

Item No 03:-

18/03618/FUL

**Hill Barn
Lower Swell
Gloucestershire
GL54 2JR**

Item No 03:-

Retrospective change of use and extension of 2 x agricultural barns to conference hall and function suite (D2) at Hill Barn Lower Swell Gloucestershire GL54 2JR

Full Application 18/03618/FUL	
Applicant:	
Agent:	Gregory Gray Associates
Case Officer:	Alison Williams
Ward Member(s):	Councillor Dilys Neill
Committee Date:	12th February 2020
RECOMMENDATION:	PERMIT

Main Issues:

- (a) Principle of Development
- (b) Design
- (c) Impact on the Cotswolds Area of Outstanding Natural Beauty (AONB)
- (d) Impact on the Highway
- (e) Impact on Neighbouring Amenity
- (f) Other

Reasons for Referral:

Councillor Dilys Neill has requested that the application be considered at the Planning and Licensing Committee for the following reasons:

'Due to the high local interest and the exceptional number of objections on the grounds of highways, noise and the effect on AONB. Also to ask that if the committee is minded to permit, we discuss the conditions which should be attached'.

1. Site Description:

The site comprises a dutch barn and stone barn together with associated hardstanding. This application is retrospective as the barns have already been converted to function suites. The site previously comprised three additional modern portal framed buildings, which were demolished as part of the works to convert the dutch barn and stone barn. The former farm yard lies to the north of the buildings and is laid to crushed stone providing car parking serving the function suites. The application site forms part of the wider Fir Farm, which extends to 690 acres in and around Lower Swell.

The barns are approximately 1km west of Lower Swell. The site is accessed from the B4068 located approximately 660m via the existing farm track. The surrounding land is agricultural fields. The nearest residential properties are Hollow Barn and Flat located approximately 670m to the south west.

The site is located within the Cotswolds Area of Outstanding Natural Beauty.

2. Relevant Planning History:

11/02455/FUL - Retrospective application for the creation of a bund - Permitted 06.09.2011

3. Planning Policies:

NPPF National Planning Policy Framework
EN1 Built, Natural & Historic Environment
EN2 Design of Built & Natural Environment
EN4 The Wider Natural & Historic Landscape
EN5 Cotswolds AONB
EN9 Bio & Geo: Designated Sites
EN15 Pollution & Contaminated Land
EC1 Employment Development
EC3 All types of Employment-generating Uses
EC6 Conversion of Rural Buildings
INF4 Highway Safety
INF5 Parking Provision

4. Observations of Consultees:

Gloucestershire Highways Officer - No objection subject to conditions

County Archaeologist - No objections

Environmental Health Noise - No objection subject to conditions

Landscape Officer - No objection subject to conditions

5. View of Town/Parish Council:

(Full copies of Parish Council comments are attached in the appendices of the report)

Swell Parish Council - Object to the proposals 19/11/2019 for the following reasons:

- i) Highway safety
- ii) Noise
- iii) Unsustainable location
- iv) Not rural diversification
- v) Adverse impact on the AONB
- vi) No identified need for the development
- vii) Restrictive condition required to ensure use of site is controlled

Upper Slaughter Parish Council - Object to the proposals (31/01/2020) for the following reasons:

- i) They support highways conditions recommended but have concerns how these would be enforced.
- ii) Upper Slaughter Parish Council again wish to state they support the comments and concerns made by Swell Parish Council.
- iii) Support comments and conditions of Landscape Officer but have concerns how these would be enforced.

Lower Slaughter Parish Council - Object to the proposals 30/07/2019

Impact on highway safety

6. Other Representations:

21 letters of support have been received

4 letters of general comment have been received

A total of 93 objections have been received and raise the following concerns:

- i) Highway safety
- ii) Adverse impact on the AONB
- iii) Noise pollution
- vi) Sustainability
- v) Overflow car parking
- vi) Need for conference centre
- vii) Impact on archaeological interest
- viii) Ecological impact
- ix) Contamination

7. Applicant's Supporting Information:

8. Officer's Assessment:

Proposals

This application seeks retrospective permission for the conversion, alteration and extension of the existing barns to create a conference hall and function suite (D2) use. As the works are retrospective and there have been no previous applications for the barns, it is unclear the level of works required to convert the buildings, however from aerial photography it is taken that a number of single storey extensions have been added to the stone barn and a lean-to extension to the Dutch barn. In addition, 3 large steel framed barns that were located to the east and north of the stone barn have been demolished.

The extensions to the stone barn comprise a one and a half storey stone extension on the eastern elevation that extends 3.8m from the eastern elevation and 5.6m in width. It extends to the eaves of the existing barn and 6.9m to the ridge. A dark green metal sheet clad lean-to extension was added to the south elevation that measures 4m x 5.75m and is 4.1m in height reducing to 1.85m. On the western elevation a lean-to extension measuring 2m x 12m has been constructed which is a mixture of stone, open with a glazed roof and green metal cladding. The extensions have created an entrance area and toilets on the western elevation, kitchen on the southern elevation and additional function space on the eastern elevation.

The Dutch barn had an extension on the western elevation that measures 12.9m in depth and extends the full length of the barn. It has a lean to roof that extends to the eaves and reduces to 2.8m in height. The building has been clad in black metal sheeting. The extension is utilised as toilets and it is also proposed to add a kitchen into that area with the remainder as function space.

The stone barn has been converted into a function venue and includes a kitchen and toilet facilities. It also can be used as an ancillary venue to supplement the Dutch barn. The Dutch barn has been converted to provide a large open plan area which could be used for larger conferences and events. At present, the building does not benefit from its own kitchen facilities and it is proposed that a new kitchen is installed within the existing building footprint as part of the application proposals.

It is proposed to limit the use of the Dutch barn to a maximum of 15 events (including a maximum of 5 evening events) per annum, over a maximum period of 20 days per annum to allow for 2 day events such as an annual agricultural conference. Day time events would cease by 7pm and evening events would cease by 12.30am (the following day).

The applicant's business case sets out that the Dutch barn will be used to host a two-day agricultural conference once every 12-18 months. It is also anticipated that there will be a minimum of one family event per annum with the remaining events being charitable or fundraising

events or parties. The stone barn will be used in association with the Dutch barn or for separate lunches and small conferences/training events. In accordance with Fir Farm's sustainable farming objectives and ethos, their target market will be providing a venue for agricultural events.

Car parking would be provided within the existing hardstanding area to the north of the buildings as detailed in the separate Transport Statement. A separate area of overflow car parking would be provided (details of which are to be agreed with the LPA) in association with the agricultural conference proposed to be held on an annual basis.

(a) Principle of Development

The application site is not located within a designated development boundary or within a settlement. The application relates to two former agricultural barns that have been converted to function suites.

Policy EC1 of the Cotswold District Local Plan sets out the principles of employment development with one of the criteria being that it maintains and enhances the vitality of the rural economy. Policy EC3 sets out the policy for all employment generating uses. This sets out that outside of development boundaries proposals for small-scale employment development appropriate to the rural area will be permitted where they do not entail a residential use, are supported by a business case demonstrating that the business is viable, and facilitate the retention or growth of a local employment opportunity.

Paragraph 83 of the National Planning Policy Framework (NPPF) sets out that:

“Planning policies and decisions should enable:

- (a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;
- (b) the development and diversification of agricultural and other land-based rural businesses;
- (c) sustainable rural tourism and leisure developments which respect the character of the countryside”

Paragraph 84 of the NPPF sets out that: “Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport).”

The site is part of a wider farming enterprise and the conversion was undertaken as the location of the barns away from the main farming operation made them unsuitable for ongoing agricultural use. Policy EC5 of the Cotswold District Local Plan sets out that development that relates to the diversification of an existing farm/agricultural estate will be permitted provided that the use does not conflict with the existing farming operation, existing buildings are reused wherever possible and the scale and design of the development contributes positively to the character and appearance of the area.

The application is retrospective and therefore the business plan provided reflects the events that have already been held at the venue and the intended business model for the future based on the number of events to be held. In addition, it sets out the existing business principles of Fir Farm, which the application site is located within. The business plan sets out that when the applicants purchased Fir Farm in 2010, all farming operations were moved to Rectory Farm for beef farming and to stop daily trips of large farming machines through Lower Swell. It is understood that an

attempt was made to reuse the barns subject to this application to keep pigs, however due to its isolated location away from the farm workers and the need to be checked multiple times a day, the barns were not suitable for such use.

The buildings therefore became surplus to requirements and the applicants converted them as part of their wider aspirations to focus on sustainable farming practices by providing a facility that could host agricultural events. Use of the building has subsequently evolved and it has since hosted three agricultural conferences, various community lunches and other events, including two weddings (once commercial and one family).

Continued use of the buildings for conferences and functions will provide a regular additional income stream for Fir Farm, supporting the business itself as well as its diversification into sustainable farming practices.

Use of the Dutch barn is proposed to be limited to 10 day time events and a maximum of 5 evening events per annum. On the basis of events already held at the buildings and a review of prices for other facilities that provide meeting facilities, the following average hire costs are anticipated for the Dutch barn:

Day time or evening only use - £6,000

Day and evening use - £10,000

Based on an assumption that all evening use will be in association with day time use this would generate an anticipated income of £50,000 and a further 10 day time events could generate a further £60,000 per annum. All Dutch barn bookings would include use of the Stone barn at no extra cost.

When hired separately, it is anticipated that the Stone barn will be hired for between £1,000 - £1,500 per day (i.e. an average of £1,250). It is anticipated that the Stone barn would receive approximately 2 additional bookings per month on a per annum average basis which could generate a further £32,500 per annum.

In terms of catering, Fir Farm has used a local catering supplier for events that have already taken place and this arrangement is proposed to continue but with greater emphasis on using meat from Fir Farm. As well as meat, Fir Farm intend to use their own produce, in liaison with catering suppliers, as far as possible which could include salad, eggs and potatoes further increasing the income generated through the conversion proposals. The use of meat from Fir Farm at events will also help to market the farm's meat to a wider customer base and increase the sale of meat boxes and pigs for hog roasts.

In terms of employment, Fir Farm works with a local catering supplier who shares Fir Farm's values of supporting rural communities and hires its entire staff from the local area. To date, the chefs used at Hill Barn live locally. The number of staff who would be employed at each event would depend upon the nature of the event and the number of guests attending. Waiting staff ratios are likely to range between 1 per 15 - 20 guests depending upon the event. Kitchen staff would be employed in addition to waiting staff. The cost of waiting staff is factored into any additional cost per head for catering and as such will not affect the revenue taken from the overall building hire cost.

In addition as set out in the Transport Statement up to 3 members of staff would be employed to direct people from the B4068 and manage parking within the site.

It is clear from the supporting business plan and the use of the buildings already that there is a demand for the function suites and would provide a viable business that supports the existing farming operations while also providing opportunities for local employment. As such the proposals are considered to accord with the principles of Policies EC1, EC3 and EC5 of the Cotswold District Local Plan.

(b) Design

Policy EC6 of the Cotswold District Local Plan sets out that the conversion of rural buildings to alternative uses will be permitted provided that:

- “(a) the building is structurally sound, suitable for and capable of conversion to the proposed use without substantial alteration, extension or re-building.
- (b) it would not cause conflict with existing farming operations, including severance or disruption to the holding that would prejudice its continued viable operation: and
- (c) the development proposals are compatible with extant uses on the site and existing and planned uses in close proximity of the site.”

Local Plan Policy EN2 Design of the Built and Natural Environment sets out that development will be permitted which accords with the Cotswold Design Code. Proposals should be of design quality that respects the character and distinctive appearance of the locality.

Section 12 - 'Achieving well designed places' of the NPPF stresses the importance of good design and the key role it plays in achieving sustainable development. Developments should be designed to be attractive and safe places for people to live; work and visit, with a mix of uses which function well and add to the quality of the area for the lifetime of the development. Good design goes beyond aesthetic considerations and therefore planning decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment. Design should reflect local character and history, but innovation should not be stifled. Paragraph 130 also states that permission should be refused for development that fails to take opportunities available for improving the quality of the area.

Aerial photographs of the site prior to the conversions show that there were two large modern barns within close proximity, east of the Stone barn. These barns have been demolished as part of the development of the site and have opened up the visibility of the more traditional stone barn and improved its setting. The stone barn has been extended as part of the conversion, through the introduction of a pitched projection on the eastern elevation designed to reflect a threshing barn style opening. This provides additional space for the function suite. In addition two further single storey extensions have been constructed. The first on the southern gable, which is a mono-pitched timber clad extension that provides the kitchen facilities to the Stone barn and a further single storey extension along the western elevation that, provides toilets and an entrance area. The building could have been converted without the need for the extensions with the kitchen and toilets being accommodated within the existing footprint however the extensions that have been constructed are considered to be proportionate and do not adversely affect the character or appearance of the barn. A photograph has been provided of the stone barn when the scaffolding was first erected in relation to the conversion and this shows the barn to be structurally sound and capable of conversion without rebuilding. As such it is considered that the conversion of the Stone barn complies with Policies EC6 and EN2 of the Cotswold District Local Plan.

In relation to the Dutch barn, this has been converted to a single-storey function suite. A single storey mono-pitch extension was added to the western elevation and provides for the kitchen and toilets to the function suite. Again the toilets and kitchen could have been accommodated within the existing footprint of the original barn and was therefore not necessary to facilitate the conversion. However it is considered that the single storey mono-pitched extension has been designed to reflect the agricultural character of the building and therefore is well designed and proportionate to the building. Due to the use of the building being contained to the ground floor level the original building was structurally capable of conversion with the only alternations being the addition of new metal sheet cladding and glazing which is not tantamount to a new build. As such it is considered that the conversion of the Stone barn complies with Policies EC6 and EN2 of the Cotswold District Local Plan.

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

The site is located within the Cotswolds Area of Outstanding Natural Beauty (AONB) wherein the Council is statutorily required to have regard to the purpose of conserving and enhancing the natural beauty of the landscape (S85(1) of the Countryside and Rights of Way Act 2000).

Paragraph 170 of the NPPF states that planning policies and decision 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'.

The nearest residential properties are Hollow Barn and Flat located approximately 670m to the south west. The nearest settlement is Lower Swell located 1km to the north east. Upper Swelling 1.8km to the north east, Upper Slaughter 1.9km to the south west and Stow-on-the-Wold 2.5km to the north east (distances taken as the crow flies).

Paragraph 172 of the NPPF states that 'great weight should be given to conserving and enhancing landscape and scenic beauty in ... Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues.'

Policy EN2 Design of the Built and Natural Environment states:

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

Policy EN4 The Wider Natural and Historic Landscape states:

"1. Development will be permitted where it does not have a significant detrimental impact on the natural and historic landscape (including the tranquillity of the countryside) of Cotswold District or neighbouring areas.

2. Proposals will take account of landscape and historic landscape character, visual quality and local distinctiveness. They will be expected to enhance, restore and better manage the natural and historic landscape, and any significant landscape features and elements, including key views, the setting of settlements, settlement patterns and heritage assets."

Policy EN5 Cotswolds Area of Outstanding Natural Beauty (AONB) states:

"1. 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.

2. Major development will not be permitted within the AONB unless it satisfies the exceptions set out in National Policy and Guidance."

The site is located upon an elevated landform within the rural landscape and is just over 1km to the west of the settlement of Lower Swell. Due to the retrospective nature of this application the baseline situation is considered to be the original agricultural structures and agricultural yard to the north of them. The buildings within the east of the site have been reduced in scale and number and the baseline Cotswolds stone barn retained and extended. The barn within the west of the site has been retained and extended further west and is finished in a recognised agricultural style of corrugated metal and wooden cladding. Large glazed apertures are present on both buildings.

The northern, southern and western boundaries of the site are defined by young tree planting. The eastern boundary is generally quite open and undefined, beyond the eastern site boundary is a downward sloping arable field. Access is achieved from an existing farm track off the B4068 to the east. There are no Public Rights of Way within, or in the immediate vicinity of the site.

A 'Landscape Report' (October 2019) has been submitted with the application. The main visual receptors of the site are those travelling along Condicote Lane to the west. This is due to their proximity to the site, level of achieved views and that they are likely to be there to enjoy the landscape. The other supplied viewpoints are considered to be of lesser importance due to a combination of distance from the site, intervening features and type of activity engaged in.

Condicote Lane is a publicly accessible lane to the west of the site with opportunities for views along its length. The level of these views varies depending on intervening features (vegetation and/or changes in topography) at any given point. Both the baseline buildings and the current development would have been/are visible in views from this orientation. The current buildings retain an agricultural appearance and are in keeping with the existing agricultural baseline present within the site. Extensive tree planting has taken place to the north, south and west of the site and in time would filter views of the buildings within the site.

No external lighting is shown on the western orientation of the Dutch barn building and this should be maintained to limit light spill by a suitably worded condition. Some lighting is shown on the northern and southern orientations of the buildings and this is limited to minimise harm to the AONB and dark skies.

The application site is located within the Cotswold Landscape Area 7c (Cotswolds High Wold Plateau). The Cotswolds High Wold plateau comprises the largest section of the High Wold.

Landscape Strategies and Guidelines are also supplied for the character type. Those of particular relevance to this application are:

- i) Avoid developments incorporating standardised development layout, suburban style lighting, construction details and materials that cumulatively can lead to the erosion of peaceful rural landscape character;
- ii) Promote the use of local stone and building styles in the construction of new buildings and extensions to existing dwellings;
- iii) Ensure new development is visually integrated with the rural landscape setting and does not interrupt the setting of existing villages or views;
- iv) Retain existing trees, hedges etc as part of the scheme;
- v) Ensure new development is integrated into its surroundings. Breaks up harsh edges of new development with appropriate and adequate tree planting ideally in advance of the development taking place; and
- vi) Adopt measures to minimise and where appropriate reduce light pollution.

It is considered that the proposals are generally in conformance with the above strategies. Subject to new planting on the eastern boundary and a dry stone wall being provided around the car park to provide instant screening to car lights and the partial screening of car movement within the site, the proposals would not result in harm to the AONB. An amended landscape plan was provided demonstrating the inclusion of a stone wall around the car park and additional planting to the eastern boundary. As such, subject to landscaping conditions the proposals are considered to accord with Policies EN1, EN2, EN4 and EN5 of the Cotswold District Local Plan and would not result in harm to the Cotswolds AONB.

(d) Impact on the Highway

The proposals utilise the existing access from the B4068 which is subject to a 60mph speed limit. Following objections being received from the County Highways Team, a Transport Statement (including speed survey) has been provided. This demonstrates that sufficient visibility can be achieved in either direction from the site access and as such would not result in harm to highway safety. The County Highways Officer has reviewed this information and raises no objections to the proposals, subject to conditions.

The former farm yard area is proposed to provide car parking for up to 71 cars and is finished in crushed Cotswold stone chippings. The parking spaces would not be formally laid out however a parking plan has been provided to demonstrate the parking capacity. The supporting Transport Statement sets out that this meets the required needs of the function suites for events. The parking area would be enclosed by a stone wall and hedgerow.

In addition, an overflow car park has been identified which would only be used for 2 days per annum as part of the Annual Agricultural Conference which can attract up to 250 people. A condition is recommended to ensure that the overflow parking is only used for this 2 day event to ensure that the car parking does not adversely impact on the landscape. It is noted that the use of land for up to 28 days can fall within permitted development however the applicant has confirmed that they are content for this restriction to be added to ensure that the proposals would not result in landscape harm.

(e) Impact on Neighbouring Amenity

Policy EN15 of the Cotswold District Local Plan sets out that "development will be permitted that will not result in unacceptable risk to public health or safety, the natural environment or the amenity of existing land uses through:

- (a) pollution of the air, land, surface water, or ground water sources; and/or
- (b) generation of noise or light levels, or other disturbance such as spillage, flicker, vibration, dust or smell."

The use as function suites has the potential for an impact on neighbouring amenity in relation to noise. A noise report was provided in support of the proposals and assesses the impact of the proposals on noise sensitive receptors. The report includes a noise survey which was carried out from Wednesday 15th to Tuesday 21st May 2019. The main source of noise would be amplified music. During the noise survey, music was played at the highest levels anticipated within the venue and assessed the impact on the nearest noise sensitive property (700m away). The calculations indicate that music noise levels at this position are likely to be around 10-15 dB LAeq,T. Comparing this level with the prevailing background noise levels, music noise will therefore be generally inaudible at the boundary of Hollow Barn and insignificant (0-5 dB LAeq,T) within the dwelling itself.

The report concludes that the noise impact of music (i.e. the worst case use of the venue) will be negligible. In addition, a number of management plan recommendations were made in the report and are included in the provided management plan. The Council's Public Protection Noise Officer has been consulted on the proposals and raises no objections subject to conditions requiring the provision and approval of a noise management plan, restricting the hours of operation, including music, a noise level condition, closure of doors other than for access/egress and signage for guests when they leave regarding noise.

As such it is considered that subject to conditions the proposals would not impact adversely on neighbouring amenity in accordance with Policy EN15 of the Cotswold District Local Plan.

(f) Other

Archaeology

The land west of Hill Barn contains five potential prehistoric barrows, and has produced a prehistoric worked flint. In addition, Condicote Lane is thought to represent the alignment of a Roman road. The locality of the application site is therefore of some archaeological interest. However, no significant archaeological remains are known to be present at Hill Barn, and the fact that this site has been the subject of a number of agricultural developments since the 19th century means that there is a low risk that archaeological remains would be preserved there,

even if once present. As such, the County Archaeologist comments that there is low potential for this scheme to have an adverse impact on archaeological remains, and recommends that no archaeological investigation or recording need be undertaken in connection with this development proposal.

Drainage

The site is located within Flood Zone 1 which is the least likely to flood. The development has removed a number of buildings and the footprint of buildings is less than originally on site. As such it is not considered necessary to require a surface water drainage scheme in this instance. A water harvesting tank has been included to the Dutch barn.

Ecology

The application is retrospective and as such it has not been possible to undertake ecological surveys of the barns prior to their conversion. It is understood that no evidence of bats were discovered during conversion of the buildings. The application proposals include the provision of bat, swallow and owl boxes to both barns.

CIL

Please note that the proposed development set out in this application would be liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended), however, no CIL is payable as the Cotswold CIL Charging Schedule gives this type of development a zero rate.

However, if the nature of the development were to change, you are advised to contact the Council to discuss the requirement for planning permission and CIL liability.

9. Conclusion:

The proposals provide a suitable employment opportunity within the rural location. The proposals would not compromise the existing farming operations and would be an appropriate diversification that re-uses existing buildings and would support the wider agricultural unit. The proposals subject to conditions would not result in harm to the AONB or to the highway network. As such the proposals are recommended for approval.

10. Proposed conditions:

1. The development hereby approved shall be carried out in accordance with the following drawing number(s): P19_1572_01 Site location plan; P19_1572_02 Proposed site plan; 0904 - OT 01 Oil Tank; 0904/E 01c Stone Barn; Stone barn ground floor plan; 0904/E 02B Dutch Barn elevations; D1A Ground floor plan; 1532.05 REV B Landscape proposals

Reason: For purposes of clarity and for the avoidance of doubt, in accordance with the National Planning Policy Framework.

2. Within 6 months of the date of this decision the satellite dish and awning on the stone barn shall be permanently removed and thereafter be restored to its former condition.

Reason: In order to protect the appearance of the building in accordance with Policy EN2 of the Cotswold District Local Plan.

3. Within 3 months of the date of this decision the existing roadside frontage boundaries shall be set back to provide visibility splays extending from a point 2.4m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road 117m west and 120m east (the Y points). The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0m at the X point and between 0.26m and 2.0m at the Y point above the adjacent carriageway level.

Reason: To avoid an unacceptable impact on highway safety by ensuring that adequate visibility is provided and maintained to ensure that a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians is provided in accordance with paragraphs 108 and 110 of the National Planning Policy Framework.

4. Within 3 months of the date of this decision the vehicular access shall be laid out and constructed in accordance with the submitted plans with any gates situated at least 10.0m back from the carriageway edge of the public road and hung so as not to open outwards towards the public highway and with the area of access road within at least 10.0m of the carriageway edge of the public road surfaced in bound material, and shall be maintained thereafter.

Reason: To reduce potential highway safety impact by ensuring that a safe and suitable access is laid out and constructed that minimises the conflict between pedestrians, cyclists and vehicles in accordance with paragraph 108 and 110 of the National Planning Policy Framework.

5. Within 3 months of the date of this decision a Parking Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be thereafter adhered to and maintained for the duration of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians is provided in accordance with paragraphs 108 and 110 of the National Planning Policy Framework.

6. Within 3 months of the date of this decision a Noise Management Plan (NMP) shall be submitted to and approved in writing to the Local Planning Authority. The Noise Management Plan should address any entertainment noise breakout from the function suite and include a list of administrative, management and policy steps to manage entertainment noise. The NMP must include steps in response to any complaints, with named individuals/supervisors. Once approved a copy shall be kept at 'Hill Barn' and made available upon request.

Reason: To protect those living nearby from external noise sources in accordance with Cotswold District Local Plan Policy EN15.

7. There shall be no regulated entertainment involving amplified music (live or recorded) after midnight (00:00 hrs) on any day.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with Cotswold District Council Local Plan Policy EN15.

8. Live and recorded music shall only be provided indoors and shall not take place anywhere outside of the buildings.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with Cotswold District Council Local Plan Policy EN15.

9. No amplified music to be played in the Dutch barn outside the hours of 08:00 and 23:00 hours. During this time internal noise levels must not exceed 85 dB LAeq,5min and external doors (other than for access) must be kept closed.

No amplified music to be played in the stone barn at any time.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with Cotswold District Council Local Plan Policy EN15.

10. All doors and windows to the premises shall be kept closed at all times except for the explicit purpose of entry to or exit from the premises during periods of live or recorded entertainment.

Reason: To avoid unnecessary noise from open doors and windows, in order to protect the amenity of the locality, especially for people living and/or working nearby in accordance with Cotswold District Local Plan Policy EN15.

11. Within 3 months of the date of this decision, signage requesting guests leave the premises quietly shall be erected at principal exit points of the buildings.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with Cotswold District Local Plan Policy EN15.

12. The functions hereby permitted within the Dutch barn shall not operate for more than 15 events per calendar year, to include a maximum of five evening events. The total number of days that events that can take place within the Dutch barn must not exceed 20 per calendar year.

For the avoidance of doubt:

"Day time" events shall not be held outside the hours of 08:00 hours and 19:00 hours.

"Evening" events shall cease by 00.30 hours the day after the event.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with Cotswold District Council Local Plan Policy EN15.

13. Within 3 months of the date of this decision the artificial bird nesting boxes and artificial bat boxes shall be installed fully in accordance with the approved plan 0904/E01C and they shall be retained fully in accordance with the detail agreed thereafter.

Reason: To ensure that bird and bat species are protected and their habitat enhanced. (Nesting birds are protected under the Wildlife and Countryside Act 1981 as amended. All species of bats are protected under the Wildlife and Countryside Act 1981 as amended and the Conservation of Habitats and Species Regulations 2010).

14. No fireworks shall be used within the application site.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with Cotswold District Council Local Plan Policy EN15.

15. Detailed records shall be kept of all dates and times that functions take place, this information shall be kept on site for the whole year and be readily available at all times the site is open so that an officer of the Council can examine it and note details.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby, and in the interests of sustainability in accordance with Cotswold District Local Plan Policy EN15.

16. There shall be no burning of any waste or other materials on the site, except in an incinerator, the details of which shall be approved in writing by the Local Planning Authority before the development is brought into use.

Reason: To ensure that, in accordance with Cotswold District Local Plan Policy EN15, any concentration of air pollutants in the vicinity is minimised and/or a nuisance is not caused. The incinerator itself may need planning permission.

17. No external lighting shall be installed on the building or any part of the application site without the prior written approval of the Local Planning Authority which specifies the provisions to be made for the level of illumination of the site and the control of light pollution. The scheme should be implemented and maintained in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

Reason: To prevent light pollution in accordance in accordance with Cotswold District Local Plan Policy EN15.

18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any other statutory instrument amending or replacing it, no gates, fences, walls or other means of enclosure shall be erected, constructed or sited in the application site other than those permitted by this Decision Notice.

Reason: In order to maintain control over the rural character of the site, which is within an AONB, in accordance with the provisions of the NPPF.

19. The overflow car park as shown on the approved Site Plan (ref: P19_1572_02) shall only be used for a maximum of two consecutive days per calendar year to allow for the parking of additional cars attending the annual Agricultural Conference.

Reason: In order to maintain control over the rural character of the site, which is within an AONB, in accordance with the provisions of the NPPF.

20. A single marquee measuring no greater than 12m x 6m may be erected within the application site red line for a maximum of 5 consecutive days per annum. The Local Planning Authority shall be notified of the erection of a marquee at least 28 days before its erection. No marquees shall be erected at any other time.

Reason: In order to maintain control over the rural character of the site, which is within an AONB, in accordance with Cotswold Local Plan Policies EN2, EN4 and EN5 and the provisions of the NPPF.

21. The entire landscaping scheme shall be completed by the end of the first planting season following the completion of the first building on the site.

Reason: To ensure that the landscaping is carried out and to enable the planting to begin to become established at the earliest stage practical and thereby achieving the objective of Cotswold District Local Plan Policy EN2.

22. Any trees or plants shown on the approved landscaping scheme to be planted or retained which die, are removed, are damaged or become diseased, or grassed areas which become eroded or damaged, within 5 years of the completion of the approved landscaping scheme, shall be replaced by the end of the next planting season. Replacement trees and plants shall be of the same size and species as those lost, unless the Local Planning Authority approves alternatives in writing.

Reason: To ensure that the planting becomes established and thereby achieves the objective of Cotswold District Local Plan Policy EN2.

23. Prior to its installation, a scheme shall be submitted to and agreed in writing by the Local Planning Authority which specifies the provisions to be made for the level of illumination of the site and the control of light pollution. The scheme shall be implemented and maintained in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

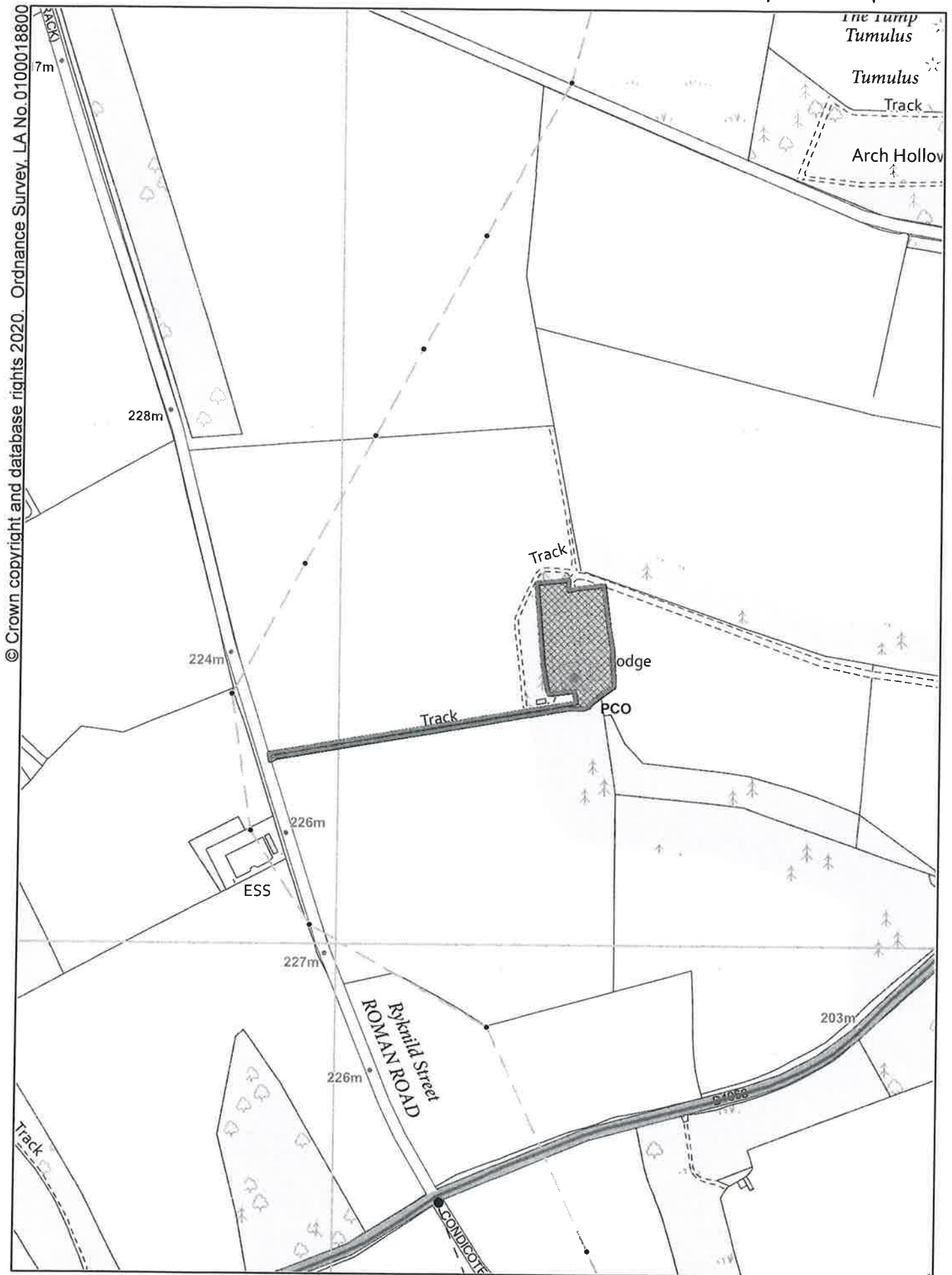
Reason: To prevent light pollution in accordance in accordance with Cotswold District Local Plan Policy EN2, EN4, EN5 and EN15.

Informatives:

The upgrade works to the access require alteration to the existing highway network and must be undertaken by the Highway Authority or its appointed agents. An Agreement under Section 278 of the Highways Act 1980 will be required. The Local Highway Area office will need to be contacted prior to commencement of work on the access.

The applicant is also advised that it is an offence under section 161 of the Highway Act 1980 to deposit anything on a highway the consequence of which a user of the highway is injured or endangered. It is strongly recommended that during any form of earthworks and/or excavations that are carried out as part of the development, suitable vehicle wheel washing equipment should be provided and used within the site, to prevent contamination and damage to the adjacent roads.

Please note that the proposed development set out in this application would be liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended), however, no CIL is payable as the Cotswold CIL Charging Schedule gives this type of development a zero rate. However, if the nature of the development were to change, you are advised to contact the Council to discuss the requirement for planning permission and CIL liability.



© Crown copyright and database rights 2020. Ordnance Survey, LA No. 0100018800



COTSWOLD
DISTRICT COUNCIL

HILL BARN LOWER SWELL

Organisation: Cotswold District Council

Department:

Date: 30/01/2020

Scale: 1:5000



KEY

SITE LOCATION

APPLICANTS LAND OWNERSHIP



HILL BARN, LOWER SWELL - SITE LOCATION PLAN

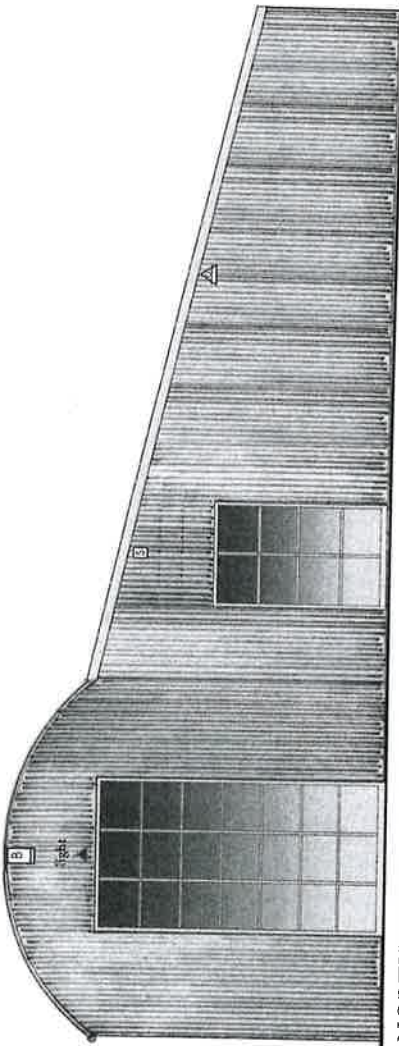
PLANNING | DESIGN | ENVIRONMENT | ECONOMICS | WWW.PEGASUSGROUP.CO.UK | TEAM/BRN/BK/48 | APPROVED BY P.M. HP | DATE: 08/2019 | SCALE: 1:2500 8.40 | DRWG: P4_1972_01 | SHEET NO 01 REV. 1 | CLIENT: CLIENT NAME |



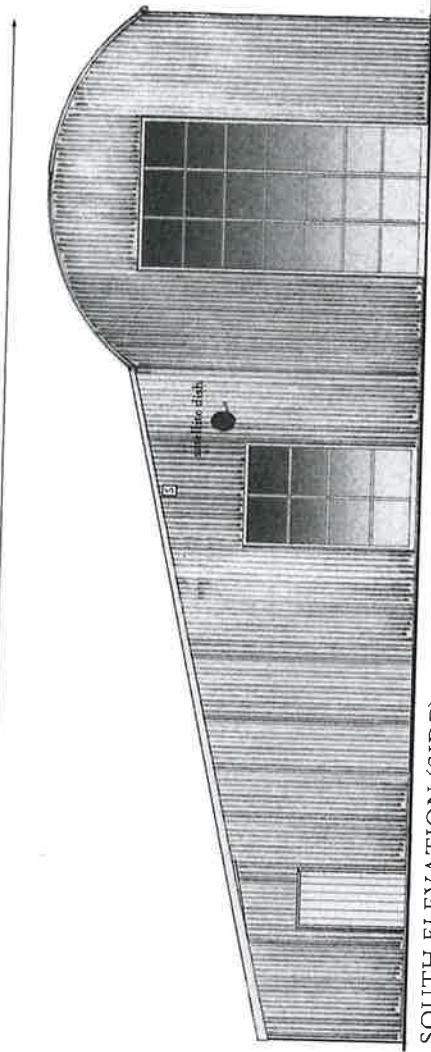
SCALE BAR

10m @ 1:100

20m

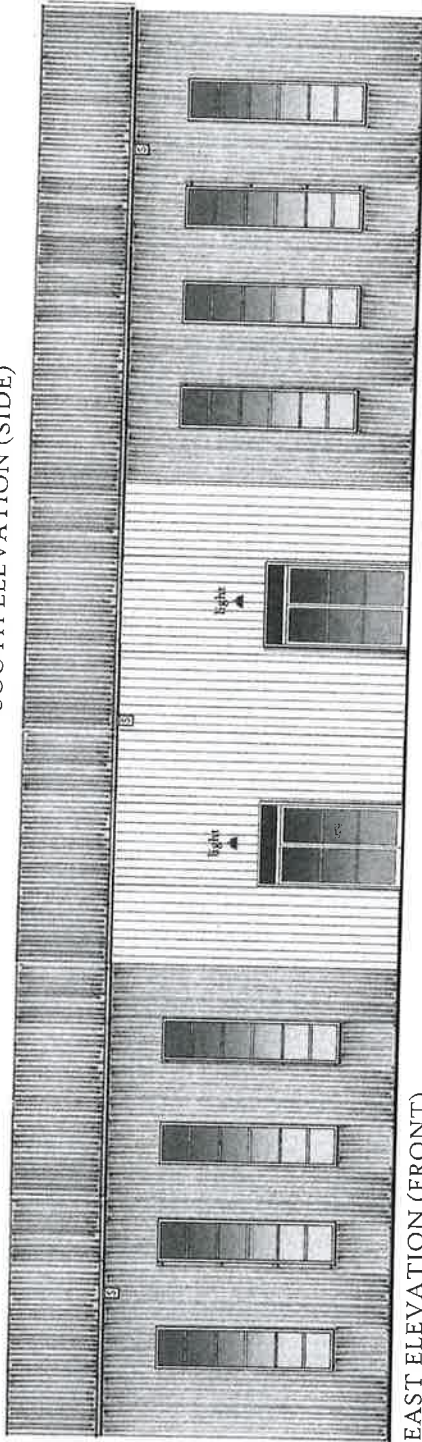


NORTH ELEVATION (SIDE)



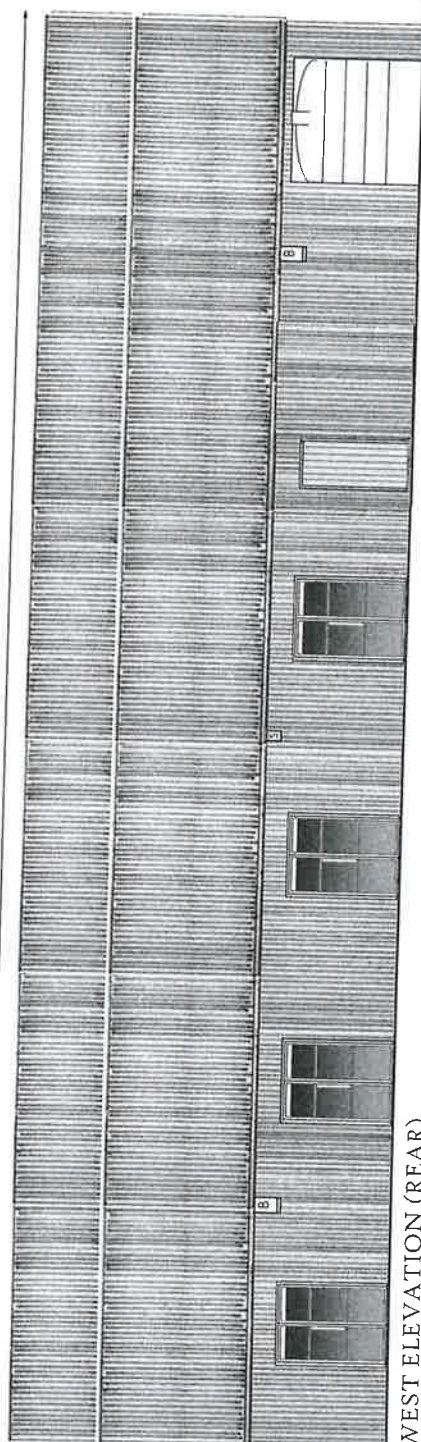
SOUTH ELEVATION (SIDE)

-  BAT BOX
-  SWALLOW BOX
-  OWL BOX



EAST ELEVATION (FRONT)

28m



WEST ELEVATION (REAR)

7.4m

Water Harvesting Tank

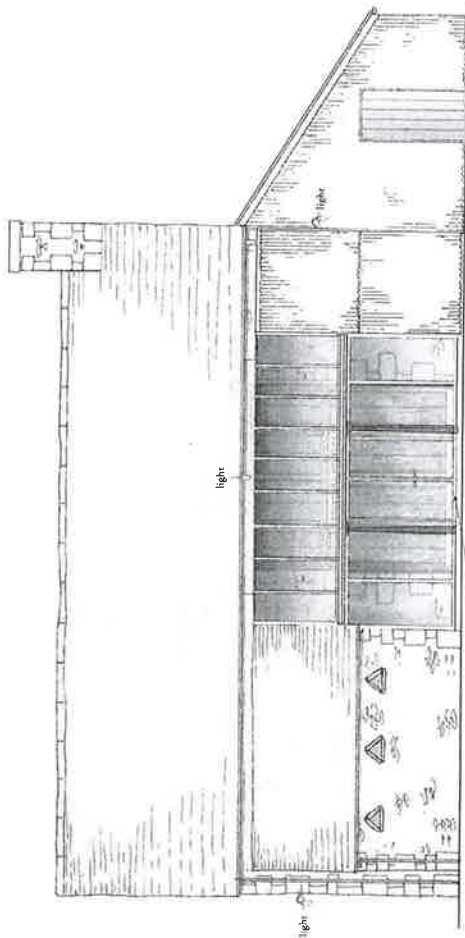
HILL BARN - ELEVATIONS

scale 1:100 at A3

Drawing Number 0904/E 02 B
Revision B: 30/07/19: Bat, swallow and owl boxes added
and water harvesting tank

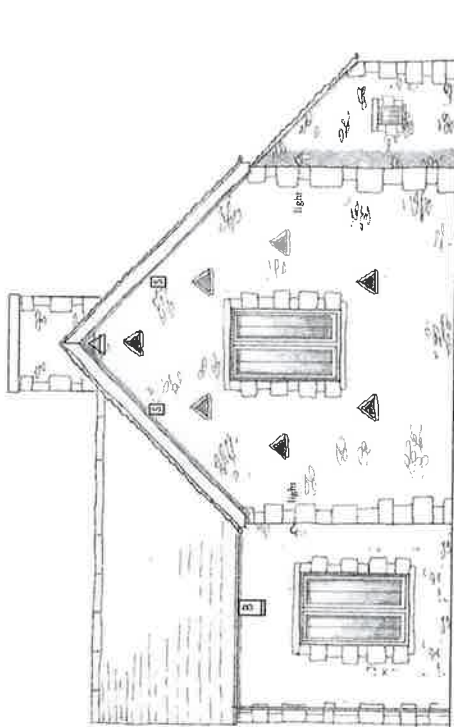
0 5m @ 1:50

SCALE BAR






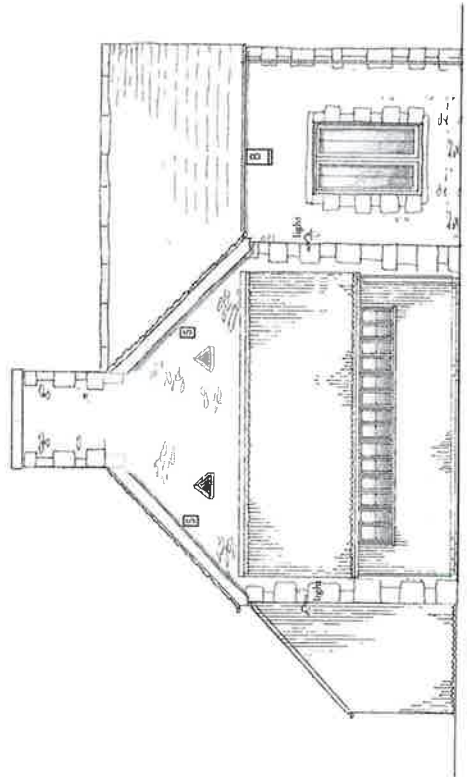
Glazed metal framed screen with double doors to form porch

WEST ELEVATION

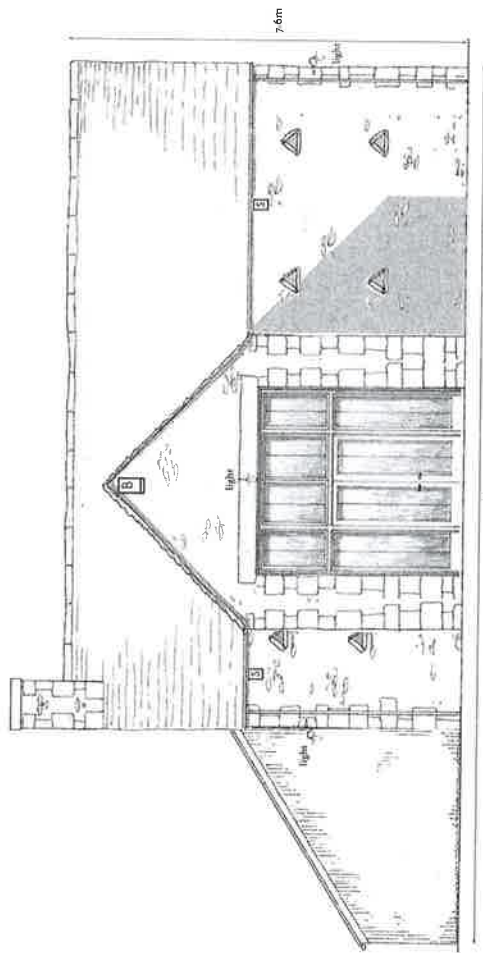


NORTH ELEVATION

-  BAT BOX
-  SWALLOW BOX
-  OWL BOX



SOUTH ELEVATION



EAST ELEVATION

STONE BARN - ELEVATIONS

scale 1:50 at A1

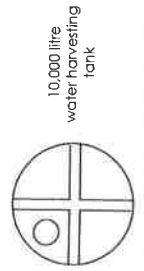
Drawing Number 0904/E 01C

Revision C: 30/7/19; Bat, swallow and owl boxes added, glazed screen added

GENERAL NOTE
 This drawing is to be read in conjunction with all other relevant drawings, schedules and specifications issued by Floorplanz Ltd.
 All interior dimensions including ceiling heights are taken to and from finished surface unless otherwise stated. All levels and dimensions must be checked on site.
 Any discrepancies with the information included in this drawing must be reported in writing to Floorplanz Ltd. Responsibility for any errors or omissions made to this drawing without prior permission from Floorplanz Ltd. This drawing must not be photocopied, scaled or reproduced otherwise scale.
 This drawing is not to be used for any other purpose without the written consent of Floorplanz Ltd. in any circumstances for any structural calculation or building construction / demolition work.

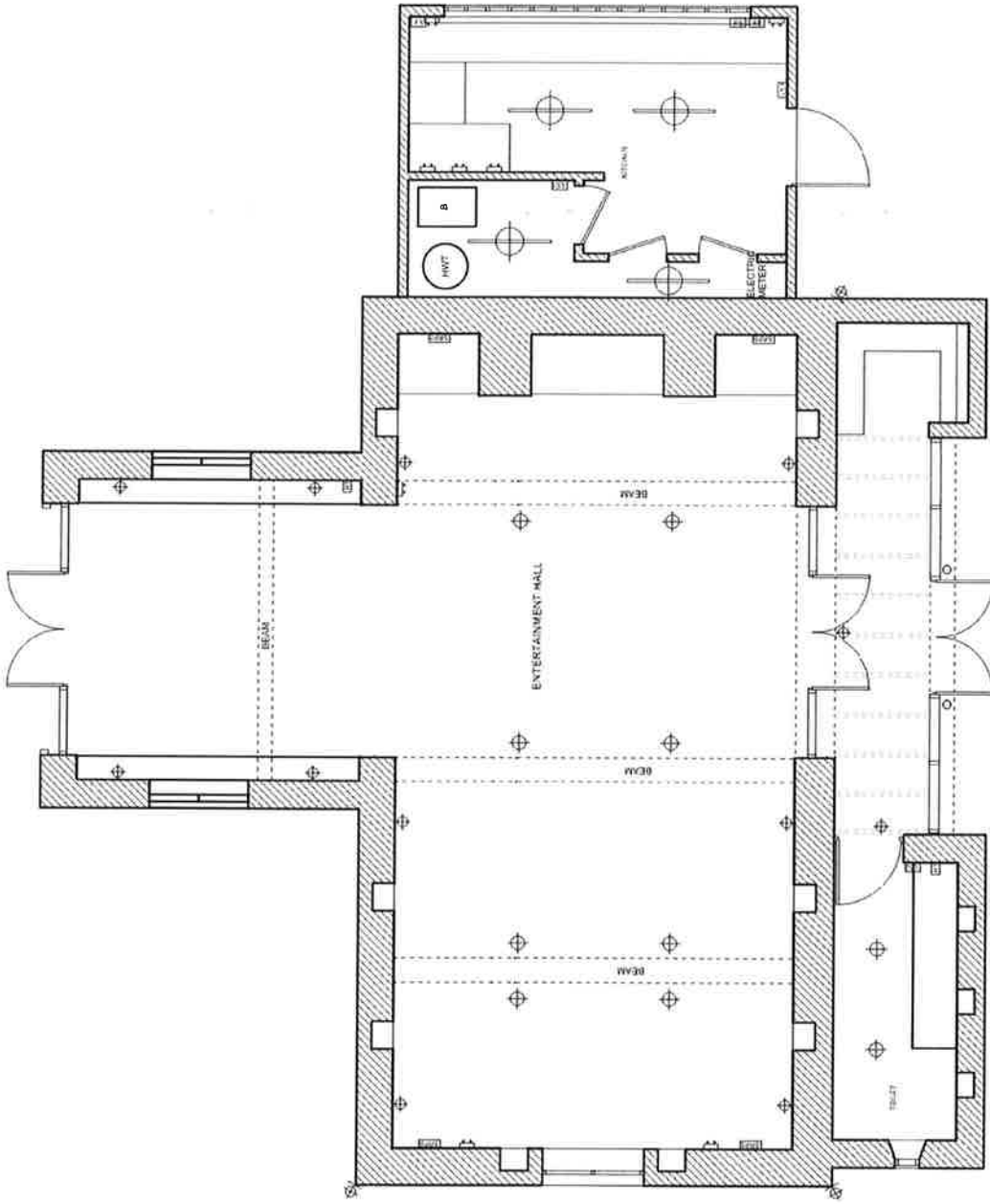
REV	DESCRIPTION	BY	DATE
1	SINGLE LIGHT SWITCHED OUTLET		
2	TWO LIGHT SWITCHED OUTLET		
3	TRIPLE LIGHT SWITCHED OUTLET		
4	TRIPLE LIGHT SWITCHED OUTLET		
5	SINGLE SOCKET OUTLET		
6	DOUBLE SOCKET OUTLET		
7	FIRE ALARM		
8	BELL		
9	RADIATOR		
10	RETRACT LIGHT		
11	WALL LIGHT		
12	DOUBLE WALL LIGHT		
13	ROOM HEATER/STOVE		
14	PULL CORD		
15	FIRE EXTINGUISHER		
16	FUSE SWITCH		
17	EMERGENCY WATER SWITCH		
18	WALL JOINT		
19	HOT WATER TANK		
20	BLANK SWITCH		
21	PROGRAMMER		
22	TELEPHONE POINT		
23	HANDY BOX ELECTRICIAN RADATOR		

SITE		HILL BARN, LOWER SWELL, CHELTENHAM, GL54 1HP	
TITLE		LOWER GROUND FLOOR PLAN	
APPROX. FLOOR AREA		G.I.A. : 529.6 SQ.M / 5,703 SQ.FT	
SCALE ON A3	DRAWN:	CHECKED	
1:100	DT	SS	
FPZ	DRAWING	DATE	
193529	D1 A	08/08/17	
Floorplanz Ltd		Suite 14, Building Three	
Watchmoor Park, Camberley, GU15 3YL		www.floorplanz.co.uk	



LOWER GROUND FLOOR PLAN
 1:100

floorplanz
 www.floorplanz.co.uk



HILL BARN
 GROUND FLOOR PLAN
 scale 1:100 @A4

18/03618/FUL | Retrospective change of use and extension of 2 x agricultural barns to conference hall and function suite (D2) | Hill Barn Lower Swell Gloucestershire

Swell Parish Council at its meeting held on 19th November 2019 discussed the above planning application and agreed to register **OBJECTION** on the following grounds:

HIGHWAY AND PARKING

HJV Transport Ltd carried out speed surveys between 10:00 and 13:00 on Thursday 18th July and between 13:00 and 16:00 on 8th July 2019. These showed only ONE vehicle travelling at 60mph during both periods with average speeds allowing a shorter visibility splay than the 215m requirement for a 60mph speed limit. The splay in the direction of Lower Swell is less than 215m (actually 165m as measured by a member of Swell Parish Council) but the Transport Statement states that this is safe and acceptable on the basis that vehicles will be travelling at slower speeds than 60mph.

Swell Parish Council is of the opinion that the speed survey does not given realistic results as vehicle numbers and speeds are greater in the early morning and late afternoons when there is 'commuter' traffic. This will be the most likely times when vehicles will be arriving and leaving the Hill Barn venue.

Swell Parish Council is of the opinion that the survey does not give a true picture of reality and that the highway access will be dangerous.

Swell Parish Council understands that a survey provided by Glos. Highways is going to be carried out in the new future.

NOISE

The Cass Allen report is essentially the same as the previous report with a revised date so the same comments apply. ie the noise levels of amplified sound are only acceptable if within the Dutch Barn with **windows and doors closed**. There is no explanation in this report or the Management Plan as to how this will be controlled on site especially on hot summer evenings? There is also no mention of the control of sound outside or in marquees or similar temporary structures.

Swell Parish Council therefore is of the opinion that there will be unacceptable levels of noise without any means of control. It is thought calling the police is unlikely to be effective.

SUSTAINABILTY AND ENVIRONMENTAL IMPACT:

The proposed development offers no provision for sustainable transport. It is solely accessible by private car and it is inappropriate to believe that attendees may make use of other methods of transport.

No consideration has been made to Policy INF3 of the Local Plan.

Swell Parish Council therefore is of the opinion that the proposed development is not in accordance with the ethos of sustainable development.

INCORRECT CLAIM TO 'RURAL DIVERSIFICATION':

It is inappropriate to rely upon Paragraph 84 of the NPPF.

The proposed development is not '*rural diversification*' as confirmed by the applicant in their planning statement (para 9.5.4) and is therefore a wholly independent commercial venture

with little connection to the established farm enterprise.

The location of the proposed development therefore has no justification and therefore its location is inappropriate when considered particularly against the purposes of the AONB.

DETRIMENTAL IMPACT ON THE COTSWOLD AONB:

Swell Parish Council is very concerned that the proposed development constitutes a use which is incongruous to the purposes of the Cotswold Area of Outstanding Natural Beauty. Paragraph 172 of the NPPF places 'great weight' on conserving and enhancing landscape and scenic beauty in AONB's.

Policies EN4 and EN5 of the Cotswold Local Plan direct development away from detrimentally affecting historic or natural landscapes or impacting upon natural beauty. No evidence has been presented to suggest how the AONB's principles have been considered in the development or that the proposed development will support or at least not conflict with the purposes of the AONB. Swell Parish Council asserts that the development will have a greatly detrimental effect on the AONB. Its built form is incongruous and unlike its former agricultural use and is not justified.

Its undesignated parking areas have already been demonstrated to be extensive and to have a significant visual impact on the surrounding area. Furthermore any work undertaken to the lengthy access track, which is wholly unviable to support the intensive use of the building will also constitute a significant detraction from the area's surrounding beauty. The development conflicts starkly with the fundamental principles of the AONB.

NEED:

Swell Parish Council questions the 'need' for a conference centre which focuses on agriculture and rural subjects within the AONB at the proposed location, particularly when the world leading Royal Agricultural University in Cirencester and more than adequately fulfilling international and domestic demand for rural conference based facilities and expertise.

The need for a specified development is an identified requirement under Paragraph 172 of the NPPF.

Little consideration has been given in the proposal as to how the development will benefit the local community.

VALIDITY OF THE MANAGEMENT PLAN:

Swell Parish Council questions the validity of the proffered Management Plan, which sets out terms of use, presumably to be incorporated within the planning conditions. Swell Parish Council and local residents are particularly concerned by the rider *"For the avoidance of doubt, there are no restrictions on the domestic use of the site by the owners of the Fir Farm Estate or their family for their own use with regard to family gatherings or events."* Swell Parish Council is concerned that this will create a gap in the planning conditions, de-restricting any limitations on use and that by extension of any planning conditions imposed, will be impossible to effectively enforce.

Should this application be permitted Swell Parish Council supports the additional condition as suggested by **SFP Planning** of 11th November 2019 on behalf of Keswick, Scott Plummer, Baring, Fleming, Campbell and Heber Percy as below (*in italics*):

"The development hereby approved shall be used only for the purposes of a conference hall and function suite in accordance with the application submitted and for no other purpose, including any other purpose in Class D2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or the equivalent to that Class in any statutory instrument amending or replacing the 1987 Order or any other change of use permitted by the Town and Country Planning (General Permitted Development) Order 2015."

Swell Parish Council is of the opinion that the **Proposed Conditions** in the **Pegasus Group** letter of 17th October 2019 are amended as below (*in italics*) so that they are more effective and enforceable and are part of the conditions of the planning permission:

- The Dutch Barn shall be used for no more than 15 events per calendar year, to include a maximum of five evening events. The total number of days that events can take place must not exceed 20.
- "Day time" events shall not be held outside the hours of 08:00 hours and 19:00 hours.
- "Evening" events shall cease by 00:30 hours the day after the event, although for the purpose of condition X such events will only constitute a one day event.
- *Amplified sound will only be allowed in the Dutch Barn when all windows and doors are closed. A named member of staff must be appointed to monitor and be responsible for ensuring compliance and records to be kept for public inspection should noise complaints be received.*
- No amplified sound will be allowed in the stone barn, *marquees or externally on the site or in the vicinity of the site.*
- No amplified sound will be allowed in the Dutch barn outside the hours of 08:00 and 23.00. During this time internal noise levels must not exceed 85 dB LAeq,5min and external doors (except for access) and windows must be kept closed. *A suitable noise level meter must be used during events so that noise levels can be monitored and kept within the proscribed limit.*

Swell Parish Council
Chris Tombs parish clerk

Sent: 31 January 2020 09:16
To: Alison Williams
Subject: Comments for Planning Application 18/03618/FUL

Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 9:15 AM on 31 Jan 2020 from Mrs Ruth Waller (Clerk to Council).

Application Summary

Address: Hill Barn Lower Swell Gloucestershire
Proposal: Retrospective change of use and extension of 2 x agricultural barns to conference hall and function suite (D2)
Case Officer: Alison Williams

Customer Details

Name: Mrs Ruth Waller (Clerk to Council)

Comments Details

Commenter Type: Objection Comments
Stance: Customer objects to the Planning Application

Reasons for comment:

- Design
- Highway access and parking
- Other
- Privacy light and noise
- Trees and landscaping

Comments: Following the submission of new reports for this application, Upper Slaughter Parish Council reconsidered this application at it's meeting held on the 28th January 2020.

The Council's previous objections made in December 2019 remain.
(https://publicaccess.cotswold.gov.uk/online-applications/files/3F182939B9F684C2E7D99A34C25FFB28/pdf/18_03618_FUL-UPPER_SLAUGHTER_PARISH_COUNCIL-1408269.pdf)

However, it is noted that a Highways Report has now been submitted by Gloucestershire County Council Highways Department. Upper Slaughter Parish Council fully support all the conditions and details made in this Report. It is obvious that this site is already being used. How, therefore, will the Planning Department enforce these conditions?

Upper Slaughter Parish Council again wish to state they support the comments and concerns made by Swell Parish Council.

The Parish Council are in full agreement of the conditions stated by the Landscape Officer, in particular that "No external lighting is permitted on the buildings or within the site." This condition would then be working in line with Policy CE4 of the AONB Management Plan, which states: "Measures should be taken to enhance the tranquillity of the Cotswolds AONB by (i) removing and (ii) reducing existing sources of noise pollution and other aural and visual disturbance.

However, concern is again raised how these conditions will be enforced.

Submitted by Ruth Waller
Clerk to Council