

## Planning Statement

To accompany the submission of a Full planning application for the construction of a single storey contemporary dwellinghouse, detached garage and associated works including alterations to existing access to facilitate a vehicular point of access at Land West of Brook House, Sherborne, Cheltenham, Gloucestershire, GL54 3DR.

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### 1. Introduction

1.1 This Planning Statement accompanies a planning application for the development described above and submitted via the Planning Portal under reference **PP-12779801**.

1.2 The following documents have been submitted to accompany the application:

Site Location Plan (drg no. 231-PL-01 Rev A);

Existing Block Plan (drg no. 231-PL-02 Rev A);

Proposed Block Plan (drg no. 231-PL-03 Rev A);

Proposed Floor Plans & Landscape Plan (drg no. 231-PL-04);

Proposed Elevations & Section (drg no. 231-PL-05 Rev A);

Tree Protection Plan (drg no. 231-PL-06 Rev A);

Contextual Elevations (drg no. 231-PL-07);

Design and Access Statement produced by Shen Carter Studio;

Heritage Statement prepared by John Lowe Heritage;

Planning Statement (this document).

1.3 This application is submitted following a pre-application request made to Cotswold District Council (CDC), the local planning authority (LPA), to establish the acceptability in planning terms of the construction of a single dwellinghouse on the same site. A

copy of the informal pre-application submission is shown at Appendix A. A copy of the response received (the 'pre-app') from the LPA is shown at Appendix B.

- 1.4 In summary, the LPA pre-app response found the principle of the development under Local Plan Policy DS3 to be acceptable.
- 1.5 The conservation officer, in considering the pre-app proposal, expressed concerns in regard to the subdivision of the plot and opined that any new residential development should be limited to ancillary accommodation; opposed to independent. The response states "*The proposal would result in the loss of positive garden area which forming part of a garden curtilage, large gardens are an important and defining characteristic of the locality. Should this garden area be developed this would result in the loss of residential garden and this would have a harmful impact on the character appearance of the Sherborne Conservation Area.*" The response then goes on to state that the proposal conflicts with the requirements of the Local Plan Policy EN11c. as it would *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* (LP Policy EN11c.).
- 1.6 In addition to the views expressed above, the conservation officer asserts that the creation an independent vehicular access should be avoided "*in order to retain the cohesiveness of the site and ensure that the accommodation remains ancillary to the main house*".
- 1.7 The above specific matters have been explored further and are fully addressed in the accompanying Heritage Statement (HS) which should be read in conjunction with this Statement.

## 2 Planning Policy Context

- 2.1 In accordance with Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004, pre-applications are required to be determined in accordance with the development plan unless there are material considerations that indicate otherwise.

2.2 The starting point for the determination of this application is therefore the Cotswold District Local Plan which was adopted 3 August 2018 and covers the period 2011- 2031. The Council must also have regard to other material considerations when reaching its decision, such as the National Planning Policy Framework (NPPF), any comparable planning decisions, appeal decisions and relevant case law.

#### The Development Plan

2.3 The key Development Plan policies relevant to the determination of this application are considered to be:

**Policy DS1-** Development Strategy

**Policy DS4** – Open Market Housing Outside Principal and Non-Principal Settlements

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

**Policy EN2** – Design of the Built and Natural Environment

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

**Policy EN5** – Cotswolds Area of Outstanding Natural Beauty

**Policy EN7** – Trees, Hedgerows & Woodlands

**Policy EN8** – Biodiversity and Geodiversity: Features, Habitats and Species

**Policy EN10** – Historic Environment: Designated Heritage Assets

**Policy EN11** - Historic Environment: Designated Heritage Assets – Conservation Areas

**Policy EN12** – Historic Environment: Non-designated Heritage Assets

**Policy EN14** – Managing Flood Risk

**Policy H1**– Housing Mix and Tenure to Meet Local Needs

**Policy INF3** – Sustainable Transport

**Policy INF4** – Highway Safety

**Policy INF5** – Parking Provision

#### The National Planning Policy Framework

2.4 The revised NPPF came into effect in December 2023. It sets out national planning policy and how it should be applied in plan-making and decision-taking. The key text in relation to the development proposals is considered below.

**Paragraph 8** outlines the three overarching objectives to sustainable development:

a) **an economic objective** – to help build a strong, responsive, and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) **an environmental objective** – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

**Paragraph 9** provides guidance on the interpretation of these three objectives and the how they should be applied.

**Paragraphs 10 and 11** clearly set out a **presumption in favour of sustainable development** is at the heart of the Framework. 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:

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 dem the benefits, when assessed against the policies in this Framework taken as a whole.

**Paragraph 12** clarifies that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. It then goes on to state that where a planning application conflicts with an up-to-date development plan, permission should not usually be granted unless material considerations indicate that the plan should not be followed.

**Paragraph 38** directs local planning authorities to approach decisions on proposed development in a positive and creative way. It adds that decision-makers at every level should seek to approve applications for sustainable development where possible.

**Paragraphs 39, 40, 41 & 42** advocates early engagement at pre-application stage to improve the efficiency and effectiveness of the planning application system for all parties.

**Paragraph 47** affirms that decisions of on applications should be made as quickly as possible and within statutory timeframes unless a longer period is agreed in writing by the applicant.

**Paragraph 114** asserts a safe and suitable access should be achieved for all users.

**Paragraph 115** states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

**Paragraph 131** specifies that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. It adds that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

**Paragraph 135** requires that developments will function well and add to the overall quality of the area; are visually attractive as a result of good architecture, layout and landscaping; sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.

**Paragraph 157** states the planning system should support the transition to a low carbon future.

**Paragraph 162** requires new development to take account of landform, layout, building orientation, massing, and landscaping to minimise energy consumption.

**Paragraph 180** states planning decisions should contribute to and enhance the natural and local environment by *..inter alia..* by protecting and enhancing valued landscapes and recognising the intrinsic character and beauty of the countryside.

Paragraph 200 specifies that where proposal affect heritage assets applicants should be required to submit  
to

### 3 Planning Assessment

3.1 The planning matters to be considered in the determination of this application are considered to be, the principle of the development; heritage; landscape and visual impact; design; residential amenity; ecology and biodiversity; trees; highways; and flood risk and drainage. Each of these matters are address in turn below.

#### Principle of Development

3.2 The principle of the development has been established to be acceptable through the pre-application process (Appendix A and B) as advocated in local and national policy.

3.3 In summary, the site is considered a sustainable location where the principle of the development for a single dwellinghouse is acceptable.

### Heritage

- 3.4 A Heritage Statement (HS) prepared by John Lowe Heritage is submitted to accompany this application and should be read to represent this section of the Statement. The submitted HS fully considers matters pertaining to heritage and in particular those raised at pre-app stage of the planning process.
- 3.5 In summary, paragraph 82 of the HS states “*The design of the proposed dwelling has taken account of the area’s key characteristics, the composition and surrounding buildings, the significance and setting of nearby heritage assets and the significance of Sherborne Conservation Area. The proposals have been assessed against the policy and guidance set out within the NPPF and Cotswold D. Council’s Local Plan. This assessment concludes that the proposals accord with the policy and guidance and offer sympathetic and informed changes that will maintain and improve the overall interests of the site, the conservation area and setting of nearby listed buildings.*”

### Landscape and Visual Impact

- 3.6 The site is located within the Cotswolds Area of Outstanding Natural Beauty (AONB), which is given great weight in the planning balance of decision-making as it affords the highest level of protection in terms of conserving and enhancing landscape and scenic beauty, as set out within Local Plan Policy EN5 and paragraph 176 of the NPPF.
- 3.7 The site lies within the existing built form of the settlement, surrounded by residential development to the south, east and west with northern boundary extending to open countryside beyond. The relationship and containment of the new building within the existing built form is shown in the Nolli diagram at Figure 14 in the DAS. This diagram successfully demonstrates that the proposal relates well and compliments the form of the settlement.
- 3.8 The context of the site and how the design and visual appearance of the new building has evolved in response is comprehensively discussed in Sections 3 and 4 of the

submitted DAS. The DAS should be read in conjunction with this section of the Statement.

3.9 In conclusion, the proposed development has been thoughtfully designed to sympathetically respond to the site and its surroundings which lies within proximity to a number of designated and non-designated heritage assets within the Cotswold AONB. As such, the proposal is considered to comply with the requirements of Local Plan Policies EN1, EN4, EN5, and Section 15 of the National Planning Policy Framework (NPPF).

#### Design

3.10 Policy EN1 requires new development where appropriate to promote the protection, conservation, and enhancement of the historic and natural environments.

3.11 Policy EN2 requires new development to accord with the Cotswold Design Code and be of a design quality that respects the character and distinctive appearance of the locality.

3.12 Policy EN10, 11 and 12 requires development proposals to conserve or enhance the special interests of designated and non-designated heritage assets, including their setting.

3.13 The application is accompanied by a Design and Access Statement (DAS) and Heritage Statement (HS) which should be read in conjunction with this Section as they set out the design and construction philosophy of the proposal and any impact on designated and non-designated heritage assets.

3.14 In terms of the overarching architectural design approach, the appearance of the new building is visually honest (reading as a present day/contemporary building), that reinforces a sense of place with strong local references to traditional vernacular through the use of local materials and features, and the simplicity of its design.



3.15 As detailed in the DAS and HS, the proposal has evolved through a proper understanding of the site and its setting and is considered to represent a high quality design that sits comfortably within the site and its surrounds. The proposal will successfully introduce a new building that appropriately reflects the present time in a style of architecture that will compliment and maintain the distinctiveness of the locality without disparaging imitation or resulting in competition or distraction. For the above reasons, the proposal is considered to fully accord with Local Plan Policies EN1, 2, 10, 11 and 12, the Cotswold Design Code and paragraphs 135 of the NPPF.

#### Residential Amenity

3.16 Local Plan Policy EN2 (Annex D: Cotswold Design Code) requires that new development should provide adequate privacy to existing and future occupiers, avoid undue loss of daylight to habitable rooms and ensure adequate garden space that should benefit from a sitting out area that is private and reasonably screened from neighbouring properties or passers-by. Further, paragraph 135 of the NPPF states that planning decisions should ensure that development provides a high standard amenity for existing and future users.

3.17 In regard to the proposed new dwelling, the size of the property ensures that minimum floorspace standards as outlined at Policy H1 are met. Similarly, the property will benefit from a sufficient level of outdoor private amenity space commensurate with its size in accordance with the Cotswold Design Code.

3.18 With regard to safeguarding neighbouring residential amenity, the intervening distance between the proposed and existing residential properties, proposed building height and positioning of fenestration, the scheme would not result in any adverse impact on the loss of daylight or sunlight, the loss of privacy/overlooking, the loss of outlook or result in overbearingness. The proposal will provide a high standard of amenity compliant with the requirements of Policy EN2 and paragraph 135 of the NPPF.

### Ecology and Biodiversity Impacts

- 3.19 The application site area is located on garden land associated with Brook House. The site area is largely lawn area with small areas of introduced shrubs and young trees. The site is bound by Cotswold stone walling and hedgerow. Ornamental pleached trees separate this part of the garden from the remainder.
- 3.20 The habitats on site are common, of low ecological value and easy to replace. An impacts as a result of loss/changes to these habitats in terms of their vegetation are considered to be negligible.
- 3.21 In conclusion, the scheme is unlikely to have any adverse impacts upon ecology and biodiversity, and subject to the LPA securing the recommended precaution working methods and any external lighting via condition, the scheme is considered to comply with Local Plan Policies EN7, EN8 and EN9.

### Trees

- 3.22 Policy EN7 supports the retention of natural assets of value such as trees, hedgerows, and woodland.
- 3.23 Two mature trees are located within the application site area. Both trees are proposed to be retained as part of the development. The position of the trees along with tree projection measures are shown on drawing 231-PL-06 Rev A.
- 3.24 The aforementioned drawing also details a hedge referenced 'H1' which is proposed to be removed. This hedge is a common Yew. This hedge by virtue of its location and size is considered to have a relatively low landscape, amenity, ecological or historical value and any value will be replaced with new planting.

### Highways, Access, and Parking

- 3.25 As shown on the Proposed Block Plan (drawing number 231-PL-03 Rev A), the site would be accessed via a widened existing pedestrian point of access from the unnamed private lane served off Ash Hole Road. Ash Hole Road is the main road running through

the village in an east west direction. This main route runs parallel with and adjoins the A40 approximately 1 mile to the south.

3.26 The proposal includes on-site parking provision for 4 no. vehicles: two spaces within the detached garage and a further two spaces immediately in front of the garage. Adequate space for manoeuvring and turning is available within the site to exit in a forward gear.

3.27 In light of the above, the proposed development would not result in any adverse impact upon highways safety or parking, in accordance with Local Plan Policies INF4 and INF5.

#### Flooding and Drainage

3.28 The application site is located in Flood Zone 1 and is therefore at low risk from surface water or fluvial flooding. It is therefore not necessary for a flood risk assessment to be undertaken on the site.

3.29 Water management methods employed at the site include a soakaway for surface water and a package sewage treatment plant for foul drainage. The proposals are therefore considered to comply with Local Plan Policy EN14.

#### Planning Obligations & CIL

3.30 The requirement for affordable housing under Policy H2 is not applicable as confirmed in the pre-app response contained at Appendix B.

3.31 The development is CIL liable and as such CIL forms 1 and 2 have been completed and accompany the application.

## 4 Conclusion

4.1 As demonstrated in this Statement, the HS and DAS, the proposal accords with relevant Development Plan policies and other material considerations set out in the NPPF. In summary the proposal has been designed to:

Support the supply of new homes in sustainable locations;

visually conserve the site and its surroundings,

support a low carbon future and mitigate climate change through buildi  
design and construction which translates over the lifetime of the building;

provide biodiversity gain; and

comply with the technical matters of highway safety, flood risk and drainage.

4.2 In light of the above, the proposals are considered to represent a sustainable form of development and should be approved without delay, in accordance with paragraph 11 (C) of the NPPF.



Planning ▪ Design ▪ Development

The Stables, Manor Farm Courtyard  
Southam Lane, Southam  
Cheltenham, Gloucestershire  
GL52 3PB

## APPENDIX A – Pre-application submission

## Planning pre application advice request form

Once you have contacted us about your proposal and we have agreed to provide pre-application advice, you will need to fill in, sign and return the form below to the Planning team.

Please see [www.cotswold.gov.uk/planning-and-building/planning-permission/get-advice-on-your-planning-application/](http://www.cotswold.gov.uk/planning-and-building/planning-permission/get-advice-on-your-planning-application/) on the website to see the following:

- Cotswold District Council's pre-application advice scheme and terms and conditions
- details of the fees
- Cotswold District Council's approach to the public disclosure of information submitted as part of a pre-application.

Please return the form below with the fee and information about the existing site and the proposal such as:

- Full contact details, including telephone numbers and email addresses
- Location plan
- Sketch drawings of proposals
- Photographs of site
- Any known constraints to development
- Description of proposals
- Technical studies (if available), e.g. ecological or traffic impact assessments
- Commercially sensitive material checklist (see below)
- Agenda (if a meeting is to be held)

If you are not sure of the correct fee or the level of detail to provide, please call Customer Services on 01285 623000

**Our ref:**

Details	Please complete in capital letters
Name	Sophie Lennon on behalf of Mr W Hine
Address and postcode	Brodie Planning Associates, Manor Farm Courtyard, Southam Lane, Cheltenham, GL52 3PB
Home telephone number: Mobile number:	[REDACTED]
Email address	[REDACTED]
Address of site	Brook House, Sherborne, Cheltenham, Gloucestershire, GL54 2DR
Development proposed	The construction of 1no. dwellinghouse on land to the north-west of Brook House
Information submitted	••Pre-Application Advice Request Form; ••Site Location Plan (drg no. 2007-01-001); ••Indicative Layout Plan (drg no. 2007-01-002); ••Supporting Statement;

I, Slennon ..... SOPHIE LENNON ..... (please sign and print name)

agree to the terms and conditions included in the Council's adopted scheme for the provision of pre-application advice. Furthermore, I accept that the advice given cannot be held binding on the Council when determining any application for development.

Date: 07/11/22

I enclose a cheque for [REDACTED] .....

## Commercially Sensitive Material Checklist

This form should be submitted with all pre-application enquiries to indicate areas of your submission that you consider to be commercially sensitive.

Commercially sensitive documents not for disclosure to third parties under the Freedom of Information Act 2000 (FOI) or Environmental Information Regulations 2004 (EIR)

Name of Organisation

The Council may be obliged to disclose information in or relating to this pre-application enquiry following a request for information under the FOI or EIR therefore please outline in the table below items which you consider are confidential and genuinely commercially sensitive and which are not for disclosure in respect of your application.

Information / Document	Reference/ Page No.	Reasons for non-disclosure (cite exemption(s) to be considered)	Duration of confidentiality

The applicant acknowledges that the commercially sensitive information listed in this schedule is of indicative value only and the authority may be obliged to disclose it pursuant to a request under the FOI or EIR.

The Council shall act reasonably and use its discretion when making a decision to release or withhold information pertaining to the above if it is requested. By indicating what information you believe to be commercially sensitive the Council will consider your views however the authority will make the final decision to disclose information or not.

: To be kept with the pre-application correspondence for consideration should a request for information under the Freedom of Information Act 2000 or Environmental Information Regulations 2004 be received. This document can be destroyed in line with the retention and destruction schedule of pre-application enquiries.



BPA Ref: 2021-01

Planning Department  
Cotswold District Council  
Trinity Road  
Cirencester  
GL7 1PX

28<sup>th</sup> November 2022

**Pre-application advice request in respect of the construction of 1no. dwellinghouse on land at  
Brook House, Sherborne, Cheltenham, Gloucestershire, GL54 2DR.**

Dear Development Management,

I write in respect of the above and enclose the following to accompany this request for pre-application advice:

Pre-Application Advice Request Form;  
Site Location Plan (drg no. 2007-01-001);  
Indicative Layout Plan (drg no. 2007-01-002);  
Supporting Statement (this document);  
Payment of £500 in accordance with Cotswold District Council's charging schedule for pre-application advice for minor residential development proposals between '1-9 dwellings'.

### **The Site**

The application site is located within the village of Sherborne and comprises land to the northwest of Brook House currently used as residential curtilage. Existing development on the wider site comprises a predominantly two storey dwellinghouse (Brook House) finished in Cotswold Stone with natural slate tiles and a two storey Coach House. The application site is accessible from a service lane to the west.

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In terms of planning designations, the site is located within the Cotswolds Area of Outstanding Natural Beauty (AONB) and the Sherborne Conservation Area. The site lies within the vicinity of Grade II listed buildings. However, Brook House itself is not listed nor considered to be a non-designated heritage asset. This was confirmed by the Local Planning Authority when they assessed an earlier householder planning application (ref. 18/ 02556/ FUL).

### **The Proposed Development**

This pre-application submission seeks to establish if the Council would, in principle, support the construction of 1no. residential dwelling on land to the northwest of Brook House, as illustrated by drg no. 2021-01. Associated works would include the creation of vehicular access off the lane to the west of the application site.

It is understood that any development proposals would only be permissible subject demonstrating compliance with other relevant development plan policies, such as design and the impact of any development on the Cotswolds AONB, nearby heritage assets, the local highway network, safeguarding neighbouring amenity and any ecology interests. However, at this early stage, we are simply seeking the Council's confirmation that this is a suitable and sustainable location for residential development under Local Plan Policy DS3.

### **Planning Assessment**

In accordance with Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004, planning applications have to be determined in accordance with the development plan unless there are material considerations that indicate otherwise. The starting point for the determination of this application is therefore the Cotswold Local Plan which covers the period 2011-2031 and was adopted on 3<sup>rd</sup> August 2018. The policies and guidance within the revised National Planning Policy Framework (NPPF) are also a material consideration.

The settlement of Sherborne is considered a sustainable location, offering a number of local services and facilities including a local school, pre-school, church (St Mary Magdalene), village shop and tearoom, and bus services including a school bus to and from the local secondary school in Bourton on the Water. The sustainability credentials of the settlement is confirmed by

application 21/ 02940/ FUL which establishes Sherborne as a non-principle settlement capable of small-scale residential development under Policy DS3 of the Cotswold District Local Plan 2011-2031.

The site subject to this pre-app request lies within the physical confines of the settlement of Sherborne, surrounded on three sides by existing built development. The site is currently residential curtilage immersed within the built form of the village wherein the proposal would represent organic infill development.

Accordingly, Policy DS3 is applicable, which states:

*'In Non-Principal Settlements, small-scale residential 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;*
- d) does not have an adverse cumulative impact on the settlement having regard to other developments permitted during the Local Plan period'*

DS3 is supportive in principle of small-scale residential development in villages such as Sherborne, provided the above criteria is satisfied. Thus, addressing with each point in turn:

Firstly, in regard to criteria a), the introduction of an additional household has the potential to support local facilities and services (listed above in the second paragraph under 'Planning Assessment'). Furthermore, the small-scale development proposed would support nearby villages and towns, namely Northleach (4 miles), Bourton-on-the-Water (5 miles) and Burford (7 miles).

The supporting text to Policy DS3 recognises that some rural settlements have great sustainability credentials than others. Accordingly, this policy applies to those settlements in the District that have reasonable access to everyday services, facilities and/or employer

opportunities either within the settlement itself, at a Principal Settlement, or at a neighbouring rural settlement.

This approach aligns with paragraph 78 of the NPPF, which states:

*'To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities..Where there are groups of smaller settlements, development in one village may support services in a village nearby.'*

Development in Sherborne therefore has the potential to help support the ongoing viability and vitality of neighbouring settlements across a wider area, in accordance with Policy DS3 and Paragraph 79 of the NPPF.

In respect of criterion b), the small-scale nature of the proposed development; a single dwellinghouse; will ensure proportionality to the size of the existing settlement. As previously stated herein, the site lies within the built form/physical confines of the existing settlement and therefore this proposal is considered to reflect and contribute towards sustainable patterns of development.

Regarding criterion c) by virtue of the sites position contained within the built form of the settlement the proposal would not encroach on the open countryside beyond thereby complimenting the form of the existing settlement. The proposed dwelling would be sympathetically designed to complement the character of the village which has a strong Cotswold vernacular. Furthermore, the proposed would be set back from the road frontage thereby limiting visual impact and resulting in a development that would not compete or detract from nearby heritage assets. Furthermore, the site benefits from existing hedging which naturally, and softly, encloses the proposed dwelling and its associated curtilage, reflecting the pattern of surrounding built form.

Lastly, in terms of criterion d), the Council's records show 2 dwellinghouses (net gains) have been approved in the village of Sherborne during the current Local Plan period. As such, the addition of another dwellinghouse will not represent a disproportionate increase in the size of the village and is unlikely to have an adverse cumulative impact on the settlement as a whole or existing infrastructure. The development would however contribute to the Council's 'windfall site' targets as set out under Policy DS1 and included in the five-year housing land supply.

The NPPF is a material consideration and Paragraph 69 recognises the important contribution small to medium sized sites in meeting the housing requirement. Point c) of paragraph 69 makes particular reference, that local planning authorities should “support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes”.

For the reasons set out above, the principle of the development subject to this pre-application request is acceptable as it complies with all the requirements of Policy DS3.

Additionally, given the site’s location within the Cotswold AONB, Sherborne Conservation Area and close proximity to heritage assets, a brief impact assessment is also included. Four heritage assets have the potential to be impacted by the proposal. These include:

**No’s 14 and 15** - Grade: II; List Entry Number: 1090435; Date first listed: 21-Jan-1952;  
Statutory Address: NOS 14 AND 15 AND FORMER FORGE AT REAR, 14-15

**Mead House** - Grade: II; List Entry Number:134079; Date first listed: 23-Jan-1952; Statutory Address: THE MEAD HOUSE

**Elm Tree Cottage** - Grade: II; List Entry Number: 1155953; Date first listed: 25-Mar-1987;  
Statutory Address: ELM TREE COTTAGE

**The Kennels** - Grade: II; List Entry Number: 1155941; Date first listed: 2-Mar-1987;  
Statutory Address: THE KENNELS

Planning permission was granted in 1976 for the erection of a dwellinghouse within the curtilage of Brook House (ref: CD.5776). Following on from this, there was a subsequent planning consent granted in 1981 for a single dwelling in the same location under ref: CD.5776/ A. At this time the listed buildings within closest proximity, No’s 14 and 15, and Mead House were statutorily listed and as such, the Local Planning Authority would have taken them and their settings into account in the decision-making process.

Although detailed plans have not been submitted at this pre-app stage, as stated herein the proposed will be sympathetically designed to respect local vernacular, using traditional building materials, protect the natural beauty of the AONB, the preserve and where appropriate enhance the character and appearance of the Sherborne Conservation Area, and nearby heritage assets

including their settings in accordance with Local Plan policies EN1, EN2, EN5, EN10 and EN11 and paragraphs 194 and 199 of the NPPF. Furthermore, the new dwelling will seek to support a low carbon future by reducing greenhouse gas emissions through sustainable design that maximises the thermal dynamics and energy efficiency of the building and where appropriate implement low carbon technologies and renewable energy resources (para 157 and 158, NPPF).

### Summary

This pre-application enquiry submission has provided an assessment of the proposals against relevant national and local planning policies to initiate a discussion with Cotswold District Council in respect of the principle of development on this site.

In addition to the acceptability of the proposals, initial guidance regarding the design and layout of the proposals is welcomed. The applicant would also like to receive advice on the level of information considered necessary to accompany any future planning application.

I trust the above and enclosed provides sufficient information to progress this pre-application enquiry. Should you require any further information, please do not hesitate to contact me.

Yours sincerely,



**Sophie Lennon**  
Planner

rev	date	description
-	-	-



Block Plan 1:500



Site Location Plan 1:1250



Planning ■ Design ■ Development

**contact**  
 tel: 01242 898368  
 email: info@brodieplanning.co.uk  
 web: www.brodieplanning.co.uk

**address**  
 The Stables, Manor Farm Courtyard  
 Southam Lane, Southam,  
 Cheltenham, Glos, GL52 3PB.

<b>client</b> Will Hine	<b>ref:</b> 2031-01
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**project description**  
 Pre-App enquiry for single dwelling

**location**  
 Brook House, Sherborne, Gloucestershire

**title**  
 Site Location and Block Plan

<b>drawing number</b> 2031-01-001	<b>scale</b> As noted @ A3	<b>date</b> Nov' 2022
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<b>status</b> <b>PRE-APP</b>	<b>revision</b> Ø
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rev	date	description
-	-	-



Planning ■ Design ■ Development

**contact** tel: 01242 898368  
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Southam Lane, Southam,  
Cheltenham, Glos, GL52 3PB.

**client** Will Hine  
**ref:** 2031-01

**project description**  
Pre-App enquiry for single dwelling

**location**  
Brook House, Sherborne, Gloucestershire

**title**  
Indicative Layout

drawing number	scale	date
2031-01-002	1:100 @ A3	Nov' 2022

status	revision
<b>PRE-APP</b>	Ø

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Planning ▪ Design ▪ Development

**APPENDIX B – CDC pre-application response dated 7<sup>th</sup> March 2023**



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## PRE-APPLICATION ADVICE NOTE

Reference: 22/04313/PAYPRE  
Address: Brook House, Sherborne  
Date: 7<sup>th</sup> March 2023

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### SITE DESCRIPTION & PROPOSAL

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Brook House is a large detached dwellinghouse located to the north of the main road running through Sherborne, with generous grounds to the north and north west and on-site parking to the south in front of the dwellinghouse, resulting in an L-shaped site. The building is constructed of Cotswold stone with a natural stone tiled roof, stone chimney stacks and traditional timber sash windows, and a substantial outbuilding of traditional design and materials is sited to the north of the main building. Owing to its age, architectural and historic interest, Brook House is considered to be a non-designated heritage asset.

The site is located within Sherborne Conservation Area and the Cotswolds Area of Outstanding Natural Beauty (AONB). A Public Right of Way (PRO W) runs along the western boundary, which also forms provides vehicular access for the properties to the west.

Nos. 14 and 15 and Former Forge to Rear, to the south east of the site, The Kennels to the south west, and Elm Tree Cottage to the north east, are all Grade II listed. The Mead House, to the east beyond Brook House, is also Grade II listed.

The site is located within Flood Zone 1.

This enquiry related to the principle of a single new dwellinghouse, which would be sited to the north west of the existing dwellinghouse and the erection of which would include the subdivision of the site to provide a separate curtilage of approximately 1,020sqm for the new dwellinghouse. A linear building of approximately 110sqm is proposed, sited in the centre of the new plot, with parking to the front (south) and vehicular access via the existing access track and PRO W to the west. The submission is limited to an indicative site plan at present, with guidance sought regarding design and layout, as well as the level of information required to accompany any future application.

An alternative provision of ancillary accommodation was discussed during the site meeting due to the in-principle objection to the subdivision of the site and erection of an independent dwellinghouse, following which a revised indicative site plan was submitted. This shows an L-shaped building with a footprint of approximately 64sqm, sited against the southern boundary of the north western section of the site.

## PLANNING HISTORY

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### Brook House

CD.5901 – Construction of a new vehicular access and hardstanding. Permitted 5.1.1978

CD.5901/A – Conversion of existing out-buildings to form additional accommodation in connection with Brook House (amended scheme). Permitted 12.9.1979

18/02556/FUL - Erection of front porch and installation of external stair to rear (north) elevation of coach house. Retrospective application for dormer window on side (west) elevation. Permitted 13.9.2018

21/00801/FUL - Erection of an orangery and garden store, and creation of outdoor swimming pool and tennis court. Permitted 1.12.2021

### Land proposed for subdivision

CD.5776 – Outline application for the erection of a dwelling. Permitted 15.10.1976

CD.5776/A - Outline application for the erection of a dwelling. Permitted 4.12.1981

## ASSESSMENT

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Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that 'If regard is to be 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. A copy of the Local Plan can be viewed at: <https://www.cotswold.gov.uk/planning-and-building/planning-policy/local-plan-2011-to-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 pertinent to this enquiry are:

### **Principle of Development**

### **Design and Impact on Heritage Assets**

### **Impact on the Cotswolds Area of Outstanding Natural Beauty (AONB)**

### **Impact on Residential Amenity**

### **Biodiversity**

## Flood Risk and Drainage

## Impact on Highways and Parking

## Impact on Protected Trees

### Principle of Development

**Local Plan Policy DS3** supports small-scale residential development in non-principal settlements provided that it: supports or enhances the vitality of the community; is of proportionate scale and enhances sustainable patterns of development; complements the character of the settlement; does not have an adverse cumulative effect on the settlement in conjunction with other development permitted in the same Local Plan period.

Sherborne offers a number of everyday facilities and services, including a non-fee paying school, a pre-school, church, village shop and tearoom, and a daily bus service connecting to Stow-on-the-Wold, Bourton-on-the-Water and Chipping Norton. It is therefore considered to be a sustainable location and the principle of a single new dwellinghouse can be supported.

### Design and Impact on Heritage Assets

Given the proximity of a number of listed buildings, the Local Planning Authority is statutorily required to have special regard to the desirability of preserving the building, its setting, and any features of special architectural or historic interest it may possess, in accordance with Section 66 (1) of the Planning (Listed Building and Conservation Areas) Act 1990.

As the site is within Sherborne Conservation Area, 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.

**Local Plan Policy EN2** supports development which accords with the Cotswold Design Code and respects the character and distinctive appearance of the locality.

**Local Plan Policy EN10** 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. Where harm would be caused, it would not be supported unless clear and convincing justification of public benefit can be demonstrated to outweigh that harm.

**Local Plan Policy EN11** 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. Hard and soft landscaping should respect the character and

appearance of conservation areas and proposals should have regard to the relevant conservation area appraisal.

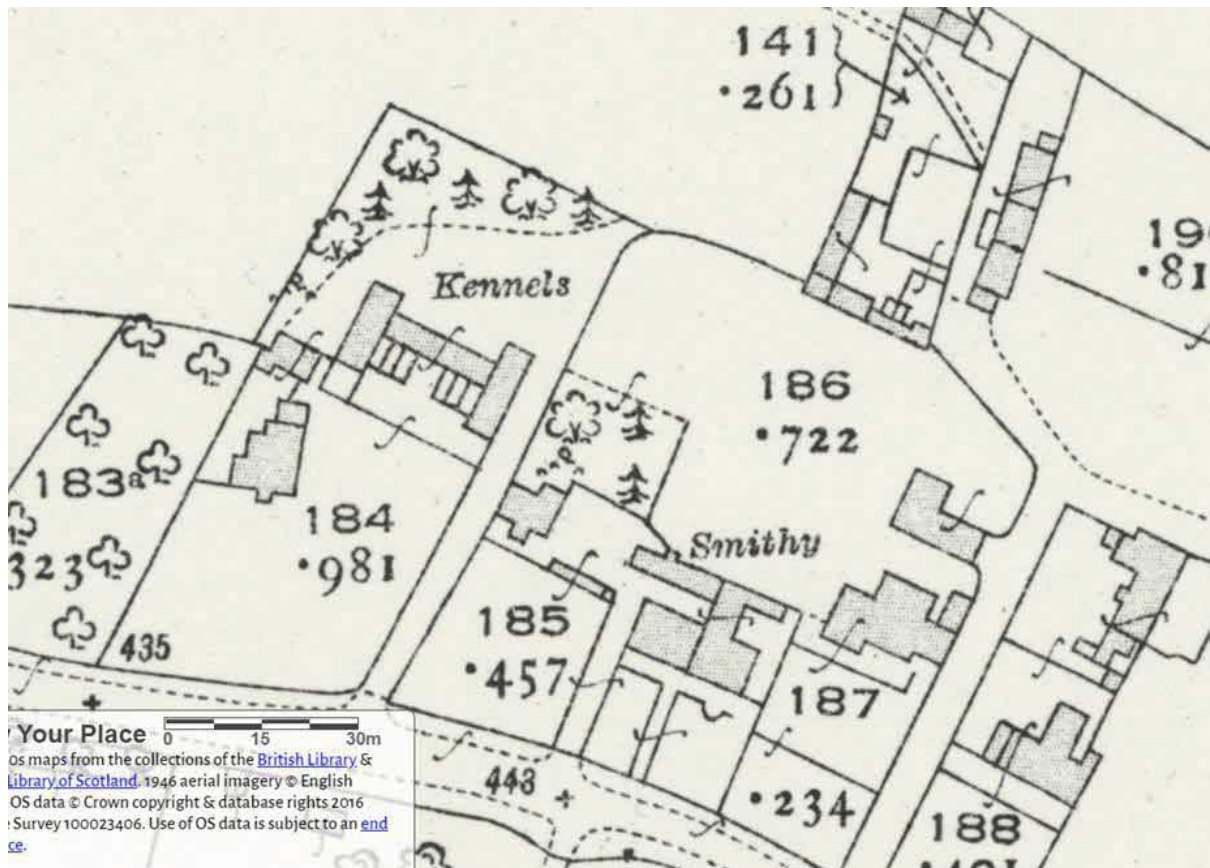
**Local Plan Policy EN12** seeks to ensure that development affecting a non-designated heritage asset is of sympathetic design, having regard to the significance of the asset, its features, character and setting, and enhances the character of the asset where possible. It requires that proposals for demolition be subject to a balanced assessment, weighing the significance of the asset against the scale of harm or loss.

**NPPF Section 12** requires good design, providing sustainable development and creating better place to live and work in. *Paragraph 130* states decisions should ensure that development 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. Development should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping, which are sympathetic to local character and history maintaining a strong sense of place. *Paragraph 134* places significant weight on adherence to local design guidance as well as outstanding or innovative designs, whilst stating the development that is not well designed should be refused.

**NPPF Section 16** states that historical 'assets are an irreplaceable resource, and 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'. Specifically *Paragraph 197* states that local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. *Paragraph 199* states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. *Paragraph 200* 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 202* 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.

The Conservation Officer provided the following advice in relation to the initial proposal for a new dwellinghouse:

*“The site proposed for development is located in the heart of the historic village of Sherborne and the Sherborne Conservation Area. The scheme seeks provide an independent residential dwelling within an area that is residential garden, below is OS plan dating from 1898 showing the site and its surroundings with adjacent designated heritage asset. This demonstrates little change to the spatial character of the site and surrounding plots whereby traditional development has clustered around this area enclosed by traditional stone boundary walling. A characteristic of the area is that of large garden curtilages with stone boundary walling and this makes a positive contribution to the character and appearance of the conservation area.*



*Large gardens are a defining characteristic of Sherborne this is due to the historic development of the Lane whereby plots have remained relatively unchanged since the 1st edition map therefore the spatial character of the Lane is that of large open garden plots. Should this garden area be developed this would result in the loss of this aspect and would change the character of the non designated heritage asset as well as having a harmful impact on the character and appearance of the Sherborne Conservation Area. The garden area proposed for development is not an area which is identified as a vacant plot or has a negative impact on the site itself or the character and appearance of the conservation area.*

*EN11 (Designated Heritage Assets— Conservation Areas) of the Local plan states that development proposals shall “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” and “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” The proposal for a dwelling on this site results in the loss of positive garden area contributes to the character and appearance of the Conservation Area. The proposal if forthcoming would fail to preserve or enhance the character or appearance of the conservation and would be contrary to local plan policies and Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990.*

*The proposal would result in the loss of positive garden area which forming part of a garden curtilage, large gardens are an important and defining characteristic of the locality. Should this garden area be developed this would result in the loss of residential garden and this would have a harmful impact on the character and appearance of the Sherborne Conservation Area. The introduction of such development could also have a harmful impact on the setting of adjacent designated heritage assets, no information has been provided regarding the form, scale and materiality of the property or impacts on boundary treatments to the existing site. The site contributes to the character and appearance of the conservation area and 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. The proposal also conflicts with local plan policies whereby the scheme would “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” which the local plan seeks to preserve. Therefore a proposed dwelling on this site would not be supported should a formal application be submitted.”*

As discussed during the site meeting, the principal of ancillary accommodation may be supported, subject to appropriate design and layout. Any ancillary accommodation should normally be designed to ensure a functional dependency upon the principal dwelling in terms of its siting and internal layout. If a level of accommodation is proposed that would suggest potential for independent occupancy, an explanation of the specific need should be submitted with any future application. Independent vehicular access should be avoided in order to retain the cohesiveness of the site and ensure that the accommodation remains ancillary to the main house. Additional footpaths from the existing parking area could be provided if required.

The Conservation Officer has provided the following additional written advice:

*“ The single storey L-shape and its position allows for a subservient ancillary development and its massing is not objectionable in principal.*

*No detailed designs have been provided, but this should follow a traditional vernacular form with high quality materials. The design of the dwelling should be of an outbuilding character, not domesticated utilising roof lights and small window openings, window/door openings could be set behind timber shutters and recessed. The Cotswold design code provides further information on design and materiality to be followed.*

*Regarding landscaping this should remain as existing with residential garden area and pedestrian access, this ensures that the scheme site comfortably within the garden setting and provides an ancillary/outbuilding character that is not overly domesticated.*

*The host dwelling has a large area of car parking to the front of the property providing sufficient parking space for any ancillary accommodation, this allows the scheme to be subservient and act as an outbuilding within the garden curtilage.*

*Subject to design and ensuring the scheme is low scale in its massing, retaining a subservient and uncluttered character the proposal could be acceptable.”*

In addition to the above design-specific policies, a further material consideration for this application is that in July 2019 Cotswold District Council declared a climate emergency and drafted a Climate Strategy for the period 2020-2030. The Council has committed to 'embedding climate emergency considerations in all work areas, decision-making processes, policies and strategies'.

It is advised that the applicant include integrated energy efficiency measures within the building such as low carbon heating (heat pumps) and renewable energy generation. Additionally, an effort should be made to reduce the amount of embodied carbon within the building associated with the manufacture, transport, construction, repair, maintenance, replacement and deconstruction of building elements. This can be achieved by making informed design decisions based on quantified carbon reductions.

The Net Zero Carbon Toolkit was published in July 2021 and is available at the link below. The toolkit provides a useful guide for delivering net-zero carbon, low-energy buildings:  
<https://www.cotswold.gov.uk/environment/climate-action/how-to-achieve-net-zero-carbon-homes/>

### **Impact on the Cotswolds Area of Outstanding Natural Beauty (AONB)**

Section 85 of the Countryside and Rights of Way (CROW) Act 2000 states that relevant authorities have a statutory duty to conserve and enhance the natural beauty of the AONB.

**Local Plan Policy EN4** states that development will be permitted where it does not have a significant detrimental impact on the natural and historic landscape, and requires that it takes account of landscape character, visual quality and local distinctiveness.

**Local Plan Policy EN5** relates specifically to the Cotswolds AONB, and states that 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 given great weight. This conforms to the considerations of NPPF Section 15, which seeks to conserve and enhance the natural environment.

The application site is in established residential use and, whilst on the outskirts of the village, is clearly within the settlement boundaries. The proposed development would not therefore encroach into open countryside nor otherwise harm the natural beauty of the landscape or the special qualities of the AONB.

### **Impact on Residential Amenity**

**Local Plan Policy EN2** refers to The Design Code (Appendix D) which sets out policy with regard to residential amenity. This expects proposals to respect amenity in regards to garden space, privacy, daylight and overbearing effect, in conformity to the amenity requirements of Section 12 of the NPPF.

**Local Plan Policy EN15** states that development will be permitted if it will not result in unacceptable risk to public health or safety, the natural environment or the amenity of existing land uses through pollution of the air, land, surface water, or ground water sources and/or generation of noise or light levels, or other disturbance such as spillage, flicker, vibration, dust or smell.

The relative siting and orientation of the proposed new dwellinghouse or ancillary accommodation in relation to neighbouring properties would be such that an appropriate design could be achieved that would result in no unacceptable adverse impact on residential amenity having regard to overbearing impact, loss of privacy or loss of light. The proposed site use would remain residential and the addition of a single dwellinghouse or ancillary accommodation would not result in a degree of intensification of the use that would materially alter noise, light or other environmental factors that could cause disturbance or otherwise affect neighbouring residential amenity. Should creation of a



separate vehicular access be pursued, consideration should be given to the amenity impacts that may result from an intensification of use of the existing access track and PROW to the west of the site.

## **Biodiversity**

Local Plan Policy EN8 Requires development to conserve and enhance biodiversity and geodiversity. Proposals that would result in the loss or deterioration of irreplaceable habitats and resources, or which are likely to have an adverse effect on internationally protected species, will not be permitted.

National Planning Policy Framework Section 15 seeks to conserve and enhance the natural environment, specifically Paragraph 174 states that planning decisions should protect and enhance valued landscapes and sites of biodiversity.

The applicant should consider providing enhancements for bats and/or nesting birds as part of the proposal, for example, integral bat bricks (e.g. <http://www.ibstock.com/sustainability-ecozone.asp>), bat tubes (e.g. [http://www.nhbs.com/2fr\\_schwegler\\_bat\\_tube\\_tefno\\_162812.html](http://www.nhbs.com/2fr_schwegler_bat_tube_tefno_162812.html)) or Habitat (<http://www.habibat.co.uk/>), house sparrow terraces, starling boxes and/or swift bricks (visit [http://www.swift-conservation.org/swift\\_bricks.htm](http://www.swift-conservation.org/swift_bricks.htm) and <https://www.rspb.org.uk/birds-and-wildlife/read-and-learn/helping-birds/nestboxes/smallbirds/siting.aspx> for more information and ideas) in accordance with paragraphs 170 and 174 of the National Planning Policy Framework (alternatively, these could be externally mounted onto buildings or trees nearby). Built-in boxes do not interfere with the habitable space of the house and require no maintenance. Woodcrete products are longer-lived than traditional timber-made boxes, and there are many different products available from a range of suppliers. Enhancements can also be provided for other species such as amphibians and reptiles, hedgehogs and invertebrates, or incorporate habitat creation and restoration such as native species-rich hedgerow planting, the creation of a wildlife pond (no fish) and the use of native wildflowers. Further information can be found at:

- [http://www.ciria.com/buildinggreener/complementary\\_features.htm](http://www.ciria.com/buildinggreener/complementary_features.htm)
- <http://planningguidance.planningportal.gov.uk/blog/guidance/natural-environment/biodiversity-ecosystems-and-green-infrastructure/>

## **Flood Risk and Drainage**

**Local Plan Policy EN14** requires that proposals should not increase the level of risk to the safety of occupiers of a site, the local community or the wider environment as a result of flooding, through the appropriate application of the sequential and exception tests, and the provision of site specific flood risk assessments where applicable. It requires the incorporation of flood risk management and mitigation measures in the design and layout of development proposals that provide adequate provision for the lifetime of the development, and that include a Sustainable Drainage System unless this is demonstrably inappropriate. This is in accordance with Section 14 of the NPPF.

The site is located within a Flood Zone 1, which is the lowest designation of flood zone, and the proposed type of development is acceptable in principle in Flood Zone 1. Should the proposal for

an independent dwellinghouse be pursued, this should be supported by a full surface water drainage strategy.

The drainage strategy should comply with the principles of Sustainable Drainage Systems (SuDS) hierarchy for surface water. In doing so, consideration should be given first to infiltration, then discharge to a watercourse, then connecting to a public surface water sewer and finally connecting to a public combined sewer (with the necessary permissions from the relevant water company) if there are no other viable options. Where connections require crossing of third party land, agreement in principle from the relevant party should be included.

Where necessary, infiltration tests should be completed to BRE Digest 365 standard and the results provided. Please note that discharging to an ordinary watercourse (which includes ditches) may require Land Drainage Consent from Cotswold District Council. If the strategy is to discharge into a watercourse then there would need to be proof that the site will still be able to drain or there is sufficient storage onsite for when the watercourse is in high flow or when the watercourse is in flood. If the site doesn't currently drain into the watercourse then we would need to provide proof that the risk of flooding is not increased as a result of increasing the discharge into it.

There should be no surface water flooding on site for rainfall events up to and including the 1 in 30 year event and no internal flooding to properties (including basements) up to the 1 in 100 year event (plus 40% for climate change).

Development should not increase flood risk outside of the site. Exceedance flow routes for events greater than the 1 in 100 year storm should be identified and should avoid properties including gardens. When developing next to a watercourse, it is recommended a 5-8m strip of land be kept free for maintenance purposes.

Any attenuation features should be shown including calculations for stored volumes and discharge rates. For greenfield developments, the peak discharge rate up to the 1 in 100 year rainfall event (plus 40% for climate change) should never exceed the peak greenfield runoff rate for the same event. For brownfield developments, the peak discharge rate from the development up to the 1 in 100 year rainfall event (plus 40%) should be as close as is reasonably practicable to the greenfield runoff rate for the same event. If this is not feasible then Gloucestershire County Council will accept a 40% reduction over the pre-development discharge rate. It should never exceed the pre-development discharge rate for the same event.

For greenfield developments, the runoff volume up to the 1 in 100 year, 6 hour rainfall event (plus 40% climate change) should not exceed the greenfield runoff volume for the same event.

For brownfield sites the runoff volume up to the 1 in 100 year, 6 hour event (plus 40% climate change) should be constrained to a value as close as is reasonably practicable to the Greenfield runoff volume. Where this isn't practicable, the runoff volume should be reduced by 40% of the existing volume and should never exceed it.

The strategy should not result in any deterioration in water quality and the use of SuDS should improve water quality wherever possible. Information provided by the SuDS manual, CIRIA C753, should be considered when designing the SuDS system.

If the site is susceptible to sources of flooding other than from rivers (e.g. surface water drains, reservoirs) or has critical drainage problems as notified by the Environment Agency, a site-specific flood risk assessment will be required. Please see the following link for further information:

[https://www.gov.uk/guidance/flood-risk-assessment-for-planning-applications?\\_ga=2.259503306.1978570411.1573555009-902236253.1554453719&\\_gac=1.182218197.1570532269.CjwKCAjw5\\_DsBRBPEiwAIEDRW7EfP37](https://www.gov.uk/guidance/flood-risk-assessment-for-planning-applications?_ga=2.259503306.1978570411.1573555009-902236253.1554453719&_gac=1.182218197.1570532269.CjwKCAjw5_DsBRBPEiwAIEDRW7EfP37)

## **Impact on Highways and Parking**

The following Local Plan Policies are relevant to the proposal:

### **Policy INF4 (Highway Safety)**, which states

Development will be permitted that:

- a. is well integrated with the existing transport network within and beyond the development itself, avoiding severance of communities as a result of measures to accommodate increased levels of traffic on the highway network;
- b. creates safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, avoids street clutter and where appropriate establishes home zones;
- c. provides safe and suitable access and includes designs, where appropriate, that incorporate low speeds;
- d. avoids locations where the cumulative impact of congestion or other undesirable impact on the transport network is likely to remain severe following mitigation; and
- e. has regard, where appropriate, to the Manual for Gloucestershire Streets or any guidance produced by the Local Highway Authority that may supersede it.

### **Policy INF5 (Parking Provision)**, which states

1. Development will make provision for residential and non-residential vehicle parking where there is clear and compelling evidence that such provision is necessary to manage the local road network. Provision will be in accordance with standards and guidance set out at Appendix F.
2. Proposals for public car parks will be permitted where the development:
  - a. is essential for maintaining the functionality of retail centres as defined by Policy EC7 and demonstrably serves the retail centre as a whole; and
  - b. is located within or at the edge of the retail centre and is of a scale, layout and design that is in keeping with the size and character of the retail centre.

Gloucestershire County Council Highways operates its own formal pre-application guidance process details of which can be found at <https://www.goucestershire.gov.uk/highways/plans-policies-procedures-manuals/highway-pre-application-advice/>. GCC Highways can also be contacted at [devcoord@goucestershire.gov.uk](mailto:devcoord@goucestershire.gov.uk).

However, it is noted that the proposed new vehicular access associated with the independent dwelling house would follow the route of the PROW to the western site boundary, and the applicant should therefore seek independent legal advice in relation to this. Should the proposal for a new dwellinghouse be pursued, on-site car parking provision should be made in accordance with the guidance in the Gloucestershire Manual for Streets, along with secure cycle storage and provision of electric vehicle charging points.

As previously noted, it is considered that the site provides sufficient on-site parking to accommodate any vehicles associated with the use of new ancillary accommodation, and additional pathways or paving could be created to provide even, stable access to the new accommodation from the existing parking area.

### **Impact on Protected Trees**

**Local Plan Policy EN7** requires development to conserve and enhance natural assets to be affected, including trees, hedgerows, and woodland of high landscape amenity, ecological or historical value as well as veteran trees. This conforms with Section 15 of the NPPF.

The site supports a number of mature trees, which are protected by virtue of being within the Conservation Area. Consideration should therefore be given to the impacts of the proposed development on the trees, including during construction, and any forthcoming application should be supported by a tree protection strategy prepared by a suitably qualified arboriculturalist.

### **CONCLUSION**

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The subdivision of the site and erection of an independent new dwellinghouse with associated vehicular access is unlikely to be supported owing to the impacts on both designated and non-designated heritage assets.

The addition of a single storey building to provide ancillary residential accommodation can be supported in principle, subject to appropriate design details and high-quality materiality. The creation of a new vehicular access to serve the accommodation should be avoided.

Any forthcoming application should be supported by the following documents, in addition to an application form for full planning permission and the requisite fee:

- CIL forms
- Location plan
- Existing and proposed site plans
- Existing and proposed plans and elevations
- Design and Access Statement
- Heritage Statement
- Sustainability Statement
- Tree protection strategy

Please see the Council's Validation Checklists for additional information:

<https://www.cotswold.gov.uk/planning-and-building/planning-permission/make-a-planning-application/planning-application-supporting-information/>

In order to minimise conditions requiring formal LPA approval attached to any grant of permission, the applicant should consider the inclusion of the following additional documents in the submission package:

- Details of proposed walling and roofing materials

- Large-scale design details of windows and doors
- Full surface water drainage scheme (in relation to a proposal for a new dwellinghouse)
- Details of biodiversity enhancements

## OTHER MATTERS

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### Community Infrastructure Levy (CIL)

It is also worth noting that 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). The Cotswold CIL Charging Schedule was adopted by the Council on 3 August 2018. Charging commenced on 1 June 2019. Any planning application determined on or after 1 June 2019 could be liable to pay this levy.

A development is CIL liable if it creates one or more new dwellings of any size or creates over 100sqm of new floorspace.

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### 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.

It should be noted that the weight given to pre-application advice notes will decline over time.

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