

PLANNING AND LICENSING COMMITTEE

11th March 2020

ADDITIONAL PAGES UPDATE

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Additional Representations on Schedule Items

Pages 5 - 13

Item	Ref No	Content
01	19/03261/FUL	<p>Two additional third party objections received:</p> <ol style="list-style-type: none">1. Whilst supporting the conversions of redundant farm buildings on the whole. I would question the need or merit for this particular building to be converted into a dwelling as a stand alone residence. The plot it stands on does have panoramic views, however the proposed windows and door will do little to enjoy those views and offer very little natural daylight. In my experience buildings of this size are generally converted as 'ancillary' to a main house - be it for a granny annex or holiday let accommodation. Naunton and the surrounding hill top dwellings offer many holiday lets ranging in size from shepherds huts to 6 bedroomed offerings, as well as B&Bs, with even the smallest being able to sleep 2, I believe in this day and age it would be unreasonable to create a so called bedroom offering space for a single bed only. There has been 'No need shown for single occupancy dwellings of this size either in Naunton or for Agriculture need' situated at a 5 way junction alongside a busy road in such a confined space would also be questionable. There is no public transport - local shops approx 5 miles away. I fear if permission was to be granted it would then be followed by various applications to extend (porch, boot room, storage) all of which would support the question as to whether the building is of suitable size in the first for conversion.2. I do not believe this proposal is adequate for a single dwelling, it should be ancillary to another property & used as a garage or something similar. To make it habitable & have a car kept off the road the footprint would need to be much larger which will have an impact on the view from my property & I strongly object.
02 03	19/02113/FUL 19/02114/LBC	<p>Case Officer Update:</p> <p>At the request of Councillor Clive Webster, please see attached comment from Gloucestershire County Council Highways (dated 22.10.2010) received in relation to the earlier application 10/04428/FUL relating to the property</p>

04	19/03585/FUL	<p>Further representations received:</p> <p>Four further third party support comments:</p> <ul style="list-style-type: none">i). Ample parking;ii). Economic benefits;iii). Allows farm to further diversify;iv). Little traffic impact; andv). Less of an impact than the new housing estate opposite. <p>Total number of representations received:</p> <p>23 Objection comments 48 Support comments</p> <p>Letter to Members from Brodie Planning Associates Ltd (Agent for application) – please see attached dated 09.03.2020</p>
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Director of Development and Heritage
Cotswold District Council
Trinity Road
Cirencester
Gloucestershire

GL7 1PX

Alison Curtis

01452-426951

CO.10/4428/08222/AC

B Bendall

22/12/2010

Dear Sir,

**TOWN AND COUNTRY PLANNING ACT 1990
HIGHWAY RECOMMENDATIONS**

**Location : Yew Tree Farm, Water Lane, Somerford Keynes, Cirencester, CIRENCESTER
Proposal : Formation of new vehicular access and erection of new walls**

I refer to the above planning application received on 14th December 2010 with Plan(s) Nos: 02.

The existing access is located with poor visibility on the radius of a junction. The proposal seeks to relocate the access to a point with increased vehicular visibility and away from the junction and the associated hazards.

I recommend that no highway objection be raised subject to the following condition(s) being attached to any permission granted:-

Prior to the use of the new vehicular access the vehicular access shall be laid out and constructed such that any entrance gates are set back a minimum distance of 4.5m. from the edge of the carriageway and hung so as to open inwards only with splay lines provided from a point 4.5m. back from the carriageway on either side of the driveway extending at 45 degrees to the highway boundary. The width of the access driveway(s) shall be 4.5m as illustrated on plan number 02 and the area in advance of the gate position/splay lines shall be kept free from obstruction and surfaced in bituminous macadam or other approved material and thereafter similarly maintained.

REASON: To ensure a satisfactory means of access is provided and maintained in the interests of highway safety.

The gradient of the driveway shall not be steeper than 1 in 15 within 4.5m. (15ft.) of the edge of the existing carriageway and shall thereafter not be steeper than 1 in 7.

REASON: In the interests of highway safety.

Before the development hereby authorised is brought into use the existing vehicular access to the site shall be modified to provide a maximum entrance width of 1.5 metres.

REASON: To ensure that there is no further vehicular use of a sub-standard access facility, in the interests of highway safety.

Prior to the use of the new vehicular access the car parking and manoeuvring facilities shall be completed in all respects in accordance with the submitted details and shall be similarly maintained thereafter for that purpose.

REASON: To enable vehicles to enter and leave the highway in forward gear in the interests of highway safety.

Yours faithfully

Alison Curtis

CO.10/4428/08222

BPA Ref: 19.048

Members of the Planning Committee
Cotswold District Council
Trinity Road
Cirencester
Gloucestershire
GL7 1PX

9th March 2020

Planning Committee, Wednesday 11th March 2020 – Agenda Item No.4 (ref: 19/03585/FUL) for the change of use of agricultural land for the siting of 7 shepherd huts at Sheaf House Farm, Draycott Road, Blockley, Gloucestershire, GL56 9DY

Dear Members,

I write in support of the above application and to specifically address the reason this application has been referred to Committee for determination given the **Officer's recommendation for approval**.

As detailed in the Officer's Committee Report, this application has been referred by Councillor Jepson due to a potential conflict with Policies EN5, EC3 and EC11. The application has also received several objections from neighbouring residents, largely relating to the application being contrary to local planning policy and its impact on the character and appearance of the area. I shall detail with each point in turn below.

Planning Policy & Material Considerations

Members will be aware of Section 38(6) of the Planning and Compulsory Purchase Act 2004 which requires decisions to be made in accordance with the development plan **unless material considerations indicate otherwise**. While it is our professional opinion that the proposals are fully compliant with local plan policies (given its temporary nature and restriction to short term holiday let accommodation only) the Officer's Report does mention a 'partial conflict' with EC3 and EC11. Nonetheless, the Case Officer has considered all other material considerations and has recommended approval based on the overall planning balance. This letter simply seeks to further expand on the material considerations which weigh heavily in favour of the proposed development.

First of all, this planning application comprises farm diversification proposals and so the fundamental policy to consider is EC5 (rural diversification) which provides support for development that relates to the diversification of an existing farm or other land based rural business. The applicant has successfully managed to diversify and has created an established sustainable business on the farm, namely Freestyle360 (gym and fitness centre), which supports 8 members of staff (including the applicants) and provides a valuable service to the local community. However, the income from the gym is simply not enough to support the farms acreage and so the applicant has been looking for other ways to diversify congruent to both the

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farm and the gym. The proposed is therefore fundamental in helping to meet the challenging costs of repair, maintenance and upkeep of the farm. Following Brexit it is clear that European Union farming subsidies will not be available on the same scale as previously and the loss of these will mean that the farm trades at a loss. As such, the government are strongly promoting farm diversification schemes which in turn support jobs and growth in the rural economy. This is evidenced by the grant the applicant has secured to fund the proposals. Overall, by adding these shepherd huts to the farms portfolio, there is an opportunity to significantly increase revenue and profitability by attracting a new type of consumer. The proposed development will complement the existing farming operation without any severance or disruption. Therefore, the proposed development is considered to be fully compliant with Policy EC5.

Turning to the NPPF as a material planning consideration, Paragraph 83 not only provides support for the sustainable growth and expansion of all types of businesses in rural areas, but also for sustainable rural tourism and leisure developments which respect the character of the countryside. Furthermore, the NPPF states, at Paragraph 84, 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. The site lies immediately adjacent to the Blockley settlement boundary and so any development would be seen in the context of the existing built-up area. In this respect, the site is well connected to the public highway, and cycling and pedestrian network, as well as a number of tourist attractions and locations of interest. The unique yet sustainable location of the site weighs heavily in the overall planning balance, especially when considering that diversification proposals are typically acceptable in remote countryside locations.

Beside the above considerations, there is a clear tourism business case, which will help sustain the local rural economy and attract tourism into the area, in line with Policy EC1 (employment). The demand for glamping and Agri-tourism has expanded tremendously over recent years, given visitors' increased interest to be 'disconnected' from the real world and experience a farm-stay. According to Sykes' Staycation Index 2019, the Cotswolds is enjoying a staycation boom with an increase in demand in 2018 and it is one of the top 10 most popular regions for bookings. However, while the Cotswolds have a great deal of hotels and B&B's, the glamping market in the area is under supplied. Extending the variety of accommodation in the local area will go some way to make the local tourism offering more resilient, possibly attracting more visitors and encouraging visitors to stay for longer periods.

Lastly, the proposal will contribute to the sustainability of not only the farm enterprise, but those of surrounding service providers, including shops, restaurants, tourist attractions and other leisure facilities. Paragraph 80 of the NPPF notes the importance of economic development, stating that significant weight should be placed on the need to support economic growth through the planning system.

All of the above material considerations must be considered in the overall planning balance. The fact there is partial conflict with a development plan policy does not mean that permission should be refused. I refer to the High Court decision, R v Rochdale Metropolitan Borough Council (2000),

where the decision determined **that a proposed development does not have to accord with every policy within a development plan:**

"Given the numerous conflicting interests that Development Plans seek to reconcile: the needs for more housing, more employment, more leisure and recreational facilities, for improved transport facilities, the protection of listed buildings and attractive landscapes etc., it would be difficult to find any project of any significance that was wholly in accord with every relevant policy in the development plan. Numerous applications would have to be referred to the Secretary of State as a departure from the Development Plan because one or a few minor policies were infringed, even though the proposal accords with the Development Plan considered as a whole. It does not have to accord with each and every policy therein."

We urge you to take the above High Court decision into account, along with the needs of the rural enterprise and demands of the local tourism industry.

Impact on the Character and Appearance of the Area

The applicant proposes shepherd huts which are low impact and mobile; meaning the site will be returned to its original state for six months of the year. The design and size of the huts are distinctly agricultural in appearance and will fit comfortably within the site and surrounding context. There are many examples where the Council have found the design of shepherd huts to be acceptable, which clearly sets a precedent (see refs: 18/00100/FUL, 17/04842/FUL & 16/02025/FUL). Recent decisions in the High Court (*R (Miscounties Co-Operative Limited) v Forest of Dean District Council [2017] EWHC 2050*) have emphasised the importance of consistency in planning decisions, especially when assessing similar developments. In instances where decisions are so similar that to fail to take them into account would be nothing but unreasonable.

Due to the positioning of the huts, beyond tree belts and high-level mature boundary hedging (as indicated below), the site is visually unobtrusive and well screened from public roads/footpaths. Access to the shepherd's huts is proposed by foot only, and no removal of trees or hedgerows are proposed. Landscape impacts will therefore be negligible.





brodie
planning
associates

Stable One, Manor Farm Courtyard
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The application site currently comprises a redundant parcel of land (**see Appendix 1**) which has not been utilised for agricultural purposes for a number of years. The removal of the dilapidated pheasant pens and general tidying up of the area would lead to an overall improvement to its immediate setting. Furthermore, the proposals would further be enhanced by a comprehensive landscaping scheme which will be secured by condition (proposed condition no.8)

Overall, this low impact type of non-permanent accommodation using natural materials is not considered to be visually harmful to the wider landscape or to the setting or scenic natural beauty of the AONB. Furthermore, the proposed development aligns with the guidance contained within the Cotswolds AONB Management Plan which seeks to support sustainable tourism where development conserves and enhances its character, and where it enables public appreciation of the natural environment through low cost accommodation

Summary

The proposal accords with the development plan when considered as a whole, and there are a number of material considerations which carry significant weight in the overall planning balance.

I trust the above has adequately addressed for Members the concerns raised by Councillor Jepson and neighbouring residents.

We therefore respectfully request members to uphold the **Officer's recommendation of approval**. Given the applicant has secured funding, subject to receipt of a decision notice by the end of March, it is vital that this application is progressed positively without any further delays.

Yours sincerely,

Wendy Hopkins | MRTPI
Company Director



Appendix 1 – Photographs of Site

