

**TO EACH MEMBER OF THE  
PLANNING COMMITTEE**

30 June 2015

Dear Councillor

**PLANNING COMMITTEE- TUESDAY 7 JULY 2015**

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

<b>Agenda Item</b>	<b>Description</b>	
<b>5A</b>	<b>Schedule</b>	<b>1 - 151</b>
	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



**Lin O'Brien**  
**Democratic Services Group Manager**



**APPENDIX A  
Agenda Item No. 5A**

**TEWKESBURY BOROUGH COUNCIL**

Schedule of Planning Applications for the consideration of the **PLANNING COMMITTEE** at its meeting on 7 July 2015

	<b>(NORTH)</b>	<b>(SOUTH)</b>
General Development Applications Applications for Permission/Consent	(50 – 99)	(100 - 114)

**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 Development 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. ( 50 - 114 )**

### 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) 7th July 2015

Bishops Cleeve 15/00503/FUL	Cedar House Evesham Road Bishops Cleeve Cheltenham	Permit	11
Leigh 14/01224/FUL	Vine Tree Farm The Wharf Coombe Hill	Refuse	2
Snowhill 15/00253/OBM	Snowhill Manor Snowhill Snowhill Broadway	Approve	9
Southam 15/00228/FUL	Land At Headlands Mill Lane Prestbury	Permit	10
Stoke Orchard And Tredington 15/00352/APP	Parcel 2521 Banady Lane Stoke Orchard	Delegated Permit	8
Winchcombe 15/00251/FUL	33 Orchard Road Winchcombe	Permit	5
Winchcombe 15/00295/FUL	82 Gretton Road Winchcombe	Permit	1
Winchcombe 15/00482/FUL	Spring House Langley Hill Farm Harveys Lane Winchcombe	Refuse	3
Winchcombe 15/00504/FUL	Cock Robin Farm Gretton Road Winchcombe	Refuse	4
Winchcombe 15/00519/OUT	Part Parcel 2816 Evesham Road Greet	Permit	6
Winchcombe 15/00590/FUL	Appledore Corndean Lane Winchcombe	Permit	7

Valid 16.03.2015

Proposed new dwelling on land to the rear of Number 82 Gretton Road, Winchcombe

Grid Ref 402237 229228

Parish Winchcombe

Ward Winchcombe

Mr & Mrs Adam Lee  
 82 Gretton Road  
 Winchcombe  
 Cheltenham  
 Gloucestershire  
 GL54 5EL

**DEFERRED AT LAST COMMITTEE FOR SITE VISIT (ITEM 3, PAGE 13)****RECOMMENDATION Permit****Policies and Constraints****NPPF**

Planning Practice Guidance

The Tewkesbury Borough Local Plan to 2011 - March 2006 - HOU2, HOU5, LND2, LND7, EVT5, EVT9, TPT1

Joint Core Strategy Submission Version November 2014 - SD1, SD4, SD5, SD7, SD8, SD11

Winchcombe Town Design Statement

**Consultations and Representations**

**Winchcombe Town Council** - Object to application due to its inappropriate design which would have an adverse impact on surrounding properties. It is also contrary to the Winchcombe Town Design Statement.  
**Severn Trent** - No objection subject to a condition requiring the submission of foul and surface water drainage plans for LPA approval.

**County Archaeologist** - The application site has low potential to contain significant archaeological remains. No archaeological investigation or recording is therefore required

**Local residents** - 1 objection received. Concerns raised over the proposal not being in keeping with other properties in the area, resulting in a 'hemmed in' feeling at a nearby property and conflicting with open views across the rear gardens. There is also concern that the proposal will introduce noise and car emissions which would interfere with the peace and tranquillity of the back gardens.

**Planning Officers Comments: Mr Matthew Tyas****1.0 Site**

1.1 The application site relates to part of the rear garden to number 82 Gretton Road; a two storey detached property fronting the highway.

1.2 The site is surrounded by residential development. The rear garden to number 80 Gretton Road is located to the south of the site and is subject to planning permission for a two storey dwelling (ref. 13/00301/FUL). The site is adjoined to the east by the rear gardens to the bungalows along Godwin Road. The land to the north of the site is occupied by the Redrow Homes development site (planning permission ref. 12/00464/OUT and 13/00986/APP) that is currently under construction.

1.3 The application site benefits from an extant planning permission for 1 no. 5 bedroom dwelling and detached garage (ref. 12/01249/FUL).

1.4 The site is located within the Residential Development Boundary of Winchcombe as defined in the Tewkesbury Borough Local Plan to 2011 (TBLP). The site is also located within the Special Landscape Area (SLA) and adjacent to the Cotswolds AONB.

## 2.0 History

2.1 Permission was granted in 2013 (ref. 12/01249/FUL) for the proposed residential development of 1 no. 5 bed house and double garage. This was a revised scheme following the granting of planning permission ref. 08/01165/FUL.

2.2 In February 2009 permission was granted for the proposed residential development of 1 no. 4 bed house (ref. 08/01165/FUL)

## 3.0 Application

3.1 The application is a revised version of the dwelling previously approved by 12/01249/FUL. The scale and layout of the development is essentially the same as the permitted scheme but the current application proposes a contemporary style flat roofed dwelling involving a different mix of materials.

## 4.0 Planning Policy Context

4.1 The site is located within the Residential Development Boundary of Winchcombe as defined by the TBLP. Policy HOU2 of the TBLP states that new housing development within such areas is acceptable in principle provided that the development can be satisfactorily integrated within the framework of the surrounding development. Furthermore, Policy HOU5 of the TBLP requires new housing development to respect the existing form and character of the adjacent area; not result in unacceptable loss of amenity; be of high quality design and make provision for appropriate access and parking.

4.2 This advice reflects one of the NPPF's 'Core Principles', which is to ensure a good standard of amenity for all existing and future occupants of land and buildings. The advice of Policy HOU5 is also reflected in Section 7 of the NPPF which makes it clear that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF also makes it clearly that obviously poor designs should be refused.

4.3 Policies HOU2 and HOU5 of the TBLP are therefore considered to be consistent with the provisions of the NPPF and should therefore carry considerable weight in the determination of the application.

## 5.0 Analysis

5.1 The principle of the development has already been established by planning permission ref. 12/01249/FUL and it is not therefore necessary to revisit this matter in the assessment of this application.

5.2 The main issues for consideration are the revised design of the proposal, its impact on the visual amenity of the area and its integration with surrounding development. The impact of the proposal on the amenity of surrounding occupiers has also been considered.

### Design/visual amenity/integration with surrounding development

5.3 The design of the revised proposal would clearly be different to the permitted scheme and the other properties in the vicinity. This should not however be viewed as inappropriate 'per se' and officers are mindful of the advice at paragraph 60 of the NPPF that planning decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.

5.4 In this instance it should be noted that the site occupies a discreet position behind the existing development on Gretton Road and the emerging Redrow development. The site is not readily visible from public vantage points and the proposed dwelling would not contribute to any street scene. It is considered that this provides an ideal opportunity for a more original design approach and some flexibility in relation to materials and finishes.

5.5 The proposed dwelling follows a contemporary design approach and utilises modern technologies and construction techniques. It is considered that the proposed dwelling would be interesting and inspiring and would positively contribute to the visual amenity of the area. The external finishes used in the development would involve an interesting mix of contemporary style materials including render, timber cladding and powder coated aluminium windows, and finishes of a more traditional, rustic appearance including Cotswold stone coloured hanging tile. It is considered that the resulting building would promote originality and modern design techniques whilst respecting local distinctiveness. The Winchcombe Town Design Statement recognises that modern design may be acceptable and it is considered in this case that the proposal meets the requirements of Design Statement 4 of the WTDS in that it would result in high quality contemporary design.

5.6 As noted above the principle of a two storey dwelling in this location is already established and the proposal occupies a backland location that would not be overtly visible from nearby public vantage points. It should also be noted that the revised proposal would be approximately 2 metres lower than the approved dwelling and, due to the ground level change, almost 5 metres lower than the adjoining Redrow development. This would further integrate the proposed building within the surrounding area and limit its visibility from nearby public land.

5.7 On the above basis it is considered that the visual effect of the proposal would be largely contained within the immediate confines of the site, the adjoining domestic gardens and to a minor extent the internal road within the Redrow development. The visual effect on public land is considered to be minor and in any event positive considering the high quality design and finish of the proposal.

#### Residential amenity impacts

5.8 The views of adjoining occupiers are noted and the proposal's impact on existing residential amenity has been carefully considered.

5.9 The windows in the front of the proposal are considered to be too far away from the rear elevations of numbers 80 and 82 Gretton Road (>35m) for any unacceptable overlooking and loss of privacy to occur. The revised proposal would also have no undue impact on the permitted dwelling within the adjoining garden to no. 80 Gretton Road. The effect of the development on the future occupiers of the Redrow development has also been considered but due to the significant level change between these two sites described above there would be no adverse impact.

#### **6.0 Conclusion**

6.1 The proposed dwelling would have a very limited visual effect on the adjacent area and would in any event involve a high quality design and finish that would positively contribute to its visual amenity. No adverse residential amenity impacts would result from the development and the proposal would have no other impacts over and above the previously permitted scheme that require detailed consideration. The proposed development is therefore found to be in accordance with policies HOU2 and HOU5 of the TBLP and consistent with the relevant advice within the NPPF. There are no other material considerations that would warrant the refusal of the application. It is therefore recommended that planning permission is granted.

#### **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 plans: Drawing Numbers 1271\_310, 1271\_315, 1271\_316, 1271\_318, 1271\_319, 1271\_317 (all received 14/03/15).
- 3 Building operations shall not be commenced until samples of the external materials proposed to be used for the new dwelling and garage building hereby approved 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 first floor windows in the north and south side elevations of the dwelling hereby approved, as shown on Drawing Number 1271\_317, shall be fitted with obscure glazing and any opening parts shall be located more than 1.7 metres above the associated floor level. The said windows shall remain as such in perpetuity.
- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order), no first floor windows shall be installed on the side elevations of the dwelling hereby approved, other than those featured on Drawing Number 1271\_317, without the prior written consent of the Local Planning Authority.
- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order), no extensions or additions shall be erected or constructed on this site without the prior express permission of the Local Planning Authority.
- 7 Prior to the occupation of the proposed dwelling the vehicular access and driveway, and the car parking and turning facilities to serve the proposed dwelling, as shown on Drawing Number 1271\_315, shall be completed in all respects in accordance with the submitted details and shall be similarly maintained thereafter for that purpose.
- 8 No siteworks shall commence until such time as a temporary car parking area for site operatives and construction traffic has been laid out and constructed within the site in accordance with details to be submitted to and agreed in writing with the Local Planning Authority and that area shall be retained available for that purpose for the duration of building operations.
- 9 The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.
- 10 No development shall take place until there has been submitted to and approved by the Local Planning Authority in writing, a comprehensive scheme of landscaping, which shall include indications of all existing trees (including spread and species) and hedgerows on the land and details of any to be retained together with measures for their protection during the course of development.
- 11 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 Before works start, details of the proposed boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The proposed boundary treatments shall be carried out in accordance with the approved details prior to the first occupation of the development and these boundary treatments shall be maintained as such thereafter.
- 13 The proposed dwelling shall be constructed in accordance with the proposed finished floor levels as shown on Drawing Number 1271\_319, unless otherwise approved in writing by 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 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 The protect the amenity of adjoining occupiers in accordance with Policy HOU5 of the Tewkesbury Borough Local Plan to 2011 and the Core Planning Principles of the National Planning Policy Framework 2012.
- 5 The protect the amenity of adjoining occupiers in accordance with Policy HOU5 of the Tewkesbury Borough Local Plan to 2011 and the Core Planning Principles of the National Planning Policy Framework 2012.
- 6 To control unplanned future developments that may conflict with the design of the dwelling and harm the visual amenity of the area.
- 7 To ensure a suitable access and an acceptable level of car parking and appropriate manoeuvring facilities are provided, in the interests of highway safety, in accordance with Policy TPT1 of the Tewkesbury Borough Local Plan to 2011 - March 2006.
- 8 To ensure that the access roads in the vicinity of the site are kept free from construction traffic in the interests of highway safety in accordance with Policy TPT1 of the Tewkesbury Borough Local Plan to 2011 - March 2006.
- 9 To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution, in accordance with Policy EVT9 of the Tewkesbury Borough Local Plan to 2011 and the advice at sections 10 and 11 of the National Planning Policy Framework 2012
- 10 To ensure that the new development will be visually attractive in the interests of amenity in accordance with Policy LND7 of the Tewkesbury Borough Local Plan to 2011 - March 2006.
- 11 To ensure that the new development will be visually attractive in the interests of amenity in accordance with Policy LND7 of the Tewkesbury Borough Local Plan to 2011 - March 2006
- 12 To safeguard the amenity of residents in the locality in accordance with Policy HOU5 of the Tewkesbury Borough Local Plan to 2011 - March 2006.
- 13 To ensure that the development integrates harmoniously with its surroundings and does not adversely impact upon existing residential properties in accordance with Policies LND2 and HOU5 of the Tewkesbury Borough Local Plan to 2011 - March 2006.

Note:

#### **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.

15/002915/FUL

229100m 402100m 402200m 402300m 402400m 229400m

229300m 229500m 229200m

229200m 229100m 402300m 402400m



NORTH

APPLICATION AREA OUTLINED IN RED  
SITE AREA = 1.376m<sup>2</sup> (0.137) HECTARES

229100m 402100m 402200m 402300m 402400m

9 Crown Copyright. All rights reserved. Licence no. 10001998

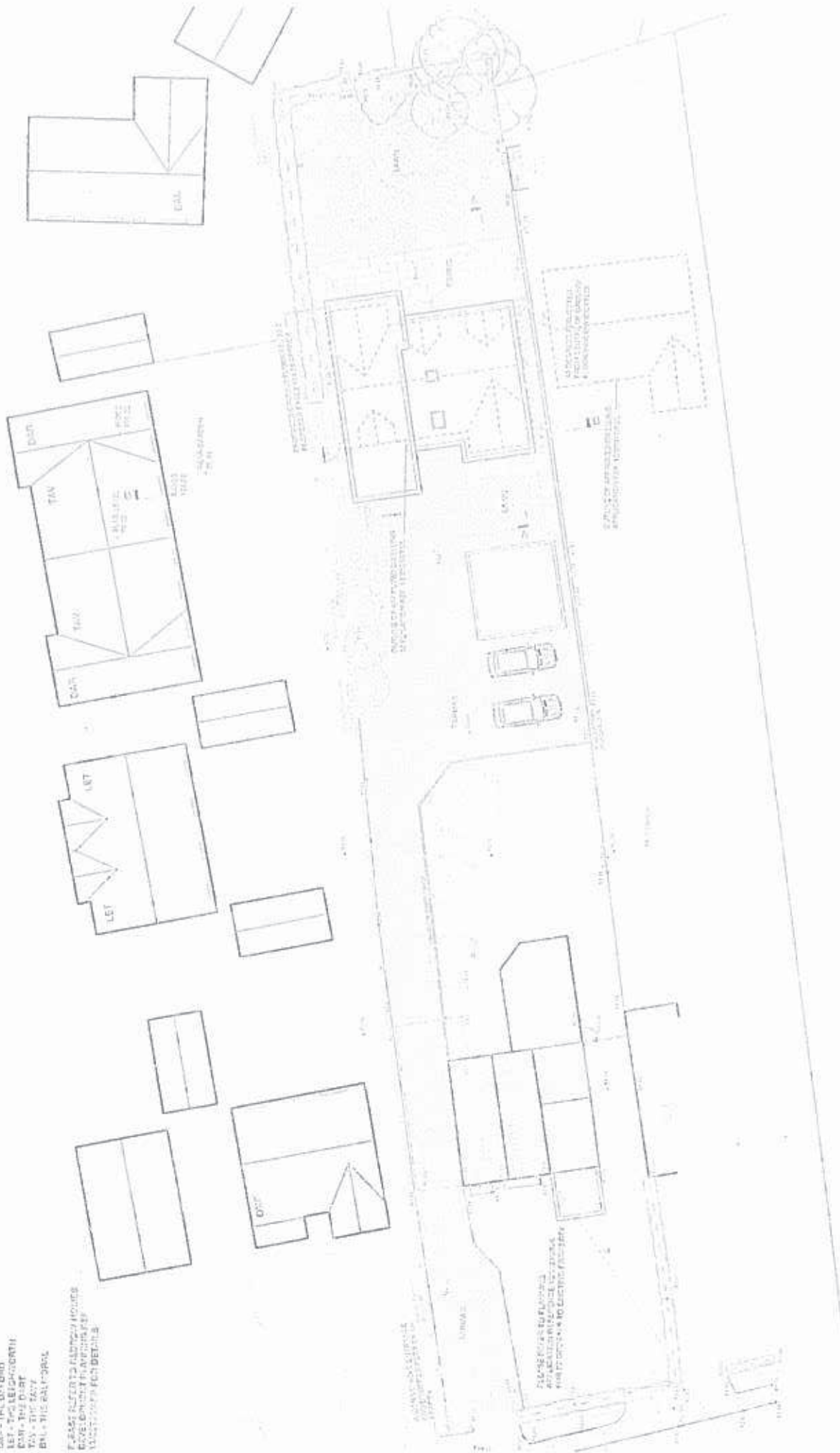
<p>APPROVED FOR THE PROVISION OF A DEVELOPMENT PLAN FOR THE PROPOSED DEVELOPMENT OF THE SITE.</p> <p>DATE: 09/03/2011 11:23:43</p> <p>PROJECT: SSSI</p> <p>PROJECT: JCP</p>		<p>PLANNING</p> <p>1271_310</p> <p>Edo Design</p>
<p>DATE: 09/03/2011 11:23:43</p> <p>PROJECT: SSSI</p> <p>PROJECT: JCP</p>	<p>LAND TO THE REAR OF 107010101 WIND</p> <p>PROPOSED DEVELOPMENT</p> <p>SITE LOCATION PLAN</p>	<p>APPROVED FOR THE PROVISION OF A DEVELOPMENT PLAN FOR THE PROPOSED DEVELOPMENT OF THE SITE.</p> <p>DATE: 09/03/2011 11:23:43</p> <p>PROJECT: SSSI</p> <p>PROJECT: JCP</p>

541A<sup>9</sup>

ROOMS/HOUSES KEY:

- CAF - THE CAFETERIA
- LET - THE RESTROOM
- TAU - THE OFFICE
- BLU - THE BATH

PLEASE REFLECT PLANNING HOUSES  
DEVELOPMENT PLANNING HOUSES  
MULTI-FAMILY DETAIL

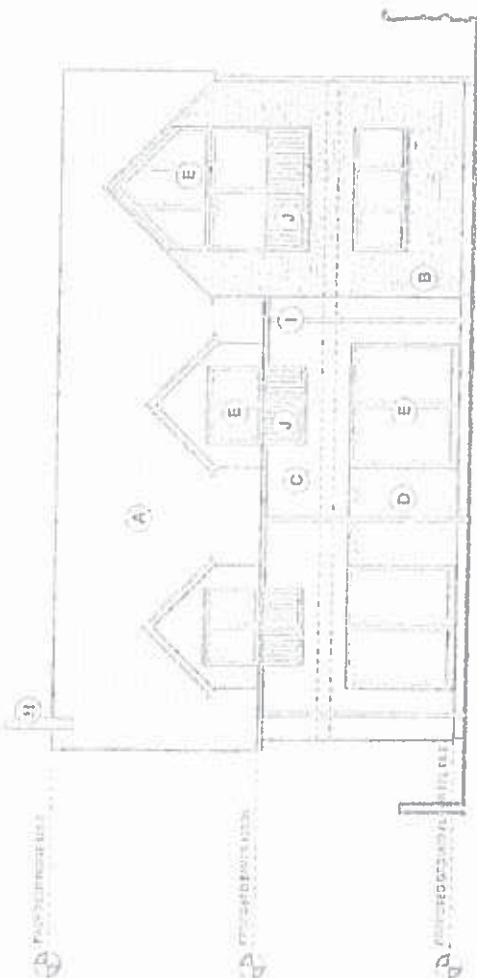


54/13

<p>PROJECT: 1271_315          DATE: 03/03/2015          DRAWING NO: 1271_315_03          PROJECT: 1271_315          DATE: 03/03/2015          DRAWING NO: 1271_315_03</p>		<p>FLUORING          1271_315          Design</p>	
<p>PROJECT: 1271_315          DATE: 03/03/2015          DRAWING NO: 1271_315_03</p>		<p>FLUORING          1271_315          Design</p>	
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PROPOSED FRONT ELEVATION Scale 1:100



PROPOSED REAR ELEVATION Scale 1:100

NOTES

- (A) PROPOSED WOODEN GATEWAY WALL AND PATH
- (B) PROPOSED STONE/BRICK SIDE
- (C) PROPOSED OFF-WHITE THROUGH COLOURS FENESTER
- (D) PROPOSED TIMBER CLADDING
- (E) PROPOSED FINE PAPER COATED ALUMINIUM WITH COORDINATING DECORS
- (F) PROPOSED ROOFLINE
- (G) PROPOSED GABLET GROUND GUTTERS AND DOWNPIPE
- (H) PROPOSED BRICK-GLAZED STEEL FRAME
- (I) PROPOSED BRICK-GLAZED STEEL GUTTERS AND DOWNPIPE
- (J) PROPOSED GALVANIZED STEEL BRACKETS

<p>PLEASE REFER TO PLANNING REF: 12/01/24/91/FUL FOR DETAILS</p>	<p>DATE: 11/03/2015</p>
<p>PROJECT ADDRESS: 12/01/24/91/FUL</p>	<p>DATE: 11/03/2015</p>
<p>PROJECT NAME: 12/01/24/91/FUL</p>	<p>DATE: 11/03/2015</p>
<p>PROJECT NO: 12/01/24/91/FUL</p>	<p>DATE: 11/03/2015</p>
<p>PROJECT NO: 12/01/24/91/FUL</p>	<p>DATE: 11/03/2015</p>

54/c<sup>11</sup>





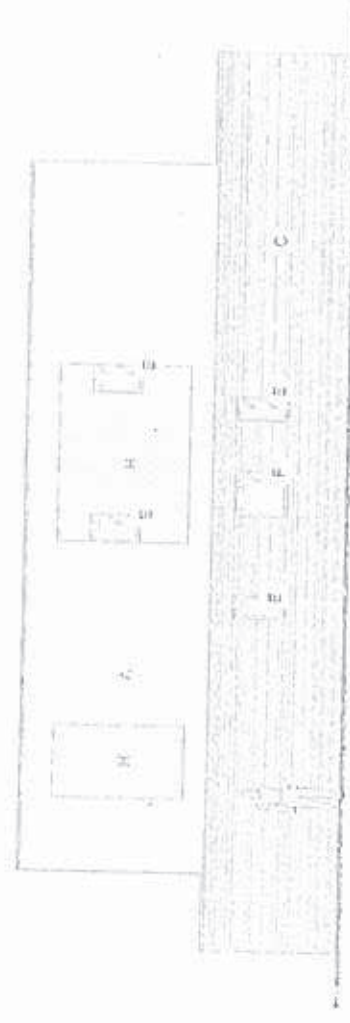
PROPOSED DWELLING WEST ELEVATION Scale 1:100



PROPOSED DWELLING EAST ELEVATION Scale 1:100



PROPOSED SECTION AA Scale 1:100



PROPOSED DWELLING NORTH ELEVATION Scale 1:100



PROPOSED DWELLING SOUTH ELEVATION Scale 1:100

KEY:

- A. PROPOSED BRICK WALLS
- B. PROPOSED GUTTERED STONE CORNER
- C. PROPOSED GREY HAUSING TIE
- D. PROPOSED METALLIC WYER CLADDING
- E. PROPOSED CRACK RESISTANT RENDER ALUMINIUM WINDOWS
- F. PROPOSED 2.5% SLOPE GRAVEL DRIVEWAY AND ROADS
- G. PROPOSED METALLIC WYER CLADDING
- H. PROPOSED WYER CLADDING
- I. PROPOSED QUARTZ SLAB
- J. PROPOSED STAINLESS STEEL PIPE

54/D

<p>PROPOSED DWELLING NORTH ELEVATION Scale 1:100</p>		<p>DATE: 12/11/10</p> <p>SCALE: 1:100</p>	<p>PROJECT: 1271_317</p> <p>CLIENT: [illegible]</p>
<p>PROPOSED DWELLING SOUTH ELEVATION Scale 1:100</p>		<p>DATE: 12/11/10</p> <p>SCALE: 1:100</p>	<p>PROJECT: 1271_317</p> <p>CLIENT: [illegible]</p>
<p>PROPOSED DWELLING WEST ELEVATION Scale 1:100</p>		<p>DATE: 12/11/10</p> <p>SCALE: 1:100</p>	<p>PROJECT: 1271_317</p> <p>CLIENT: [illegible]</p>
<p>PROPOSED DWELLING EAST ELEVATION Scale 1:100</p>		<p>DATE: 12/11/10</p> <p>SCALE: 1:100</p>	<p>PROJECT: 1271_317</p> <p>CLIENT: [illegible]</p>
<p>PROPOSED SECTION AA Scale 1:100</p>		<p>DATE: 12/11/10</p> <p>SCALE: 1:100</p>	<p>PROJECT: 1271_317</p> <p>CLIENT: [illegible]</p>



PROPOSED FIRST FLOOR PLAN Scale 1:500



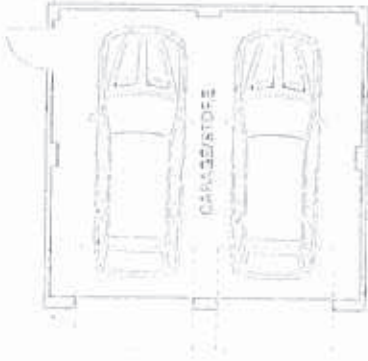
PROPOSED GROUND FLOOR PLAN Scale 1:100

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54/e

**KEY:**

- A PROPOSED GARAGE VEHICLE ENTRANCE
- B PROPOSED HORIZONTAL INTERSECTION AND CURVES POOL



PROPOSED GARAGE PLAN Scale: 1/100



PROPOSED GARAGE NORTH ELEVATION Scale: 1/100



PROPOSED GARAGE EAST ELEVATION Scale: 1/100



PROPOSED GARAGE SOUTH ELEVATION Scale: 1/100

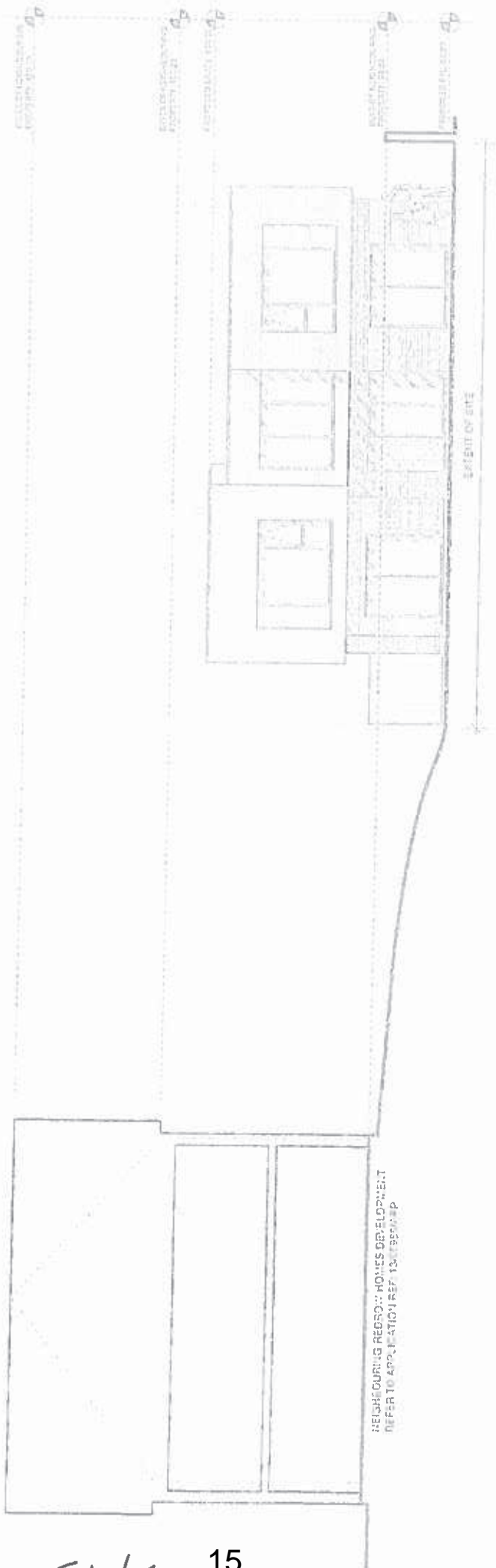


PROPOSED GARAGE WEST ELEVATION Scale: 1/100

54/f

<p>LAND TO THE AREA OF 11 BRITTON ROAD, WINDROVER, DISTRICT OF BRISTOL, AVON, ENGLAND</p> <p>PROPOSED GARAGE PLAN AND ELEVATIONS</p>		<p>APPROVED BY THE LOCAL AUTHORITY</p> <p>DATE: 12/10/11</p> <p>SCALE: 1/100</p>	<p>PLANNING</p> <p>1271_318</p> <p>1271_318</p> <p>1271_318</p>
<p>PROPOSED GARAGE PLAN AND ELEVATIONS</p>		<p>DATE: 12/10/11</p> <p>SCALE: 1/100</p>	<p>1271_318</p>





HEIGHT CURTAIN REDRAW: HOMES DEVELOPMENT  
 REFER TO APP. J-SECTION REF. 1301/200/APP

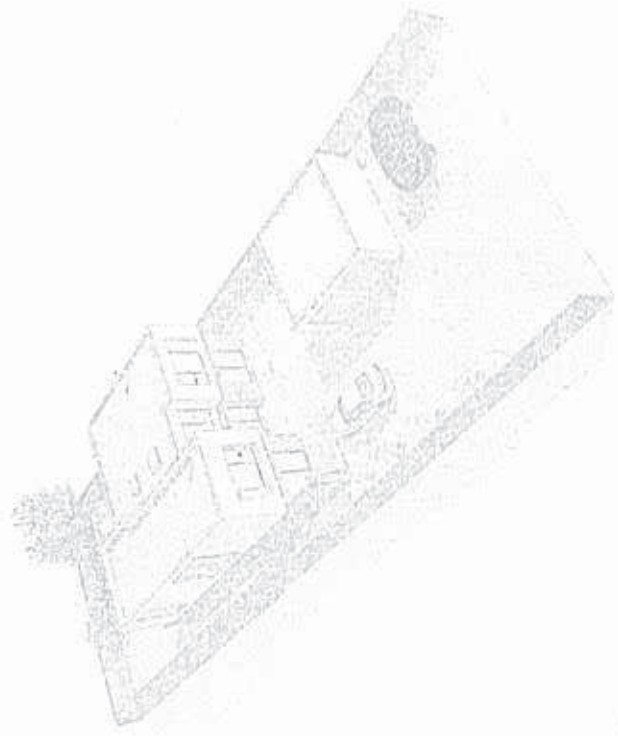
54/6

15

PROJECT NO: 1271_319 DATE: 2025/05/20 DESIGN / DRAWING	
SHEET NO: 335 OF 335	PROJECTED SITE DEVELOPMENT PLAN
CLIENT: [REDACTED] PROJECT: [REDACTED]	CONSULTANTS: [REDACTED]
DRAWN BY: [REDACTED] CHECKED BY: [REDACTED]	SCALE: 1:100



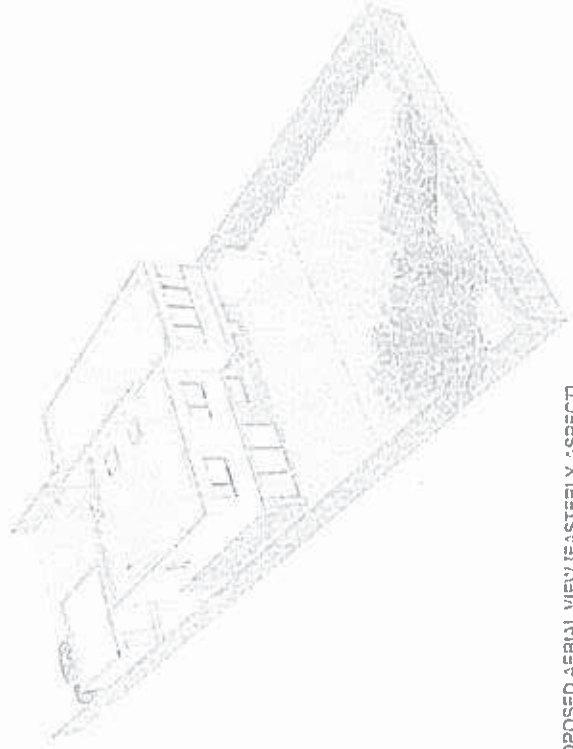
PROPOSED ARTIST IMPRESSION FROM DRIVEWAY



PROPOSED AERIAL VIEW [WESTERLY ASPECT]



PROPOSED ARTIST IMPRESSION FROM REAR GARDEN



PROPOSED AERIAL VIEW [EASTERLY ASPECT]

<p>LOT 101 (THE REAR OF REAR GARDEN) DEVELOPMENT PROPOSAL</p> <p>PROPOSED LOT 101 IMPROVEMENTS</p> <p>DATE: 03/03/2018 TIME: 4:40</p>		<p>NO. OF SHEETS: 10</p> <p>SHEET NO.: 005</p> <p>JOB NO.: 1271_320</p>	<p>FLANNERS</p> <p>1271_320</p> <p>Design</p>
<p>PROJECT: 1271_320</p> <p>CLIENT: [REDACTED]</p> <p>DATE: 03/03/2018</p> <p>TIME: 4:40</p>		<p>NO. OF SHEETS: 10</p> <p>SHEET NO.: 005</p> <p>JOB NO.: 1271_320</p>	<p>FLANNERS</p> <p>1271_320</p> <p>Design</p>

14/01224/FUL  
PP-03851465  
Valid 19.05.2015

Vine Tree Farm , The Wharf, Coombe Hill

2

Proposed replacement dwelling and detached double garage. Hard and soft landscaping. Provision of new access and driveway.

Grid Ref 388550 227043  
Parish Leigh  
Ward Coombe Hill

Mr John McCreadie  
20 Newland View  
Cheltenham  
Gloucestershire  
GL51 0RE

## RECOMMENDATION Refuse

### Policies and Constraints

#### NPPF

Planning Practice Guidance

Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990.

Joint Core Strategy Submission Version - Policies SD5, SD7, SD9, INF3

Tewkesbury Borough Local Plan to 2011 - March 2006 - Policies HOU7, EVT5, EVT2, LND3, TPT1

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

**Parish Council** - No response received at time of report writing with regard to the current, revised scheme  
Objected to the original scheme as follows:

- size and location would not blend in with its surroundings;
- Size would over-shadow existing properties;
- The dwelling would be visible from the B4213;
- Dormer window on proposed east elevation would be in direct line with bedroom windows of Coombe Bank;
- Dwelling would not be in line with any existing properties;
- Elevated position with few trees to provide screening;
- Siting of proposed septic tank is very important due to lower lying houses, wildlife ponds;
- No justification as to why proposed access has to be sited so close to active badgers sett;
- Concern regarding construction traffic and access.

**County Highways** - No objection subject to appropriate planning conditions

**Severn Trent Water Ltd** - No objections subject to conditions

**Environment Agency** - No objection

**Natural England** - No Objection subject to appropriate conditions

**Gloucestershire Wildlife Trust** - No response

**Conservation Officer** - Original Scheme - Object on setting of a listed building grounds.

Current proposal - No reply received at time of report writing

**Local Residents** - Original Scheme: 15 letters of objection have been received from local residents. Their comments are summarised below;

- Harm to protected species including roosting bats and active badger sett;
- Oversized and wrongly positioned house;
- Proposal would exceed maximum scale parameters of outline permission;
- Sited further up the escarpment and therefore much more visible;
- Dwelling would be very prominent from Apperley/Tirley Road
- Dwelling would be seen from Coombe Bank and Waltham Lea;
- Proposed dormers would be in line with bedroom windows of Coombe Bank;
- Concern regarding highway safety due to new dwelling utilising existing narrow access onto A38;
- Dwelling of this size could contribute to flooding pattern locally;
- Potential contamination of the site;

Current Scheme - 1 letter of support has been received from the adjoining neighbour to the site  
**Councillor Waters** has requested committee determination to assess the size and scale of the proposal

**Planning Officers Comments:** Miss Lisa Dixon

## **1.0 Application Site**

1.1 This application relates to a detached property known as Vine Tree Farm, which is located at 'The Wharf', Coombe Hill. The dwelling is currently unoccupied and in a relatively poor state of repair.

1.2 The property lies remote from the nearby A38 highway, within a rural location and is currently accessed via a track from The Wharf at the head of the dis-used Coombe Hill Canal. The site, together with the adjoining Evington Lodge and the Grade II Listed, Evington House, forms a cluster of dwellings which lie behind (to the west) the linear development which lines this section of the A38. The topography of the site slopes markedly from east to west.

1.3 The site is situated within the Landscape Protection Zone (LPZ) and is within relatively close proximity to the Coombe Hill Canal, which is designated as a Key Wildlife Site. A Site of Special Scientific Interest (SSSI) is located over 100m away to the north-west of the site. A Public Right of Way (PRoW) crosses the site and extends north to south. The existing vehicular access to the property, together with the dwelling itself and western half of the site, is located within Flood Zone 3 (**See location plan**).

## **2.0 Planning History**

2.1 12/01216/OUT - Outline application for the erection of a replacement detached house, garage and extended driveway (all matters reserved) - Permitted at Committee on 02.05.2013. The existing dwelling lies within the lower portion of the site, to the western side of the public right of way and within Flood Zone 3. The extant permission agreed re-siting to the eastern side of the public footpath which crosses the site, thereby taking the dwelling out of the flood plain.

2.2 Although the outline permission reserved all matters for future consideration, Condition 8 restricted the maximum scale parameters (height, length and width) of the dwelling and associated garage in order to adhere to the size and scale of the existing dwelling and ancillary outbuilding on the site. Condition 13 removed permitted development rights for further extensions, structures or buildings within the site.

2.3 The outline permission remains extant at the current time.

## **3.0 Current Application**

3.1 This current full application seeks to erect a replacement dwelling and detached double garage. The proposed dwelling would differ from the indicative scheme of the outline permission with regards to positioning and building form/scale (see paragraph 5.2 below).

3.2 The current scheme also proposes a new access to serve the replacement dwelling, off the A38. The new dwelling would utilise the existing access off the A38 which serves both Evington House and Evington Lodge and falls within the ownership of Evington House, with an additional driveway extension proposed which would effectively link the site to the main entrance and the A38 beyond (**See attached plans**).

3.3 The scheme has been revised significantly since original submission. The original scheme sought to erect a substantial dwelling of Georgian design and proportions, with formal terracing, turning forecourt, enclosed swimming pool with garaging and gym/recreation area below. (**See attached plans**). This scheme was subsequently revised following officer concerns and further amended in May 2015 to its current incarnation.

3.4 The current proposal remains formal in design, with 'period' features such as full height sash windows and cornice and parapet detailing. The dwelling would be of stone construction with stone bonding course.

## **4.0 Policy Context**

4.1 Policy HOU7 of the Local Plan states, inter alia, that the replacement of existing dwellings in locations where the construction of new houses would otherwise be unacceptable will be permitted providing that the replacement is of a similar size and scale, respects the scale and character of existing characteristic property in the area and is acceptable in terms of design, materials, environmental impact, parking and neighbouring amenity.



4.2 Policy HOU10 of the Local Plan states that the Borough Council will not permit the change of use of agricultural land to residential curtilage if there is an adverse environmental or visual impact on the form, character or setting of the settlement. There must also not be any significant encroachment into the surrounding countryside and the form of the extension must not be incongruous with the characteristic pattern of surrounding gardens.

4.3 Local Plan Policy TPT1 relates to access for developments and states that development will be permitted where, inter alia, it would not impair the safety or satisfactory operation of the highway network; and highway access can be provided to an appropriate standard which would not adversely affect the safety or satisfactory operation of the highway network, nor cause an unacceptable loss of amenity to users of adjacent land.

4.4 Policy LND3 sets out that within the Landscape Protection Zone (LPZ) the Borough Council will seek to protect or enhance the environment and where possible, provision will be made for improved public access. Important landscape features within the LPZ will be retained and where appropriate enhanced to ensure their long term retention. This guidance is echoed within Policy SD7 of the Submission Version of the Joint Core Strategy.

4.5 Policy INF3 of the JCS Submission Version presumes against development at direct risk from flooding and/or development that would increase the risk of flooding elsewhere. Similarly Local Plan Policy EVT5 sets out that development should not exacerbate or cause flooding problems.

4.6 The above guidance is reflected in the relevant Sections of the NPPF. The above Development Plan policies are therefore considered to be consistent with the NPPF and should carry significant weight in the determination of this application.

## 5.0 Analysis

5.1 The main planning issues to be considered in this application are size, scale and design, landscape impact, flood risk, access, ecology, setting of the nearby listed building and the impact on surrounding residential amenity.

### Size, Scale and Landscape Impact

5.2 The revised design and access statement in support of the current scheme notes that the scale parameters reflect those of the extant outline permission. However, the proposed height would be 9.3m (extant parameter maximum height - 8m); the length would be 17.4m (extant maximum length - 17m); and the proposed width is stated to be 7m (extant maximum width - 8m). However, the width of the main part of the dwelling (not the recessed drawing room/bedroom 2) is 7.6m and the dwelling proposes an L-shaped layout which actually results in a maximum width of 12.1m. The maximum dwelling footprint of the extant outline permission would be 136 square metres. However, the current scheme proposes a dwelling footprint in excess of 157 square metres. The proposed footprint of the house in addition to the detached garage would be 191 square metres, with a maximum garage height of 4m. This would be marginally smaller than the extant maximum footprint (192 square metres for dwelling and garage combined). As such, the garage element of the proposal is considered to reflect the scale parameters imposed by the extant outline permission on the site.

5.3 It is evident that the dwelling permitted by outline the application would appear more visually prominent than the existing building, due to its higher positioning, outside of the established residential curtilage of Vine Tree Farm. However, the encroachment into agricultural land within the lower portion of the site was agreed at outline stage as it was accepted that the replacement dwelling would be of a similar size and scale to the existing property and details such as landscaping and boundary treatment/layout could be adequately controlled at reserved matters stage, helping to ensure that the encroachment into agricultural land beyond would not have an undue impact on the rural landscape. It was also considered that the proposed access driveway would not cause significant harm in landscape terms given its relative width. The proposed garage was also re-sited at the request of Officers during the outline stage, to ensure that it would be parallel with the proposed dwelling to minimise impact. The finished floor levels of the extant outline dwelling and garage would be some 2.1m higher than the existing property (proposed FFL: 14.00 m) and this was considered acceptable in landscape terms, in light of the above.

5.4 It is considered that the proposed footprint increase of the current scheme would result in detrimental impact upon the setting of the Landscape Protection Zone and that this would be further compounded by the proposed increased height of the building (9.3m). This would exceed the permitted maximum height by some 1.3m. Furthermore, the formal, period style and proportions of the proposed dwelling, together with its proposed re-siting much further up the slope of the site (extant dwelling sited 19m from public right of way; current proposal sited further to the south-east, some 49m from the public footpath) would increase the prominence of the dwelling within the rural landscape. Substantial engineering operations would be undertaken to create a plateau upon which to site the new dwelling and garage. The finished floor levels of the new dwelling would be 20.00m, significantly higher than the existing dwelling (12.368 FFL). The siting would be significantly further from the existing cluster of dwellings within the immediate locality (Evington Lodge and Evington House), and would also lie remote from the existing linear development fronting the A38. Whilst the extant outline does agree the principle of a replacement dwelling outside of the established curtilage of Vine Tree Farm, the permission relates to a smaller dwelling, more closely related in size, scale and positioning to the dwelling it seeks to replace.

5.5 Furthermore, the new driveway and formal turning area proposed to serve the dwelling would also result in additional discordant and urbanising features within the LPZ which fail to respect the existing built form and settlement pattern of the locality and also fail to respect the character of the existing Vine Tree Farm.

5.6 In light of the above, it is therefore considered that the current proposal would not be of an acceptable size, siting or design and would therefore result in the introduction of an urbanising and discordant addition within the rural character of the LPZ. The proposal is therefore considered contrary to Policies HOU7 and LND3 in this regard.

#### Flood Risk

5.7 The existing dwelling and outbuildings lie almost entirely within Flood Zone 3 (high risk) according to the Environment Agency's flood risk maps. A Flood Risk Assessment (FRA) was submitted along with the extant outline scheme which concluded that the proposed replacement dwelling would be sited further to the south-east of the plot on land that is located within Flood Zone 1, and would therefore be at lower risk of flooding than the existing property. The EA concurred with the view that the replacement dwelling would be sited in Flood Zone 1 and therefore fully supported the proposal to relocate the new dwelling to this part of the site. As the current proposal seeks to locate the dwelling, driveway and pedestrian/vehicular access further up the slope and therefore, further away from Flood Zone 3, it is considered that the siting is acceptable with regards to flood risk, in accordance with the NPPF, Policy INF3 of the JCS Submission Version and Policy EVT5 of the Local Plan.

#### Highway Safety

5.8 The County Highways Officer has been consulted on the application and does not object to the proposal in highway safety terms, subject to the imposition of appropriate conditions relating to the provision of a suitable layout which allows simultaneous vehicular access and egress and the provision of suitable visibility splays adjacent the A38.

5.9 The applicant would need to demonstrate that they have private vehicular rights in order to drive a motor vehicle over third party land falling within the ownership of Evington House, but this matter is addressed through separate legislation. The proposal is therefore considered to accord with Policy TPT1 of the Local Plan.

#### Ecology

5.10 The application has been accompanied by an 'Extended Phase 1 Habitat Survey' which has been prepared by a qualified ecologist. The survey assesses the potential for protected habitats and species on the site. In its conclusion, the survey report states that no statutory or non-statutory wildlife sites, Biodiversity Action Plan Priority Habitats or other habitats of particular ecological interest or conservation concern would be adversely affected by the proposals. The report does however identify that roosting bats have been identified in the existing dwelling and it is therefore recommended that the bat mitigation strategy accompanying the survey, be implemented in full. Furthermore, an active badger set has been identified towards the Southern boundary of the site, adjacent to where the proposed new access/driveway would be located. In light of these findings, a badger mitigation strategy has been prepared as part of the ecological survey.

5.11 Several local letters of objection have been submitted with regards to the positioning of the proposed driveway in relation to an active badgers sett and also with regards to engineering works and tree removal that has recently occurred on the site within the vicinity of the sett itself. Interfering with a badger sett without an appropriate license is an offence under the Badger Act 1992 and responsibility for investigating possible offences lies with the police. The Local Wildlife Crime Officer for the area is aware of this issue and investigations are ongoing at the present time. nevertheless, the ecological report states that moving the proposed driveway to another location would be 'problematic' but provides no additional information as to why this is the case. As such, it is considered that, further information is required with regards to the potential impact of the development upon the active badgers sett in order to ensure that the proposal would not result in undue harm to wildlife, in accordance with Policy SD10 of the JCS Submission Version and Policy NCN5 of the Local Plan.

#### Residential Amenity

5.12 The most immediate residential property to the application site is 'Evington Lodge' which is located to the west of the application site. The owners of Evington Lodge have written in support of the current proposal. Given the siting and orientation of the proposed dwelling and garage, it is not considered that the proposal would result in an adverse impact in terms of residential amenity.

5.13 The occupiers of the nearest property to the south-east of the site, Coombe Bank raised objections to the original, larger proposal on the grounds that it would constitute an oversized and wrongly positioned house which would be viewed by existing houses in the area, including their own and 'Waltham Lea'. The revised proposal, received on 19.05.2015 has been accompanied by a site section drawing, showing the proposed dwelling in relation to Coombe Bank. The site section indicates that due to the sloping topography of the site and the relative distance of the proposed dwelling from Coombe Bank, the new building would not be visible from Coombe Bank itself or from the A38.

5.14 It is considered that the proposed replacement dwelling would not result in loss of residential amenity to adjoining neighbours by reason of overbearing, loss of privacy or overlooking and therefore, accords with Policy HOU7 in this regard.

#### Setting of the Listed Building

5.15 NPPF paragraph 17 states as one of the 12 core planning principles that planning should conserve heritage assets in a manner appropriate to their significance so that they can be enjoyed for their contribution to the quality of life of this and future generations. Paragraph 131 requires local planning authorities in determining planning applications to take account of the desirability of sustaining and enhancing the significance of heritage assets. Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 requires Authorities to have special regard to the desirability of preserving any listed building or its setting or any features of architectural or historic interest which it processes.

5.16 The Grade II Listed 'Evington House' lies to the south-west of the site. The Conservation Officer has been consulted with regards to the impact of the proposal upon the setting of the heritage asset. The Conservation Officer raised objections in respect of the original scheme, on setting grounds, due to the relative distance of the proposal from Evington House and the scale, design and orientation of the proposal. As such, the original proposal was considered contrary to Section 12 of the NPPF, Policy SD9 and Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990. The current scheme is not considered to fully address these concerns and as such, an objection on heritage asset harm grounds remains.

## **6.0 Conclusion**

6.1 In light of the above considerations, it is considered that the proposed development would result in a significant adverse impact on the rural landscape of the LPZ. The proposal would also result in harm to the setting of nearby heritage assets and would fail to respect the scale and character of the dwelling it seeks to replace. The application is therefore considered to contrary to the aims of the NPPF and policies HOU7 and LND3 of the Local Plan. The application is therefore **recommended for refusal**.

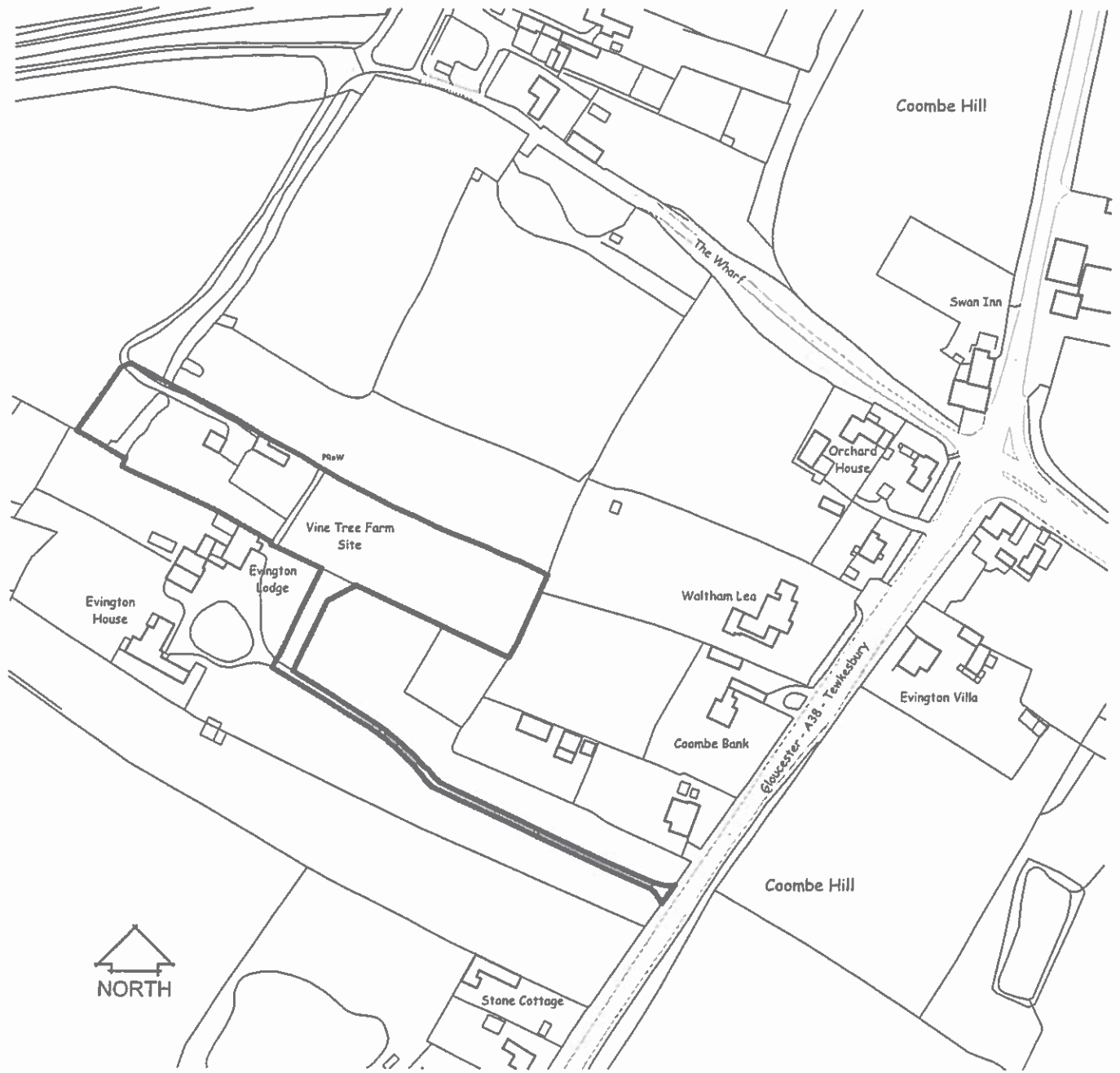


## **RECOMMENDATION Refuse**

### **Reasons:**

- 1 The proposed development, by reason of size, scale, detailed design and positioning would result in a discordant and visually intrusive addition to the rural landscape setting of the Landscape Protection Zone, contrary to Section 11 of the NPPF and Policy LND3 of the Tewkesbury Borough Local Plan to 2011 - March 2006.
- 2 The proposed development fails to respect the size, scale or character of the existing dwelling on the site, or the character and settlement pattern of the locality, contrary to Policy HOU7 of the Tewkesbury Borough Local Plan to 2011 - March 2006.
- 3 The proposed development would result in discernible harm to the setting of the nearby heritage asset of the Grade II listed 'Evington House', contrary to Section 12 of the NPPF and Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

14/01224/FUL  
 SITE LOCATION PLAN -  
 EXISTING DWELLING



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<b>coombes : everitt architects LLP</b> Unit No.1, The Old Dairy Rushley Lane Winchcombe Gloucestershire GL54 5JE  t: 01242 807727 f: 0845 5575833 e: info@ce-architects.co.uk www.ce-architects.co.uk	Drawing title: Site Location	Project: Vine Tree Farm, The Wharf Coombe Hill, Nr Cheltenham
	Client: Mr & Mrs McCreddie	Scale: 1:2500 @ A4
	Drawn by: AH Checked: JE	Date: December 2014
	Job number: 14.10.019	Draw no: P001
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60/A<sup>23</sup>

14/01/24 / TULL

EXTANT OUTLINE PERMISSION



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Drawing title: Existing Block Plan	
Client: Mr & Mrs McCready	Project: Vine Tree Farm, The Old Dairy, Chichester Hill, Wotton Bassett
Drawn by: AH	Scale: 1:500 @ A1
Job number: 14.10.23	Date: December 2014
	Drawn by: JJE
	Drawn by: PJG

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60/B<sup>24</sup>

17/01/2014 / 1/01/14  
**ORIGINAL SCHEME**

17/01/2014 / 1/01/14



Project	New Tree Farm, The Wood, Coombe Hill, Le Chiche, West Sussex
Client	Mr & Mrs McCrosbie
Drawn by	AH
Drawn no	14 13 019
Scale	1:250 @ A1
Date	December 2014
Drawn no	14 13 019
Drawn by	AS
Drawn no	14 13 019

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**Legend:**

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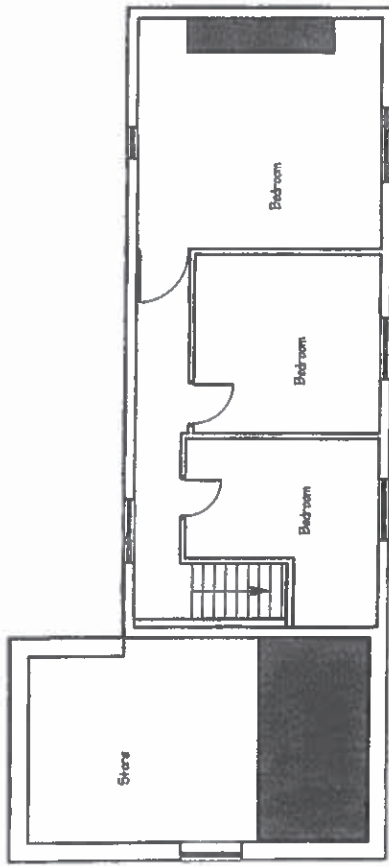
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14/01224 / FULL

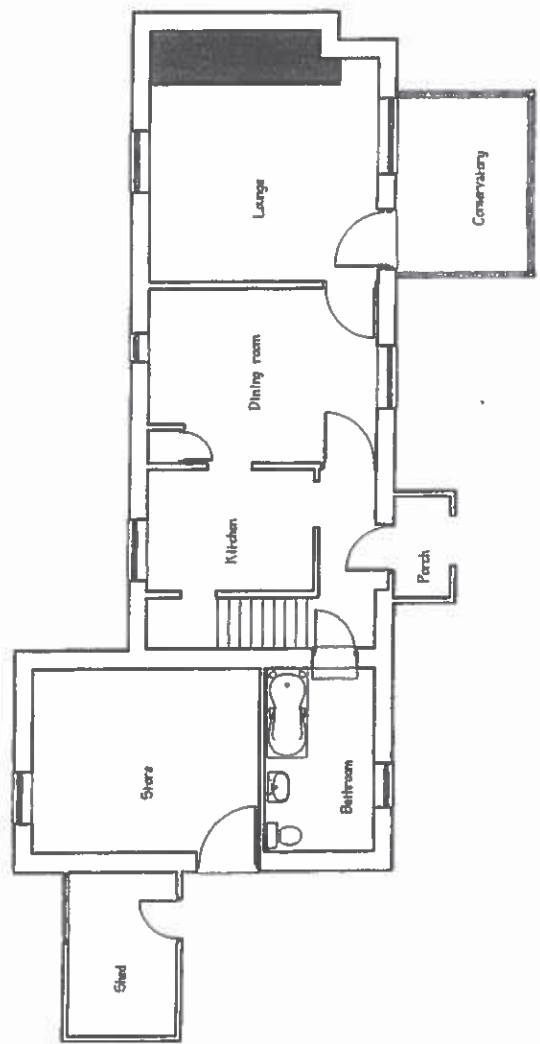
EXISTING DWELLING

### Existing Floor Plan



0000216

### First Floor



### Ground Floor

#### NOTES:

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 DEVELOPMENT SERVICES

Design	11 DEC 2012
Checked	
Job No	11 DEC 2012
Scale	1:100
File	3.0m x 1.2m
Plot	12m x 12m
75m x 125m	150m x 125m

A	Date	Revisions

**ALAN S WOOD MRIC:**  
 Architectural Design and Surveyors  
 The Beeches  
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 Huntley  
 Gloucestershire GL19 3DU

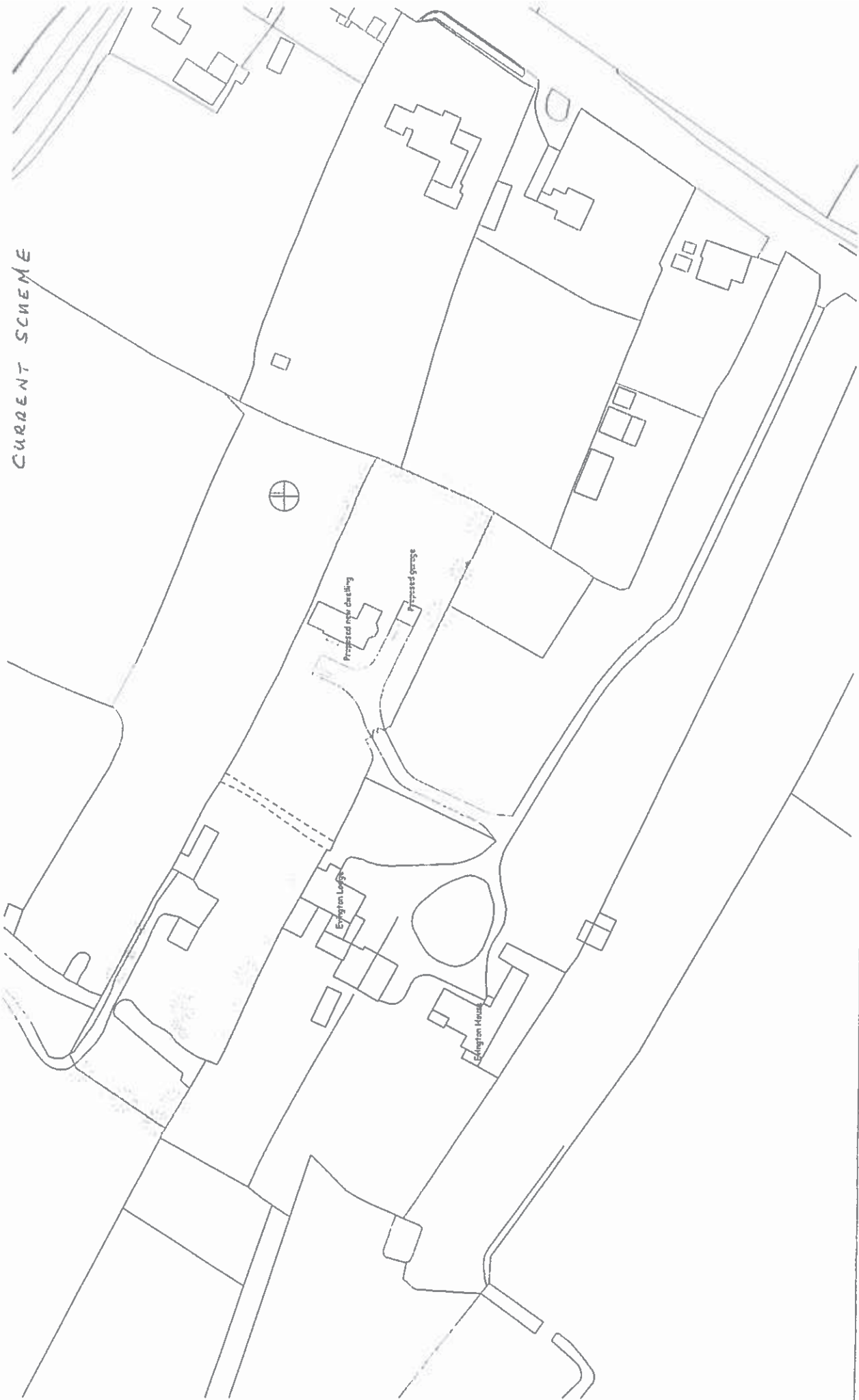
Tel: 01452 830701  
 Mob: 07955 228965  
 email: alanswood70@hotmail.com

Client  
**Mr G Tovey**  
 Job Title  
 Vine Tree Farm  
 The Wharf  
 Coombe Hill  
 Drawing Title  
 Existing Floor Plan

Scale 1/100  
 Date Aug 12  
 Drawn by SAW

Drg No.  
 24/12/14

14/01224 / FULL  
CURRENT SCHEME



combes : everitt architects limited  
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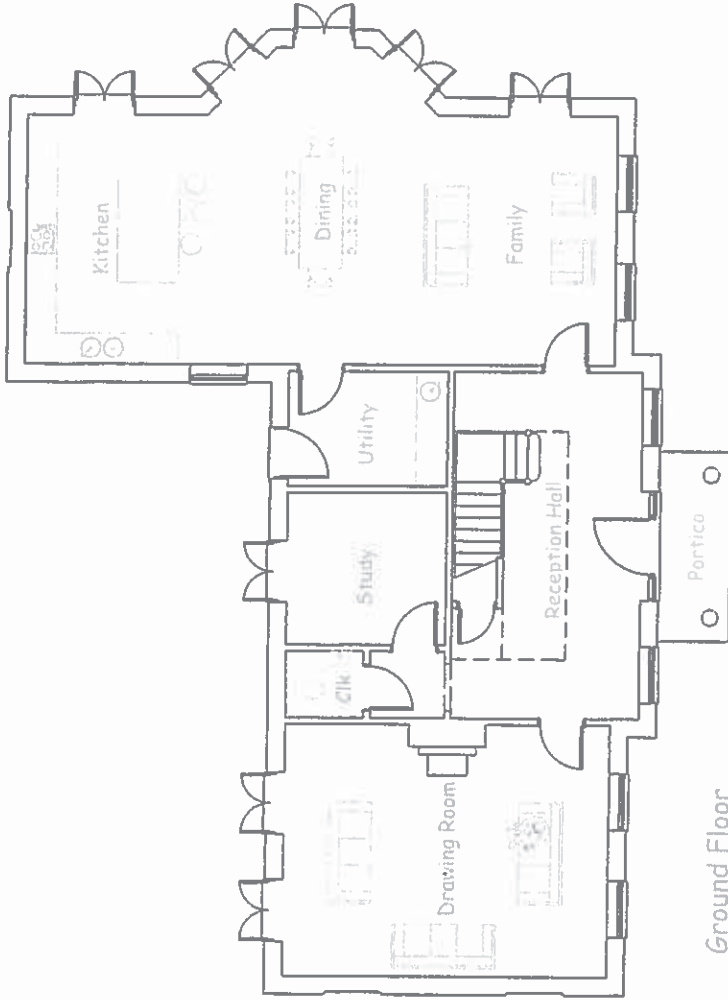
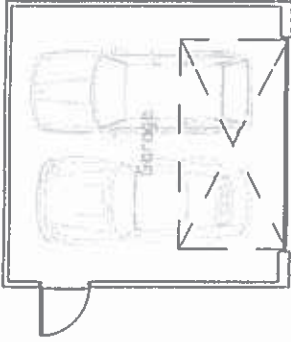
REV A Drawing updated to LPA comment 18/07/15  
REV B Drawing updated to full planning 18/07/15

Drawing No: Proposed Block Plan  
Client: Mr & Mrs McCreesh  
Drawn by: JH Checked: JE  
Job number: 14/01224

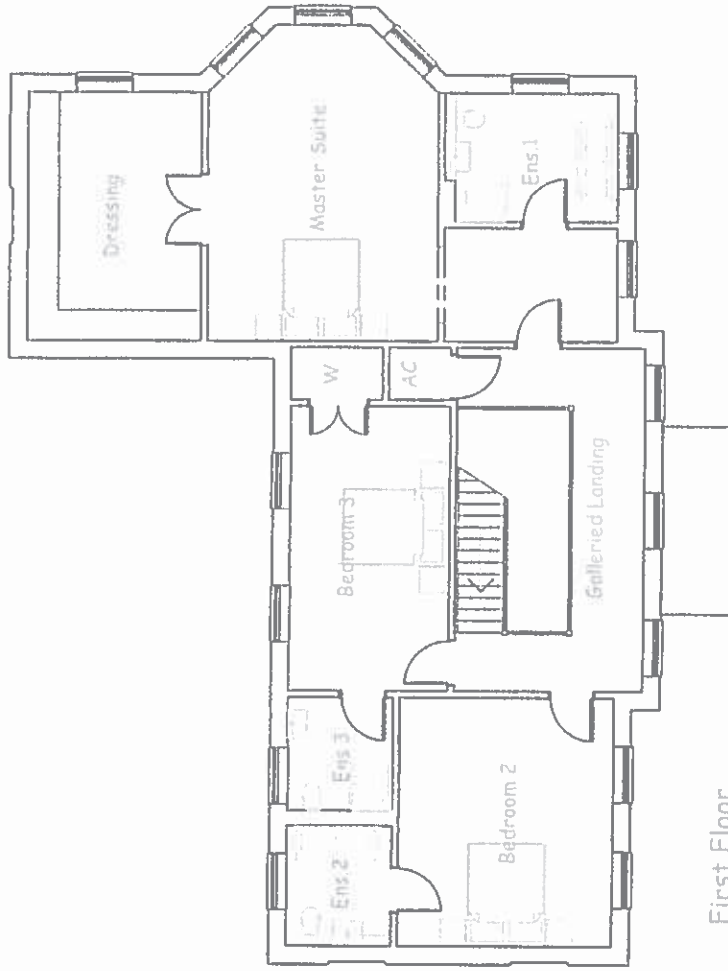
Project: The Old Dairy, The Old Dairy  
Course No: The Old Dairy  
Scale: 1:500 @ A1  
Date: December 2014  
Drawn by: POC3 B

60/27

14/01/14 / FUL  
CURRENT SCHEME



Ground Floor



First Floor

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REV A  
REV B  
Drawing updates to suit client comments  
Drawing created in LPA comments  
14/01/14  
14/01/14

Drawing title: Proposed Floor Plans  
Client: Mr & Mrs McCreate  
Drawn by: AH  
Checked: JE  
Job number: 14.10.019

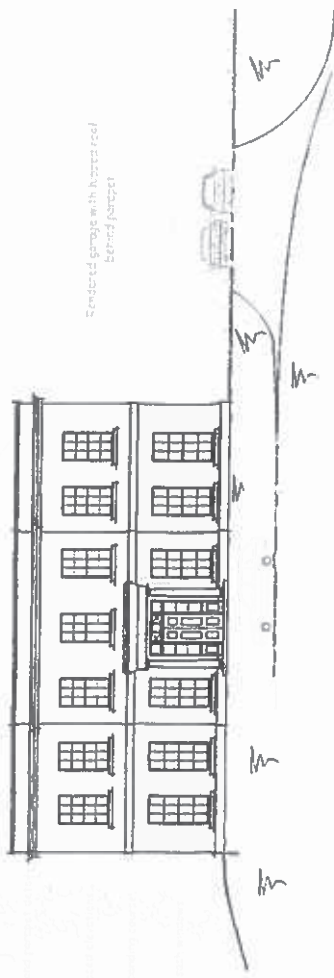
Project: Vine Tree Farm, The Wharf  
Coombe Hill, Nr Cheltenham  
Scale: 1:100 @ A3  
Date: December 2014  
Draw no: P005 B

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60/28



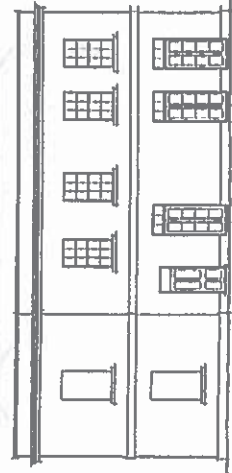
14/10/2014 / KWL  
 CURRENT SCHEME - PROPOSED ELEVATIONS




Proposed Front / West Elevation



Proposed Rear / East Elevation



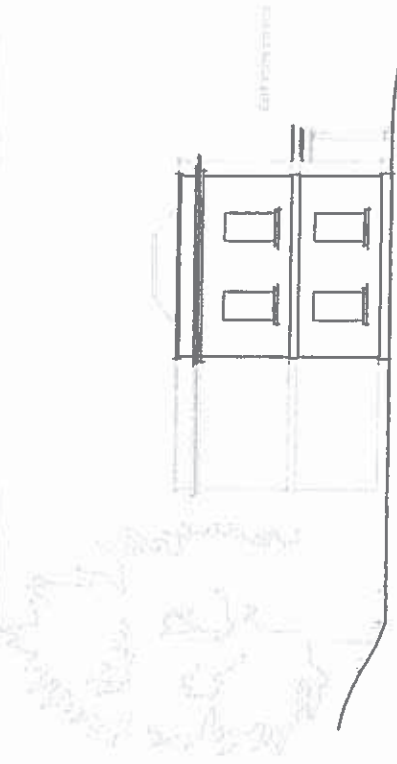
Proposed Rear / East Elevation

<p>coombes : eventit architects limited                  Unit No.1, The Old Dairy                  Rushley Lane                  Winchcombe                  Gloucestershire                  GL54 5JE                  t: 01242 807727 f: 0845 5575633                  e: info@ce-architects.co.uk                  www.ce-architects.co.uk</p>	<p><input type="checkbox"/> Preliminary  <input type="checkbox"/> Feasibility  <input checked="" type="checkbox"/> Planning  <input type="checkbox"/> Building Regulations  <input type="checkbox"/> Tender  <input type="checkbox"/> Construction Issue  <input type="checkbox"/> As Built</p>	<p><b>RIBA</b>                  Chartered Practice</p> 	<p>1. This drawing and content is copyright © of coombes : eventit architects limited                  2. Do not take drawing, all dimensions or details on site prior to construction without written permission reported to contract administrator</p>	<p>REV A Drawing updates to suit client comments 10/20/14                  REV B Drawing updated to LPA comment 14/05/15</p>	<p>Drawing title: Proposed Elevations</p> <p>Client: Mr &amp; Mrs McCreadie                  Drawn by: AH                  Checked: JE                  Job number: 14-10-019</p> <p>Project: Vine Tree Farm, The Wharf                  Coombs Hill, Nr Cheltenham</p> <p>Scale: 1:200 @ A3                  Date: December 2014                  Draw no: P005 B</p>
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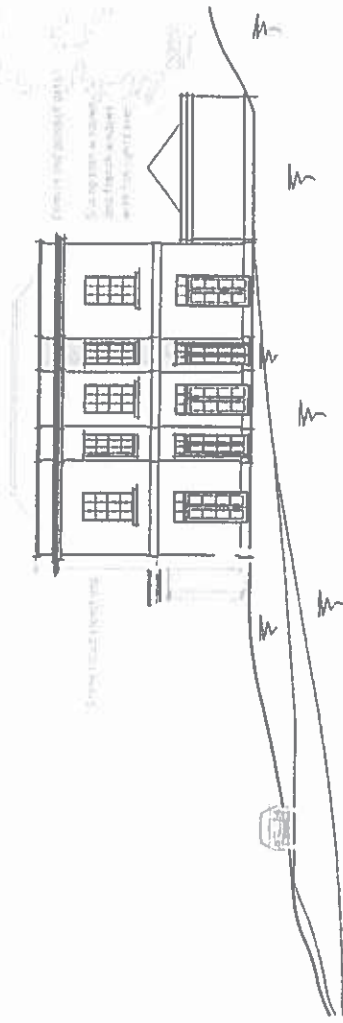
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60/29

14/01/24 / FULL  
CURRENT SCHEME PROPOSED  
ELEVATIONS




Proposed Side / North Elevation



Proposed Side / South Elevation

60/30  
17

<p>coombes : eventit architects limited Unit No.1, The Old Dairy Rushley Lane Winchcombe Gloucestershire GL54 5JE L: 01242 607727 f: 0845 5575633 e: info@ce-architects.co.uk www.ce-architects.co.uk</p>	<p><input type="checkbox"/> Preliminary <input type="checkbox"/> Feasibility <input checked="" type="checkbox"/> Planning <input type="checkbox"/> Building Regulations <input type="checkbox"/> Tender <input type="checkbox"/> Construction Issue <input type="checkbox"/> As Built</p>	<p><b>RIBA</b> Chartered Practice</p> 	<p>1. This drawing and content is copyright © of coombes : eventit architects limited 2. Do not scale drawing. All dimensions are based on plans prior to construction. Any discrepancies reported to contract administrator</p>	<p>REV A Drawing updated to suit client comments REV B Drawing updated to suit client comments</p> <p>100215 18/09/15</p>	<p>Drawing title Proposed Elevations</p> <p>Client Mr &amp; Mrs McCreadie Drawn by: AH Checked: JE Job number: 14.10.019</p> <p>Project Vine Tree Farm, The Wharf, Coombe Hill, Nr Cheltenham Scale: 1:200 @ A3 Date: December 2014 Draw no: P007 B</p>
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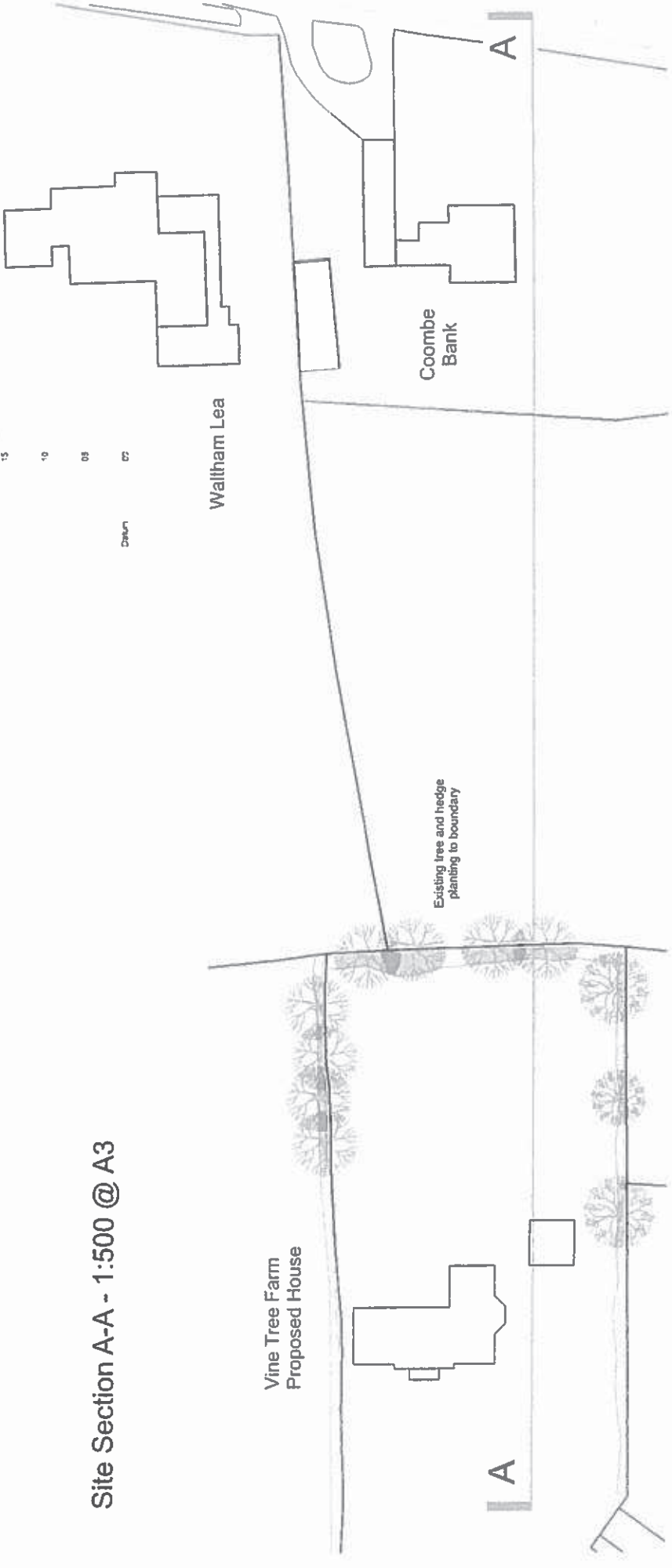
coombes : eventit architects


CURRENT SCHEME



NOTE: NEW DWELLING IS NOT VIEWABLE FROM COOMBE BANK OR TEYKESBURY ROAD

Site Section A-A - 1:500 @ A3



<p>coombes : eventitt architects limited          Unit No. 1, The Old Dairy          Rushley Lane          Winchcombe          Gloucestershire          GL54 5JE          t: 01242 807727 f: 0845 5575833          e: info@ce-architects.co.uk          www.ce-architects.co.uk</p>	<p><input type="checkbox"/> Preliminary  <input type="checkbox"/> Feasibility  <input checked="" type="checkbox"/> Planning  <input type="checkbox"/> Building Regulations  <input type="checkbox"/> Tender  <input type="checkbox"/> Construction Issue  <input type="checkbox"/> As Built</p>	<p><b>RIBA</b>          Chartered Practice</p> 	<p>1. This drawing and content is copyright © of coombes : eventitt architects limited          2. Do not scale drawing, all dimensions to be checked on site prior to construction and any discrepancies reported to contract administrator</p>	<p>REV A          REV B</p>	<p>Drawing updated to suit client requirements          Drawing updated to suit LPA comment          14/02/13          15/02/13</p>	<p>Drawing title: Site Section - Teakesbury Road to Proposed Replacement Dwelling          Client: Mr &amp; Mrs McCreadie          Drawn by: AH          Checked: JE          Job number: 14.10.019</p>	<p>Project: Vine Tree Farm, The Wharf          Coombe Hill, Nr Cheltenham          Scale: 1:500 @ A3          Date: January 2015          Draw no. P100 B</p>
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60/31 I

coombes : eventitt architects

15/00482/FUL

Spring House, Langley Hill Farm, Harveys Lane

3

Valid 25.04.2015

Carry out extensions to existing farmhouse to accommodate two new bedrooms en-suite, enlarged lounge and kitchen, utility room, new entrance hall and conservatory to dining room.

Grid Ref 400908 228818

Parish Winchcombe

Ward Winchcombe

D R Abbatt & Son  
Spring House,  
Langley Hill Farm,  
Harveys Lane  
Winchcombe  
Cheltenham

## **RECOMMENDATION Refuse**

### **Policies and Constraints**

The Tewkesbury Borough Local Plan to 2011 - March 2006 - Policy HOU8

NPPF

Planning Practice Guidance

Joint Core Strategy - Submission Version - November 2014 - Policies SD1, SD7, SD8

### **Consultations and Representations**

**Winchcombe Town Council** - No objection subject to application of agricultural occupancy condition

**Local Residents** - None received

**Councillor Mason** has requested the application goes to Planning Committee to assess the impact on the landscape

**Planning Officers Comments:** Mr Matthew Tyas

### **1.0 Site**

1.1 The application site relates to Spring House; an existing two storey cottage style dwelling located at Langley Hill Farm on Harveys Lane in Winchcombe. The dwelling is subject to a restrictive agricultural occupancy condition.

1.2 The dwelling is located adjacent to the main farm complex but is accessed by a relatively long driveway from the farm yard and has a certain degree of physical separation.

1.3 Langley Hill Farm is a long established dairy business occupying some 632 acres of land at Winchcombe. Spring House is the main farm house on the site and is currently the only permanent dwelling associated with the farm. There is also a static caravan located on the site that was permitted for use by an agricultural worker for a temporary 3 year period. The permission for this has now expired.

1.4 The site is located within the Cotswold Area of Outstanding Natural Beauty (AONB) as defined in the Tewkesbury Borough Local Plan to 2011 (TBLP).

### **2.0 History**

2.1 This site has an extensive planning history relating to the farm business. Of particular relevance to this application is the original permission for the subject dwelling (refs 90T/2073/01/01 (Outline); 90T/2073/02/03 (Reserved Matters)). These applications were permitted in 1990 and are subject to conditions restricting the occupation of the dwelling to a person employed in agriculture and removing permitted development rights.

2.2 Furthermore, as noted above planning permission was granted in 2008 08/00935/FUL for the use of land for the stationing of a temporary agricultural workers caravan for a three year period. This expired in 2011 but the caravan still remains on site.

2.3 An application for the erection of 2 agricultural workers dwellings was withdrawn in 2013 (ref. 13/00861/FUL).

2.4 An application for a new agricultural worker's dwelling (15/00473/FUL) was permitted in June 2015.

### 3.0 Application

3.1 This application proposes to erect single and two storey extensions to the front and sides of the dwelling.

3.2 It is understood from the application that the proposed development is intended to provide additional space within the farmhouse to reflect the substantial increase in the operational scale of the business and to alleviate the current situation where a large amount of domestic space is shared with the business. The proposal is also required to allow for development and diversification of the farm business to accommodate veterinary and agricultural students seeking farm placements, as well as providing sustainable rural tourism in the form of farm-stay holidays linked to the farm.

3.3 The existing dwelling on the site has a floor area of approximately 159sqm. The proposed extensions would add a further 192sqm to the property bringing its total floor area to 351sqm.

### 4.0 Planning Policy Context

4.1 Policy HOU8 of the TBLP provides that extensions to existing dwellings will be permitted provided that they are of a suitable design, they respect the character, scale and proportion of the existing dwelling, they respect the character and appearance of surrounding development and they do not have an unacceptable impact on the amenity of adjacent properties.

4.2 Policy AGR2 of the TBLP relates to agricultural dwellings and states that the scale of the proposed dwelling should be related to the size and function of the farm unit.

4.3 Policy HOU8 is considered to be consistent with the Core Planning Principle within the NPPF advising that planning should always seek to secure a high standard of design and a good standard of amenity for all existing and future occupants of land and buildings. Furthermore, the aim of Policy AGR2 is consistent with the aim of paragraph 55 of the NPPF to avoid isolated new homes in the countryside unless there are special circumstances such as (inter alia) the essential need for a rural worker to live permanently at or near their place of work in the countryside. For the reasons discussed later in this report this policy provision is considered to be relevant to this application.

4.4 Other relevant provisions within the NPPF include the requirement at paragraph 115 for great weight to be given to conserving landscape and scenic beauty in AONBs, and the advice on supporting a prosperous rural economy at section 3 including need to promote the development and diversification of agricultural and other land-based business, and support the provision of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres. The overarching aim of the NPPF to achieve sustainable development is also of relevance, in particular the need to provide a supply of housing that meets the needs of present and future generations.

### 5.0 Analysis

5.1 The main issues to consider in this application are the principle of extending an agriculturally tied dwelling, the suitability of the proposed extensions in relation to Policy HOU8, and the impact of the proposal on the AONB.

#### *The principle of extending an agriculturally tied dwelling*

5.2 Policy AGR2 requires that the size of an agricultural dwelling should be related to the size and functional requirement of the farm holding. This is a material consideration when considering not only planning applications for new dwellings, but also extensions to them.



5.3 The function requirements of Langley Hill Farm have been considered in detail by the Council as part of the previous application for temporary workers dwelling and recently permitted application for a permanent agricultural workers dwelling. It has been accepted that there is need for an additional dwelling in order to satisfy the growing requirements of the farm holding. However, on the basis of the above it follows that the functional requirement of the holding will be met by the existing dwelling and (subject to planning permission) the proposed new dwelling. It is not therefore considered that there is a functional requirement for a larger extended agriculturally tied dwelling.

5.4 Furthermore, the stated need for the proposed extensions is not substantiated in the application submission. It is not clear how the increase in the operational scale of the business would necessitate the need for a larger dwelling. The existing dwelling already provides a reasonable amount of accommodation at 159sqm and provides a full range of amenities including a lounge, kitchen, dining room, two existing bedrooms and a sizeable third room (currently used as an office) that could be used as an additional bedroom. This is not considered to be sub-standard and officers see no reason why the existing dwelling cannot continue to fulfil the accommodation needs of the holding, nevertheless it is considered that there may be some limited scope for extending the building. It is noted that the proposal is also required to allow for development and diversification of the farm business to accommodate veterinary and agricultural students seeking farm placements, as well as providing sustainable rural tourism in the form of farm-stay holidays linked to the farm. This does not however relate to an essential need for a rural worker to live permanently at or near their place of work in the countryside. Furthermore, officers see no reason why such accommodation needs could not be accommodated in nearby Winchcombe consistent with the advice on supporting a prosperous rural economy within the NPPF. Agricultural students seeking placements is not a new phenomenon by any means and such accommodation is not allowed for in national or local planning policies.

5.5 In addition to the functional requirement, it is necessary to consider whether the resultant extended building would remain affordable for a rural worker. This is a very important consideration as if (as a result of the extensions) the dwelling is no longer affordable for the majority of those employed or last employed in agriculture then it may no longer be viable as an agricultural workers dwelling. This leaves it vulnerable to the removal of the occupancy condition which would result in the creation of an isolated new dwelling in the countryside that conflicts with paragraph 55 of the NPPF.

5.6 The proposed extensions would more than double the floor area of the existing dwelling and would accommodate on the ground floor a large living area and a substantial kitchen/breakfast bar area in addition to a dining room, large entrance hall, shower room, wc and utility room. On the first floor would be three sizeable en-suite bedrooms, a further bedroom, an office room and a family bathroom. It is considered that such a large increase in the floor area and amenities of the dwelling could reasonably be expected to significantly increase the value of the dwelling to a cost that is likely to be unaffordable for the vast majority of persons employed/or last employed in agriculture.

5.7 On the above basis it is considered that the proposed extensions would result in an unsustainable form of development as they would produce a dwelling that is unaffordable for future generations of agricultural workers. The proposal would not therefore be consistent with the aim of the NPPF to achieve sustainable development.

#### Policy HOU8 of the TBLP

5.8 The proposed extensions would increase the floor area of the property by 120% and would involve significant two storey extensions transforming what is currently a fairly modest cottage into a large family home. On this basis it is not considered that the proposal would respect the character, scale and proportion of the existing dwelling contrary to Policy HOU8.

5.9 Furthermore it is considered that the dwelling resulting from the extensions would, with its confusing mix of building heights and roof forms, take on a disjointed, inharmonious appearance. The proposal would therefore detract from rather than complement the design of the existing dwelling contrary to Policy HOU8.

#### Impact on the AONB

5.10 The site is surrounded by various public footpaths and bridleways to its north, east and west. However, due to the topography of the area and the strips of woodland between the site and the nearby rights of way, only limited public views can be gained of the dwelling. A clear view of the property can be gained from private land to the south-east but this would not reveal the large additions to the front (north-west) elevation. On this basis it is not considered that the proposal would have any notable impact on the landscape and scenic beauty of the AONB.

## 6.0 Conclusion

6.1 There is not considered to be a functional requirement for a larger extended agriculturally tied dwelling on the site contrary to Policy AGR2 and concerns are raised over the resulting dwelling being unaffordable for the vast majority of persons employed/or last employed in agriculture. This is of particular note given the very recent permission granted for an additional dwelling to serve the holding. On this basis it is considered that the proposed extensions would result in an unsustainable form of development as they would produce a dwelling that is unsuitable and unaffordable for future generations of agricultural workers. This would be inconsistent with the overarching aim of the NPPF to achieve sustainable development.

6.2 The proposed extensions would conflict with Policy HOU8 of the TBLP as they would be of an unsuitable design and would not respect the character, scale and proportion of the existing dwelling. So even if this were not an agriculturally tied dwelling, there would still be an objection on planning grounds.

6.3 On the above basis it can be concluded that the proposed development would not be in accordance with the relevant saved policies of the adopted Development Plan and national guidance within the NPPF. It is therefore recommended that planning permission is refused.

### RECOMMENDATION Refuse

#### Reasons:

- 1 No functional requirement has been demonstrated for a larger agriculturally tied dwelling on the site and the scale of the resulting dwelling is not considered to be related to the size and function of the farm unit. Furthermore, the resultant dwelling would be unaffordable for the vast majority of persons employed/or last employed in agriculture. For these reasons the proposal would conflict with Policy AGR2 of the Tewkesbury Borough Local Plan to 2011 (the TBLP) and the advice at paragraph 55 of the National Planning Policy Framework 2012 (the NPPF).
- 2 The proposed extensions would conflict with Policy HOU8 of the TBLP as they would not respect the character, scale and proportion of the existing dwelling and the resulting building would be of a disjointed, inharmonious appearance.

#### Note:

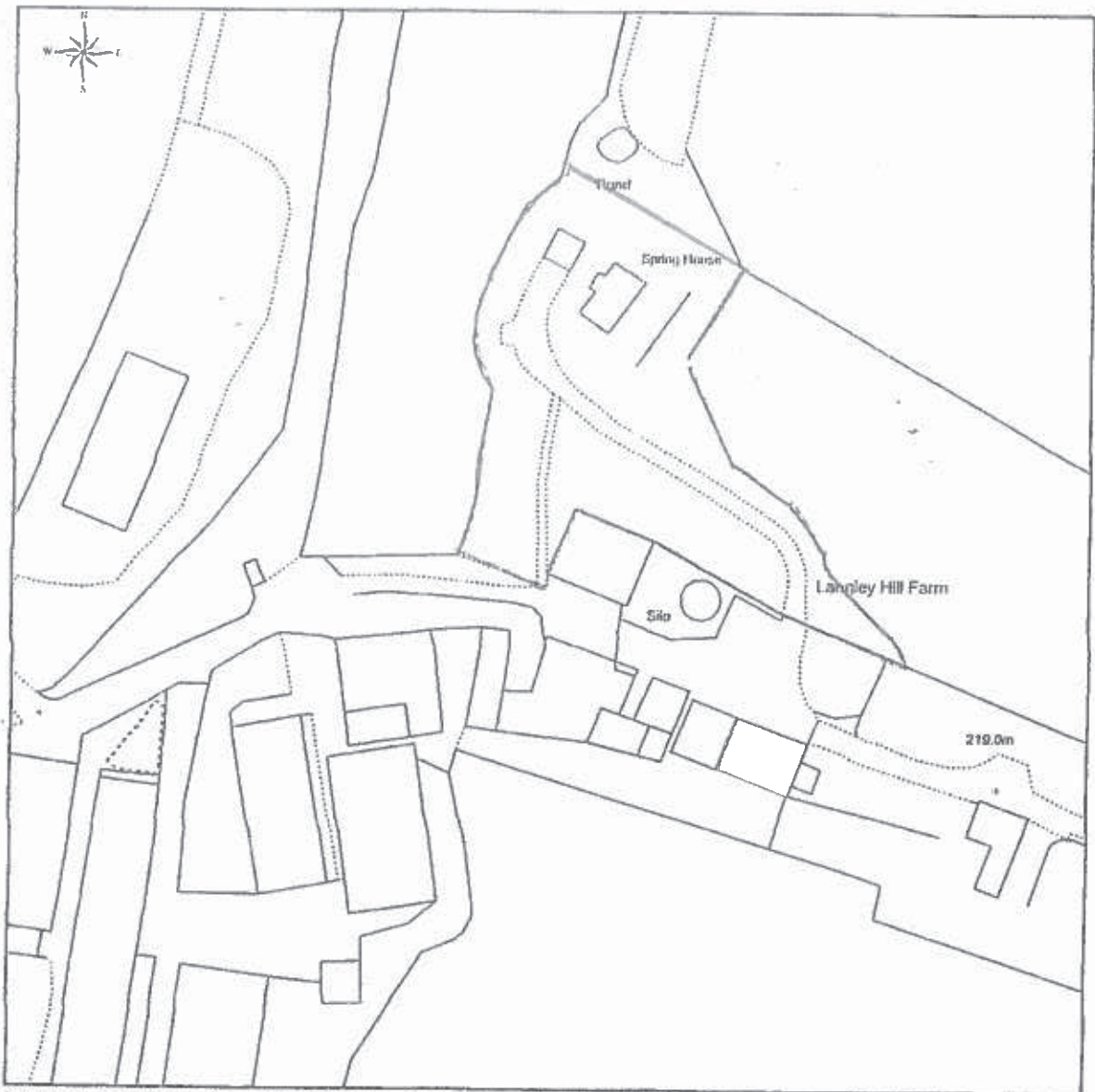
#### Statement of Positive and Proactive Engagement

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. However, as a consequence of the clear conflict with Development Plan Policy no direct negotiation during the consideration of the application has taken place.



# Langley Hill Farm

SPRINT HOUSE.



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Scale: 1:1250, paper size: A4

OS 1250 Loc Plan

Location Plan



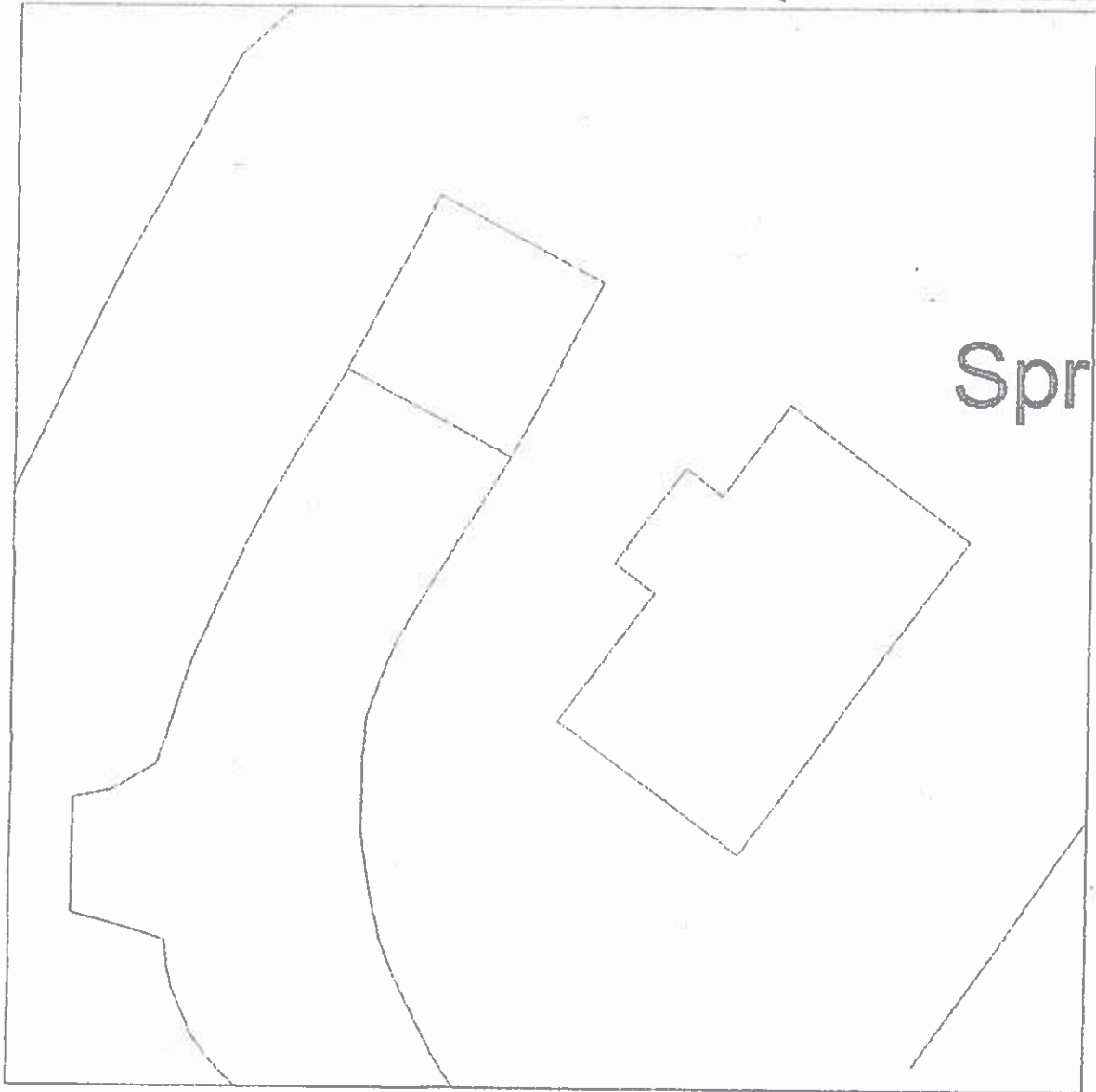


SPRING HOUSE.

getmapping.com



LANKEY HILL FARM  
EXISTING SITE LAYOUT



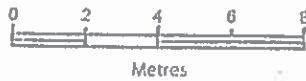
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# SPRING HOUSE PROPOSED SITE LAY OUT



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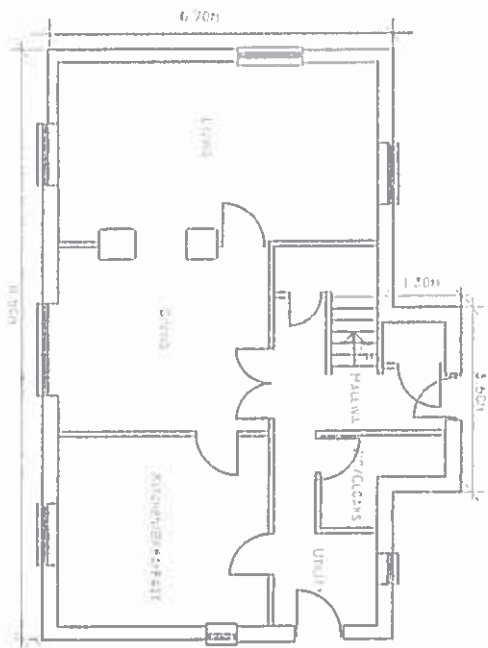
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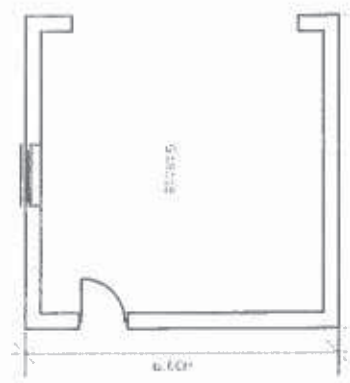
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SPRING HOUSE  
LANGLEY HILL FARM  
WINCHESTER  
GL52 5AA

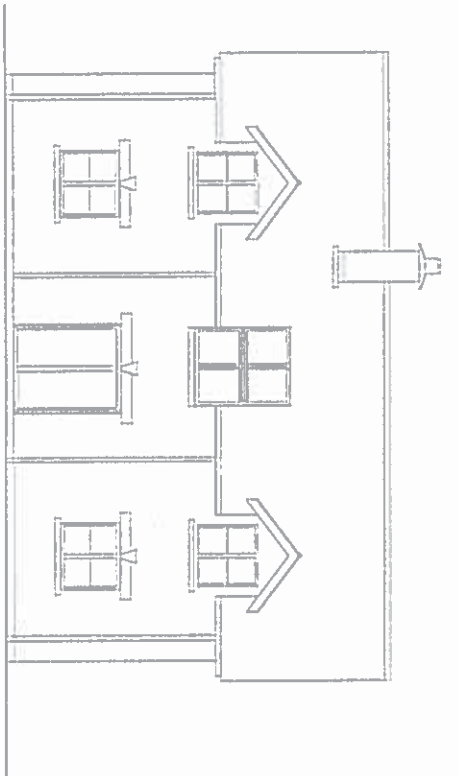


EXISTING GROUND FLOOR PLAN

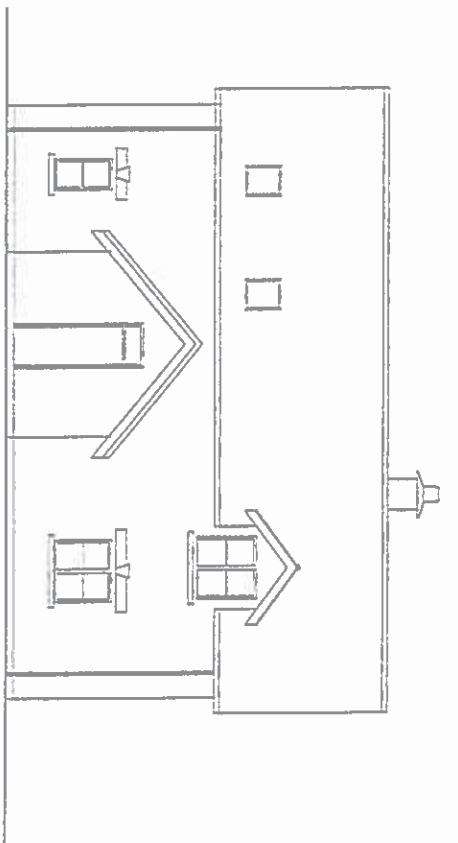
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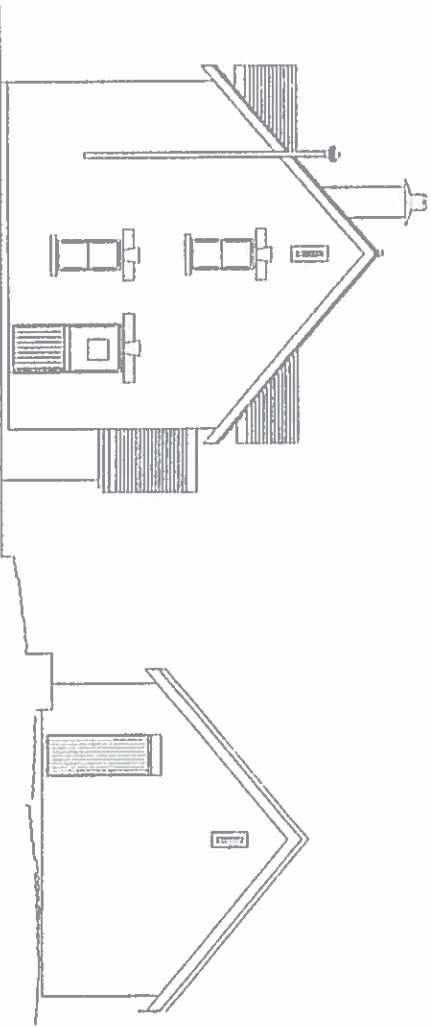




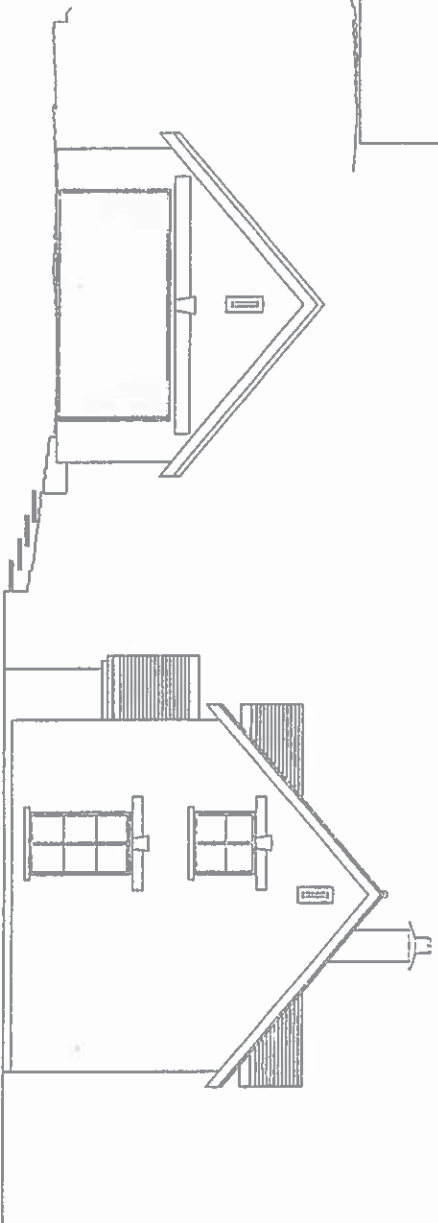
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EXISTING NORTH WEST ELEVATION



EXISTING NORTH EAST ELEVATION



EXISTING SOUTH WEST ELEVATION

PROPOSED EXTENSIONS  
 SPRING HOUSE  
 LANGLEY HILL FARM  
 WINCHOMBE  
 GL54 5AA

SCALE 1:100

64/41



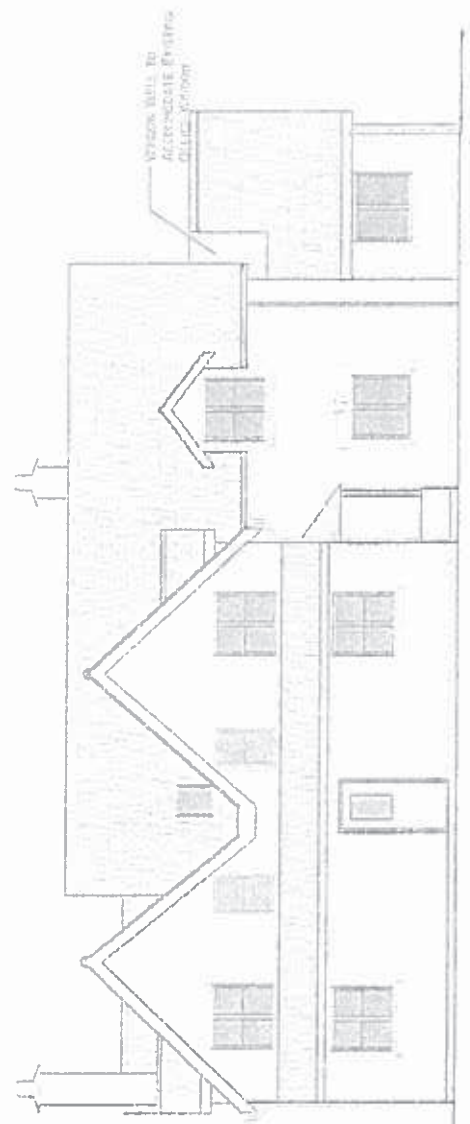
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Dwg No 018.032/15

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Title: Proposed Extensions  
Spring House  
Langley Hill Farm,  
Winchcombe,  
Glos  
GL54 5AA

Date Drawn 03/15  
Drawn by: CJ  
Scale: 1:100

Architectural Services Planning  
Consultants & Building Surveyors  
Tel: 01532 910110  
110, 112, 114, 116, 118, 120, 122, 124, 126, 128, 130, 132, 134, 136, 138, 140, 142, 144, 146, 148, 150, 152, 154, 156, 158, 160, 162, 164, 166, 168, 170, 172, 174, 176, 178, 180, 182, 184, 186, 188, 190, 192, 194, 196, 198, 200, 202, 204, 206, 208, 210, 212, 214, 216, 218, 220, 222, 224, 226, 228, 230, 232, 234, 236, 238, 240, 242, 244, 246, 248, 250, 252, 254, 256, 258, 260, 262, 264, 266, 268, 270, 272, 274, 276, 278, 280, 282, 284, 286, 288, 290, 292, 294, 296, 298, 300, 302, 304, 306, 308, 310, 312, 314, 316, 318, 320, 322, 324, 326, 328, 330, 332, 334, 336, 338, 340, 342, 344, 346, 348, 350, 352, 354, 356, 358, 360, 362, 364, 366, 368, 370, 372, 374, 376, 378, 380, 382, 384, 386, 388, 390, 392, 394, 396, 398, 400, 402, 404, 406, 408, 410, 412, 414, 416, 418, 420, 422, 424, 426, 428, 430, 432, 434, 436, 438, 440, 442, 444, 446, 448, 450, 452, 454, 456, 458, 460, 462, 464, 466, 468, 470, 472, 474, 476, 478, 480, 482, 484, 486, 488, 490, 492, 494, 496, 498, 500, 502, 504, 506, 508, 510, 512, 514, 516, 518, 520, 522, 524, 526, 528, 530, 532, 534, 536, 538, 540, 542, 544, 546, 548, 550, 552, 554, 556, 558, 560, 562, 564, 566, 568, 570, 572, 574, 576, 578, 580, 582, 584, 586, 588, 590, 592, 594, 596, 598, 600, 602, 604, 606, 608, 610, 612, 614, 616, 618, 620, 622, 624, 626, 628, 630, 632, 634, 636, 638, 640, 642, 644, 646, 648, 650, 652, 654, 656, 658, 660, 662, 664, 666, 668, 670, 672, 674, 676, 678, 680, 682, 684, 686, 688, 690, 692, 694, 696, 698, 700, 702, 704, 706, 708, 710, 712, 714, 716, 718, 720, 722, 724, 726, 728, 730, 732, 734, 736, 738, 740, 742, 744, 746, 748, 750, 752, 754, 756, 758, 760, 762, 764, 766, 768, 770, 772, 774, 776, 778, 780, 782, 784, 786, 788, 790, 792, 794, 796, 798, 800, 802, 804, 806, 808, 810, 812, 814, 816, 818, 820, 822, 824, 826, 828, 830, 832, 834, 836, 838, 840, 842, 844, 846, 848, 850, 852, 854, 856, 858, 860, 862, 864, 866, 868, 870, 872, 874, 876, 878, 880, 882, 884, 886, 888, 890, 892, 894, 896, 898, 900, 902, 904, 906, 908, 910, 912, 914, 916, 918, 920, 922, 924, 926, 928, 930, 932, 934, 936, 938, 940, 942, 944, 946, 948, 950, 952, 954, 956, 958, 960, 962, 964, 966, 968, 970, 972, 974, 976, 978, 980, 982, 984, 986, 988, 990, 992, 994, 996, 998, 1000



PROPOSED NORTH WEST ELEVATION

64/20

Job No 032/15

Dwg No 1017/032/15

Notes:

Client:

D Abbott & Son

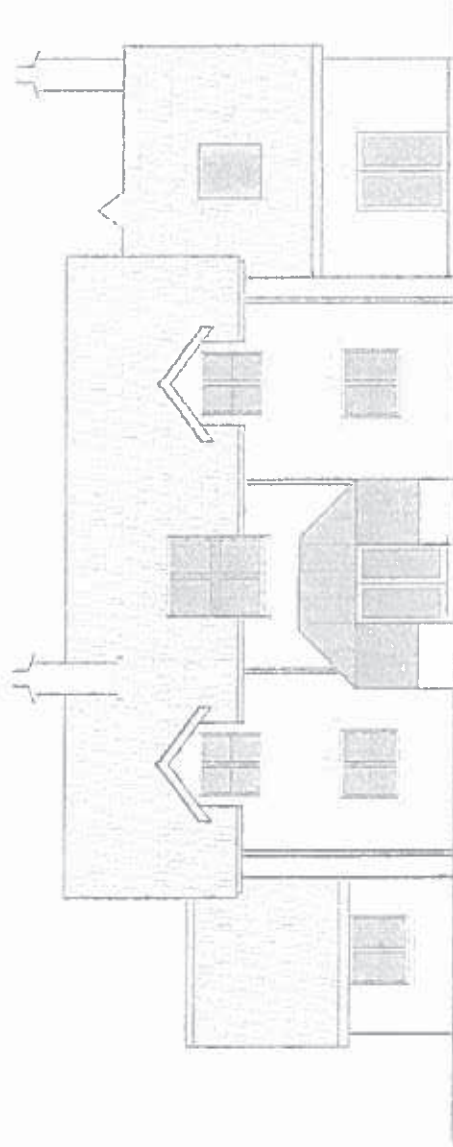
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Spring House  
Langley Hill Farm,  
Winchcombe,  
Glos  
GL54 5AA

Date Drawn 03/15

Drawn by CL

Scale 1:100



PROPOSED SOUTH EAST ELEVATION

Richard H. Jackson, Planning  
Consultants & Building Surveyors  
Tel: 01452 260110  
Festival House, Jersey Lane, Winchcombe, Gloucestershire, GL54 5SH

643  
64/H

Job No. G32/15

Dwg No. 016/032/15

Notes:

Client:

D. Abbott & Son

Title:

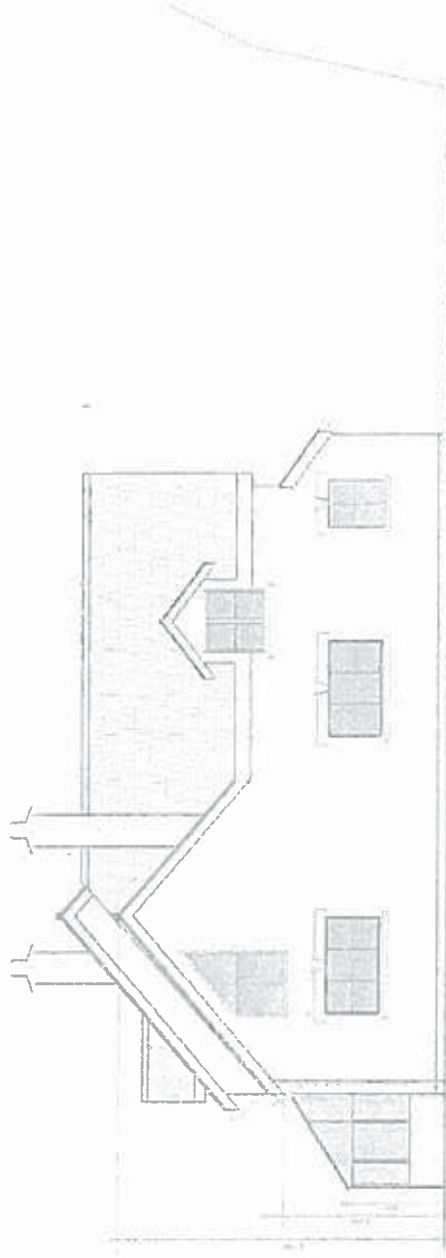
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Winchcombe  
Glos.  
GL54 5AA

Date Drawn 09/15

Drawn by CL

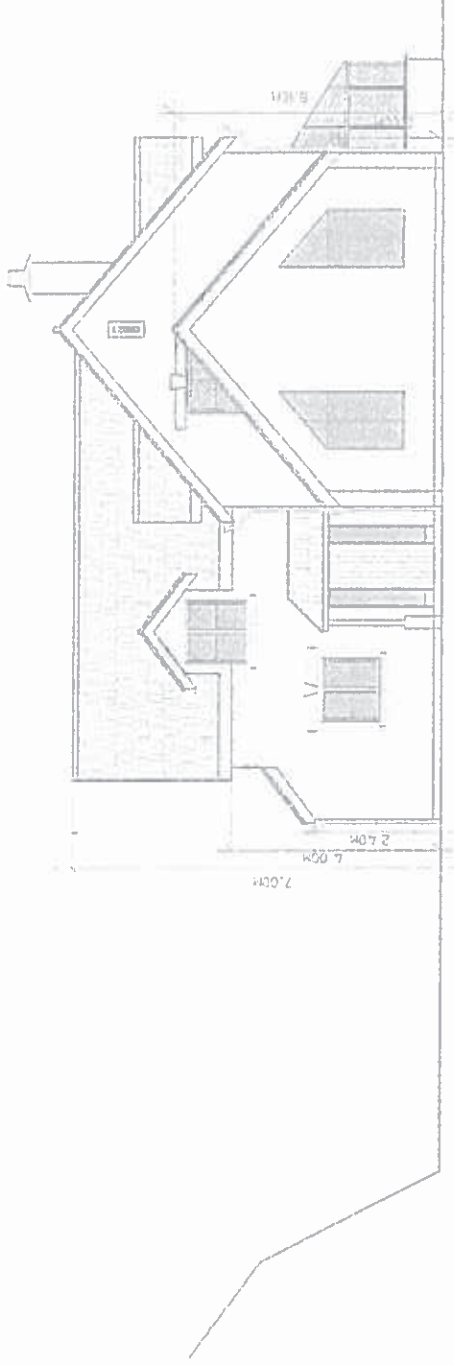
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W. J. Jones, Planning  
Consultants & Building Surveyors  
Tel: 01452 260170  
Foston House, Foston Avenue  
Oxfordham, GL50 3SH



PROPOSED NORTH EAST ELEVATION

644/I



PROPOSED SOUTH WEST ELEVATION

Job No 032/15

Dwg No 015/032/15

Notes:

Client:

D Abbatt & Son

Title:

Proposed Extensions  
Spring House  
Langley Hill Farm,  
Winchcombe,  
Glos  
GL54 5AA

Date Drawn 03/15

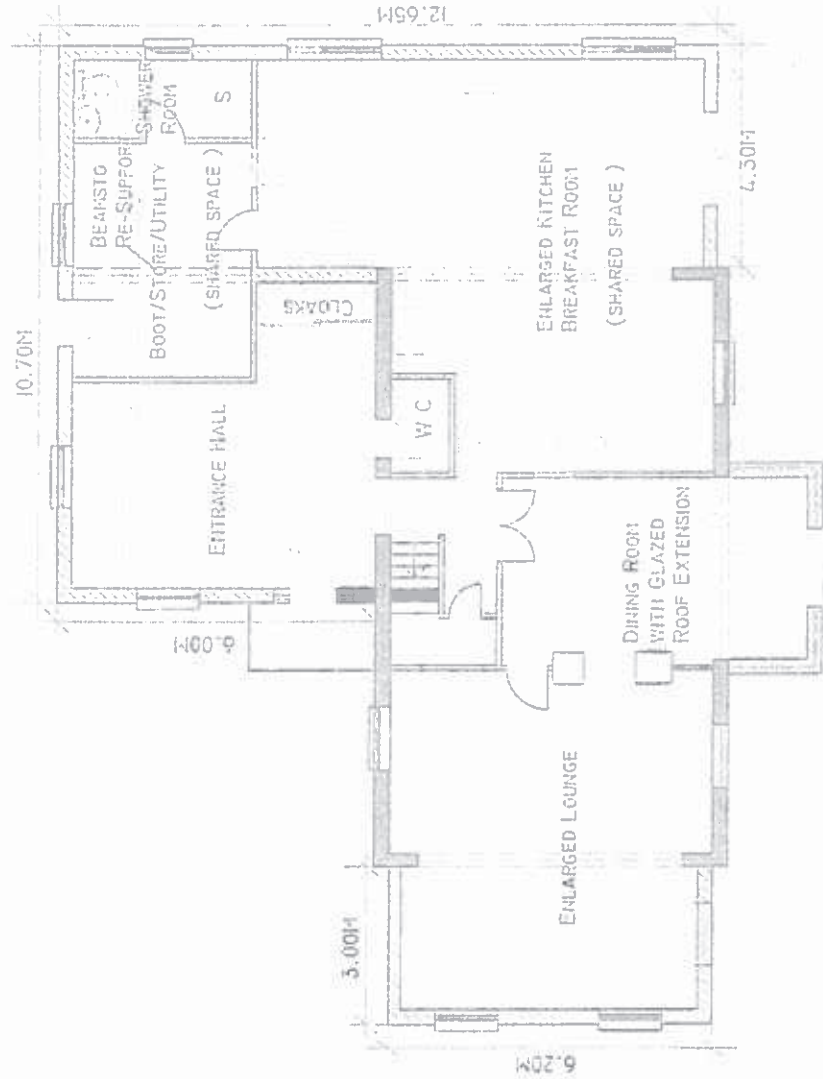
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Scale 1 : 100

Architectural Services, Planning  
Consultants & Building Surveyors  
Tel: 01452 260110  
Fossil House, Jessop Avenue  
Cheltenham GL50 3SL

645/J

Job No	032/15
Drg No	014/032/15
Notes	
Client:	D Abbatt & Son
Title:	Proposed Extensions Spring House Langley Hill Farm, Winchcombe Glos GL54 5AA
Date Drawn	03/15
Drawn by	CL
Scale	1 : 100
KPG Design Associates Architectural Services, Planning Consultants & Building Surveyors Tel: 01452 260110 Festival House, Jessor Avenue Cheltenham, GL50 3SH	



PROPOSED GROUND FLOOR PLAN

46  
64/K

Job No 032/15

Drg No 013/032/15

Notes:

Client:

D Abbatt & Son

Title:

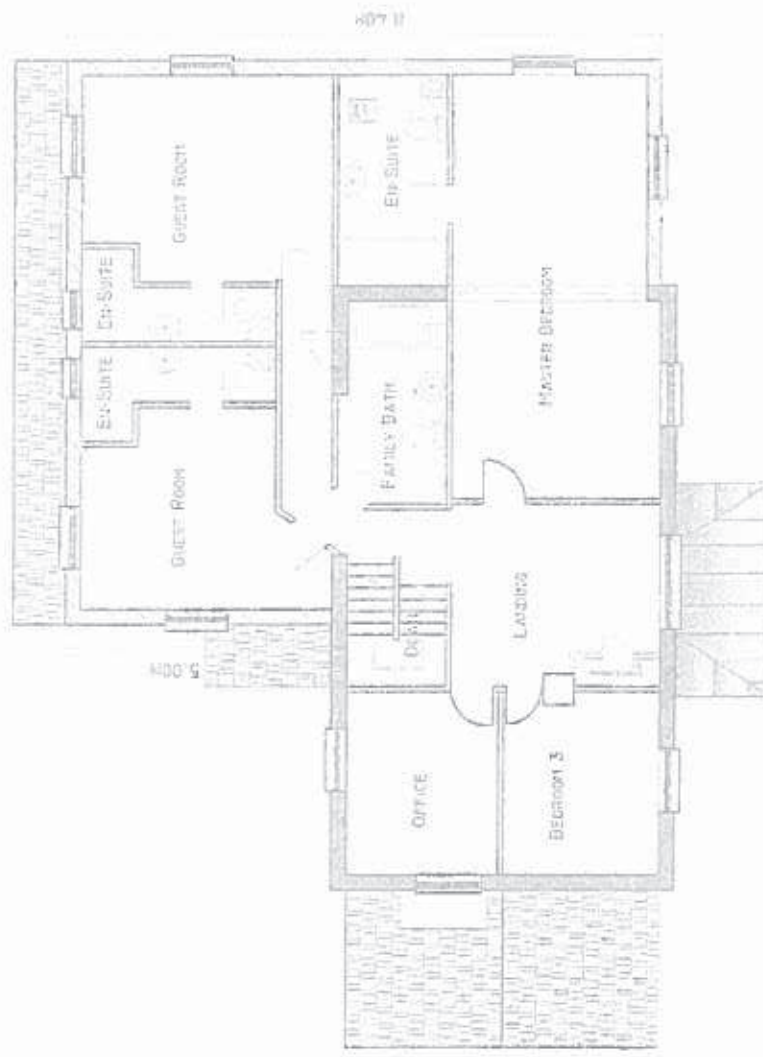
Proposed Extensions  
Spring House  
Langley Hill Farm,  
Winchcombe,  
Glos'  
GL54 5AA

Date Drawn 03/15

Drawn by CL

Scale 1 : 100

Architectural Planning  
Consultants & Building Surveyors  
Tel: 01452 200110  
Festival House, Jossop Avenue  
Cheltenham, GL50 4SH



6447L



15/00504/FUL  
657 - Cock Robin Farm  
Valid 18.05.2015  
Grid Ref 401968 229821  
Parish Winchcombe  
Ward Winchcombe

Cock Robin Farm , Gretton Road, Winchcombe

4

Erection of a replacement dwelling

Mr M Casey  
C/o Agent

## **RECOMMENDATION Refuse**

### **Policies and Constraints**

Tewkesbury Borough Local Plan to 2011 (March 2006) - policies HOU7, LND1, LND7 and TPT1  
National Planning Policy Framework  
Planning Practice Guidance  
JCS (Submission Version) November 2014  
Flood and Water Management Supplementary Planning Document  
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**

**Winchcombe Town Council** raises an objection for the following reasons:

- Adverse impact on the AONB.
- Use of inappropriate materials particularly focused to the first floor.

**Gloucestershire County Council Highways** raises no objection.

**Severn Trent Water** - no objection

**Cotswolds Conservation Board** - no response at the time of writing the report.

**Councillor Allen** has requested committee determination to assess the impact of the proposal on the character and appearance of the surrounding rural area.

**Planning Officers Comments:** Miss Emma Blackwood

### **1.0 Introduction**

1.1 The application site is located on the western side of Gretton Road which forms the boundary between the Area of Outstanding Natural Beauty (AONB) to the west and the Special Landscape Area to the east. The site lies within the AONB and is predominantly surrounded by open countryside. The site comprises the principal two storey farmhouse building (with additional accommodation within the roof space) which is positioned centrally within the site. Residential amenity space associated with the property is located to the south and west of the principal dwelling, and the area to the north of the existing property is hard surfaced and comprises a number of single storey outbuildings which provide garaging and storage on the site. The only vehicular access point is located towards the northern side of the site, and the perimeter of the site, including the remainder of the front site boundary, is defined by mature hedge rows interspersed by trees. The existing dwelling is set back approximately 20 metres from the front site boundary, with a garden area to the front.

### **2.0 History**

2.1 Planning permission reference 13/00598/FUL was refused for the erection of three dwellings and new access and construction of a pond in October 2013 on housing policy, landscape and sustainable transport grounds.

2.2 Two applications for a contemporary style replacement dwelling and another application for a more traditional style replacement dwelling (references 14/00310/FUL, 14/00311/FUL and 14/00693/FUL) were withdrawn in 2014.

2.3 Application reference 14/01152/FUL, for the erection of a replacement dwelling, was submitted following pre-application discussions to try and address the previous concerns raised in relation to the size and scale of the replacement dwelling and its adverse landscape impact. The building proposed under reference 14/01152/FUL would be of a vernacular style with coursed Cotswold stone elevations under a reconstituted Cotswold stone tile roof (see previously approved plans). This application was subsequently granted planning permission on 26th January 2015.

2.4 Planning permission has also been granted on 1st April 2015 for alterations and change of use of a former agricultural building within the application site to a separate residential dwelling, with associated landscaping, under application reference 15/00146/FUL (see previously approved plans).

### **3.0 Current Application**

3.1 The current application proposes the demolition of the existing house and a number of existing outbuildings and structures, and the erection of a replacement 5-bed dwellinghouse, which would be larger in size and with a more contemporary appearance than both the existing dwelling and the dwelling approved under application reference 14/01152/FUL. At the closest point, the proposed dwelling would be set back 14 metres from the front site boundary.

3.2 The majority of the proposed replacement dwelling would be single storey, with a flat roof covered predominantly in a wild flower grass roof behind a parapet wall and with a small terrace area which would be enclosed by a glazed balustrade. At the widest part the dwellinghouse would measure 43.5 metres, from north to south. An integral double garage and a 'Porte Cochere' would be provided towards the northern side of the building, to provide vehicular parking spaces.

3.3 The building would include a two storey element running perpendicular to the single storey element and positioned almost centrally within the building. The two storey element, designed with a mono-pitch zinc roof, would measure 6.4 metres in width and 20.25 metres in length from front to back. A first floor level terrace area with a glazed balustrade is also proposed on the rear elevation of this, which could be accessed via an external staircase. A stainless steel flue would be erected on the roof, to the wood burner.

3.4 At ground floor level, the proposed dwelling would have coursed stone facing materials along both side elevations, a mixture of course stone facing materials and timber cladding on the front elevation, and a mixture of course stone facing materials and a render finish on the rear elevation. At first floor level, the dwelling would predominantly have a render finish, with some timber clad sections. Large glazed panels are proposed for installation on all elevations.

3.5 A terrace would be provided at ground floor level to the rear of the dwelling, to include a swimming pool.

3.6 It is proposed to retain the existing point of access onto Gretton Road, with a revision to the internal layout of the drive and an improvement to the surface finish. A bound gravel drive and court would be provided to the front and rear of the proposed integral double garage.

3.7 An existing hedgerow along the front site boundary would be retained, and would be extended to the side of the driveway. A garden area would be provided to the front, the southern side and to the rear of the proposed dwelling, and an existing stone wall to the rear of the existing farmhouse would be retained to enclose the garden space close to the dwelling.

## 4.0 Policy Context

4.1 The Development Plan comprises of the saved policies of the Tewkesbury Borough Local Plan to 2011 (March 2006). Policy HOU7 of the Local Plan states that replacement dwellings are acceptable in principle providing that: (1) they are of a similar size and scale to the existing dwelling; (2) they respect the scale and character of existing characteristic property in the area and have no adverse impact on the landscape; and (3) normal development control standards in relation to aspects such as design, materials, environmental impact, parking and relationship to adjoining uses are satisfied. Policy HOU7 also states that, within the AONB, strict design controls will be applied given the priority accorded to the protection of the landscape, including the use of appropriate building materials, normally natural, traditional or reclaimed materials. It is considered the policy is consistent with the aims of the NPPF in terms of its core planning principle to conserve and enhance the natural environment, and giving great weight to protecting AONBs, and is therefore considered to have weight.

## 5.0 Analysis

### Principle of replacement dwelling

5.1 As set out above, Policy HOU7 stipulates that replacement dwellings should be of similar size and scale to the existing dwelling. The reasoned justification attached to Policy HOU7 sets out that the rebuilding and replacement of existing dwellings should not result in the introduction of large scale dwellings of alien design and inappropriate materials which may harm the local environment, and form incongruous features in the wider landscape setting.

5.2 Extant permissions are a legitimate fall-back position and therefore a material planning consideration. The January 2015 approval was for a marginally larger dwelling than the existing dwelling it would replace. The approved replacement dwelling has a gross external footprint of 166 square metres and a total floorspace of 307 square metres across all levels. That application was permitted following the submission of amended plans which substantially reduced the original scheme following concerns raised by officers. The April 2015 approval (reference 15/00146/FUL) was for alterations and change of use of a former agricultural building within the curtilage of the application site to a separate residential dwelling, and this would have a gross external footprint of 125 square metres. Construction of these approved developments has not commenced, although both permissions are extant. If both were constructed, there would be a separation distance of 9.4 metres between the approved replacement dwelling and the approved converted and altered agricultural building at the closest point, thereby maintaining a sense of openness within the site, and the combined gross external footprint of the approved replacement dwelling and the approved converted and altered agricultural building would be 291 square metres.

5.3 Whilst the replacement dwelling approved under application reference 14/01152/FUL would still be larger than that existing farmhouse dwelling, it was judged that this would be of an improved design and appearance and would not cause harm to the local environment. The size and scale of the front elevation would be similar to the existing building and a modest and subservient rear wing element was proposed which would provide the required modern levels of accommodation and would ensure that its impact on the public aspect of the AONB would be no greater than that which presently exists. Further stepping down of scale was achieved with a single storey element which would echo the traditional vernacular of similar types of building. As such the replacement dwelling proposed under reference 14/01152/FUL was considered to be acceptable and would not conflict with the principle aim of Policy HOU7 which seeks to protect the local environment and avoid incongruous features in the wider landscape setting.

5.4 The footprint of the currently proposed replacement dwelling would however be significantly larger than the footprint of the existing farmhouse dwelling and the total floor space would more than double in size. The existing farmhouse dwelling and attached garage has a gross external footprint of 110 square metres, and 225 square metres across all floor levels. The current application proposes a replacement dwelling with a ground floor footprint of some 439 square metres (approximately 569 square metres total space when including the first floor level). This represents an increase of 344 square metres. If the existing outbuilding (125 square metres) and store (25 square metres) are taken into account in addition to the external footprint of the existing farmhouse dwelling, the external footprint of the proposed dwelling would still be 179 square metres greater, which is still a significant increase. The replacement dwelling is clearly significantly larger than the existing dwelling and is not of a similar size or scale and as such clearly conflicts with Policy HOU7 of the local plan.

5.5 The other key considerations with regard to the current proposal are considered to be: the contemporary design of the proposed dwelling and its acceptability in this location; whether the proposed change to the design, form and scale of the building have any implications in terms of landscape impact; the impact on neighbouring properties; and the impact on road safety.

#### Design and Landscape Impact

5.6 Section 7 of the NPPF makes it clear that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

5.7 The NPPF makes it clear that some weight should be afforded to the protection of the countryside and in particular to the AONB (paragraph 15). Policy LND1 is considered to be consistent with the NPPF stating that in the AONB the conservation and enhancement of the natural beauty will be given priority over other considerations. The Policy is therefore considered to have significant weight.

5.8 Winchcombe Town Council has objected to the application on the basis that inappropriate materials would be used on the proposed replacement dwelling, particularly focused to the first floor, and that there would be an adverse impact on the AONB.

5.9 It is clear that the increased size and scale of the proposed replacement building together with its contemporary form would result in a development which is very different in both form and appearance to that existing. It is considered that the new dwelling would not be in-keeping with the character of the site or the context of the area and would be visually intrusive in the landscape, to the detriment of its appearance and character, and would adversely affect the visual attractiveness of the AONB, contrary to Policy HOU7 of the Tewkesbury Borough Local Plan to 2011 (March 2006).

5.10 The application site is predominantly surrounded by open countryside, and there are a number of trees along all site boundaries, which provide some extent of screening. The submitted arboricultural survey identifies that there are a large number of trees on and close to the site. Many of these trees are on the west boundary in a small copse area. There is no proposed removal of trees on the site and this could be ensured by planning condition.

#### Residential Amenity

5.11 Policy HOU5 of the Local Plan sets out that new housing development within existing residential areas should not result in an unacceptably low degree of residential amenity for existing or proposed dwellings. Whilst this site does not sit within the defined residential development boundaries referred to in Policy HOU5, given that the principle of development has been accepted on this site, the principles of the policy are relevant here.

5.12 The proposed dwelling would be positioned some distance away from its nearest neighbours. The proposed replacement dwelling house would also be set in generous grounds which would further mitigate any adverse impact on residential amenity. It is not considered that the proposed replacement dwelling would have any significant impact on the amenities of neighbouring properties.

#### Impact on Road Safety

5.13 Gretton Road is subject to a designated speed of 60mph, which, the Local Highway Authority advises, requires the provision of visibility splays of at least 215m in both directions at the point of access. No evidence has been provided with this application to indicate the level of visibility available. No alterations are proposed to the location of the point of access to/from the application site and the Local Highway Authority has advised that no evidence has been found as to any personal injury collisions in the vicinity of the access.

5.14 The Local Highway Authority is satisfied that sufficient on-site parking would be provided for the size of development proposed, with a double garage for the secure storage of vehicles and bicycles. The Local Highway Authority is also satisfied that there would be adequate space provided within the curtilage of the application site to allow vehicles to enter, turn and exit in a forward gear. Taking into account all of the above, the Local Highway Authority raises no objection to the proposed development.

## Ecology

5.15 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 or deterioration of irreplaceable habitats. Local Plan Policy NCN5 seeks to protect and enhance biodiversity in considering development proposals.

5.16 The application has been supported with an ecological appraisal which notes that the site is generally of low ecological value in terms of the habitats present. There is potential for protected species to occur, including foraging and commuting bats and nesting birds. Measures for the protection of wildlife are recommended and possible ecological enhancements are suggested and these could be secured by an appropriate planning condition. The site is not located within a key wildlife site and the Council ecology records were consulted throughout the application process of reference 14/01152/FUL and did not highlight that there are protected species on or near to the site. Consequently, it is not considered that the proposed development would result in an adverse impact on protected species or habitats.

## **6.0 Conclusion and Recommendation**

6.1 The proposed replacement dwelling would be materially larger than the existing dwelling and would, by reason of its design, size and massing, appear visually intrusive and out of keeping with the surrounding development and would have a detrimental impact on the character and appearance of the Cotswolds Area of Outstanding Natural Beauty in conflict with Policy HOU7 of the Tewkesbury Borough Local Plan to 2011 (March 2006), paragraphs 17, 56 and 58 of the National Planning Policy Framework (2012) which require high quality design and for account to be taken of the character of different areas, and paragraph 115 of the National Planning Policy Framework (2012) which sets out that great weight should be given to conserving landscape and scenic beauty in Areas of Outstanding Natural Beauty. The proposal is therefore considered unacceptable and therefore recommended for refusal.

## **RECOMMENDATION Refuse**

### Reasons:





- 1 The proposed replacement dwelling would be materially larger than the existing dwelling and would, by reason of its design, size and massing, appear visually intrusive and out of keeping with the surrounding development and would have a detrimental impact on the character and appearance of the Cotswolds Area of Outstanding Natural Beauty in conflict with Policy HOU7 of the Tewkesbury Borough Local Plan to 2011 (March 2006), paragraphs 17, 56, 58 and 115 of the National Planning Policy Framework.



15/00504/AUL

402000

**KEY**

-  Existing trees and hedges
-  Tree to be removed
-  Site Boundary outlined in red
-  Permeable Cotswold gravel

**Planting Legend**

Mature trees to be protected and retained

- 1 Copper Beech
- 2 Larch
- 3 Scots Pine (shelter belt)
- 4 Weeping Willow
- 5 Ash
- 6 English Oak
- 7 Weeping Willow
- 8 English Oak
- 9 English Oak
- 10 English Oak
- 11 Poplar
- 12 Cherry
- 13 Silver Birch
- 14 Apple

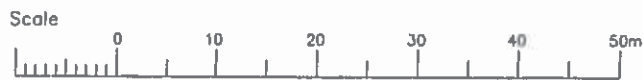
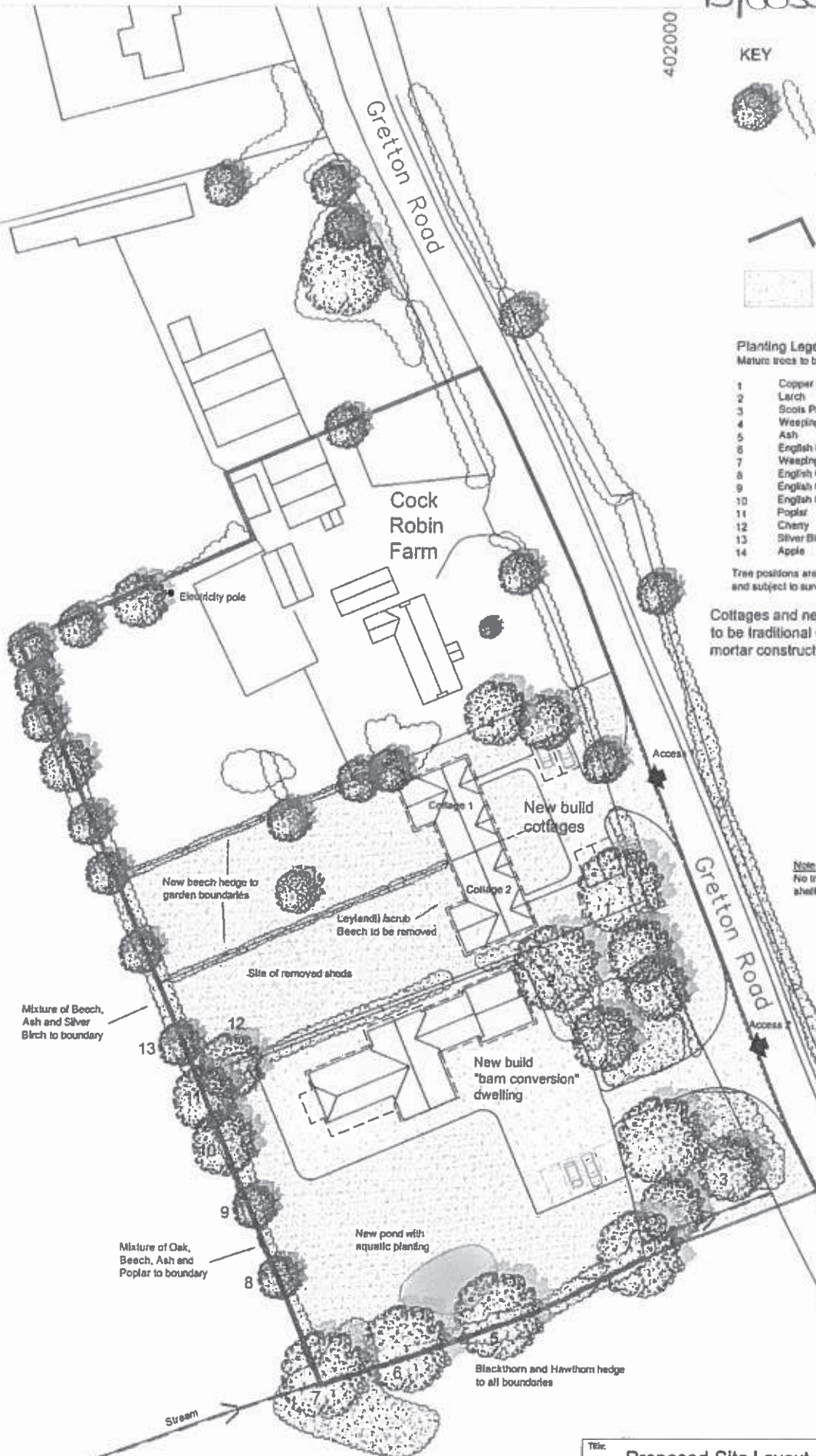
Tree positions are approximate and subject to survey


Cottages and new build "barn conversion" to be traditional Cotswold limestone/lime mortar construction

229800

Note  
No trees to be removed from shelter belt planting areas

See separate sheet for Access Visibility Splays

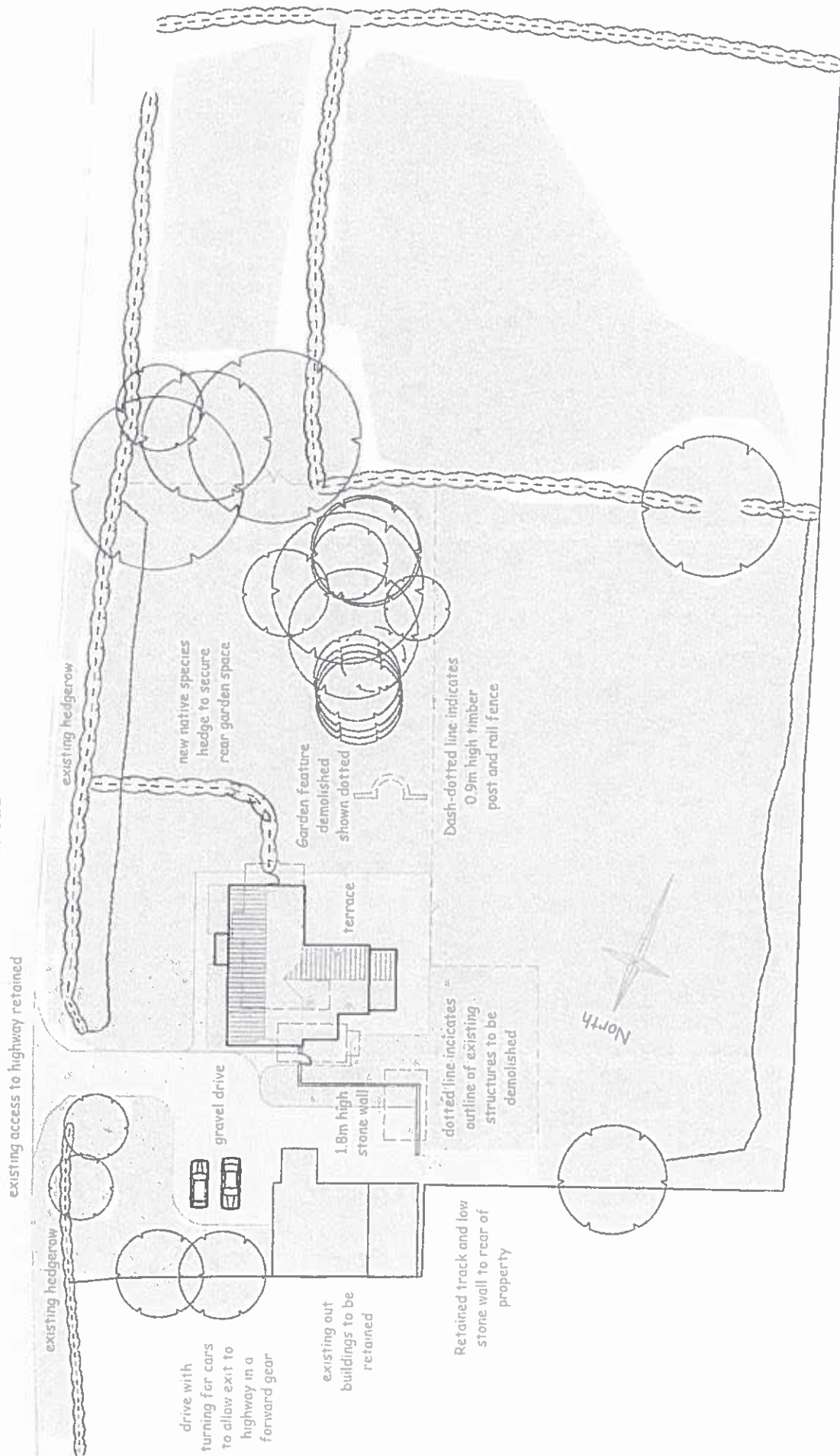


Title: <b>Proposed Site Layout</b>			Cock Robin Farm Winchcombe
Dwg. No.: CRF 4-5	Filename: CRF-3	Scale: 1:500	
Issued for: Comment	Date: 22.05.13	Client:	
		Journeyman Drafting + Design T: 01242 524208 M: 07811 736727 E: charlesboard@cpkmail.co.uk	

53  
69/A



Gretton Road



existing access to highway retained

existing hedgerow

existing hedgerow

drive with turning for cars to allow exit to highway in a forward gear

new native species hedge to secure rear garden space

existing out buildings to be retained

Garden feature shown dotted

terrace

dotted line indicates outline of existing structures to be demolished

Dash-dotted line indicates 0.9m high timber post and rail fence

Retained track and low stone wall to rear of property

North

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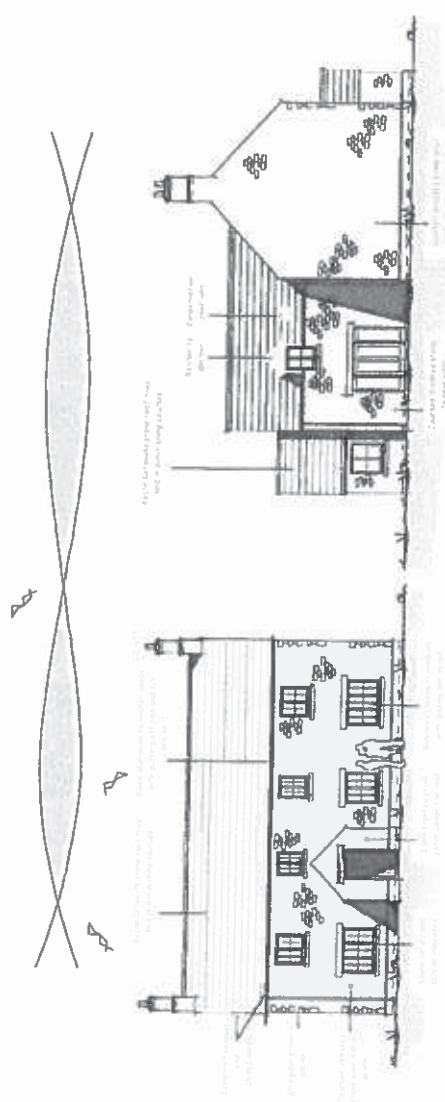
- Revisions
- A Nov 2014 AH Post and rail fence redline
  - B Dec 2014 AH Access to land in rear of building redlined

Drawing title: Proposed Site Layout

Client: M-W Cassey  
Drawn by: AH  
Checked: JE  
Job number: 14.20.005

Project: Cook Robin Farm, Winchcombe  
Scale: 1:250 @ A2  
Date: November 2014  
Draw no: P304 B

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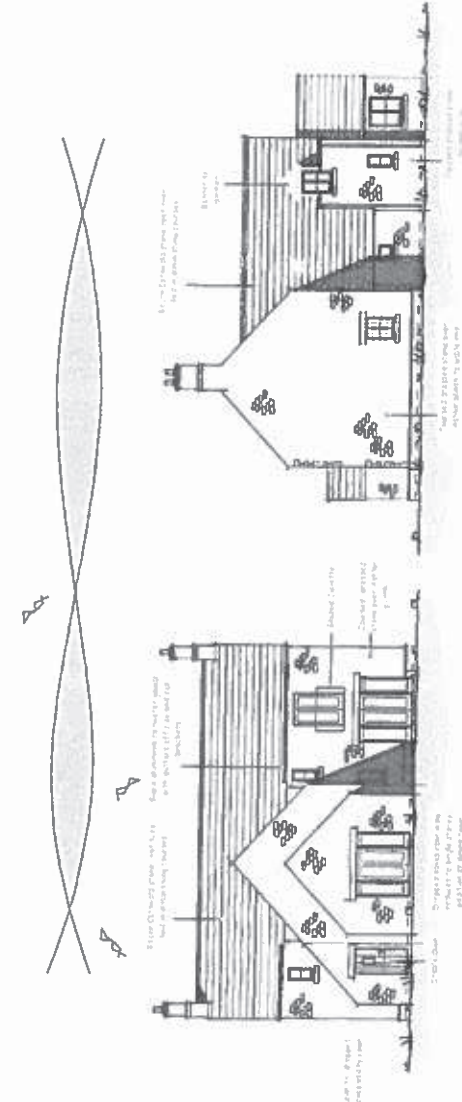


Front Elevation

Side / Garden Elevation

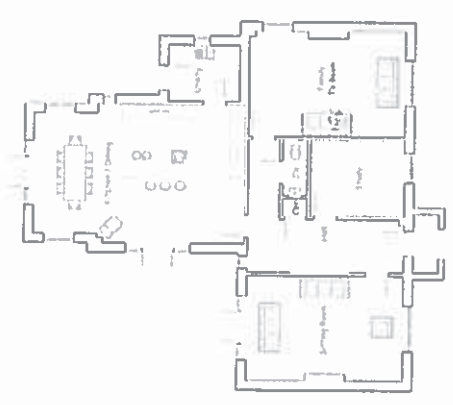


First Floor







Rear Elevation

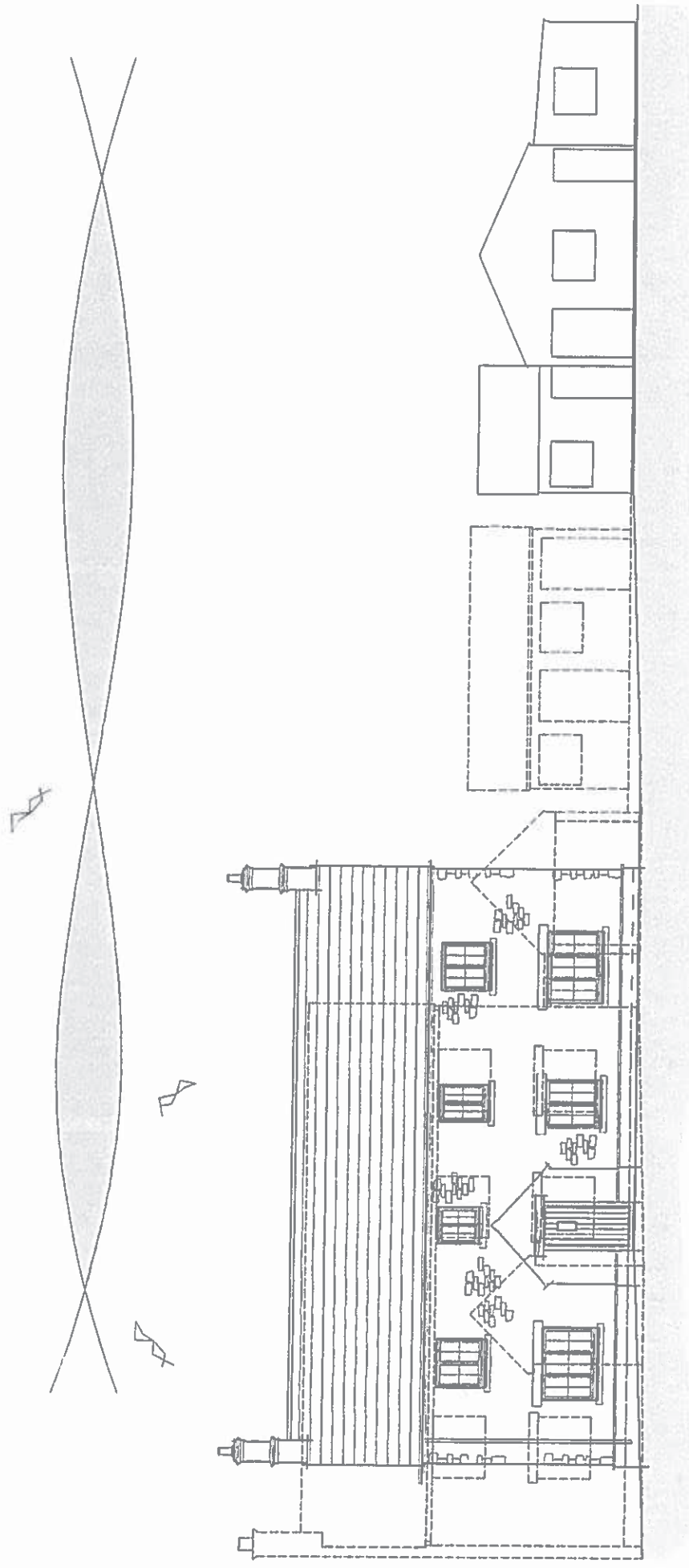
Side Elevation



Ground Floor


55  
09/C

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Proposed Front Elevation With Existing House And Outbuildings Proposed For Demolition Shown Dotted

56  
69/D

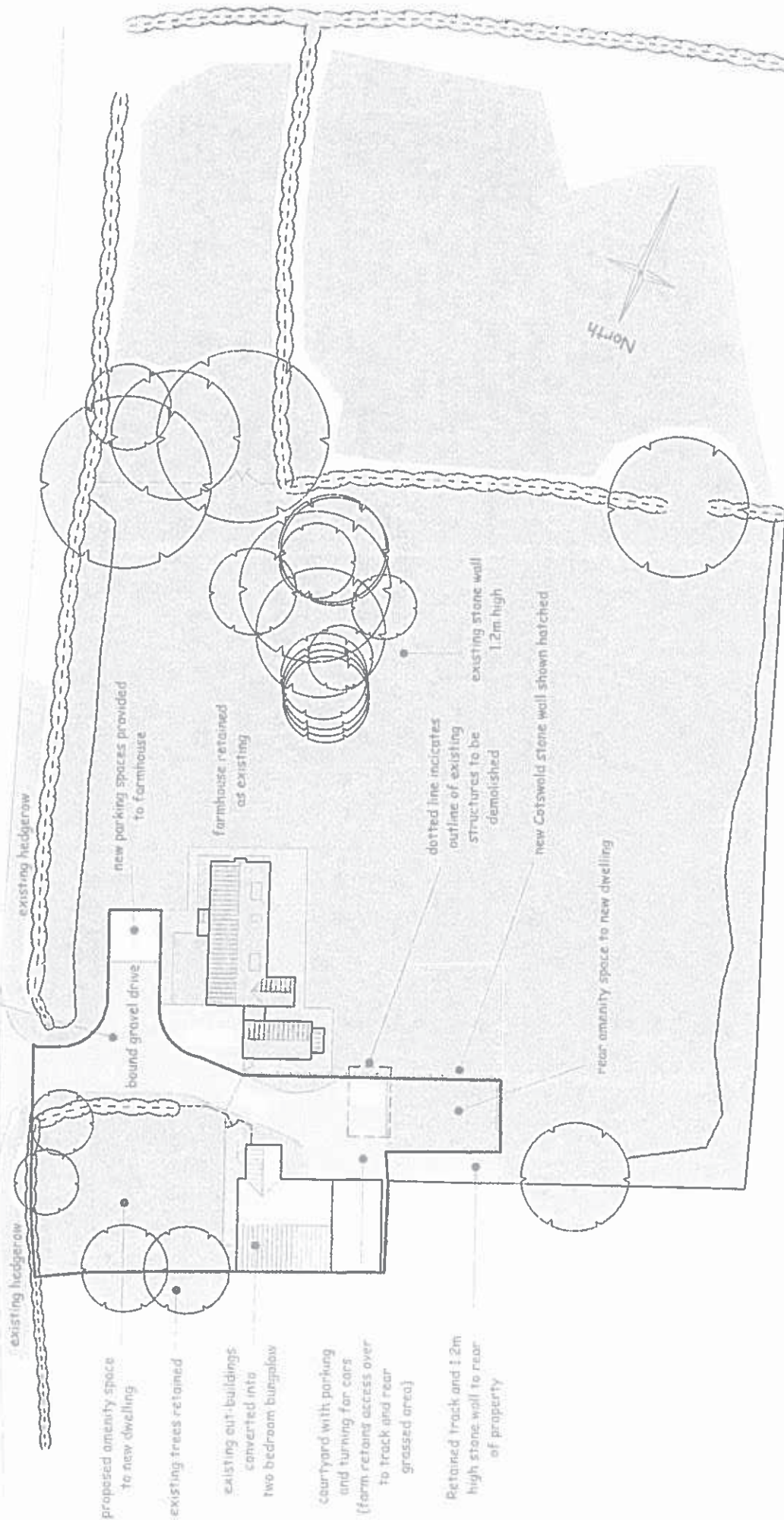
<p>coombes : everitt architects limited          Unit No. 1, The Old Dairy          Rushley Lane          Winchcombe          Gloucestershire          GL54 5JE          t: 01242 807737 f: 0845 5579833          e: info@ce-architects.co.uk          www.ce-architects.co.uk</p>	<p><input type="checkbox"/> Preliminary  <input type="checkbox"/> Feasibility  <input checked="" type="checkbox"/> Planning  <input type="checkbox"/> Building Regulations  <input type="checkbox"/> Tender  <input type="checkbox"/> Construction Issue  <input type="checkbox"/> As Built</p>	<p><b>RIBA</b>          Chartered Practice  </p> <p>1. The drawing and content is copyright © of coombes : everitt architects LLP          2. Do not use drawings, all dimensions or details for construction and any discrepancies reported to central administrator</p>	<p>Drawing title: Existing / Proposed Elevation Overlay          Client: Mr M Casey          Drawn by: AH          Job number: 14.20.006          Checked: JE</p>	<p>Project: Cock Robin Farm, Winchcombe          Scale: 1:100 @ A3          Date: November 2014          Draw no: P395</p>
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drive with turning for cars to allow exit to highway in a forward gear

**Gretton Road**

existing access to highway retained as shared private drive



proposed amenity space to new dwelling

existing trees retained

existing out-buildings converted into two bedroom bungalow

courtyard with parking and turning for cars (farm retaining access over to track and rear grassed area)

Retained track and 1.2m high stone wall to rear of property

new parking spaces provided to farmhouse

farmhouse retained as existing

dotted line indicates outline of existing structures to be demolished

existing stone wall 1.2m high

new Cotswold Stone wall shown hatched

rear amenity space to new dwelling

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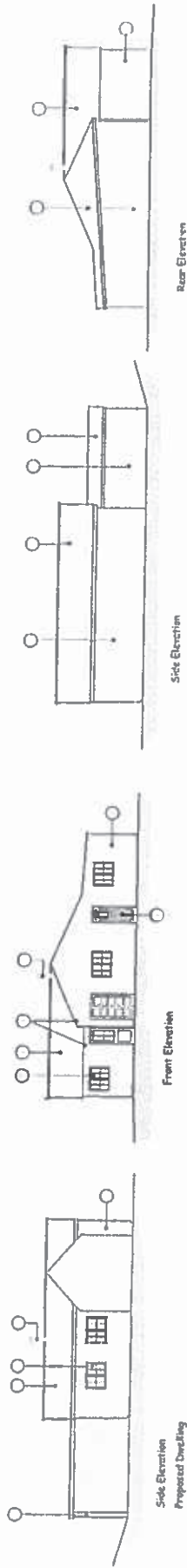
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- Construction Issue
- As Built

1. The planning and contract documents are to be provided to clients promptly  
 2. Discrepancies between documents shall be resolved on the basis of consultation and any decision shall be made by the architect

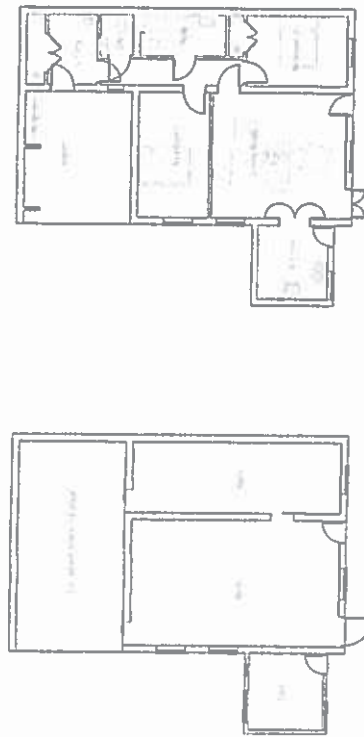
**RIBA**  
 Chartered Institute of Building


Drawing title: Protected Site Plan		Project: Cook Robin Farm, Wincoboe
Client: Mr JJ Casey	Scale: 1:250 @ A2	Date: February 2015
Drawn by: AJ	Checked: JE	Draw no: P434
Job number: 14.20.005		

57  
 69/E



1. Proposed Dwelling - Existing Dwelling
2. Proposed Dwelling - Proposed Dwelling
3. Proposed Dwelling - Proposed Dwelling
4. Proposed Dwelling - Proposed Dwelling
5. Proposed Dwelling - Proposed Dwelling
6. Proposed Dwelling - Proposed Dwelling
7. Proposed Dwelling - Proposed Dwelling
8. Proposed Dwelling - Proposed Dwelling
9. Proposed Dwelling - Proposed Dwelling
10. Proposed Dwelling - Proposed Dwelling



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<p>1. This drawing is for the proposed extension of the existing dwelling shown on the site plan. It is not to be used for any other purpose without the written consent of the architect.          2. This drawing is for the proposed extension of the existing dwelling shown on the site plan. It is not to be used for any other purpose without the written consent of the architect.</p>		
<p><b>Project:</b> Cook Robin Farm, Winchcombe  <b>Scale:</b> 1:100 (B.A.)  <b>Date:</b> February 2015  <b>Drawn by:</b> A-J  <b>Checked:</b> J-E  <b>Job number:</b> 14.00209  <b>Drawn by:</b> J-M Casey</p>		
<p><b>Drawing title:</b> Existing and Proposed Plans &amp; Elevations</p>		

58  
89/F

Valid 11.03.2015

Proposed single storey extension and garage extension. Loft conversion with new dormer to provide additional bedroom and en-suite.

Grid Ref 401948 228483

Parish Winchcombe

Ward Winchcombe

Mr &amp; Mrs Cook

C/O Agent

**RECOMMENDATION Permit****Policies and Constraints**

National Planning Policy Framework

Planning Practice Guidance

Tewkesbury Borough Local Plan to 2011 - March 2005 - Policy HOU8

Joint Core Strategy Submission Version - November 2014

Winchcombe Town Design Statement

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

**Consultations and Representations**

**Winchcombe Town Council** - Object to original and revised scheme. The application is of an inappropriate design and scale. It does not conform with the emerging neighbourhood plan or Winchcombe Town Design Statement. It will have an adverse impact on neighbouring property and the beneficial enjoyment of that property.

**Public Representations** - One letter of neighbour representation has been received in relation to the original scheme raising the following objections:

- The proposed extensions are intrusive and would adversely affect the enjoyment of our property.
- The proposal would have an overbearing impact and would reduce the loss of light to the ground floor bedroom.

**The application has been called in to Committee by Councillor Mason for the reason of assessing the impact of the proposed extensions on neighbouring property.**

**Planning Officers Comments: Mrs Helen Stocks****1.0 Application Site**

1.1 The application relates to No.33 Orchard Road; a detached bungalow built in the 1960s located on the edge of Winchcombe (**see location plan attached**). The property is constructed of brick with concrete interlocking tiles and is characteristic of surrounding development. There is an existing single storey extension to the rear of the property.

1.2 The application site is located in the Cotswolds Area of Outstanding Natural Beauty (AONB).

**2.0 Planning History**

2.1 Planning permission was granted in 1970 for the erection of a single storey rear extension to the existing bungalow to provide an enlarged kitchen (ref: 70/03408/FUL). This permission has been implemented.

2.2 A planning application for the erection of a single storey extension, garage extension and loft conversion with new dormer to provide an additional bedroom and en-suite bathroom was submitted in August 2014. This application was withdrawn in September 2014 prior to a decision being made.



### 3.0 Current Application

3.1 The current application seeks planning permission for a single storey extension to the rear elevation, the erection of an attached garage to the side (west) elevation, a bay window on the front elevation and a loft conversion, including a large rear dormer window, to provide enlarged living accommodation. External wall and roofing materials would match the existing dwelling.

3.2 Revised plans were submitted after concerns were raised over the design of the proposed extensions (see attached plans). The revised scheme has amended the roof design of the proposed garage and removed the Juliet balcony from the proposed rear dormer. The front dormer window has also been omitted from the revised scheme and replaced with a roof light.

### 4.0 Policy Context

4.1 Section 7 of the NPPF makes it clear that the Government attaches great importance to the design of the built environment. It states good design is a key aspect of sustainable development and is indivisible from good planning.

4.2 Policy HOU8 of the Tewkesbury Borough Local Plan to 2011 sets out extensions to existing dwellings will be permitted provided they respect the character, scale and proportions of the existing dwelling and the character and appearance of surrounding development. It stipulates that development should be of a suitable design and materials and should not harm the residential amenity of nearby property. It also requires that proposals do not result in inadequate car parking or manoeuvring space.

4.3 Policy HOU8 is considered to be consistent with the National Planning Policy Framework (NPPF) and should therefore be afforded full weight when determining this application in accordance with Paragraph 215 of Annex 1 of the NPPF.

4.4 The application site is also located within the Cotswolds AONB where special attention will be given to conserving the landscape in accordance with Section 11 of the NPPF. One of the core planning principles of the NPPF is to preserve the intrinsic character and beauty of the countryside.

### 5.0 Analysis

5.1 The main issues to be considered in this application are design; impact on the street scene and surrounding area; and, residential amenity.

#### Design and Impact on Street Scene

5.2 Concerns have been expressed by the Town Council and by neighbouring residents with regard to the size and design of the proposed scheme. It is suggested that the proposal would fail to respect the character of the existing building and surrounding development.

5.3 This area of Winchcombe is characterised by modern detached bungalows of a similar size and design. The proposed garage would be constructed to the west side of the property and would have a width of approximately 2.4 metres. It would infill the space between the dwelling and its side boundary and would replace the existing car port. Following the submission of revised plans, the proposed garage would be set down from the main dwelling and would have a false pitched roof on the front elevation with a flat roof behind. Whilst not ideal, the false pitched roof would enhance the appearance of the garage in the streetscene while the flat roof addition would reduce the bulk of the garage when viewed from the neighbouring property. On balance, it is considered that the proposed garage would appear subservient to the main dwelling and would not harm the character and appearance of the surrounding area.

5.4 Furthermore, the proposed bay window, single storey rear extension and rear dormer window are also considered to be of an acceptable design. In particular, the proposed rear extension and rear dormer window would not be visually prominent within the streetscene and are considered to be of an acceptable size, scale and design and would have an acceptable impact on the locality.

### Impact on neighbouring living conditions

5.5 The proposed garage would extend up to the side boundary with No.35 Orchard Road. While it would reduce the separation distance between the properties to approximately 3 metres; there would be no openings on the side elevation of the proposed garage and it is considered that there would be no undue overlooking as a result of the proposed development.

5.6 The gable at No.35 includes two window openings, one of which serves a ground floor bedroom. The occupiers of No.35 raised an objection to the original scheme on grounds that the proposed garage would have an overbearing impact on their property and would result in a loss of light. No comments have been received however in relation to the revised scheme which has sought to overcome previous concerns. Following the submission of revised plans, it is considered that the changes to the roof design have reduced the overall bulk and scale of the proposed garage and would not result in a loss of light or have an unduly overbearing impact on neighbouring property that would warrant refusal on these grounds.

5.7 The impact of the proposed rear extensions on neighbouring properties has also been assessed and it is considered that there would not be an undue impact upon their amenity in accordance with Policy HOU8 of the Local Plan.

### Impact on the Cotswolds AONB

5.8 The proposed extensions would form noticeable additions to the existing dwelling but would not be out-of-character with the surrounding area. Other properties have similar extensions in this part of Winchcombe and it is not considered that the current proposal would cause any significant intrusive harm to the landscape. The proposal therefore accords with the NPPF in this regard.

### Other Matters

5.9 The Town Council has objected to the proposed development for reasons that it would be contrary to Winchcombe Town Design Statement and emerging Neighbourhood Plan. These comments have been taken into consideration but it is not felt that the proposals would result in inappropriate additions that would harm the integrity of the locality. Similar development has taken place within the surrounding area and the proposals are considered to have an acceptable impact on the appearance of the street scene and the Cotswolds AONB. Moreover, the proposed loft conversion would not require planning permission on its own as it would constitute 'permitted development'. There are currently no planning policies at the national or local level that relate to the retention of bungalows and this is not deemed to be a reason that would warrant the refusal of planning permission.

## **6.0 Conclusion**

6.1 While the concerns of the Town Council and local residents are noted, it is considered that the proposed extensions would be of an acceptable size, scale and design and would have an acceptable impact on the street scene within the Cotswolds AONB. Furthermore, it is considered that the revised scheme would have an acceptable impact upon the living conditions of occupiers of neighbouring property. For these reasons the proposal is considered to accord with the National Planning Policy Framework and Policy HOU8 of Tewkesbury Borough Local Plan and is recommended for **Permit**.

## **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: 1200-02C and 1200-03D.
- 3 The external materials of the proposed extensions shall match as near as possible the materials of the existing dwelling.

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order) no windows shall be installed on the side (west) elevation of the garage without the prior express permission of the Local Planning Authority.

Reasons:

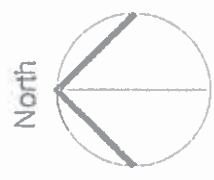
- 1 To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
- 2 For the avoidance of doubt and in the interests of proper planning.
- 3 To ensure that the extension is in keeping with the existing building in accordance with Policy HOU8 of the Tewkesbury Borough Local Plan to 2011 - March 2006.
- 4 To protect the residential amenity of neighbouring property.

Note:

**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 design of the proposed extensions.

**Warning**  
 This plan is submitted for the purpose of obtaining a building consent. It is not intended to be used for any other purpose. The applicant is responsible for ensuring that the plan complies with all applicable laws and regulations. The Council is not responsible for any errors or omissions in this plan. The Council is not liable for any loss or damage arising from the use of this plan. The Council is not responsible for any loss or damage arising from the use of this plan.



**Site**  
 Mr & Mrs Cook

**Address**  
 23 Cleghara Road, Winton, Dunedin  
 Otago Region  
 9154 500

**Project**  
 SVA location and Block Plans

**Block**  
 1-500/255

**Area**  
 1.4

**Drawn by**  
 JGS

**Project Number**  
 1200-03D

**TAYLOR+CO ARCHITECTS**  
 100 RIVER STREET, DUNEDIN • 03 477 0000 • taylorco.co.nz  
 100 RIVER STREET, DUNEDIN • 03 477 0000 • taylorco.co.nz  
 100 RIVER STREET, DUNEDIN • 03 477 0000 • taylorco.co.nz

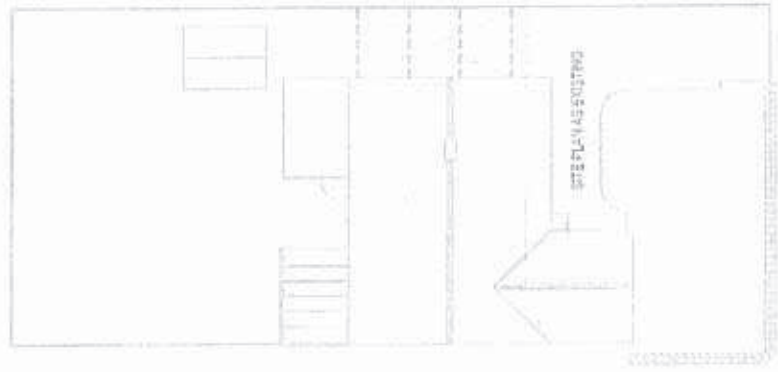


I, the undersigned, being duly qualified and licensed as an Architect and a Professional Engineer, certify that the above drawings were prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer in the State of Florida.

**Professional Seal:**  
 License No. 7889  
 State of Florida  
 Mechanical Engineering



PROPERTY OF: **Taylor Construction Company, Inc.**  
 PROJECT: **1200-01**  
 SHEET NO: **1200-01**  
 DATE: **12/15/2023**  
 DRAWN BY: **[Signature]**  
 CHECKED BY: **[Signature]**  
 APPROVED BY: **[Signature]**



**HE & MS CODE**  
 201  
**301**  
**20** Chapter 162, VERNON CO, FLORIDA  
**800**

**1200-01**  
**TAYLOR-CO**  
**1200-01**  
**1200-01**

**RIBA WH**

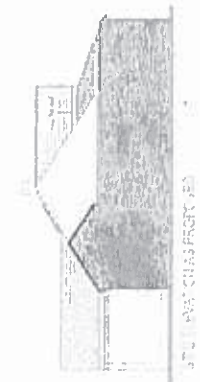
73A/B



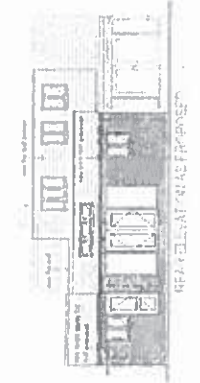
The drawings of this project are subject to the following conditions and it shall be the responsibility of the client to ensure that all necessary permits are obtained from the appropriate authorities before construction commences. The client shall be responsible for the accuracy of the information provided to the architect and for any errors or omissions in the drawings. The architect shall not be responsible for the accuracy of the information provided to the client or for any errors or omissions in the drawings. The architect shall not be responsible for the accuracy of the information provided to the client or for any errors or omissions in the drawings.



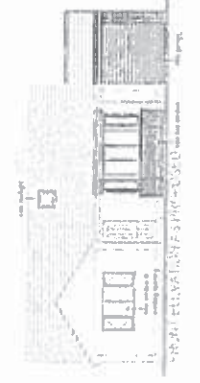
FRONT ELEVATION AS PROPOSED



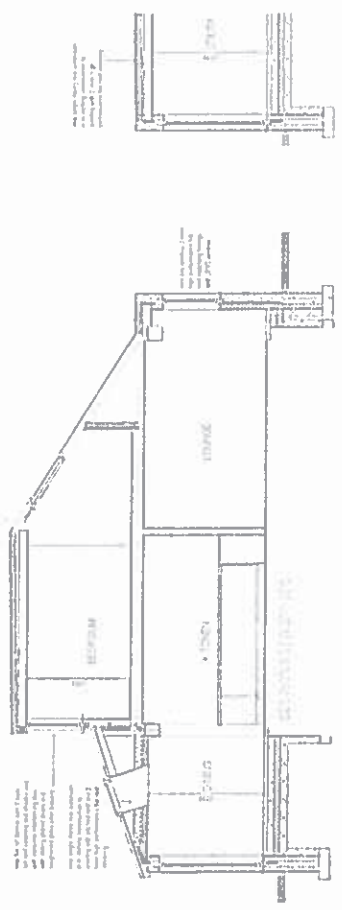
SIDE ELEVATION AS PROPOSED



REAR ELEVATION AS PROPOSED



FRONT ELEVATION AS PROPOSED



SECTION THROUGH THE HOUSE  
 SHOWING THE ROOF STRUCTURE, WALLS, FLOOR JOISTS, AND FOUNDATION.



DATE: 11/15/13  
 BY: M. J. GIBSON

33, CONROY RD., WILMINGTON, DE 19806

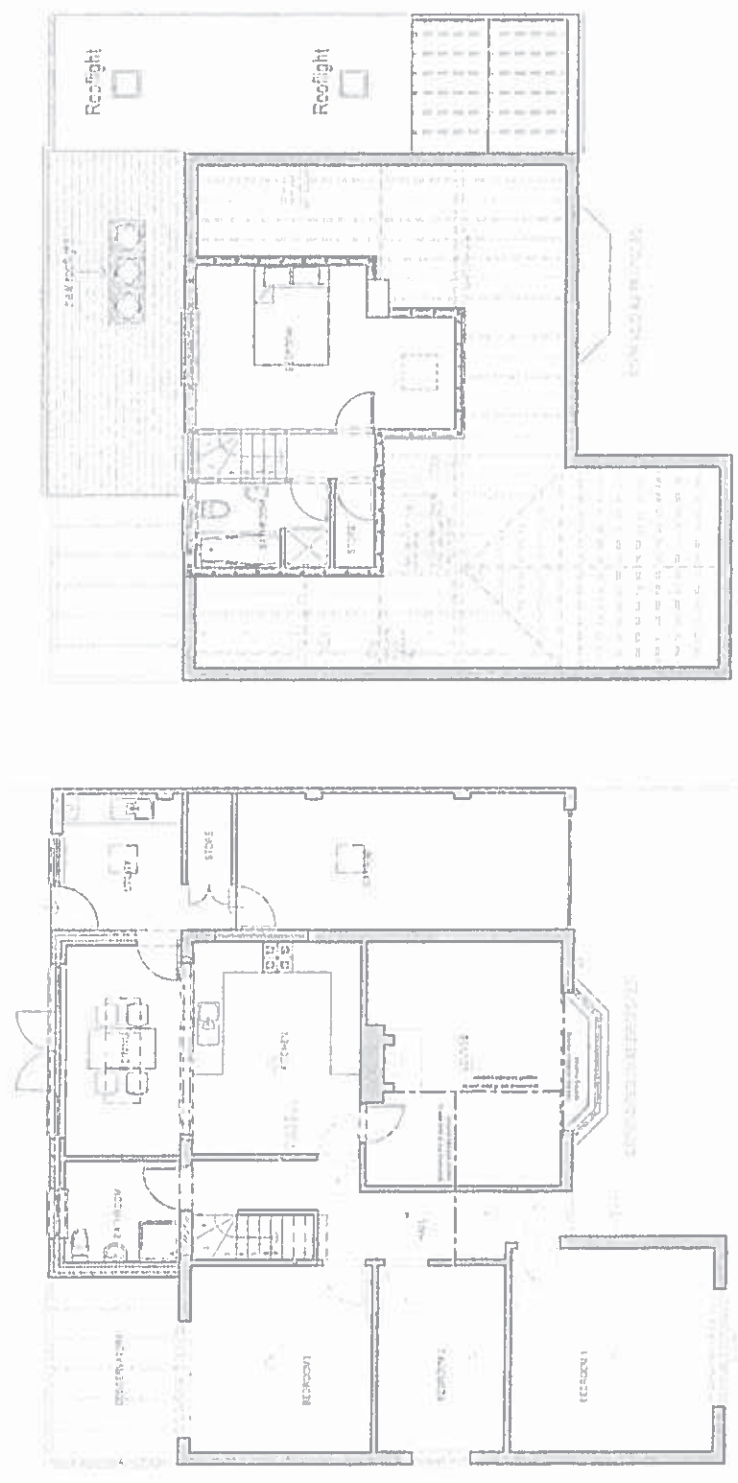
PLANS AS SHOWN

150 05/2013 02

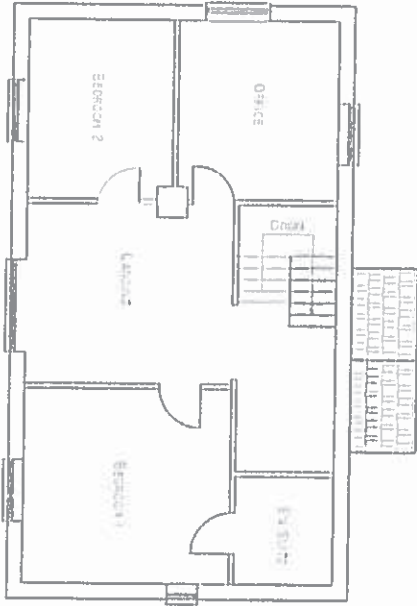
1200-02C

**TAYLOR+COI**  
 ARCHITECTS  
 1000 N. MARKET ST. SUITE 200  
 WILMINGTON, DE 19806  
 TEL: 302.441.1234  
 FAX: 302.441.1235  
 WWW.TAYLORCOI.COM

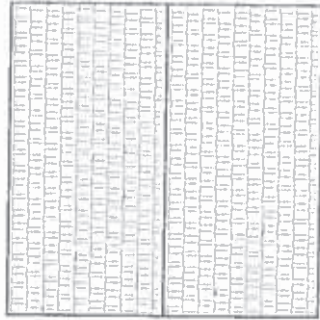
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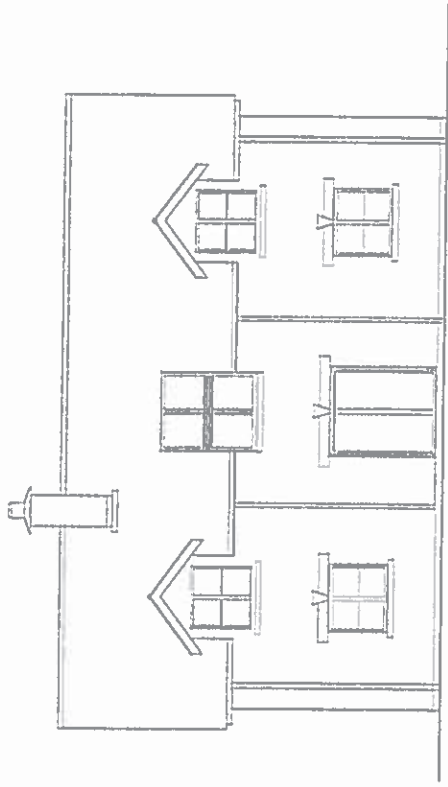




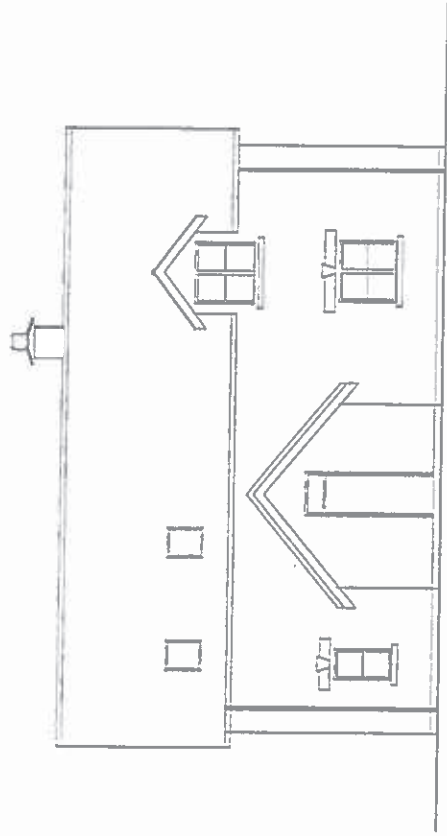


EXISTING FIRST FLOOR PLAN SCALE 1:100

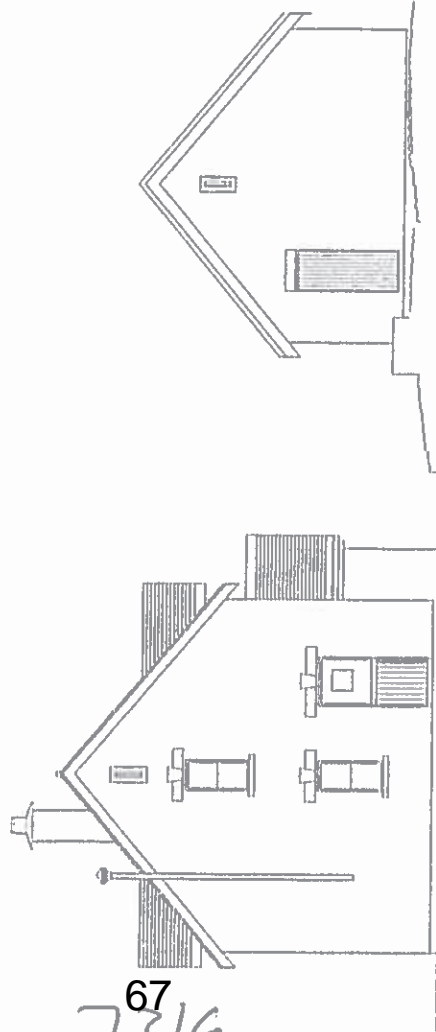




EXISTING SOUTH EAST ELEVATION

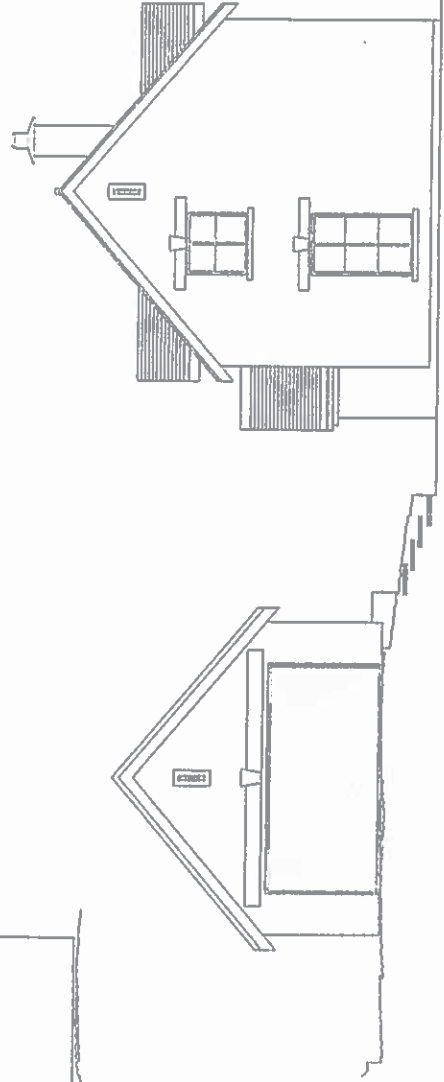


EXISTING NORTH WEST ELEVATION



EXISTING NORTH EAST ELEVATION

67  
731E



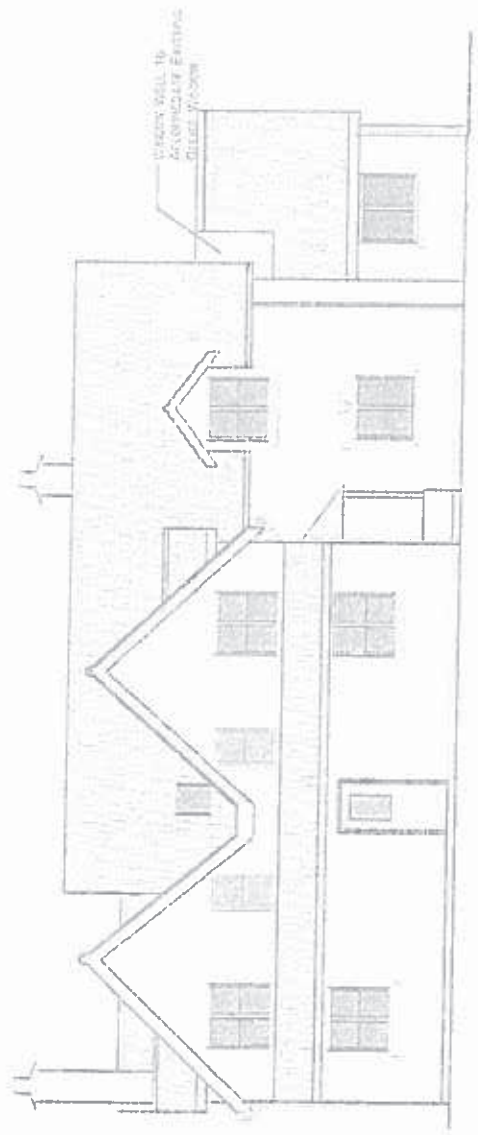
EXISTING SOUTH WEST ELEVATION

PROPOSED EXTENSIONS  
 SPRING HOUSE  
 LANGLEY HILL FARM  
 WINCHCOMBE  
 GL54 5AA

SCALE 1/100

Job No 002/15  
Dwg No 018/032/15  
H/2/3

Client: D. Alibart & Son  
Title: Proposed Extensions  
Spring House  
Langley Hill Farm,  
Winchcombe,  
Glos.  
GL54 5NA  
Date Drawn: 09/15  
Drawn by: GJ  
Scale: 1 : 100  
Architect: G. J. Alibart  
Architectural Services, Planning  
Consultants & Building Surveyors  
Tel: 01452 200110  
Filton, 4th Floor, 25, Park Avenue  
Cheltenham, Glos. GL51 6SE



PROPOSED NORTH WEST ELEVATION

73/F<sup>68</sup>

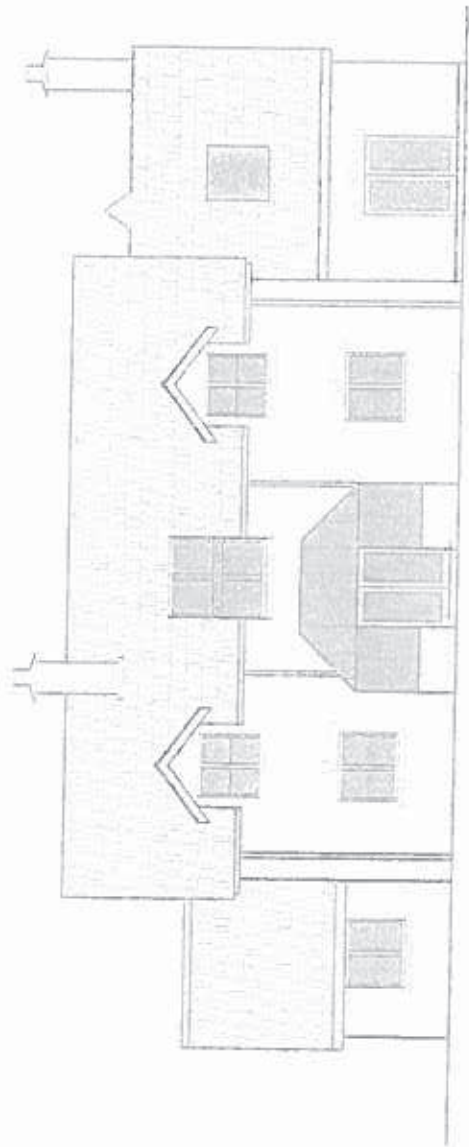
Job No 032/15  
Dwg No 017/032/15

Notes:

Client: D. Abbott & Son  
Title: Proposed Extensions  
Spring House  
Langley Hill Farm  
Witchcombe  
Glos.  
GL54 5AA

Date Drawn 03/15  
Drawn by Cl  
Scale 1 : 100

Architectural Services, Planning  
Consultancy & Building Services  
Tel: 01252 560176  
Fenny Stratford, Bucks, MK16 9JH  
Chesham, GL50 9SH

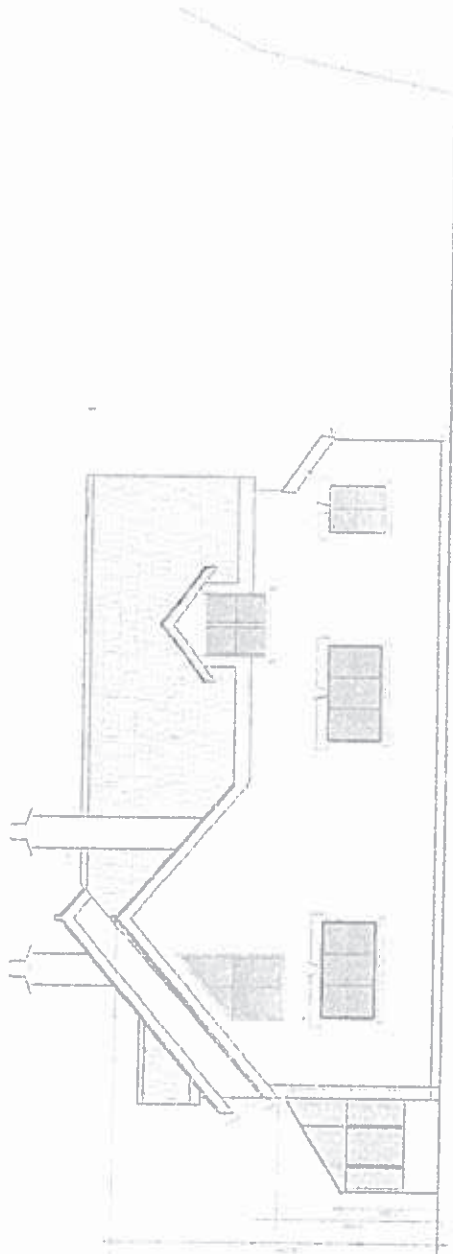


PROPOSED SOUTH EAST ELEVATION

Job No 032/15

Dwg No 016/032/15

Notes



PROPOSED NORTH EAST ELEVATION

Client:

D Abbatt & Son

Title:

Proposed Extensions  
Spring House  
Langley Hill Farm,  
Winchcombe  
Glos  
GL54 5AA

Date Drawn 03/15

Drawn by CL

Scale 1 : 100

Planning  
Consultants & Building Surveyors

Tel: 01452 250110

Festival House, Jernypole Avenue  
Cheltenham GL50 3SH

73/H

Job No 032/15  
Drg No 015/032/15

Notes:

Client:

D Abbatt & Son

Title:

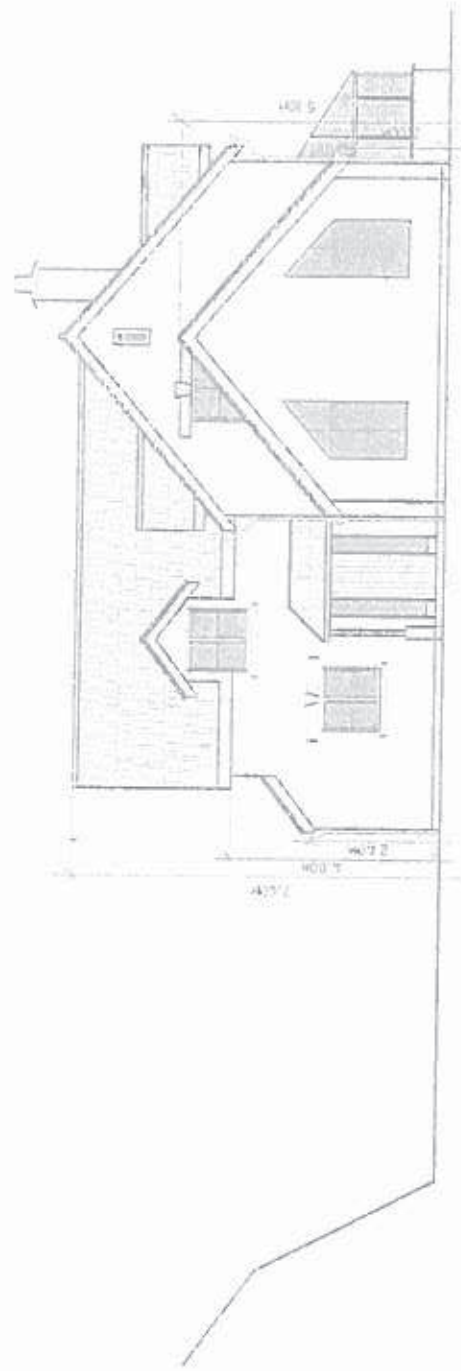
Proposed Extensions  
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Langley Hill Farm,  
Winchcombe,  
Glos  
GL54 5AA

Date Drawn 03/15

Drawn by CL

Scale 1 : 100

Planning  
Consultants & Building Surveyors  
Tel: 01452 250110  
Festival House Jessop Avenue  
Cheltenham GL50 3SH



PROPOSED SOUTH WEST ELEVATION

73/I



Job No 032/15

Dwg No 014/032/15

Notes:

Client:

D Abbatt & Son

Title:

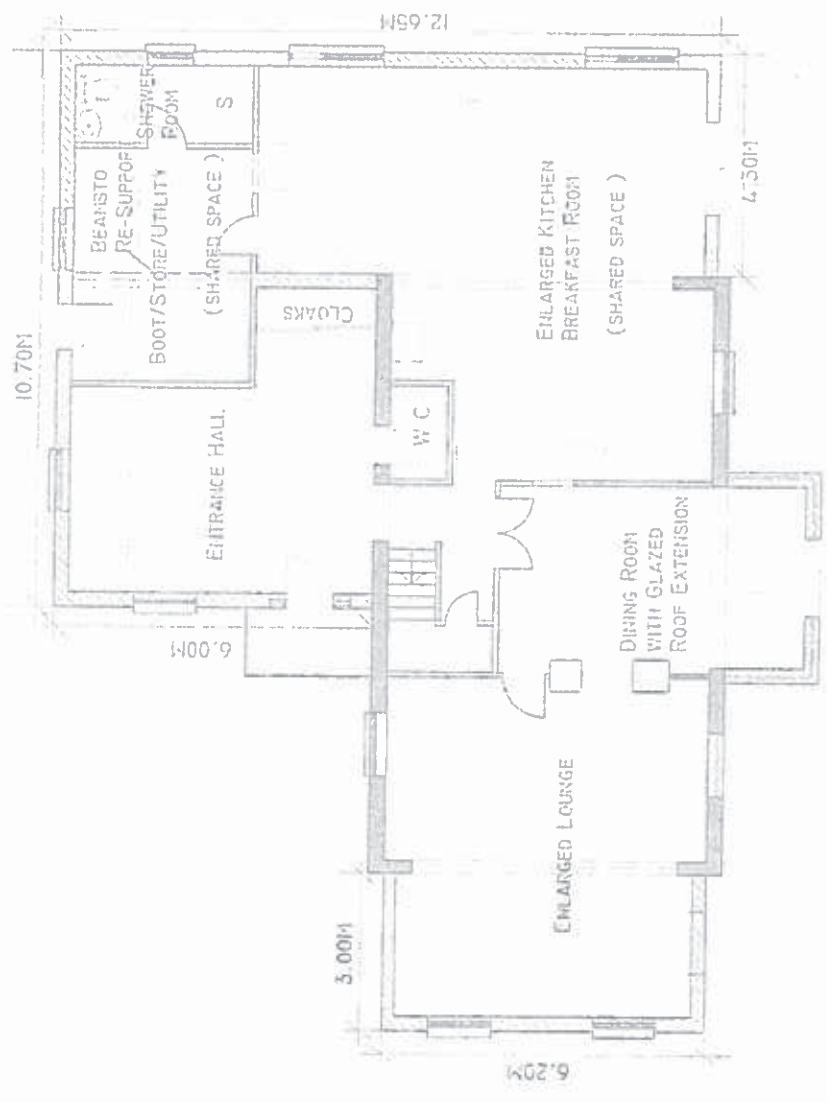
Proposed Extensions  
Spring House  
Langley Hill Farm,  
Winchcombe,  
Glos  
GL54 5AA

Date Drawn 03/15

Drawn by CL

Scale 1 : 100

KPG Design Associates  
Architectural Services, Planning  
Consultants & Building Surveyors  
Tel: 01452 260110  
Festival House Jasson Avenue  
Cheltenham, GL50 3SH



PROPOSED GROUND FLOOR PLAN

7325

737B K



Job No	032/15
Dwg No	013/032/15
Notes	
Client:	D Abball & Son
Title:	Proposed Extensions Spring House Langley Hill Farm, Winchcombe Glos GL54 5AA
Date Drawn	03/15
Drawn by	CL
Scale	1 : 100
Architects & Building Surveyors Planning Festival House Jassop Avenue Cheltenham GL50 3SH Tel: 01452 260110	

Valid 12.05.2015

Outline application four market dwellings with, all matters reserved save for access.

Grid Ref 402325 230116

Parish Winchcombe

Ward Winchcombe

HA Day And Sons

C/o Agent

FAO: Mr HA Day

**RECOMMENDATION Permit****Policies and Constraints****NPPF**

Planning Practice Guidance

Submission JCS (November 2014)

Tewkesbury Borough Local Plan to 2011 (March 2006) - HOU4, HOU13, TPT1, LND2

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

The First Protocol, Article 1 (Protection of Property)

Special Landscape Area (SLA)

Adjacent to Cotswold Area of Outstanding Natural Beauty (within 400 metres)

**Consultations and Representations**

**Winchcombe Town Council** - objects to this application on the grounds that the proposal is not sustainable within the confines of the Joint Core Strategy which identifies Greet as a hamlet not suitable for further residential development due to lack of local services. It is outside the Greet residential development boundary. If Tewkesbury Borough Council is minded to permit this application then Winchcombe Town Council seeks that a suitable safe footpath is provided between the development and the existing footpath enabling people to walk to local amenities.

**County Highway Authority** - No objection

**Environmental Health** - No objection.

**Seven Trent Water** - No objection

**County Highway Authority** - No objection

Three letters of representation have been received raising the following objections (Summarised):

- The Joint Core Strategy for this area states that Greet is a Hamlet not sustainable for further residential development due to lack of local services.
- It is outside the Greet residential boundary.
- The proposal would result in highway safety matters.
- Road speeds are significantly above the approved speed. This has been recognised by the County Council with improvements proposed to provide better signage and road markings at the north end of Littleworth.
- Two large developments in progress at Winchcombe and two more planned for Toddington, do we really need these four bedroom, detached properties here?
- The proposal would impact upon the special landscape and the AONB.
- The houses would be built on an elevated site and would be visible from most directions
- Detrimental impact on protected species.
- Potentially increased risk of flooding.
- The site was assessed on behalf of Winchcombe Town Council as not likely to be put forward for development. This must mean it is not a priority area for development.
- Building on this greenfield site would destroy the pleasant rural character of the land between Greet and Littleworth.
- It would involve felling of trees.

## Planning Officers Comments: Mr Ciaran Power

### 1.0 Application Site

1.1 The application relates to part of a large field which is used for agricultural purposes. The application site falls within the Special Landscape Area (SLA) and the boundary of the Cotswold AONB is located to the west approximately 380m from the application site boundary (see location plan attached)

### 2.0 Planning History

- 67/00111/OUT: Outline application for 6 dwellings. 6 vehicular accesses - Refused 22nd March 1967.
- 68/00099/OUT: 6 pairs of semi-detached semi-bungalows with integral garages. 6 joint vehicular accesses. Refused 24 March 1968.
- 79/00172/OUT: Outline application for the erection of six dwelling houses. Construction of a new vehicular access and alteration of an existing vehicular access. Refused 17th July 1979.
- 80/00195/OUT: Outline application for the erection of a farmhouse and farm buildings to provide a new farming complex for existing agricultural holding. Construction of a new vehicular & pedestrian access. Alteration of an existing vehicular and pedestrian access - Refused 14th July 1981 and subsequent appeal dismissed.
- 14/00689/OUT - Outline application for four dwellings, Withdrawn 2014.

### 3.0 Current Application

3.1 This application seeks outline planning permission for the erection of 4 detached dwellings with all matters reserved except for access. (See attached plans)

### 4.0 Principle of Development

#### The Development Plan

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. Section 70 (2) of the Town and Country Planning Act 1990 provides that 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 material considerations. The development plan comprises the saved policies of the Tewkesbury Borough Local Plan to 2011 - March 2006.

#### Tewkesbury Borough Local Plan to 2011 - March 2006

4.2 The application site lies outside of a recognised settlement boundary as defined by the Tewkesbury Borough Local Plan to 2011 - March 2006. Consequently, the application is subject to policy HOU4 which states that new residential development will only be permitted where such dwellings are essential to the efficient operation of agriculture or forestry or the provision of affordable housing. However, HOU4 is based on the now revoked Structure Plan housing numbers and for that reason is considered out of date in the context of the NPPF in so far as it relates to restricting the supply of housing. The policy is also out of date in this context because the Council cannot demonstrate a five year supply of deliverable housing sites.

4.3 Other relevant local plan policies are set out in the appropriate sections of this report.

#### Emerging Development Plan

4.4 The emerging development plan will comprise the Joint Core Strategy (JCS), Tewkesbury Borough Plan and any adopted neighbourhood plans. These are all currently at varying stages of development.

4.5 The Submission Joint Core Strategy (November 2014) is the latest version of the document and sets out the preferred strategy over the period of 2011-2031. This document, inter alia, sets out the preferred strategy to help meet the identified level of need. Policy SP2 of the Submission JCS sets out the overall level of development and approach to its distribution.

4.6 Within the rural areas of Tewkesbury Borough, 2,612 dwellings are proposed to be delivered in the plan period to 2031. Approximately two thirds of this rural development has already been committed through planning permissions already granted. The remainder of this requirement will be allocated at rural service centres and service villages through the Tewkesbury Borough Plan and neighbourhood plans. Greet has not been identified as a rural services centre or service village.

4.7 Paragraph 216 of the NPPF sets out that decision-takers may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

4.8 The Submission version of the JCS was approved by the three JCS authorities in April 2014 for pre-submission publication. The JCS is now under examination in public.

#### National Policy/Guidance

4.9 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. The NPPF also sets out a presumption in favour of sustainable development and states that development proposals that accord with the development plan should be approved without delay. The NPPF goes on to say that where the development plan is absent, silent or relevant policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or where specific policies in the Framework indicate development should be restricted.

4.10 The NPPF requires applications to be considered in the context of sustainable development and sets out that there are three dimensions to sustainable development: economic, social and environmental. In essence, the economic role should contribute to building a strong, responsive and competitive economy; the social role should support strong, vibrant and healthy communities; and the environmental role should contribute to protecting and enhancing the natural, built and historic environment. These roles should not be undertaken in isolation, because they are mutually dependant.

4.11 Paragraph 55 of the NPPF seeks to avoid isolated new dwellings in the countryside. In this case, the proposed development would be situated on the edge of an existing settlement. Greet is a small settlement near the town of Winchcombe. The settlement does have some limited access to local employment, at Park Farm Industrial Estate being located approximately 0.6 miles from the application site and Winchcombe Town Centre which is located approximately 1 mile from the application site. However the route to Park Farm Industrial estate is along Evesham Road and there are no pedestrian footpaths therefore pedestrians are required to walk within the road or on highway verges. There is also no street lighting provided between the application site and Park Farm Industrial Estate. However it is acknowledged that these employment opportunities are located in close proximity to the application site and whilst it is likely they would be accessed via private car the NPPF accepts that transport solutions will vary from urban to rural locations.

4.12 To access services in Winchcombe pedestrians have to travel along the Evesham Road where there are no pedestrian footpaths however as the Evesham Road becomes the Greet Road footpaths do become available through to Winchcombe. The applicant has considered creating a footpath link along the highway verge, however the County Council Highway Authority considered that there was not sufficient width within the highway for a footpath of adoptable standard. In order to improve to connectivity of the application site the applicants now propose to introduce signage within the highway to alert motor vehicle users of the potential for pedestrians to be present. It is considered that the introduction of signage would improve the safety of pedestrians accessing services within the Greet settlement as well as improving the overall connectivity to services in Winchcombe, which from the centre of Greet can be accessed along pedestrian footpaths. Winchcombe School is located on the Greet Road approximately 0.4 miles from the application site and the combination of signage and dedicated adopted pavements would make this accessible to the application site. Although there is also no street lighting along the part of the Evesham Road outside of the application site, this is for a short distance before reaching Greet village where footpaths and street lighting exist. This type of situation is not uncommon within rural areas.



4.13 In terms of primary service provision it is concluded that these are limited as employment is not readily accessible and there is some constraints in accessing the nearby school. However the site is located in close proximity to Winchcombe and there are secondary services including a public house, a garage and a children's play area within the settlement.

4.14 Access to Winchcombe and the surrounding villages is available via bus. The nearest bus stop is approximately 400 metres away. The stop is served by the 606 which provides 5 services every weekday and three services every Saturday in each direction. The 656 also operates along this route at a frequency of one every day in each direction. The accessibility to the main settlement by public transport is therefore served by an infrequent bus service located from a bus stop a reasonable walk from the proposed application site. The is also an opportunity to walk to Winchcombe and given the distance cycling is also a possibility

4.15 In conclusion the proposal to upgrade highway signage would improve the sites connectivity with the settlement of Greet and Winchcombe. Whilst public transport opportunities exist these are limited however pedestrian or cycling opportunities also exist. Whilst Greet is not identified in the submission version of the JCS as a service village, it is not considered that the application site could be describes as isolated in the context of paragraph 55 of the NPPF.

4.16 The NPPF is supplemented by the Government's Planning Practice Guidance. Of relevance to this case is the section on rural housing which states that it is important to recognise the particular issues facing rural areas in terms of housing supply and affordability, and the role of housing in supporting the broader sustainability of villages and smaller settlements. It follows that a thriving rural community in a living, working countryside depends, in part, on retaining local services and community facilities such as schools, local shops, cultural venues, public houses and places of worship. Rural housing is essential to ensure viable use of these local facilities.

4.17 Section 7.0 of the Planning Statement and Design and Access Statement concludes that affordable housing is not required as the application is below the required threshold. Officers agree that there no Policy requirement for the development to contribute towards affordable housing. Whilst the applicants offer an offsite affordable housing contribution of £62,100 this does not accord with Paragraph 122 of The Community Infrastructure Levy Regulations 2010, in relation to limitation on use of planning obligations which states that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is-

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

Having regard to this matter it is not considered that the proposed offsite affordable housing contribution would be Regulation 122 compliant and therefore this should not be taken into account when considering the planning balance.

#### *Benefits of the development*

4.18 There would be some benefits arising from the proposal. The development would contribute towards housing need, would contribute towards the local economy and result in New Homes Bonus and would improve connectivity of the site and dwellings further along Evesham Road through improved safety signage. These contribute to the economic and social dimension of sustainability as defined in the NPPF and weigh in favour of the development and must be weighed against any identified harms.

#### *Conclusions on the principle of development*

4.19 Whilst local plan policy HOU4 must be considered out of date, the NPPF includes a specific policy which seeks to avoid isolated new dwellings in the countryside. The proposed development when considered in the context of the proposed highway improvements is not considered to represent an isolated form of development and therefore the principle of residential development in this location is acceptable.

## **5.0 Landscape Impact**

5.1 One of the core planning principles of the NPPF is that the planning system should recognise the intrinsic character and beauty of the countryside. Sections 11 of the NPPF sets out that the planning system should contribute to and enhance the local environment by, inter alia, protecting and enhancing valued landscapes.

5.2 The character of the area in the immediate vicinity of the site is predominantly that of open countryside, despite the presence of adjacent dwellings. The application site is within the SLA and the AONB is located approximately 380 metres from the edge of the application site.

5.3 Views from the Evesham Road to the east would be limited by established trees and hedgerow which are proposed to be retained. The proposed access would open up part of the established planting but the overall scheme would maintain a large green buffer area before this and given the proposed area for housing it is not considered that views from here would be significant.

5.4 Views from the south would be from within part of the developed area of Greet. Given existing built development and planting it is not considered that the proposal would have a significantly detrimental impact on the value of this landscape.

5.5 Views from the south east and west which include part of the AONB would be distant views partially screened from existing vegetation. Land levels on the application site are lower than the land to the south and west and this would help to integrate the proposed development into the landscape without it appearing visually prominent.

5.6 The application has been accompanied by an LVIA which concludes that landscape impact would be low and visual impact moderate. It also concludes that through the implementation of perimeter tree and hedgerow planting and the use of native hedging species the overall landscape and visual impacts would be low. It is considered that the observations made in the LVIA are a fair assessment of the impacts of the proposal from a landscape perspective. In addition the application is submitted with a tree survey and it is considered that the site could be developed without resulting in loss of important trees.

5.7 It is clear that the proposals will introduce new housing into an area which is currently free from development. Whilst the proposed development can be mitigated to a degree by its design and proposed landscaping, it would result in harm to the landscape which factor weighs against the proposal in the overall planning balance.

## **6.0 Design**

6.1 The NPPF sets out that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF also provides that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities.

6.2 The existing properties in Greet are an assorted mix of detached, semi-detached and terraced houses, bungalows and cottages in a variety of materials including render, brick and reconstituted stone. The submitted indicative block plan and elevation generally shows that the proposed height and scale of the new dwellings would be in keeping with that of the existing residential properties in the area. The plan suggests that the dwellings would have projecting front gables, which would not look at odds with the varied mix of housing in the vicinity. Whilst the detailed design and layout would be subject to full consideration at reserved matters stage, it is not considered that two-storey dwellings would have a significant impact on the existing street scene. The proposal is therefore considered to be in accordance with the design advice contained within the NPPF in terms of design.

## **7.0 Residential Amenity**

7.1 Paragraph 17 of the NPPF sets out the 'Core Principles' of the NPPF, one of which seeks to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

7.2 The indicative layout demonstrates that the site could accommodate the proposed dwellings with a good sized self-contained private rear garden, with adequate parking facilities to the front. Suitable boundary treatments would be required via condition (to be submitted with the reserved matters application). In addition whilst there are residential properties located to the south east it is not anticipated that, subject to careful consideration at the design stage, that the proposed development would have a significantly detrimental impact on the residential amenities of adjacent properties. It is considered that the future occupiers of these properties would have an acceptable level of residential amenity and no significantly detrimental impact would result on living conditions within existing residential property.

## **8.0 Highway Safety**

8.1 Section 4 of the NPPF states that the transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice in how they travel. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. Paragraph 32 specifically requires safe and suitable access to all development sites for all people. Policy TPT1 of the Local Plan requires that appropriate access be provided for pedestrians, cyclists and vehicles, and that appropriate public transport services and infrastructure is available or can be made available. It further requires that traffic generated by and/or attracted to the development should not impair that safety or satisfactory operation of the highway network and requires satisfactory highway access to be provided. Policy TPT1 reflects advice in the NPPF and thus should be afforded significant weight.

8.2 As set out previously in this report, the site is not considered to be isolated and whilst not served by an abundance of facilities and services it does have access to a number of primary and secondary facilities and is well served by Winchcombe which is in reasonable distance from the application site. The NPPF sets out that solutions will vary from urban to rural locations, given that there are some services or facilities to meet the day to day needs of residents in Greet as well as a number of transport options to access other primary services in Winchcombe, it is considered that development at this site would contribute to the aims of sustainable development.

8.3 In highway safety terms, it is anticipated that the proposed development would generate 20 vehicular movements per day and in this regard the local highway infrastructure would be able to adequately handle this level of increase. The submitted indicative layout plan indicates that appropriate turning and manoeuvring could be accommodated within the site. The proposed access would conform to an appropriate highway standard. Gloucestershire County Highways have been consulted on the application and raise no objection on highway safety grounds. Overall it has been demonstrated that satisfactory access can be provided in accordance with Policy TPT1.

## **9.0 Drainage**

9.1 The application indicates that the method for disposal of foul sewage is unknown and this would need to be confirmed at the reserve matters stage. With regards water drainage the development would utilise SuDs techniques. Seven Trent Water raise no objection to the proposal however they recommend a condition be imposed requiring the submission of full drainage plans prior to the commencement of any development.

## **10.0 Noise**

10.1 The application has been accompanied by a noise assessment given the site proximity in relation to the GWR Railway Line. The noise survey concludes that suitable internal and external noise levels would be achieved for residential development in line with BS8233. Environmental Health have been consulted on the application and consider the contents of the submitted noise assessment to be accurate and raise no objection to the proposed development.

## **11.0 Ecology**

11.1 The application is accompanied by an ecological survey. There are no identified impacts on protected species resulting from the proposed development and therefore it is not considered that the proposed development would be detrimental to protected species

## **12.0 Overall Balancing Exercise and Conclusions**

12.1 Policy HOU4 of the Local Plan is out of date and in accordance with paragraph 49 of the NPPF the proposal must be considered in the context of the presumption in favour of sustainable development. There are social and economic benefits to the proposal in that the proposal would contribute to the supply of housing and highway safety which would in turn create benefits for the local economy, both through construction and following occupation. This must be weighed against the identified landscape harm.

12.2 The NPPF sets out that in circumstances such as this development should only be refused where there are significant and demonstrable harms which outweigh the benefits of development. In this case, on balance, it is not considered that the identified landscape harm would outweigh the benefits of the scheme. It is therefore considered that the proposal constitutes sustainable development in the context of the NPPF and the application is therefore recommended for **Permit**.

## RECOMMENDATION Permit

### Conditions:

- 1 The development for which permission is hereby granted shall not be begun before detailed plans thereof showing the layout, scale, external appearance of the building(s), and landscaping (hereinafter referred to as "the reserved matters") have been submitted to and approved by the Local Planning Authority.
- 2 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.
- 3 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.
- 4 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.
- 5 Details of existing and proposed levels, including finished floor levels, shall be submitted as part of the reserved matters application in accordance with condition 1. All development shall be carried out in accordance with the approved details.
- 6 Prior to the occupation of the first dwelling the vehicular access shall be completed in accordance with details which shall first be submitted to and approved in writing by the LPA broadly in accordance with the submitted plan drawings no.F14029/01 no.F14029/ 02. The vehicular access shall thereafter be maintained in accordance with the details so approved.
- 7 The vehicular access hereby permitted shall not be brought into use until the existing roadside frontage boundaries have been adjusted 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 at least 54m distant in both directions (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 0.26m and 2.0m at the Y point above the adjacent carriageway level.
- 8 The details submitted for approval of reserved matters shall provide for a minimum of two parking spaces per dwelling. The dwellings hereby permitted shall not be occupied until those facilities have been provided in accordance with the approved plans and shall be maintained available for those purposes for the duration of the development.
- 9 No dwelling on the development shall be occupied until the carriageway, including surface water drainage/disposal, and vehicular turning heads providing access from the nearest public highway to that dwelling have been completed to at least binder course level and the footways to surface course level.
- 10 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. measures to control the emission of dust and dirt during construction



- 11 A scheme for the proposed signage within the highway, to improve the pedestrian connectivity of the application site, shall be submitted as part of the first Reserved Matters application and the development shall be carried out in accordance with the approved plans. No dwelling on the development shall be occupied until the signage has been erected in accordance with the approved scheme unless otherwise agreed in writing with the Local Planning Authority.
- 12 The development hereby permitted shall not be commenced until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved in writing with the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

**Reasons:**

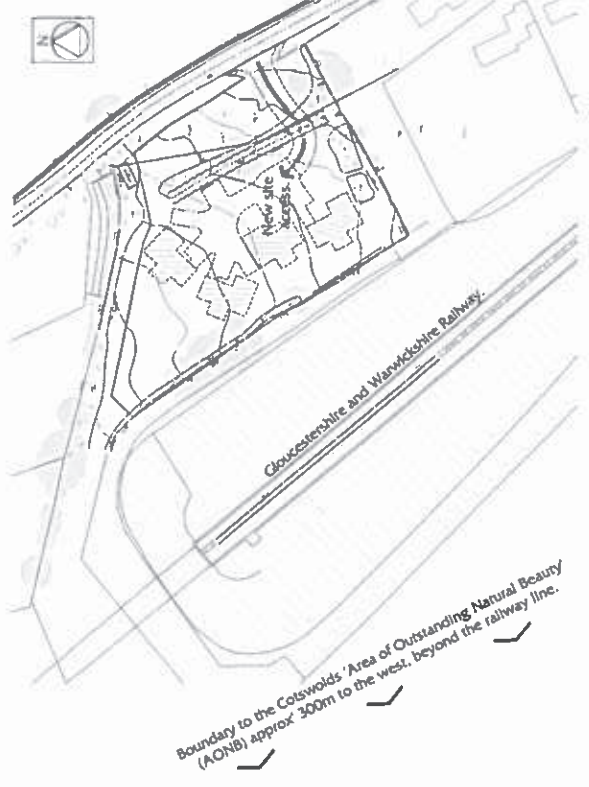
- 1 The application is in outline only and the reserved matters referred to in the foregoing condition will require further consideration.
- 2 To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.
- 3 To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.
- 4 To ensure that the new development will be visually attractive in the interests of amenity.
- 5 To ensure that the development integrates harmoniously with the surrounding development and to safeguard the amenities of residents of adjoining properties.
- 6 To reduce potential highway impact by ensuring the access is suitably laid out and constructed in accordance with paragraph 35 of the NPPF.
- 7 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.
- 8 Reason: - To reduce potential highway impact by ensuring that adequate parking and manoeuvring facilities are available within the site, and in accordance with paragraph 35 of the NPPF.
- 9 To minimise hazards and inconvenience for users of the development by ensuring that there is a safe and suitable means of access for all people.
- 10 To reduce the potential impact on the public highway.
- 11 To improve the connectivity of the application site with the nearest settlement and in the interests of highway safety in accordance with Policy TPT1 of the Local Plan.
- 12 To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

**Note:**

**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.

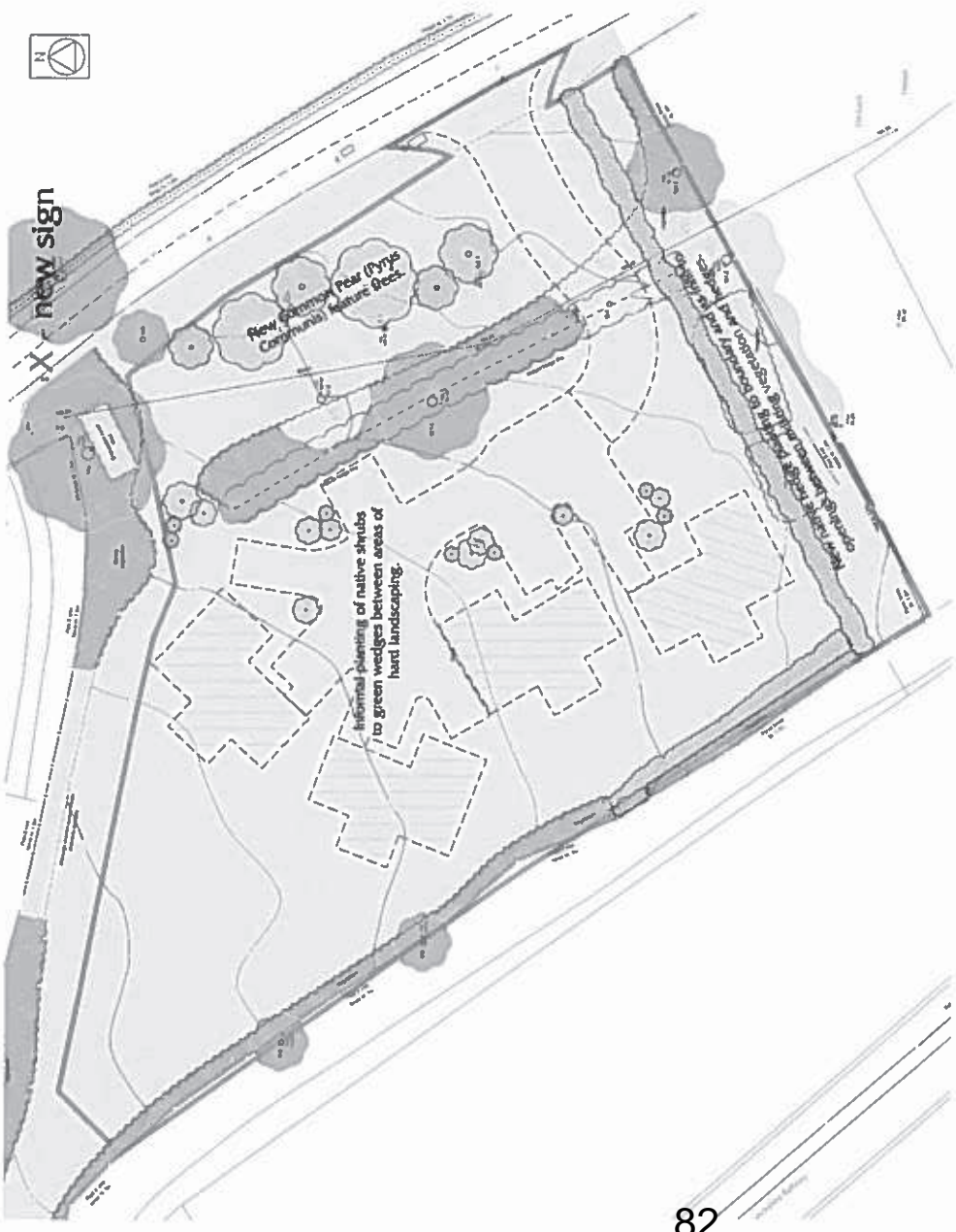




Constraints Plan - Scale 1:750

Key:

- Root protection area of trees and hedges to be retained.
- Railway line and embankment to Greet Tunnel.
- Proposed site access from road.



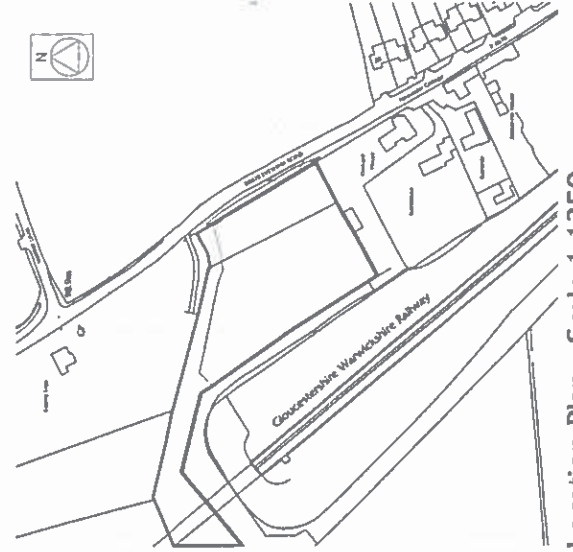
Proposed Landscaping and Signage Plan - Scale 1:250

Key:

- Existing trees to be retained.
- Existing trees to be removed.
- New native trees and shrubs to be planted.
- New native hedge row planted as screening around site perimeter.



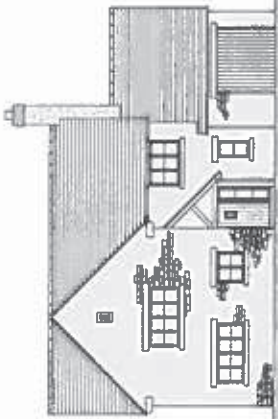
'X' - New illuminated 'No footway' sign fixed to existing lamp post to indicate approximately 300 yards from nearest pavement within Greet, adjacent to the public house (actual distance to be confirmed)



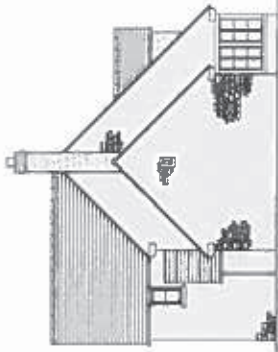
Location Plan - Scale 1:1250

SWORDERS		PROPERTY NO. - CONSERVATION - REFERENCE	
PROPOSED LANDSCAPING CONSTRAINTS AND LOCATION PLAN			
1	DATE	1/1/2014	1/1/2014
2	PROJECT NO.	1/1/2014	1/1/2014
3	PROJECT NAME	1/1/2014	1/1/2014
4	PROJECT ADDRESS	1/1/2014	1/1/2014
5	PROJECT CONTACT	1/1/2014	1/1/2014
6	PROJECT REFERENCE	1/1/2014	1/1/2014
7	PROJECT STATUS	1/1/2014	1/1/2014
8	PROJECT TYPE	1/1/2014	1/1/2014
9	PROJECT DESCRIPTION	1/1/2014	1/1/2014
10	PROJECT NOTES	1/1/2014	1/1/2014
11	PROJECT COMMENTS	1/1/2014	1/1/2014
12	PROJECT CONTACTS	1/1/2014	1/1/2014
13	PROJECT APPROVALS	1/1/2014	1/1/2014
14	PROJECT SIGNATURES	1/1/2014	1/1/2014
15	PROJECT DATE	1/1/2014	1/1/2014
16	PROJECT SCALE	1/1/2014	1/1/2014
17	PROJECT SHEET NO.	1/1/2014	1/1/2014
18	PROJECT SHEET TOTAL	1/1/2014	1/1/2014
19	PROJECT DRAWING NO.	1/1/2014	1/1/2014
20	PROJECT DRAWING TOTAL	1/1/2014	1/1/2014

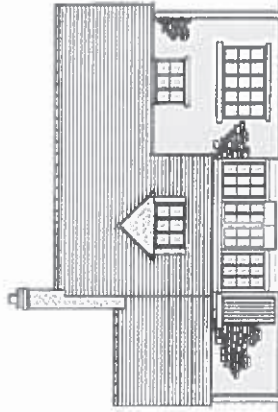
Proposed Elevations - Scale 1:100



Front Elevation



Side Elevation

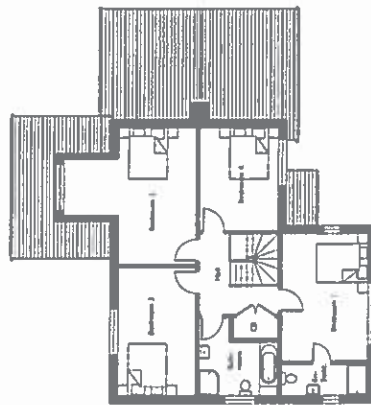


Rear Elevation

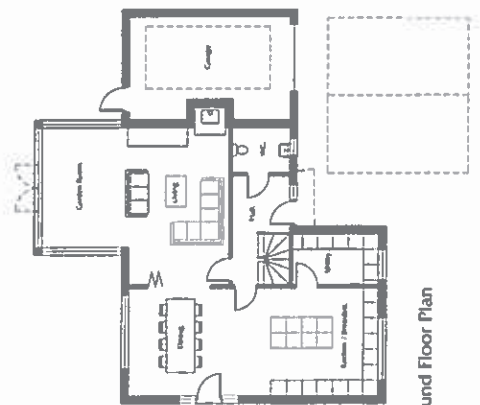


Rear Elevation

Proposed Plans - Scale 1:100



First Floor Plan



Ground Floor Plan

Site Plan - Scale 1:250



**Notes:**  
 Notional ground level shown only to elevations above. Root protection areas indicated Light Blue on plan. Trees to be removed shown outlined in Red.

**Walls** - Finished with a random Cotswold Buff natural stone facing. Buff coloured render to chimney and dormer face / cheeks.

**Roofs** - Finished in a natural slate laid to diminishing courses.

**Windows** - Double glazed timber frame casement windows with painted finish. Reconstituted stone heads and sills.

**Rainwater goods** - Painted metal.

**Roads and driveways** - Tarmac road surface to initial access and Pflora permeable block paving to driveways and turning head.



1	Site Name	SWORDERS
2	Client	SWORDERS
3	Address	LAND AT GREET
4	Proposed Plans	PROPOSED PLANS ELEVATIONS AND SITE PLAN
5	Date	
6	Scale	
7	Author	
8	Checker	
9	Approver	
10	Project No.	
11	Drawn By	
12	Checked By	
13	Approved By	
14	Date	
15	Scale	
16	Author	
17	Checker	
18	Approver	
19	Date	
20	Scale	
21	Author	
22	Checker	
23	Approver	
24	Date	
25	Scale	
26	Author	
27	Checker	
28	Approver	
29	Date	
30	Scale	
31	Author	
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33	Approver	
34	Date	
35	Scale	
36	Author	
37	Checker	
38	Approver	
39	Date	
40	Scale	
41	Author	
42	Checker	
43	Approver	
44	Date	
45	Scale	
46	Author	
47	Checker	
48	Approver	
49	Date	
50	Scale	

**SWORDERS**  
 ARCHITECTS  
 LAND AT GREET

**PROPOSED PLANS ELEVATIONS AND SITE PLAN**

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SWORDERS ARCHITECTS, 100, THE SQUARE, GREET, LEICESTERSHIRE, LE16 9JG. TEL: 01530 811111. FAX: 01530 811112. WWW.SWORDERSARCHITECTS.CO.UK

SWORDERS ARCHITECTS, 100, THE SQUARE, GREET, LEICESTERSHIRE, LE16 9JG. TEL: 01530 811111. FAX: 01530 811112. WWW.SWORDERSARCHITECTS.CO.UK



Valid 20.05.2015  
 Grid Ref 401877 227532  
 Parish Winchcombe  
 Ward Winchcombe

Proposed erection of new dwelling and garage.

Mr E H Tippet  
 C/O Agent

## RECOMMENDATION Permit

### Policies and Constraints

Tewkesbury Borough Local Plan to 2011 (March 2006) - policies HOU5, HOU7, LND7 and TPT1  
 National Planning Policy Framework  
 Planning Practice Guidance  
 JCS (Submission Version) November 2014  
 Flood and Water Management Supplementary Planning Document  
 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

**Winchcombe Town Council** raises an objection: "Inappropriate design" and "Out of keeping with the surrounding properties".

The application has been publicised through the posting of a site notice and no letters of representation have been received within the 21 day statutory consultation period or since.

### Planning Officers Comments: Emma Blackwood

#### 1.0 Introduction

1.1 The application site comprises a residential property known as 'Appledore' and its residential curtilage. The original property comprised a detached 4 bedroom 1930's dwelling which has now been demolished. The site is located off a private road, which serves a number of properties, located on the western side of Corndean Lane, to the south of the town of Winchcombe. The site is located within the Cotswolds Area of Outstanding Natural Beauty.

#### 2.0 History

2.1 Application reference 10/01070/FUL for the erection of a replacement dwelling was withdrawn in January 2011.

2.2 An identical application was withdrawn in April 2011 (reference 11/00160/FUL).

2.3 Application reference 11/00337/FUL for the erection of a replacement dwelling was permitted in July 2011. The proposal was to demolish the existing property known as 'Appledore' and to replace it with a contemporarily designed dwelling, located further into the plot. The new property was to be re-orientated so that its main front element would face north instead of north east as the existing property (see previously approved plans).

2.4 Planning permission was then granted on 22nd August 2012 under application reference 12/00653/FUL for a series of minor alterations to the previously permitted application (11/00337/FUL) and to reduce the size of the building by 105 cubic metres (see previously approved plans). This permission remains extant but will expire on 22nd August 2015.

2.5 The most recent application received for this site was reference 14/01186/FUL, for a redesign of a previously approved replacement dwelling under applications 11/00337/FUL and 12/00653/FUL. The 5-bed dwelling approved under reference 14/01186/FUL would be two storey, with a 175m<sup>2</sup> ground floor footprint, and would be traditional in style with two feature gables to the frontage with ground floor bay windows, external chimney, constructed in natural coursed stone walling and reconstituted stone tiles in diminished course to roof. The dwelling approved under this application would be positioned set back from the road frontage behind a new driveway, triple open fronted garage and garden, and the dwelling would face northwards, as opposed to the original dwelling on the site which faced north east. It All elevations would have parts in lime render (see previously approved elevations, floor plans, site location plan and block plan). Planning permission was granted under reference 14/01186/FUL on 7th April 2015 (see approved plans). This permission remains extant and will not expire until 7th April 2020.

### **3.0 Current Application**

3.1 The original dwellinghouse, which has now been demolished, was located towards the north-eastern corner of the application site and was orientated to face north-east. The proposed 5-bed three storey dwellinghouse, alternatively, would be located further west within the curtilage of the application site, and would be orientated to face north.

3.2 A new gated pedestrian access would be provided centrally along the northern boundary of the application site, and a footpath would then lead directly southwards from this access gate to the front elevation of the proposed dwelling. The front elevation of the proposed dwelling would be set back some 15 metres from the northern site boundary at the closest point, providing a garden area towards the front of the site. In place of the original dwelling, towards the north-eastern corner of the site, the existing vehicular access point would continue to be used for this purpose, with an extended driveway provided here and a proposed detached flat roofed double garage (6 metres in depth and 7.5 metres in width).

3.3 The proposed dwelling would be contemporarily designed, with staggered elevations and flat roofs. At the longest point this would measure 21 metres in width and 17.5 metres in depth, to include some two storey and single storey flat roofed elements which would project from the front elevation, resulting in this elevation being staggered. The front elevation would have a central glazed panel, extending from ground level to eaves level across three storeys. The remainder of the front elevation, towards the western and eastern sides, and both side elevations, would be constructed from natural stone at ground floor and first floor level. At second floor level there would be a flat roofed steel panel clad element which would be set back from the main facades at first floor level, to almost give the impression of a 'penthouse'.

3.4 The rear elevation of the proposed dwelling would be predominantly level throughout. Similar to the front elevation, this would also have a centrally positioned glazed panel, extending from ground level to eaves level across three storeys. The remainder of the rear elevation, towards the western and eastern sides, would be largely glazed, with full length windows and doors installed here, and the rest of this elevation would have a render finish. All windows and doors would be grey powder coated aluminium framed.

3.5 The northern, eastern and western boundaries of the application site are covered in a large number of trees, and the southern side boundary is interspersed with some trees and some additional mature hedgerows.

### **4.0 Policy Context**

4.1 At the heart of the NPPF is a presumption in favour of sustainable development, of which there are three dimensions: economic, social and environmental. The NPPF does not change the statutory status of the development plan as the starting point for decision making but emphasises the desirability of local planning authorities having an up-to-date plan. According to paragraph 215 of Annex 1 of the NPPF, due weight should be given to relevant policies in existing development plans according to their degree of consistency with the framework (the closer the policies in the plan to the policies in the framework, the greater the weight that may be given).

4.2 Paragraph 14 of the NPPF indicates that sustainable development should be approved without delay, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits; or where specific policies within the Framework indicate that development should be restricted. The NPPF makes it clear that these restrictive policies include sites within Areas of Outstanding Natural Beauty.

4.3 The Development Plan comprises of the saved policies of the Tewkesbury Borough Local Plan to 2011 (March 2006). Policy HOU7 of the Local Plan states that replacement dwellings are acceptable in principle providing that: (1) they are of a similar size and scale to the existing dwelling; (2) they respect the scale and character of existing characteristic property in the area and have no adverse impact on the landscape; and (3) normal development control standards in relation to aspects such as design, materials, environmental impact, parking and relationship to adjoining uses are satisfied. Policy HOU7 also states that, within the AONB, strict design controls will be applied given the priority accorded to the protection of the landscape, including the use of appropriate building materials, normally natural, traditional or reclaimed materials. It is considered the policy is consistent with the aims of the NPPF in terms of its core planning principle to conserve and enhance the natural environment, and is therefore considered to have weight.

## 5.0 Analysis

### Principle of dwelling

5.1 There have been three previous approvals for a replacement dwelling house on the site. The 2011 approval was for a significantly larger (533 square metres total floor space) dwelling than what previously occupied the site (141 square metres) and the 2012 approval was for a reduction in volume of 105 cubic metres (see previously approved elevations and floor plans for both applications). The application approved in April 2015 was for a ground floor footprint of 175 square metres (see previously approved elevations and floor plans). The current application proposes a ground floor footprint of some 254 square metres (approximately 511 square metres total space).

5.2 Although there is currently no dwelling on site, the extant permissions are a legitimate fall-back position and therefore a material planning consideration. The principle of residential development has been previously accepted on this site. In particular, the 2011 approval was for a larger dwelling in terms of total floor area than the dwelling currently proposed, and was also contemporarily designed. The key considerations with regard to the current proposal are therefore considered to be: the contemporary design of the proposed dwelling and its acceptability in this location; whether the proposed change to the design, form and scale of the building have any implications in terms of landscape impact; the impact on neighbouring properties; and the impact on road safety.

### Design, Size, Scale and Landscape Impact

5.3 Section 7 of the NPPF makes it clear that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

5.4 The NPPF does not make specific reference to the erection of replacement dwellings or the issue of placing restrictions on the size of such replacements (other than within the Green Belt). However, it is clear that some weight should be afforded to the protection of the countryside and in particular to the AONB (paragraph 15).

5.5 Winchcombe Town Council has objected to the application on the basis that it is an inappropriate design and out-of-keeping with the surrounding properties.

5.6 The dwellings along Corndean Lane are generally large detached dwellings set within large gardens (see location plan). The development currently proposed would similarly be a large detached dwelling located on a generously sized plot, retaining a good extent of spacing between the application property and both adjacent dwellings ('Brook House' to the south east and 'Innisfree' to the west).

5.7 Whilst the current proposal would be a substantial property with 3 floors, its overall scale and contemporary design would be similar to the dwellings approved under references 11/00337/FUL and 12/00653/FUL, with a similar footprint and similar overall height. These previous approvals comprised of a more contemporary design which is very different to the prevalent architectural styles of the surrounding properties. The total floor space of the current proposal would be smaller than the 2011 permitted scheme and similar to the scale of the extant 2012 and 2015 permissions.

5.8 The north-eastern (front) elevation of the three storey dwelling approved under application reference 12/00653/FUL was similarly a large detached building, similar in scale to the currently proposed dwelling on its front and rear elevations (see previously approved dwelling elevations). However, the previously approved dwelling appears larger in scale in terms of its depth on its side elevations when compared to the depth of the dwelling currently proposed. The northern, eastern and western boundaries of the application site are covered in a large number of trees to provide a good extent of screening of the site. There is no proposed removal of trees on the site and it is recommended that a condition be attached to any approval of planning permission to ensure that the existing trees are protected and retained. The only exception to this is towards the north-eastern corner of the application site, where the existing vehicular access point would be retained and would provide a view through to the side elevation of the proposed dwelling. It is considered that the proposed reduced depth and massing of the dwelling on its side elevations, when compared to the dwelling approved under reference 12/00653/FUL, would reduce the apparent bulk of the dwelling when viewed from this point, reducing the impact of the development on the surrounding area.

5.9 Further, in contrast to the currently proposed dwelling, which would predominantly be constructed from natural stone on its front and side elevations, the dwelling approved under application reference 12/00653/FUL was designed with a large expanse of render facing materials on all elevations, and with only a few small windows on the front elevation to break up this expanse. By virtue of the proposed use of natural stone on the current scheme, the installation of windows to break up this expanse, and the proposed staggered front elevation with stepped blocks of development, it is considered that the design of the development currently proposed would appear more sympathetic in scale, form and materials than the dwellinghouse approved in the extant 2012 permission.

5.10 The rear elevation of the proposed replacement dwelling, alternatively, would be less sympathetically designed, with a render finish. The rear elevation would be predominantly glazed, and would not have stepped blocks of development. However, the rear elevation would predominantly not be visible within the Corndean Lane street scene, and is therefore considered that the proposed development, as a whole, would not appear visually intrusive in the landscape, and would not adversely affect the visual attractiveness of the AONB.

5.11 Given the previous approvals on the site it is considered that the current scheme will have no more adverse impact on the setting of the AONB than the previous schemes and it is considered that the landscape impact of a replacement dwelling on this site is therefore acceptable. Although the scheme would be overtly modern and very different to the architectural styles of the surrounding properties, it is considered that this would be of a high quality with the potential to benefit the wider character of the area by adding to the architectural richness and diversity of the town, which itself presents many high quality examples of architecture spanning many centuries. As with all contemporary designs the success of the scheme would be reliant upon detailed design and materials and therefore a number of conditions are recommended. Furthermore, it is considered necessary to have further detail with regard to other curtilage structures such as gate posts, garden walls etc. to ensure there is a consistent architectural language throughout the scheme. Subject to these conditions the proposal is considered to be acceptable in terms of the NPPF.

5.12 Members are further advised that planning permission was granted on 27th November 2012 for the erection of a new dwelling on land at Footbridge Farm, Puck Pit Lane, by the Planning Committee under application reference 12/00923/FUL. This previously approved planning application was submitted by the same agent and applicant who have submitted application reference 15/00590/FUL and the design of the previously approved dwelling is very similar to that currently proposed at Appledore. The application site at Footbridge Farm, Puck Pit Lane, was similarly located within an AONB.

#### Residential Amenity

5.13 Policy HOU5 of the Local Plan sets out that new housing development within existing residential areas should not result in an unacceptably low degree of residential amenity for existing or proposed dwellings. Whilst this site does not sit within the defined residential development boundaries referred to in Policy HOU5, given that the principle of development has been accepted on this site, the principles of the policy are relevant here.

5.14 The siting and aspect of the proposed dwelling would be very similar to that of the permitted dwelling where the issues of overlooking and overbearing impact were considered to be acceptable.



5.15 The proposed dwelling would be positioned some distance away from its nearest neighbours at Brook House and Innisfree. Indeed, the new dwelling would be located further away from Brook House than the former dwelling on the site. In addition there are no residential properties immediately opposite the application site, but a little further along Corndean Lane, namely Applewood and Little Park. The proposed replacement dwelling house would also be set in generous grounds which would further mitigate any adverse impact on residential amenity.

5.16 It is proposed to construct a detached double garage close to the north-eastern (front) boundary of the application site. The garage would be accessed via the existing vehicular access point, and the garage and a new extended drive and turning area would be located some distance from the nearest dwelling house (Brook House). It is considered that the design of the garage would be appropriate in this location and with dense vegetation (some evergreen) along all boundaries, there would be minimal impact on residential amenity.

5.17 It is not considered that the proposed changes to the design would have any significant impact on the amenities of the neighbouring properties and the proposal is considered to be acceptable in terms of Local Plan Policy HOU5.

#### Impact on Road Safety

5.18 Policy TPT1 of the local plan seeks to reduce the need to travel by car and promote alternative modes of transport and to ensure that highway access can be provided to an appropriate standard which would not adversely affect the safety or satisfactory operation of the highway network, nor cause an unacceptable loss of amenity to users of adjacent land.

5.19 The existing vehicular access would continue to be used, and an extended driveway with turning circle and a detached garage, would be provided which could easily accommodate off-road parking (see layout plans). As the precedent for vehicular access has already been set, it is considered that any residual impact on road safety would not be severe.

#### **Conclusion and Recommendation**

Overall, the principle of a new dwelling on this site has previously been established by the extant permissions. Whilst the apparent bulk of the dwelling (and its consequent landscape impact) would arguably be marginally increased over the permitted scheme, it is considered that the proposed contemporary design would be of a higher quality and, subject to conditions controlling design details and materials, would have an acceptable impact on the character and appearance of the area and Cotswolds Area of Outstanding Natural Beauty. The proposal would also have an acceptable impact on neighbouring amenity and highway safety in line with Policy TPT1 of the Local Plan. The proposal is therefore considered acceptable and therefore, subject to conditions, 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 Building operations shall not be commenced until samples of the external materials to be used 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.
- 3 No development shall take place until there has been submitted to and approved by the Local Planning Authority in writing, a comprehensive scheme of landscaping, which shall include indications of all existing trees (including spread and species) and hedgerows on the land and details of any to be retained together with measures for their protection during the course of development.
- 4 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.

- 5 A plan indicating the positions, design, materials and type of boundary treatment to be erected shall be submitted to and approved by the Local Planning Authority. The boundary treatments shall be completed in accordance with the approved plans before the dwelling is first occupied.
- 6 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 private car garages (other than that shown on the approved drawing) or extensions shall be erected or constructed on this site without the prior express permission of 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 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.
- 3 To ensure that the new development will be visually attractive in the interests of amenity in accordance with Policies HOU7 and LND7 of the Tewkesbury Borough Local Plan to 2011 - March 2006
- 4 To ensure that the new development will be visually attractive in the interests of amenity in accordance with Policy LND7 of the Tewkesbury Borough Local Plan to 2011 - March 2006.
- 5 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 and to protect the residential amenity of nearby residential properties, in accordance with Policy HOU7 of the Tewkesbury Borough Local Plan to 2011 - March 2006.
- 6 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 and to protect the residential amenity of nearby residential properties, in accordance with Policy HOU7 of the Tewkesbury Borough Local Plan to 2011 - March 2006.

Note:

**Statement of Positive and Proactive Engagement**

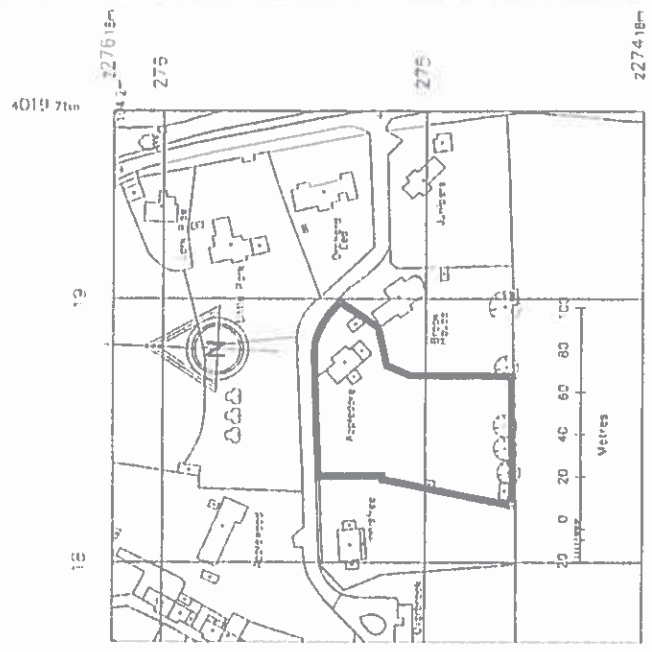
In accordance with the requirements of the NPPF the Local Planning Authority has sought to determine the application in a positive and proactive manner offering pre-application advice, detailed published guidance to assist the applicant and published to the council's website relevant information received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

B/00540 H/W

87/190



Block Plan 1:500



Location Plan 1:1250

**CHELTENHAM ARCHITECTS STUDIO**  
 Unit 8 Bishops Meads  
 Cheltenham  
 Glos  
 GL50 1DY  
 01242 245273

Mr. A. Ratcliffe

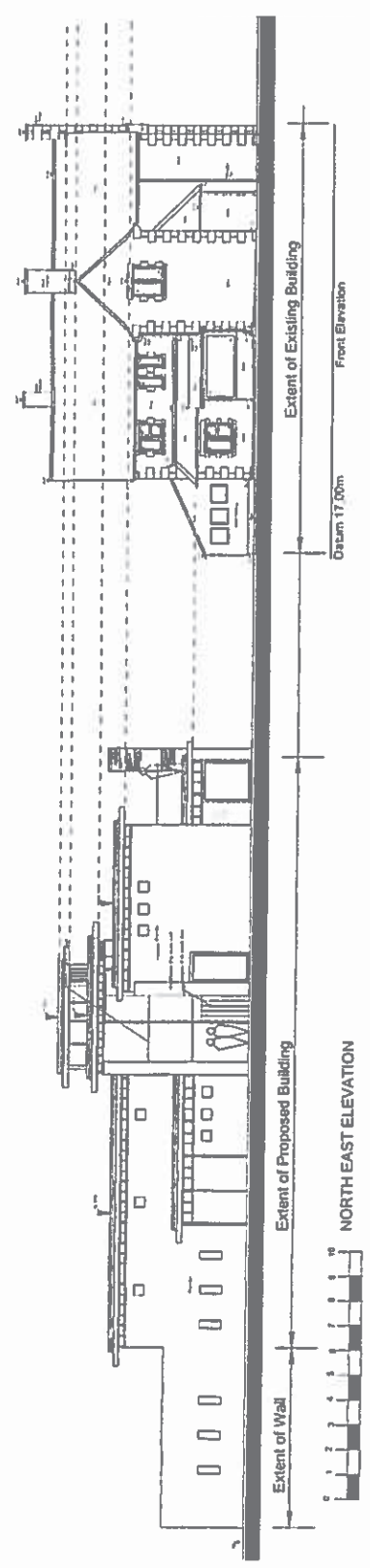
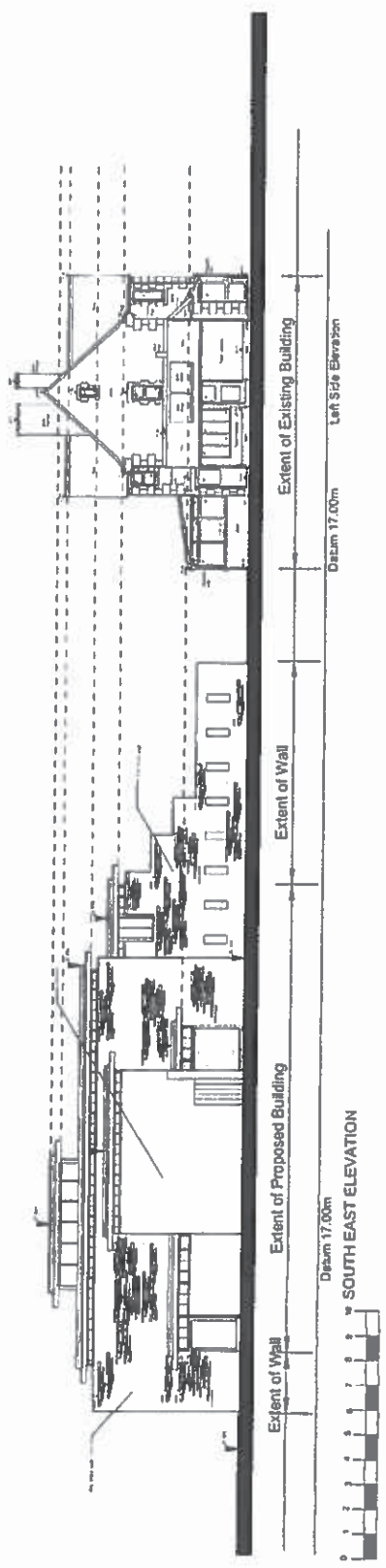
New Dwelling  
 Appledore  
 Cornwell Lane  
 Winchcombe

Location Plan  
 Block Plan

SCALE 1:1250 1:500

DATE JUNE 2010 DRAWN BY AJS

2010 / 78 / 99



**CHELTENHAM ARCHITECTS STUDIO**

Unit 8 Berkeley Mews  
Cheltenham  
Glos  
GL50 1DY  
01242 243273

Mr. A. Ratcliffe

New Dwelling  
Appledore  
Cornwell Lane  
Winchcombe

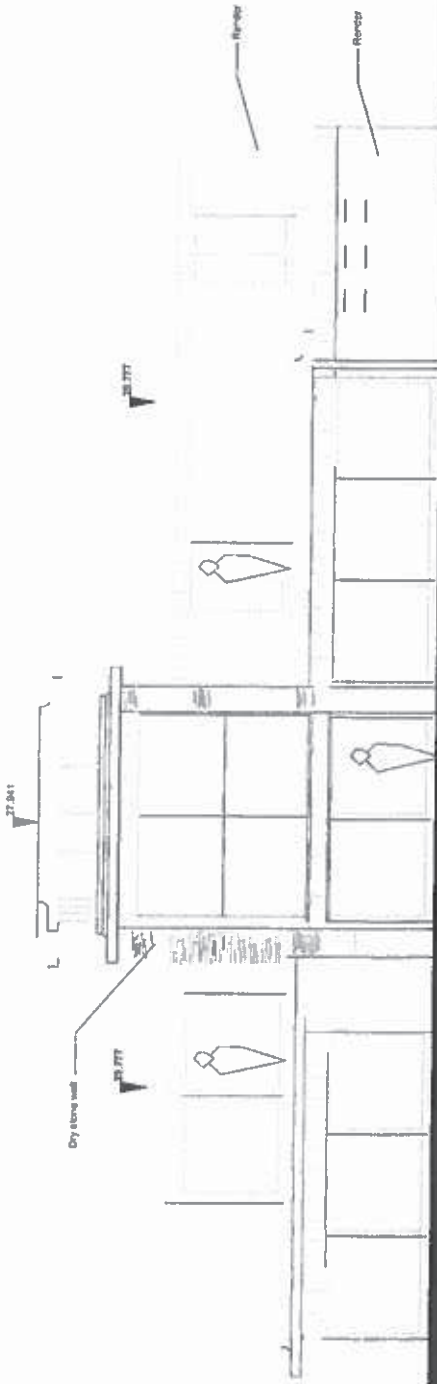
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Comparison Elevations

Scale 1:100

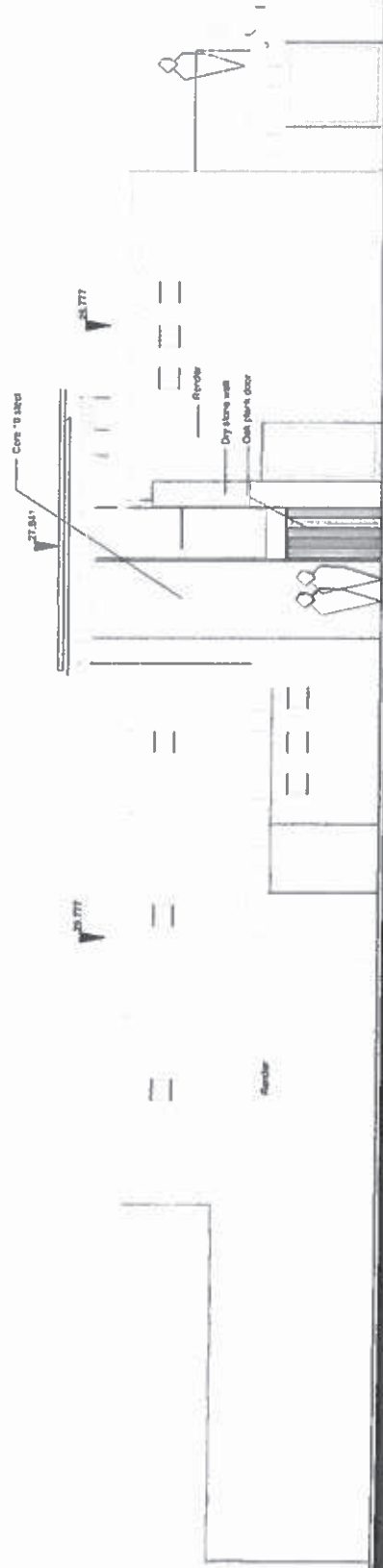
Date June 2010  
Drawn by A.J. Smith

2010 / 78 / 165

877C<sup>92</sup>



SOUTH WEST ELEVATION



NORTH EAST ELEVATION

**CHELTENHAM ARCHITECTS STUDIO**

Unit 8 Berkeley Mews  
Cheltenham  
GL50 1DY  
01242 245273

Mr. A. Radcliffe

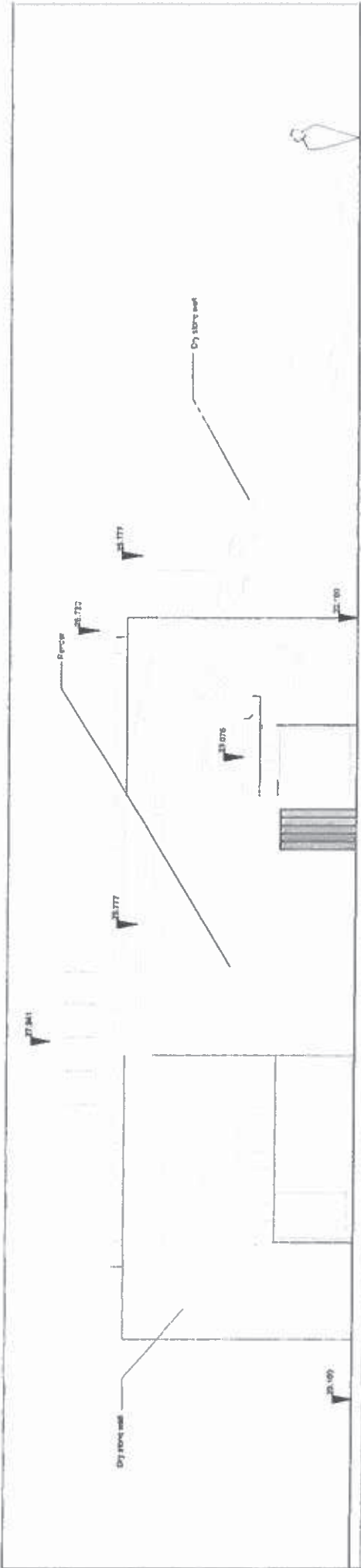
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Appledore  
Cornwell Lane  
Winchcombe

Proposed Elevations

Scale 1:50

June 2010

2010 / 76 / 21



**SOUTH EAST ELEVATION**

Datum 17.00m



87/D<sup>93</sup>



**NORTH WEST ELEVATION**



**CHELTENHAM ARCHITECTS STUDIO**

Unit 8 Berkley Meads  
Cheltenham  
Glos.  
GL50 1DY  
01242 245273

Mr. A. Raddiffe

New Dwelling  
Appledore  
Cornwell Lane  
Winchcombe

Proposed Elevations

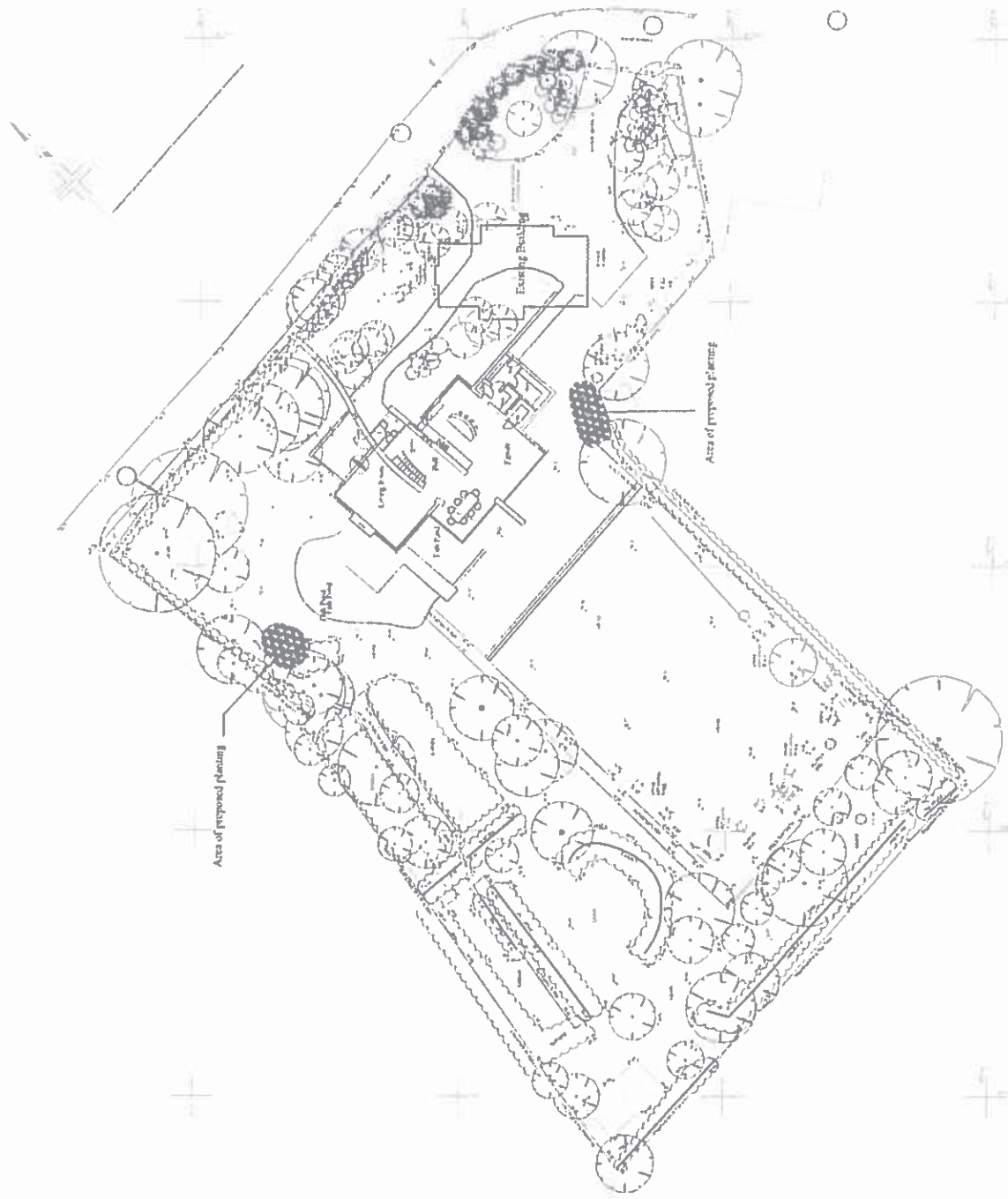
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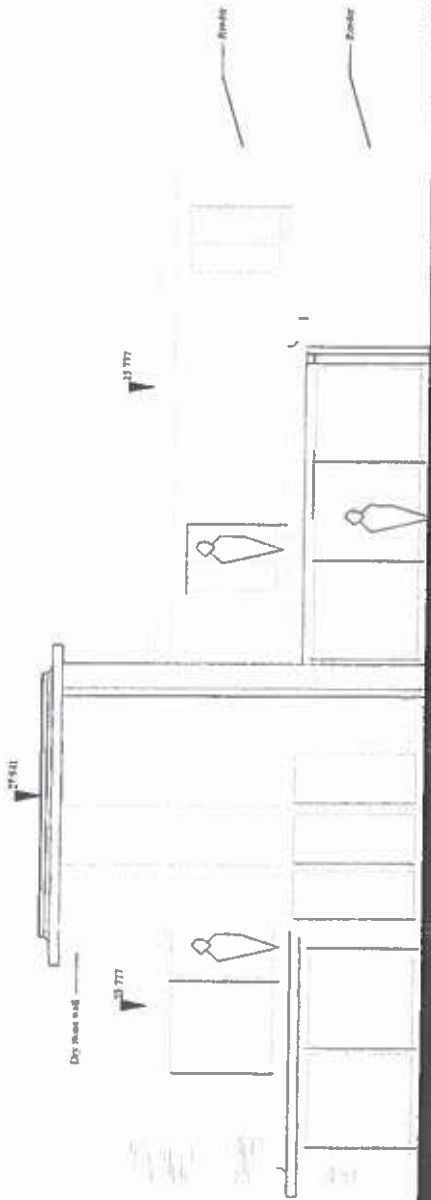
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2010 / 76 / 22A

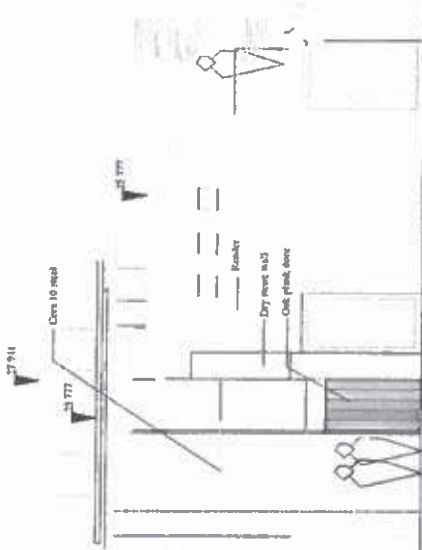


19 March 2012, Mature Trees Audit	
<b>CHELTEHAM ARCHITECTS STUDIO</b> Unit 8 Berkeley, New Cheltenham Glos GL50 1DY 01242 245273	
Mr Taylor	
New Dwelling Appledore Cornwell Lane Winchcombe	
Proposed Block Plan Mature Tree Planting	
Scale	1:200
Date	June 2012
2012 / 15 / 02	





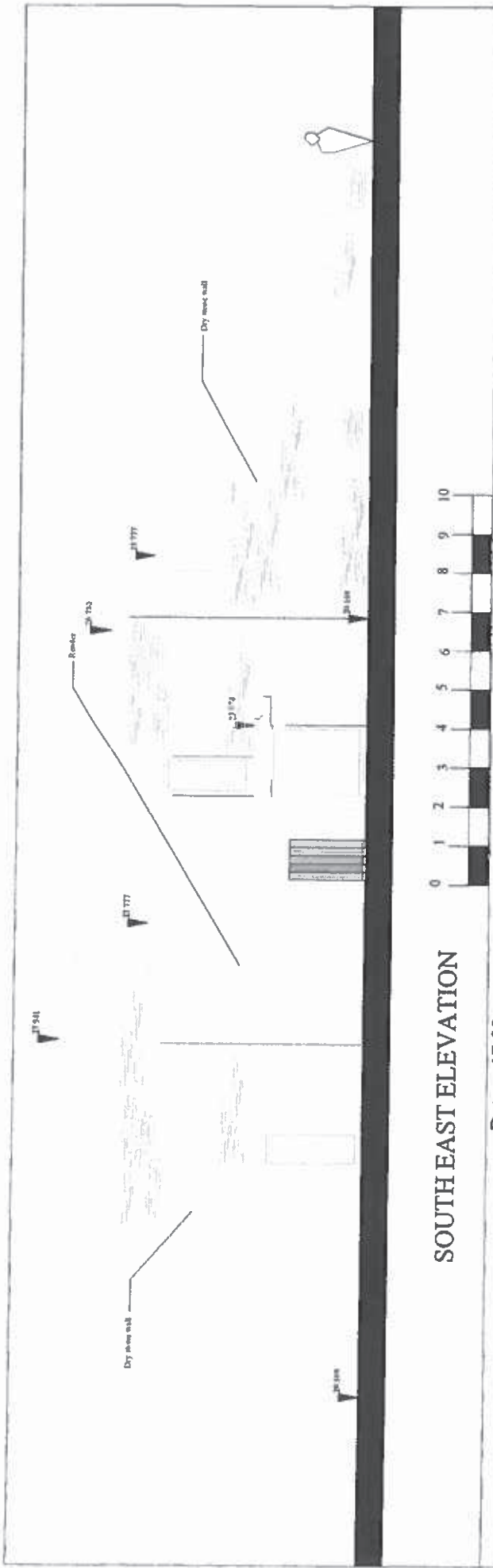
SOUTH WEST ELEVATION



NORTH EAST ELEVATION

<p>CHELTENHAM ARCHITECTS STUDIO</p> <p>Unit 8 Berkeley Mews 1 Cheltenham GL50 1DY 01242 245275</p>	<p>Mr. Taylor</p>	<p>New Dwelling Appledore Cornwell Lane Winchcombe</p>	<p>Proposed Elevations</p>
<p>Scale 1:50</p>	<p>July 2012</p>	<p>2012 / 15 / 04 A</p>	

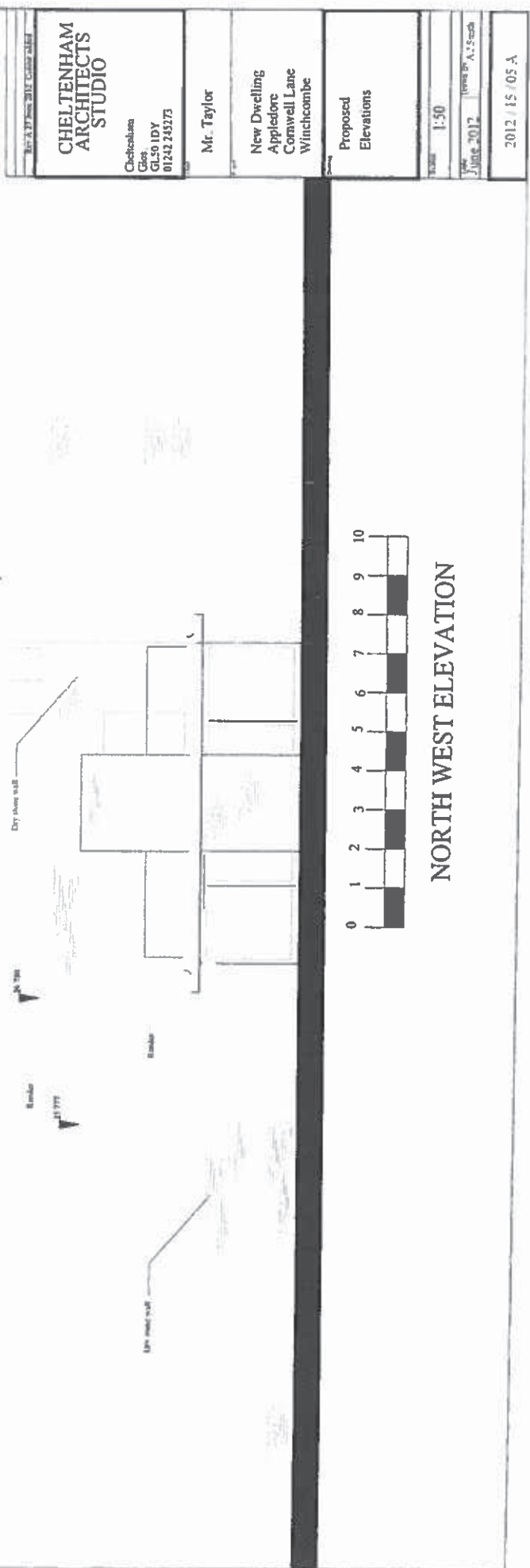
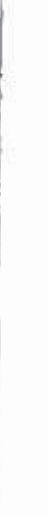
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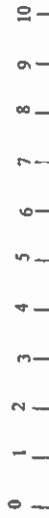
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Datum 17.00m

96  
97 / G



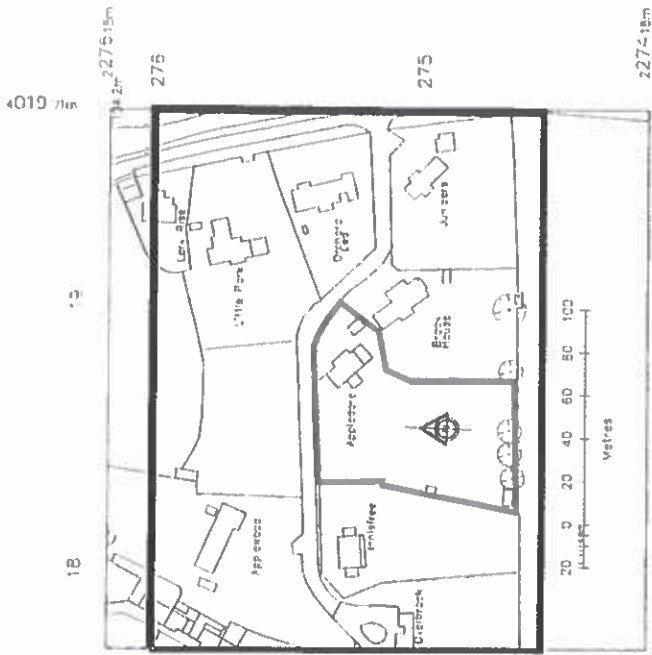
**NORTH WEST ELEVATION**



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<p>Scale 1:50</p>		<p>June 2012</p>	<p>Drawn by A.J. Smith</p>	<p>2012 / 15 / 05 A</p>



**Block Plan 1:500**



**Location Plan 1:1250**

**SMITH  
HOTCHEN  
PARTNERSHIP**  
Unit 8 Berkeley Mews  
Cheltenham  
Glos.  
GL50 1DY  
01242 245273

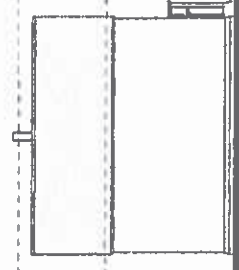
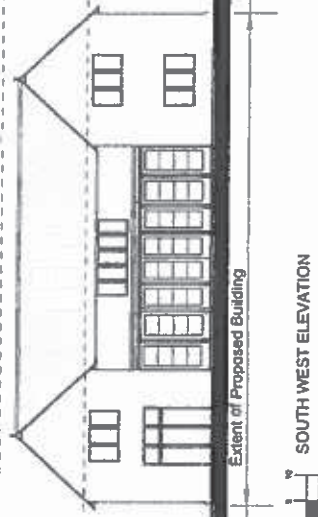
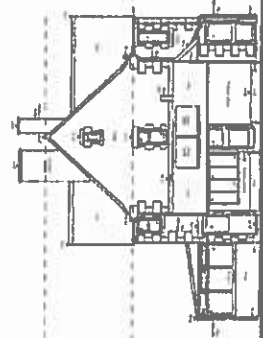
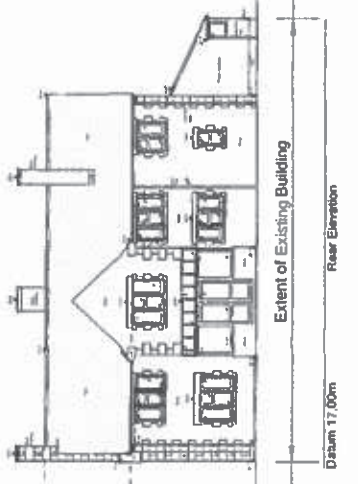
New Dwelling  
Appledore  
Cornwell Lane  
Winchcombe

Location Plan  
Block Plan Proposed

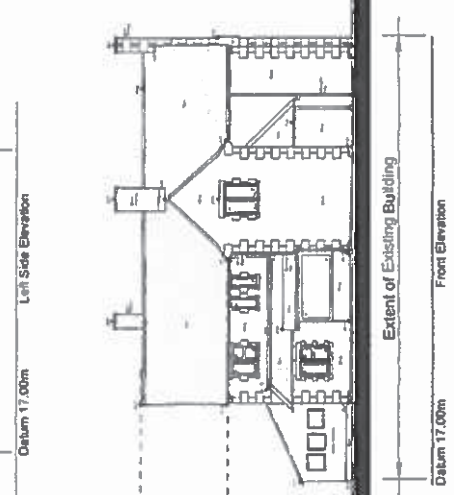
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Date November 2014  
Drawn by A.J. Smith

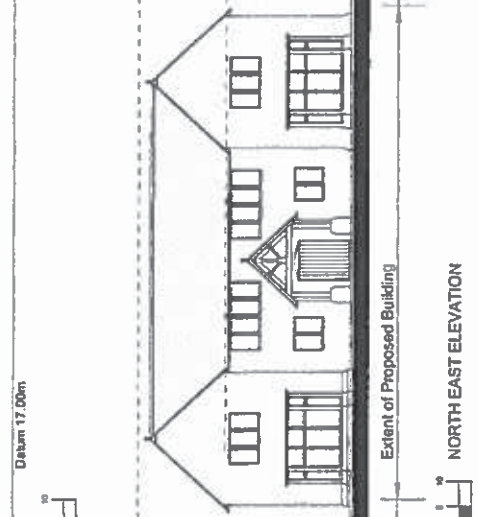
2014/18/101



SOUTH EAST ELEVATION



NORTH EAST ELEVATION



**SMITH  
HOTCHEN  
PARTNERSHIP**  
Unit 8 Berkeley Mans  
Chesham  
Glos. GL50 1DY  
01242 248273

Mr. D. Fox

New Dwelling  
Appledore  
Cornwell Lane  
Winchcombe

Proposed and Existing  
Comparison Elevations

1:100

© 2014  
November 2014  
Drawn by A.J. Smith

2014 / 16 / 108

98  
87 / I



15/00352/APP  
15/00352/APP  
Valid 16.04.2015

Parcel 2521, Banady Lane, Stoke Orchard

8

Reserved matters application for the erection of 45 dwellings (29 Open Market and 16 Affordable Houses) with access from Banady Lane, the provision of balancing ponds and swale and Public Open Space (including a LAP) - pursuant to outline consent 14/00074/OUT.

Grid Ref 392260 228197  
Parish Stoke Orchard And  
Tredington  
Ward Oxenton Hill

Knarsboro Homes Limited  
FAO Mr Rob Phipps  
The Old Granary  
Whitlenge Farm  
Whitlenge Lane  
Hartlebury

## RECOMMENDATION Delegated Permit

### Policies and Constraints

Tewkesbury Borough Local Plan to 2011 - March 2006 - Policies GNL2, GNL8, HOU13, TPT1, TPT3, EVT2, EVT3, EVT4, EVT5, EVT9, LND4, LND7, RCN1, RCN2, NCN5  
Joint Core Strategy Submission Version (November 2014)  
Flood and Water Management Supplementary Planning Document  
NPPF  
Planning Practice Guidance  
Human Rights Act 1998 - Article 8 (Right to Respect for Private and Family Life)  
The First Protocol, Article 1 (Protection of Property)  
Public Rights of Way

### Consultations and Representations

**Stoke Orchard Parish Council** - Make "no comment" on the application.

**County Highways** - An up-date will be provided at Committee.

**Flood Risk Management Engineer** - An up-date will be provided at Committee.

**Housing Enabling and Strategy Officer** - No objections

**Severn Trent Water Ltd** - No objections.

**County Archaeology** - No objection and recommend no further archaeological investigation is required as part of the reserved matters application.

**Local Residents:** A letter of objection has been received from local residents living opposite site on Banady Lane. The objectors make the following comments:

- It is pointed out that the Outline illustrative plan showed the cul-de-sac serving plots 11 to 14 as linking to the main access onto Banady Lane, whereas the current layout shows a shared private driveway for plots 12 to 13 linking directly onto Banady Lane with plot 11 also having a direct link onto it. The objector expresses concern that the proposed layout may cause visibility problems for vehicles entering leaving their property, vehicles using the courtyard and using those using the shared private driveway. The objector states that they would support an amendment to the plan that would extend to include Plot 11 which it is considered would be safer.
- Point out that the Construction Method Statement indicates that the site compound would be located on land not owned by the applicants. It is considered that the compound should be located on the application site.

**Planning Officers Comments:** Mr John Hinett

### 1.0 Introduction

1.1 The application site is bounded by Banady Lane to the north and Stoke Road to the South. Immediately to the east of the site is a row of semi-detached residential properties and an established employment site. To the northwest of the site is existing residential development and to the south is open fields and countryside beyond Stoke Road. To the west of the site is a small orchard which contains a number of protected trees.



1.2 The application site is generally flat and set at a slightly higher level than Stoke Road. The site consists of unimproved grassland with a native hedge line to the western boundary and numerous mature trees and sporadic vegetation to the southern and eastern boundaries. The site contains a number of protected fruit trees and a public footpath crosses the site on a north to south axis. The site is not subject to any formal landscape designation.

## 2.0 Relevant Planning History

2.1 Outline planning application 14/00074/OUT for the erection of 45 dwellings (open market and affordable homes), construction of new vehicular access from Banady Lane, provisions of road and drainage infrastructure and public open space (all matters reserved except access) was refused in May 2014 for the reasons that: in addition to the development already committed at the Coal Research Establishment (CRE) site, the proposal would have a harmful impact on the social well-being of the local community; the proposal would have a harmful landscape impact; and that the site was poorly served by public transport and future residents of the proposed development would be heavily reliant on the use of the private motor car to meet their day to day transport needs. For these reasons the proposal does not therefore represent sustainable development within the context of paragraph 14 of the NPPF.

2.2 A subsequent appeal against the Council's refusal was successful and the proposal was allowed in January 2015. In allowing the Appeal the Inspector concluded that the likely reliance on the private car would be limited by the proximity of the site to larger towns and settlements (thereby resulting in short car journeys) and the improved bus service to be secured via a s106 obligation. The Inspector considered that the Council's alleged impacts on social cohesion were intangible and concern relating to the level of growth within the village had not been supported by any firm evidence relating to social impacts or pressure on local services. Overall, the Inspector concluded that there were no adverse impacts identified that would significantly and demonstrably outweigh the benefits of granting planning permission.

## 3.0 Current Application

3.1 The current application is a reserved matters application (RMA) pursuant to the outline permission mentioned above (14/00074/OUT) and seeks approval for appearance, landscaping, layout and scale (**see attached plans**). The application proposes 45 dwellings (29 Open Market and 16 Affordable Houses) with access from Banady Lane, the provision of balancing ponds and swale and Public Open Space (including a LAP).

### Plans will be displayed at Committee

## 4.0 Analysis

4.1 The key issues to be considered in relation to this reserved matters application are considered to be layout, house types, scale, residential amenity, landscaping, highway and parking issues, public open space, affordable housing provision and drainage.

### Layout and Design

4.2 The NPPF states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes. Policy SD5 of the Joint Core Strategy Submission Version (November 2014) similarly seeks good design reflecting the guidance.

4.3 An indicative layout was agreed as part of the Outline consent. In addition, the Design and Access Statement also set out the scale parameters for the proposed dwellings (height, width and depth).

4.4 The approved indicative layout was negotiated during the outline application and indicated a development served off a principle site access with an internal loop road allowing permeability through the site and for perimeter blocks to be formed. Dwellings along Banady Lane and Stoke Road faced towards those roads replicating the existing pattern of development (**see approved outline layout plan**). Dwellings to the southern edge of the site would overlook the public open space providing good surveillance. The indicative layout also showed that the protected trees to the east of the site would be retained and incorporated into the development. The Outline DAS set out that the proposed dwellings would be of a similar size and scale to the existing dwellings in close proximity to the site (with particular reference to Dean Lane in the village) and specifying that none of the dwelling exceeding 8.8m in height.

4.5 In determining the Appeal the Inspector considered that the indicative layout demonstrated that the proposal: "...would relate well in terms of form and scale to the existing settlement pattern at the eastern edge of the village. In these respects, the scheme has been sensitively planned to take account of the character and appearance of the area and would be in accordance with the aims of saved policy LND4 of the Local Plan, policy SD7 of the emerging JCS, and the aims of paragraph 17 of the Framework, as described above.

4.6 The submitted layout is very similar in all respects to the indicative outline layout. A principle site access is proposed off Banady Lane leading to an internal loop road (see proposed layout plan). One minor change from the layout attached to the outline permission is the provision of an additional access serving the dwellings facing onto Banady Lane. Dwellings along Stoke Road and Banady Lane are orientated such that they front those roads and also overlook the areas of public open space. The areas of public open space and retained trees are also in accordance with the illustrative outline plan. Given the conclusions of the Inspector, the submitted layout is therefore considered acceptable.

#### House Types

4.7 The proposed house types comprise a mix of detached and semi-detached dwellings with a general distribution around the site which accords with the outline illustrative layout. The market house types would comprise three 5 bedroomed units, eleven 4 bedroomed units and fifteen 3 bedroomed units. The affordable units would comprise three 3 bedroomed semi-detached units, seven 2 bedroomed semi-detached units, four 1 bedroomed apartments (maisonettes) and two 2 bedroomed bungalows. The dwellings would range from 8.6m to 8.0m for the two storey units and 5.8m for the bungalows. The eaves heights for the two storey dwellings vary: some being 1.5 storeys and the remainder being two storeys. None have second floor accommodation within the roof space (see typical house types).

4.8 The submitted design and access statement states that the design of the proposed dwellings deliberately reflects the existing dwellings recently constructed on Dean Lane adjacent to and opposite the site. The dwellings would comprise simple 'cottage' designs with simple detailing "...to create a separate identity to the site". The features would include steep roofs, cottage windows, plain tiles, red stock facing bricks and brick verges.

4.9 Officers consider that the proposed house types are generally of a good quality and design and appropriate to the local context. Conditions would be necessary to ensure the materials conform to the submitted details.

#### **5.0 Landscape and Visual Impact**

5.1 One of the core planning principles of the NPPF is that the planning system should recognise the intrinsic character and beauty of the countryside. Section 11 of the NPPF sets out that the planning system should contribute to and enhance the local environment by, inter alia, protecting and enhancing valued landscapes. Policy LND4 of the Local Plan states that in considering proposals for development in rural areas, regard will be given to protect the character and appearance of the rural landscape. Policy SD7 in the Pre-Submission JCS states that development will seek to protect landscape character for its own intrinsic beauty and for its benefit to economic, environmental and social well-being.

5.2 The site is situated in a prominent semi-rural location with views to the south of agricultural land and the distant Cotswold escarpment. In considering the Outline appeal the Inspector noted that the proposed indicative layout and retention of the existing hedgerows would provide a significant degree of mitigation for the proposed development. He considered that when viewed from Stoke Road the proposed open space and the retained hedgerows would partially screen the dwellings and any views would be fleeting and transitory for passing traffic. Furthermore, in retaining existing hedgerows, the layout would respect the pattern of enclosed fields to the north of Stoke Road. The Inspector considered that the close relationship with existing built development was such that "the scheme would not appear isolated but would integrate with the village in a visual sense". In allowing the appeal the Inspector imposed a condition (no. 7) requiring the retention of trees and hedgerows given the importance of retaining these features in mitigating the impact upon the character and appearance of the area.

5.3 As set out above, the proposed layout is almost identical to the Outline indicative layout. The layout and landscaping details indicate that the important hedges and protected trees identified by the Inspector (and set out in the approved Outline Arboricultural Survey, Impact Assessment and Method Statement) are to be retained. Where parts of hedges are to be removed, they would be replaced with native species hedges.

5.4 The heights and scale of the proposed dwellings are also in accordance with the scale parameters set out in the Outline DAS. The landscape impact of these dwellings would be the same as that considered acceptable (subject to mitigation) by the Planning Inspector. The current proposal is therefore considered acceptable in this regard.

5.5 Condition 7 of the outline planning (14/00074/OUT) also requests that tree protection details are provided prior to development commencing, and that the tree protection measures must be in place prior to construction commencing. Following the advice from the Council's Landscape Specialist, a revised tree protection plan has been submitted which shows the trees and hedgerows to be retained, and the location of the protective fencing - which would be in place prior to construction commencing.

5.6 The proposal is therefore considered acceptable in terms of the NPPF, Local Plan Policy LND4 and JCS Policy SD7.

## 6.0 Residential amenity

6.1 Policy HOU5 of the Local Plan stipulates that new housing developments should not result in an unacceptably low degree of residential amenity for existing properties in the area and the proposed new dwellings.

6.2 It is considered that the relationship between the proposed dwellings is acceptable in terms of residential amenity and would provide for acceptable living conditions. The relationship of the proposed dwellings to the existing dwellings along Banady Lane would similarly be acceptable with the closest front window-to-window distance being approximately 26 metres.

## 7.0 Highway and parking issues

7.1 Section 4 of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. Policy TPT1 of the Local Plan highlights that development will be permitted where provision is made for safe and convenient access and where an appropriate level of public transport service and infrastructure is available. The resulting development should also not adversely affect traffic generation, safety and satisfactory operation of the highway network. Policy INF2 of the Joint Core Strategy Submission Version (November 2014) requires developers to assess the impact of proposals on the transport network to ensure that they will not detrimentally affect its safety or efficiency. Planning permission will be granted only where the impact of development is not considered to be severe and cannot be mitigated.

7.2 Objection has been raised from a local resident expressing concern that the private driveway serving plots 12, 13 and 14 exits onto Banady Lane at a point directly opposite his existing dwelling. The objector expresses concern that this proposed layout may cause visibility problems for vehicles entering leaving their property, vehicles using the courtyard and using those using the shared private driveway.

7.3 The County Highways Authority (CHA) have assessed the submitted details and have requested further information relating to the accesses onto Banady Lane. At the time of writing this report the applicants have submitted the requested information which is being assessed by the CHA. **An up-date will be provided at Committee.**

### Parking provision

7.4 A car parking schedule has been provided with the application which indicates a total number of 78 car parking spaces plus 34 garage spaces (112 spaces in total) for the 45 dwellings. All car parking spaces would be conveniently located to the dwellings and all off-street. The proposed parking is therefore considered acceptable in this regard.

### Public Rights of Way

7.5 There is a public footpath (ASO/17/1) which currently runs through the centre of the site which requires diverting as a consequence of the development. This matter was considered during the Outline application which showed the realigned footpath running along the southern edge of the site. Condition 9 of the outline permission (14/00074/OUT) requires submission of the proposed realignment for approval by the Local Planning Authority "prior to the commencement of development". Footpath realignment plans have been submitted with the current application which generally accord with the approved masterplan.

7.6 The realignment will however, be required to be officially confirmed through a separate application under Section 257 of the Town and Country Planning Act. Such an application has been submitted (15/00281/FTP) which is currently being considered. The outcome of the Section 257 application does not preclude determination of this reserved matters application and is separate to it.

## 8.0 Affordable housing provision

8.1 The approved S106 Agreement for this development requires the provision of 16 affordable housing units (or a minimum of 35.55%) across the site with a tenure split of 75% rented affordable housing and 25% shared ownership units.

8.2 The application proposes 16 affordable homes comprised of the following:

- 3 x 3 bedrooomed semi-detached units,
- 7 x 2 bedrooomed semi-detached units,
- 4 x 1 bedrooomed apartments (maisonettes)
- 2 x 2 bedrooomed bungalows.

8.3 The Strategic Housing and Enabling Officer has been consulted and notes that amount and mix of affordable units is in accordance with the Section 106 Agreement and that all elements of the affordable housing meet expectations as agreed at the outline stage. It is noted that the sizes of the affordable homes meet minimum requirements and that the clustering and positioning is as agreed at the outline stage. The proposal therefore satisfies the requirements of the S106 Agreement and is considered to be acceptable.

## 9.0 Flooding and drainage

9.1 Policy EVT9 of the Local Plan requires that development proposals demonstrate provision for the attenuation and treatment of surface water run-off in accordance with sustainable urban drainage systems (SUDS) criteria. Policy INF3 of the Joint Core Strategy (November 2014) replicates the advice in the NPPF. The adopted Flood and Water Management Supplementary Planning Document sets out a number of key objectives that reflect current guidance.

9.2 The issue of flooding was addressed at outline stage. The Flood Risk Assessment (FRA) submitted with the Outline application recognised the local concerns about surface water flooding and undertook modelling which concluded that most areas of the proposed development site are not affected by flooding during the most extreme modelled storm event. The FRA noted that the southern boundary and south eastern corner of the site are shown to be at increased risk of flooding which is believed to be caused by exceedance of the roadside drain and a surface flow route along the highway. The FRA therefore recommended that the finished floor level of new dwellings should be set at least 150mm above the surrounding ground levels and a drainage system utilising a pond and swale as the main runoff attenuation and treatment areas, supplemented with pervious paving and runoff measures such as water butts.

9.3 The Council's Flood Risk Manager has assessed the submitted details and is satisfied that the proposed strategy of above ground surface water attenuation is acceptable and in accordance with the outline Flood Risk Assessment. However, further information has been requested with regard to detailed design of the drainage scheme. **An up-date will be provided at Committee.**

## 10.0 Open Space, Outdoor Recreation and Sports Facilities

10.1 The NPPF sets out that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Furthermore, policy RCN1 requires the provision of easily accessible outdoor playing space at a standard of 2.43ha per 1000 population.

10.2 The issue of Public Open Space was agreed at the Outline stage. The proposed layout includes an area of open space including a Local Area of Play (LAP) along the southern edge of the site in general accordance with the approved illustrative masterplan. A contribution towards off-site sports provision was secured through the Outline Section 106 Agreement. Detailed plans of the proposed LAP have been submitted with the application. The Councils Community & Economic Development Manager has assessed the submitted details and whilst happy in principle with what is being proposed, requires further details in the form of manufacturers' specifications prior to agreeing the proposal. These details have been requested on the equipment and specification. **An up-date will be provided at Committee.**



## 11.0 Other conditional requirements

### Condition 4: Levels

11.1 Condition 4 of the Outline consent required details of the existing and proposed ground levels and proposed ground floor slab levels of the buildings to be submitted with the reserved matters application. Those details have been provided which demonstrate that the proposed slab levels of the buildings would be set at an acceptable height and would not result in the significant raising of levels at any locations within the development.

## 12.0 Conclusion

12.1 The proposal would be based on sound urban design principles and would relate well in terms of form and scale to the existing settlement pattern. Subject to a condition requiring the submission of materials, the detailed design and proposed dwellings is considered acceptable and would be appropriate to the local context. The layout would also provide for an acceptable relationship level residential amenity for both the proposed and existing properties in the area.

12.2 The submitted details demonstrate that the existing trees and hedges to be retained as part of the development would be adequately protected during construction and the resultant development would have an acceptable impact upon the character and appearance of the area.

12.3 The proposal provides for adequate parking facilities and also for on and off-site open space, which would provide suitable living conditions for the future occupiers of the site.

12.4 It is considered that an acceptable affordable housing proposal has been provided in terms of the amount, tenure, mix and distribution across the site. Submitted details demonstrate that a suitable sustainable drainage scheme and management strategy can be secured.

12.5 In light of the above (and subject to the successful resolution of highway and drainage matters), it is considered that the proposal accords with the relevant policies of the Development Plan and is in accordance with the principles and parameters described and identified in the design and access statement. It is accordingly recommended that **Approval be delegated to the Development Manager subject: to the County Highway Authority's confirmation of the acceptability of the proposed road layout; the acceptability of the drainage details and the LAP; and other conditional requirements (as necessary).**

### Summary of Reasons for Decision:

## RECOMMENDATION Delegated Permit

### Conditions:

- 1 Notwithstanding the submitted details, building operations shall not be commenced until samples of all external walling and roofing materials proposed to be used 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.
- 2 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) the following windows:
  - Plot 9 - First-floor bathroom window in the rear south-east elevation
  - Plot 14 - First-floor landing window in the side south-east elevation
  - Plot 30 - First-floor landing window in the side south-east elevation
  - Plot 45 - First-floor landing window in the side south-east elevationshall, prior to the first occupation of the dwellings they serve, be fitted with obscured glass and be non-opening, unless the parts of the window which can be opened are more than 1.7m above the floor of the room in which the window is installed. The windows shall be maintained in this state thereafter.



Reasons:

- 1 In the interests of visual amenity in accordance with the NPPF.
- 2 To safeguard the privacy of residents in the locality.

Notes:

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.

2 This decision relates to the revised plans received by the Local Planning Authority (**see late reps sheet**)

3 This decision is to be read in conjunction with planning permission 14/00074/OUT.

15/00352/APP

**Knarsboro Homes**  
 BY DAVID PAYNE  
 The Development is Licensed  
 by the Planning Department  
 10000 Highway 100, Suite 100  
 Charlotte, NC 28226-4000  
 Tel: 704.366.1234 Fax: 704.366.1235

Dwg. No. K040115/12  
 Date: Mar 15  
 Sheet: A1

RESIDENTIAL DEVELOPMENT AT:  
 LAND AT BANADY LANE  
 CHATELAIN GOLF & COUNTRY CLUB  
 CHATELAIN GOLF & COUNTRY CLUB

PLANNING LAYOUT

Ref	Description	Ink	Date

PROPOSED RESIDENTIAL DEVELOPMENT AT:  
 LAND AT BANADY LANE [14/00074/OUT]

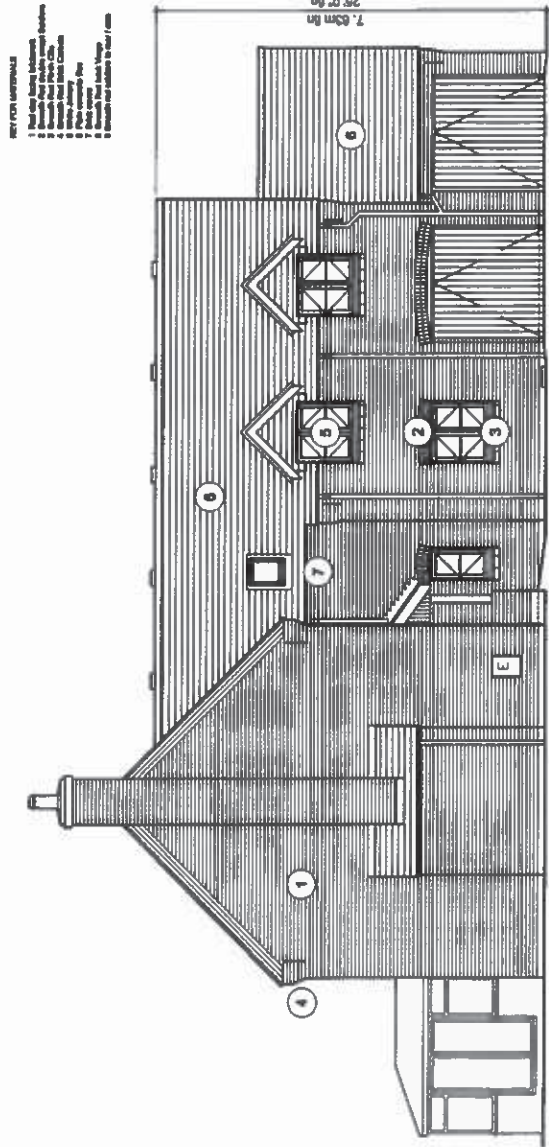
HOUSE TYPES	APPROXIMATE HOUSING
A 2 Bed Guest / Terrace	01 2 Bed Guest
B 3 Bed Guest / Terrace	02 3 Bed Guest
C 1 Bed Apartment	E1 1 Bed Detached
D 2 Bed Duplex	E2 2 Bed Detached
	E3 3 Bed Detached
	ASB 3 Bed Detached
	ASB 4 Bed Detached
	ASB 4 Bed Detached
	AC2 1 Bed Detached
	AA4 4 Bed Detached



106  
 94/A

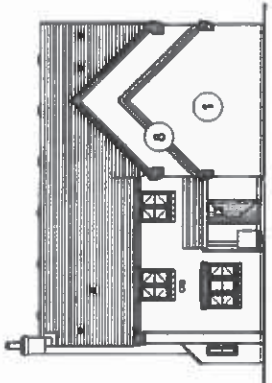


Dwg. No. KH/01/15/110



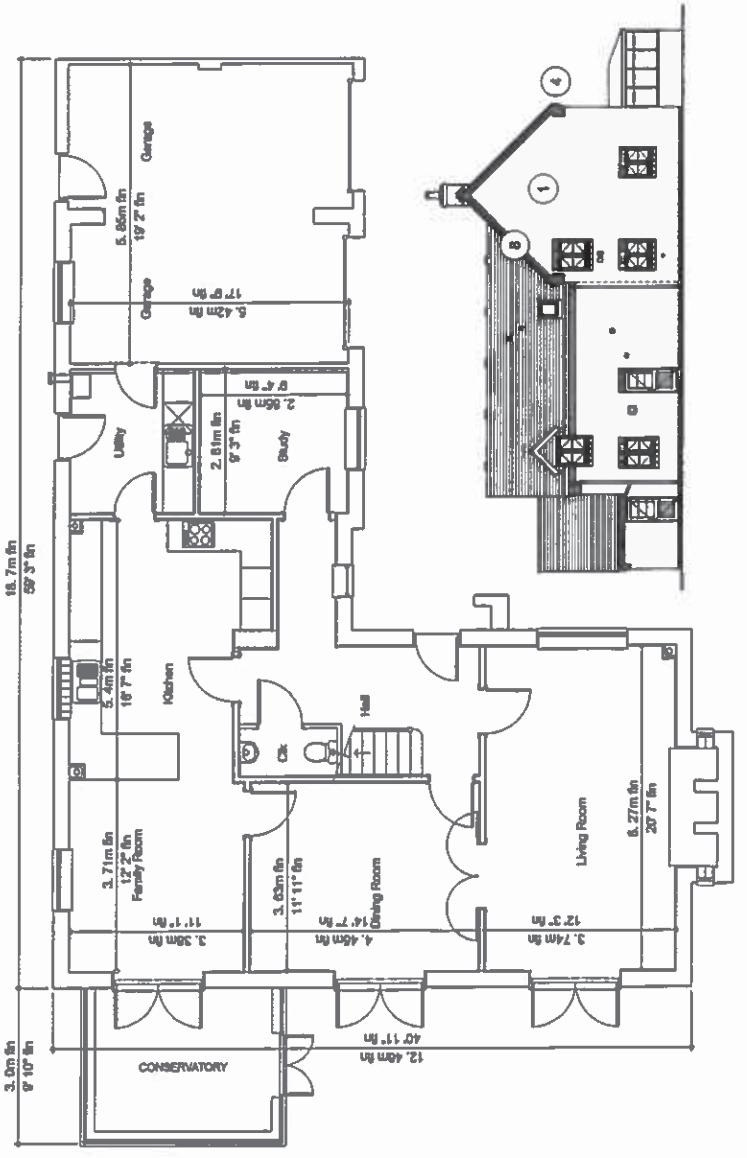
- KEY FOR MATERIALS**
- 1 Red clay facing brickwork
  - 2 Smooth grey stone veneer blocks
  - 3 Smooth grey stone blocks
  - 4 Smooth red brickwork
  - 5 White painted brickwork
  - 6 White painted brickwork
  - 7 White painted brickwork
  - 8 Smooth red brickwork to roof / eaves

REAR ELEVATION

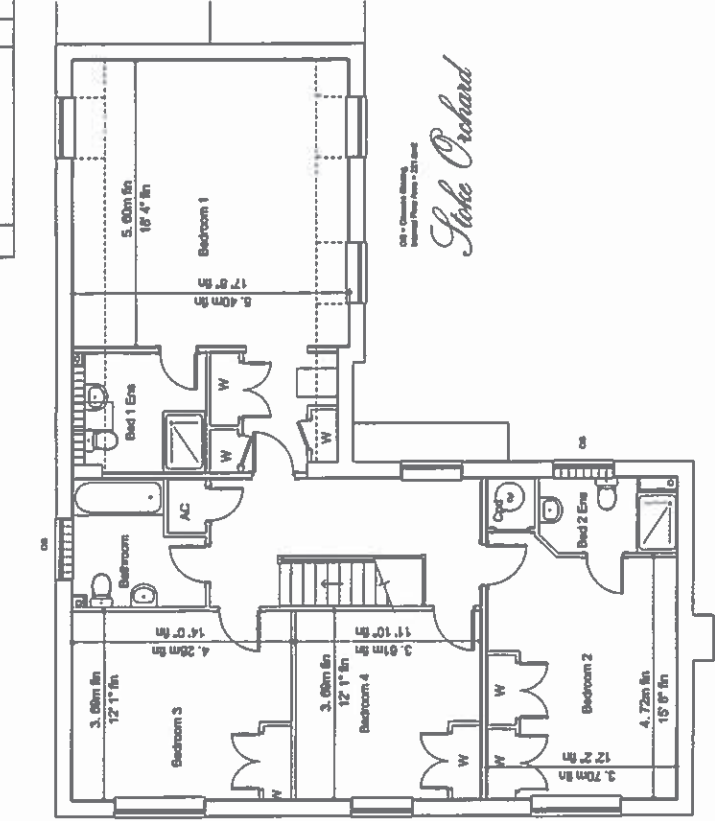


SIDE ELEVATION

BY DAVID PAYNE The David Payne Architects 127-129 West 10th Street, New York, NY 10011 www.davidpayne.com		Sheet Size A1
Dwg. No. KH/01/15/110	Date Feb 13	Scale 1/8" = 1'-0"
SITE: STONE ORCHARD PLOTS: 14		
TYPE A39 - 4 BED THE X PLANNING DRAWING		
Revisions	Date	Drawn
Rev. Description		



GROUND FLOOR PLAN



FIRST FLOOR PLAN

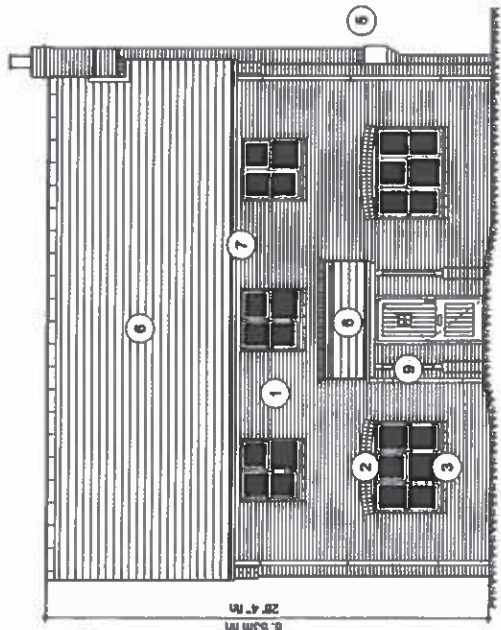
© 11 - David Payne  
Interior Floor Area = 221 sqm  
*Stone Orchard*

108  
94/C

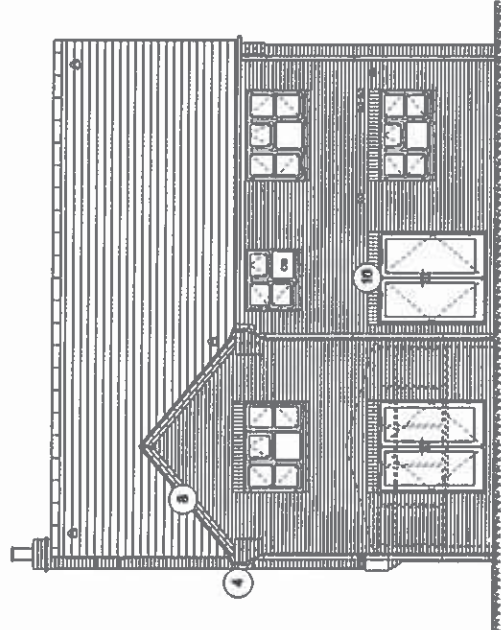


Dwg. No. KH/01/15/120

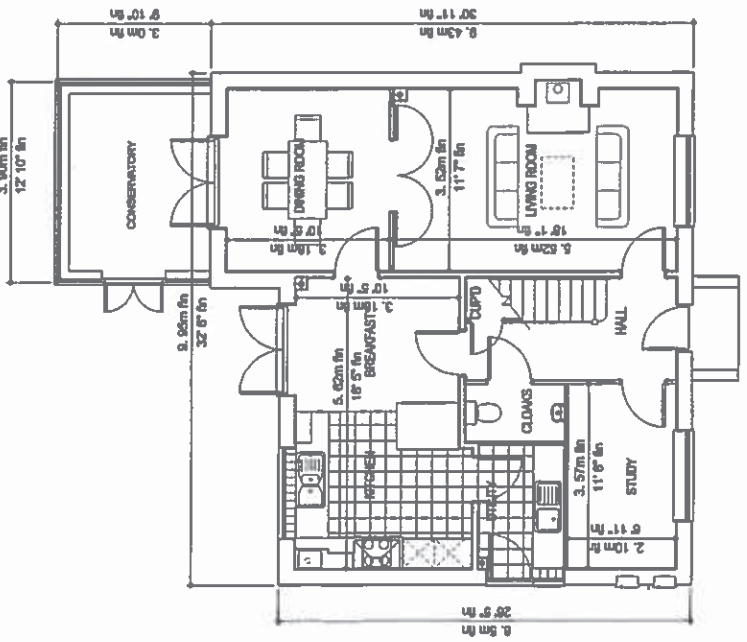
BY DAVID PAYNE Architectural Services 10001 15th Street, Suite 100 Houston, TX 77035 Tel: 281-461-1111 Fax: 281-461-1112 www.davidpayne.com		Sheet Size A1
Dwg. No.	Project Name	Scale
01/15/120	Stoke Orchard	1:50
SITE: STOKES ORCHARD PLOTS: 4, 15, 40		
TYPE A42 - 4 BED THE ALLINGTON PLANNING DRAWING		
Rev	Description	Date



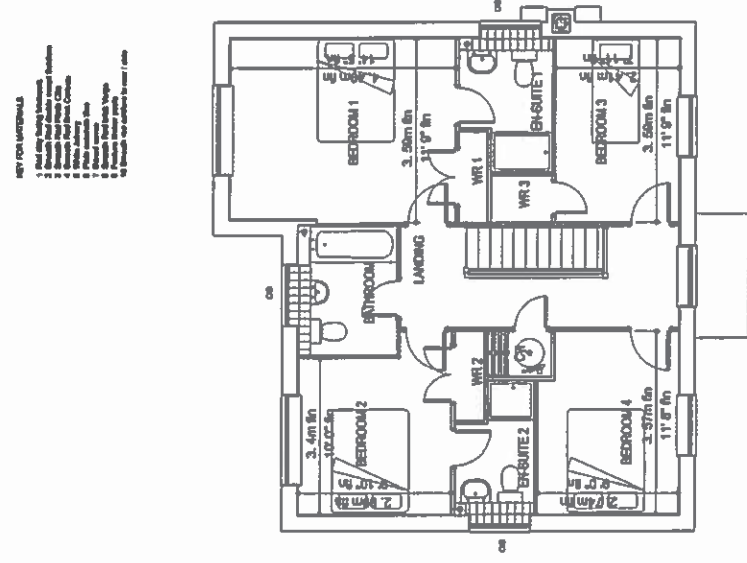
FRONT ELEVATION



REAR ELEVATION

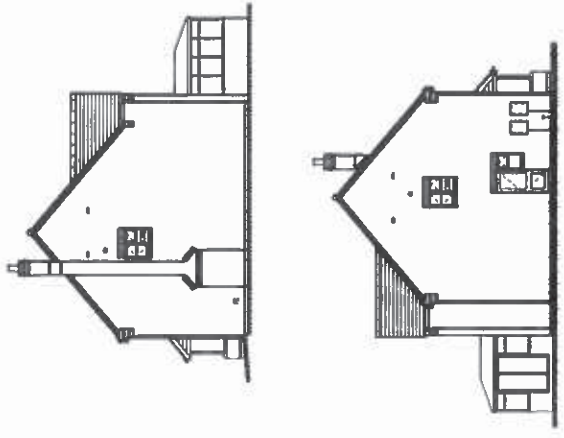


GROUND FLOOR PLAN



FIRST FLOOR PLAN

- KEY FOR MATERIALS
- 1 Red clay facing brickwork
  - 2 Smooth Red double glazed windows
  - 3 Smooth Red double glazed doors
  - 4 Smooth Red brick Chimney
  - 5 White stucco
  - 6 Black stucco
  - 7 Black stucco
  - 8 Black stucco
  - 9 Black stucco
  - 10 Black stucco



SIDE ELEVATIONS

Stoke Orchard

109 94/0



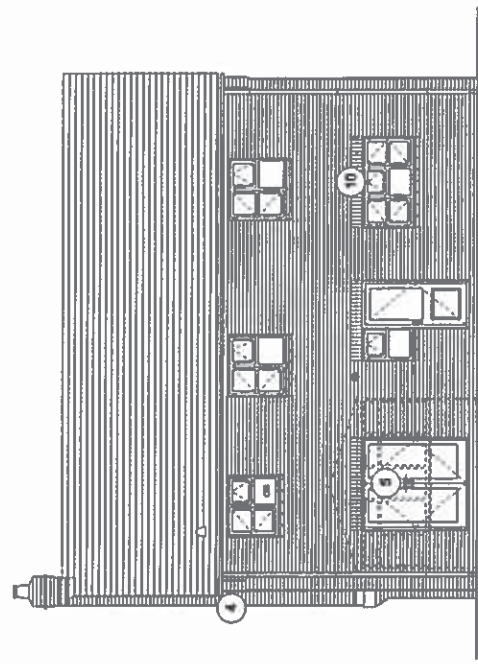
**Kingsboro Homes**  
 BY **DAVID PAYNE**  
 THE ARCHITECT  
 100 MILLERS LANE  
 STONE ORCHARD, STURBRIDGE, WILTSHIRE, WILT. BA9 9JG  
 TEL: 01299 222222 FAX: 01299 222222  
 www.kingsborohomes.co.uk

**Dwg KH/01/15/130**  
 Drawn: **BBH** Date: **Feb 15** Scale: **1:50 @ 1:100**  
 SHEET: **AI**

**SITE: STONE ORCHARD**  
**PLOTS: 2, 17, 18, 41**

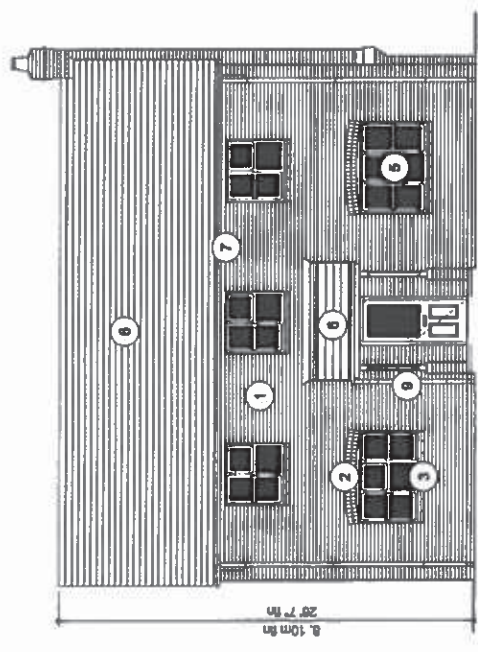
**TYPE A44 - 4 BED THE THORNBURY PLANNING DRAWING**

Rev	Description	Date



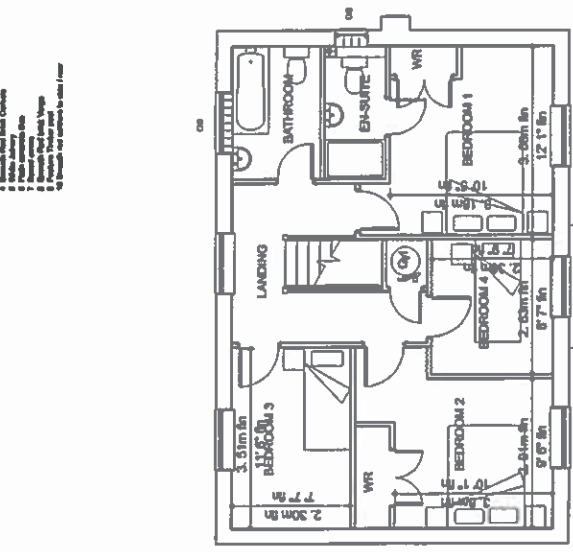
Complementary system advised for safety

REAR ELEVATION

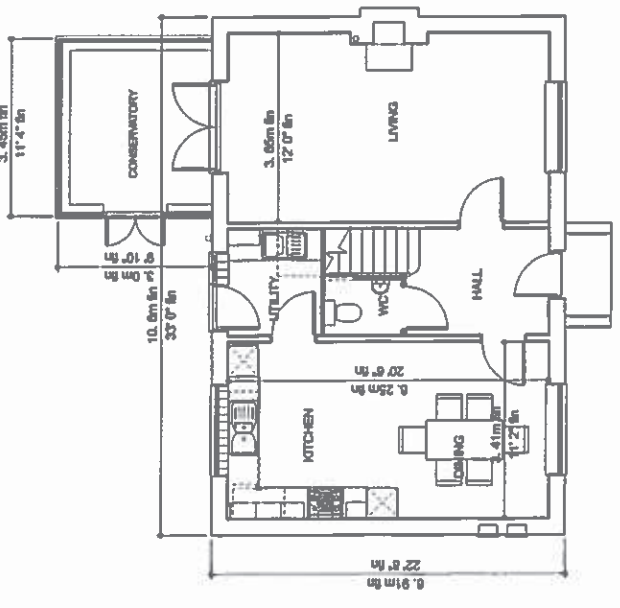


FRONT ELEVATION

- KEY FOR LIFT/STAIRS**
1. Red dot: Lift shaft location
  2. Blue dot: Lift shaft location
  3. Green dot: Lift shaft location
  4. Yellow dot: Lift shaft location
  5. Purple dot: Lift shaft location
  6. Orange dot: Lift shaft location
  7. Pink dot: Lift shaft location
  8. Brown dot: Lift shaft location
  9. Grey dot: Lift shaft location
  10. White dot: Lift shaft location

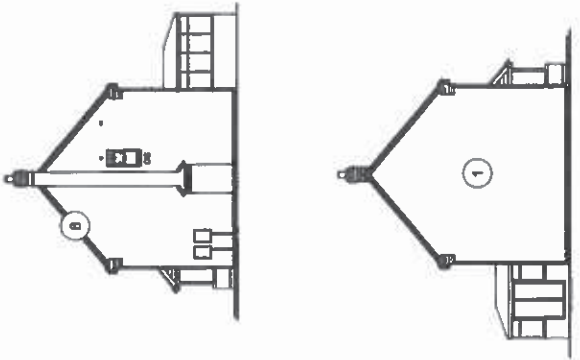


FIRST FLOOR PLAN



GROUND FLOOR PLAN

001 - Client's Drawing  
 Revised Floor Plans - 01/15/130  
*Stone Orchard*



SIDE ELEVATIONS

BY DAVID PAYNE  
 THE ARCHITECTS  
 100, 102, 104, 106, 108, 110, 112, 114, 116, 118, 120, 122, 124, 126, 128, 130, 132, 134, 136, 138, 140, 142, 144, 146, 148, 150, 152, 154, 156, 158, 160, 162, 164, 166, 168, 170, 172, 174, 176, 178, 180, 182, 184, 186, 188, 190, 192, 194, 196, 198, 200, 202, 204, 206, 208, 210, 212, 214, 216, 218, 220, 222, 224, 226, 228, 230, 232, 234, 236, 238, 240, 242, 244, 246, 248, 250, 252, 254, 256, 258, 260, 262, 264, 266, 268, 270, 272, 274, 276, 278, 280, 282, 284, 286, 288, 290, 292, 294, 296, 298, 300, 302, 304, 306, 308, 310, 312, 314, 316, 318, 320, 322, 324, 326, 328, 330, 332, 334, 336, 338, 340, 342, 344, 346, 348, 350, 352, 354, 356, 358, 360, 362, 364, 366, 368, 370, 372, 374, 376, 378, 380, 382, 384, 386, 388, 390, 392, 394, 396, 398, 400, 402, 404, 406, 408, 410, 412, 414, 416, 418, 420, 422, 424, 426, 428, 430, 432, 434, 436, 438, 440, 442, 444, 446, 448, 450, 452, 454, 456, 458, 460, 462, 464, 466, 468, 470, 472, 474, 476, 478, 480, 482, 484, 486, 488, 490, 492, 494, 496, 498, 500, 502, 504, 506, 508, 510, 512, 514, 516, 518, 520, 522, 524, 526, 528, 530, 532, 534, 536, 538, 540, 542, 544, 546, 548, 550, 552, 554, 556, 558, 560, 562, 564, 566, 568, 570, 572, 574, 576, 578, 580, 582, 584, 586, 588, 590, 592, 594, 596, 598, 600, 602, 604, 606, 608, 610, 612, 614, 616, 618, 620, 622, 624, 626, 628, 630, 632, 634, 636, 638, 640, 642, 644, 646, 648, 650, 652, 654, 656, 658, 660, 662, 664, 666, 668, 670, 672, 674, 676, 678, 680, 682, 684, 686, 688, 690, 692, 694, 696, 698, 700, 702, 704, 706, 708, 710, 712, 714, 716, 718, 720, 722, 724, 726, 728, 730, 732, 734, 736, 738, 740, 742, 744, 746, 748, 750, 752, 754, 756, 758, 760, 762, 764, 766, 768, 770, 772, 774, 776, 778, 780, 782, 784, 786, 788, 790, 792, 794, 796, 798, 800, 802, 804, 806, 808, 810, 812, 814, 816, 818, 820, 822, 824, 826, 828, 830, 832, 834, 836, 838, 840, 842, 844, 846, 848, 850, 852, 854, 856, 858, 860, 862, 864, 866, 868, 870, 872, 874, 876, 878, 880, 882, 884, 886, 888, 890, 892, 894, 896, 898, 900, 902, 904, 906, 908, 910, 912, 914, 916, 918, 920, 922, 924, 926, 928, 930, 932, 934, 936, 938, 940, 942, 944, 946, 948, 950, 952, 954, 956, 958, 960, 962, 964, 966, 968, 970, 972, 974, 976, 978, 980, 982, 984, 986, 988, 990, 992, 994, 996, 998, 1000

Sheet Size  
 A1

Drawn/Rob Mripps Date Mar 15 Scale 50 & 100

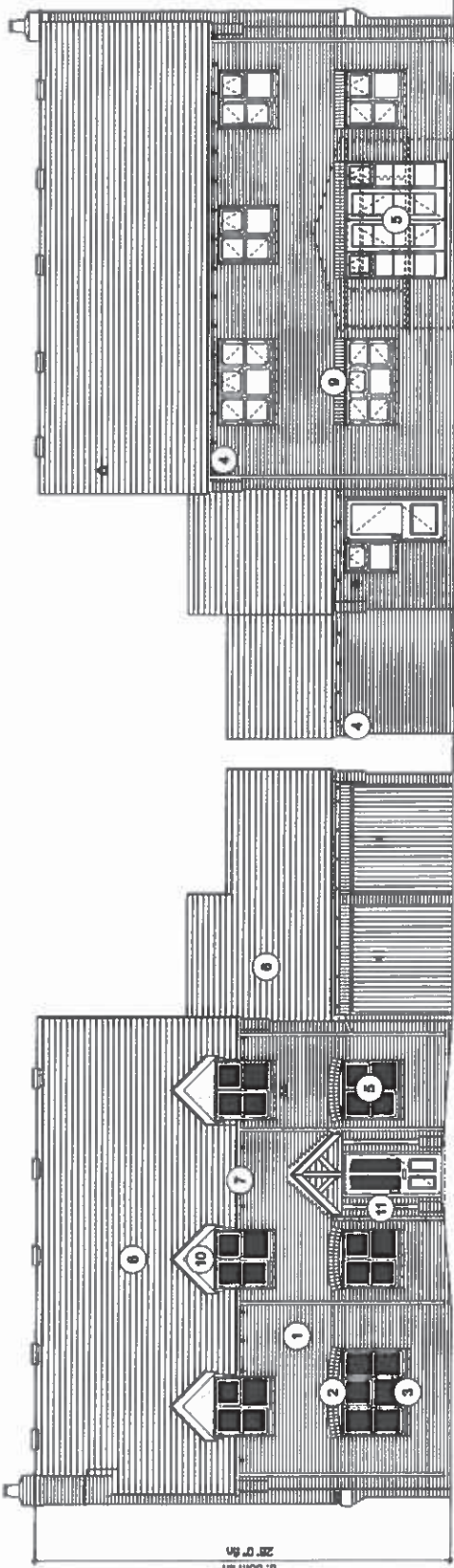
SITE:  
 PLOTS: 1

TYPE A36 - 4 BED THE FAIRMILE (Double Garage) PLANNING DRAWING

Rev	Description	Date

04 - 04 - 04  
 Revised Plans Area 1, 143, 144

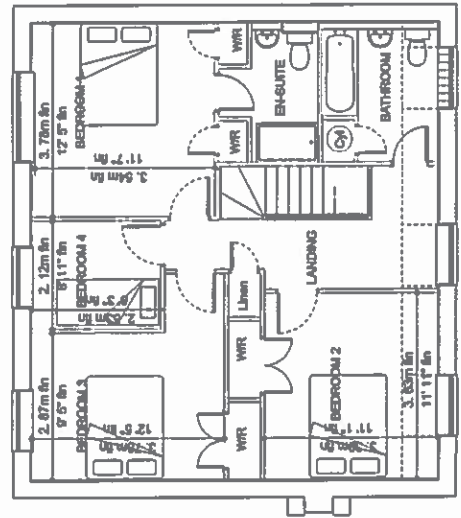
*Stoke Orchard*



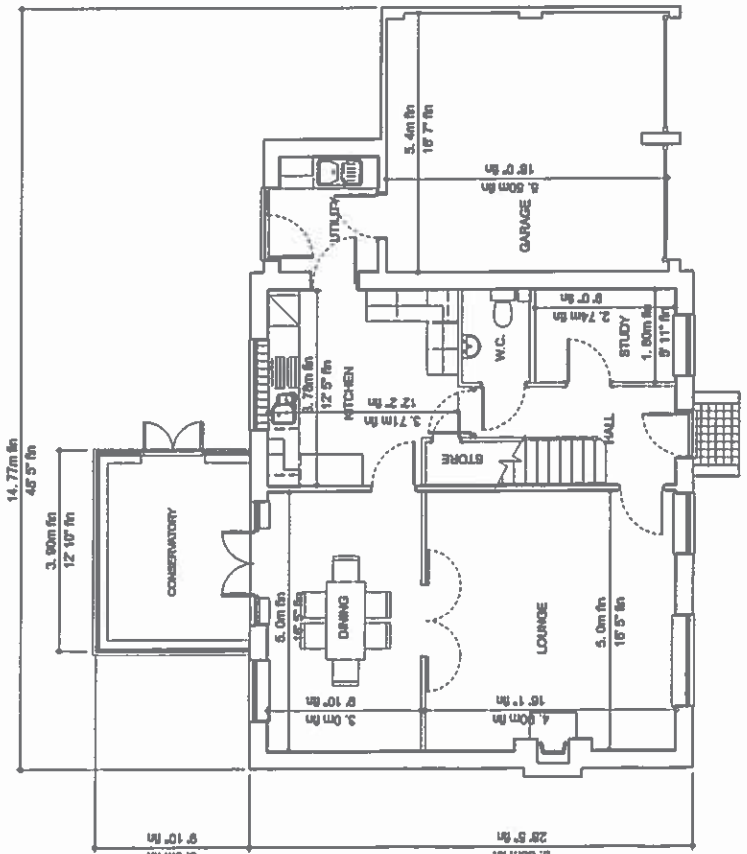
REAR ELEVATION

FRONT ELEVATION

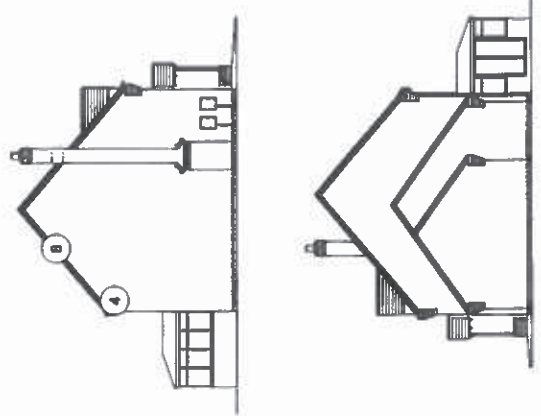
- KEY FOR MATERIALS
- 1 Red clay facing brickwork
  - 2 Smooth Red double except Soffiers
  - 3 Smooth Red Plyth Cills
  - 4 Smooth Red Brick Cornels
  - 5 White Joinery
  - 6 Plain concrete base
  - 7 Open Rafter eaves
  - 8 Smooth Red brick Verge
  - 9 Smooth red soldiers to rear / side
  - 10 Lead faced dormant
  - 11 Features timber posts



FIRST FLOOR PLAN



GROUND FLOOR PLAN



SIDE ELEVATIONS

Drq. No. KH/01/15/140

111 94/F

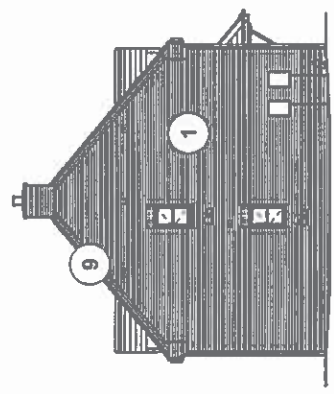
**Knarsboro Homes**  
 BY DAVID PAYNE  
 Kneebone Homes Limited  
 The Old Granary, Whitehall Farm,  
 Whitby, North Yorkshire, YO21 4HD  
 Tel: 01724 251 865 Fax: 01724 250 408  
 www.kneebonehomes.co.uk

Drwg No	KH/01/15/200	Sheet	A2
Drawn By	Rob Phipps	Date	Jan 15
Scale	1:50 & 1:100		
SITE:	STOKE ORCHARD		
PLOTS:	27-30, 42-44		
<b>TYPE A : 2 BED AFFORDABLE HOUSE PLANNING DRAWING</b>			
Rev	Description	Issd	Date
A	Low roof canopy amended	RUP	23.03.15
Drawing Status			

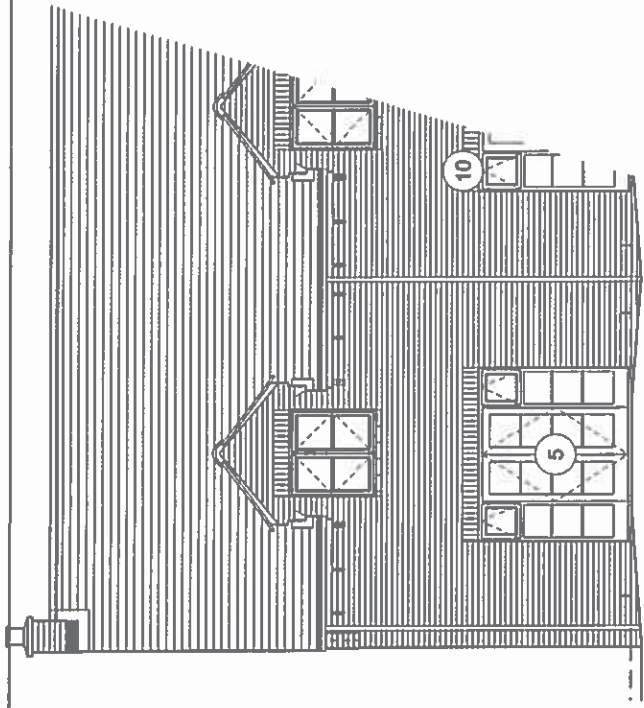
00 = Obsolete Cladding  
 Internal Floor Area = 71m<sup>2</sup>

*Stoke Orchard*

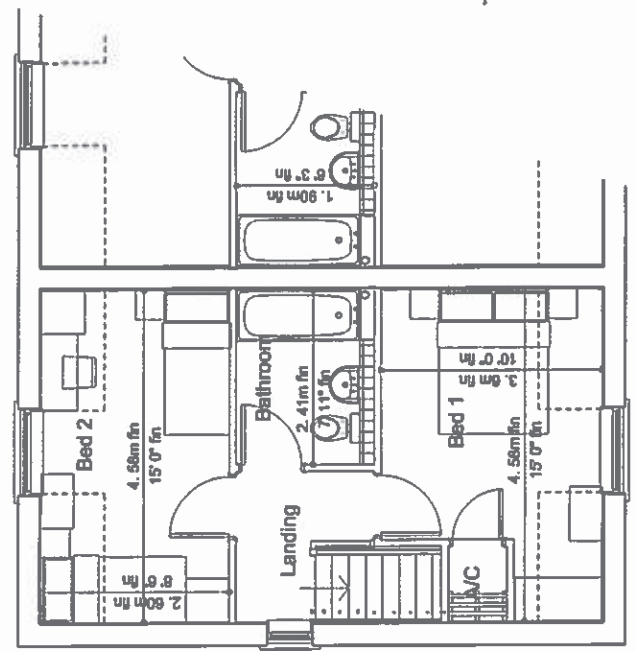
- KEY FOR MATERIALS**
- Red clay facing blockwork
  - Smooth red brick - coped gables
  - Smooth red brick - side
  - Smooth red brick - end
  - White glazing
  - Plain concrete tiles
  - Cherry tile canopy on timber - outside brackets
  - Smooth red brick - verge
  - Smooth red brick - ridge
  - Smooth red slates to rear / side



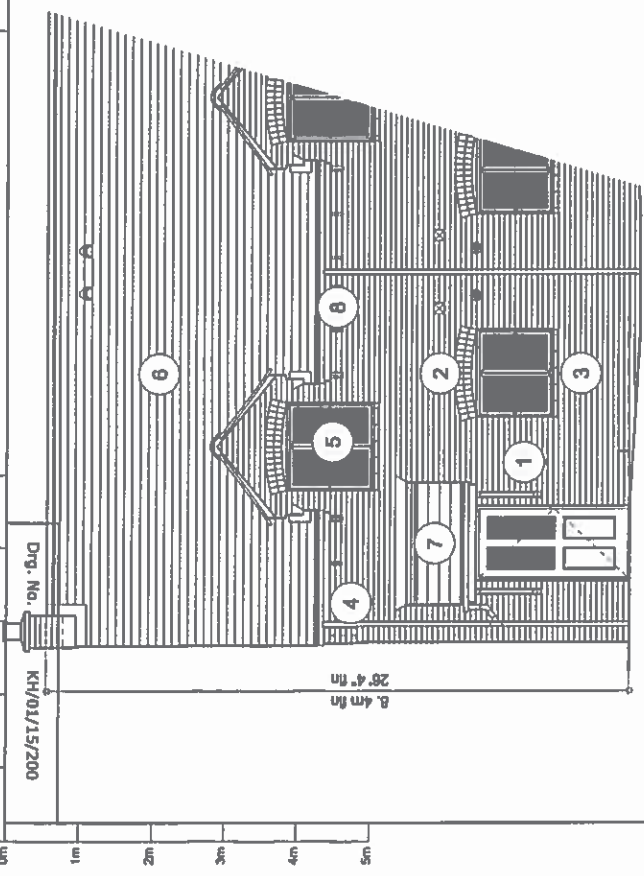
RH SIDE ELEVATION



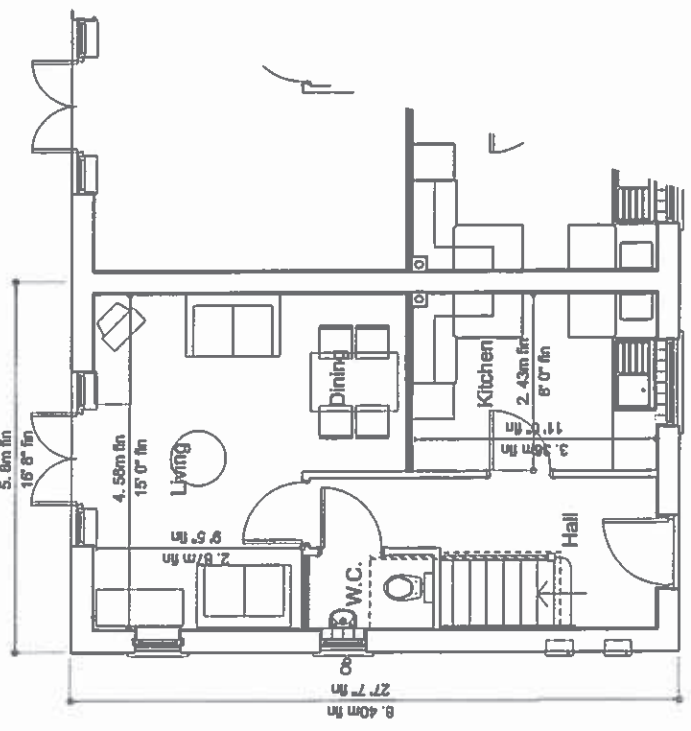
REAR ELEVATION



FIRST FLOOR PLAN



FRONT ELEVATION



GROUND FLOOR PLAN

112 94/G

**Kingsnorth Homes**  
 BY DAVID PAYNE  
 The Kingsnorth Homes Limited  
 Wellington Lane, Harrogate, Wetherby, West Yorkshire LS17 7JQ  
 Tel: 01209 261 666 Fax: 01209 260 400  
 www.kingsnorthhomes.com

<b>Drg No</b>	<b>KH/01/15/210</b>	<b>Sheet</b>	<b>A2</b>
<b>Drawn/Rev</b>	<b>PHps</b>	<b>Date</b>	<b>Scale</b>
		Jan 15	1:50 & 1:100
<b>SITE: STOKES ORCHARD</b>			
<b>PLOTS: 31, 32, 45</b>			

**TYPE B : 3 BED AFFORDABLE HOUSE PLANNING DRAWING**

Rev	Description	Date
A	Low Roof amended	RJP 23.03.15

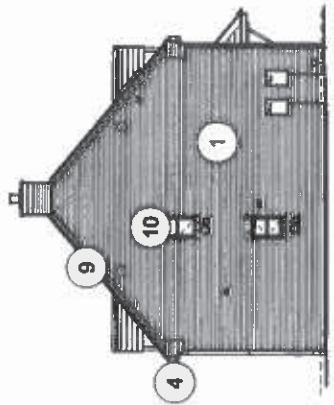
**Drawing Status**

00 = Measure Existing  
 Internal Floor Area = 104sqm

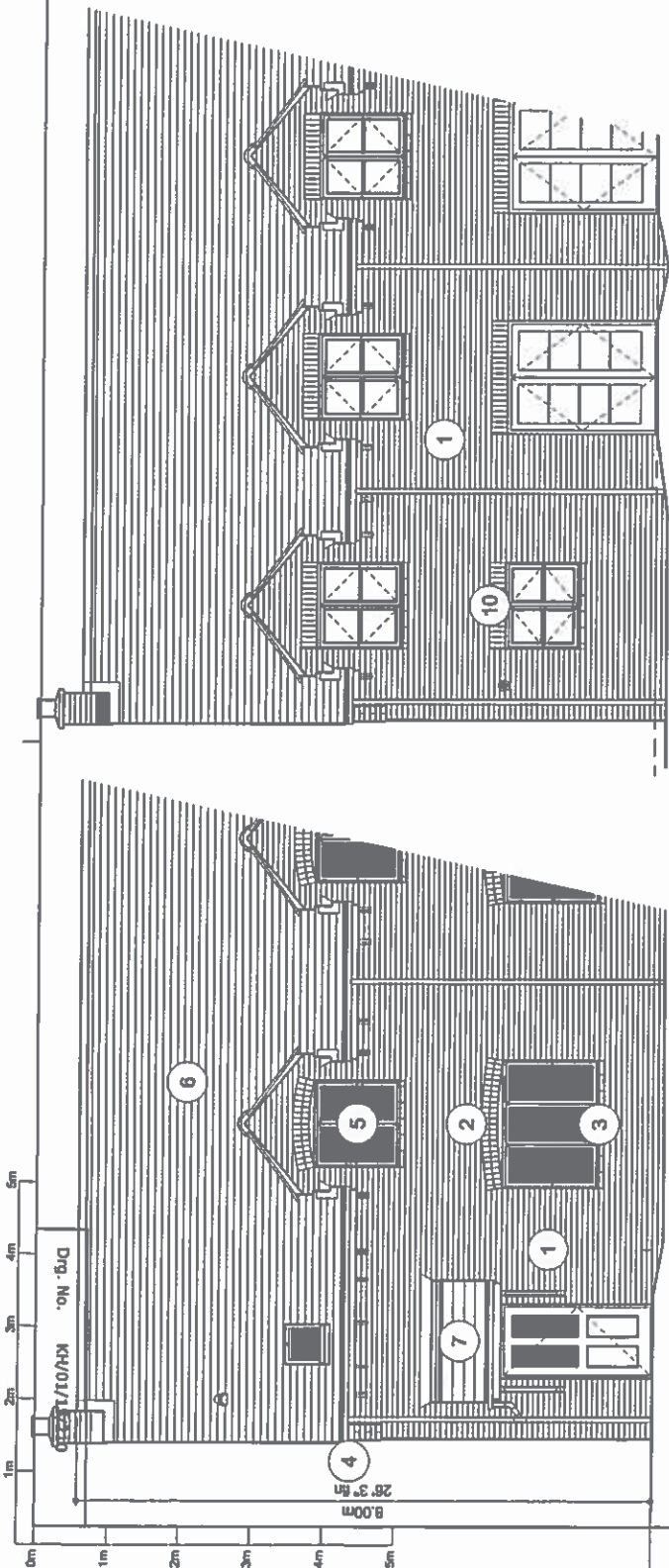
*Stoke Orchard*

**KEY FOR MATERIALS**

- 1 Red clay facing brickwork
- 2 Smooth Red outside verge/ gables
- 3 Smooth Red Brick Chimney
- 4 White Joinery
- 5 Plain concrete base
- 6 Green timber rafters to eaves
- 7 Green timber rafters to verge/side
- 8 Smooth Red outside to eaves / roof

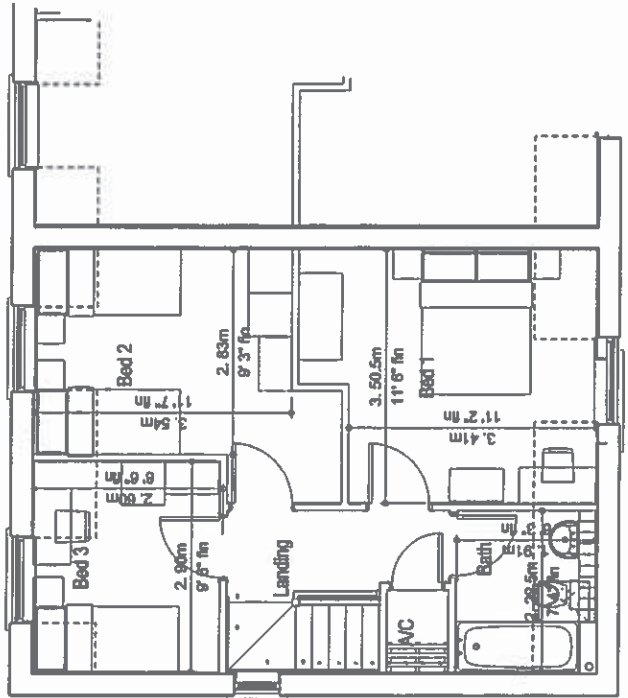


**RH SIDE ELEVATION**

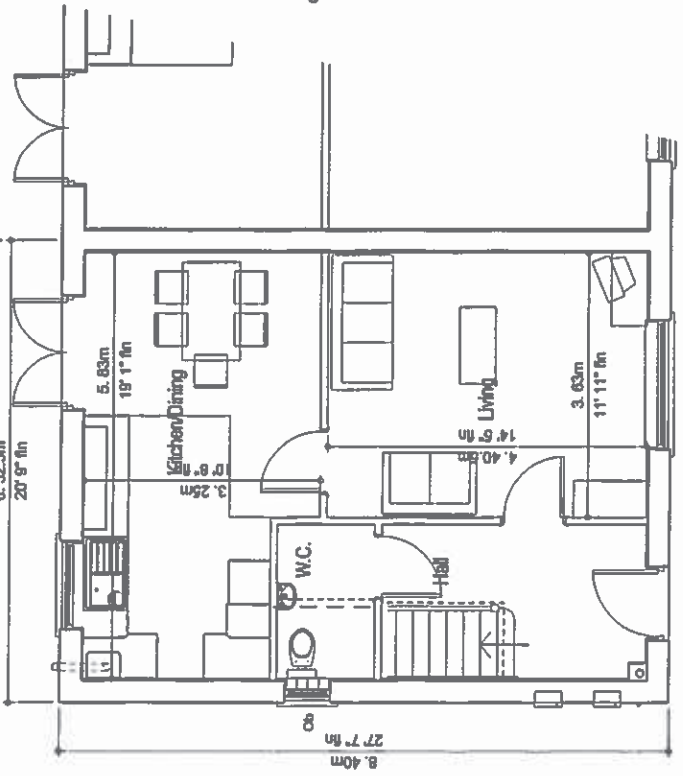


**REAR ELEVATION**

**FRONT ELEVATION**



**FIRST FLOOR PLAN**



**GROUND FLOOR PLAN**

113  
 H/16



KILKISBORO H  
BY DAVID PAYNE  
The Planning Department  
10000 Highway 100, Suite 100  
Stoke Orchard, Stoke Newington  
London N16 9JL  
www.stokenewington.gov.uk

Drawn By: **DP** Date: **2015**  
Scale: **1/50**

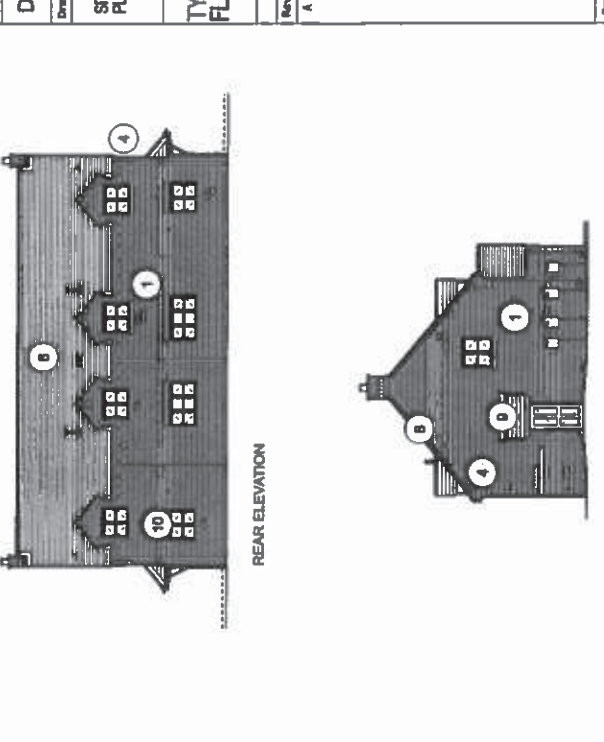
Site: **STOKE ORCHARD**  
Plots: **23-28**

**TYPE C: 1 BED AFFORDABLE**  
**FLAT PLANNING DRAWING**

Rev	Description	Date
A	As per approved	21/01/15

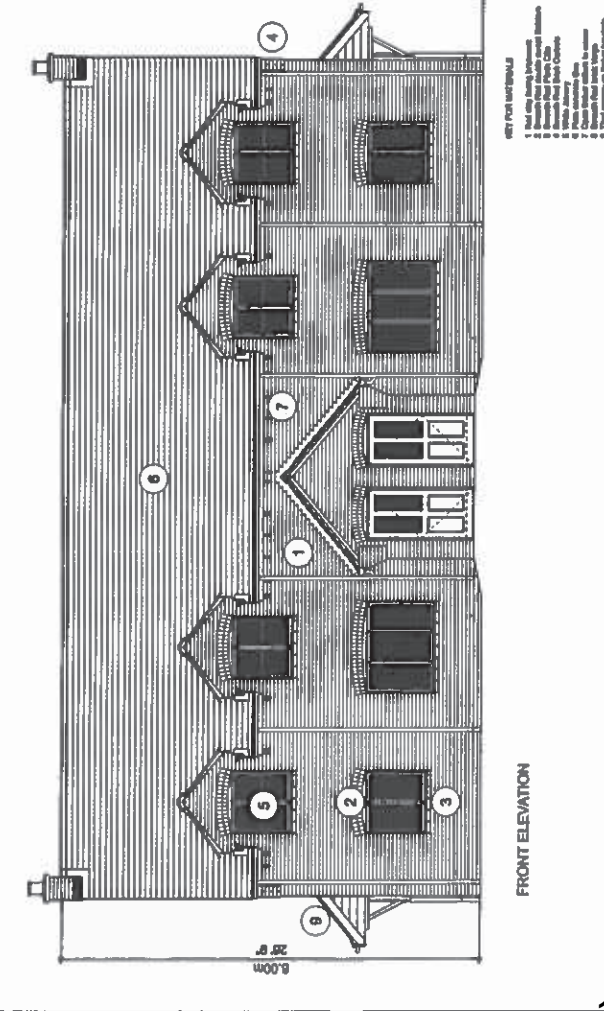
Drawing Status: **AI**

022/51/10/15/220 '09 No. 10



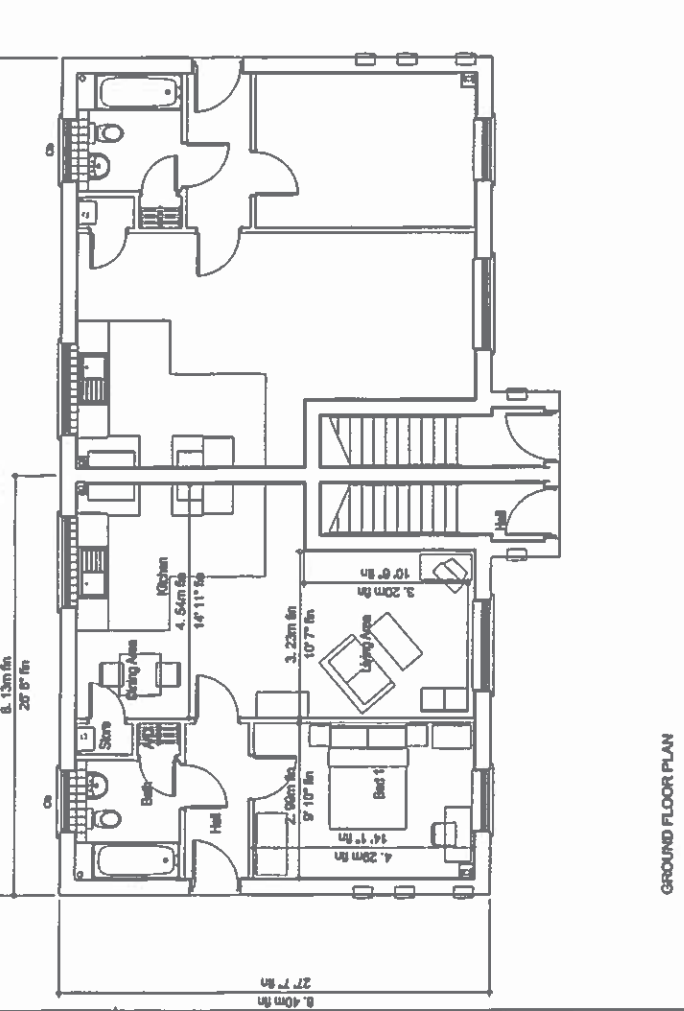
**FRONT ELEVATION**

- KEY FOR MATERIALS**
- Red clay brick with white mortar
  - Smooth cast concrete
  - Smooth cast concrete
  - Smooth cast concrete
  - Smooth cast concrete
  - Smooth cast concrete
  - Smooth cast concrete
  - Smooth cast concrete



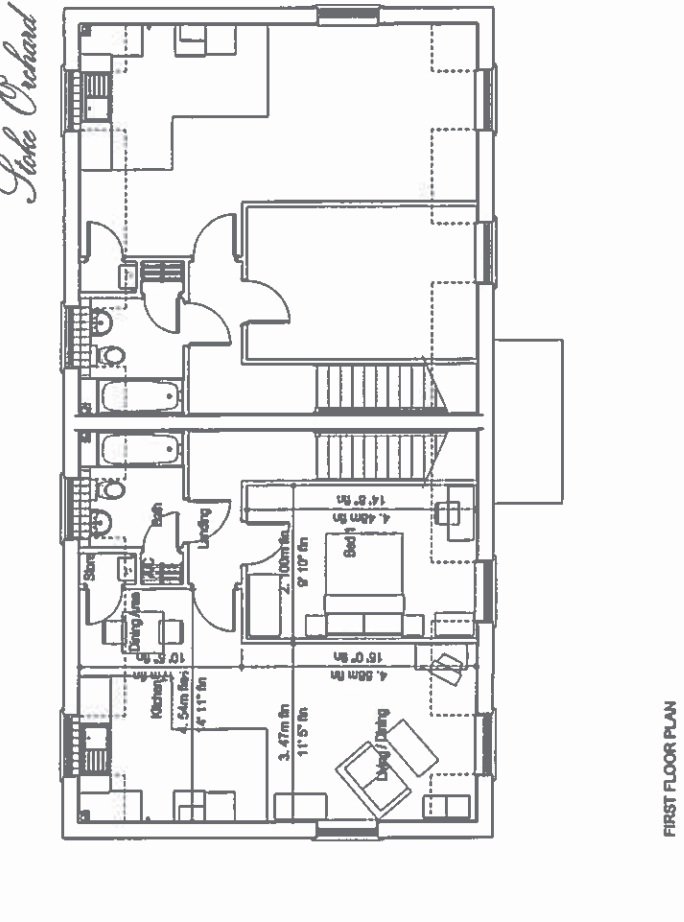
**REAR ELEVATION**

**SIDE ELEVATION (Same both sides)**



**GROUND FLOOR PLAN**

**STOKE ORCHARD**



**FIRST FLOOR PLAN**

94/I



DWG. No. KH/01/15/230

**Kingsboro Homes**  
 BY DAVID PAYNE  
 The Old Grange, Wharfedale Farm, 44D  
 Wharfedale Way, Leeds, LS10 2JH  
 Tel: 0113 275 185 Fax: 0113 275 048  
 www.kingsborohomes.com

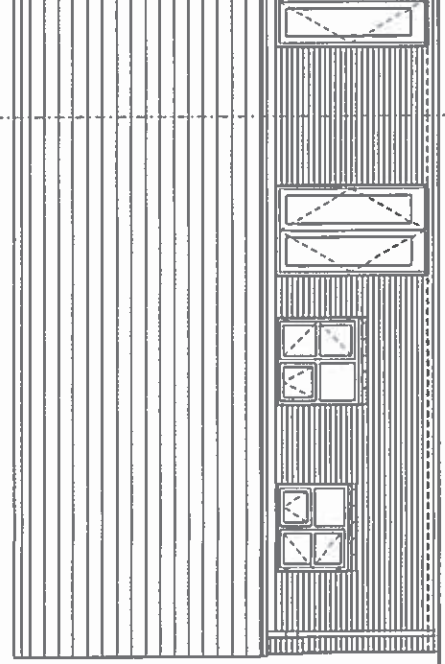
**Drq No** KH/01/15/230  
**Drawn** Rob Phipps  
**Date** Jan 15  
**Scale** 1:50 & 1:100  
**Sheet** A2

**SITE:** STOKE ORCHARD  
**PLOTS:** 21, 22

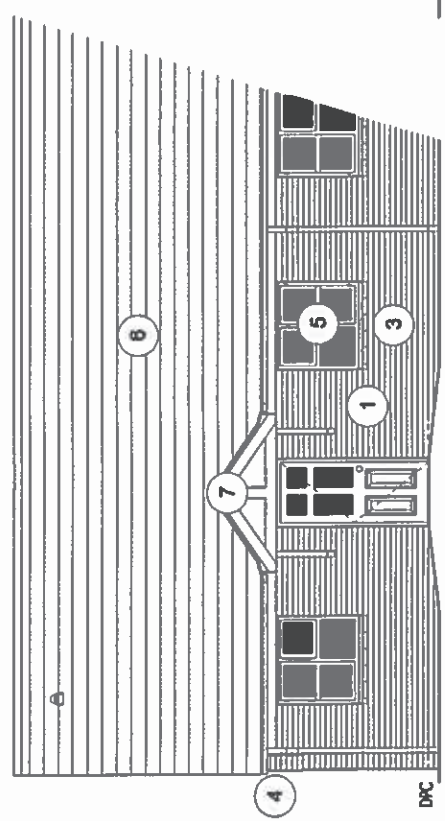
**TYPE D: 2 BED AFFORDABLE BUNGALOW PLANNING DRAWING**

Rev	Description	Date	Drawn

**REAR ELEVATION**



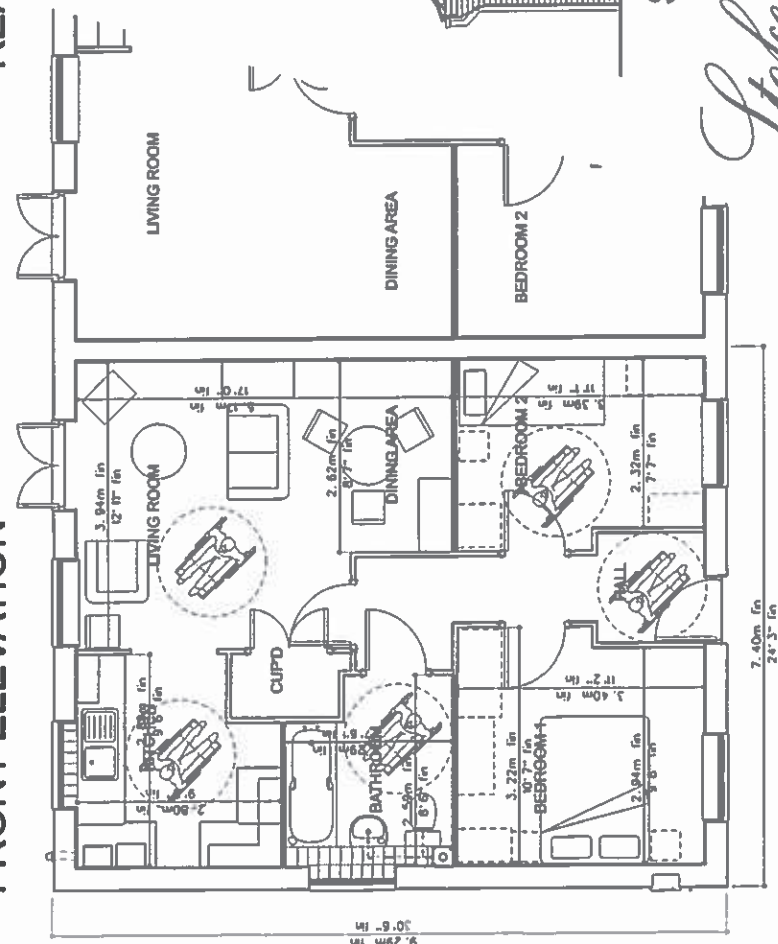
**FRONT ELEVATION**



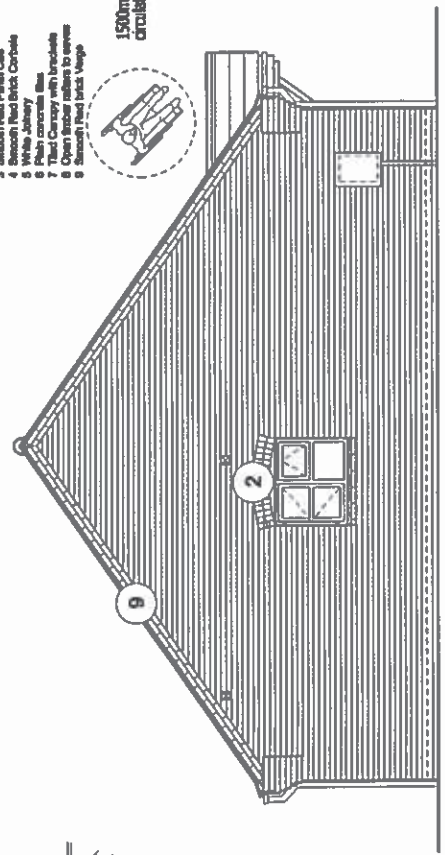
Internal Floor Area = 60m<sup>2</sup>  
 OG = Obscure glazing

**KEY FOR MATERIALS**

- 1 Red clay facing brickwork
- 2 Smooth faced concrete
- 3 Smooth faced concrete
- 4 Smooth faced brickwork
- 5 White Jotway
- 6 Plain concrete
- 7 Thick canopy with brackets
- 8 Open brickwork to eaves
- 9 150mm Wheelchair circulation area



**SIDE ELEVATION**



*Stoke Orchard*

115 94/J

Kingsboro Home  
 BY DAVID PAYNE  
 Kingsboro Homes Limited  
 The Old Granary, Whitegate Farm,  
 Whitegate Lane, Newbury, Woking DT10 4PD  
 Tel: 01256 21 066 Fax: 01256 230 400  
 www.kingsborohomes.com

Drg No KH/01/15/40 Sheet A2  
 Drawn Bob Platts Date Jan 15 Scale 1:50 & 1:100

SITE: STOKE ORCHARD  
 PLOTS: 33 - 38 inc

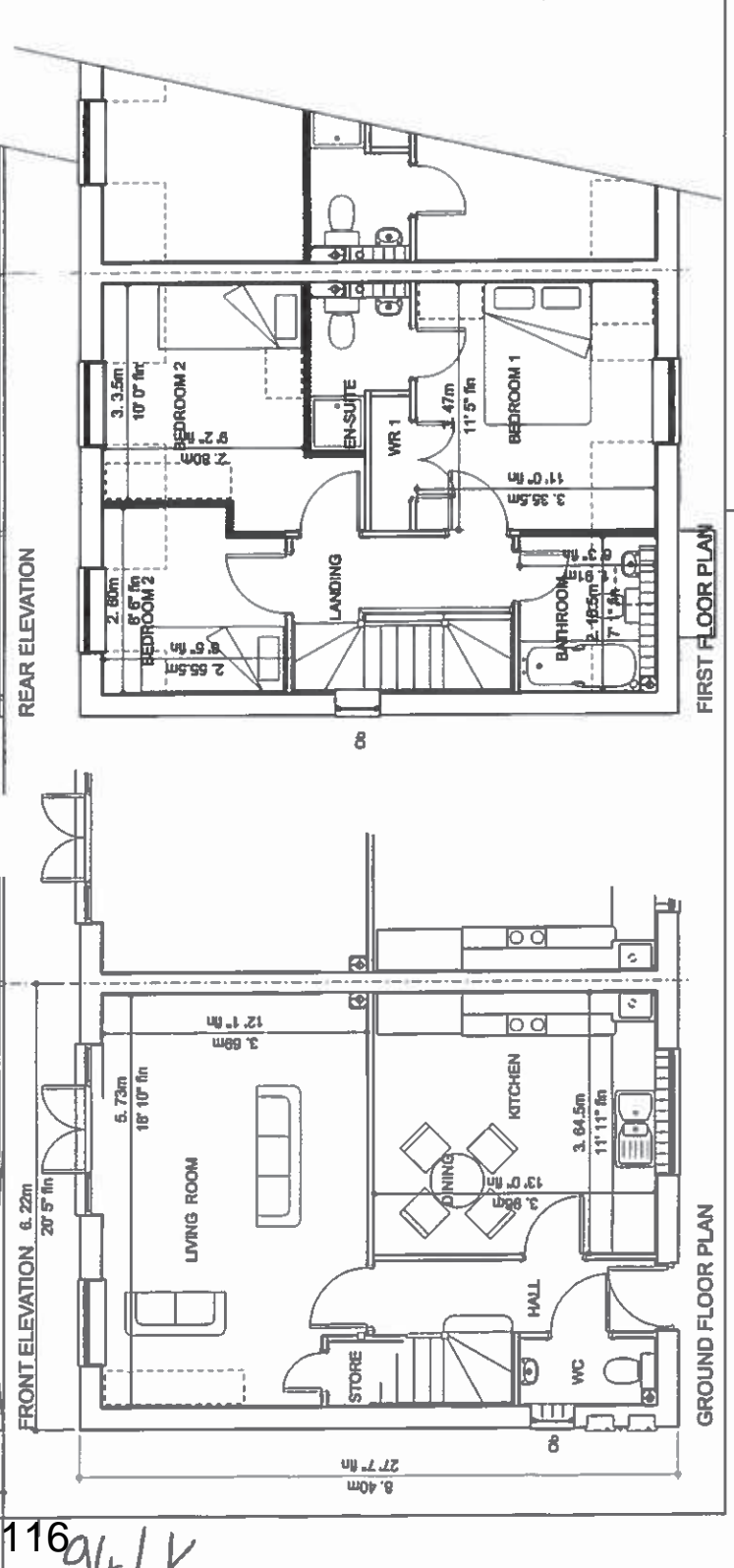
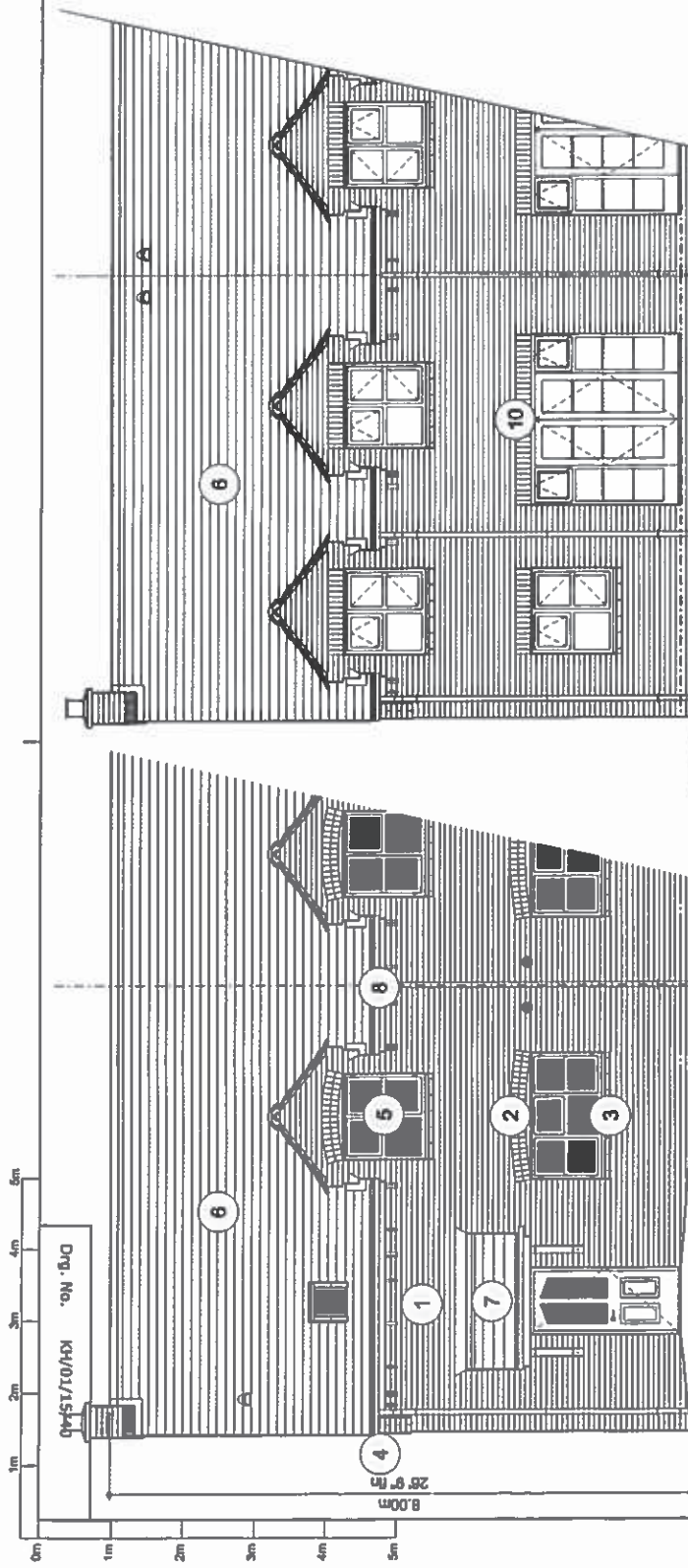
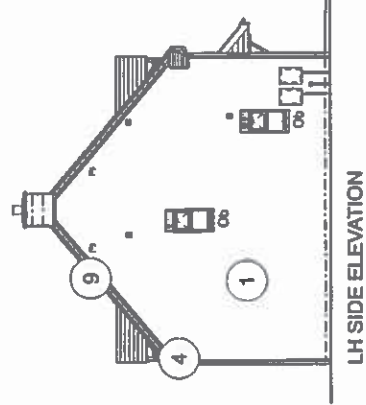
TYPE B1 : THE CRANHAM 3  
 BED SEMI PLANNING DRAWING

Rev	Description	Iss	Date
A	Low Roof amended	RJP	23.03.15

Drawing Status  
 CG = Closure Closing  
 Internal Floor Area = 161sqm

*Stoke Orchard*

- KEY FOR MATERIALS
- 1 Red clay facing brickwork
  - 2 Smooth Red Limestone Sillars
  - 3 Smooth Red Flint Cills
  - 4 Smooth Red Brick Corbels
  - 5 White Jambrey
  - 6 Plain concrete base
  - 7 Plain concrete with timber gullies brackets
  - 8 Plain Red brickwork
  - 9 Smooth Red brick Veneer
  - 10 Smooth red sillars to rear & side



11604/K

**Kingsboto Homes**  
 BY **DAVID PAYNE**  
 Kingsboto Homes Limited  
 The Old Granary, Wharfedale Farm,  
 Wharfedale Lane, Harrogate, West Yorkshire HG1 2JG  
 Tel: 01753 251185 Fax: 01753 250406  
 www.kingsbotohomes.com

<b>Drg No</b>	<b>KH/01/15/50</b>	<b>Sheet</b>	<b>A2</b>
<b>Drawn By</b>	<b>Bob Phipps</b>	<b>Date</b>	<b>Feb 15</b>
<b>Scale</b>	<b>1:50 &amp; 1:100</b>		
<b>SITE:</b>	<b>STOKE ORCHARD</b>		
<b>PLOTS:</b>	<b>19, 20</b>		

**TYPE B2 : THE CRICKLEY 3 BED  
 DET PLANNING DRAWING**

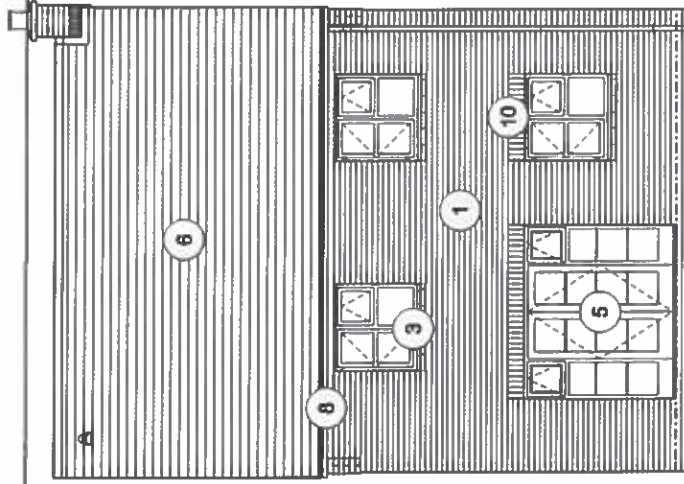
<b>Rev</b>	<b>Description</b>	<b>Rev</b>	<b>Date</b>
<b>A</b>	<b>Low roof amended</b>	<b>RIP</b>	<b>23.03.15</b>

**Drawing Status**

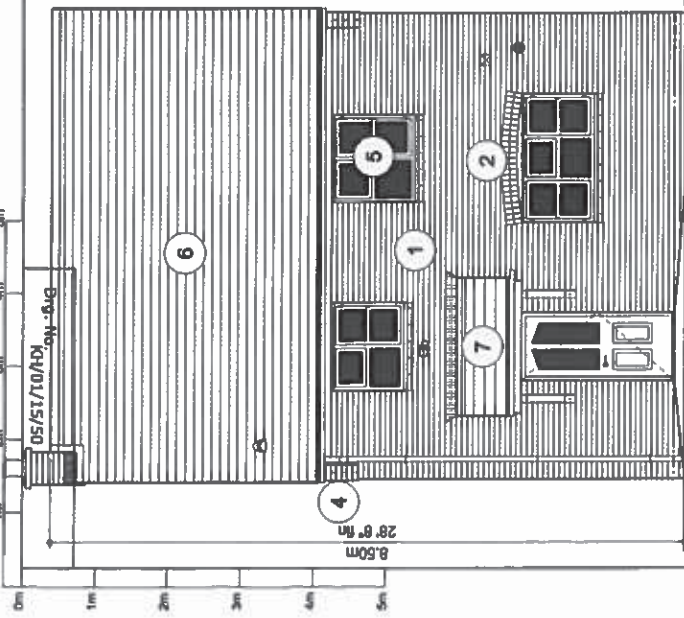
CG - Obscure Cladding  
 Internal Floor Area = 66.6sqm

*Stoke Orchard*

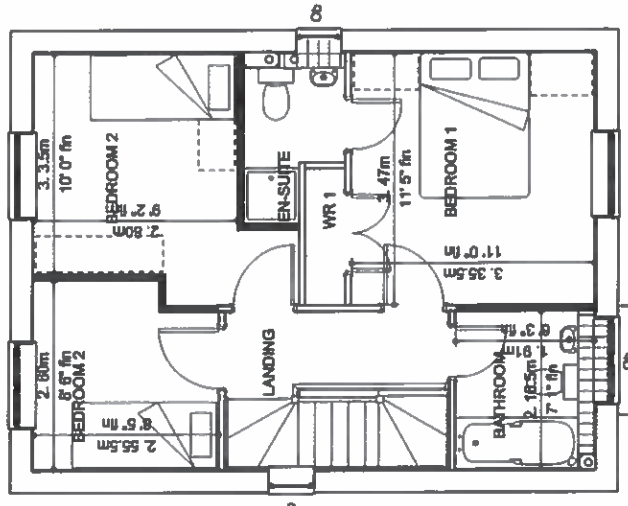
- KEY FOR MATERIALS**
- 1 Red clay facing bricks
  - 2 Smooth Red double glazed Sash Windows
  - 3 Smooth Red Plain Cills
  - 4 Smooth Red Brick Cornice
  - 5 Plain Glass
  - 6 Plain tile canopy with linear galvalume brackets
  - 7 Smooth Red Brick Veneer
  - 8 Smooth Red Bricks
  - 9 Smooth Red Bricks to rear and side elevations
  - 10 Smooth Red Bricks to rear and side elevations



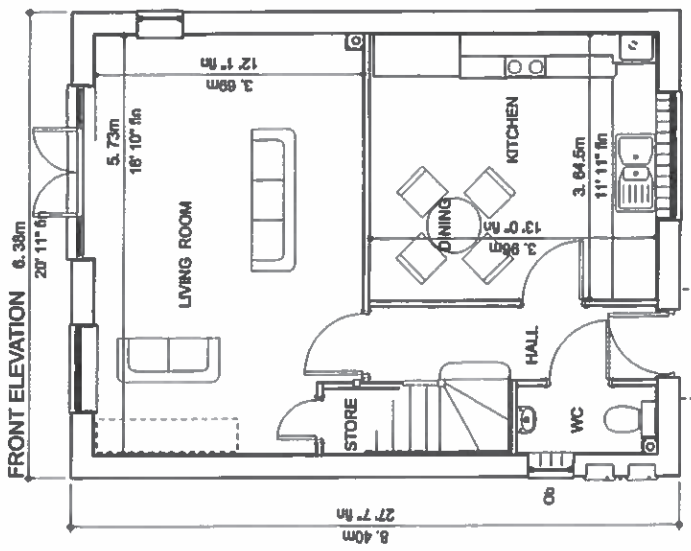
**REAR ELEVATION**



**FRONT ELEVATION**



**FIRST FLOOR PLAN**



**GROUND FLOOR PLAN**

1174/7

Kearsboro Homes  
BY DAVID PAYNE  
The Old Grange, Whittange Farm,  
Whittange Farm, Kearsboro, Wiscasset, ME 04703-4400  
TEL: 011 207 338 2222 FAX: 011 207 338 4400  
www.kearsborohomes.com

Dwg No KH/01/15/60 Sheet A2  
Drawn Rob Phipps Date Feb 15 Scale 1:50 & 1:100

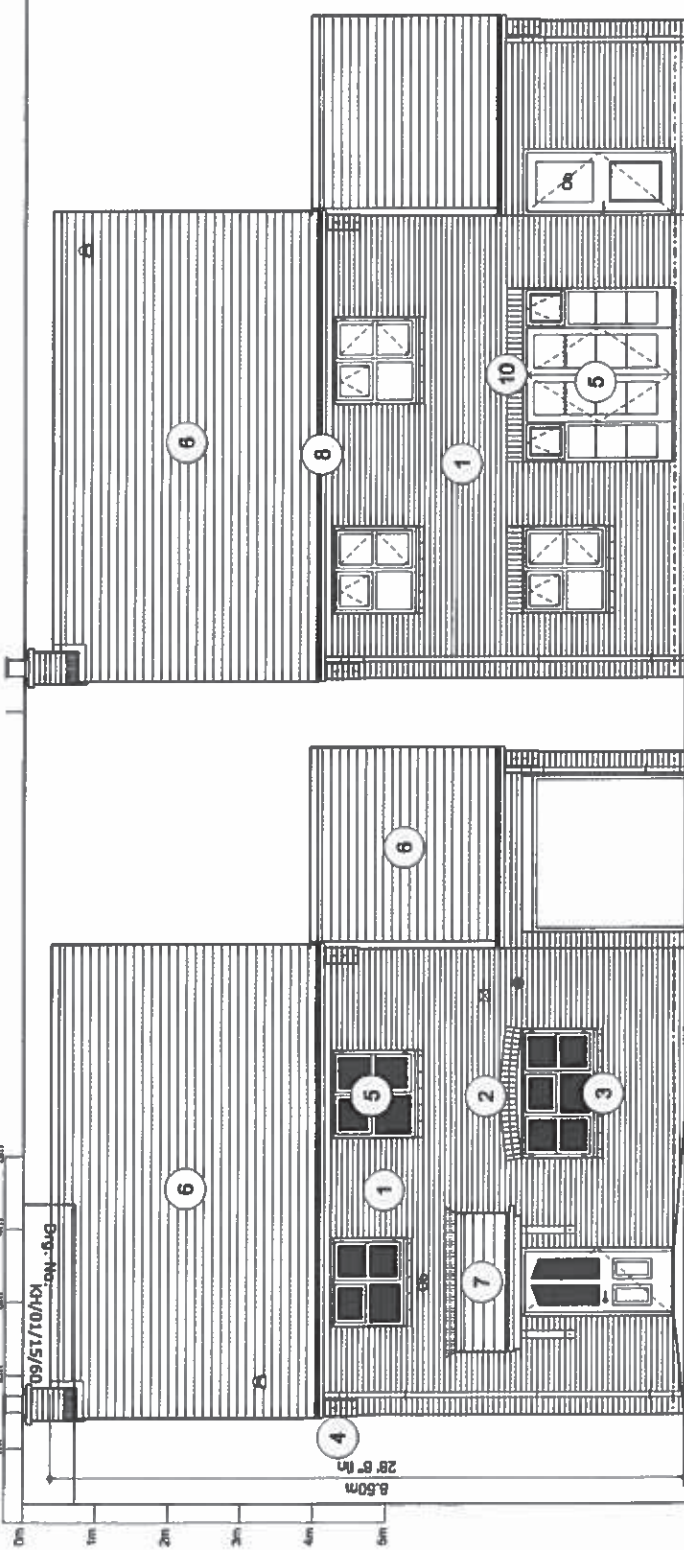
SITE: STOKE ORCHARD  
PLOTS: 7-9 inc

TYPE B3: THE CORNDEAN 3  
BED DET PLANNING DRAWING

Rev	Description	Inc	Date
A	Low roof amended	RIP	23.03.15

Drawing Status  
CO = Check out  
Internal Floor Area = 60.0m<sup>2</sup>

*Stoke Orchard*



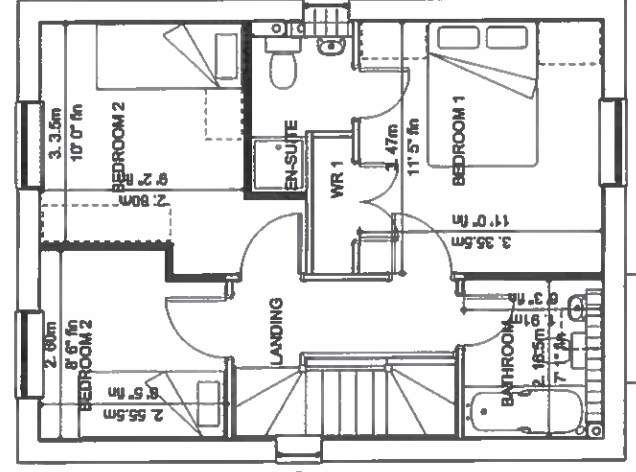
REAR ELEVATION (Handed)

FRONT ELEVATION

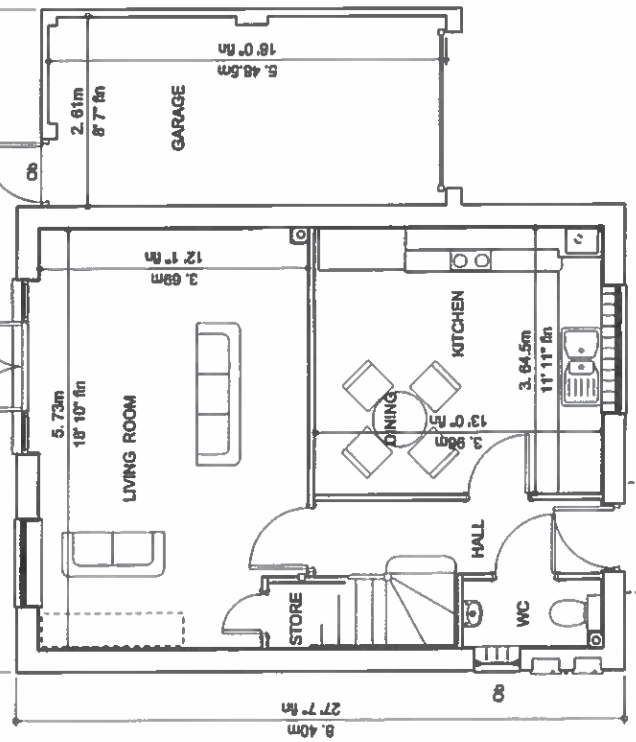
- KEY FOR MATERIALS
- 1 Flat clay facing interlock
  - 2 Smooth Red Brick 225
  - 3 Smooth Red Brick 225
  - 4 Smooth Red Brick 225
  - 5 White Jambrey
  - 6 Plain concrete base
  - 7 Plain tile canopy with timber gables
  - 8 Smooth Red brick Veneer
  - 9 Smooth Red brick to side & rear
  - 10 Smooth Red brick to side & rear

RH SIDE ELEVATION

LH SIDE ELEVATION



FIRST FLOOR PLAN



GROUND FLOOR PLAN

1184/M



**Knarsboro Homes**  
 BY **DAVID PAYNE**  
 Kearsley Homes Limited  
 The Old Grange, Wharfedale Farm,  
 Wharfedale Lane, Wharfedale, Wetherby, West Yorkshire LS17 0 4RD  
 Tel: 01937 251 065 Fax: 01937 250 400  
 www.knarsborohomes.com

Drwg No	KH/01/15/70	Sheet	A2
Drawn/Rob Phipps	Date Feb 15	Scale	1:50 & 1:100
SITE: STOKES ORCHARD			
PLOTS: 5, 6, 16			

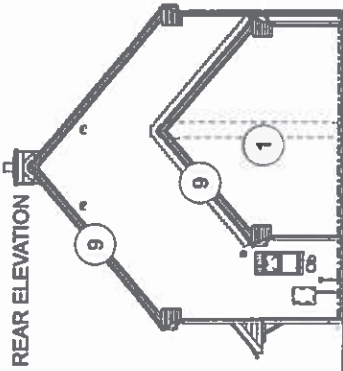
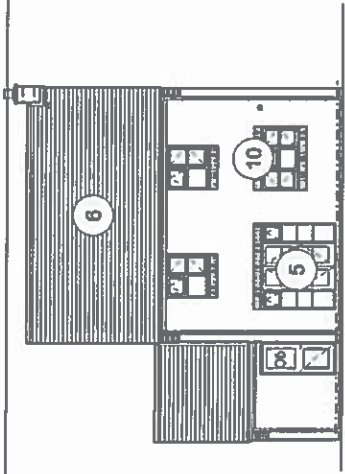
**TYPE E1 : 3 BED THE SUDELEY  
 PLANNING DRAWING**

Rev	Description	Date

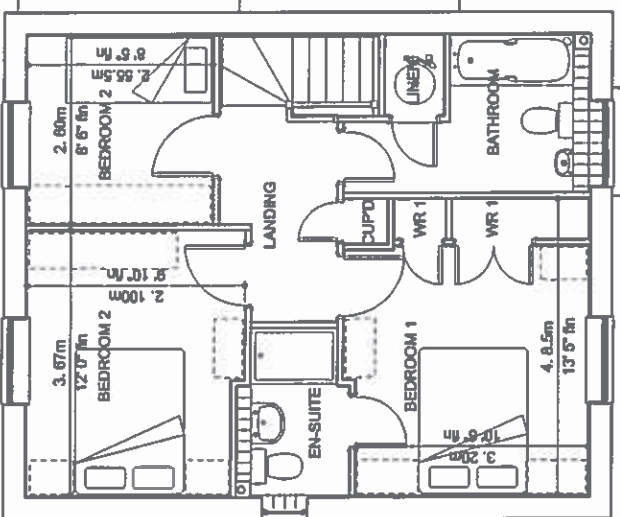
Drawing Status  
 CG - Closure Granted  
 Internal Floor Area = 91.42m<sup>2</sup> 1000ft<sup>2</sup>

*Stokes Orchard*

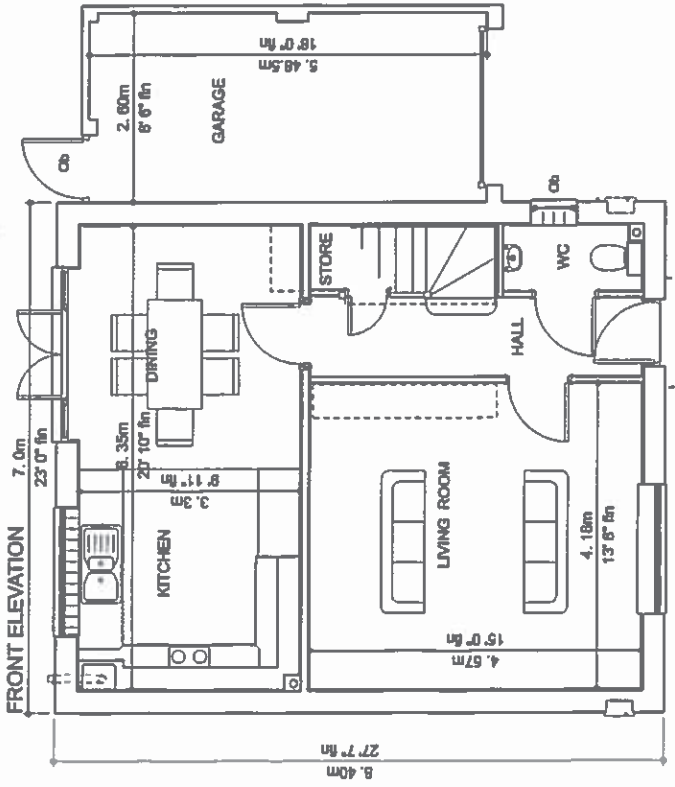
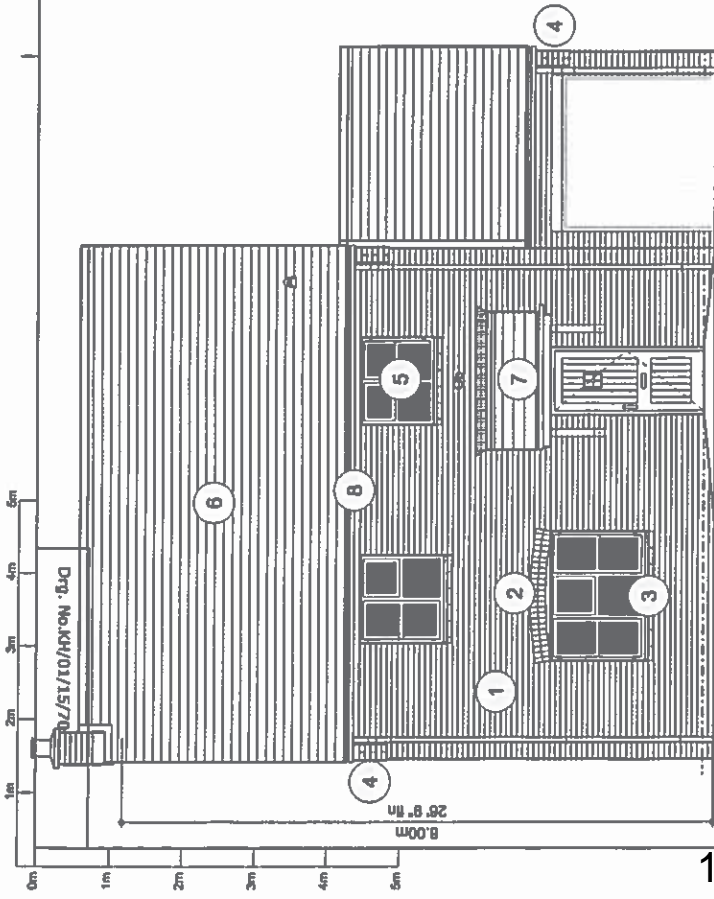
- KEY FOR MATERIALS
- Red clay facing brickwork
  - Smooth Red double glazed sash doors
  - Smooth Red Flush Cills
  - Smooth Red Brick Cornice
  - White Jellery
  - Plain concrete tiles
  - Black Casings with brackets
  - Smooth Red brick Verge
  - Smooth Red casement to rear / side
  - Smooth red casement to rear / side



RH SIDE ELEVATION



FIRST FLOOR PLAN



GROUND FLOOR PLAN

119 4/N



BY DAVID PAYNE  
 K&A Architects Limited  
 The Old Garage, White Horse Farm,  
 Wharfedale Lane, Harrogate, West Yorkshire YO10 4HD  
 Tel: 01209 251 665 Fax: 01209 250 408  
 www.kandapayne.com

Drg No KH/01/15/80

Sheet A2

Drawn Rob Phipps Date Feb 15 Scale 1:50 & 1:100

SITE: STOKES ORCHARD  
 PLOTS: 39

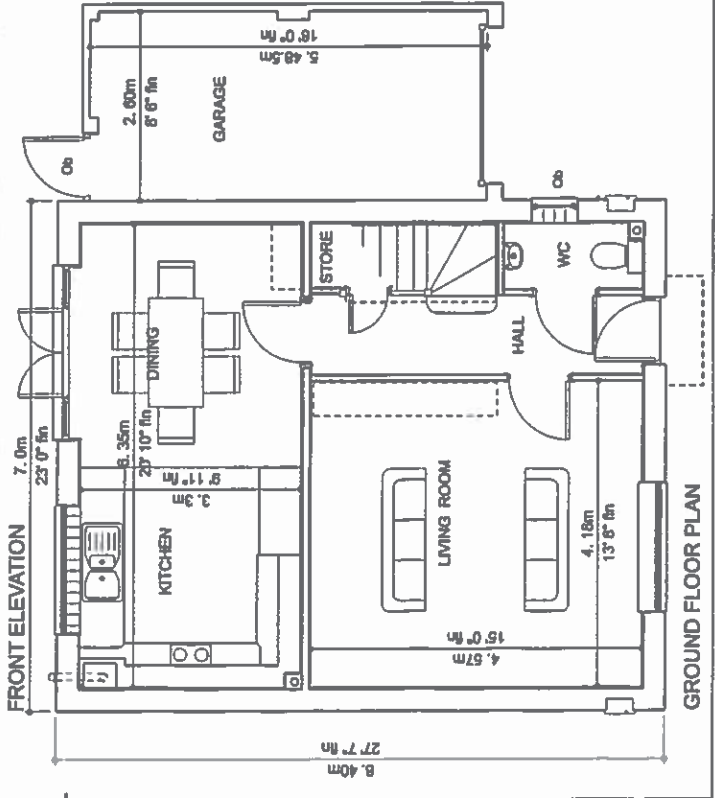
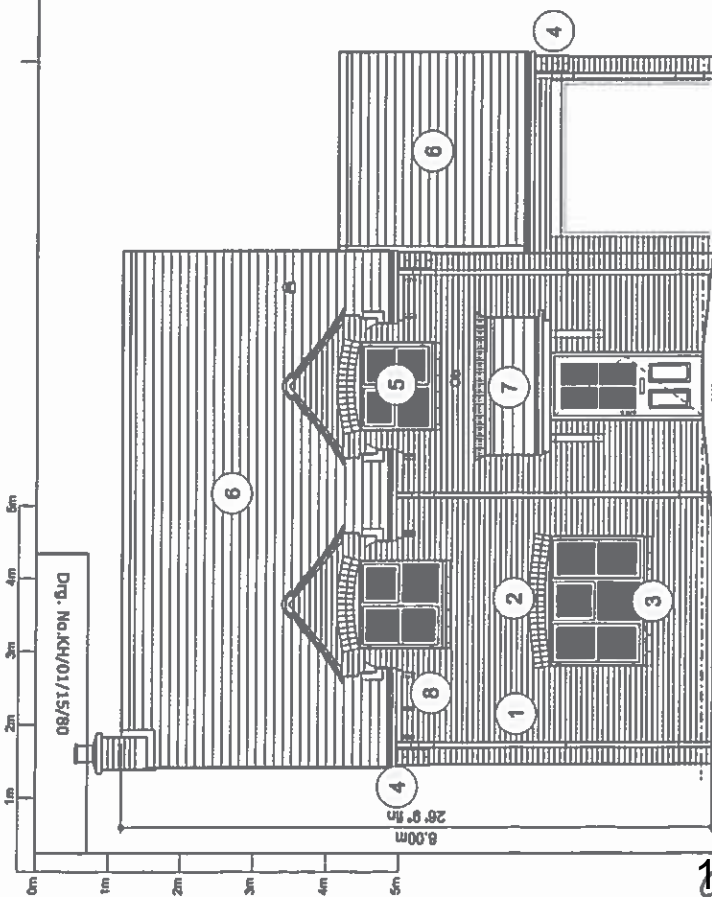
TYPE E2 : 3 BED THE SUDELEY  
 PLANNING DRAWING

Rev	Description	Issd	Date

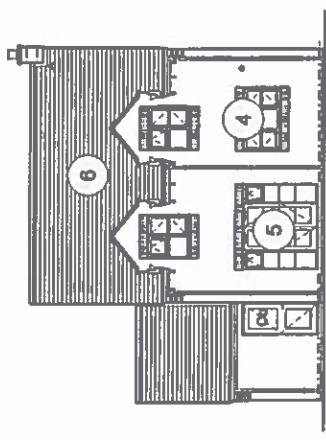
Drawing Status

00 - Closure Drawing  
 Internal Floor Area = 96.42sqm 100022

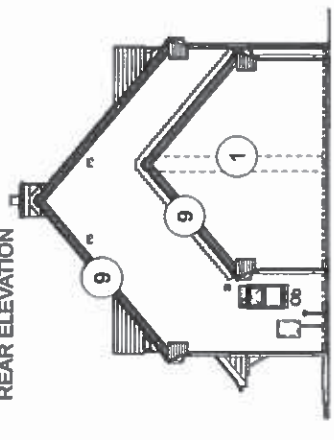
*Stoke Orchard*



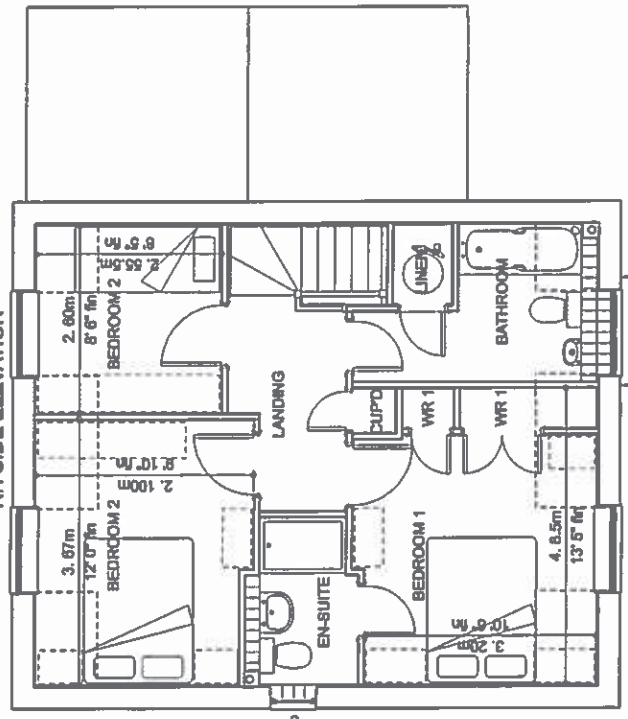
GROUND FLOOR PLAN



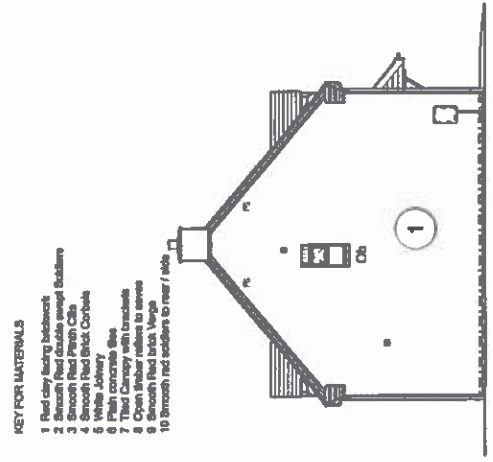
REAR ELEVATION



RH SIDE ELEVATION



FIRST FLOOR PLAN

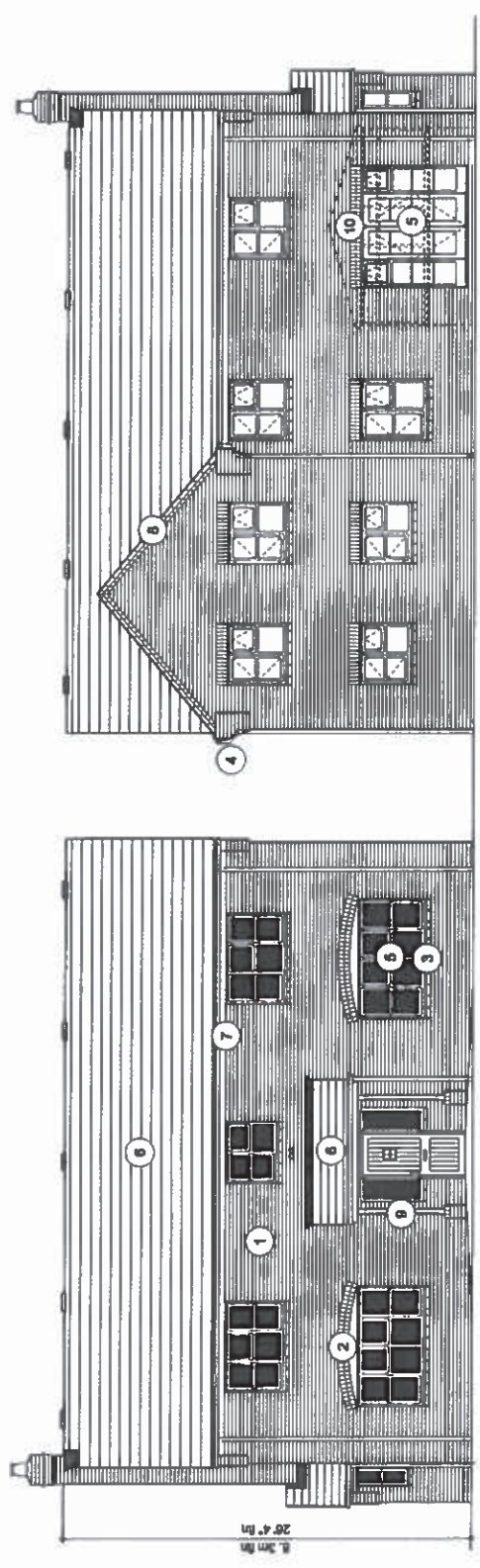


LH SIDE ELEVATION

- KEY FOR MATERIALS
- Red clay facing belowfoot
  - Smooth Red ashlar on wall belowfoot
  - Smooth Red ashlar on wall abovefoot
  - Smooth Red Brick on roof
  - White Joinery
  - Plain concrete base
  - Third canopy with brackets
  - Open timber rafters to eaves
  - Smooth red brick to eaves
  - Smooth red sandstone to rear / side

120/170

Dwg No. KH/01/15/90

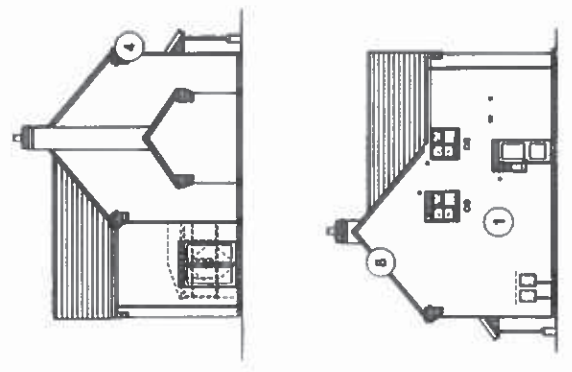
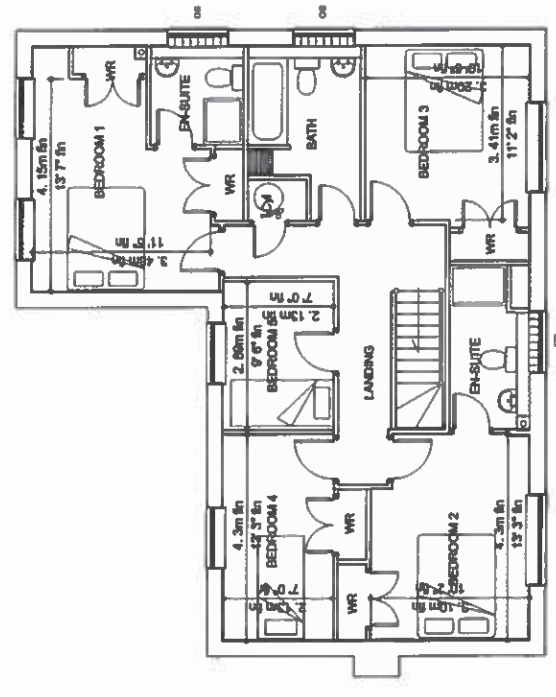
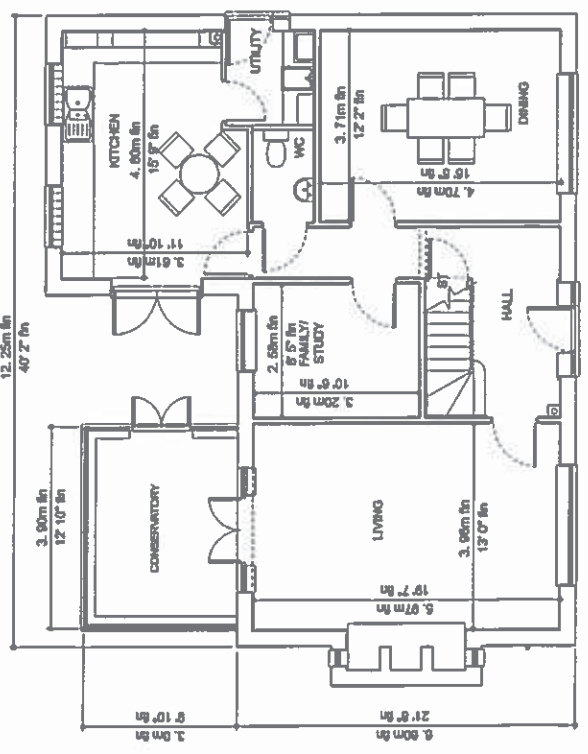


BY DAVID PAYME The Design Partnership 1000 Park Road, St. Leonards, NSW 2280 www.designpartnership.com.au		Sheet Size A1	
Dwg KH/01/15/90		Scale 1:50 & 1:10	
Drawn: Bob Higgs	Date: Feb 15		
SITE: STONE ORCHARD PLOTS: 11, 13, 10			
TYPE A35 - 5 BED THE BROOKTHORPE PLANNING DRAWING			
Key Description		Revisions	

- KEY FOR NOTATIONS
1. Bed side facing direction
  2. Bedroom door swing direction
  3. Bedroom door swing direction
  4. Bedroom door swing direction
  5. Bedroom door swing direction
  6. Bedroom door swing direction
  7. Bedroom door swing direction
  8. Bedroom door swing direction
  9. Bedroom door swing direction

OR - Changing Existing  
Internal Floor Area - Street

*Stoke Orchard*



121  
14/P

Valid 06.03.2015

Modify S106 legal agreement dated 6 May 1994 under planning reference 93/3312/0131/FUL

Grid Ref 409675 233845

Parish Snowhill

Ward Isbourne

National Trust  
 Snowhill Manor & Garden  
 Snowhill  
 Snowhill  
 Broadway  
 WR12 7JU

**RECOMMENDATION Approve****Policies and Constraints****NPPF**

Planning Practice Guidance

Tewkesbury Borough Local Plan - Policy TOR1, TPT1

Joint Core Strategy Submission Version November 2014 - Policies SD8, SD9, INF2, SD15

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

The First Protocol, Article 1 (Protection of Property)

Area of Outstanding Natural Beauty

**Consultations and Representations**

**Parish Council** – Object, The S106 restrictions were recognised as being very necessary 20 years ago to protect the village and local environment and those reasons are still valid today.

**Environmental Health Officer** – No objection.

**County Highway Authority** – No objection

20 Letters of objection raising the following objections (summarised):

- The proposed variation would increase noise and disturbance to local residents.
- The S106 is still required in an unmodified way as it serves a useful purpose.
- If the viability, numbers and satisfaction levels of 10 years ago were achieved with the S106 in place, why cannot they be achieved with it in place now?
- The application at 4.4 effectively looks for 24 hr opening, 7 days per week, 52 weeks of the year for the visitor centre.
- Non-NT people should not be able to stop off for refreshments without visiting the Manor.
- The whole thrust of the application is not to enhance or increase the use of the Manor but to commercialise the visitors centre which originally was only meant to be used in conjunction with the manor when it was open and only by people visiting the manor.
- The season afforded by the s106 is really April to October not 1 March to 31 October as claimed.
- The temporary carpark request really seeks to legitimise the current unauthorised use of farmland
- The proposal would result in highway safety issues.
- The site is becoming more of a commercial undertaking rather than a charitable operation.
- It would seem fairer to propose that there were still restrictions in terms of hours of operation and number of special events.
- A clause should be added that prevents the Agreement being changed again within a certain number of years.
- To help ensure that there is no creep in the car park facilities, the modified clause should include wording to the effect that the field will remain as agricultural land, with no hard standing, etc. to be put down.
- It is important that any amendments to this clause do not delete the words use of the Visitor Facilities shall be restricted to the opening hours of the Manor.
- If the number of coaches is increased the wording in the modified clause should state that only one coach can visit at a time. Furthermore, if a coach is used for a special event then it should count towards the quota of coaches allowed.

**One Letter of support** - Snowhill is a small village with just over 100 inhabitants. Its only vibrant communal area is the pub, the visitors to the Manor use the pub and their support there keep the pub open for the villagers. If the visitors to the Manor did not use the pub then we, the villagers, would not have a pub.

**Planning Officers Comments:** Mr Ciaran Power

## **1.0 Application Site**

1.1 The application site lies on the edge of Snowhill Village. The Manor house is Grade II\* listed and there are five independently listed buildings (all Grade II) within its curtilage. The garden is listed at Grade II on the Register of Historic Parks and Gardens. It is within the Snowhill Conservation Area and the Cotswold AONB. The site is a tourist attraction run by the National Trust.

## **2.0 Relevant Planning History**

2.1 There are number of planning applications and Listed Building Consents relating to the site, however the most relevant to this application is considered to be 93/3312/0131/FUL. Planning permission was granted in 1993 for anew visitor facilities at Pipers Grove to serve Snowhill Manor. These included the car park, visitor's reception and shop, restaurant and toilets, all located to the north of the property itself. At the time that permission was granted, the Borough Council entered into a section 106 legal agreement with the National Trust. This secured the implementation of the village car park and the transfer of the freehold over to the Council, as well as placing various restrictions on how the new visitor facilities were operated.

2.2 An explanation of the above Legal Agreements is addressed later in this report.

## **3.0 Current Application**

3.1 This application is submitted under Section 106a (3) of the Town and Country Planning Act 1990 which allows an application to be submitted to the local planning authority requesting that a S106 agreement be modified or discharged. The application proposes to modify the following clauses in the S106 Legal Agreement attached to Planning Application 93/3312/0131/FUL. A full description of the proposed variations is made in subsequent sections of this report.

## **4.0 Policy Context**

4.1 Guidance from the Secretary of State (in the now-cancelled circular 05/2005) previously stated that the phrase "useful purpose" should only be considered within the context of land-use planning. In the absence of any replacement guidance to the contrary, this context is likely to still be relevant; which today would include relevant local plan policies, the National Planning Policy Framework (NPPF), and any other material planning considerations.

4.2 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. Section 70 (2) of the Town and Country Planning Act 1990 provides that 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 material considerations. The development plan comprises the saved polices of the Tewkesbury Borough Local Plan to 2011 - March 2006.

### *Tewkesbury Borough Local Plan to 2011 - March 2006*

4.3 Policy TOR1 of the local plan sets out that the borough will support proposals for tourism related development provided that, where appropriate:

- i. The priority is given to the re-use of existing buildings in accordance with council policy
- ii. There is good access including access for walkers, cyclists and those with special needs;
- iii. The proposal supports the local plan's wider objectives, particularly in relation to conservation, transport, recreation, economic development, the environment and nature conservation.;
- iv. The siting, design and scale is in keeping with the landscape and wherever possible and practicable seeks to enhance it;
- v. The proposal aims to interpret the physical and historic heritage of the area;
- vi. A proposal that would attract substantial numbers of visitors should be accessible by public transport as well as by car



And subject to there being no unacceptable impact on the safety or satisfactory operation of the highway network.

The reasoned justification in relation to Policy TOR1 states that the overriding priority is protection of the character of the landscape particularly in the AONB.

4.4 TPT1 of the local plan states that development will be permitted where:

- (a) Provision is made for safe and convenient access to the development by pedestrians and cyclists;
- (b) an appropriate level of public transport service and infrastructure is available, or can be made available;
- (c) the traffic generated by and/or attracted to the development, together with that arising from other existing or planned development, would not impair the safety or satisfactory operation of the highway network, and
- (d) highway access can be provided to an appropriate standard which would not adversely affect the safety or satisfactory operation of the highway network, nor cause an unacceptable loss of amenity to users of adjacent land.

#### Emerging Development Plan

4.5 The emerging development plan will comprise the Joint Core Strategy (JCS), Tewkesbury Borough Plan and any adopted neighbourhood plans. These are all currently at varying stages of development.

4.6 The Joint Core Strategy (Submission Version November 2014) is the latest version of the document and sets out the preferred strategy over the period of 2011-2031.

4.7 Policy SD8 states all development proposals in or adjacent to the Cotswolds AONB will be required to conserve and, where appropriate, enhance its landscape, scenic beauty, wildlife, cultural heritage and other special qualities. Proposals will be required to be consistent with the policies set out in the Cotswolds AONB Management Plan.

4.8 SD9 inter alia requires development to make a positive contribution to local character and distinctiveness, conserve and enhance the setting of designated and undesignated heritage assets and secure the future conservation and maintenance of heritage assets and their settings.

4.9 Policy INF2 states that development will not be permitted which would be detrimental to the safety or efficiency of the highway network.

4.10 SD15 seeks to ensure new development would, amongst other things, not result in no unacceptable levels of air, noise, water, light or soil pollution or odour

#### National Policy/Guidance

4.11 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. The NPPF also sets out a presumption in favour of sustainable development and states that development proposals that accord with the development plan should be approved without delay. The NPPF goes on to say that where the development plan is absent, silent or relevant policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or where specific policies in the Framework indicate development should be restricted.

4.12 The NPPF requires applications to be considered in the context of sustainable development and sets out that there are three dimensions to sustainable development: economic, social and environmental. In essence, the economic role should contribute to building a strong, responsive and competitive economy; the social role should support strong, vibrant and healthy communities; and the environmental role should contribute to protecting and enhancing the natural, built and historic environment. These roles should not be undertaken in isolation, because they are mutually dependant.

4.13 Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities, in considering whether to grant listed building consent, to pay special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.



## 5.0 Analysis

5.1 The main considerations in the determination of this application are whether clauses 4.1, 4.2, 4.4 and 4.8.2 set out in the Section 106 Legal Agreement still serve a "useful purpose" and if so whether the proposed amendments to these would serve that purpose equally well if it had effect subject to the modifications specified in the application. Having regard to this the various clauses proposed to be modified are discussed in turn below.

### Clause 4.1 - Car Parking

5.2 Currently Clause 4.1 of the S106 prevents car parking on the agricultural land surrounding Snowhill Manor. The applicant's seek to vary this to remove land defined in the application as "The Paddock" from the relevant plan. This would allow the temporary use of this land for car parking for up to 28 days a year under Schedule 2 Part 4 Class B of the General Permitted development Order 2015.

5.3 The land is located within the Cotswolds AONB and therefore forms part of a very sensitive landscape. Snowhill Manor occasionally struggles to accommodate the number of vehicles during the peak season and this area of land has in the past been used informally as an overflow car park in the interests of highway safety. The informal use is in breach of the S106 legal agreement and the National Trust would like to rectify this with the proposed modification to clause 4.1. No physical modifications to the land are proposed and it would remain as grazing / paddock land and would be similar to the temporary arrangements of many other tourist attractions throughout the country. A visual impact assessment has also been submitted with the application which suggests that this area of land is relatively well screened from the surrounding area. Overall it is considered that the proposal to modify clause 4.1, to allow the temporary use of this land for parking would be acceptable. Any use of this beyond the permitted 28 days (as allowed by GDPO) would require planning permission and a further assessment of the impacts would have to be considered. It is also considered that the other land excluded from parking should remain so and this is accepted by the applicant.

### Clause 4.2 - Opening Hours and Clause 4.4 Special Events

5.4 When considering the impacts of modifying these clauses one must be aware of what is considered "visitor facilities" under the S106 agreement? On the definitions section of the S106, page 3, Visitor Facilities are defined as "The development to be carried out by the Trust" and the development is defined as "The development to be carried out by the Trust of the Development site in accordance with the Planning Permission". The S106 therefore only applies to visitor facilities permitted under the 1993 application and not specifically to the Manor and much of the associated grounds.

5.5 Clause 4.2 restricts opening hours of the visitor facilities to 36 hours in any week during the months of May to September (inclusive) and the total number of opening hours shall not exceed an average of 30 hours in any week during the months of April and October. The applicants seek a variation to allow public opening seven days per week during the main tourist season (1 March-31 October or the nearest weekend to each of these dates).

5.6 Clause 4.4 states that in addition to the days provided for in clauses 4.2 and 4.3 the Visitor Facilities may be open on 5 days in any year for the holding of special events which relate to the Manor. The applicant has suggested that the use of "visitor facilities" shall be restricted to 20 days per year for special events relating to the Manor and no restriction on the number of small special events during the opening season ('small special event' to be under 60 persons, i.e. to cater for around one coachload); and 'opening season' to be 1 March to 31 October plus any of autumn half term falling in November.

5.7 It should be noted that this clause relates to the visitor facilities permitted under planning permission 93/3312/0131/FUL excluding the car park. Therefore even if these visitor facilities remain restricted the National Trust could still utilise the car parking area approved under this permission and the main Manor House and grounds seven days a week without restriction. It is also true that the S106 only precludes special events in the "visitor facilities" and not the main Manor House or associated gardens. The majority of the visitor facilities relating to the clause are sited some way from the nearest residential properties and would themselves be unlikely to result in significant noise and disturbance. In addition the Environmental Health Officer has been consulted on this application and does not raise any objection to the proposals. In addition the County Highway Authority has considered the impact of the additional special events and raises no objection.

Clause 4.8.2 - Coach Numbers

5.8 Clause 4.8.2 limits the number of coaches per week to 3. The applicant proposes that two coaches per weekday and one per weekend day be allowed during the main tourist season. The County Highway Authority have assessed the application and in relation to Clause 4.8.2 comment that the modifications proposed would substantially increase the number of coach trips to and from the site, however the existing provisions are considered to be overly restrictive. Routing is already controlled by the S106 under cause 4.8.3.

5.9 The County Highway Authority have reviewed the collision history through the village and on the surrounding routes, there have been 8 recorded personal injury collisions in the last 5 years, however 7 of these have been located remote from the village, to the south east, the only recorded personal injury collision recorded in the village had a causation factor related to 'dazzling sun'. The causation factors of the collisions remote from the centre of the village generally related to 'failed to look properly', 'reckless/careless', 'loss of control' and 'disobeyed give way'. The number of recorded collisions and the related causation factors do not demonstrate that there is an existing road safety issue in the area, based on the current level of traffic in the village.

5.10 The Highway Officer concludes that overall, although the number of trips to and from the site will increase with the modifications to the section 106 agreement, it is not considered that this increase in trips will be 'severe'. If the Highway Authority were to object to this proposal, strong grounds of objection will be required at appeal, in my opinion, any refusal on highway grounds could not be substantiated, which could result in an award of costs for unreasonable behaviour in the event of an unjustified refusal and subsequent appeal

5.11 In terms of impacts on residential amenities it is not considered that an increase of up to 12 coaches per week accessing the site from the North, as required by clause 4.8.3 would be detrimental to residential amenities.

5.12 Whilst it is acknowledged that a number of residents have raised concerns regarding the direction in which coaches travel to Snowhill Manor, this is something which is covered by Cause 4.8.3 and failure of the applicant to comply with the clause then the Council can consider enforcement action.

Other Matters

5.13 A number of concerns from local residents have been raised regarding modifications to a number of clauses that do not form part of this application. This includes allowing non visitors to the Manor to utilise visitor facilities. However, whilst this was a consideration for the National Trust this was not proposed as part of the application due to local opposition which was received during their pre application public consultation.

**6.0 Conclusion and Recommendation**

6.1 Having regard to the above it is considered that the proposed modifications are acceptable and would not be detrimental to highway safety, to residential amenities enjoyed by the occupiers of nearby properties or have unacceptable landscape impacts. It is therefore recommended that the modifications proposed to the s106 agreement are approved.

**RECOMMENDATION Approve**

Conditions:

Nil

15/00233/OBm



THE NATIONAL TRUST

SOUTH WEST  
REGION

Title: Site Location Plan  
Snowshill Manor  
(blue = NT land ownership)  
(red = Proposed s106 area)



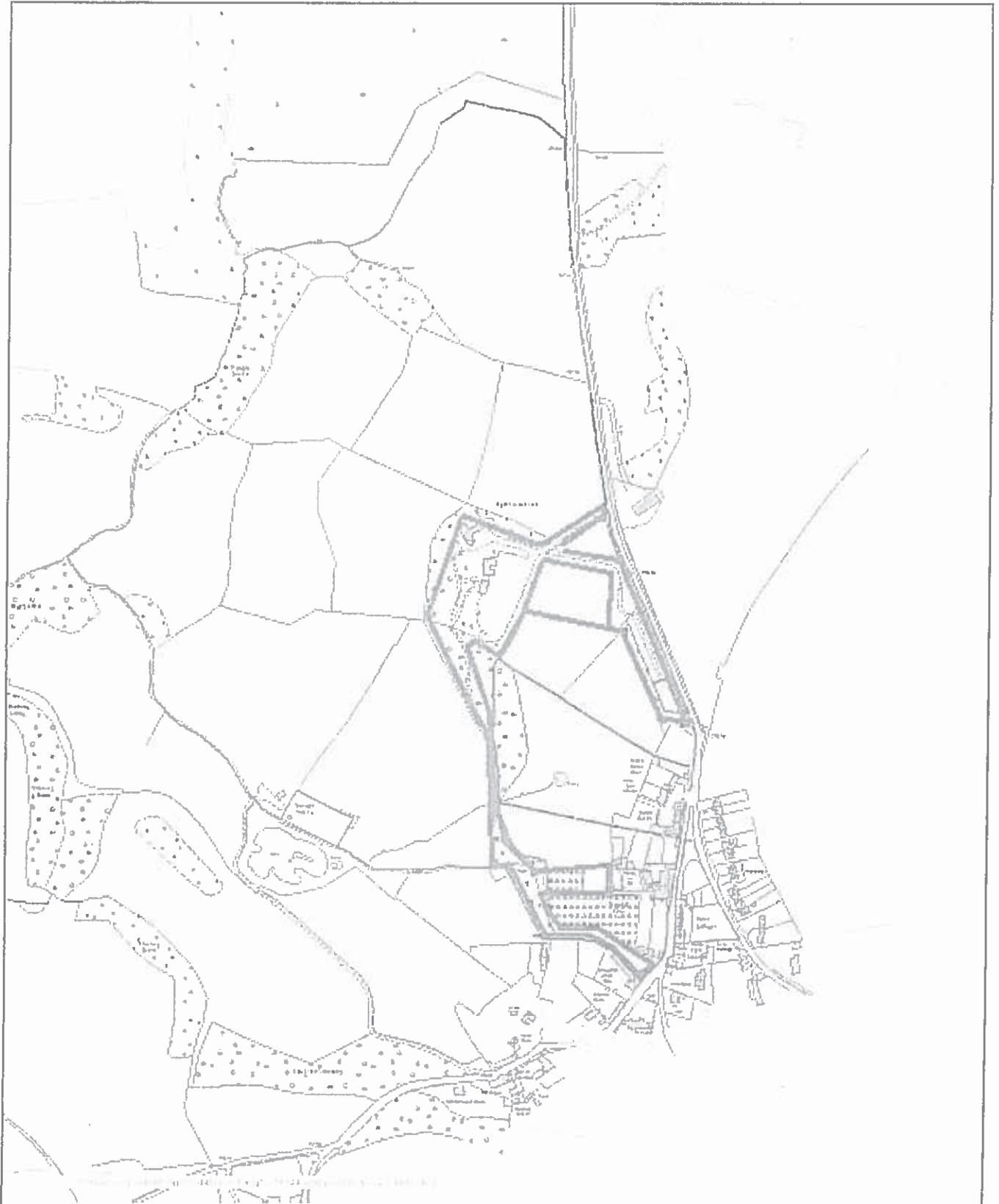
Scale 1/5000

Centre = 405514 E 234115 N

Date 24/2/2015

User Mark Funnell

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Ordnance Survey 100023974



99/A27

15/00228/FUL  
15/00228/FUL  
Valid 03.03.2015  
Grid Ref 398145 224183  
Parish Southam  
Ward Cleeve Hill

Land At Headlands, Mill Lane, Prestbury

10

Full Planning Application for an Exceptional New Dwelling ('Headlands')

Mr & Mrs John Eldridge  
C/O Agent

## RECOMMENDATION Permit

### Policies and Constraints

NPPF

Planning Practice Guidance

Tewkesbury Borough Local Plan to 2011 - March 2006 - HOU4, TPT1, LND7, EVT5, EVT9 and NCN5

Joint Core Strategy Submission Version November 2014

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

The First Protocol, Article 1 (Protection of Property)

AONB

### Consultations and Representations

#### Consultee responses

**County Council Archaeology** - No objections.

**English Heritage** - No objections

**Urban Design Officer** - Supports the proposal

**Natural England** - No objection

**County Highway Authority** - No objections subject to conditions.

**Drainage Officer** - No objection.

**Conservation Officer** - No objection

**Cotswolds Conservation Board** - Object,

- The site is outside and away from any settlement within the open countryside of the nationally protected Cotswolds AONB.
- The proposal would result in negative impact and particularly in relation to an AONB which should be afforded the highest protection.
- The NPPF advises Local Planning Authorities to specifically avoid new isolated homes in the countryside unless there are exceptional circumstances. The application site is an isolated location.
- Proposals would lead to a precedent for other such developments across the open countryside of this nationally protected landscape.
- The proposal would result in a clear change in character from a rural pastoral scene to a developed site.

**Severn Trent Water** - No objection

**CPRE Gloucestershire** - Object for the following reasons:

- The site is located within an AONB and great weight should be afforded protection to conserve its landscape and scenic beauty.
- There is no basis for invoking paragraph 55 of the NPPF which seeks to promote sustainable development in rural areas.
- While the proposed new dwelling is certainly of an innovative design, it would be totally alien to the rural environment in which it would be sited.
- It would therefore contribute nothing to rural design standards, would not enhance its setting or be sensitive to the defining characteristics of the local area as required by the NPPF. If approved, the proposals would transform what is currently landscape that is typical of the rural Cotswold escarpment into an area of residential and garden landscape.
- This proposed development would be contrary to the policy approval set out in the JCS.

**Prestbury Parish Council - Object for the following reasons:**

- There is no legitimate justification to build the proposed dwelling on land within the Area of Outstanding Natural Beauty.
- Consideration of design is a very subjective and personal issue, and whilst it might be argued that the proposed design has merit and its environmental credentials impressive, these features will not mitigate the adverse impact this building will have on the AONB.
- The design of the building Buildings would be inappropriate in this location.
- There are errors in the submitted reports and surveys.
- The proposal would be detrimental to wildlife and their habitat.
- The proposed development would be detrimental to landscape character of the AONB.
- This would set a precedent for similar development in the future.

**Southam Parish Council - Object for the following reasons:**

- This would set a precedent for similar development in the future.
- Character of the building proposed to conflict with the other houses in the immediate area
- The prospective dwelling would be away from the current settlement line along Mill Lane.
- The proposed dwelling house would be visible from certain locations, especially the immediate neighbours in Mill Lane
- The proposed access would be detrimental to highway safety.

**Gloucestershire Design Panel - Support the proposal, the design was sensitive to the surrounding area and, subject to the detailed design reflecting the quality of the architectural intent, the Panel were happy to endorse the design.**

**33 Letter of objection received raising the following concerns (summarised):**

- There has been grazing on the site over the past 14 years.
- The proposals would increase flood risk in the area.
- The site would be visible by adjoining residential properties and would be detrimental to residential amenity.
- Assess to the highway is not acceptable.
- Proposals would result in loss of trees.
- There is no water supply to site.
- The contemporary design of the dwelling is out of keeping with the local vernacular.
- Would be detrimental to the character and appearance of the Cotswolds AONB.
- The site can be seen from the surrounding area.
- Permission has been granted for applicants to convert their triple garage into living accommodation they should move there.
- The proposal would set a precedent for other development of this type in the future.
- Development would be visible from PROWs
- Application does not include buildings for storage of maintenance equipment.
- The proposal would be detrimental to historic buildings and their setting.
- Detrimental to Ecological value of the site.
- The access would appear urban.
- Site is located outside of a settlement boundary in open country site.
- Where will excavated material go.
- Development would not be in the public interest.
- Proposal would result in light pollution.
- An application for spot Listing of The Mill is currently under consideration with Historic England.



21 Letters of support have been received raising the following points (summarised):

- Dwelling is innovative and would appear to be exceptionally good design.
- This is an exciting and well thought through scheme.
- The dwelling would blend into the landscape harmoniously
- Proposal would enhance the character of the woodland, orchard and fields around.
- This development would serve as an example of 'Innovative' architecture.
- The dwelling is modest in size.
- Local materials would be incorporated.
- The proposal would be sympathetic to the AONB.
- Would not result in increased flood risk.
- The proposal would contribute towards meeting the housing shortfall in Tewkesbury.
- The single storey form of the dwelling would be unobtrusive.

**Planning Officers Comments:** Mr Ciaran Power

## **1.0 Application Site**

1.1 The application relates to part of an agricultural field, to the South of Upper Mill Lane, Prestbury. The site comprises of some 1.2 hectares of agricultural land and 0.25 hectares of woodland. The site is generally considered to be within the open countryside on land that is designated within the Cotswold Area of Outstanding Natural Beauty (AONB). Cleeve Common Site of Special Scientific Interest is located approximately 0.9km to the north-east of the site. Large parts of the site is ridge and furrow grassland with the western section of the site being an orchard in a poor condition. **(see location plan attached)**.

## **2.0 Planning History**

2.1 There is no relevant planning history relating specifically to the application site.

## **3.0 Current Application**

3.1 The current proposal is for the erection of a new four bedroom dwelling. Two of the bedrooms would have adjoining en-suites. Other accommodation includes a living/ dining area, a kitchen, a study, a utility room and a bathroom; all of which are on one floor. A car port and a storage area are also incorporated into the design. **(See attached plans. A copy of the plans will also be displayed at Committee).**

3.2 The supporting documents submitted with the application argue that the proposed design of the dwelling would be truly 'outstanding' in architectural terms. It is also claimed that the dwelling would be 'innovative' and ground breaking by virtue of the intention to use a number of modern technologies on the property some of which have not been used previously anywhere in the UK. The various technologies are discussed in detail further in this report.

3.3 The applicants also make it clear that the scheme is landscape led, significantly being influenced by the ridge and furrow grassland. It has been built into the topography of the site, maximising the valued views to the south, east and west of the site. The orchard in the western section of the site, which is currently in a state of disrepair, is proposed to be replanted and enhanced. It is stated that this will increase the landscape and biodiversity value of the site as well as screening the proposed dwelling from Whitehill and the Mill.

## **4.0 Policy Context**

### *The Development Plan*

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. Section 70 (2) of the Town and Country Planning Act 1990 provides that 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 material considerations. The development plan comprises the saved policies of the Tewkesbury Borough Local Plan to 2011 - March 2006.

Tewkesbury Borough Local Plan to 2011 - March 2006

4.2 The application site lies outside of a recognised settlement boundary as defined by the Tewkesbury Borough Local Plan to 2011 - March 2006. Consequently, the application is subject to policy HOU4 which states that new residential development will only be permitted where such dwellings are essential to the efficient operation of agriculture or forestry or the provision of affordable housing. However, HOU4 is based on the now revoked Structure Plan housing numbers and for that reason is considered out of date in the context of the NPPF in so far as it relates to restricting the supply of housing. The policy is also out of date in this context because the Council cannot demonstrate a five year supply of deliverable housing sites.

4.3 Other relevant local plan policies are set out in the appropriate sections of this report.

Emerging Development Plan

4.4 The emerging development plan will comprise the Joint Core Strategy (JCS), Tewkesbury Borough Plan and any adopted neighbourhood plans. These are all currently at varying stages of development.

4.5 The Joint Core Strategy (Submission Version November 2014) is the latest version of the document and sets out the preferred strategy over the period of 2011-2031. This document, inter alia, sets out the preferred strategy to help meet the identified level of need. Policy SP2 of the Submission JCS sets out the overall level of development and approach to its distribution.

4.6 Within the rural areas of Tewkesbury Borough, 2,740 dwellings are proposed to be delivered in the plan period to 2031. Approximately two thirds of this rural development has already been committed through planning permissions already granted. The remainder of this requirement will be allocated at rural service centres and service villages through the Tewkesbury Borough Plan and neighbourhood plans.

4.7 Paragraph 216 of the NPPF sets out that decision-takers may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

4.8 The JCS has now been submitted to the Secretary of State for Public Examination.

National Policy/Guidance

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. The NPPF also sets out a presumption in favour of sustainable development and states that development proposals that accord with the development plan should be approved without delay. The NPPF goes on to say that where the development plan is absent, silent or relevant policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or where specific policies in the Framework indicate development should be restricted.

4.9 The NPPF requires applications to be considered in the context of sustainable development and sets out that there are three dimensions to sustainable development: economic, social and environmental. In essence, the economic role should contribute to building a strong, responsive and competitive economy; the social role should support strong, vibrant and healthy communities; and the environmental role should contribute to protecting and enhancing the natural, built and historic environment. These roles should not be undertaken in isolation, because they are mutually dependant.

4.10 Section 6 of the NPPF: Delivering a wide choice of high quality homes, states at Paragraph 55 that Local Planning Authorities should avoid new isolated homes in the countryside unless there are special circumstances. Once such special circumstance is considered to be where a development proposes a dwelling of exceptional quality or innovative nature of design. Such a design should:

- Be truly outstanding or innovative, helping to raise standards of design more generally in rural areas;
- Reflect the highest standards of in architecture;
- Significantly enhance its immediate setting; and
- Be sensitive to the defining characteristics of the local area.

4.11 Section 7 of the NPPF also makes it clear that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. In determining planning applications, great weight should be given to outstanding or innovate designs which help raise the standard of design more generally in the area.

4.12 Section 11 of the NPPF seeks to conserve and enhance the natural environment by protecting valued landscapes. It states that great weight should be given to conserving landscape and scenic beauty in National parks, the Broads, and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty.

4.13 In relation to ecological impacts, Section 11 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's contribution to halt the overall decline in biodiversity. Paragraph 118 highlights that proposed development on land within or outside a SSSI likely to have an adverse effect on a SSSI should not normally be permitted.

4.14 Section 4 of the NPPF refers to Promoting Sustainable Transport, and states that the transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel. Paragraph 34 explains that plans and decisions should ensure developments that generate significant movements are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised.

## 5.0 Analysis

5.1 The main issues for consideration within this application are:

- Whether the proposal complies with the housing policies of the Development Plan; and if not, whether there are other material considerations that outweigh the conflict with those policies.
- The highway safety and accessibility implications of the development;
- the visual impact on the AONB;
- the impact on biodiversity and protected species and
- The impact upon archaeology and heritage assets

## Principle of Development

### Development Plan Provisions

5.2 As the proposed dwelling lies outside any defined Residential Development Boundary, and the proposal is not essential for the efficient operation of agriculture and does not seek to provide affordable housing, the development must be considered unacceptable in terms of Policy HOU4 and is thus contrary to the Development Plan.

5.3 However, whilst the applicants accept that the proposal is contrary to the Development Plan they argue that the proposal should be permitted on the grounds that special circumstance exist to warrant the granting of planning permission as allowed under Paragraph 55 of the NPPF. Exceptional quality or innovative nature of design is considered to represent special circumstances as set out in the NPPF.

### 'Exceptional Quality' argument

5.4 The submitted documentation explains the detailed site analysis that has been carried out to inform the eventual design. The topography and landscape character of the site has been studied and these features have been utilised in designing the proposal. Indeed much of the proposed accommodation is assimilated into the undulating topography which reduces its visual impact as well as assists in integrating the new building within the landscape. Land levels on the site slope generally upwards from west to east with the siting of the building being at a plateau where the ground levels off before it continues to climb upwards in an eastern direction.

5.5 The proposed dwelling would include many features of contemporary architecture, such as curved, glazed walling and overhanging eaves in order to make use of available sunlight and well as a leaf shaped roof which provides a vast solar energy capturing device. In addition a Brown Roof is also incorporated. The buildings is single storey in height and measures approximately 4.1 metres at its highest point, although the undulating topography has been utilised meaning the visual height above ground level is often much lower. For instance the northern elevation is not readily visible from outside of the site being screened by the existing topography as well as existing tree planting, much of which would be retained. Views to the east are largely screened by the rising land levels. The buildings southern elevation, whilst possibly the most dominant, is orientated in a manner to limit its visual impact and its curving roof bridges the level changes on site. The western elevation, whilst the widest, incorporates a brown roof to part of the building, a dry stone wall and timber cladding which would help to embed the development into the landscape. It would also be located behind trees to be planted in the orchard area of the site. It is also of note that the parking areas are located within an enclosed court yard area which would not be visible from outside of the application site.

5.6 The Council's Urban Design Officer has been consulted on the design merits of the proposed dwelling and considered that the design is attractive, compelling and of exceptional quality.

5.7 The Urban Design Officer goes on to say, although the building is positioned to the northern extreme of the site (which could initially appear to be an unwarranted intrusion into the wider landscape setting), it is actually a well-considered location in relation to the wider topographical context in that this specific location has been formed as a plateau between the two fields through historic agricultural processes.

5.8 The building itself has a relatively "nestled into the contours" quality, and this combined with the informal layout and visually recessive design of the access road creates a sense of approach and arrival to the building that seems well handled and appropriate. These aspects of the design are further complemented by the buildings relatively humble scale and a sensitive approach to, and articulation of composition, materiality and detailing; All of these aspects contribute to creating a comfortable relationship between the architecture and surrounding landscape; so instead of the building dominating its place, the design seems much more informed and guided by the qualities of the place itself. This inevitably helps the proposals to be much more convincing in the sense of it actually being an enhancement of the site.

5.9 Although the actual impact of this development on the design of rural developments more generally is a difficult assessment to make, the Urban Design Officer considers that this design would be an excellent precedent for the standard of design for this typology and could certainly act to inspire a different approach for other building types, so they support the notion that this scheme could help to "raise the standards of design in the area more generally".

5.10 In addition the Gloucestershire Design Panel Have commented on the application. The panel is an independent, multi-disciplinary panel of local design professionals, who wish to make a positive contribution to the quality of Gloucestershire's built environment. The panel concluded, "Overall, the Panel felt that the proposal was now sufficiently detailed to enable a full understanding of the design and innovation behind it. The design was sensitive to the surrounding area and, subject to the detailed design reflecting the quality of the architectural intent, the Panel were happy to endorse the design".

5.11 The application has been the subject of public consultation and has attracted both positive and negative comments in relation to design. It is acknowledged that the question of outstanding design is a subjective judgement, however on balance, having regard to the design rational, the consultee comments received and the various letters of representation from members of the public and external bodies it is concluded that the proposed design does represent a form of development which is considered to be truly outstanding, reflecting the highest standards of in architecture and would help to raise standards of design more generally in rural areas.



### 'Innovative' Design argument

5.12 The proposed dwelling includes a vast array of modern technologies to ensure its low impact on the environment, including sustainable drainage, renewable energy generation and natural lighting.

5.13 Of particular note is the Innovative Lithium Ion Battery Storage which stores on-site generated electricity captured in daylight hours and allows its usage during the evening improving the buildings independence from the national grid. In addition the Immersun unit transfers any surplus electricity after battery storage into heat energy. This application incorporates into its design a system of inter-seasonal heat storage known as "Earth Energy Bank" (EEB), which stores heat harnessed from the 'leaf' roof during the summer months ready to be drawn off during the winter months to provide heating.

5.14 The EEB system has evolved as a result of monitoring, testing, research & development. Whilst EEB technology has been utilised in previous developments what sets these proposals apart from any other is that with these proposals is that the 'leaf' part of the roof would capture solar energy with its whole surface being a solar collector. Solar tubing within the roof, which is filled with glycol collects the heat and transfers it into a ground source borehole matrix beneath the house. This heat energy will then be stored for use during the winter months to provide additional heating to the house during cold periods. This method of inter-seasonal heat capture and storage has never been done before in the UK and would represent a further evolution of both Earth Energy Bank design and building integrated solar thermal energy harnessing technology.

5.15 Having regard to the above it is considered that the proposal incorporates elements on innovative design some of which has not been used before in the UK.

### Landscape Impact

5.16 Section 11 of the NPPF seeks to conserve and enhance the natural environment by protecting valued landscapes. It states that great weight should be given to conserving landscape and scenic beauty in National parks, the Broads, and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty.

5.17 The application site lies within the Area of Outstanding Natural Beauty and is set on the side of the Cotswold escarpment. The landscape character of this elevated area is of open fields with both hedgerow and stone wall boundaries, interspersed with small wooded areas. The application site is currently an open, grass meadow bounded by a stone wall and mature vegetation. The gaps in this vegetation and the natural elevated topography of the site enable certain clear views across farmland and the AONB.

5.18 In terms of the landscape impacts of the proposal, the site is located within an area of land which is distinctly separate from most of the other build development to the west along Mill Lane. Although The Pitch, a single storey property, is located to the north east and is set back approximately 45 metres from Upper Mill Lane. Views from the north east are significantly screened by existing dense planting and this is also true of views from Upper Mill Lane to the North. The Mill, a residential property with an open aspect onto the adjacent orchard is located approximately 80m from the proposed development. Whilst there would be some views of the proposed development it would be broken up by existing trees as well as the additional planting proposed. Also given the developments relatively low height it is not considered that this would be visually intrusive from here. There would be very limited views of the application site from the west given the development form and the amount of existing vegetation in the surrounding areas which limits views.

5.19 Given the sites topography much of the built form of the development as well as the external amenity area would be screened from the east and this helps to significantly reduce the visual impact of the proposed development from elevated views further up the Cotswolds escarpment.

5.20 There are a number of Public Rights of Way (PROWs) in the area which could be affected by the proposed development. These include elevated views from footpath AMS/26/6 and panoramic views from the Cotswolds Right of Way however views from these vantage points are generally, long distance and well screened. Views for footpaths ASM/20/1 and ASM/112/1 are generally screened by existing woodland and boundary treatments.



5.21 The proposed development is clearly a landscape lead scheme which is considered to utilise the sites existing landscape features and topography. The residential amenity space associated with the proposed dwelling would be located to the south of the building and would be relatively open to the west. However it would be reasonably well screened by the proposed orchard planting. It would be relatively self-contained with little visual impact to the north, given the land level changes or to the south given existing established planting. A number of concerns have been raised regarding the size of the residential curtilage associated with the proposed development as well as the potential for the garden area to become over domesticated. The limited impact of the proposed design relies on tightly defined residential curtilage, without which there is potential for the schemes modest impact to be exacerbated. Having regard to this should Members be minded to grant planning permission it is recommended that a condition be imposed clearly identifying the residential curtilage on a plan. In addition given the sensitive nature of the site it is recommended that all permitted development rights are removed.

5.22 In terms of landscape enhancements, the existing orchard is in a poor condition appearing not to have been maintained for some time. This is also true of the woodland areas of the site which require attention. As part of the proposed development the orchard would be replanted, wildflower planting would also be incorporated. The woodland at the northern end of the site would be managed and replanted. Ridge and Furrow would be maintained on site and other tree and shrub planting would be beneficial to the quality and longevity of the landscape features. If members are minded to grant planning permission it is recommended that condition be imposed requiring a landscaping scheme to be submitted to and agreed with the Local Planning Authority.

5.23 Overall the proposed development would not result in a prominent form of development within the landscape. Many of the public views of the site are well screened by existing vegetation and even in winter months it is considered that the application site would be well integrated into the landscape. Where glimpses of the building are seen this is likely to either be from the west and these views would be filtered or from the east where the majority of the building sits low in the landscape and whilst not appearing prominent would also be seen against the back drop of the urban area of Prestbury and in the context of other scattered buildings across the escarpment which in themselves have little visual impact on important views into or out of the AONB. In addition a landscape scheme is proposed as set out in the submitted Landscape Masterplan and on balance it is considered that the impact of the proposal on the AONB would not be harmful and the proposal would enhance the immediate setting of the area.

#### *Sustainable Transport and Highway Safety*

5.24 Section 4 of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. Paragraph 32 specifically requires safe and suitable access to all development sites for all people. Policy TPT1 of the Local Plan requires that appropriate access be provided for pedestrians, cyclists and vehicles, and that appropriate public transport services and infrastructure is available or can be made available. It further requires that traffic generated by and/or attracted to the development should not impair that safety or satisfactory operation of the highway network and requires satisfactory highway access to be provided.

5.25 The supporting statement acknowledges that the application site is located approximately 800 metres from Prestbury and residents are likely to utilise the car to access day to day facilities and services. However it must also be acknowledged that the option to walk or cycle into Prestbury is a possibility and a regular bus service operates through Prestbury connecting Cheltenham with Winchcombe, Broadway and Willersey. A second service connects Prestbury Village with Cheltenham from Noverton Lane, Limited retail and leisure facilities are available in Prestbury with a wider selection of services being provided in Cheltenham. The NPPF sets out that solutions will vary from urban to rural locations.

5.26 In any case even if it were concluded that the application site is an isolated location if special circumstances are accepted regarding the principle of the development in this location that the proposed development would not be contrary to the NPPF with respect to accessibility.

5.27 In terms of access to the application is supported by a Transport Statement that includes a speed survey carried out on Upper Mill Lane adjacent to the proposed point of access using an Automatic Traffic Counter. The survey indicates that over a 5 day period the average vehicle movements on Upper Mill Lane were 92 westbound (Downhill) and 98 eastbound (Uphill) and the 85th Percentile speeds being 26 and 27 MPH respectively. These speeds require the provision of vision splays of 33 m to the right and 35 m to the left on exit from the proposed point of access. Evidence has been included within the application of the availability of vision splays of 43 m in both directions at the proposed point of access that are in excess of the required distances. The County Highway Authority have been consulted on the application and raise no objections subject to conditions.

#### Flood Risk and Drainage

5.28 The NPPF aims to direct development away from areas at highest risk. Development itself should be safe and should not increase flood risk elsewhere. Policy EVT5 reflects this advice and Policy EVT9 of the Local Plan requires that development proposals demonstrate provision for the attenuation and treatment of surface water run-off in accordance with sustainable drainage systems (SuDS) criteria.

5.29 In terms of mains drainage Severn Trent have been consulted on the application and raise no objection to the scheme.

5.30 The proposed development is in Flood Zone 1, and a Flood Risk Assessment is required as the site exceeds 1 hectare in size. In order to manage surface water on site the following mitigation is proposed:

- The new driveway should be constructed with a permeable surface, such as bonded gravel, so that no additional run-off is generated;
- Run-off from the roof of the new living accommodation will drain to the pond which will have an outlet to the downstream watercourse via a swale whilst the run-off from the sleeping accommodation will drain directly to the swale.

5.31 The Councils Flood Risk Management Officer has been consulted on the application and the approach of the FRA is welcome in utilising permeable surfacing and above ground SuDS elements such as the swale. No objections to the proposal is raised subject to a condition requiring details of drainage design to be submitted to and agreed with the Local Planning Authority.

#### Ecology and Nature Conservation

5.32 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. Local Plan Policy NCN5 seeks to protect and enhance biodiversity in considering development proposals.

5.33 The application is supported by an Ecological Survey which assesses the ecological impact of the proposed development. The application is also supported by a Badger Survey. The site itself is not subject to any statutory or local designation relating to matters of ecology.

5.34 In addition following the Phase 1 survey a badger survey has been carried out and confirms whilst there is potential for the development (the new access in particular) and construction phase activities (i.e., vehicle movements) to impact on badger setts and badger, avoidance/minimisation of impact will be possible through design and implementation (i.e., maintain 15m buffer to each entrance). Disturbance to badgers will be limited by fencing off the buffer areas from the construction zone to prevent vehicle movements within close proximity to the setts.

5.35 Having regard to the above, appropriate survey work has been carried out in accordance with the recommendations contained within the submitted Ecological Survey and suitable mitigation has been proposed which can be secured through the imposition of an appropriately worded planning condition. The development as proposed would not have a detrimental impact upon protected species and the proposed development is considered to accord with Policy NCN7 of the Local Plan and the aims and objectives of the NPPF.

## Archaeology and Cultural Heritage

5.36 The NPPF sets out that great weight should be given to the conservation of heritage assets. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Paragraph 135 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account when determining the application. In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of harm or loss and the significance of the heritage asset.

5.37 The application has been submitted with a Heritage Assessment. This assessment concluded that a geophysical survey of the application site was carried out. The geophysical survey of the application site was carried out in April 2014. The County Council's Archaeologist has been consulted on the application and is of the view that there is no indication that any significant archaeological remains will be adversely affected by the proposed development.

5.38 A detailed letter of objection raised concerns regarding the impact on a number of heritage assets; however the Council Archaeologist confirms that these objections relate to either heritage assets outside of the application site, of uncertain validity or are of very low significance.

5.39 In addition concern has also been raised regarding the potential impact of the development on the setting of the property The Mill. The owners of The Mill have applied to Historic England to have the building Listed and the process is currently underway. Whilst this property is certainly considered to represent a non-designated heritage asset, if not a building worthy of listing, however the Council's Conservation Officer notes it is located some distance from the application site and it is not considered that the proposal would have a significant impact upon its setting to warrant refusal of planning permission even if it were currently a statutory Listed Building.

5.40 Overall, the County Archaeologist advises that there is low potential for the application site to contain archaeological remains of any significance. Consequently, no further archaeological investigation or recording is required. In addition the Council's Conservation Officer raises no objection to the proposed development therefore it is considered to have acceptable impacts in these respects.

## Other Issues

Whilst concern has been raised regarding the proposed development setting precedent for other developments in similar locations, each application must be assessed on their own merits.

## **6.0 Conclusion**

6.1 In light of the above, it is considered that the proposed development represents a development of outstanding innovative design. It is considered that the proposal complies with the four tests in the last bullet point to paragraph 55 of the NPPF. It is also concluded that the proposal would not unduly impact on the landscape character of the AONB and the proposed landscape enhancement measures would enhance the sites immediate setting. The proposal is therefore recommended for Permit.

## **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 approved plans Drawing Numbers: 126\_DR\_DE\_2300\_A, 126\_DR\_PL\_2031\_A, 126\_DR\_PL\_2040\_A, 126\_DR\_SE\_2105\_A, 126\_DR\_SE\_2106\_A, 126\_DR\_SE\_2107\_A 126\_DR\_PL\_2035\_A, 126\_DR\_PL\_2036\_A, 126\_DR\_EL\_2200\_A, 126\_DR\_EL\_2201\_A, 126\_DR\_EL\_2202\_A, 126\_DR\_EL\_2203\_A, HTP 1403 04 unless otherwise agreed in writing with the Local Planning Authority.

- 3 Notwithstanding the submitted details, no development shall take place until samples of all external facing and roofing materials has been submitted to and been approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved samples.
- 4 Notwithstanding the provisions of Classes A, B and E of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order), no development shall take place other than that expressly authorised by this permission.
- 5 No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; hard surfacing materials; planting plans, specifications and schedules and details of tree and hedgerow protection for existing planting, to be retained, in accordance with BS 5837: Trees in relation to construction. All approved tree and hedge protection measures shall be in place prior to the commencement of the development shall be retained thereafter until the development is complete. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.
- 6 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas within the land in the applicant's control, as shown on the submitted site plan 126\_DR\_PL\_2015\_A, shall be submitted to and approved by the LPA before the dwelling is occupied. The landscape management plan shall be carried out as approved.
- 7 Notwithstanding the submitted details no external lighting shall be erected unless a detailed external lighting scheme has first been submitted and approved in writing with the Local Planning Authority.
- 8 Development is not to begin until comprehensive evidence based detailed drainage design, including a SuDS/drainage management plan, have been submitted and approved by the authority. These should fully incorporate the principles of sustainable drainage and improvement in water quality, along with a robust assessment of the hydrological influences of the detailed drainage plan, including allowances for climate change. The scheme to subsequently be implemented in accordance with the approved details before the development is finished and put into use, and subsequently maintained to the required standard.
- 9 Unless otherwise agreed in writing by the Local Planning Authority, the development hereby permitted shall be implemented strictly in accordance with the recommendations and requirements of the Ecological Appraisal report and the submitted Badger Survey both dated December 2014.
- 10 The residential curtilage associated with the dwelling hereby permitted shall be limited to the hatched area shown on Curtilage Plan received on 21st May 2015.
- 11 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 2.4 m 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 43 m distant in both directions (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 1.05 m and 2.0 m at the X point and between 0.26 m and 2.0 m at the Y point above the adjacent carriageway level.
- 12 Prior to the occupation of the development hereby permitted, the vehicular access and turning head shall be laid out and constructed in accordance with the submitted plan HTP 1403 04 and the access driveway shall be laid out and constructed in general accordance with 126\_DR\_PL\_2040\_A with any gates situated at least 5.0 metres back from the carriageway edge of the public road and hung so as not to open outwards towards the public highway and with the area of driveway within at least 10 metres of the carriageway edge of the public road surfaced in bound material, and shall be maintained thereafter.



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 To define the extent of the permission for avoidance of doubt.
- 3 To ensure that the external appearance of the building is satisfactory.
- 4 Reason: In the interests of visual amenity and the character of the area.
- 5 To ensure that the appearance of the development is satisfactory.
- 6 In the interest of the amenity of the area.
- 7 In the interest of the amenity of the area.
- 8 To ensure that the development is provided with a satisfactory means of drainage; as well as reducing the risk of flooding both on the site itself and the surrounding area, and to minimise the risk of pollution, all in accordance with the saved policies and NPPF guidance.
- 9 To ensure proper provision is made to safeguard protected species and their habitats, in accordance with the guidance set out in the NPPF and Policy NCN5 of the Tewkesbury Borough Local Plan to 2011 - March 2006.
- 10 To define the extent of the permission for avoidance of doubt.
- 11 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.
- 12 To reduce potential highway impact by ensuring that a safe and secure access is laid out and constructed that minimises the conflict between traffic and cyclists and pedestrians in accordance with paragraph 35 of the National Planning Policy Framework.

Note:

**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.



SITE PLAN  
Site Context  
126\_DR\_PL\_2015\_A

# HEADLANDS

Location: 126  
Priority:  
Phase: 1  
Scale: 1:1000



140  
1111A

15/00228/FUL

Scale 1:1000 (1:1000)

0m 200m

Application Size: 20,000 m<sup>2</sup> (24 ha)  
Land under cover: 10,000 m<sup>2</sup> (12.7 ha)  
Total: 137,852 m<sup>2</sup> (13.78 ha)

Valid 29.04.2015

Construction of extensions to front and rear elevations of existing dwelling.  
Revised scheme to 14/01083/FUL including additional single storey accommodation to ground floor

Grid Ref 395737 227894  
Parish Bishops Cleeve  
Ward Cleeve St Michaels

Mr Darryl King  
Cedar House  
Evesham Road  
Bishops Cleeve  
Cheltenham  
Gloucestershire

## RECOMMENDATION Permit

### Policies and Constraints

NPPF

PPG

Tewkesbury Borough Local Plan to 2011 - March 2006 - HOU8

Joint Core Strategy Submission Version - November 2014.

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

**Parish Council** - object - concerns regarding the significant increase in the proposed development from the original application. This is overdevelopment not retaining the original character of the building.

**Local residents** - no objections received.

**Conservation Officer** - no objections

**Planning Officers Comments:** Mrs Sarah Barnes

### 1.0 Application Site

1.1 This application relates to Cedar House, a detached recon-stone dwelling located along Evesham Road in Bishops Cleeve (**site location plan attached**). This dwelling is located within the grounds of Cleeveway Manor (Grade II Listed).

### 2.0 Planning History

2.1 In 2002 'Retrospective application for the erection of two dwellings with garages (amended scheme showing revised siting, use of alternative walling and roofing materials and alterations to detailed design) - part retention.'

2.2 In 2014 planning permission was granted for 'construction of extensions to the front and rear elevations of existing dwelling.' This is a revised scheme to the 2014 permission.

### 3.0 Current Application

3.1 The current application is for the construction of extensions to the front and rear elevations of the existing dwelling (**plans attached**). This is a revised scheme to 14/01083/FUL. The changes from the original scheme include two single storey extensions and the two storey extension would be marginally increased. The single storey extensions would create a shower room, utility room and an office.

### 4.0 Policy Context

4.1 Section 7 of the NPPF makes it clear that the Government attaches great importance to the design of the built environment.

4.2 Policy HOU8 of the Local Plan sets out, inter alia, that extension to existing dwellings will be permitted provided that the proposal respects the character, scale, and proportion of the existing dwelling. The policy requires that proposals must not have an unacceptable impact on adjacent property in terms of bulk, massing, size and overlooking. The proposal must also respect the character and appearance of the surrounding area. This policy is considered consistent with the framework and as such should be given due weight according to paragraph 215 of Annex 1 of the framework.

## 5.0 Analysis

### Size and design

5.1 The Parish Council have objected on the grounds that there would be a significant increase in the proposed development from the original application. The Parish Council consider that this would be 'overdevelopment.'

5.2 The Parish Council's concerns have been noted, however, the majority of the extensions were permitted under the original application 14/001083/FUL (**plans attached**). The revised application includes two additional single storey extensions to create a study / office and a shower room / utility area. Both would be modest in size (3 metres by 3.5 metres and 2.5 metres by 5 metres). The two storey extension would also only be increased in length by approximately 0.5 metre. Therefore, given that the majority of the extensions were permitted under the original 2014 application and the new additions would only be relatively modest in size, it is considered that the proposal would not result in overdevelopment.

5.3 Overall, it is considered that the proposed extensions (revised scheme) would be of a suitable size and design and would not be out of character or proportion with the existing dwelling. All of the extensions would be constructed from reconstituted stone and stone roofing to match the existing dwelling.

### Residential Amenity

5.4 The impact of the proposal upon neighbouring properties has carefully been assessed and it is considered that there would not be an undue impact upon their amenity in accordance with Policy HOU8. The first floor circular window in the west elevation would be conditioned to be obscure glazed.

### Impact on the setting of the Listed Building

5.5 There is a Grade II Listed Building (Cleeveaway Manor) about 40 metres to the north-west of the site. Back in 2002 permission was granted for this dwelling and the one other, both within the grounds of 'Cleeveaway Manor.'

5.6 The Conservation Officer has been consulted and has no conservation objections to the proposed additions. It is therefore considered that the proposal would not have a harmful impact on the setting of Cleeveaway Manor.

## 6.0 Conclusion

6.1 Overall, it is considered that the proposed extensions would be of an acceptable size and design, and there would not be a harmful impact on the neighbouring dwellings nor the setting of Cleeveaway Manor. The proposal would therefore accord with the NPPF and Policy HOU8 of the Local Plan and is recommended for **permission**.

### Summary of Reasons for Decision:

### 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 first floor window in the west elevation serving the ensuite shall be glazed in obscure glass. The window shall thereafter be retained as such and not altered without the prior consent of the Local Planning Authority.

- 3 The external materials of the proposed extensions shall match as near as possible the materials of the existing dwelling.

Reasons:

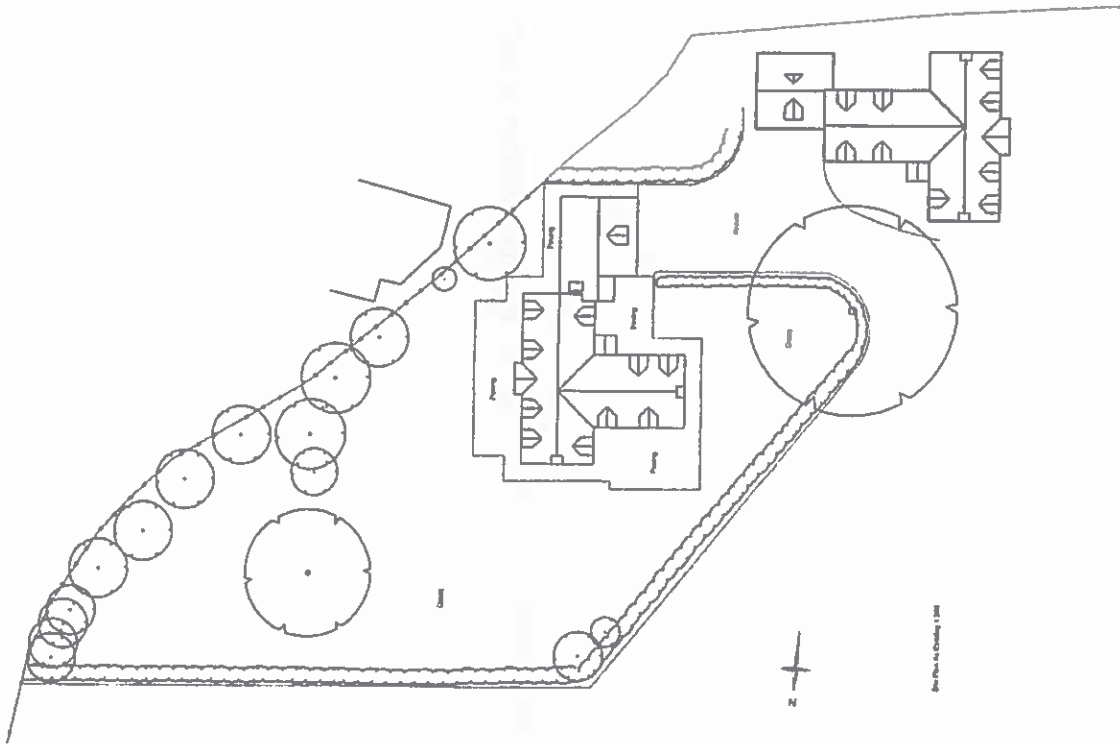
- 1 To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
- 2 To safeguard the privacy of local residents in accordance with Policy HOU8 of the Local Plan.
- 3 To ensure that the extension is in keeping with the existing building in accordance with Policy HOU8 of the Tewkesbury Borough Local Plan to 2011 - March 2006.

Note:

**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.

15/100503/rev



114/A44

Client	Mr & Mrs J. J. J. J.
Project	Emergency House
Site	114/A44
Scale	1:100
Date	21/01/11
Drawn	J. J. J.
Checked	J. J. J.
Approved	J. J. J.



Emergency House  
Channery Manor  
Barnes, London

Site Plan on Elevation and  
Location Plan

Scale 1:200, 1:100 @ A1  
Date March 2015  
Drawn No. 21/01/11

aj design  
www.ajdesign.com



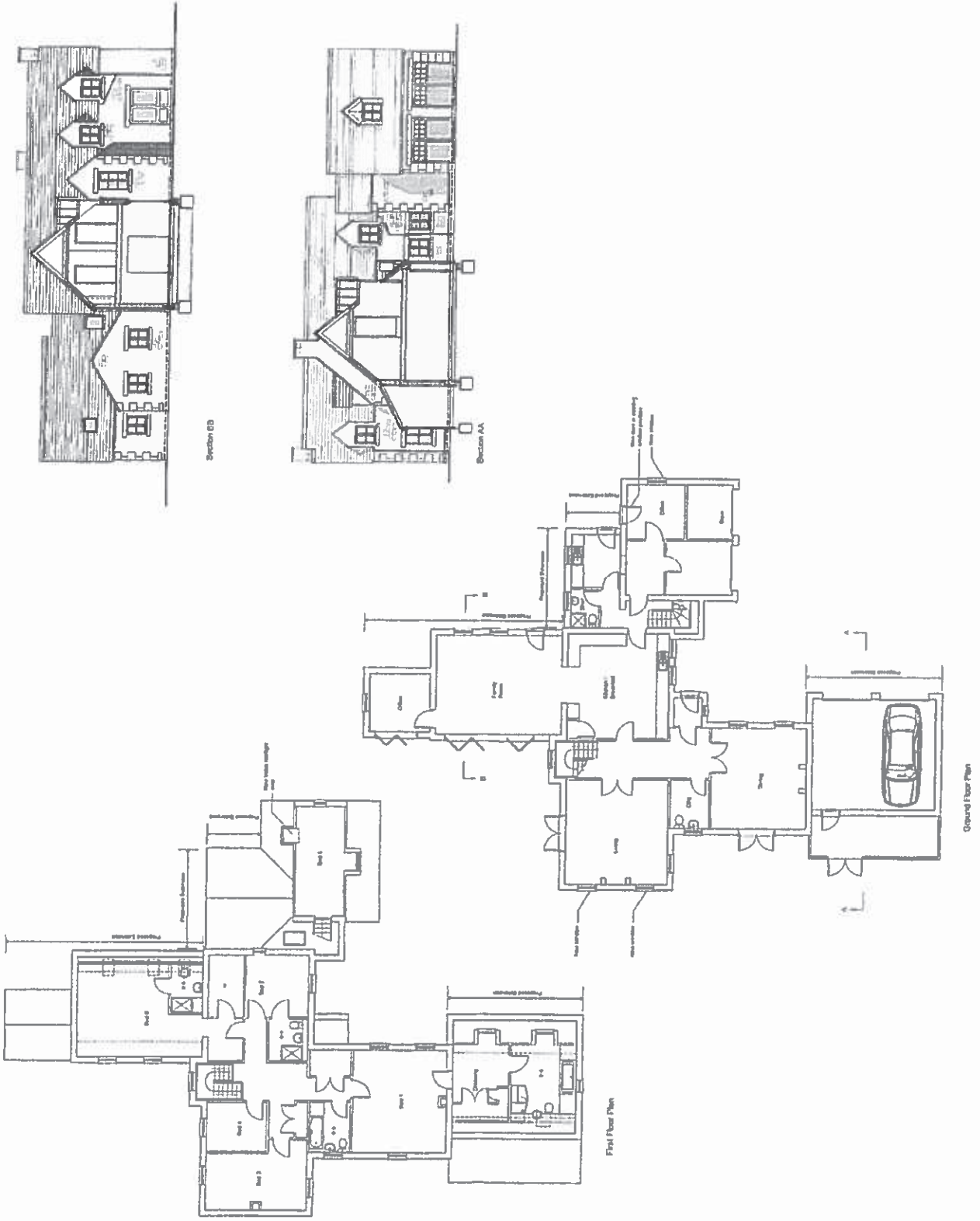








15/00503/fax



Clear House,  
 Creevey Moor  
 Bishop Cleeve  
 Plans and Sections  
 As Proposed  
 Scale 1:100 @ A1  
 Date March 2013  
 Draw No 2143/1/2

**ajdesign**  
 www.ajdesign.co.uk

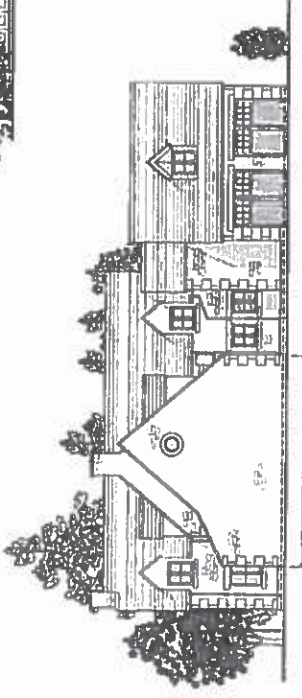
114/148/E

original application - 14/001085/rev

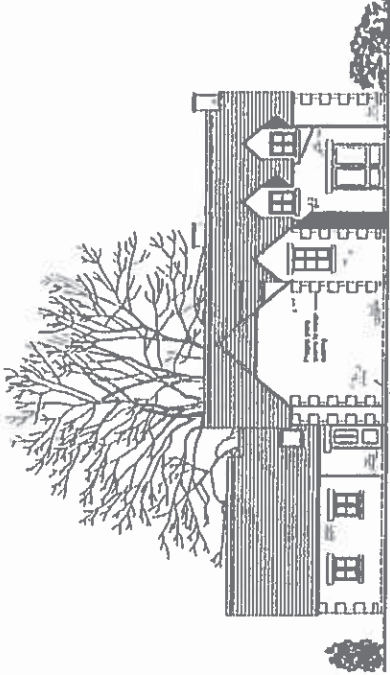
AMENDMENTS



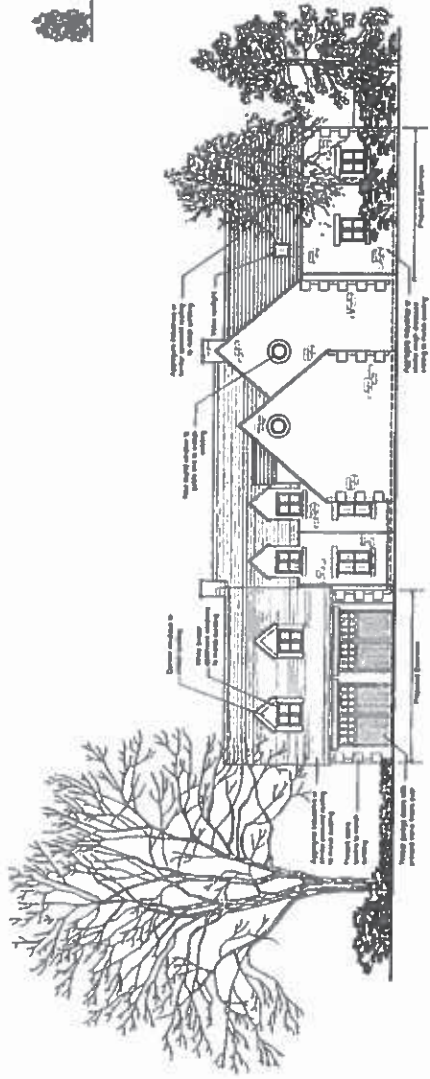
North Elevation



West Elevation



East Elevation



South Elevation



SCALE  
 NOTE: DIMENSIONS TO FACE UNLESS OTHERWISE NOTED

PROJECT  
 Cedar House  
 Channing Manor  
 Spencer Plains

TITLE  
 Elevations  
 As Proposed

SCALE 1/100 @ A1  
 DATE 09/20/14

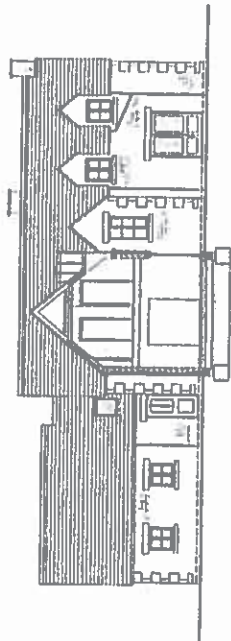
PROJECT NO.	21421
DWG NO.	04

114/E  
 149

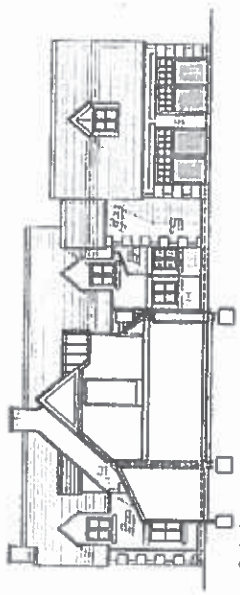


original application - 14/001083/1rel

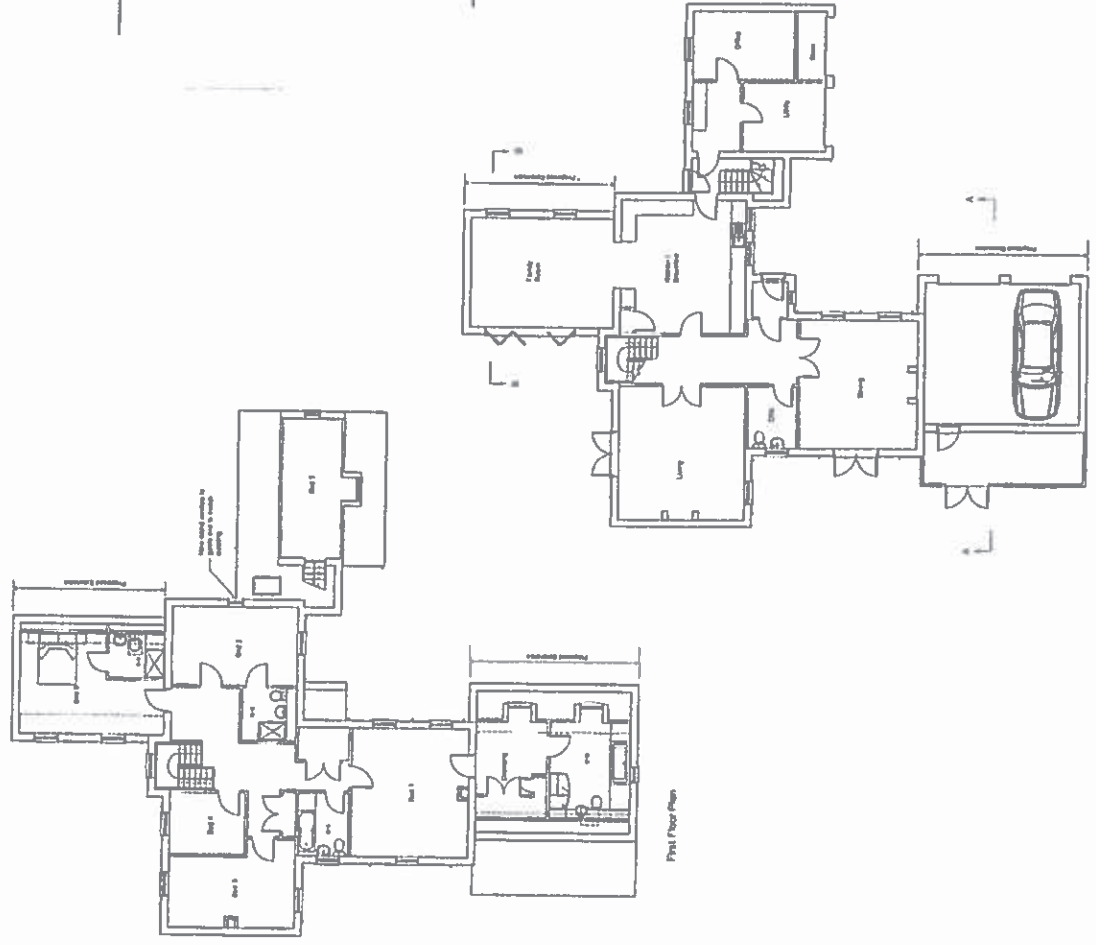
ARCHITECTS



Section BB



Section AA



First Floor Plan

Ground Floor Plan



SCALE

NOTES:  
1. ALL DIMENSIONS TO FACE UNLESS OTHERWISE SPECIFIED.  
2. ALL DIMENSIONS TO FACE UNLESS OTHERWISE SPECIFIED.

PROJECT:  
Cedar House,  
Carmarthen Manor,  
Dorset, Dorset

TITLE:  
Plans and sections  
As Proposed

SCALE	1:100 @ A1
DATE	08/2014
PROJECT NO.	21461
DWG NO.	03

150  
114/G

## 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 Mrs H C McLain	Hucclecote	Hucclecote	Mrs G F Blackwell
Badgeworth	Badgeworth Boddington Great Witcombe 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 Mrs R M Hatton H A E Turbyfield	Isbourne	Buckland Dumbleton Snowhill Stanton Teddington Toddington	J H Evetts
Churchdown Brookfield	Brookfield Ward	R Bishop D T Foyle	Northway	Northway	Mrs P A Godwin Mrs E J MacTiernan
Churchdown St John's	St John's Ward	Mrs K J Berry A J Evans Mrs P E Stokes	Oxenton Hill	Gotherington Oxenton Stoke Orchard and Tredington	Mrs M A Gore
Cleeve Grange	Cleeve Grange	Mrs S E Hillier- Richardson	Shurdington	Shurdington	P D Surman
Cleeve Hill	Prescott Southam Woodmancote	M Dean Mrs 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 Mrs 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	Twyning	Tewkesbury (Mythe Ward) Twyning	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 Mrs J E Day J R Mason

11 May 2015

Please destroy previous lists.