



CHARTERED TOWN PLANNERS

# Planning Statement and Design and Access Statement

**Demolition of existing pottery studio  
and erection of new dwelling and  
associated new vehicular access  
(Alternative to planning permission  
reference 22/00813//FUL)**

**Land to the south of Fox Furlong, Upper  
Oddington, Moreton-In-Marsh,  
Gloucestershire, GL56 0XJ**

**December 2023**

## **1.0 Introduction**

- 1.1 This Planning Statement has been prepared by JPPC in support of a planning application seeking permission for the demolition of the existing pottery studio and the erection of a new dwelling and associated new vehicular access on the land to the south of Fox Furlong, Upper Oddington. This is an alternative scheme to a previously permitted dwelling on the site under 22/00813/FUL and seeks to revise the design to allow a more contemporary approach to the scheme.
  
- 1.2 This Statement will provide a contextual analysis of the site and its planning history. The relevant national and local planning policy and guidance will be summarised and the planning issues raised by the proposal will also be considered.
  
- 1.3 This Statement sets out a reasoned justification why the proposals are acceptable on their planning merits and accord with the development plan. We trust Officers will support these proposals however if you do need any additional information please do not hesitate to contact us.

## **2.0 Site Context, Planning History and Proposals**

- 2.1 The application site forms part of the garden and a domestic pottery studio serving the main property to the north known as Fox Furlong. Fox Furlong is a modern two-and-a-half storey detached dwelling, located at the south-western end of the village of Upper Oddington and is currently subject to a number of extensions and alterations which have been granted consent. The pottery building is located to the south of Fox Furlong and is a single storey mono-pitched building constructed of timber boarding.
- 2.2 The frontage of the site is enclosed by continuous conifer hedging with several mature trees, set back off the road edge. The existing pottery studio is set back approximately 24m from the site boundary. The surrounding area is generally characterised by properties of varying architectural styles, sizes and positioning. Many properties sit directly on the road or very close to it, while others, including the Fox Furlong, are set further back providing their own private driveways and parking areas.
- 2.3 Planning permission for the main dwelling at Fox Furlong was granted on 29<sup>th</sup> March 2012 (**CDC Ref: 12/00383/FUL / CD.2420/H**) along with a new garage with accommodation above, and the pottery studio which is subject to this application. The dwelling replaced a pre-existing bungalow.
- 2.4 Planning permission was first granted for the demolition of the existing pottery studio on the site and the erection of a new dwelling with vehicular access in 2019 under **CDC ref: 19/099457/FUL** and has subsequently been renewed under **CD ref: 22/00813/FUL**. This remains extant and is capable of being implemented at anytime. The plans of the building are available on the Councils website/
- 2.5 A number of extensions and alterations have been permitted on the main dwelling which are currently being implemented. The latest of these was approved under **CDC ref: 23/00455/FUL**.

Landscape Designations

2.6 Upper and Lower Oddington are located within the Cotswolds Area of Outstanding Natural Beauty. A review of DEFRA’s Magic Map identified no known statutory ecological designations such as Sites of Special Scientific Interest or Ramsar Sites associated with the application site or immediately adjacent land.

Heritage Designations

2.7 The site is not within the Conservation Area however the Oddington Conservation Area is located approximately 75 metres to the north of the site. The nearest listed building to the site is located c.160m to the north east. There are no Schedule Ancient Monuments in close proximity to the site and it is not within a World Heritage Site.

Public Rights of Way

2.8 A search of Gloucestershire County Council’s on-line map of public rights of way identifies that a public right of way (ref. 09403506) runs adjacent to the site’s south western boundary. Another right of way runs to the north-west of the site. The site is not generally visible from these adjacent rights of way given the landscaping around the site.



## Proposed Development

- 2.9 The proposed development seeks permission to revise the design of the dwelling which has previously been permitted on the site and remains extant.
- 2.10 The proposed new design seeks to take a more contemporary approach to the development and relates more strongly to the existing dwelling at Fox Furlong which the proposed development would have close visual links with.
- 2.11 The proposed dwelling is predominately formed by two single storey linear elements linked by a flat roof building to create a modern 3 bedroomed single storey dwelling. The most easterly element of the building (closest to the road) consists of a contemporary flat green roof and would accommodate a car port area and also a bedroom. The car port is supported by circular timber clad columns with a bark finish which echo tree trunks and the main walls would be constructed of larch cladding with a stone wall extending forward to create a secret garden to the front of the house from the main bedroom.
- 2.12 The southern facing elevation of the linking element of the building would be stone as would a wall to the rear of the car port and the plinth of the western element of the building.
- 2.13 The western part of the building would be located in a similar position to the existing pottery building on the site and would be constructed with a pitched standing seam zinc clad roof and larch clad walls.
- 2.14 The site is located on lower ground to the adjacent road and the proposed dwelling would be built into the ground.
- 2.15 Parking for the dwelling would be provided in the car port which would be accessed from a new access to the east of the site onto the road.

### **3.0 Relevant Planning Policy**

3.1 Under Section 38(6) of the Planning Compulsory Purchase Act 2004 there is a statutory obligation to determine planning applications and appeals in accordance with the local development plan unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) must be taken into account in preparing the development plan and is a material consideration in planning decisions.

3.2 The current development plan for Cotswold District comprises the Cotswold District Local Plan 2011-2031 – Oddington has not made a Neighbourhood Development Plan.

3.3 Cotswold District has begun the process of reviewing its Local Plan – this will not be a full-scale review, but a targeted update which focuses upon specific issues. The Council is only at the start of that process (the “Issues and Options stage, where stakeholders are asked to identify key issues that should be addressed by a Local Plan).

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

3.4 The National Planning Policy Framework (NPPF), updated July 2021, provides the overarching planning guidance to which all development plan documents should comply. The NPPF is a material consideration which should be afforded considerable weight in the determination of planning applications.

3.5 The NPPF states in paragraph 8, that achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- a) Economic;
- b) Social; and
- c) Environmental.

3.6 In paragraphs 9 & 10, the NPPF states planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in

doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area. So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.

3.7 In paragraph 11, the NPPF states plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) 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:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

3.8 Paragraph 78 provides that in rural areas, planning policies and decisions should respond to local circumstances to support housing development which reflects local needs. To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Policies should identify opportunities for villages to grow and thrive, especially where this supports local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby

3.9 In paragraph 130, the NPPF states policies and decisions should ensure that developments.

a) 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;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

- c) 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);
- d) 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;
- e) 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
- f) 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 the quality of life or community cohesion and resilience.

***Cotswold District Local Plan (2011-2031)***

- 3.10 **Policy DS3** - Relates to small-scale residential development in non-principal settlements, stating that such development will be permitted provided it:
  - (a) Demonstrably supports or enhances the vitality of the local community and the continued availability of services and facilities locally;
  - (b) Is of a proportionate scale and maintains and enhances sustainable patterns of development;
  - (c) Complements the form and character of the settlement; and
  - (d) Does not have an adverse cumulative impact on the settlement having regard to other developments permitted during the Local Plan period
  
- 3.11 The explanatory text to the policy explains that the rural settlements have not had Development Boundaries defined around them.
  
- 3.12 **Policy EN1** – New development will, where appropriate, promote the protection, conservation, and enhancement of the historic and natural environment. It will be expected to address climate change and habitat loss and to improve air, soil and water quality whilst ensuring design standards that complement the character of the area.



- 3.13 **Policy EN2** – Development will be permitted which accords with the Cotswold Design Code – proposals should be of design quality which respects the character and distinctive appearance of the locality.
  
- 3.14 **Policy EN4** – Development must avoid a significant detrimental impact on the natural and historic landscape of the District, including the tranquillity of the countryside. Proposals for new development will take account of landscape and historic landscape character, visual quality and local distinctiveness. They will be expected to enhance, restore and better manage the natural and historic landscape.
  
- 3.15 **Policy EN5** – In determining development proposals within the AONB or its setting, the conservation and enhancement of the natural beauty of the landscape, its character and special qualities will be accorded great weight.
  
- 3.16 **Policy EH7** – Advises development should conserve and enhance trees and hedgerows of high landscape, amenity, ecological or historical value
  
- 3.17 **Policy EH8** – States that development will be permitted that conserves and enhances biodiversity providing net gains where possible and development would not detrimentally impact on protected species or species of principal importance.
  
- 3.18 **Policy EN10 and EN11** – Details the protection and conservation of heritage assets and advises that development that would affect conservation areas and their setting will be permitted where they preserve and where appropriate enhance the character and appearance of the Conservation Area amongst other matters.
  
- 3.19 **Policy INF4 and INF5** - States development will be permitted that creates safe and suitable access and provides secure layouts. Parking should be provided to manage the local network.
  
- 3.20 The implementation of the Council’s policies relating to design and character of build is guided by the **Cotswold Design Code** which forms Appendix D of the Local Plan – this provides guidance in respect of traditional local materials alongside Key Design Considerations. Para D.20 goes onto note that a well-executed contemporary design can be successful and includes further guidance on this at para D.29 to D.34.

3.21 Paragraph D.67 includes specific advice in respect of principles for various types of new development such as new dwellings. New dwellings should be in scale and in keeping with their setting, whether traditional or contemporary in design. Excessive bulk should be avoided and simplicity of design is important. Whether vernacular or contemporary, materials should be used that make reference to the existing building, and to the local distinctiveness and architectural traditions of the area. New materials need not all be identical to the existing but should harmonise with them.

***Community Infrastructure Levy***

3.22 Cotswold District Council adopted a Community Infrastructure Levy (CIL) Schedule in 2018, which came into force on 1<sup>st</sup> June 2019. CIL applies to all developments creating a residential dwelling or annex or an increase in the gross floor area of a building by 100sqm or more.

3.23 The proposed development would lead to the creation of a new dwelling and is therefore CIL liable.

## 4.0 Planning Considerations

### Principle of development

- 4.1 The application site already benefits from planning permission for a new dwelling on the site under planning reference 22/00813/FUL which remains extant and is capable of being implemented. The Council has previously assessed the application site under Policy DS3 of the Local Plan and deemed that it is acceptable and appropriate to accommodate a new dwelling. There have been no material change in circumstances since the earlier approval on the site in planning policy terms which would lead to a different conclusion being reached and the site remains a sustainable location to accommodate a further dwelling. Furthermore the fact that there is an extant permission on the site for a dwelling is a substantial material consideration which weighs in favour of the development.
- 4.2 The principle of accommodating a single dwelling on the site is therefore considered to be acceptable in light of the current planning policy and planning history of the site.

### **Design considerations and impact on the setting of the Oddington Conservation Area**

- 4.3 As noted above the principle of accommodating a dwelling on the site has already been accepted and the current proposal simply seeks permission for an amended design.
- 4.4 The dwelling which has been approved on the site takes a vernacular design approach whereas the applicants now wish to pursue a sensitive but contemporary design given the context of the site and the close visual connections with Fox Furlong which is also in a contemporary style. Furthermore the dwelling to the east of the site is also noted to be finished in a contemporary style although markedly different to Fox Furlong.
- 4.5 The proposed dwelling has been designed as a single storey structure to reflect its edge of settlement location. The main element of the building is similar in height to the building it replaces and also the previously permitted dwelling on

the site. The site is well contained by vegetation to the eastern, southern and western boundary which limits the visual impact on the dwelling on the wider locality.

- 4.6 The proposed dwelling has been sited to be set back from the eastern boundary of the site which includes the road into and out of the village and would be set behind the existing hedgerow which has a new access created in it to serve the proposed dwelling. The hedgerow and trees largely screen the site from the adjacent road and the site is set on lower ground than the road which further reduces its prominence when traveling along the road.
- 4.7 The front part of the dwelling, which is closest to the road, has been designed to be the lowest part of the building and have a low impact. It has been designed to predominantly consist of a flat wildflower roof to reduce the massing and bulk where limited views are experienced and ensure it does not dominate the entrance to the village. A large element of this part of the building would be visually permeable as it would accommodate an open car port for the applicants vehicles.
- 4.8 The building would use a mix of materials including feature local natural stone walls in prominent locations within the site to anchor the design in the locality. It would also use larch timber boarding to reflect the materials which have been successfully used on the adjacent dwelling at Fox Furlong and provide some synergy between the sites. The car port and buildings would incorporate a series of circular timber supports finished with a bark texture which would echo the trees within and around the site which would be further enhanced with the green roof. The timber columns would also relate strongly to the loggia structures which have recently been granted consent at Fox Furlong.
- 4.9 The proposed dwelling is located closer to the road than the existing building however it is noted that the pattern of development in the area is varied. Whilst Fox Furlong is set back from the road many other dwellings in the vicinity have a much closer relationship to the road. For example, the dwellings immediately to the north east of Fox Furlong are located much closer to the road and it is noted that the Council has recently permitted a garage at Fox Furlong in a not dissimilar position (23/00455/FUL refers) to the proposed dwelling. Furthermore the dwelling that has already been approved on the site is situated forward of the existing building. Given these factors alongside the low height of the proposal to the front of the site and the boundary vegetation the proposed siting

of the dwelling would not appear unduly prominent. It would sit comfortably within the site and would relate well to the surrounding pattern of development and would not harm the setting of the Conservation Area.

- 4.10 From the entrance to the site the stone wall to the rear of the car port and the feature stone wall which forms the boundary to the secret garden to the front of the dwelling would be key features and would be viewed in the context of a low contemporary styled dwelling in a verdant setting. This prominent use of local materials will help in creating a locally distinctive design.
- 4.11 The linking building part of the dwelling, which accommodates the kitchen and breakfast room, would also be constructed of natural stone to the southern elevation.
- 4.12 The rear part of the building would be located on a similar location to the existing pottery shed and would be constructed with a pitched roof with standing seam roof with largely larch clad walls and glazing. This would relate strongly to the adjacent dwelling at Fox Furlong and provide a more traditional form of development. This part of the building would be set on slightly lower ground than the eastern part of the dwelling which would reduce its prominence.
- 4.13 The building has been broken up into a series of simple linear elements which would help to reduce the scale and the bulk of the building and ensure it does not appear monolithic or brutal in appearance as advised by the Design Code. The palette of materials has been kept relatively simple with the use of larch cladding and local stone and reflects the materials on the site to the north.
- 4.14 There is a public footpath that runs to the south west boundary of the site and this would not be impacted upon by the proposal. The hedgerow which exists to the south of the site would have to be pruned to facilitate the development but it would be largely retained and provides a strong degree of visual containment to the south of the site.
- 4.15 The proposed dwelling would be set within generous grounds and areas of gardens and a courtyard would be provided around the building ensuring the proposed dwelling does not appear cramped or out of context and retains a spacious loose knit character.
- 4.16 Overall the scale, siting and design of the building would respect the edge of village location and relate well to the surrounding development. It would

respond positively to its context and would preserve the setting of the Conservation Area in accordance with local and national planning policy. The proposal would also comply with the Design Code and provide a high quality and responsive contemporary design solution to provide a new dwelling on the site.

Impact on Area of Outstanding Natural Beauty

4.17 The site is within the Cotswold Area of Outstanding Natural Beauty where the NPPF advises that great weight should be given to conserving landscape and scenic beauty. The application site and its surroundings fall within Landscape Character Type 17B Pastoral Lowland Vale: Vale of Moreton as defined in the Cotswolds Conservation Board's Landscape Strategy Guidelines.

4.18 As outlined above the site is relatively well contained by the existing landscape structure and the proposed development has been designed to be sensitive to the character and the locality. The loose knit appearance of the site would be maintained and the low impact contemporary dwelling proposed would respond positively to its context and would not be prominent in the surrounding. The proposal would therefore not impact on the landscape character of the AONB which would be preserved.

Neighbouring amenity

4.19 The only property that would be directly impacted upon by the proposed development would be Fox Furlong to the north of the site. The proposed dwelling is set away from the main accommodation at Fox Furlong. The dwelling has been designed to be single storey in scale and would not appear unduly prominent or impact on the light or outlook to Fox Furlong. The dwelling would include a number of windows facing north however given these would be at ground level they would not lead to any overlooking. Furthermore all these windows are generally secondary windows serving rooms in the proposed dwelling.

4.20 The proposed dwelling would provide a good standard of amenity for future occupiers in terms of internal and external amenity space and Fox Furlong would be retained with generous gardens.

Highways and Parking

- 4.21 The proposed dwelling would utilize a very similar access arrangement to the previously permitted dwelling on the site which was considered to be acceptable to serve a single dwelling and this remains the case today.
- 4.22 Parking would be provided for the dwelling in the proposed car port to the front of the building with a turning area. This would allow vehicles to enter and leave the site in a forward gear and would ensure the development provides a safe and durable layout.

Other matters

- 4.23 The earlier applications on the site have not given rise to any ecological concerns and it was historically confirmed by the Councils Ecologist that the building was not suitable to accommodate bats.

## **5 CONCLUSIONS**

- 5.1 This statement has examined the planning background of the site, the context of the site and the surrounding area and the relevant national and local planning policy framework in respect of the proposed new dwelling on the land at Fox Furlong.
- 5.2 The principle of development has already been accepted on the site and it has been demonstrated that the proposed development would not be harmful to the character and appearance of the area, the setting of the Conservation Area or the AONB. Furthermore the proposal complies with the Development Plan including the Design Code and would provide a high quality development.
- 5.3 In light of the above, we respectfully request on behalf of our client that the Council approves the proposal.