

**Item No 01:-**

**20/03726/FUL**

**Church Farm Buildings  
Nether Westcote  
Chipping Norton  
Gloucestershire  
OX7 6SD**

## Item No 01:-

**Redevelopment of existing barn and surrounding yard to create 3 no. dwellings within the current envelope, with associated parking structures and landscaping at Church Farm Buildings Nether Westcote Chipping Norton Gloucestershire OX7 6SD**

<b>Full Application 20/03726/FUL</b>	
Applicant:	Great Westcote Ltd
Agent:	Magenta Planning Ltd
Case Officer:	Amy Hill
Ward Member(s):	Councillor David Cunningham
Committee Date:	11th August 2021
<b>RECOMMENDATION:</b>	<b>PERMIT</b>

### **Main Issues:**

- (a) Principle of Residential Development
- (b) Design
- (c) Impact on Setting of the Conservation Area
- (d) Impact on Landscape and Cotswolds Area of Outstanding Natural Beauty (AONB)
- (e) Impact on Highway Safety
- (f) Biodiversity
- (g) Trees
- (h) Drainage
- (i) Residential Amenity

### **Reasons for Referral:**

In accordance with the Scheme of Delegation, the Ward Member, Councillor Cunningham, requested the application was referred to the Planning and Licensing Committee for the following reasons:

*Reason 1: The site sits within the Cotswolds Area of Outstanding Natural Beauty (AONB). Section 85 of the CROW Act 2000 states that 'relevant authorities have a statutory duty to conserve and enhance the natural beauty of the AONB'. No attempt is made in the current proposal to address the existing large, monolithic structure, of utilitarian design and little inherent quality or architectural merit which clearly neither conserves or enhances the AONB.*

*Reason 2: NPPF Paragraph 130, which states that 'Permission should be refused for development or poor design that fails to take the opportunities available for improving the character and quality of an area'. The current design makes little or no attempt to improve the existing industrial nature of the silhouette which, thanks to its position on the ridge, is visible from the surrounding countryside and sits directly adjacent to a conservation area.*

*Reason 3: The Cotswolds Conservation Board's Landscape Character Assessment identifies some of the potential landscape implications of development as being: 'spread of lit elements on the farmed slopes and potential for glint from buildings, particularly on hillsides'. The proposal as is, does not mitigate these implications, in fact given the residential nature of the proposed dwellings, as opposed to the previous '9 to 5' commercial usage and lack of fenestration at the site, will potentially directly infringe the recommendations set out for consideration.*

## **I. Site Description:**

The site comprises a pre-fabricated building, which had until recently been in active commercial use as a garage/workshop. The building is within a larger plot, and aerial photographs indicate that a range of vehicles associated with the commercial use were stored around the building since 2006 at least. The site has now been cleared; however, the garage/workshop use remains the lawful use of the site.

The site is surrounded by fields to the north, east and west. To the west is a detached building, which has previously been granted permission for demolition and construction of a dwelling. Further to the west is the rest of the built form of the village of Nether Westcote. The road also forms the boundary with the Nether Westcote Conservation Area.

The application site is located on the outside of a bend that leads around to the village, with a Public Right Of Way (Westcote Bridleway 9) continuing a route north to south alongside the neighbouring building. As a result, the site is visible from nearby public viewpoints. There is a mature tree belt along the southern boundary of the site, with some trees also along the northern boundary. To the north, the site is on the edge of a valley, and as such there are long distance views of the site from the north.

The application site is located within the Cotswolds Area of Outstanding Natural Beauty (AONB). Nether Westcote does not have a development boundary and as such, the site is located outside a Development Boundary as designated in the Cotswold District Local Plan 2001-2011. The site is located within a Flood Zone 1.

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

The site:

CD.4564/B. Steel frame agricultural storage building. Permitted July 1973

CD.4564/G: (Retrospective) change of use from agricultural building to agricultural engineer's workshop. Permitted March 1996

CD.4564/H: (Retrospective) change of use from agricultural building to joiner's workshop. Permitted March 1996

18/04829/FUL: Demolition of existing industrial buildings and construction of a single residential dwelling. Permitted February 2020

Adjacent site – Wallground

CD.4564: Builders yard and store. Permitted May 1968

CD.4564/A: Building in connection with builder's yard. Permitted September 1972

CD.4564/C: Office and store building. Permitted October 1979 (building to be demolished)

CD.4564/D: Erection of a two storey dwelling. Refused May 1980

15/05283/OUT: Outline planning application (all matters reserved apart from access) for the demolition of existing workshop/industrial building and construction of 1 x detached 4 bed house and double garage, change of use of land to residential curtilage and associated landscaping. Permitted February 2016

16/04026/REM: Construction of 1 x detached 4 bed house change of use of land to residential curtilage and associated landscaping (Reserved Matters details relating to Appearance, Layout, Landscaping and Scale pursuant to outline planning permission reference 15/05283/OUT). Permitted February 2017

19/03873/FUL: Proposed single dwelling. Permitted February 2020

The Quarry:

16/01562/OUT Demolition of stables and shop buildings and erection of 3 affordable and 7 market dwellings and associated works (Outline application). Refused 2016 Dismissed at appeal 2017 (APP/F1610/W/17/3171444)

20/03022/FUL: Demolition of the existing buildings and erection of 4 dwellings. Permitted October 2020

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

TNPPF The National Planning Policy Framework

CDCLP CDC LOCAL PLAN 2011-2031

DS3 Small-scale Res Dev non-Principal Settle

EC6 Conversion of Rural Buildings

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

EN14 Managing Flood Risk

INF3 Sustainable Transport

INF4 Highway Safety

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

Biodiversity Officer: Comments incorporated within Officer's Assessment.

Conservation Officer: Comments incorporated within Officer's Assessment.

Landscape Officer Comments incorporated within Officer's Assessment.

Drainage: Additional information required

Tree Officer: Comments incorporated within Officer's Assessment.

Environmental Health Officer: Further details needed, but by condition would be acceptable.

Gloucestershire County Council Highways: No objection

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

Nether Westcote Parish Council: Objected to the proposal. Concerns were raised regarding the following matters:

Initial Scheme:

1. Existing permission of site considered more appropriate
2. Impact on traffic
3. Impact on dark skies

Following amendments to the scheme:

1. Preference for the existing scheme which is considered more appropriate
2. Concerns regarding the increase in traffic to and from the site, including concerns relating to accuracy of the submitted data.
3. Cumulative impact on village given existing recent permissions for residential properties.
4. Light Pollution - Concern over the amount of glazing, and impact on dark skies of the AONB
5. Site Access - Concerns over the addition of a new access in close proximity to the existing ones nearby and the resulting risk of accidents.
6. Maintenance of landscaped areas around the site

Icomb Parish Council: Objected to the proposal. Concerns due to light pollution, not resolved by amended design. Design considered contrived and there are concerns that a follow up application would be submitted for further development.

## **6. Other Representations:**

54 Third Party Objections received (including some objectors who provided more than one response)

Initial scheme:

- a. Appearance of converted building would be unattractive
- b. Design has no sympathy or compatibility for the local vernacular Cotswolds style
- c. Style not reflective of the village and inappropriate for a village setting
- d. Not constructed of Cotswold stone
- e. Fails to remove the existing unattractive buildings
- f. Over development of the site
- g. Harmful to the rural character of the village
- h. Proposed dwellings and parking would appear like a mini-suburban development
- i. Appearance of other contemporary designed property near village
- j. Harm to the setting of the Conservation Area and nearby Listed Buildings
- k. Light pollution caused by use and large windows harming 'dark skies' of AONB
- l. Light pollution caused in evenings rather than during the day (as per the current use)
- m. Impact on light on both short distance views, but also across the valley
- n. Harm to the character and appearance of the Cotswolds area of outstanding natural beauty
- o. Impact on views from public rights of way
- p. Limited amenities within village and lack of public transportation
- q. Excessive number of new properties within the village if this were to be approved
- r. Lack of need for more homes in this location
- s. Buyers of Wallground apparently did so on the basis of the demolition of site buildings
- t. Concerns of overlooking from the development to Wallground
- u. Overbearing impact of building on Wallground
- v. Use of properties as holiday lets
- w. Concern over location of bin store in proximity to neighbour

- x. Problems regarding access to and egress from the site with bend in the road considered dangerous
- y. Significantly increase traffic movement in this part of the village - beyond that stated within the submitted reports
- z. Existing traffic movements significantly below that indicated
- aa. Congestion caused by traffic here and with pub
- bb. Conflict with users of the bridleway (walkers and horse riders) with vehicles to the site
- cc. Traffic caused by visitors to the site (rubbish collection, post, cleaners, deliveries etc.)
- dd. Storage of bins (including various recycling ones)
- ee. Wallgrounds has a covenant over the existing access, with potential rights to put gates over the existing access

Following amendments:

- a. Above issues not resolved
- b. Changes to design do little to offset impact on rural setting and proposal would be harmful to the rural character of the village - considered ugly
- c. London centric design - not Cotswolds
- d. Inclusion of integral garage unsuitable
- e. Appearance of gated off properties
- f. Harm to the Conservation Area and AONB
- g. Harm with regard to dark skies and light pollution
- h. Too many roof lights
- i. Development would impinge adversely on an area of outstanding natural beauty
- j. Windows too large
- k. Support comments from people outside village
- l. Traffic response flawed given amount of traffic from existing site overestimated
- m. Noise pollution of traffic movements
- n. Proposal will give rise to problems regarding access to and egress from the site
- o. Vehicles would be stopped in the road due to gate over access
- p. Conflict with users of bridleway and walker/horse riders on the road
- q. Lack of path/verge alongside road for walkers
- r. Incident of collision of vehicle between stationary vehicle in drive and one along the road near the site
- s. Proposal will increase significantly traffic movement in this part of the village
- t. Lack of passing places on road
- u. Disturbance to wildlife
- v. Overdevelopment of the site
- w. Designed for use as second homes/holiday home in village
- x. Insensitivity of the design
- y. Impact on Wallground
- z. Possible future development of adjoining paddock
- aa. Overdevelopment of the site
- bb. Properties not required in the village
- cc. Who would be responsible for maintenance of landscaping around the site
- dd. Impact on trees next to access
- ee. Concerns Consultee comments referred to the site when it was in use, rather than the current appearance with the active use ceased
- ff. Discontent that Landscape, Conservation and Highway Officers have withdrawn their objections
- gg. Concerns whether Officers have visited the site

hh. Concerns over how the application has been dealt with

## 6 Third Party comments in Support

Initial scheme:

- Inspiring development with an imaginative design
- Great to see some life brought into the village
- Appearance of site would be improved.
- Existing appearance an eyesore
- Frequent industrial traffic would be removed
- Residential use of site considered appropriate for brownfield site
- Proposed would represent sensitive and sensible growth at the edge of the village
- Proposal considered well considered and environmentally conscious
- Proposal would help to support the village through additional expenditure on local services
- Improved quality and choice of available homes in the area.
- Additional housing for local families

## 7. Applicant's Supporting Information:

Proposed Plans

Arboricultural Report

Planning Statement

Design and Access Statement

Preliminary Ecological Appraisal Report

Transport Assessment

Geo-Environmental Report

Structural Survey

Drainage Strategy

Rural Housing Proforma

Site 3d Image Comparisons

Village Building Type Analysis

Material Palette

Visibility Splays Report

Design Response Report

## 8. Officer's Assessment:

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that 'If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.' The starting point for the determination of this application is therefore the current development plan for the District which is the adopted Cotswold District Local Plan 2011 - 2031. The policies and guidance within the revised National Planning Policy Framework (NPPF) are also a material planning consideration.

## Background and Proposal

The site currently comprises a former agricultural building which has been in use as a workshop since the 1990s. It has a concrete block base with timber cladding and concrete sheet roofing. During the course of the application the building has seemingly been vacated, although the lawful

use remains as a workshop, which officers consider to fall within Use Class B2. There is currently permission on the site for this building to be demolished and a new dwellinghouse erected in its stead.

The current proposal seeks instead to convert the existing building into three dwellinghouses (reduced from four dwellings during the course of the application). This would involve substantial work to the building, with new roofing and walling.

The proposal would create three units; one four-bed unit and two three-bed units. These would span the depth of the building and be one and two storeys in height. The unit closest to the village would include a single-storey section, part of which would be garaging. The external walls of the development would include both vertical and horizontally clad timber, a grey/green zinc roof and linear block base

The footprint of the existing building is approximately 616m<sup>2</sup>, and would be reduced to approximately 596m<sup>2</sup> - this measurement includes the covered external areas which amounts to approximately 68m<sup>2</sup>

The two-storey sections would have eaves heights of approximately 4.6m and 5.8m, and ridge heights of approximately 6.9m, with the single-storey lean-to stepped down from the eaves. The height of the roof and width of walls would be increased by approximately 25cm to allow for insulation and cladding.

The proposed vehicular access will be alongside the existing vehicular access, which would instead only serve the neighbouring site. On the site there would be specific parking for six vehicles, two of which would be within the garage. Informal parking would also be possible to the front of the building, including the garage.

The previous permission on the site gave permission for a two-storey building with a footprint of approximately 178m<sup>2</sup>, and eaves and ridge height of approximately 4.4m (max) and 8m (max) respectively. The permitted scheme followed a design approach of a traditional converted Cotswold Stone barn.

### **(a) Principle of Residential Development**

The application site lies just to the east of the main part of Nether Westcote. It is therefore necessary to establish whether Nether Westcote can reasonably constitute a Non-Principal Settlement, and if so, if the site is within Nether Westcote.

It is considered that the previous applications on this site, the adjoining site (Wall Grounds), and one at "The Quarry" also within Nether Westcote (application reference 20/03022/FUL), are material to the above considerations.

As part of the 20/03022/FUL application, the Case Officer reached the following conclusion with regard to whether Nether Westcote is a Non-Principal Settlement:

"A number of factors can influence such a determination. In the case of Nether Westcote, it is noted that the village contains approximately 35 dwellings together with a church, public house and two equestrian establishments. Whilst limited, the village does not host a number of facilities. In addition, the village is located approximately 3.5km from Upper Rissington which is designated



as a Principal Settlement in the Local Plan. Upper Rissington hosts retail and other services, a primary school and employment development.

The availability of services and facilities within a settlement is not the sole determining factor when assessing whether a village can constitute a Non-Principal Settlement. Paragraph 6.3.4 of the Local Plan states that Non-Principal Settlements can be '*those rural settlements in the District that have reasonable access to everyday services, facilities and/or employment opportunities, either within the settlement itself, at a Principal Settlement, or at a neighbouring rural settlement.*' In addition, paragraph 78 [now 79] of the National Planning Policy Framework (NPPF) states that '*housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.*' It is evident that both national and local planning policy and guidance recognise that development in one settlement may benefit other rural services and facilities across a wider area. It is evident that the erection of 4 dwellings in Nether Westcote could also benefit services and facilities at Upper Rissington as well as more distant settlements such as Bourton-on-the-Water.

In addition to the above, it is also noted that planning permission has been granted recently for other residential development in the village. Two separate applications, each for a single dwelling, were granted permission in February 2020. The two sites are located on land lying to the east of the Feathered Nest Inn approximately 350m to the north-east of the current application site. The two permissions are 19/03873/FUL Wallground, Land West Of Church Farm Buildings and 18/04829/FUL Church Farm Buildings. In both instances, the Council considered that Nether Westcote constituted a Non-Principal Settlement. The aforementioned decisions are a significant material consideration when assessing whether the village constitutes a Non-Principal Settlement.

It is noted that the Planning Inspector in the 2017 appeal decision raised concerns about the sustainability of the appeal site in terms of accessibility to services and facilities. Gloucestershire County Council (GCC) Highway Officers have also re-iterated the Inspector's concerns in their consultation response to this application. In the appeal decision, the Inspector stated '*I consider that the appeal site is poorly located in terms of access to services and facilities. The linkage between the site and basic service provision is poor and occupiers of the proposed dwellings would in practice be very reliant on a private car. Consequently, the proposal would not contribute to sustainable travel patterns. The proposed dwellings would in this sense be quite isolated. Whilst this is not necessarily fatal, it does weigh against the proposal in the planning balance.*' In response to these findings, it is of note that the aforementioned appeal was determined prior to the adoption of the current Local Plan and as such the Inspector gave limited weight to emerging Local Plan Policy DS3 which covers the creation of residential development in Non-Principal Settlements. It is also evident that the appeal scheme was for 10 dwellings rather than 4 dwellings. It would therefore have generated a greater number of vehicle movements than the scheme now proposed. In addition, the Inspector stated that the limited accessibility of the site was not '*necessarily fatal*'. Whilst the comments of the Planning Inspector and GCC Highway Officers are noted, it is considered that there has been a material change in circumstances since the determination of the appeal in 2017.

The adoption of the current Local Plan in August 2018 established that small scale residential development in Non-Principal Settlements can be acceptable in principle. The recent approval of two applications for residential development elsewhere in the settlement establishes that the village does constitute a Non-Principal Settlement for the purposes of the Local Plan. The Council's development strategy supports development in such locations. 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 is therefore the current development plan for the District which is the Cotswold District Local Plan 2011-2031."

Officers consider that there have been no material changes in circumstances since the 2020 conclusion and it is therefore considered that the Nether Westcote is a Non-Principle Settlement for the purposes of the consideration of this application.

The site itself is across the road from the main residential part of the village; however, given the existing building the site is considered 'brownfield' (previously developed) land. Previously the site, and the adjacent one, have been considered to fall within Nether Westcote. As a result of these factors, and the proximity of the subject building and access point to the existing built form of the village, it is concluded that the site is within Nether Westcote and as such Local Plan Policy DS3 would apply.

Policy DS3 of the Cotswold District Local Plan sets out that:

- I. In non-Principal Settlements, small-scale residential development will be permitted provided it:
  - a. demonstrably supports or enhances the vitality of the local community and the continued availability of services and facilities locally;
  - b. is of a proportionate scale and maintains and enhances sustainable patterns of development;
  - c. complements the form and character of the settlement; and
  - d. does not have an adverse cumulative impact on the settlement having regard to other developments permitted during the Local Plan period.

The proposed development will provide three dwellings, one four-bed unit and two three-bed units, although all of a generous size. The introduction of additional residents into the village has the potential to support the public house and the church. The proposed dwellings could also help support existing facilities in Upper Rissington and Bourton-on-the-Water.

The proposed dwellings are generally larger properties; however, this is largely dictated by the re-use of the existing building and the need to ensure that adequate provision is made for light and space within each unit. Further sub-division of the building would make it more difficult to achieve acceptable amenity standards for occupants. Additionally, the greater intensity of use on the site would tend to result in a greater impact on the site, as discussed in the sections below. Whilst limited, there are a mix of housing units and as such the proposal is considered to meet the requirements of Local Plan Policy H1: Housing Mix and Tenure to Meet Local Needs, which seeks to support a range of housing types and sizes. It is considered that the proposed development is of a form that can help support or enhance the vitality of the local community and the availability of local services and facilities.

Policy DS3 does not set a percentage growth figure above which new development is unacceptable. In paragraph 93 of the Report on the Examination of the Cotswold District Local Plan 2011-2031, the Local Plan Inspector states *'small scale is not defined in the Plan, and I agree that it would be ineffective to set a threshold as what may be an appropriate number of houses in one location may be excessive in another. What is important is that proposals comply with the stated criteria which should ensure that the vitality of the local community is supported, and that development is proportionate in scale to and complements the form and character of the settlement having regard to cumulative impacts with other developments.'*

With regard to criterion (d), the Council's Residential Land Monitoring Statistics 1st April 2019 to the 31st March 2020 state that there were 6 completions in Nether Westcote and Church Westcote in the period from the 1st April 2011 to the 31st March 2020. Looking at the residential commitments as of 1st April 2020 and the above mentioned permission at The Quarry, there are five residential units which have been permitted not including this site, with the permissions still live, which have yet to be erected. Given this context, the cumulative increase of units within the village is acknowledged, but it is important to then reflect upon the materiality of the impact of the additional development. In this instance, the site is contained within the village envelope, as has been previously explained, and relates to the conversion of an existing building on previously developed land. The site also has an extant permission for new-build residential development. It is also notable that the dwellings approved at The Quarry are approximately 350m from the current application site and are therefore visually and physically distinct from the current proposal. Additionally, it is likely that the new dwellings would provide benefit to the vitality and viability of the village and its facilities. Consequently, officers are content that the cumulative impact on the settlement in terms of its character, appearance or local infrastructure is considered not to be adverse.

With regard to criterion (b) and (c) the proposal will occupy an existing building, whilst undertaking work to it which would improve the appearance of the building, as well as its context. Given the building is an existing structure, it is difficult to argue that its height, mass and proportions would be inconsistent with existing built form in this area. Whilst the property would not follow the traditional design approach of the rest of the village, it would nevertheless enhance the appearance of the current building and the site as a whole and therefore be complementary to the visual quality of the village. Its location, whilst considered to be within the village, is on the opposite side of the road to the residential properties (other than the adjoining site), allowing for a differing design without appearing out of place and whilst also visually expressing the site's original agricultural use. Additionally, whilst the building is visible from the road, it is set back from this, and would be screened by additional planting, as such, the impact of the proposal on views from the settlement would be limited.

Having regard to the aforementioned factors, it is considered that the proposal will not result in the introduction of a harmful or disproportionate level of development into the settlement. Whilst the proposal has the potential to increase vehicle movements from the village to services and facilities in other settlements, this impact has to be balanced against the benefits arising from the redevelopment of previously developed land within a settlement, the benefits to local services and facilities and the continued need to provide a robust supply of housing land, together with the extant permission for new-build redevelopment of the site. It is considered that these benefits outweigh the increase in vehicle movements that may result from a development of the size proposed. The Local Plan and the NPPF also identify that development in one settlement can benefit services and facilities in other settlements and, as such, developments such as that now proposed can represent a sustainable pattern of development.

It is therefore considered that the proposed development accords with the objectives of Local Plan Policy DS3. In addition Policy EC6 would apply, given this is a proposal to convert the building:

Policy EC6 (Conversion of Rural Buildings) of the Cotswold District Local Plan sets out that:  
The conversion of rural buildings to alternative uses will be permitted provided:

a. the building is structurally sound, suitable for and capable of conversion to the proposed use without substantial alteration, extension or re-building;

- b. it would not cause conflict with existing farming operations, including severance or disruption to the holding that would prejudice its continued viable operation; and
- c. the development proposals are compatible with extant uses on the site and existing and planned uses in close proximity to the site.

The proposal would include a significant amount of works, although the agent has advised that the conversion approach has been pursued as it is possible to achieve this, whilst making carbon savings. Sections would be rebuilt; however, these would enhance the appearance of the building, and the main metal framework would be retained. The employment use on the site would, clearly, need to terminate for the conversion to take place. This is noted, but given the previous permission on the site for a dwellinghouse, this loss of the employment unit has been established and the residential use of the site would be likely to create a more compatible with the generally residential character of the village.

Given that overall the use of the site for residential use is acceptable, the level of rebuilding is considered acceptable in this case, as the site is within the settlement and therefore meets the criteria of Policy DS3.

### **(b) Design**

Local Plan Policy EN2 supports development which accords with the Cotswold Design Code and respects the character and distinctive appearance of the locality. Section 12 of the NPPF requires good design, providing sustainable development and creating better place to live and work in.

It is noted Cllr Cunningham referenced Paragraph 130 of the 2019 version of the NPPF. This has been replaced by NPPF Paragraph 134, which states:

"Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:

- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or
- b) 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."

Paragraph D.67 (5) of the Cotswolds Design Code sets out guidance for the conversion of barns. Whilst many points are mainly aimed towards traditional buildings, given the history of this building and its siting, aspects within this are considered relevant.

During the course of the application the scheme has been altered, improving the detailing of the scheme put forward. The fenestration has been amended, with the use of greater recesses and louvres which, as well as assisting with light pollution, also fulfil the Design Code advice of having a "simple, functional design, avoiding domestic styles".

The single-storey element has also been amended, with this section rebuilt, but with a reduced footprint, and with the ridge of the lean-to below the eaves of the main building. In doing so, the

bulk of the roof form has been broken up, which is currently one of the unattractive features of the building in public views from the village.

The material palette has also been revised to include timber to silver naturally, with a warmer tone of cladding to the lower section of the barn. The changes to the materials palette have assisted with providing local references, whilst remaining appropriate for the scale and original agricultural character of the building. It is noted that third parties raised concerns that the building is not in a local vernacular style. Instead a more contemporary approach, reflecting the original agricultural character of the retained building is considered appropriate in this case, as a reference to the rural character of the village. The Design Code is clear that, depending on the setting, a contemporary approach can be acceptable. The changes to the design which break up the horizontal proportions and mass of the building are also supported by the Design Code.

The landscaping has also been softened, appearing less overtly domestic and 'over-designed'. Instead, it would provide a more transitional area into the countryside beyond, whilst retaining a defined village edge boundary with the surrounding fields. This approach is supported by the Design Code which advises "Landscape schemes should be soft and low-key, and inspired by the rural surroundings."

The Conservation Officer expressed disappointment that the scheme as a whole has retained the existing building, given its overall appearance and massing. Whilst this is noted, within the Officer's conclusions that, given the current building's use and visual site context, the proposal would be an improvement on the existing situation. Additionally, he noted "the design of the conversion itself was of some architectural merit."

It is noted that many of the comments received from third parties felt that the conversion of the existing building was inappropriate, with a preference for this to be demolished and a house erected instead. Nevertheless, the application put forward is to retain the existing building and for its conversion. Whilst other schemes may have been preferred, the Council are required to determine the application on its merits, considering whether the scheme before us complies with the Development Plan, rather than in comparison to an alternative scheme.

Overall the design of the conversion in and of itself is considered to be of a good quality, and one which has been amended to reflect its local context and the material palette of this part of the Cotswolds. It is therefore considered to meet the requirements of the Cotswold Design Code, and thereby accords with the design and heritage considerations of Local Plan Policy EN2, and Section 12 of the NPPF (including Paragraph 134).

### **(c) Impact on Setting of the 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 conservation area, in accordance with Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

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.

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

and the retention of positive features. This should include avoiding the loss of open spaces which make a valuable contribution to the character and/or appearance, and/or allow important views into or out of conservation areas.

Section 16 of the NPPF 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'.

The Conservation Area boundary is located along the edge of the lane which provides access to the site. As such, there are currently views of the site from within the Conservation Area. It is noted that the current appearance of the site has been improved over the last year with the removal of vehicles from around the building; however, given that the lawful use of the site remains industrial this is still considered to have significant material weight.

As well as the harm caused to the setting of the Conservation Area by the overall appearance and lawful use of the current site, the building itself does not make a positive contribution to the setting. The works proposed would both improve the appearance of the building, with landscaping reducing views of the building from the Conservation Area. Given this, it is considered that the proposal would preserve and, to the extent explained, enhance the setting and significance of the Nether Westcote Conservation Area. This is a view concurred with by the Conservation Officer.

The proposal is therefore considered to accord with the heritage considerations of Local Plan Policies EN10 and EN11, and Section 16 of the NPPF.

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

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

Local Plan Policies EN2 (Design of Built and Natural Environment), EN4 (The Wider Natural and Historic Landscape) and EN5 (Cotswolds Area of Outstanding Natural Beauty (AONB) would apply.

Policy EN4 The Wider Natural and Historic Landscape states:

1. 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.
2. Proposals will take account of landscape and historic landscape character, visual quality and local distinctiveness. They will be expected to enhance, restore and better manage the natural and historic landscape, and any significant landscape features and elements, including key views, the setting of settlements, settlement patterns and heritage assets.

Policy EN5 Cotswolds Area of Outstanding Natural Beauty (AONB) states:

1. 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.
2. Major development will not be permitted within the AONB unless it satisfies the exceptions set out in National Policy and Guidance.

These are supported by Section 15 of the NPPF, specifically Paragraphs 174 and 176. Paragraph 174 states that planning policies and decision should contribute to and enhance the natural and local environment by 'protecting and enhancing valued landscapes' and 'recognising the intrinsic character and beauty of the countryside'. Paragraph 176 states that 'great weight should be given to conserving and enhancing landscape and scenic beauty in ... Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues.'

The site is located within the Landscape Character Area 15b (Vale of Moreton Farmed Slopes). The LCA sets out that settlements are generally small and clustered along routes up the Farmed Slopes. Some are more closely associated with the High Wold, including Nether Westcote, and are linked to the Pastoral Lowland Vale by tracks and footpaths

One of the main concerns raised by third parties is the current appearance of the site has already been improved, compared to when it was in operation. The appearance of the site has been significantly improved by the removal of vehicles and similar from the site. However, the extended duration within which the vehicles were stored externally compared to the relatively short timescale since they have been removed, together with the important consideration that the associated commercial garage use remains the lawful use on the site is considered a significant material consideration. When the building was used as a workshop, there was ongoing activity at the site and the external areas were cluttered with machinery and dismantled vehicles. The cessation of a commercial use from the site, as evidenced recently, enhanced the appearance of the site, but could be reintroduced without the need for further planning permission.

The existing permission for one dwellinghouse is also material. With this scheme, it is noted that the approved dwellinghouse had a higher ridge height than the existing building and has large panels of glazing proposed to the elevations.

Given the location of the site at the extreme edge of the village, it would be visible from both nearby, and across the valley. As such, light pollution remains a consideration, as does the change of character of this part of the AONB.

A significant number of the alterations were undertaken as a result of negotiations, which sought to reduce the level of light pollution that the residential use may cause. These included a reduction in units and the recessing of windows, and the use of louvres used on the north elevation (the main one facing over the valley), together with the rooflights being reduced in number from the existing roof, with those on the east elevation removed. Given these revisions, and that there are no rooflights facing north, light spill would be acceptably limited.

The addition of more landscaping, as indicated on the submitted plans, would soften the appearance of the site, screening parked cars and domestic uses.

Overall, whilst it is acknowledged that there may be a greater degree of light caused in the evenings, given the changes to the design to minimise and mitigate this, as well as the improvements to the appearance of the building itself and landscaping, on balance the proposal is considered not to harm the character or appearance of the Cotswolds AONB. It is also relevant that residential use of the site has already been granted under the earlier new-build permission.

Nevertheless, the site remains sensitive, and as such, the conditions recommended by the Landscape Officer are considered necessary. These covered aspects including a Landscape Management Plan and external lighting scheme, as well as removing permitted development rights.

It is therefore considered that the proposal complies with the aims of Local Plan Policies EN2, EN4 and EN5, and Section 15 of the NPPF.

### **(e) Impact on Highway Safety**

Local Plan Policy INF3 seeks to assist in the delivery of the objectives of the Local Transport Plans, including the incorporating, where feasible, facilities for secure bicycle parking and for charging plug-in and other ultra-low emission vehicles.

Local Plan Policy INF4 relates to Highway Safety and seeks to avoid location where cumulative impact of congestion or other undesirable impact on the transport network is likely to remain severe following mitigation and having regard where appropriate, to the Manual for Gloucestershire Streets or any guidance produced by the Local Highway Authority that may supersede it. Local Plan Policy INF5 states that 'Development will make provision for residential and non-residential vehicle parking where there is clear and compelling evidence that such provision is necessary to manage the local road network.' The guidance notes form this policy support the considerations of Paragraph 105 of the NPPF.

Section 9 of the NPPF promotes sustainable transport. Paragraph 105 requires parking standards to take into account:

- a) the accessibility of the development;
- b) the type, mix and use of development;
- c) the availability of and opportunities for public transport;
- d) local car ownership levels; and
- e) the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.

Paragraph 108 requires that all development ensures safe and suitable access to the site can be achieved for all users. Paragraph 109 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.'

The proposed development would utilise a currently grassed over access to the side of the existing access. It would connect to the road which loops around and through the village. The road is subject to a 30mph speed limit and single track width at the point of the proposed access. The road bends at a near 90 degree angle immediately next to the proposed junction, with the proposed access located on the outside of the bend in the road.

The concerns of local residents regarding traffic generation and highway safety are noted. However, the site has an established lawful use for commercial purposes. Whilst this use has decreased over the last year, it remains the lawful use on the site. Third parties have also put forward that the use was not as high when the site was in operation as indicated by Trip Rate Information Computer System (TRICS) data; however, as the site could operate at this intensity this is still considered the reasonable fall-back position and therefore is material to the application. TRICS is the industry recognised standard tool to calculate the potential trip generations for developments. The basis of the assessment is done based on the defined land use of a site, to calculate potential trip rates and thus vehicular generations. As part of the assessment, it is required to understand the potential trip generation of a site based on its permitted use, to establish a baseline.



It is noted that the Gloucestershire Highways Officer has written to objectors to the scheme regarding the justification of the recommendation provided. Whilst residents of the village remain concerned, Officers are required to consider not just the actual use of the site but the likely potential use of the site with regard to both the lawful use of the site and the proposed. Given the lawful use on the site the level of traffic generated by three dwellings is considered not to represent a significant material increase in vehicle movements. In addition, paragraph 109 of the NPPF states 'development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'. It is considered that the impact of this proposal on the road network will not be severe.

In his earlier comments the Highways Officer raised an objection based solely to the sustainability of the location in terms of accessibility to services and facilities. This aspect is discussed within the Principle of Development section above, but was also not raised as an issue in their subsequent response. Instead they noted "Whilst it is clear the location of the development arises a degree of concern in relation to access to sustainable modes of transport, the fall-back use of the site and overall reduction of the number of vehicle trips carries a greater weight on balance."

It is noted that occupiers of these dwellings would have to walk along the road to reach other sections of the village; however, the access is in close proximity to others within the village. Additionally, these also no/limited pavements to access other sections of the village, with some facilities (for instance the pub) closer the site than are many existing houses in the village.

Parking, to be provided by the proposed six spaces plus the garage parking, is considered reasonable, with space clearly available on the site, including in front of the garage, where this parking could be located.

To promote sustainable modes of transport, a condition would also be attached to require electric charging points, supported by Local Plan Policy INF3. It is noted the site also includes the provision of cycle parking. This is welcomed; however, given the distances involved to nearby settlements and lack of clear safe cycling routes, the Highways Officer considers it unreasonable to require this storage is installed by condition.

It is noted there is a gate along the entrance, which results in vehicles having to stop along the road edge, which would be a safety concern. A condition is therefore recommended requiring the removal of this, and for no gates to be erected within the first 5m of the carriageway edge.

Overall, it is considered that the proposed development is acceptable in highway safety terms and accords with the requirements of Local Plan Policies INF4 and INF5 and guidance contained in Section 9 of the NPPF.

#### **(f) Biodiversity**

Local Plan Policy EN8 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.

NPPF Section 15 seeks to conserve and enhance the natural environment, specifically Paragraph 170 states that planning decisions should protect and enhance valued landscapes and sites of biodiversity. Paragraph 175 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.

The application has been reviewed by the Biodiversity Officer who considered that there are no significant ecological constraints at this site, given that the existing building is not suitable for roosting bats and generally the surrounding habitats have limited biodiversity value, apart from the existing hedgerows, woodland and trees. The proposals include enhancements to existing hedgerows and areas of trees, the creation of a nature pond within the site as well as an informal swell outside the site boundaries.

As such, it is considered that the measures outlined in the submitted ecological report would provide appropriate biodiversity enhancement.

### **(g) Trees**

Local Plan Policy EN7 requires development to conserve and enhance natural assets to be affected, including trees, hedgerows, and woodland of high landscape amenity, ecological or historical value as well as veteran trees.

There are a number of trees on or near the site, primarily along the north and south boundaries. None of these are currently protected, but contribute as a whole to the character and appearance of the area. The tree next to the access is the most visible as a single tree from the Conservation Area. This is shown as retained, although it is acknowledged that works would need to be taken for the access to have sufficient clearance. This is considered not to be inherently harmful, and as such, is considered to be acceptable. Given the proximity of the proposed works to the trees a detailed arboricultural method statement and Tree Protection Plan has been requested by the Tree Officer, by way of a condition. The proposal would then comply with Local Plan Policy EN7.

### **(h) Drainage**

The application site is located within a Flood Zone 1 within which is the lowest designation of flood zone and one in which new residential development can be acceptable in principle.

The drainage statement submitted with the applications states that surface water will be dealt with through on-site soakaways and the created pond and swale. Whilst additional information has been requested by the Drainage Engineer, the proposed works would have a limited increase in amount of hard standing, with the roof of the building to be reduced in size. Given this, and the shown SuDS indicated, it is considered that the requirement for additional information prior to the determination of the application is not reasonable, but would instead be dealt with via condition.

With regard to the disposal of foul water, the applicant is proposing that the new dwellings will discharge foul sewage via a new shared treatment plant located in the front drive area. Discharge of treated effluent will be directed to a drainage swale in the adjacent paddock, which serves as a SuDS attenuation system and wildlife habitat. Details of this would form part of the information to be agreed by condition.

It is considered that the proposed development accords with Local Plan Policy EN14 and guidance in Section 14 of the NPPF.

### **(i) Residential Amenity**

Local Plan Policy EN2 refers to The Design Code (Appendix D) which sets out policy with regard to residential amenity. This expects proposals to respect amenity in regards to garden space, privacy, daylight and overbearing effect. Section 12 of the NPPF requires good design with a high standard of amenity for existing and future users.

Local Plan Policy EN15 states development will be permitted if it will not result in unacceptable risk to public health or safety, the natural environment or the amenity of existing land uses through pollution of the air, land, surface water, or ground water sources and/or generation of noise or light levels, or other disturbance such as spillage, flicker, vibration, dust or smell. Section 15 of the NPPF requires decisions to contribute and enhance the natural environment by remediating and mitigating contaminated land where appropriate.

The closest neighbour will be the adjoining site with the current building approved to be demolished and replaced with a dwellinghouse. For this property, the use of the site for residential purposes rather than commercial would be a more sympathetic use of the site and would reduce the level of noise and disturbance which the existing lawful use could create. It is noted that the owner of Wallground has raised concerns over the proximity of the bin store, with concerns over smell and vermin. The proposal is for three residential units which would not be anticipated to cause significant issues with smell or vermin, beyond that of any other residential use of other properties in the village.

The neighbour has permission for a scheme for a two-storey dwelling orientated in a linear layout running north/south with parking to the south. This unit is elevated from the site with the ground floor level similar to the first floor of this site. It is also noted that the bulk of the building is essentially as existing, and as such the proposal would cause no greater impact with regard to overbearing than the existing situation with regard to loss of light or overbearing. Whilst it is acknowledged there is an alternative scheme for one dwellinghouse permitted on the site, the current lawful arrangement holds significant weight. The proposed fenestration on the site are generally focused to the north and south, with garden areas to the north. As such, the neighbouring property is not expected to have an adverse impact on the amenity of the occupiers of the dwellinghouses formed as part of this application.

The scale of the units is such that they exceed the requirements of the National Space Standards and as such the proposal accord with this section of Local Plan Policy H1 (Housing Mix and Tenure to Meet Local Needs). In addition, each property has a covered terrace area, modest private garden and access to a shared meadow area. Given this, the garden and private amenity provision, is considered adequate.

Given the lawful and historic uses on the site, it is considered that land contamination may be an issue. Information regarding this has been submitted; however, it is considered further investigation is required to assess the nature and extent of any contamination, with a remediation scheme required if significant contamination is found. This would be required by condition.

The proposed development is considered to accord with the residential amenity considerations of Cotswold District Local Plan Policies EN2, EN15, and H1, and Sections 12 and 15 of the NPPF.

## 9. Conclusion:

The site is located within the non-principal settlement of Nether Westcote, wherein the principle of new residential development is supported. The proposal is considered to improve the appearance of the site from that of its lawful use, and the development overall is considered not to harm the character or appearance of the AONB or setting of the Conservation Area. The impact on the highway network is considered acceptable, as is the impact on the residential amenity of the neighbouring property, biodiversity and drainage. The works are therefore considered to accord with the above Local Plan Policies and material considerations. As such, it is recommended for permission.

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

## 10. 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):

20176\_S\_02A; 20176\_PL\_11A; 20176\_PL\_12A; 20176\_PL\_13A; 20176\_PL\_21A; 20176\_PL\_22A; 20176\_PL\_23A; 20176\_PL\_24A; SD100; and SD101

**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 undertaken in accordance with the "Church Farm Buildings - material palette" document received 11th March 2021.

**Reason:** To accord with the design, landscape and heritage considerations of Local Plan Policies EN2, EN4, EN5, EN11 and EN12.

4 Prior to any site development taking place, a detailed arboricultural method statement and Tree Protection Plan shall be submitted to the Local Planning Authority and approved in writing. The method statement and tree protection plan shall be in accordance with the guidance in BS 5837:2012 Trees in relation to design, demolition and construction. Recommendations and shall include details of:

- A pre-commencement site meeting with an appointed arboricultural consultant, the site manager and any contractors carrying out works within the root protection areas of the retained trees.
- Details of arboricultural supervision during construction works and how the tree protection measures will be monitored by the site manager
- The timing of all tree protection measures
- Details of tree protection fencing and excluded activities
- Details of any underground services within the root protection areas of the retained trees and how they will be installed along with appropriate arboricultural supervision

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

5 No development shall take place until further information (supplementary to the Enzygo, Summary Phase I and Phase II Geo-Environmental Report, Church Farm Building, Nether Westcote, OX7 6SD, August 2020, Ref: CRM.1824.002.GE.R.001.A and the email from Nigel Bennett with responses from Enzygo, dated 26/04/21) 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 written confirmation 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 Local Plan Policy EN15 and Section 15 of the NPPF.

6 No earthworks shall be undertaken until a drainage scheme has been submitted to, and approved in writing by the Local Planning Authority. This shall then be fully installed prior to the development hereby approved being occupied.

**Reason:** To prevent the risk of flooding and pollution in accordance with Cotswold District Local Plan Policy EN14.

7 Prior to the occupation of the development hereby permitted a Landscape Management Plan (LMP) shall be submitted to and approved in writing by the Local Planning Authority. The content of the LMP shall include, but not necessarily be limited to, the following information:

- Description and evaluation of features to be managed; including location(s) shown on a site map;
- Landscape and ecological trends and constraints on site that might influence management;
- Aims and objectives of management;
- Appropriate management options for achieving aims and objectives;
- Prescriptions for management actions;
- Preparation of a work schedule (including an annual work plan capable of being rolled forward over a 5-10-year period
- Details of the body or organisation responsible for implementation of the plan;
- Ongoing monitoring and remedial measures;
- Timeframe for reviewing the plan;

- Details of how the aims and objectives of the LMP will be communicated to the occupiers of the development.

The LMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body/ies responsible for its delivery. The plan shall also set out (where the results from monitoring show that the conservation aims and objectives of the LMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented. The LMP shall be implemented in full in accordance with the approved details.

**Reason:** To ensure a suitable landscaping scheme is put into place and is maintained to mitigate and enhance the character and appearance of the site within the setting of the conservation area and within the Cotswolds Area of Outstanding Natural Beauty (AONB), in accordance with Cotswold District Local Plan Policies EN2, EN4, EN5, EN10 and EN11.

8 The landscape scheme shall be implemented in accordance with the following drawings; Landscape Masterplan SD100 Rev.- and Planting Plan SD101 Rev.-. 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.

Any trees or plants shown on the approved landscaping scheme to be planted or retained that die, are removed, are damaged or become diseased, or grassed areas that 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 the development is completed in a manner that is sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policies EN2, EN4, EN5 and EN7.

9 Prior to the installation of any external lighting, 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 retained in accordance with the approved details. No other external lighting shall be installed on the site other than that agreed as part of the approved lighting scheme.

**Reason:** To minimise any inappropriate external lighting in the interests of protecting the dark skies of the AONB and landscape character in accordance with Local Plan Policies EN2, EN4 and EN5.

10 The development hereby permitted shall not be first occupied until the proposed dwellings have been fitted with an electric vehicle charging point. The charging points shall comply with BS EN 62196 Mode 3 or 4 charging and charging points shall be retained for the lifetime of the development unless they need to be replaced in which case the replacement charging points shall be of the same specification or a higher specification in terms of charging performance.

**Reason:** To promote sustainable travel and healthy communities in accordance with Local Plan Policy INF3.

11 The development hereby permitted shall not be occupied until a minimum of 6no. car parking spaces have been made available for use on the site (excluding the garage) and those facilities shall be maintained for the duration of the development.

Reason: To ensure the provision and availability of adequate car parking in accordance with Local Plan Policy INF5.

12 Prior to the occupation of the development hereby permitted, the vehicular access shall be laid out and constructed in accordance with the submitted plans but with any gates situated at least 5.0m back from the carriageway edge of the public road and hung so as not to open outwards towards the public highway and the area of driveway within at least 5.0m of the carriageway edge of the public road surfaced in bound material, and shall be maintained thereafter.

**Reason:** In the interest of highway and pedestrian safety, and to ensure vehicles are able to pull clear of the adopted highway and avoid becoming an obstruction to oncoming traffic, in accordance with Local Plan Policy INF4.

13 Before the erection of any external walls, a scheme for biodiversity enhancement, shall be submitted to, and agreed in writing by, the local planning authority and thereafter implemented, retained and maintained for their purpose in accordance with the approved scheme. The scheme shall include full details of the biodiversity enhancements recommended in Section 10.19 of the Preliminary Ecological Appraisal (PEA) Report dated 10th August 2020 prepared by Lockhart Garratt (ref. 20-3496), as submitted with the application. The scheme shall include, but not limited to, the following details:

- i. Description, design or specification of the type of features or measures to be undertaken;
- ii. Materials and construction to ensure long lifespan of the feature/measure;
- iii. A drawing(s) showing the location and, where appropriate, the elevation of the features or measures to be installed or undertaken;
- iv. Confirmation of when the features or measures will be installed within the construction or operational phases of the development permitted; and
- v. A 10-year biodiversity management plan.

**Reason:** To provide biodiversity enhancements in accordance with Policy EN8 of the Cotswold District Local Plan, paragraphs 170(d), 174 (b) and 175(d) of the National Planning Policy Framework and in order for the council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006.

14 The development shall be completed in accordance with the recommendations in Sections 10.4 to 10.18 inclusive of the Preliminary Ecological Appraisal (PEA) Report dated 10th August 2020 prepared by Lockhart Garratt (ref. 20-3496), as submitted with the application. All the recommendations shall be implemented in full according to the specified timescales, and all mitigation and enhancement features shall thereafter be permanently maintained.

**Reason:** To ensure that bats, birds, amphibians, reptiles, small mammals, hedgerows, woodland and trees are protected in accordance with The Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981 as amended, Circular 06/2005, the National Planning Policy Framework (in particular Chapter 15), Policy EN8 of the Cotswold District Local Plan 2011-2031 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

15 No external doors, windows or rainwater goods shall be installed/inserted/constructed in the development hereby approved, until their design and details (including colour/finish) have been submitted to and approved in writing by the Local Planning Authority.

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

**Reason:** To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policies EN2, EN4, EN5, EN10 and EN11.

16 The larch cladding shall be left to weather and silver naturally and shall be permanently retained as such thereafter.

**Reason:** To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policies EN2, EN4, EN5, EN10 and EN11.

17 Notwithstanding the provisions of Part 1, Classes A, B, C, D,E, F, G and H, and Part 2, Classes A and C, of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any other statutory instrument amending or replacing it, no extensions, additions, alterations or enlargements to the building, nor outbuildings, structures, hard surfaces, fences, walls, and other means of enclosure, shall be erected, constructed or sited, other than those permitted by this Decision Notice.

**Reason:** To retain the character and appearance of the site within the setting of the conservation area and within the Cotswolds Area of Outstanding Natural Beauty (AONB), in accordance with Cotswold District Local Plan Policies EN2, EN4, EN5, EN10 and EN11.

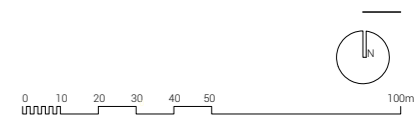
### **INFORMATIVES :-**

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

2 Please note that planning permission does not override the statutory protection afforded to species protected under the terms of the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended), or any other relevant legislation such as the Wild Mammals Act 1996, including hedgehogs, and the Protection of Badgers Act 1992.

In relation to the District Council's Service Level Agreement with the Local Biological Records Centre and to assist in the strategic conservation of district-wide biodiversity, all species and habitat records from the ecological work commissioned by the applicant should be submitted (if not already) to the Gloucestershire Centre for Environmental Records (GCER).





hatched area indicates developed area of village



- existing barn structure, approx 19x35m
- site area  
subject site = 0.44ha, red line
- paddock = 0.62ha, blue line

# Nether Westcote



Church Farm Buildings, Nether Westcote,  
Gloucestershire OX7 6SD  
Location plan, 20176\_L\_01  
A3 - 1:2000, A1 - 1:1000, June 2020

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All sizes in millimetres unless otherwise stated. Do not scale this drawing. © Alistair Downe studio, 2020



- Subject site
- Land in same ownership



Site plan as proposed, A3 -1:500

A\_ 8 March 2021 \_ Footprint reduced, unit number reduced, scheme modifications, access amendment, landscape



Residential development, Church Farm Buildings, Nether Westcote, Gloucestershire OX7 6SD

20176\_S\_02A Site plan as proposed  
A3 - 1:500, A1 - 1:250, September 2020

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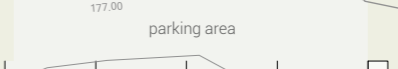
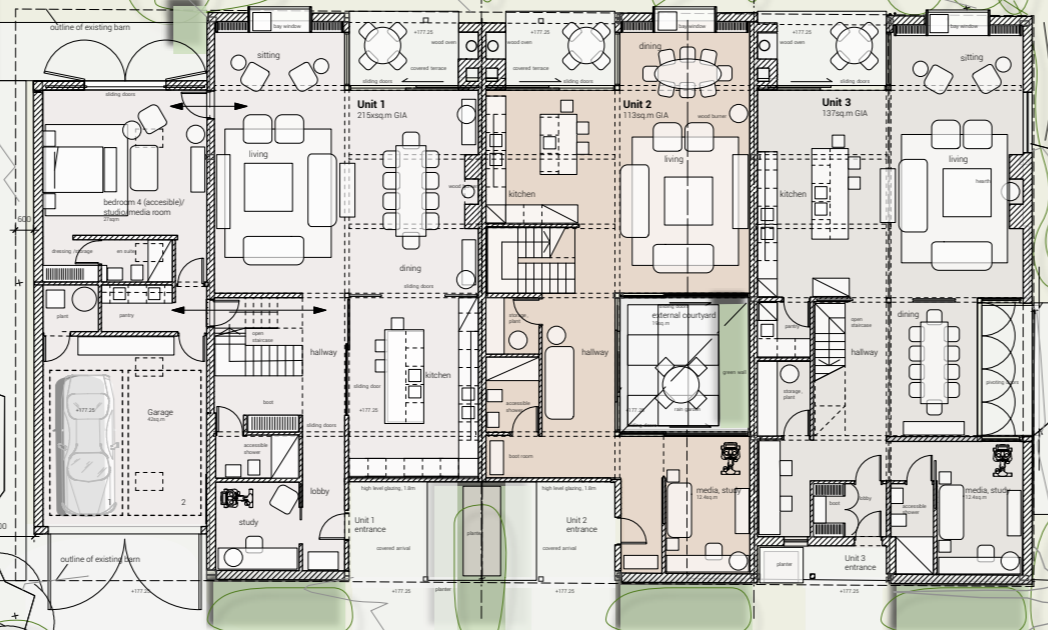
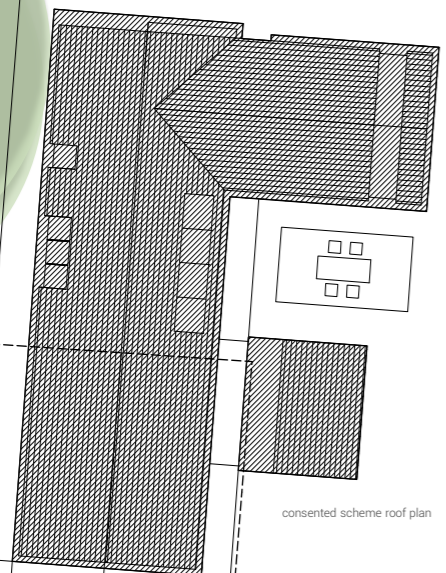
The Feathered Nest  
car park area

'Wallground'  
residential consent 19/03783/FUL

refer landscape design for details

lawn area

Paddock area



refer transport  
assessment for  
details of visibility  
splays

proposed dedicated access created to  
Church Farm Buildings

existing crossover  
and gated access

'Hill View'

Agricultural land

Ground floor plan as proposed, A3 -1:250

A\_ 8 March 2021 \_ Footprint reduced, unit number reduced,  
scheme modifications, access amendment, landscape

Residential development, Church Farm Buildings,  
Nether Westcote, Gloucestershire OX7 6SD

20176\_PL\_11A Ground floor plan as proposed  
A3 - 1:250, A1 - 1:125, September 2020



The Feathered Nest  
car park area

'Wallground'  
residential consent 19/03783/FUL

Bridleway

'Hill View'

Agricultural land

Church Farm Buildings

Paddock area



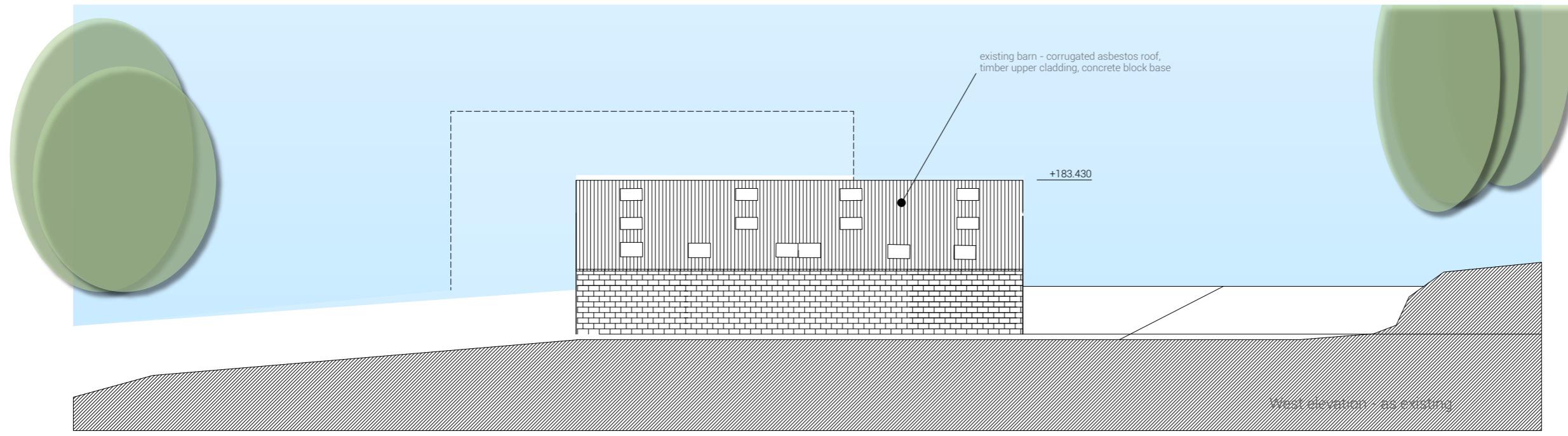
First floor plan as proposed, A3 -1:250

A\_ 8 March 2021 \_ Footprint reduced, unit number reduced,  
scheme modifications, access amendment, landscape

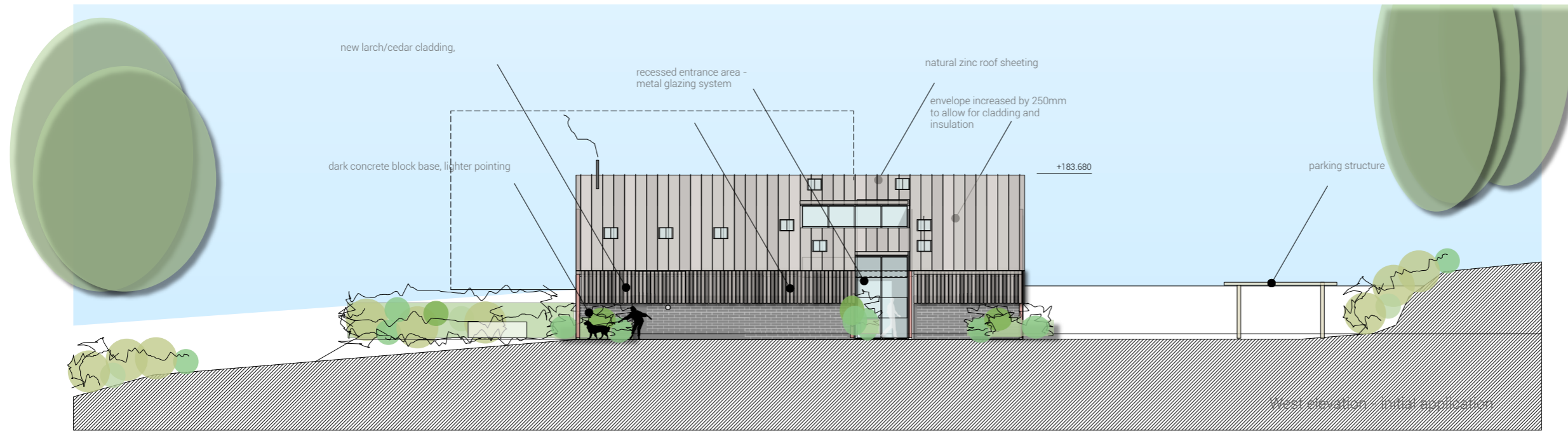
Residential development, Church Farm Buildings,  
Nether Westcote, Gloucestershire OX7 6SD

20176\_PL\_12A First floor plan as proposed  
A3 - 1:250, A1 - 1:125, September 2020

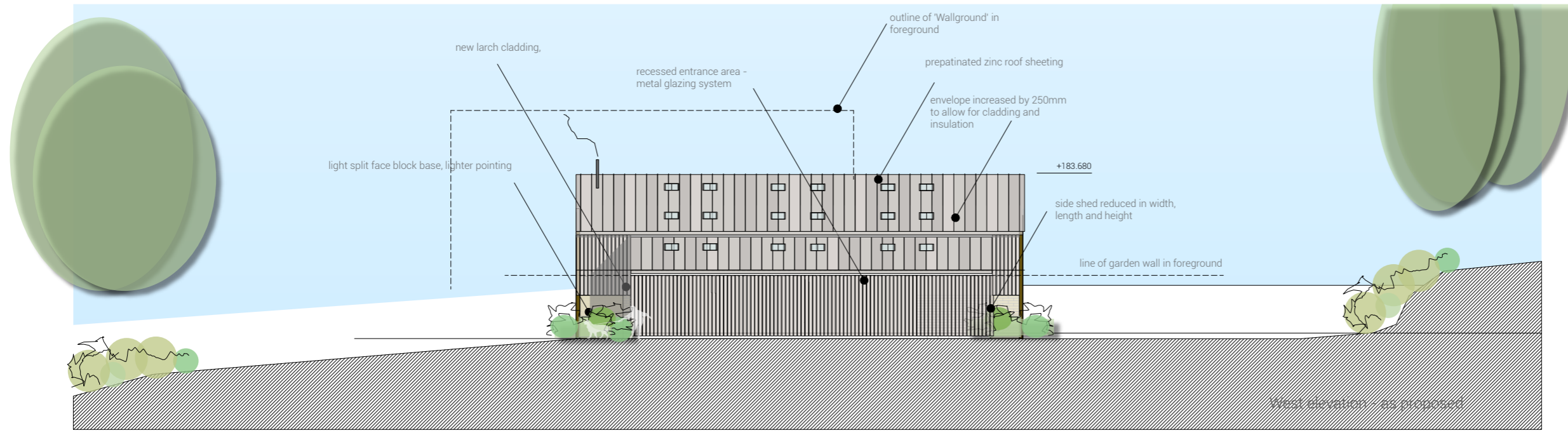
Alistair Downie studio, Home ground, Glebe Farm, Great Rissington, Cheltenham, Gloucs. GL54 2LH  
T. +44 7973 154540 E. studio@alstairdownie.com W. www.alstairdownie.com  
All sizes in millimetres unless otherwise stated. Do not scale this drawing. © Alistair Downie studio, 2020.



West elevation - as existing



West elevation - initial application



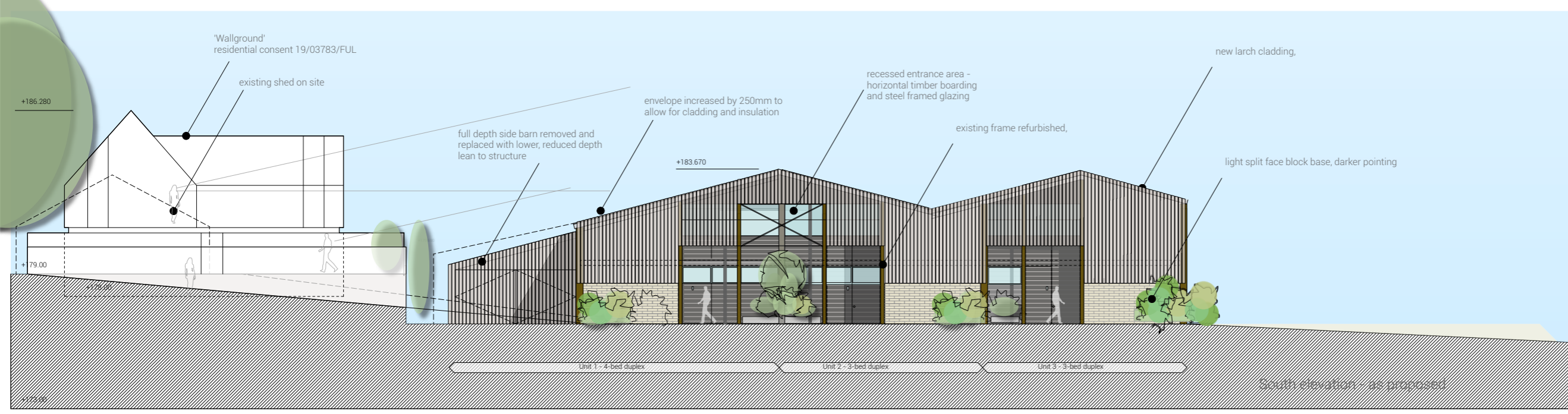
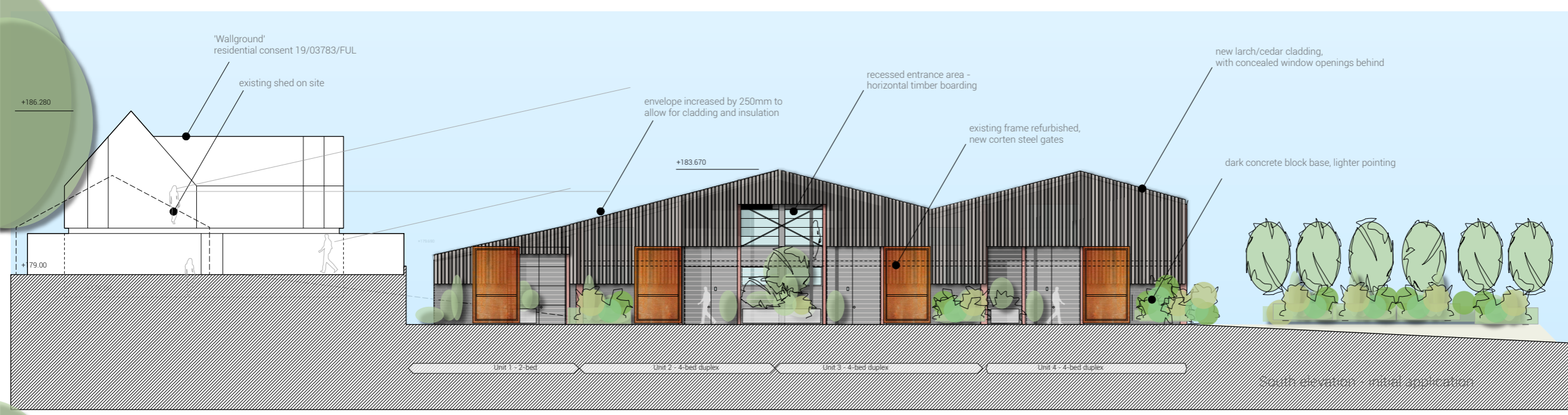
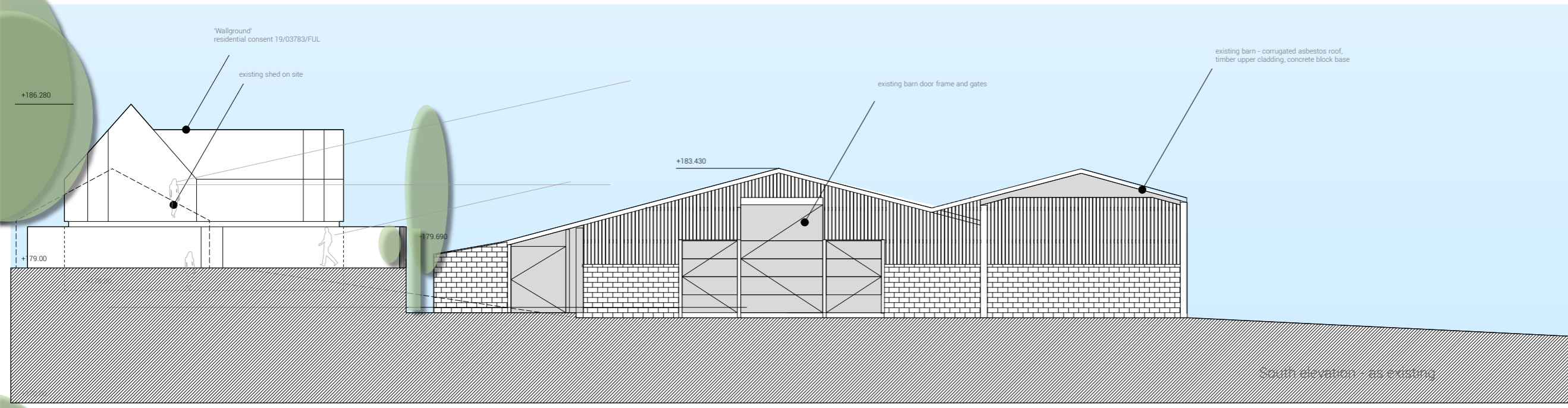
West elevation - as proposed

A\_ 8 March 2021 \_ Footprint reduced, unit number reduced, scheme modifications, access amendment, landscape



Residential development, Church Farm Buildings, Nether Westcote, Glos. OX7 6SD

20176\_PL\_24A  
West elevation - existing & proposed  
A3 - 1:200, A1 - 1:100, September 2020

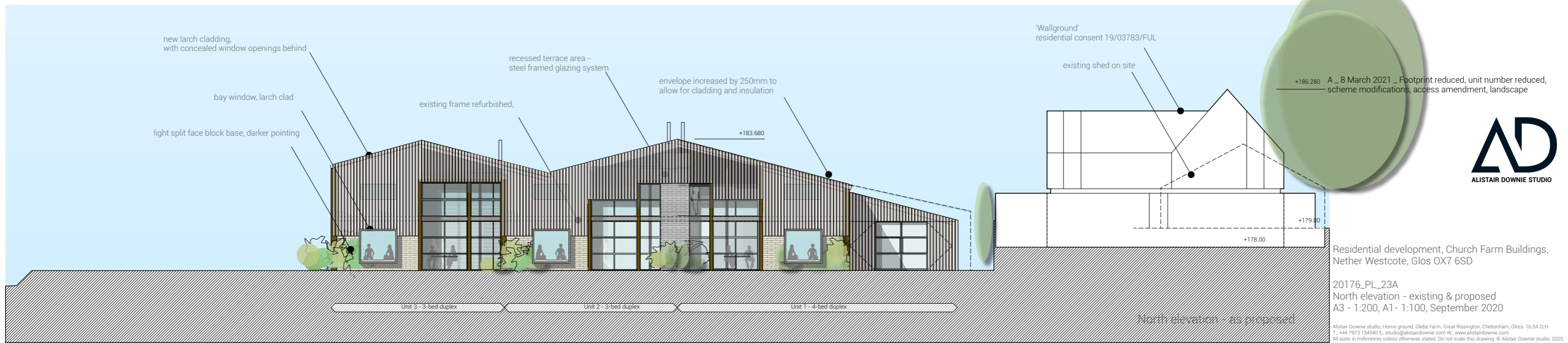
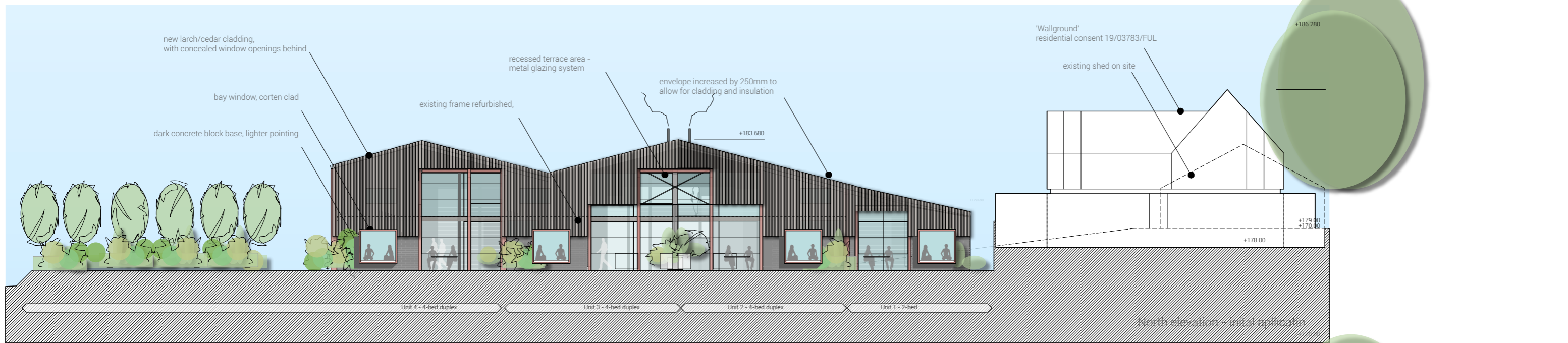
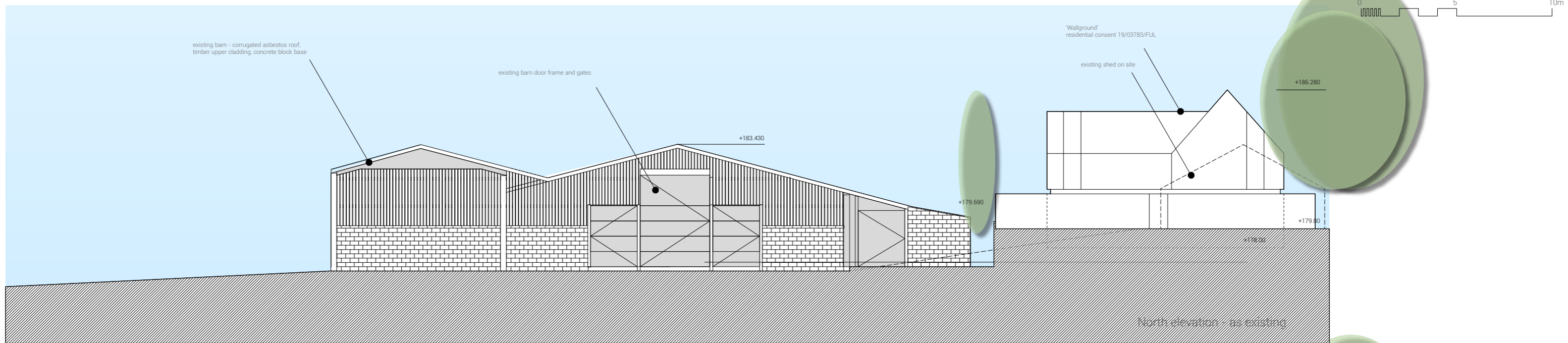


A\_ 8 March 2021 \_ Footprint reduced, unit number reduced, scheme modifications, access amendment, landscape



Residential development, Church Farm Buildings, Nether Westcote, Glos OX7 6SD

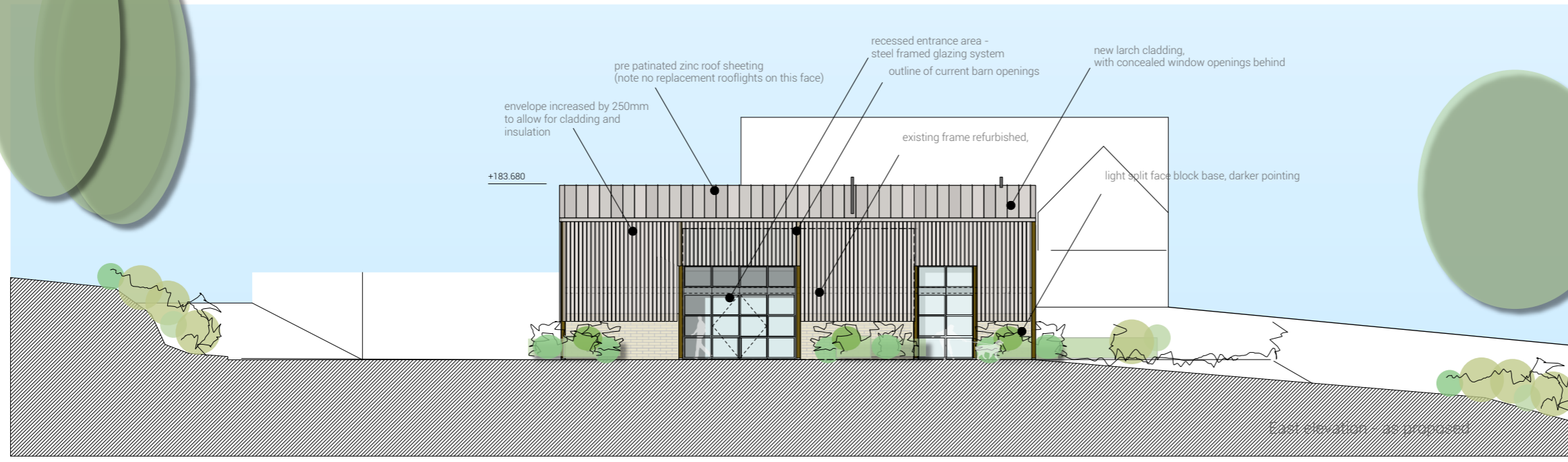
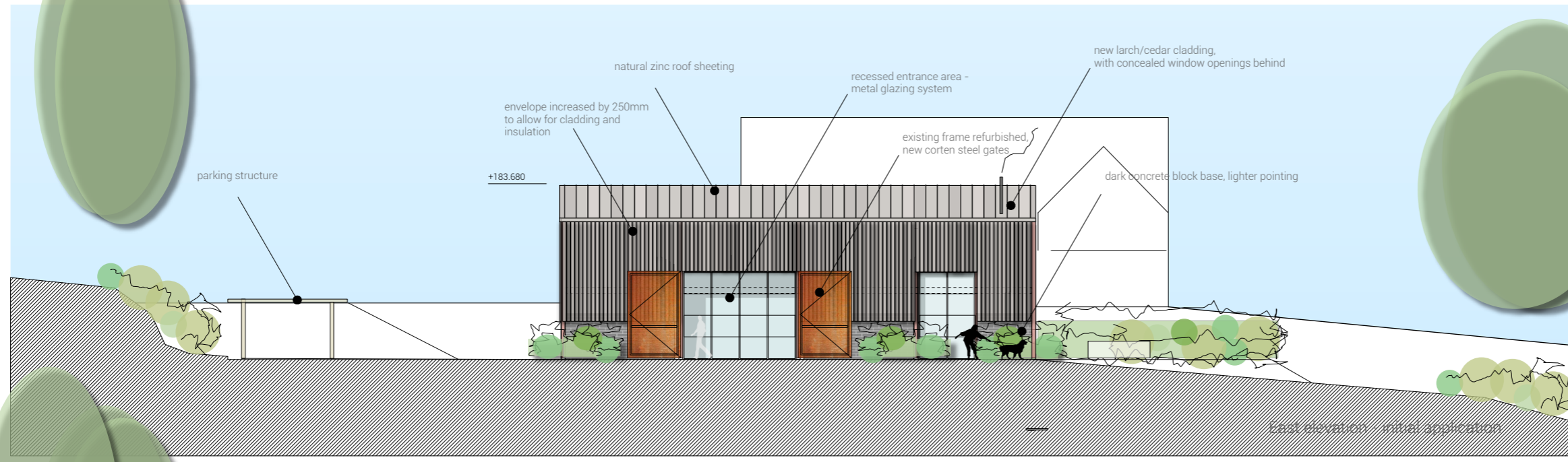
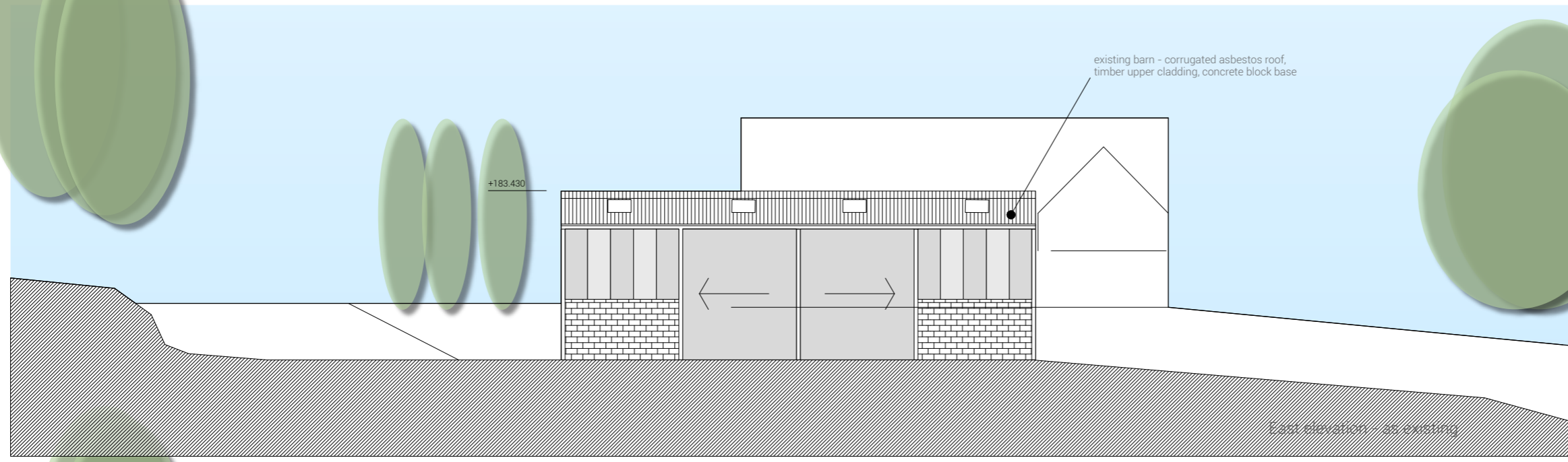
20176\_PL\_21A  
South elevation - existing & proposed  
A3 - 1:200, A1 - 1:100, September 2020



Residential development, Church Farm Buildings, Nether Westcote, Glos OX7 6SD

20176\_PL\_23A  
North elevation - existing & proposed  
A3 - 1:200, A1 - 1:100, September 2020

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A\_8 March 2021 \_ Footprint reduced, unit number reduced, scheme modifications, access amendment, landscape



Residential development, Church Farm Buildings, Nether Westcote, Oxon. OX7 6SD

20176\_PL\_22A  
East elevation - existing & proposed  
A3 - 1:200, A1 - 1:100, September 2020