

Item No 03:-

21/00617/FUL

**No. 3 & 5
Pear Tree Close
Lower Swell
Gloucestershire
GL54 1JA**

Item No 03:-

Installation of external wall insulation to No. 3 & 5 Pear Tree Close, Lower Swell at No. 3 & 5 Pear Tree Close Lower Swell

Full Application 21/00617/FUL	
Applicant:	Bromford Housing
Agent:	SJM Surveyors
Case Officer:	David Ditchett
Ward Member(s):	Councillor Dilys Neill
Committee Date:	13th October 2021
RECOMMENDATION:	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 the 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:

23 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 Neill, who provided the following reason for referral: "I would like this application to go to the Planning Committee on the grounds that the proposed cladding will damage the appearance of the row of cottages within the AONB. It will present a patchwork effect which will be visible from other houses in the village, from footpaths & in particular, it is opposite the church, which is a listed building & this bizarre row of cottages will be clearly visible to visitors exiting the listed building.

Further, the information which Bromford have supplied is incorrect, they have not insulated the lofts, some of the windows are falling apart & they have done nothing to improve the heating systems in the properties. One has night storage radiators & the other a single oil fired radiator. There is a lot which can be done to improve the energy performance of these properties short of spoiling the appearance of this attractive row of cottages."

I. Site Description:

The application site is Number 3 and Number 5 Pear Tree Close Lower Swell. Pear Tree Close does not front a road and the dwellings are accessed by a path running east to west from the highway to the east.

Number 3 is a mid-terrace, two-storey dwelling with uPVC windows and doors set within Cotswold stone elevations. The property is attached to its neighbours to the east and west by single-storey sections. The two-storey and single-storey elements are both pitched and covered with plain tiles.

Number 5 is an end-terrace, two-storey dwelling with uPVC windows and doors set within Cotswold stone elevations. The dwelling forms the western 'book end' of the terrace row as the pitched roof runs north to south, rather than east to west, and two gable ends form the principal and rear elevations. A single-storey element is present on the side (western) elevation. The two-storey and single-storey elements are both pitched and covered with plain tiles.

Lower Swell Conservation Area is located 26m and 48m to the east of Number 3 and Number 5 respectively.

The Grade II* Listed 'Church Of St Mary' is located 59m and 80.5m to the north east of Number 3 and Number 5 respectively.

The Grade II Listed monument 'Cross Base 15 Yards South West Of Church Of St Mary' is located 45m and 62m to the north east of Number 3 and Number 5 respectively.

The Grade II Listed 'Sunnyside And Cottage Adjacent To West' is located 58m and 81m to the east of Number 3 and Number 5 respectively.

The Grade II Listed 'Cranmer Cottage' is located 52m and 67m to the south east of Number 3 and Number 5 respectively.

Number 3 and Number 5 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:

The covering of the natural stone facing would be regrettable; however, considering that this is only two of the intentionally-varied row of five houses, the harm to the group, and the characteristic vernacular appearance of the setting of the conservation area, which contributes towards its significance would be limited. This harm would be within the very broad less than substantial spectrum.

Were the front to be clad in the stone slips, the level of harm within this spectrum would be considerably greater than if all the cladding were to be faced in render (subject to colour and texture) yet would provide no extra public benefit; a render-faced cladding would cause a level of harm at the lower end of the less-than-substantial spectrum.

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, CO2) 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'.

Historic England: 'We do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.'

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

5. View of Town/Parish Council:

Swell Parish Council: Objects relating to design, appearance, material, and how cladding would age.

6. Other Representations:

23 third party objections received relating to:

- Design;
- Damp issues;
- Impact on AONB;
- Impact on character and appearance of the area;
- Setting a precedent;
- Appear at odds with terraced row;
- Fire safety;
- Impact to conservation area;
- Devalue property;
- Uncharacteristic materials;
- How the material will weather; and
- Impact on views from nearby properties

One of the submitted objections states that they are objecting to this application in Pear Tree Close, Lower Swell, however uses the reference number for a different 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. 3 & 5 Pear Tree Close.

It is proposed to clad the principal (northern) elevations of both dwellings with artificial stone slips to mimic the look of the natural stone. An insulating layer is proposed between the cladding and the original external elevation.

It is also proposed to render the rear (southern) elevations of both dwellings, the side (western) elevation of Number 5 and the side (eastern) elevation of Number 3. An insulating layer is proposed between the render and the original external elevations.

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. 3 & 5 Pear Tree Close, Lower Swell. 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.

As set out in the site description above, a number of listed buildings are located between 45m and 81m from the dwellings. The Local Planning Authority is therefore statutorily required to have special regard to the desirability of preserving the buildings, the settings, and any features of special architectural or historic interest they may possess, in accordance with Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

The development may affect the setting of the Lower Swell 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 Pear Tree Close are a typical example of post war construction. Historical maps show the row being constructed post 1950. 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 Lower Swell Conservation Area, nor are they listed in their own right. While that is the case, the terraced row does add to the character and appearance of the area owing to the use of natural stone for the external walls, and their uniformity throughout the terrace.

In terms of the wider area, the dwellings in St Marys Close to the north, Whittlestone Hollow to the west/south-west, and Whittlestone Close to the south were constructed after the dwellings in Pear Tree Close. Historical maps show these dwellings were constructed between 1960-1980. With that in mind, the immediate area is considered to be relatively modern as only the dwellings to the east are of any significant age and historical interest. This is reflected by the Lower Swell Conservation Area boundary, as St Marys Close, Whittlestone Hollow, Whittlestone Close and Pear Tree Close are all outside of the Lower Swell Conservation Area. When taking this into consideration, No. 3 & 5 Pear Tree Close are less sensitive to change.

It is proposed to clad the principal (northern) elevations of both dwellings with artificial stone slips to mimic the look of the natural stone. An insulating layer is proposed between the cladding and the original external elevation. It is also proposed to render the rear (southern) elevations of both dwellings, the side (western) elevation of Number 5 and the side (eastern) elevation of Number 3. An insulating layer is proposed between the render and the original external elevations. The resultant external elevations will be approximately 9cm deeper than the adjoining dwellings (No. 2 & 4 in the case of No. 3 Pear Tree Close; and No. 4 in the case of No. 5 Pear Tree Close).

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 row 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.

Dealing with the artificial stone cladding first. The use of artificial stone covering the principal elevations of two dwellings in the row would be apparent from within Pear Tree Close itself and from the main highway and the conservation area to the east, especially as it is only proposed to clad two of the five dwellings. When considering the public vantage points within St Marys Close to the north, owing to the 30m separation distances involved, views of the cladding would be restricted, and would be further restricted owing to the large amount of vegetation to the north of Pear Tree Close. Therefore, views from St Marys Close would only be possible, albeit at some distance, when the trees and bushes are not in leaf.

It is recommended that a condition be applied 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.

As the cladding would not be an exact match, as such would likely appear artificial. It is considered that the artificiality and the break in the uniformity of the terraced row 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.

The Grade II* Listed 'Church Of St Mary' and the Grade II Listed monument 'Cross Base 15 Yards South West Of Church Of St Mary' are located 59m and 80.5m, and 45m and 62m to the north east of Number 3 and Number 5 respectively. Owing to the separation distances, topography, and existing vegetation, views between the cladding and the listed buildings are some distance, and heavily restricted. As such, it is considered that the cladding would not harm the setting or historical interest of the Grade II* Listed church or grade II listed monument. Similarly, as direct sight lines from the Grade II Listed 'Sunnyside And Cottage Adjacent To West' and 'Cranmer Cottage' to the cladding are not possible, it is considered that the proposals would not the harm the settings or historical interest of these listed buildings either.

Render

Moving to the render to the rear (southern) elevations of the dwellings, the side (western) elevation of Number 5 and the side (eastern) elevation of Number 3. Views of the rendered southern elevations will be possible from Whittlestone Close to the south, a section of the highway running west out of Lower Swell to the south, and from the highway and conservation area to the south-east. Views of the side (eastern) elevation of Number 3 will be visible from the highway and conservation area to the south east and north east. Views of the side (western) elevation of Number 5 are heavily restricted by existing built form.

While the render could be viewed from various public vantage points within and without the conservation 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 commonly used in the immediate vicinity of the site, for the reasons set out, the use of render on two of the five dwellings is not thought to be harmful to the host dwellings, the character and appearance of the area, the setting of the conservation area, or the settings or historical interest of any nearby listed buildings.

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 written below) remains applicable, and officers are satisfied that the public benefits set out still outweigh the harm to the setting of the conservation area.

The use of cladding on the principal elevations of No. 3 and 5 Pear Tree Close is considered to be harmful to the setting of the Lower Swell Conservation Area and this harm is identified as being 'less than substantial', albeit at the lower end of 'less than substantial'. It is considered that there would be no harm to the settings of nearby listed buildings.

Paragraph 196 of the NPPF directs decision-makers to weigh any identified harm against the public benefits of the proposals, including, where appropriate, securing its optimum viable use. The works are to improve the energy efficiency of the dwellings. The proposed development, therefore, will result in a reduction in the carbon usage of the dwellings, reduce the heating cost to the occupiers of the dwellings, 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 caused to the setting of the Lower Swell 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 Number 3 or 5, or for the adjoining properties.

Concerns were also raised that the proposed works would devalue properties in the area. The private value of property is not a planning matter and thus, has not attracted weight as a material planning consideration in this assessment.

Several comments were received stating that the proposed development would set a 'precedent' enabling future similar applications to be approved. Each proposal is judged on its merits and therefore, any further proposals would be assessed against the relevant prevailing policies and guidance at the time.

Comments were also received questioning how the cladding would age. The submitted specification documents states the cladding 'systems can be considered to have a design working life of at least 30 years. Lifetimes significantly in excess of 30 years can be achieved with proper maintenance and repair if damaged'.

f) Community Infrastructure Levy (CIL)

This development is not liable for CIL because it is:

Less than 100m² of new build that does not result in the creation of a dwelling, and therefore benefits from Minor Development Exemption under CIL Regulation 42.

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 Lower Swell 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) 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 Lower Swell 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 Lower Swell 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 100m² of new build that does not result in the creation of a dwelling, and therefore benefits from Minor Development Exemption under CIL Regulation 42.

PEAR TREE CLOSE

NO'S 3 & 6 PEAR TREE CLOSE,
LOWER SWELL, CHELTENHAM,
GLOUCESTERSHIRE, GL54 1JA

Project No. BROMFORD



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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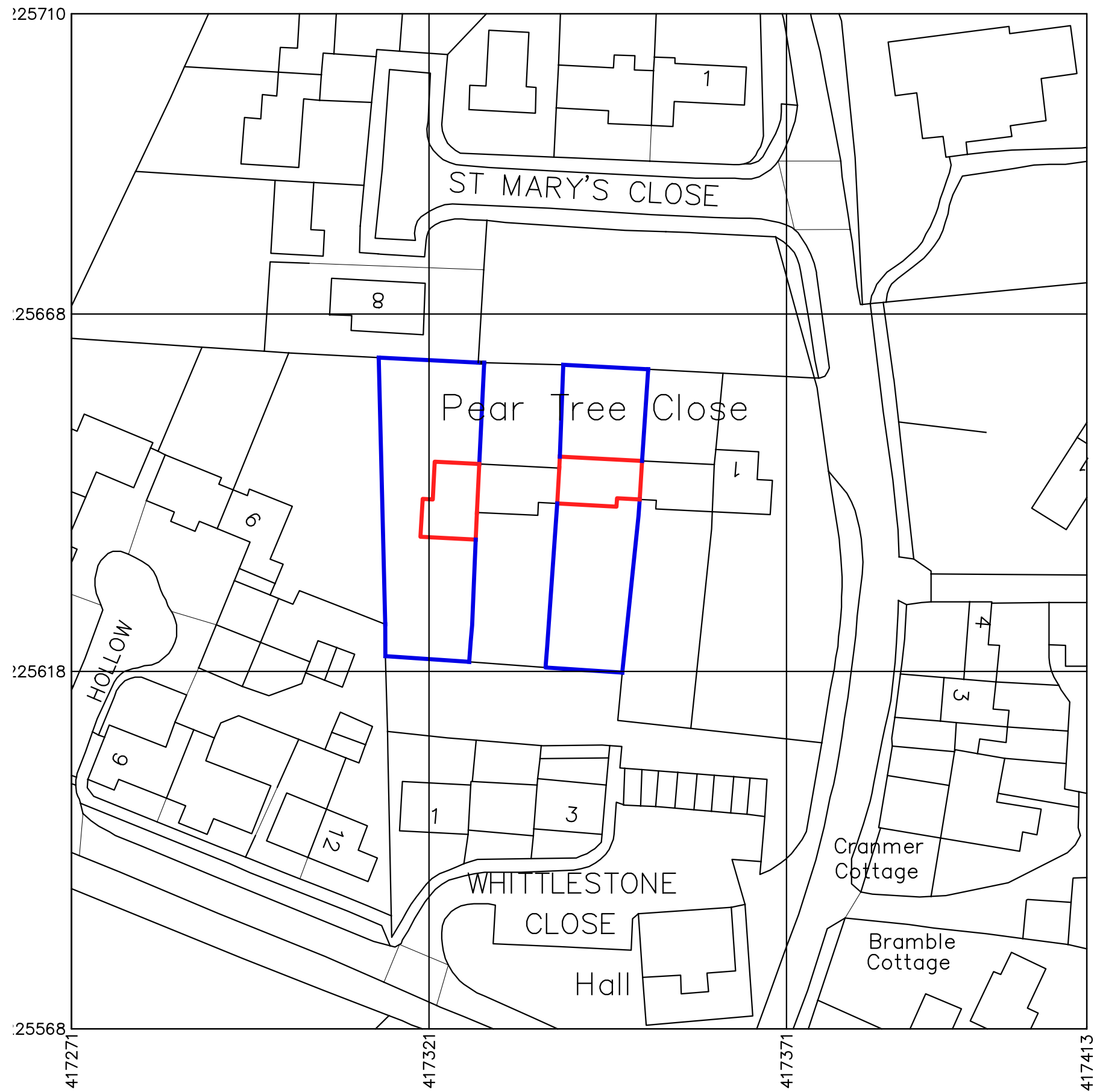
Project North



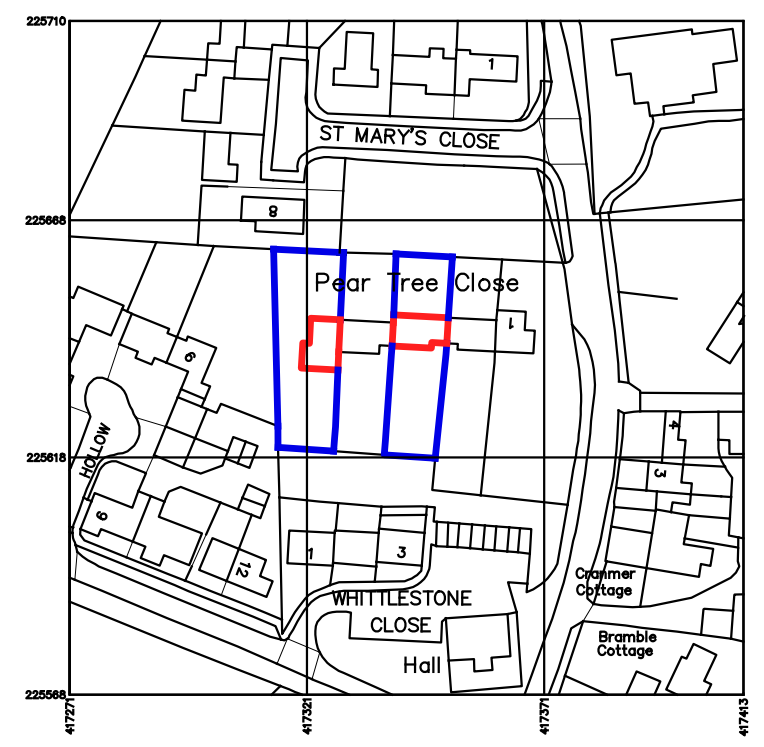
Scale 1:500 & 1:250 @A2

PROPOSED
EWI SYSTEM

A1.3

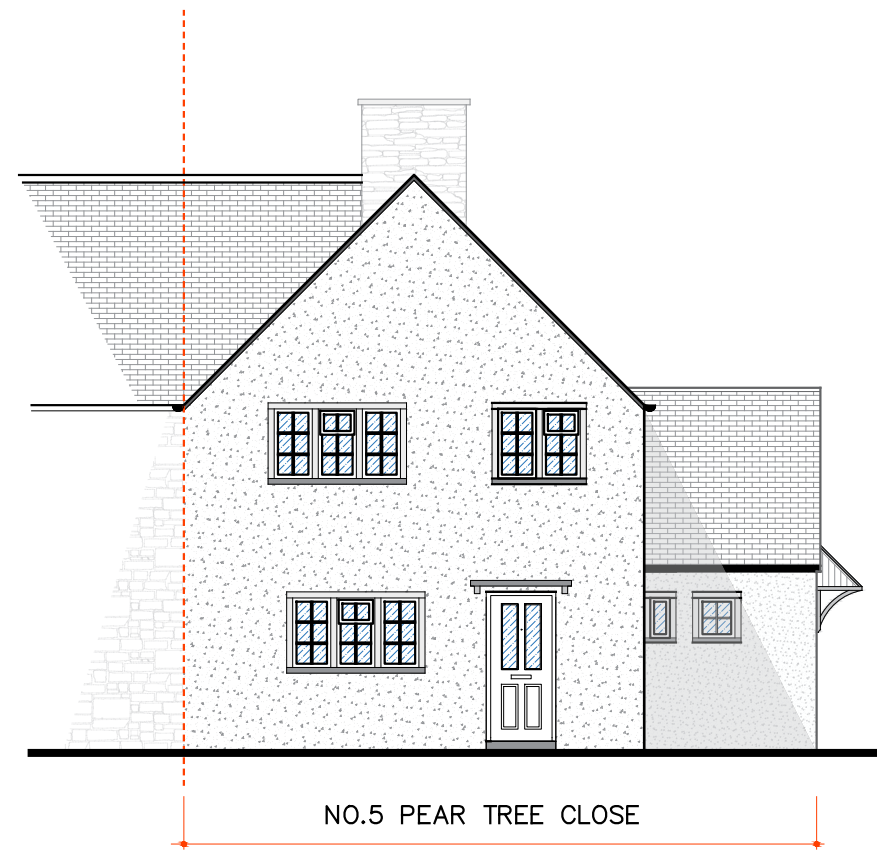


1 BLOCK PLAN
SCALE: 1/500 @A2

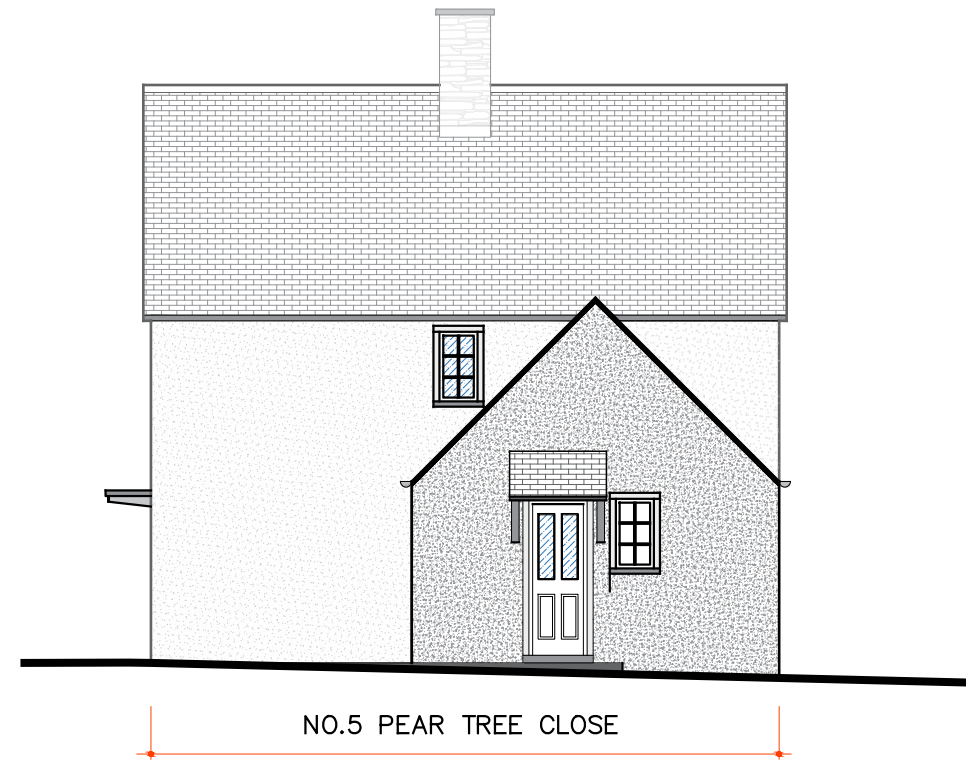


2 SITE PLAN
SCALE: 1/1250 @A2

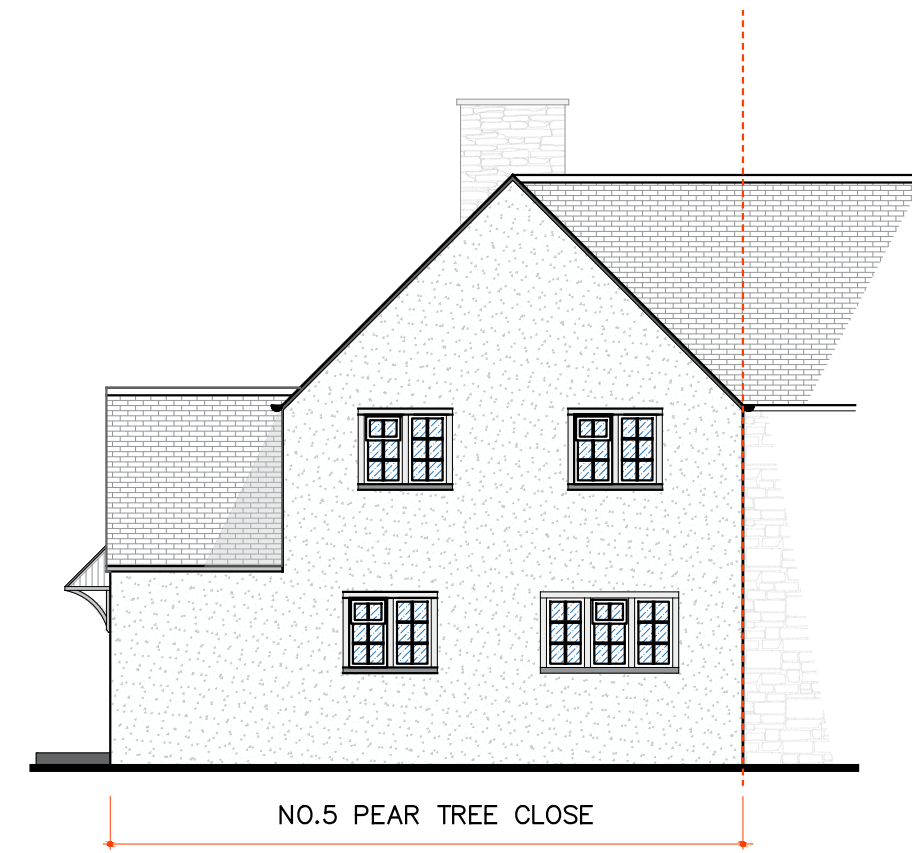
**NO.5 PEAR TREE CLOSE
PROPOSED ELEVATIONS**



1 PROPOSED NORTH (FRONT) ELEVATION
SCALE: 1/100



2 PROPOSED WEST (SIDE) ELEVATION
SCALE: 1/100

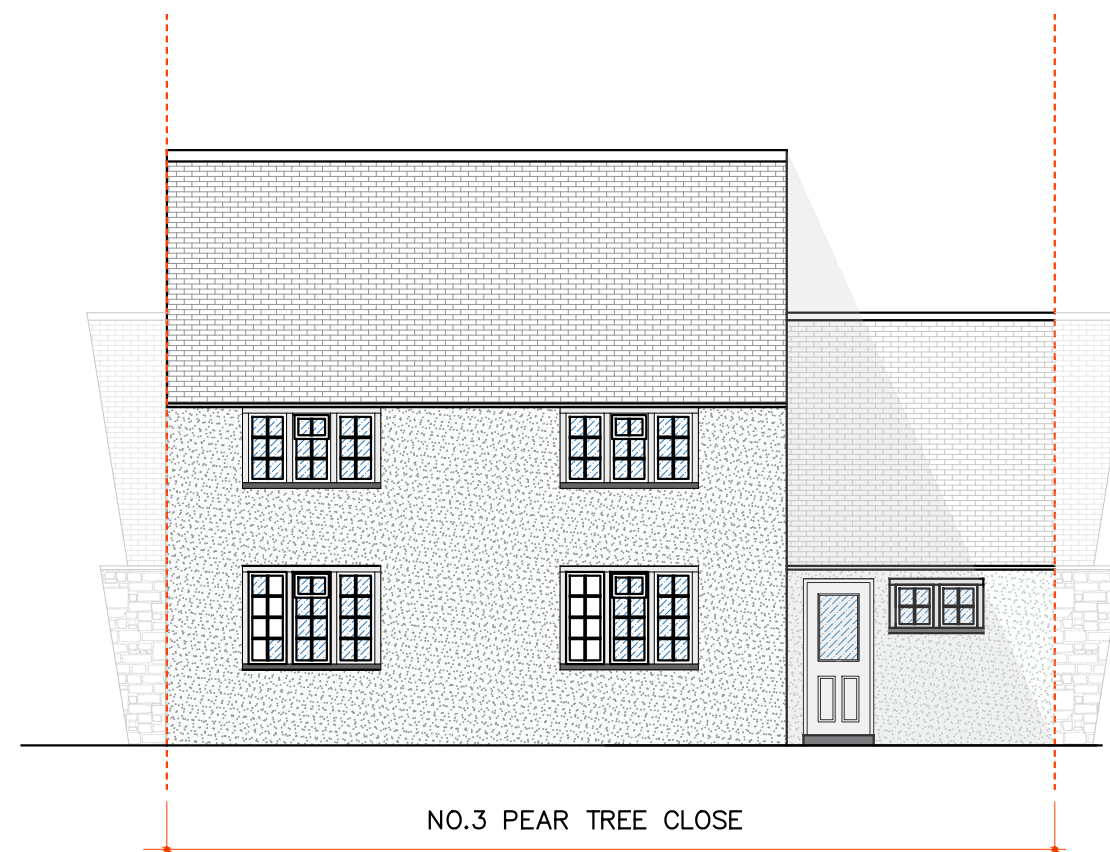


3 PROPOSED SOUTH (REAR) ELEVATION
SCALE: 1/100

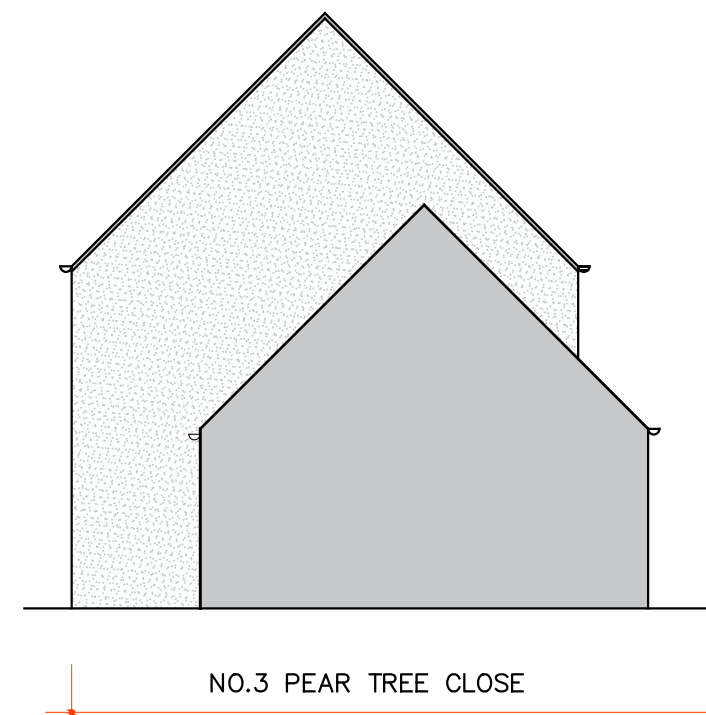
**NO.3 PEAR TREE CLOSE
PROPOSED ELEVATIONS**



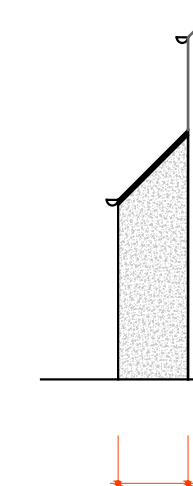
4 PROPOSED NORTH (FRONT) ELEVATION
SCALE: 1/100



5 PROPOSED SOUTH (REAR) ELEVATION
SCALE: 1/100



6 PROPOSED EAST ELEVATION
SCALE: 1/100



7 PROPOSED WEST ELEVATION
SCALE: 1/100



PEAR TREE CLOSE

NO. 3 & 5 PEAR TREE CLOSE,
LOWER SWELL, CHELTENHAM,
GLOUCESTERSHIRE, GL54 1JA

Project No. BROMFORD



Revisions

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Project North



Scale 1:100

**PROPOSED
EWI SYSTEM**

A1.3

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