junction and the impact of increased HGV traffic is a major safety concern.

2.5 Telephone ahead point - further consideration is required regarding the suitability of the site proposed on Church Lane. Due to the varying widths of the highway, the potential for 2 HGVs to meet and the safety concerns at the B4014/Church Lane junction. **NPPF Point 85** states- it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads.

2.6 Passing Places - whilst it is reported that these are planned to be on highway land, is it appropriate for some of these passing places to be across private access drives? I have noted that there is a condition requiring a planning application for these places, however, shouldn't they be considered as part of this application? When agreeing these passing places consideration must be given to Cotswold Local Plan Policies - EN1/EN4/EN5/EN11 and if the safety issues at the B4014/Church Lane junction have been addressed.

2.7 Number of vehicle movements - there is a conflict in the reports of accurate numbers of vehicle movements at the site and hours of operation - the weighbridge records (during opening hours only) and the traffic survey commissioned by Long Newnton Parish Council. Is the percentage of HGV traffic on these rural lanes at an acceptable level according to the Local Travel Plan? In addition, no condition has been requested by the Highways Authority regarding limiting the number of vehicle movements at this rural site - I am concerned about unlimited vehicle movements and question if this complies with **Policy EC3 Point 2** - small scale employment development in a rural area.

2.8 Highway Code -further consideration is required regarding the new rules for safely passing bicycles and horses

Area of Outstanding Natural Beauty/Conservation Area

2.9 This rural site is within the setting of the Area of Outstanding Natural Beauty and the route approved by the Highways Authority passes through both this and two Conservation Areas. These are therefore impacted by any increase in HGV traffic and the creation of passing places. Verge damage is already being experienced and is noted along this route. **NPPF Point 176** shows that development should be designed to avoid or minimise adverse impacts on the designated area. **NPPF Point 85** shows it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads.

Cotswold Local Plan - EN1/EN4/EN5/EN11

2.10 These policies concern the great weight given to the protection, conservation and enhancement of the historic and natural environment, along with the tranquillity of the

countryside. The impact that increased HGV movements and creation of passing places throughout the AONB and Conservation Areas will need further consideration."

3. Site Description:

3.1 This is an existing B2 industrial site located in the open countryside. The site is not within the Cotswolds Area of Outstanding Natural Beauty (AONB).

4. Relevant Planning History:

- 4.1 91/00570/FUL: Retention of Portakabin office building in connection with industrial re-processing building. Granted 29.05.1991
- 4.2 91/01226/FUL: Retention of the use of land for bark processing. Granted 24.10.1991
- 4.3 92/01274/FUL: Removal of condition 9 (CT.6888/A) to enable the retention of the use of land for bark processing. Granted 21.08.1992
- 4.4 92/01747/FUL: Formation of a paved area and the installation of a bark processing machine. Granted 23.11.1992
- 4.5 96/00578/FUL: Extension of existing concrete hardstanding for turning vehicles and storage of bark. Granted 23.05.1996
- 4.6 01/00055/FUL: Erection of two Portacabin units for BI office use. Granted 05.04.2001
- 4.7 08/00191/FUL: Proposed replacement modular building. Granted 13.03.2008
- 4.8 11/04815/FUL: Installation of generator. Granted 09.12.2011
- 4.9 17/00322/FUL: Concreting of land to provide additional bulk storage for landscaping materials, and enhancement of existing pond as mitigation for concreting works. Granted 19.10.2017
- 4.10 19/02816/FUL: Erection of lean-to extension to existing processing/bagging shed. Granted 11.09.2019

5. Planning Policies:

TNPPF The National Planning Policy Framework
EC3 All types of Employment-generating Uses
EN2 Design of Built & Natural Environment
EN4 The Wider Natural & Historic Landscape
EN7 Trees, Hedgerows & Woodlands
EN8 Bio & Geo: Features Habitats & Species
EN15 Pollution & Contaminated Land
INF3 Sustainable Transport
INF4 Highway Safety
INF5 Parking Provision

6. Observations of Consultees:

- 6.1 Landscape Officer: No objection subject to conditions, comments incorporated into the report.
- 6.2 Drainage Engineer: No objection subject to condition.
- 6.3 Tree Officer: No objection subject to condition.
- 6.4 Highway Authority: No objection subject to conditions, comments incorporated into the report.

7. View of Town/Parish Council:

7.1 Long Newton Parish Council: Objects as contrary to the following policies from the adopted Local Plan: -

- (i) Policy EC3 in that it is not small scale nor does it create additional jobs;
- (ii) Policy EN1 in that the application does not promote the protection, conservation and enhancement of the historic and natural environment;
- (iii) Policy EN5 in that the additional lorry traffic will cause further harm to the character and appearance of AONB;
- (iv) Policy EN11 in that the additional lorry traffic will cause further harm to the Conservation Area; and v) Policy INF4 in that a safe and suitable access is not provided, it is not well integrated within the existing transport network beyond the application site and is located where the cumulative impact will remain severe following the proposed mitigation.

8. Other Representations:

8.1 119 representations have been received objecting to the proposal, raising the following issues:

- (i) increased impact upon highway safety from additional traffic
- (ii) speed limits are not adhered to by lorry drivers
- (iii) inappropriate location for the use
- (iv) lorries use the lane 24 hours a day
- (v) impact upon other road users
- (vi) impact upon AONB
- (vii) safety for cyclists, horse riders and pedestrians
- (viii) the number of vehicles visiting the site has increased significantly in recent years
- (ix) damage to road verges
- (x) information provided by applicants on traffic movements is inaccurate
- (xi) numerous incidents along the lane between HGVs and other drivers
- (xii) increased traffic through Tetbury
- (xiii) more emissions and pollution
- (xiv) impact upon wildlife

8.2 Cotswold National Landscape Board: Object - "Having considered the applicant's submission, for the reasons outlined within Annex I below the Board has concerns in respect of the potential adverse impact this application may have upon the tranquillity and landscape and scenic beauty of the National Landscape. For this reason, we consider that the application conflicts with Policy EN5 of the Cotswold Local Plan 2011-2031 and paragraph 176 of the National Planning Policy Framework as well as not according with Policies CE1, CE4 and CE10 of the Cotswolds AONB Management Plan 2018-2023. Therefore, we object to this application."

8.3 5 representations have been received in support of the proposal, raising the following issues:

- (i) supports local employment
- (ii) impact of expansion would be low
- (iii) the business should be encouraged to expand

9. Applicant's Supporting Information:

Planning Statement
Transport Statement
HGV Management Plan
Technical Note
Tree Survey
SUDS Supporting Information
Preliminary Ecological Appraisal
Proposed Plans

10. Officer's Assessment:

(a) The Principle of 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 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).

10.3 The site is an existing B2 industrial site in an isolated location, but is excluded from the listed established employment sites included within the Cotswold District Local Plan having regard to Policy EC2 - Safeguarding Employment Sites. The proposal is therefore subject to Policy EC3 which states that:

'Outside Development Boundaries, and outside established employment sites, proposals for small-scale employment development appropriate to a rural area will be permitted where they:

C. facilitate the retention or growth of a local employment opportunity.'

10.4 In addition, paragraphs 84 and 85 of the NPPF support a prosperous rural economy, and state that:

'84. *Planning policies and decisions should enable:*

- (a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;
- (b) the development and diversification of agricultural and other land-based rural businesses;
- (c) sustainable rural tourism and leisure developments which respect the character of the countryside; and
- (d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.

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

10.5 The proposed additional hardstanding would be for ancillary storage purposes to the existing business. The business operated from the site is horticultural, and includes the production of peat free compost products. The supporting information provided with the application states that the proposed stocking yard is required to accommodate additional packed and bulk products, so as to improving the efficiency of the processing plant and the site generally. The applicant is also wishing to maintain production runs on individual products to ensure efficient use of the plant for processing and packing, and that a larger storage area is required on site to hold the products awaiting dispatch.

10.6 Therefore, it is considered that the principle of the proposed development would accord with Local Policy EC3, in addition to paragraphs 84 and 85 of the NPPF.

(b) Landscape Impact

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

10.8 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.

10.9 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.

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

10.11 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).

10.12 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.

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

10.14 Paragraph 176 of the National Planning Policy Framework states that great weight should be given to conserving landscape and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty.

10.15 The application site lies to the north of Melcourt Industries existing yard and buildings, with an area of 1.32ha of existing woodland to be removed. This is understood to have been planted in 1991, and contains approximately 2100 trees. To compensate for this loss of area of woodland, a new woodland is shown to be provided extending to 1.35ha in area, to be planted further to the north adjacent to the southern side of Crudwell Lane. The application site in its entirety therefore extends to approximately 4.1 ha.

10.16 The site borders the existing industrial site to the south and a belt of retained woodland to the north, whilst beyond the woodland boundary lies agricultural land. Views of the site are available locally from a public footpath, the route of which lies along the agricultural track which defines the south-eastern boundary, whilst views from Crudwell Lane to the north would be largely screened by intervening vegetation. The impacts of lighting (if required) may also be seen from the wider landscape context.

10.17 The scheme has been amended to delete an area of bunding that was proposed, which was not considered to be acceptable in landscape terms. Subject to this amendment, the scheme is considered to be acceptable. The area of woodland to be removed is considered to be of low value, although a perimeter belt of trees within the existing woodland would be retained to provide containment of the site. The Tree Officer has also raised no concerns about the removal of the existing planting.

10.18 Details of new woodland planting are provided on the Proposed Landscape Planting Plan, and it is considered that the new woodland would provide sufficient landscape enhancement. The proposed planting mix is in keeping with the rural context and the diverse species selection would improve the biodiversity at the site.

10.19 There are no details of lighting provided with the application. However, if lighting is needed, details must be submitted and agreed by the Local Planning Authority in order to protect the tranquillity of the rural countryside and also the dark skies of the nearby Cotswolds AONB. A condition is, therefore, recommended to require details of any new external lighting to be provided prior to installation.

(c) Impact upon Biodiversity

10.20 Having regard to Policy EN8 of the Local Plan and paragraphs 174 and 180 of the NPPF, a Preliminary Ecological Appraisal and Great Crested Newt Environmental DNA (eDNA) Assessment have been provided in support of the application. The proposal includes the adoption of all the proposed mitigation and biodiversity enhancement measures recommended within the report, to include the preparation of a mitigation and enhancement scheme / Biodiversity Enhancement Plan which would be submitted for approval pursuant to a condition of the planning permission, which would incorporate the following:

- (i) A planting and aftercare schedule for the new plantation woodland as set out in the tree survey report provided by Pryor and Rickett Silviculture (PRS, 2021);
- (ii) Landscaping proposals for the new bunds with the aim of maximising biodiversity;
- (iii) Details of construction timing restrictions with respect to breeding birds; and
- (iv) The provision of bird and bat boxes on retained plantation trees.

10.21 Officers are satisfied that relevant legislation and policy requirements would be met by the submission, and as such accord with the objectives of Cotswold District Local Plan Policy EN8 and Section 15 of the NPPF.

(d) Residential amenity

10.22 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.

10.23 The nearest residential property to the proposed hardstanding is in Wiltshire, approximately 80 metres distant. However, considering the established use of the site and the nature of the proposed use, for outdoor storage, it is not considered that the proposed development would impact upon the amenities of any nearby residential properties.

10.24 It should, however, be noted that the applicants have suggested working hours of:

Monday to Friday 0730 to 1800

Saturday 0800 to 1400

with no working on Sundays or Bank Holidays.

10.25 It should be noted that any working hours restriction would only apply to the area within the red line upon the submitted plans denoting the application site boundary.

10.26 However, in view of the use of the land proposed, it is considered that the proposal would be acceptable having regard to Policy EN2, the Cotswold Design Code and the NPPF.

(e) Surface Water Drainage

10.27 Having regard to Policy EN14 of the Local Plan, the application refers to the hardstanding being constructed from concrete, and this would, therefore, result in a considerable increase in hard surfacing.

10.28 The proposed plans include a storage swale to direct surface water run-off via a network of gulleys and filter drains, so as to minimise potential detrimental impacts on flood risk and water quality. It is expected that the swale will be dry under normal conditions, with this being located to the north of the yard extension.

10.29 The Council's Drainage Engineers consider that the proposed details are acceptable in principle, but have recommended that a condition be attached to any permission granted.

(f) Highways

10.30 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.

10.31 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.

10.32 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.

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

10.34 In support of the application, the applicants have stated that they estimate that the development will add an average of 6 articulated lorry loads (12 vehicle movements) per day, allowing for growth in raw material imports, product sales and other materials. However, the increased storage space will remove at least 80 HGV movements associated with off-site storage of product in the busiest months of the year, typically 1 articulated lorry load meaning 2 movements a day, so the net change will be 10 daily HGV movements. It is also stated that no change in staff levels is anticipated.

10.35 Furthermore, the applicants have also stated that they have relocated existing soil processing operations to a site at South Cerney last year. This will remove an average of 10 articulated lorry movements a day (5 loads) in the busiest months (March to May), and will

therefore off-set the 10 envisaged articulated lorry movements during busy periods. Therefore, the supporting statement concludes that the current traffic impact from site operations will not change.

10.36 The Highway Authority has assessed the estimated additional traffic that could be generated by the site expansion on the highway network, accounting for the figures in the original Transport Assessment (TA) of 10-12 HGV's and those recorded from the site and Parish traffic counts compared to potential site land use trips from TRICS analysis. The previous TA comments that the additional trips would be balanced by the removal of associated trips from HGV trips between other applicant sites due to the additional storage and operations not occurring on the site were not accepted by the Highway Authority, due to the application allowing the larger commercial land use potential trips for either the current applicant or another operator.

10.37 The Highway Authority has also commented that applicants are required to mitigate the impact of the development, and although the impact of the existing operations has been observed, including verge damage which will be required to be repaired, the mitigation for the proposed expansion of the operations at the site has been the focus of their consideration of the application.

10.38 It is proposed to provide 5 passing spaces along the route to the site from the junction of Church Lane with the B4014, with further spaces along Crudwell Lane and the entrance to the site where there is evidence of passing (i.e. damage to the verge). These would be provided within the highway verge, and funded by the applicants. The Highway Authority considers that the final details may be subject of a condition, and are considered reasonable based on the potential increase in trips generated.

10.39 The site access will be required to provide improved signage notifying all HGVs to turn west via Crudwell Lane, Church Lane and the B4014 as well as visibility splays being provided based on recorded speeds.

10.40 Based on the analysis of the information submitted, the Highway Authority concludes that there would not be an unacceptable impact on Highway Safety or a severe impact on congestion, and that there are no justifiable grounds on which an objection could be maintained.

10.41 Within the objections received to the application, reference has been made by objectors to breaches of the Operator's licence issued by the DVSA (Drive and Vehicle Standards Agency). Whilst these concerns are noted, that is a matter for the DVSA to investigate rather than the Local Planning Authority, and does not affect the recommendation made.

11. Conclusion

11.1 The proposal is considered to accord with 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 planning permission to 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 numbers: LMM/049/01; LMM/049/02 REV C; MEL001 REV B; MEL002; MEL003 and MEL004.

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

3. Prior to the first use/occupation of the development hereby approved, a comprehensive landscape scheme shall be approved in writing by the Local Planning Authority. The scheme must show the location, size and condition of all existing trees and hedgerows on and adjoining the land and identify those to be retained, together with measures for their protection during construction work. It must show details of all planting areas, tree and plant species, numbers and planting sizes. The proposed means of enclosure and screening should also be included, together with details of any mounding, walls and fences and hard surface materials to be used throughout the proposed development.

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

4. The entire landscaping scheme shall be completed by the end of the planting season immediately following the completion of the development or the site being brought into use, whichever is the sooner.

Reason: To ensure that the landscaping is carried out and to enable the planting to begin to become established at the earliest stage practical and thereby achieving the objective of Cotswold District Local Plan Policy EN4.

5. Any trees or plants shown on the approved landscaping scheme to be planted or retained which die, are removed, are damaged or become diseased, or grassed areas which become eroded or damaged, within 5 years of the completion of the approved landscaping scheme, shall be replaced by the end of the next planting season. Replacement trees and plants shall be of the same size and species as those lost, unless the Local Planning Authority approves alternatives in writing.

Reason: To ensure that the planting becomes established and thereby achieves the objective of Cotswold District Local Plan Policy EN2.

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

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

7. Prior to the commencement of the development hereby approved, full details of highway improvements/offsite works comprising the provision of 5 passing places, to accommodate HGV passing with appropriate signage in general accordance with plan IMA-21-022 028, shall be submitted to and approved in writing by the Local Planning Authority. The use hereby approved shall not be brought into use until those works have been constructed in accordance with the approved details, with the passing bays to be retained thereafter.

Reason: To ensure the safe and free flow of traffic onto the highway to mitigate and minimise conflicts according to Policies INF1 and INF4 of the Cotswold District Local Plan and NPPF paragraphs 110 and 112.

8. All HGVs accessing and egressing from the site shall travel via the B4014, Church Lane and Crudwell Lane to the west. Site access signage for all HGVs to turn west on egress towards Church Lane and the B4014 shall be erected in general accordance with plan IMA-21-022 027.

Reason: To ensure safe and suitable access to and from the site minimising impact on highway users according to Policies INF1 and INF4 of the Cotswold District Local Plan and NPPF paragraphs 110 and 112.

9. The development hereby approved shall not be occupied/brought into use until visibility splays are provided from a point 1m above carriageway level at the centre of the access to the application site and 2.4 metres back from the near side edge of the adjoining carriageway, (measured perpendicularly), for a distance of 93.6 metres in each direction measured along the nearside edge of the adjoining carriageway and offset a distance of 0.6 metres from the edge of the carriageway. These splays shall thereafter be permanently kept free of all obstructions to visibility over 0.9m in height above carriageway level.

Reason: In the interests of highway safety according to Policies INF1 and INF4 of the Cotswold District Local Plan and NPPF paragraphs 110 and 112.

10. An electric vehicle infrastructure strategy and implementation plan shall be submitted to and approved in writing by the Local Planning Authority prior to the first use of the land use hereby permitted. The plan shall contain details of the number and location of all electric vehicle charging points shall comply with BS EN 62196 Mode 3 or 4 charging and BS EN 61851, and Manual for Gloucestershire Streets. Buildings and parking spaces that are to be provided with charging points shall not be brought into use for the permitted development until associated charging points are installed in strict accordance with approved details and are operational. The charging points installed shall be retained thereafter unless replaced or upgraded to an equal or higher specification.

Reason: To promote sustainable travel and healthy communities according to Policies INF1 and INF4 of the Cotswold District Local Plan and NPPF paragraphs 110 and 112.

11. Prior to commencement of the development hereby permitted details of a construction management plan shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the clearance/construction period. The plan/statement shall include but not be restricted to:

- Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- Advisory routes for construction traffic;
- Any temporary access to the site;
- Locations for loading/unloading and storage of plant, waste and construction materials;
- Method of preventing mud and dust being carried onto the highway;
- Arrangements for turning vehicles;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Highway Condition survey;
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

Reason: In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development according to Policies INF1 and INF4 of the Cotswold District Local Plan and NPPF paragraphs 110 and 112.

12. The Development hereby approved shall not be brought into use until a HGV management plan has been submitted to and approved in writing by the Local Planning Authority. The measures shall thereafter be implemented in accordance with the approved delivery plan for the lifetime of the development.

Reason: In the interests of highway safety and to minimise the impact of vehicles servicing the development upon congestion according to Policies INF1 and INF4 of the Cotswold District Local Plan and NPPF paragraphs 110 and 112.

13. The development shall be completed in accordance with the recommendations in Section 5 of the Preliminary Ecological Appraisal report (May 2021, Pure Ecology), as submitted with the planning application. All the recommendations shall be implemented in full according to the specified timescales, unless otherwise agreed in writing by the Local Planning Authority, and all mitigation features shall thereafter be permanently retained.

Reason: To ensure that the bats, badgers, birds, reptiles and hedgehogs are protected in accordance with The Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 as amended, Policy EN8 of the Cotswold District Local Plan 2011-2031, Circular 06/2005, paragraphs 174 and 180 of the National Planning Policy Framework and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

14. Prior to the commencement of development, a full surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the size, position and construction of the drainage scheme and results of soakage tests carried out at the site to demonstrate the infiltration rate. Three tests should be carried out for each soakage pit as per BRE 365 with the lowest infiltration rate (expressed in m/s) used for design. The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved. Development shall not take place until an exceedance flow routing plan for flows above the 1 in 100 year + 40% CC event has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality (The Cotswold Strategic Flood Risk Assessment, National Planning Policy Framework and Planning Practice Guidance). If the surface water design is not agreed before works commence, it could result in abortive works being carried out on site or alterations to the approved site layout being required to ensure flooding does not occur.

15. The works shall be completed in accordance with the arboricultural recommendations laid out in the consultancy report 'BS 5837 Trees in Relation to Design, Demolition and Construction - Recommendations Report' prepared by Pryor & Rickett Siviculture (May 2021). All of the recommendations shall be implemented in full according to any timescales laid out in the recommendations, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the retained/protected tree/s in accordance with Cotswold District Local Plan Policy EN7.

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any other statutory instrument amending or replacing it, no buildings, fencing or other means of enclosure shall be erected, constructed or sited in the application site other than those permitted by this Decision Notice.

Reason: In the interests of visual amenity in accordance with Cotswold District Local Plan Policies EN2 and EN4.

17. No machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site except between the hours of 0730 to 1800 Monday to Friday, 0800 to 1400 on Saturday and not at any time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with Cotswold District Local Plan Policy EN15.

Informative:

1. The Surface Water Drainage scheme should, where possible, incorporate Sustainable Drainage Techniques in order to ensure compliance with;

- Flood and Water Management Act 2010 (Part 1 - Clause 27 (1))
- Code for sustainable homes - A step-change in sustainable home building practice

- The local flood risk management strategy published by Gloucestershire County Council, as per the Flood and Water Management Act 2010 (Part 1 - Clause 9 (1))
- CIRIA C753 SuDS Manual 2015
- The National Flood and Coastal Erosion Risk Management Strategy for England, produced by the Environment Agency in July 2020, pursuant to paragraph 9 of Section 7 of the Flood and Water Management Act 2010.



**Melcourt Industries
Limited**

COTSWOLD DISTRICT COUNCIL

Site Location Plan

Melcourt Industries Limited, Boldridge Brake, Crudwell Lane, Long Newnton, Tetbury, Gloucestershire. GL8 8RT

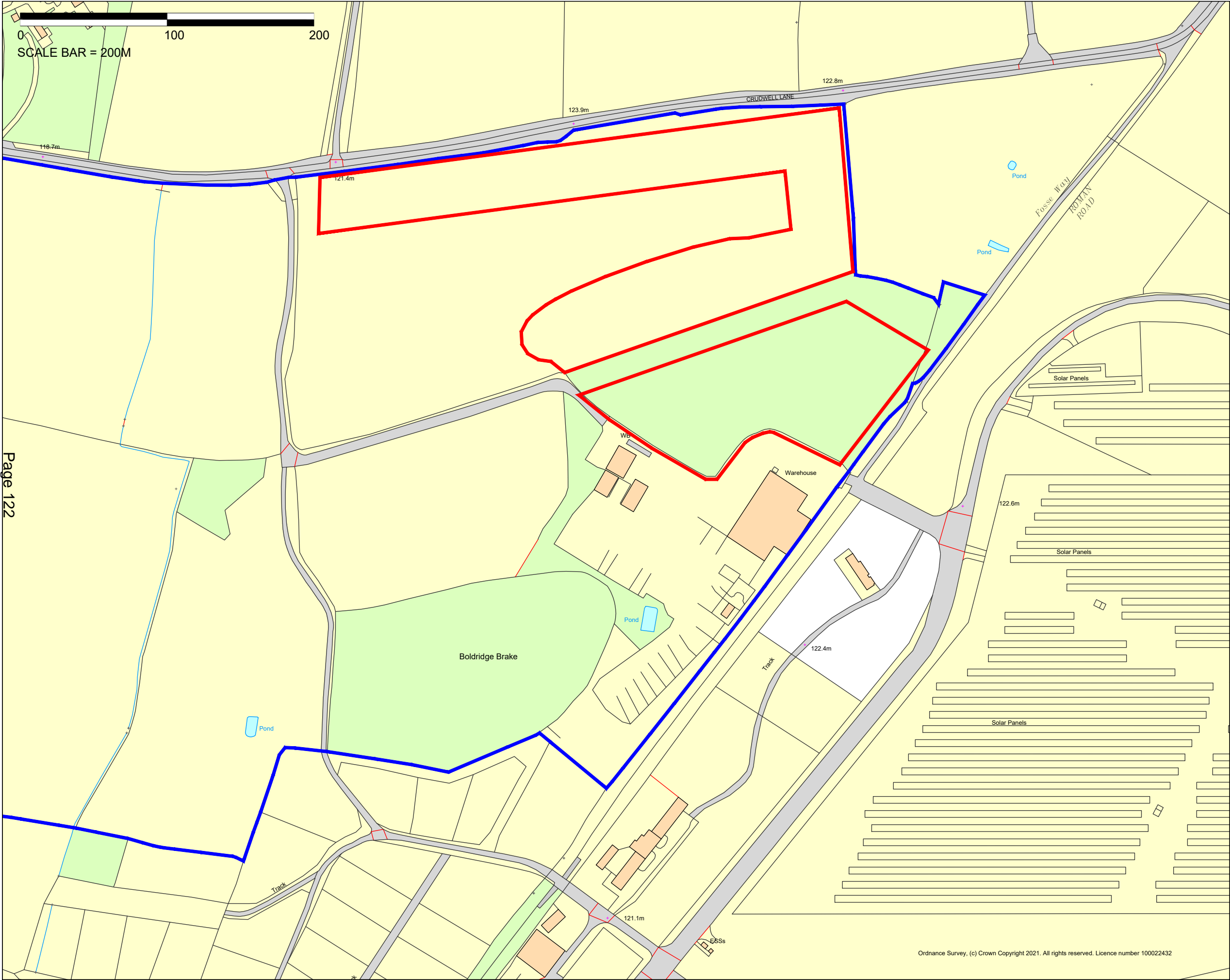
Scale: 1:500

Reference: 21/04342/FUL

Date: 08 September 2022

0 395 790 1,580 2,370 3,160 Mtrs



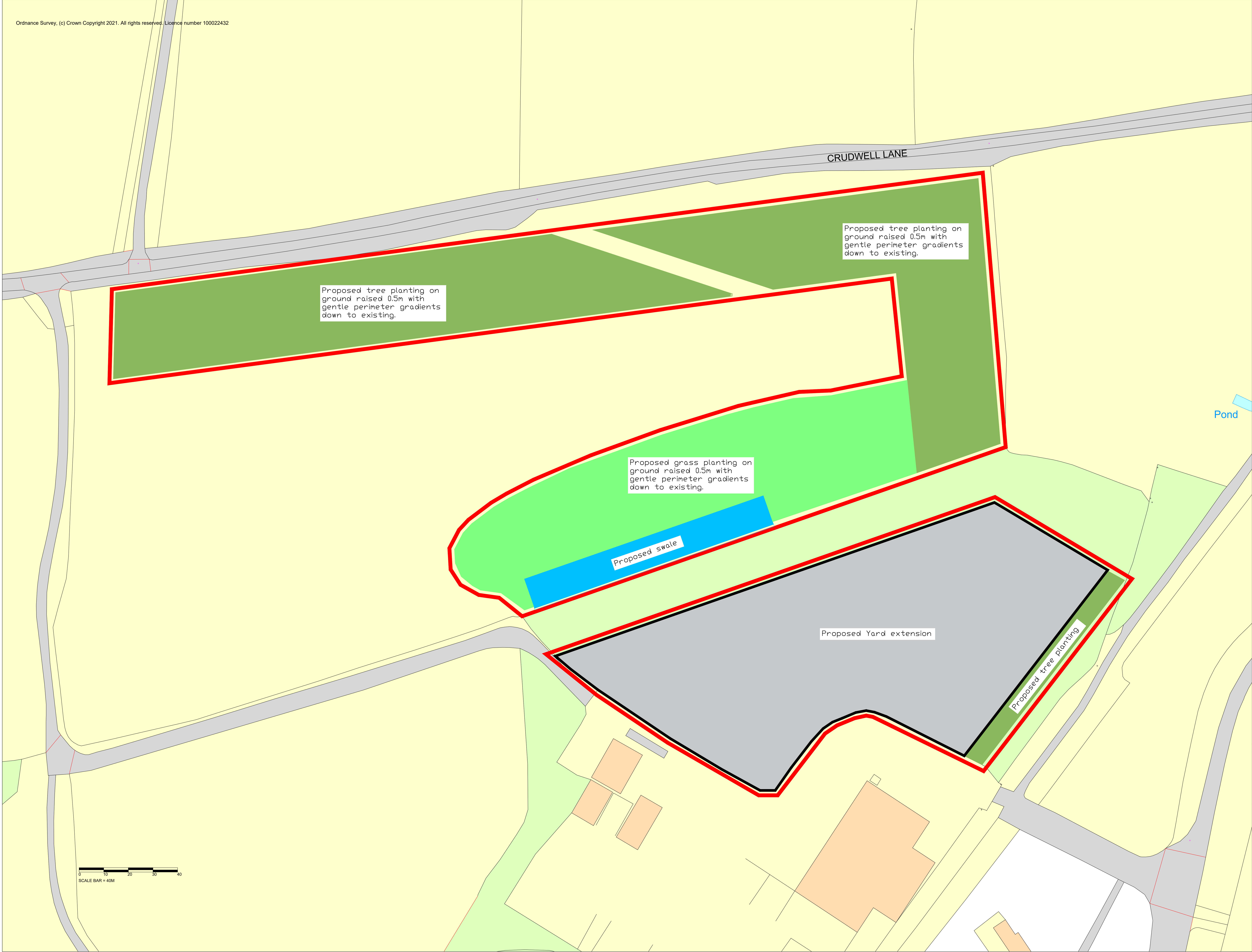


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Notes:
1.This drawing should only be used for its original intended purpose.
2.Dimensions in metres unless otherwise stated.
3.Details provided by Land and Mineral Management.

Application boundary
Other land under applicant's control



Revision	Comment	Date
ALAN WADE SITE ENGINEERING LIMITED <small>LAND SURVEYS AND VOLUMETRIC CALCULATIONS FOR EARTHMOVING OPERATIONS surveys@awsel.co.uk REGISTERED IN ENGLAND AND WALES COMPANY NO. 3308910. REGISTERED OFFICE: THE MARES, HOUNS RD, CHIPPING SODRUP, BRISTOL, BS37 4EJ</small>		
Project PROPOSED YARD EXTENSION BOLDRIDGE BRAKE, CRUDWELL LANE GL8 8RT		
Client MELCOURT INDUSTRIES LTD		
Drawing Title LOCATION PLAN		
Drawn Date 08/02/21	Surveyed Date -	
Scale 1:2500	(AT A3)	
Drawing Number LMM/049/01	Rev -	



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Notes:
1 This drawing should only be used for its original intended purpose.
2 Dimensions in metres unless otherwise stated.
3 This drawing was prepared for a planning application. It is not a construction issue drawing.
4 The client is reminded of their duties under the CDM 2015 regulations.
5 General layout supplied by LMM.
6 Levels in metres AOD.
7 Checks should be made to establish if services cross the site. The client should contact the service owners to establish whether these proposals will affect them.

Application boundary

Pond

C	Planting amended	11 Apr 22
B	Bunds removed	11 Apr 22
A	Bund amended, swale added	18 Sept 21

Revision	Comment	Date
C	Planting amended	11 Apr 22
B	Bunds removed	11 Apr 22
A	Bund amended, swale added	18 Sept 21

**ALAN WADE
SITE ENGINEERING
LIMITED**

LAND SURVEYS AND VOLUMETRIC CALCULATIONS FOR EARTHMOVING OPERATIONS
surveys@awsel.co.uk

PROJECTS IN ENGLAND AND WALES COVERED BY OTHER LICENSES OFFERED BY AWSEL INCLUDE: HIGHWAYS, AIRPORTS, SEWERAGE, WASTE, BEST PRACTICE

Project:
PROPOSED YARD EXTENSION
BOLDRIDGE BRAKE, CRUDWELL LANE
GL8 8RT

Client:
MELCOURT INDUSTRIES LTD

Drawing Title:
SITE PLAN

Drawn Date: 09/02/21	Surveyed Date: -
Scale: 1:500	(AT A0)
Drawing Number: LMM/049/02	Rev: C



			Planting Block	B1*	B2*	B3**	U1***	
Schedule of Plant Material			Area in m ²	6,950	6,225	480	1,180	
			Total no. of plants	1125	1000	115	130	
Species	Common Name	Size/cm	Protection & support (B1/B2 fenced, B3/U1 individual plant protection)	1.8m rabbit/deer fence	1.8m rabbit/deer fence			Total
Primary Tree Species								
<i>Acer Camestres</i>	Field Maple	60-80"	1.2m Tubex Shelter/1.5m stake	75	75	10	15	175
<i>Alnus glutinosa</i>	Common Alder	60-80"	1.2m Tubex Shelter/1.5m stake	50	75	15		140
<i>Betula pendula</i>	Silver Birch	60-80"	1.2m Tubex Shelter/1.5m stake	50	50			100
<i>Pinus sylvestris</i>	Scots Pine	60-80"	1.2m Tubex Shelter/1.5m stake	50	75		25	150
<i>Quercus ilex</i>	Holm Oak	60-80"	1.2m Tubex Shelter/1.5m stake	50	50			100
<i>Quercus robur</i>	Common Oak	60-80"	1.2m Tubex Shelter/1.5m stake	75	75	5		155
Secondary Tree Species								
<i>Carpinus betula</i>	Hornbeam	40-60"	1.2m Tubex Shelter/1.5m stake	50	25			75
<i>Crataegus monogyna</i>	Hawthorn	40-60"	60cm Tubex Shrub shelter/90cm stake	100	75	25	15	215
<i>Prunus avium</i>	Wild Cherry	40-60"	1.2m Tubex Shelter/1.5m stake	75	75			150
<i>Prunus spinosa</i>	Blackthorn	40-60"	60cm Tubex Shrub shelter/90cm stake	100	75	25	15	215
<i>Sorbus aria</i>	Whitebeam	40-60"	1.2m Tubex Shelter/1.5m stake	75	50			125
<i>Sorbus aucuparia</i>	Rowan	40-60"	1.2m Tubex Shelter/1.5m stake	75	50			125
Understorey Shrubs								
<i>Corylus avellana</i>	Hazel	40-60"	1.2m Tubex Shelter/1.5m stake	100	100	10	25	235
<i>Ilex aquifolium</i>	Holly	3 litre pot**	1.2m Netlon ring/two 1.5m stakes	75	50		15	140
<i>Salix caprea</i>	Goat Willow	40-60"	1.2m Tubex Shelter/1.5m stake	75	50	15	10	150
<i>Viburnum lantana</i>	Wayfaring Tree	40-60"	1.2m Tubex Shelter/1.5m stake	50	50	10	10	120
Total				1125	1000	115	130	2370






* Woodland blocks B1 & B2 planted at an average spacing on 2.5m centres. Fenced with 1.8m high deer fencing

** Woodland block B3 on the screen bund planted at an average spacing of 2.0m centres. Plants individually protected

*** Understorey planting area U1 planted at an average spacing of 3.0m centres. Plants individually protected

Stock would be of local provenance where possible

KEY

-  *INDICATIVE APPLICATION BOUNDARIES*
-  *PROPOSED TREE AND SHRUB PLANTING AREAS (Blocks B1 - B3)*
-  *PROPOSED UNDERPLANTING WITHIN EXISTING WOODLAND (Block U1)*
-  *AREA SEEDED TO LOW MAINTENANCE, TUSSOCKY GRASSLAND*
-  *PROPOSED 1.8m HIGH DEER AND RABBIT FENCE AROUND BLOCKS B1 & B2*

All planting stock within planting blocks B1 and B2 would be protected from deer and rabbits by the installation of 1.8m high deer fencing with rabbit fencing attached to the bottom with hog-ring fasteners, the approximate route of which is shown on the drawing. Plants within these blocks will not therefore need individual protection.

Planting stock within planting blocks B3 and U1, which are far smaller and therefore more difficult/not economical to fence off, would be protected by 1.2m Tubex shelters supported by 1.5m x 32mm x 32mm treated softwood or cleft chestnut stakes. Hawthorn and Blackthorn however would be protected by 60cm Tubex shrub shelters supported by 90cm stakes, as even if the top parts are browsed by deer, they are resilient enough to recover. Holly would be protected by 1.2m Netlon rings supported by two 1.5m x 32mm x 32mm stakes. All the plant protection measures will be removed after a period of approximately 5 years, or at a point once the plant is deemed mature enough to withstand browsing by predators.

Each planting station will be kept weed free by the application of glyphosate herbicide (e.g. Roundup) at least twice every year, in early spring and early/mid summer, for at least the first three seasons, with review thereafter. Plants within Blocks B1 and B2 will not be individually guarded, so for these blocks, the spraying lance would be fitted with a spray shield to prevent herbicide drifting onto the plant. Excessive tall and noxious weeds within planting areas will be controlled by selective spraying or strimming if deemed necessary (although strimming can encourage more vigorous weed growth). All chemical applications will be in accordance with guidelines as set out in the Pesticide Control Act 1996.

Plants, guards and canes which become loose, over-tight or broken will be re-firmed and adjusted on an annual basis. Fencing will be repaired as necessary on a regular basis. All planting/seedling failures would be replaced on an annual basis, during the first five years to ensure 100% stocking. All replacements will use plants of the same species or alternatively other species seen to be thriving on site. All natural regeneration of desirable species arising within planting areas will be accepted. Refer to the Typical Annual Planting Maintenance Programme table at the upper right hand corner of the drawing for timings of operations summarised above.

Client		MELCOURT INDUSTRIES LIMITED	
Site	COMPOST YARD, BOLDRIDGE BRAKE		
Project	PROPOSED YARD EXTENSION		
Drawing Title			
PROPOSED LANDSCAPE PLANTING PLAN			
Date	APRIL 2022	Drawing No.	MEL001Rev.B
Scale	1:1250 @ A3		
File Ref.	2204_006.040_MEL001Rev.B_LANDSCAPE PLANTING		Revision
			B
DB Landscape Consultancy		T: 017344 624 709 M: 07736 083 383 david@dblc.co.uk www.dblc.co.uk	

Item No 05:-

22/02837/FUL

**77 Victoria Road
Cirencester
Gloucestershire
GL7 1ES**

Item No 05:-

Variation of condition 8 (timber windows) of permission 16/03602/FUL (Demolition of existing buildings and erection of four dwellings) to replace warped timber windows with new PVC-U at 77 Victoria Road Cirencester Gloucestershire GL7 1ES

Full Application 22/02837/FUL	
Applicant:	Earle Ludlow
Agent:	Sanderson Weatherall
Case Officer:	Sophie Browne
Ward Member(s):	Councillor Joe Harris
Committee Date:	9th November 2022
RECOMMENDATION:	REFUSE

1. Main Issues:

- (a) Design and Impact on Heritage Assets
- (b) Impact on Residential Amenity

2. Reasons for Referral:

2.1 Councillor Joe Harris has called this application to the Planning and Licensing Committee for the following reasons:

2.2 "The National Planning Policy Framework sets out an assumption in favour of sustainable development. The three key pillars of sustainable development are economic, social and environmental and it's this environmental consideration which I think is applicable in this case. The site in question is within the Cirencester conservation zone. The building itself is new having been constructed in the past 6 years.

2.3 As a Council, we're vocal in encouraging people to retrofit their homes to help reduce our carbon footprint and improve heating efficiency. It appears to me that this is what the applicant is trying to achieve. The recommendation is based on the Conservation Officer's conclusion that installing these windows will be 'harmful to the character and appearance of the street scene due to the poor quality and materiality of the replacement windows and the scale and prominence of the development'.

2.4 It's my view that there is little to no harm to the character and appearance of the street scene as this is a new building with little architectural merit and is set back from the street (and is behind private gates) thus not having any impact on the street scene. I'm also content with the quality of the materials that are proposed from the information that was provided by the applicant. I believe that the benefits of installing more energy-efficient windows outweigh the impact on the character and appearance of the street scene."

3. Site Description:

3.1 The application site comprises a terrace of four new-build dwellings on land to the rear of 77 Victoria Road, constructed under Permission 16/03602/FUL and completed in 2020. The terrace is of traditional design in red brick with slate roofs, replicating elements and key characteristics of the street scene along Victoria Road.

3.2 The application site is within Cirencester Development Boundary and Cirencester South Conservation Area.

3.3 Permitted development rights have been removed for the dwellings in relation to dormer windows, windows, doors and rooflights (among other things), in order to protect the character and appearance of the conservation area and to protect the amenities of neighbouring residents.

4. Relevant Planning History:

4.1 03/02552/FUL (CT.4489/D) - Redevelopment of site with 9 no. flats. Permitted 19.3.2004

4.2 09/00867/FUL (CT.4489/E) - Erection of nine flats following demolition of existing buildings. Permitted 29.5.2009

4.3 12/01160/FUL (CT.4489/F) - Erection of nine flats following demolition of existing buildings (Extension of time limit for implementation of permission 09/00867/FUL). Permitted 9.5.2012

4.4 13/01043/OUT (CT.4489/G) - Outline application for the erection of a terrace of four houses. Permitted 3.9.2013

4.5 16/03602/FUL (CT.4489/H) - Demolition of existing buildings and erection of four dwellings. Permitted 18.10.2016

5. Planning Policies:

DS2 Dev within Development Boundaries
EN1 Built, Natural & Historic Environment
EN2 Design of Built & Natural Environment
EN10 HE: Designated Heritage Assets
EN11 HE: DHA - Conservation Areas
TNPPF The National Planning Policy Framework

6. Observations of Consultees:

6.1 Conservation Officer: Recommends refusal as the proposal would fail to preserve or enhance the character or appearance of the conservation area. The original scheme was designed to be traditional, replicating elements of the street scheme and its key characteristics, and this was a key consideration of the application for replacement dwellings. The current proposal would dilute the design and quality of the 2016 scheme, and would be harmful to the character and appearance of the street scene.

7. View of Town/Parish Council:

7.1 Cirencester Town Council: "Objection in line with views of Conservation Officer. The application site is located prominently on Victoria Road and within the conservation area. A key characteristic of the area, according to the conservation area appraisal notes is of "residential terraces whose individual character is defined by the repetition of identical features such as timber doors, vertical sliding sash windowsgiving a harmonious and cohesive character, yet vulnerable to harm through inappropriate change." CTC feels that replacement of high quality timber windows in this case with lower quality materials such as UPVC would have a negative impact on this part of the conservation area."

8. Other Representations:

8.1 None received at the time of writing.

9. Applicant's Supporting Information:

9.1 Proposed plans.

10. Officer's Assessment:

10.1 As the site is within Cirencester South Conservation Area, 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.

Proposed Development

10.2 The proposal seeks to vary Condition 8 of Permission 16/03602/FUL, which requires all windows to be of timber construction and permanently retained as such thereafter, to allow the replacement of the current timber windows with uPVC. This condition was imposed in order "to ensure that the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policies 15 and 42". These Policies (from the previous Local Development Plan) relate to design and the preservation of the special character and appearance of the conservation area.

(a) Design and Impact on Heritage Assets

10.3 Local Plan Policy EN2 supports development which accords with the Cotswold Design Code and respects the character and distinctive appearance of the locality. This conforms to the design considerations of National Planning Policy Framework (NPPF) Section 12.

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

10.5 Local Plan Policy EN11 seeks to preserve and, where appropriate, enhance the special character and appearance of conservation areas in terms of siting, scale, form, proportion, design, materials and the retention of positive features.

10.6 NPPF Section 12 requires good design, providing sustainable development and creating better place to live and work in. Specifically, paragraph 135 requires that "Local planning authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used)."

10.7 NPPF Section 16 states that historical 'assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations'. Specifically Paragraph 197 states that local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. Paragraph 199 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 200 states that 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 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 including, where appropriate, securing its optimum viable use.

10.8 The proposal has been submitted on the basis that the dwellings have never been occupied since their completion owing to a number of building defects, including the warping of the existing timber windows that renders them unsafe, insecure, and requiring replacement. The applicant contends that replacement timber windows that are of a suitable style, quality and life-expectancy are cost-prohibitive, and therefore proposes their replacement with uPVC windows.

10.9 A variety of permissions for residential development of the site have been issued over the last twenty years, all of which have featured timber windows and the most recent four of which (09/00867/FUL, 12/01160/FUL, 13/01043/OUT and 16/03602/FUL) have carried conditions explicitly requiring the use and retention of timber windows. The Conservation Officer notes that previous discussions have been held regarding the use of uPVC windows within this development, at which time it was advised that "given the size, scale and prominence of the proposed development, the use of uPVC windows would not be supported", and there have been no material changes to the planning considerations of the site since this advice was offered. The application site is located prominently on Victoria Road and the conservation area appraisal notes that a key characteristic of the area is of "residential terraces whose individual character is defined by the repetition of identical features such as timber doors, vertical sliding sash windows...giving a harmonious and cohesive character, yet vulnerable to harm through inappropriate change".

10.10 The applicant contends, amongst other things, that the use of uPVC would be acceptable as "we noted non-timber windows to several residential properties along Victoria Road": however, the conservation area appraisal also notes that a negative aspect of the conservation area is the loss of traditional and high quality materials such as timber windows

10.11 and doors being replaced with poorly designed and low quality materials such as uPVC, in light of which it is considered that the replication of existing harmful elements, i.e. 'non-timber' windows, should be avoided.

10.12 The applicant also contends, in response to the Conservation Officer's comments on the proposal, that "there is no reference to timber windows" in Policy EN2 (Design of the Built and Natural Environment).

10.13 In full, Policy EN2 states that:-

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

10.14 Within Appendix D, paragraphs D.22 and D.23 state that:-

...it is critical that new vernacular proposals are carefully researched and reflect the qualities of the traditional architecture of the area, including materials...

and that

Poor imitations of true vernacular architecture should also be avoided.

10.15 Paragraph D.47 goes on to clarify that:-

A high quality of materials is expected generally within new development. Slender metal window framing may be appropriate within stone mullion surrounds or within contemporary designs, but windows are generally required to be timber side-hung casements or sliding sashes.

10.16 It is therefore considered that the requirement for timber windows is clearly supported by Policy, contrary to the applicant's assertion.

10.17 In response to the Conservation Officer's comments, the applicant also states that the proposed uPVC windows are of superior quality and energy efficiency to timber windows and would require less maintenance, and that it is difficult to source timber windows that comply with building regulations and design standards. Timber windows are commonly used in both existing and new development throughout the District, indicating that products compliant with building regulations and design standards are widely available. A brief internet search indicates that several national, well-known double glazing installers provide timber-framed products.

10.18 In relation to the questions of energy efficiency and sustainability, the Royal Institute of British Architects has published an article entitled "Cradle to Grave: The Comparison of Window Life Cycles" as part of its CPD guidance. Whilst it acknowledges that timber windows require a more intensive maintenance programmes as compared to uPVC, in relation to the environmental credentials of each the following points are noted:

(1) The production of uPVC requires the use of fossil fuels and chlorine gas. The product is difficult to recycle, decomposes very slowly, and as a waste product contains environmentally dangerous substances such as cadmium and lead based stabilisers. Timber

can be defined as a renewable material, and timber products with PEFC/FSC ratings provide reassurance regarding replacement tree planting and sustainable forest management.

(2) Timber windows have excellent thermal resistance and are the most energy efficient type of window, achieving between 1.2W/m²k (Watts per meter square kelvin) and 0.7W/m²k, as compared to energy efficiency for uPVC windows between 1.5W/m²k and 0.8"/m²k.

(3) Timber windows are expected to have a service life of 56-65 years (68-80 years for modified timber), as compared to 25-35 years for uPVC, meaning that uPVC windows would need to be replaced more frequently over the lifetime of the building.

(4) Timber windows have the lowest average manufacturing energy consumption at 955MJ, compared with 2980MJ for uPVC.

10.19 Elsewhere, research suggests that timber windows have the lowest embodied carbon of any window material (at 85kg CO²e, compared to uPVC windows at 110kg CO²e), that over a 60 year period the 'whole life cost' of timber windows is approximately 25% lower than that of uPVC, and that the BRE Green Guide rating for timber windows is typically A+ as compared to a rating of D for uPVC. A simple internet search for comparative costs of timber vs. uPVC windows provided one result -

(<https://www.windowsguide.co.uk/articles/wooden-casement-windows-vs-upvc>) that sets out the various benefits and disadvantages of the two materials for the layperson, and concludes with the following:

"If you're replacing old wooden windows on a budget, or any material for that matter, then uPVC is the way to go but in all other cases wooden windows are the clear choice. You'll be making a long-term investment that will help to make your home more secure, more efficient and nice on the eye".

10.20 In light of this evidence, it is considered that timber windows are more energy efficient and environmentally sustainable than uPVC both in terms of thermal efficiency (and associated heating costs to the resident) and over the lifetime of the product, taking into account factors such as manufacturing costs and the expected service life of the product.

10.21 Given the above, the loss of the timber windows and replacement with uPVC is not supported or considered to be justified. The use of timber windows contributes to the character and appearance of the conservation area and makes a positive contribution to the street scene, and uPVC windows fail to replicate the slender nature of timber window framing and glazing bars. Furthermore, timber windows are highly sustainable, energy efficient, and repairable when compared to uPVC, and are therefore considered to be more environmentally sustainable overall, as well as having a lower life-time cost.

10.22 The proposal fails to comply with the design requirements of Local Plan Policies EN2, EN10 and EN11, and Section 12 of the NPPF, and would materially diminish the quality of the approved development contrary to paragraph 135 of the NPPF. It is unfortunate that poor-quality timber windows were initially installed in the development and now require replacing, but this is not considered to outweigh the design objections and no evidence has been found to support an argument for increased energy efficiency to balance against these objections.

10.23 It is considered that this category of harm to the designated heritage asset of the conservation area would fall into the category of 'less than substantial harm' in Section 16 of the NPPF, wherein paragraph 202 states that less than substantial harm should be weighed against the public benefits of the proposals. Whilst increased energy efficiency and associated environmental benefits are considered to provide public benefits and are therefore a material consideration, the evidence indicates that there would be no environmental sustainability benefits from the proposal. It is therefore considered that no public benefit has been demonstrated to weigh against the harm caused, and the proposal therefore fails to accord with the requirements of Section 16 of the NPPF.

(b) Impact on Residential Amenity

10.24 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, in conformity to the amenity requirements of Section 12 of the NPPF.

10.25 No alteration to the size or positioning of the existing window openings is proposed, and there would therefore be no impact on neighbouring residential amenity. The proposed development is therefore considered to accord with the amenity requirements of Local Plan Policy EN2 and Section 12 of the NPPF.

11. Conclusion:

11.1 The proposal would be harmful to the replacement building consented in 2016, diluting its design and quality, and would be harmful to the character and appearance of the street scene due to the poor quality and materiality of the replacement windows and the scale and prominence of the development. The proposal therefore fails to accord with the design requirements of Policies EN2, EN10 and EN11 of the Cotswold District Local Development Plan and guidance within Sections 12 and 16 of the NPPF, and is recommended for refusal.

12. Reason for Refusal:

1. The application site lies within the Cirencester South Conservation Area. Under the Planning (Listed Buildings and Conservation Areas) Act, 1990, there is a statutory duty for the Local Planning Authority to pay special attention to the desirability of preserving or enhancing the character or appearance of that area. The current proposal, by virtue of the dilution of the design and quality of the building through poor quality and materiality of the replacement windows, would neither preserve nor enhance the character and appearance of the Cirencester South Conservation Area, nor sustain its significance as a designated heritage asset. The harm would be less-than-substantial albeit considerable, but not be outweighed by any resultant public benefits. As such the proposal conflicts with paragraph 202 of the National Planning Policy Framework, and to grant permission would be contrary to the requirements of Section 16 of the Framework, and the statutory duty of Section 72(1) of the 1990 Act. The proposal is also contrary to Policies EN2, EN10 and EN11 of the Cotswold District Local Development Plan.

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Revision : Drawn : OS Date : 10/08/2022



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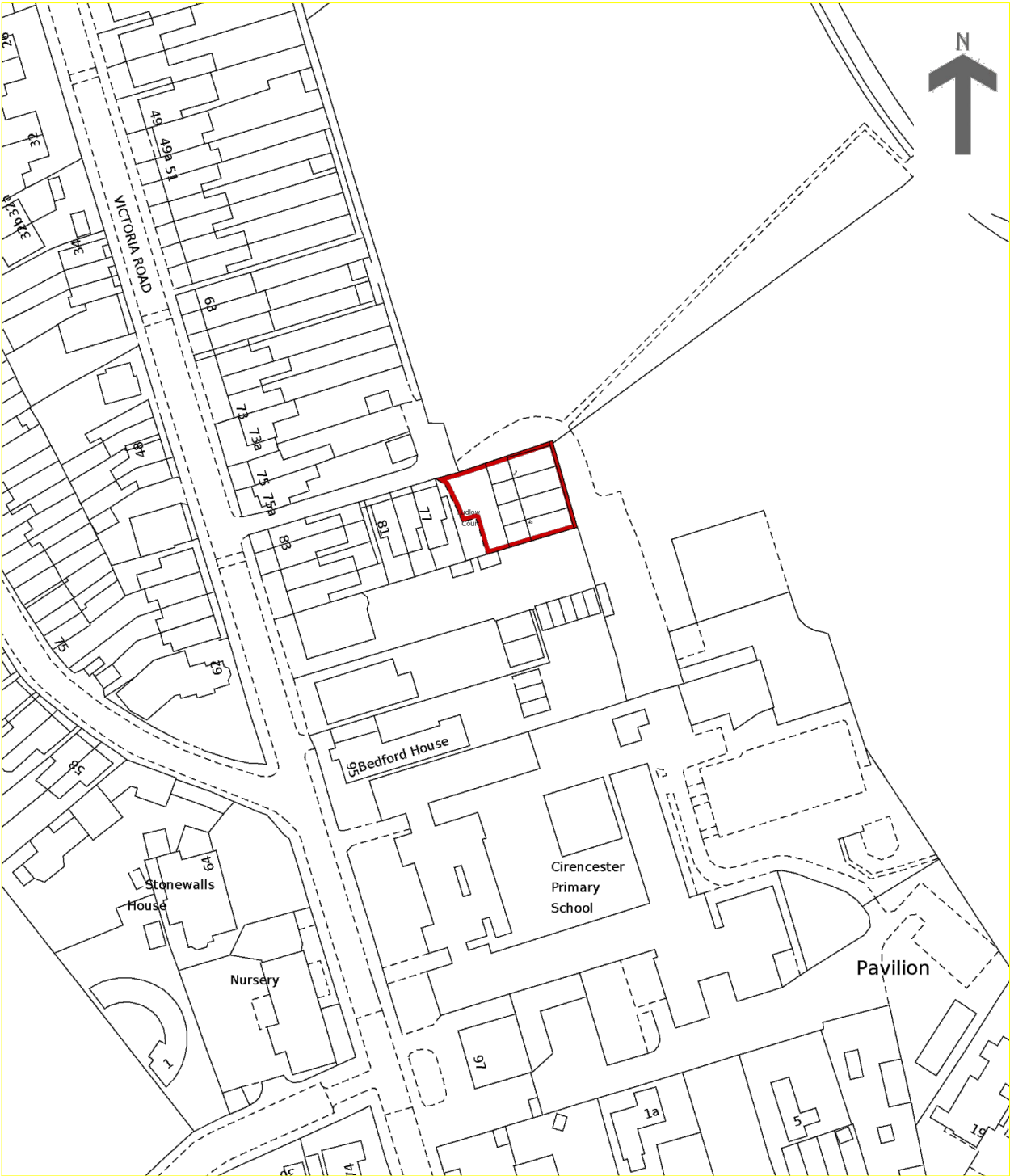
Client :
Earle Ludlow
Address :
Ludlow Court, 77 Victoria Road,
Cirencester, Gloucestershire, GL7 1ES

Drawing :
Site location plan

Job Ref : Dwg No : Revision :
212559 212559-01

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OS JW

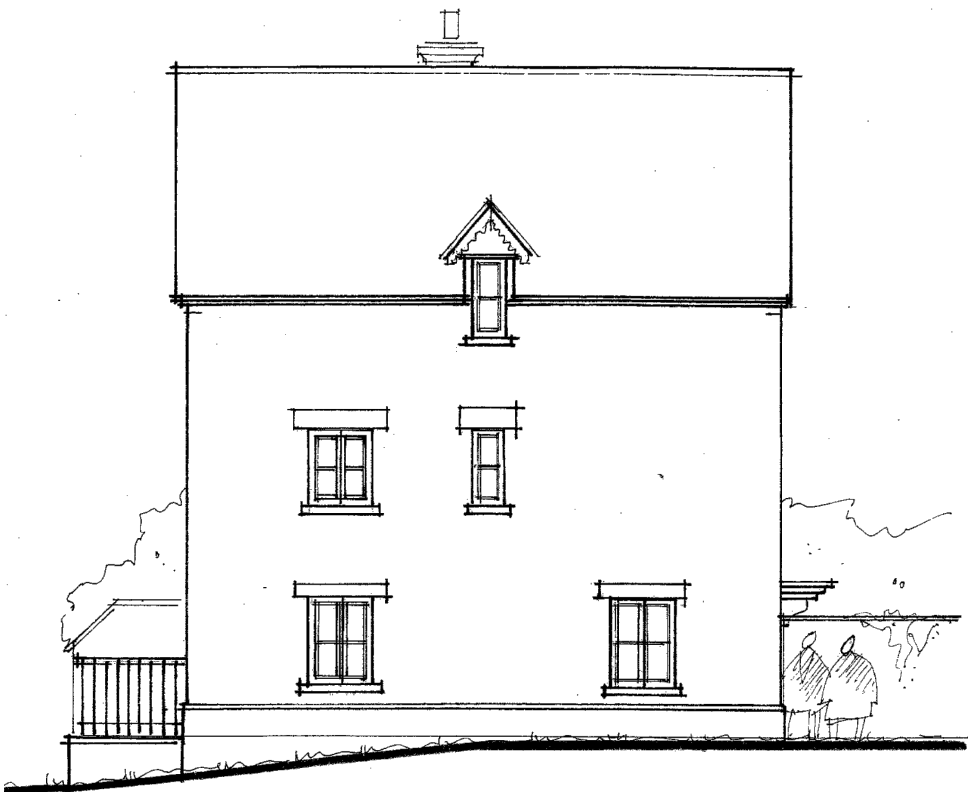
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Planning



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Revision : Drawn : OS Date : 10/08/2022



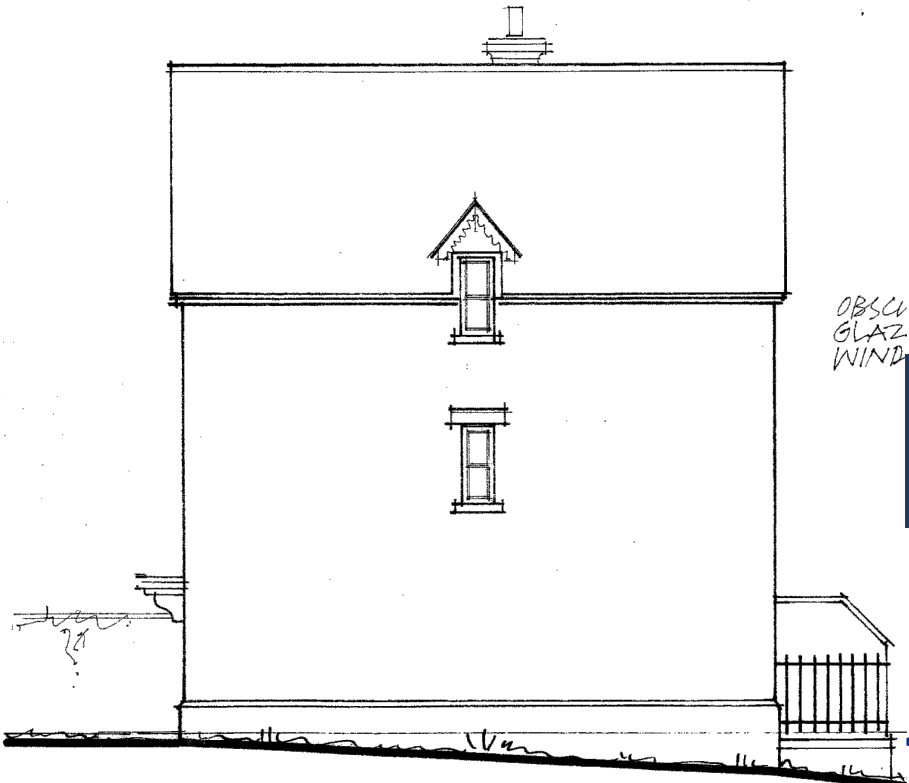
NORTH WEST



SOUTH WEST



NORTH EAST



SOUTH EAST

OBSCU
GLAZ
WIND



Client :
Earle Ludlow
Address :
Ludlow Court, 77 Victoria Road,
Cirencester, Gloucestershire, GL7 1ES

Drawing :
Elevations as existing

Job Ref : 212559 Dwg No : 212559-04 Revision :

Drawn : OS Checked : JW Scale : 1:100 at A3

Status :

Planning

Window & Door Schedule:

PLOT 1 & PLOT 4 Handled

Window No:	Frame Sizes: Width:	Height:	Glazing:	Comments:
W1	1338	1338		
W2	888	1188		
W3	888	1338		Plot 1 only
W4	888	1338		Plot 1 only
W5	1338	1188		
W6	1338	1338		
W7	888	1188		
W8	888	1188		Plot 1 only
W9	438	1188		Obscure
W10	888	1188		
W11	888	1188		
W12	438	1188		Obscure

Ext. Door No:	Frame Sizes: Width:	Height:	Comments:
D1	2100	2100	
D2	1480	2100	

Int. Door No:	Door Sizes: Width:	Height:	Comments:
d1	888	1981	
d2	888	1981	
d3	838	1981	
d4	762	1981	
d5	610	1981	
d6	762	1981	
d7	762	1981	
d8	762	1981	
d9	762	1981	
d10	762	1981	
d11	762	1981	

Window & Door Schedule:

PLOT 2 & PLOT 3 Handled

Window No:	Frame Sizes: Width:	Height:	Glazing:	Comments:
W1	888	1188		
W2	438	1188		
W3	888	1188		
W4	888	1038		
W5	888	1038		
W6	1338	1038		

Ext. Door No:	Frame Sizes: Width:	Height:	Comments:
D1	932	2100	
D2	2388	2100	

Int. Door No:	Door Sizes: Width:	Height:	Comments:
d1	888	1981	
d2	838	1981	
d3	838	1981	
d4	762	1981	
d5	762	1981	
d6	762	1981	
d7	762	1981	
d8	762	1981	
d9	610	1981	
d10	762	1981	

B-fold

I.B.A.
Units E & F
The Old Brickyard
Ashton Keynes
Wills SN6 6QR
Telephone no: 01282 861563
Email: ibainfo@ibainfo.co.uk

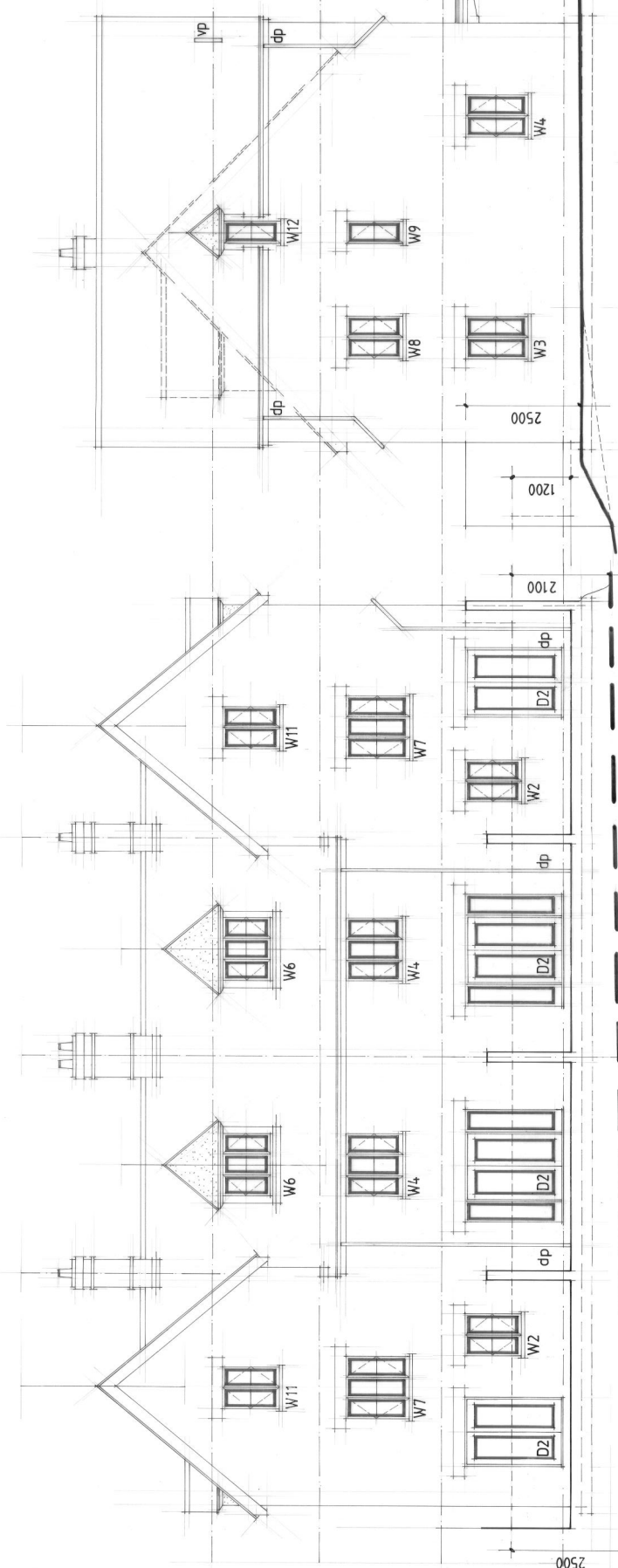
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Proposed Four Town Houses
77 Victoria Road
Gloucester

Client:
LUDLOW COURT

Title:
Elevations

Scale: 1:50 Date: Oct. 2017

Revisions:
Drg no: 7073/07

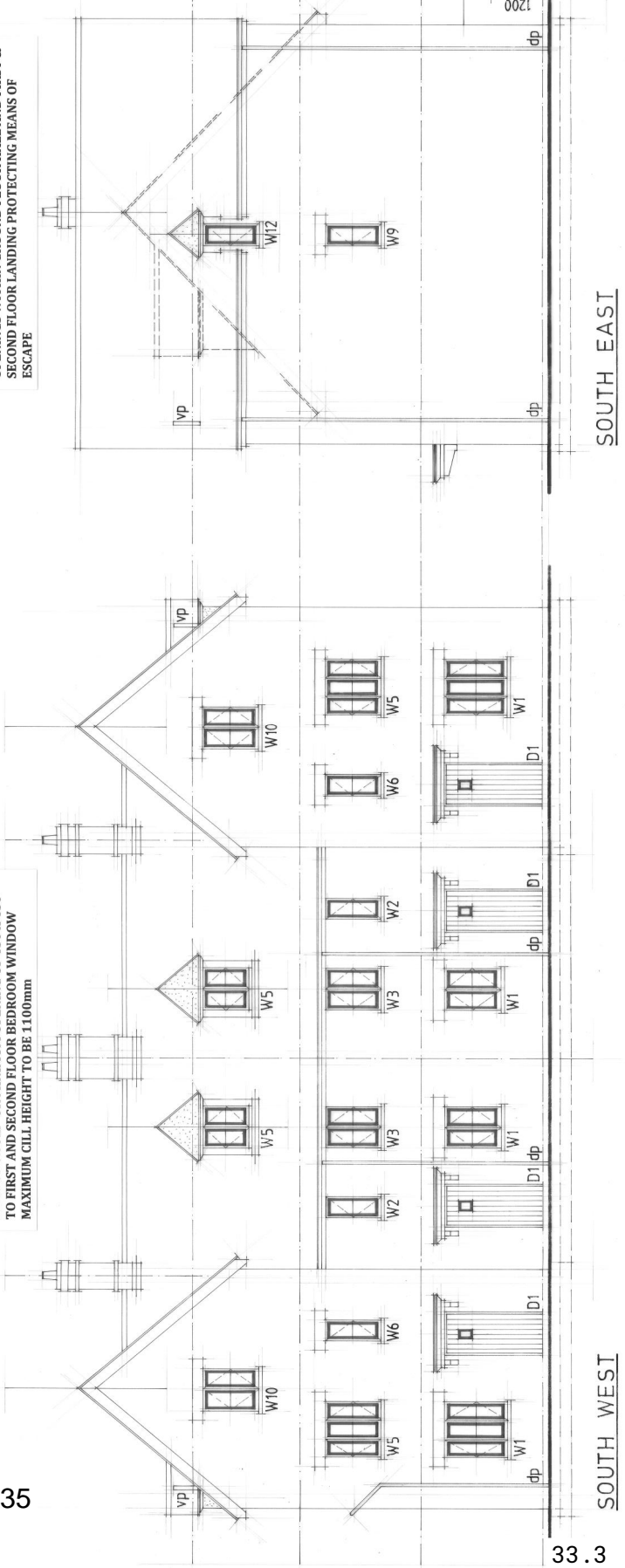


NORTH WEST

FD20 INTERNAL DOOR TO BE INSTALLED TO ALL DOOR
OPENINGS WITHIN GROUND FLOOR HALL AND FIRST &
SECOND FLOOR LANDING PROTECTING MEANS OF
ESCAPE

ESCAPE WINDOW TO HAVE MINIMUM CLEAR OPENABLE
AREA OF 0.33m² OR MINIMUM OPENING OF 450 X 450
TO FIRST AND SECOND FLOOR BEDROOM WINDOW
MAXIMUM CILL HEIGHT TO BE 1100mm

NORTH EAST



SOUTH WEST

SOUTH EAST



Lasting beauty for your home

Heritage 2800 Windows and Doors



Page 136



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Saving energy, money and the environment

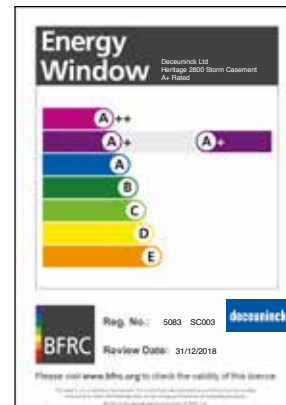
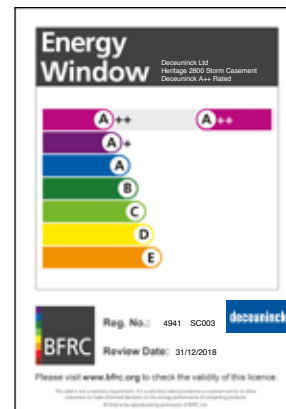
With energy prices soaring, you need a window and door system that insulates your home, helping to reduce fuel bills and cut carbon emissions.

Most people are familiar with the rainbow 'energy label' on white goods such as fridges and washing machines. These also apply to windows and doors.

A window energy rating of A+ or above is considered to be the best in class for energy efficiency. This equates to A* with the Thermal Rating Register or A+ with BFRC. So when choosing your windows, look for the energy rating label with A*, A+ or A++.

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Our Heritage 2800 double glazed windows achieve superb thermal performance with A++ energy ratings. We also offer triple glazed windows for the best in energy efficiency and comfort in the home.



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Making sure your windows and doors are secure can be a major deterrent to opportunistic thieves and burglars.

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Heritage 2800 - elegant and traditional

Our Heritage 2800 windows and doors combine the elegance and style of traditional timber with all the benefits of PVC-U. This range is ideal for period properties and those who want to add or restore character to their homes. Its unique, unrivalled, aesthetic appeal makes this range the most attractive suite of windows and doors on the market today.



With its smooth contours and stunning features, our Heritage 2800 series offers a contemporary and elegant range of windows and doors that complements modern and period properties alike. Combining the traditional look with the latest technology, its symmetrical design gives a property perfect balance and harmony.

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Heritage 2800 combines elegance and style



Heritage Colour Collection

Our Heritage colour collection has been specially designed to help you put together the perfect colour palette for your home.

Every home is different, and our beautiful range of colours takes its inspiration direct from nature to harmonise perfectly with your home and its surroundings, ensuring it stays looking good for years to come.

Our unique range of woodgrain foil colours are available in a number of colourways.

Ask your supplier for details.

- ◆ Beautiful authentic 'wood like' finishes
- ◆ Extremely durable
- ◆ A minimum 10 year manufacturer's guarantee
- ◆ Each colour has its own matching ancillaries, trims and accessories
- ◆ True aluminium alternatives
- ◆ Available from stock*



30 COLOURWAYS IN STOCK

Heritage Colour Range - Surcharge applies.

ANTHRACITE SMOOTH / HERITAGE WHITE	BLACK ASH / HERITAGE WHITE	AGATE GREY / HERITAGE WHITE	NUT TREE / WHITE PVC	NUT TREE BOTH SIDES	BLACK SMOOTH MATT / WHITE PVC
ENGLISH OAK / HERITAGE WHITE	ENGLISH OAK BOTH SIDES	HERITAGE WHITE / ENGLISH OAK	BLACK ASH / WHITE PVC	BLACK ASH BOTH SIDES	GOLDEN OAK / WHITE PVC
ICE CREAM / HERITAGE WHITE	HERITAGE WHITE BOTH SIDES	GREY ALUMINIUM / WHITE PVC	GOLDEN OAK BOTH SIDES	IRISH OAK / WHITE PVC	IRISH OAK BOTH SIDES
ANTHRACITE SMOOTH MATT / WHITE PVC	ANTHRACITE SMOOTH MATT BOTH SIDES	ANTHRACITE GRAINED / WHITE PVC	CHARTWELL GREEN / WHITE PVC	CHARTWELL GREEN BOTH SIDES	CLASSIC CREAM / WHITE PVC
ANTHRACITE GRAINED BOTH SIDES	ROSEWOOD / WHITE PVC	ROSEWOOD BOTH SIDES	CLASSIC CREAM BOTH SIDES	WHITE GRAIN / WHITE PVC	WHITE GRAIN BOTH SIDES

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Choose the right glass for your home



Minster glass



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Stippolyte glass

Obscure finishes

A wide range of glass effects are available so you can more closely match the pattern you prefer.

All glass options are available toughened or laminated for safety and security.

Page 189 Leaded and Georgian

The design of your windows and doors have a big impact on the overall appearance of your home. Whatever the age of your property the original windows and doors were designed to harmonise with it. So it's important to consider what will look right for the building when you replace them. The right design and look can preserve or enhance the value of your home.

Were the original windows leaded perhaps, or did they have Georgian bars?

Sightlines

Good window design extends to the symmetry of window sightlines.

Equal sightlines add balance and harmony – a subtle touch which adds value to any home.



Square leaded



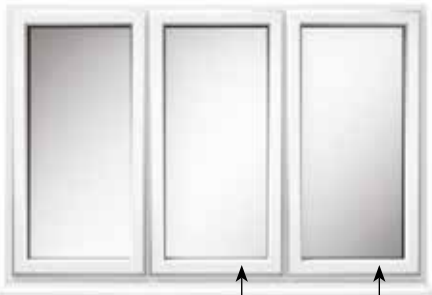
Diamond leaded



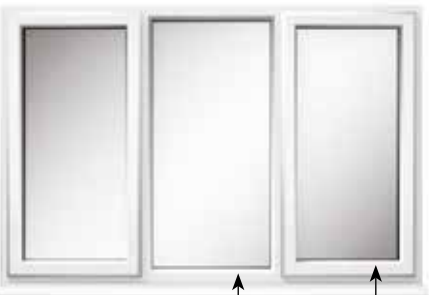
Internal Georgian Bars



External Georgian Bars



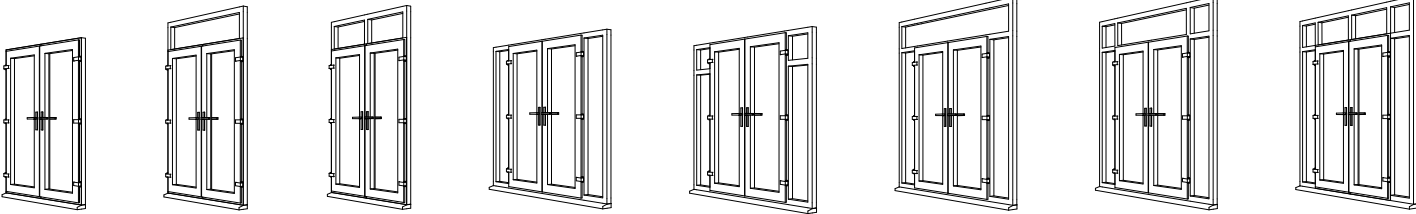
Equal Sightlines



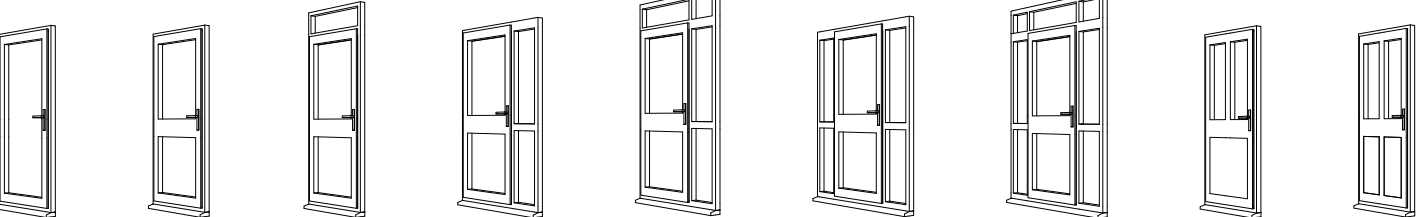
Unequal Sightlines

A choice of window and door styles to suit your living space

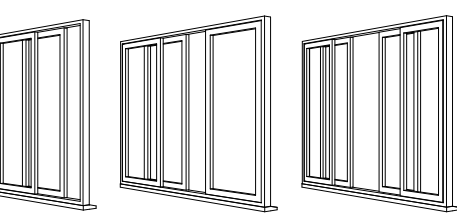
French Doors



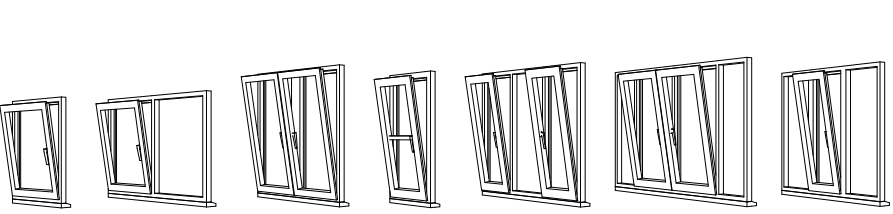
Residential Doors



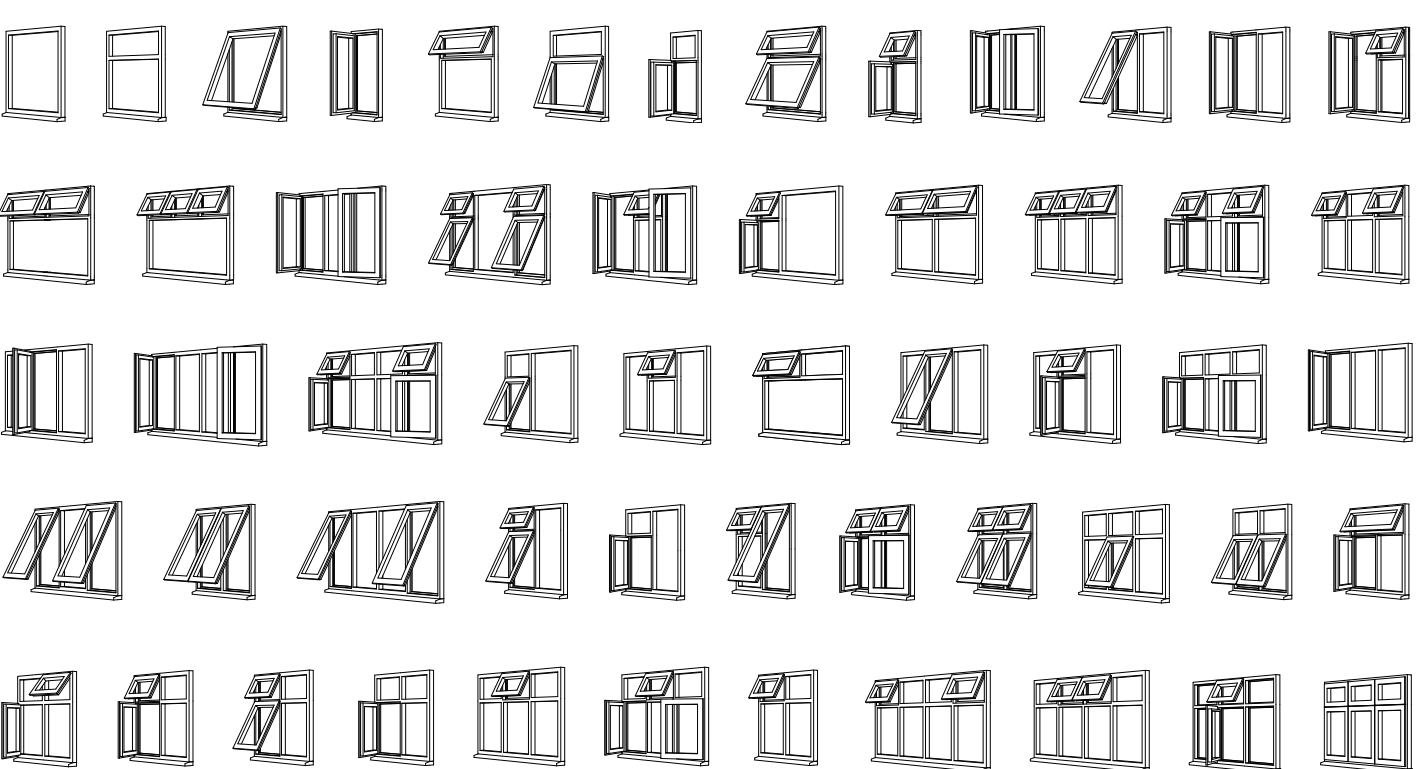
Patio Doors



Tilt and Turn Windows



Casement Windows





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