

17. APPENDICES

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PRE-APPLICATION ADVICE NOTE

Reference : 22/02346/PAYPRE

Address: Ampney Park, Ampney Crucis, Cirencester

Date: 2/12/2022



SITE DESCRIPTION & PROPOSAL

The proposal is for the change of use of the primary existing residential and ancillary buildings, the demolition of some modern buildings and structures, and the erection of new buildings together with access, parking and landscape works, in association with the proposed new use of the site as a venue and function location including accommodation and associated facilities.

Ampney Park is a Grade II listed country house dating from the late C16, with an C18 extension to north, and C19 additions. The building is constructed of coursed and dressed natural stone on a plinth with a stone slate roof to the main section. The house is located within its own grounds but sited close to the Church in Ampney Crucis. To the north of the main building are various building related to former equestrian uses undertaken from the site, in addition to a tennis court.

The site is located within the Ampney Crucis Conservation Area.

PLANNING HISTORY

The planning history for the site includes recent applications for repairs and refurbishment for the listed building, in addition to a number of permissions granted for the equestrian development at the site referred to above in the period from 2002 onwards.

ASSESSMENT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that 'If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.' The starting point for the determination of this application is therefore the current development plan for the District which is the adopted Cotswold District Local Plan 2011- 2031.

The Council must also have regard to other material considerations when reaching its decision. In particular, it is necessary to have regard to guidance and policies in the National Planning Policy Framework (NPPF).

The main issues against which the application would be assessed are:

- Principle of the Development
- Impact upon Heritage Assets
- Climate Emergency
- Residential Amenity

- Landscape Impact
- Biodiversity including North Meadow Special Area of Conservation
- Surface Water Drainage
- Impact upon Trees
- Highway Safety
- CIL

Principle of the Development

The proposed development would provide a venue and function location with accommodation provided on site.

With regard to the **Local Plan, Part 2 of Policy EC3 (Proposals for All Types of Employment-Generating Uses)** states:

'Outside Development Boundaries, and outside established employment sites, proposals for small-scale employment development appropriate to the rural area will be permitted where they:

- a. do not entail residential use as anything other than ancillary to the business; and*
- b. are justified by a business case, demonstrating that the business is viable; or*
- c. facilitate the retention or growth of a local employment opportunity.'*

The accommodation provided would also need to be considered with regard to **Policy EC11 (Tourist Accommodation)**, which at Part 1 states:

'New hotels and other serviced accommodation will only be permitted where the proposal:

- a. is provided through the change of use of existing buildings, especially where this would involve the conservation of a listed or other historic building; or*
- b. is appropriately located within Development Boundaries.'*

As the accommodation provided would be contained within existing buildings, it is considered that the requirements of Policy EC11 would be addressed, considering that the site is not within a development boundary designated in the Local Plan.

The other new development at the site, the events venue and the multi-functional gathering space, would be in replacement for existing buildings at the site, albeit that they would be located elsewhere at the site. Having regard to Policy EC3, it is requested that a business case be provided in support of any application so as to demonstrate the viability of the proposed business.

Impact upon Heritage Assets

Further to our site meeting, the Senior Conservation and Design Officer, Helen Ramsell, has made the following comments:

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'Legislative and Policy context

Ampney Park, the building the subject of the above enquiry is a grade II listed building and small country house, which dates from the late C16.

The Coach House to the East of the main house (formerly listed with Ampney Park as Stable Block) is individually listed at grade II.

The Gatepiers and gates and adjoining curved walling which form the entrance to Ampney Park from the A417 are individually listed at grade II.

The 'Pumphouse on Ampney Brook' within the grounds of Ampney Park is also individually listed at grade II and its listing description makes reference to both pumphouse buildings in this part of the site, which appear to date from the C19.

The Local Planning Authority is therefore statutorily required to have special regard to the desirability of preserving the above buildings, their settings, and any features of special architectural or historic interest they may possess, in accordance with Sections 16(2) and 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

The Parish Church of the Holy Rood, which is located to the east of the site, is listed at grade I and its setting has the potential to be affected by the works proposed.

Some sections of the site the subject of this enquiry which form of the grounds of Ampney Park are located within the Ampney Crucis Conservation Area, wherein the Local Planning Authority is statutorily obliged to pay special attention to the desirability of preserving or enhancing the character or appearance of the area, in accordance with Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

NPPF

Section 16 of the National Planning Policy Framework asks that Local Planning Authorities should take account of the desirability of sustaining or enhancing the significance of heritage assets.

Paragraph 199 states that when considering the impact of the proposed works on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). Paragraph 200 states that harm to, or loss of its significance (from its alteration or destruction or from development within its setting), should require clear and convincing justification. Paragraph 202 states that where proposals will cause harm to the significance of a designated heritage asset that is less than substantial harm, that harm is weighed against the public benefits of those works.

Section 12 of the National Planning Policy Framework requires good design. Paragraph 130 states that policies and decisions should ensure that developments:

- function well and add to the overall quality of an area;*
- 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;

Local Plan policies

EN10 - Designated Heritage Assets advises that:

- In considering proposals that affect a designated heritage asset or its setting, great weight will be given to the asset's conservation. The more important the asset, the greater the weight should be.

- Proposals that would lead to harm to the significance of a designated heritage asset or its setting will not be permitted, unless a clear and convincing justification of public benefit can be demonstrated to outweigh that harm.

EN11 - Designated Heritage Assets – Conservation Areas states that:

Development proposals, including demolition, that would affect Conservation Areas and their settings, will be permitted provided they:

- a. preserve and where appropriate enhance the special character and appearance of the Conservation Area in terms of siting, scale, form, proportion, design, materials and the retention of positive features;*
- b. include hard and soft landscape proposals, where appropriate, that respect the character and appearance of the Conservation Area;*
- c. will not result in the loss of open spaces, including garden areas and village greens, which make a valuable contribution to the character and/or appearance, and/or allow important views into or out of the Conservation Area;*
- d. have regard to the relevant Conservation Area Appraisal*

EN2 – Design of the Built and Natural Environment states that:

- Development will be permitted which accords with the Cotswold Design Code (Appendix D). Proposals should be of design quality that respects the character and distinctive appearance of the locality.

The Proposals

Ampney Park and its surrounding parkland has undergone much change in the past 50 years including remodelling to the building internally. The property was extensively refurbished, altered and extended during the 1990's for the purposes of converting the house into a guest house/hotel. Recent permitted applications have included works of repair, restoration and improvement of the main building.

The scheme the subject of this pre-application enquiry proposes the change of use of the main house and ancillary buildings to a wedding venue or similar function. It comprises the conversion of existing ancillary buildings to the new use, the demolition of some existing modern buildings and their

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replacement with new structures together with alterations to the main entrance gates off the A417. I will comment on the various elements below.

The proposals were looked at on site at a meeting held on the 13th September 2022.

Change of use to Main House and ancillary buildings

No objections are raised to the principle of the new use within the main listed building and its associated historic structures. Physical works to the main house have been approved as part of the previous listed building consents.

No objections are raised to the new driveway to the front of the exiting forecourt, subject to detailing and surfacing or to the creation of a new parking area on the site of the removed equestrian arena. There is limited intervisibility between the latter and the main house.

Works to historic outbuildings – Stone Barn and Stables Cottage

No elevations have been provided in terms of the external works proposed to either of the above buildings so my comments are confined to the internal works proposed.

Stone Barn/Converted Stable range

I did not get access to this individually listed building at the site meeting. From the plans, it would appear that some internal partitioning, a staircase and a section of masonry are being removed. We will need further information confirming the lack of historic interest of these elements. If modern, as I think the Heritage statement implies, it is unlikely that there will be any issues with their removal.

Stables Cottage

Generally, the internal alterations proposed to this building are likely to be acceptable. However there is an area in the centre of the ground floor area where the new kitchen is being created where some walling and partitions are proposed to be removed. We will need further information in terms of the latter to properly assess the impact of the proposed works on this part of the building.

Stables and Grooms Flat

No objections are raised in principle to the proposed re-use of this modern building subject to the detail of the external works proposed. Only a few indicative sketches have been provided at this stage showing the external treatment. However, we will need to consider the impact of any changes to the elevations facing back towards the main house and outbuilding range carefully. The double height flat-roofed glazed dormers shown in close proximity to the simple gabled outbuilding adjacent could be a concern. The treatment of the building as part of its conversion should be as simple as possible so that it does not detract from the existing ancillary historic structures at the site. It may be preferable to retain a simpler roof form and plane in order to minimise the impact of the changes to the building upon the nearby curtilage-listed structure and main house beyond.

Demolition of existing structures (to the north and east of the main house)

No objections are raised to the demolition of the modern indoor equestrian arena or to the grounds

New Reception Venue Building

This building is proposed to be sited at the western extent of the area, which has previously been used for equestrian purposes. This area of land lies at the northern extent of the parkland and although it sits outside of the conservation area, the area still forms an important element of the wider setting of Ampney Park.

My view is that a new building could be accommodated in this area for the proposed purpose but that this should be sited further back into the area of land to the east, closer to the main house and in an area which previously had built structures on it. This section of the wider parkland has been much altered with the recent equestrian use however with the exception of the large indoor arena; the remaining area has remained relatively free of structures.

My advice would be to locate the new structure in the central area where existing stables and a yard are proposed to be removed. This would leave the wider landscape free of large new structures, which have the potential to detract from the wider parkland setting of the main house and confuse the hierarchy of buildings at the site. At present although the land itself in this area has been altered in terms of surfacing, hedging and fencing, the area remains free of buildings and my view this element of surviving character should be retained.

In terms of design, an indicative sketch has been provided which shows a main range of a traditional gabled pitched roof form. The main range is shown being flanked by two subservient ranges to each side. I would suggest that the overall scale and arrangement of the three connected structures may be acceptable but as noted above, in a less impactful position. If the group of structures were located in the central area closer to the existing tennis court and stables then I am of the view that there is unlikely to be any additional harm caused to the parkland setting and the scale suggested would be better justified in this position, where existing buildings are being removed.

New Multi-functional gathering space building

This new structure is proposed to be sited straddling the Ampney Brook, which runs through this section of the grounds. Directly opposite the proposed location for the new building sit two surviving pump house structures, one or both, as indicated in the list description, of which are individually listed. The restoration of these buildings is welcomed as part of the proposals.

No details of the elevational treatment and form of the proposed new building have been provided apart from a sketch showing the latter within the landscape. However, I have concerns in principle regarding a building of the footprint and indicative scale proposed in this location.

The submitted heritage statement notes the following:

“The Grade II listed 19th century pump house is considered to have medium significance, and the surviving internal equipment, together with the position/setting of the building in relation to the historic network of sluices controlling the water flow has particular significance arising from its contribution to our understanding of the industrial archaeology of these two pump houses and the historic management measures adopted by wealthy estates requiring a constant supply of water to the main house and service buildings in the late 19th and early 20th centuries.”

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I agree with this assessment and as a result, my view is that a new building of the scale suggested in the location proposed, will detract from the setting of the surviving humble listed pump house/s in this location and the wider parkland setting of the main house. In addition, the erection of a large new structure in this position will fail to preserve the character and appearance of this part of the Ampney Crucis Conservation Area, detracting from the significance of the setting and the tranquillity and character of the river context.

In my view a new structure could be accommodated in this area, however this should be set back in the area where the modern gardener's yard is – i.e. cut into the sloping ground in a similar siting to the existing structure. In this area, a new structure would appear more recessive in the landscape and would not protrude into the existing picturesque setting of the brook, pump houses and footbridge, all of which contribute to the character and appearance of the conservation area and the wider setting of the main listed building. The new building should be of a traditional narrow plan and form so that it does not detract from the character of this part of the site. It could still incorporate a modern design and glazing, however this should be confined to the elevation facing the brook rather than all elevations, in order to help minimise its overall impact within the parkland.

Alterations to main vehicular entrance

This element of the proposals was discussed at our site meeting and I have since read in more detail the submitted Heritage Statement in support of the works proposed.

The Heritage Statement notes the following:

“The west entrance drive through the park was created at the beginning of the 20th century and the drive is shown partly complete on the 1902 Ordnance Survey map.

In its current form the historic west entrance appears to be incomplete in that it has two fine stone ashlar gate piers with ashlar wing walls to either side that terminate at the south end in a second lower ashlar pier. At the north end the ashlar wing wall changes abruptly into the rubblestone wall without a corresponding ashlar pier to that to the south. The failure to resolve this detail leaves the historic gateway looking unbalanced and it is suggested that the original design was never fully completed.

It is proposed to introduce a new dressed stone pier to replicate the detail of the outer gate pier to the south, giving the historic gateway greater symmetry and separating it visually from the less formal rubblestone wall. A new vehicular opening will be formed through this rubblestone wall, which has already been partly rebuilt after being struck by a vehicle.”

Unfortunately I remain of the view that the works proposed to the individually listed gate piers and attached curved wall which comprise the creation of a substantial new opening within the listed wall to create an additional access through into the site would cause significant harm to the designated heritage asset which is unlikely to be justified in terms of public benefit.

The arguments suggested above which refer to the unbalanced nature of the original design and the fact that the rubblestone wall has in the recent past been rebuilt after being damaged by a car, in no way justify the permanent harm, which would be caused to the overall character, design and special

enclosed character of the entrance structure would be lost leaving a truncated arrangement. The presence of a second large access within the wall, in close proximity to the original fine piers and gates would detract significantly from the original character and design of the structure. The entrance gates and walling are also located within the Ampney Crucis Conservation Area and the works proposed would fail to preserve the contribution the entrance gates and walling currently make to the character and appearance of the latter.

As the main house currently has a viable use as a dwelling, the harm caused by the works proposed to the individually listed entrance are not considered to be justified in terms of the re-use of the building and therefore this element remains a significant concern.

In summary, no objections are raised to proposed change of use of the main buildings at the site, or to the demolitions proposed. In principle, the construction of a new events venue building is likely to be acceptable. However, the siting of this should be re-considered – locating the new building closer to the existing built development at the site and reducing the encroachment into the wider, albeit altered parkland. Similarly the principle of a new ‘multi-functional gathering space’ structure may be acceptable, but in a revised location. The siting currently proposed is considered to cause harm to the setting of the listed pump houses, the character and appearance of the conservation area and the wider parkland setting. However, a new structure could potentially be sited on the previously developed land close to this area, in place of the existing C20 structure, perhaps of a reduced scale or more traditional form. The substantial new opening proposed within the individually listed entrance walling would cause significant harm to the listed structure and detract from the character and appearance of the conservation area and is unlikely to be justified in terms of public benefit in line with Para 202.’

In respect of your further email received on 28th October, the following further comments have been made:

‘We have taken the access difficulties in respect of the use proposed into account in formulating a response to the proposals. However at present the information submitted does not lead us to the conclusion that the amount of harm proposed (specifically to the entrance gates) is likely to be outweighed by the public benefit in this case. The purpose of the pre-application process is to advise on areas which are likely to be acceptable or contentious taking into account legislation and policy and make alternative suggestions where possible. We do not have sufficient information to do a complete balancing exercise at this point and we are not reaching a decision on the case at this stage, simply advising on potential areas of agreement and concern.

*Paragraph 199 requires the decision maker to give **great weight** to the asset's conservation, in line with the obligation in the primary legislation in terms of 16(2) and 66(1) of the 1990 Act. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.*

Paragraph 200 requires any harm to, or loss of, the significance of a designated heritage asset (from its alteration etc.), should require clear and convincing justification.

As discussed previously Para 202 advises - ‘Where a development proposal will lead to less than

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against the public benefits of the proposal including, where appropriate, **securing its optimum viable use.**'

The PPG advises the following in relation to **optimum viable use**:

"It is important that any use is viable, not just for the owner, but also for the future conservation of the asset: a series of failed ventures could result in a number of unnecessary harmful changes being made to the asset.

*If there is only one viable use, that use is the optimum viable use. **If there is a range of alternative economically viable uses, the optimum viable use is the one likely to cause the least harm to the significance of the asset, not just through necessary initial changes, but also as a result of subsequent wear and tear and likely future changes. The optimum viable use may not necessarily be the most economically viable one.** Nor need it be the original use. However, if from a conservation point of view there is no real difference between alternative economically viable uses, then the choice of use is a decision for the owner, subject of course to obtaining any necessary consents."*

If the current proposal to the entrance gates is pursued together with the proposed change of use of the site and main building, then evidence would need to be provided to show that other alternative, less harmful uses (or uses not requiring the changes currently proposed to the western access), were not economically viable. This would usually require a marketing exercise etc. over a sustained period of time so that evidence relating to the viability of the building and site can be assessed and taken into account. Further information should also be provided to satisfy paragraph 200 in terms of justification and whether alternative, access options and requirements have been considered and discounted.

I remain of the view that the harm identified is not likely to be outweighed by the public benefits suggested, including the restoration of the listed pump house, on the basis of the information submitted.'

Climate Emergency

Local Plan Policy EN1 seeks to secure development which addresses the impact of climate change. Local Plan Policy EN2 requires development to accord with the Cotswold Design Code. Paragraphs D.59 – D.62 provide guidance regarding sustainable design and states that *'the potential impacts of climate change can be addressed through a variety of means, from the incorporation of better insulation and renewable energy technologies, to adaptations for severe weather events, and the use of local and recycled building materials. Re-use of existing buildings is also often more environmentally sustainable than demolition and new build.'* The Design Code also stresses that sustainable design needs to be responsive to the character of the area and the sensitivities of the site. Policy EN1 also refers to the need to address climate change.

Following a Full Council meeting on 3rd July 2019, Members adopted a Motion regarding climate change. The Council has committed to reviewing the adopted Local Plan and to producing a Supplementary Planning Document where necessary to ensure that climate change is a strategic

priority for new development. This is not yet an adopted policy as part of the current Development Plan, but shows the direction of travel of Council Members and national policy.

Similarly, the incorporation of green infrastructure, sustainability measures such as renewable energy generation and storage, sustainable drainage and low-carbon transport solutions should also be considered as part of proposals for new development.

The Council has now introduced a net zero carbon toolkit (<https://www.cotswold.gov.uk/environment/climate-action/how-to-achieve-net-zero-carbon-homes/>) which provides guidance on the measures that should be introduced into new development schemes. The proposed development should seek to incorporate such measures. We would expect to see the use of non-fossil space heating and the incorporation of a 'fabric first' approach in the use of materials to address energy performance and the issue of embedded carbon in construction.

It is recommended that an energy/sustainability statement is submitted with an application which details the energy efficiency measures that will be incorporated into the scheme. It would also be of assistance if you can demonstrate how the scheme will be able to accommodate such measures without having an adverse impact on the overall design of the development.

Residential Amenity

Having regard to Policy EN2, the Cotswold Design Code (Appendix D) and paragraph 130(f) of the NPPF, the layout will need to provide an adequate level of amenity for existing and future users of the development.

There are residential properties to the east and north-east of the site, and the nature of the use will generate visiting members of the public and will, presumably, be subject to the necessary licensing requirements.

Consultation has been undertaken with the Environmental and Regulatory Services team in respect of this pre-application advice request, however no response has been received to date. However, as part of any planning application, consultation will be carried out with regard to any issues relating to noise that may impact upon the amenities of occupants of nearby residential properties outside the applicant's control.

Landscape Impact

The Landscape Officer has made the following comments with regard to the impact upon the landscape:

'The landscape policy context that the site is located within is as follows:

- Paragraphs 174 of the National Planning Policy Framework (NPPF); and
- Policy EN2, EN4 and INF7 of the adopted Cotswold Local Plan.

Regarding published landscape character, the site is located within Landscape Character Type (LCT):

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Landscape Character Assessment (January 2006). The published key characteristics of this LCT are reproduced below:

- *Broad area of gently sloping, undulating lowland with a predominantly south easterly fall;*
- *Lowland landform gently dissected by infrequent small streams flowing towards the River Thames and its principal tributaries, and often inconspicuous within the landscape;*
- *Well-managed productive landscape with a general predominance of medium to large scale arable fields and smaller scale improved pastures;*
- *Seasonal variations in colour and texture associated with mixed arable farming;*
- *Boundaries comprise a network of hedgerows of varying quality, together with stone walls and post and wire fencing;*
- *Occasional woodland copses and shelterbelts, mainly geometric in form; and*
- *Settlement pattern of intermittent linear and nucleated villages, hamlets and isolated farmsteads.*

I have visited the site and reviewed the pre-app material and have the following comments regarding the proposals and wider area from a landscape and visual perspective:

- *Given the existing equestrian context of much of the proposed development area I generally do not have an objection to the proposals;*
- *As discussed on site there is likely to be an objection to the current positioning of the 'multifunctional gathering space'. This is due to its encroachment over the watercourse and into the woodland. This should be pulled back to relate better to the previously developed land to the south east. Glazing and lighting of this structure also needs to be carefully considered given the likely light spill into a dark woodland and the likely disturbance to biodiversity and the rural landscape;*
- *The amount of glazing and light spill also needs to be carefully considered on the 'New Reception Venue' building. CPRE Light pollution and dark skies mapping highlights that this area is under pressure from artificial light sources and care should be taken to not exacerbate this (<https://www.nightblight.cpre.org.uk/maps/>);*
- *The access road to the service yards around the north of the estate should be low key. No fixed lighting should be provided along this route;*
- *The redirected drive and rebuilt ha ha should be sensitively finished so as not to create an over engineered road within the designed parkland landscape;*
- *I defer to the conservation team on the appropriateness of routing the access road through a listed boundary wall.*

Summary

Overall the proposal should represent landscape enhancement over the existing baseline that is generally comprised of equestrian facilities. As highlighted there are a number of elements that need to be carefully considered to limit landscape impact and the effect on dark skies within the area. The relocation of the proposed 'multifunctional gathering space' is the most pressing landscape concern given the current locations protrusion into the rural landscape and likely disturbance caused by lighting.'

Biodiversity

The following comments have been made with the Biodiversity Officer:

'Comments are in relation to the following reports submitted with the pre-application:

- *Preliminary Bat Roost Assessment and Survey, Seasons Ecology, dated April 2021*
- *Water Vole and Otter Survey, Seasons Ecology, dated May 2022*
- *Stone Barn Bat Surveys, Seasons Ecology, dated July-September 2021*
- *Stables and Grooms Flat Bat Surveys. Seasons Ecology, dated August 2021*
- *Stable Cottage Bat Survey, Seasons Ecology, dated August 2021*
- *Main House Bat Survey, Seasons Ecology, dated June/July 2021*
- *Indoor Horse Arena Bat Surveys, Seasons Ecology, dated July-September 2021*
- *Great Crested Newt Presence/Absence Survey, Seasons Ecology, dated May 2022*

Bats

The preliminary roost assessment identified bat droppings in the Main House and confirmed four ancillary buildings; Stables and Grooms Flat, Stable Cottage, Stone Barn and the Indoor Horse Arena offered low potential for bats. As a result, bat activity surveys were undertaken to characterise the roosts identified in the Main House and ascertain the presence/absence of roosting bats in the remaining ancillary buildings.

Activity surveys confirmed 12 bat roosts are present in the Main House, comprising of three common pipistrelle day roosts located underneath a roof tile on the south aspect gable, within roof space 4 and behind dense ivy on the south aspect gable. Four soprano pipistrelle day roosts located underneath a roof tile on the south aspect gable, under roof tiles above roof space 1, behind dense ivy on the south aspect gable and within a gap in the stonework above the cellar entrance. In addition, the Main House supports two day roosts for brown long-eared bats within roof spaces 1 and 2, and two lesser horseshoe bat day roosts and one night roost located within roof space 4, the cellar and under the stair leading down to the cellar. In the absence of mitigation, proposed works will result in the loss of six of the identified roosts. The submitted Main House bat report has outlined a mitigation and compensation strategy, the details of which are satisfactory.

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Activity surveys confirmed the presence of a common pipistrelle maternity roost (peak count of 66 individuals) and a soprano day roost (1 individual) within a cavity in the northern-most dormer window with access via a gap in the mortar on the dormer window in the Stone Barn.

Works to the Stone Barn will cause temporary minor disturbance to the identified roosts therefore, in this instance the ecological consultancy has recommended a non-licensable approach to be implemented. In order for the LPA to find this approach acceptable, a thorough mitigation strategy will need to be submitted to the LPA prior to any permission granted.

Activity surveys confirmed the presence of a brown long-eared bat day roost and night roost within the interior of the Indoor Horse Arena. Proposed works will result in the permanent loss of the roosts. The LPA as the competent authority has a statutory duty to ensure development proposals are able to meet the three derogation tests in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended). The submitted report has not included a finalised compensation strategy, this will need to be finalised including details of location and dimension of a bat loft/box suitable for brown long-eared bat species to exploit.

Great crested newts

The submitted great crested newt survey confirmed the absence of great crested newts from on-site ponds via eDNA analysis, the survey effort and conclusions are satisfactory.

Water vole and otters

There are a number of features that provide suitable habitat for water voles and otters, including a tributary of the River Thames, streams, two ponds and two lakes diverting off from the Ampney Brook. The preliminary ecological assessment identified possible feeding remains of water vole on the banks of Lake 2 however, no other signs were observed.

Recent signs of otter were recorded during the survey including, otter prints along Ampney Brook and otter spraints in three separate locations within the south-east of the grounds.

Water voles and otters are afforded legal protection in accordance with the Wildlife and Countryside Act 1981 (as amended) in addition, otters are afforded legal protection under the Conservation of Habitats and Species Regulations 2017 (as amended). In order to safeguard otters and water voles and to prevent degradations to on-site waterbodies, the ecological consultancy has recommended a construction ecological management plan. This approach is satisfactory.

Background Information:

Relevant legislation and policy

Paragraphs 174, 179 and 180 of the revised National Planning Policy Framework (NPPF) emphasise the importance of

- minimising impacts on and providing net gains for biodiversity,
- the conservation, restoration and enhancement of priority habitats, ecological networks and the

- ensuring that a biodiversity net gain can be delivered.

In order for the LPA to judge whether an application meets the requirements of the NPPF any application that may affect biodiversity should be accompanied by the appropriate level of information.

The Planning Practice Guidance states "Information on biodiversity and geodiversity impacts and opportunities needs to inform all stages of development (including site selection and design, pre-application consultation and the application itself). An ecological survey will be necessary in advance of a planning application if the type and location of development could have a significant impact on biodiversity and existing information is lacking or inadequate.

Pre-application discussions can help to scope whether this is the case and, if so, the survey work required" (Paragraph: 018 Reference ID: 8-018-20190721 – Revision date: 21/07/2019). This is also highlighted in Circular 06/2005 para 99.

The need to protect and enhance biodiversity (and the need to understand the biodiversity resources that might be affected by development proposals) are also emphasised in:

- Cotswold District Local Plan 2011-2031 policies (e.g. EN1, EN2, EN8, EN9)

<https://www.cotswold.gov.uk/planning-and-building/planning-policy/local-plan-2011-to-2031/>

- British Standard BS 42020:2013 Biodiversity Code of Practice for Planning and

Development <http://shop.bsigroup.com/ProductDetail/?pid=000000000030258704>)

- Natural England standing advice <https://www.gov.uk/guidance/protected-speciesand-sites-how-to-review-planning-proposals>

2. Required Ecological Information

Brief Site Description

The pre-application site is a large estate, containing a number of buildings, including the main house, ancillary buildings and an indoor horse arena. The buildings are surrounded by formal gardens, paddocks, scattered trees, and woodland and water bodies, including Ampney Brook. The wider countryside comprises arable and improved fields, linear hedgerow features and patches of woodland.

The Council's records also show that the site falls within the zone of influence of North Meadows SAC and is adjacent to priority habitat and a local site (nature conservation). In addition, protected bat records have been recorded at the church, east of the development.

Ecological Assessments

The conclusions and recommendations contained in the submitted ecological reports are satisfactory, if significant time elapses between the dates of the ecological surveys and submission of a planning application, an updated walkover assessment will be required. In addition, phase 2 surveys may need

17.1 Appendix A - Pre Application Advice Note from CDC

Biodiversity enhancements

Planning applications should aim to deliver overall biodiversity net gains in accordance with paragraphs 174, 179 and 180 of the National Planning Policy Framework and Local Plan Policy EN8. The inclusion of integrated bat and bird boxes, hedgehog/reptile hibernacula, bee bricks and native fruiting and pollinating plant species should be considered. All enhancement features should be indicated on a site plan in addition, details should be submitted such as, elevations, heights, type and species. Further information regarding biodiversity enhancement feature can be found at:

<https://www.cotswold.gov.uk/media/o15h3tav/biodiversity-spec-2-amphibian-and-reptileenhancement.pdf>

<https://www.cotswold.gov.uk/media/uvqduf1v/biodiversity-spec-3-bird-nest-boxes.pdf>

<https://www.cotswold.gov.uk/media/up4p3jiz/biodiversity-specification-4-bat-boxes.pdf>

Lighting

The submitted bat reports have confirmed the presence of multiple bat roosts on site in addition, records held by GCER confirm bat roosts are present in the wider landscape. Both Lesser horseshoe bats and brown long-eared bats (both identified roosting on site) are highly sensitively to the introduction of artificial lighting. Any external lighting will need to be sensitively designed to prevent light spill towards key habitat features such as river tributaries, streams, ponds, lakes and linear features such as hedgerows. In addition, light spill should not be submitted towards known bat roosts or compensatory roosting features.

Further information regarding suitable lighting can be found at:

<https://www.cotswold.gov.uk/media/5kxfr0lv/biodiversity-specification-5-external-lighting.pdf>

Special Areas of Conservation – Habitats Regulations

The proposed development site falls within the 8 km Zone of Influence (Zoi) for North Meadows Special Area of Conservation, which is internationally important for its biodiversity. Over recent years recreational pressures from visitors to the SAC have increased and are now causing considerable damage to the wildlife value of the SAC.

Under the Conservation of Habitats and Species Regulations 2017 (as amended) and other relevant legislation and guidance, Local Planning Authorities have to assess whether any development proposal could harm the biodiversity value of an SAC. This works on the precautionary principle so in order to permit any proposals there has to be certainty that the proposals will not cause any significant likely effects (i.e. negative impacts) on that SAC either on their own or in combination with other proposals.

In order to address this issue a strategic approach is being developed by the Local Authorities around the SAC and Natural England (the government body for nature conservation). These organisations have been worked together to prepare an agreed strategic recreation mitigation strategy for the SAC. This will include a range of mitigation proposals to reduce recreational pressures. These

in the strategic mitigation strategy, instead of preparing their own mitigation proposals. That strategy will include a cost per unit to deliver a proportionate level of mitigation (plus an administration charge). The payments are likely to be secured through the use of s.111 agreements, unilateral undertakings or similar. The strategic mitigation strategy will provide a useful mechanism to help reduce the burden of preparing additional supporting evidence in support of an application. It is hoped that this financial contribution approach to mitigation will be available to applicants in the very near future.

As the proposed development falls within the Zone of Influence and is likely to increase the number of visitors to the area, there is potential for the proposals to lead to more visitors to, and thus more recreation pressures on the SAC. Therefore it is crucial that your proposal provide means to mitigate those impacts. There are currently two options as to how this can be done:

- Submit mitigation proposals for your individual development setting out the level of impact that could be caused by your development (including in combination with other developments) and how that impact will be mitigated. This is often done in the format of a shadow Habitats Regulations Assessment. You may find it helpful to seek further guidance on these issues from an appropriately qualified and experienced ecologist <https://cieem.net/i-need/finding-a-consultant/>. Or you could seek advice from Natural England using their Discretionary Advice Service.

<https://www.gov.uk/guidance/developers-get-environmental-advice-on-your-planningproposals>

- Pause submission of your application until the financial contribution mitigation approach is available. (see above)

Further information on Habitats Regulations Assessment can be found at

[https://www.gov.uk/guidance/appropriateassessment#:~:text=A%20Habitats%20Regulations%20Assessment%20\(HRA,to%20determine%20if%20a%20plan](https://www.gov.uk/guidance/appropriateassessment#:~:text=A%20Habitats%20Regulations%20Assessment%20(HRA,to%20determine%20if%20a%20plan)

North Meadow SAC -

<http://publications.naturalengland.org.uk/publication/6200815333146624>

Surface Water Drainage

Having regard to Policy EN14 of the Local Plan, it is requested that any submission includes a surface water drainage strategy, incorporating SuDS, and would refer you to Part 3 of this policy which states that:

‘The design and layout of development proposals will take account of flood risk management and climate change and will include, unless demonstrably inappropriate, a Sustainable Drainage System (SuDS).’

The western end of the site is within Flood Zones 2 and 3 as defined by the Environment Agency, which would appear to be in close proximity to the new multi-functional gathering space and the proposed access drive. If any part of this new development is within the Flood Zones, it is requested that a Flood Risk Assessment be submitted with the application.

17.1 Appendix A - Pre Application Advice Note from CDC

Impact upon Trees

Part 1 of Policy EN7 of the Local Plan requires that:

'Where such natural assets are likely to be affected, development will not be permitted that fails to conserve and enhance:

- a. trees of high landscape, amenity, ecological or historical value;*
- b. veteran trees;*
- c. hedgerows of high landscape, amenity, ecological or historical value; and/or*
- d. woodland of high landscape, amenity, ecological or historical value.'*

There are a large number of trees around the site, and bearing in mind that the site is within a Conservation Area, these are afforded protection. The trees are an important part of the character of the site and, therefore, it is considered that any application should be supported by an Arboricultural Report compliant with BS 5837:2012, to include details of tree protection and an arboricultural method statement.

Highway Safety

Policy INF4 states that development will be permitted that provides safe and suitable access and has regard, where appropriate, to the Manual for Gloucester Streets. Policy INF5 states that development will provide residential and non-residential vehicle parking where there is clear and compelling evidence that such provision is necessary to manage the local road network.

Section 9 of the NPPF promotes sustainable transport. Paragraph 110 of the NPPF states that in applications for development, it should be ensured that:

- a. appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;*
- b. safe and suitable access to the site can be achieved for all users; and*
- c. any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.*

If you wish to obtain pre-application advice from Gloucestershire Highways, please note that they operate their own schedule of charging for such advice.

Summary

The principle of the development may be acceptable as the re-use of existing buildings to provide accommodation, with the demolition and replacement of modern equestrian buildings.

Notwithstanding this, the concerns raised by the Conservation Officer with regard to the proposed alterations to the western entrance to the site should be addressed, because as submitted the proposal would be unlikely to be supported in respect of this aspect of the proposal.

In other respects, should an application be submitted it is advised that the comments made in respect of landscape impact, protected species (including the provision of tourist accommodation within the Zone of Influence for the North Meadow SAC), flood risk, the impact upon trees, and the relationship to nearby dwellings arising from the potential for noise, are fully taken into account prior to the submission of an application.

OTHER MATTERS

Community Infrastructure Levy (CIL)

Cotswold District Council has now introduced a Community Infrastructure Levy (CIL). The CIL allows local authorities to raise funds from new building projects undertaken in their area and is governed by the CIL Regulations 2010 (as amended).

A development is CIL liable if it creates one or more new dwellings of any size or creates over 100sqm of new floorspace. CIL Forms 1 and 2 would need to be completed and submitted with the application prior to validation.

Validation Requirements

- Application Forms
- Location Plan with the application site outlined in red
- Block Plan with the application site outlined in red
- Existing and Proposed floor plans and elevations
- Site sections, finished floor and site Levels where necessary
- Planning, Design & Access Statement
- Business Case
- Heritage Statement
- Ecological Report
- Flood Risk Assessment
- CIL Forms 1 and 2

Please Note:

Any advice given by Council officers, whether verbal or in writing, for pre-application enquiries does not indicate any formal decision by the Council as local planning authority. Any views or opinions expressed are given in good faith, and to the best ability, without prejudice to the formal consideration of any planning application following statutory public consultation, the issues raised and evaluation of all available information.

You should, therefore, be aware that officers cannot give guarantees about the final formal decision that will be made on your planning or related applications. However, this advice note will be considered by the Council as a material consideration in the determination of the future planning related application(s), subject to the proviso that circumstances and information may change or come to light that could alter that position.

17.2 Appendix B - Existing Photographs

- I. Main House
- II. Stone Barn
- III. Stables Cottage
- IV. Modern Stables
- V. Arena
- VI. Tennis court
- VII. Manège paddock
- VIII. Grounds building
- IX. Entrance gates
- X. Pump house
- XI. Grounds waste compound
- XII. Rear entrance gate



17.2 Appendix B - Existing Photographs



Fig.01. Entrance Gate - Front



Fig.02. Entrance Gate - Side



Fig.03. Ampney Brook - Bridge



Fig.04. Grounds waste compound - Drive



Fig.05. Grounds Building - Drive



Fig.06. Grounds Building - Vegetables garden



Fig.07. Grounds Building - Building ground floor



Fig.08. Grounds Building - Building roof



Fig.09. Pumphouse - Rill



Fig.10. Pumphouse - Wear



Fig.11. Pumphouse - Building



Fig.12. Manège paddock - Woodland

17.2 Appendix B - Existing Photographs



Fig.13. Manège paddock - Front fence



Fig.14. Stables - Rear building



Fig.15. Stables - Front fences



Fig.16. Tennis Court - Rear



Fig.17. Ha-ha



Fig.18. Arena - External building



Fig.19. Arena - External building



Fig.20. Modern Stables - Front gate



Fig.21. Modern Stables - Courtyard



Fig.22. Stables Cottage - Front elevation



Fig.23. Stables Cottage - Rear elevation



Fig.24. Stone Barn

