

Item No 04:-

20/02806/FUL

**Stable Off Wyck Road
Lower Slaughter
Cheltenham
Gloucestershire
GL54 2EY**

Item No 04:-

Proposed conversion of existing stable to form one holiday let at Stable Off Wyck Road Lower Slaughter Cheltenham Gloucestershire GL54 2EY

Full Application 20/02806/FUL	
Applicant:	Mr Peter Gilder
Agent:	Archiwildish
Case Officer:	Andrew Moody
Ward Member(s):	Councillor Richard Keeling
Committee Date:	11th November 2020
RECOMMENDATION:	PERMIT

Main Issues:

- (a) Principle of Conversion
- (b) Residential Amenity
- (c) Access and Parking
- (d) CIL

Reasons for Referral:

The application has been brought to Committee by the Ward Member, Councillor Richard Keeling, for the following reason:

'The application relies on Policy EC11, the provision of self-catering accommodation through the "conservation and conversion of existing buildings, including agricultural buildings".

In view of the planning history of this building, which to the knowledge of local residents has not been used for the purpose which permission was granted and having regard to the condition in each of the planning permissions granted in May 2017, March 2018 and July 2020 that the stables are only to be used for equestrian purposes for the personal enjoyment of the owners of the site I would like the Planning and Licensing Committee to consider the application for residential holiday use.'

1. Site Description:

The site comprises an area of equestrian land located to the north of Wyck Road, Lower Slaughter. The site is located in the Cotswold AONB, and is within open countryside being outside any defined development boundary in the Local Plan.

It is located in between a haulage yard to the north, dwellings to the west and the Bourton Vale Veterinary Surgery to the east. There is an existing access from the lane to Wyck Rissington.

2. Relevant Planning History:

03/00978/FUL: Erection of stables for personal recreational use. Granted 23.05.2003

08/01785/FUL: Removal of condition 6 03/00978/FUL (ancillary use of stables in connection

with The Grafter) to allow separate private use. Granted 29.07.2008

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09/00599/FUL: Change of use of land to provide new access to The Grafters. Granted 28.04.2009

13/02691/FUL: Change of use of 1st floor to holiday let. Granted 14.08.2013

14/04575/FUL: Creation of hard standing, stationing of horse walker, haystore, muck heap, horsebox loading and parking area. Granted 05.12.2014

15/04693/FUL: Erection of residential extension and detached double carport. Refused 04.01.2016

16/00517/FUL: Erection of residential extension. Refused 18.03.2016; appeal dismissed 19.08.2016

16/04867/FUL: Change of use and conversion of ground floor stable to additional living accommodation in association with the flat above. Granted 22.02.2017

17/01339/FUL: Erection of single storey stable building. Granted 15.05.2017

17/04350/FUL: New stable building (resubmission to approved scheme 17/01339/FUL). Granted 15.03.2018

20/01934/FUL: Retrospective application for stable building as built. Granted 20.07.2020

3. Planning Policies:

TNPPF The National Planning Policy Framework
EC6 Conversion of Rural Buildings
EC11 Tourist Accommodation
EN2 Design of Built & Natural Environment
EN4 The Wider Natural & Historic Landscape
EN5 Cotswolds AONB
EN15 Pollution & Contaminated Land
INF4 Highway Safety
INF5 Parking Provision

4. Observations of Consultees:

ERS Pollution: No objection

ERS Contamination: No objection

5. View of Town/Parish Council:

Lower Slaughter Parish Council (LSPC) object to this conversion on the grounds that LSPC requested a "stable only restriction" to be applied to the previous retrospective application (20/01934/FUL) to restrict any future development and change of use to a dwelling.

LSPC consider this proposal to be creeping ribbon development and would result in the erection of new-build open market housing outside a Principal or Non-Principle Settlement

contrary to Local Plan Policy DS4. This same reason was used very recently to reject the outline application associated with the adjacent property, Ladybird cottage under application 20/01350/OUT. In our opinion there are no material considerations that outweigh the conflict with the aforementioned policy".

In addition, LSPC are concerned about highways issues relating to safe access for waste vehicles due to the 'blind' bend by the entrance.

A further response from the Parish Council including photographs of the entrance, is attached as an appendix to the report.

6. Other Representations:

None received

7. Applicant's Supporting Information:

Design and Access Statement
Proposed Plans

8. Officer's Assessment:

Background

The application relates to a building granted planning permission in 2017, with a recent permission granted to regularise the building as constructed (20/00934/FUL). The approved use is as stables, with the building as constructed having 3 bays, including 2 stables and a tack room.

The building is constructed from stone with a tiled roof, with a hay loft opening breaking the eaves level on the north elevation.

(a) Principle of Conversion

The building subject to this application is located to the south of the applicant's property, and is sited adjacent to a range of timber stables.

Section 6 of the NPPF refers to supporting a prosperous rural economy, with paragraph 83 stating 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; and
- d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.

Policy EC6 of the Local Plan allows for the conversion of rural buildings to alternative uses 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 to the site.

Local Plan Policy EN11 relates to 'Tourist Accommodation' and at Part 3 of the Policy states that:-

Proposals for self-catering accommodation, will only be permitted where it:

- a. is provided through the conservation and conversion of existing buildings, including agricultural buildings; or
- b. is appropriately located within Development Boundaries.

Whilst the comments made by the Parish Council and Ward Member are noted, Policy EC11 requires the proposal to relate to the conversion of an existing building where it is not located within a development boundary. The proposal is not for a new build, open market dwelling, and Policy DS4 is not considered to be relevant to the determination of this proposal.

What is proposed is the conversion of an existing building into tourist accommodation, and a condition is recommended to ensure that the building is used for this purpose, and not 'occupied as permanent, unrestricted accommodation, second homes or a principal or primary place of residence.' Even if the building has not been used for its originally stated purposes, that is not the test contained within Policy EC11.

The proposal is, therefore, considered to accord with the above policies and therefore the principle of the development is supported.

(b) Residential Amenity

Policy EN2 and the Cotswold Design Code require consideration of the impact of development in terms of residential amenity, which is also referred to within paragraph 127 (f) of the NPPF.

The building proposed for conversion is within an area used for equestrian purposes off the Wyck Road; however the elevation facing towards the closest stables is blank. No objection has been raised by Environmental and Regulatory Services, considering that any residential use of the building would be for holiday purposes.

In addition, there are no residential properties nearby that would be impacted by the holiday use of this building. The dwellings to both the west (Greenfingers and Ladybird Cottage) and to the east (Bourton Vale Cottage) are screened by trees along the boundary to the site

As such it is considered that the proposal accords with Policy EN2 of the Local Plan, and paragraph 127(f) the NPPF.

(c) Access and parking

Local Plan Policy INF4 (Highway Safety) supports development that is well integrated with the existing transport network and beyond the application site, avoiding severance resulting from mitigation and severe impact upon the highway network. Developments that create safe and secure layouts and access will be permitted.

Local Plan Policy INF5 (Parking Provision) seeks to ensure sufficient parking provision to manage the local road network.

Section 9 of the NPPF advocates sustainable transport, including safe and suitable accesses to all sites for all people. However, it also makes it clear that development should only be prevented or refused on highway grounds where there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network are severe.

The access is taken from a shared entrance with The Grafters and The Stable which are located to the north, with an existing timber gate at the entrance to the stable yard.

As the proposed use would be for holiday accommodation, the traffic generated by the proposed use would not be anticipated impact upon highway safety, and there is an existing hardstanding where 2 parking spaces would be provided. The comments of the Parish Council are noted, however considering that two properties already use this entrance, plus the traffic that could use this building from the approved equestrian use, it is considered that there would not be any impact upon highway safety arising from the change of use.

Therefore, it is considered that the proposal would accord with Policies INF4 and INF5 of the Local Plan, in addition to Section 9 of the NPPF.

(d) Community Infrastructure Levy (CIL)

This application is CIL liable and there will be a CIL charge payable. Section 143 of the Localism Act 2011 states that any financial sum that an authority has received, will, or could receive, in payment of CIL is a material 'local finance consideration' in planning decisions.

9. Conclusion:

The proposal would provide economic benefits to the wider area whilst, whilst the conversion works would protect the character of the building.

The application is considered to accord with the policies in the Development Plan, in addition to the NPPF, which are not outweighed by other material planning considerations. The recommendation is for planning permission to be granted.

10. Proposed conditions:

1. The development shall be started by 3 years from the date of this decision notice.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out in accordance with the following drawing numbers: 20-330-02 and 03.

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

3. 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 buildings, extensions, means of enclosure or hardstandings shall be erected, constructed or sited in the application site, other than those permitted by this Decision Notice.

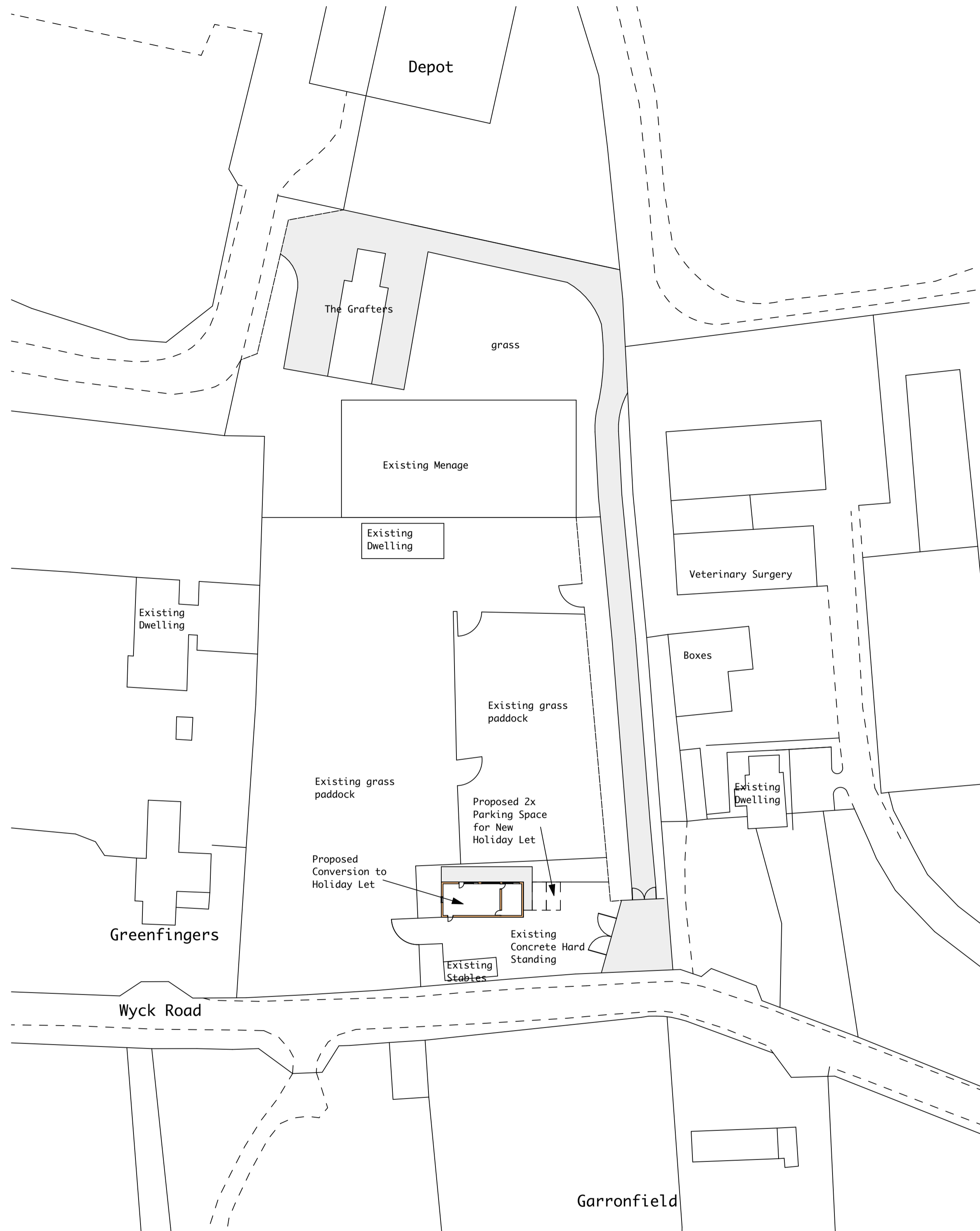
Reason: To ensure an appropriate level of control of any additional buildings or structures within the application site, in accordance with Cotswold District Local Plan Policy EN2, and the provisions of the NPPF.

4. Notwithstanding Classes C2 and C3 of the Schedule of the Town and Country Planning (Use Classes) Order 1987 or any other change of use permitted by any subsequent Order, the units shall be occupied as holiday accommodation only and for the avoidance of doubt they shall not be occupied as permanent, unrestricted accommodation, second homes or a principal or primary place of residence.

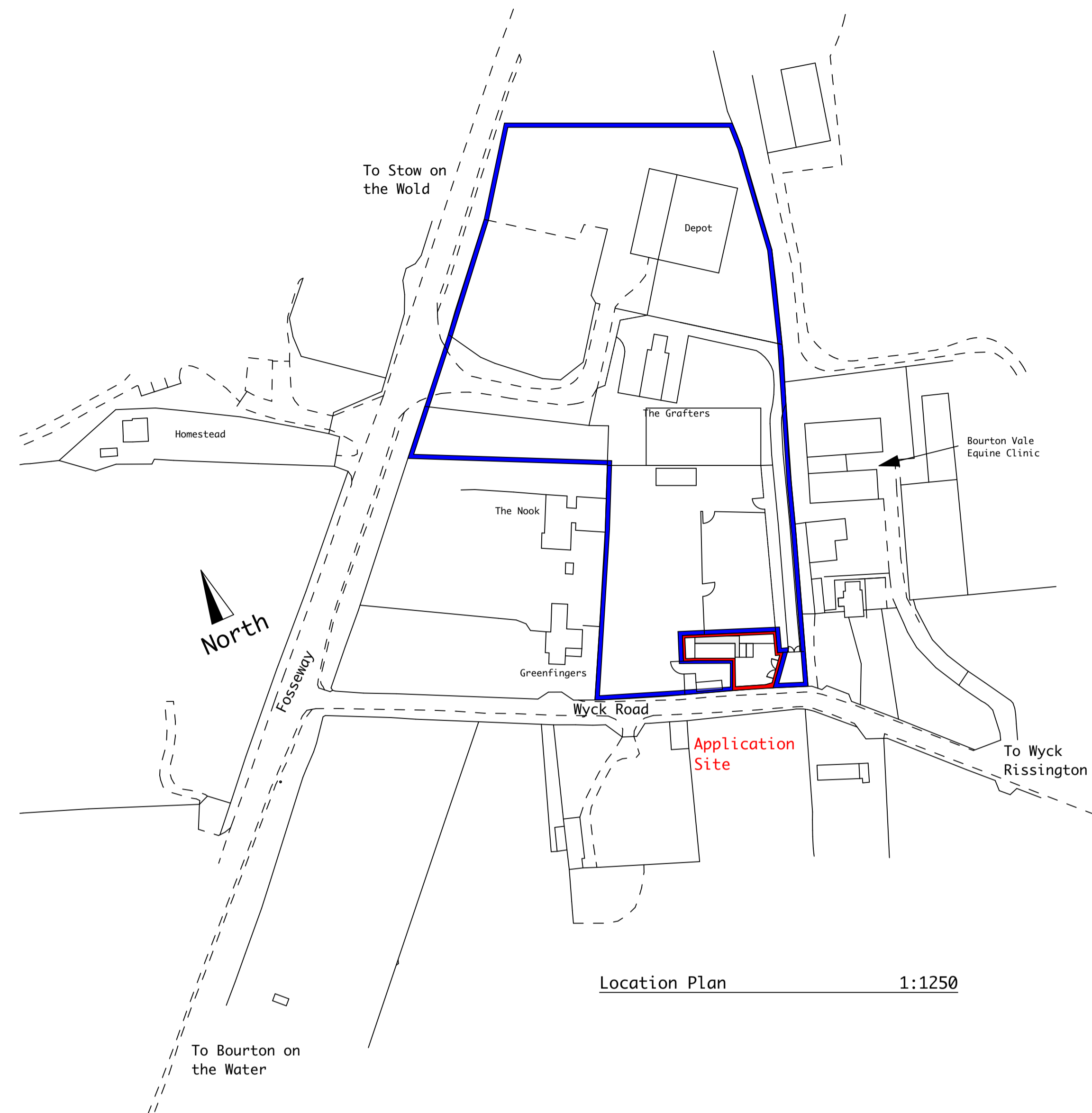
Reason: This is development which is only permitted at this location because it provides holiday accommodation. This needs to be carefully controlled, in accordance with the provisions of the NPPF and Cotswold District Local Plan Policies DS4 and EC11.

5. The development shall not be occupied or brought into use until vehicle parking has been provided in accordance with the approved plans and that area shall not thereafter be used for any purpose other than the parking of vehicles.

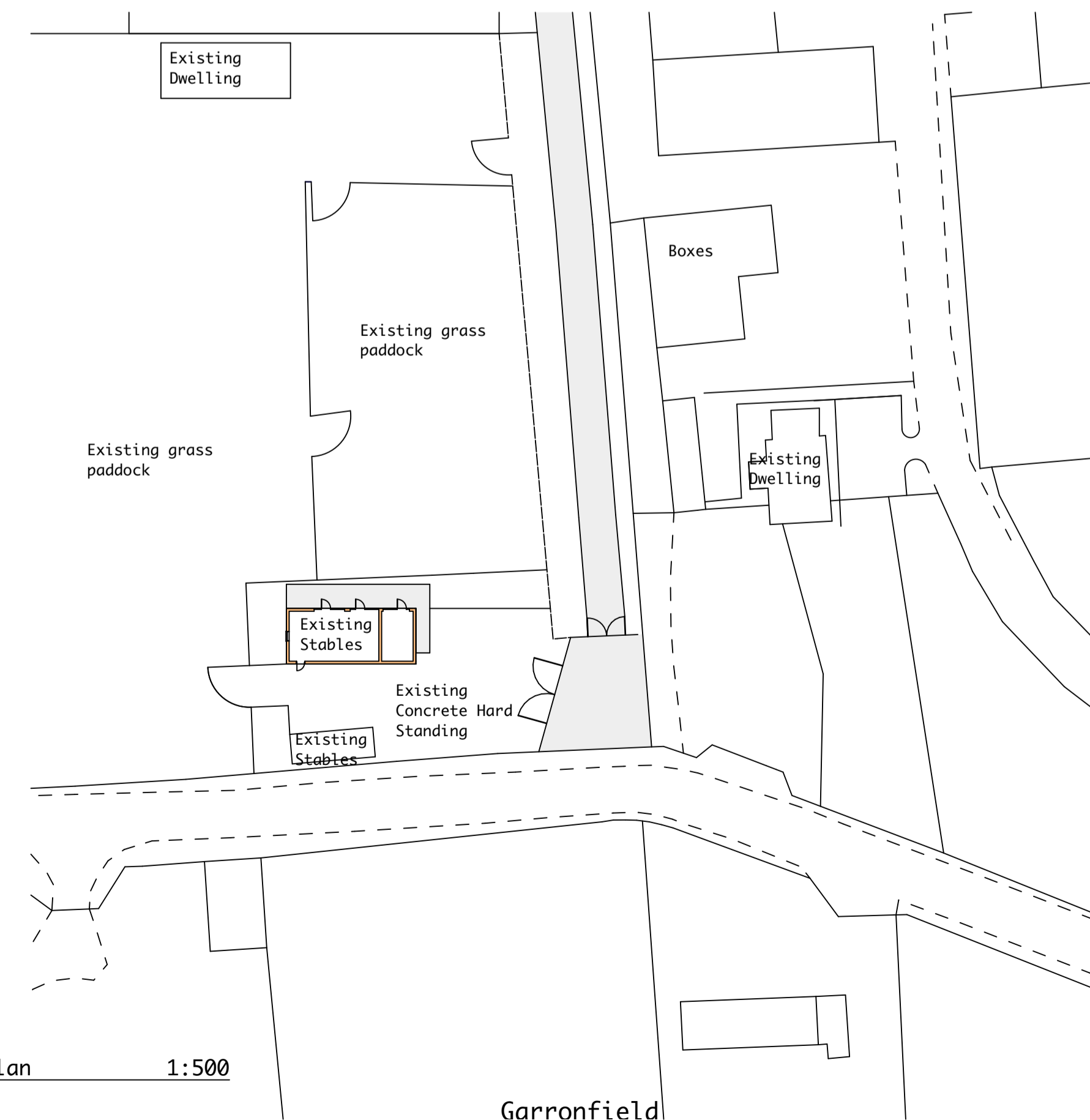
Reason: To ensure that adequate off-road parking is provided, in accordance with Cotswold District Local Plan Policy INF4.



Proposed - Block Plan 1:500



Location Plan 1:1250



Existing - Block Plan 1:500

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Revisions

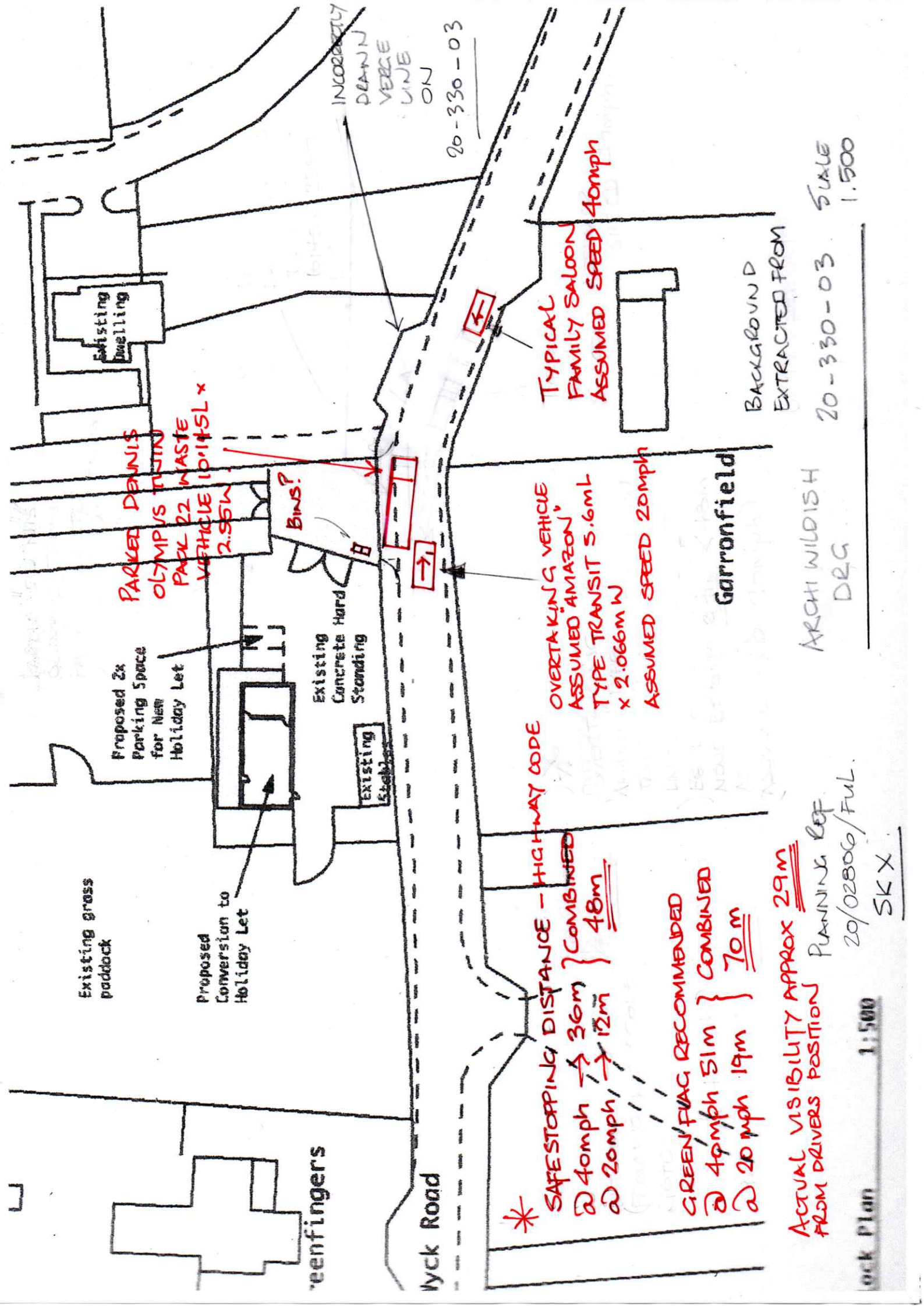
Client
Mr. & Mrs. Gilder

Project Name
Proposed Conversion of Stable to One Holiday Let

Site Address
**Land Off
 Wyck Road
 Fosseway
 Lower Slaughter**

Scale 1/1,250 & 1/500
 Paper Size A1
 Date August 2020
 Project Number 20-330 - 03





BACKGROUND EXTRACTED FROM
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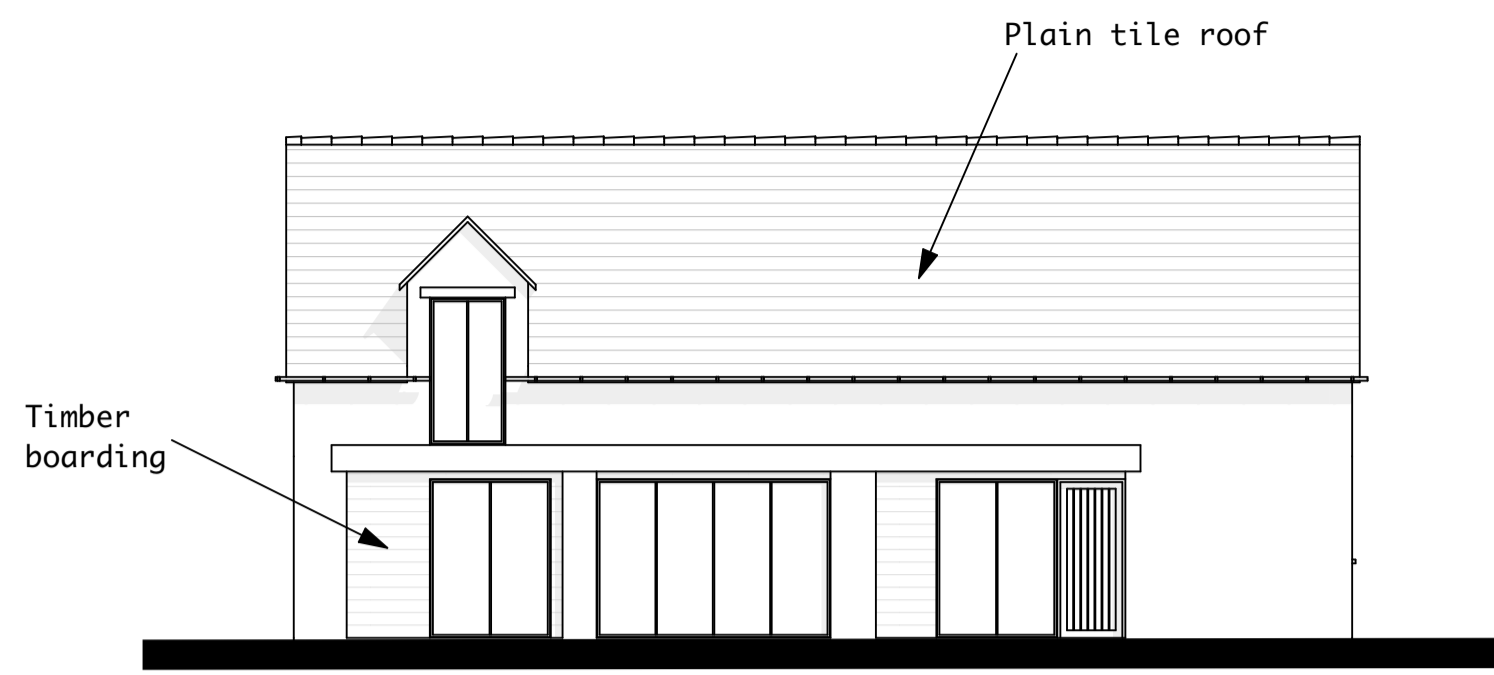
ARCHT WILDISH
DEC

PLANNING REF
20/02806/FUL

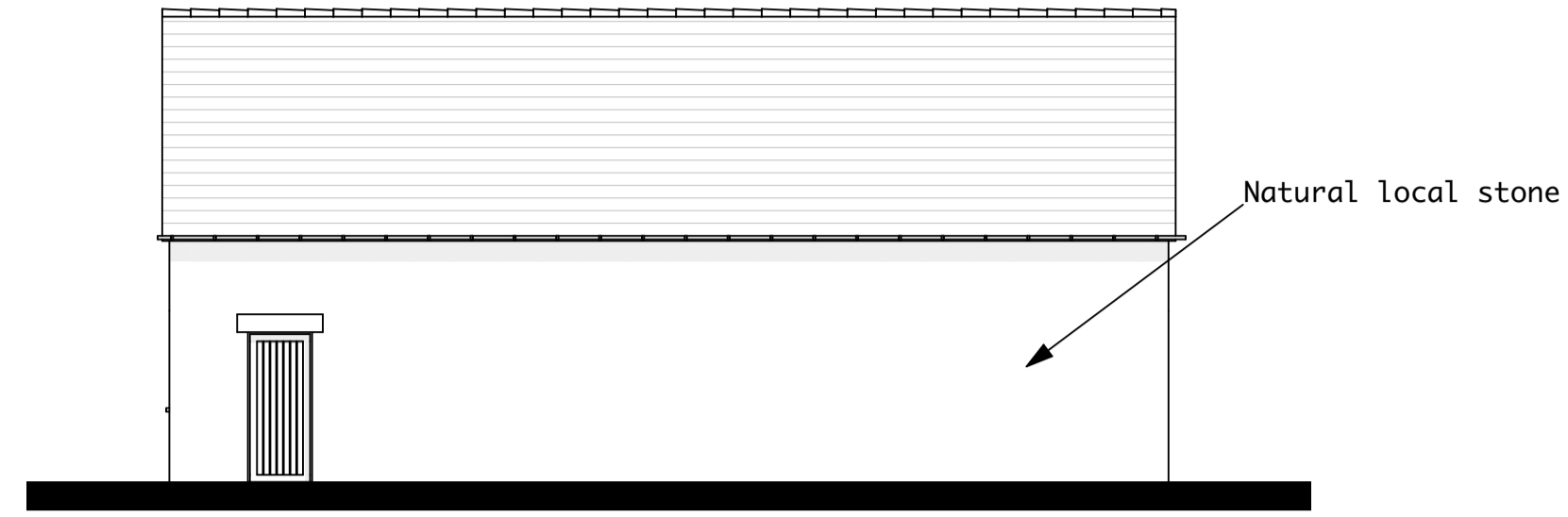
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lock Plan

SK X



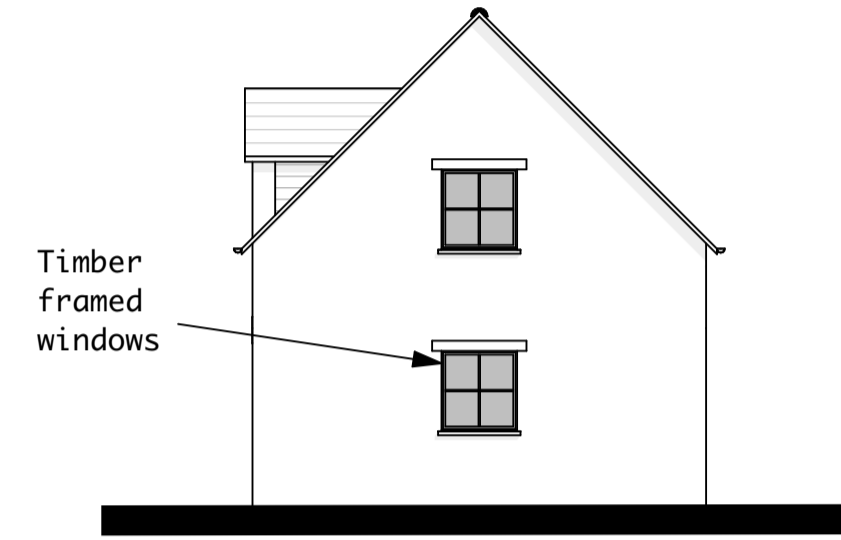
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South West Elevation 1:100



3D Field View



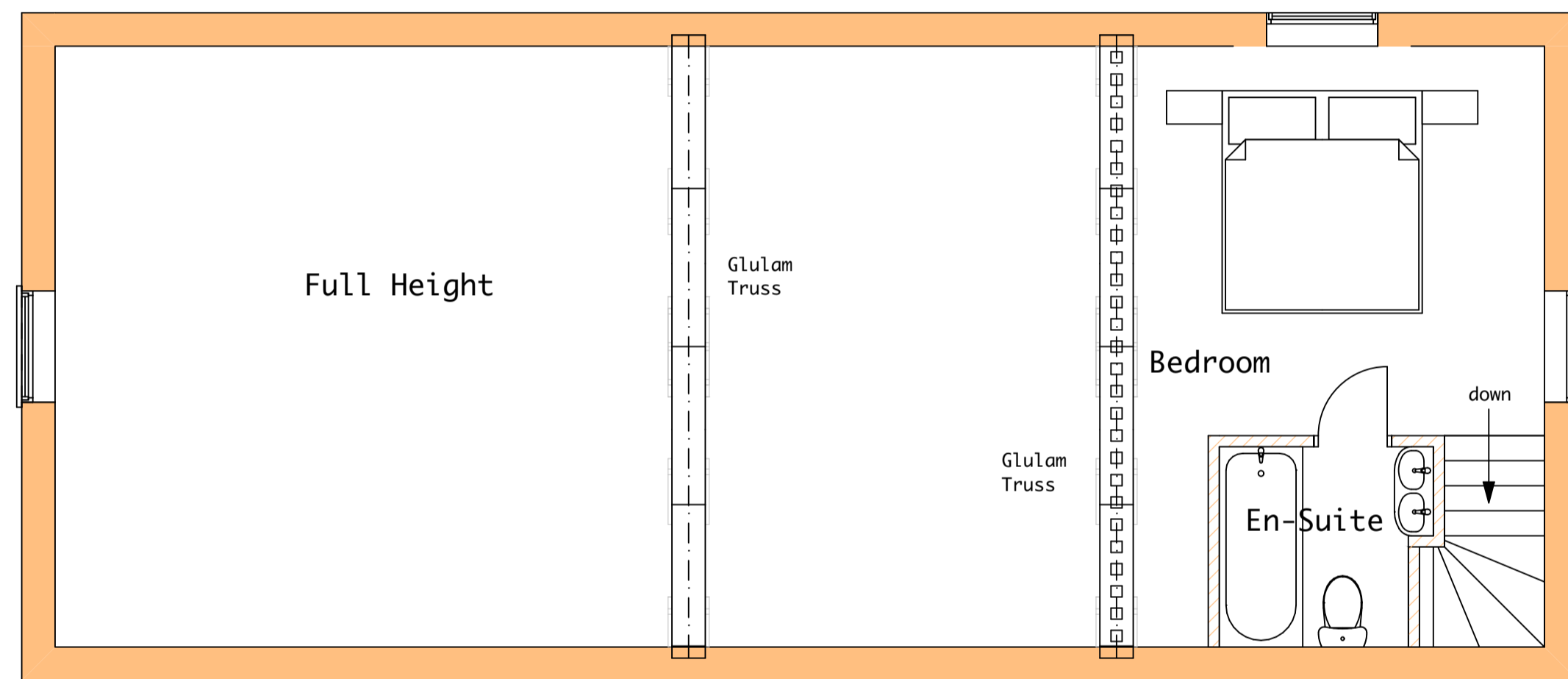
North West Elevation 1:100



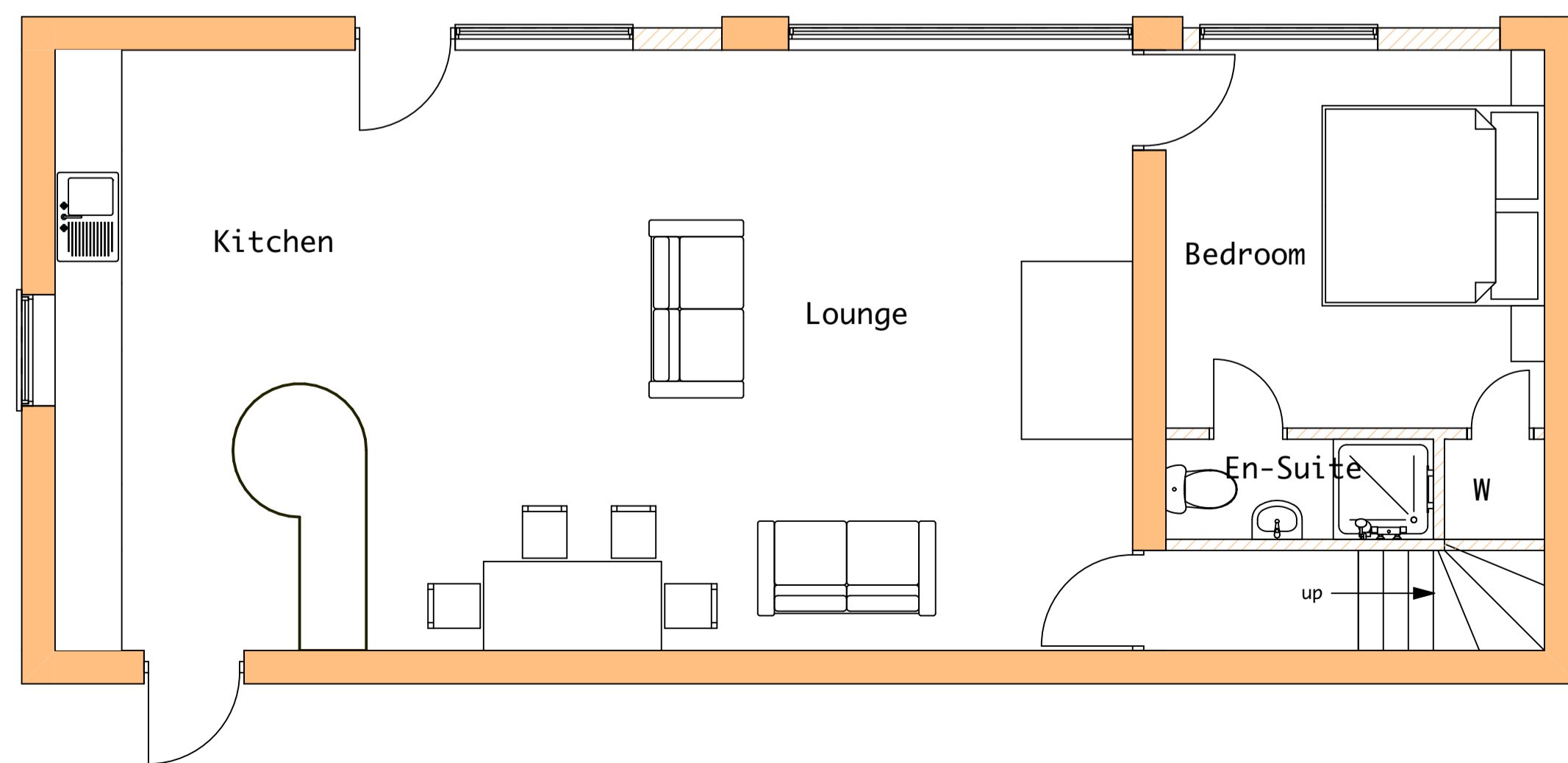
South East Elevation 1:100



3D Roadside View



First Floor Plan 1:50



Ground Floor Plan 1:50



3D Front View

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Mr. & Mrs. Gilder

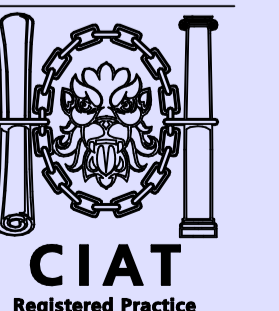
Project Name
Proposed Conversion of Stable to One Holiday Let

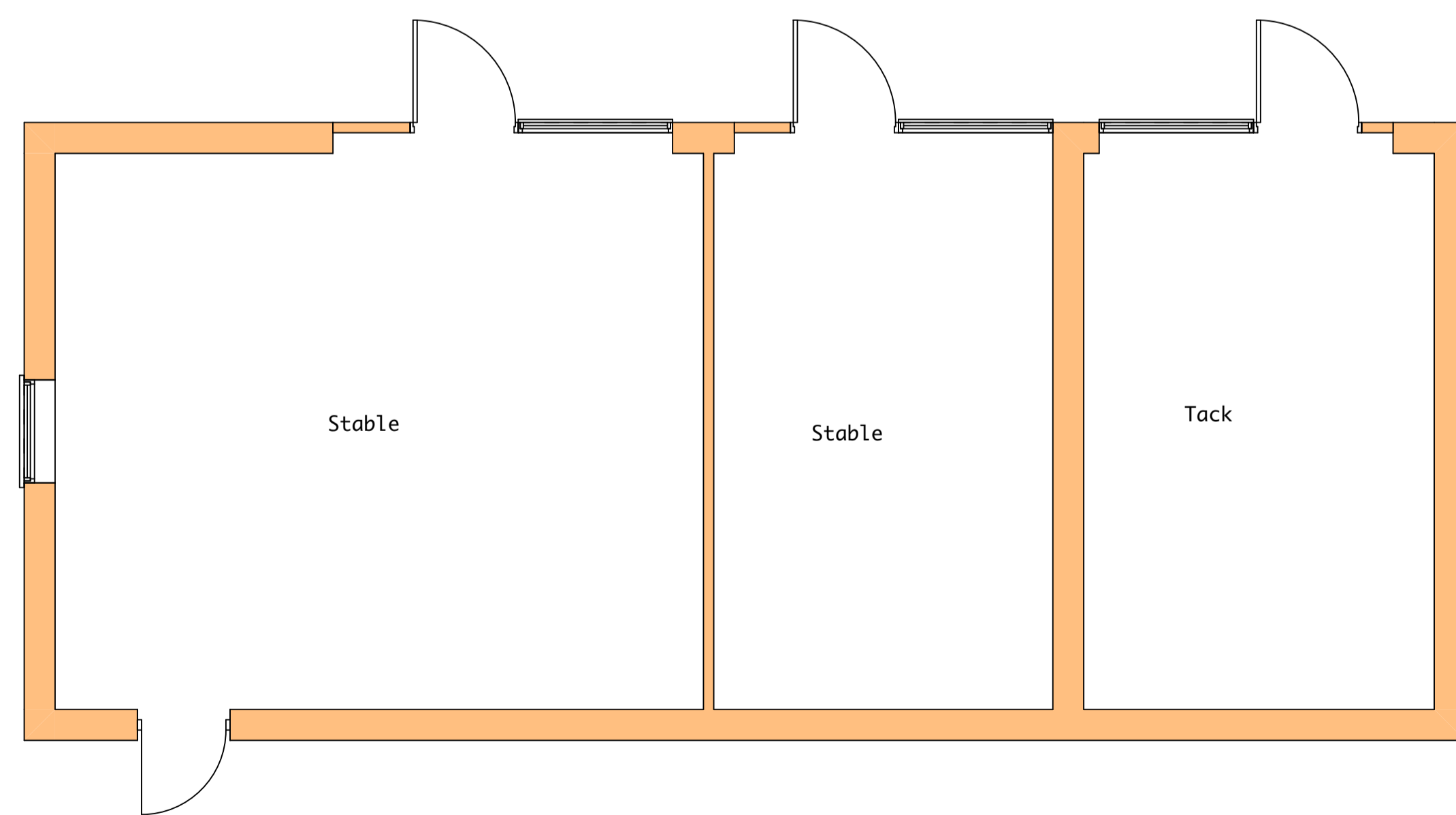
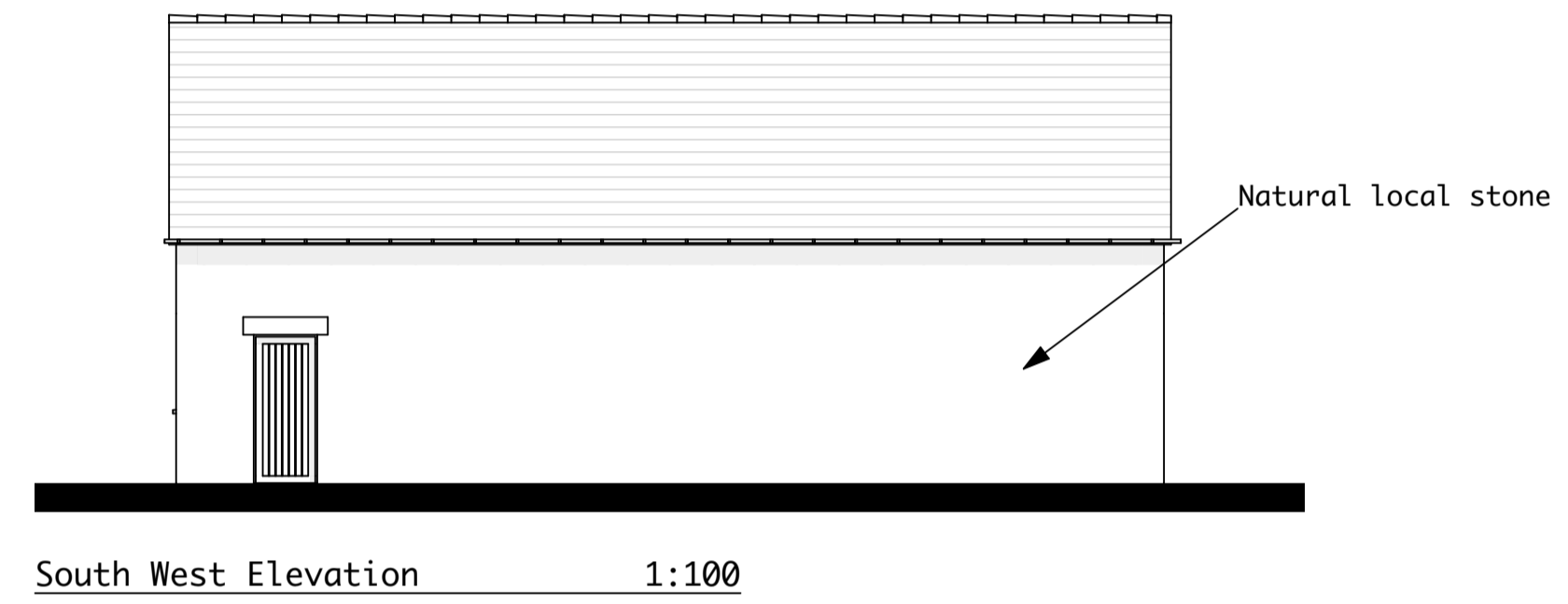
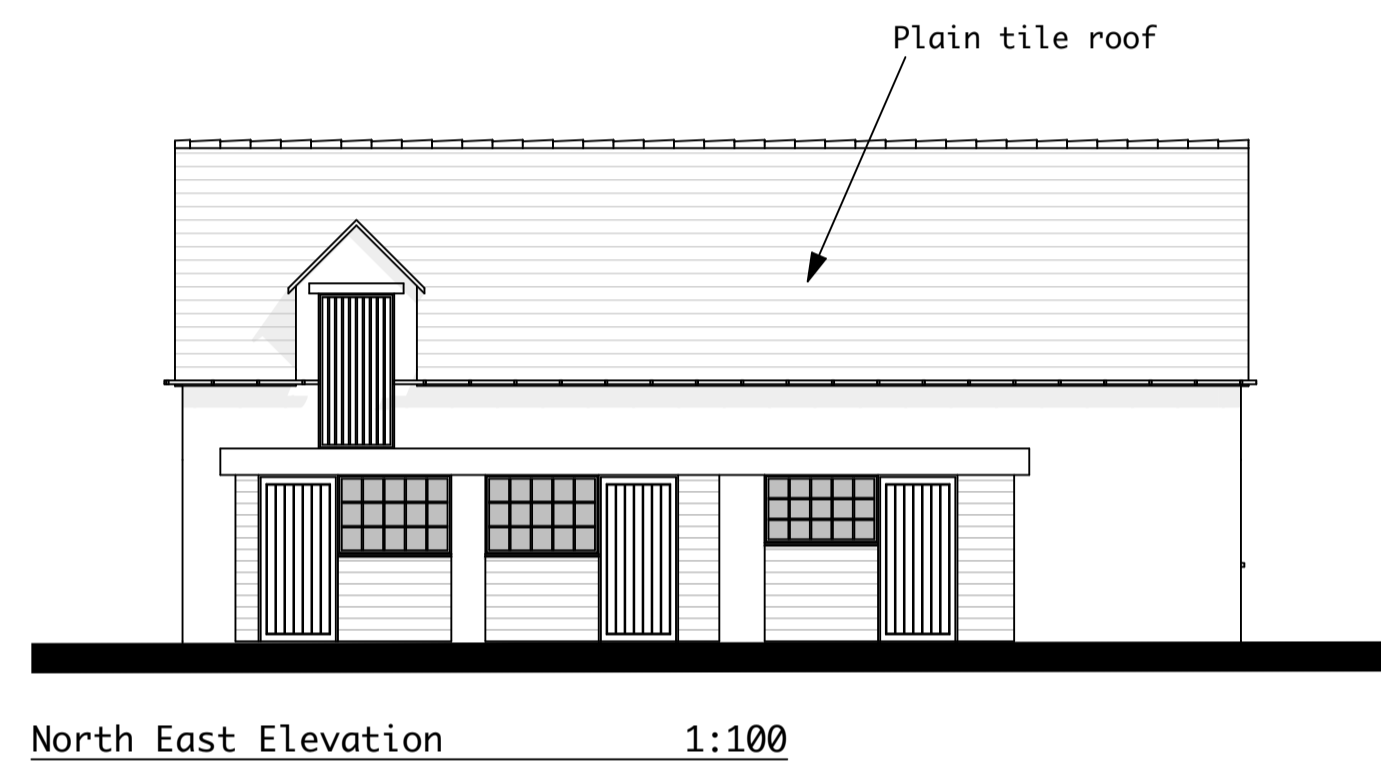
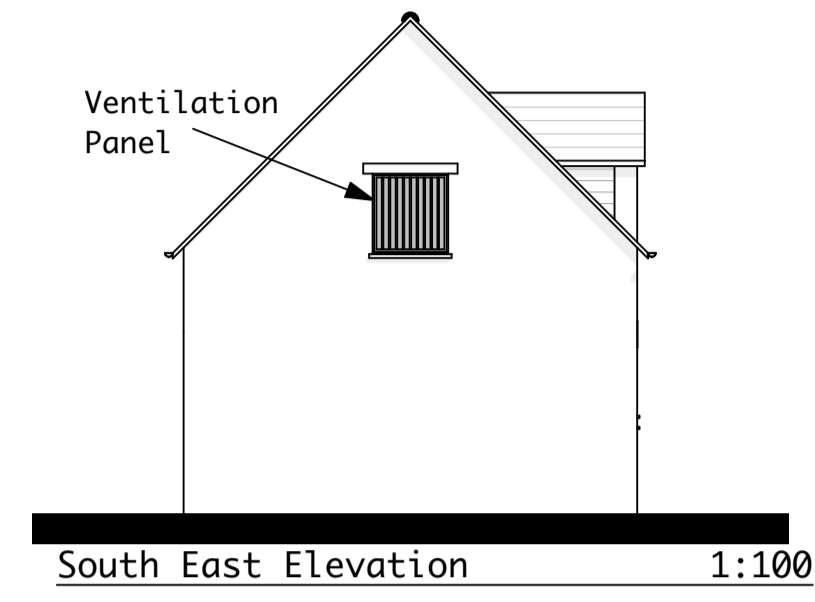
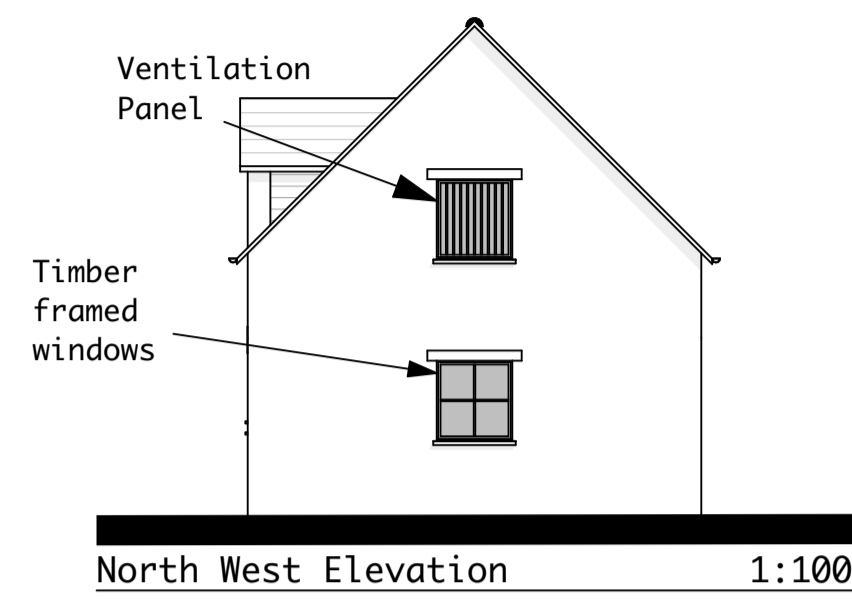
Site Address
Land Off
Wyck Road
Fosseway
Lower Slaughter

Scale 1/100 & 1/50 Paper Size A1

Date
August 2020

Project Number
20-330 - 02





Ground Floor Plan 1:50



3D Front View

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Revisions

Client
Mr. & Mrs. Gilder

Project Name
Survey of Existing Stable

Site Address
The Stable
Fosseway
Lower Slaughter
GL54 2EY

Scale 1/100 & 1/50 Paper Size A1

Date
June 2020

Project Number
20-330 - 01

