

**Erection of a side and rear extension at Valley View Chapel Street Mangersbury  
Cheltenham Gloucestershire GL54 1HR**

<b>Full Application 23/02137/FUL</b>	
Applicant:	Mrs Ruby Eady
Agent:	Guiding Light Architecture Ltd
Case Officer:	Wayne Campbell
Ward Member(s):	Councillor Dilys Neill
Committee Date:	10th January 2024
<b>RECOMMENDATION:</b>	<b>PERMIT</b>

**1. Main Issues**

- (a) Design and Impact on Heritage Assets
- (b) Impact on Residential Amenity
- (c) Impact on Cotswolds Area of Outstanding Natural Beauty (AONB)

**2. Reasons for Referral:**

2.1 Objections received.

2.2 Following consideration and discussions with the Parish Council and local residents, this application is referred to the Planning and Licensing Committee for the following reasons:

2.2.1 This is a very large extension, making a very modest cottage about 75% larger.

2.2.2 There will be an impact on the neighbouring listed building, the listed wall will be only a metre away from the extension.

2.2.3 There will be an impact on the conservation area.

2.3 The site was subject to a Sites Inspection Panel site visit on 4 October 2023.

**3. Site Description:**

3.1 The application site Valley View, Chapel Street in Mangersbury is an end of terrace dwelling with Cotswold stone elevations and timber windows and doors under a pitched slate tiled roof. The property is three storeys in height with the third floor located within the roof space and served by a flat roofed dormer window on the front elevation. The rear elevation maintains a two-storey rear projection which is located on the shared boundary with the neighbouring property of Gray Cottage, 2 Chapel Street. To the side of the application property is a series of single storey flat roofed storage buildings.

3.2 The site is within the Stow on The Wold with Mangersbury Conservation Area and within the Cotswolds Area of Outstanding Natural Beauty. To the immediate east and on the shared boundary is the Grade II listed property known as Manor Farmhouse with the Grade II listed property of Manor Farm Barn located to the north corner boundary of the rear garden.

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

None listed.

#### 5. **Planning Policies:**

- EN1 Built, Natural & Historic Environment
- EN10 HE: Designated Heritage Assets
- EN11 HE: DHA - Conservation Areas
- EN12 HE: Non-designated Heritage Assets
- EN2 Design of Built & Natural Environment
- EN5 Cotswolds AONB
- TNPPF The National Planning Policy Framework

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

6.1 Conservation Officer: *“Further to my previous comments dated 27th July 2023, and the amended plans submitted on the 11th August 2023, the proposed amendments have addressed the concerns raised in my original comments, and on balance, the proposed side and rear extensions will sustain the appearance of the building and its contribution to the Conservation Area. It is recommended that detailing of the windows and doors, stone walling, roofing materials and the use of lime render on the dormers to ensure that the materials and detailing are in keeping with the character of the building and the Conservation Area.*

6.2 *Following receipt of the Heritage Statement it is confirmed that the statement appears in accordance with the relevant Historic England guidance for writing such statements, including the assessment of settings. I agree with the assessment in the Heritage Statement that the development will not diminish the setting of the listed building”.*

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

7.1 Following receipt of the applicants Heritage Statement, the additional comments from the Parish Council were received:

7.1.1 MPC is concerned that CDC appears to not have followed due process in regard to this application in not picking up at the first stage the application required a Heritage Statement.

7.1.2 On the application MPC confirm that their comments should be read as an objection to the proposal, however, MPC consider that broad support in the village for the principle of the cottage being modernised so that a young family can once again occupy the property. As previously stated MPC thinks the current plans are an improvement from those first proposed. However,

vociferous objection from neighbours of the property as to the size and the impact (both on the neighbouring listed buildings and the conservation area) of the side extension. The Heritage Statement, MPC will defer to CDC to determine if the report is accurate and whether it addresses the issues concerned appropriately.

- 7.1.3 If granted permission, MPC would like to see conditions to cover requirement to ensure adjacent listed wall is preserved intact; further condition for obscure glazing to first floor rear windows to protect neighbour privacy and finally a condition that stonework on the front to match as close as possible the existing stone.

## **8. Other Representations:**

- 8.1 On the initial design, two objections were received from local residents related to the following:

- Design
- Impact on Conservation Area
- Impact on Listed Building
- Over development
- Privacy light and noise
- Loss of general amenity

- 8.2 Following receipt of an amended design, neighbours were re-consulted and two objections were received stating that previous objection is maintained, as well as a further statement provided by an independent Heritage Consultant commissioned by one of the objectors. In addition to this the following further comments were made:

- Amended version still constitutes the creation of a mock vintage Cotswold extension that is an addition of some 75% of the size of the existing heritage building contrary to the Listed Building rules and the Conservation Area rules that apply more generally to the village;
- Revised plans do little to reduce the width and bulk of the side and rear extensions;
- Limited changes do not address the comments and objections in relation to the original plans in the Conservation Area Report or those of Mangersbury Parish Council;
- Revised plans still result in adding a second false cottage to the original cottage;
- Plans set dangerous precedent and request Council refuse the application;
- Dormer windows are out of character along this part of Chapel Street;

- 8.3 Following receipt of the Heritage Statement, a further three comments have been received, one confirming support for the proposal and two raising objections to the proposal.

8.4 In terms of support the neighbour's comments state that:

- Property as it currently stands requires significant work to convert it to a family home with modern living standards. The property has only one bathroom which is accessible through the first-floor bedroom meaning it cannot be used by a family;
- Property is poorly insulated and suffers from damp. Both of these issues pose a concern to us as neighbours;
- Bringing the house up to modern standards, laterally expanding the footprint to accommodate a family and insulating the property, as well as replacing features such as PVC windows, rusting pipes and dilapidated out-buildings, is obviously required;
- Design, needs to be in keeping with the style of the local conservation area, but done well, should enhance the appearance of this pretty row of Cotswolds cottages on Chapel Street.

8.5 With regards to the objections to the proposal and the Heritage Statement, the neighbours raise the following:

- Size of the side and rear extensions increase the width and volume of Valley View by at least 75% too large and in violation of legislation and policy and cause unjustified harm to Valley View, the conservation area and the Listed Buildings;
- Development contrary to Section 72(1) of the Planning (Listed Building and Conservation Areas) Act of 1990, multiple, and identified parts, of the NPPF and Policies EN 2 and EN 10 to 12 and fail to meet the planning balance of harm versus compensatory public benefits as required by paragraph 202 of the NPPF;
- Submitted Heritage Statement to justify such a large extension fail;
- Suggestion that scarring on the gable end of Valley View is an indication that some form of structure had once existed along the gable wall, but no such structure has existed therefore no such justification;
- Two storey rear extension moves structures 3.2 metres closer to the boundary wall with the Manor Farm Patio and garden than at present and not 2 metres stated in Heritage Statement leaving gap of only 1 metre between extensions and shared boundary wall. Given the importance the Heritage Statement and sensitivity of these measurements, such a disparity is clearly material. If the implied 2 metres width is an error, then the Heritage Statement gives an inconsistent picture of the intended scale;
- Extensions will loom over the Manor Farm patio and garden, impacting on setting and amenity of Manor Farm due to their overbearing impact;

- Suggestions in Heritage Statement that the analysis of the impact of the harm to the setting of Manor Farm are misplaced and/or have no bearing on the assessment of harm to that setting today;
- If approved request condition on obscure glazing to rear first floor windows, only one dormer to front elevation; and shuttering of the site during the construction period.

8.6 In addition to the two letters of objection, an independent assessment of the Heritage Statement was commissioned by one of the objectors. This assessment outlines the following in support of the objections:

- No evidence to support scaring on side wall represents previous extension(s);
- Proposal will not preserve or enhance the character and appearance of the conservation area or setting of affected listed buildings;
- Gaps between buildings play an important role historically and visually providing a pause in the built forms, and a visual relief;
- Proposed dormers distort traditional proportions, dominate roof scape not in keeping with the property and contrary to Cotswold Design Code reference D.67.1 (l);
- Extensions do not meet test in paragraph D.67.1(c) of the Design Code;
- Proposal will be harm to the heritage significance of Valley View itself, to conservation area, harm to contribution setting Manor Farm House makes to its significance;
- Building unoccupied not because it is uninhabitable or too small but prior to retirement of its long-term tenant it was fully habitable. It is unoccupied because it was for sale with vacant possession;
- Constraints of this three-storey, three-bedroomed cottage, including its staircase, can easily be addressed on a more modest scale that would avoid damage to Valley View;
- Incorrect that extensions are necessary to secure a viable use;
- Increase size of 75% would take property out of reach of those most in need of housing in the rural area, erasing the qualities of property as a modest end of terrace single fronted cottage that give it architectural and historic interest;
- No public benefit only private gain, contrary to paragraph 202 of the NPPF;
- No beneficial impact on the established character and appearance of the conservation area to justify proposals which fail to meet policies EN10 and EN11;

- Gap between Valley View and Manor Farm House is important, historically, and aesthetically, view looking out from the farmyard, gap reduced that will erode the viewing experience;
- Setting of Manor Farm House has significantly changed (functionally and aesthetically) the way that the farmhouse can be experienced from the street becomes all the more important and reducing the gap would be severing one of the last links of the Manor Farm House to its historic setting;
- Impact of extension on views from Farmhouse will be quite severe and impact on the setting of the listed building and people's enjoyment and appreciation of it.

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

- 9.1 Plans as amended, Biodiversity Self-Assessment form, Energy Statement, Heritage Statement

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

- 10.1 Members may recall that this application was included on the October Planning and Licensing Committee agenda, but removed from the agenda as it was highlighted that the application was invalid due to information missing from the submission. This information has now been received in the form of a Heritage Statement from the applicant. The Heritage Statement has been the subject of a further round of consultation and the views received are incorporated into this updated report.

### **(a) Design and Impact on Heritage Assets**

- 10.2 The neighbouring properties of Manor Farm and Manor Farm Barn are both Grade II Listed Buildings and are located to the immediate east and to the north of the application site. The Local Planning Authority is therefore statutorily required to have special regard to the desirability of preserving the building, its setting, and any features of special architectural or historic interest it may possess, in accordance with Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990.
- 10.3 In addition, the site is located within the Stow-on-the-Wold and Mangersbury Conservation Area, wherein the Local Planning Authority is statutorily obliged to pay special attention to the desirability of preserving or enhancing the character or appearance of the area, in accordance with Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990.
- 10.4 Policy EN1 of the Cotswold District Local Plan (Built, Natural and Historic Environment) and states that *'new development will, where appropriate, promote the protection, conservation and enhancement of the historic and natural environment by: ensuring the protection and enhancement of existing natural and historic environmental assets and their settings, proportionate to the significance of the asset; and ensuring design standards that complement the character of the area and the sustainable use of the development.'*

- 10.5 Policy EN2 (Design of the Built and Natural Environment) states that *'development will be permitted which accords with the Cotswold Design Code and that proposals should be of a design quality that respects the character and distinctive appearance of the locality.'*
- 10.6 Policy EN4 (Wider Natural and Historic Environment) states that *'development will be permitted where it does not have a significant detrimental impact on the natural and historic landscape (including the tranquillity of the countryside), and that proposals will take account of landscape and historic landscape character.'*
- 10.7 Policy EN10 (Historic Environment: Designated Heritage Assets) states that *'in considering proposals that affect a designated heritage asset or its setting, great weight should be given to the asset's conservation. Development proposals that sustain and enhance the character, appearance and significance of designated heritage assets (and their settings), and that put them to viable uses, consistent with their conservation, will be permitted. Proposals that lead to harm to the significance of a designated heritage asset or its setting will not be permitted, unless clear and convincing justification of public benefit can be demonstrated to outweigh that harm.'*
- 10.8 Local Plan Policy EN11 (Historic Environment: Designated Heritage Assets - Conservation Areas) states that *'development proposals that would affect Conservation Areas and their settings, will be permitted provided they will preserve and where appropriate enhance the special character and appearance of the Conservation Area in terms of siting, scale, form, proportion, design, materials and the retention of positive features.'*
- 10.9 Policy EN12 (Historic Environment: Non-Designated Heritage Assets) highlights that *'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.'* The Policy continues by stating that *'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.'*
- 10.10 Section 16 of the National Planning Policy Framework (NPPF) requires that Local Planning Authorities should take account of the desirability of sustaining or enhancing the significance of heritage assets. Paragraph 199 states that *'when considering the impact of the proposed works on the significance of a designated heritage asset, great weight should be given to the asset's conservation.'* Paragraph 200 states that *'any harm to, or loss of, the significance (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.'*
- 10.11 Paragraph 202 of the NPPF states that *'where a development proposal will lead to less than substantial harm to a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'* Paragraph 203 also highlights 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.'*

- 10.12 Section 12 of the NPPF also seeks to achieve well-designed places and considers good design to be a key aspect of sustainable development.
- 10.13 Valley View is located at the end of a terrace of four which are visible on the First Edition OS Map, therefore are at least 19th Century in date. The buildings are set back from the road with small front gardens. Built as an in-line terrace, the dwellings do not have an entirely uniform appearance, and Valley View differs most but it is considered that the site contributes positively to the character and appearance of the terrace and the wider Conservation Area.
- 10.14 Although at present the side of the application property currently only contains small single storey outbuildings it is noted that scarring on the gable end of the building suggests that it there may have been another structure with a lower roofline attached to Valley View in the past although there is no pictorial / map evidence to support this. The application property although not a listed building but as stated above the building contributes positively to the character and appearance of the Conservation Area, and is considered to be a non-designated heritage asset for the following reasons:
- Age
  - Architectural interest
  - Architectural merits
  - Aesthetic merits
- 10.15 The purpose of the extension is to allow for the use of the property as a family dwelling which, due to the constraints of the floor plan, does not currently allow. The current floor plan shows that the property due to its scale and design maintains a steep winding staircase leading into a small bedroom on the first floor then up to the second-floor bedroom. From the site visit it is clear that the staircase is very steep and as it twists the steps are small and narrow which are not user friendly and not suitable for a modern-day use. In addition to this, access to the only bathroom / toilet is currently through the bedroom on the first floor with no private access. The proposal seeks an extension to the side which will provide additional space within the dwelling to allow for a more appropriate staircase and separate access to a new bathroom on the rear of the property as well as provide an additional bedroom on the second floor. In terms of detail the proposal is for a three-storey side extension where the third-floor accommodation will be located within the roof area with the addition of a second dormer window and the replacement of the existing flat roofed dormer with a pitched roof dormer. In addition to this the application also seeks permission for the corresponding demolition of an existing two storey rear projection and its replacement with a two-storey rear extension with a dual pitched roof.
- 10.16 The design of the extension and alterations to the property have been amended by the applicant following concerns being expressed by Council Officers, the Parish Council and local residents. The initial design showed the side extension positioned on the shared boundary wall with the neighbouring property the Grade II Listed Manor Farm House. Concern was expressed on the scale, design and position of the side extension in that the design gave the appearance of an additional dwelling and the position raised concern over the impact of the proposal on the heritage assets. In considering the proposal the Conservation Officer highlighted the following concerns:

- Whilst a side extension could be accommodated... the scale and massing of that proposed would dominate and compete with the host dwelling, reading as a new dwelling, rather than an extension;
- There are some merits in the proposed design in that it follows the line of the terrace, uses materials to match the host dwelling and replicating its appearance. However, this is not considered sufficient to offset the harm that would be caused by the addition of such a large extension on the character and appearance of the Conservation Area;
- There are also concerns regarding the loss of the gable end chimney, which contributes positively to the terrace, and to the rhythm of the rooflines within the wider street scene. Therefore, its loss would be detrimental;
- The rear extensions proposed are considered to be overly dominant and cumulatively would subsume the historic dwelling. This is considered to diminish the overall character of the building as a modest terrace. Whilst there are no objections to a replacement rear extension, it should not have a ridge height which is higher than the existing extension, and should be subservient to, and reflective of the modest scale and massing of the host dwelling;

10.17 In response to the above points and other concerns raised the applicant submitted a revised plan with the following changes:

- Reduced floor plan removing the extension off the shared boundary wall with Manor Farm House, with revised alignment of rear access to leave a 1-metre gap between the new east gable and the boundary with Manor Farm House;
- Revised east gable to replicate the existing, including end chimney stack;
- Revised south elevation, to read as a double-fronted cottage similar to No.2 Rock Cottages and Grey Cottage), rather than two single-fronted cottages;
- Gabled front-facing dormers matching that of Grey Cottage and conservation roofline to rear;
- Reduced height rear extension, similar in height to the existing.

10.18 The revised design reduced the width of the first and second floor extensions and brought the side in line with the ground floor element and maintained a pedestrian access to the side of the property. The change also included the replacement of the chimney which was previously removed, the front dormer windows were changed to a more appropriate pitched roof design while on the rear proposed rear dormer window was removed. The position of the front door and fenestration was also improved to give the appearance of a single dwelling rather than that of a further dwelling at the end of this terrace row. All changes have responded to the points of concerns raised by the Council's Conservation Officer and as such Members will see

that there is no objection to the proposal subject to conditions from the Conservation Officer.

- 10.19 Despite this confirmation from the Conservation Officer that there are no heritage objections to the proposal, concern has been raised by residents over the impact of the development on the heritage assets. It is clear that this is a sensitive site located within the Conservation Area, adjacent to a number of listed buildings while also acknowledged as being a site of a non-designated heritage asset. For this reason, the scale of the changes proposed will undoubtedly result in an impact not just on the application property but also to those close by and within the character of the street scene. However, this is normal for any development of this scale and in considering the application the potential harm the proposal would cause needs to be assessed. In assessing the application, the impact of the development on the Conservation Area, the setting of the adjacent listed buildings and the character of the property as a non-designated asset, all need to be considered before a final decision is made.

#### Conservation Area

- 10.20 The position of the property is prominent within this part of the Stow-on-the-Wold and Maugersbury Conservation Area, and it is accepted that the extension will impact upon the appearance and character of this part of the Conservation Area. Local Plan Policy EN11 states that *'development proposals that would affect Conservation Areas and their settings, will be permitted provided they will preserve and where appropriate enhance the special character and appearance of the Conservation Area in terms of siting, scale, form, proportion, design, materials and the retention of positive features.'* Furthermore as highlighted in Section 16 of the NPPF *'Local Planning Authorities should take account of the desirability of sustaining or enhancing the significance of heritage assets'* and that *paragraph 199 states that when considering the impact of the proposed works on the significance of a designated heritage asset, great weight should be given to the asset's conservation.'*
- 10.21 In taking these Policies into account it is considered that the revised design with the revised dormer windows, reduced width at first and second floor and the changes to the position of the front door and the fenestration all allow for an improvement to the appearance of the property and enhance the property as a whole. It is acknowledged that the width of the extension will result in an increase in the length of the terrace overall but as highlighted by the Conservation Officer this terrace row is not uniform and therefore other than the regularity of chimneys there is no set pattern or rhythm in the row which needs to be followed or would be interrupted. As such there is no need to follow a particular pattern and / or design to the extension on the property subject to the impact of the development on its surroundings.
- 10.22 With regards to design, the revised plan shows the removal of the existing flat roof dormer on the front elevation which is not a design encouraged in the Cotswold District and replaced with a pair of traditional pitched roof dormers. It is acknowledged that the current design includes the second dormer which is of the same design and scale as the one replacing the flat roof dormer. Objectors to the proposal have stated this second dormer is not appropriate and contrary to the Design Code which states that *'dormers should be in-keeping with the building to which they are added, in their placement, scale and design.'* The design of the two dormers is similar that

of the single dormer used on the adjoining property at Gray Cottage, 2 Chapel Street and although it is accepted that the proposal for two dormers is not a feature along this terrace this is not in itself a reason to refuse the application. It is also evident that there are other dwellings close by which maintain two dormers onto the road frontage which are located on the mid terrace dwelling of Clissold, and the end terrace dwelling of Crooked Beams both of Chapel Street and both of which are within view of the application site. The existing flat roof dormer does little to enhance the appearance of this property or this part of the Conservation Area. As such the removal of a poorly designed dormer to be replaced with a more traditional one would be an improvement in the appearance of the dwelling. The provision of a second traditional dormer would provide a sense of symmetry to the appearance of the dwelling to enhance the row which is a common style on other dwellings in this terrace row. The proposal is therefore not considered to result in a detrimental impact upon the character or appearance of the Conservation Area to warrant a refusal in this instance.

- 10.23 With regards to the rear extensions these alterations although not clearly visible from the road frontage will have an impact upon the character of this property and therefore the Conservation Area. Notwithstanding this the changes to the design to address the concerns raised by the Conservation Officer, Parish Council and residents will ensure that the extensions will not result in any adverse impact upon the character of this sensitive area.

#### Listed Building

- 10.24 The neighbouring property to the immediate east is Manor Farm House, which is a Grade II Listed building, while the Grade II Listed property of The Barn is approximately 35m from the rear elevation of the application property. Due to the position and scale of the proposed extension it is acknowledged that the development will have an impact upon the setting of these listed buildings although the greater impact will be on the neighbouring property of Manor Farm House to the immediate east. It is accepted that the revision to the scheme by removing the development off the shared boundary wall will improve the impact however, there is still some impact as a result of the development which needs to be assessed.
- 10.25 As part of the applicants Heritage Statement it is outlined that Manor Farm House was initially added as a listed building on 25 August 1960 with an amendment added on 30 January 1987. Since 2003 Manor Farm House and associated buildings have been the subject of domestication and subdivision of the historic farm complex which in itself has greatly altered the setting of Manor Farm House and the Barn c.25m North of Manor Farmhouse. Of particular note is:
- The Listed and non-Listed buildings within the former farm complex have been subject to extensive extensions and alterations since 2003-4;
  - Perhaps more importantly, the former courtyard between the former farmhouse and farm buildings has been extensively subdivided with walls, gates and hedges to create individual driveways and garden plots;

- The western gable of the Valley View terrace has long been an incidental feature of outward views from within the farm complex, but that no effort was made to give it more than the most functional and unrelieved appearance;
- The lower parts of the west gable of the Valley View terrace were possibly slightly less visible than at present prior to the substantial reduction of the west range of open-fronted sheds to form a garage (04/02573/FUL) and the reduction in height of the stone garden wall and formation of new coping (12/01337/FUL and 12/01338/LBC).

10.26 It is clear that over the years Manor Farm House and associated buildings have been the subject of a number of applications which have changed the setting, character and surroundings of the heritage asset. Notwithstanding this point, Members will see that as part of their objection to the proposal, the neighbours and their heritage consultants have raised the concern that the development will have an adverse impact upon the setting of the listed building, and in particular as a result in the reduction of the gap between the development and the side elevation of Manor farm House. The gap between the application property and the side elevation of Manor Farm House is a significant feature in the street scene and it is accepted that this gap forms a characteristic of this area. Notwithstanding this, the objectors Heritage Consultant acknowledge that *"the width of a gap or the extent to which a gap may be retained, is not the critical test. What matters is the extent to which the gap contributes to the setting of a designated heritage asset. In this case any reduction in the gap will result in harm."* With regards to the definition of setting, Historic England advises that as outlined in the Annex 2: Glossary, National Planning Policy Framework, setting is: *"The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral."*

10.27 Setting is not itself a heritage asset, nor a heritage designation, although land comprising a setting may itself be designated. Its importance lies in what it contributes to the significance of the heritage asset or to the ability to appreciate that significance. It is clear on site that the gap between the application property and the side elevation of Manor Farm House is a key feature and does contribute to the setting of this listed building. Notwithstanding this, the proposed extension pulled off the shared boundary wall will ensure that a significant gap between the application property and the listed building is retained. Due to the nature of the existing side elevation of the property as well as the angled nature of the site boundary the width of the extension is confirmed by the agent as 2.909m at the front, 2.254m at the centre point and 2.264m at the rear of the extension while the pedestrian access is shown at approximately 1.2m wide. As a result of the extension the gap between the two properties would be reduced from 14.8m down to 11.89m at the front and 14.477m down to 12.223m at the rear of the application property. Although a notable reduction in distance there would still be a significant gap between the listed building and that of the extension to the application property. The listed building would still be seen in the street scene as a clearly separated from the application site by a significant gap.

- 10.28 On the initial comments of the Council's Conservation Officer it was confirmed that the proposal was considered to cause a less-than-substantial harm. Paragraph 202 of the NPPF highlights that *'where a development proposal will lead to less than substantial harm to a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'* Objectors raise the concern that as the proposal is for the benefit of the occupiers of the property there is no public benefit and therefore the proposal fails to comply with this requirement in the NPPF. It is accepted that the main purpose of this application is for the improvement of this existing cottage to bring the standard of the accommodation up to a more modern specification and in doing so allow for the property to be occupied by a family. As outlined in the paragraphs above the current layout of the property is not suitable for modern day living with a very steep spiralling staircase and access to the bathroom through one of the bedrooms. Due to the small footprint of the dwelling, it is not considered that an alternative arrangement could be provided within the existing constraints of the building which would also allow for suitable sized rooms to make the property a viable use for a family. As such the extension is considered necessary and this approach would appear to also be accepted in the objector's Heritage Consultant's report which highlights that *"the constraints of this three-storey, three-bedroomed cottage, including its staircase, can easily be addressed on a more modest scale that would avoid damage to Valley View or the conservation area and nearby Listed Buildings."* It's not clear what form this alternative arrangement would take, and it is assumed that the consultant is accepting that an extension to the property is required. As such the objector's Consultant is therefore accepting that some harm on the setting of the heritage asset is acceptable. In terms of the scale the extension the proposal is modest and as outlined above has been scaled back off the shared boundary wall with the neighbouring property.
- 10.29 Notwithstanding the acceptance of the objector's Heritage Consultant that an extension is necessary, the issue of public benefit is still a matter which needs to be addressed. It is accepted that the main purpose of this extension is to allow for a more useable accommodation in this dwelling for the occupiers. This in itself would be considered as a private benefit and not a public one as outlined by the objectors. As such this would weigh against the scheme. However, the condition of the property including the appearance does not enhance the appearance of the Conservation Area and the changes to the property including the rear extension, will provide a more usable dwelling and hence improve the area which would represent a small public benefit. The requirements of paragraph 202 are that the public benefit needs to be weighed against the harm to the heritage asset as to whether or not the proposal is acceptable. It is accepted that a number of the improvements to the application property could be carried out without the extension, but this would still leave an internal layout which would not provide modern day standards and as such the benefits of carrying out these changes reduced. It is also accepted that the property could still be used without the changes / improvements both internally and externally, however, the improvements of the property to a modern-day standard would widen the scope of the potential use of the property which is a benefit and result in an uplift in the appearances of the area. The harm to the heritage asset is therefore considered to be outweighed by the, albeit, limited, public benefit.

## Non-Designated Asset

10.30 Although the application property is not in itself a listed building the Conservation Officer has confirmed that the property contributes positively to the character and appearance of the Conservation Area, and is considered to be a non-designated heritage asset for the following reasons:

- Age
- Architectural interest
- Architectural merits
- Aesthetic merits

10.31 Under Policy EN12 it is stated that developments that impact non-designated heritage assets will be permitted where they:

- are design sympathetically, having regard for the significance of the asset, its features, character and setting;
- where possible, development should seek to enhance the character of the non-designated heritage asset.

10.32 The application is for a three-storey side and a double two storey rear extension of this end or terrace dwelling. The design and appearance of the property is of a small narrow dwelling located at the end of a terrace row of four dwelling all of differing design and character other than they all form part of the terrace. As part of the changes proposed the existing flat roofed dormer will be replaced with two pitch dormers of a more traditional style and design which are considered to improve the appearance and character of not just the property but also the area. The changes to the fenestration and the position of the front door are also considered to improve the appearance of the property and therefore that of the non-designated asset. It is also worth noting the initial comments of the Conservation Officer that there was "*some merits in the proposed design in that it follows the line of the terrace, uses materials to match the host dwelling and replicating its appearance.*" As such it was not considered out of the question that an extension on the building could be provided in terms of heritage. In considering the revised design the Council's Conservation Officer has confirmed that there are no objections to raise on this application. As such it is considered that the changes to the building as a non-designated heritage asset are acceptable and as outlined in the paragraphs above any harm to the character of the building is outweighed by the benefits of the proposal.

### **(b) Impact on Residential Amenity**

10.33 Local Plan Policy EN2 refers to The Design Code (Appendix D) which sets out policy with regard to residential amenity. This expects development to respect the amenity of dwellings, giving due consideration to issues of garden space, privacy, daylight and overbearing effect. A key element in the Design Code is paragraph D67 (o) which highlights that extensions should respect the amenity of dwellings, giving due consideration to issues of garden space, privacy, daylight and overbearing effect.

- 10.34 Similarly, Section 12 of the NPPF explains planning decisions should ensure developments create places that are safe, inclusive and accessible, with a high standard of amenity for existing and future users.
- 10.35 The main impact of the proposal is upon the neighbouring properties of Manor Farmhouse to the east and the adjoining neighbouring property in the terrace at Gray Cottage, 2 Chapel Street. With regards to Manor Farmhouse the side extension would be approximately 1.2 m off the shared boundary which is currently marked by a stone wall which also forms the side wall to the applicant's single storey outbuildings and is in the region of 2.5 m in height. In terms of this neighbouring property, the applicant has amended the design of the scheme to remove the side extension off the shared boundary wall to allow a 1.2 m wide access route from the front of the property to the rear and to the rear of the neighbouring property of Gray Cottage. The gap between the side of the proposed extension and that of Manor Farmhouse would be 11.89m at the front and 12.223m at the rear. Paragraph D.67 (o) of the Design Code highlights that *'extensions should respect the amenity of dwellings, giving due consideration to issues of garden space, privacy, daylight and overbearing effect.'* Officers consider that due to the distance between the proposed extension and the side elevation of the neighbouring the proposal will ensure that the development will not appear overbearing nor result in any loss of light or outlook currently enjoyed by the occupiers of this neighbouring property.
- 10.36 In terms of the adjoining property of Gray Cottage, as this property maintains a large two storey rear extension to the same depth to that of the proposed rear extension the development will not result in any loss of light or outlook enjoyed by the occupiers of the neighbouring property. It is accepted that the first-floor windows in the proposed extension will be in line with the neighbour's extension and potentially allow a clearer view into the neighbour's rear garden. It is considered that due to the length of rear garden the distance between the proposed rear extension and that of the surrounding adjoining rear gardens is such that adequate distance will be maintained to ensure no adverse impact in terms of any significant loss of privacy from the new en-suite and bathroom windows. Notwithstanding this point objectors and the Parish Council have requested that in the event that permission is granted that a condition be attached which requires the rear bathroom windows to be obscurely glazed. In discussions with the applicant, it has been agreed that this condition is acceptable.

**(c) Impact on Cotswolds Area of Outstanding Natural Beauty (AONB)**

- 10.37 The site is located within the Cotswolds Area of Outstanding Natural Beauty (AONB) wherein the Council is statutorily required to have regard to the purpose of conserving and enhancing the natural beauty of the landscape (S85(1) of the Countryside and Rights of Way Act 2000).
- 10.38 Local Plan Policy EN4 (the Wider Natural and Historic Landscape) states that *'development will be permitted where it does not have a significant detrimental impact on the natural and historic landscape (including the tranquillity of the countryside) and that proposals will take account of landscape and historic landscape character, visual quality and local distinctiveness. They will be expected to enhance, restore and better manage the natural and historic landscape, and any significant landscape features and elements, including key views, the setting of settlements, settlement patterns and heritage assets.'*

10.39 Policy EN5 of the Cotswold Local Plan highlights that *'in determining development proposals within the AONB or its setting, the conservation and enhancement of the natural beauty of the landscape, its character and special qualities will be given great weight.'*

10.40 Paragraph 176 of the NPPF highlights that *'great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues.'*

10.41 In considering this particular application it is clear that the proposed development is contained within the clear residential curtilage of the site and is situated within a built-up area of the village. It is not considered that the development impacts the open countryside and hence does not harm the character or appearance of the Cotswolds AONB. The proposal therefore complies with Policies EN4 and EN5 of the Cotswold Local Plan 2011 - 2031 and the requirements of the NPPF.

## **9. Conclusion:**

9.1 Overall, it is considered that the development is in accordance with established policies and guidance. It is therefore recommended that the application is granted planning permission.

9.2 The proposed development is not liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) because it is less than 100m<sup>2</sup> of new build that does not result in the creation of a dwelling, and therefore benefits from Minor Development Exemption under CIL Regulation 42.

## **10. Proposed Conditions:**

1. The development shall be started by 3 years from the date of this decision notice.

**Reason:** To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out in accordance with the following drawing number(s): Location Plan, 2303-129-05 - Rev A, 2023-129-07 Rev B, 2023-129-08 Rev B, and 2023-129-09 Rev A .

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

3. The external walls of the development hereby permitted shall be built of natural Cotswold stone with the same stone colour and size, coursing bonding, use a lime mortar to match the colour of the stonework and shall be permanently retained as such thereafter. In addition, the pointing shall have a marginally recessed finish and shall be brushed or bagged to match the existing.

**Reason:** To ensure that in accordance with Cotswold District Local Plan Policy EN2, EN10, EN11 and EN12 the development will be constructed of materials that are appropriate to the site and its surroundings. It is important to protect and maintain the character and appearance of the area in which this development is located.

4. 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, EN10, EN11 and EN12.

5. Within one month of their installation, all new timber windows and doors shall be painted in a white/off-white paint colour to match the existing external joinery and shall be flush fitting and shall be retained in the approved colour 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, EN10, EN11 and EN12, and the National Planning Policy Framework.

6. The materials to be used for the roof of the development hereby permitted shall match those used in the existing building and shall be permanently retained as such thereafter.

**Reason:** To ensure that, in accordance with Cotswold District Local Plan Policy EN2, EN10, EN11 and EN12, the development hereby permitted is completed in a manner appropriate to the site and its surroundings.

7. New rainwater goods shall be of cast iron construction or a substitute which has been approved in writing by the Local Planning Authority and shall be permanently retained as such thereafter.

**Reason:** To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policy EN2, EN10, EN11 and EN12.

8. New render on the front dormer windows shall be of a smooth type and be of a mix containing sharp sand, stone dust and lime unless an alternative mix is agreed in writing by the Local Planning Authority. The render shall finish flush with all stone dressings and shall not be belled outwards over the heads of doors, windows or any other opening.

**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, EN10, EN11 and EN12.

9. The outbuildings attached to the stone wall on the shared boundary with Manor Farmhouse shall be removed by hand and any damage to the shared boundary wall shall be made good in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. Upon the removal of the outbuildings and any necessary repairs, the stone wall shall be protected during the whole construction phase of the side and rear extensions in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

**Reason:** Cotswold stone walls are a characteristic, traditional feature of the Cotswolds and this part of the Conservation Area and the setting of the adjoining listed building. The wall identified on the drawing contribute(s) to the character of the area in accordance with Cotswold District Local Plan Policy EN2 must be retained as part of the development and repaired and made sound for the future.

10. Prior to the first occupation of the development hereby approved the first-floor windows to the rear bathroom and en-suite in the rear extension shall be fitted with obscure glazing and shall be permanently retained as such thereafter.

**Reason:** To protect the privacy of the occupants of neighbouring dwellings in accordance with Cotswold District Local Plan EN2.