

**Erection of eight units of overnight accommodation and associated works at The Feathered Nest Inn Nether Westcote Chipping Norton Gloucestershire OX7 6SD**

<b>Full Application 22/04163/FUL</b>	
Applicant:	Mr Adam Taylor
Agent:	JPPC
Case Officer:	Martin Perks
Ward Member(s):	Councillor David Cunningham
Committee Date:	10th April 2024
<b>RECOMMENDATION:</b>	<b>PERMIT</b>

**1. Main Issues:**

- (a) Creation of Holiday Let/Guest Accommodation
- (b) Design and Impact on the Setting of Nether Westcote Conservation Area
- (c) Impact on the Cotswolds National Landscape
- (d) Access and Parking
- (e) Impact on Protected Species
- (f) Arboricultural Impact
- (g) Other Matters

**2. Reasons for Referral:**

2.1 This application has been referred to Planning and Licensing Committee following consideration by the Committee Review Panel and in light of concerns raised by Cllr Cunningham:

2.1.1 *I have discussed this matter with the Chair of the Westcote Parish Meeting, along with residents from the neighbouring properties.*

2.1.2 *Although I respect your interpretation of the relevant regulations, I do feel that the less than definitive responses by the statutory consultees pose unanswered questions as to the degree of impact that this proposal may have on the surrounding area:*

2.1.3 *The Conservation Officer in their report highlights that "...it is considered that any level of harm to the setting of the Conservation Area, could be no more than a low level of less than substantial harm...". Whilst this is clearly at the lower end of harm, it is still a negative impact on a site in the Cotswold National Landscape and adjacent to the Nether Westcote Conservation Area. As such, Local Plan Policies EN1, 2, 10, 11 and 12 may have been compromised, as well as multiple paragraphs of Section 16 of the NPPF, e.g. 201, 203 and 205*

2.1.4 *GCCH in their submission states "...It can be argued that any additional traffic on narrow substandard roads will result in a reduction in highway safety...". Again, this view is an 'on balance' justification for approval, that recognises the increase in traffic from the proposal*

*has the potential to cause problems for local users, e.g. pedestrians . Local Plan Policy INF4 directly addresses this type of concern and this viewpoint from Highways may not meet the requirements of the policy.*

*2.1.5 The Landscape Officer has summarised their opinion with, "The revised proposal is not likely to represent a significant level of harm to the AONB or views...". The key aspect of this opinion is the lack of certainty as to whether the proposal will do harm. In a site as sensitive as this, with visibility from far-reaching viewpoints across the Vale of Moreton and popular PROW through nearby villages, it is important that the LPA is comfortable with the fact that LP Policies, EN1, 4 and 5 have not been breached.*

*2.1.6 Given the very high level of interest that this application has raised, and the level of subjectivity put forward in the comments from key Consultees, I think it is in the best interest of the Council as LPA, to fully interrogate the reports that feature in this recommendation. I would therefore request that the site is visited by the members of the Agenda Review Panel, in order to confirm that they are comfortable with the content and context of the submissions from Landscape, Highways and Conservation and whether they feel that further discussion is required by Members.'*

### **3. Site Description:**

- 3.1 This application relates to an area of land falling within the grounds of a public house (The Feathered Nest Inn) which is located on the northern edge of the village of Nether Westcote. The application site measures approximately 0.15 hectares in size and is located approximately 20m to the north-east of the aforementioned building. The existing public house site extends to approximately 0.6 hectares in size and consists of a range of buildings, a car park and mown areas of grass. The application site is mainly set to grass.
- 3.2 The application site is bordered by land serving the public house to its west and south. It is bordered by a line of trees and an unsurfaced track to its east. A field containing an outdoor riding arena adjoins the northern boundary of the application site. The riding arena is located approximately 25m to the north of the application site. Agricultural fields are located to the north of the riding arena. The land to the north of the application site drops steadily in a northerly direction. The southern boundary of the site is located approximately 40m to the north of a single carriageway metalled lane, which also serves as the main entrance route to the public house.
- 3.3 The application site slopes downwards from the south to the north. It drops approximately 3m across its length. The southern boundary of the application site is set down approximately 3m from the lane running along the southern edge of the Feathered Nest site.
- 3.4 The application site is located outside Nether Westcote Conservation Area. It is located approximately 20-25m to the north-east of the conservation area. The existing buildings comprising The Feathered Nest Inn are located within the boundary of the conservation area.

- 3.5 The Feathered Nest Inn is considered to constitute a non-designated heritage asset by virtue of the age of the original building, its historic use and the overall character and appearance of the original building.
- 3.6 The nearest listed building to the site is the Grade II listed Hill Farm which is located approximately 80m to the south-west of the proposed development.
- 3.7 The site is located within the Cotswolds National Landscape (formerly the Cotswolds Area of Outstanding Natural Beauty).
- 3.8 A Public Right of Way (HWE9) extends along the wooded track that lies adjacent to the eastern boundary of the application site. A further Public Right of Way (HWE10) runs in a north-south direction through a field lying to the north of the application site. It runs parallel with the aforementioned track and is located approximately 65m from the development site at its closest point.
- 3.9 The site is located within Flood Zone 1.

#### **4. Relevant Planning History:**

- 4.1 CD.5730 Use of orchard as a caravan site for up to 20 caravans. Refused 1976
- 4.2 CD.5730/B Formation of a site for 20 caravans or tents. Erection of a toilet block. Permitted 1977
- 4.3 CD.5730/C Change of use of land for the siting of three touring caravans. Permitted 1981
- 4.4 CD.5730/D (Part) variation of conditions imposed under former consents, namely condition (d) reference Cd.5730/B dated 6 December 1976 and condition (a) reference Cd.5730/C dated 19 March 1981. Permitted 1991
- 4.5 CD.5330/J Retention of two stables and tack room, barn, stone track and outdoor school. Granted subject to conditions 1991. Appeal against materials condition - Allowed
- 4.6 CD.5730/E Replacement of existing biodisc and extension to car park. Permitted 1994
- 4.7 CD.5730/F Variation of a condition for open camp site for 12 months of the year. Permitted 2002
- 4.8 CD.5730/G Convert mower store to games room. Permitted 2002
- 4.9 CD.5330/K Retention of extension of existing riding manege, tracks and erection of 11m diameter horse walker with roof. Granted 2003
- 4.10 CD.5330/L Change of use of part of existing garage/office building to staff accommodation. Permitted 2003
- 4.11 CD.5330/M Extension of existing stable building. Granted 2003

- 4.12 06/00365/CON Demolition of existing extensions and porch. Permitted 2006
- 4.13 06/00829/FUL Erection of single storey extensions and two storey extensions with conversion of existing stores; associated hard landscaping within gardens including enlargement of car park. Permitted 2006
- 4.14 07/02631/FUL Retrospective application for roof mounted kitchen air intake duct (not visible). Permitted 2008
- 4.15 09/02891/FUL Erection of single storey extensions, porch and storage building. Permitted 2009
- 4.16 10/03186/FUL Proposed extension to existing kitchen, ancillary storage, erection of 2m drystone wall and amendment to service track into the service yard. Permitted 2010
- 4.17 13/02399/FUL Retrospective application for enlargement of existing pond, replacement jetty and creation of landscaped mounds. Granted 2013
- 4.18 17/04175/FUL Construction of a zero energy dwelling. Withdrawn 2017
- 4.19 21/00506/FUL Proposed enlarged window opening and timber external fire escape stair. Permitted 2021

## **5. Planning Policies:**

- EN1 Built, Natural & Historic Environment
- EN2 Design of Built & Natural Environment
- EN4 The Wider Natural & Historic Landscape
- EN5 Cotswolds AONB
- EN7 Trees, Hedgerows & Woodlands
- EN8 Bio & Geo: Features Habitats & Species
- EN10 HE: Designated Heritage Assets
- EN11 HE: DHA - Conservation Areas
- EN14 Managing Flood Risk
- EN15 Pollution & Contaminated Land
- EC11 Tourist Accommodation
- INF3 Sustainable Transport
- INF4 Highway Safety
- INF5 Parking Provision

## **6. Observations of Consultees:**

- 6.1 Gloucestershire County Council Highways: No objection subject to conditions
- 6.2 Conservation Officer: No objection subject to conditions
- 6.3 Tree Officer: No objection subject to conditions

6.4 Biodiversity Officer: No objection subject to conditions

6.5 Drainage Engineer: No objection subject to condition

6.6 Landscape Officer: No objection

**7. View of Town/Parish Council:**

**7.1 Response received 20th December 2022 :**

*7.1.1 'As Chairman to Westcote Parish Meeting I have been approached by many of Westcote's residents, some of whom will be writing to you themselves and some who have asked me to represent them. All the comments that I have received to date are objecting to the proposed erection of nine units of overnight guest accommodation next to The Feathered Nest Inn, Nether Westcote. The new dwellings would be within the curtilage of The Feathered Nest Inn on what is at present a lawn with sweeping views over the Evenlode valley below and next to a green lane, the Nether Westcote Bridleway HWE/9. It is within the Cotswold AONB and contiguous with the Nether Westcote Conservation Area. The area is approached by a single lane without passing places from near the county boundary and a slightly wider lane leading down from the grass triangle in the middle of Nether Westcote.*

*7.1.2 The objections can be summarised as follows:*

- 1. The development would be outside of the existing line of the domestic properties on the north northeastern edge of Nether Westcote and would therefore set a precedent for other applications to build on the edge of the settlement.*
- 2. Although the design proposals state that traditional materials will be used, the design of the units themselves is emphatically contemporary and out of sympathy with the existing dwellings in this area, the oldest part of Nether Westcote, which contains six Grade II Listed buildings. The two-storied buildings will be very visible within the village and the size, scale and position of the development would have an adverse effect on a sensitive site, with an ancient green lane (Bridleway HWE/9) running next to it, with the Nether Westcote Conservation Area contiguous with the site and within the Cotswolds AONB.*
- 3. The units would be built on the brow of a sharp decline towards the Evenlode valley nearly 300 ft below. As such they would be highly visible from the settlements in the valley and would inevitably contribute to increased light pollution which has reduced the area of darkest night skies within the Cotswolds AONB by more than 40% since 1993.*
- 4. Access to the site would be via the current entrance to The Feathered Nest car park. It is difficult to calculate how much extra traffic would be generated by the nine units, but at the very least 9 extra cars would be using the narrow lanes leading to the public house. This would be in addition to the extra traffic created by the four units at Church Farm and the house built at Wallground. Access to the bridleway next to the drives for all these properties is used by walkers and riders. The increased traffic poses a real risk, particularly to riders at the corner of the lane. I am informed that*

*there are five professional equestrian businesses using the bridleway who make a significant contribution to the local rural economy. Collectively they are the biggest local employers especially of young people and any increase in traffic poses a very real risk to their safety and livelihood.*

*7.1.3 There are no public benefits that would outweigh the harm of this development and it is for the reasons listed above that I am asked to request that the above-numbered Planning Application be refused.'*

## **7.2 Response received 29th January 2023:**

*7.2.1 We understand that our Ward Councillor, David Cunningham, has asked for Highways to attend a site meeting. We consider this to be helpful as only a site visit will show,*

*1. The confluence of all the various drives meeting above the bridleway HWE/9*

*2. How narrow the lane is with no passing places coming down from Halloween Cottage*

*3. How narrow the lane is and how hemmed in if one turns right after leaving the Feathered Nest car park.*

*7.2.2 However, of equal concern is the damage done to this sensitive site in the oldest part of Nether Westcote, next to the Conservation Area and in the Cotswolds AONB. In the words of the Conservation Officer's Report, "The proposal causes harm to the setting of the Conservation Area and views into and out of it" and "causes harm to the setting of the Inn as a non-designated heritage asset".*

*7.2.3 As stated before, there are no public benefits that would outweigh the harm of this development and it is for these reasons that I am asked to request that the above-numbered Planning Application be refused.'*

## **7.3 Response received on the 19th December 2023:**

*7.3.1 'As Chairman to Westcote Parish Meeting I have been approached by many of Westcote's residents about the latest application numbered above, some of whom will be writing to you themselves and some who have asked me to represent them. All the comments that I have received to date are objecting to the proposed erection of eight units of overnight guest accommodation next to The Feathered Nest Inn, Nether Westcote. The new dwellings would be within the curtilage of The Feathered Nest Inn on what is at present a lawn with sweeping views over the Evenlode valley below and next to a green lane, the Nether Westcote Bridleway HWE/9. It is within the Cotswold National Landscape, formerly AONB, and contiguous with the Nether Westcote Conservation Area. The area is approached by a single lane without passing places from near the county boundary and a slightly wider lane leading down from the grass triangle in the middle of Nether Westcote.*

7.3.2 Once again the objections can be summarised as follows:

1. The development would be outside of the existing line of the domestic properties on the north north-eastern edge of Nether Westcote and would therefore set a precedent for other applications to build on the edge of the settlement.
2. Although the design proposals state that traditional materials will be used, the design of the units themselves is emphatically contemporary and out of sympathy with the existing dwellings in this area, the oldest part of Nether Westcote, which contains six Grade II Listed buildings. The buildings would still be very visible within the village and the size, scale and position of the development would have an adverse effect on a sensitive site, with an ancient green lane (Bridleway HWE/9) running next to it, with the Nether Westcote Conservation Area contiguous with the site and within the Cotswolds National Landscape.
3. The units would be built on the brow of a sharp decline towards the Evenlode valley nearly 300 ft below. As such they would be highly visible from the settlements in the valley and would inevitably contribute to increased light pollution which has reduced the area of darkest night skies within the Cotswolds National Landscape by more than 40% since 1993.
4. Access to the site would be via the current entrance to The Feathered Nest car park. It is difficult to calculate how much extra traffic would be generated by the eight units, but at the very least 8 extra cars would be using the narrow lanes leading to the public house. This would be in addition to the extra traffic created by the three units at Church Farm Buildings and the house built at Wallground. Access to the bridleway next to the drives for all these properties is used by walkers and riders. The increased traffic poses a real risk, particularly to riders at the corner of the lane. I am informed that there are five professional equestrian businesses using the bridleway who make a significant contribution to the local rural economy. Collectively they are one of the biggest local employers especially of young people and any increase in traffic poses a very real risk to their safety and livelihood.

7.3.3 Although the Applicant has reduced the size of the development, by one unit, and reduced the height of the elevations, the objections raised to the original, withdrawn, application have not been answered. Nether Westcote is a small hilltop settlement which has already been overdeveloped to the detriment of the health and well-being of the neighbouring parishioners and to the general appearance of the surrounding area. The scale of the proposed development together with the three units still under construction at Church Farm Buildings risk turning this corner of Nether Westcote into a de facto holiday park, surely inappropriate when access is so limited and within a rural area so deserving of protection.

7.3.4 There are no public benefits that would outweigh the harm of this development and it is for the reasons listed above that I am asked to request that the above-numbered Planning Application be refused.'

## **8. Other Representations:**

8.1 19 letters of objections, 9 letters of support and 1 general comments received to original plans. 22 letters of objection and 13 letters of support received to amended plans.

### **8.2 Main grounds of objection to original plans were:**

- i) The development is not in keeping with the existing buildings in the village. There are many old and listed structures and the development will spoil the aesthetics.
- ii) The size of the development is excessive. A substantial increase from the four guests rooms at present.
- iii) Increase in traffic.
- iv) The proposed development does not benefit the village.
- v) There will be nuisance to residents from noise and light.
- vi) The lanes in and around the village are mostly single lane with few passing places which makes it potentially hazardous for pedestrians (no footpaths) and equestrians with the continuous stream of heavy construction traffic.
- vii) Over-development of the site
- viii) Adverse impact on privacy and increase in noise and light pollution.
- ix) The building itself is of contemporary design and could in no way be considered as being 'sympathetic' to the surrounding old Cotswold stone buildings, many of which are listed. It is of 2 storeys, and would be visible from the other side of the Evenlode valley.
- x) This proposal, along with the new properties nearby, would represent a substantial deterioration to our AONB Dark Skies.
- xi) Adverse impact on conservation area and listed buildings.
- xii) Adverse impact on AONB

### **8.3 Main grounds of support were:**

- i) Importance and key role that a village pub plays for the local and wider community, and how important additional rooms are to make this, and other businesses that naturally feed off it, viable.
- ii) A larger offer of overnight accommodation would help to increase the amount of events held on the site which will help other businesses.

- iii) These additional rooms will not make any significant impact on additional traffic in the local area, given that the business is already hosting up to 80 guests on a Sunday lunchtime period, and events for up to 60 guests on regular occasions. The rooms will simply service the demand for these guests (already attempting) to extend their stay and therefore, most likely reducing the amount of restaurant guest turnover and traffic movement.
- iv) A lack of quality overnight accommodation is a common issue for clients, and I hope that these plans will be approved to help cater for the clear and growing overnight demands.
- v) Like most village pubs, The Feathered Nest is a 'community must' which I hope will be enabled to adapt, in order to succeed for years to come.

#### **8.4 General comments were:**

- i) We feel that economic activity is important for the future of the village and equally, that some interesting, contemporary architecture refreshes the built environment. However, while being very conscious of being seen as 'people in glasshouses' who 'should not throw stones', we would wish to see further consideration given to:
  - protecting and preserving the view by reducing the two storey elements of this development to a single storey
  - ensuring the narrow lanes, both approaching, and within the village, remain safe, for residents and visitors alike. Further consideration should, therefore, be given to the size of the development and the resultant increase in traffic
  - introducing a maximum speed limit of 20 mph through the village
  - restrictions on noise and light pollution to preserve the peace and tranquillity of the village

#### **8.5 Main grounds of objection to amended plans are:**

- i) Height of building, being still higher than single storey at both North and South ends of the proposed development. Therefore, not following the natural contours of the existing sloped landscape, and ultimately not limiting visual impact of the new development against the existing AONB and adjacent Conservation Area.
- ii) Continued use of skylights that would result in upward light pollution, impacting those village properties closest to the proposed new development, and impacting the current dark sky status.
- iii) Although reduced from nine to eight rooms, the plans have flexible accommodation to the North end of the development, so remains at a

potential of 9 rooms -18 occupants. Confirmation also needs to be provided on rooms being limited to an occupancy of two. Once planning is submitted and approved without limitation the rooms can legally be uplifted to more than two person occupancy, especially for the two double story rooms.

- iv) The number of dwellings would still have a considerable impact on increased village noise, footfall, and traffic. This is noticeable now due to the increased stay over guests in the recently renovated cottage, and internal rooms now being fully booked.
- v) Nether Westcote is a hilltop settlement with beautiful views across the Evenlode Vale in the Cotswold AONB. The Feathered Nest is in the Conservation Area, the site of the proposed development is not but its proximity must be considered as affecting the Conservation Area.
- vi) The Feathered Nest enjoys the views across the Evenlode Vale and the view from the village road through the Feathered Nest grounds makes this view available to anyone passing through the village, which many do on foot, bike or horse as well as car. The views are an intrinsic part of the village and its history as an agricultural hilltop settlement. Many dog walkers, hikers and horse riders use the bridleway that runs adjacent to the proposed development. Much of the road through Nether Westcote is single lane with nowhere for pedestrians, dog walkers, hikers or horse riders to take refuge from traffic. Nether Westcote is already suffering from overdevelopment (Wallground (completed), Church Farm Buildings and The Quarry all currently under development). Constant HGV vehicles, in particular going to the 'Church Farm Buildings' site, have led to verges are being cut up constantly and it is dangerous to walk along the road. Further development at The Feathered Nest would exacerbate these problems.
- vii) In terms of 'economic vitality' this development will not benefit the village at all, only The Feathered Nest. The latest Highways Technical submitted states that the development will not lead to any more weddings or other events taking place at the pub and that the accommodation is only to benefit the restaurant. I would dispute this, especially as The Feathered Nest's own website describes it as 'a sought after Cotswolds event venue' and suggests people should 'host a summer wedding in the garden'. It was not that long ago that such an event caused noise disturbance not only in Nether Westcote but in Church Westcote too. It is disingenuous to expect people to accept that the pub would not take more wedding and outside event bookings if they were requested! There is nothing to stop The Feathered Nest providing catering to a marquee which could exceed the current 60 restaurant covers. For larger numbers, the parking would not be adequate and could lead to cars being left in the village, which really does not have any public parking space.
- viii) In terms of the proposed buildings, they are a considerable distance from The Feathered Nest and could easily be mistaken for houses - albeit well outside the linear boundary of the village, effectively in the fields. Although reduced in size from the previous application (9 down to 8), this is still a large development with effectively what looks like a two-storey 'house' (two units of

accommodation) at either end linked by four single storey units. As far as I can make out, the idea is to excavate a flat area for this development rather than following the line of the hillside and this leads to questions about the spoils from the site. This would create a huge amount of soil/stone from the excavation and, if left on site and incorporated into the landscape, would change it considerably.

- ix) The plans include a large amount of glazing (in common with other permitted developments in this corner of the village, currently ongoing). I cannot understand how large areas of glazing are even considered when the Cotswolds AONB is committed to retaining 'dark skies'. This development has patio areas, which again will lead to light pollution and outside noise when residents use them in the evenings.
- x) There would still be substantial development within the garden which in the past has boasted "One of the finest pub views in the Cotswolds". These buildings would still be visible not only from the village but from the miles of the Evenlode Vale below. Not a great difference from the previous plans and having cunningly planted a thick evergreen hedge along the view line a couple of years ago effectively obscuring the view and also hiding any further construction plans they might have in mind.
- xi) The proposed buildings will necessitate the removal of mature trees alongside the adjacent bridle path. These are nesting sites for numerous native birds including Long Tailed Tits and Wrens, also rare Goldcrests, our smallest native birds. In addition the buildings would be backing onto the bridle path and therefore in full view and earshot of the residents of "The Fold" just across the path. All routes through the village are single lane with very few passing places and no footpaths. Allowances have to be made for farm traffic using the bridle paths and lanes at all times. Hikers, dog walkers, horse and bike riders are all finding access increasingly hazardous.
- xii) The additional service vehicles, guest traffic and parking for the pub on top of all the other sites in Nether Westcote are gradually ruining yet another peaceful Cotswold village.
- xiii) The proposal would see a 2 storey structure, clearly visible from the road, blot out an extremely good view over the Evenlode Valley. It would be an eyesore when viewed from the adjacent bridleway that borders the proposed site. This bridleway is very popular with both local, and 'outside' walkers.
- xiv) The building itself is of contemporary design and could in no way be considered as being 'sympathetic' to the surrounding old Cotswold stone buildings, many of which are listed. It is of 2 storeys, and would be visible from the other side of the Evenlode valley. This proposal, along with the new properties nearby, would represent a substantial deterioration to our AONB Dark Skies area.
- xv) There would be a yet another large increase in road traffic: that accessing existing properties, the 'Pub' itself, and the new developments on "Church Farm" - all via a single width lane. The Nether Westcote 'loop' is already

frequently blocked by collections, heating oil deliveries, septic tank operators, and the ever-present courier deliveries. It would be impossible for an emergency services vehicle to attend an incident in this corner of the village.

- xvi) The Cotswold Plan states that 'developments must add to the quality of the area not just in the short term but over the lifetime of the development.' In our view this site and building design is in no way compatible with its surrounding location and does not reinforce the character of this historic rural village. Nor is it innovative in its design. The Plan also states that developments should be avoided if they 'restrict or obscure views to or from farmed slopes.' Clearly in this application the development contradicts this obligation.
- xvii) The Applicant's Transport Statement is headlined 'Hotel development' which immediately in our opinion condemns the whole project. The increase in traffic presently is unacceptable with the existing 31 customer parking bays with additional parking for the 14 staff (likely to be increased to 20.) This is a complete change of use from a village pub to a boutique hotel. There are no footpaths or streetlighting on either of the tiny roads accessing the existing pub making this highly hazardous for residents and others.
- xviii) Nether Westcote boasts a number of listed buildings adding to the historic nature of this lovely village. The imposition of a 12/13 bedroom hotel converted from an integral 4 bedroom public house into this village will be devastating to the character of the village.
- xix) Adverse impact in relation to privacy, light and noise.
- xx) The proposed landscape plan shows that the spoils from the excavations, to be lost on site in a mound formation and very near to the proposed development, I feel this is very deceptive and not a true picture of what the landscape will actually end up looking like. For a start there is already a mound there which will have to be moved and lost on site. The excavations from the over site, having to dig into the bank up to the car park is about a metre, plus all other excavations from the ground works and installing tanks and pipe work etc. Look at the size of the proposed new 8 units and the spoils that are to be lost, there is a vast under estimated amount of spoils to be lost on site. When you stand on the road looking across at the views and down the valley, these views will be lost because of the spoils mound which will be in the way of all views and all you will see is the mound and the sky line, At the bottom by the boundary being about 1.8 meters difference from existing ground level to top of mound if not more.
- xxi) The Feather Nest Inn like a lot of the properties towards the bottom of the village lies on the edge of the natural spring line. This is where you get the Cotswold limestone brash which is free draining, it goes from this straight onto the clay of which water does not drain through. By excavating into the site to level up you may indeed alter a natural water course.
- xxii) Existing car park is already at capacity, especially during summer and holiday periods.

- xxiii) Allowing further development on adjacent areas to the Nether Westcote Conservation Area, only further compounds the erosion of the character of this historic village, its significant natural beauty, of which ANOB and Conservation Status seek to preserve.

## **8.6 Main grounds of support for amended plans are:**

- i) I own and manage a group of holiday cottages and a 14 bedroom guest house in the local area. There is a huge demand for high end business and leisure accommodation in the Cotswolds. The CDC is already struggling for funding and as a result there are already cut backs on jobs and amenities. We rely heavily on the tourism industry which is worth £1 billion per year to the Cotswolds economy.
- ii) Village pubs thrive on the tourism trade.
- iii) I have lived in the neighbouring village for over two years and have never experienced any issues with traffic, light pollution, over-crowding. The Feathered Nest has a very large car park which would easily facilitate the extra guests.
- iv) I believe that this will be a great opportunity and am in full support of a local business providing more accommodation to help bring business and money into the Cotswolds. Tourism is so important for the economy of the area that the more opportunities we open up to different people from all walks of life can only be a positive. It will also provide more jobs for those in the village and area which again can only be a positive.
- v) I have spent the last ten years of my career gainfully employed at The Feathered Nest, gradually working my way up to my current position as the Head Chef. Over the years I have seen the business change and adapt in order to tackle the wide-ranging challenges of the hospitality market and, now more than ever, the need for additional guest accommodation for business survival (and our team's subsequent employment) is vital.
- vi) As a keen runner I have enjoyed, and continue to enjoy, walking and running safely in and around the village without fear or hinderance of traffic, be it from patrons of The Feathered Nest or, that of any work vehicles associated to neighbouring development projects over the years. For the survival of a key community asset and closer to home, me and my team's long-term employment with the business, I sincerely hope that this application is successfully granted.
- vii) I've been a resident of Nether Westcote for many years and love the hospitality the pub offers our young family and recognise how important local pubs are to a village. The design of the proposed development has been well considered for minimal visual impact.
- viii) I feel would be a great asset to the village to offer more well needed accommodation for tourists and friends or families of the people in the village.

- ix) I can see from the new plans that great time and consideration has been given to this reduced scheme, taking on board both community & planning concerns while ensuring that the viability of the build (and long-term business as a whole) remains a key community asset and local employer.
- x) I see first-hand that The Feathered Nest is already catering for up to 80 or so guests on a busy Sunday lunchtime period without issue, while also hosting events for up to 60 guests on regular occasions. These new rooms will simply service the growing demand for these guests already seeking to extend their stay and therefore, reducing the amount of restaurant guest turnover and ultimate traffic movement.
- xi) I'm only too aware of how difficult it is to manage a hospitality business in today's climate, and it's been so painful to see (and witness) many pubs across the country being forced to close their doors for good. The negative impact that pub closures have on those it once employed and, the wider community to which it once served, has been truly devastating for so many across our sector.
- xii) It is clear now more than ever, that the traditional 'wet-led' pub model (especially in remote locations like ours) is simply no longer a feasible proposition. The need for additional guest rooms is essential for both business longevity and, to satisfy today's 'experience driven' customer.
- xiii) Aside from bringing in more jobs to the area, these additional rooms would have a very positive impact on my own personal business, affording me the opportunity to host group meetings et cetera.
- xiv) As a regular visitor to the pub (who is fortunate enough to be able to walk home) I have always struggled to host work colleagues there due to the limited number of rooms.

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

- Planning Statement
- Design and Access Statement
- Ecological Impact Assessment
- Drainage Report
- Landscape and Visual Impact Assessment
- Transport Statement
- Tree Quality Survey, Implications Assessment & Arboricultural Method Statement

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

### **Proposed Development**

- 10.1 This application seeks permission for the erection of 8 guest letting rooms and associated works. The proposed accommodation is to be occupied in connection with

the existing public house and will consist of 8 one bed units. Four of the proposed units will be single storey in form and will include a bedspace and associated bathroom/WC facilities. Four of the units will incorporate first floor bedspace accommodation in the roofspace and a sitting area/bathroom/WC at ground floor level. The proposed units will take the form of serviced rather than self-contained accommodation.

- 10.2 The proposed development will be linear in form and will occupy the eastern part of the application site. The proposed accommodation units will be incorporated into 2 separate buildings. The principal building will consist of a row of 4 single storey units with a 2 storey element attached to its northern end. A further detached 2 storey building will be located approximately 1.8m to the south of the southern end of the principal building. The single storey range will measure approximately 5m in height. The 2 storey elements will measure approximately 6m in height.
- 10.3 The external walls of the proposed development will be constructed in natural stone. The roofs will be covered in stone slates.
- 10.4 In addition to the proposed accommodation units, the applicant is also seeking to refurbish an existing single storey timber clad flat roof building adjacent to the southern boundary of the application site as '*flexible space/accommodation.*' It is also proposed to re-profile an existing area of grassland lying to the front (west) of the proposed development to create a series of grass mounds.
- 10.5 The proposed development will utilise the existing public house car park and site entrance.
- 10.6 The size and design of the scheme have been amended during the course of the application following discussions with Officers. The original proposal sought permission for 9 letting rooms and included a number of taller and larger buildings. The initial scheme also extended further to the west than the current proposal. The changes that have been made to the scheme have reduced the height of the northernmost building by approximately 1.8m. The southernmost building has also been reduced in height by approximately 0.5m and changed from a T-shaped building to a simpler linear building. The number and size of openings originally proposed in the development has also been reduced.

**(a) Creation of Holiday Let Accommodation**

- 10.7 The proposed development is intended to provide additional guest accommodation for the existing inn. It therefore has the potential support a local business, generate employment and to contribute to the rural economy. The following Local Plan policy is considered relevant to this application:

Policy EC11 Tourist Accommodation

*Hotels and Serviced Accommodation:*

1. *New hotels and other serviced accommodation will only be permitted where the proposal:*

*a. is provided through the change of use of existing buildings, especially where this would involve the conservation of a listed or other historic building; or*

*b. is appropriately located within Development Boundaries.*

2. *Exceptionally, proposals for a new hotel that is directly associated on-site with a tourist attraction, and required to sustain the viability of the tourist attraction, will be acceptable.*

10.8 The aforementioned criteria are primarily aimed at the creation of entirely new hotel/service accommodation facilities, rather than development associated with an existing facility. It is noted that paragraph 9.11.1 of the Local Plan states that '*hotels and other serviced accommodation will normally be acceptable within settlements as well as extensions to existing facilities*'. It is evident that the supporting text to the policy does not rule out new serviced accommodation where it represents an extension to an existing facility. It is noted that the Feathered Nest Inn offers guest rooms and therefore already offers a degree of serviced accommodation. The current proposal represents an extension to the existing facilities on the site and, as such, would not conflict with the aspirations of paragraph 9.11.1.

10.9 It is considered that the creation of the additional guest accommodation is acceptable in principle, given that the proposal will relate to an existing business that provides guest accommodation and that it will be located in close proximity to the existing business.

10.10 In addition to the above, criterion 2 of the following Local Plan policy covers the creation of new economic development in a rural area:

**Policy EC3 Proposals for All Types of Employment-Generating Uses**

*2. Outside Development Boundaries, and outside established employment sites, proposals for small-scale employment development appropriate to the rural area will be permitted where they:*

*a. do not entail residential use as anything other than ancillary to the business; and*

*b. are justified by a business case, demonstrating that the business is viable; or*

*c. facilitate the retention or growth of a local employment opportunity.*

10.11 The current proposal is considered to be small-scale given the modest size of the proposed units and the size and scale of the development as a whole. The proposed scheme does not entail the creation of separate residential accommodation. The proposed accommodation will be used for purposes ancillary to the existing business. The applicant's Planning Statement states '*At present the restaurant can accommodate approximately 60 covers, but only has 4 letting rooms. This means that there is considerable demand for accommodation during peak periods which cannot be met under the current offering.*' It goes on to state '*The intention of the proposal is to maintain the long-term viability of the business while at the same time, better meeting the needs of our current and*

*future guests. Reducing the seasonal and mid-week 'peaks and troughs' in demand in order to ensure more consistency in the business is critical. This in turn will assist in being able to ensure that more staff have more regular hours while at the same time, reducing the inherent costs in having premises and staff underutilised.'*

10.12 In the context of criteria b and c, the proposal relates to an established business that makes a positive contribution to the rural economy. The current business employs 14 persons on a full time basis. The application form states that this will increase to 20 persons should the development proceed. It is considered that the proposal will facilitate the retention or growth of a local employment opportunity.

10.13 In terms of national guidance, Paragraph 88 of the National Planning Policy Framework (NPPF) states:

*Planning policies and decisions should enable:*

- a) *The sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed, beautiful new buildings;*
- b) *The development and diversification of agricultural and other land-based rural businesses;*
- c) *Sustainable rural tourism and leisure developments which respect the character of the countryside; and*
- d) *The retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.*

10.14 Paragraph 89 of the NPPF states:

*'Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to the surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.'*

10.15 It is evident that paragraphs 88 and 89 of the NPPF offer in-principle support for sustainable rural development both through the conversion of existing buildings and the erection of new buildings. The impact of such development on the landscape, heritage assets, highway safety etc will be addressed in the following sections of this report.

10.16 Overall, it is considered that the proposals accord with the aspirations of both local and national policy and guidance which seeks to support rural economic development.

**(b) Design and Impact on the Setting of Nether Westcote Conservation Area**

10.17 The application site is located in close proximity to Nether Westcote Conservation Area (CA). The Feathered Nest Inn is also considered to constitute a non-designated heritage asset by virtue of its age, design and materials.

10.18 The following Local Plan policies are considered relevant to the proposal:

Local Plan Policy EN1 Built, Natural and Historic Environment states:

*'New development will, where appropriate, promote the protection, conservation and enhancement of the historic and natural environment by:*

- a. ensuring the protection and enhancement of existing natural and historic environmental assets and their settings in proportion with the significance of the asset;*
- b. contributing to the provision and enhancement of multi-functioning green infrastructure;*
- c. addressing climate change, habitat loss and fragmentation through creating new habitats and the better management of existing habitats;*
- d. seeking to improve air, soil and water quality where feasible; and*
- e. ensuring design standards that complement the character of the area and the sustainable use of the development.'*

10.19 Local Plan Policy EN2 Design of the Built and Natural Environment states:

*'Development will be permitted which accords with the Cotswold Design Code. Proposals should be of design quality that respects the character and distinctive appearance of the locality.'*

10.20 Local Plan Policy EN10 Designated Heritage Assets states:

- 1 'In considering proposals that affect a designated heritage asset or its setting, great weight will be given to the asset's conservation. The more important the asset, the greater the weight should be.*
- 2 Development proposals that sustain and enhance the character, appearance and significance of designated heritage assets (and their settings), and that put them to viable uses, consistent with their conservation, will be permitted.*
- 3 Proposals that would lead to harm to the significance of a designated heritage asset or its setting will not be permitted, unless a clear and convincing justification of public benefit can be demonstrated to outweigh that harm. Any such assessment will take account, in the balance of material considerations:*
  - The importance of the asset;*
  - The scale of harm; and*

- *The nature and level of the public benefit of the proposal.'*

10.21 Local Plan Policy EN11 Designated Heritage Assets - Conservation Areas states:

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

- a. *Preserve and where appropriate enhance the special character and appearance of the Conservation Area in terms of siting, scale, form, proportion, design, materials and the retention of positive features;*
- b. *Include hard and soft landscape proposals, where appropriate, that respect the character and appearance of the Conservation Area;*
- c. *Will not result in the loss of open spaces, including garden areas and village greens, which make a valuable contribution to the character and/or appearance, and/or allow important views into or out of the Conservation Area.*
- d. *Have regard to the relevant Conservation Area appraisal (where available); and*
- e. *do not include internally illuminated advertisement signage unless the signage does not have an adverse impact on the Conservation Area or its setting.'*

10.22 Local Plan Policy EN12 Non-Designated Heritage Assets

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...*

10.23 In terms of national guidance, the following paragraphs from the NPPF are considered applicable to the proposal:

Paragraph 203 states 'in determining planning 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 conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- c) *The desirability of new development making a positive contribution to local character and distinctiveness.'*

- 10.24 Paragraph 205 states '*when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.*'
- 10.25 Paragraph 208 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, including securing its optimum viable use.*'
- 10.26 Paragraph 209 of the NPPF states that '*the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.*'
- 10.27 The proposed development will occupy the eastern part of the application site and the north-eastern part of the grounds of the public house. The site is set down from the lane to the south and is partly screened from the aforementioned location by vegetation. A customer car park lies between the site and the lane to the south. The site has a managed character and appearance which is consistent with the wider grounds serving the Feathered Nest Inn. The application site is partly screened by trees to its east and is relatively open when viewed from the Public Right of Way to the north.
- 10.28 It is noted that the Feathered Nest Inn has been subject to extensive development in the past. Whilst the buildings fronting the lane and those lying adjacent to the car park entrance retain a historic character and form, the rear of the property has been significantly extended by the addition of various extensions. Notwithstanding this, the existing development is largely contained within the south-western part of the Feathered Nest site, with the remainder of the site appearing relatively open. Public views through the site to the countryside to the north of the village are available from the site entrance.
- 10.29 The proposed scheme will introduce new build development onto an area of land that is currently undeveloped. However, the area in question is set down below both the level of existing buildings and the lane to the south. Existing vegetation also lies to its south and east. In addition, the land in question consists of mown grass and therefore has a relatively manicured and managed appearance. Its character and appearance are considered to be consistent with the type of land often found within the grounds of a rural public house.
- 10.30 The proposed development has been designed to have the appearance of a group of ancillary outbuildings. Following discussions with Officers, the design of the scheme has been simplified and reduced in size and scale so that it now appears as a subservient and traditional form of development. The proposed buildings have also been positioned further to the east and will be set down below the level of the existing Feathered Nest buildings. As a result, it is considered that a reasonable degree of separation will be achieved between new and existing development. Views through the site from the lane to the south will be retained. It is considered that the proposal

will not compete with the principal buildings on the site nor result in its overdevelopment.

- 10.31 It is noted that that a grassed area to the west of the proposed buildings will be re-profiled to create a series of grass mounds. The resultant mounds are designed to appear as a landscape feature within the grounds of the public house and inspired by landscape architect Charles Jencks. The mounds will accommodate some of the spoil created on the site, thereby reducing the number of vehicle movements required to remove such material from the site. The mounds will be grassed and will follow the slope of the site. A number of mounds already exist within the grounds of the public house and it is considered that the creation of the new mounds will not appear out of character with the location. Due the sloping nature of the site and their size, the mounds will not obstruct views through the site from the lane to the south or appear as obtrusive features when viewed from the wider landscape.
- 10.32 It is considered that the proposed development will occupy a relatively discreet part of the site and is considered to be respectful of the existing character and appearance of the Feathered Nest site, the setting of the conservation area and the non-designated heritage status of the existing buildings.
- 10.33 In response to the amended plans, the Conservation Officer states:

*' The proposed buildings have a utilitarian character of simple gabled forms, alluding to being ancillary buildings to the Inn or agricultural buildings at the edge of the settlement, which are characteristic in the village. The current proposals have reconfigured and repositioned the built forms into a more traditional arrangement set slightly further away from the Inn. This, along with the reduction in scale, simplified appearance and limited pallet of local materials has reinforced their ancillary character in relation to the Inn as well as providing them with an appearance commensurate to a small group of low-key agricultural buildings. Furthermore, the repositioning and lower heights of the proposed buildings, would maintain a comfortable gap between built forms, which would enable clear views between to the wider landscape beyond. The ridge lines of the proposed built forms would also be below, or in line with the horizon and for the relatively short length that they project into the site from the eastern boundary, greatly minimising their visibility from the village road. This, as well as the heights stepping down with the hillside and would still enable unrestricted views through the vast majority of the site, which in turn would maintain the connecting views between the hill-top settlement and its wider landscape which is considered important to the setting of the village Conservation Area.*

*The openings to the proposed buildings have been reduced in size and set away from the elevations facing towards the wider countryside to avoid light spill into the wider landscape. The reduction in scale and height, and the arrangement of the forms of the proposed buildings and how they would step down with the topography of the site would also minimise their visibility when viewed from the surrounding landscape, from the lane and form the village road. As such it would be considered that the buildings would appear to form part of the settlement pattern particularly from long distance views back towards the village from the wider countryside.'*

- 10.34 It is considered that the design of the proposed buildings respects local character and distinctiveness. The position, size, scale and design of the proposals are also considered

to preserve the setting of the conservation area and not to have an adverse impact on the significance of the Feathered Nest Inn as non-designated heritage asset. The proposal is considered to accord with Local Plan Policies EN1, EN2, EN10, EN11 and EN12 and guidance in Section 16 of the NPPF.

**(c) Impact on the Cotswolds National Landscape**

10.35 The site is located within the Cotswolds National Landscape (formerly known as the Cotswolds Area of Outstanding Natural Beauty (AONB)) wherein the Council, in performing or exercising any functions in relation to, or so as to affect, the area *'must seek to further the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.'* (S85(A1) of the Countryside and Rights of Way Act 2000).

10.36 The following Local Plan policies are considered relevant to the proposal:

Local Plan Policy EN4 The Wider Natural and Historic Landscape states:

1. *'Development will be permitted where it does not have a significant detrimental impact on the natural and historic landscape (including the tranquillity of the countryside) of Cotswold District or neighbouring areas.'*
2. *'Proposals will take account of landscape and historic landscape character, visual quality and local distinctiveness. They will be expected to enhance, restore and better manage the natural and historic landscape, and any significant landscape features and elements, including key views, the setting of settlements, settlement patterns and heritage assets.'*

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

1. *'In determining development proposals within the AONB or its setting, the conservation and enhancement of the natural beauty of the landscape, its character and special qualities will be given great weight.'*
2. *'Major development will not be permitted within the AONB unless it satisfies the exceptions set out in National Policy and Guidance.'*

10.38 In terms of national guidance, Paragraph 180 of the National Planning Policy Framework (NPPF) states that planning policies and decisions should contribute to and enhance the natural and local environment by *'protecting and enhancing valued landscapes'* and *'recognising the intrinsic character and beauty of the countryside'*.

10.39 Paragraph 182 of the NPPF states that *'great weight should be given to conserving and enhancing landscape and scenic beauty in ... Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues.'*

10.40 The application site and its surroundings are classified in the Cotswolds Conservation Board's Landscape Character Assessment (LCA) as falling within Landscape Character Area 15B Vale of Moreton Farmed Slopes. This in turn falls within Landscape Character Type Farmed Slopes. The LCA identifies the *'Development, expansion and infilling of existing settlements'* as a Local Force for Change. It states that the

*'Encroachment of built development onto the Farmed slopes intruding into the landscape, particularly on the more prominent upper slopes' and the 'erosion of distinctive form, scale and character of small settlements on the Farmed Slopes including their relationship to the landscape and springline' are potential landscape implications. It goes on to set out the following Outline Strategies and Guidelines:*

*'Maintain to open, often highly visible and sparsely settled character of the Farmed Slopes.*

*Avoid development that will intrude negatively into the landscape and cannot be successfully mitigated, for example, extensions to settlements onto the Farmed Slopes*

*Avoid development that may restrict or obscure views to or from the Farmed Slopes.*

*Ensure new development is carefully integrated into the rural character of the Farmed Slopes*

*Ensure new development is proportionate and does not overwhelm the existing settlement.*

*Ensure that new development does not adversely affect settlement character and form.'*

- 10.41 The application site occupies an edge of settlement location. Whilst the site itself has a managed character and appearance consistent with its use in connection with the Feathered Nest Inn, it is bordered to the north by open countryside. The land to the north of the site also slopes down steadily from the application site for several hundred metres. Notwithstanding this, the character and appearance of the landscape lying immediately to the north of the site is influenced by a riding arena. The land adjacent to the site does therefore have a partly developed character and appearance.
- 10.42 A Public Right of Way extends along the track which runs alongside the eastern boundary of the application site. It also extends along the edge of fields lying to the north of the site. At present, boundary vegetation provides a good degree of screening of the site when viewed from the immediate east. The views that are available place the site against a backdrop of existing buildings within the Feathered Nest Inn site. With regard to views from the Public Right of Way to the north, it is noted that existing vegetation also provides a degree of screening of the area proposed for the new buildings. Whilst the northern boundary of the Feathered Nest Inn site is relatively open, the location proposed for the new buildings in the eastern part of the site means that existing vegetation running along the side of the Public Right of Way limits views of the area proposed for development. A combination of distance and vegetation also limit public views of the site from the Public Right of Way as it runs through the fields further to the north of the site.
- 10.43 The applicant has submitted and Landscape and Visual Impact Assessment (LVIA) with this application. The LVIA has assessed the site from a number of locations and states the following:

*'9.3 Landscape Effects*

*9.3.1 The character of the landscape, whilst its principle elements of mature trees and grass are sympathetic to those of the AONB, is of a large domestic garden lawn,*

*the use of which for seating, eating and drinking is signalled and facilitated by the numerous tables and chairs.*

9.3.2 *The northern elevation of the Inn, which is designed to encourage the free flow of customers to and from the terraces and gardens, sits imposingly overlooking the space at a higher level.*

9.3.3 *Within this context, the sensitivity to this development within the site is assessed to be low. The overall effect is considered to be low.*

#### 9.4 *Visual Effects*

9.4.1 *With regard to the five viewpoints listed, VP 1 will show little change, VP 2 and 4 are looking towards the development through the trees but viewed at an oblique angle, the effect of increasing the perceived density of the trunks, effectively restricting the views. VP 5 looks directly towards the northern elevation and is currently screened by non-woody vegetation. The landscape masterplan shows the native rich hedge planting along this boundary, the plant mix of which includes several species that can be marked for avoidance when hedge trimming is taking place, thus allowing them to grow into mature specimen trees. This will, typically within 10 years soften the visual appearance of the building.*

9.4.2 *The closest proximity of public receptors to development is VP3. This allows walkers and riders to look directly into the site application area. The openness of the boundary will be greater after leaf drop. This view is of the Inn, which includes the illuminated fenestration and those choosing to eat and socialise outside. In this respect, the building proposal, with its limited number of windows and sparsely located low bollards. Additionally, the new hedge planting will typically establish within 10 years, thus further mitigating the view.*

9.4.3 *The residual effects of the proposals to these views would therefore be negligible.'*

10.44 The case officer has viewed the site from a number of the viewpoints mentioned in the LVIA and concurs with the findings set out in the LVIA.

10.45 It is noted that the existing buildings on the site, combined with other dwellings located on the northern edge of the settlement, occupy a position on the skyline. However, the proposed buildings will be set down below the level of existing buildings and will ostensibly appear single storey in form. In addition, the amendments put forward by the applicant have resulted in a reduction in both the amount of glazing in the development and the overall size and scale of the development when viewed from the north. New native species hedgerow and tree planting is also proposed along the northern and eastern edges of the application site which will further soften the impact of the development. In addition, the reduction in glazing is considered to mitigate the impact of light pollution and the potential impact of the proposal on dark skies. As a consequence, it is considered that the proposed development can be accommodated on the site without having an adverse impact on the character or appearance of the Cotswolds National Landscape.

10.46 It is considered that the proposed scheme accords with Local Plan Policies EN1, EN4 and EN5 and guidance contained in Section 15 of the NPPF.

**(d) Access and Parking**

- 10.47 The proposed development will be served by an existing vehicular access serving the Feathered Nest Inn. The access opens onto a single carriageway metalled lane that extends in a loop past the site entrance and which joins onto the main road leading through the village at two points. With regard to car parking, guests will utilise the existing car park serving the inn.
- 10.48 This application is accompanied by a Transport Statement and a subsequent Technical Note (in response to questions raised by Gloucestershire County Council (GCC) Highways).
- 10.49 The Technical Note states:
- ' For the avoidance of doubt, the restaurant can presently accommodate a maximum of 60 covers. The application does not seek permission to alter this. The provision of additional overnight accommodation would not therefore result in larger events occurring. The applicant does not expect the number of events (presently 3-4 per annum) to significantly alter.'* It goes on to state that *'Over 90% of overnight guests stay for one or two nights and typically check in around 1500-1600 and check out around 1030-1100. The occupancy rate is c. 80%, with groups of potential guests often seeking multiple rooms that are not always available. As a result, groups book rooms at multiple hotels, resulting in trips between venues that would be reduced through the provision of additional accommodation on-site.'*
- 10.50 It is evident that a number of guests staying in the proposed accommodation will already be visiting the Feathered Nest Inn site for a meal or event.
- 10.51 With regard to trip generation, the Transport Statement states that the proposed development (which was based on a development of 9 guest units initially proposed rather than the 8 units now proposed) would generate the following vehicle movements:
- ' The site as a whole (including the existing and proposed sites) presents an anticipated total of <1 trips during the AM Peak, 7 trips in the PM peak, and 86 trips over a 12 hour period, which equates to 7 trips an hour. It is noted that the peak hours for this type of use are different to the standard, however, this TRICS result anticipate no highways impact on the local road network during average Peak Periods. '*
- 10.52 It is predicted that the proposal would generate a further 5 vehicle movements over the stated 12 hour period.
- 10.53 Access visibility at the site entrance is considered to be acceptable.
- 10.54 The concerns of local residents regarding the narrowness of the local road network and the issues that have arisen in relation to the construction of residential developments to the east and south of the site are noted. Photographs have been submitted showing road blockages and some damage to verges/highway. Whilst it is acknowledged that ongoing development has caused difficulties on the local road network, it must also be noted that this is a temporary situation which will cease once the respective developments are completed. It is also proposed to add a condition to

this development, should permission be granted, requiring the agreement of a Construction Management Plan which would set out measures for the management of construction traffic.

10.55 Gloucestershire County Council (GCC) Highways state:

*' The proposed development for the eight units is unlikely to be a significant generator of additional traffic. The single bedroom layout is likely to mean that each unit is only likely to be accessed by a single vehicle when they are occupied. The submitted transport statement predicts five additional trips per day associated with the development based on an analysis of the TRICS database and this does not seem to be an unreasonable assumption. The occupation rates of this type of unit in this location is very unlikely to be 100% and therefore it would not be sensible to base an assessment of the developments impact on it generating 9 vehicles a day.*

*This is considered not to be a significant increase over the traffic that could be generated by the existing business and is unlikely to have a noticeable impact on traffic accessing the site on the local highway network. It can be argued that any additional traffic on narrow substandard roads will result in a reduction in highway safety however such a small increase against the possible base is considered not to represent such a significant increase in the potential numbers of conflicts to warrant the refusal of planning permission where the development is supported by policy.*

*There are concerns about the levels of car parking on the site and the potential impact of any parking on the highway should there be any overflow from the site. With that in mind it seems reasonable to require the development to make provision for any additional potential parking requirement. It is therefore suggested that a condition to that effect be imposed. It is noted that a parking survey has been submitted that shows, on the days of the survey, that there was some spare capacity in the car park but this cannot be relied upon should the business be especially busy of hosting a special event and therefore it is seen as reasonable to require dedicated provision.'*

10.56 It is considered that the level of traffic generated by the proposed development will not be significant and does not conflict with Paragraph 115 of the NPPF which states 'development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'.

10.57 With regard to car parking, the applicant has undertaken a parking capacity survey which indicates that the existing car park has 32 spaces. The parking survey recorded a high of 20 parked vehicles during peak periods, indicating space is available for a further 12 vehicles. The proposed development is predicted to generate fewer than 12 vehicles. Moreover, a number of the users of the accommodation would also be visiting the public house and would not just be visiting the accommodation in isolation. Notwithstanding this, the comments of GCC Highways are noted and a condition is proposed which will require details of parking arrangements to be approved in writing.

10.58 It is considered that the proposed development can be undertaken without having an adverse impact on highway safety or the operation of the local highway network in

accordance with Local Plan Policies INF4 and INF5 and guidance in Section 9 of the NPPF.

**(e) Impact on Protected Species**

- 10.59 The application site consists primarily of closely mown amenity grassland bordered by a boundary hedgerow and a line of mature trees. Land to the south of the site is used as a car park and amenity grassland is located to its west. A grassed field and riding arena are located to its north. The biodiversity value of the site is therefore largely related to the existing boundary treatment. The current proposal will occupy the areas of grassland, with the boundary trees and hedgerow largely being retained. The exceptions will be the removal of Leylandii hedge, a multi-stemmed horse chestnut tree and a dying horse chestnut tree. New native species hedgerow planting and replacement trees are proposed as part of a new landscape scheme. It is also proposed to introduce bird and bat nesting/roosting features, a reptile hibernaculum and bee bricks into the scheme.
- 10.60 The Council's Biodiversity Officer has assessed the application and raises no objection subject to conditions.
- 10.61 It is considered that the proposed development can be undertaken without having an adverse impact on protected species or their habitat in accordance with Local Plan Policy EN8 and guidance in Section 15 of the NPPF.

**(f) Arboricultural Impact**

- 10.62 The eastern boundary of the application site is bordered by a line of mature trees. As set out in the previous section of this report, the applicant proposes to retain the majority of the boundary trees. The exceptions will be a dying and a multi-stemmed horse chestnut trees. In consultation with the Council's Tree Officer, the applicant is proposing to introduce replacement trees on the site, including 3 cherry trees. In addition, the proposed development has been positioned so that it will not have an adverse impact on the root protection areas of retained trees. A tree protection plan has been submitted with the application.
- 10.63 The Council's Tree Officer raises no objection to the application. It is considered that the proposed development accords with Local Plan Policy EN7.

**(g) Other Matters**

- 10.64 The proposed development will provide overnight guest accommodation in association with an existing public house. It is considered not to represent a form of development that will generate an unacceptable level of noise or disturbance in terms of its impact on nearby residents or have an adverse impact on the tranquillity of the National Landscape.
- 10.65 With regard to energy efficiency and climate change, the applicant states:

*' The proposed new buildings will meet or exceed all of the latest energy targets and UK Building Regulations as well as the Net Zero Carbon Toolkit guidance for hotels. Solar*

*electricity generation will be determined following specialist input to provide the maximum feasible for the site / situation.*

*- The new buildings will be highly insulated, air tight, and climate controlled with efficient HVAC systems.*

*- Low E glazing will further reduce heat gain, where required. Internal blinds and curtains will help to minimise heat gain to suit internal comfort levels, as well as minimising light spill, and ensuring privacy.'*

10.66 It is considered that the proposed development is making reasonable steps to address the issue of climate change.

10.67 This application is not liable for the Community Infrastructure (CIL) and there will be no CIL charge payable.

## **11. Conclusion**

11.1 Overall, it is considered that the proposed development will support an existing rural business and can be undertaken without having an adverse impact on heritage assets, the Cotswolds National Landscape, highway safety, residential amenity, protected species or trees. It is therefore recommended that the application is granted permission.

## **12. 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):

DR\_0190-I A, DR\_0200-I A Date 08/02/2024, DR\_0200-I A Date 08/02/2024, DR\_0201-I A Date 08/02/2024, DR\_0202-I A Date 08/02/2024, New Proposed West Elevation A on drawing DR\_0220-I A Date 08/02/2024, New Proposed North Elevation B on drawing DR\_0221-I A Date 08/02/2024, New Proposed East Elevation C on drawing DR\_0222-I A Date 08/02/2024, New Proposed South Elevation D on drawing DR\_0223-I A Date 08/02/2024, DR\_260-I A Date 08/02/2024, SD300 E.

**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 of the development hereby approved, samples of the proposed walling and roofing materials shall be 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 Policy EN2, the development will be constructed of materials of a type, colour, texture and quality that will be appropriate to the site and its surroundings.

4. Prior to the construction of any external 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. The panel shall be retained on site until the completion of the development.

**Reason:** To ensure that in accordance with Cotswold District Local Plan Policy EN2, 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.

5. All door and window frames shall be recessed a minimum of 75mm into the 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 Policy EN2.

6. The new rooflights 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 Policy EN2.

7. No bargeboards, exposed rafter feet 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 Policy EN2.

8. No external doors, windows and screens, rooflights, eaves, verges, head and cill treatments 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 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 Policy EN2.

9. Prior to the first occupation of the development hereby permitted, all windows and external doors shall be finished in their entirety in a colour that has first been submitted to and approved in writing by the Local Planning Authority.

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

10. Notwithstanding Classes C2 and C3 of the Schedule of the Town and Country Planning (Use Classes) Order 1987 or any other change of use permitted by any subsequent Order, the accommodation hereby permitted shall not be occupied other than as guest/holiday accommodation in association with the property currently known as The Feathered Nest Inn.

**Reason:** The occupation of the accommodation for other purposes would potentially raise issues with regard to accessibility, residential amenity, parking, highway safety and heritage assets having regard to Local Plan Policies DS3, EN2, EN4, EN5, E10, EN11, EN15, INF4 and INF5.

11. No construction work shall take place nor shall any plant or machinery be operated outside of the hours of 08.00 to 17.00 Mondays to Fridays, 09.00 to 13.00 on Saturdays and at no time on Sundays and Bank Holidays.

**Reason:** In order to protect the amenity of neighbouring residents in accordance with Cotswold District Local Plan Policy EN15.

12. Prior to the commencement of development, including any works of demolition, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall:

- i) identify the steps and procedures that will be implemented to minimise the creation and impact of noise, vibration, dust or mud.
- ii) provide details of waste management arrangements.

The plan shall cover all aspects of the works, including site set up, site preparation, groundwork and construction phases of the development. It shall also include measures to manage heavy/large goods vehicle access to the site and measures to be employed to prevent the egress of mud, water and other detritus onto public and any non-adopted roads.

The development shall be undertaken fully in accordance with the approved details.

**Reason:** To protect the amenity of the locality, especially for people living in nearby properties in accordance with Local Plan Policy EN15. It is important that these details are agreed prior to the commencement of development as any on-site works could have implications for residential amenity and highway safety.

13. Prior to the erection of any external walls of the development hereby permitted, details of the provision of bat roosting features, nesting opportunities for birds, reptile hibernaculum and bee bricks shall be submitted to and approved in writing by the Local Planning Authority. The details shall include technical drawing showing the type of features, their location within the site and their position on the elevation of the buildings together with a timetable for their implementation. The approved details shall be carried out in accordance with the approved specification and programme of implementation and be retained thereafter.

**Reason:** To provide biodiversity enhancement in accordance with paragraphs 180, 185 and 186 of the National Planning Policy Framework (Chapter 15), Policy EN8 of the Cotswold District Local Plan 2011-2031 and Section 40 of the Natural Environment and Rural Communities Act 2006.

14. The development hereby permitted shall be undertaken fully in accordance with Section 4 of the consultancy report (Ecological Impact Assessment, Enzygo Environmental Consultants, dated 5th December 2023) and Cotswold District Council's precautionary method of working document.

All the recommendations shall be implemented in full, unless otherwise agreed in writing by the Local Planning Authority, and thereafter permanently retained.

**Reason:** To protect and enhance biodiversity in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), Circular 06/2005, paragraphs 180, 185 and 186 the National Planning Policy Framework, Policy EN8 of the Cotswold District Local Plan 2011-2031 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

15. The entire landscaping scheme shall be completed by the end of the first full planting season (1st October to the 31st March the following year) immediately following the first occupation of the development hereby permitted.

**Reason:** To ensure that the landscaping is carried out and to enable the planting to begin to become established at the earliest stage practical and thereby achieving the objective of Cotswold District Local Plan Policies EN2, EN4 and EN5.

16. Any trees or plants shown on the approved landscaping scheme to be planted or retained which die, are removed, are damaged or become diseased, or grassed areas which become eroded or damaged, within 5 years of the completion of the approved landscaping scheme, shall be replaced by the end of the next planting season. Replacement trees and plants shall be of the same size and species as those lost, unless the Local Planning Authority approves alternatives in writing.

**Reason:** To ensure that the planting becomes established and thereby achieves the objective of Cotswold District Local Plan Policies EN2, EN4 and EN5.

17. Prior to the installation of external lighting for the development hereby approved, a Lighting Design Strategy shall be submitted to and approved in writing by the local planning authority. The details shall show how and where external lighting will be installed (including the type of lighting), so that it can be clearly demonstrated that areas to be lit will not disturb or prevent nocturnal species using their habitats. External lighting shall only be installed in accordance with the specifications and locations set out in the approved strategy

**Reason:** To protect nocturnal wildlife in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), Circular 06/2005, paragraphs 180, 185 and 186 of the National Planning Policy Framework (Chapter 15), Policy EN8 of the Cotswold District Local Plan 2011-2031 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

18. Prior to the commencement of development, a full surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the size, position and construction of the drainage scheme and results of soakage tests carried out at the site to demonstrate the infiltration rate. Three tests should be carried out for each soakage pit as per BRE 365 with the lowest infiltration rate (expressed in m/s) used for design. The details shall include a management plan setting out the maintenance of the drainage assets. The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved and shall be maintained in accordance with the Management Plan thereafter. Development shall not take place until an exceedance flow routing plan for flows above the 1 in 100 year + 40% CC event has been submitted to and approved in writing by the Local Planning Authority.

**Reason:** To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality in accordance with Local Plan Policy EN14. If the surface water design is not agreed before works commence, it could result in abortive works being carried out on site or alterations to the approved site layout being required to ensure flooding does not occur.

19. Prior to the commencement of any works on site (including demolition and site clearance), the tree protection as detailed on Tree Protection Plan TR03 B shall be installed in accordance with the specifications set out within the plan and BS5837:2012 'Trees in relation to design, demolition and construction - recommendations' and shall remain in place until the completion of the construction process. No part of the protection shall be removed or altered without prior written approval of the Local Planning Authority.

Fires on site should be avoided if possible. Where they are unavoidable, they should not be lit in a position where heat could affect foliage or branches. The potential size of the fire and the wind direction should be taken into account when determining its location, and it should be attended at all times until safe enough to leave. Materials that would contaminate the soil such as cement or diesel must not be discharged within 10m of the tree stem. Existing ground levels shall remain the same within the Construction Exclusion Zone and no building materials or surplus soil shall be stored therein. All service runs shall fall outside the Construction Exclusion Zone unless otherwise approved in writing by the Local Planning Authority.

**Reason:** To safeguard the retained/protected tree/s in accordance with Cotswold District Local Plan Policy EN7. It is important that these details are agreed prior to the commencement of development as works undertaken during the course of construction could have an adverse impact on the well-being of existing trees.

20. Prior to the first use of the development hereby permitted, car parking provision shall be made available for guests/users of the accommodation hereby permitted in accordance with details first submitted to and approved in writing by the Local Planning Authority.

**Reason:** In order to ensure that adequate parking is provided on the site in the interests of highway safety and in accordance with Local Pla Policy INF5.

## **Informatives:**

1. Please note that the proposed development set out in this application would be liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended), however, no CIL is payable as the Cotswold CIL Charging Schedule gives this type of development a zero rate. However, if the nature of the development were to change, you are advised to contact the Council to discuss the requirement for planning permission and CIL liability.

2. The Surface Water Drainage scheme should, where possible, incorporate Sustainable Drainage Techniques in order to ensure compliance with:

- Flood and Water Management Act 2010 (Part 1 - Clause 27 (1))
- Code for sustainable homes - A step-change in sustainable home building practice
- The local flood risk management strategy published by Gloucestershire County Council, as per the Flood and Water Management Act 2010 (Part 1 – Clause 9 (1))
- CIRIA C753 SuDS Manual 2015
- The National Flood and Coastal Erosion Risk Management Strategy for England, produced by the Environment Agency in July 2020, pursuant to paragraph 9 of Section 7 of the Flood and Water Management Act 2010.
- Updated Planning Practice Guidance on Flood Risk and Coastal Change, published on 25th August 2022 by the Environment Agency - <https://www.gov.uk/guidance/flood-risk-and-coastal-change> .
- Non-statutory technical standards for sustainable drainage systems (March 2015)

Cotswold District Council's Precautionary Method of Working document can be found here: <https://www.cotswold.gov.uk/planning-and-building/wildlife-and-biodiversity/biodiversity-specifications/>