

Item No 10:-

17/04410/FUL

**Field Barn
Hidcote Boyce
Ebrington
Gloucestershire
GL55 6LT**

Item No 10:-**Proposed barn conversion to dwellinghouse, alterations to access track (revised scheme) at Field Barn Hidcote Boyce Ebrington Gloucestershire GL55 6LT**

Full Application 17/04410/FUL	
Applicant:	Condicus Ltd
Agent:	Brodie Planning Associates Ltd
Case Officer:	Christopher Fleming
Ward Member(s):	Councillor Mrs Sue Jepson
Committee Date:	14th February 2018
RECOMMENDATION:	REFUSE

Main Issues:

- (a) Principle of conversion/use
- (b) Impact on Conservation Area
- (c) Impact on the Cotswold Area of Outstanding Natural Beauty (AONB).
- (d) Residential amenity
- (e) Biodiversity
- (f) Highway Safety
- (g) Trees

Reasons for Referral:

The application has been referred to the Planning Committee by Councillor Jepson for Members to consider the impact of the proposed revised access given the history and local knowledge for the site.

1. Site Description:

The application site is south of Hidcote Boyce. The closest principal settlement to Hidcote Boyce is Chipping Campden which lies approximately three miles to the south. The site comprises a traditional stone agricultural building with stone walled enclosure. The site is situated within the Cotswold AONB and the barn sits within an undulating field that slopes gently towards the west.

The existing stone barn falls within the Hidcote Boyce Conservation Area although the remainder of the site is outside of it, with its boundary running to the north of the site. Residential properties are situated to the north and east of the site. The application details confirm that the building is currently disused.

2. Relevant Planning History:

14/03210/FUL - planning permission for the conversion of former agricultural barn to a single dwelling house with associated new access and parking permitted 17th December 2014.

16/00202/FUL - planning permission for the conversion of former agricultural barn to a single dwelling house with associated new access and parking (revised scheme) permitted 9th February 2017.

3. Planning Policies:

NPPF National Planning Policy Framework

LPR14 Conversion of Historic Agri Buildings
 LPR15 Conservation Areas
 LPR19 Develop outside Development Boundaries
 LPR28 Conversion of Rural Buildings
 LPR38 Accessibility to & within New Develop
 LPR39 Parking Provision
 LPR42 Cotswold Design Code
 LPR45 Landscaping in New Development
 LPR46 Privacy & Gardens in Residential Deve

4. Observations of Consultees:

Conservation Officer - comments incorporated within the Officer's assessment.

Tree Officer - No objections subject to conditions

5. View of Parish Council:

Ebrington Parish Council supports the application and made the following comments:

During the building and conversion works over the last nine months the new access track has not been built. The existing access and track has been used by all construction and contractor traffic, including lorry load weights of 30+ tonnes, without any detriment to the surface of the track and its environs, nor any issues with access to and from the highway, general highway issues or concerns from the neighbouring properties.

The existing access gives better visibility both ways as it is on the crest of the hill. The proposed access is 30 metres away down the hill and thus, looking right on exit you cannot see beyond the crest of the hill and there is a real danger of a vehicle not being seen as it could be hidden in the resulting dip in the road

The existing access already has a gateway onto the highway with adequate splays both ways. The proposed new access would require part of a hedge to be removed and a mature tree to be severely pruned or removed.

Ebrington Parish Council believe that the Planning Officer's may be proposing this new access to protect the AONB by moving the access track to the edge of the field. In principle we support any approaches to protect the AONB but we consider the AONB would be less affected and better protected by using the original track. The two mature walnut trees will hide the access track from the lanes to the South and East. The tree in the road hedge will not have to be butchered and the hedge and verge will remain intact.

6. Other Representations:

4 letters of support for the proposal summarised below:

- i Proposed new access would not remove hedgerow to create new access
- ii Would move access track away from residential property
- iii The existing access provides better visibility than permitted access point
- iv The existing track is well established

7. Applicant's Supporting Information:

Arboricultural impact assessment

8. Officer's Assessment:

(a) Principle of conversion/use

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that 'If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.' The starting point for the determination of an application would therefore be the current development plan for the District which is the Cotswold District Local Plan 2001-2011.

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 subject to a number of criteria. These are that the development should not;

- a) Result in new build open market housing other than that which would help to meet the social and economic needs of those living in rural area;
- b) Cause significant harm to existing patterns of development;
- c) Lead to a material increase in car-borne commuting;
- d) Adversely affect the vitality and viability of settlements; and
- e) Result in development that significantly compromises the principles of sustainable development.

In addition to the above Local Plan Policies 14: Conversion of Historic Agricultural Buildings of Traditional Design and 28: Conversion of Rural Buildings are also applicable to this proposal.

Policy 14 states that the conversion of agricultural or similar buildings of historic interest and traditional design to an alternative use will be permitted unless the proposal would;

- a) Would be significantly detrimental to the form, details, character or setting of the building;
- b) Involves extension or significant alteration of a building, which is of insufficient size or of an unsuitable form to allow its conversion without this extension or alteration;
- c) Involves a building which is so derelict, or in such poor structural condition that it requires complete or substantial reconstruction as part of its conversion;
- d) Would have detrimental impact on the appearance of character of the landscape;
- e) Would be detrimental to the continued or future agricultural operation of a farm, or would create new dwellings in which residents would be adversely affected by farming activities.

Policy 28 can be supportive of the conversion of rural buildings to alternative uses, including residential. The criteria pertinent to this proposal are that:

- i) The altered appearance of the building as a whole does not have a materially harmful impact on the landscape.
- ii) The building is structurally sound, suitable for and capable of conversion to the proposed use without substantial alteration, extension or re-building which would be tantamount to the erection of a new building.
- iii) The proposed conversion would not significantly harm the character of the building, its setting and the character and appearance of the landscape in the area.
- iv) The proposed use would not lead to any significant harm to the operation of the local highway network.
- v) Provision is made for biodiversity, including the safeguarding of protected species such as bats and owls that use rural buildings as part of their habitat.

In terms of national guidance Paragraph 17 of the National Planning Policy Framework (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 28 of the NPPF states that 'planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development'. It goes on to state that plans should 'support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through the conversion of existing buildings and well-designed new buildings' and 'promote the development and diversification of agricultural and other land-based rural businesses'. The NPPF can therefore offer support for sustainable new economic developments in rural areas.

In terms of emerging Local Plan Policy Draft Policy EC6 Conversion of Rural Buildings states that the conversion of rural buildings to alternative uses will be permitted provided;

- 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.

The aforementioned policy is still in draft form and therefore carries minimal weight at the present time. Notwithstanding this, it is evident that the policy is largely consistent with guidance in the current Local Plan insofar as conversion and farm diversification policies are concerned.

An extant planning consent exists for the conversion of the main barn building to a residential dwelling. Whilst the emerging local plan is a material consideration there are no circumstances that would indicate that a different position should be taken in terms of principle of the residential conversion in accordance with Policy 14 and 28 of the adopted Local Plan.

(b) Impact on Conservation Area

The proposed development site is adjacent to Hidcote Boyce Conservation Area. The Conservation Area boundary wraps around the affected building to include the building and walled yard. As such the Local Planning Authority is statutorily obliged to pay special attention to the desirability of preserving or enhancing the character or appearance of the locality.

The proposed development site is also potentially within the setting of a number of converted Grade II Listed agricultural buildings associated with Hidcote Farm to the north. As such the Local Planning Authority is statutorily required to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest it possesses.

Section 12 of the National Planning Policy Framework 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 133 states that where a proposed development will lead to substantial harm applications should be refused unless it is demonstrated that that harm is necessary to achieve substantial public benefits. Paragraph 134 states that where a development proposal 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.

Policy 15 of the Cotswold District Local Plan states that development within or affecting a conservation area must preserve or enhance the character or appearance of the area as a whole, or any part of that area. Uses that create additional traffic noise or other nuisance, which would adversely affect the character of the area, would not be permitted. But development may be permitted if it can be demonstrated that the proposals can help an area to remain alive and prosperous, without compromising its character or appearance. It states that development will be permitted unless: it involves the demolition of a building, wall or other structure that makes a

positive contribution; 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); or there would be the loss of open spaces that make a valuable contribution.

Policy 42 of the Local Plan 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.

Emerging local plan policy EN10 (Designated Heritage Assets) provides protection to designated heritage assets and their setting. When it has been identified that harm would be caused to a designated heritage asset, development would not be permitted unless it can be demonstrated that the public benefit would outweigh the harm. Officers consider that this policy is largely consistent with guidance in the current Local Plan this policy is considered to carry some weight.

This proposal now includes the re-siting of the access to the barn providing a track from the existing access point directly across an agricultural field to the barn using the existing field access point.

The conversion of the building to residential use was permitted with the benefit of an agreed access driveway which runs discretely around the northern boundary of the field with the just south of Barn Croft. The route of this driveway was specifically designed to minimise encroachment of domestic curtilage into the agricultural field in order to preserve the agricultural appearance and character of the area. The current proposal is to adopt the existing track as the formal driveway to the converted barn.

The proposed route of the access track runs diagonally across the field, apparently following an existing informal track. It is unclear that there was ever a track in this location. On inspection it was apparent that there was an existing field access with what appears to be a desire line where vehicles would drive across the field to the barn, there appears to be no physical evidence of consent for an agricultural track in this location. Formalising this route as a driveway will inevitably change the nature and appearance of the field. Furthermore, it is also highly likely that this will encourage the erection of boundary features, hedging, subdividing the field and the increased potential domestication of the remaining area of paddock to the north. Such factors would be detrimental to the appearance of the locality and the fringe of the settlement.

Under the original application for the conversion ref: 14/03210/FUL, the access was revised to reduce the wider impact of the proposed use. Concerns were originally raised by both the Landscape and Conservation Officer on the grounds that the proposed access, parking and turning areas would introduce a domestic element into the open countryside which would harm the setting of the AONB and conservation area. Subsequent to this the application was amended such that the access and track would be re-sited, running adjacent to the neighbouring boundaries to the north. The revised track would be agricultural in appearance, finished with stone chippings and a grass central strip. The track would be delineated with timber post and rail fencing to help integration to the rural environment. In addition, the proposed parking and turning area and the extension would be sited behind the barn to reduce encroachment and the existing dry stone wall to the west and North West would be extended to contain the domestic areas of the site.

Taking the above into account, the re-siting of the access track under this application is considered inappropriate and detrimental to the character of the AONB. The creation of a driveway diagonally across such a prominent area of open land where no existing track lies when a reasonable alternative route has been permitted in a more discrete location would be considered harmful to the surrounding landscape character. The proposal would promote unwelcome incremental change to the rural appearance of the locality.

As such the proposal is considered to be detrimental to the character and appearance of the locality in regard to setting, and harmony. The visual harm identified would not be outweighed by

any public benefits resulting from the proposal. As such the proposal would be contrary to Policy 42 of the Local Plan and due to the impact upon the setting of the conservation area would also be contrary to Policy 15 of the local plan and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and section 12 of the NPPF.

(c) Impact on the surrounding AONB

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

Paragraph 17 of the NPPF states that planning should recognise the 'intrinsic character and beauty of the countryside and support thriving rural communities within it.' It also states that planning should 'conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.'

Paragraph 109 of the NPPF 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'.

Cotswold District Local Plan Policy 42 states 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, streetscene, proportion, simplicity, materials and craftsmanship.'

The application site and its surroundings are classified in the Cotswolds Conservation Board's Landscape Character Assessment (LCA) as falling within Landscape Character Area 1F Meon and Ebrington Hills. This in turn falls within Landscape Character Escarpment Outliers.

The Landscape Sensitivity of the Escarpment Outliers is described as highly visible landscapes that retain a remote character where variations in land use can interrupt and have an impact on the existing balance of rough pasture and woodland on their upper slopes.

The Cotswold Conservation Board has identified "changes in land use and management within the AONB as a local force for change. While this proposal is not necessarily an expansion of the settlement per-se it will represent encroachment of development, associated with existing residential development, into the AONB landscape. The potential implications are "suburbanisation of agricultural landscapes".

The site sits within an open undeveloped agricultural field on the edge of the village of Hidcote Boyce that defines the rural edge of the settlement. The proposed access drive would take a direct route across the field from an existing field access which would encroach unnecessarily into the rural landscape. The drive is proposed to be surfaced with two gravel tracks with grass within the middle. Whilst the Council can appreciate the design efforts made to provide an unobtrusive surface. The proposed track would create a subdivision of the field having a significant impact on the open character of the field which would be visible from within the surrounding area and result in encroachment into open countryside.

In summary, the proposal would cause harm to the character and appearance of the AONB by virtue of the introduction of surfacing and car movements which would detract from the rural landscape and would be visible in the landscape. The proposal is contrary to NPPF paragraph 109 and 115 and the Cotswold District Local Plan Policy 11 and 42.

(d) Impact on neighbouring living conditions

As with the previous application, the proposed garden area to the property would be concentrated to south of the barn and would be well contained within an existing walled enclosure. The windows to be provided would be either be high level or face away from nearby residential property and would not result in significant harm in terms overlooking.

Whilst no objections have been received on this application, there was support from members of the public and the Parish Council as previously they had raised concerns on the grounds that the permitted access, parking and track would be sited adjacent to neighbouring residential property to the north, resulting in an adverse impact in terms of noise and disturbance. Following the submission of this application there is now support for the access and track given that it would move the access drive away from neighbouring property.

On the previous application it was considered that associated traffic movements would not be significantly harmful in planning terms, especially when set against the original agricultural use of the field and barn. Furthermore, it was considered that, although the permitted track would run to the rear and side of the properties to the north, a sufficient intervening distance would be provided, however given that this application proposes the access track further away from neighbouring property I can confirm that there are no concerns over the siting of the access and that the layout and boundary arrangements would be such that this would not significantly infringe on the living conditions of future occupants.

The scheme is considered to accord with policy 46 of the Local Plan in this regard.

(e) Biodiversity

The Protected Species Survey Report (Windrush Ecology June 14) identifies the barn as having negligible potential for bats, but birds' nests were found as well as a stream and a badger's sett in the area. As such, precautions and enhancements are proposed to safeguard the areas habitats.

It is therefore held that if all recommended mitigation and enhancements are implemented, the development would not cause any harm to any hedgerows, bat foraging areas, badgers and birds, in accordance with 9 of the Cotswold Local Plan, the NPPF (including section 11) and the NPPG. If permission were to be granted a condition as on the previous consent would be recommended to ensure these measures are implemented.

(f) Highway Safety

The access proposed would now be from the existing field access as originally proposed before modifications approved under the permitted application ref: 14/03210/FUL. Given that it is now proposed to use the existing field access there would be no objection on highways grounds given visibility from this access point onto the highway.

In view of the above, it is concluded that subject to relevant conditions, the scheme would have an acceptable impact on highway safety, in accordance with policy 38 of the Local Plan.

(g) Impact on Trees

Following the submission of the tree protection plan and Arboricultural method statement the report was discussed with the Tree Officer who had no objections to the findings within the report subject to a condition ensuring the tree protection measures as set out within the report.

Conclusion

The site represents an open, agricultural field set within the AONB that defines the edge of the village of Hidcote Boyce. The proposal represents a change in position of the point of access and access track that would provide access to the barn conversion permitted under application ref:

16/00202/FUL. The proposal would result in the subdivision of the field which would lead to encroachment of development into open countryside and significant erosion of the scenic qualities of the landscape within the AONB. The development that would also fail to preserve the significance of the setting of the Hidcote Boyce conservation area. The proposal is therefore considered to be detrimental to the character and appearance of the locality. The harm identified would not be outweighed by any public benefits resulting from the proposal. As such the proposal would be contrary to Policy 42 of the Local Plan and due to the impact upon the setting of the conservation area would also be contrary to Policy 15 of the local plan and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and paragraph 115 and section 12 of the NPPF.

10. Reasons for Refusal:

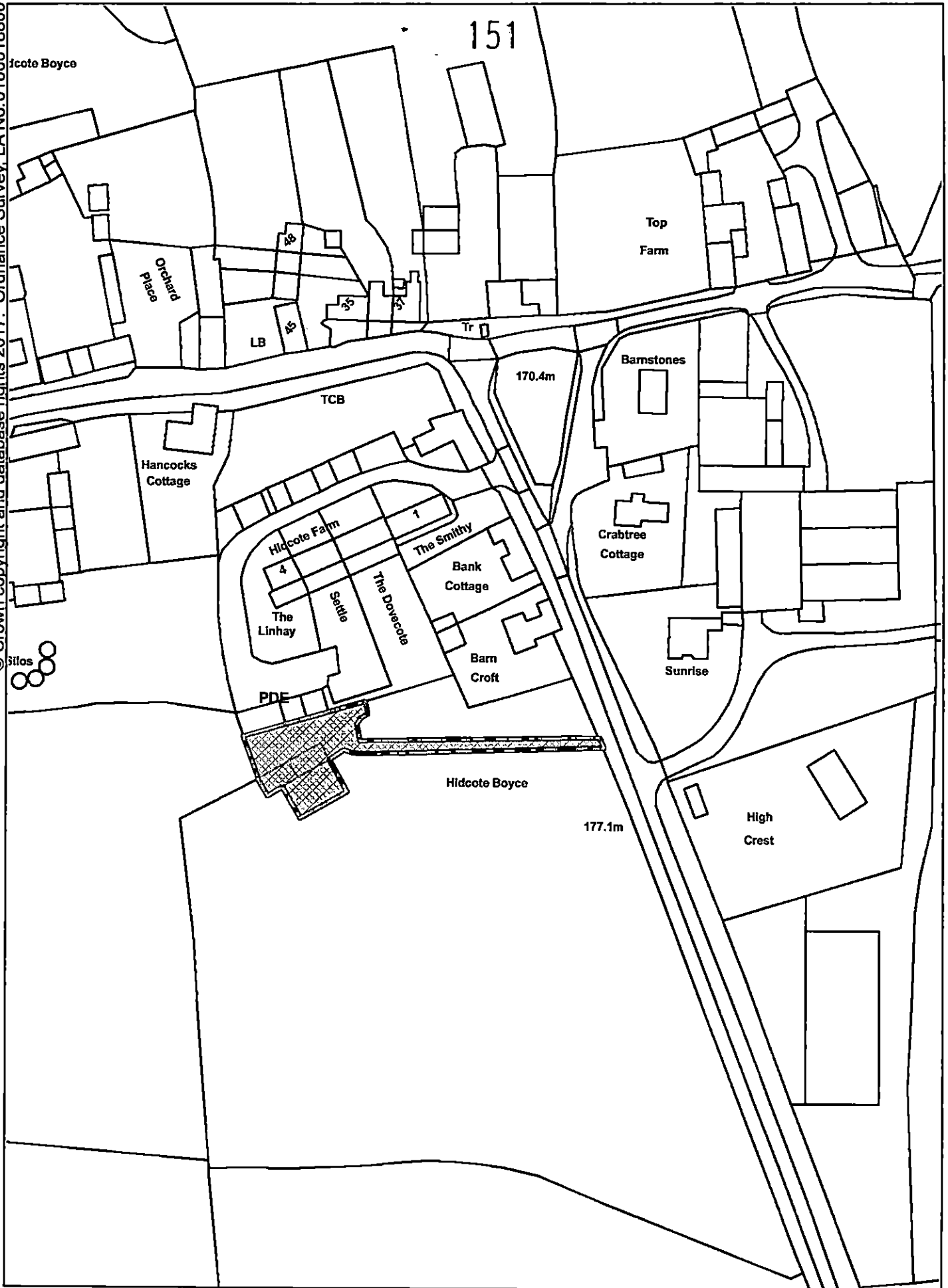
The proposed development site is adjacent to Hidcote Boyce Conservation Area. As such the Local Planning Authority is statutorily obliged to pay special attention to the desirability of preserving or enhancing the character or appearance of the locality.

The current proposal is to create an access track from an existing field access to the converted barn. The creation of the access track would result in a change to the open, rural, agricultural character and appearance of the field that is an important factor on the setting of the Hidcote Boyce conservation area.

The proposal is therefore considered to be detrimental to the character and appearance of the locality. The harm identified would not be outweighed by any public benefits resulting from the proposal. As such the proposal would be contrary to Policy 42 of the Local Plan and due to the impact upon the setting of the conservation area would also be contrary to Policy 15 of the local plan and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and section 12 of the NPPF.

The site lies within the Cotswolds AONB, wherein the Local Planning Authority is statutorily required to have regard to the purpose of conserving and enhancing the natural beauty of the landscape. The proposal would provide an access track that would subdivide the field which contributes positively to the scenic qualities of the landscape within the AONB. The proposal would cause harm to the character and appearance of the AONB by virtue of the introduction of surfacing and car movements which would detract from the rural landscape setting and would be visible in the landscape. The proposal is contrary to NPPF paragraph 115 and Cotswold District Local Plan Policy 42.

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COTSWOLD
DISTRICT COUNCIL

FIELD BARN HIDCOTE BOYCE EBRINGTON

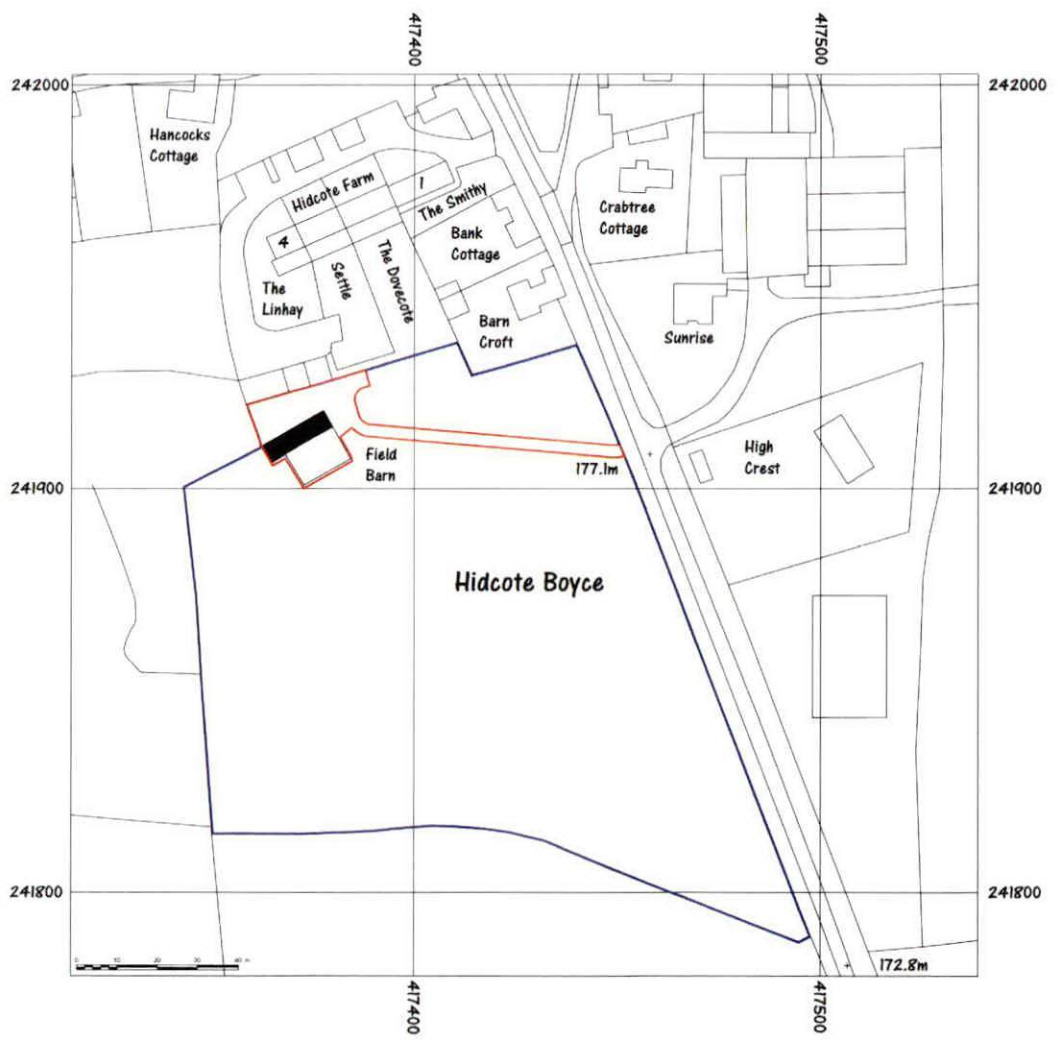
Organisation: Cotswold District Council

Department:

Date: 01/02/2018

Scale: 1:1250





Example access track



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tel: 01242 898366 Mobile: 07733 44000
 email: info@hidcoteplanning.com County: East South West
 fax: 01242 898367 Soil: Barm, Chert, 051 3P6

Client: project:
Condicus Ref: 16 325-02

Project Description:
Conversion of existing barn

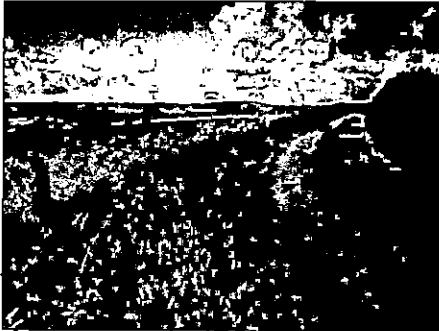
Location:
Field Barn, Hidcote Boyce.

Site:
Site Location Plan

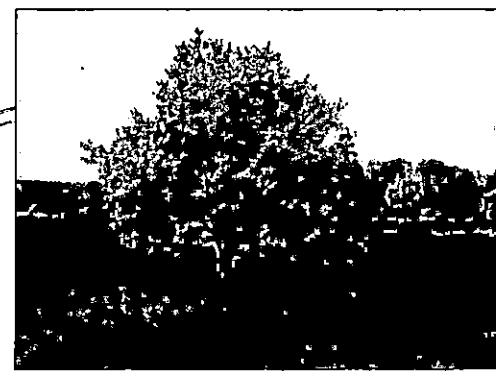
drawing number:	scale:	date:
16 325-02-100	1:250 @ A3	Sept 2017

status: **PLANNING** revision: **Ø**

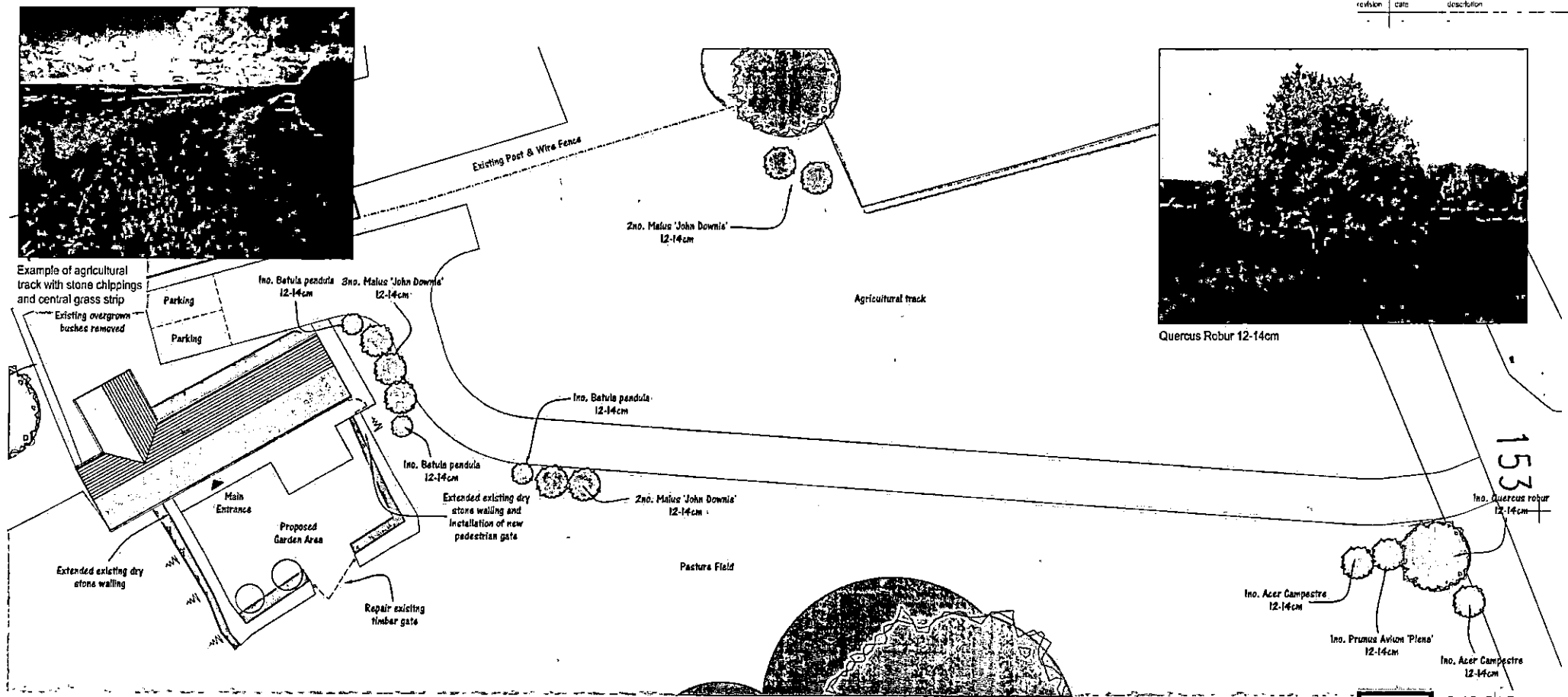
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Example of agricultural track with stone chippings and central grass strip



Quercus Robur 12-14cm



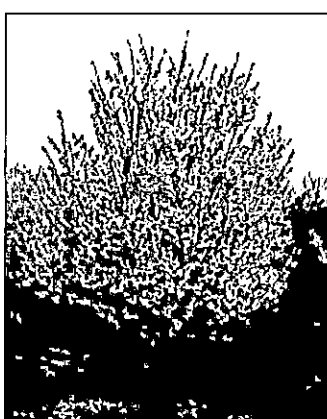
Betula pendula 12-14cm (mixture of heavy standards and multi-stems)



Malus 'John Downie' 12-14cm



Acer Campestre 12-14cm



Prunus Avium 'Plena' 12-14cm



Note: All new trees to be root-balled.



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Stankie Oak, Manor Farm
 Courtyard, South Lane
 Southam, Glos. GL53 3PB

client Condicus
 project number 16-325-02

project description Conversion of existing barn

location Field Barn, Hildcote Boyce.

title Landscaping Plan

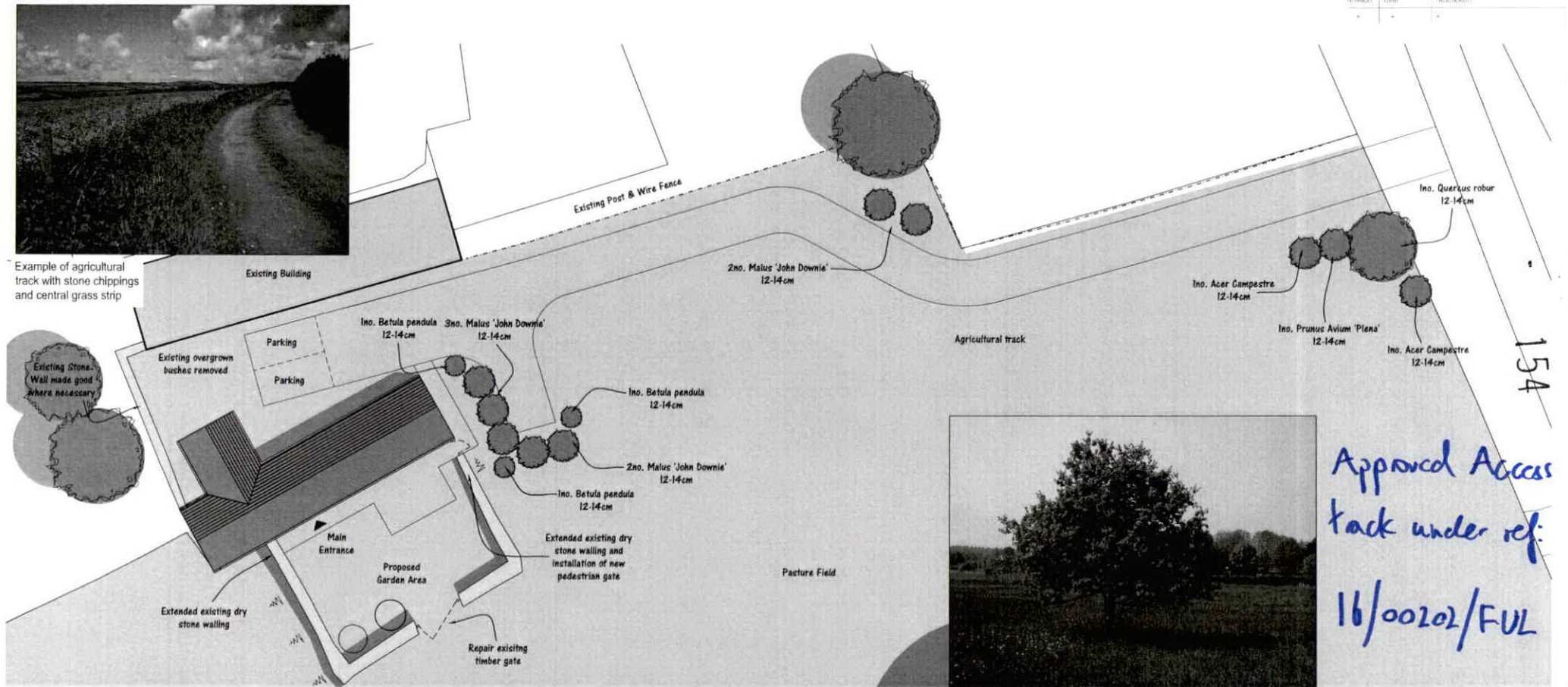
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status **PLANNING** revision 0

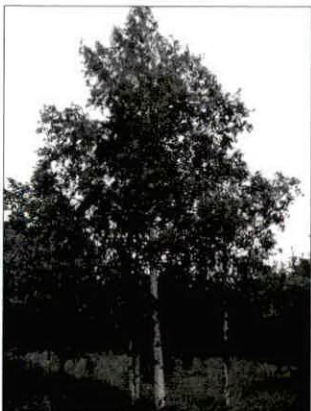
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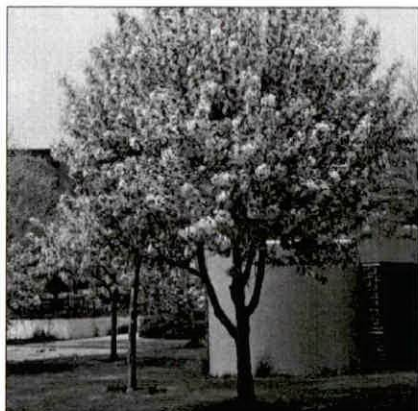
Example of agricultural track with stone chippings and central grass strip



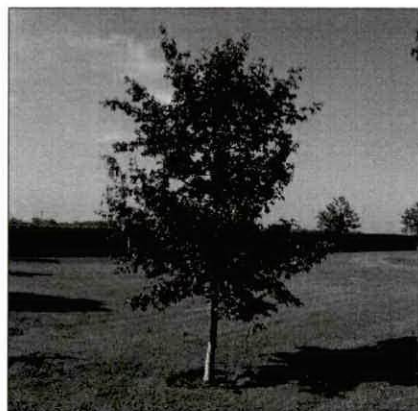
Quercus Robur 12-14cm



Betula pendula 12-14cm (mixture of heavy standards and multi-stems)



Malus 'John Downie' 12-14cm



Acer Campestre 12-14cm



Prunus Avium 'Plena' 12-14cm



Note: All new trees to be root-balled.

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25 Deakoths Road
 Birtoggs Grove
 Cheltenham, Glos, GL50 2AN

client: Condicus
 project: Ref: BM156

project description: Conversion of existing barn
 location: Field Barn, Hidcote Boyce.

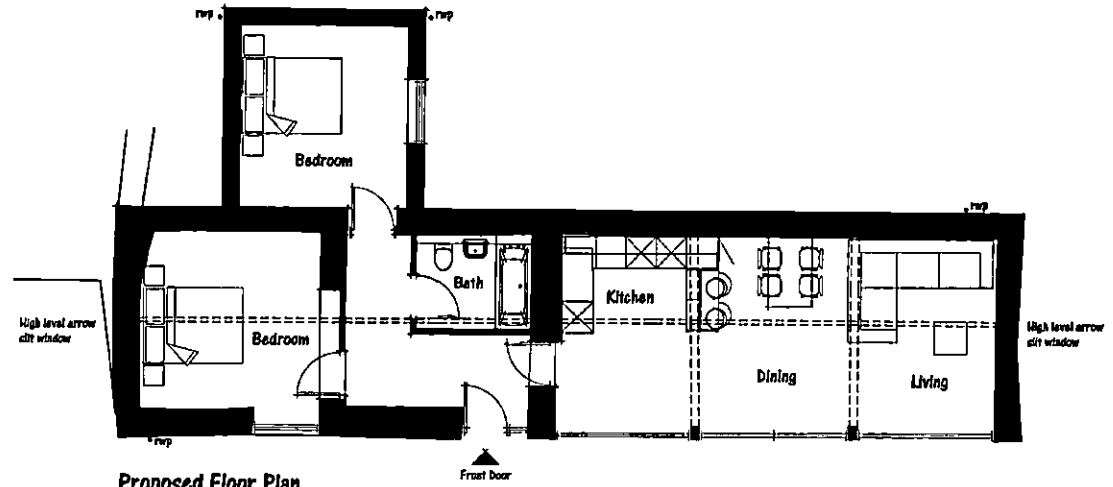
Landscaping Plan

drawing number: BM156-006
 scale: 1:250 @ A3
 date: Jan 2017

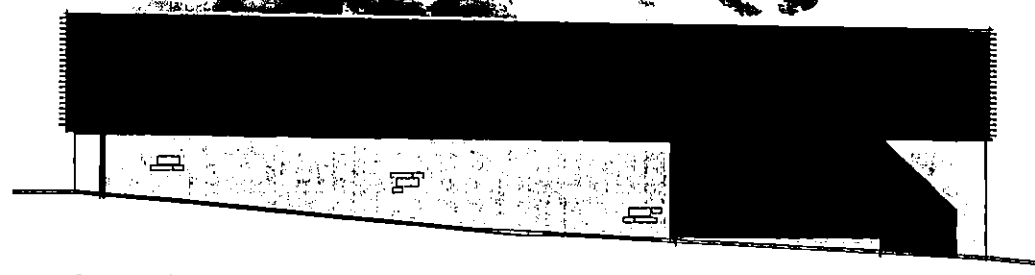
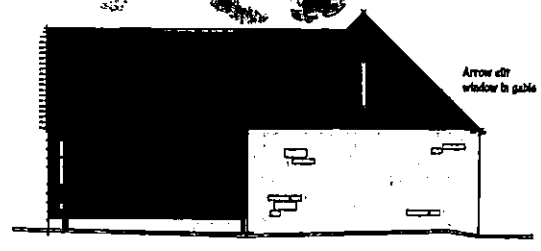
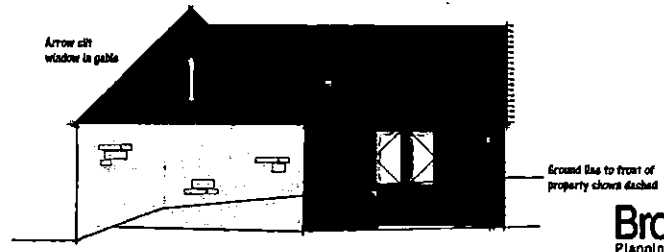
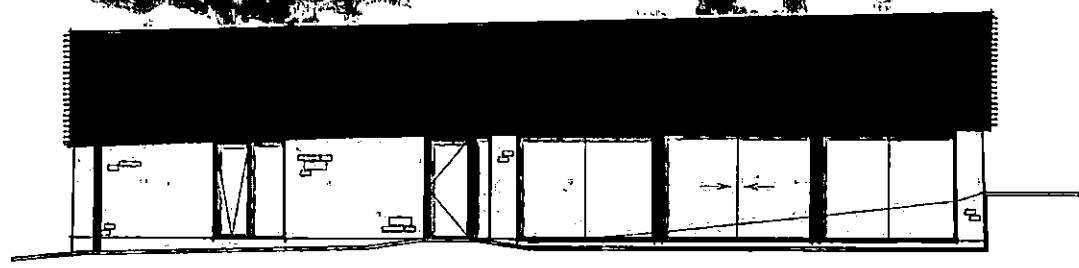
status: **PLANNING**
 revision: 0

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revision	date	description



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23 Dalmore Road,
Bishop's Cleeve,
Cheltenham, GL52 6AH

client: -
project: Ref: BM156

project description: Conversion of existing barn

location: Field Barn, Hidcote Boyce.

title: Proposed Floor Plan & Elevations

drawing number	scale	date
BM156-003	1:100 @ A3	April 2015

status	revision
PLANNING	B

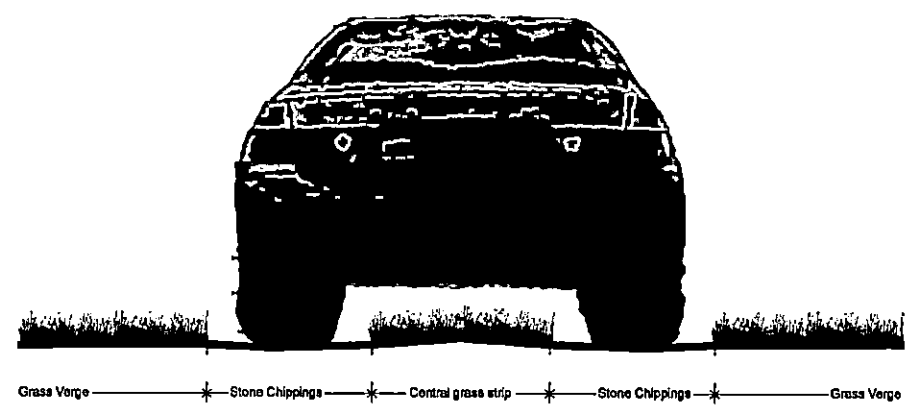
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revision	date	description



Example photo of agricultural track with stone chippings and central grass strip

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Typical Track Section

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email: info@brodiesmanning.com
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Stallop, Cleve,
Cheltenham, GL52 8AN

client	project
-	Ref: BM156

project description
Conversion of existing barn

location
Field Barn, Hidcote Boyce.

site
Proposed Access Track

drawing number	scale	date
BM156-005	1:20 @ A3	Jan 2017

status	revision
PLANNING	Ø

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