



**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)  
PLANNING AND COMPULSORY PURCHASE  
ACT 2004**

**PLANNING, DESIGN AND ACCESS STATEMENT**

**RE: INSTALLATION OF NEW OUTDOOR POOL AND POOL HOUSE  
TOGETHER WITH ASSOCIATED ANCILLARY DEVELOPMENT**

**AYLESMORE COURT, ST BRIAVELS, NR LYDNEY,  
GLOUCESTERSHIRE, GL15 6UQ**

**On behalf of:  
Mr F. MacDermot & Dr M. Holmes**

Date: September 2021  
Ref: AP/P/M-041

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## 1. INTRODUCTION

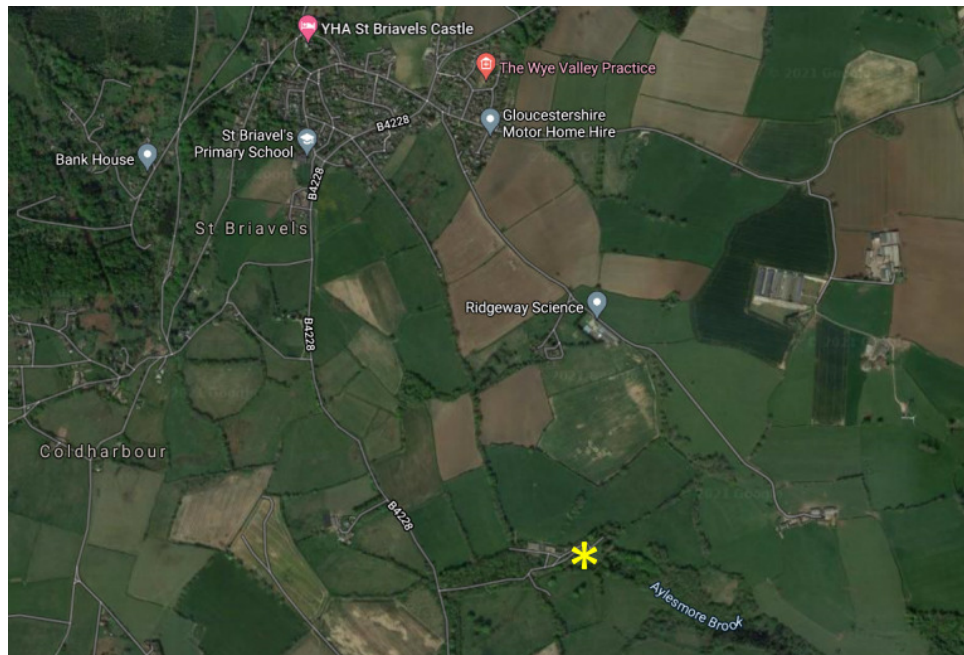
1.1. This statement has been prepared by **Plan-A Planning and Development Ltd** in support of planning and listed building applications for the installation of a new outdoor pool and pool house, together with associated ancillary development at Aylesmore Court, St Briavels. It assesses and evaluates the context and character of the site and surrounding area and considers the proposals against the national and local policy framework, referring as appropriate to the following documents and drawings which accompany the application:-

- Heritage Statement (The Environmental Design Partnership)
- Preliminary Ecological Appraisal (All Ecology)
- Drawing No. 387.01.03 – Site Location Plan
- Drawing No. 387.01.01 – Existing Site Layout
- Drawing No. 387.13C – Proposed Site Layout (Pool and Pool House)
- Drawing No. 387.14 – Site Sections
- Drawing No. 387.15 – Pool House (Plan and Elevations)
- Drawing No. 387.16 – Pool House (Roof and Solar Panels)
- Pool House Illustrations – Interior and Exterior
- Drawing No. 1021 01 – Pool House Plan GAs
- Drawing No. 1020 20 – Pool House Sections
- Drawing No. 1021 50 – Pool House Plan Detail 01

1.2 Based on our assessment, and having taken all relevant material planning considerations into account, the statement concludes our case that the application proposals are in full accordance with all relevant national and local planning policies.

## 2. SITE LOCATION AND DESCRIPTION

- 2.1 Aylesmore Court is a large Grade II listed country house located to the east of the B4228 approximately 1 mile to the south of St Briavels. It lies at the eastern end of a long private driveway which runs to the north of Aylesmore Brook, and sits within extensive landscaped grounds that originally formed part of a managed country estate.



*Site Location (Google Earth, accessed July 2021)*

- 2.2 Built in around 1820 on the site of an earlier property, the house and estate have had a variety of owners although, prior to its purchase by the current owners in 2004, the property had suffered from many decades of neglect and was in a dangerous and dilapidated condition. The main house has now been extensively refurbished by the current owners, which has served to secure its long-term future as a large family dwelling. Whilst some works have also been undertaken to restore the gardens and various features within the immediate setting of the property, ongoing work will serve to reclaim and develop the garden and wider parkland landscape associated with the estate.
- 2.3 The proposed outdoor pool is to be located on the eastern side of the walled garden which lies to the south of the house, with the pool house set around the existing boundary wall. The garden occupies a sloping site between the house and Aylesmore Brook. It contains terraced shrub/flower beds together with a small vegetable garden and fruit trees but is otherwise laid to grass.

### **3. RELEVANT PLANNING HISTORY AND PRE-APPLICATION CONSULTATION**

- 3.1 Whilst there have been a number of planning and listed building applications associated with the other properties within the wider estate, those concerning Aylesmore Court itself relate to the consents granted for works associated with restoration of the house (application ref. P0688/04/FUL; P0690/04/LBC; and P1869/04/LBC refer). Nevertheless, the applicants have always made clear their intentions to restore the harmony that used to exist between the house and its landscape context by embarking on a programme that will provide the next generation of trees and other landscape planting within the surrounding parkland and gardens. The landscape framework resulting from this new planting and associated works will provide the context for consideration of the new development now proposed.
- 3.2 As part of this process, a formal pre-application enquiry was submitted in respect of proposals for both the outdoor pool and pool house, as well as a new tennis court to the east of the house (LPA ref. P0324/21/PREAPP refers). In terms of the proposed pool and pool house, the pre-app response confirmed that it was acceptable to site them within the walled garden, as this now clearly forms part of the residential curtilage. Some concerns were raised as to the impact that would result from introduction of the pool's rectangular geometric form into the walled garden. However, based on the concept sketches provided, it was considered that the likely scale of harm could be suitably mitigated by minimising the amount of hard surfacing around the pool edge and, if necessary, through public benefits associated with repairs to some of the curtilage listed structures.
- 3.3 With regard to the pool house, the pre-app response confirmed that, if carefully designed and sited against the wall of the walled garden, it should have a neutral impact on both the walled garden and setting of the main house. A high quality modern design with low-pitched roof was recommended as the most appropriate design solution, although concerns were raised as to the potential impact associated with creating a new doorway within the wall to allow for the siting of plant and equipment outside the envelope of the walled garden, despite the fact that this would reduce the size and massing of the structure visible from within the garden.
- 3.4 Officers confirmed that an historic environment statement would be necessary in support of the proposals. This would need to identify the significance of the heritage assets and assess the potential for effects upon them as a consequence of the development proposals.

#### 4. THE PROPOSALS

- 4.1 The proposed development relates to the the installation of a new outdoor pool and pool house, together with associated ancillary development.
- 4.2 The pool is sited within the south-eastern corner of the walled garden and aligned upon the axis of the historic geometric ‘quartering’ evident on the 1880’s Ordnance Survey map. The use of this flatter part of the walled garden avoids the need for extensive earthworks and ensures that the proposed retaining wall on the northern side of the pool is kept to a height of only 0.5m, with modest re-profiling of the existing bank (see Drawing No. 387.14).
- 4.3 In response to pre-application advice, the amount of hard surfacing around the pool has been reduced. Accordingly, the pool surround is now proposed to be laid to grass other than at the eastern end, where paving is used to connect it with the proposed pool house and garden wall return.
- 4.4 Both the pool and pool house reference the layout and materials of the surrounding landscape and structures, Existing buildings, walls and openings have been used as source design and templates, such as the slate roofed horticultural building which lies adjacent to the outside edge of western wall. However, in accordance with the pre-application advice, the design approach for the pool house is overtly modern and lightweight, with a predominantly glazed elevation facing onto the pool and the use of timber cladding to reflect its subsidiary use.
- 4.5 The pool house is designed to straddle the existing garden wall, with the shallow pitch roof bridging over it. This arrangement serves to minimise the scale and massing of built development located within the walled garden and, as explained within para 4.35 of the Heritage Statement, is not inconsistent with a historical arrangement. Whilst it does necessitate the insertion of a door within the fabric of the wall, the opening is modelled on an existing opening within the western wall and is the minimum necessary to achieve the functional link that is required between the component elements.
- 4.6 Heating of both the pool and pool house is proposed to be from renewable sources, with solar thermal panels on the south facing roofslope and an air source heat pump. Thermal insulation on the pool and pool house will be to building regulation requirements and associated thermal values.

4.7 Finally, building materials used in the construction of the proposed development will all be locally sourced, with stone from local quarries and locally grown and machined timber. The new tree and plant material associated with the proposed landscaping scheme will also be sourced and supplied from Gloucestershire nurseries.

## 5. PLANNING POLICY FRAMEWORK

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 confirms that where a determination is to be made under the Planning Acts, the determination must be made in accordance with the Development Plan unless material considerations indicate otherwise. The current Development Plan for Forest of Dean District Council comprises both the Forest of Dean Core Strategy (2012) and Allocations Plan (2018) although the NPPF also represents a material consideration in its own right.

### **Forest of Dean Core Strategy (2012)**

#### Policy CSP.1 Design, Environmental Protection and Enhancement

5.2 This policy outlines that new development must take into account the important characteristics of the surrounding environment and look to conserve, preserve or respect them so as to maintain or enhance their contribution to the environment. It should respect wider natural corridors and other natural areas, providing green infrastructure where necessary.

#### Policy CSP.2 Climate Change Adaption

5.3 This policy highlights that proposals should seek to reduce the impacts of climate change, demonstrating an integrated approach to water management, heating and cooling and biodiversity.

### **Forest of Dean Allocations Plan (2018)**

#### Policy AP1 – Sustainable Development

5.4 This policy confirms that the primary consideration in assessing development proposals will be whether or not they are sustainable with regard to the aim of improving the economic, social and environmental conditions of the area.

#### Policy AP4 – Design of Development

5.5 This stipulates that new development will be expected to be of a high quality design which makes a positive contribution to the design quality of the area in which it is proposed. Where appropriate, this should be achieved by establishing or supporting a strong sense of place and by taking account of local character and history. It should be visually attractive, employing good architecture and landscaping which respects the amenity of residents and others whilst contributing to environmental enhancement.



#### Policy AP5 – Historic Character and Local Distinctiveness

- 5.6 In order to maintain its cultural identity and sense of place, this policy confirms that development should protect and promote the special qualities, historic character and local distinctiveness of the district. Proposals must preserve and, where appropriate, enhance local character and those aspects of the historic environment which are recognised as being of special historic architectural and landscape quality.

#### Policy AP7 – Biodiversity

- 5.7 This policy confirms that developments shall safeguard features and supporting habitats which form part of ecological networks and, where appropriate, provide ‘missing’ connections.

#### Policy AP8 – Green Infrastructure

- 5.8 This requires consideration and/or provision of green infrastructure as an integral part of new development schemes. Any new provision should take best advantage of nearby features in a manner that safeguards or enhances the biodiversity of the development site and its surroundings whilst also considering how they can also enhance the landscape.

#### **Other Material Policy Considerations**

##### National Planning Policy Framework (NPPF)

- 5.9 The NPPF sets out the Government’s planning policies for England, together with guidance on how they are expected to be applied. It is a material consideration in its own right in the determination of planning applications (paragraph 2 of the revised Framework).
- 5.10 The NPPF reconfirms that the purpose of the planning system is to contribute to the achievement of sustainable development, which encompasses the three overarching and interdependent economic, social and environmental objectives. It confirms that planning policies and decisions should play an active role in guiding development towards sustainable solutions. In doing so, Local Planning Authorities are instructed to take local circumstances into account to reflect the character, needs and opportunities of each area (paragraph 9 of the Framework refers).
- 5.11 At the heart of the NPPF is a clear presumption in favour of sustainable development (see paragraphs 10 and 11). For decision-taking, this means approving development proposals that accord with an up-to-date development plan without delay, or where there are no

relevant development plan policies or the policies which are most important for determining the application are out of date, granting permission unless: policies in the Framework provide a clear reason for refusing the proposals; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits (NPPF para. 11 refers).

- 5.12 The Framework instructs LPAs to approach decision-making in a positive and creative way, and to *“work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area”*. The Framework stipulates that decision-makers at every level should *“seek to approve applications for sustainable development where possible”* (para 38 refers).
- 5.13 The updated NPPF attaches great importance to achieving well-designed places and making effective use of land (paragraph 119 refers). Paragraph 120 supports the development of under-utilised land and buildings, especially where this would help to meet identified needs for houses where land supply is constrained. Paragraph 122 affirms that planning decisions should support development that makes efficient use of land whilst also taking into account the desirability of maintaining an area’s prevailing character and setting and the importance of securing well-designed, attractive and healthy places.
- 5.14 Para 126 highlights that good design is a key aspect of sustainable development and helps create better places to live and work. Accordingly, para 130 confirms that planning decisions should aim to ensure that developments:-
- - *“will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
  - - *are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
  - - *are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
  - - *establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
  - - *optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
  - - *create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion and resilience.”*

- 5.15 The revised NPPF confirms that heritage assets are an irreplaceable resource that should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations (paragraph 189 of the new Framework refers).
- 5.16 With regards proposals affecting heritage assets, applicants are expected to describe the significance of any heritage asset affected, including any contribution made by their setting. The level of detail expected of applicants should be proportionate to the asset's importance, and no more than is sufficient to be able to understand the potential impact of the proposal on their significance (paragraph 194 of the Framework refers). It is for LPAs to identify and assess the particular significance of any heritage asset that may be affected by a proposal and take this into account when considering the impact of a proposal on a heritage asset in order to avoid or minimize any conflict between the proposal and the asset's conservation (paragraph 195 of the Framework).
- 5.17 When considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation (the more important the asset, the greater the weight should be) irrespective of level of potential harm (paragraph 199 of the revised Framework refers).
- 5.18 Paragraph 200 of the new Framework confirms that any harm to or loss of the significance of a designated heritage asset (e.g. from alteration or destruction, or from development within its setting) requires clear and convincing justification, and that substantial harm should be exceptional. Where a development proposal would lead to less than substantial harm, such harm should be weighed against the public benefits of the proposal, including where appropriate, securing its optimum viable use (paragraph 202 of the Framework refers).

## 6. PLANNING AND DESIGN CONSIDERATIONS

### Principle of Development

- 6.1 The Council's pre-application response confirms that the proposed pool and pool house fall within the curtilage of the main house. Therefore, the proposed development is acceptable in principle, subject to compliance with all other relevant policy requirements (as referred to below).

### Design

- 6.2 As confirmed within Section 4 above, the proposals have been carefully and thoughtfully designed taking full account of both local character and the site's historical context. In line with the pre-application advice received, the proposals minimise the amount of hard surfacing associated with the pool and adopt a high-quality contemporary design approach for the pool house. As demonstrated by the illustrative photo montage images, this results in a visually attractive lightweight pool house structure, which employs good architecture and associated landscaping to ensure that the building is successfully integrated into its garden setting. Its impact is also further reduced by minimising that part of the building sited within the garden wall and through use of an appropriate palette of materials.
- 6.3 The proposals are therefore in full accordance with the requirements of Policy CSP.1 and Policy AP4 together with relevant provisions of the NPPF.

### Heritage Impact

- 6.4 The Heritage Statement which forms part of this application submission incorporates a comprehensive heritage assessment and takes full account of the pre-application advice provided in respect of the proposed development. The assessment explores the heritage significance of the walled garden, noting that it is likely to date from the construction of the adjacent Aylesmore Court as one of two walled gardens. It establishes that the garden is likely to have had both a recreational and functional use, originally forming part of modest pleasure grounds which then later gave way to a more functional use of the space. The majority of its interest is found to derive from its historic relationship with Aylesmore Court as an integral part of the layout and use of the estate.
- 6.5 The assessment finds that the pool and pool house would not be out of keeping with the historic recreational use of the walled garden and notes that it has been carefully sited to echo what is known of the historical layout. Furthermore, the pool house is overtly

contemporary and lightweight and has been positioned and designed to reflect traditional features often found within walled gardens. As the construction is designed to be freestanding of the existing wall, the only physical impact is a single opening which complements that of a similar opening located within the western wall. This is considered to have a negligible impact, when taking account of the limited nature of the intervention and the overall significance of the walled garden.

- 6.6 The proposals are therefore consistent with the requirements of Policy AP5 and the provisions of the NPPF relating to conservation of the historic environment.

#### **Ecology and Biodiversity**

- 6.7 A Preliminary Ecological Appraisal (PEA) report is submitted in support of the proposals. This confirms that the site of the proposed pool and pool house is dominated by habitats of low ecological value and is unlikely to permanently support any protected or notable flora or fauna. The report recommends that a pollution prevention plan should be implemented in order to avoid pollution incidents that could have an adverse impact on the flora and fauna within the adjoining Aylesmore Brook. Whilst this can be conditioned accordingly, it should be noted that the pool filtration system is designed to minimise the risk of pollution by ensuring that the pool water quality is equivalent to that of tap water.
- 6.8 The PEA also sets out some other precautionary measures to avoid harm to wildlife and suggestions for a small number of enhancements. Therefore, subject to the use of associated conditions, the proposals would be in full accordance with Policies AP7 and AP8 of the Forest of Dean Allocations Plan.

#### **Climate Change and Sustainability**

- 6.9 The proposals incorporate measures to address both climate change and sustainability objectives. The heating of both the pool and pool house is proposed to be from renewable sources and both the building and plant materials associated with implementation of the proposed development will all be locally sourced. Therefore, the proposals are in full accordance with the requirements and objectives which underpin Policy CSP.2.

## **7. CONCLUSION**

- 7.1 The development principles established through the pre-application enquiry process and heritage assessment have been creatively and appropriately translated into detailed proposals for the pool and pool house. The design is based on a clear and sympathetic interpretation of the historic recreational use of the walled garden and sits comfortably within the site and established landscape framework. Fundamentally, the proposals are in full accordance with the relevant national and local planning policy requirements and will cause no harm to any interests of acknowledged importance. Accordingly, planning permission can safely be granted for the submitted proposals.