



30 October 2025

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PLANNING AND LICENSING COMMITTEE

A meeting of the Planning and Licensing Committee will be held in the Council Chamber - Council Offices, Trinity Road, Cirencester, GL7 1PX on **Wednesday, 12 November 2025 at 2.00 pm.**

Jane Portman
Interim Chief Executive

To: Members of the Planning and Licensing Committee
(Councillors Dilys Neill, Ian Watson, Ray Brassington, Nick Bridges, Patrick Coleman, Daryl Corps, David Fowles, Julia Judd, Andrew Maclean, Michael Vann and Tristan Wilkinson)

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**

To receive any apologies for absence. The quorum for the Planning and Licensing Committee is 3 members.

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 relating to items to be considered at the meeting.

4. **Minutes** (Pages 5 - 14)

To confirm the minutes of the meeting of the Committee held on 8 October 2025.

5. **Chair's Announcements**

To receive any announcements from the Chair of the Planning and Licensing Committee.

6. **Public questions**

A maximum of 15 minutes is allocated for an "open forum" of public questions at committee meetings. No person may ask more than two questions (including supplementary questions) and no more than two such questions may be asked on behalf of one organisation. The maximum length of oral questions or supplementary questions by the public will be one minute. Questions must relate to the responsibilities of the Committee but questions in this section cannot relate to applications for determination at the meeting.

The response may take the form of:

- a) A direct oral response (maximum length: 2 minutes);
- b) Where the desired information is in a publication of the Council or other published work, a reference to that publication; or
- c) Where the reply cannot conveniently be given orally, a written answer circulated later to the questioner.

7. **Member questions**

A maximum period of fifteen minutes is allowed for Member questions. Questions must be directed to the Chair and must relate to the remit of the Committee but may not relate to applications for determination at the meeting.

Questions will be asked in the order in which they were received but the Chair

may group together similar questions.

The deadline for submitting questions is 5.00pm on the working day before the day of the meeting unless the Chair agrees that the question relates to an urgent matter, in which case the deadline is 9.30am on the day of the meeting.

A member may submit no more than two questions. At the meeting the member may ask a supplementary question arising directly from the original question or the reply. The maximum length of a supplementary question is one minute.

The response to a question or supplementary question may take the form of:

- a) A direct oral response (maximum length: 2 minutes);
- b) Where the desired information is in a publication of the Council or other published work, a reference to that publication; or
- c) Where the reply cannot conveniently be given orally, a written answer circulated later to the questioner.

Schedule of Applications

To consider and determine the applications contained within the enclosed schedule:

8. **25/02458/FUL - Brook Close, Rodmarton** (Pages 17 - 64)

Proposal

Demolition of existing dwelling and outbuildings and replacement with a self-build dwelling, garage outbuilding.

Case Officer

Andrew Moody

Ward Member

Councillor Mike McKeown

Recommendation

REFUSE

9. **Sites Inspection Briefing**

Members for 3 December 2025 (if required)

Councillors Dilys Neill, Ian Watson, Nick Bridges, Daryl Corps, Michael Vann.

10. **Licensing Sub-Committee**

Members for 27 November 2025 (if required)

Councillors Dilys Neill, David Fowles, Ray Brassington.

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Planning and Licensing Committee
08/October2025



COTSWOLD
District Council

Minutes of a meeting of Planning and Licensing Committee held on Wednesday, 8 October 2025

Members present:

Dilys Neill (Chair)	Ian Watson (Vice Chair)	Patrick Coleman
Ray Brassington	David Fowles	Len Wilkins
Nick Bridges	Julia Judd	Michael Vann

Officers present:

Marie Barnes, Lawyer	Jasper Lamoon, Principal Planning Policy Officer
Harrison Bowley, Head of Planning Services	Julia Gibson, Democratic Services Officer
Martin Perks, Principal Planning Officer	Geraldine LeCointe, Assistant Director - Planning Services
Amy Hill, Senior Planning Officer	Kira Thompson, Election and Democratic Services Support Assistant
Justin Hobbs, Tree Officer	
Jordan Hawes, Career Grade Planner	

Observers:

Councillor Paul Hodgkinson and Clare Turner

189 Apologies

There were apologies for absence from Councillors Daryl Corps, Tristan Wilkinson and Andrew Maclean.

190 Substitute Members

Councillor Len Wilkins substituted for Councillor Daryl Corps.

191 Declarations of Interest

There were no declarations of interest.

192 Minutes

The minutes of the meeting held on 10 September 2025 were discussed. Councillor Fowles proposed accepting the minutes and Councillor Patrick Coleman seconded the proposal which was put to the vote and agreed by the Committee.

RESOLVED: To APPROVE the minutes of the meeting held on 10 September 2025.

Approve the minutes of the meeting held on 10 September 2025 (Resolution)		
For	Nick Bridges, Patrick Coleman, David Fowles, Dilys Neill and Michael Vann	5
Against	None	0
Conflict Of Interests	None	0
Abstain	Ray Brassington, Julia Judd, Ian Watson and Len Wilkins	4
Carried		

193 Chair's Announcements

There were no announcements.

194 Public questions

There was one public question.

Nicholas Arbuthnot raised concerns about the ongoing commercial use of Rendcomb Airfield, despite assurances under the Section 106 agreement that no commercial or circuit flying would occur. They highlighted that wing-walking flights were operating at low altitudes, causing noise disturbance for nearby residents. The speaker requested clarification on when the Airfield's response to the Planning Contravention Notice (PCN) would be made public and when enforcement action would begin if the response proved inadequate.

The Chair advised that an oral response could not be provided as enforcement investigations are confidential and not for discussion in a public forum. However, a written response would be issued within two weeks.

195 Member questions

There were no Member questions.

196 25/01036/OUT - Land East Of Cotswold Business Village

The proposal was for outline application for up to 195 dwellings.

Planning and Licensing Committee

08/October2025

Case Officer: Martin Perks

Ward Member: Cllr Angus Jenkinson

Original recommendation: REFUSE

The Chair invited the Case Officer to introduce the application who made the following points:

- The applicants confirmed they were exploring the purchase of biodiversity net gain units; however, this would require inclusion in a Section 106 agreement with no formal mechanism to secure this.
- Representations were received from Councillor Jenkinson, the final response from GCC Highways and a copy of the Environment Agency's response.
- Location maps, aerial photographs, potential building plan, photographs of location from different areas showing views from different approaches were shared.
- A summary of 2 further objections from local residents was presented.

Public speaker 1 - Moreton in Marsh Town Council - Cllr Eileen Viviani

The Town Council objected to the development as it lay outside the town boundary and should be considered windfall. The Town Council supported the officer's recommendation for refusal and raised concerns about unclear financial contributions. They also highlighted the need for co-ordinated, sustainable planning to address cumulative development, infrastructure needs, and potential garden village proposals near the parish boundary.

Public Speaker 2 – Objector – Cllr Simon Randall

The Chair of Shipton Under Wychwood Parish Council had spoken in support of refusal, highlighting shared flooding concerns along the River Evenlode, which linked Moreton-in-Marsh and downstream villages. He noted that additional development could worsen sewage discharge and flooding.

Public Speaker 3 – Agent Bloor Homes – Jonathan Brown

Bloor Homes stated that the site was sustainable, outside protected landscapes, and supported the Council's corporate plan by addressing the affordable housing shortfall. The proposal included up to 195 homes (78 affordable), green infrastructure, biodiversity net gain, PV panels, EV charging, and a new active travel corridor. Bloor Homes argued that the scheme resolved infrastructure concerns and represented a sustainable development for the district.

Ward Member – Cllr Angus Jenkinson

The Ward Member noted that while some elements, such as landscaping, tree planting, and bus stop design, were positive, the overall scheme was flawed. Key concerns included the site's isolation outside the town boundary, inadequate infrastructure for waste, foul water, medical services, and highways, potential safety issues with cycle lanes, road noise and pollution, and the strain on local services.

Member Questions

Members asked questions of the officers, who responded in the following way:

- The majority of the site lay within Flood Zone 1, with areas in Flood Zones 2 and 3 at the eastern part of the site.
- The application did not fully meet the NPPF criteria as highlighted by the Town Council.
- The Primrose Court treatment works and the treatment works next to the current site were interconnected, but the Environment Agency's focus had been on the capacity of the latter, where the waste ultimately flows. Rising capacity issues had led to water being discharged into watercourses. Thames Water had recommended a condition that no occupation occurred until necessary upgrades were completed, and the local authority must be satisfied that these issues can be addressed.
- The Air Quality Officer agreed that the Nitrogen Oxide air levels would be below the objectives whilst also recognising that any increase in traffic would affect air pollution levels.
- The adjacent employment site comprised of a mix of B1, B2, and B8 use (storage and distribution). Noise surveys had been carried out, identifying an exclusion zone around the western part of the application site within which housing would be restricted.
- The application was considered not to be sustainable for a number of reasons including the cumulative impact of development on the town, transport, poor integration with the existing settlement, car dependence, air quality, congestion, sewage provision and landscape impact.
- The risk of foul water discharged into a watercourse was a material consideration and must be adequately mitigated. Thames Water had recommended a condition preventing occupation of the development until the necessary upgrades had been completed.

Members Comments

In discussing the application, Members made the following comments:

- That simply building more homes did not improve affordability of homes and that affordability in the Cotswold District had continued to worsen.
- Members applauded the inclusion of 40% affordable housing within the scheme.
- The proposal created a piecemeal, standalone enclave of housing that integrated poorly with both the existing settlement and the surrounding landscape.

Councillor Julia Judd proposed REFUSING the application and Councillor Ray Brassington seconded the proposal. This proposal was put to the vote and agreed by the Committee.

Recommendation: to REFUSE the application.

25/01036/OUT - Land East of Cotswold Business Village - REFUSE (Resolution)		
For	Ray Brassington, Nick Bridges, Patrick Coleman, David Fowles, Julia Judd, Dilys Neill, Michael Vann, Ian Watson and Len Wilkins	9
Against	None	0
Conflict Of Interests	None	0
Abstain	None	0
Carried		

197 25/01970/PLP - Land At Ethans Orchard

The proposal was for Permission in Principle for the erection of 1 self-build dwelling.

Case Officer-Amy Hill

Ward Member-Cllr Paul Hodgkinson

Original Recommendation: PERMIT

The Chair invited the Case Officer to introduce the application who made the following points:

- A late comment raised concerns about flooding, ecology, heritage, and landscape impact.
- There was a recap of location maps, aerial photographs and photographs from various directions.

Public speaker 1 – Objector – Sarah Calder

The objector argued that development would harm the landscape, conflict with the Cotswold Landscape Strategy, and breach duties under the Levelling Up and Regeneration Act 2023 to protect the AONB.

Public speaker 2 – applicant – George Charnick

The applicant claimed that the scheme would enhance the site's appearance, hide vehicles, and improve drainage, whilst offering an innovative, energy-efficient home of architectural quality. They stressed that design details would be reviewed to ensure it preserved the conservation area.

Ward Member

Councillor Paul Hodgkinson stated that the site lay within the Chedworth Conservation Area and the Cotswold National Landscape, both of which were highly protected. There were concerns raised that development would cause harm to heritage and landscape, including the loss of an important rural gap and intrusion into key views. It was noted that the proposal conflicted with statutory duties, national and local policies, with no clear public benefit.

Site Inspection Briefing Feedback

Following the Site Inspection Briefing the following observations were made:

- The site's open landscape was a distinctive and important feature of Middle Chedworth.
- The hedging was quite tall and the existing garage structure was lower down the slope.
- The existing hedge now blocked the valley view and there was consideration as to whether removing the garage and hardstanding and landscaping the right-hand side of the site would offset the visual impact of a dwelling.

Member Questions

Members asked questions of the officers, which were responded to in the following way:

- If permission was granted, the applicant must submit a technical details application, which could return to committee if ward members request it.
- The Council cannot control the existing hedges indefinitely. At the technical details stage, a landscaping condition could require the applicant to submit a scheme and maintain hedges for five years, after which control would revert.
- The existing hedges were a material consideration for the landscape, including the Cotswold National Landscape, but they were not permanent and could be removed at any time.
- The eastern half of the site could be considered more prominent and visible from the public right of way.
- Past advice stated that any building permitted on the site must not block the view.
- The site was not within a Site of Special Scientific Interest.
- In consideration of whether the site was "in" or "abutting" the village under policies DS3 and DS4, it was explained that the land was currently agricultural and if developed it would read as part of the village.

Member Comments

In discussing the application, Members made the following comments:

- The existing hedge was being used as a bargaining tool and granting Planning in Principle on the left-hand side could result in unacceptable development.
- Members questioned whether an acceptable design could be achieved, noting that features like a grass roof alone would not address broader impacts.
- The openness and punctuated housing pattern on the lower side of the road was an important feature of the community's landscape.
- A Member noted that to achieve an acceptable building would be a challenge but believed these conditions could be met.

Councillor Julia Judd proposed to REFUSE the application against the Case Officer's recommendations and Councillor David Fowles seconded the proposal.

Reasons for refusal included:

- The site lay within the Chedworth Conservation Area, which required special attention to preserve or enhance its character.
- The site provided a valuable open space which linked the village to surrounding agricultural land and reinforced the village's development pattern, with differences in density across the site.
- A dwelling with domestic paraphernalia would materially alter the character and appearance, causing harm to the conservation area.
- Any harm could not be sufficiently mitigated or outweighed by public benefits.
- The proposal was contrary to Local Plan Policies EN2, EN10, EN11 and MPPF Chapters 2, 12, 16.
- The site was within the Cotswolds National Landscape, requiring consideration for conserving and enhancing natural beauty.
- The site provided open space linking the village to agricultural land, reinforced rural character and contributed positively to the character and appearance of the National Landscape.
- The construction of a dwelling would detrimentally impact the site's character and appearance and even with sensitive design, the site would no longer form an integral part of the countryside.
- The proposal failed to conserve and enhance natural beauty, contrary to Section 85A1 of the Countryside Rights of Way Act, Local Plan Policies EM1, EM2, EM4, EM5, MPPF Paragraphs 187 and 189, and the Cotswold Landscape Management Plan.

This proposal was put to the vote and agreed by the Committee.

RESOLVED: to REFUSE the application.

25/01970/PLP - Land at Ethan's Orchard - REFUSE against Officer recommendations. (Resolution)		
For	Ray Brassington, Nick Bridges, David Fowles, Julia Judd, Dilys Neill, Michael Vann, Ian Watson and Len Wilkins	8
Against	Patrick Coleman	1
Conflict Of Interests	None	0
Abstain	None	0
Carried		

14:55 – 15:03 break

198 25/02584/TPO - Abbey Grounds

The proposal was for Tree T32 – London Plane. To reduce back to previous pruning points and crown thin by 10%.

Case Officer – Jordan Hawes

Ward Member – Councillor Mark Harris

Original recommendation: PERMIT

The Case Officer to introduce the application showing aerial and side photographs and site maps.

Member Questions

Members asked questions of the officer, which were responded to in the following way:

- Periodic cutting of the trees was undertaken every three years to prevent subsidence or overhanging branch damage to nearby buildings.

Member Comments

In discussing the application, Members made the following comments:

- These trees formed an important buffer within the historic landscape, including near the Norman Arch.
- Their preservation was supported, with reliance on tree officers to ensure health amid local flooding conditions.

Councillor Ray Brassington proposed accepting the Case Officer recommendation to PERMIT the application and Councillor Julia Judd seconded the proposal. This proposal was put to the vote and agreed by the Committee.

RESOLVED: to PERMIT the application.

25/02584/TPO - Abbey Grounds - PERMIT (Resolution)		
For	Ray Brassington, Nick Bridges, Patrick Coleman, David Fowles, Julia Judd, Dilys Neill, Michael Vann, Ian Watson and Len Wilkins	9
Against	None	0
Conflict Of Interests	None	0
Abstain	None	0
Carried		

199 25/00002 - Tree Preservation Order - Mill Close, Blockley

The proposal was for the making of a Tree Preservation Order (TPO) at Mill Close, Blockley.

Case Officer – Justin Hobbs

Ward Member – Councillor Clare Turner

Original Recommendation: to CONFIRM the TPO.

The Case Officer introduced the proposal showing aerial and side photographs and site maps. It was confirmed to Members that their options were to confirm the TPO, confirm subject to modification or to not confirm the TPO.

The Case Officer explained that there was no significant structural or physiological risk features apparent and described the health of the trees as expected for the age.

Public Speaker – Ward Member – Councillor Clare Turner:

- The trees provided significant amenity value at the village centre, were highly visible, and met the threshold for protection whilst also contributing to local biodiversity. Their preservation was supported, in line with Blockley Parish Council's action plan.

Member Questions

- The TPO allowed for emergency works; if a limb breaks or dies, it could be removed with a five-day notice under the legislation.
- The two trees formed a near-continuous canopy, so removing one would expose the other to unfamiliar wind, which was inadvisable.
- No evidence of structural damage had been provided but any future submission would be considered in subsequent applications.
- As summer branch drop had happened once, that would not make it more likely to happen again.

Councillor Ray Brassington proposed accepting the Case Officer recommendation to CONFIRM the Tree Preservation Order and Councillor Julia Judd seconded the proposal. This proposal was put to the vote and agreed by the Committee.

RESOLVED: to CONFIRM the Tree Preservation Order.

25/00002 - Tree Preservation Order - Mill Close, Blockley - PERMIT (Resolution)		
For	Ray Brassington, Nick Bridges, Patrick Coleman, David Fowles, Julia Judd, Dilys Neill, Michael Vann, Ian Watson and Len Wilkins	9
Against	None	0
Conflict Of Interests	None	0
Abstain	None	0
Carried		

200 Sites Inspection Briefing

The Chair advised members to keep the 5 November 2025 free for a possible Site Inspection Briefing.

Councillors Dilys Neill (Chair), Ray Brassington, Patrick Coleman, David Fowles, Julia Judd.

201 Licensing Sub-Committee

There were no licensing sub-committees planned.

The Meeting commenced at 2.00 pm and closed at 4.28 pm

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PLANNING AND LICENSING COMMITTEE 12 November 2025

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 12 November 2025
INDEX TO APPLICATIONS FOR CONSIDERATION AND DECISION

Parish	Application	Schedule Order No.
<hr/>		
Rodmarton	Brook Close Rodmarton Cirencester Gloucestershire GL7 6PE 25/02458/FUL Full Application	1

Demolition of existing dwelling and outbuildings and replacement with a self-build dwelling, garage outbuilding, landscaping and associated ancillary works at Brook Close Rodmarton Cirencester Gloucestershire GL7 6PE

Full Application 25/02458/FUL	
Applicant:	Emily Olsen
Agent:	Montagu Evans LLP
Case Officer:	Andrew Moody
Ward Member(s):	Councillor Mike McKeown
Committee Date:	12on November 2025
RECOMMENDATION:	REFUSE

1. Main Issues:

- (a) Principle of Development
- (b) Impact upon Heritage and Non-Designated Heritage Assets
- (c) Impact on the Character and Appearance of the Cotswolds National Landscape
- (d) Highway Safety
- (e) Impact on Neighbours
- (f) Biodiversity and the Cotswold Beechwoods Special Area of Conservation (SAC)
- (g) CIL

2. Reasons for Referral:

- 2.1 The Ward Member (Cllr McKeown) referred the application to the Review Panel for the following reasons:

2.1.1 I would like to refer the application for Brook Close, Rodmarton to the Planning and Licensing Committee for determination.

2.1.2 This is a finely balanced case where members may wish to weigh the planning considerations directly. The professional assessment by the planning officer and the heritage team has been thorough and clearly sets out the reasons for recommending refusal, particularly relating to the loss of a non-designated heritage asset (NDHA) designed by Alfred Powell. I value and respect their professional judgement.

2.1.3 However, this application also raises broader planning considerations that would benefit from member discussion and collective judgement:

1. *Planning Balance: The decision requires a careful balance between the harm arising from the loss of a non-designated heritage asset (Local Plan Policy EN12 and NPPF paragraph 216) and the public benefits offered by the proposal, including design quality, sustainability, and biodiversity improvements.*

2. *Design Quality and Context: The proposed replacement dwelling is of high design quality and is located on the edge of the village, outside the conservation area but within the established settlement form. Members may wish to consider the extent to which the scale and design respond appropriately to local character. The existing building is not distinctive or attractive and has been heavily modified from its original architectural design, including extensions and the addition of an extra storey. It is not visible from public vantage points, and while attributed to Alfred Powell, he is more widely known for his role in the Arts and Crafts movement rather than as a prolific architect.*

3. *Public and Local Support: There have been no local objections, and several letters of support have been received from residents and the parish community, indicating a positive local view of the scheme.*

4. *Sustainability and Climate Change: The proposal delivers climate benefits through replacing an oil-fired heating system with an air source heat pump, improved fabric efficiency, and EV charging infrastructure, aligning with the Council's adopted Climate Emergency Strategy and Policy INF10 on sustainable design and construction. However, members should also note that the embodied carbon of constructing a new dwelling means that it would take many years for operational savings to offset the emissions associated with demolition and rebuild.*

2.1.4 *Given the absence of local opposition, the strong local support, and the need to weigh heritage significance against design, sustainability, and public benefit in a balanced and transparent way, I believe it would be appropriate for members to determine this application.*

3. Site Description:

- 3.1 Brook Close is a detached two-storey dwellinghouse located on the eastern outskirts of Rodmarton. Originally a much smaller Arts and Crafts cottage, it has clearly been extended over the years and now features a double-pile roof, but the original building can still be clearly read and it is therefore considered to be a non-designated heritage asset. The dwellinghouse is sited in the centre and towards the rear of a generous plot, with gardens to the sides and front. A gravelled parking area lies to the west of the house, with vehicular access

towards the western end of the southern boundary of the plot. A small development of five modern houses abuts the site to the west, with open countryside to the north and beyond the country road that borders the site to the south.

- 3.2 Scattered dwellinghouses lie adjacent to the road to the east as the settlement peters out into open countryside.
- 3.3 The application site is within the Cotswolds National Landscape (formerly known as the Area of Outstanding Natural Beauty (AONB)) and the identified zone of influence for the Cotswold Beechwoods Special Area of Conservation (SAC). It is also located in a red impact risk zone for Great Crested Newts as identified using District Licence mapping tools.

4. Relevant Planning History:

- 4.1 CT.3662: Erection of one private car garage. Granted 01.12.1966
- 4.2 CT.3662/A: Construction of new vehicular access. Granted 22.01.1976
- 4.3 CT.3662/B: Alterations and extensions to existing private dwelling. Granted 15.12.1976

5. Planning Policies:

- TNPPF The National Planning Policy Framework
- DS3 Small-scale Res Dev non-Principal Settle
- DS4 Open Market Housing o/s Principal/non-Principal
- EN1 Built, Natural & Historic Environment
- EN2 Design of Built & Natural Environment
- EN4 The Wider Natural & Historic Landscape
- EN5 Cotswolds AONB
- EN7 Trees, Hedgerows & Woodlands
- EN8 Bio & Geo: Features Habitats & Species
- EN9 Bio & Geo: Designated Sites
- EN10 HE: Designated Heritage Assets
- EN11 HE: DHA - Conservation Areas
- EN12 HE: Non-designated Heritage Assets
- EN14 Managing Flood Risk
- EN15 Pollution & Contaminated Land
- INF3 Sustainable Transport
- INF4 Highway Safety
- INF5 Parking Provision

- INF7 Green Infrastructure

6. Observations of Consultees:

- 6.1 Conservation Officer: Recommends refusal, comments incorporated into the report
- 6.2 Biodiversity Officer: No objection subject to conditions
- 6.3 Flood Risk Management Officer: No objection subject to conditions
- 6.4 Tree Officer: No objection subject to conditions

7. View of Parish Council:

- 7.1 Rodmarton Parish Council: No objection

8. Other Representations:

- 8.1 7 representations in support of the application have been received, making the following comments:
 - principle entirely acceptable
 - house not listed or in a conservation area
 - new design acceptable and includes sustainability measures
 - original house significantly altered over time
 - new tree planting and ecological enhancements proposed
 - minimal visual impact

9. Applicant's Supporting Information:

- Design and Access Statement
- Arboricultural Impact Assessment
- Ecological Impact Assessment
- Heritage Impact Statement
- Biodiversity Self-Assessment
- Landscape and Visual Impact Assessment
- Sustainability and Energy Performance Statement
- Technical Note - Drainage Strategy

10. Officer's Assessment:

(a) 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 an application would therefore be the current development plan for the district which is the Cotswold District Local Plan 2011-2031.
- 10.2 The existing dwelling contains 3 bedrooms, and is located towards the rear of the site, which includes a large area of garden. The proposal is to demolish the dwelling, alongside an outbuilding, and to erect a new 5-bedroom dwelling as well as a 3-bay garage/storage building with office/storage space in the roof.
- 10.3 There are no policies within the Cotswold District Local Plan for replacement dwellings, and each application is taken on its own merits. However, the site is on the eastern edge of Rodmarton, which is considered to be a Non-Principal Settlement having regard to Policy DS3 of the Local Plan. The erection of a replacement dwelling is, therefore, considered acceptable subject to consideration of the following matters.

(b) Impact upon Heritage and Non-Designated Heritage Assets

- 10.4 The proposal site lies adjacent to the Rodmarton Conservation Area. Brook Close is considered to be a non-designated heritage asset, by virtue of its architectural and historic interest as a house by AH Powell, an architect, pottery designer and influential person in the Cotswold Arts and Crafts Movement, as well as its group value with other Arts and Crafts buildings within the village, including the listed buildings at Little Tarlton.
- 10.5 Local Plan Policy EN2: Design states:
- 'Development will be permitted which accords the Cotswold Code (Appendix D). Proposals should be of design quality that respects the character and distinctive appearance of the locality'.
- 10.6 Local Plan Policy EN10 (Designated Heritage Assets) states that:
- '(1) In considering proposals that affect a designated heritage asset or its setting, great weight will be given to the asset's conservation. The more important the asset, the greater the weight should be.

(2) Development proposals that sustain and enhance the character, appearance and significance of designated heritage assets (and their settings), and that put them to viable uses, consistent with their conservation, will be permitted.

(3) Proposals that would lead to harm to the significance of a designated heritage asset or its setting will not be permitted, unless clear and convincing justification of public benefit can be demonstrated to outweigh that harm. Any such assessment will take account, in the balance of material considerations:

- The importance of the asset;
- The scale or harm; and
- The nature and level of the public benefit of the proposal.'

10.7 Local Plan Policy EN11 Conservation Areas states:

'Development Proposals, including demolition, that would affect Conservation Areas and their settings, will be permitted provided they:

(a) 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.

(b) Include hard and soft landscape proposals, where appropriate, that respect the character and appearance of the Conservation Area.

(c) Will not result in the loss of open space, including garden areas and village greens, which make a valuable contribution to the character and/or appearance, and/or allow important views into or out of the Conservation Area'.

10.8 Local Plan Policy EN12: Non-Designated Heritage Assets states:

'(1) Development affecting a non-designated heritage asset will be permitted where it is designed sympathetically having regard to the significance of the asset, its features, character and setting.

(2) Where possible, development will seek to enhance the character of the non-designated heritage asset. Proposals for demolition or total loss of a non-designated heritage asset will be subject to a balanced assessment taking into account the significance of the asset and the scale of harm or loss.

(3) The assessment of whether a site, feature or structure is considered to be a non-designated heritage asset will be guided by the criteria set out in Table 6.'

10.9 Local Plan Cotswold Design Code: Landscape, Settlements and Streets requires that:

D.9 Careful study should be made of the context of any new development. Each site will have its own characteristics, and a specific landscape or townscape setting. Any proposed development should respond to this.

D.10 Settlements are distinctive in how they sit with the landscape. They have their own unique layouts and patterns of streets. These characteristics should be reflected in the local and design of new developments.

D.12 In the countryside, a few grand houses might sit impressively in dominating locations, but the majority of buildings appear nestled within their landscape setting and are not prominent or located on the skyline. An understanding of the impact of any development proposal on key views is critical.

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

10.10 Local Plan Cotswold Design Code: Scale and Proportion

D.16 New buildings should be carefully proportioned and relate to the human scale and to their landscape or townscape context.

D.17 Excessive or uncharacteristic bulk should be avoided. New buildings should generally not dominate their surroundings, but should complement the existing structures or landscape, and sit comfortably within their setting.

D.18 The height of new buildings should respond to local context, for example forming a gentle transition from open countryside to settlement edge.

D.67.2 Garages and other outbuildings. Garages and outbuildings should be carefully sited, scaled and designed so as not to detract from the character of the main building or its setting.

(a) All new outbuildings should relate to the scale and character of the main building, and the plot in which it sits. For example, a large garage may look out-of-keeping with the context of a modest cottage, where traditionally only small outhouses might be expected.

(g) Rooflines should generally be kept low and dropping the rear eaves can assist this. Incorporating accommodation above the garage, with associated openings and external stairs, may not always be permissible.

D.67.3 New build houses in the Cotswold vernacular style. The design and materials used should reflect the key attributes of the traditional buildings of the area, whilst providing energy-efficient and liveable modern homes.

(b) Simple traditional forms, with limited gable widths, plan depth often being achieved through rear gabled 'additions' steep roof pitches'.

10.11 With regard to the NPPF, paragraph 135, c) states 'Planning policies and decisions should ensure that developments 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).'

10.12 Section 16 of the NPPF requires that Local Planning Authorities should take account of the desirability of sustaining or enhancing the significance of heritage assets, including their settings.

10.13 Paragraph 210 states 'In determining applications, local planning authorities should take account of:

(a) The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

(b) The positive contribution that the conservation of heritage assets can make to sustainable communities including their economic vitality; and

(c) The desirability of new development making a positive contribution to local character and distinctiveness'.

10.14 Paragraph 212 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 (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'.

- 10.15 Paragraph 213 states that 'Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction or development within the setting) should require clear and convincing justification'.
- 10.16 Paragraph 215 states that 'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, where appropriate, securing its optimum viable use'.
- 10.17 Paragraph 216 states 'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'
- 10.18 The proposals are to demolish the existing cottage on the site and replace it in the same location with a house of a larger footprint and scale as well as providing a triple bay garage building (albeit one of the bays being for garden equipment) and office to the roof space, with external access steps. The vehicular access would remain the same. A landscaping scheme is also proposed.
- 10.19 The reason for seeking a larger house for the family within the village is recognised however, the proposal needs to preserve the settings of the Rodmarton Conservation Area and the group of listed Arts and Crafts cottages nearby at Little Tarlton, as designated heritage assets. Any harm caused to the settings of the designated heritage assets, would need to be clearly and convincingly justified to be outweighed by public benefits of the proposals, whilst giving great weight to the conservation of the assets.
- 10.20 A balanced judgement also needs to be made in relation to the non-designated heritage asset in relation to its significance and the total loss of this significance through its demolition.

Brook Close- Non-Designated Heritage Asset

- 10.21 The identification of the cottage as a non-designated heritage asset has not been contended by the applicant, only the level of significance it holds. The

application covering letter states 'As outlined in the accompanying Heritage Impact Assessment, the existing building, we accept, has sufficient interest justifying identification as a NDHA. That arises, in our opinion, from the association of the building with the architect Powell. The identification also is justified by what remains of the original building'.

- 10.22 The following assessment of the significance of Brook Close as a non-designated heritage asset has been provided by the Senior Conservation and Design Officer:

10.22.1 'Brook Close is considered to be a non-designated heritage asset, by virtue of its architectural and historic interest as a house by A H Powell, an architect, pottery designer and influential person in the Cotswold Arts and Crafts Movement. The Heritage Statement originally considers the cottage to have been designed as a single storey dwelling with rooms in the roof space, and the stonework to the gable end does suggest this as a possibility as does the change in quoin detail. However, prior to 1976 (and possibly not long after its original construction, and maybe due to the fire which broke out as mentioned in the Design and Access Statement) the roof had already been raised to provide a first floor, although the house still retained a distinct character and features as a cottage the of Arts and Crafts (evidenced on the existing drawings of the 1976 planning application).

10.22.2 Via the application in 1976 the roof was raised once again to provide a larger second floor area. However, despite this change and the extension added to the rear elevation, the building still holds architectural interest. The building's original eaves line can still be read, and the original waney edge boarded porch remains, with its sash window and door and the architect's designed hinges and ironmongery.

10.22.3 Furthermore, design details such as the curved quoin stones to the front elevation and the unusual drip moulds to the original window openings (although the windows themselves have been replaced), remain, as does the substantial central chimney stack. In addition, internally the two principal ground floor rooms retain their original proportions and there are one or two original doors with ironmongery remaining. It is also considered to be a non-designated heritage asset by virtue of its group value with other Arts and Crafts buildings within the village and in particular Little Tarlton cottages adjacent.'

- 10.23 The Heritage Statement submitted with the application states that the works in 1976 with the extensions doubled the size of the house, but it is considered still to remain as a modest house, similar in size and form to the cottages at Little

Tarleton. The Statement also advises that the interior was remodelled, and original features were relocated within the property, however the two cell floor plan with chimney stack and staircase between in the original range appears to remain the same, although the staircase has been reconfigured to the first floor.

- 10.24 The garden of Brook Close, is also considered to form part of its setting and significance. This has a more formal design to the front of the house itself, with the access path aligned with the front door, whilst either side the arrangement is more 'natural', with lawns and a timber garden pavilion to the eastern side and scattered trees to the western side. This design compliments the design and Arts and Crafts design of the house in its rural settlement edge location.
- 10.25 Although later than other Arts and Crafts buildings and with alteration, Brook Close still holds historic interest evidencing the continuation of the Arts and Crafts movement in the Village post 1930.
- 10.26 Brook Close also has aesthetic merits despite its rear extension and increase in height, as a modest cottage in local limestone, of gabled forms, with Arts and Crafts and design features, such as the waney edge boarded porch, the unusual drip moulds to the original window openings, the curved quoin stones and large central chimney stack.
- 10.27 Brook Close is also considered to hold group value. Although it is considered that the cottage does not have the high level of significance attributed to the listed buildings in Little Tarleton, it is also an Arts and Crafts Cottage by a renowned architect located to the edge of the village, in relative proximity, and as such has an architectural, historic and aesthetic relationship with these listed buildings and other Arts and Crafts buildings within the village. It is also similarly situated in a comfortable garden plot with connecting views to and from the surrounding fields. The small scale of the existing house in its large overall informal garden character follows the characteristic pattern of the houses at Little Tarleton at this settlement edge location.
- 10.28 It is agreed that due to the alterations which have occurred Brook Close is no longer a fully comprehensive representation of Powell's work, as a known architect, but his work is still clearly evidenced in the form, layout, construction and design details of the front ground floor range and as such provides a level of significance.
- 10.29 In this respect it is considered that the significance of Brook Close as a non-designated heritage asset is moderate to low, and its total loss (and total loss of its significance therein) would, as the greatest form of harm, needs to be

justified to be outweighed by planning benefits in a balanced judgement (NPPF paragraph 216 and Local Plan Policy EN12).

- 10.30 The planning benefits cited in the application covering letter are the design of the replacement buildings as of outstanding quality, which reflects the local design policies, such as the Cotswold Design Code and promotes high levels of sustainability. Furthermore, it is stated that the sustainability benefits which 'would arise as a modern dwelling which can be run efficiently, demonstrating energy savings through modern construction methods and systems which cannot be met on the refurbishment of the existing building'.
- 10.31 Whilst the overall architectural design and proposed use of local materials is considered to be good, the size, height and form of the proposed house and garage are not considered to respond to the characteristics of the settlement or its layout, (noting paragraphs D.9, D.10, D.12, D.14, D.16, D.17 and D.18 of the Cotswold Design Code (Appendix D to the Local Plan)) or be proportioned to complement the existing structures or landscape of the local context 'for example forming a gentle transition from open countryside to settlement edge'.
- 10.32 The Design and Access Statement seeks a building of scale and design akin to a Victorian Villa, an example of which is cited to the south-west edge of the village. However, although such a building may exist in the village, it does not necessarily mean that a similar building on the site under this application would relate to its local context or the setting of the village and its Conservation Area. The historic development of villages designated with Conservation Areas is fundamental to their significance, character and appearance and it is evidenced in their settlement pattern and the distribution and types of buildings therein.
- 10.33 The hierarchy of building types, their number, location and age of construction evidence the historic development of a settlement, which in turn forms part of its significance and character. Rodmarton is a rural village with Rodmarton Manor at the top of the hierarchy of dwellings, then the Rectory and higher status farmhouses. The application site is at the settlement edge to the east, where the density of development becomes much lower and is characterised by modest cottages set within comfortable plots forming a gentle transition from settlement edge into open countryside. The development of a house of the size, form and apparent status proposed, although on a comfortable plot, would not be in character with the local context.
- 10.34 Therefore, although the architectural design uses references from within the village and local materials, the size, form and status of the proposed house would not be of a design which would fully reflect local design policy, notably

Policy EN2, paragraph D.14 in the Cotswold Design Code which states 'In designing new development, close attention to the site and its setting should work at all levels from the overall principle, density and grain, to the scale, form, roofscapes, elevations and detailed features of the buildings, and to the landscape surrounding them', and therefore the development proposals cannot be considered as of outstanding design under NPPF paragraph 139. Furthermore, the site is set within a group of low-density cottages set within the open wider landscape, which would render the proposed house uncharacteristically prominent and not nestled within its landscape setting. (paragraph D.12 of the Cotswold Design Code).

- 10.35 The massing, comparisons and photographic views show that the proposed house would be significantly larger than the buildings to either side of the site, of three ranges deep and of 2.5 storeys high rather than 1.5 storeys and would therefore be out of character with the density, grain, scale, form, and roofscapes of the buildings and to the landscape around it. In addition, the proposed garage would also be almost as large in footprint and in height (6m) to the houses adjacent to the site, (Brook Close itself measures at 7m in height) with the cross wing form of projecting gables either side further increasing its visual mass and this along with the design details including external staircase and domestic cross windows, would provide a outbuilding of high status, which would also not respect the character, density, grain, scale, form, and roofscapes of the buildings and to the landscape around it.
- 10.36 The new development could bring planning benefits in mitigating climate change; however, the supporting information appears to rely on energy savings rather than energy and carbon efficiency. There would also be a loss of carbon through the demolition of the existing building, which if retained and energy and carbon efficiency adaptations made could achieve a similar or better result, whilst also avoiding its total loss of significance as a non-designated heritage asset. As Section 1.5 of Adapting Historic Buildings for Energy and Carbon Efficiency, Historic England's Advice Note 18 states 'The most sustainable building is one that already exists, because continued repair, maintenance, use and reuse of historic buildings avoids unnecessary release of embodied carbon associated with materials, transport and processes required for demolition and new build'.
- 10.37 Having regard to the above, as well as the supporting information provided on behalf of the applicant, Officers consider that the proposed benefits advanced in support of the application, i.e. the quality of the design and the sustainability credentials of the proposed dwelling, are not sufficient to overcome the harm identified through the loss of Brook Close as a non-designated heritage asset.

- 10.38 Notwithstanding the changes carried out to the property since its construction, the greatest level of identified harm would be represented through the total loss of the building. Having regard to NPPF paragraph 216 and Policy EN12 of the Local Plan, this identified harm is not outweighed by the planning benefits advanced as part of a balanced judgement.

The Settings of the Rodmarton Conservation Area and the listed buildings at Little Tarlton

- 10.39 Whilst the application site is located outside the Rodmarton Conservation Area, it is within its setting. Between the site and the conservation area boundary on the same side of the road is Barnsley Place, a modern development of five detached houses, whilst diagonally opposite and within the Conservation Area boundary is the Village Hall, built in the 1930's by Eric Cole, in the Cotswold Arts and Crafts Style.
- 10.40 To the north-east of the application site is Little Tarlton, a group of seven Arts and Crafts cottages by Ernest Barnsley, built between 1909 and 1926 that are all in similar style and all listed grade II. The application site is in the settings of this group of listed buildings. These cottages have relatively generous gardens, but not of the scale of Brook Close, except No. 5 Little Tarlton, although this is much narrower in form. No. 5 Little Tarlton's garden adjoins the garden of Brook Close and then lines this side of the road to the more clustered remainder of its group. The modest cottages set in comfortable plots, provides a low density, which forms an important part of the layout pattern at this settlement edge location, with the interconnection through the gardens to the wider countryside which together providing a characteristic transition into and out of the village and its Conservation Area.
- 10.41 The small form, scale and vernacular character of buildings to this settlement edge location is considered to be fundamental in preserving the significance and settings of the Rodmarton Conservation Area and the group of listed Arts and Crafts Cottages. The proposed house would obtain the location of Brook Close but would be significantly larger in size and scale, resulting in a large house uncharacteristically located at the settlement edge.
- 10.42 Although the plot is larger than those at Little Tarlton, and most of the garden would remain as open space, the proposed house and garage would be of uncharacteristic scale, form and design in the settings of the Conservation Area and the group of cottages at Little Tarlton.

- 10.43 As stated above, the massing comparisons, the comparative street elevations and photographic views show that the proposed house would be significantly bigger than the buildings to either side of the site, of three ranges deep and of 2.5 storeys high rather than 1.5 storeys and would therefore be out of character with the density, grain, scale, form, and roofscapes of the buildings and to the landscape around it.
- 10.44 The settlement pattern and the locations, ages, and scales of different building types within, evidence the historic development and past uses of the village and are an important element of the special architectural and architectural interest of the Rodmarton Conservation Area. Large houses of higher status are characteristically limited within the village, to Rodmarton Manor, Manor Farmhouse and the Old Rectory. Introducing a further large house into the village, especially at this settlement edge would harm the setting of the Rodmarton Conservation Area, and views into and out of it, the settings of Little Tarlton and its connection with village, as well as the setting of the village as a rural settlement within an agrarian landscape.
- 10.45 The proposed house would have a square footprint and overall form, which would provide an uncharacteristic scale solidity of mass, despite the treatment of the elevations with gables and bays. The square form of the building and the symmetry of its design also provides it with a more formal and higher status appearance, which together with its scale, height and mass, would result in a prominent uncharacteristic house at the settlement edge. This would negatively impact the hierarchy of buildings within the village and as such confuse the understanding of the historic development of the settlement in an uncharacteristic manner.
- 10.46 Although some elements of the Cotswold Vernacular are used in the proposed design of the house, notably the materials, the design details with canted bays, and cross form windows, particularly of the scale and in the symmetry proposed provide a higher status design which is not characteristic of the area which contains small cottages and modest houses of the Cotswold Vernacular and/or Arts and Crafts.
- 10.47 As advised above the proposed garage would also be of a scale and design that would not respect the density, grain, scale, form, and roofscapes of the buildings and to the landscape around it. It would increase the uncharacteristic status of the proposed house, and overall development of the site. Indeed, the size of the garage is similar to the original size of Brook Close.

10.48 The landscaping proposals do appear to largely relate to the site and maintain the character and connections with the wider landscape setting of the settlement, retaining elements of a cottage garden design with limited formality. Although the proposed pool to the front elevation of the house would provide a formal and higher status garden feature, which would further raise the uncharacteristic status of the house in this location.

10.49 Historic England's Conservation Area Appraisal, Designation and Management Advice Note 1 (Second Edition) Para 34 states 'Conservation areas are designated for both special architectural and historic interest'

'Key elements in defining the special interest are likely to be:

- the still-visible effects/impact of the area's historic development on its plan form, townscape, character and architectural style and social/ historic associations and the importance of that history.
- architectural quality and built form, including any particular architectural interest resulting from a past use, planning or design, important phases of development, the integrity or group value of buildings or provision of a record of development over time through the architectural record.
- the contribution to the special interest made by the setting on the area, that is what the setting can contribute to the significance of a heritage asset, and how it can allow that significance to be appreciated (see Historic England Good Practice Advice 3: The Setting of Heritage Assets, 2nd edition).
- local distinctiveness and a sense of place which make the area unique, including the influence of sources of building materials and historic industries that have come to contribute significantly to the area's present identity
- how the places within it are experienced by the people who live and work there and visitors to the area (including both daily and seasonal variations if possible)
- the design, planting or past use of open spaces, green areas, parks and gardens, and trees, including the representation of particular species or varieties that reflect key periods of horticultural interest, collecting or design
- designated and other heritage assets, their intrinsic importance and the contribution they make to the townscape - this will normally provide an

indication of past recognition of special interest, whilst a focus of assets of a similar type may suggest the area as a whole has a particular special interest'.

- 10.50 The NPPF, Annex 2, Glossary defines the setting of a heritage asset as 'The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset, and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral'
- 10.51 Historic England Good Practice Advice 3: The Setting of Heritage Assets, 2nd edition). Part 1 'The extent and importance of setting is often expressed by reference to visual considerations. Although views of or from an asset will play an important part, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust and vibration from other land uses in the vicinity, and by understanding the historic relationship between places. For example, buildings that are in close proximity but are not visible from each other may have a historic or aesthetic connection that amplifies the experience of the significance of each'.
- 10.52 Paragraph 10 Views and Setting states 'The contribution of setting to the significance of a heritage asset is often expressed by reference to views, a purely visible impression of an asset or place which can be static or dynamic, long, short or of lateral spread, and can include a variety of views of, from, across or including that asset.
- 10.53 Paragraph 11 'Views which contribute more to understanding the significance of a heritage asset include:
- 'Those where a town or village scape reveals views with unplanned or unintended beauty'.
- 10.54 Paragraph 22 'Settings may change as a result of the removal of impermanent landscape or townscape features'.
- 10.55 The assessment of the settings of the conservation area and group of the listed building at Little Tarlton submitted with the application is a visual assessment at different viewpoints, with the conclusions that no harm is caused to the significance of each of the designated heritage assets. This is contended that the setting of heritage assets depends upon how it is experienced, and this includes dynamic views. The inter-relationship between the site (Brook Close and its garden) and the group of modest Arts and Crafts and the approach into

and out of the village and its Conservation Area, as designated heritage assets, is also a dynamic view, moving along the road through the village or from footpaths outside the settlement. Much is made of the amount of foliage, hedging and planting preventing interconnecting views in some instances currently, however these are impermanent landscape features which could be removed, changing views and visible interconnections and subsequently rendering the proposed development highly visible.

- 10.56 The group of modest Arts and Crafts Cottages in comfortable plots at the settlement edge (including Brook Close) although not included in the Conservation Area boundary are considered to contribute to its special interest and how it is experienced and therefore its setting. Rodmarton is a small rural village historically developing through agriculture and wool trade, with farmsteads, church, rectory and modest cottages and then through the influence of the Arts and Crafts movement in the early C20th with the construction of Rodmarton Manor designed by Ernest Barnsley (Grade 1 listed). The construction of the Rodmarton Manor and then further Arts and Crafts buildings into the 1930's also forms an important part of the special historic and architectural interest of the village and its Conservation Area. As such, even though there may be limited visual connection, the collection of modest Arts and Crafts houses of Little Tarlton and Brook Close and their gardens, form part of the setting of the Rodmarton Conservation Area contributing to its significance as a designated heritage asset, due to their historic, architectural and aesthetic connection with the Arts and Crafts movement central to the special interest of the Conservation Area, that amplifies the experience of the significance of each'.
- 10.57 Furthermore, the historic development of Rodmarton as a rural village settlement is intrinsically linked to its surrounding rural landscape, which forms an important part of the setting of the Conservation Area, particularly in the location of Brook Close, whereby modest cottages of Vernacular character and Arts and Crafts Design, situated in comfortable plots, enable the wider landscape to penetrate into the settlement edge. The transitional approach into and out of the settlement from the wider countryside, through the low-density arrangement and modest scale (including height) of buildings, is also an important part of how the Rodmarton Conservation Area is experienced.
- 10.58 Therefore, Brook Close and its garden is considered to contribute to the setting of the Rodmarton Conservation Area which is a designated heritage asset. This is for numerous reasons, but mainly due to Brook Close's identified significance as a small Arts and Crafts cottage, following the Cotswold Vernacular, which are strongly characteristic in the village, but particularly at this settlement edge.

These modest Arts and Craft cottages are situated in elongated garden plots, which lie parallel with the village road and provide settings to the cottages and important with connections through to the wider landscape providing and reinforcing the rural setting of the village at the settlement edge. The topography, definition and 'grain' of the settlement edge of small cottages in comparatively large plots and connections to the rural landscape is also important to the significance of the Conservation Area forming part of its setting. Furthermore, the layout of the village with a collection of modest early C20th Arts and Craft Cottages, by known architects, developed at the settlement edge evidences the historic development of the settlement, its historic hierarchy of built form, and its connection with the Arts and Crafts movement.

- 10.59 The rural setting, layout, grain, and low density at this settlement edge also contributes greatly to the settings of the listed group of Arts and Crafts Cottages and their relationship with the village. The essential characteristics of Brook Close and its garden plot form an important part of overlapping settings of both the Conservation Area and the listed group of cottages as well as the setting of the settlement generally, including views and approaches in and out.
- 10.60 The case is similar in relation to the group of listed houses at Little Tarlton. They form each other's settings and are all modest Arts and Craft cottages, as is Brook Close. Their setting is a collection of modest cottages, in comfortable cottage gardens at the settlement edge in a rural open landscape. In this regard Brook Close has a historic, architectural and aesthetic connection with the Arts and Crafts movement central to the special interest of Little Tarlton Cottages.
- 10.61 Therefore, having regard to the impact of the proposed development upon the setting of the designated heritage assets, i.e. the conservation area and the listed buildings at Little Tarlton, it is considered that the proposal would fail to accord with Local Plan Policies EN10, EN11 of the Local Plan and paragraphs, 210, 212, 213 and 215 of the NPPF.

(c) Impact on the Character and Appearance of the Cotswolds National Landscape

- 10.62 The site is located within the Cotswolds National Landscape (CNL, formerly known as the Area of Outstanding Natural Beauty). Section 85(A1) of the Countryside and Rights of Way (CROW) Act 2000 (as amended by Section 245 of the Levelling-up and Regeneration Act 2023) states that relevant authorities have a duty to seek to further the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.

- 10.63 Paragraph 187 of the National Planning Policy Framework requires the planning system to recognise the intrinsic character and beauty of the countryside.
- 10.64 Paragraph 189 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.
- 10.65 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.
- 10.66 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.
- 10.67 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.
- 10.68 The key landscape considerations of this application relate to the expected change upon public visual amenity and the impact upon the Cotswolds AONB landscape.
- 10.69 The site is currently occupied by an existing dwelling, and in comparison, the footprint, scale and massing of the proposed dwelling would be increased, alongside the erection of a detached garage. However, the proposed replacement dwelling is located within the existing residential curtilage of the property, which benefits from screening that would be retained.
- 10.70 There are public rights of way near to the site, including to the field to the southern, opposite side of the lane, and long range views from the north-west. However, given the presence of the existing property, it is not considered that the proposal would impact upon users of these paths.
- 10.71 Given that context, it is considered that the size, scale and location of the proposed development would be appropriate for its surroundings in this

particular case and would not harm the landscape and scenic beauty within this part of the CNL, pursuant to the guidance contained within NPPF paragraphs 187 and 189, and Policies DS3, EN2, EN4 and EN5 of the Local Plan.

(d) Highway Safety

10.72 NPPF paragraph 116 states that 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'

10.73 It is considered that the proposed erection of a replacement dwelling would not result in a severe impact on the local highway network, considering that the existing vehicular entrance would be re-used. The proposal is also considered to be compliant with Cotswold District Local Plan Policy INF4 in this regard.

(e) Impact on Neighbours

10.74 To proposed dwelling is sited away from any neighbouring dwellings, the nearest of which are adjacent to the western boundary of the site.

10.75 The proposed garage / storage / office building would be positioned closer to the properties on Barnsley Close, however there are no windows, doors or rooflights on the elevation facing towards these properties and, as such, it is considered that this relationship would be acceptable.

10.76 Therefore, it is considered that a high standard of amenity can be maintained for existing and future occupants of both neighbouring properties and the proposed dwelling, which is in accordance with the guidance outlined in NPPF paragraph 135(f) and Cotswold District Local Plan Appendix D.

(f) Biodiversity and the Cotswold Beechwoods Special Area of Conservation (SAC)

10.77 The planning system should aim to deliver overall net gains for biodiversity as laid out in paragraphs 187, 192 and 193 of the revised NPPF and Local Plan Policy EN8. The integration of bird and bat boxes into the scheme will aid in connecting the proposed development to the wider ecological network; the close proximity of woodland habitat indicates these features are suitable in this location.

10.78 The additional information pertaining to the compensatory bat roosting features is considered to be sufficient. In the absence of mitigation and

compensation, the proposed works will result in the loss of day roosts of Common Pipistrelle and Serotine bats and therefore, a licence will need to be obtained from Natural England in order for works to proceed lawfully. In order for a licence to be agreed, a suitable mitigation scheme is required to ensure that suitable compensatory roosts are available post development.

10.79 A licence can only be agreed if the proposed development is able to meet the three tests:

- (1) the consented operation must be for 'preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment'; (Regulation 55(2)(e))
- (2) there must be 'no satisfactory alternative' (Regulation 55(9)(a)); and
- (3) the action authorised 'will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range' (Regulation 55(9)(b)).

10.80 The proposed mitigation and compensation strategy outlined in section 5 of the ecological report is considered likely to provide adequate compensatory measures that will successfully maintain the population of the species concerned at a favourable conservation status in their natural range and as such, would meet Reg 55(9)(b) of the Habitats Regulations.

10.81 It is therefore considered that this derogation test can be met by this application so long as the actions conditioned are implemented in full.

10.82 Case law indicates that the process of consideration of the 3 derogation tests should be clearly documented by the Local Planning Authority. With regard to the potential impact upon protected species it is considered that all 3 derogation tests have been adequately assessed in accordance with Natural England guidance.

10.83 The proposed development would be a self-build, and is therefore exempted from mandatory biodiversity net gain. The applicant has submitted a draft Unilateral Undertaking (UU) to this effect to secure the future occupation of the building for this purpose, the content of which is currently being discussed with Legal Services. It is understood that this should be completed prior to the application being considered by Members.

10.84 The site is also within the Zone of Influence for the Cotswold Beechwoods Special Area of Conservation (SAC). Whilst the dwelling would be large than the existing, there would not be any additional residential units created, such that the proposal may be screened out of this requirement for a financial contribution to be made towards mitigating the impact of development upon the SAC.

(g) CIL

10.85 This application is CIL liable. If the application had been recommended for approval, a CIL charge would have been payable. If an appeal is lodged and allowed, the development will be CIL liable. Any revised application would also be CIL liable.

11. Conclusion:

11.1 Whilst the principle of erecting a replacement dwelling may be considered to be acceptable, the proposal would result in the total loss of a building that has been identified as a non-designated heritage asset. Whilst noting the comments made on behalf of the applicant regarding the alterations made to the building and its significance, alongside other matters, such as the improved sustainability credentials of a new dwelling compared to the existing, your Officers consider that the proposal is contrary to the policies in the Development Plan as well as the NPPF, which are not outweighed by other material planning considerations.

11.2 Consequently, the recommendation is for planning permission to be refused.

12. Reasons for Refusal:

1. Brook Close is a non-designated heritage asset by virtue of its architectural and historic interest. The proposed development would result in its total loss, representing the highest level of harm. The proposed benefits, including sustainability measures, are not considered sufficient to outweigh this harm, having regard to Local Plan Policy EN12 and paragraph 216 of the NPPF. Additionally, the scale, height, and design of the replacement dwelling and outbuilding would appear prominent and uncharacteristic, failing to positively contribute to the local character and distinctiveness of this low-density, rural settlement edge. The proposal therefore conflicts with Local Plan Policies EN1, EN2, and EN12, and paragraphs 135, 210, and 216 of the NPPF.

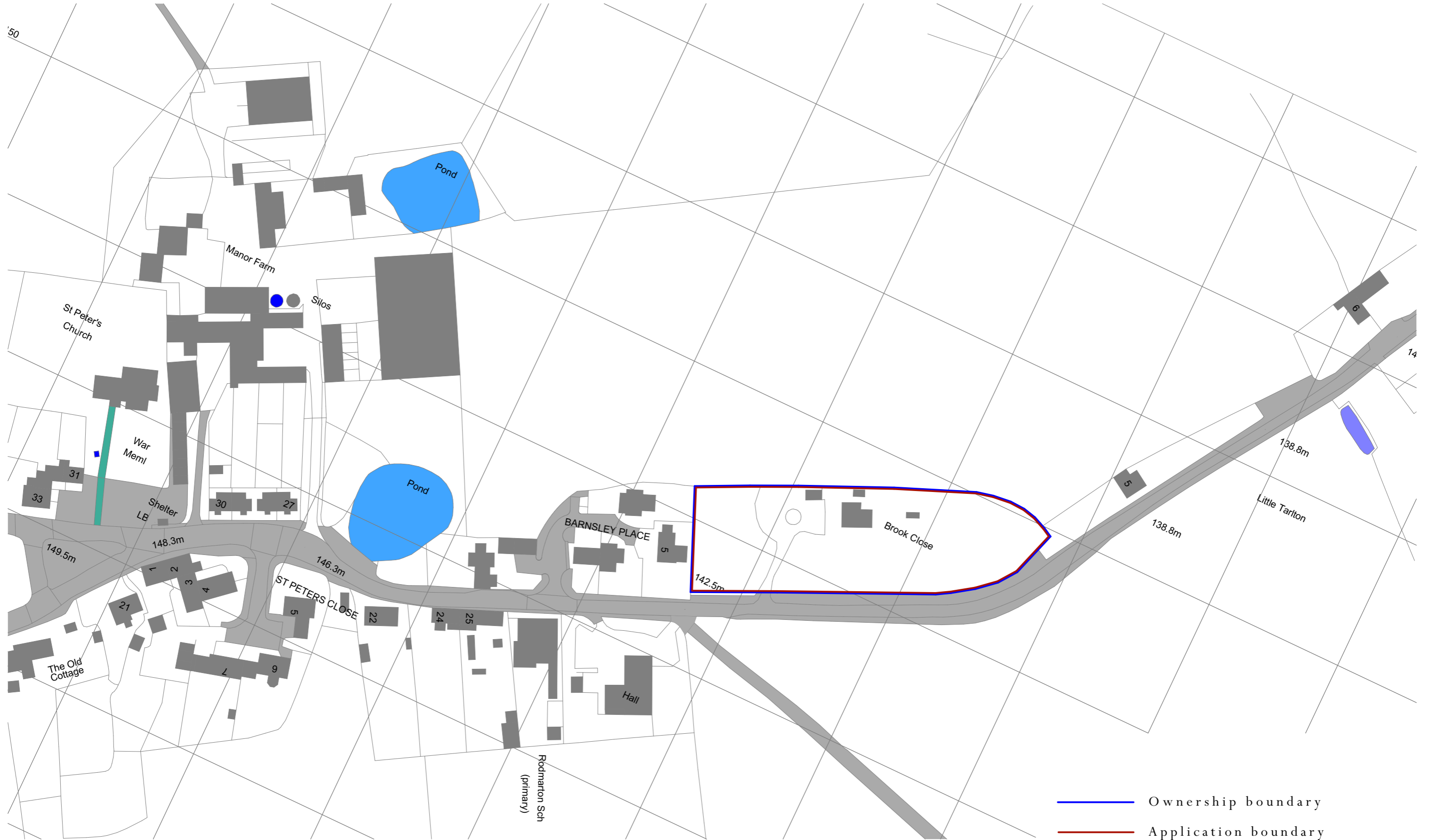
2. Brook Close lies within the setting of Little Tarlton, a group of Grade II listed Arts and Crafts cottages. It shares architectural, historic, and aesthetic connections with

these designated heritage assets. The total loss of Brook Close as a non-designated heritage asset would result in less than substantial harm to their setting. In addition, the scale, height, and design of the proposed replacement dwelling and garage would appear prominent and uncharacteristic, failing to positively contribute to the local character and distinctiveness of this low-density, rural settlement edge. This would further result in less than substantial harm to the setting of the listed buildings. In the absence of clear and demonstrable public benefits to outweigh the identified harm, and having given great weight to the conservation of designated heritage assets, the proposal conflicts with Local Plan Policies EN2, EN10, and EN11, and paragraphs 135, 210, 212, 213, and 215 of the NPPF.

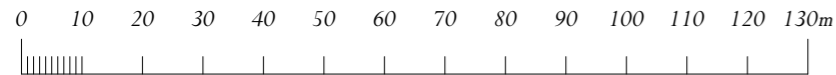
3. The application site lies within the setting of Rodmarton Conservation Area, the special architectural and historic interest of which is derived from its small rural village settlement pattern, containing numerous historic buildings, including a collection of modest early C20th Arts and Craft Cottages. The demolition of Brook Close, as a non-designated heritage asset, would cause less than substantial, albeit considerable, harm to the setting of the conservation area. The proposed benefits, including sustainability measures, are not considered sufficient to outweigh this harm. Further the design of the proposed replacement dwelling would fail to make a positive contribution to the local character and distinctiveness of the local area, resulting in a prominent and uncharacteristic house and outbuilding in relation to the modest cottages of the Arts and Crafts characteristic of the area. The proposed development would fail to accord with Local Plan Policies EN2, EN10, EN11 of the Local Plan and paragraphs 135, 210, 212, 213 and 215 of the NPPF.

Informatives:

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



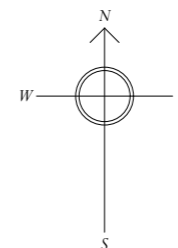
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Scale 1:1250

Site Location Plan
Brook Close - Rodmarton Replacement House
Planning Issue

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Drawing Number: 6503-PL01 Rev A | July 2024 | Drawn By: TMF



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 Proposed Buildings For Demolition



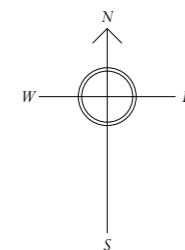
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Proposed Site Block Plan

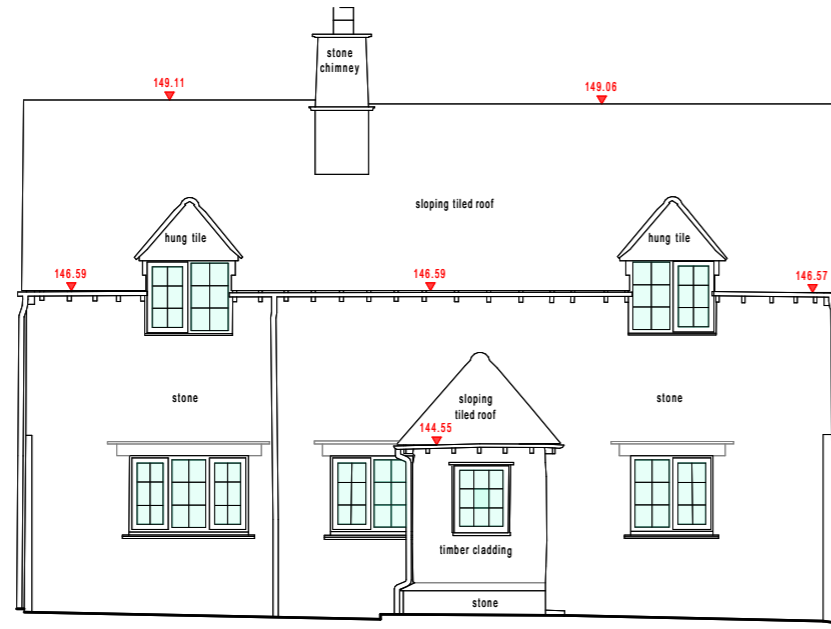
Brook Close - Rodmarton Replacement House

Planning Issue

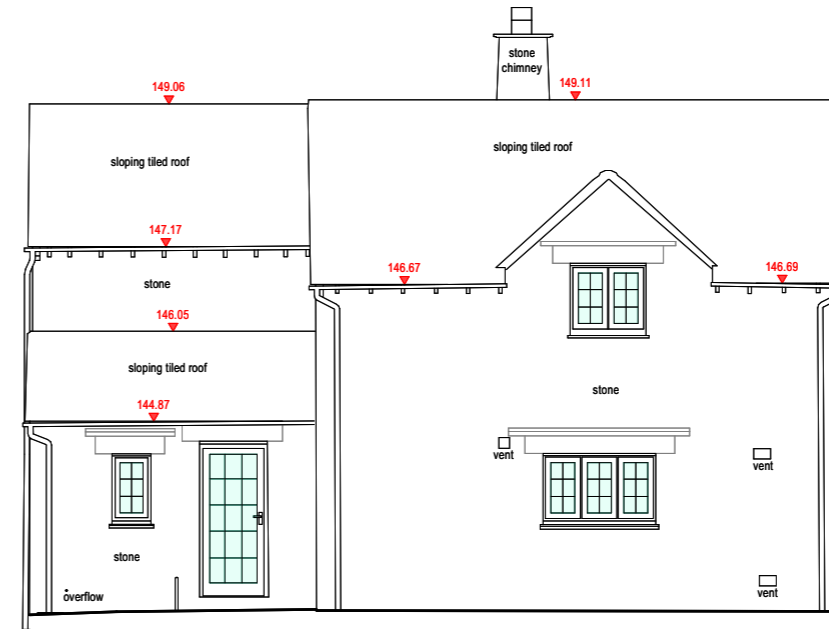
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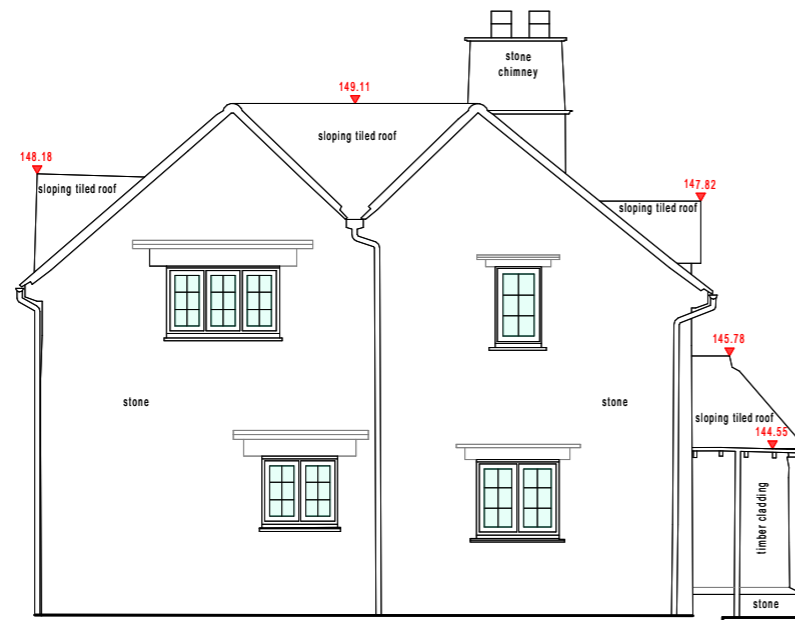
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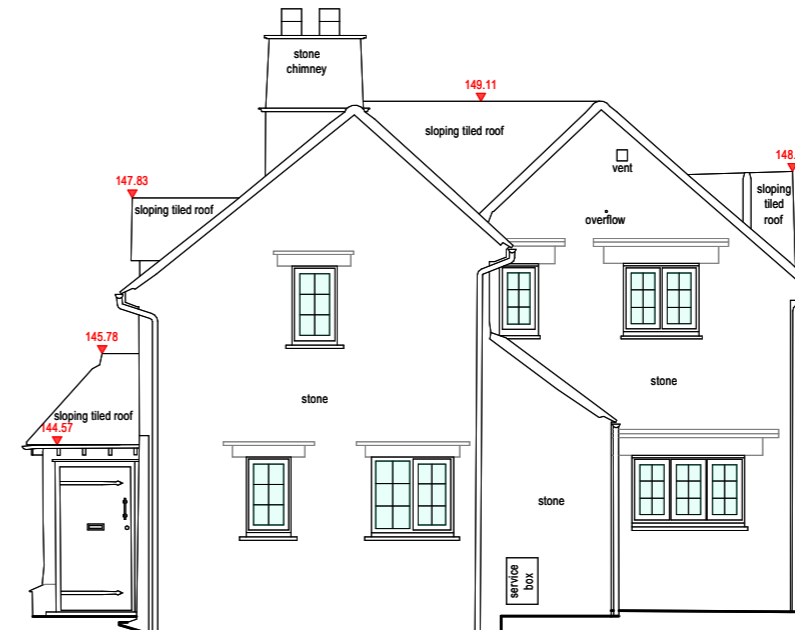
South Elevation



North Elevation



West Elevation



East Elevation

Existing Elevation
Brook Close - Rodmarton Replacement House
Planning Issue



Scale 1:100

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South Elevation



West Elevation

Proposed Elevation 1 of 2

Brook Close - Rodmarton Replacement House
Planning Issue

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North Elevation



East Elevation

Proposed Elevation 2 of 2

Brook Close - Rodmarton Replacement House
Planning Issue

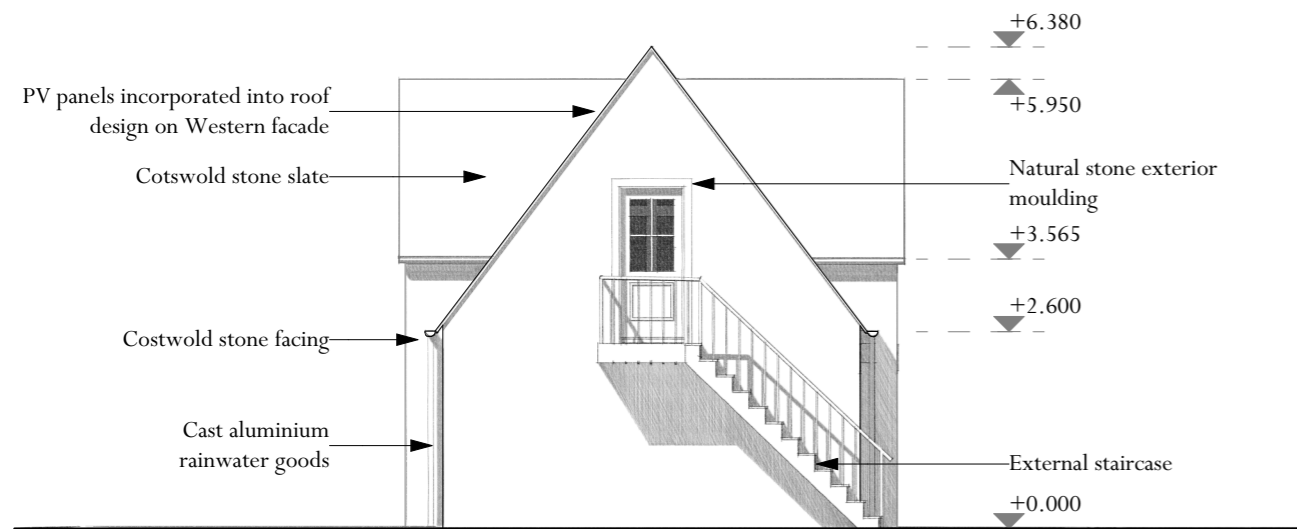
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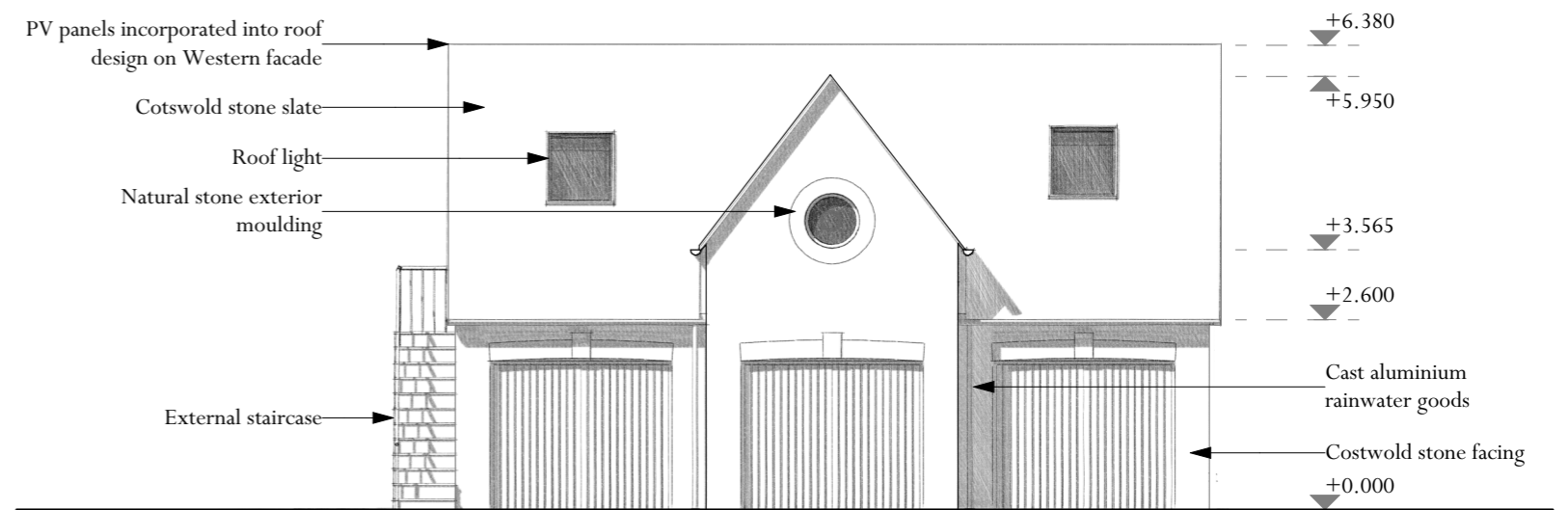


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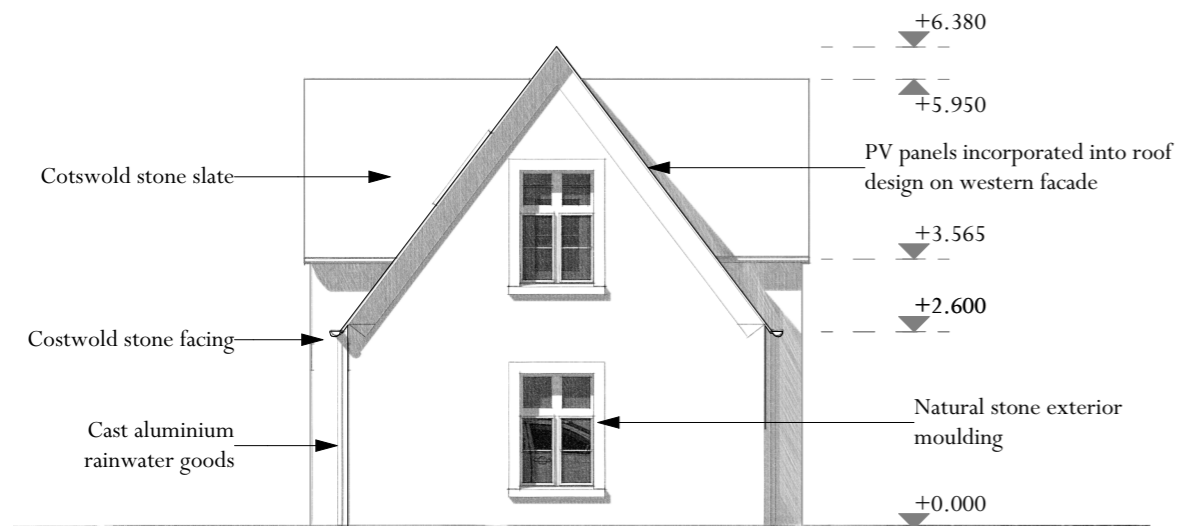
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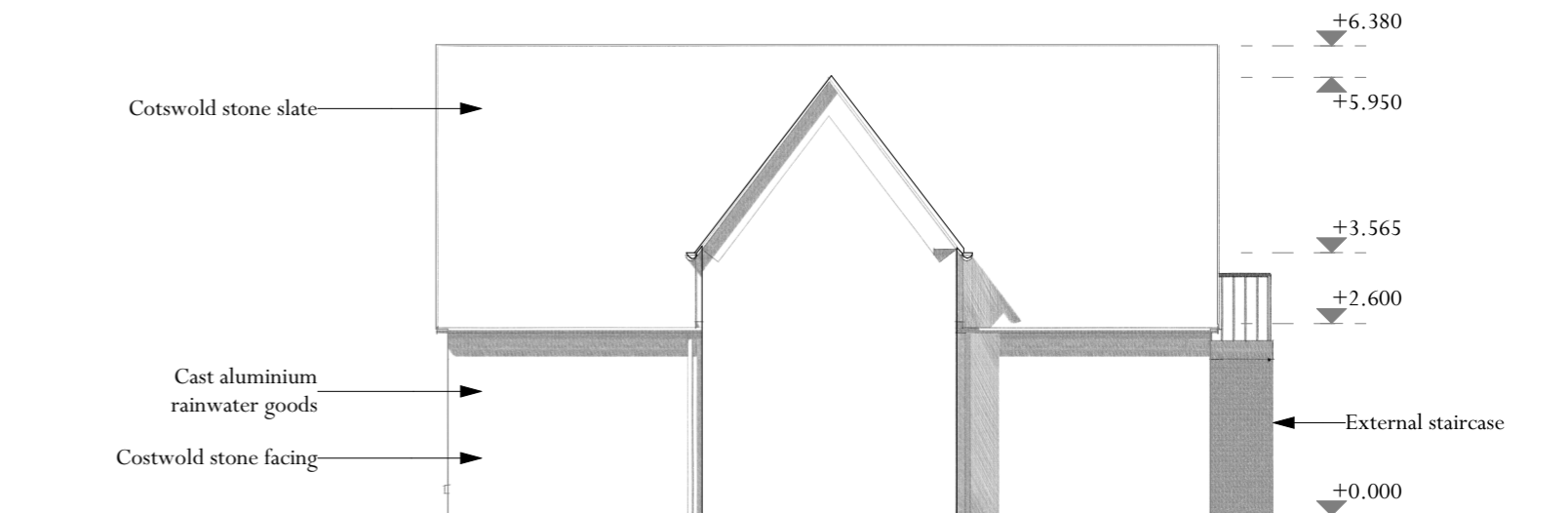
South Elevation



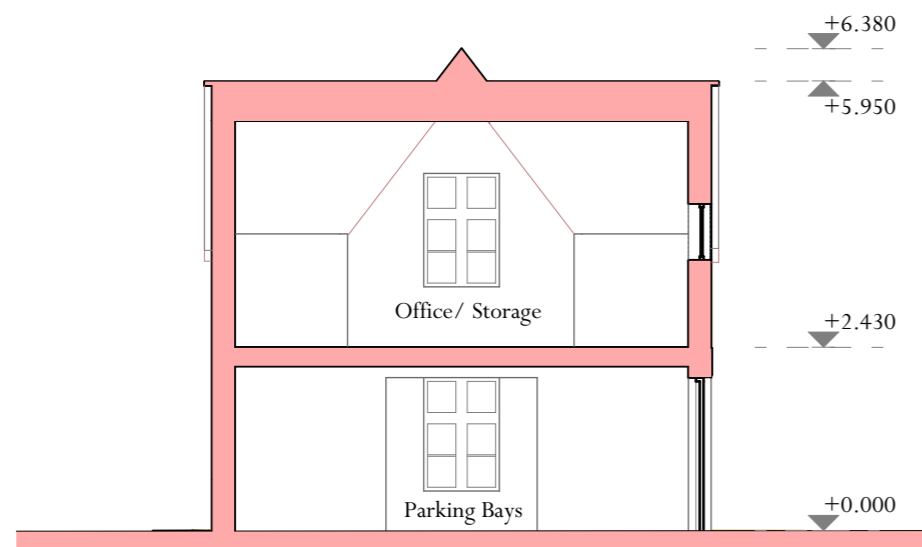
East Elevation



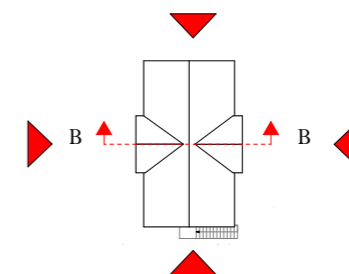
North Elevation



West Elevation



Section B - B

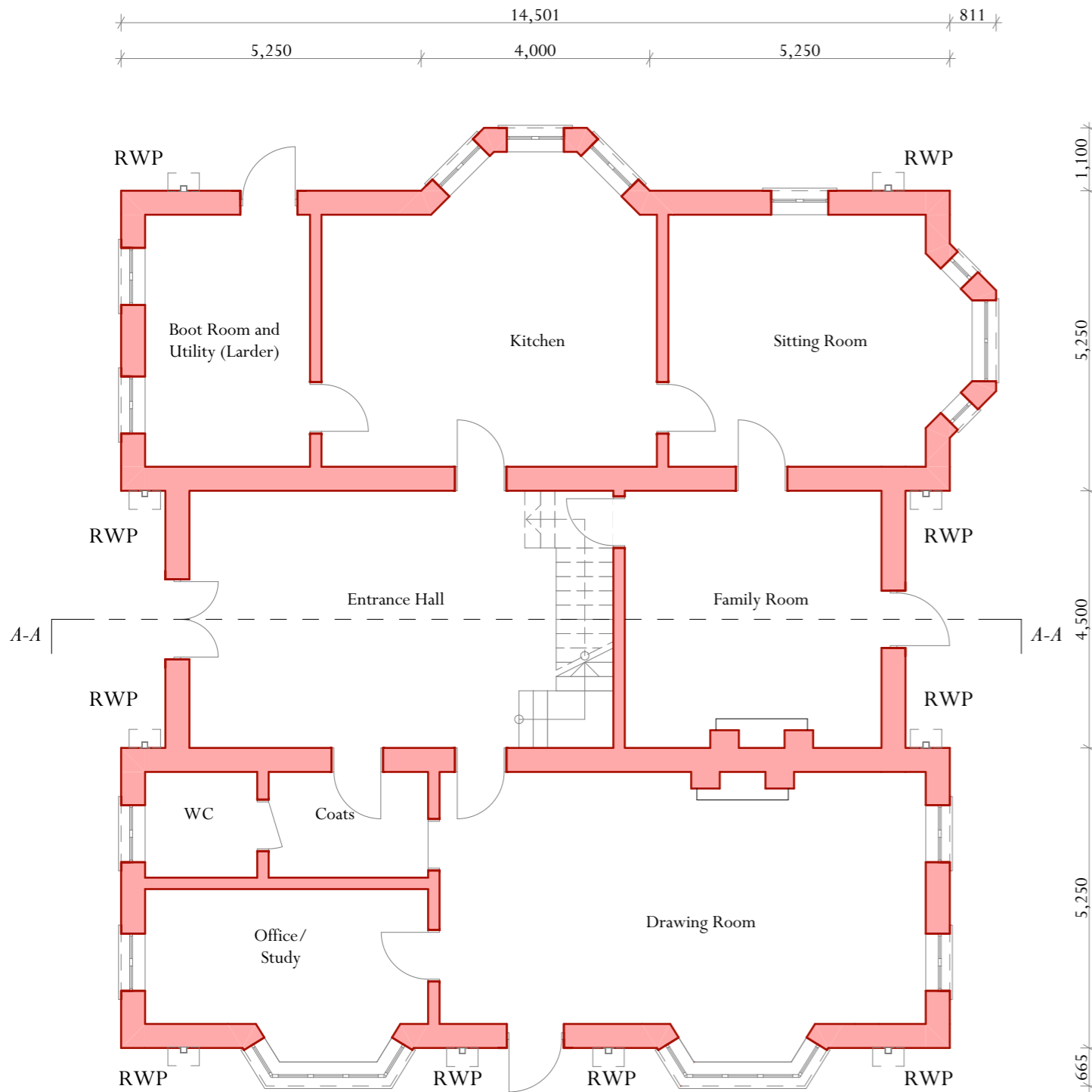


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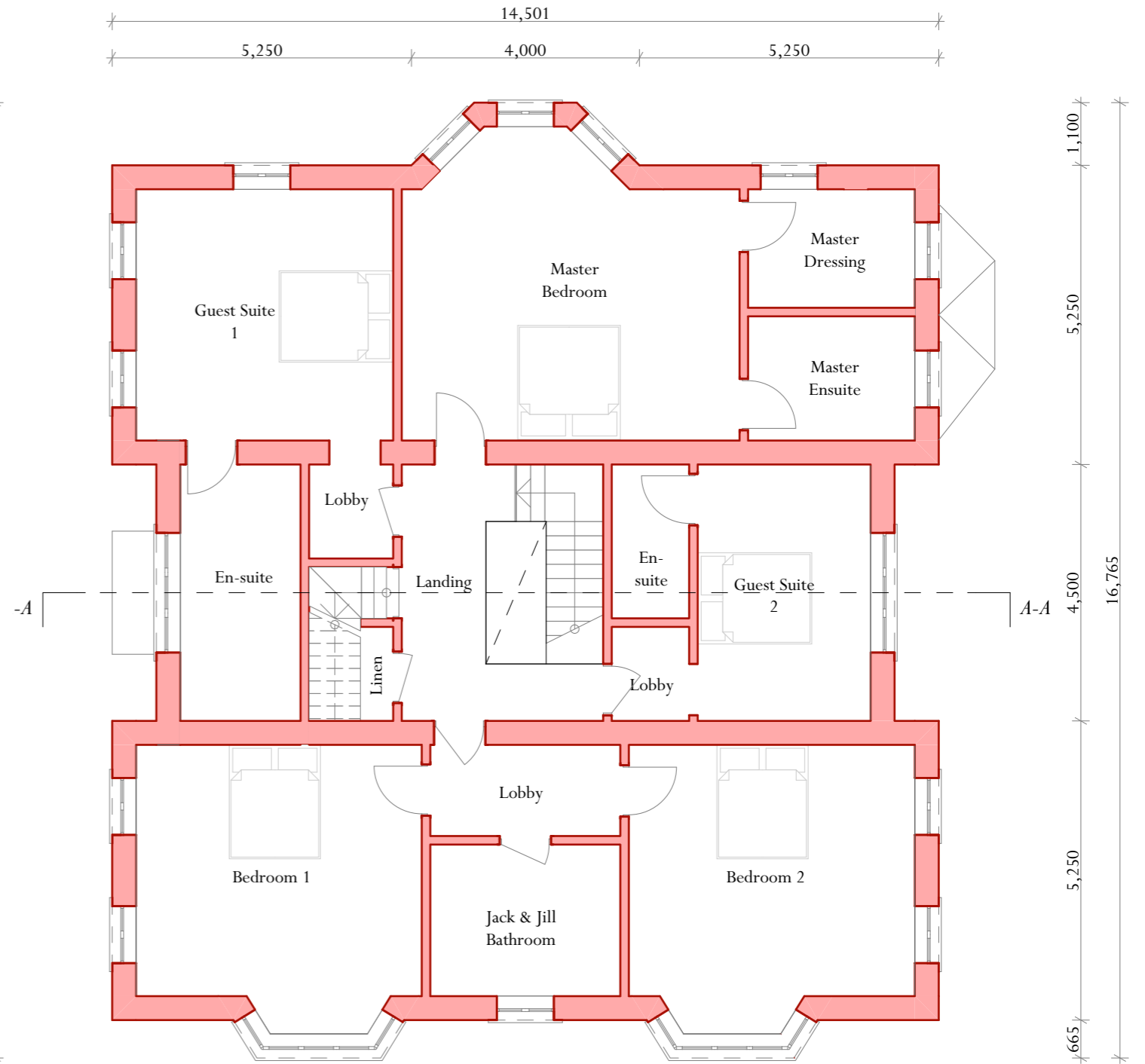
Proposed Garage Elevations & Section
Brook Close - Rodmarton Replacement House
Planning Issue

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Ground Floor Plan of House



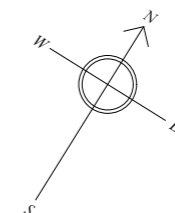
First Floor Plan of House

Proposed Floor Plans 1 of 2
Brook Close - Rodmarton Replacement House
Planning Issue



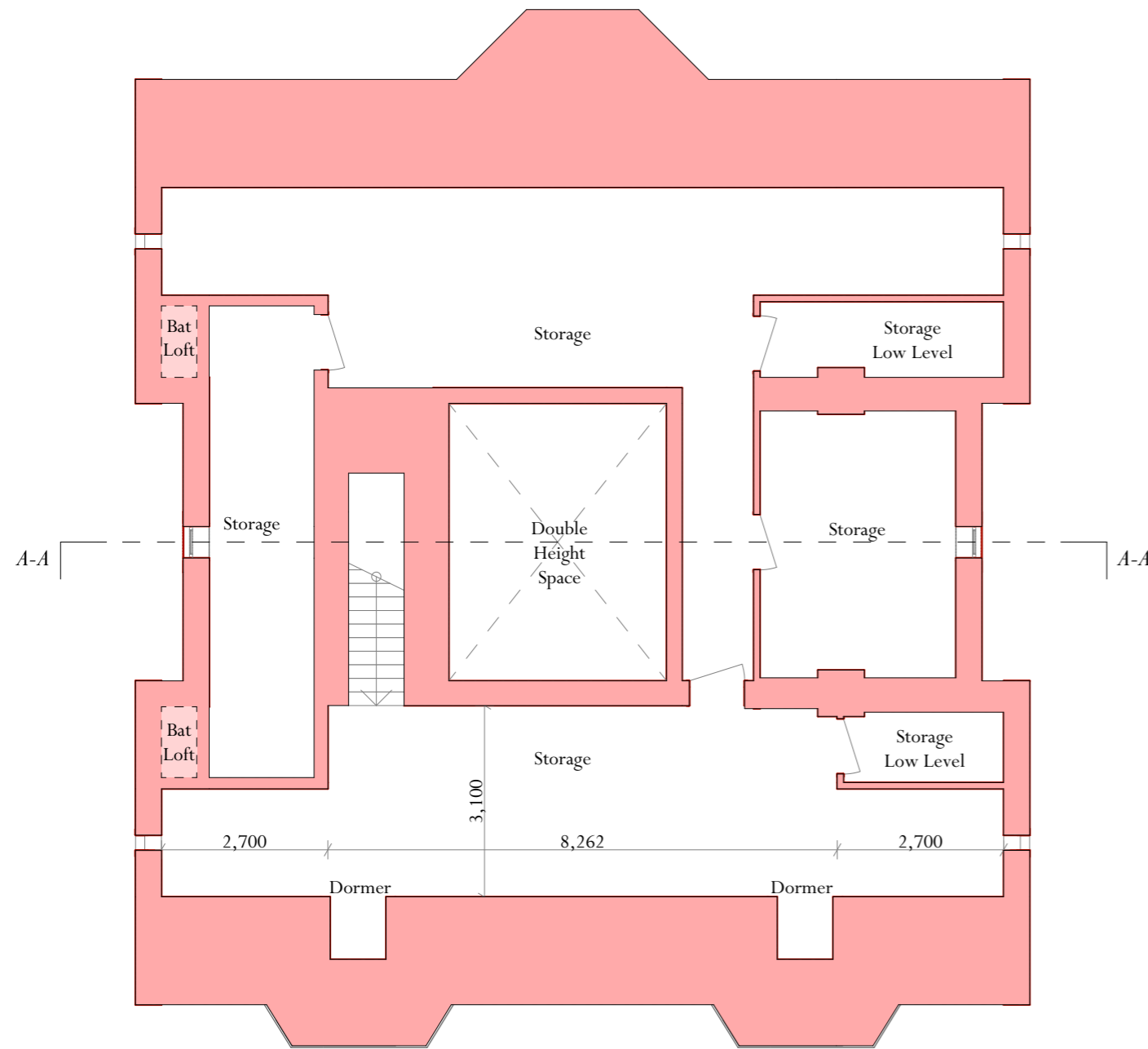
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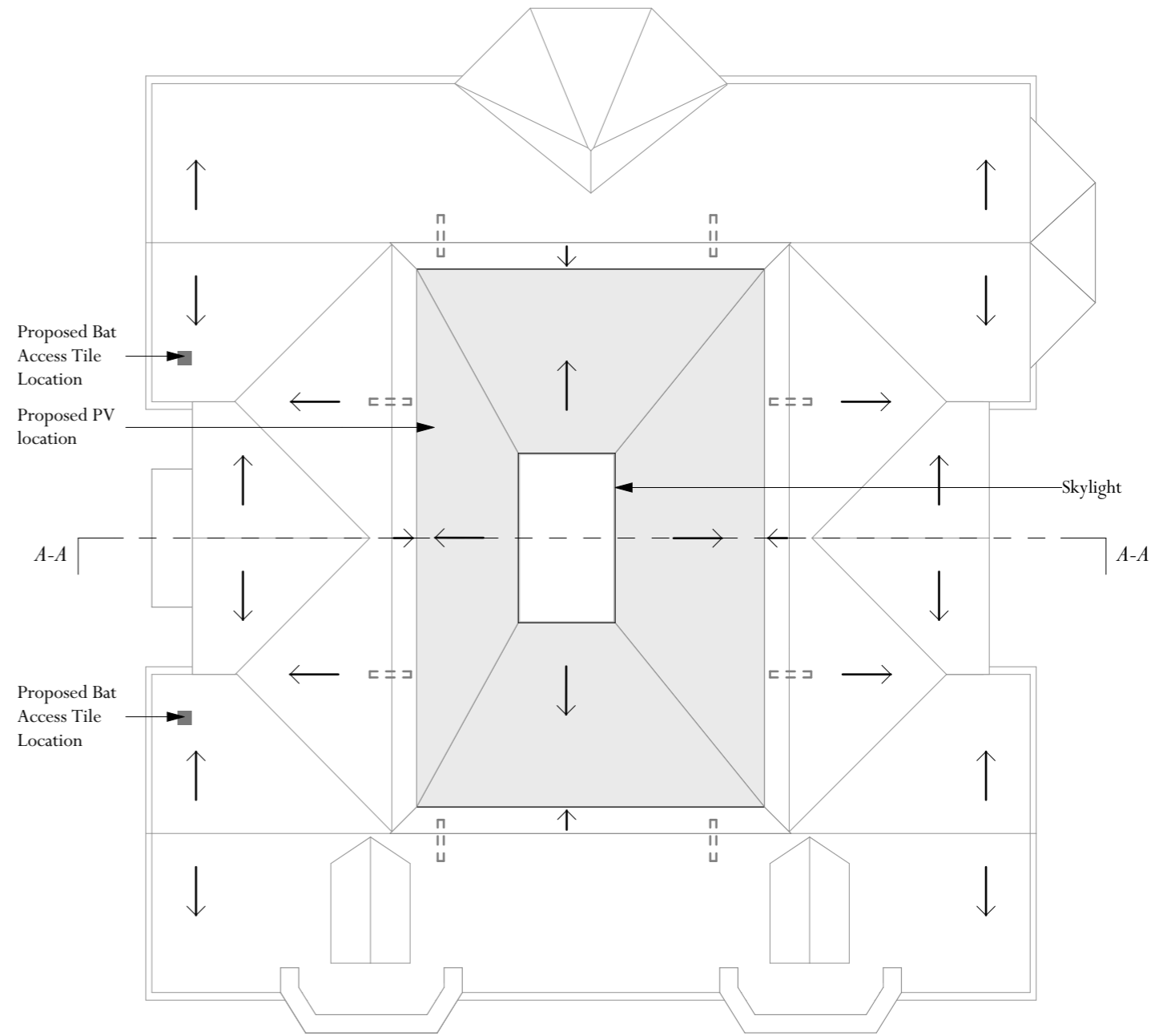


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Attic Plan of House



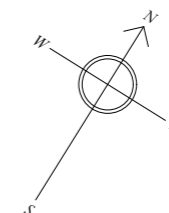
Roof Plan of House



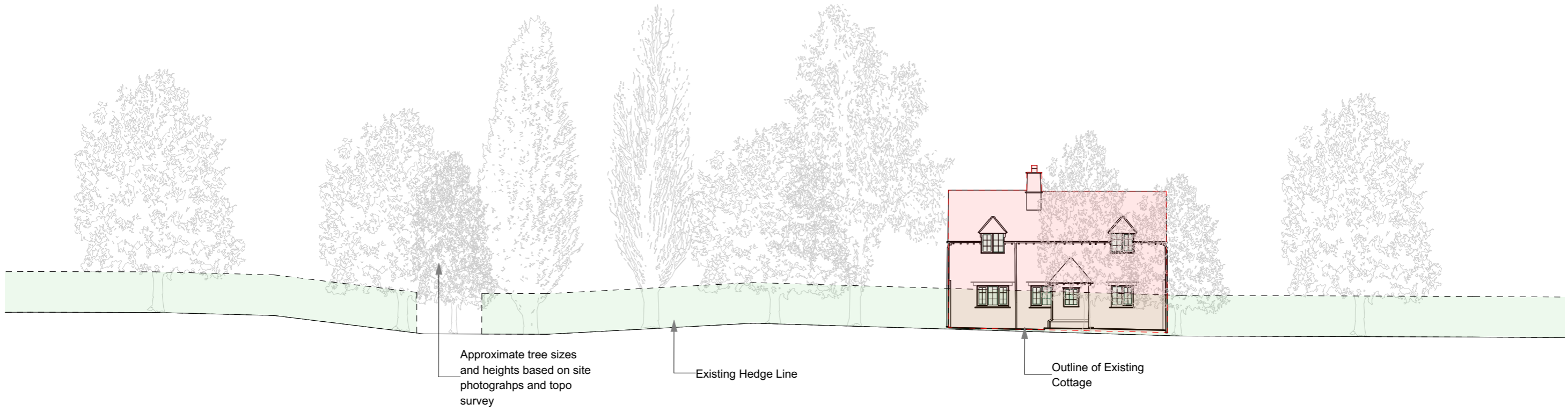
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Proposed Floor Plans 2 of 2
Brook Close - Rodmarton Replacement House
Planning Issue

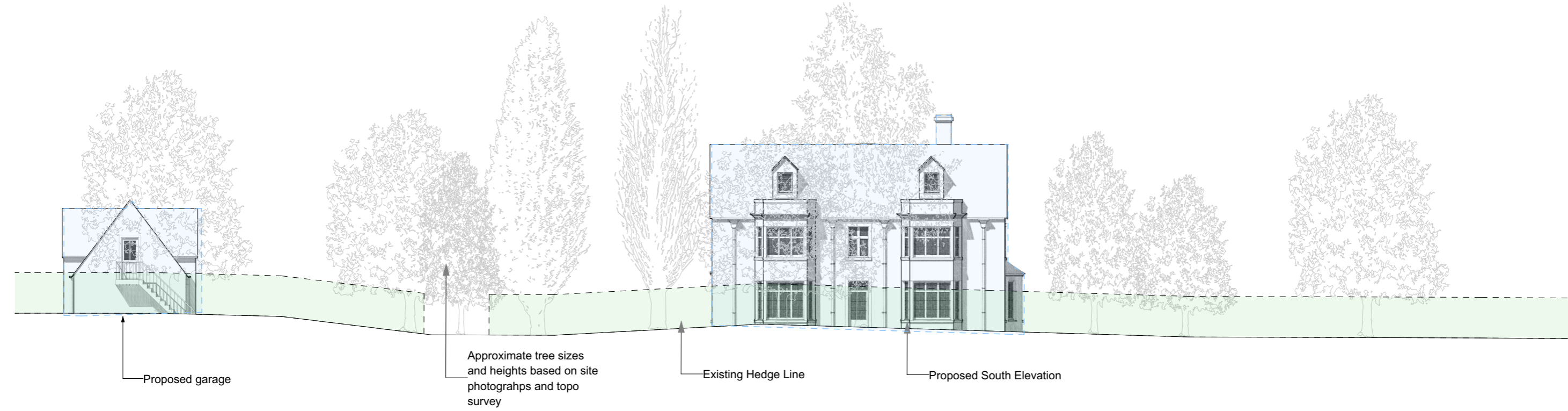
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EXISTING STREET VIEW



PROPOSED STREET VIEW

0 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20m



Scale 1:200

Comparative Street View Elevation
Brook Close - Rodmarton Replacement House
Planning Issue

Scale: 1:200 @ A3
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