

Item No 05:-

15/04235/FUL (CT.1571/M)

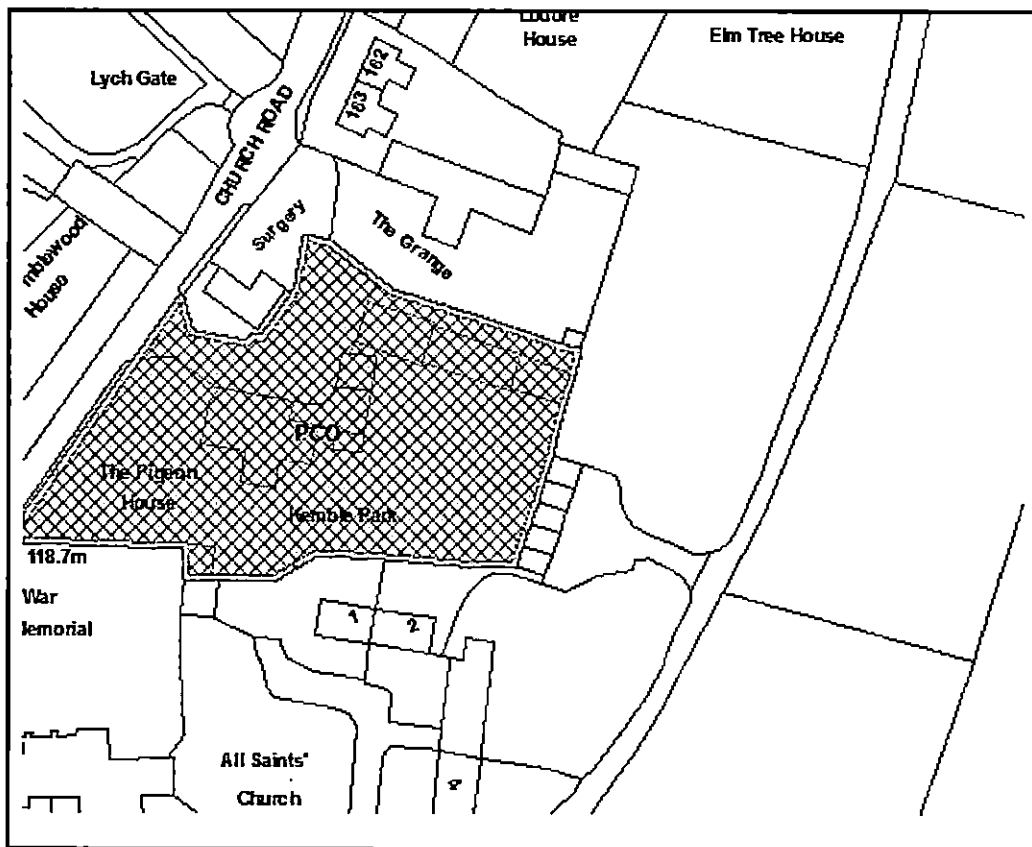
**Pigeon House
Church Road
Kemble
Gloucestershire
GL7 6AE**

Item No 05:-

**Conversion of barn to residential annexe at
Pigeon House
Church Road Kemble**

| Full Application 15/04235/FUL (CT.1571/M) | |
|--|-----------------------|
| Applicant: | Mr & Mrs Berry |
| Agent: | James Slater & Co |
| Case Officer: | Katherine Brommage |
| Ward Member(s): | Councillor Tony Berry |
| Committee Date: | 13th January 2016 |

Site Plan



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RECOMMENDATION: PERMIT subject to conditions

Main Issues:

- (a) Principle of conversion
- (b) Impact on the Grade II listed barn and setting of The Pigeon House
- (c) Impact on the character and appearance of the Kemble Conservation Area
- (d) Impact on the Kemble and Ewen Special Landscape Area
- (e) Access and Parking Provision
- (f) Impact on Biodiversity
- (g) Impact on Residential Amenity
- (h) Contamination
- (i) Other Matters

Reasons for Referral:

This application is brought before the Planning Committee in accordance with the Council's adopted scheme of delegation since the applicant is a serving elected member of Cotswold District Council.

1. Site Description:

The application site is located on Church Road, north of the Parish Church of All Saints, Kemble. The application site is located in the Kemble Conservation Area and comprises two existing buildings; The Pigeon House and barn, both of which are Grade II Listed. Pigeon House is occupied as the principal residential dwelling. The barn is an ancillary outbuilding which is located within the residential curtilage of The Pigeon House and has, in recent years, been used as a garden store. The building is however, largely unused and at the time of the Case Officer's site visit, was empty.

The outbuilding comprises a linear range that runs from west to east and was once a former stable or cowshed with hayloft above. The outbuilding is of conventional construction, comprising coursed rubble stone walls and stone tile roof. At the western end the building is single storey, providing garaging (which is to remain). The central section is one and a half storeys arranged as two former cattle sheds, with storage. At the far eastern end the building is spread over two storeys, both of which have previously been used for storage.

The principal elevation of the outbuilding faces south over the private garden of The Pigeon House. The garden is largely laid to lawn. The rear boundary is enclosed by a dry-stone wall with a timber fence to the rear of the barn. The outbuilding shares the same vehicular access as The Pigeon House, which is to remain unchanged.

2. Relevant Planning History:

CT.1571/F Conversion of barn to dwelling (amended fenestration). Construction of new vehicular access. Permitted 19.10.1970.

CT.1571/E Erection of private double garage. Permitted 24.06.1970.

CT.1571/C Demolition of out buildings and conversion of barn to dwelling. Construction of vehicular access. Septic tank drainage. Permitted 21.04.1970.

CT.1571/B Structural alterations and extensions for conversion of barn to dwelling. Permitted 14.10.1969.

CT.1571/A Change of use of existing barn and outbuildings to provide 3 dwelling units and a doctor's surgery. Permitted 31.10.1968.

3. Planning Policies:

LPR05 Pollution and Safety
 LPR08 Special landscape Areas
 LPR09 Biodiversity, Geology and Geomorphology
 LPR14 Conversion of Historic Agricultural Buildings
 LPR15 Conservation Areas
 LPR19 Development outside Development Boundaries
 LPR28 Conversion of Rural Buildings
 LPR38 Accessibility to & within New Development
 LPR39 Parking Provision
 LPR42 Cotswold Design Code
 LPR45 Landscaping in New Development
 LPR46 Privacy & Gardens in Residential Development
 NPPF National Planning Policy Framework

4. Observations of Consultees:

Conservation Officer: No objection, subject to conditions (comments incorporated into report)

Biodiversity Officer: No objection, subject to condition (comments incorporated into report)

5. View of Town/Parish Council:

The Parish Council initially supported the proposals and commented as follows:

'The Parish Council support the application for conversion. We would like to ensure the residential annex remain as part of Pigeon House and not become a separate address in the future. Can a condition be applied to the decision.'

However, following the amendments and, in particular, the relocation of the proposed rooflights to the rear of the outbuilding the Parish Council now objects to the proposals. The Parish Council's most recent comments are set out below:

'Kemble and Ewen Parish Council object to the new details on two accounts. The Parish council have no objections to the original proposal for rooflights on the south elevation of the barn. However, if positioned on the north elevation, the rooflights give a view directly over both the garden and into the accommodation of the neighbouring property, The Grange, resulting in a complete loss of privacy for the owners. A view of the barn can be enjoyed from along Church Road. The barn and it attached storeroom shows a typical 'Cotswold vista' - a lovely run of Cotswold stone roof tiles. This site line would be spoilt by the introduction of roof lights on the north side elevation.'

6. Other Representations:

Two letters of objection have been received from the occupiers of No.2 Kemble Park. The grounds of objection raised are summarised below:

- i. Loss of residential amenity/privacy
- ii. Noise from additional people
- iii. Risk of more intensive use in the future if sold
- iv. Alterations of incidental benefit to the listed building
- v. Overdevelopment
- vi. No need for development

Full versions of the comments made are attached.

7. Applicant's Supporting Information:

Block Plan
Survey Plans, Sections and Elevations
Proposed Plans, Section and Elevations (amended)
Justification Statement
Bat Survey

8. Officers Assessment:

Introduction

Full planning permission is sought to convert part of the listed outbuilding to self-contained residential accommodation. The proposed conversion is to be used by guests and relatives of the occupiers of The Pigeon House. Whilst the proposals are described as being 'ancillary' to The Pigeon House it is clear from the submitted plans that the proposals contain all the facilities necessary to enable separate occupation. The applicant's intention to retain the outbuilding within the same ownership as The Pigeon House and not to subdivide the plot (as illustrated by the application red line boundary) is acknowledged.

Whilst the outbuilding is currently in residential use (i.e. as a residential store) it is considered that conversion to a two bedroom self-contained residential unit (even if it is to be retained in the same ownership as The Pigeon House and used by relatives and guests) constitutes an intensification of use that is material. Hence, the submission of the planning application in full.

(a) Principle of conversion

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning decisions to be made in accordance with the development plan unless material considerations indicate otherwise. The development plan is therefore the starting point. In this case the development plan is the adopted Cotswold District Local Plan 2001 - 2011 (referred to herein as the 'Local Plan').

The application site is located outside of an adopted development boundary and is therefore located within an area where Local Plan Policy 19 of the Local Plan applies. Local Plan Policy 19 generally seeks to restrict the development of new market housing outside of development boundaries, unless supported by other policies in the Local Plan. However, it is accepted by the Council that Local Plan Policy 19 carries little weight in this respect.

Nonetheless, Local Plan Policy 14 (Conversion of Historic Agricultural Buildings of Traditional Design) and Local Plan Policy 28 (Conversion of Rural Buildings) support the principle of the conversion of historic and/or rural buildings to alternative uses, subject to their compliance with the criteria set out in each policy. Given that this application relates to a listed building, outside of an adopted development boundary, then both Local Plan Policy 14 and 28 is applicable.

Local Plan Policy 14 states that the conversion of agricultural or similar buildings of historic interest and traditional design to alternative use will be permitted unless the proposals would be significantly detrimental to the form, details character or setting of the building; involves the extension or significant alteration of the building which is of insufficient size or of an unsuitable form to allow its conversion; the building requires complete or substantial reconstruction; would have a detrimental impact on the appearance or character of the landscape or would be detrimental to the continued or future agricultural operation of a farm. In addition, Local Plan Policy 14 provides that proposals should make provision for wildlife, and in particular, protected species and, where practicable, re-use materials from the building being converted.

Local Plan Policy 28 states, inter alia, that conversion of rural buildings will be permitted where the building is structurally sound, suitable for and capable of conversion to the use proposed without substantial alteration, extension or re-building, that would be tantamount to the erection of a new building. Local Plan Policy 28 also provides that conversion of rural buildings will only be

permitted if the altered appearance of the building does not have a materially harmful impact on the landscape, lead to any significant harm to the living conditions of occupants or the safe operation of the local highway network and would not significantly harm the character of the building, its setting of the character and appearance of the landscape in the area (Part 1).

Part 2 of Local Plan Policy 28 sets out a hierarchy of uses considered appropriate outside of adopted development boundaries which effectively functions as a 'sequential test'. However, limited weight is attributed to this 'sequential test' given the introduction of more up to date policy guidance contained in the National Planning Policy Framework (NPPF) e.g. that contained at Paragraph 55. The NPPF is a material consideration in planning decisions.

Paragraph 55 promotes sustainable development in rural areas and states that housing should be located where it will enhance or maintain the vitality of rural communities; recognising that development in one village may support services in a village nearby. Paragraph 55 is clear that Local Planning Authorities should avoid new isolated homes in the countryside, unless there are special circumstances. For example, where there is an essential need for a rural worker or where the development would re-use redundant or disused buildings that lead to an enhancement to their immediate setting.

In this instance, the application site is located within the settlement of Kemble. A settlement that the District Council acknowledges is sustainable in the context of the NPPF, given the range of services and facilities that it contains including a shop, school, church, a bus service and train station, which offers frequent services to Stroud, Swindon, London and beyond. Hence, Kemble's inclusion as one of 17 settlements that is considered to have sufficient facilities and services to accommodate new residential development in the period up until 2031 as identified in the emerging Local Plan document 'Local Plan Reg 18 Consultation: Development Strategy and Site Allocations'.

Therefore, whilst Kemble is not identified as a 'Principal Settlement' in the current adopted Local Plan it is considered to be a sustainable settlement. Kemble is not therefore an isolated location. Accordingly, proposals for new homes within Kemble cannot represent an 'isolated' home in the context of the NPPF.

Conversion of the outbuilding to a self-contained residential unit is therefore, considered acceptable in principle, as would a proposal for the erection of a new open market dwelling in such a location (subject to the proposals compliance with other relevant local and national planning policies). The 'sequential test' set out in Local Plan Policy 28 is therefore somewhat redundant in these circumstances and is therefore accorded little weight in the particular circumstances of this case.

(b) Impact on the Grade II listed barn and setting of The Pigeon House

The Pigeon House is a converted threshing barn with dovecote and is a Grade II Listed Building. The Local Planning Authority is therefore statutorily required to have special regard to the desirability of preserving the building, its setting, and any features of special architectural or historic interest it may possess, in accordance with Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990. Whilst under the same ownership, the outbuilding proposed for conversion is separately listed (Grade II).

Section 12 of the NPPF asks that Local Planning Authorities should take account of the desirability of sustaining or enhancing the significance of heritage assets. Paragraph 132 states that when considering the impact of the proposed works on the significance of a designated heritage asset, great weight should be given to the asset's conservation. It also states that significance can be harmed through alteration or development within the setting. Paragraph 134 states that where proposals will cause harm to the significance of a designated heritage asset that is less than substantial harm, that harm is weighed against the public benefits of those works.

The building proposed (in part) for conversion is a former stable or cowshed with hayloft above. To its main south elevation two windows flank a central wide doorway. Directly above this is a similar doorway that provides the only current access to the hayloft. The roof is natural stone tile, with verge coping stones to its eastern end. There are two blind windows with moulded surrounds to the eastern gable. The moulded surrounds may have been reclaimed from elsewhere but likely included within this gable end to create a more attractive aspect towards the drive to Kemble Park. The rear, northern side, of the building is currently blank.

Given the listed status of the building advice has been sought from a Council Conservation Officer. The Council's Conservation Officer has confirmed that there are no objections to the proposed conversion nor generally to the subdivision or stair access between the two floors.

It is apparent from the submitted plans that the ground floor of the proposals will continue to be lit by the two existing windows, which are to be repaired and glazed. The central doorway is to be retained, with plain glazed doors inserted behind. This is considered to be entirely appropriate and acceptable, subject to design details which can be conditioned. It is noted that the boarded door to the hayloft is to be removed and replaced with glazed doors. This is accepted in order to facilitate the proposed conversion and to enable a long term viable use for the building, which is of public benefit (although it is acknowledged that this is not the view of those who have objected to the proposals).

The building's upper floor is to include a bathroom to the rear and two bedrooms. On the original submitted plans the two bedrooms were shown to be lit by rooflights within the building's principal elevation. However, the Council's Conservation Officer considered this to be contentious, raising concerns that the proposed rooflights would substantially alter the southern principal elevation of the building, leading to visual crowding around the historic gable feature which would be harmful to the character of the building as it survives.

Amendments were therefore suggested by the Conservation Officer. It is recognised by officers that whilst the rear roof slope is currently unbroken, it is a lesser elevation. Further to the Conservation Officer's comments, amended plans have been submitted which specify three rooflights to the rear, one serving each of the proposed bedrooms and one serving the bathroom which is considered an improvement to that originally proposed and is acceptable on balance.

It is specified on the drawings that the building will be re-roofed, but the existing stone tiles will be re-laid to diminishing courses with new to match making up for losses. Accordingly, there are no outstanding objections with regard to the external alterations proposed.

Having regard to the submitted plans and suggested conditions recommended by the Council's Conservation Officer, it is considered that the proposals sufficiently preserve the building and its features and will sustain its significance as a designated heritage asset. Furthermore, the proposals will cause no harm to the setting of The Pigeon House. The proposals therefore meet the requirements of Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 and its significance as a designated heritage asset would be sustained, in accordance with Section 12 of the NPPF.

(c) Impact on character and appearance of the Kemble Conservation Area

The proposals lie within the Kemble Conservation Area, wherein the Local Planning Authority is statutorily obliged to pay special attention to the desirability of preserving or enhancing the character or appearance of the area, in accordance with Section 72(1) of the above Act. Conservation Areas in the context of the NPPF are designated heritage assets in their own right. In addition to Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990, Section 12 of the NPPF (summarised above) is also pertinent, in addition to Local Plan Policy 15 and 42 of the adopted Local Plan.

Local Plan Policy 15 states that development must preserve or enhance the character or appearance of the area as a whole, or any part of that area. It states that development will be

permitted unless new or altered buildings are out-of-keeping with the special character or appearance of the area in general or in a particular location (in siting, scale, form, proportions, design or materials).

Local Plan Policy 42 of the Local Plan also requires that development should be environmentally sustainable and designed in a manner that respects the character, appearance and local distinctiveness of the Cotswold District with regard to style, setting, harmony, street scene, proportion, simplicity, materials and craftsmanship.

It is clear from the submitted plans that the external alterations proposed are, on the whole, minimal; the most contentious aspect being the inclusion of rooflights to the rear. However, it is accepted by officers that rooflights are necessary to enable the proposed conversion. It is also accepted that views of the rear roof slope are overall limited. On balance therefore, the amended proposals are preferred to those originally submitted, not only to the benefit of the character and appearance of the listed building itself but also the preservation of the character and appearance of the Conservation Area, to which this building makes a positive contribution. Ensuring an appropriate long term use of the building is a significant public benefit that weighs in favour of the proposals. On balance therefore, it is considered that the proposals will result in no material impact on the character and appearance of the Conservation Area that would warrant a refusal of the proposals and are considered acceptable, on balance, given that the proposals will help to ensure a long term use of the building.

Given the limited impacts of the proposals and the preservation of the character and appearance of the Conservation Area, the proposals comply with Section 72(1) of the TCPA (Listed Buildings and Conservation Areas) Act 1990, Section 12 of the NPPF and Local Plan Policy 15 and 42 of the adopted Local Plan.

(d) Impact on the Kemble and Ewen Special Landscape Area

The application site is not located with the Cotswold Area of Outstanding Natural Beauty (AONB). It is however, located within the Kemble and Ewan Special Landscape Area (SLA). The Local Plan states that 'The purpose of SLA designation is to provide protection to locally significant landscapes that, although not nationally designated, are of comparable quality to AONBs and require special attention in the implementation of planning policy' (page 17 of the adopted Local Plan). Although of lesser importance by national standards, SLAs are attractive landscapes in their own right: they all abut the Cotswold AONB and can, in part, provide an important foreground setting to such areas.

In this regard, Section 11 (Paragraph 109) of the NPPF states that the planning system should contribute to and enhance the natural and local environment by, amongst others, protecting and enhancing valued landscapes. With regard to SLAs, Local Plan Policy 8 provides that within Special Landscape Areas, development that meets the economic and social needs of communities will be permitted provided that it does not unacceptable harm the area's landscape character and appearance.

With regard to the Kemble and Ewen SLA it should be noted that the entire village of Kemble is included, including areas of countryside outside of the built up residential area which abut the AONB. Given that the proposals are of a residential nature and located within the built up residential area of Kemble they are considered to be appropriate in their context.

As acknowledged above, the external alterations proposals are, on the whole, minimal. The most contentious aspect of the proposals being the inclusion of rooflights to the rear. However, this is acknowledged to be a less important elevation. Given the location of the application site and the minimal external works proposed, it is concluded by officers that there will be no impact on the Kemble and Ewen SLA or wider landscape. The proposals therefore accord with Local Plan Policy 8 and Section 7 and 11 of the NPPF.

(e) Access and Parking Provision

There are two alternative vehicular access points to the site. The first means of access is via a private drive from Church Road. The second means of access is a right of way easement over a driveway in the ownership of The Grange (an adjacent residential property). The building proposed for conversion shares the same vehicular access as The Pigeon House and this access and parking arrangement is to remain unchanged, which is acceptable.

It is accepted by officers that the proposals will result in an intensification of use of the existing access. However, the increase in trips generated from an additional two residential bedrooms, even presuming the worst case scenario (e.g. full time occupation), will be low. It is not unreasonable to conclude that future occupiers of the proposals could fulfil their daily needs without use of a private car given the local facilities available and access to alternative modes of public transport.

Paragraph 32 of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of the proposals are severe. Given that adequate access arrangements already exist, the low intensification of use and access to alternative modes of public transport it is considered that the proposals will have no material impact in highway terms and would therefore accord with Local Plan Policy 38 and 39, in addition to the relevant provisions of the NPPF.

(f) Impact on Biodiversity

Paragraph 109 (Section 11) of the NPPF states that 'The planning system should contribute to and enhance the natural and local environment by: minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity'. Paragraph 118 of the NPPF states that when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying various principles, including the encouragement of opportunities to incorporate biodiversity in and around developments.

The development plan position in respect of biodiversity matters is set out in saved Local Plan Policy 9. Local Plan Policy 9 states that the Council will not permit development that harms, either directly or indirectly, a site supporting any legally protected species or its habitat, unless safeguarding measures can be provided. Where development is permitted, the Council will require the retention, management and, where possible, enhancement of significant species.

A Bat Survey (Tofts Ecology, September 2015) has been submitted with the planning application. The survey identifies that an individual Serotine bat roosts within the part of the building to be converted to residential accommodation, in addition to a low number of long brown eared bats. Serotine bats in particular are regarded as uncommon in the national context and are widespread but not common, in the Cotswold Water Park. There is a known maternity roost at Ewen, 1.5 km from The Pigeon House. Brown long eared bats however, are a more common species.

The amended plans specify mitigation and enhancement solutions which involve the creation of a small loft area/tunnel within the part of the building to be converted (to retain the bat roost in the ridge) which is connected to an adjacent, larger bat loft above the existing store. Drawing No 14/124/02 Rev B shows the existing entrance on the gable end of the building and a raised ridge tile into the large bat loft.

The Council's Biodiversity Officer has been consulted on the planning application. Whilst no objections are raised, further details in respect of time and responsibilities will need to be provided before any works can begin. This however, can be controlled by condition.

Despite the Biodiversity Officer's lack of objection the proposals have the potential to affect European protected species and specifically, bats (a Serotine bat and very low number of brown long eared bats). In light of the ODPM Circular 06/2005 (para 116) and the Habitats Regulations

2010 therefore, the 3 'derogation' tests must be considered before reaching a decision. In respect of these tests it is noted (as per the Biodiversity Officer's consultation response) that:

If the proposed works are not carried out a curtilage listed barn will not be restored and the bat roost will be potentially lost, whereas this proposal allows for restoration of the barn by bringing it into an economic use and creates a larger bat loft to be permanently retained so all three tests are met.

It is considered that if all the recommended enhancements were implemented, then the proposals would accord with the Conservation of Habitats and Species Regulations 2010 and the Wildlife and Countryside Act 1981 as amended, in addition to the National Planning Policy Framework (in particular Section 11) and Cotswold District Local Plan Policy 9 and 14.

(g) Impact on Residential Amenity

Loss of residential amenity, as a result of loss of privacy/overlooking and noise, has been raised as concerns by objectors. In particular, there appears to be concern that such impacts could worsen should the application site be used more intensively if sold in the future. Whilst these concerns are acknowledged, the proposals have been assessed on the basis of the worst case scenario i.e. full time occupation of the proposed conversion.

Local Plan Policy 46 makes specific provisions for privacy and gardens in residential developments. The policy states that the design and layout of new residential development, including change of use, sub-divisions and extensions to existing dwellings, should provide adequate areas of open space around dwellings, so as to ensure reasonable privacy, daylight and adequate private outdoor living space.

With regard to loss of privacy/overlooking, it is noted that the two third party objections received were submitted prior to the receipt of amended plans. It is assumed that now the rooflights have been relocated to the rear of the building (further to the Conservation Officer's recommendation) that the proposed rooflights are no longer a concern to the occupiers of No.2 Kemble Park. The glazed doors in the principal elevations will however, remain. In this regard whilst it is noted that the building faces the rear of No.2 Kemble Park, the distance between the part of the outbuilding proposed for conversion and the rear of No.2 Kemble Park is approx. 40 metres. The distance between the outbuilding and boundary wall is approx. 30 metres. At such distances, officers are of the view that there will be no significant loss of residential amenity as a result of overlooking, which would warrant refusal of the planning application. Furthermore, it is noted that in order to obtain views of the proposals then occupiers of No.2 Kemble Park would need to look out across the existing residential garden area of Pigeon House: a situation which already exists. Any loss of residential amenity experienced as a result of the proposals, over and above the existing situation, in this regard is therefore considered to be negligible.

Whilst no objections have been received (at the time of writing) from occupiers of The Grange, the Parish Council have objected to the relocation of the rooflights.

Having regard to drawing no 14/124/02 Rev B it is clear that the proposed rooflights are to be installed at 1.9 metres from the finished floor level, at first floor. At this height the ability to freely look out of the rooflights is constrained. The proposed rooflights would also be in excess of 21 metres from the nearest point of The Grange; a separation distance that is accepted as being sufficient to maintain privacy. If it were possible to view out of the proposed rooflights, any views back to The Grange would be oblique. Again, any loss of residential amenity experienced as a result of the proposals, over and above the existing situation, is considered negligible.

Officers are therefore of the view that the relationship between the application building and the two adjacent properties is acceptable having regard to Local Plan Policy 46.

The occupiers likely to be most affected by the proposals are the occupiers of The Pigeon House, given the relationship between the two properties and shared access, parking and

garden/amenity areas. Had it been intended to subdivide the plot then matters relating to residential amenity may be more of a concern. Notwithstanding, it is clear that there is a small area to the rear of the outbuilding that could be used as small courtyard garden should the need arise. Nonetheless, the proposals have been submitted on the basis that the property will be used by guests and relatives, whilst technically self-contained, the relationship between the two properties and sharing of the main garden etc. is considered to be acceptable having regard to Local Plan Policy 46.

As an aside, given the historic importance of the two properties it is likely that officers would resist the formal subdivision of the application site and would certainly not wish to see hard landscaped sub-divisions. The listing of the buildings however, protects against this since planning permission would be required for any new means of enclosure, fences or walls.

It is therefore concluded that the planning application is acceptable having regard to the provisions of Local Plan Policy 46 and Section 7 of the NPPF.

(h) Contamination

The outbuilding is located within an existing residential curtilage and is already used as a residential store. It is not believed that the building has ever been used for the purposes of storing fuel. Accordingly, there are no serious concerns with regard to land contamination having regard to Local Plan Policy 5 of the adopted Local Plan and Section 11 of the NPPF. In any event, Paragraph 120 of the NPPF is clear that where a site is affected by contamination or land stability issues that responsibility for securing safe development rests with the developer and/or landowner. Accordingly, it is concluded that the planning application accords with Local Plan Policy 5 and Section 11 of the NPPF.

(i) Other Matters

With regard to concerns raised by third parties regarding the need for the proposed development it is notable that there is no in principle objection to the proposals. The application site is located in a sustainable location for new development, which would include open market housing. Therefore, matters relating to 'need' are not material in the particular circumstances of this case.

With regard to the request made by the Parish Council (i.e. to ensure the residential annex remain as part of Pigeon House and not become a separate address in the future) it is considered that given the basis upon which the proposals have been submitted and assessed, in addition to concerns with regard to the potential harm that could be caused should the application site be subdivided, it is considered reasonable to impose a condition that restricts the occupation of the building to that in connection with the occupiers of the property currently referred to as The Pigeon House.

Conclusion:

The application site is located outside of an adopted development boundary and is therefore located within an area where Local Plan Policy 19 of the adopted Cotswold District Local Plan 2001 - 2011 (referred to herein as the 'Local Plan') applies. Local Plan Policy 19 generally seeks to restrict the development of new market housing outside of development boundaries, unless supported by other policies in the adopted Local Plan. Having regard to Local Plan Policy 14 and 28 the proposals are considered to be acceptable in principle. In any event, Kemble is accepted by the District Council as being a sustainable location for new development.

The external alterations proposed are such that they will amount to no significant impact on the Kemble and Ewen Special Landscape Area and will preserve the character and appearance of the Kemble Conservation Area. It has been confirmed by the Council's Conservation Officer that the extent of the proposed alterations to the listed buildings are of level that would preserve the historic interest of the building and will cause no significant harm to its character and appearance,

thereby sustaining its significance as a designated heritage asset, by ensuring a long term viable use for the building, in accordance with the NPPF.

There are no significant concerns with regard to highway impact, parking, contamination, biodiversity or loss of residential amenity which would warrant a refusal of the planning application. It is therefore concluded that the proposal accord with adopted saved Local Plan Policies 5, 8, 9, 14, 15, 19, 28, 38, 39, 42, 45 and 46, along with the relevant provisions of the NPPF (referenced above) and Section 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and The Conservation of Habitats and Species Regulations 2010.

Since there are no material considerations that indicate otherwise, it is concluded that planning permission is granted in accordance with the development plan and subject to conditions.

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 implemented in accordance with the following drawing number(s): Block Plan and 14/124/02 Rev B.

Reason: For purposes of clarity and for the avoidance of doubt, in accordance with paragraphs 203 and 206 of the National Planning Policy Framework.

3. The residential use hereby approved shall be occupied solely as guest accommodation or as ancillary accommodation to the dwelling currently known as The Pigeon House.

Reason: For the avoidance of doubt since residential amenity areas are to be shared. In addition, both The Pigeon House and Barn are listed. Therefore, any future subdivision of the application site, or alternative use of the building, would require further consideration in accordance with the Cotswold District Local Plan, relevant provisions of the National Planning Policy Framework and Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

4. Notwithstanding the approved plans, prior to installation the design and details of the external windows and doors shall be submitted to and approved in writing by the Local Planning Authority. The design and details shall be accompanied by drawings to a minimum scale of 1:5 with full size moulding cross section profiles, elevations and sections. The development shall only be carried out in accordance with the approved details and retained as such at all times.

Reason: To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policies 14, 15, 28 and 42 and to ensure that the design of the aforementioned details are appropriate to the character of the building, which is listed as being of architectural or historic interest, thereby preserving the special architectural or historic interest which it possesses in accordance with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the National Planning Policy Framework. There are important details which need to be undertaken in a manner which ensures that they serve to preserve the special merit of the building.

5. The new rooflights shall be of a design which, when installed, shall not project forward of the roof slope in which the rooflight is located and shall be permanently retained as such thereafter.

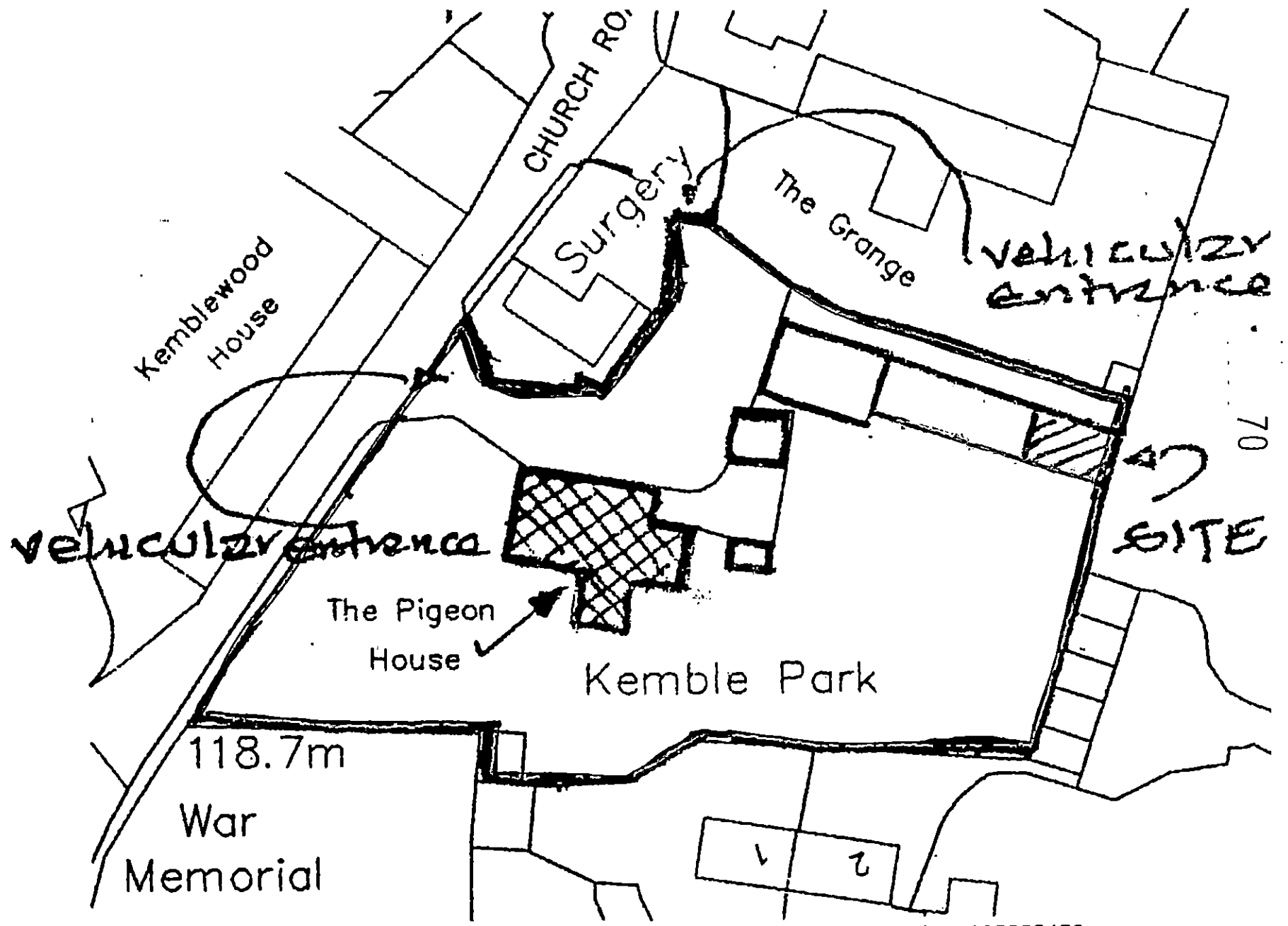
Reason: To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policies 14, 15, 28 and 42 and to safeguard the character of the building, which is listed as being of architectural or historic interest, thereby preserving the special architectural or historic interest which it possesses in accordance with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the National Planning Policy Framework.

6. The finish of the joinery hereby approved shall be submitted to and agreed in writing with the Local Planning Authority prior to installation and shall thereafter be maintained in the approved colour/finish unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policies 14, 15, 28 and 42 and to ensure that the finish is appropriate to the character of the building, which is listed as being of architectural or historic interest, thereby preserving the special architectural or historic interest which it possesses in accordance with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the National Planning Policy Framework.

7. Before any works are carried out on the application site, a Method Statement for bats based on the recommended mitigation in Section 4 of The Bat Survey (Tofts Ecology Sept 15) and illustrated on drawing no 14/124/02 Rev B must be submitted to the Local Planning Authority for approval. Once approved all works must be carried out as per the approved Bat Method Statement and all mitigation & enhancements must be permanently maintained as approved thereafter.

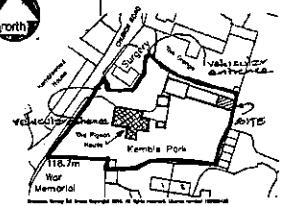
Reason: In order to comply with Part 3 of the Natural Environment and Rural Communities Act 2006 and to ensure that birds & bats and their habitats are protected in accordance with the Conservation of Habitats and Species Regulations 2010, the Wildlife and Countryside Act 1981 as amended, the National Planning Policy Framework (Section 11) and Cotswold District Local Plan Policy 9. A method statement must be submitted before any works are carried out since even the most minor of works to the building will have the potential to adversely affect bats (a European Protected Species) which are known to be using the building.



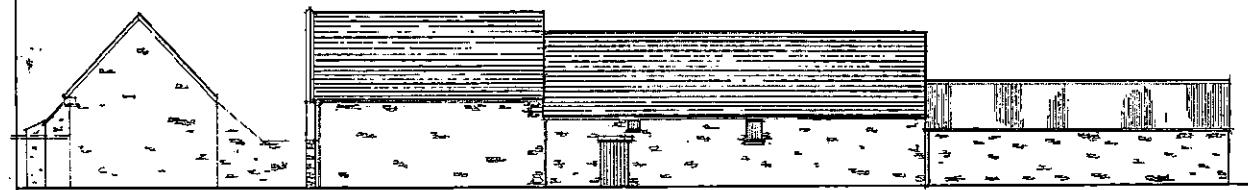
Ordnance Survey (c) Crown Copyright 2014. All rights reserved. Licence number 100022432

BLOCK PLAN 1:600

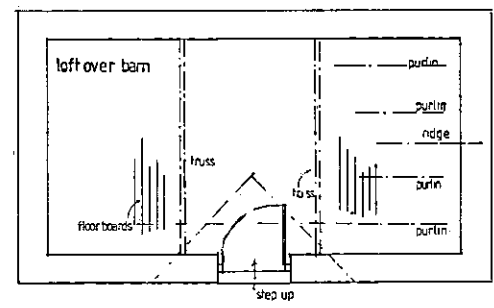
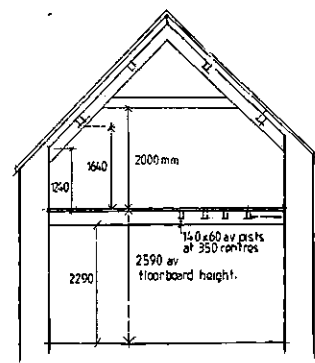
NOTES:
 1. Typical dimensions to be taken in preference to varied dimensions.
 2. Large scaled drawings to be taken in preference to small scale.
 3. Critical dimensions to be taken from site.
 4. If in doubt, the measurements shall be checked.
 5. These drawings and designs are the copyright of James Slater & Co. and may not be reproduced or used without permission.



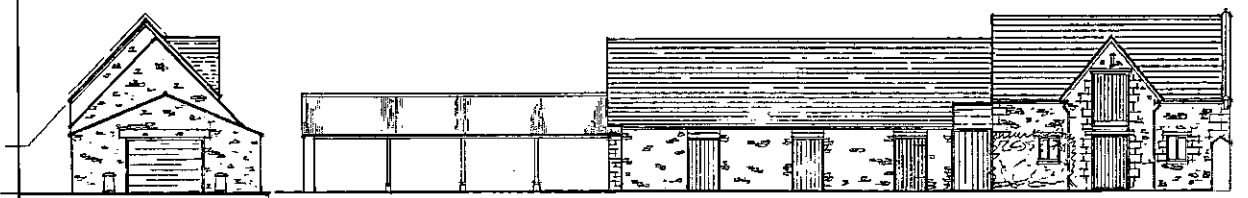
SITE PLAN
1:1250



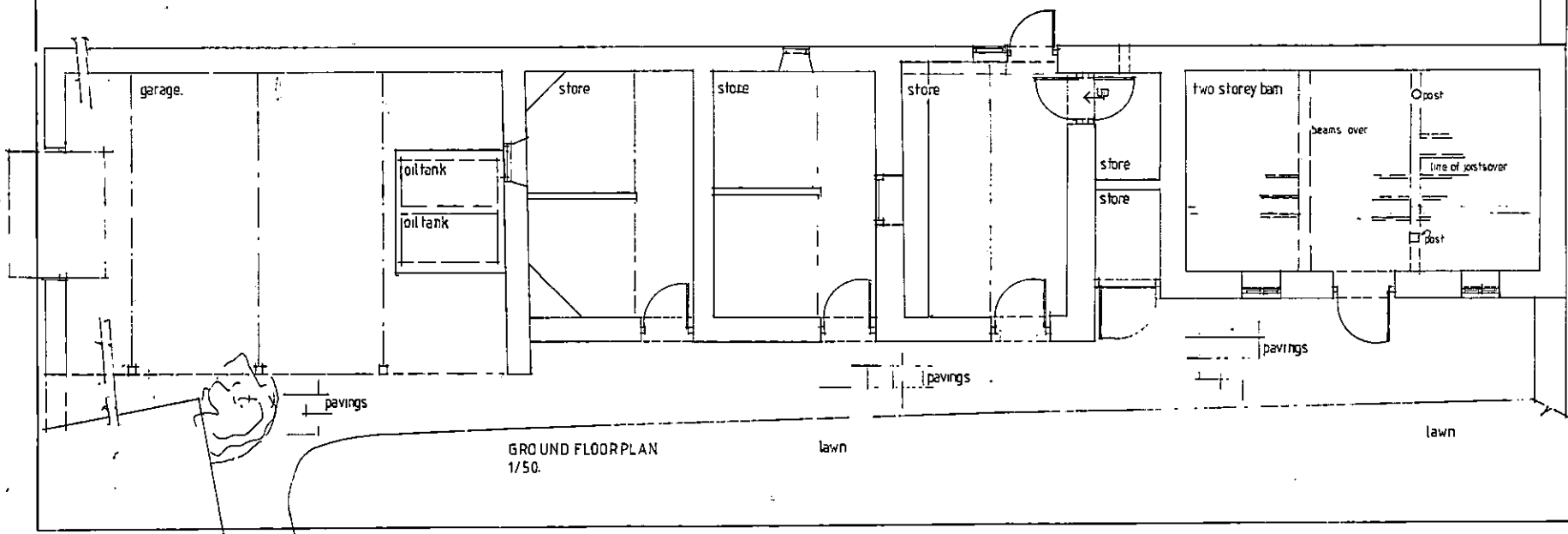
barn outline only EAST ELEVATION barn NORTH ELEVATION store rooms garage



FIRST FLOOR PLAN
1:50



garage WEST ELEVATION barn SOUTH ELEVATION store rooms barn



GROUND FLOOR PLAN
1/50

Revisions:

71

Client:

MR & MRS A.W. BERRY

Title:

SURVEY OF BARN
PLANS, SECTION AND ELEVATIONS

Site:

PIGEON HOUSE
CHURCH ROAD
KEMBLE
GLOUCESTER
GL7 6AE

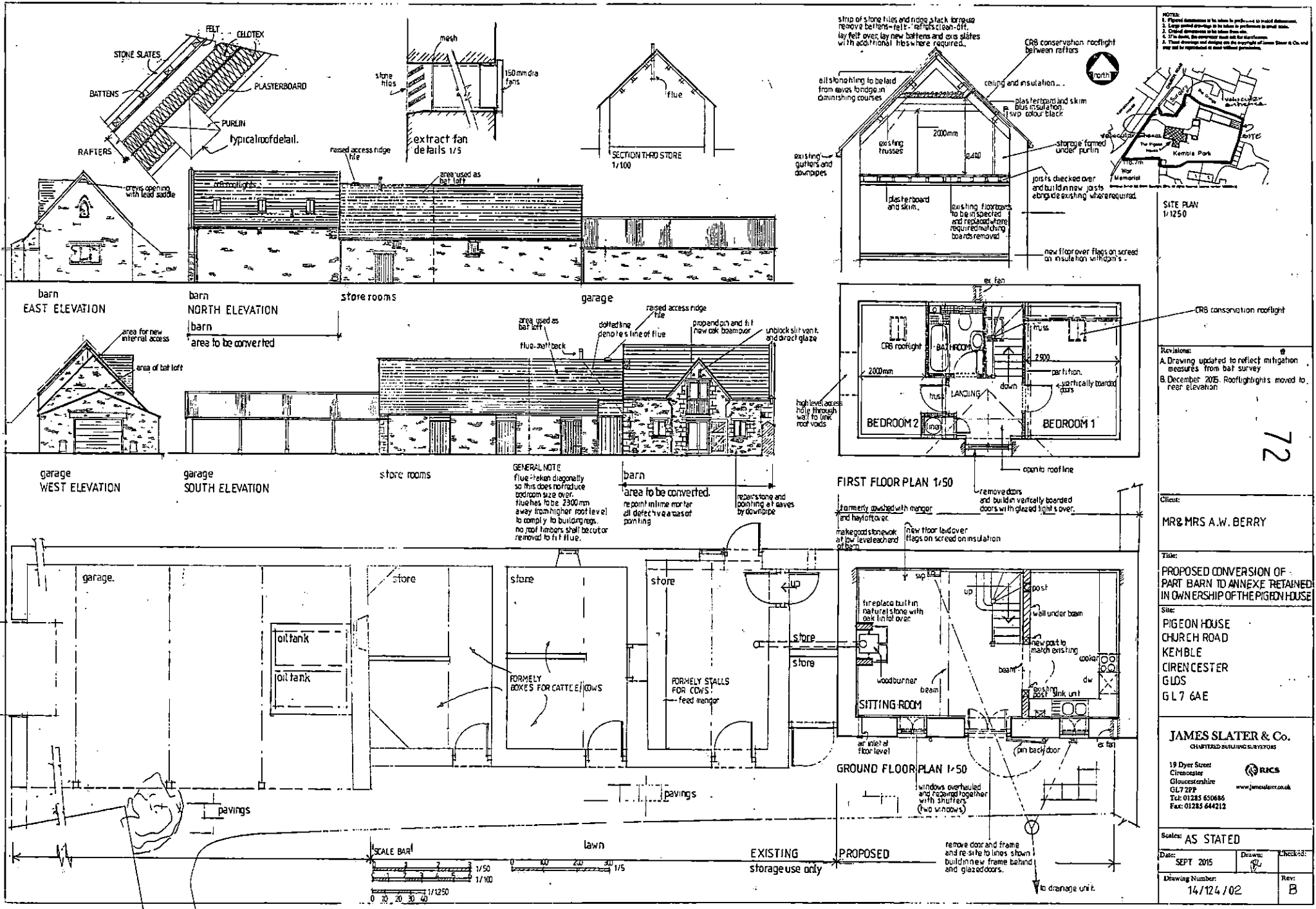
JAMES SLATER & Co.
COMMERCIAL BUILDING SURVEYORS

19 Dyer Street
Gloucester
Gloucestershire
GL7 2EP
Tel: 01285 650686
Fax: 01285 644212

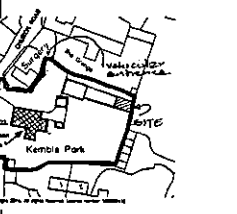


Scale: AS STATED

| | | | | | |
|-----------------|-----------|--------|----|----------|--|
| Date: | SEPT 2014 | Drawn: | JS | Checked: | |
| Drawing Number: | 14/124/01 | Rev: | | | |



- NOTES:
1. Floor dimensions to be taken to finished level.
 2. Large ground drawings to be taken to ground level.
 3. Check dimensions to be taken from site.
 4. If in doubt, the contractor must ask for clarification.
 5. These drawings and designs are the copyright of James Slater & Co. and may not be reproduced or used without permission.



SITE PLAN
1/1250

- Revisions:
- A. Drawing updated to reflect mitigation measures from bat survey
 - B. December 2015. Rooflights moved to rear elevation

72

Client:

MR & MRS A.W. BERRY

Title:
PROPOSED CONVERSION OF PART BARN TO ANNEXE RETAINED IN OWNERSHIP OF THE PIGEON HOUSE

Site:
PIGEON HOUSE
CHURCH ROAD
KEMBLE
CIRENCESTER
GLOS
GL7 6AE

JAMES SLATER & Co.
CHARTERED BUILDING SURVEYORS

19 Dyer Street
Cirencester
Gloucestershire
GL7 2DP
Tel: 01285 650686
Fax: 01285 644212

 www.james Slater.co.uk

Scale: AS STATED

Date: SEPT 2015 Drawn: [Signature] Checked:

Drawing Number: 14/124/102 Rev: B

Subject: FW: Comments for Planning Application 15/04235/FUL

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

Comments were submitted at 5:43 PM on 08 Nov 2015 from Not Available.

Application Summary

Address: Pigeon House Church Road Kemble Cirencester
Gloucestershire GL7 6AE

Proposal: Conversion of barn to residential annexe

Case Officer: Katherine Brommage

[Click for further information](#)

Customer Details

Name: Not Available

Email:

Address: Not Available

Comments Details

Commenter Type: Objection Comments

Stance: Customer objects to the Planning Application

Reasons for comment:
- Over development
- Privacy light and noise

Comments: I object to these plans because the barn faces directly onto the back of our house and across to our driveway and garden and we would lose a considerable amount of privacy as a result. I am also concerned about noise from the additional flow of people, particular if the barn is used more extensively than is currently anticipated. Also, if the current owners sell Pigeon House and/or the barn, a subsequent owner might plan to use the barn much more extensively or let it as a holiday home. While I appreciate the benefit of replacing rotting timbers and any other repairs, I think this incidental benefit is marginal and could be achieved without a change of use of the barn. In my view, the proposed change of use is inappropriate for the Pigeon House as a Grade II listed property and is disproportionate to the size of the part of the garden in which the barn is situated.

Subject: FW: Comments for Planning Application 15/04235/FUL

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

Comments were submitted at 4:25 PM on 11 Nov 2015 from Not Available.

Application Summary

Address: Pigeon House Church Road Kemble Cirencester
Gloucestershire GL7 6AE

Proposal: Conversion of barn to residential annexe

Case Officer: Katherine Brommage

[Click for further information](#)

Customer Details

Name: Not Available

Email:

Address: Not Available

Comments Details

Commenter Type: Objection Comments

Stance: Customer objects to the Planning Application

Reasons for comment:
- Over development
- Privacy light and noise

Comments: I am writing to object to these proposed plans. Our home has a dual aspect position to the barn in question. I am particularly concerned about the fenestration, although the openings will remain the same the proposed plans show them changing from solid wood to glass, which would deprive us of our privacy. There will be the new addition of the roof lights, which will look directly towards our house (south facing –into the site) to the rooms that we use the most, as well as overlooking our garden and driveway (east facing). We can see the roof and the top doorway from our ground floor and therefore anyone in the barn will be able to see into our home. I highly value this privacy, as it is the only aspect of our home that is not overlooked from our other neighbours. The proposal would also mean that noise levels would increase. I believe that the rotten windows could be replaced, in order to maintain the barn without the need to convert the barn into ancillary accommodation. If the Pigeon House/barn was to be sold in the future, the new occupants may utilise the barn full time or as a holiday home/bed and breakfast which would impact on our privacy permanently. I cannot see the need for this development given that the Pigeon House is already of a good size and is Grade II listed and the barn is Curtilage Listed.