

**TO EACH MEMBER OF THE
PLANNING COMMITTEE**

15 October 2018

Dear Councillor

PLANNING COMMITTEE- TUESDAY 23 OCTOBER 2018

Further to the Agenda and papers for the above meeting, previously circulated, please find attached the following:

Agenda Item	Description	
5a	Schedule	1 - 48
	To consider the accompanying Schedule of Planning Applications and proposals, marked Appendix "A".	

Should you have any queries regarding the above please contact Democratic Services on
Tel: 01684 272021

Yours sincerely

Head of Democratic Services



APPENDIX A
Agenda Item No. 5A

TEWKESBURY BOROUGH COUNCIL

Schedule of Planning Applications for the consideration of the **PLANNING COMMITTEE** at its meeting on 23 October 2018

	(NORTH)	(SOUTH)
General Development Applications Applications for Permission/Consent	(273 - 282)	(283 - 305)

PLEASE NOTE:

1. In addition to the written report given with recommendations, where applicable, schedule of consultation replies and representations received after the Report was prepared will be available at the Meeting and further oral reports may be made as appropriate during the Meeting which may result in a change to the Technical Planning Manager stated recommendations.
2. Background papers referred to in compiling this report are the Standard Conditions Booklet, the planning application documents, any third party representations and any responses from the consultees listed under each application number. The Schedule of third party representations received after the Report was printed, and any reported orally at the Meeting, will also constitute background papers and be open for inspection.

CONTAINING PAGE NOS. (273 - 305)

Codes for Application Types

OUT	Outline Application
FUL	Full Application
APP	Application for Approval of Reserved Matters
LBC	Application for Listed Building Consent
ADV	Application for Advertisement Control
CAC	Application for Conservation Area Consent
LA3/LA4	Development by a Local Authority
TPO	Tree Preservation Order
TCA	Tree(s) in Conservation Area

National Planning Policy

National Planning Policy Framework (NPPF)

Technical Guidance to the National Planning Policy Framework

Planning Policy for Traveller Sites

Planning Policy Statement 10: Planning for Sustainable Waste Management

Planning Policy Statement 11: Regional Spatial Strategies

INDEX TO PLANNING SCHEDULE (RECOMMENDATIONS) 23rd October 2018

Parish and Reference	Address	Recommendation	Item/page number
Badgeworth 18/00669/FUL Click Here To View	Hunt Court Farm Sandy Pluck Lane Bentham	Permit	Item 4 - page 298
Churchdown 18/00218/OUT Click Here To View	Stoneyhurst Station Road Churchdown	Permit	Item 2 - page 283
Stanton 17/00881/FUL Click Here To View	The Vine High Street Stanton Broadway	Permit	Item 1 - page 273
Woodmancote 18/00563/FUL Click Here To View	The Coach House Post Office Lane Cleeve Hill	Permit	Item 3 - page 292

Valid 08.08.2017
Grid Ref 406785 234243
Parish Stanton
Ward Isbourne

Erection of a self-build family home.

RECOMMENDATION Permit

Policies and Constraints

Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990
National Planning Policy Framework (2018)
Planning Practice Guidance
Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) (December 2017) - Policies SD4, SD7, SD8, SD9, SD10, SD14, INF1
Tewkesbury Borough Local Plan to 2011 (March 2006) - Policy HEN2
Tewkesbury Borough Flood and Water Management Supplementary Planning Document (February 2018)
Human Rights Act 1998 - Article 8 (Right to Respect for Private and Family Life)
The First Protocol, Article 1 (Protection of Property)

Cotswolds Area of Outstanding Natural Beauty (AONB)
Stanton Conservation Area
Listed Buildings
Tree Preservation Order

Consultations and Representations

Stanton Parish Council - Objection to the original proposal and subsequent revisions for the following reasons (as summarised):

- The application site is outside the built-up area of the village and therefore its development for residential purposes is contrary to JCS Policy SD10;
- The loss of a significant proportion of the garden and immediate setting of The Vine coupled with the clear cramped nature of the development and poor detailing will give rise to harm to designated heritage assets. It is abundantly clear that even if the harm caused is deemed to be less than substantial, there is no public benefit arising from the proposal;
- The Tree Protection Plan showed that the dwelling and driveway as originally proposed will result in a significant incursion into the root protection areas (RPAs) of three mature European Lime trees. There is no information on the extent or position of utility services and connections to the new dwelling and access/parking arrangements are not shown and will have a further impact on trees as well as the mass of the proposed development;
- The proximity of the retained trees to the entire north elevation of the proposed dwelling will cast shade to the house, giving rise to pressure to remove them. Given the trees significant amenity value, their loss will be unacceptable;
- The importance of high quality design features heavily in the NPPF. Stanton is a well preserved and special Cotswold village and the proposed development is too large, has been designed with unsuitable large modern windows and has an ungainly garage wing. It is not a suitable building in the character of Stanton;

The Parish Council has commented on the latest revised proposal (plans dated 28/08/18) and acknowledges there has been some further reductions in size and alterations in design but maintain original objection (as summarised above) that the principle of development is unacceptable; will give rise to harm to designated heritage assets; impinge on the RPAs of protected, important trees; the proposed dwelling remains too large and unsuitable for the site; and, will impact on the amenity of adjoining residents.

Conservation Officer - Objection to the original scheme with regard to siting and design of the proposed dwelling which would have an unacceptable impact on heritage assets. No objection to the latest revised proposal (plans dated 28/08/18) subject to conditions.

County Archaeologist - There is potential for the site to contain Roman remains and any such remains may be adversely affected by construction ground works required for this scheme. No objection subject to a condition requiring the implementation of a programme of archaeological works in accordance with a written scheme of investigation.

County Highways - Subject to Highways Standing Advice.

Severn Trent Water - No objection, drainage condition not required.

Technical Officer (Trees) - Objection to the original scheme with regard to the positioning of the proposed driveway between the two protected lime trees and it was recommended that the access point be repositioned to the north-east corner of the site. No objection to the latest proposal subject to conditions requiring details of tree protection works and arboricultural method statement to be submitted prior to any works being carried out onsite.

Local Residents - 35 letters of representation have been received from local residents raising objections to the proposed development (the original scheme and subsequent amendments) for the reasons summarised below:

- The proposal does not respect the local context and street pattern or scale and proportions of surrounding development;
- It would be entirely out of character and to the detriment of the local environment. It would amount to serious 'cramming' in what is a low density area;
- The overall design is not in keeping with the Cotswold vernacular or architecture found in Stanton;
- The proposed dwelling would be afforded very limited outdoor amenity space and allows little space for landscaping;
- It would result in loss of light, privacy and dominating impact to neighbouring property - particularly 1 Stanway Road which has enjoyed an open aspect for at least 100 years;
- The site plan is misleading and includes the access track and grass verge leading to neighbouring properties to the south and west. This track is maintained by the owners of these properties who have right of way over it;
- The overall scale of the building, combined with construction works and the heavy transport required, would put protected trees at risk;
- Infill of new residential development has previously not been permitted in the Conservation Area. This application is approved would set a precedent for residential infill to the detriment of Stanton and Snowhill;
- The proposed dwelling is too large for the plot and would completely dominate neighbouring property;
- It would cause harm to the character of the Conservation Area and negatively impact on the setting of designated heritage assets;
- Access, parking and manoeuvring space for the proposed dwelling is inadequate and would share an existing access onto the public highway close to a sharp bend and T-junction which is already crowded with parked cars, pedestrians and horses.

Following the submission of the latest revised plans (dated 28/08/18), 10 additional letters of representation have been received from local residents raising the following objections:

- The site is not sufficient for a 3 storey, 4-bed family home with garden and parking arrangement. The drawing is deceptive by not distinctly showing the access gravel road to Vine Yard homes.
- Street parking is a problem on this corner and adequate parking is essential. The parking shown would have a damaging impact on the three large lime trees.
- What is the faint shadow around the site boundary? Does it represent a stone wall?
- The ground levels of Cricket Cottage and 1 Stanway Road are "significantly" higher and privacy will be impossible for all the properties.
- The reduced size of the dwelling without garage are not sufficient to overcome previous objections (as summarised above).
- The proposal is still too large for the site and is not consistent with planning policy in that it does not conserve or enhance the AONB and nearby grade II listed buildings. It is over-development on a restricted site.
- It will have a significant and detrimental impact on the owners of 1 Stanway Road and Cricket Cottage.
- Infill development within the Conservation Area should not be allowed.
- There is a lack of detail on the plans to show how the proposed development will be carried out without detriment to the trees.
- The height of the proposed dwelling should be no more than 1.5 storeys to avoid dominating existing buildings.

- If approved, a condition should be attached preventing business use.

34 letters of representation in support of the proposed development have also been received. The main reasons for support include:

- The proposed house will provide useful accommodation in the village without extending into open countryside or expanding the village footprint.
- It would be within the boundary of the village and would read as a sympathetic addition in keeping with the character of the area.
- The proposal does not detract from any amenities and would not result in the loss of designated green space.
- The applicant is a longstanding member of the community and is acutely aware of Stanton's unique character. Any building constructed in this location would be sympathetic to the surrounding area and to the highest standard.
- In comparison to the so-called 'extensions' going on in this village, the proposed development seems small scale and fits in well to what was an overgrown and rarely used garden.
- The design appears in keeping with the Cotswold vernacular.

Planning Officers Comments: Mrs Helen Stocks

1.0 Application Site

1.1 The application site relates to a rectangular plot of land on the north-west edge of the village of Stanton, south of the village cricket ground. The site is located in close proximity to several listed buildings and lies within Stanton Conservation Area, as well as the Cotswolds Area of Outstanding Natural Beauty (AONB). Access to the site is gained via a private driveway which serves a small number of dwellings at The Vine Yard and extends from the main through road to Stanton when approaching from the north.

1.2 The site presently forms part of the garden serving Vine House, a grade II listed building located to the east. The site has been cleared of vegetation in recent months apart from the mature (and protected) trees located along the northern edge of the site.

2.0 Planning History

2.1 There is no relevant planning history pertaining to the site.

2.2 Planning permission was granted in 1997 for the erection of four dwellings on land to the south-west of the application site (ref: 97/2917/1046/FUL). Part of the access track which serves this development (known as The Vine Yard) is included in the application site boundary.

3.0 Current Application

3.1 The current application seeks full planning permission for the erection of a self-build family home. The original plans as submitted proposed a large two-and-a-half storey dwelling, with an attached garage wing providing two floors of accommodation above. The proposed dwelling was shown to be positioned in the centre of the plot and had a footprint of approximately 180 square metres, with a total floor space of 390 square metres. Its eaves and ridge height measured 5.6 metres and 9.3 metres respectively. A gravel driveway was proposed between the two protected lime trees, with off-road parking shown to be available for four vehicles.

3.2 Since the application was first submitted, the proposal has been subject to various revisions and alterations which have primarily sought to amend the siting, scale and design of the proposed dwelling in response to officer concerns and consultee responses. The description of development has been amended from that cited on the application form in light of these revisions and reference to a proposed garage has been omitted with the agreement of the agent.

3.3 The latest proposal (see attached plans) is for a smaller dwelling with a simplified design. The ridge height has been lowered to 8.5 metres although the roof space is still proposed to be utilised to provide living accommodation across three floors, with a total floor space of 268 square metres. The proposed dwelling has been re-positioned within the plot to follow the angled build line of existing dwellings on Stanway Road and has a reduced footprint of approximately 137.5 square metres. This equates to a 24% reduction when compared to the original scheme. The driveway has also been amended and access to the site is now shown from the north-east corner of the plot rather than between the two protected trees, as originally proposed.

4.0 Policy Context

4.1 The determination of a planning application is to be made pursuant to section 38(6) of the Planning and Compulsory Purchase Act 2004, which is to be read in conjunction with section 70(2) of The Town and Country Planning Act 1990. Section 38(6) requires the local planning authority to determine planning applications in accordance with the development plan, unless there are material circumstances which "indicate otherwise". Section 70(2) provides that in determining applications the local planning authority "shall have regard to the provisions of the Development Plan, so far as material to the application and to any other materials considerations."

4.2 The development plan comprises the Joint Core Strategy (JCS) (2017) and saved policies in the Tewkesbury Borough Local Plan to 2011 (March 2006) (TBLP).

4.3 Other material policy considerations include national planning guidance contained within the National Planning Policy Framework (July 2018).

4.4 The relevant policies are set out in the appropriate sections of this report.

5.0 Analysis

5.1 The main issues for consideration are the principle of development; siting, design and visual impact; impact on heritage assets, including listed buildings and conservation area; residential amenity, highway safety; and, impact on protected trees.

Principle of Development

5.2 Criterion 4 (ii) of JCS Policy SD10 states new housing development will be permitted where it is infilling within the existing built-up areas of the City of Gloucester, the Principal Urban Area of Cheltenham or Tewkesbury Borough's towns and villages except where otherwise restricted by policies within district plans. For the purposes of criterion 4(ii), the supporting text defines 'infill development' as "the development of an under-developed plot well related to existing built development".

5.3 The Parish Council and local residents have raised an in principle objection to the proposed development, citing that the application site is located outside the built-up area of the village and therefore its development for residential purposes is contrary to JCS Policy SD10.

5.4 However, officers consider the application site to be within the built up area of the village. Although it is seen to be on the rural fringe of the village overlooking the cricket ground, the site is bound by existing residential development to the east, south and west and is therefore considered to be well-related to existing built development. Therefore, the proposal is deemed to constitute infilling within the existing built-up area of Stanton in accordance with JCS Policy SD10. For this reason, the principle of development is considered acceptable subject to compliance with other relevant planning policies.

Siting, Design and Visual Impact

5.5 Section 12 of the NPPF which sets out that the creation of high quality buildings and places is fundamentally to what the planning and development process should achieve and that good design is a key aspect of sustainable development, creating better places in which to live and work and helping make development acceptable to communities. This advice is echoed in JCS Policy SD4 which states new development should respond positively to, and respect the character of, the site and its surroundings, enhancing local distinctiveness, and addressing the urban structure and grain of the locality in terms of street pattern, layout, mass and form. It should be of a scale, type, density and materials appropriate to the site and its setting.

5.6 The siting, scale and design of the proposed dwelling has been subject to numerous amendments following officer concerns regarding the original proposal which was deemed too large for the plot and discordant to the character and appearance of surrounding development. The latest revisions have reduced the footprint of the dwelling by approximately 24% and simplified the design by lowering the ridge line and introducing single storey elements to reduce the scale and mass of the building. The siting of the proposed dwelling has also changed and the latest revisions show the building orientated on an angle away from the south-west boundary. This is considered more responsive to the historic urban structure and grain of the village and also increases the separation distance between the proposed dwelling and Crickets Cottage to the south while avoiding the root protection areas of the TPO trees.

5.7 In terms of design, the revised proposal is less dominant than the original scheme and does respond to the traditional Cotswold vernacular, with steeply pitched gables and well balanced window openings without over-fussy detailing. The external facing materials would comprise natural Cotswold stone and artificial Cotswold stone slate tiles in direct response to the character and appearance of the site's surroundings. The quality and finish of materials and other detailing will be crucial to achieving a high quality design that responds to and respects the local vernacular and it recommended that material samples and fenestration details are secured by way of condition.

5.8 There remain some concerns regarding the size of the proposed dwelling within the constrained plot; however, it is accepted that the single storey additions on the east facing and west facing elevations of the main building have reduced the overall mass of the proposed dwelling to an acceptable level which is appropriate to the site context. Furthermore, the proposed dwelling would be read against the backdrop of existing development as part of the main village and would not appear visually intrusive in the wider AONB landscape.

5.9 Thus, subject to conditions, the revised proposal is considered, on balance, to present an acceptable design solution that responds to the site and its surroundings in accordance with JCS Policies SD4 and SD7 and the advice contained in the NPPF.

Impact on Heritage Assets

5.10 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 specifies that, in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Similarly, the local planning authority also has a duty under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. This is reflected in Section 16 of the NPPF.

5.11 JCS Policy SD8 relates to the historic environment and requires development to make a positive contribution to local character and distinctiveness, having regard to valued and distinctive elements of the historic environment. It also states designated and undesignated heritage assets and their setting will be conserved and enhanced as appropriate to their significance, and for their important contribution to local character, distinctiveness and sense of place. In addition, Local Plan Policy HEN2 refers specifically to conservation areas and requires particular attention to be paid to the development's impact on the conservation area and its setting, including any existing trees, and the use of traditional materials on the construction of new buildings.

5.12 As previously mentioned, the site is located in Stanton Conservation Area and is in close proximity to several listed grade II buildings, including The Vine and 1 & 2 Stanway Road which are situated to the east / south-east. The Conservation Officer has advised that the application site does not form an area of important open space within Stanton Conservation Area and is not regarded to be an integral part of the historic curtilage of The Vine.

5.13 The Conservation Officer raised an initial objection to the original scheme and has been involved in lengthy discussions with the agent/applicant since this time to seek amendments to the siting, scale and design of the proposed dwelling in relation to the site's heritage constraints.

5.14 The Conservation Officer has provided detailed comments on the revised proposal in which it is noted that the re-orientation of the building away from the boundary with the rear of listed buildings and the introduction of a single storey at its closest point has reduced the impact of the development upon listed buildings to a more acceptable level. There would continue to be some harm to their setting by virtue of the application site's location although the revised proposal is deemed to result in less than substantial harm (and at the lower end of that scale) for the purposes of the NPPF. Paragraph 196 (of the NPPF) requires this level of harm to be weighed against the public benefits of the proposal which, in this case, is taken to be the contribution to rural housing provision, with the addition of one 4-bed family dwelling being provided on an under-developed plot of land in a sustainable location which would make assist in the future vitality of the village. Whilst these benefits, as well as the economic benefits that would result, are limited by the scale of development, it is considered in this particular case that, on balance, the proposal would offer public benefits that outweigh the less than substantial harm to the designated heritage assets in accordance with the NPPF.

5.15 With regard to the impact of the proposal on the character of the Stanton Conservation Area, it is noted by the Conservation Officer that the building has been reduced in size and mass and the amended design is in general conformity to the Cotswold vernacular. The Conservation Officer has commented that a smaller cottage type building would have been more sympathetic; however, the reduced footprint is considered reasonably appropriate for its context in terms of the grain and density of development in this part of the Conservation Area and no further objection is made to the form and orientation of the proposed dwelling. Thus, the revised proposal is deemed to have satisfactorily addressed previous concerns and the amended design is an improvement on the original scheme which has successfully taken inspiration from the local character and distinctiveness of surrounding development. Subject to conditions to ensure the design and materials reflect the local vernacular, it is considered that the revised proposal would preserve the character and appearance of the Conservation Area in line with JCS Policy SD8 and Local Plan Policy HEN2.

Residential Amenity

5.16 Paragraph 127 of the NPPF specifies that planning decisions should ensure that developments create places with a high standard of amenity for existing and future users. This advice is reflected in JCS Policies SD4 and SD14 which require new development to enhance comfort, convenience and enjoyment through assessment of the opportunities for light, privacy and external space, and cause no unacceptable harm to local amenity including the amenity of neighbouring occupants.

5.17 With regard to amenity of neighbouring property, the amended siting and orientation of the proposed dwelling has increased separation between the proposed dwelling and Crickets Cottage to the south (approximately 7.5 metres) and No.1 Stanway Road to the east (approximately 11 metres). There are no window openings proposed on the east facing (side) elevation to prevent direct overlooking to No.1 Stanway Road and the first floor window opening on the south facing (rear) elevation have been kept to a minimum and would be obscure glazed (secured by condition) to ensure no loss of privacy for Crickets Cottage.

5.18 In terms of potential overbearing impact, the ridge height of the proposed dwelling has been lowered by 0.8 metres and the overall length of the 2.5 storey element of the building has been reduced to 10.5 metres, in comparison to the original proposal which measured approximately 20 metres along the south boundary. The incorporation of single storey elements as part of the design approach has also reduced the overall bulk of the proposed dwelling. While it is accepted that the introduction of built form on this currently undeveloped site would inevitably change the relationship with neighbouring property; the revised proposal is not considered to result in unacceptable harm to the amenity of neighbouring property in terms of bulk, massing, size or overlooking that would warrant the refusal of this application. It is also noted that whilst the area to the front of Cricketer's Cottage appears to be well used, this property has a private garden to the rear.

5.19 The level of amenity for future residents is also a material consideration in the determination of new residential development. The plot itself is relatively constrained in terms of size but the revised siting of the dwelling does provide a small area of private amenity space to the rear of the building, with additional garden area to the front which is not dissimilar to arrangements elsewhere in Stanton. Thus, the proposed dwelling is deemed to be provided with a sufficient amount of outdoor amenity space and would have reasonably good outlook in line with JCS Policy SD4. Similarly, it is considered that The Vine would also retain sufficient garden area following the sub-division of the site as a result of the proposed development.

Highway Safety

5.20 Section 9 of the NPPF relates to the promotion of sustainable transport and specifies that in assessing specific applications for development, it should be ensured that safe and suitable access to the site can be achieved for all users. The NPPF goes on to state that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. JCS Policy INF1 reiterates this advice.

5.21 Access to the proposed dwelling would be provided from the north-east corner of the application site from the private road serving The Vine Yard. The revised site plan shows sufficient space within the site for parking and manoeuvring, with vehicles able to exit the site in a forward facing gear. The addition of one dwelling in this location would utilise the existing private road in order to access the public highway and the intensification of this access as a result of the proposed development is not considered to cause unacceptable impact on highways safety in accordance with JCS Policy INF1 and the advice contained in the NPPF.

Other Matters

5.22 The trees along the northern boundary of the site are covered by a Tree Preservation Order (TPO). The Technical Officer (Trees) raised an objection to the original proposal for reasons relating to the proposed access arrangements which made provision for a gravel driveway to be provided between the two protected trees and would cause damage to their root systems. It was also commented that the proximity of the proposed dwelling to the TPO trees would also require substantial crown reduction to avoid over-shadowing. In line with the advice provided by the Technical Officer (Trees), the siting of the dwelling and proposed driveway has subsequently been amended to avoid damage to the root protection areas of the TPO trees. This is deemed acceptable and no objection raised subject to a condition requiring details of tree protection measures to be implemented prior to any works taking place on site and retained during construction.

5.23 The site is in a location where there is potential for archaeological remains, with previous development undertaken. 30 metres to the south having revealed evidence for Roman activity. The County Archaeologist considers there is potential for the application site to contain further Roman remains which may be adversely affected by construction ground works required for the proposed development. It is therefore recommended that a condition is imposed to secure the implementation of a programme of archaeological works in accordance with a written scheme of investigation.

5.24 The site is located within Flood Zone 1 (low risk) as defined by the Environment Agency's most up-to-date flood risk maps. The development is therefore unlikely to be at risk of flooding or cause significant risk of flooding to third party property. Severn Trent Water have been consulted and raise no objection and do not consider a drainage condition to be necessary. It is noted that the precise drainage arrangements will be subject to building regulation approval.

6.0 Conclusion and Recommendation

6.1 The proposal is acceptable in principle and would constitute infilling within the existing built-up area of the village of Stanton in accordance with JCS Policy SD10. For the reasons set out in this report, the revised proposal, which has substantially reduced the size, scale and massing of the proposed dwelling and amended its design, is deemed to be in keeping with the character and appearance of the locality (having special regard to the Conservation Area) and would have an acceptable impact on residential amenity, highway safety and protected trees. The proposal would cause less than substantial harm to the significance of nearby listed buildings which would, on balance, be outweighed by the public benefits arising from the provision of one additional dwelling. Whilst the planning judgment in this case is finely balanced, subject to conditions, the application is therefore considered to accord with relevant national and local planning policy and is recommended for **permission**.

RECOMMENDATION Permit

Conditions:

- 1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: 604-070A, 604-071B and 604-072B received by the Local Planning Authority on 29 August 2018.
- 3 No construction of the external walls and roof of the development hereby permitted shall commence until samples of the external facing materials proposed to be used for the walls and roof (including ridge tile) have been submitted to and approved in writing by the Local Planning Authority and all materials used shall conform to the sample(s) so approved.
- 4 The proposed walling shall be constructed in strict accordance with details of coursing, jointing, texture relief and colour to be submitted to and approved in writing by the Local Planning Authority and such details to be demonstrated by the prior construction of a sample panel. The panel shall be retained on site until the completion of the walling.
- 5 All door and window frames shall be recessed by a minimum of 75mm into the external walls of the building
- 6 No bargeboards or eaves fascias shall be used in the proposed development.
- 7 Prior to installation, detailed drawings of the proposed doors, windows and roof lights shall have been submitted to and approved in writing by the Local Planning Authority. The elevations shall be at a minimum scale of 1:20 and the sections shall be at a minimum scale of 1:5 and shall indicate profiles at full size. All doors, windows and roof lights shall be fitted in accordance with the approved drawings.
- 8 Prior to installation, details or samples of rainwater goods to be used shall be submitted to and approved in writing by the Local Planning Authority. The rainwater goods shall conform with the details / samples so approved.
- 9 Prior to the construction of the roof, details of the eaves, to a minimum scale of 1:10, shall have been submitted to and approved in writing by the Local Planning Authority. The eaves shall be constructed in accordance with the approved drawings.
- 10 No development shall commence until details of existing and proposed levels, to include details of finished floor levels, relative to Ordnance Datum Newlyn including a datum point outside of the site, have been submitted to and approved by the Local Planning Authority. All development shall be carried out in accordance with the approved details.
- 11 Notwithstanding the submitted plans, before the first use/occupation of the dwelling hereby permitted, full details of both hard and soft landscaping, including the position, design, materials and type of boundary treatments to be erected, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

All planting, seeding or turfing in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building(s) or completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
- 12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no windows or roof lights (other than any hereby permitted) shall be installed above ground floor ceiling height without the prior express permission of the Local Planning Authority.

- 13 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order), the first floor windows on the south facing (rear) elevation of the dwelling hereby permitted shall be fitted with, and retained in, obscure glazing (Pilkington Level 4 or equivalent).
- 14 The development hereby permitted shall not be occupied until the vehicular parking and turning facilities have been provided in accordance with the submitted plan drawing no: 604-070A, and those facilities shall be maintained available for those purposes thereafter.
- 15 No development shall take place within the application site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.
- 16 No development should take place until there has been submitted to and approved by the Local Planning Authority, an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) which shall include:
 - o precise location and species of trees
 - o tree protective fencing
 - o trees to be retained/removed
 - o schedule of tree surgery works (prior to and upon completion of construction works)
 - o existing and proposed tree surgery schedule
 - o tree protection zone (TPZ)
 - o specification for surface and level changes
 - o any trenching methods
 - o any post construction landscaping near trees.
- 17 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall:
 - i. specify the type and number of vehicles;
 - ii. provide for the parking of vehicles of site operatives and visitors;
 - iii. provide for the loading and unloading of plant and materials;
 - iv. provide for the storage of plant and materials used in constructing the development;
 - v. provide for wheel washing facilities;
 - vi. specify the intended hours of construction operations;
 - vii. specify measures to control the emission of dust and dirt during construction

Reasons:

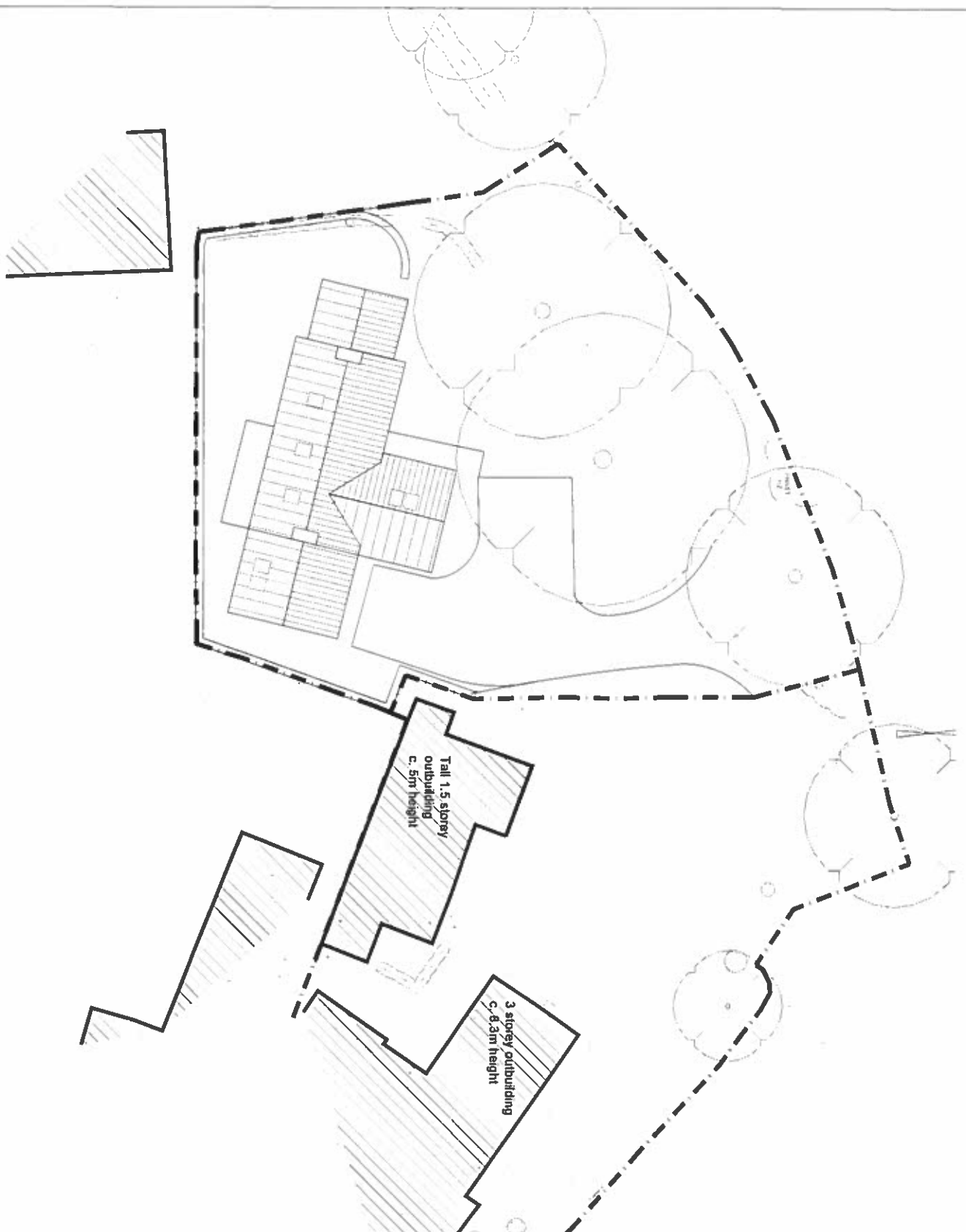
- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2 For the avoidance of doubt and in the interests of proper planning.
- 3 To ensure that the external appearance of the proposed development will be in keeping with the character of the area and adjoining buildings in the interests of visual amenity in accordance with the NPPF.
- 4 To ensure that the external appearance of the proposed development will be in keeping with the character of the area and adjoining buildings in the interests of visual amenity in accordance with the NPPF.
- 5 It is important to preserve and enhance the character and appearance of the Conservation Area in which this development is located in accordance with the NPPF and Policy HEN2 of the Tewkesbury Borough Local Plan to 2011 - March 2006. These are important details that need to be constructed in the traditional, local way to ensure that the development fits into its surroundings.
- 6 It is important to preserve and enhance the character and appearance of the Conservation Area in which this development is located in accordance with the NPPF and Policy HEN2 of the Tewkesbury Borough Local Plan to 2011 - March 2006. These are important details that need to be constructed in the traditional, local way to ensure that the development fits into its surroundings.

- 7 It is important to protect and maintain the character and appearance of the area in which this development is located. These are important details that need to be constructed in the traditional, local way to ensure that the development fits into its surroundings to accord with the NPPF.
- 8 To ensure that the external appearance of the proposed development will be in keeping with the character of the area and adjoining buildings in the interests of visual amenity in accordance with the NPPF.
- 9 To ensure that the external appearance of the proposed development will be in keeping with the character of the area and adjoining buildings in the interests of visual amenity in accordance with the NPPF.
- 10 To ensure that the development integrates harmoniously with its surroundings and does not adversely impact upon the amenity of neighbouring residents.
- 11 To ensure that the new development will be visually attractive and in the interests of residential amenity.
- 12 To protect the amenity of neighbouring residents.
- 13 To protect the amenity of neighbouring residents.
- 14 To reduce potential highway impact by ensuring that adequate parking and manoeuvring facilities are available within the site in accordance with the NPPF.
- 15 It is important to agree a programme of archaeological work in advance of the commencement of development, so as to make provision for the investigation and recording of any archaeological remains that may be destroyed by ground works required for the scheme. The archaeological programme will advance understanding of any heritage assets which will be lost, in accordance with paragraph 199 of the National Planning Policy Framework.
- 16 To safeguard the root systems of the protected trees and in the interests of visual amenity and the character of the area.
- 17 To reduce the potential impact on the public highway and accommodate the efficient delivery of goods and supplies in accordance with the National Planning Policy Framework.

Note:

1 Statement of Positive and Proactive Engagement

In accordance with the requirements of the NPPF the Local Planning Authority has worked with the applicant in a positive and proactive manner in order to secure sustainable development which will improve the economic, social and environmental conditions of the area by negotiating the siting, scale and design of the proposed dwelling.



282/B

absolute

ARCHITECTURE LTD

CHARTERED  ARCHITECTS

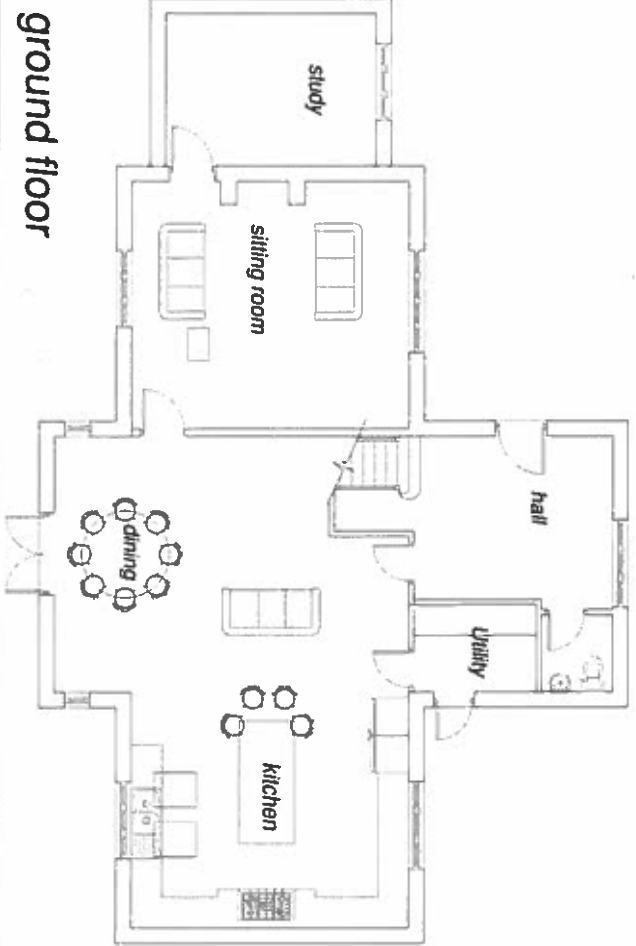
17, 18 The Maltings, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

PROPOSED NEW DWELLING AT THE VINE,
FPT STANTON WRI12TNE

PROPOSED SITE PLAN

DATE	1:100	DATE	29.05.18
BY	SB	BY	604-070A

This drawing and the building works depicted are the copyright of Absolute Architecture Ltd. No part of this drawing may be reproduced without the written permission of Absolute Architecture Ltd. The information provided is for your information only and is not to be taken as a contract. The information provided is for your information only and is not to be taken as a contract.



ground floor



first floor



attic floor

282/c
16

absolute

ARCHITECTURE LTD

CHARTERED ARCHITECTS



17, Southfield Road, London, N15 6AA, UK
Tel: 0203 8110 8110 Email: info@absolute-arch.co.uk
www.absolute-arch.co.uk

Company registration number: 11319710 (UK)

Project No:

PROPOSED NEW DWELLING AT
THE VINE, HIGH STREET, STANTON FOF

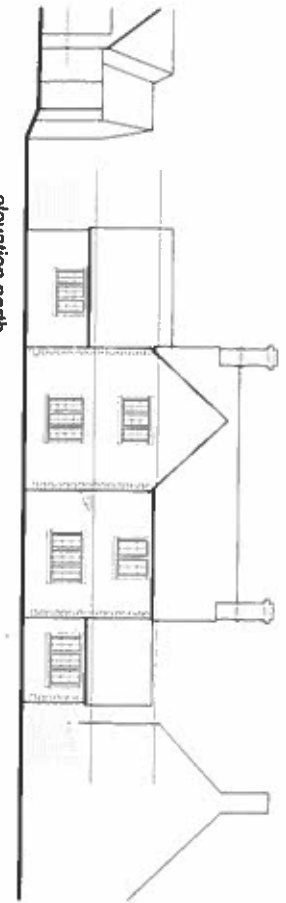
Showing the
FLOOR PLANS

Scale: 1:50
Date: 05.06.18
Drawn: SB

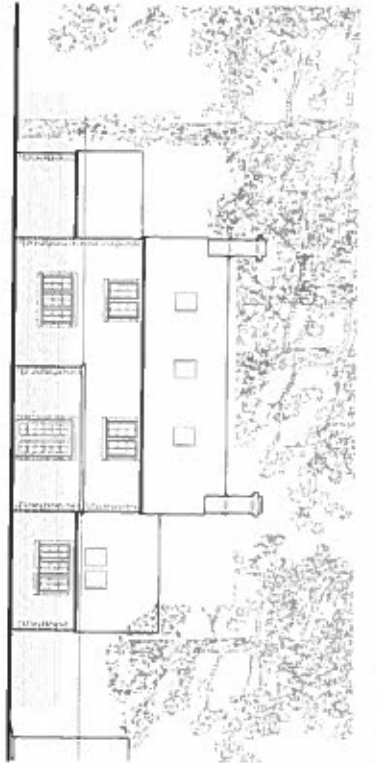
Number: 604-0718

This drawing and the building works depicted are the copyright of Absolute Architecture. It is not to be used for any other purpose without the written consent of Absolute Architecture. This drawing must be read and checked against the project brief and all other drawings and information provided. Do not scale from this drawing. Please refer to the project brief for further information.

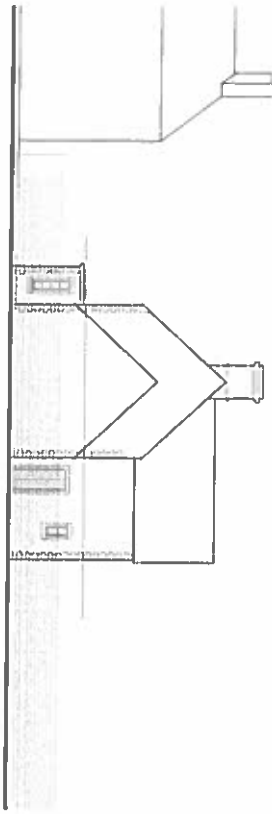
elevation north



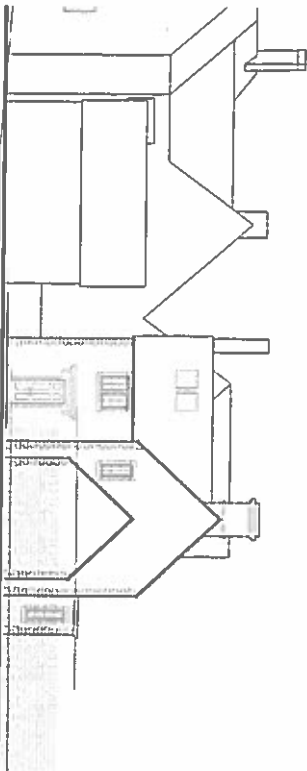
elevation south



elevation east



elevation west



282/D

absolute

ARCHITECTURE LTD

CHARTERED  ARCHITECTS

15, GERRARD STREET, LONDON, N1 1JF

Tel: 0113 261 1111 Fax: 0113 261 1112 Email: info@absolute-arch.co.uk

Website: www.absolute-arch.co.uk

**PROPOSED NEW DWELLINGS AT
TUE YANE, HIGH STREET, STANTON FOR**

PROPOSED ELEVATIONS

DATE	1:100	drawn	SB
05.06.18		number	604-0728

The drawings and the building works depicted are the copyright of the Architect and may not be reproduced without the written permission of the Architect. The Architect is not responsible for any errors or omissions in the drawings or for any loss or damage caused by the use of the drawings.

Valid 24.04.2018

Outline application for the erection of three dwellings, together with a new access with access, layout and scale for approval.

Grid Ref 388512 220133

Parish Churchdown

Ward Churchdown Brookfield

RECOMMENDATION Permit

Policies and Constraints

National Planning Policy Framework (2018)

Planning Practice Guidance

Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) (December 2017) - Policies SD4, SD6, SD9, SD10, SD14, INF1

Tewkesbury Borough Local Plan to 2011 (March 2006)

Tewkesbury Borough Flood and Water Management Supplementary Planning Document (February 2018)

Human Rights Act 1998 - Article 8 (Right to Respect for Private and Family Life)

The First Protocol, Article 1 (Protection of Property)

Consultations and Representations

Churchdown Parish Council - Initial objection on grounds of over development and concerns over access to and from Station Road. The proposed development significantly increases the number of dwellings at this location which is on a busy road, near to a roundabout and opposite a bus stop. The Parish Council has provided additional comments following the submission of revised plans which reaffirms the original objection reasons and endorse the objections of neighbouring residents.

County Highways Authority - No objection subject to conditions.

Severn Trent Water - No objection to the proposal and do not require a drainage condition to be applied. Advisory note that there may be a public sewer located within the application site and contact must be made with Severn Trent Water to discuss the proposals.

Natural England - No objection.

Landscape Officer - No concerns with the submitted tree survey (ref: 2nd May 2018 - BJU/mmi) but questioned whether existing mature Beech trees could be retained as part of the proposal.

Local Residents - Six letters of representation have been received from local residents raising objections and/or general comments concerning the proposed development. These have been summarised as follows:

- The proposed development is too intensive in regard to density which would lead to anticipated road safety problems by vehicles accessing the site.
- Station Road is extremely busy at drop off and collection times for nearby schools and is declared a school safety zone with a 20mph speed limit. There are two bus stops almost directly outside the proposed development and the traffic situation is hazardous at the mini roundabout at the junction of Station Road and Albemarle Road. The reported traffic incidents are surely an indication of a hazardous road situation.
- This development would make everything worse for everybody in the area and will give a green light to all other houses with a garden big enough to development.
- The new dwellings would result in an extra six cars, nearly doubling the number on this part of Station Road, and could make it more difficult to access to nearby properties on Station Road, particularly during school drop off/pick up time.
- The proposed development, especially D2, is too close to the site boundary and would be intrusive and result in a loss of light to neighbouring property. While there are no planned windows at first floor level on the north facing elevation of D2, this should be secured by way of condition to prevent overlooking.
- No reference is made to the change in levels between the site and neighbouring property. This means a building with a ridge height of 8.2 metres would be approximately 2 metres taller than if the land were flat. Given the plans are only outline at this stage, what assurance will there be to ensure the proposed dwellings do not result in overlooking to neighbouring property and/or built higher than indicated?

- Any approved buildings works should be subject to a sensible curfew period and protect residents' tranquillity.
- The original plans, especially in relation to existing properties in Albermarle Road, are inaccurate in several areas and give a misleading view of the impact of the proposed development. In particular, the shapes, extensions on the rear of properties in Albermarle Road and even identification of properties have been misrepresented.
- The boundary treatments between the proposed access road and Sandfield Lawn must respect environmental privacy, both auditory and visual. Ideally, this should match the brick boundary treatment used for the opposite boundary as part of the previously approved development at Sandfield Lawn (ref: 06/01455/FUL).
- Given the slope present on the development site, adequate drainage may require disproportionately high buildings. If this is the case then the development should be limited to single storey height only.

Planning Officers Comments: Mrs Helen Stocks

1.0 Application Site

1.1 The application relates to Stoneyhurst, a two storey detached dwelling set within a large plot on the eastern side of Station Road in Churchdown (see attached location plan). The site comprises an area of approximately 0.25 hectares and slopes in a south to north direction, with a level change of approximately 1 metre. The site is bound to the north, east and south by residential properties. Access is gained from Station Road which runs parallel to the west boundary.

1.2 The existing dwelling is vacant and the site has recently been cleared of overgrown vegetation although there are mature trees and hedgerow in the north-west and south-west corners of the application site. The site is located in Flood Zone 1.

2.0 Planning History

2.1 An application seeking outline planning permission for the erection of five dwellings on land to the rear of Stoneyhurst and Sandfield Lawn was submitted in November 2003 (ref: 03/01611/OUT). This application was withdrawn prior to determination.

2.2 An application for full planning permission was submitted in 2005 for the "erection of 2 detached two storey four bed houses, with detached double garage, and construction of vehicular access onto Station Road" (ref: 05/00639/FUL). This application was also withdrawn prior to determination.

3.0 Current Application

3.1 This is an outline application for the erection of three dwellings and creation of a new access onto Station Road, with matters relating to access, layout and scale being considered at this stage. Appearance and landscaping are reserved for future consideration.

3.2 The existing dwelling - Stoneyhurst - would be retained as part of the current proposal and proposed dwellings would be accommodated within its former garden area. The proposed layout plan (see attached) shows 1no. two storey 'coach house' style dwelling ('D1') erected to the north (side) of the existing dwelling and 2no. one-and-a-half storey, detached dwellings ('D2' and 'D3') located to the east (rear). The proposed coach house would have sole use of the existing site access onto Station Road while the remaining dwellings would share a new access, with a private driveway running parallel to the southern site boundary. All dwellings would benefit from off-road parking provision for a minimum of two vehicles.

3.3 Revised plans have been submitted over the course of the application which have sought minor amendments to the layout and indicative design of the proposed dwellings in light of consultation responses.

- * Plot D2 has been repositioned away from the northern boundary, with a detached double garage, to increase separation from No.43 and No.45 Albermarle Road and to accommodate hedgerow planting;
- * Plot D3 has also been repositioned slightly, having been brought forward away from Linden Lodge; and
- * the indicative design of all plots (D1, D2 and D3) has been amended to show hipped/half hipped roofs in lieu of the full gable originally proposed.

4.0 Policy Context

4.1 The determination of a planning application is to be made pursuant to section 38(6) of the Planning and Compulsory Purchase Act 2004, which is to be read in conjunction with section 70(2) of The Town and Country Planning Act 1990. Section 38(6) requires the local planning authority to determine planning applications in accordance with the development plan, unless there are material circumstances which "indicate otherwise". Section 70(2) provides that in determining applications the local planning authority "shall have regard to the provisions of the Development Plan, so far as material to the application and to any other materials considerations."

4.2 The development plan comprises the Joint Core Strategy (JCS) (2017) and saved policies in the Tewkesbury Borough Local Plan to 2011 (March 2006) (TBLP).

4.3 Other material policy considerations include national planning guidance contained within the National Planning Policy Framework (July 2018).

4.4 The relevant policies are set out in the appropriate sections of this report.

5.0 Analysis

5.1 The main issues for consideration are the principle of development, design and visual impact, residential amenity, highway safety and ecology and nature conservation.

Principle of Development

5.2 Criterion 4 (ii) of JCS Policy SD10 states new housing development will be permitted where it is infilling within the existing built-up areas of the City of Gloucester, the Principal Urban Area of Cheltenham or Tewkesbury Borough's towns and villages except where otherwise restricted by policies within district plans. For the purposes of criterion 4(ii), the supporting text defines 'infill development' as "the development of an under-developed plot well related to existing built development".

5.3 The site is located within the existing built-up area of Churchdown and currently comprises part of the residential garden of Stoneyhurst. The site is bounded by residential development to the north, east and south and the proposal is therefore considered to constitute infill development in accordance with JCS Policy SD10. Thus, the principle of the proposed development is considered acceptable subject to compliance with other material planning considerations.

Design and Visual Impact

5.4 Section 12 of the NPPF which sets out that the creation of high quality buildings and places is fundamentally to what the planning and development process should achieve and that good design is a key aspect of sustainable development, creating better places in which to live and work and helping make development acceptable to communities. This advice is echoed in JCS Policy SD4 which states new development should respond positively to, and respect the character of, the site and its surroundings, enhancing local distinctiveness, and addressing the urban structure and grain of the locality in terms of street pattern, layout, mass and form. It should be of a scale, type, density and materials appropriate to the site and its setting.

5.5 The application is made in outline form although approval is being sought for layout and scale at this stage and must therefore be considered. The submitted Design and Access Statement explains how the scale and layout of the proposed dwellings has been informed by the site characteristics and surrounding development. Both Station Road and Albemarle Road Brookfield are characterised by a mixed style of dwellings, sited in plots of varying sizes, and generally front onto the respective roads. However, following the subdivision of large garden plots, there are instances where 'back land' development has taken place on Station Road and the dwellings located to the south of the site, behind Sandfield Lawn, are prime examples. This has changed the urban structure and grain of the locality and has clearly influenced the layout of the current proposal, with Plots D2 and D3 approximately following the same building line as those existing dwellings to the south.

5.6 Plot D1 has been purposefully set back from Stoneyhurst and would have a lower eaves and ridge height (maximum 8.5 metres) than the main dwelling to resemble a coach house or garage building. It would occupy a footprint of approximately 59 square metres and would have living accommodation arranged over two floors, providing a 3-bed unit. The layout plan shows off-road parking would be provided to the front of the dwelling and a private garden area to the rear.

5.7 Plots D2 and D3 would occupy a larger footprint (circa. 134 square metres) and would be comparable to neighbouring property, Linden Lodge. The submitted Design and Access Statement explains the proposed dwellings would be 4-bed dormer bungalows and would have a lower eaves and ridge height than neighbouring property to minimise any impact in terms of residential amenity, with the maximum ridge height of Plots D2 and D3 not exceeding 8.2 metres. The layout plan clearly shows these dwellings would be served by the new access drive from Station Road and would each benefit from off-road parking for two vehicles and private garden area to the rear. In addition, Plot D2 would also have a detached double garage to the west of the proposed dwelling.

5.8 The Parish Council has raised an objection that the proposal would result in over-development of the plot, however, it is considered that the site layout plan presents an acceptable arrangement and demonstrates that an additional three dwellings proposed can be accommodated on the site without appearing cramped or constrained. Furthermore, the proposed layout shows each dwelling would be sited within reasonable sized plots, including the existing dwelling, and would not appear dissimilar to the form, character and plot size of adjacent residential development. The back land nature of the proposal means that the proposed dwellings would not significantly alter the street scene along Station Road and would be largely hidden from view behind Stoneyhurst itself. In any case, the detailed appearance of the proposed dwellings is a reserved matter although it is recommended that details of the external facing materials should be secured by way of condition in the interests of visual amenity.

5.9 For these reasons, it is considered that the layout, scale and massing of the proposed development would be appropriate to the site and its setting and compatible with the character and appearance of other buildings in the vicinity. The proposal is therefore considered to accord with JCS Policy SD4 in this regard.

Residential Amenity

5.10 Paragraph 127 of the NPPF specifies that planning decisions should ensure that developments create places with a high standard of amenity for existing and future users. This advice is reflected in JCS Policies SD4 and SD14 which require new development to enhance comfort, convenience and enjoyment through assessment of the opportunities for light, privacy and external space, and cause no unacceptable harm to local amenity including the amenity of neighbouring occupants.

5.11 The application site backs onto the rear gardens of surrounding properties along Albemarle Road to the north / east and Linden Lodge and Sandfield Lawn to the south. Objections have been received from neighbouring residents on Albermarle Road raising concerns that the proposed dwellings - particularly Plot D2 - would have an overbearing impact, be visually intrusive and have the potential for overlooking. Revised plans have been submitted which seek to overcome these objections by amending the site layout to increase the separation distance between Plot D2 and the north site boundary with Nos. 43 and 45 Albemarle Road by approximately 4 metres. It is indicated on the revised layout plan that this would allow for hedgerow planting to take place along the boundary to help soften the development and provide a level of screening in the interests of existing and future occupiers. The indicative design of the proposed dwellings have also been amended to show a half hipped / hipped arrangement, which is characteristic of the existing dwelling (Stoneyhurst), to reduce the perceived overbearing nature of the development. These amendments are deemed to present an acceptable solution and although appearance is reserved for future consideration, the Council would expect the submission of any reserved matters application to be in general conformity to this indicative design. Furthermore, taking into account the 1.5 storey height of the proposed dwellings, it is not considered that the scale and layout of the proposed development would have an unacceptable impact on the residential amenity of neighbouring property in terms of overbearing impact and appropriate measures to ensure a high standard of amenity for existing and future residents would be secured through the design and appearance of the proposed dwellings at reserved matters stage. Notwithstanding this, it is recommended that any approval of outline planning permission is subject to a condition requiring details of existing and proposed levels, including finished floor levels, eaves and ridge heights, in the interests of residential amenity. Similarly, full details of the hard and soft landscaping for the entire site, including the position, design, materials and type of boundary treatments to be erected, will be required as part of any subsequent reserved matters application.

5.12 In terms of overlooking, the proposed dwellings have all been orientated so that the principal elevation is west facing in line with other properties along Station Road. The detailed design and appearance of the proposed dwellings is reserved for future consideration and this would address the exact positioning of windows. However, the submitted Design and Access Statement does make clear that there would no window openings on the side elevations of any dwelling (Plots D1, D2 and D3) to avoid direct overlooking to neighbouring property and this could be secured in the form of a suitably worded condition. The proposed site layout plan is deemed to show an acceptable relationship between both existing and proposed dwellings and the careful design and orientation of windows would ensure a high standard of amenity for existing and future occupants in accordance with JCS Policies SD4 and SD14.

5.13 While the Council does not have a specific policy for minimum standards, the level of amenity for future residents is a material consideration in the determination of applications for housing. The scale and layout of proposed development confirms that each dwelling would have an internal floorspace above the National Described Space Standards. Similarly, each dwelling - including Stoneyhurst - is deemed to benefit from a relatively generous garden and would have a reasonably good outlook in line with JCS Policy SD4.

Highway Safety

5.14 Section 9 of the NPPF relates to the promotion of sustainable transport and specifies that in assessing specific applications for development, it should be ensured that safe and suitable access to the site can be achieved for all users. The NPPF goes on to state that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. JCS Policy INF1 reiterates this advice.

5.15 Access is to be considered at outline stage and the application has been accompanied by a Transport Assessment. The proposal would utilise the existing access onto Station Road for Plot D1 only. A new access onto Station Road and associated driveway is being proposed for Plots D2, D3 and the existing dwelling, Stoneyhurst. Objections have been received from local residents that the proposed development would increase vehicular movements to the detriment of the safe operation of the highway network, particularly given the site's location on Station Road in close proximity to primary schools, a bus stop and the mini roundabout at the junction of Station Road and Albemarle Road where there have been recorded incidents in the past.

5.16 The County Highways Authority has been consulted on the application and raises no objection subject to conditions. In their response, the County Highways Authority confirms that the emerging visibility splays left and right of the proposed access, which has been derived from speed data, is achievable and considered acceptable. In addition, the proposed layout plan is deemed to meet current guidance and provides sufficient space to accommodate 2 parking spaces per dwellings which is considered acceptable. Furthermore, the County Highways Authority do not consider the increase in traffic movement and additional trips from the proposed development to significantly impact on the safe passage of road users and it is concluded that the impact of such increase would not have a detrimental impact upon highway safety. The recorded personal injury collisions in the vicinity of the site have been considered and the County Highways Authority are satisfied that the incidents have no relation in regards to the proposed access arrangement.

5.17 Thus, subject to the recommended conditions, it is considered that there would be no unacceptable impact on highway safety and that the residual cumulative impacts on the road network would not be severe. The proposal would therefore accord with JCS Policy INF1 and the advice of the NPPF.

Ecology and Nature Conservation

5.18 The NPPF sets out, inter alia, that when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by encouraging opportunities to incorporate biodiversity in and around developments. Furthermore, planning permission should be refused for development resulting in the loss of deterioration of irreplaceable habitats. JCS Policy SD9 seeks to protect and enhance biodiversity in considering development proposals.

5.19 The application has been accompanied by an Ecological Assessment which concludes the site is of low ecological value with limited opportunities to support protected species such as breeding birds and bats. It is understood that the site has been cleared of overgrown vegetation and the trees and hedgerow which remains onsite are predominately recognised as being species-poor and of limited biodiversity value. No further ecology surveys are required, but recommendations have been made to enhance the site's ecological value. Suggestions include integrated bird, bat and insect boxes, as well as wildlife beneficial planting and can be required by condition.

5.20 The application has also been accompanied by a Tree Constraints, Impact Assessment and Tree Protection Method Statement (dated April 2018). This concurs with the findings of the Ecological Assessment in so far as the site was overgrown with self-sown trees and neglected hedgerow that were of limited amenity / ecological value. The Tree Officer has no concerns regarding the findings of the report but did question the possibility of retaining more of the Beech trees in the south-west corner of the application site as part of the current proposal. This has been duly considered by the applicant/agent who has responded stating that the Beech trees were originally planted as a hedge and are unsuited to retention as individual trees. It is therefore recommended that these trees be replaced with good quality indigenous species which can be suitably controlled by way of condition.

5.20 The Tree Protection Method Statement and associated plan (drawing no:STONEYRPA-MAY18) demonstrates that adequate protection can be provided to ensure all retained trees are protected throughout development in the form of barriers and/or ground protection.

5.21 In light of the above, and subject to the imposition of conditions, there is no evidence to suggest that there are any overriding ecological constraints to the development of the site for residential purposes.

Other Matters

5.22 The site is located within Flood Zone 1 (low risk) as defined by the Environment Agency's most up-to-date flood risk maps. The development is therefore unlikely to be at risk of flooding or cause significant risk of flooding to third party property. Severn Trent Water have been consulted and raise no objection and do not consider a drainage condition to be necessary. It is noted that the precise drainage arrangements will be subject to building regulation approval.

6.0 Conclusion and Recommendation

6.1 The proposal is acceptable in principle and would constitute infilling within the existing built-up area of Churchdown in accordance with JCS Policy SD10. For the reasons set out in this report, it is concluded that there are no significant adverse material issues that would result from the proposal, which would be compatible with the scale, massing and layout of surrounding development and would have an acceptable impact on the character and appearance of the area, highway safety and residential amenity. Subject to conditions, the application is therefore considered to accord with relevant national and local planning policy relating to new residential development. It is therefore recommended that outline planning permission should be **granted**.

RECOMMENDATION Permit

Conditions:

- 1 For those matters not reserved for later approval, the development hereby permitted shall be carried out in accordance with the following approved plans and information:
 - o Site Location Plan, received by the Local Planning Authority on 5 March 2018.
 - o Site Plan as Proposed (drawing no: 17/STONEYHURST.1/P 01 rev J), received by the Local Planning Authority on 10 October 2018.
 - o Information detailed in covering letter from agent, dated 24 April 2018.
- 2 The development for which permission is hereby granted shall not be begun before detailed plans thereof showing the external appearance of the building(s) and landscaping of the site (hereinafter referred to as "the reserved matters") have been submitted to and approved by the Local Planning Authority.
- 3 Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
- 4 The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.
- 5 The reserved matters submitted pursuant to condition 2 above shall include details of existing and proposed ground levels, including finished floor levels, and the ridge and eaves height of the buildings hereby approved, relative to Ordnance Datum Newlyn including a datum point outside of the site. The development shall be carried out in accordance with the approved details.

- 6 The maximum height of Plot D1 shall not exceed 8.5 metres and the maximum height of Plots D2 and D3 shall not exceed 8.2 metres.
- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), there shall be no window openings or roof lights in the side (north and south facing) elevations of the dwellings hereby approved without the prior express permission of the Local Planning Authority.
- 8 The development hereby approved shall be carried out strictly in accordance with the Tree Protection Method Statement and associated plan (drawing no:STONEYPRA-MAY18) which shows how the existing trees and hedgerows to be retained will be protected during the course of construction. The approved tree and hedge protections measures shall accord with BS 5837: Trees in Relation to Construction and shall be in place prior to the commencement of construction and retained thereafter.
- 9 The reserved matters submitted pursuant to condition 2 shall be accompanied by full details of both hard and soft landscape proposals. These details shall include, as appropriate:
- a. Positions, design, materials and type of boundary treatment to be erected;
 - b. Hard surfacing materials; and Soft landscape details shall include:
 - c. Planting plans including positions for all tree, hedge and shrub planting, including replacement planting in the south-west corner of the site and along the northern site boundary between Plot D2 and 43 and 45 Albemarle Road;
 - d. Written specifications (including cultivation and other operations associated with plant and grass establishment);
 - e. Schedules of plants, noting species, planting sizes and proposed numbers;
 - f. Densities where appropriate; and
 - g. Implementation timetables including time of planting.
- 10 All planting, seeding or turfing in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building(s) or completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
- 11 The details submitted for the approval of reserved matters shall include details or samples of the external facing materials and hard surfacing proposed to be used. Development shall be carried out in accordance with the approved details.
- 12 The development hereby permitted shall be carried out in accordance with the approved mitigation measures set out in the Ecological Assessment, prepared by Ethos Environmental Planning (dated November 2017).
- 13 The vehicular access hereby permitted shall not be brought into use until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 2.4m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road 43m north (Right) and 46m south (Left) (the Y points). The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0m at the X point and between 0.6m and 2.0m at the Y point above the adjacent carriageway level.
- 14 The development hereby permitted shall not be occupied until the vehicular parking and turning facilities have been provided in accordance with the submitted plan drawing no: 17/STONEYPHURST.1/P 01 rev J, and those facilities shall be maintained available for those purposes thereafter.

- 15 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall:
- i. specify the type and number of vehicles;
 - ii. provide for the parking of vehicles of site operatives and visitors;
 - iii. provide for the loading and unloading of plant and materials;
 - iv. provide for the storage of plant and materials used in constructing the development;
 - v. provide for wheel washing facilities;
 - vi. specify the intended hours of construction operations;
 - vii. specify measures to control the emission of dust and dirt during construction
- 16 No development shall commence on site until a scheme has been submitted to, and agreed in writing by the Local Planning Authority, for the provision of fire hydrants (served by mains water supply) and no dwelling shall be occupied until the hydrant serving that property has been provided to the satisfaction of the Local Planning Authority.

Reasons:

- 1 To define the terms and extent of the permission.
- 2 The application is in outline only and the reserved matters referred to in the foregoing condition will require further consideration.
- 3 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.
- 4 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.
- 5 In the interests of visual amenity and to protect the residential amenity of neighbouring property in accordance with the NPPF.
- 6 To ensure that the new development will be visually attractive in the interests of good design and amenity.
- 7 To protect the amenity of existing and future residents in accordance with the NPPF.
- 8 In the interests of visual amenity and to ensure dwellings have satisfactory privacy.
- 9 In the interests of visual amenity and to ensure dwellings have satisfactory privacy.
- 10 In the interests of visual amenity and to ensure dwellings have satisfactory privacy.
- 11 To ensure that the new development will be visually attractive in the interests of amenity.
- 12 To increase the biodiversity of the site and to mitigate any impact from the development hereby approved.
- 13 To reduce potential highway impact by ensuring that adequate visibility is provided and maintained and to ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with the National Planning Policy Framework.
- 14 To ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with the National Planning Policy Framework.
- 15 To reduce the potential impact on the public highway and accommodate the efficient delivery of goods and supplies in accordance with the National Planning Policy Framework.
- 16 To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire.

Notes:

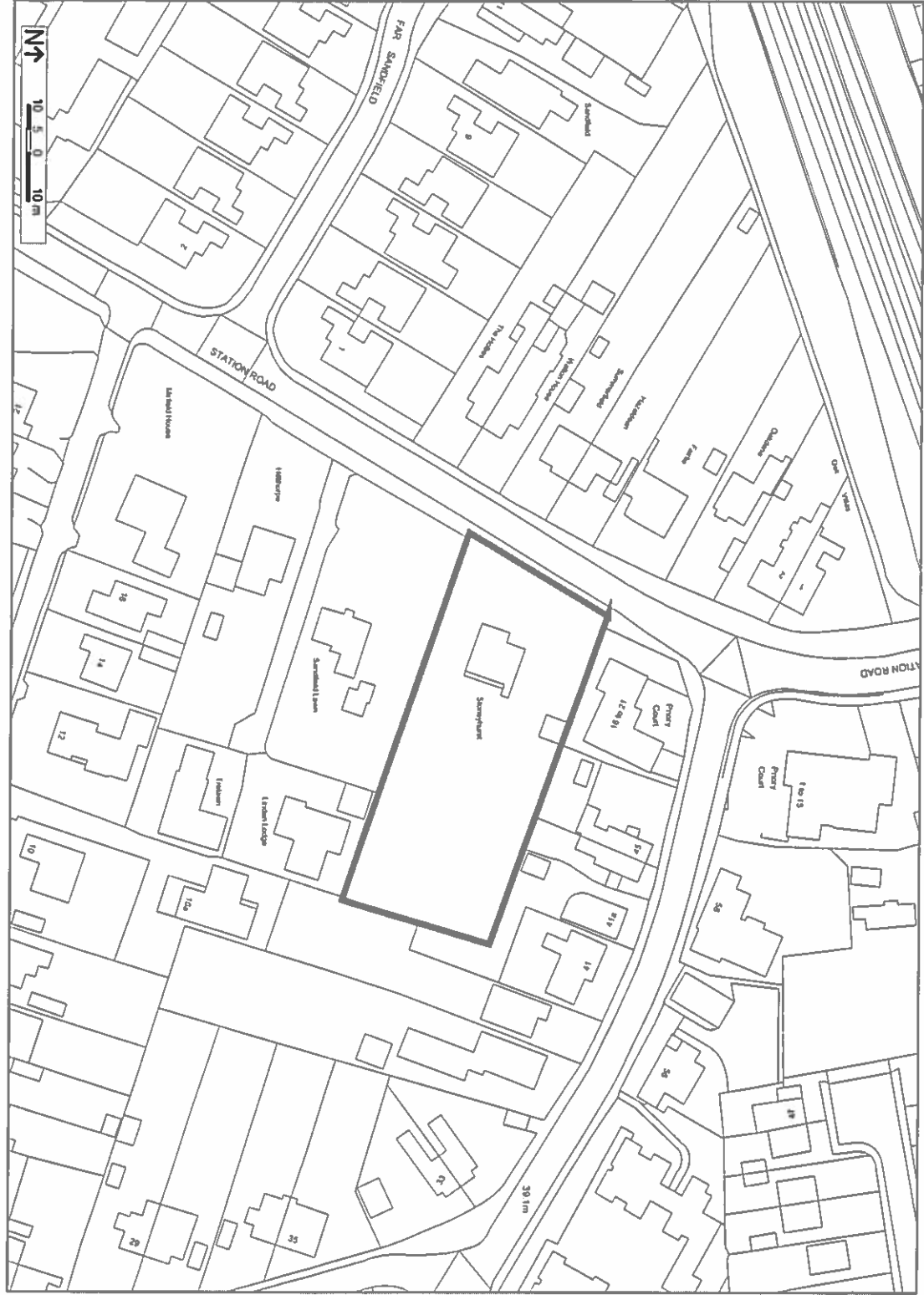
1 Statement of Positive and Proactive Engagement

In accordance with the requirements of the NPPF the Local Planning Authority has worked with the applicant in a positive and proactive manner in order to secure sustainable development which will improve the economic, social and environmental conditions of the area by negotiating the scale and layout of the proposed development.

- 2** Severn Trent Water advise that there may be a public sewer located within the application site. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and contact must be made with Severn Trent Water to discuss the proposals. Severn Trent will seek to assist in obtaining a solution which protects both the public sewer and the building.

Location Plan

Stoneyhurst, Churchdown

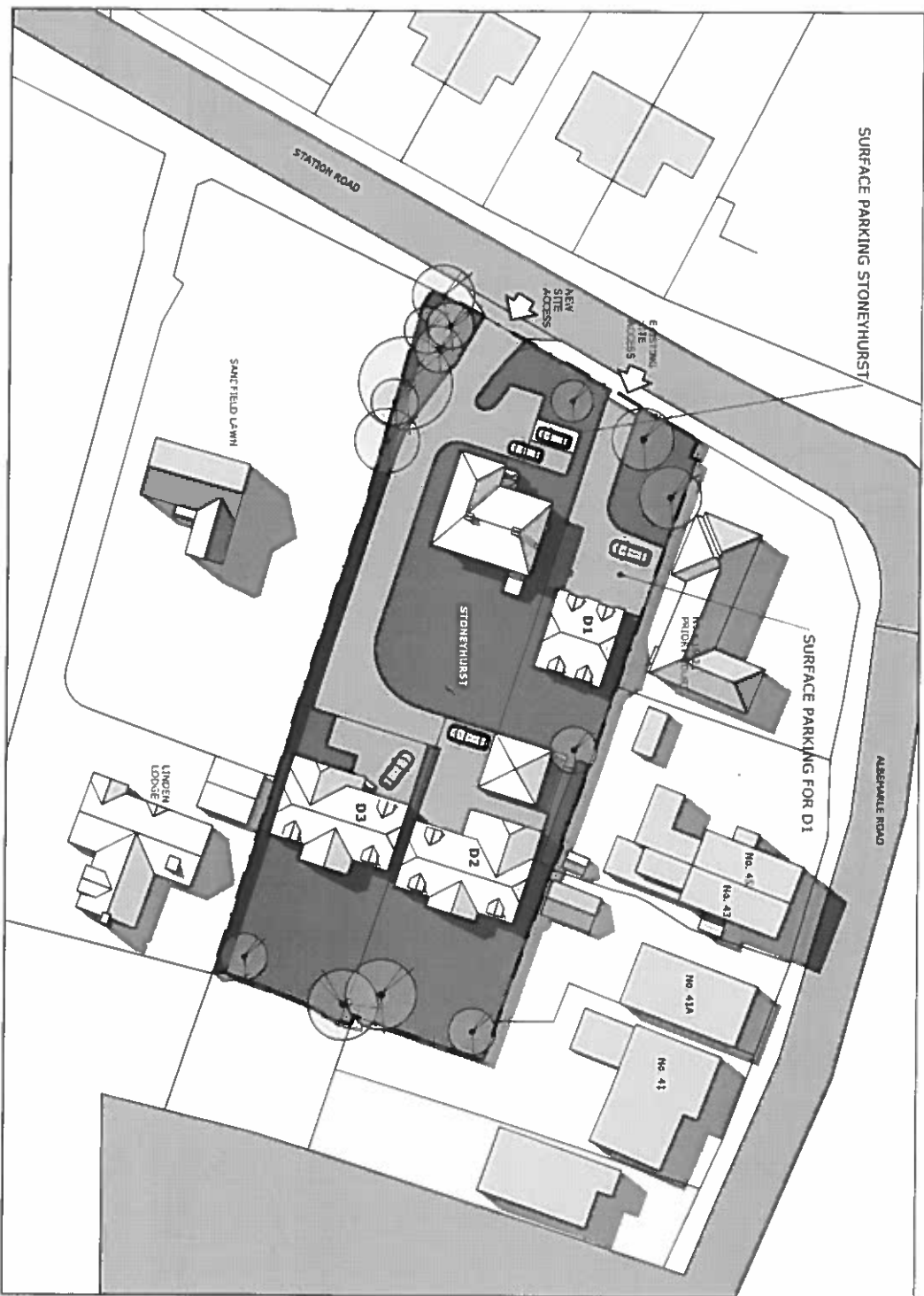


Map Information
Scale 1:1250
Date 02/03/18
Reference
Order No: 1955235

291/A
27



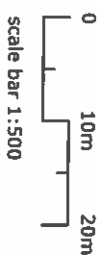
18/00218/001



CDM Regulations 2015
Principal Designer's Risk
Assessment



291/B



client: NEW DWELLINGS, STONEHURST
project: STATION ROAD, CHURCHDOWN
date: NOV 2017
scale: 1:500 @ A3
dwg no: 17 / STONEHURST.1 / P 01 rev J

Site Plan As Proposed

edward tucker:chartered architect
93 Kingshill Road, Swindon SN1 4JG
01793610593
this drawing is copyright
do not scale, if in doubt, ask
drawing to be used for the intended status use only



Valid 30.05.2018

Variation of condition 2 of planning permission 17/00338/FUL - change to approved drawings to move garage and relocation of the front wall to allow increased parking.

Grid Ref 398296 226943
Parish Woodmancote
Ward Cleeve Hill

RECOMMENDATION Permit

Policies and Constraints

National Planning Policy Framework - 2018 (NPPF)
National Planning Policy Guidance (NPPG)

Adopted Joint Core Strategy (December 2018)
SP2 (Distribution of Development)
SD4 (Design Requirements)
SD6 (Landscape)
SD7 (Cotswolds Area of Outstanding Natural Beauty)
SD10 (Residential Development)
SD14 (Health and Environmental)
INF1 (Transport Network)

Consultations and Representations

Woodmancote Parish Council objects to the proposal for the following reasons:

- Woodmancote Parish Council previously objected to the development of a new dwelling on this green field site.
- One of the reasons for our objection was the access issues and lack of parking. TBC also objected to development of this site, however the planning inspector overturned this on appeal March 2017.
- This latest application to move the garage and relocate the front wall to allow increased parking addresses some of the issues with developing this site but it does not help the access alongside the Coach House and an Electricity substation.
- Where a property is built and there is insufficient parking for the size and scale of the development there is likely be significant inconvenience to neighbouring properties.
- The original application, form stated there will be four parking spaces but they were not shown on the plan.
- It is still not clear on this new application where the parking will be. The new site layout does not show any space for parking other than a single car parking area alongside the Coach House.
- The issue concerning the lack of designated parking within the site has not been addressed with this variation of condition 2.

Local Residents - Three letters of objection have been received from local residents objecting to the application for the following reasons:

- Planning Inspector considered it was necessary to impose a conditions requiring the permission be implemented in accordance with the approved plans and that materials and levels details were required to safeguard the character and appearance of the area and the AONB. Also details of drainage and construction. This application seeks to change this certainty.
- The attempt to change the conditions of the Planning Inspectorate is blatant in its disregard for due process.
- Lower ground floor living area increased by circa 40%. There are other additions / changes to the permitted plans not included in description of development. Have resulted in a 4 bed house. The actual proposals include: extra living room; study/extra bedroom; extra bathroom; enlarged sitting room and hallway; enlarged garage (not just moved); several extra windows.
- The revised design changes the relationship between the house and its AONB setting which was carefully considered by the Planning Inspector.
- Additional parking will encourage additional cars which means the Planning Inspectors assertion about sustainable development will be made even worse.
- These variations ride roughshod over the Planning Inspector Conditions.
- Revisions need to be reviewed in line with the Planning Inspectorates appeal conclusions.

- The proposed changes would create a higher roof line as well as a larger footprint, and therefore greater impact on the landscape and scenic beauty of the AONB. This is therefore contrary to the Planning Inspectorates appeal conclusions who imposed a condition requiring the building be carried out in accordance with the approved plans.
- Application represents blatant plan-creeper which runs entirely counter to Condition No. 2 laid down in the Schedule of Conditions by the Planning Inspector.
- The PI decreed that no development should take place until various details and a Construction Method Statement have been submitted, and this should be the focus of attention at this point.
- Proposed dwelling would be in the sightlines of neighbouring properties (especially those of "The Coach House", "The Manse" and "Ivydene").
- The new "side" (formerly "west") elevation now presents as a solid square mass of masonry, relieved only by the addition of a chimney (purpose unspecified) which lends this aspect the appearance of a light industrial unit or even of a crematorium.
- Proposed changes would greatly increase the visible impact on the surroundings, and not in a good way.

Planning Officers Comments: Mr John Hinett

1.0 Application Site

1.1 The application relates to land to the west of The Coach House on Post Office Lane. The site is located on Cleeve Hill and the site slopes downwards.

1.2 The site is located within the Cotswold Area of Outstanding Natural Beauty (AONB) and within the buffer zone of a Site of Special Scientific Interest (SSSI).

2.0 Relevant Planning History

2.1 Planning application 09/00274/FUL for the conversion of a coach house to a dwelling (amended scheme to include a porch/cloakroom extension) was permitted in July 2009

2.2 Planning application 17/00338/FUL for the Construction of a new dwelling was refused planning permission on 28th June 2017 for the following reasons:

1 The proposed development conflicts with Policy HOU4 of the Tewkesbury Borough Local Plan to 2011 - March 2006 in that the site lies outside the defined residential development boundary of a settlement in a location where new housing is strictly controlled.

2 The site is located beyond any defined residential development boundary and is remotely located relative to the nearest amenities and facilities and is not served by adequate footways, cycleways, or public transport facilities. The proposal would therefore increase reliance on the private motor vehicle, contrary to the National Planning Policy Framework (2012) and policy TPT1 of the Tewkesbury Borough Local Plan to 2011 (March 2006).

3 The proposed development is located outside of a residential development boundary as defined in Tewkesbury Local Plan to 2011. In the opinion of the local planning authority the proposal is not located where it will maintain or enhance the vitality or rural communities and there are no special circumstances to justify the proposal in this location. As such the proposal does not represent sustainable development.

4 The proposed development, by reason of the prominent location of the site would result in unacceptable harm to the landscape of the Area of Outstanding Natural Beauty. As such the proposed development is contrary to advice set out in the National Planning Policy Framework, emerging policy SD8 of the Proposed Main Modifications version of the Joint Core Strategy and the provisions of the Cotswolds AONB Management Plan 2013-2018.

A subsequent Appeal against the Council's refusal was successful and the appeal was allowed.

3.0 Current Application

3.1 The current application proposes to amend the design of the approved dwelling and therefore seeks to vary condition 2 of planning permission 17/00338/FUL under Section 73 of the Town and Country Planning Act 1990. Although the description of development states the changes are 'to move garage and relocation of the front wall to allow increased parking', the proposed changes in fact involve a significant increase in the floorspace of the proposed dwelling (albeit this is largely at ground floor and for the most part subterranean) and result in a number of material changes. These changes are listed as follows:

- Lower ground floor - the applicant argues that on the advice of a structural engineer the ground floor wall has been relocated to sit directly below the ground floor wall above it (see building sections A-A). This has resulted in additional ground floor accommodation that would provide bathroom/ en-suite, a study/bedroom, storage and circulation space. As the additional accommodation would be substantially below ground level, a small change to the ground levels is proposed that would allow a high level window (relative to the lower GFL) to provide light to the circulation space.
- Ground floor - The garage section has been moved forward to increase the amount of parking to the front. The accommodation would be largely the same, although an additional toilet and covered access to the balcony is added. A large suspended atrium style window is also proposed on the south elevation.
- Changes to some of the windows are also proposed.
- Changes to the materials palette are also proposed which now omit cedar cladding and proposed natural block stone rather than dry stone walling.
- The agent has confirmed that the height relative the previously approved plans of the proposed dwelling would be the same.

4.0 Analysis

Principle of Development

4.1 Although the Council objected to the previous application on the grounds that it did not comply with JCS Policy SD10, in allowing the Appeal the Inspector concluded (paragraph 23):

"that the proposed development would be in sustainable location, with particular regard to the Councils Spatial Strategy, in relation to access to services and facilities and in connection with enhancing or maintaining the vitality of rural communities. For the reasons already given, it would also comply with policies SP2, SD10 and INF1 of the JCS, the content of which is detailed above, and relevant parts of the Framework."

4.2 Given the above and the fact that the existing permission remains extant, the principle of residential development on this plot is acceptable. The main issues for consideration are considered to be: whether the revised design is acceptable in design terms; has an acceptable impact on the Area of Outstanding Natural Beauty; and has acceptable impact on the residential amenity of neighbouring properties.

Design and layout

4.3 The Government attached great importance to the design of the built environment, this is outlined within section 12 of the NPPF. The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Paragraph 130 states that local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).

4.4 In allowing the Appeal the Inspector opined that the contemporary design of the dwelling and use of natural materials would be sympathetic with the range of other buildings in the vicinity and concluded its:

"design compares reasonably with those other contemporary buildings, many of which are in more prominent positions. Therefore, the proposed dwelling would not appear out of place. Moreover, there would be relatively limited or distant views from the public vantage points and it would not be an immediate presence in the streetscene."

4.5 The character and form of the dwelling as revised would remain largely unchanged. Although the materials palette omits cedar cladding and proposes block stone rather than dry stone walling, conditions could ensure those materials are natural and of sufficient quality that would ensure the required contemporary finish. Given the acknowledged limited views of the dwelling it is not considered the proposed changes would make the current proposal unacceptable in design terms.

Landscape impact

4.6 Paragraph 172 of the NPPF outlines 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. Policy SD7 of the JCS also seeks to conserve and, where appropriate, enhance the AONB and says that proposals should be consistent with policies set out in the Cotswolds AONB Management Plan 2013-2018 (CMP).

4.7 At paragraph 34 of the appeal statement the Inspector reasoned that:

"Given the enclosed nature and sloping gradient of the site, partially encompassed by more dominant existing residential development, I consider that any visibility of the development from open public areas would be against a backdrop of existing built forms and there would no significant perceptible change caused to the wider landscape and its character of appearance".

At paragraph 36 he concluded that:

"The above factors lead me to conclude that the proposed development would not appear prominent or harm the character and appearance of the countryside. Therefore, it would conserve the landscape, scenic beauty and other special characteristics of the AONB. It follows that it would comply with Policy SD7 of the JCS, relevant parts of the current CMP and the Framework which seek to conserve the AONB."

4.8 As discussed above, although the ground floor of the dwelling would increase, it would be excavated into the hillside and imperceptible from anywhere outside the site. The section plan (A-A on the plans) confirm that there would be no increase in the overall height as compared to the previously approved scheme. Therefore given the Inspector's reasoning (set out above), the revised scheme would similarly conserve the landscape, scenic beauty and other special characteristics of the AONB.

Residential Amenity

4.9 Paragraph 127(f) of the NPPF states that planning decisions should create places with a high standard of amenity for existing and future users.

4.10 No additional windows are proposed that would result in increased overlooking of neighbours. Overall, it is considered that there would not be a significant adverse effect on the amenity of this property and surrounding area.

4.11 At paragraph 47 of his appeal decision the Inspector agreed that permitted development rights (other than those preventing the addition of a porch) should be removed. As well as in interest of controlling development which could adversely affect the AONB, he also considered that this would ensure the retention of appropriate levels of outdoor living space. The current proposal would not degrade the previously approved level of amenity space. It is necessary to carry forward the Inspector's condition removing permitted development rights to maintain this control.

Parking

4.12 The Parish Council have questioned where the parking will be. This query was also raised in the Appeal. At paragraph 38 of his statement the Inspector clarified they would be located within and in the area to the front of the garage. The current application would create additional space to the front of the garage for the parking of vehicles.

5.0 Conclusion

5.1 Overall it is considered that the proposed changes to the design of the dwelling are acceptable.

Conditions

5.2 All the conditions recommended by the Inspector are still considered necessary and relevant and are therefore carried forward and repeated for the current application. As Section 73 applications cannot be used to extend the life of existing permissions, the date by when the development must be commenced is three years from the date of the Inspectors decision.

RECOMMENDATION Permit

Conditions:

1 The development hereby permitted shall begin no later than the 5th February 2021.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

2 The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Nos 7728/1A (received on the 31st May 2018); 7728/2A (received on the 31st May 2018); 7728/3 and 7728/4.

Reason: To ensure that the development is carried out in accordance with the approved plans.

3 No development shall take place until details of all external materials have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the external appearance of the development is satisfactory.

4 No development shall take place until details of the existing and proposed levels across the site and relative to adjoining land, together with the finished floor levels of the dwelling hereby approved have been submitted and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: In order to ensure the satisfactory appearance of the development and its relationship to adjoining properties, in accordance with the NPPF.

5 No development shall take place until a scheme of foul drainage and surface water drainage has been submitted to, and approved in writing by the Local Planning Authority. The approved scheme shall be completed before the development is occupied.

Reason: To ensure satisfactory drainage of the site in accordance with the NPPF.

6 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall:

- i. specify the type and number of vehicles;
- ii. provide for the parking of vehicles of site operatives and visitors;
- iii. provide for the loading and unloading of plant and materials;
- iv. provide for the storage of plant and materials used in constructing the development;
- v. provide for wheel washing facilities;
- vi. specify the intended hours of construction operations;
- vii. specify measures to control the emission of dust and dirt during construction.

Reason: To protect the amenity of neighbouring properties and to protect the public highway.

- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification), no development as specified in Part 1 Classes A, B, C and E other than those expressly authorised by this permission, shall be carried out without express planning permission first being obtained from the local planning authority.

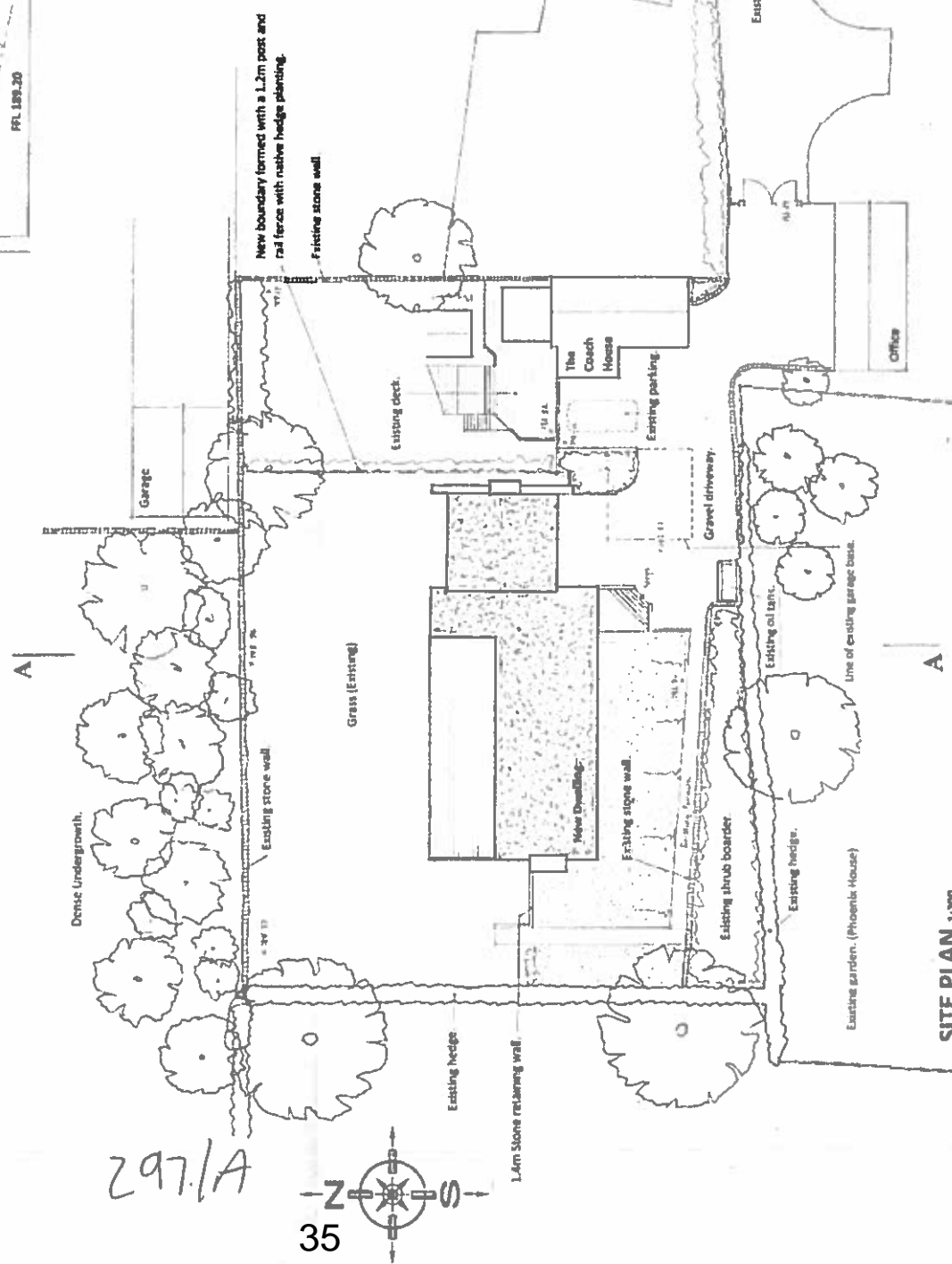
Reason: To enable the Local Planning Authority to control the development and to safeguard the character and visual amenities of the area, and to ensure that adequate private open space is retained within the curtilage of the building.

Note:

1 **Statement of Positive and Proactive Engagement**

In accordance with the requirements of the NPPF the Local Planning Authority has sought to determine the application in a positive and proactive manner offering pre-application advice, detailed published guidance to assist the applicant and published to the council's website relevant information received during the consideration of the application thus enabling the applicant to be kept informed as to how the case was proceeding.

SECTION A-A 1:100



Client	[REDACTED]
Project	PROPOSED NEW DWELLING AT THE COACH HOUSE POST OFFICE LANE
Demo info	NEW HOUSE SITE LAYOUT & SECTION
Dwg No	7724-1 R
Date	11/06/2006 A2
Page	3-3-17

Rev. A. B. C. D. E. F. G. H. I. J. K. L. M. N. O. P. Q. R. S. T. U. V. W. X. Y. Z.

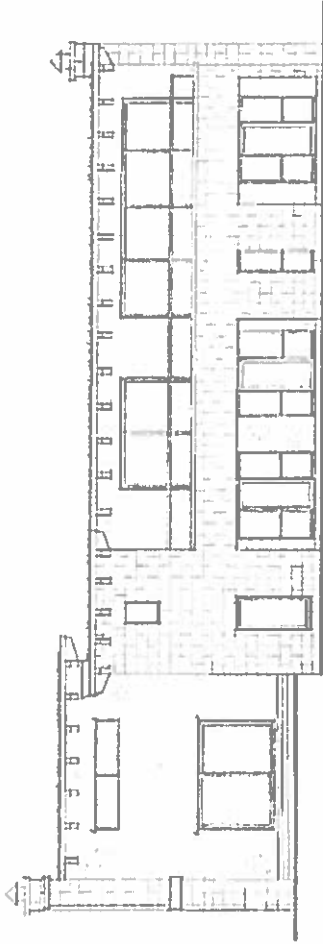


SITE PLAN 1:300

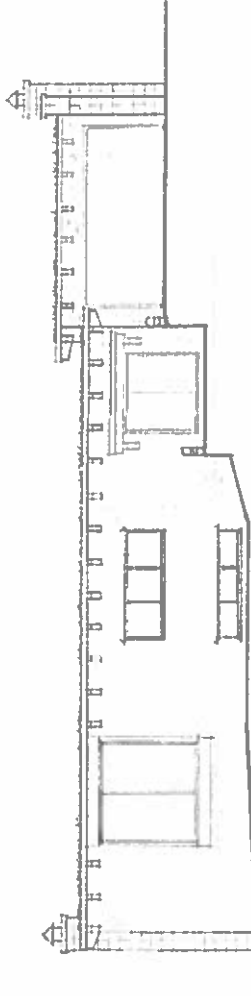
Client	NEW DWELLING AT THE COACH HOUSE POST OFFICE LANE		
Project	Drawing		
Plans & Elevations	1100/2A2 10-3-18		
Urg No / 2A2	10-3-18		

See A 25.5-18 Rear view related to ground floor

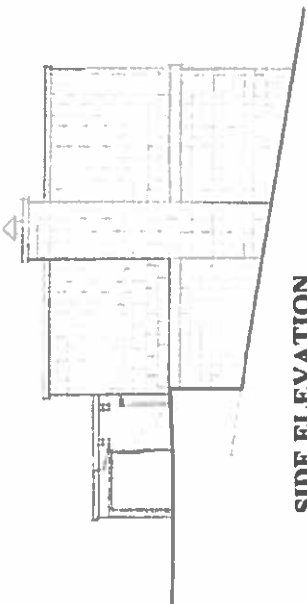
RECEIVED
30 MAY 2019
TEAMESBURY BOROUGH COUNCIL
OPERATIONS



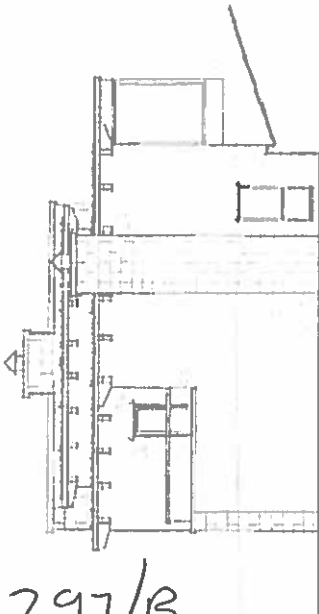
REAR ELEVATION



FRONT ELEVATION

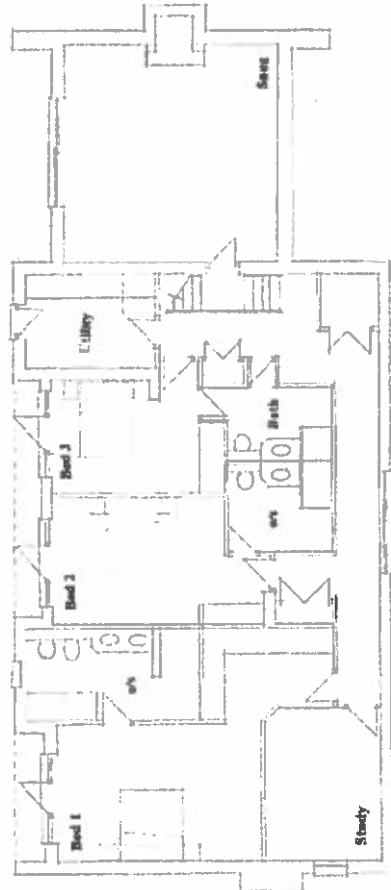


SIDE ELEVATION

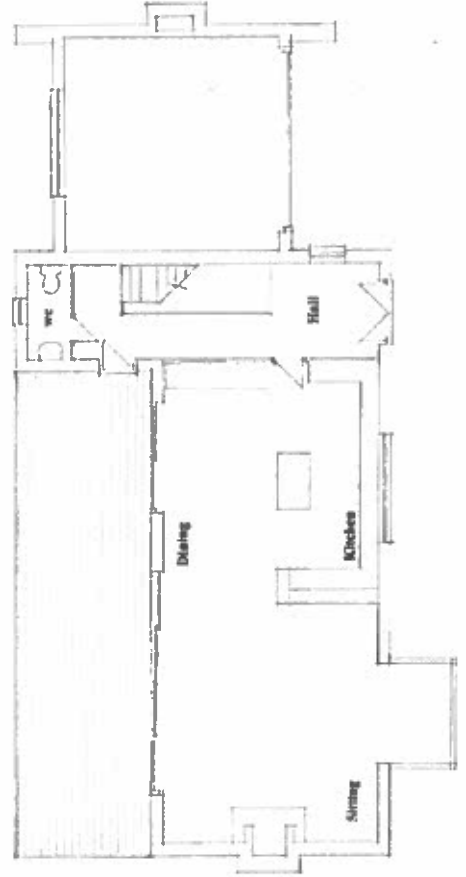


SIDE ELEVATION

297/B



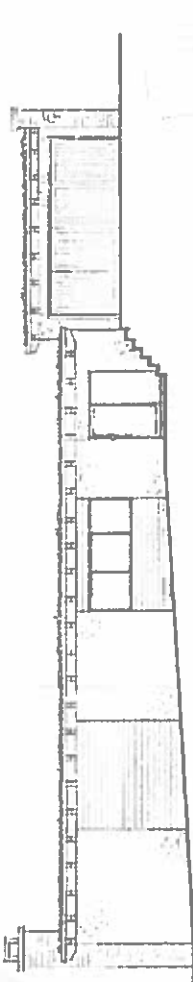
GROUND FLOOR



FIRST FLOOR

Client	Project
	PROPOSED DWELLING AT THE COACH HOUSE POST OFFICE LANE.
Drawing	Drawing
NEW HOUSE PLANS & ELEVATIONS	NEW HOUSE PLANS & ELEVATIONS
Dwg No 77252	1:100/A2 3-3-17
ANDREW P JONES ASSOCIATES	
Development Consultants 11 MILBANK HOUSE, STOCKWELL LANE, CLAYTON HILL, CHELTENHAM, GL10 2EY, GLOS. TEL: 01242 512111 E-MAIL: apj@apj-associates.co.uk	

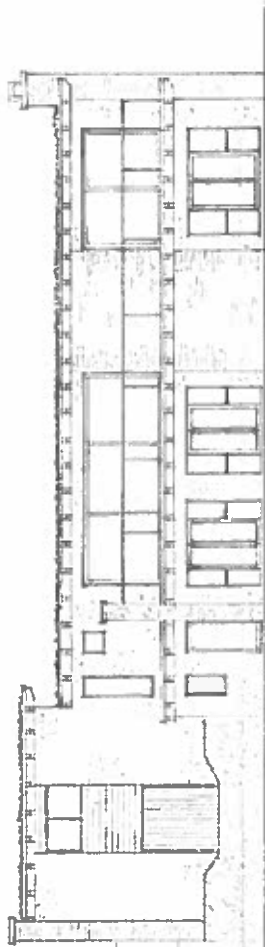
Previously approved
17/00338/FUL



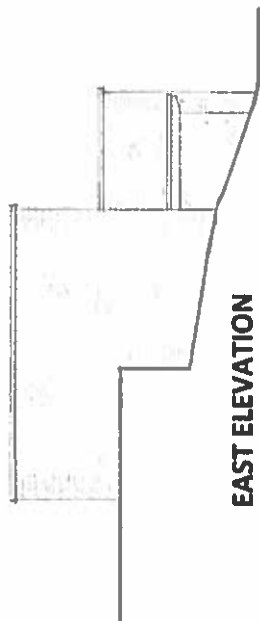
SOUTH ELEVATION

PLANNING A
REVISION B
DATE 21 MAY 2017

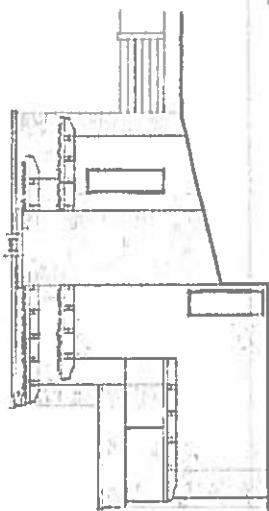
MATERIALS
WALLS
Natural dry stone walling, Cedar boarding and painted render, all as shown.
ROOF
Sedum flat roof finish.
WINDOWS
Powder coated aluminium.



NORTH ELEVATION

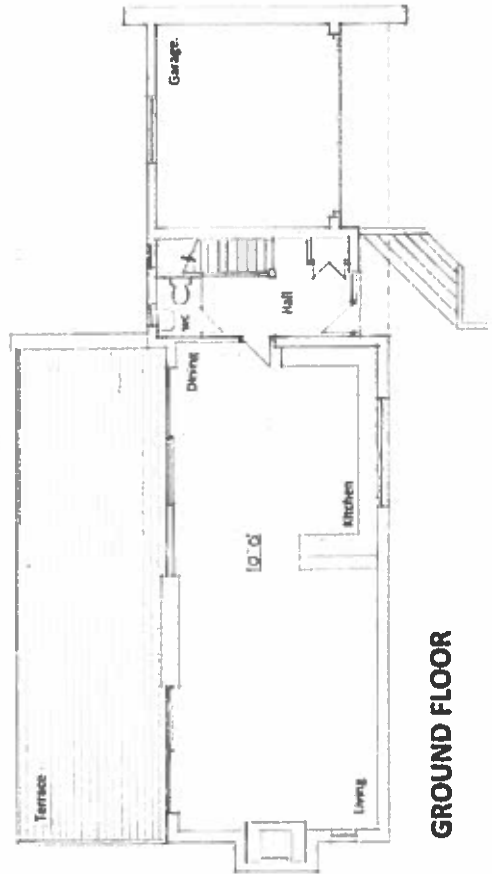


EAST ELEVATION

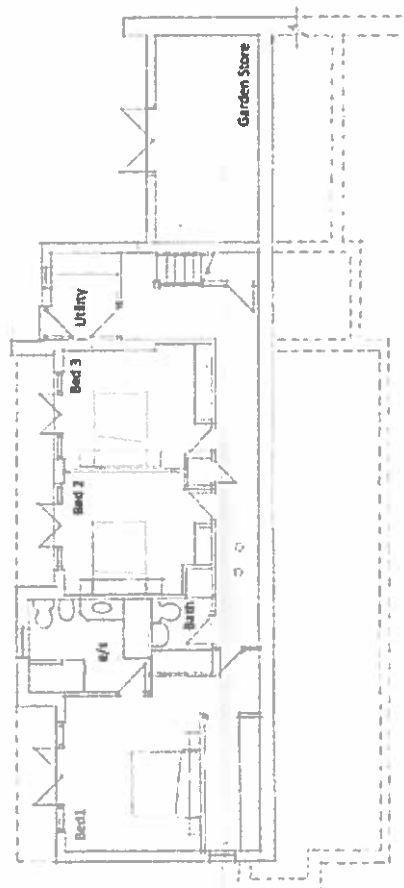


WEST ELEVATION

297/D



GROUND FLOOR



LOWER GROUND FLOOR

Valid 12.07.2018

Conversion of an existing barn/workshop to holiday let and creation of a parking area.

Grid Ref 390297 217696

Parish Badgeworth

Ward Badgeworth

RECOMMENDATION Permit**Policies and Constraints**

National Planning Policy Framework (NPPF) (2018)

Planning Policy Guidance (PPG)

Joint Core Strategy (2017) - SD5, SD6, SD8, SD9, SD14, INF1, INF2

Tewkesbury Borough Local Plan (2006) - AGR6, AGR7, TOR1, TOR2

Consultations and Representations**Councillor Vines** - Request the application be determined by Committee given its Green Belt location**Parish** - Badgeworth Parish Council has significant concerns about:

- The size of the holiday let - 8 bedrooms are mentioned in para 3.3 in the Planning Design and Access Statement. It is clearly stated that it will be advertised for stag/hen parties. This will mean a large number of visitors with potentially a large amount of traffic at unsociable times having an adverse impact on local residents further up the lane.
- The access onto the A46 is very dangerous with poor visibility. The large number of vehicle movements associated with such a large holiday let will increase the danger.
- Sandy Pluck Lane is very narrow with many properties close to the A46 junction being sited immediately adjacent to the lane and vehicle movements. It is questionable whether the lane can cope with the increase in vehicle movements.

County Highways Authority - No objection

Conservation Officer - The barn is considered to be a non-designated heritage asset. The Officer advised that the application as submitted was acceptable with the exception of the change of roof materials from natural blue slate to an industrial corrugated metal. Further to these comments the applicant amended the roof materials to natural blue slate and the Officer has subsequently advised that there is no objection to the application subject to the imposition of conditions.

County Archaeologist - No archaeological investigation or recording should be required in connection with this scheme.

Environmental Health Contamination - No objection subject to a condition requiring reporting and agreement of remediation actions should contamination be discovered on site during works.

Environmental Health - No objection in terms of noise/nuisance

Local Residents- Three objections have been received (summarised)

- The noise from the contractors of the build of Hunt Court has been excessive, there has been dust and dirt, increased litter and tipping and the speed of construction vehicles has been excessive which has raised difficulties for residents. Although this build would be temporary, it has provided a taste of what may come if further development is permitted.
- There is a dangerous bend close to residential properties which construction vehicles are using. Vehicles are driving onto private gardens and residents are being asked to move cars.
- There are gas and water supplies located in proximity to the lane and excessive vehicular use of this lane can only cause wear and tear and damage to these services.

- The proposal for an 8 bedroom holiday let, which can house up to 16 people, for weddings, hens and stags and family lets (and associated supporting companies such as DJs, bands, caterers) would create increased vehicle movements, noise and disruption for local residents.
- The bus service is limited at night so it is evident that taxis will be used. This will create traffic noise and disturbance at inconvenient at all hours
- The existing building may not be being used for employment use.
- Hunt Court Farm has had its fair share of planning permissions and cumulative impact should be considered. The JCS sets out to protect the natural environment and this proposal would surely now need a new access due to the heavy load on the small country lane.
- The proposal would represent another dwelling in the Green Belt

Planning Officers Comments: Paul Instone

1.0 Application Site

1.1 Hunt Court Farm comprises a collection of buildings loosely arranged around a central courtyard, some of which have benefited from changes of use to alternative commercial uses.

1.2 Hunt Court Farm has been subject to redevelopment in recent years. A replacement dwelling is currently under construction replacing the former 3 storey detached farmhouse (ref: 15/00306/FUL). Permission also exists for the retention of a two storey structure known as 'The Granary' for use ancillary and incidental to the new dwelling.

1.3 An independent dwelling, known as Hay Barn, is also located to the north west of Hunt Court Farm. The site of Hay Barn was formerly part of the farm complex and was permitted by virtue of planning application (ref: 08/00819/FUL).

1.4 Hunt Court Farm also includes a number of traditional outbuildings some of which have benefitted from changes of use to alternative commercial uses over recent years. The current application relates to one of these buildings which is a detached former farm building located within the original courtyard of Hunt Court Farm.

1.5 The Barn is a single storey pitched roof structure constructed of natural stone with a slate roof. Half of the barn is enclosed on all sides, whereas the other half is open on one side. The southern half of building benefits from a Certificate of Lawfulness (ref: 99/10405/0496/CLE) in connection with a business for the repair and manufacture of agricultural machinery.

1.6 In 2015 planning permission (ref: 15/00306/FUL) was granted for the Change of use of the building which is subject to this application from workshop to offices (Use Class B1). The application proposed no external alterations to the building and the change of use comprised an office in the enclosed southern part of the building and four car parking spaces within the open sided northern part of the building. The permission is extant but not implemented.

1.7 Hunt Court Farm itself is located to the west of A46 Shurdington Road and is accessed via Sandy Pluck Lane which is a narrow single track road. The Farm Complex is surrounded by open countryside east, south and western boundaries. The site is located in the Green Belt.

2.0 Relevant Planning History

Application Building

99/00496/CLE - Certificate of Lawfulness for the Existing Use of part of the building (the southern enclosed section) for the purposes of the repair and manufacture of parts for agricultural machinery and production of small machined metal items. Consent 1999.

06/01667/FUL - Planning application was refused for a proposal for the demolition of 2 no. steel barns and outbuildings, replacement of 2 dwellings, conversion of outbuildings to 2 no. holiday lets and stables and storage was submitted. The application included the conversion of the building which is subject to this application to a garage and a holiday let. The application which also included proposals for the adjacent buildings was refused for a number of reasons including Green Belt policy and conflict with rural buildings conversion policies. Refused June 2007.

07/01234/FUL - Demolition of 2 No. steel barns and outbuildings. Replacement of 2 No. dwellings. Conversion of outbuildings to 2 No. holiday lets and stables and storage. The application proposed to convert the barn which is subject to this application into 2 no. holiday lets. The application which also included proposals for the adjacent buildings was refused for a number of reasons including Green Belt policy and conflict with rural buildings conversion policies. Refused January 2008.

15/00306/FUL - Change of use of the building which is subject to this application from workshop to offices (Use Class B1). The application proposed no external alterations to the building and the change of use comprised an office in the enclosed southern part of the building and four car parking spaces with the open sided northern part of the building. The permission is extant but not implemented. Permitted June 2015.

Hunt Court Farm

91T/8794/01/02 - granted permission for the conversion of the former Granary (Building 6) to a holiday cottage in January 1992. Subsequent planning application 02/8794/1682/FUL granted permission to remove the restrictive holiday occupancy condition (condition f) attached to permission 91T/8794/01/02 in August 2003.

08/00819/FUL - Replacement of 2 dwellings and remodelling of lake. Permitted September 2008.

16/00694/FUL - Revised application for a contemporary replacement dwelling, including changes to residential curtilage, and the retention of 'The Granary' for use ancillary and incidental to the new dwelling only. Permitted September 2016. The dwelling is currently under construction.

3.0 Current Application

3.1 The application is submitted in full and proposes the conversion of the existing building into one holiday let unit. The proposed holiday let unit would comprise of 5 en-suite bedrooms at ground floor level as well as three mezzanines at first floor level which are indicated to be used for 'sleeping/play' and 'store'. Two of the mezzanines are accessed from communal space and one mezzanine is accessed from within 'Bedroom 5'. The applicant's supporting statement states that the mezzanines would be used as bedrooms and that the proposal would comprise of 8 no. bedrooms.

3.2 The proposal seeks to retain the existing stone walls of the building with the existing partially open front elevation to be enclosed with vertical timber boarding, Cotswold Stone and glazing. The proposal seeks the installation of windows and doors, largely within existing openings although an additional window is proposed on the north elevation.

3.3 The application as submitted has been amended further to comments from the Conservation Officer and the proposed corrugated metal sheeting roof has been amended to blue slate to match the existing. Three roof lights are proposed within the roof serving the mezzanines/first floor bedrooms.

3.4 A small patio area is shown adjoining the rear elevation which occupies an existing area of hardstanding. Car parking is indicated for four vehicles within the wider complex.

4.0 Policy Context

4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise.

4.2 The development plan comprises the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) (December 2017) and the saved policies of the Tewkesbury Borough Local Plan to 2011 (March 2006). The National Planning Policy Framework (NPPF) 2018 is recognised as a material consideration in the determination of planning applications.

4.3 The relevant policies are set out in the appropriate sections of this report.

5.0 Analysis

Principle of Change of Use

5.1 The NPPF seeks to support a prosperous rural economy and at paragraph 83 states that planning decisions should enable the expansion and growth of all types of businesses in rural areas, both through the conversion of existing businesses and well-designed buildings. Paragraph 83 also states that planning decisions should enable rural tourism and leisure development which respect the character of the countryside.

5.2 Policy TOR1 of the Local Plan states that the Borough Council will support proposals for tourism related development provided that, inter alia, the priority is given to the re-use of existing buildings; there is good access including access for walkers, cyclists and those in special need; and subject to there being no unacceptable impact on the safety or satisfactory operation of the highway network.

5.3 Policy TOR2 of the Local Plan states that the development of serviced and self-catering accommodation will not be permitted outside of residential development boundaries, except where the proposal results in the renovation and improved use of existing buildings.

5.4 Policy AGR6 of the Local Plan states that the conversion of rural buildings for short stay low-key accommodation will be permitted unless it can be demonstrated that the proposed use is not practical or viable within the building, or that it is unsuitable due to amenity, environmental or highway reasons. The building must be of permanent and substantial construction and in the open countryside must be capable of conversion without major or complete reconstruction. Policy AGR7 of the Local Plan states that the essential scale, form and character of the original building and structures should be retained.

5.5 The application proposes the re-use of a rural building to create a holiday let business which would support tourism and contribute to the rural economy. The application is supported by a Structural Report and architectural plans which demonstrate the building is structurally sound and capable of conversion without the need for major reconstruction or substantial alteration and it is considered that the essential character of the building would remain intact. It is noted that the application proposes to enclose the partially open sided front elevation with timber cladding and glazing, however these are not structural works and are not considered substantial within the context of the wider building.

5.6 The principle of the application is therefore considered acceptable subject to there being no material considerations indicating that the application should be determined other than in accordance with the development plan.

Green Belt

5.7 The application site is located in the Green Belt. A local planning authority should regard the construction of new buildings as inappropriate development except in specific circumstances as set out in the NPPF. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

5.8 Paragraph 146 of the NPPF advises that certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These include, inter alia, the re-use of buildings provided the buildings are of permanent and substantial construction. Policy SD5 of the JCS echoes the NPPF policy.

5.9 The application building is a permanent and substantial structure and the application is supported by a Structural Survey which advises that the building is suitable for conversion to a holiday let without the need for any major alterations.

5.10 The application proposes a small curtilage which is commensurate with the proposed use comprising of a small patio area to the rear of the building in an area of existing hard standing and no fencing is proposed. It is proposed that car parking would be provided within the existing farmyard and would be screened by existing structures. In addition, as the application re-uses an existing building it is not considered that the proposal conflicts with the purposes of including land within the Green Belt.

5.11 In conclusion it is considered that the application re-uses a permanent building of substantial and permanent construction, preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. The proposal is not considered inappropriate development in the Green Belt and the proposal accords with paragraph 146 of the NPPF and Policy SD5 of the JCS.

Design

5.12 The affected stone built agricultural building is not listed, nor is it within a conservation area however, it is considered to be a non-designated heritage asset. The NPPF defines a heritage asset as a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest.

5.13 Paragraph 197 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.

5.14 Policy SD8 of the JCS states that development should make a positive contribution to local character and distinctiveness, having regard to valued and distinctive elements of the historic environment. The policy also states that designated and undesignated heritage assets and their settings will be conserved and enhanced as appropriate to their significance, and for their important contribution to local character, distinctiveness and sense of place.

5.15 Policy AGR7 of the Local Plan states that for the re-use the essential scale, form and character of the original building and essential internal and external features should as possible be retained. New works should be of a scale, form, type and materials compatible with the character of the original building.

5.16 The application has been amended further to comments from the Council's Conservation Officer and the proposed profiled metal sheeting has been substituted with a retained natural blue roof slate. This approach accords with the Structural Survey which supports the application which states that the existing roofing will need to be re-laid with a small amount of replacement where necessary. Further to the substitution of the roofing materials the Conservation Officer has advised that there is no objection to the application subject to the imposition of conditions.

5.17 In respect to other works the proposal seeks to enclose the open sided elevation with glazing and timber, existing openings would be re-used as well as the creation of additional openings along the rear and north elevations. These works are considered to respect the character and appearance of the rural building.

5.18 In conclusion it is considered that the amended proposal would not affect the significance of the non-designated heritage asset and proposals respect the scale, form and character of the original building and as such the proposal is considered to accord with Section 16 of the NPPF, Policy SD8 of the JCS and policy AG7 of the Local Plan.

Highway Safety

5.19 Section 9 of the NPPF states that in assessing applications for development that it should be ensured that appropriate opportunities to promote sustainable transport can be taken up and that safe and suitable access to the site can be achieved for all users. Paragraph 109 states that 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.

5.20 Policy INF1 of the JCS requires that all proposals should provide for safe and efficient access to the highway network for all transport modes; encourage maximum potential use of walking, cycling and passenger transport networks to ensure that credible travel choices are provided by sustainable modes. Planning permission will be granted only where the impact of development is not considered to be severe.

5.21 The proposal compromises the conversion of an existing barn/workshop to holiday let. The Highways Authority have been consulted on the application and is aware of the various objection comments raised by local residents and the submitted comments were taken in consideration when weighting the impact of the proposed on highway grounds.

5.22 Consequently, the highway authority believes the increase of trips generated by this proposal will not present a significant impact to Sandy Pluck Lane capable to fundament a recommendation for objection. Therefore the highway authority recommends no highway objection to be raised.

5.23 The impact of the proposal on the transport network and highway safety is therefore considered acceptable and as such it is considered that the application accords with Section 9 of the NPPF and Policy INF1 of the JCS.

Residential Amenity

5.24 Policy SD14 of the JCS states the new development must cause no unacceptable harm to local amenity including the amenity of neighbouring occupants.

5.25 In terms of the application site itself, it is located amongst a cluster of residential, agricultural and commercial buildings. Due to the orientation of the application there would be no overlooking between habitable room windows and this relationship is considered acceptable.

5.26 Objections have been received raising concerns about potential noise emanating from the holiday let and the effects of increased vehicle movements on amenity, including during construction works.

5.27 The applicant has advised that their intention is to target the accommodation towards short breaks for extended families and that they live on site themselves and would, in fact, be the nearest neighbouring property to this accommodation and that it would not be their intention to take bookings from stag and hen parties. The applicant has stated that they would be content to accept a planning condition preventing its use by stag/hen groups, if necessary. However, officers do not consider that such a condition would be necessary or reasonable.

5.28 In respect to the impact on amenity of resident's on Sandy Pluck Lane it is not considered that the proposal would result in an increase in vehicle movements which would give rise to an unacceptable detrimental impact on residential amenity. It is also considered that given the access arrangements and characteristics of the application site the impact on residential amenity during the construction process would not be unacceptable.

5.29 Having regard to the above, it is considered that the proposal would not have an unacceptable impact on residential amenity and that the application accords with Policy SD14 of the JCS.

Ecology

5.30 Policy SD9 of the JCS states that the biodiversity and geological resource of the JCS area will be protected and enhanced. This will be achieved, inter alia, by ensuring European Protected Species and National Protected Species are safeguarded in accordance with the law.

5.31 The application is accompanied by Inspection Survey for Rat Roost Potential and Nesting Bird Survey which was undertaken in July 2017. No evidence of bats was recorded in the building. In respect to birds a number of nesting swallows were recorded in the barn, and the presence of old nests confirms that the species returns year after year. Previous surveys have also found evidence of House Sparrows and Blue Tits nesting.

5.32 The Study advises that the proposed development should not result in the overall loss of biodiversity on site providing compensatory nesting sites are provided but provides no detailed information on the proposed mitigation.

5.33 It is recommended that a pre-commencement condition is imposed to secure an appropriate mitigation strategy in the absence of adequate information in the planning application. In accordance with The Town and Country Planning (Pre-commencement Conditions) Regulations 2018 the applicant has been notified that officers intend to impose a pre-commencement condition. **An update of whether the applicant will accept the pre-commencement condition will be provided at Committee.**

5.34 Subject to securing adequate compensatory nesting sites it is considered that the application accords with Policy SD9 of the JCS.

Other Matters

5.35 The remains of a medieval moated settlement are located to the east of the site. The County Archaeologist has been consulted on the application and considers no archaeological issues will arise in connection with this scheme.

Conclusions

5.36 Overall it is concluded that the application re-uses a permanent building of substantial and permanent construction, preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. The proposal is not considered inappropriate development in the Green Belt.

5.37 The amended proposal would not affect the significance of the non-designated heritage asset and the proposal respects the scale, form and character of the original building subject to the imposition of conditions.

5.38 The proposal would have an acceptable impact on the transport network and highway safety, would not have an unacceptable detrimental impact on residential amenity and subject to securing compensatory measures would not result in an overall loss in bio-diversity.

5.39 The application is therefore recommended for **permission**

RECOMMENDATION Permit

Conditions:

- 1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:
2707-003 Site Plan
2707-004 Proposed Plans
2707-005 Rev A Proposed Elevations- West and East
2707-006 Rev A Proposed Elevations - North and South
- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order) no alteration of the building including extensions, rooflights, windows, and porches; and no sheds, garages, gates, fences, walls, or other means of enclosure or structures of any kind or any other development referred to in Schedule 2, Part 1 and Schedule 2, Part 2 Class A of the above referenced Order, shall be carried out (other than any hereby permitted) without the prior express permission of the Local Planning Authority.
- 4 No external lighting shall be installed on the site unless the details have first been approved in writing by the Local Planning Authority.
- 5 Notwithstanding the submitted details, no work shall start on the roof until samples of the blue natural slate proposed to be used have been submitted to and approved by the Local Planning Authority and the materials used shall conform to the samples so approved.
- 6 Notwithstanding the submitted details, no work shall start on the windows until detailed drawings, including elevations and sections, of the proposed windows and doors including external joinery, have been submitted to and approved in writing by the Local Planning Authority and the fitted joinery shall be in accordance with the approved drawings. The elevations shall be at a minimum scale of 1:20 and the sections shall be at a minimum scale of 1:5 and shall indicate moulding profiles at full size.
- 7 All oak used for external surfaces shall be unstained and allowed to silver naturally, unless the Local Planning Authority otherwise first agreed in writing
- 8 All windows and doors are to be recessed by 75mm minimum, unless the Local Planning Authority otherwise first agreed in writing

- 9 If any contamination is found during the during the course of development, works must be halted, and a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures before development begins.
- 10 The area allocated for car parking shown on Drawing Number 2707-003 shall be used for no other purposes and shall be kept available for the parking of vehicles at all times.
- 11 A scheme for the mitigation of the impact of the development on ecology shall be submitted to and approved in writing prior to the commencement of any development on the site. The scheme shall include measures for habitat creation as suggested in Section 6 of the Inspection Survey for Bat Roost Potential and Nesting Bird Survey dated July 2017
- 12 The development hereby approved shall be occupied for holiday purposes only and shall not be occupied as a person's sole, or main place of residence. The owners/operators shall maintain an up-to-date register of the names of all occupiers of the holiday let, which shall include their main home addresses, and shall make this information available at all reasonable times to the Local Planning Authority.

Reasons:

- 1 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 For the sake of clarity and to ensure a more satisfactory development of the site
- 3 To enable the Local Planning Authority to control the development and to safeguard the character of the non-designated heritage asset and to preserve the openness of the Green Belt
- 4 To safeguard the character of the non-designated heritage assets and to protect bio-diversity.
- 5 To safeguard the character of the non-designated heritage asset
- 6 To safeguard the character of the non-designated heritage asset
- 7 To safeguard the character of the non-designated heritage asset
- 8 To safeguard the character of the non-designated heritage asset
- 9 To protect the health and safety of future occupants
- 10 To ensure that sufficient parking space is available to prevent external car parking that would harm the openness of the Green Belt and the rural character of the area.
- 11 To ensure appropriate protection of biodiversity
- 12 The impact of a permanent residential use on the Green Belt, the landscape and the undesignated heritage may be unacceptable and would require further consideration

Note:

1 Statement of Positive and Proactive Engagement

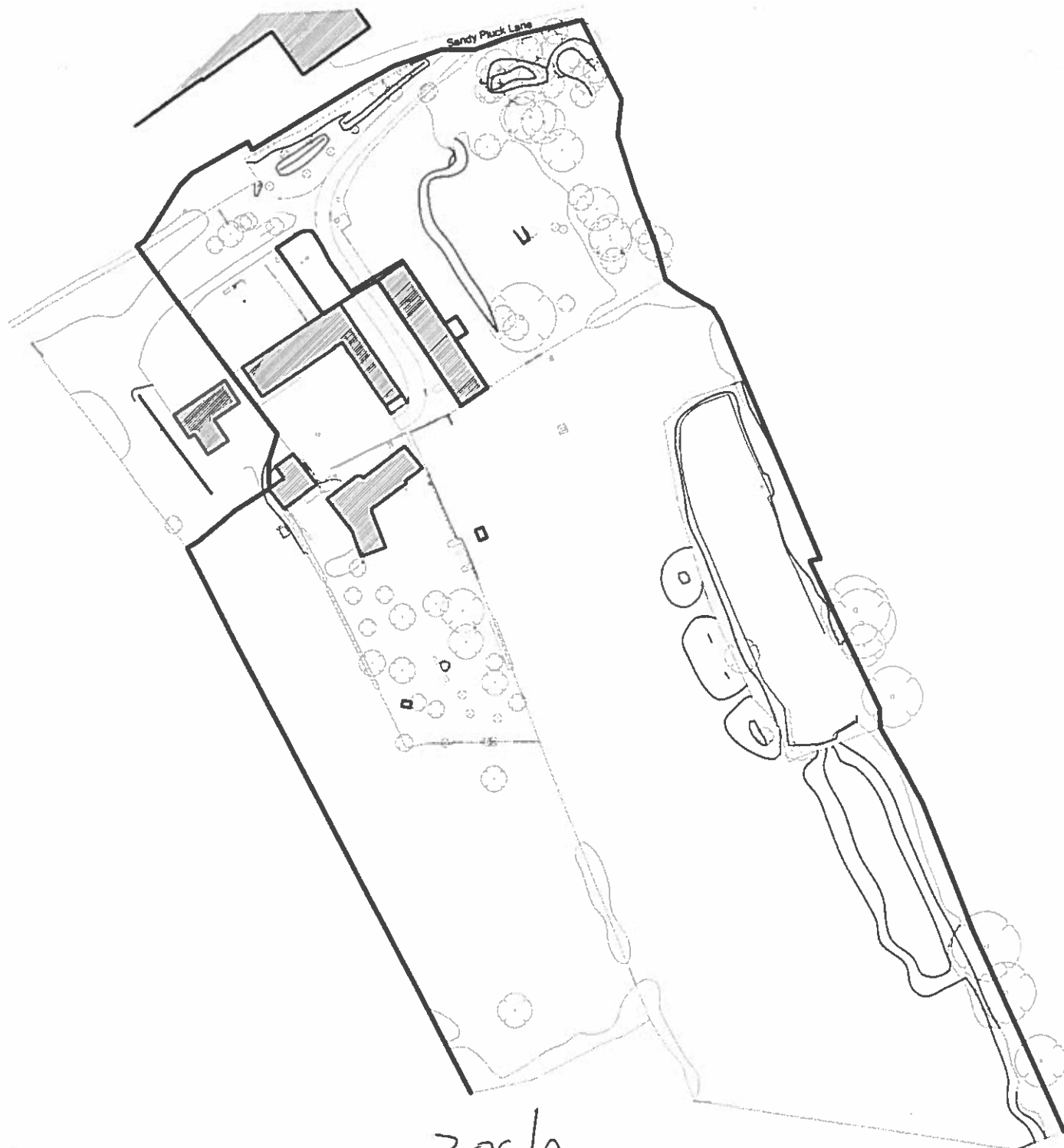
In accordance with the requirements of the NPPF the Local Planning Authority has worked with the applicant in a positive and proactive manner in order to secure sustainable development which will improve the economic, social and environmental conditions of the area by negotiating improved roofing materials

Planning

This drawing has been prepared for workstages up to planning application purposes only and is not intended "for construction". The 'scale bar' should only be used to check the drawing has been reproduced to the correct size. No responsibility can be accepted for errors made by others in "scaling" from this drawing.

Tyack Architects Ltd own copyright of the original design work in the drawings, documents and digital files which cannot be copied, loaned or disclosed without written agreement. Please refer to our Standard Terms of Business.

Scale 1 : 1250 50m



305/A

Planning
Location Plan
Hunt Court Farm, Badgeworth



Tyack Architects Ltd
The Mann Institute
Oxford Street
Moreton-in-Marsh
Gloucestershire
GL56 0LA

t: 01608 850 400
f: 01608 851 803
e: mail@tyackarchitects.com
w: tyackarchitects.com

47

Scale: 1: 1250@A4
Drawn/Checked: PS/DG

Date: April 2018
Drg No: 2707-001 Rev: A

BOROUGH COUNCILLORS FOR THE RESPECTIVE WARDS 2015-2019

Ward	Parishes or Wards of	Councillors	Ward	Parishes or Wards of	Councillors
Ashchurch with Walton Cardiff	Ashchurch Rural Wheatpieces	B C J Hesketh H C McLain	Hucclecote	Hucclecote	G F Blackwell
Badgeworth	Badgeworth Boddington Great Wilcombe Staverton	R J E Vines	Innsworth with Down Hatherley	Down Hatherley Innsworth	G J Bocking
Brockworth	Glebe Ward Horsbere Ward Moorfield Ward Westfield Ward	R Furolo R M Hatton H A E Turbyfield	Isbourne	Buckland Dumbleton Snowshill Stanton Teddington Toddington	J H Evetts
Churchdown Brookfield	Brookfield Ward	R Bishop D T Foyle	Northway	Northway	P A Godwin E J MacTiernan
Churchdown St John's	St John's Ward	K J Berry A J Evans P E Stokes	Oxenton Hill	Gotherington Oxenton Stoke Orchard and Tredington	M A Gore
Cleeve Grange	Cleeve Grange	S E Hillier-Richardson	Shurdington	Shurdington	P D Surman
Cleeve Hill	Prescott Southam Woodmancote	M Dean A Hollaway	Tewkesbury Newtown	Tewkesbury Newtown	V D Smith
Cleeve St Michael's	Cleeve St Michael's	R D East A S Reece	Tewkesbury Prior's Park	Tewkesbury (Prior's Park) Ward	K J Cromwell J Greening
Cleeve West	Cleeve West	R A Bird R E Garnham	Tewkesbury Town with Mitton	Tewkesbury Town with Mitton Ward	M G Sztymiak P N Workman
Coombe Hill	Deerhurst Elmstone Hardwicke Leigh Longford Norton Sandhurst Twigworth Uckington	D J Waters M J Williams	Twynning	Tewkesbury (Mythe Ward) Twynning	T A Spencer
Highnam with Haw Bridge	Ashleworth Chaceley Forthampton Hasfield Highnam Maisemore Minsterworth Tirley	P W Awford D M M Davies	Winchcombe	Alderton Gretton Hawling Stanway Sudeley Winchcombe	R E Allen J E Day J R Mason

20 October 2017

Please destroy previous lists.