

**Item No 02:-**

**21/00616/FUL**

**2,3,4,6,7,8 & 11  
Tally Ho Lane  
Guiting Power  
Gloucestershire  
GL54 5TY**

**Item No 02:-**

**Installation of external wall insulation to No. 2, 3, 4, 6, 7, 8, & 11 Tally Ho Lane,  
Guiting Power at 2,3,4,6,7,8 & 11  
Tally Ho Lane Guiting Power**

<b>Full Application 21/00616/FUL</b>	
Applicant:	Bromford Housing
Agent:	SJM Surveyors
Case Officer:	David Ditchett
Ward Member(s):	Councillor Richard Keeling
Committee Date:	13th October 2021
<b>RECOMMENDATION:</b>	PERMIT

**UPDATE:** The application was deferred at the June Planning & Licensing Committee to enable officers to obtain further information and details. The report to the June Committee was as follows with updates to the original report shown in bold type.

**UPDATE:** This application was not reported to the September Committee meeting. However, at that meeting, Members resolved to undertake an Advanced Site Inspection Briefing at a property in Broadwell, which has been clad in stone slips and render, similar to those proposed under this application. It is anticipated that the site visit will enable Members to gain a better understanding of the visual impact of the materials proposed.

**Main Issues:**

- a) Adapting to Climate Change
- b) Design and Impact on Heritage Assets
- c) Impact on Cotswolds Area of Outstanding Natural Beauty (AONB)
- d) Impact on Residential Amenity
- e) Other Matters
- f) Community Infrastructure Levy (CIL)
- g) Planning Balance

**Reasons for Referral:**

20 objections were received. The Council's scheme of delegation states 'for applications where one or more objections have been received the officer will, at least one calendar week before the determination deadline (statutory or extended by agreement), consult the Ward Member prior to determining the application'.

The case officer consulted Councillor Keeling, who provided the following reason for referral: "I stand as one with Cllr Neill in our objection to the applications made by Bromford Housing in Lower Swell and Guiting Power. The principle objections are mirrored in each although the harm both visually and in amenity terms have their own characteristics given the varied settings of the houses in the respective communities that they are set.

The residents (and the non Bromford neighbours) seem not to have been given any consideration in these applications.

For all these and other planning reasons articulated in Cllr Neill's email to you I feel it is essential in the interests of local transparency that these applications be brought to the full planning committee. Further I would like the Review Panel to insist that a sites inspection be made prior to consideration of the applications so that the full impact of the harm to both these locations can be assessed."

### **I. Site Description:**

The application site is Numbers 2, 3, 4, 6, 7, 8, & 11 Tally Ho Lane, Guiting Power.

Numbers 2, 3 and 4 are mid-terrace, two-storey dwellings with uPVC windows and doors set within Cotswold stone elevations under pitched plain tiled roofs. Numbers 3 and 4 share front and rear gable features, the apex of which forms the boundary between the properties.

Numbers 6 and 11 are single storey end terrace bungalows with uPVC windows and doors set within Cotswold stone elevations under pitched plain tiled roofs. The entrances to these are on the side elevations and each benefit from a front gable feature that projects beyond the principal elevations of the rest of the terraced row by approximately 3.3m.

Numbers 7 and 8 are mid-terrace, two-storey dwellings with uPVC windows and doors set within Cotswold stone elevations under pitched plain tiled roofs.

Numbers 2, 3 and 4 are located on the eastern side of Tally Ho Lane, and form the main approach to Guiting Power from the south.

Numbers 6, 7, 8 and 11 are located on a small cul-de-sac on the western side of Tally Ho Lane. A turning head and a rank of garages are present at the northern end of the cul-de-sac.

Guiting Power Conservation Area is located between 14m to the north at its nearest point, and 51m to the north at its furthest point (the applicable distance varies depending on the dwelling in question).

The nearest listed building is the grade II listed Guiting Manor Nursery School 81m to the north at its nearest point (from 2 Tally Ho Lane).

All of the dwellings are located within the Cotswolds Area of Outstanding Natural Beauty.

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

N/A

## **3. Planning Policies:**

- \_TNPPF The National Planning Policy Framework
- \_INF10 Renewable & Low Carbon Energy Develop't
- \_EN1 Built, Natural & Historic Environment
- \_EN2 Design of Built & Natural Environment
- \_EN4 The Wider Natural & Historic Landscape
- \_EN5 Cotswolds AONB
- \_EN10 HE: Designated Heritage Assets
- \_EN11 HE: DHA - Conservation Areas
- \_EN12 HE: Non-designated Heritage Assets

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

**UPDATE: Conservation Officer:** The detailed comment is available within the online case file. However, as a summary:

### ***Numbers 2-4 Tally Ho Lane***

The cladding of the front of the properties would result in less-than-substantial harm to the setting of the conservation area, but within this very broad spectrum would be considerable. Given the sensitivity of this formal and prominent frontage. The Conservation Officer recommends that this element is omitted from the scheme.

The cladding of the rear, subject to the colour and texture of the render, would have a negligible impact upon the setting and significance of the conservation area.

### ***Numbers 6-8 & 11 Tally Ho Lane***

The front elevations are obliquely visible from Tally Ho Lane, and the covering of the characteristic natural stone facing would be harmful. However, were the cladding on the front elevations to be faced in render rather than the stone slips, the harm would (subject to colour and texture) be at the lower end of the less-than-substantial spectrum.

The rear elevations of numbers 6-8 & 11 are visually very discrete, & the cladding of this with a render finish (subject to colour and texture), would have a negligible impact upon the setting and significance of the conservation area.

### ***Conservation Officer regarding the submitted sample panels***

The cream render panel looks absolutely fine. The darker panel looks rather too ginger. The use of the paler, roughcast render would be infinitely preferable.

**UPDATE:** In response to the Conservation Officer comment, the stone slips are now omitted from the scheme and all elevations are proposed to be rendered. This is explained within the report

**UPDATE: Head of Climate Action:** The detailed comment is available within the online case file. However, as a summary, the Head of Climate Action is 'wholly supportive of the applicant's objective'. Reiterates 'the Council's commitment to reducing greenhouse gas (principally carbon dioxide, CO<sub>2</sub>) emissions across the district, and the Council's determination to support organisations and individuals aiming to do this'. He also notes 'the reference to the MEES regulations which do indeed impose a duty on landlords to improve the energy efficiency of homes occupied by tenants'.

The Head of Climate Action acknowledges that the Council's Climate Emergency Strategy does not form part of our adopted Local Plan. Writing that 'the Strategy states.....there will have to be a universal paradigm shift in understanding in every part of society that the costs we have to bear now to try and limit the damage we have already done, and prevent it becoming much worse, is simply the cost we decided not to bear historically when we were enjoying the benefits of abundant cheap fossil fuels. ... we must now be prepared to pay, even if those costs clash with established ways of thinking about cost effectiveness and return on investment. This reference to accepting the cost of dealing with the climate crisis relates just as much to accepting changes to the appearance of the built environment around us, as it does to accepting the financial costs of doing so'.

The Head of Climate Action lists a number of finer points for the scheme before the Committee. There are below:

- The application is silent on other measures that the applicant has already implemented, or intends to implement in conjunction with the EWI installation;
- The Planning Statement refers to the properties being of solid wall construction.... it therefore seems slightly surprising that they do not have a cavity wall construction;
- There are many examples across the country of very poorly executed EWI, which has led to myriad problems for occupiers or tenants;
- We would always encourage those considering substantial retrofit actions to consider not just the carbon saving in operation of the building, but also the embodied carbon of the chosen retrofit actions;
- Other owner-occupiers in the street not covered by this application will have the same challenge of poor fabric efficiency, particularly wall U-value;
- EWI is a measure normally associated with increasing the building's thermal efficiency during the heating season. However an increasingly important impact of ongoing climate destabilisation in the future will be heat stress; and
- Some render finishes perform poorly from an aesthetic perspective, being subject to staining from algae growth etc., whilst other render systems appear to be much more resistant to this effect.

However, the Head of Climate Action makes clear that 'on the issue of visual impact, my role does not particularly qualify me to comment, other than to restate the general point that the urgent need to respond to the climate crisis will require us to accept some changes to the appearance of our built environment which will not be to everyone's taste'. Also that 'it is for planning committee members and officers to balance conservation concerns with the pressing need to take action on the climate emergency'. Stating 'this particular planning application therefore illustrates the challenge that we will increasingly face across the whole district in years to come, as homeowners and landlords respond to the challenge of dramatically improving the energy efficiency of the existing building stock'.

Heritage Team: Views incorporated within the Officer's report.

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

Guiting Power Parish Council: 'We believe it to be out of keeping with the traditional stone build of the cottages and would be an intrusion into the Cotswold village landscape. We also support the concerns of many local residents regarding the proposed render finish to the rear which we also believe would be out of keeping with the surrounding properties'.

#### **6. Other Representations:**

**UPDATE: 8 further third party objections received relating to:**

- **Opposed to changes;**
- **Environmental and aesthetic issues are important;**
- **Impact on Conservation Area;**
- **Houses are built of Cotswold stone so cladding this would result in condensation problems;**
- **EPC Ratings may be valid but they are out of date;**
- **Cotswold District Council have a duty to protect the heritage of the Cotswold Stone houses but they also need to make energy savings;**
- **Improving the energy efficiency of the properties is desirable but not in the way proposed;**
- **The properties are constructed of solid stone not reconstituted stone and there are no cavity walls;**
- **Other necessary fabric improvements relating to loft and floor insulation, ventilation, glazing, airtightness, heating system etc. should be considered;**
- **The current EPC ratings for the properties make no sense;**
- **Existing mould around windows, doors, and drafts through the front door;**
- **Disappointed with the lack of communication;**
- **Damage the aesthetic of the properties and the village;**
- **Current heating systems are not fit for purpose; and**
- **Doubts the accuracy of the submitted 'Deferral Document'**

20 third party objections received relating to:

- Design and appearance;
- Rear of the houses back on to open space;
- Poor choice of materials;
- Lack of uniformity;
- Not in line with the conditions applied to granted permission at No. 5 (16/01400/FUL);
- Harmful to the AONB;
- Harmful to the Guiting Power Conservation Area;
- Out of keeping;
- Doubts the environmental credentials of the proposal;
- Fire safety; and
- Other options rather than cladding.

One of the submitted objections states that they are objecting to the application in Pear Tree Close Lower Swell, however uses the reference number for this application (21/00616/FUL). This objection is applied to both applications, for completeness.

## **7. Applicant's Supporting Information:**

### **UPDATE: Deferral Document Render and Cladding Samples**

Cover Letter  
Cladding Samples  
Render and Cladding Specification Documents

## **8. Officer's Assessment:**

**UPDATE: Following the written report from the Conservation Officer, the applicant has amended the application to remove the stone slips from the scheme. All elevations are now proposed to be rendered. The insulating layer is still proposed between the original external elevation and the render.**

**UPDATE: This application was deferred at the June Committee to enable officers to obtain further information and details. This included:**

### ***Available in online case file***

- **Written consultation report from a Conservation Officer;**
- **Consultation reply from the Head of Climate Action;**
- **Sample panels;**

### ***Available in 'Deferral Document' in the online case file***

- **Exact materials used in the construction of the cladding and render;**
- **Detailed drawings of the development in relation to windows, doors, eaves and roofs, adjoining dwellings, corners, rainwater goods and soil and vent pipes;**
- **Likely future maintenance rules for the occupiers;**
- **Possibility of plastic leaching;**
- **Breathability of the development;**

- **A detailed breakdown of the existing heating used, and existing energy efficiency improvements present for each dwelling separately;**
- **Were other options explored other than cladding and why were these ruled out;**
- **A method statement of works; and**
- **Suggested Bromford discuss with Guiting Manor Trust how they are meeting the required EPC for their housing stock**

#### Proposed Development and Background

The application seeks full planning permission for the installation of external wall insulation to No. 2, 3, 4, 6, 7, 8, & 11 Tally Ho Lane, Guiting Power.

The principal (north west) elevations of No. 2, 3 and 4 are proposed to be clad with artificial stone cladding to mimic the look of the natural stone. The rear (south west) elevations of No. 2, 3 and 4 are proposed to be rendered. An insulating layer is proposed between the original external elevation and the cladding/render.

The eastern elevations of No. 6, 7, 8, & 11, the northern elevation of No. 6 and the southern elevation of No. 11 are proposed to be clad with artificial stone slips to mimic the look of the natural stone. The western elevations of No. 6, 7, 8, & 11, the southern elevation of No. 6 and the northern elevation of No. 11 are proposed to be rendered. An insulating layer is proposed between the original external elevation and the cladding/render.

Planning permission is required as the site is located within the Cotswolds Area of Outstanding Natural Beauty (AONB), also known as Article 2(3) land. Paragraph A.2(a) of Schedule 2, Part 1, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) restricts permitted development rights for the 'cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles' on Article 2(3) land. As such, planning permission is required for the proposed development.

#### a) Adapting to Climate Change

**UPDATE: In July 2021, the revised National Planning Policy Framework was published. Paragraphs 148 and 154 are now paragraphs 153 and 158 respectively. The thrust of these paragraphs have not changed.**

**In addition, in July 2021, the Council published the 'Net Zero Carbon Toolkit'. This provides guidance for retrofitting existing homes. This document is not part of the adopted Development Plan, but is a material consideration in assessing the planning application.**



**Existing national and local policy and guidance remains supportive, in principle, of the proposed development.**

Local Plan Policy INF10: Renewable and Low Carbon Energy Development states that 'proposals for the generation of energy from renewable or low carbon sources will be permitted, provided it is demonstrated that:

- a. any adverse impacts individually and/or cumulatively, including; visual amenity; landscape character; heritage assets; biodiversity; water quality and flood risk; highways; residential amenity, including shadow flicker, air quality and noise, are or can be satisfactorily mitigated;
- b. it is of an appropriate type, scale, and design for the location and setting;
- c. it is compatible with surrounding land uses, such as military activities; and
- d. it avoids using the best and most versatile agricultural land unless justified by compelling evidence.

With regard to national guidance, Paragraph 148 of the National Planning Policy Framework (2019) states that the 'planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

Paragraph 154 of the NPPF states that 'when determining planning applications for renewable and low carbon development, local planning authorities should:

- a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and
- b) approve the application if its impacts are (or can be made) acceptable'.

A material consideration for this application is that in July 2019 Cotswold District Council declared a climate emergency and drafted a Climate Strategy for the period 2020-2030. The Council has committed to 'embedding climate emergency considerations in all work areas, decision-making processes, policies and strategies'.

While planning permission is required in this instance, page 32 of the Permitted development rights for householders Technical Guidance states 'the installation of solid wall insulation constitutes an improvement rather than an enlargement or alteration to the house'. Government guidance clearly considers that external wall insulation is an 'improvement' and therefore is exempt from planning permission in most instances. The Government therefore sees such works as something that people should ordinarily be able to do to their properties without the need for permission.

The application is for the installation of external wall insulation to No. 2, 3, 4, 6, 7, 8, & 11 Tally Ho Lane, Guiting Power. These properties are owned by Bromford Housing, a social housing provider. The submitted information states that the dwellings are 'of solid wall construction and are found to be thermally insufficient.' Officers have no evidence to the contrary. Furthermore, the submitted information demonstrates that the use of the external wall insulation 'systems can be designed to achieve U-values which satisfy or exceed current UK Building Regulation requirements.'

The proposed development therefore will improve the energy efficiency of the building by reducing heat loss. This would make a reduction to the carbon usage of the buildings, reduce the heating cost to the occupiers of the buildings, and will have modest wider impact towards the Council's aim of reducing carbon reliance in the District. It is evident therefore that existing national and local policy and guidance is supportive, in principle, of the proposed development.

b) Design and Impact on Heritage Assets

**UPDATE: As noted, following the written report from the Conservation Officer, the applicant has amended the application to remove the stone slips from the scheme. All elevations are now proposed to be rendered. The insulating layer is still proposed between the original external elevation and the render.**

**Also, in July 2021, the revised National Planning Policy Framework was published. Paragraphs 193, 194 and 196 are now paragraphs 199, 200 and 202 respectively. The thrust of these paragraphs have not changed.**

The development may affect the setting of the Guiting Power Conservation Area. The Local Planning Authority is statutorily obliged to pay special attention to the desirability of preserving or enhancing the setting, character and appearance of the area, in accordance with Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

Cotswold District Local Plan Policy EN10 'Historic Environment: Designated Heritage Assets' states that in considering proposals that affect a designated heritage asset or its setting, great weight should be given to the asset's conservation. 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. Proposals that lead to harm to the significance of a designated heritage asset or its setting will not be permitted, unless clear and convincing justification of public benefit can be demonstrated to outweigh that harm.

Local Plan Policy EN11 'Historic Environment: Designated Heritage Assets - Conservation Areas' states that development proposals that would affect Conservation Areas and their settings, will be permitted provided they will preserve and where appropriate enhance the special character and appearance of the Conservation Area in terms of siting, scale, form, proportion, design, materials and the retention of positive features.

Section 16 of the National Planning Policy Framework (NPPF) states that in determining applications, local planning authorities should take account of the desirability of sustaining or enhancing the significance of heritage assets. In particular, paragraph 193 states that when considering the impact of a proposed development on the significance of a designated heritage asset - such as a Listed Building, or Conservation Area - great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification (paragraph 194). Paragraph 196 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, where appropriate, securing its optimal viable use.

Local Plan Policy EN2 'Design of the Built and Natural Environment' states that development will be permitted which accords with the Cotswold Design Code (Appendix D). In particular, proposals should be of a design quality that respects the character and distinctive appearance of the locality.

Section 12 of the NPPF also seeks to achieve well-designed places, and considers good design to be a key aspect of sustainable development.

The dwellings in Tally Ho Lane are typical examples of post war construction. Historical maps show the dwellings being constructed post 1940. In that regard, they are of limited historic interest. They are constructed from natural stonework elevations under plain tiled roofs, and most appear to have uPVC windows and doors fitted. Owing to their age and construction therefore, they are not considered to meet the criteria for non-designated heritage assets as set out in Local Plan Policy EN12. In addition, they are not within the Guiting Power Conservation Area, nor are they listed in their own right. While that is the case, the terraced row on the eastern side of Tally Ho Lane, and to a lesser extent (owing to its cul-de-sac location) the dwellings on the western side of Tally Ho Lane do contribute to the character and appearance of the area owing to the use of natural stone work elevations, and their uniformity throughout the terraces.

In terms of the wider area, with the exception of 'Hillside View' which 1960-1980 OS maps show to be a police station, all of the dwellings in this location appear to have been constructed at the same time post 1940. With that in mind, the immediate area is considered to be relatively modern, as only the dwellings to the north of Guiting Manor Nursery School are present on 1891-1812 OS maps. This is reflected by the Guiting Power Conservation Area boundary, as all of the dwellings proposed to be altered are outside of the Guiting Power Conservation Area. When taking this into consideration, No. 2, 3, 4, 6, 7, 8, & 11 Tally Ho Lane are less sensitive to change.

It is proposed to clad and render the elevations of the dwellings as set out above. The cladding is proposed to mimic the look of the natural stone. An insulating layer is proposed between the cladding/render and the original external elevation. The resultant external elevations will be approximately 9cm deeper than the adjoining dwellings.

## **Artificial stone cladding**

**UPDATE: Artificial stone cladding is omitted from the scheme. It is now proposed to use render on all elevations instead. This would still result in a mix of rendered and natural stone elevations in the area. As such, the altered depth and the break in the uniformity of the principal elevations of the terraced rows would result in some harm to the setting of the conservation area. Modest harm is also attributed to the use of render for the dwellings themselves, and the character and appearance of the immediate area (outside of the conservation area). While the use of render on the principal elevations would result in less harm than the use of artificial stone cladding, the harm is still less than substantial and a balancing exercise is still therefore required.**

As the average distance between the cladding and the roadside is just 15m, the use of artificial stone covering the principal elevations of the dwellings would be apparent from Tally Ho Lane (highway and cul-de-sac). This change would be highlighted as three of the six dwellings in the terraced row on the eastern side of Tally Ho Lane, and four of the six dwellings in the terraced row on the western cul-de-sac of Tally Ho Lane would be altered. This would lead to a mix of cladded and natural stone elevations, which would likely draw the eye.

It is possible to secure the exact colour and texture of the stone cladding and mortar prior to the development beginning. However, while the cladding could be close in colour and texture to the existing stone and mortar, it is unlikely to match. Further, the naked eye is likely to notice that the cladding is artificial. In that regard, the use of artificial cladding on the elevations is likely to be noticeable from the public vantage points in the immediate area.

The cladding is unlikely to be perceived in great detail from within the Guiting Power Conservation Area itself however, as the nearest public vantage point within the conservation area is on Tally Ho Lane itself, some 60m to the north of No. 2 Tally Ho Lane. While that is the case, the row on the eastern side of Tally Ho Lane in particular, and to a lesser extent (owing to the cul-de-sac location) the row on the western side of Tally Ho Lane form the main southern approach to the Guiting Power Conservation Area. As such, the proposed changes would impact how the conservation area is perceived on this approach. It is considered therefore that the artificiality, the altered depth, and the break in the uniformity of the terraced rows would result in some harm to the setting of the conservation area. This harm is considered to be less than substantial, but at the lower end of less than substantial. Modest harm is also attributed to the use of cladding for the dwellings themselves, and the character and appearance of the immediate area (outside of the conservation area).

## **Render**

Views of the rendered south east elevations of No. 2, 3 and 4 will be possible from the playing field to the rear (south east) and glimpses of the render on the southern elevation of No. 6 would be possible from sections of Tally Ho Lane. Public views of the rear elevations of 6, 7, 8, & 11 and the northern elevation of No. 11 are unlikely as these face into agricultural fields to the west and the garden of The Old Vicarage to the north. When considering the separation distances involved, detailed views of the render from within the Guiting Power Conservation Area are unlikely.

While the render could be viewed from various public vantage points within the area, it can appear more natural than artificial cladding. Indeed, render often appears throughout the District in conjunction with natural stonework. Furthermore, it is possible to add a condition to secure the exact colour, finish and texture of the render prior to the development beginning. As such, a muted colour, roughcast texture and traditional finish is possible. While officers are mindful that render is not common throughout this area of Guiting Power, for the reasons set out, the use of render, even on parts of the terraced rows, is not considered to be harmful to the host dwellings, the character and appearance of the area, or the setting of the conservation area.

## **Conclusion**

**UPDATE: As noted, artificial stone cladding is now removed from the scheme and all elevations are proposed to be rendered. The use of render on the principal elevations is still found to result in less than substantial harm to the setting of the conservation area, albeit less than the previously proposed artificial stone cladding. Therefore, the balancing exercise completed below (as directed by paragraph 202 of the revised NPPF and not paragraph 196 as below) remains applicable. Officers are satisfied that the public benefits set out still outweigh the harm to the setting of the conservation area.**

Owing to the 81m separation distance between the nearest dwelling (No. 2) and nearest listed building, the grade II listed Guiting Manor Nursery School to the north, it is considered that the works will not harm the setting of the listed building.

The use of artificial stone cladding on the elevations of No. 2, 3, 4, and to a lesser extent, No. 6, 7, 8, & 11 Tally Ho Lane is found to be harmful to the setting of the Guiting Power Conservation Area and this harm is identified as being 'less than substantial', albeit at the lower end of 'less than substantial'. As such, Paragraph 196 of the NPPF directs decision-makers to weigh that harm against the public benefits of the proposal, including, where appropriate, securing its optimum viable use. The works are to improve the energy efficiency of the buildings. The proposed development therefore will result in a reduction to the carbon usage of the buildings, reduce the heating cost to the occupiers of the buildings, and will have a modest wider impact towards the Council's aim of reducing carbon reliance in the District. In addition, some minor economic benefits will arise during the construction phase; however, these are minor and short term. In light of the declared climate emergency, officers are satisfied, on balance, that the public benefits of the scheme outweigh the less than substantial harm to the setting of the Guiting Power Conservation Area.

In light of the balancing exercise as directed by Paragraph 196 of the NPPF, officers are satisfied that the works are in accordance with Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. The significance of the designated heritage assets will be sustained, in accordance with Section 16 of the NPPF and Policies EN10 and EN11 of the Local Plan.

However, modest harm is found to the character and appearance of the area (outside of the conservation area), and to the dwellings themselves. The proposal therefore broadly accords with Local Plan Policy EN2 of the Local Plan and the provisions of the NPPF which seeks to achieve well-designed places.

c) Impact on the 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 Act (CROW) Act 2000 states that relevant authorities have a statutory duty to conserve and enhance the natural beauty of the AONB.

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.

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.

The works proposed are limited to cladding and render only, with a nominal increase in built form proposed. Furthermore, the site is located within a reasonably built up area, and the development is contained within the residential curtilage of each property with no encroachment into open countryside. As such, the development is not considered harmful to the character or appearance of the Cotswolds AONB.

d) Impact on Residential Amenity

**UPDATE: In July 2021, the revised National Planning Policy Framework was published. Paragraph 127 is now 130. The thrust of this paragraph has not changed.**

Local Plan Policy EN2 (Design Code) states that development should respect the amenity of dwellings, giving due consideration to issues of garden space, privacy, daylight and overbearing effect. Similarly, paragraph 127 of the NPPF also states that planning decisions should ensure that developments create places that are safe, inclusive and accessible, with a high standard of amenity for existing and future users.

The submitted information states the render and cladding will increase the wall thickness of the dwellings by approximately 9cm. This modest increase in built form, which is restricted to cladding and render only, will not detrimentally impinge on the residential amenities of the area in regards loss of privacy, or loss of light, overbearing or overshadowing impacts, noise, pollution (including light), odours or vibration. In addition sufficient private external amenity space is retained at the property.

e) Other Matters

Concerns were raised regarding the fire safety performance of the materials. Information was submitted which demonstrates that the cladding and render 'contains flame retardant additives which significantly reduce the ignitability of the material, and the system also includes vertical fire barriers in non-combustible (Euroclass A1 to BS EN 13501-1) mineral fibre insulation of minimum 100 mm width and the same depth/thickness as the EPS Premium insulation, which are incorporated into the EWI system at the front and rear party wall lines: This arrangement satisfies the requirement to resist potential fire spread laterally, from one dwelling to the adjoining dwelling'. Officers are satisfied, based on the information supplied, that the proposed materials would not increase the risk of fires at the development sites, or for the adjoining properties.

Several comments were received stating that the proposed development is not in line with the conditions applied to granted permission at No. 5 (16/01400/FUL). This permission required the extension to be constructed from natural stone to match the host dwelling. Officers note this, however each application must be considered on its own merits, and is assessed against the relevant prevailing policies and guidance of the time. Those prevailing policies and guidance have changed, and a climate emergency declared since the granting of the permission at No. 5 (16/01400/FUL).

Comments were received noting that other options may be more suitable to achieve the desired energy efficiency improvements. It may be the case that there are other more suitable options than what is proposed. However, the Council has a statutory duty to assess the application it has before it.

f) Community Infrastructure Levy (CIL)

This development is not liable for CIL because it is:

Less than 100m<sup>2</sup> of new build that does not result in the creation of a dwelling, and therefore benefits from Minor Development Exemption under CIL Regulation 42.

g) Planning Balance

**UPDATE: For clarity, no harm is considered to result from the use of render on the non-principal elevations, but harm is considered to result from the use of render on the principal elevations as set out in this report. This harm is still considered to be outweighed by the public benefits of the scheme and it is recommended that permission be granted.**

The less than substantial harm identified to the setting of the Guiting Power Conservation Area is considered to be outweighed by the public benefits of the scheme as outlined in this report. In addition, whilst harm has been identified to the character and appearance of the immediate locality, and to the dwellings being altered by virtue of the cladding being used, this harm is considered to be modest. No harm is considered to result from the proposed use of render.

The proposed works are designed to improve the energy efficiency of the buildings. The proposed development, therefore, will result in a reduction in the carbon usage of the buildings, reduce the heating cost to the occupiers of the buildings, and will have a modest wider impact towards the Council's aim of reducing carbon reliance in the District. As such, it is recommended that permission be granted.

## **9. Conclusion:**

The recommendation to grant permission has been taken having regard to the policies and proposals in the development plan set out above, and to all the relevant material considerations set out in the report.

## **10. Proposed conditions:**

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.

The development hereby permitted shall be implemented in strict accordance with the following approved plans: Site and Block Plan (Received by the Council on 09/02/2021); Proposed Elevations (Received by the Council on 26/03/2021); and Proposed Elevations (Received by the Council on 07/09/2021).

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

Prior to the commencement of development, a sample panel of render of at least one metre square in size showing its proposed texture, finish and colour shall be erected on the site and subsequently approved in writing by the Local Planning Authority. The rendering 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:** In light of the above details not being submitted at determination stage for consideration and approval, this condition, which is agreed with the applicant, is necessary in order to ensure that the works serve to preserve the setting of the Guiting Power Conservation Area, and the character and appearance of the dwellings being altered and the area in accordance with Policies EN1, EN2, EN10 and EN11 of the Local Plan and Section 16 of the National Planning Policy Framework.

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

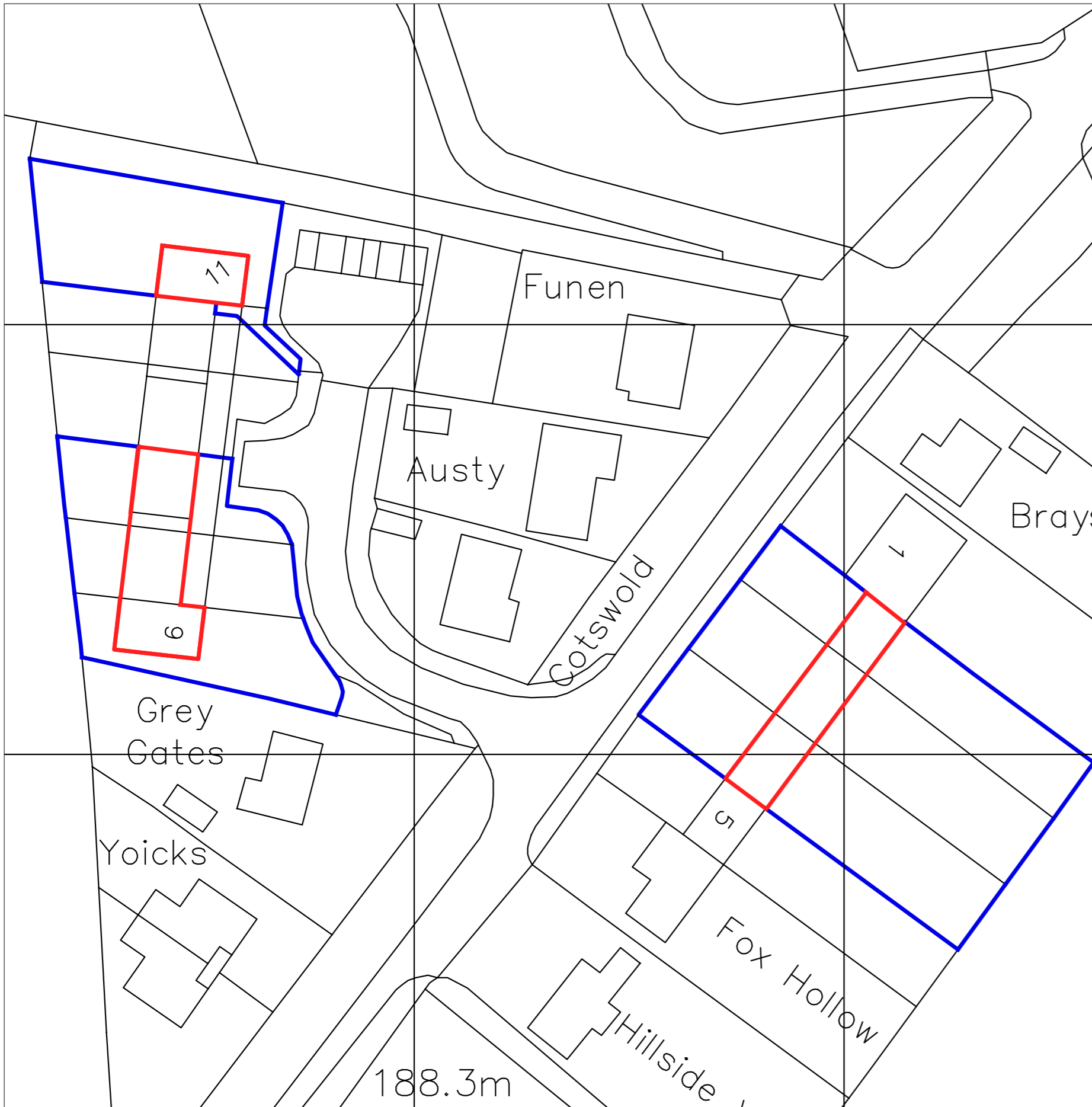
**Reason:** To ensure that the works serve to preserve the setting of the Guiting Power Conservation Area, and the character and appearance of the dwellings being altered and the area in accordance with Policies EN1, EN2, EN10 and EN11 of the Local Plan and Section 16 of the National Planning Policy Framework.



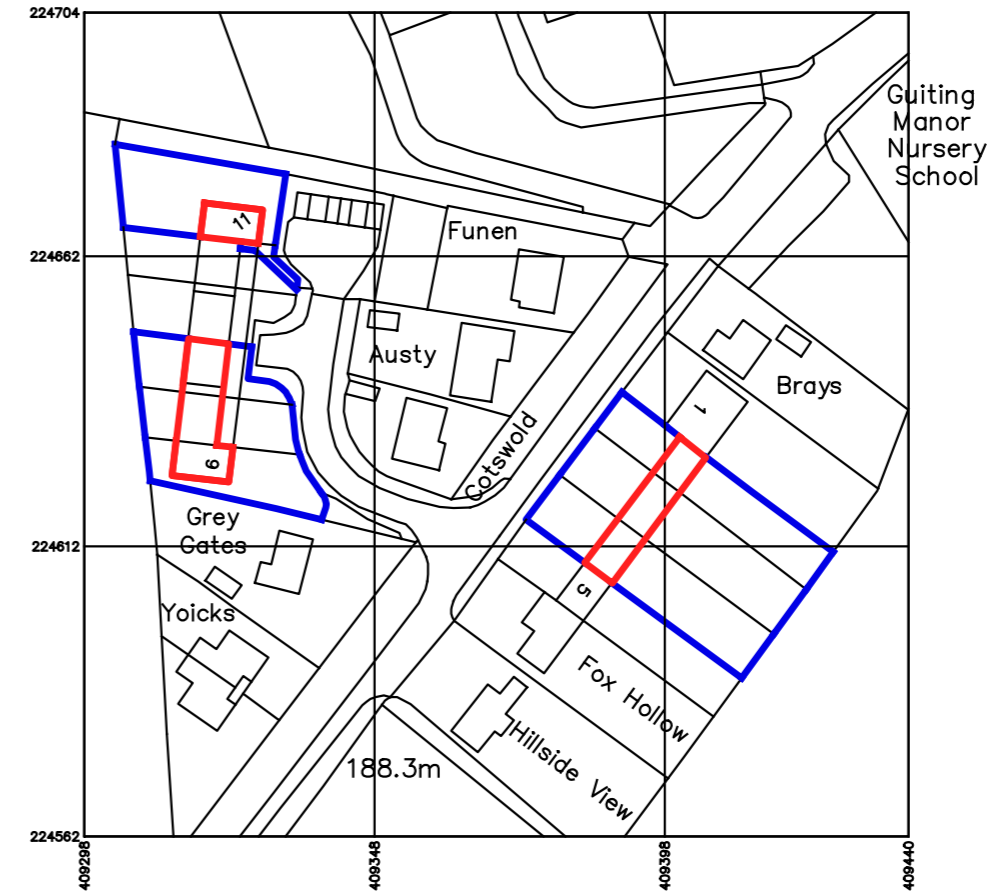
**Informatives:**

Please note that the proposed development is not liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) because it is:

Less than 100m<sup>2</sup> of new build that does not result in the creation of a dwelling, and therefore benefits from Minor Development Exemption under CIL Regulation 42.



**1** BLOCK PLAN  
SCALE: 1/500 @A2



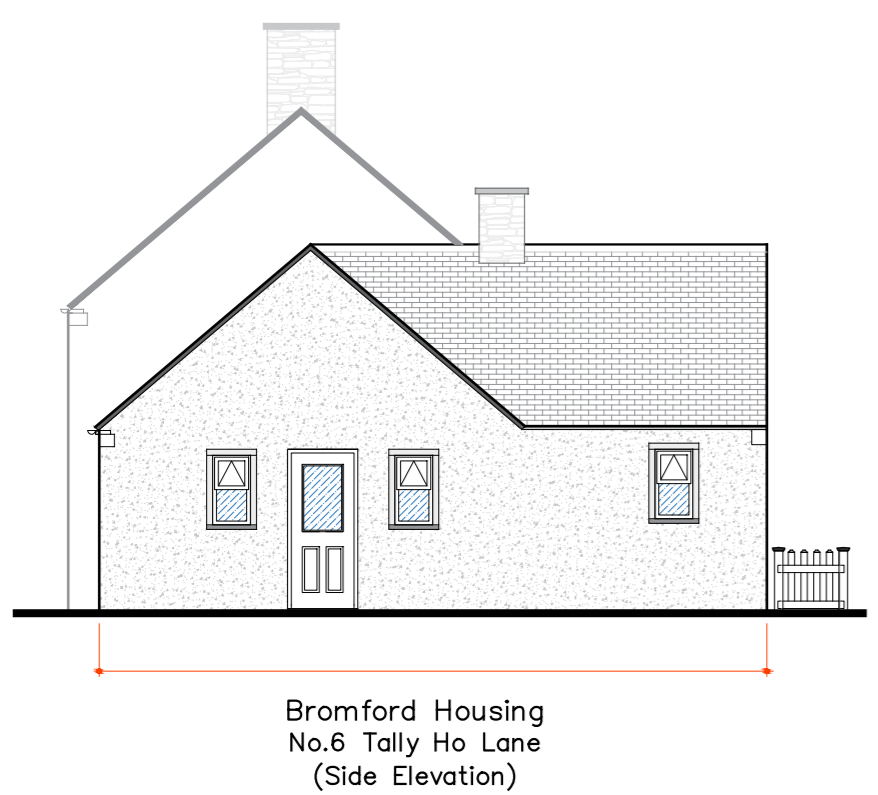
**2** SITE PLAN  
SCALE: 1/1250 @A2



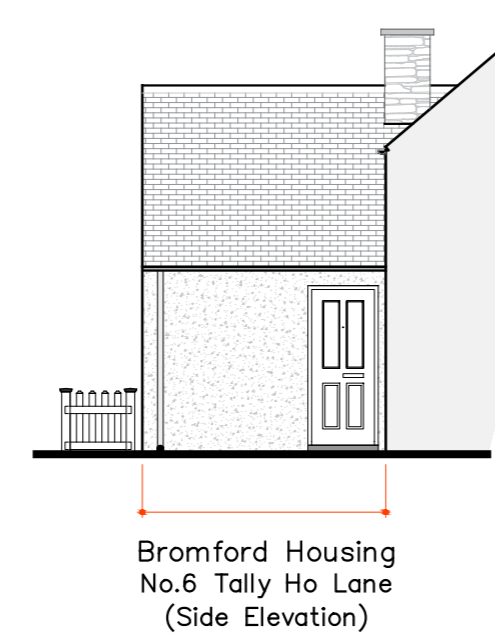
**1 PROPOSED WEST (FRONT) ELEVATION**  
SCALE: 1/100



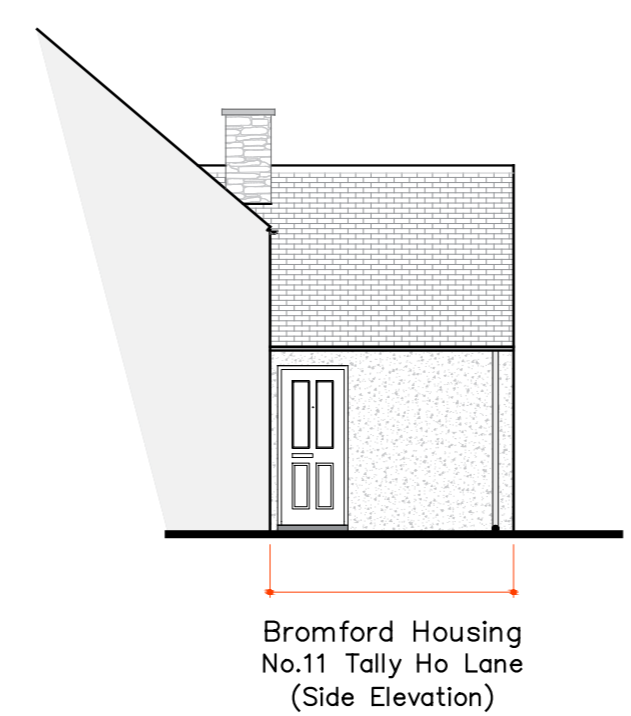
**2 PROPOSED EAST (FRONT) ELEVATION**  
SCALE: 1/100



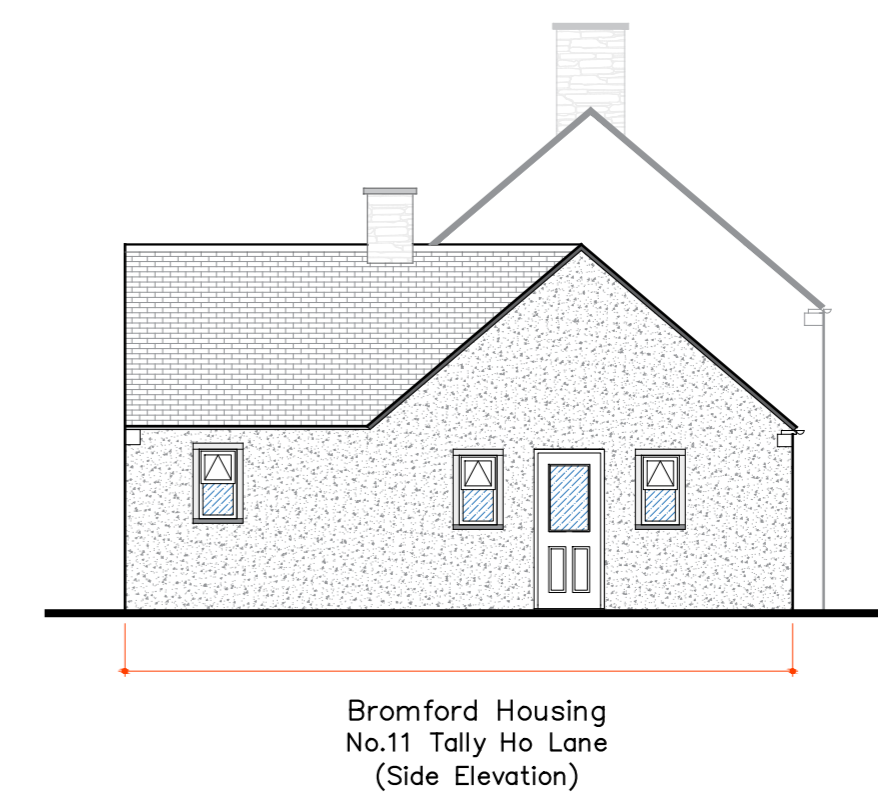
**3 PROPOSED SOUTH (SIDE) ELEVATION**  
SCALE: 1/100



**4 PROPOSED NORTH ELEVATION**  
SCALE: 1/100



**5 PROPOSED SOUTH ELEVATION**  
SCALE: 1/100



**6 PROPOSED NORTH (SIDE) ELEVATION**  
SCALE: 1/100



# TALLY HO LANE

No's. 6,7,8 &11 Tally Ho Lane  
Guiting Power, Cheltenham,  
Gloucestershire, GL54 5TY

Project No. MR SINCLAIR



Revisions

Notes

The designer takes no responsibility for checking any building works on site. All necessary local authority inspections must be requested at the appropriate stages of construction.

All details and dimensions are to be confirmed on site prior to works commencing or any ordering of materials.

All dimensions in millimeter and to structural faces. All dimensions must be checked on site and not scaled from this drawing.

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Project North

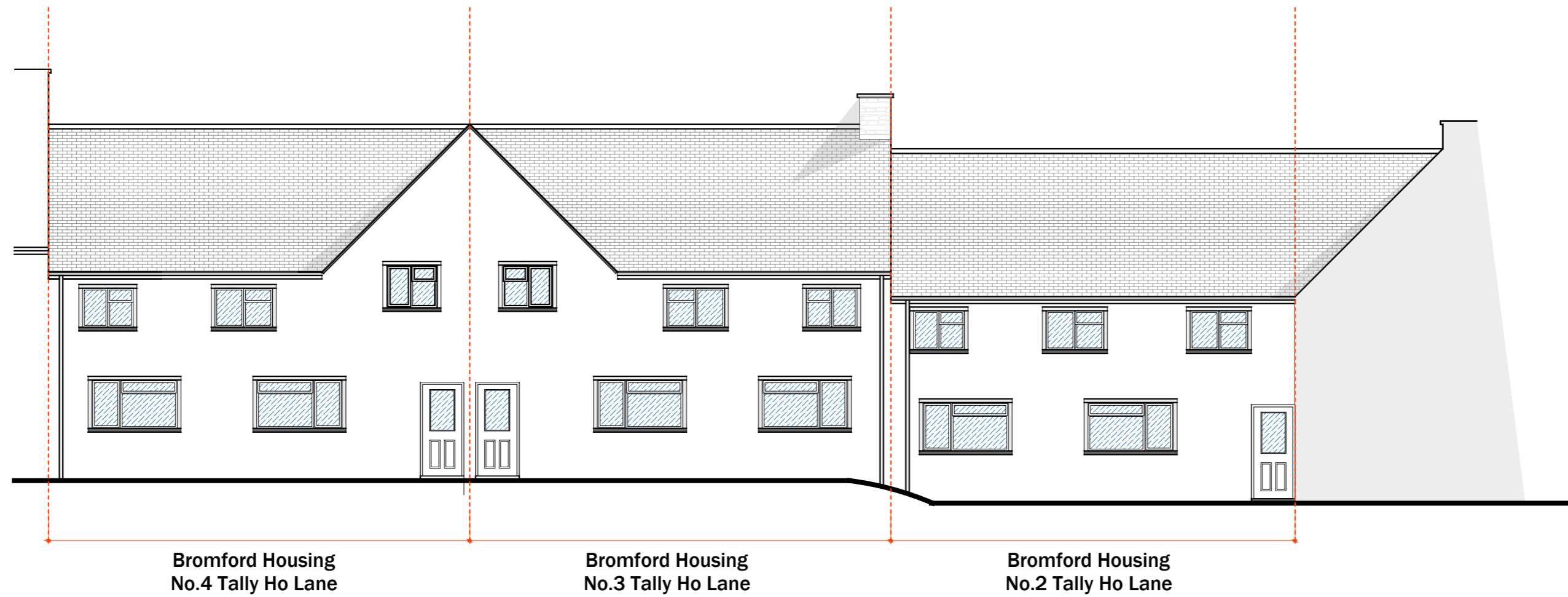


Scale 1:100

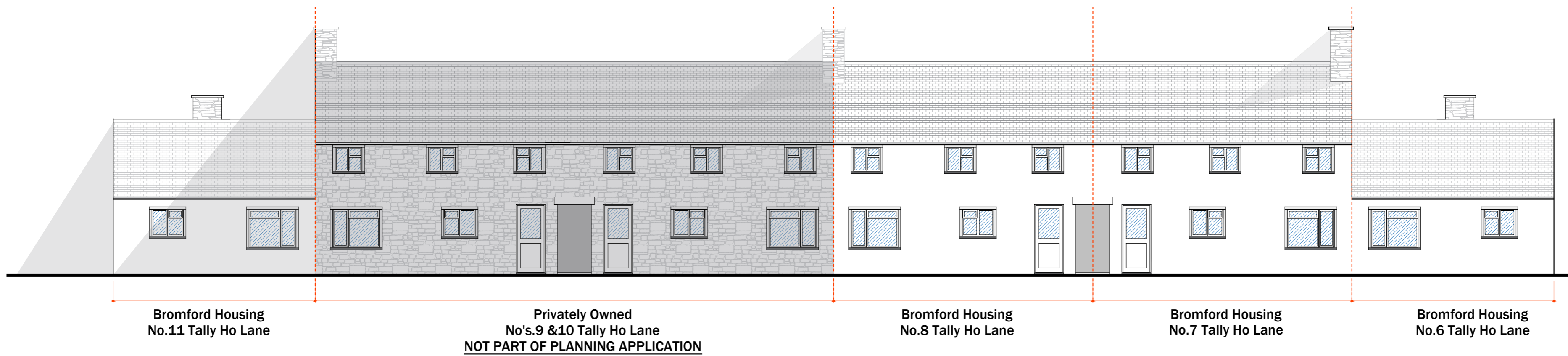
PROPOSED  
EWI SYSTEM

# A1.5

SJM SURVEYORS © 2021



**1** PROPOSED REAR ELEVATION  
SCALE: 1/100



**2** PROPOSED REAR ELEVATION  
SCALE: 1/100