

Planning and Heritage Statement

Town & Country Planning Act 1990
Planning (Listed Building and Conservation Areas) Act 1990

In respect of:
Creation of arrival court and reduction in size of previous hotel car park

At:
Bibury Court, Bibury, Gloucestershire

On behalf of:
Marc Newson and Charlotte Stockdale

October 2021





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1.0 Introduction

- 1.1. McLoughlin Planning has been instructed by Marc Newson and Charlotte Stockdale to prepare and submit a Planning Application for the creation of an arrival court and the reduction in size of the previous hotel car park, to the property known as the Bibury Court, Bibury, Gloucestershire.
- 1.2. The purpose of this Planning and Heritage Statement is to set out the comprehensive Planning Case for development and to demonstrate that the proposal would not result in harm to the heritage asset and accords with the provisions of the Cotswold District Local Plan 2031. In making the case for the proposed development, this Planning Statement is structured as follows:
 - Section 2 – The Site
 - Section 3 – The Proposed Development
 - Section 4 – Planning Policy
 - Section 5 – Planning Matters
 - Section 6 – Conclusions
- 1.3. In addition to this Planning Statement, this Application is supported by a number of Plans and documents and these are listed below:
 - Site Location Plan
 - Existing and proposed Block Plans
 - Landscaping Plan
 - Material and Planting details



2.0 The Site and Planning History

- 2.1. This Section of the Report provides a description of the site and its Planning History.
- 2.2. The site takes the form of an existing residential property with associated outbuildings and domestic curtilage. The site is set in grounds totalling approx. 2.8ha in size.
- 2.3. Historically, the property was converted from a residential dwelling into a hotel. This application relates to landscaping works currently being undertaken as part of the continuing works to convert the building back into a residential dwelling.
- 2.4. Bibury Court is a Grade I Listed Building and therefore, falls into the highest category of national importance and is outstanding in its architectural and historic interest. It is a fine high status house dating back to the C16, with a large central range and further wing of the C17.
- 2.5. It is constructed in local stone with a stone tile roof, diagonal ashlar stacks, mullion windows, large gables, crenelated bays and a central two-storey projecting porch with classical door case. It is particularly impressive architecturally to its principal east elevation. This main aspect has open views east and the house is also seen widely within the valley.
- 2.6. The western aspect of the house is more private, being set within a more enclosed garden setting adjacent to the river, but it also overlooks and has a close visual relationship with the Grade I Listed Building, St Mary's Church. This grouping of buildings not only contributes to their setting and significance, but also to the character and appearance of the Bibury Conservation Area.
- 2.7. In terms of the site's surroundings, the site is set within a rural context. It is accessed via a stone driveway off an unclassified highway from the main village road of the Village of Bibury. In terms of its immediate surroundings, to the east of the site is open countryside. The immediate backdrop to the property, however, is read in the context with the existing built development within the village.
- 2.8. The site also lies within the Cotswold Area of Outstanding Natural Beauty (AONB).



Planning History

2.9. The property has a very extensive Planning History, the most relevant Planning History is considered as follows:

- 18/00441/FUL – Planning Permission to create an arrival court and parking area, and reduction of oversized hotel car park in favour of planted areas. Permitted June 2018.
- 18/00455/LBC – Listed Building Consent for internal alterations. Permitted March 2018.
- 18/00444/LBC – Listed Building Consent for roof structure and gable repairs. Permitted March 2018.
- 17/04047/LBC – Listed Building Consent for new French doors in place of existing window. Refused November 2017.
- 17/01665/LBC – Listed Building Consent for re-building of existing boundary wall. Permitted June 2017.
- 17/00934/FUL & 17/00935/LBC – Listed Building Consent and Planning Permission for works to the garden service area and eastern boundary, including a boundary wall extension, new boundary walls, and a garden shed. Permitted June 2017.
- 17/00852/LBC – Listed Building Consent for alterations to stables, including re-roofing, re-laying of floor and removal of stone wall. Permitted May 2017.
- 17/00079/FUL & 17/00080/LBC – Listed Building Consent and Planning Permission for demolition/re-build of single storey extension and internal alterations. Permitted June 2017.
- 16/04945/LBC – Listed Building Consent for alterations to stables to form garage block. Permitted January 2017.
- 16/02823/FUL & 16/02825/LBC – Listed Building Consent and Planning Permission for proposed dormer window, re-roofing and external fabric repairs. Permitted September 2016.
- 14/05224/FUL – Planning Permission for change of use from Hotel (C1) to a single residential dwelling (C3). Permitted January 2015.

2.10. The Planning History demonstrates that the property has been subject to a number of alterations to change the house back into a single residential dwelling.



3.0 Proposed Development

- 3.1. This Section of the Planning and Heritage Statement sets out in more detail the Application proposals.
- 3.2. The Application proposes the creation of an arrival court and reduction in size of previous hotel car park. The previous Application ref: 18/00441/FUL gave Planning Permission to create an arrival court and parking area to the north of the property. Part of the Application included the reduction of the oversized hotel car park in favour of planted areas. However, this part of the development fell outside the red line of the Site Location Plan as submitted with the Application ref: 18/00441/FUL.
- 3.3. This proposal would look to remove the large area of gravelled car park to the front of Bibury Court and replace this with a single access and turning circle with a circular low Cotswold stone walled raised bed with planting in the middle. This would be set immediately in front of the main entrance to the property. The access would be finished in Cathedral Grade Yorkstone sets and other areas planted in accordance with the Landscaping Plan submitted as part of this Application.
- 3.4. The proposal also seeks to reconfigure the Kitchen Garden area, to a design more in keeping with that of the original character of the property and this part of the garden area. As can be seen from the application reference 18/00441/FUL the Kitchen Garden area is currently a storage and refuse area, used in conjunction with the hotel as it was at the time. The Proposal will reconfigure the kitchen garden area to provide Yorkstone paved areas along with planted beds with Cotswolds stone chippings walkways, as seen on the plans.



4.0 Planning Policy

4.1. This Section of the Statement sets out the Development Plan context for the site and is structured as follows:

- Cotswold District Local Plan 2011 - 2031.
- National Planning Policy Framework (NPPF).

Each is addressed in turn below:

4.2. In the determination of the Application, Section 38(6) of the Town & Country Planning Act 1990 (as amended), requires that:

"If regard is to be had to the Development Plan for the purposes of any determination under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise."

Cotswold District Local Plan 2011 - 2031

4.3. In the case of this Application, the Development Plan is the Cotswold District Local Plan 2011 - 2031 that was adopted on 27th September 2018.

4.4. Turning to the proposal's policy context, the property and a number of the outbuildings are Listed Buildings. The site sits within the Bibury Conservation Area (CA) and within the Cotswold Area of Outstanding Natural Beauty (AONB). The relevant policies are considered to be as follows:

- EN1 (Built, Natural and Historic Environment)
- EN2 (Design of the Built and Natural Environment)
- EN5 (Cotswold area of Outstanding Natural Beauty)
- EN10 (Designated Heritage Assets)
- EN11 (Conservation Areas)

In addition, Appendix D of the Local Plan contains the Cotswold Design Code. The Design Code is a material consideration in planning decisions and should be considered alongside Policy EN2.

The Design Code requires good design, which respects the Cotswold vernacular and the sensitive landscape and historic setting, including the AONB.



National Planning Policy Framework

4.5. In terms of the Framework, one of the Core Principles is to:

"Seek high quality design and good standards of amenity for all existing and future occupants of land and buildings".

4.6. This is echoed in paragraph 126 of the document that highlights the importance the Government attaches to the designs of the built environment by stating:

"good design is a key aspect of sustainable development".

4.7. Paragraph 132 states that:

"design quality should be considered throughout the evolution and assessment of individual proposals"

4.8. The Framework goes onto state:

"decisions should ensure that developments: function well and add to the overall quality of the area; are visually attractive as a result of good architecture and layout; are sympathetic to local character and history, including the surrounding built environment and landscape setting."

4.9. Section 16 of the Framework states that:

"in determining applications, proposals should take account of the desirability of sustaining or enhancing the significance of heritage assets. In particular, 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 (and the more important the asset, the greater the weight should be). 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 200).

Planning (Listed Building and Conservation Areas) Act 1990

4.10. In addition to the Development Plan, the Planning (Listed Building and Conservation Areas) Act 1990 is also a consideration when assessing the Listed Building Application.

4.11. In considering whether to grant Planning Permission, proposals should have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses, in accordance with Section 16(2) and 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990.



5.0 Planning Matters

5.1. This Section of the Statement deals with all the Matters relevant to the determination of the Application for the proposed replacement dwelling. These are considered to be as follows:

- Design and impact of the proposals on the heritage assets.
- Landscape impact.
- Access and parking.

5.2. Each is addressed in turn below.

Design and Impact on the Heritage Assets

5.3. Bibury Court is a Grade I Listed Building as being of special architectural or historic interest and also lies within the Bibury Conservation Area.

5.4. Policy EN10 of the Cotswold District Local Plan states that:

"Development proposals that sustain and enhance the character, appearance and significance of designated heritage assets (and their settings), and that put them to viable uses, consistent with their conservation, will be permitted."

5.5. Policy EN11, relates specifically to Conservation Areas, stating that development proposals that would affect Conservation Areas and their settings, will be permitted provided they:

"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."

5.6. aa Policy EN2 asserts that developments will be permitted provided they accord with the Cotswold Design Code (Appendix D) and that:

"Proposals should be of design quality that respects the character and distinctive appearance of the locality."

5.7. Section 12 of the Framework sets out criteria for achieving well-designed places, with paragraph 130 requiring that planning policies and decisions should ensure that developments:

"will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good



architecture; are sympathetic to local character and history, including the surrounding built environment and landscape setting; create places ... with a high standard of amenity for existing and future users."

- 5.8. Bibury Court is currently being restored back to a single family dwelling and dates back to the mid-late 16th Century with extensions in and around the 17th Century. The proposal looks to remove a large expanse of the present gravelled forecourt which represents a featureless area and served as a large car park for the hotel. The expanse of gravel creates a hardscape and parking of vehicles in a part of the property where this historically would not have been present, resulting in harm to the overall character and setting of the property. This is rather an unfortunate use of a significant space, directly in front of the main elevation of the house that has a negative impact on the important views of the front of the house and the longer-distance views of house, estate and church from the main road to the east (please refer to photos exhibited as **Appendix 1**).
- 5.9. There is certainly scope for improvement of the forecourt, which currently presents a bland open space previously used as the hotel car park for parking of numerous vehicles in association with the hotel use. The reinstatement of the building as a private house, now provides the opportunity for the removal of this large expanse of gravel that would not only sustain and enhance the character, appearance and significance of designated heritage assets (and their settings) but would preserve and enhance the setting of the wider Conservation Area.
- 5.10. The landscaping to the front of Bibury Court has been much altered since its first construction in the 1550's with changes to the layout in front of the front elevation of the building. Historically, there has always appeared to be some form of parking area or 'arrival court' in front of the main principal entrance to the property.
- 5.11. An engraving of Bibury Court for Estcourt Cresswell, in 1771 (Mowl, 2008: plate 2, p.6) (presented as **Appendix 2**), clearly shows a circular area of stone as an arrival court to the front of the property. Further evidence clarifies this on Maps of Bibury Court dated 1840, 1884, 1902 and 1921 (**Appendix 3**). It was only a later addition when the property became a hotel in 1968 that a wider expanse of parking was introduced to the property shown on the Map dated 1976 (exhibited as **Appendix 4**).
- 5.12. In line with historic evidence, the proposals would look to remove the majority of the large expanse of gravelled area to the front of the property and reinstate an arrival



court. The access and turning circle would be finished with flint stone set out with formalised landscaping in and around the feature.

- 5.13. As set out above, Policy EN2 of the Local Plan requires new development to be in accordance with the Cotswold Design Code. Proposals should be of a design quality that respects the character and distinctive appearance of the locality. Within the Cotswold Design Code (CDC), paragraph D.20 advises that:

"The design approach should respond to each site and its setting. The success of different design approaches, and in particular, architectural styles, is very dependent on location."

- 5.14. Paragraph D.67 among other things, advises:

"They should not obscure important elevations or features of interest, or in any way diminish the quality or integrity of the building, and they should not detract from the surroundings."

- 5.15. In this case, the property is Grade I Listed and set on the edge of a traditional village within the Bibury Conservation Area and AONB. The front of the property is visually prominent from within its wider surroundings, including a number of public vantage points from highways and PROW. Therefore, it is in the public interest to bring back and celebrate the softer formalised landscaping previously found at Bibury Court rather than have the harsh landscaping of hardstanding and a car park with a number of parked vehicles.

- 5.16. The proposal is simple in design, through its layout and use of materials and would not obscure important elevations or features of interest, or in any way diminish the quality or integrity of the building. Furthermore, the proposal would not detract from the setting of the Grade I Listed housed or further surroundings and would be seen as an enhancement to the property's setting.

- 5.17. The proposal looks to provide a simple turning area and drop off point to the front of the property that has been sensitively designed to preserve the character and to respect the historic appearance and significance of the property. Special attention is also given to appropriate construction details and materials for the works. The applicant is content to have this controlled via suitably worded planning conditions.

- 5.18. There are also a series of landscaping elements that are part of the proposal and include the Kitchen Garden to the northwest of the site. The landscaping has been designed in such a way to sympathise with the historic character of the dwelling.



Furthermore, the proposal will use materials of a similar nature to those seen on the existing site. This is to ensure that the proposed modifications blend naturally and are coherent with the rest of the site, this also replaces what was the refuse area at the back of the kitchens of the hotel.

- 5.19. Bibury Court is a building that has evolved over the centuries. The proposal would result in the removal of a large expanse of gravelled parking, with minimal disruption to a limited area to the front of the dwelling that has been much-altered throughout its history.
- 5.20. The proposal would entail the loss of no features of significance. As such, taking into consideration the design and proposal before you, the proposal would improve and enhance the setting and sustain the significance of the Grade I Listed Building.
- 5.21. With this in mind, the proposed arrival court would be a simple addition that looks to reinstate an entrance court that was lost when the property became a hotel. The additional landscaping works and kitchen garden has been sensitively designed so that it does not have an impact on the significance of the Listed Building. It is therefore concluded, that the proposal would accord with the guidance contained within the Cotswold District Design Code EN2 and more specifically, Policy EN10 and EN11 of the Cotswold District Local Plan. The proposal would remove a harmful addition added to the setting of the property when it became a hotel and most importantly enhance the setting of the Listed Building in accordance with national guidance contained within Sections 12 and 16 of the Framework in this regard.

Landscape Impact

- 5.22. The site is located within the AONB, paragraph 174 of the NPPF states that planning should contribute to and enhance the natural and local environment by:

"protecting and enhancing valued landscapes ... and recognising the intrinsic character and beauty of the countryside."
- 5.23. More specifically, paragraph 176 of the Framework advises that:

"great weight should be given to conserving the landscape within the AONB (amongst other sensitive areas), which has the highest status of protection for its scenic beauty."
- 5.24. Local Plan Policy EN5 relates specifically to the Cotswold 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."

- 5.25. The front of the house is clearly visible from public vantage points including local footpaths, bridleways and from the Salt Way to the east of the property that looks down over the Estate.
- 5.26. The proposed layout and landscaping to the front of the property are more sympathetic and proportionate to the residential use of Bibury Court. Furthermore, given its domestic setting, the proposed development will not encroach into the open countryside, or have an unacceptable impact on the character and setting of designated AONB.
- 5.27. With this in mind, the proposal would have no adverse impact on the AONB with regards to its setting or the amenity of the landscape. The proposal doesn't represent a prominent or incongruous feature within the landscape. Furthermore, the reduction in a large expanse of parking to the front would be an enhancement and visual improvement within the setting of the surrounding area. As such, it is considered that the proposals accord with, paragraphs 174 and 176 of the NPPF and Local Plan Policy EN5.

Access and Parking

- 5.28. The application does not propose to change the previously permitted parking arrangements within the site submitted and approved under planning application ref: 18/00441/FUL, a continuation of the existing access drive and parking arrangements would retain the historic access to the dwelling.



6.0 Conclusions

- 6.1. The purpose of this Planning and Heritage Statement is to support the Planning Application for a creation of an arrival court and reduction in size of the previous hotel car park at Bibury Court. In so doing, this Statement comprehensively demonstrates the case for development and how the proposals accord with the provisions of the Development Plan.
- 6.2. The proposal details show how the arrival court would look to reinstate a former feature dating back to the 18th century. The proposal would be simple in design and finished in materials to a high standard that respects and conforms with the guidance contained within the Cotswold Design Code and Local Plan Policies EN2, EN10 and EN11.
- 6.3. The application has demonstrated that the proposals through the careful considerations and sensitive design, results in a proposal that would significantly enhance the character and appearance of the setting of the listed building and presents a clear opportunity to better reveal the significance of the listed building to enhance its and the setting of the Bibury Conservation Area.
- 6.4. The proposal respects the historic plan form and character and appearance of this heritage asset and would not obscure important elevations or features of interest, or in any way diminish the quality or integrity of the building, that would detract from the surroundings including the wider AONB.
- 6.5. Therefore, in accordance with (Section 386 of the Town & Country Planning 1990) as amended, the proposed development accords with the provisions of the Development Plan, and as a result, Planning Permission should be granted subject to appropriate Conditions.

Appendix 1 - Photos of Gravelled parking Area to front of Bibury Court



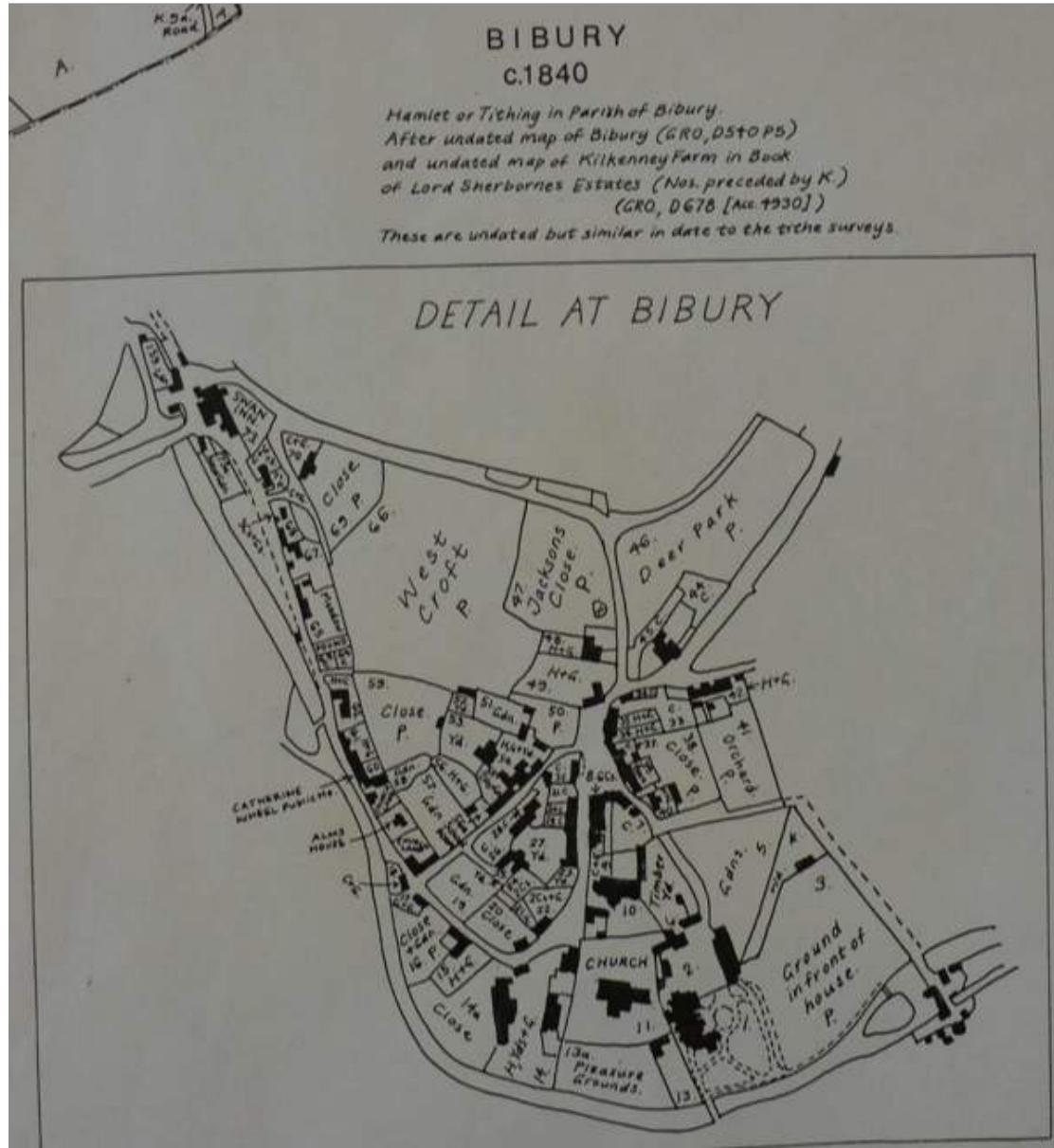


Appendix 2 - Engraving of Bibury Court for Estcourt Cresswell, in 1771

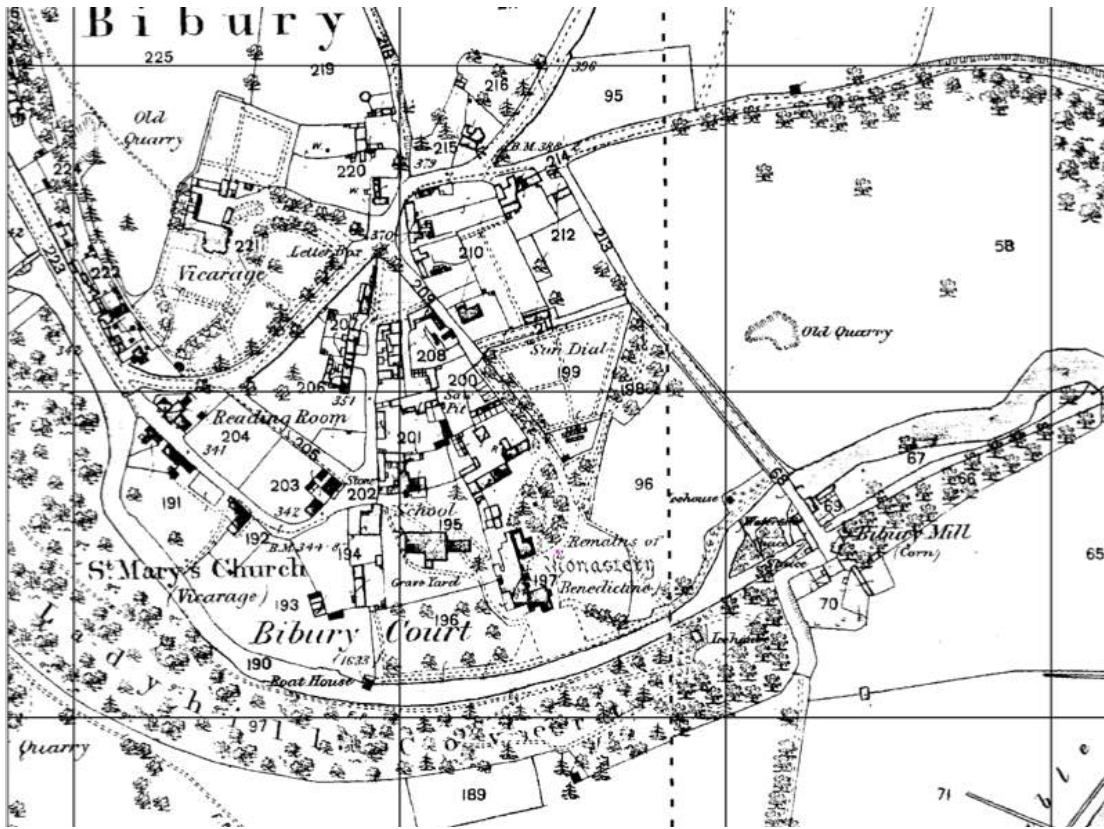


Appendix 3 - Maps of Bibury Court dated 1840, 1884, 1902 and 1921

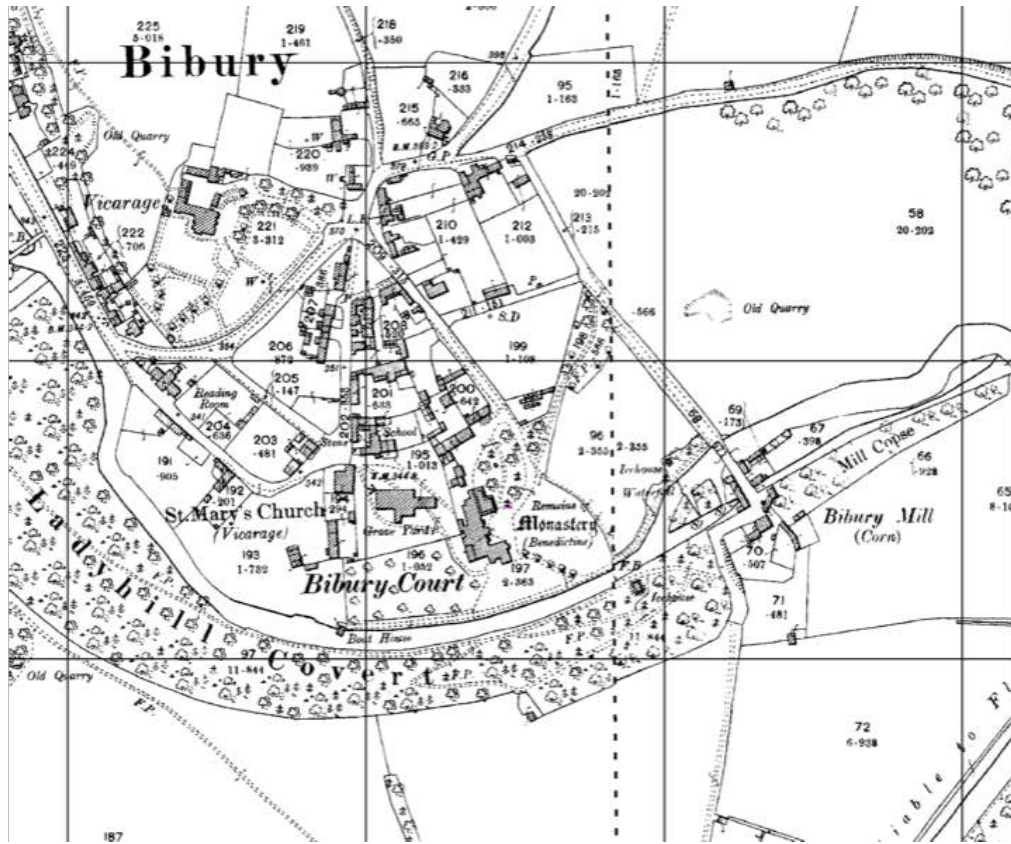
Map of Bibury Court 1840



Map of Bibury Court 1882- 1884



Map of Bibury Court 1902

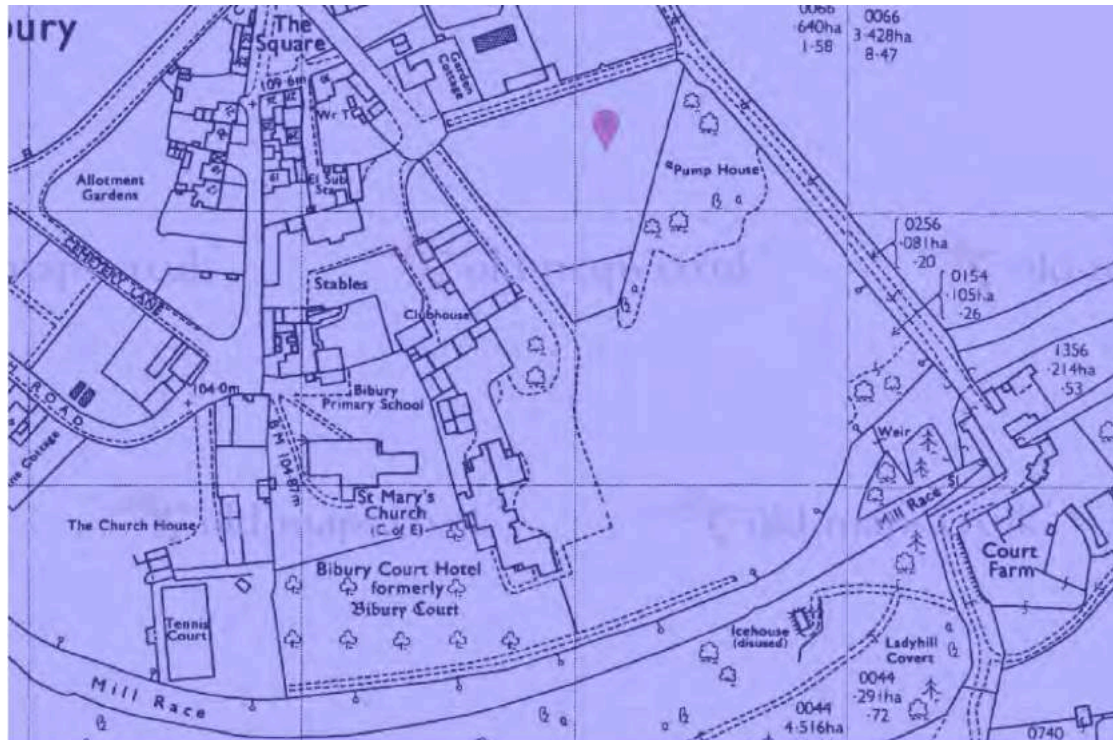


Map of Bibury Court 1821



Appendix 4 - Map of Bibury Court dated 1976

Map of Bibury Court 1976





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