Item No 11:-

16/03870/FUL (CT.8879/B)

Shepherd's Barn Syde Park Farm Caudle Green Gloucestershire GL53 9PP 354

Item No 11:-

Change of use of barn to dwelling, single storey lean-to extension, access track and associated site works at Shepherd's Barn Syde Park Farm Caudle Green

Full Application 16/03870/FUL (CT.8879/B)		
Applicant:	Mrs C Prentice	
Agent:	Brodie Manning Limited	
Case Officer:	Alison Williams	
Ward Member(s):	Councillor Nicholas Parsons	
Committee Date:	14th December 2016	
RECOMMENDATION:	PERMIT	

Main Issues:

- (a) Principle of the Proposed Development
- (b) Impact on the Character of the AONB
- (c) Impact on the non-designated heritage asset
- (d) Highways and access
- (e) Is the building capable of conversion?
- (f) Impact on Residential Amenity
- (g) Impact on Protected Species

Reasons for Referral:

Cllr. Nicholas Parsons has requested that the application is reported to the Planning and Licensing Committee for determination for the following reasons:

- 1. In view of the previous refusal reasons given in 2002 and 2016, including the harm to be caused to the AONB by residential development in this valley, I think that the Committee must be given the opportunity of determining this application. A delegated permission would lack the objectivity needed to weigh the benefits claimed by the applicant against the harm that is likely to be caused to the AONB by placing a new residential dwelling in the open countryside.
- 2. It appears that the application will require the extension of the historic building in order to be viable which brings it in conflict with Local Plan saved Policy 14.
- 3. The application fails to address alternative uses which might be less harmful to the AONB.

1. Site Description:

Shepherd's barn is a detached barn located in an isolated position on the hill side above Caudle Green. The building is constructed in stone with a metal sheet roof. A small lean to (timber post and metal sheet roof) is located on the eastern elevation. The barn is accessed via a field access gate and over the field.

Caudle Green is located approximately 1.1km from the site. The nearest settlement with services and employment opportunities is Cheltenham located 15km to the north, Cirencester is located 17km to the south and Gloucester 17km to the west.

The proposal seeks to convert the barn to a 2 bedroom dwelling. A single storey lean to extension to the rear is proposed in the location of the existing lean to. A grey metal sheet roof is proposed to replace the existing metal sheet roof and windows are proposed to be timber framed and painted.

The application site is located outside a Development Boundary as designated in the Cotswold District Local Plan 2001-2011. The building is considered to be a non-designated heritage asset.

2. Relevant Planning History:

11/01603/FUL- Conversion of barn to dwelling - WITHDRAWN 15/05597/FUL - Alteration and conversion of existing barn to form 2 bed dwelling together with associated ancillary development - REFUSED 1/04/16

3. Planning Policies:

NPPF National Planning Policy Framework

LPR09 Biodiversity, Geology and Geomorphology

LPR14 Conversion of Historic Agricultural Buildings

LPR28 Conversion of Rural Buildings

LPR39 Parking Provision

LPR42 Cotswold Design Code

LPR46 Privacy & Gardens in Residential Development

4. Observations of Consultees:

Conservation Officer:

Verbally confirmed no objection recommends standard material conditions

Ecology:

No objection subject to mitigation being carried out

Environmental Health:

No objection subject to condition

Thames Water:

No objection subject to informative relating to water pressure.

5. View of Town/Parish Council:

Object - Adverse impact on the open countryside and AONB

6. Other Representations:

2 x letter of support have been received

18 x letters of objection has been received which raises objection to:

- 1. The impact on the character and appearance of the AONB
- 2. Access
- 3. Unsustainable and isolated location
- 4. Previous unauthorised works to the building to create a further window
- 5. Domestication of the site
- 6. Light spill/dark sky
- 7. Unacceptable extension
- 8. Prominent location from Caudle Green
- 9. Does not comply with local policy

A further letter of objection has been received from a planning agent on behalf of residents raising similar concerns. A list of the residents supporting the objection has been provided and extends to 25 names from 18 properties. 20 of the residents listed have also written in separately with their own comments.

7. Applicant's Supporting Information:

Planning Statement Structural Survey

8. Officer's Assessment:

(a) Principle of the Proposed Development

National Planning Policy

Paragraph 17 of the NPPF states that planning should 'support the transition to a low carbon future' and 'encourage the reuse of existing resources, including conversion of existing buildings'.

Paragraph 55 states 'Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as 'where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting.'

The National Planning Policy NPPF states (paragraph 109) that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes.

Local Plan Policy

The application site is located outside a Development Boundary as designated in the Cotswold District Local Plan 2001-2011. Development in such locations is therefore subject to Policy 19: Development outside Development Boundaries of the aforementioned plan. Policy 19 can be supportive of 'development appropriate to a rural area' outside Development Boundaries. The supporting text accompanying Policy 19 advises that that the conversion of rural buildings to open market housing can potentially be acceptable in such locations subject to a number of criteria.

It is acknowledged that Policy 19 is out of date in relation to new build housing and that the local plan is time expired. However Paragraph 12 of the NPPF states that the "National Planning Policy NPPF does not change the statutory status of the development plan as the starting point for decision making."

Due weight should be given to saved policies in existing plans according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given). The supporting text to Policy 19 is positive in respect of rural conversions and as such this element of the policy can be afforded weight in the determination of this application.

Therefore the key policies relating to the principle of converting a rural building are Policies 14 and 28 of the Cotswold District Plan.

Policy 14 relates to the conversion of historic agricultural buildings of traditional design. The aim of the policy is to support the re-use of agricultural buildings which are of historic importance and traditional in design to an alternative use that would make a positive contribution to the local economy or affordable housing.

Paragraph 55 of the NPPF aims to "promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances.

Policy 14 is considered to be in line with the thrust of Paragraph 55. The policy allows the re-use of buildings to alternative uses and seeks to maintain the character and appearance of the landscape that make a positive contribution to the local economy or local affordable housing. This accord with the exemption of Paragraph 55 which allows the re-use of redundant or disused buildings subject to an enhancement to the immediate setting and the optimal viable use of the building. It is therefore considered that Policy 14 accords with Para 55 and as such significant weight can be afforded to the Policy.

Policy 28 relates to the conversion of rural buildings, it includes reference to Policy 14 for historic agricultural conversions, with the criteria of Policy 28 being reflective of Policy 14 which aims to maintain the character and appearance of the building and the surrounding area. It is accepted that the alternative uses criteria is not directly in line with Paragraph 55 or the NPPF. However one such justification of paragraph 55 is to secure the future of the building through identifying the optimum viable use and as such consideration is required to consider the current and alternative uses for the building. Paragraph 15 of the Historic Environment section of the P.P.G. advises on the importance of the optimum viable use of heritage assets, and advises that: "the optimum use is the one likely to cause the least harm to the significance of the asset, not just through necessary initial changes, but also as a result of subsequent wear and tear and likely future changes."

It is therefore considered that significant weight can be afforded to Policy 14 and moderate weight to Policy 28.

The NPPF indicates in paragraph 55 that new isolated homes in the countryside should be avoided unless there are special circumstances. The acceptability of the principle of the development within the NPPF is dependent on whether the site is "isolated". The definition of "isolated" in the Concise Oxford Dictionary is "lonely, cut off from society or contact; remote". Because of the extent and nature of the open fields between the edge of the village of Caudle Green, and the separation distance involved, it is considered that the site lies in an isolated location which is 'cut off' from the village.

The NPPF (Para 55) recognises that where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting this can be considered special circumstances. The application details that the building is currently used for storage of logs and wood in association with the agricultural unit. The amended planning statement received on the 4th March details that the building is part of a 380acre farm and is of no practical use for modern farming operations. The supporting information states that the use as wood storage is incidental and that if no future alternative use can be found the building will fall into disrepair. It is acknowledged that the building is limited in size and located away from the main farming operations. As such why the building is currently being used as incidental storage the building would otherwise be redundant to the on-going modern farming practices and as such is considered to meet with the criteria of Para 55.

Concerns have been raised that alternative uses have not been considered. The NPPF does not require the consideration of alternative uses however any alternative use outside of agricultural use which the building has been established as being redundant would require the construction of an access track for vehicular access. Business uses potentially would require additional alterations to the building to achieve higher levels of natural daylight and ventilation, the insertion of flues for B2 use, additional traffic movements, potential outside storage of materials due to the small size of the building, additional lighting externally for safety for employees entering and existing the building from a parking area.

Notwithstanding the above the application is for the consideration for use as a dwelling. The proposed use as a dwelling would require minimal intervention to the existing building with existing openings reused. While it is noted from Local objection that some of the openings have been inserted in recent years it is noted that these openings were in place in the 2011 application which was withdrawn. As these openings have been in situ for more than 4 years they are exempt from enforcement action. As such this application considers them to be existing openings. The

only additional opening would be the introduction of a conservation roof light to the western elevation. The existing openings would be in-filled with glazing and timber doors. It is considered reasonable that the proposed conversion of the heritage asset to a dwelling would be the optimal viable use, requiring minimal works to secure the long term viability of the building which is in line with Para 55 of the NPPF.

Notwithstanding this the special circumstances within Para 55 also require the conversion of the building to lead to an enhancement to the immediate setting. The immediate setting is a small field barn constructed in Cotswold Stone with a metal sheet roof located on an isolated hill side within the AONB and surrounded by agricultural fields. The building is not in disrepair, however it has a temporary roof structure and the openings to the building are not in filled and allow for water to enter the building. The proposals show a tight red line boundary with a limited curtilage to the dwelling. This offers a sympathetic approach to the conversion and limits the intervention of domestic paraphernalia. The roof of the building would be re-roofed with grey metal sheeting replacing the existing metal sheeting on the building which is characteristic of rural buildings and would maintain the character and appearance of the building. The building itself can be converted without the need for the lean-to extension, with the extension providing an office, shower room and lobby and therefore complies with the principles of Policies 14 and 28 of the Cotswold District Local Plan. The re-use of existing openings would minimise any potential light spill from the building. It is considered that the proposals would enhance the immediate setting through the sympathetic conversion of the building as set out in this application would allow the long term viability of the heritage asset.

Policy 28 (4) states that subsequent extensions to buildings which have been converted will not be permitted if the works would harm the character or appearance of the building, its setting or the landscape. The proposed extension would be single storey and lean to in design which is characterful of extensions to agricultural buildings. It would be subservient in scale and through the use of natural timber cladding and matching roof materials to the main building. The extension would not be readily visible from public vantage points and where visible would be taken from a distance that would result in the extension being viewed in relation to the existing building. It is therefore considered that the extension to the building would not harm the character or appearance of the building, its setting or the landscape.

The proposals would construct a chipping track with central grass verge connecting from the existing farm. Due to the location and treatment of the proposed access the visibility of it would be limited and would only be partial seen and from limited vantage points. Long tracks are noted within the AONB and the treatment is such that the visibility of the stone chippings would be limited and once weathered in would further reduce the visibility. It is considered reasonable to condition that the track way shall remain as proposed in perpetuity to ensure that it is not more solidly laid or laid with a different material. Subject to this condition it is considered that the proposed access would preserve the special characteristics of the AONB in this location.

The NPPF seeks to boost significantly the supply of housing and paragraph 49 of the NPPF indicates that housing applications should be considered in the context of the presumption in favour of sustainable development. Paragraph 7 of the NPPF identifies three dimensions to sustainable development - economic, social and environmental - whilst Paragraph 12 sets out twelve core planning principles that should underpin planning decision taking. In combination, these two paragraphs provide the most useful context in which to examine sustainability.

There would clearly be economic and social benefits associated with the proposal, including: the provision of a new home and construction jobs are recognised.

There is no reason to doubt that any future occupants would play a role in the community or that they would support local services. However, the contribution one new dwelling would make to the vitality of the rural community and the support it would give to services in nearby towns and villages would be minimal.

The application site is located in an area of open countryside outside an existing settlement. Moreover, the nearest settlement to the site, Caudle Green has no facilities. There is a bus service that only runs once on a Thursday to Cheltenham with the bus stop being located 1.1km from the site. Given the rural location of the site and its distance from any facilities for day to day living it is clear that future occupants would be reliant on the use of the private motor car to undertake day to day trips. The site is therefore considered not to represent a sustainable location for new residential development in terms of its accessibility to facilities and services.

The benefits of the proposal are an additional dwelling where the NPPF priority to '...boost significantly the supply of housing...', and the support it gives to the local economy, and the long term viable use of a non-designated heritage asset which must carry significant weight. It is considered that while the building is unsustainably located the benefits of the scheme would outweigh the unsustainable location and in the overall balance would be a sustainable development in the context of the NPPF.

While concerns have been raised regarding the previous refusal reasons in 2011 and 2016, the merits of those applications are different to the proposals submitted for consideration in this application. The 2011 application was pre the NPPF, the NPPF at Para 55 brought in new policy in relation to the re-use of redundant buildings. The earlier 2016 application presented an application which required a 2 storey extension to facilitate the change of use which was contrary to Policies 14 and 28. In addition the harm of that extension on the character and appearance of the non-designated heritage asset did not comply with Para 55 of the NPPF. This application is for a reduced scheme which provides all the necessary rooms within the original building with the extension not being required for the building to be used as a dwelling. While an extension is proposed Policy 28 allows for extension to converted buildings subject to the character of the building, its setting and the landscape being maintained.

(b) Impact on the Character of the Surrounding Area and AONB

The site is located within the Cotswolds Area of Outstanding Natural Beauty (AONB) wherein the Council is statutorily required to have special regard to the desirability of conserving and enhancing the natural beauty of the landscape.

Paragraph 17 of the NPPF states that planning should recognise 'the intrinsic character and beauty of the countryside'

Paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by 'protecting and enhancing valued landscapes'.

Paragraph 115 states that 'great weight should be given to conserving landscape and scenic beauty in ... Areas of Outstanding Natural Beauty.'

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

The application site and its surroundings are classified in the Cotswolds Conservation Board's Landscape Character Assessment as falling within Landscape Character Area 8A Todsmoor, Holy Brook and Upper Frome Valleys and the High Wold Valley.

There is a notable absence of settlement or roads within the Upper Frome and Holy Brook valleys, imparting a strong sense of seclusion. Apart from Caudle Green located near the head of the Frome Valley.

The Outline Strategies and Guidelines section makes the following recommendations:

- Ensure built development respects rural landscape character.

- Conserve the distinctive rural character of valley settlements and the rural road network of narrow dry stone walled lanes.
- Avoid developments incorporating standardised development layout, suburban style lighting, construction details and materials that cumulatively can lead to the erosion of peaceful landscape character.
- Avoid development that may restrict or obscure views across or along the valleys

The application site occupies an elevated position. Only the roof of the barn is visible from the lane to the east, due to the changes in land levels the proposals including the access track would not be readily visible from the public highway or public vantage points. Any views taken from wider vantage points on the opposite site of the valley would be at considerable distances and would only take partial limited views of the access track. The building itself would change in view very little other than the infilling of the existing openings with glazing which is limited to a door and a small roof light. On the gables are a single window at first floor level however the visibility of these would be limited and any potential light spill would be limited due to the distance from public vantage points. The proposed single storey lean to extension would be located to the eastern elevation set down in the landscape and would not be visible from public vantage points.

It is considered that the proposals would represent a sympathetic conversion that would conserve the natural beauty of the AONB and would provide a long term viable use for the non-designated heritage asset. The proposal is therefore considered to accord with Local Plan Policy 42 and guidance contained in Paragraphs 17, 109 and 115 of the NPPF.

(c) Impact on the non-designated heritage asset

The existing building comprises a simple field barn of linear form with markedly modest and limited openings (some of which are recent additions). The term 'barn' is a broad one, the most generic type being a threshing barn, marked by a paved threshing bay with porches on (usually) both sides (to provide cross-ventilation to blow the chaff away during the threshing process); but it is also used generically of other buildings, including field barns, which can sometimes be little more than enclosed shelters, of fundamentally different character. The application site is one such, and was clearly never used or intended as a threshing barn.

The proposed addition of single storey lean to extension would represent a sympathetic and subservient addition to the building that would maintain the agricultural character of the building, and as such sustain its significance as a non-designated heritage asset, thereby according with Section 12 of the NPPF and Policy 14 of the Local Plan.

(d) Is the building capable of conversion?

The existing barn is a functional building. It essentially comprises single sheet roof cladding attached to Cotswold Stone walls.

The applicant proposes to replace the roofing metal sheets with grey metal sheet roofing. The structural report confirms that the majority of the existing roof structure is in good repair and therefore capable of taking the load of a replacement metal sheet roof without significant works being required.

The submitted floor plans include an extension to provide a lobby, shower room and office. Policies 14 and 28 state that the building should be capable of conversion without the need for extension. The plans clearly show that the extension is not required to facilitate the use as of the building as a dwelling.

The building itself is structurally sound and capable of conversion with minor works. The proposals are therefore considered to be in accordance with Policies 14 and 28 of the Cotswold District Local Plan.

(e) Impact on Residential Amenity

The application site is an isolated building and located approximately 430m from the nearest residential dwelling which is Syde Park Farm located to the north of the site. The Environmental Health Officer is satisfied that the proposal could be acceptable subject to the applicant undertaking a ground investigation to identify the potential presence of any contamination on the site. The proposals are considered to accord with Local Plan Policies 5 and 46.

(f) Impact on Protected Species

The applicant has submitted the results of an ecological survey with the application. The survey identified one common Pipistrelle bat roosting within the northern wall of the building and a pervious owl roost. The Council's Biodiversity Officer has reviewed the survey and raises no objection to the proposed conversion subject to the mitigation measures contained within the Ecology report being carried out. Overall, it is considered that the proposal will not have an adverse impact on protected species or their habitats and that the proposal accords with Local Plan Policy 9 and guidance contained in Paragraphs 109 and 118 of the NPPF.

9. Conclusion:

The proposal is considered to accord with Local Plan Policies 14 and 28 and paragraphs 55, 115 and 132 of the NPPF. The proposed conversion would represent sustainable development and re-use a redundant building. The benefits of the scheme would outweigh the unsustainable location of the proposal.

The proposed development would conserve the natural beauty of the AONB. The significance of the non-designated heritage asset would be maintained and a long term viable use for the building secured with minimal intervention required. The proposals are therefore considered to accord with Section 12 of the N.P.P.F., and Policies 14 and 28 of the Local Plan.

The building is considered to be capable of conversion without significant alternations in accordance with Policies 14 and 28 of the Cotswold District Local Plan.

It is therefore recommended that the application be approved subject to conditions.

10. Proposed conditions:

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.

The development hereby approved shall be implemented in accordance with the following drawing number(s):

BM186/001 Site Location Plan, BM186/002 Proposed Site Plan (received 7th October), BM186/200 Proposed Plans & Sections - Option One, BM186/201 Proposed Elevations, BM186-004 Proposed Access Track, BM186-210 Proposed Bat mitigation

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

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 extensions, outbuilding, additions or alterations to the roof, porches, hard surfacing, antennas, flues or means of enclosure, shall be erected, constructed or sited, other than those permitted by this Decision Notice.

Reason: To maintain the character and appearance of the building and the AONB in this location, in accordance with Cotswold District Local Plan Policy 42.

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 windows or other openings, shall inserted in the building other than those permitted by this Decision Notice.

Reason: To protect the character and appearance of the building in accordance with Cotswold District Local Plan Policy 42.

The development shall not be occupied or brought into use until the vehicle parking and manoeuvring facilities have been completed in all respects in accordance with the approved details and they shall be similarly maintained thereafter for that purpose.

Reason: In the interests of highway safety, and in order to ensure that the development complies with Cotswold District Local Plan Policy 39.

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 45.

Prior to the construction of any external wall of the development hereby approved, samples of the proposed walling and roofing materials shall be approved in writing by the Local Planning Authority and only the approved materials shall be used.

Reason: To ensure that, in accordance with Cotswold District Local Plan Policy 42, the development will be constructed of materials of a type, colour, texture and quality that will be appropriate to the site and its surroundings.

The timber shall not be treated in any way and shall be left to weather and silver naturally.

Reason: To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policy 42.

New rainwater goods shall be black or charcoal grey painted cast aluminium or a substitute which has been approved 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 Policy 42.

The development hereby approved shall be completed fully in accordance with the recommendations for mitigation and enhancement as set out at Section 4 'Potential impacts and mitigation and enhancement measures' of the Bat and Barn Owl Survey, paras 4.1-4.7 (MDEcology, December 2015). In addition provision shall be made for barn owls through the installation of a barn owl box within a nearby tree. All measures shall be implemented and completed in full prior to the development being first brought into use. Works undertaken shall be retained in accordance with the details of the agreed report.

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

Informatives:

Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.





Organisation: Cotswold District Council

Department: Date: 01/12/2016





Scale: 1:2500

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