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Planning Department  
Cotswold District Council  
**VIA EMAIL ONLY**

**Erection of agricultural storage building, retaining wall and ancillary works at:  
The Summer House, Green Lane, Chedworth, Gloucestershire, GL54 4AP**

**Introduction**

McLoughlin Planning has been instructed by its client Mr Richard Tuckwell (the Applicant) to submit an application for planning permission to Cotswold District Council for the erection of an outbuilding on land adjacent to the property and retention of a retaining wall that has already been constructed. This letter sets out the justification for the proposal and is structured as follows:

- Site Description
- Planning History
- Planning Policy
- Analysis of Planning Considerations
- Conclusions

**Site Description**

The application site comprises an area of land to the south-west of the dwelling and land associated with the Summer House, a converted barn which is curtilage-listed due to its historic association with the nearby Grade II-listed Greenhill Farmhouse. The site is located within the Chedworth Conservation Area and the Cotswolds Area of Outstanding Natural Beauty (AONB).

The site is located near the top of the north side of a valley and is accessed by Green Lane which connects one side of the valley to the other. The Summer House is situated on a relatively flat piece of land, but the application site to the south-west of it is located further down the valley on ground that slopes away steeply to the south.

**Planning History**

The planning history of the Summer House is extensive. However, the most relevant planning history for this application relates to applications determined since the building was converted to a residential use at the turn of the 21st century. These applications are listed below:

- 04/02338/FUL: Change of use of land from equestrian to residential garden – Permitted, January 2005
- 11/03830/FUL: Erection of wooden stables – Permitted, March 2012
- 14/00836/FUL: Proposed two storey side extension – Permitted, May 2014



- 15/00462/FUL: Erection of wooden stables – Permitted, April 2015
- 18/04240/FUL: Alterations and enlargement of the existing dwellinghouse and a two storey side extension – Permitted, April 2019
- 20/02332/FUL: Change of Use of land to residential, proposed car port, alterations to landscape and retrospective permission for shed – Refused, September 2020
- 20/02330/FUL & 20/02331/LBC: Proposed two storey addition and alterations – Permitted, April 2021.
- 21/01943/FUL: Change of use of land to facilitate the extension of the residential curtilage – Refused, September 2021
- 22/01659/FUL: Erection of agricultural storage outbuilding, retaining wall and ancillary works – Refused, February 2023

## Planning Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires Planning Applications to be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The Development Plan currently comprises the Cotswold District Local Plan adopted in August 2018 and the National Planning Policy Framework is a material consideration in planning decisions. The most relevant policies from these documents are displayed below:

### *Cotswold District Local Plan 2011-2031*

#### *EN1 – Built, Natural and Historic Environment*

This Policy states that new development will, where appropriate, promote the protection, conservation and enhancement of the historic and natural environment by ensuring the protection and enhancement of existing natural and historic environmental assets and their settings in proportion with the significance of the asset.

#### *EN2 – Design of Built and Natural Environment*

This Policy supports development which accords with the Cotswold Design Code and respects the character and distinctive appearance of the locality.

#### *EN4 – The Wider Natural and Historic Landscape*

This Policy states that development should consider historic landscape character and local distinctiveness, and would be expected to enhance, restore or better manage significant historic landscape features, including key views, the setting of settlements, settlement pattern and heritage assets.

#### *EN10 – Designated Heritage Assets*

This Policy requires consideration of proposals that affect a designated heritage asset and/or its setting with a greater weight given to more important assets. It supports proposals that sustain and enhance the character, appearance and significance of designated heritage assets and their setting, which put them in viable uses, consistent with their conservation.

### *EN11 – Conservation Areas*

This Policy seeks to preserve and, where appropriate, enhance the special character and appearance of conservation areas in terms of siting, scale, form, proportion, design, materials and the retention of positive features. This should include avoiding the loss of open spaces which make a valuable contribution to the character and/or appearance, and/or allow important views into or out of conservation areas.

### *Cotswold Design Code*

In terms of guidance on the design of outbuildings, the Design Code states they should be carefully sited, scaled and designed so as not to detract from the character of the main building or its setting. The Design Code also states that new outbuildings should not be excessive in number as many outbuildings, seen in relationship to the main building, might result in visual clutter and might detract from the surroundings.

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

The national tier of planning policy is set out within the NPPF, which was revised in July 2021. The NPPF provides formal guidance to all parties involved in the planning system in England and covers a wide range of issues relating to sustainable development. The relevant paragraphs are displayed below:

#### *Paragraph 172*

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

#### *Paragraph 192*

This advises local planning authorities to consider the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.

#### *Paragraph 194*

This states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

#### *Paragraph 196*

This states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

### **Analysis of Planning Considerations**

This application seeks planning permission for the erection of a general storage building and the retention of a retaining wall already on a parcel of land that is owned by the residents of the Summer House, a curtilage-listed building that has been converted into a dwelling. Planning permission was twice granted in March 2012 and April 2015 for the erection of an equestrian stable building in the same location as the proposed outbuilding, but neither of these planning permissions were implemented.

Summer House and the application site is now under new ownership and instead of an equestrian development, the Applicant wishes to construct an outbuilding to allow them to store equipment and other materials needed to maintain the land. The principle of an outbuilding has been established by the two previous permissions, however an assessment of its impact on the character and appearance of the area is still necessary.

## Design and Impact on the Character and Appearance of the Area

### *Outbuilding*

The site is located on sloping land on the side of the Churn Valley which is within the Cotswolds Area of Outstanding Natural Beauty (AONB) and the Chedworth Conservation Area. The Summer House and Greenhill Farmhouse to the north are both Grade II listed buildings.

The outbuilding has been designed in the Cotswold vernacular in a style intended to replicate the appearance of the stable building that was previously permitted at the site. The outbuilding would be constructed with Cotswold stone walls, natural oak lintels, vertically-boarded timber doors and a stone tile roof. The floor plans and elevations show the difference between the size of the stable building that was twice permitted in the same position and the proposed outbuilding. The proposed outbuilding would be similar in length, but it would have a marginally greater depth and height. However, its Cotswold vernacular design which includes a catslide roof to reduce its massing would be located discreetly in close proximity to Green Lane it would be partially screened by trees and a hedgerow along the lane.

In terms of the impact on the AONB landscape, the outbuilding has been designed as a structure one would expect to see in a countryside setting, much like the stable building that was permitted in the same location. The building would be positioned behind a hedgerow and therefore cannot be viewed as encroaching down the undisturbed valley beyond the envelope of the site. As a storage building it would not be habitable in any way which means no external lighting would be required, thus avoid issues relating to light pollution in the AONB landscape.

Similarly, the design and positioning of the outbuilding will also ensure the character and appearance of the Chedworth Conservation Area would be preserved. The Chedworth Conservation Area Statement states:

*"There is a constant dialogue between buildings and the open valley landscape. This relationship of buildings and open spaces is critical to the appearance and character of the village."*

Crucially, the Conservation Area Statement does not preclude the construction of new outbuildings, instead it acknowledges there is a 'constant dialogue'. That obviously does not allow carte blanche to fill the landscape with outbuildings as each proposal is assessed on its merits, which is where the Cotswold Design Code plays a key role in managing this type of development. The Design Code states outbuildings should be carefully sited, scaled and designed so as not to detract from the character of the main building or its setting. For the reasons stated above, it is considered the proposal meets this criterion.

The Design Code also states that new outbuildings should not be excessive in number as many outbuildings, seen in relationship to the main building, might result in visual clutter and might detract from the surroundings. The proposed outbuilding would be the only one of its type in the vicinity of the site and the fact a stable building has already been permitted in this same location on two occasions would suggest the Council is satisfied that the character and appearance of the Conservation Area is preserved.

Finally, the location of the proposed outbuilding is over 50 metres to the south of both listed buildings The Summer House and Greenhill Farmhouse. The proposed outbuilding would not be viewed in conjunction with either of the listed buildings and their setting would be preserved by

the fact there is significant separation between them and because the building is of a Cotswold vernacular appearance which means they are commensurate with the rural setting.

### *Retaining Wall*

This application also seeks planning permission for the retention of a retaining wall that has been constructed at the site. The structure comprises a gabion wall constructed with Cotswold drystone held in place with a wire cage. The wall has been grassed over the top to minimise its visual impact.

The Applicant constructed the wall in haste due to land slippage that had occurred following sustained bad weather. To ensure the land that would be the location for the proposed outbuilding was not also compromised, the retaining wall was constructed. The wall was included in the previous planning application but as that was refused, the wall was also refused planning permission with it.

Drystone walls are a quintessential characteristic of the countryside, and this is no different in the Cotswolds. Indeed, the site enclosed from the road by a drystone wall and the Applicant had this in mind when constructing the retaining wall. A cheaper, inferior material could have been used, but the Applicant was determined to build a retaining structure that was appropriate for its surroundings, and which complied with the Local Plan. Paragraph 10.2.3 within Policy EN2 states that drystone walls are a heritage theme that contributes to the distinctiveness of the local built environment.

### **Conclusions**

For the reasons set out in this letter, it is considered the proposed outbuilding is acceptable as it would be built in a Cotswold vernacular style and it would be a similar size to a stable building that was twice granted planning permission in the same position, but never built. The retaining wall has also been built in a Cotswold vernacular style that complies with Local Plan Policy EN2.

The development complies with guidance contained within Local Plan, particularly the Cotswold Design Code, and the NPPF, therefore it is respectfully requested that the application for planning permission is permitted without unreasonable delay.

Yours sincerely,

**Joe Seymour BA (Hons) MSc MRTPI**  
**Principal Planner**