

Item No 03:-

21/00736/FUL

**Haydons Bank
Station Road
Chipping Campden
Gloucestershire
GL55 6HY**

Item No 03:-

Single storey ancillary accommodation within garden at Haydons Bank Station Road Chipping Campden Gloucestershire GL55 6HY

Full Application 21/00736/FUL	
Applicant:	Mr & Mrs Chatfield
Agent:	Cotswolds Architects Chipping Campden
Case Officer:	Rachel Gaskell
Ward Member(s):	Councillor Mark Annett Councillor Gina Blomefield
Committee Date:	8th September 2021
RECOMMENDATION:	PERMIT

Main Issues:

- (a) Principle of Development
- (b) Design and Impact upon Heritage Assets
- (c) Impact on the Cotswolds Area of Outstanding Natural Beauty (AONB)
- (d) Impact on Residential Amenity
- (e) Impact on Trees
- (f) Impact on Highways and Off-Street Parking Provision
- (g) Community Infrastructure Levy (CIL)

Reasons for Referral:

Referred to Planning and Licensing Committee by Ward Member (Councillor Blomefield) for the following reasons:

- "- the proposed site of the ancillary accommodation is opposite one of the most important wool churches in the Cotswolds and its adjoining churchyard and within sight of the important historic buildings associated with Campden House site as well as being within an AONB
- the access is poor onto Station Road and Glos Highways has failed to make any comment
- the new dwelling is overdevelopment of the site and the revised plans are in sketch format with no measurements shown so it is impossible to understand just how much has been changed to reduce the size and scale of the building in this its third iteration of the plans. It would appear to be of much the same size although it is no longer immediately on the boundary of The Stables.
- better use of the space on the site without impacting neighbours might be achieved by attaching this ancillary accommodation onto the back of the existing garage rather than leaving this area to be a terrace which in due course might be infilled as additional accommodation. It would therefore be hugely preferable to have the terrace on the east side of the ancillary dwelling which would reduce the impact on the neighbours and could still give an equivalent sized building.
- I note that the Conservation Officer who may not have seen all the sets of plans originally wanted the eave height to be reduced but this does not appear to the case and because there is no longer a hipped end to the roof the overall roof is now actually longer.
- I note too that the Conservation Officer recommended that Permitted Development rights should be removed if this application was approved
- professional expertise has been employed by one objector whose comments do not appear to have been considered

- the addition of this building will have an impact on the street scene
- the Town Council strongly objects to this application and requested at their planning meeting that if it was recommended for approval by the planning officer that it should be sent to the Full Planning meeting so that the views of the Parish and local residents could be aired and discussed in a full democratic manner. There are currently strong concerns that local objections are not taken sufficiently into account and if this particular planning application is not forwarded by the Planning Review Panel to the Full Planning Committee it will amplify this feeling of disquiet over the planning processes at CDC."

1. Site Description:

- 1.1 The application site comprises the property known as Haydons Bank; a modern detached dwelling on Station Road in Chipping Campden. The site is located within the Development Boundary of Chipping Campden, and just outside the Chipping Campden Conservation Area. It is opposite the extended area of graveyard to the Grade I listed St James Church.
- 1.2 The existing dwelling on the site is a 1990s two storey detached dwelling constructed in natural stone under an artificial stone tile roof and has a Cotswold vernacular design. The surrounding properties vary in age with the oldest being The Stables immediately east of the site, which is present on historic maps dating from 1843 and as such is considered to be a non-designated heritage asset.
- 1.3 The property is within the Cotswolds Area of Outstanding Natural Beauty (AONB).

2. Relevant Planning History:

- 2.1 93.01688 - Erection of a dwelling house - permitted 3 Dec 1993

3. Planning Policies:

TNPPF The National Planning Policy Framework
DS2 Dev within Development Boundaries
EN1 Built, Natural & Historic Environment
EN2 Design of Built & Natural Environment
EN4 The Wider Natural & Historic Landscape
EN5 Cotswolds AONB
EN7 Trees, Hedgerows & Woodlands
EN10 HE: Designated Heritage Assets
EN11 HE: DHA - Conservation Areas
EN12 HE: Non-designated Heritage Assets
EN15 Pollution & Contaminated Land
INF4 Highway Safety
INF5 Parking Provision

4. Observations of Consultees:

- 4.1 Historic England - Do not wish to offer any comments. Suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.
- 4.2 Conservation Officer - Suggested amendments to the original plans. Detailed comments included within the report.
- 4.3 Environmental Health (Air Quality) - no objection

4.4 GCC Highways - No comments received at the time of writing the report

5. View of Town/Parish Council:

Original Plans:

5.1 The Town Council Objects to the proposal on the following grounds:

- a) Over-development of the site.
- b) Building is not ancillary but a separate dwelling in its own right;
- c) Building is right up against the boundaries and will have a negative impact upon its neighbours to the north and east;
- d) Will have a negative impact upon the Grade I Listed St James Church.

1st Amendments:

5.2 The Town Council maintain their objection on the following grounds:

- a) The new details do not deal with past objections and exasperate the situation.
- b) Footprint is larger, the eaves height has not been reduced and the roofspace has been increased.
- c) Building is substantial and obviously designed to have the roofspace converted.
- d) Is clearly not ancillary accommodation and should be refused.
- e) Impact upon Conservation Area and Grade I Listed St James Church is substantial.

2nd Amendments:

5.3 The Town Council maintain their objection on the following grounds:

- a) There have been no material changes.
- b) If minded to approve decision should be made by the Planning Committee.

6. Other Representations:

Original Plans:

6.1 12 letters of Objection received from local residents and interested parties making the following comments:

- a) Over-development of the area and incoherent pattern of development.
- b) Adverse impact upon neighbouring residents by virtue of loss of natural light, privacy and overbearing impact.
- c) Area is already congested with traffic and will impact on pedestrian and highway safety.
- d) The high wall of the house will become a dominating feature in an already crowded townscape including dominating the host dwelling.
- e) This is within the AONB which will be further diminished by the development.
- f) Very close to a Grade I Listed Building.
- g) The whole plan is appalling and designed only to enrich the applicant.
- h) An un-neighbourly development.
- i) Design & Access Statement refers to potential future separation of the accommodation from the main house.

- j) The curtilage of Buckland House is not correctly reflected and understates the impact of the proposed new house which is a mere 5 m away.
- k) Town Council have unanimously voted to reject this application outright.
- l) Further sub-division of this site which was originally all part of Buckland House.
- m) If approved Buckland House would be surrounded on 3 sides by excessively high buildings of limited architectural merit compared to only 1 year ago. A cumulative impact of multiple developments is therefore evident.
- n) The applicant is an experienced property developer and has not provided any evidence of dependency on the main dwelling. If genuinely ancillary a condition should be imposed.
- o) The height of the proposal is overbearing and out of keeping with other single storey Campden properties.
- p) The hardstanding areas and consequent loss of garden and vegetation would have an adverse visual impact on the setting.
- q) The extensive use of glass on the frontage is out of keeping with the vernacular.
- r) No proposals to improve the southern boundary of Haydons Bank.
- s) There is no precedent in Chipping Campden of small front gardens being used as a building plot for open market houses and this would prompt similar applications from other developers.
- t) Would add to impact on amenity for occupants of Buckland House already being endured by dominating impact of extensions to Magnolia House.
- u) Character of Station Road is predominantly double-fronted houses with generous plots facing the road.
- v) Building should be moved closer and more visually integrated into the existing buildings to qualify as an ancillary dwelling.
- w) Had to amend plans to remove 2 small dormers to the front of The Stables under 16/00805/FUL due to impact on character.
- x) Development has all the hallmarks of a new independent dwelling and should therefore be determined accordingly.
- y) Impact on neighbouring trees and their Root Protection Areas (RPAs). No information has been submitted to mitigate the effects of this.
- z) No BRE Daylight/Sunlight Assessment has been submitted to address potential loss of sunlight.
- aa) Impact of the construction process on neighbour's amenity.

Ist Amendments:

6.2 13 letters of objection received from local residents and interested parties making the following comments:

- a) Over-development of a small parcel of land.
- b) Appears to be little material change that would affect previous comments. Difficult to determine as no drawings contain measurements the length of the front of the building now appears to be longer, contrary to the recommendation of the Conservation Officer.
- c) Case Officer's email should be included in documents in interests of transparency.
- d) Agree with the Conservation Officer's comments and these should be strictly applied.
- e) Proposal will seriously detract from the amenities of both The Stables and Buckland House.
- f) Further sub-division of this site and removal of vegetation eroding the aesthetic of this historic, rural AONB.
- g) Could the additional accommodation be achieved through an integrated extension to the existing garage?
- h) Support the lowering of the ridge height, however, this should be lowered further, along with the eaves height.

- i) Design, particularly the large areas of glazing and the potential of solar tiles to the south elevation, are out of keeping with the Cotswold character.
- j) The owner of the neighbouring property at The Stables does not consent to a party wall on their boundary.
- k) Would create a built-up, urban environment when viewed from Buckland House.
- l) Roof is now larger and it is still high enough to accommodate a second level. Could easily be changed to a flat roof or one with a low pitch and rooflights should be removed to prevent overlooking.
- m) Only sketch plans are available. Proper plans are required before any determination can be made.
- n) It is noted that the Planning Officer has been in discussion with the applicant but the changes remain inconsequential.
- o) No further details of dependency provided. An ancillary dwelling would include wider doorways etc. to accommodate a wheelchair. The bathroom is too small to accommodate a disabled person.
- p) Permitted Development Rights should be removed as per the Conservation Officer's comments.
- q) There is no indicated parking. Any parking space would be too far away from a charging point. Two cars cannot now be accommodated. When the new house is sold an entrance will be created such that there will be no parking space.
- r) The trees to the boundary of Buckland House will remain. The reference to the hedge on the north boundary is misleading as it is actually to the east.
- s) The positioning of rooflights over the kitchen and bathroom is irrelevant given the plans are only sketches with the comment regarding health of little consideration due to the proximity of the site to a busy road used by HGVs.
- t) The installation of a wood burning stove would be injurious to health of occupants of Buckland House.
- u) Moving the building has now created amenity issues for Haydon's Bank given the very close proximity of the 2 separate dwellings.
- v) Impact upon trees.

2nd Amendments:

6.3 7 letters of objection received from local residents and interested parties making the following comments:

- a) Overdevelopment of site and inappropriate design.
- b) Suspect it will become a 2-storey independent dwelling and proposed new Cotswold stone boundary wall will be removed to allow access.
- c) Harmful to the setting of the Grade I listed Church and Chipping Campden Conservation Area.
- d) Curtilage of Buckland House remains incorrect on the submitted plans.
- e) Only rough sketches have been provided and therefore it is not possible to determine dimensions.
- f) Design and Access Statement is ambiguous in many places in that it states possibilities rather than actualities.
- g) Design and Access Statement's information surrounding the applicant is of no consequence to the planning process, in the same way that the impact of this on the value of neighbouring properties is not taken into account.
- h) Email from applicant to neighbour in November 2020 stated they are planning to relocate and therefore this shows they intend to sell Haydon's Bank with the planning permission or sell the plot separately.

- i) The line of 25 degrees from The Stables is incorrect as the conservatory is the main habitable room. If drawn correctly it would impinge on light to this property.
- j) Retention of the hedge is irrelevant as the applicant has declared it a nuisance and therefore will remove it. Also it will be damaged during construction.
- k) Removal of the wood burning stove is irrelevant as it will be reinstated.
- l) The construction methods in relation to trees will likely raise the entire floor and therefore the overall height of the building.
- m) The miniscule distance of 150mm is not sufficient to construct the new dwelling from the applicant's side and no permission will be given to cross boundary of Buckland House.
- n) Changes remain inconsequential and no further evidence of dependency has been provided.
- o) Application should be considered on the basis of the proposed future use and not determined as an ancillary dwelling.
- p) Access to the site is not excellent as stated in D and AS. Applicant has frequently contacted Highways regarding speed of traffic and there are usually parked vehicles along this stretch of Station Road.
- q) When 'adapting' the dwelling for future use there would be amenity issues for Haydon's Bank due to the close proximity.
- r) The construction of a new dwelling will impinge on the ability of near neighbours to undertake gainful employment.
- s) Reference to metering of property clearly indicates it will be separate and non-dependent.
- t) Design favours the applicant only.
- u) There is no precedent of a small front garden being used as a building plot in Chipping Campden.
- v) This is not wanted by the Town Council.
- w) Site is in the AONB.
- x) Comments about no increase in vehicular movements are clearly 'pie in the sky'.
- y) Loss of mature vegetation.

6.4 A further comments from an Objector raised the following additional concerns:-

"1. The Case Officer requested evidence of dependency for the proposed dwelling. Instead, the D&A states on page 13 that any new supplies of utilities to the new dwelling will be sub-metered. This sub-metering, instead of current utilities being extended from Haydons Bank, indicates no dependency, rather the reverse. Further, the G&A plan shows a recycling store which will require notice to the CDC that recycling bins will be required and collection from a separate dwelling. This provides further evidence that there is no dependency and that the new dwelling intends to be separated and sold as a standalone dwelling. The proposed new dwelling is in the front garden (ie - it stands forward of the existing Haydons Bank next to the road) of an existing property that has already been built in the garden of Buckland House.

2. The requirement for details relating to BRE IP 23/12 have not been met. The 25 degree measurement is from the rear of The Stables wall and not from The Stables Conservatory and takes no account of the change in . There are also no details with regard to the impact on the habitable rooms of Buckland House.

3. The proposed method of mitigating the tree roots on the North Boundary have the potential to raise the height of the entire building (see Experts report).

4. The G&A Statement on Page 6 erroneously refers to Buckland House as Green House. This has the potential to confuse the reader and may suggest an ancillary structure rather than a neighbouring property.

5. The "sketches" still fail to define the boundaries on the North and East as requested."

7. Applicant's Supporting Information:

7.1 Design & Access Statement

7.2 Additionally, the Applicant's agent has provided the following response to the latest Third Party Objection:-

"For clarity and to be sure that the Councillors are aware of all the facts, I wonder whether you would kindly ensure that both councillors are made aware that Mr Leighton has clearly misunderstood the Case Officer Rachel Gaskell requests set out in her 6 July email and our response in the form of our amended information dated and posted on 9 July 2021. We refer to the points raised by Mr Leighton using his numbering for ease of reference;

1. For clarity, the term sub-metering, refers to a second meter being connected to a single electricity supply. Therefore the primary meter is the main meter from which readings are taken and suppliers invoices determined. The sub-meter is for the occupants use only and allows them to identify the proportion of the electricity being used by the annex. It is a requirement as part of the application that we show that space is allocated for recycling bins. Obviously one wishes to have such bins as close as possible to the annex, especially if one is elderly or infirm. Comments regarding collection of bins from a separate dwelling seem irrelevant, as bins are taken to roadside.

2. Details relating to BRE IP 23/12 were agreed with the case officer and met by our annotating the drawings. The worst case scenario was indicated using the apex of the proposed annex as a reference point to the habitable rooms of The Stables. There will be no loss of daylight from the conservatory of the neighbour of Mr Leighton. Habitable rooms of Buckland House will not suffer loss of daylight as the eaves height to the north elevation of the proposals is too low to have an effect and the roof slopes away from the eaves/boundary.

3. The slab height of the proposals is set and therefore the height of the building is set. The Leighton objection dated 17 August 2021 refers to an 'Experts report'. For the record, the Leighton objection dated 28 July 2021 does not enclose or attach a report from an expert but merely 'quotes from an expert'. The quotes contain the words 'likely' and 'possible' and are therefore not based on fact. An indicative foundation solution was referred to in our 9 July submission. It should be noted that the detailed design of foundations is a Building Regulations issue and not a matter for Planning.

4. The Design and Access Statement does have an error on page 6, referring to Green House. All the drawings have been corrected and we feel this error has little relevance at this stage.

5. The case officer asked for the reference 'TBC/agreed' (in regard to the boundary lines) to be removed from the drawings. However, the boundary lines are still shown on the drawings with setting out dimensions referenced as requested by the case officer."

8. Officer's Assessment:

- 8.1 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.'
- 8.2 The starting point for the determination of this application is therefore the current development plan for the District which is the adopted Cotswold District Local Plan 2011 - 2031.
- 8.3 The policies and guidance within the revised National Planning Policy Framework (NPPF) (2021) are also a material planning consideration.

Background and Proposed Development

- 8.4 This application is seeking full planning permission for the erection of a single storey, detached ancillary outbuilding of linear form within the rear/side garden area of Haydon's Bank. The proposed building would be located adjacent to the site's shared boundary with Buckland House to the north, and, following amendments set off the eastern (angled) boundary with The Stables by a minimum distance of 1.5 m. The building would be constructed of Cotswold stone with a pitched roof to be finished in natural slate to the rear roof slope and PV slates to the front. The windows and doors would be of oak construction left to naturally silver. Two small conservation style rooflights are proposed within the rear (northern) elevation. The ridge height of the building would be 4.4 metres, with an eaves height of 2 metres. The proposal would be 15.4 metres wide with a depth of 4.5 metres. The outbuilding would provide ancillary annexe accommodation to the main house comprising an open plan kitchen, sitting, dining area with separate WC, 1 bedroom and a bathroom. The application has been submitted as a householder development with the description of the proposal including the word 'ancillary'. The scale of accommodation, the applicant's agent has stated that the height between the top of the truss tie beam and the apex of roof at 1750mm would be insufficient to convert into usable attic space in the future, within the proposed outbuilding and its close proximity to the main dwelling is considered to demonstrate a functional reliance upon Haydon's Bank by virtue of the modest level of accommodation and shared off-street parking and garden area.

(a) Principle of Development

- 8.5 The site is located within the Development Boundary of Chipping Campden. Policy DS2 of the Local Plan states:
- "Within the Development Boundaries indicated on the Policies Maps, applications for development will be permissible in principle."
- 8.6 Concern regarding the nature of the use of the proposed outbuilding has been raised within a number of the letters of representation. The application states that it would be ancillary to the existing residential dwelling at Haydons Bank to enable multi-generational occupation of the site. The covering letter submitted with the current proposals does make reference to potential future changes to the use of the proposed building including it being occupied as a separate dwelling. This application is only considering the current proposal for ancillary accommodation, if the building was to be used for non-ancillary purposes a further planning

application would be required and a further assessment under the relevant policy at the time would be made. For the avoidance of doubt it is considered reasonable to impose an informative advising the applicant of the ancillary nature of the use.

(b) Design and Impact upon Heritage Assets

- 8.7 The application site is located opposite the former site of Campden House, where a number of its buildings and structures survive and are listed. It is also located diagonally opposite, and on the other side of the road to St James' Church, which is Grade I Listed. The Local Planning
- 8.8 Authority is therefore statutorily required to have special regard to the desirability of preserving these buildings and structures, as well as their setting, and any features of special architectural or historic interest it may possess, in accordance with Section 16(2) of the Planning (Listed Building and Conservation Areas) Act 1990.
- 8.9 The proposal site is located outside the Chipping Campden Conservation Area, but the boundary line runs along Station road to include St James' Church, its Church Yard and the former site of Campden House on the opposite side of the road. As such the setting of the conservation area is a key consideration of this proposal.
- 8.10 The Stables to the east of the application site is considered to be a non-designated heritage asset, although it is not clear as to which property it historically related to, it does appear on the 1843-1893 OS map backing on to open orchards. The Stables has historic and architectural interest and retains an overall simple utilitarian character and low linear gabled form reflecting its past use. The Stables are also constructed in materials and details characteristic of the Cotswold Vernacular. In this regard the setting of this building as a non-designated heritage asset must be considered.
- 8.11 Section 16 of the National Planning Policy Framework (NPPF) (2021) requires that Local Planning Authorities should take account of the desirability of sustaining or enhancing the significance of heritage assets, including their settings.
- 8.12 Paragraph 197 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
- 8.13 Paragraph 199 states 'When considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the assets 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'
- 8.14 Paragraph 200 states 'that the significance of a designated heritage asset can be harmed from its alteration, destruction, or from development within the setting'.

- 8.15 Paragraph 202 states that 'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposals'.
- 8.16 Paragraph 203 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.'
- 8.17 The NPPF in Annex 2 defines the Setting of a heritage asset as '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 the significance of an asset or may be neutral'.
- 8.18 Historic England- The Setting of Heritage Assets- Historic Environment Good Practice in Planning Note 3 (Second Edition) gives assistance concerning the assessment of the setting of heritage assets, and is used in the following assessment.
- 8.19 Paragraph 9 states 'Setting is not itself a heritage asset, nor a heritage designation, although land comprising a setting may itself be designated. Its importance lies in what it contributes to the significance of the heritage asset or the ability to appreciate that significance'
- 8.20 Paragraph 10 states 'The contribution of a setting to the significance of a heritage asset is often expressed by reference to views, a purely visual impression of an asset or place which can be static or dynamic, long, short or of lateral spread, and include a variety of views of, from, across, or including that asset.'
- 8.21 Paragraph 16 states 'Views out from a heritage asset that neither contribute to significance nor allow appreciation of significance are a matter of amenity rather than of setting'
- 8.22 Policy EN1 of the Local Plan covers the Built, Natural and Historic Environment and states that new development will, where appropriate, promote the protection, conservation and enhancement of the historic and natural environment by: ensuring the protection and enhancement of existing natural and historic environmental assets and their settings, proportionate to the significance of the asset; and ensuring design standards that complement the character of the area and the sustainable use of the development.
- 8.23 Policy EN2 covers the Design of the Built and Natural Environment and states that development will be permitted which accords with the Cotswold Design Code and that proposals should be of a design quality that respects the character and distinctive appearance of the locality.
- 8.24 Policy EN10 covers the Historic Environment: Designated Heritage Assets. It states that in considering proposals that affect a designated heritage asset or its setting, great weight shall be given to the asset's conservation, and that the more important the asset, the greater the weight should be. It also states that development proposals that sustain and enhance the character, appearance and significance of designated heritage assets (and their settings), and that put them to viable uses, consistent with their conservation, will be permitted. Finally it states that proposals that would lead to harm to the significance of a designated heritage

asset or its setting will not be permitted, unless a clear and convincing justification of public benefit can be demonstrated to outweigh that harm, and that any such assessment will take account of the importance of the asset, the scale of harm, and the nature and level of the public benefit.

- 8.25 Policy EN11 covers the Historic Environment: Designated Heritage Assets (Conservation Areas). It states that development proposals that would affect conservation areas and their settings will be permitted provided they: preserve and where appropriate enhance the special character and appearance of the conservation area, in terms of siting, scale, form, proportions, design, materials and retention of positive features; include hard and soft landscape proposals, where appropriate, that respect the character and appearance of the conservation area; will not result in the loss of open spaces, including garden areas and village greens, which make a valuable contribution to the character and appearance, and/or allow important views into or out of the conservation area; and do not include any internally illuminated advertisement signage unless the signage does not have an adverse impact on the conservation area or its setting.
- 8.26 Local Plan Policy EN12 refers to Non Designated Heritage Assets, stating:
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.
- 8.27 Although located in relatively close proximity to St James' Church, the application site is not considered to specifically contribute to its architectural or historic significance. The proposal site can however be viewed across the road from the Churchyard, but it is viewed amongst a collection of largely modern built forms closely situated together without forming particular aesthetic grouping. The rear elevation of The Stables can also be viewed from the Churchyard, but again it is considered not to specifically contribute to the architectural or historic significance of the Church as no historic connection is evident. The Stables' contribution to the setting of the Church via visual relationships is limited and it is largely read within the collection of other built form to the opposite side of the road.
- 8.28 The situation is similar in regard to the settings of the listed buildings and structures within the former Campden House site. The proposal site does not specifically contribute to any of their architectural or historic significance, but is viewed amongst a collection of largely modern built forms closely situated together without forming particular aesthetic grouping.
- 8.29 In this respect it is the general context of built form and its arrangement to the northern side of Station Road, surrounding and including the proposal site, which is the consideration in this case. Should the proposal relate to its context in location, scale, height, design and materials, then the setting of the above mentioned designated heritage assets (listed building, structures and the Conservation Area) would remain unharmed.

- 8.30 The Stables as a non-designated heritage asset is in closer proximity to the proposal site and the proposed building would be in its immediate setting. Therefore consideration also needs to be given as to whether the application site forms part of the significance of The Stables, and then whether the proposed building adjacent would harm its individual significance (setting).
- 8.31 Historically The Stables building, according to C19th maps, appears to have backed onto a field or orchard. However, its current setting is a small enclosed garden space to its rear with additional houses (and their gardens) to the side and further to the rear. Any relationship The Stables once potentially had with the field/orchard historically has since been lost through the development of the land around it and alterations to the settlement pattern and its field boundaries.
- 8.32 The low elongated form of the Stable building, its simple character and fenestration pattern reflect its historic use and forms an essential part of its significance as a non-designated heritage asset. The proposed building has a similar form to The Stables, but with a front elevation more akin a cart shed. With the reduction in its overall height, and its relocation away from the eastern boundary, the proposal's prominence in relation to the neighbouring non-designated heritage asset has been reduced sufficiently to prevent harm to its significance.
- 8.33 The manner in which the proposed building would relate to its context is a general design consideration for any development (whether it is within a Conservation Area boundary or not). The context of the application site includes The Stables to one side, a two storey modern house to the other side and a one storey modern house to the rear. The front of the application site is enclosed by a boundary fence, which, following the submission of amended plans is to be replaced with a 1.8m high Cotswold stone wall. The context is therefore relatively high density already, with both single and two storey buildings being characteristic. In this regard it is considered that an elongated single storey gabled building orientated and sited as proposed, that has been reduced in length and height following the submission of amended plans, would relate to its context. In this regard it is considered necessary and reasonable to impose a condition removing permitted development rights to retain the character of the immediate area.
- 8.34 Overall, following the amendments to reduce its height and the relocation away from the eastern boundary with The Stables the proposed outbuilding would now preserve the setting of nearby listed buildings, the setting of the Chipping Campden Conservation Area and sustain the significance of the non-designated heritage asset of The Stables. The application as now amended would therefore meet the requirements of the relevant sections of the Planning (LBCA) Act 1990, Section 16 of the NPPF (2021), and Policies EN1, EN2, EN10, EN11 and EN12 of the Local Plan.

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

- 8.35 The site is located within the Cotswolds Area of Outstanding Natural Beauty (AONB). Section 85 of the Countryside and Rights of Way Act (CROW) Act 2000 states that relevant authorities have a statutory duty to conserve and enhance the natural beauty of the AONB.
- 8.36 Local Plan Policy EN4 (the Wider Natural and Historic Landscape) states that development will be permitted where it does not have a significant detrimental impact on the natural and historic landscape (including the tranquillity of the countryside) and that proposals will take

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

- 8.37 Local Plan Policy EN5 'Cotswolds Area of Outstanding Natural Beauty' states that in determining development proposals within the AONB, or its setting, the conservation and enhancement of the natural beauty of the landscape, its character and special qualities will be given great weight.
- 8.38 Section 15 of the NPPF seeks to conserve and enhance the natural environment. More specifically Paragraph 176 states great weight should be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty (amongst other sensitive areas), which have the highest status of protection in relation to these issues.
- 8.39 The proposed development would be set within the existing residential curtilage of Haydons Bank and which is surrounded by other residential dwellings and is viewed amongst a collection of largely modern built forms closely situated together. As such, the addition will not result in any encroachment of urban built form into the open countryside. Overall, it is considered that the proposed development will preserve the special qualities of the Cotswolds AONB.

(d) Impact on Residential Amenity

- 8.40 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.
- 8.41 Policy EN15 of the Local Plan - Pollution and Contaminated Land requires development not to result in unacceptable risk to public health or safety, the natural environment or the amenity of existing land uses through:
- a. pollution of the air, land, surface water, or ground water sources; and/or
 - b. generation of noise or light levels, or other disturbance such as spillage, flicker, vibration, dust or smell.....
- 8.42 Section 12 of the NPPF requires good design with a high standard of amenity for existing and future users.
- 8.43 The proposed ancillary outbuilding would be located in the rear/side garden area of this dwelling within the town of Chipping Campden. The north and east boundaries of this garden area are currently made up of trees and vegetation, a section of the northern boundary has been removed due to the hedge dying. It is proposed that the northern boundary will be formed by the rear wall of the building. There would be a corner to corner distance of approximately 5.5 m between the north eastern corner of the proposed single storey ancillary building and the south western corner of the 2-storey Buckland House. The rear wall of the proposal would not include any openings with the northern roof slope having been amended to contain just 2 small rooflights above the internal bathroom and the kitchen area to provide additional natural light and ventilation. The orientation of these small openings within the roof plane, facing towards the garden area of Buckland House, is considered to comply with the requirements of Policy EN2 and the Cotswold Design Code in that significant loss of privacy, or the perception of such, would not result.

- 8.44 At the closest point there would be a distance of approximately 11.6m from the blank gable end of the proposed building to the principal elevation of The Stables to the east. The current submitted plans show a line of 25 degrees drawn from the rear elevation of The Stables easily clearing the roof of the proposed building and therefore demonstrating in line with the advice contained in the Building Research Establishment publication IP 23/12 - Site Layout Planning for Daylight that a significant loss of natural light should not result to The Stables. It is acknowledged that this line has not been drawn from the conservatory that is on this neighbouring property, however, that is orientated to the north west and together with the existing hedge that has a height of around 3.5m, and which following consultation with neighbours is shown to be retained on balance it is not considered that any significant loss of natural light would result to this property.
- 8.45 Concern has been raised by a neighbouring resident over the proposed wood burner in terms of the impact upon their health, this has subsequently been removed from the proposal, however, it should be noted that the Council's Environmental Health Officer does not raise any objections on the grounds of air quality. The fitting of a wood burner would need to comply with the relevant Building Regulations but would not necessarily require planning permission, although this would depend upon the height and positioning of any flue.
- 8.46 Ample residential amenity space would be available for both the host property and the proposed ancillary accommodation to use.
- 8.47 On this basis it is considered that the proposal would not result in significant adverse impact upon the amenity of neighbouring occupants or property. As such, the proposed development is considered to accord with the residential amenity considerations of Cotswold District Local Plan Policies EN2 and EN15, and Section 12 of the NPPF.

(e) Impact upon Trees

- 8.48 Local Plan Policy EN7 seeks to preserve and enhance trees, hedgerows and woodlands.
- 8.49 The current plans now show the retention of the hedge to the eastern boundary. The existing trees within the neighbouring property to the north (Buckland House) have been

shown on the amended block plan and reference has been made on the plan to these being retained. Further comments have been received from the owner of this property in relation to the impact of the proposal upon these trees, the Council's Tree Officer has advised that: "the trees and hedge in the photos are fairly young and are not considered to be veteran trees or trees, woodlands or hedges of high landscape, amenity, ecological or historical value. As such there no tree policy objection to the development. The potential impact of the development on tree roots would be a civil issue between the properties and we would not require specialist foundation design to protect tree roots."

(f) Impact on Highways and Off-Street Parking Provision

- 8.50 Policy INF4 states that development will be permitted that provides safe and suitable access and has regard, where appropriate, to the Manual for Gloucestershire Streets. Policy INF5 states that development will provide residential and non-residential vehicle parking where there is clear and compelling evidence that such provision is necessary to manage the local road network.

- 8.51 Paragraph 111 of the NPPF (2021) 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.
- 8.52 Access to the site would remain as existing. Concern has been raised by interested parties in relation to the safety of the access to accommodate further vehicle movements. On the basis that this proposal relates to ancillary accommodation where adequate off-street parking provision can be achieved and an improved turning area would be provided to allow vehicles to more easily enter and leave the site in a forward gear it is not considered that this development would result in an unacceptable impact upon highway safety. The provision of off-street parking spaces prior to the first use/occupation of the ancillary accommodation can be controlled by condition.

(g) Community Infrastructure Levy (CIL)

- 8.53 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.
- 8.54 As this is a residential annex, the applicant may apply for relief.

9. Conclusion:

- 9.1 The proposal is considered to accord with the policies in the Development Plan and NPPF. The recommendation is for planning permission to be granted.

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):

- Site Location Plan - dwg. no. 158/P/LP rev. B - received 9 July 2021
- Proposed GA Plan - dwg. no. 158/P03 rev. B - received 9 July 2021
- Proposed Street Elevation - dwg. no. 158/P04 rev. B - received 9 July 2021
- Proposed Long Section - dwg. no. 158/P05 rev. B (2) - received 6 August 2021
- Proposed North Elevation - dwg. no. 158/P06 rev. B - received 9 July 2021

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

3. Prior to the construction of any external wall, including the proposed boundary wall, of the development hereby approved, a sample panel of walling of at least one metre square in size showing the proposed stone colour, coursing, bonding, treatment of corners, method of pointing and mix and colour of mortar shall be erected on the site and subsequently approved in writing by the Local Planning Authority and the walls shall be constructed only in the same way as the approved panel and shall be permanently retained as such thereafter. The panel shall be retained on site until the completion of the development.

Reason: To ensure that in accordance with Cotswold District Local Plan Policies EN2 and EN12, the development will be constructed of materials of a type, colour, texture and quality and in a manner appropriate to the site and its surroundings. Retention of the sample panel on site during the work will help to ensure consistency.

4. Prior to the construction of any external wall of the development hereby approved, a sample of the proposed roofing slate shall have been approved in writing by the Local Planning Authority and only the approved materials shall be used.

Reason: To ensure that, in accordance with Cotswold District Local Plan Policies EN2 and EN12, the development will be constructed of materials of a type, colour, texture and quality that will be appropriate to the site and its surroundings.

5. No bargeboards or eaves fascias shall be used in the proposed development.
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 and EN12.

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

Reason: To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policies EN2 and EN12.

7. No windows, doors, rooflights or lintels shall be installed/inserted/constructed in the development hereby approved, until their design and details have been submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policies EN2 and EN12.

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

Reason: To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policies EN2 and EN12.

9. New rainwater goods shall be of cast metal construction or a substitute which has been approved in writing by the Local Planning Authority 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 and EN12.

10. Prior to the first use/occupation of the development hereby approved the off-street parking/turning area as shown on the approved plans (dwg. no. 158/P03 rev. B) shall be completed and available for use. The parking/turning area shall be retained for this purpose for the lifetime of the development.

Reason: To ensure that adequate off-road parking is provided and vehicles can enter and leave in a forward gear in accordance with Policies INF4 and INF5 of the Cotswold District Local Plan.

11. Prior to the first use/occupation of the development hereby approved the front (southern) boundary wall as shown on the approved plans (dwg. no. 158/P03 rev. B) shall be completed.

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 and EN12.

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.
2. The outbuilding hereby approved shall only be occupied ancillary to the host dwelling known as Haydons Bank.

Revision A. 20 iv 2021. Site boundary amended as case officers request.
Revision B. 6 vii 2021. Buckland House extensions shown as CO request.

COTSWOLDS ARCHITECTS

CHIPPING CAMPDEN

architecture · interiors · landscape · historic buildings · conservation · repair

Project
Mr & Mrs B Chatfield
Haydens Bank
Station Road
Chipping Campden
GL55 6HY

Drawing
Location Plan


(Planning Application)

Drawing No.
158/P/LP Rev B

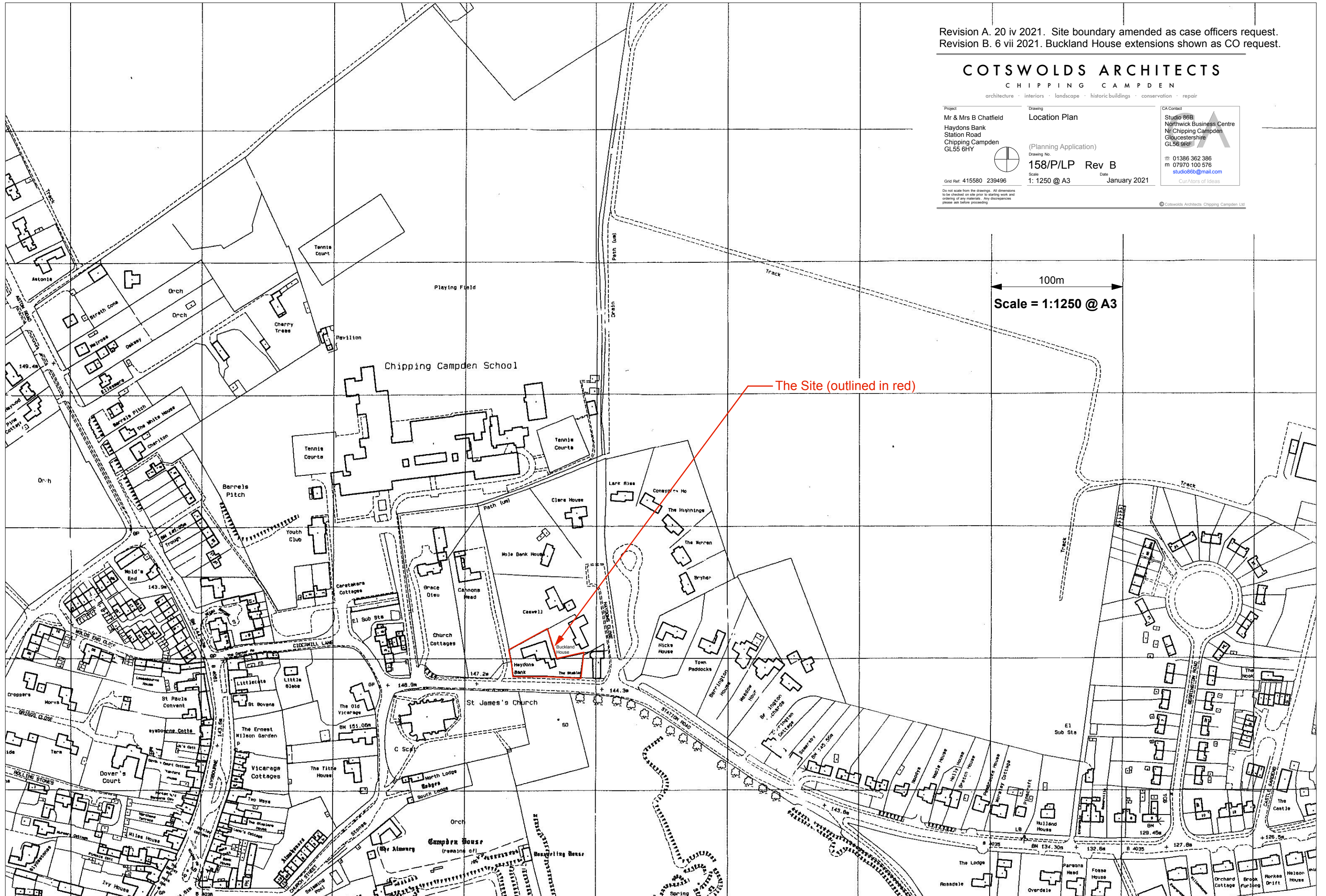
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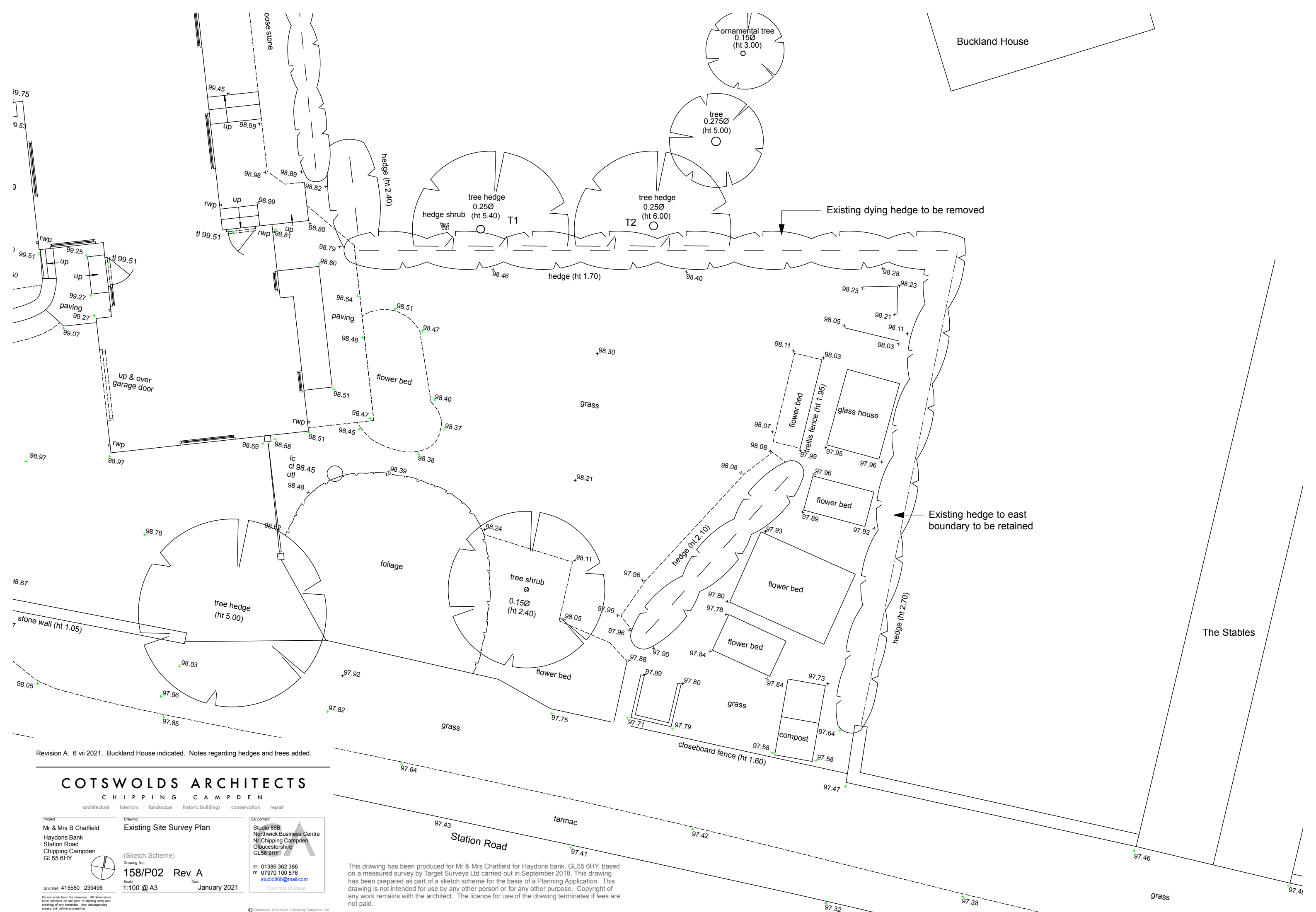
Date
January 2021

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Grid Ref: 415580 239496

Do not scale from the drawings. All dimensions to be checked on site prior to starting work and ordering of any materials. Any discrepancies please ask before proceeding.

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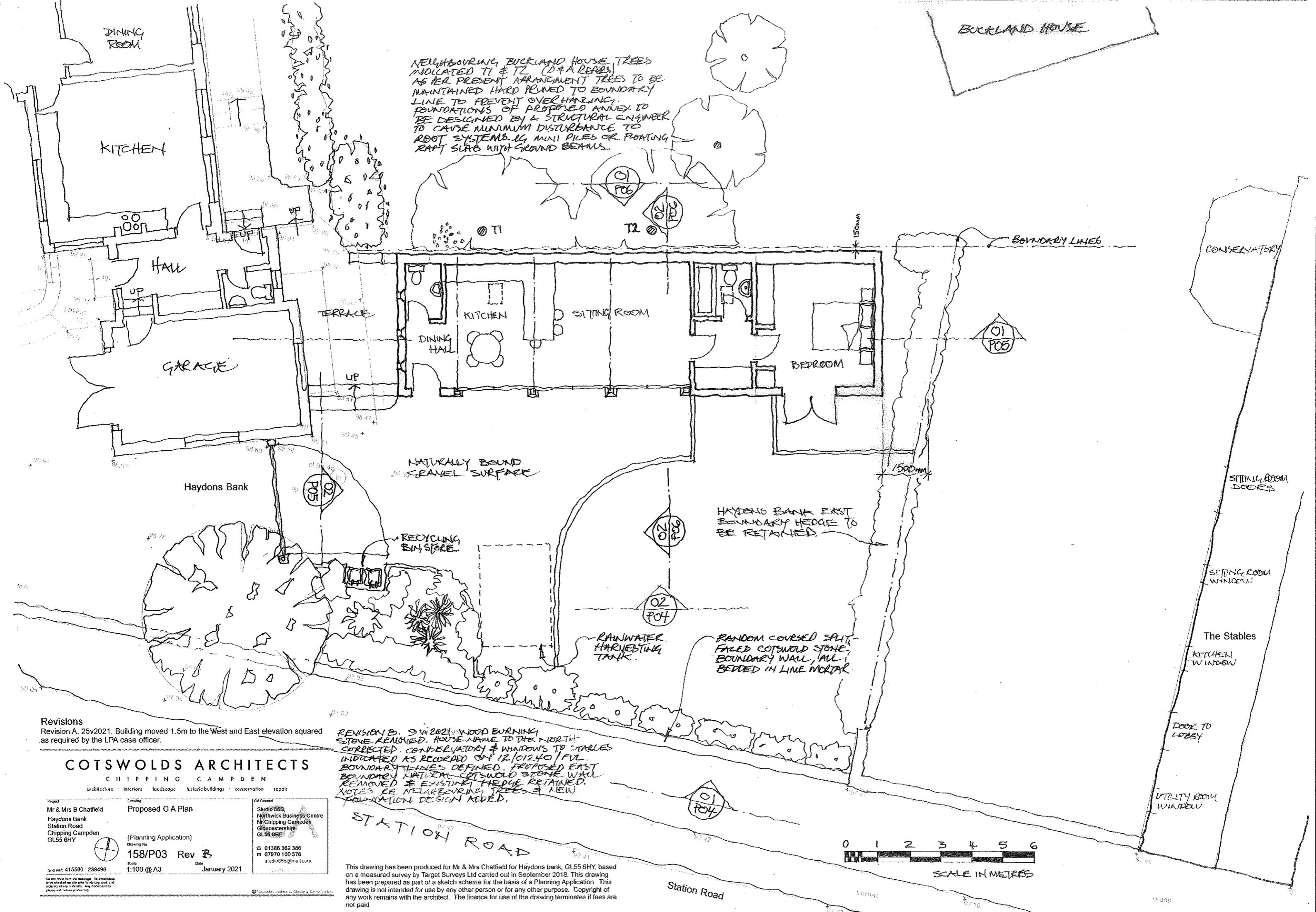
Revision A. 6 vii 2021. Buckland House indicated. Notes regarding hedges and trees added.

COTSWOLDS ARCHITECTS
CHIPPING CAMPDEN

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<p>Project Mr & Mrs B Chatfield Haydons Bank Station Road Chipping Campden GL55 6HY</p>	<p>Drawing Existing Site Survey Plan (Sketch Scheme) Drawing No. 158/P02 Rev A Scale 1:100 @ A3 Date January 2021</p>	<p>CA Contact Studio 86B Northwick Business Centre Nr Chipping Campden Gloucestershire GL55 9RF 01386 362 386 07970 100 576 studio86b@mail.com Curators of Ideas</p>
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NEIGHBOURING BUCKLAND HOUSE TREES INDICATED T1 & T2 (D&A RECORDS) AS PER PRESENT ARRANGEMENT TREES TO BE MAINTAINED HARD PRUNED TO BOUNDARY LINE TO PREVENT OVERHANGING. FOUNDATIONS OF PROPOSED ANNEX TO BE DESIGNED BY A STRUCTURAL ENGINEER TO CAUSE MINIMUM DISTURBANCE TO ROOT SYSTEMS. EG MINI PILES OR FLOATING RAFT SLAB WITH GROUND BEAMS.

Revisions
 Revision A. 25/11/2021. Building moved 1.5m to the West and East elevation squared as required by the LPA case officer.

REVISION B. 9/1/2021. WOOD BURNING STONE REMOVED. HOUSE NAME TO THE NORTH CORRECTED. CONSERVATORY & WINDOWS TO STABLES INDICATED AS REQUIRED ON 12/10/2020 / PUL. BOUNDARY LINES DEFINED. PROPOSED EAST BOUNDARY NATURAL COTSWOLD STONE WALL REMOVED & EXISTING HEDGE RETAINED. NOTES RE NEIGHBOURING TREES & NEW FOUNDATION DESIGN ADDED.

COTSWOLDS ARCHITECTS
 CHIPPING CAMPDEN

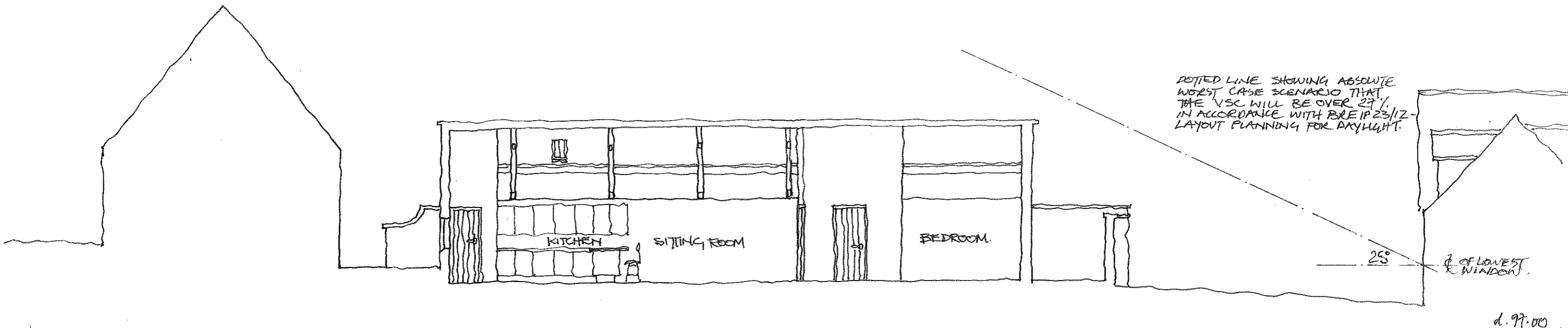
Project: Mr & Mrs B Chatfield
 Haydons Bank
 Station Road
 Chipping Campden
 GL55 6HY

Drawing: Proposed GA Plan
 (Planning Application)
 Drawing No: 158/P03 Rev B
 Scale: 1:100 @ A3
 Date: January 2021

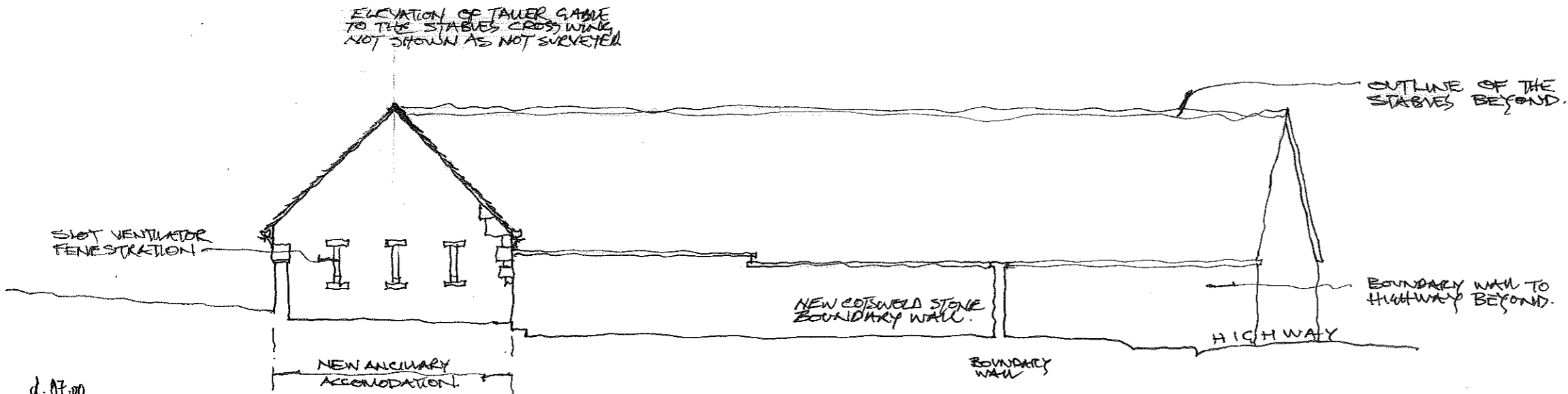
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01 LONG SECTION. (LOOKING NORTH)
P05



02 WEST ELEVATION (WITH STABLES BEYOND)
P05

DOTTED LINE SHOWING ABSOLUTE WORST CASE SCENARIO THAT THE VSC WILL BE OVER 25% IN ACCORDANCE WITH BRE IP 23/12 - LAYOUT PLANNING FOR DAYLIGHT.

25° OF LOWEST WINDOW.

d. 97.00

ELEVATION OF TOWER GABLE TO THE STABLES CROSS WING, NOT SHOWN AS NOT SURVEYED.

OUTLINE OF THE STABLES BEYOND.

SLOT VENTILATOR FENESTRATION

NEW COTSWOLD STONE BOUNDARY WALL.

BOUNDARY WALL TO HIGHWAY BEYOND.

HIGHWAY

NEW ANCILLARY ACCOMMODATION

BOUNDARY WALL

d. 07.00

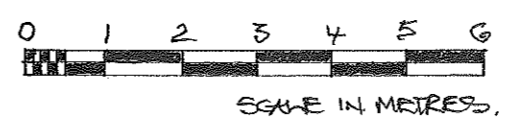
REVISION B. 9/11/2021. LINE ADDED DEMONSTRATING THAT THE PROPOSALS DO NOT AFFECT DAYLIGHT TO THE STABLES IN ACCORDANCE WITH BRE IP 23/12 - LAYOUT PLANNING FOR DAYLIGHTING. WOOD BURNING STONE REMOVED.

Revisions
Revision A. 25/2021. Building moved 1.5m to the West, East elevation squared, ridge lowered and hipped gable removed as required by the LPA case officer.

COTSWOLDS ARCHITECTS
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Project Mr & Mrs B Chatfield Haydons Bank Station Road Chipping Campden GL55 6HY	Drawing Proposed Long Section (looking north) & West Elevation (Planning Application) Drawing No. 158/P05 Rev B Scale 1:100 @ A3 Date January 2021	CA Contact Studio 868 Northwick Business Centre Nr Chipping Campden Gloucestershire GL55 6RF 01386 362 386 m 07970 100 576 studio868@mail.com
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