

**Item No 03:-**

**18/04696/FUL**

**Hullasey Barns  
Tarlton  
Gloucestershire**

**Item No 03:-**

**Conversion of 4 barns to 5 dwellings, construction of detached garage, relocation of access track and change of use of land to residential at Hullasey Barns  
Tarlton Gloucestershire**

<b>Full Application 18/04696/FUL</b>	
Applicant:	The Bathurst Estate
Agent:	Mr J Krauer
Case Officer:	Alison Williams
Ward Member(s):	Councillor Tony Berry
Committee Date:	10th April 2019
<b>RECOMMENDATION:</b>	<b>PERMIT</b>

**Main Issues:**

- (a) Principle
- (b) Impact on the Area of Outstanding Natural Beauty
- (c) Biodiversity
- (d) Highways
- (e) Archaeology
- (f) Drainage
- (g) Affordable housing

**Reasons for Referral:**

The Ward Member, Cllr. Berry, has requested that the application is brought to the Planning & Licensing Committee for determination due to the concerns raised by the Parish Council regarding the conversion of the dutch barns, the garage block, the road access and the sustainability of the site, and he considers that the "proposals raise a number of planning questions based on our own rules, and therefore feel that this should be considered by the Planning committee".

**1. Site Description:**

Hullasey Barns are a group of barns located to the north of the highway and south of the Scheduled Ancient Monument of Hullasey Village. The complex comprises of 2 x single storey stone barns and a 2 storey stone barn. There is also a large dutch barn (former grain store) and a metal framed barn.

The site is located within the Cotswolds AONB.

**2. Relevant Planning History:**

- CT.1338 - Erection of 2 grain silos permitted 30/07/1964
- CT.1338b - Erection of a drying and storage plant - permitted 26/02/1969
- CT.1338c - change of use to a rural craft workshop including woodworking, storage and welding - permitted 23/02/1983
- CT.1338d - Non-compliance with conditions c and d of CT.1338c - permitted 22/05/1990
- CT.1338e - change of use to B1 workshop/office/light industrial from saddlery - permitted 16/09/1993

### **3. Planning Policies:**

NPPF National Planning Policy Framework  
 EN2 Design of Built & Natural Environment  
 EN4 The Wider Natural & Historic Landscape  
 EN5 Cotswold AONB  
 EN8 Bio & Geo: Features Habitats & Species  
 EN14 Managing Flood Risk  
 EN15 Pollution & Contaminated Land  
 EC6 Conversion of Rural Buildings  
 EN12 HE: Non-designated Heritage Assets  
 INF4 Highway Safety  
 INF5 Parking Provision

### **4. Observations of Consultees:**

Biodiversity Officer - No objection subject to conditions

Archaeologist - No objection subject to conditions

Drainage Officer - No objection subject to conditions

Environmental Health Officer - No objection subject to conditions

Highways Officer - Objects (comments within officers report)

### **5. View of Town/Parish Council:**

Objection received (it is noted that their objections appear to be based on the superseded plans which were for the construction of a new dwelling in addition to conversion). The Parish Council have been informed that these are the incorrect plans.

Other concerns have been raised regarding the conversion of Barn 4 (dutch barn) in relation to visual impacts and light spill. Concern regarding vehicle movements have also been raised.

### **6. Other Representations:**

No comments received at the time of writing the report

### **7. Applicant's Supporting Information:**

Heritage statement  
 Ecological survey

### **8. Officer's Assessment:**

#### *Proposals*

The proposals seek to convert 4 existing barns to 5 dwellings. Three barns are traditional Cotswold Stone barns and the remaining barn is a large dutch barn formally used as a commercial grain store. The large commercial sized grain drying building would be removed.

#### *Barn 1*

Is a traditional Cotswold Stone Barn. It is single storey with an open frontage. The proposals seek to infill the openings with timber cladding and window/door openings. The proposals would create a 1 bedroom dwelling with amenity space to the front and parking to the side.

*Barn 2*

Is a traditional Cotswold Stone Barn. It is single storey with an open frontage. The proposals seek to infill the openings with timber cladding and window/door openings. The proposals would create a 2 bedroom dwelling with amenity space to the front and parking to the side.

*Barn 3*

Is a traditional 2 storey Cotswold Stone Barn. It has previously been partially converted to a business use. The proposals would utilise existing openings and install a first floor within the two wings. A small extension is proposed on the rear elevation that would be single storey and attached to an existing lean to extension. Amenity space would be provided to the sides and parking to the rear.

*Barn 4*

Is a large dutch barn previously used as a grain store. It is unusual in its construction as it is set upon approximately 3m deep concrete base as it used to store 100's of tonnes of grain. The proposals would divide the barn into 2 residential units with gardens to the rear and parking to the front and side.

*Barn 5*

The large metal framed barn would be demolished and the area utilised as a parking area and would include the construction of a simple linear timber clad single storey garage building to serve unit 5.

**Access**

The existing access would be utilised and the access track moved marginally to the west and enclosed with a post and rail fence with native hedging behind.

**(a) Principle**

Local Plan policy EN12 sets out the policy in relation to development affecting non-designated heritage assets. It states that development affecting a non-designated heritage asset will be permitted where it is designed sympathetically having regard to the significance of the asset, its features, character and setting. Where possible development will seek to enhance the character of the non-designated heritage asset.

Local Plan policy EN13 sets out the policy for the conversion of non-domestic historic buildings. It states that proposals for the conversion of non-domestic historic buildings to alternative uses will be permitted where it can be demonstrated that:

- a. the conversion would secure the future of a heritage asset, and/its setting, which would otherwise be at risk;
- b. the proposed conversion would conserve the significance of the asset (including its form, features, character and setting);
- c. the heritage asset is structurally sound; and
- d. the heritage asset is suitable for, and capable of conversion to the proposed used without substantial alteration, extension or rebuilding which would be tantamount to the erection of a new building.

The second part of the policy sets out that " Proposals to extend or alter heritage assets that have been converted, will be permitted where it can be demonstrated that the proposed works would preserve the significance of the asset (including its form and features), its setting and/or the character or the appearance of the surrounding landscape in a manner that is proportionate to the significance of the asset."

Local Plan policy EC6 Conversion of Rural Buildings recognises that the large, but diminishing, stock of rural buildings in the Cotswolds should be used in the most positive way possible to assist in sustaining the rural economy and should be used for business purposes, wherever possible, so that rural buildings are given a new lease of life. The policy specifically states that the re-use of existing rural buildings, which have become surplus to requirements, or are no longer suitable for their original use, can help to reduce demands for new building in the countryside.

The policy particularly states that the conversion of rural buildings to alternative uses will be permitted provided: the building is structurally sound, suitable for and capable of conversion to the proposed use without substantial alteration, extension or re-building; it would not cause conflict with existing farming operations, including severance or disruption to the holding that would prejudice its continued viable operation; and the development proposals are compatible with extant uses on the site and existing and planned uses in close proximity to the site.

Furthermore, proposals should be physically capable of being converted in terms of their size, soundness and structural stability, without recourse to extensive rebuilding, alteration or extension.

Barns 1, 2 and 3 are traditional stone built Cotswolds barns that are considered to be non-designated heritage assets. Given the size of the buildings they are no longer suitable for modern day farming practices. While Barn 3 has previously been partially used for a business use this has ceased a number of years ago. Given the location of the barns and scale of the buildings it is unlikely that a long term viable use could be secured for the buildings other than residential. As such it is considered that the change of use to residential would secure a long term viable use for these non-designated heritage assets that would otherwise potentially remain empty and fall into disrepair.

Barns 1 and 2 are single storey linear buildings. The open frontages are proposed to be infilled with glazed openings and timber boarding left to silver. No additional openings are required. It is considered that the buildings are structurally sound and capable of conversion with limited alteration. The proposals would represent a sympathetic conversion that would conserve the significance of the assets and their setting.

Barn 3 is a two storey building albeit it currently without an internal second floor. The existing openings at ground and first floor would be utilised to facilitate the conversion to a dwelling. It is considered that the building is structurally sound and capable of conversion with limited alteration. The proposals would represent a sympathetic conversion that would conserve the significance of the asset and its setting.

Barn 4 is a long dutch barn. Typically these barns are not capable of conversion without substantial works given the limited foundations and lightweight cladding to a metal frame. However this barn is set upon at least 2m deep concrete base and has blockwork plinth. This barn was previously used to store 100's of tonnes of grain. As such this building unlike most dutch barns is capable of supporting the installation of a 1st floor utilising the existing foundations and frame without the need for additional structural reinforcements. The existing metal cladding would be replaced with timber weatherboarding left to silver and a metal standing seam roof. The ends of the barns would be clad in Cotswold stone. These alterations are not considered to be tantamount to a new build dwelling and are purely cosmetic. It is considered that the building is structurally sound and capable of conversion with limited alteration and given the high quality materials proposed would represent a visual enhancement to the buildings and surrounding landscape.

The proposals would also result in the demolition of barn 5 which is a large metal clad structure within close proximity to the public highway while it is of functional appearance it does detract from the character and appearance of the area and block views across the fields. Its removal would result in a visual and landscape enhancement to the area.

It is considered that the proposals to convert the 4 barns into 5 residential units would comply with policies EN13 and EC6 of the Cotswold Local Plan.

### **(b) Impact on the 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(1) of the Countryside and Rights of Way Act 2000).

Paragraph 170 of the NPPF states that planning policies and decision should contribute to and enhance the natural and local environment by 'protecting and enhancing valued landscapes' and 'recognising the intrinsic character and beauty of the countryside'.

Paragraph 172 of the NPPF states that 'great weight should be given to conserving and enhancing landscape and scenic beauty in ... Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues.'

#### **Policy EN2 Design of the Built and Natural Environment**

Development will be permitted which accords with the Cotswold Design Code. Proposals should be of design quality that respects the character and distinctive appearance of the locality.

#### **Policy EN4 The Wider Natural and Historic Landscape states:**

1. Development will be permitted where it does not have a significant detrimental impact on the natural and historic landscape (including the tranquillity of the countryside) of Cotswold District or neighbouring areas.
2. Proposals will take account of landscape and historic landscape character, visual quality and local distinctiveness. They will be expected to enhance, restore and better manage the natural and historic landscape, and any significant landscape features and elements, including key views, the setting of settlements, settlement patterns and heritage assets.

#### **Policy EN5 Cotswolds Area of Outstanding Natural Beauty (AONB) states:**

1. In determining development proposals within the AONB or its setting, the conservation and enhancement of the natural beauty of the landscape, its character and special qualities will be given great weight.
2. Major development will not be permitted within the AONB unless it satisfies the exceptions set out in National Policy and Guidance.

The application site comprises a group of traditional and modern farm buildings set within a rural landscape. The existing buildings are clearly visible from the public highway. The proposals would sympathetically convert barns 1-4 and result in the demolition of barn 5.

While Barn 4 is a modern dutch barn this is reflective of its former agricultural function. The building is already in situ and forms part of the landscape in this area. The proposed timber cladding left to weather would present a visual improvement to the building over the current metal sheet cladding. Concerns have been raised by the parish with regards to the standing metal seam roof. The nature of this material is that it is not reflective and has a matt finish; it is considered to be sympathetic to the conversion of the building and reflective of the original metal sheeting on the existing barn. It should be noted that the metal cladding on the building and roof could under current permitted development rights afforded to the agricultural building be replaced by galvanised metal sheeting which would be more reflective.

Barn 5 is a large metal clad building within close proximity to the public highway. While it is of functional appearance, it is commercial in scale and design and is considered to detract from the character and appearance of the AONB in this location. In addition it reduces views across the fields and wider AONB. Its demolition would result in a visual and landscape enhancement to the AONB in this location.

The remaining barns would be sympathetically converted and would maintain the character and appearance of the AONB. The proposals include the provision of landscape enhancements to the boundaries and in particular to area of land to the west of the highway and east of unit 5. It is considered reasonable to condition a landscaping scheme and its implementation to ensure that this landscaping is carried out in a sympathetic manner to this rural location.

It is considered reasonable to remove permitted development rights from the residential units to ensure that the character and appearance of the buildings and their curtilage are controlled from potentially inappropriate development.

In relation to potential light spill from the converted buildings this would be relatively limited being domestic level internal lighting. Any external lighting could be suitably controlled by planning condition requiring the submission of details prior to installation.

The proposed garage building to serve unit 5 would be a simple linear, single storey, timber building. It would provide a 3 bay car port and a garage/storage area with 2 bays totally 14m in length and 6.5m in depth. The building would provide sufficient off street parking to serve the 5 bedroom property with flexibility to provide ancillary storage thereby negating the need for ancillary domestic buildings within the curtilage. The positioning of the garage would also ensure that parked cars were not as visible from the public realm.

A small ancillary 1.9m high close boarded timber fenced enclosure is proposed to serve as a permanent bin store to the right of the access behind the existing stone wall. The enclosure would be of sufficient size to accommodate the bins and screen them from public view and constructed in timber fencing that would be left to silver and weather naturally.

The proposals are considered to maintain and enhance the character and appearance of the AONB in this location. Views across the site would be opened up through the removal of Barn 5 which is currently a large commercial sized metal sheet covered building adjacent to the highway. The proposals are therefore considered to accord with national and local planning policies and would represent an overall enhancement to the character and appearance of the AONB.

### **(c) Biodiversity**

Policy EN8 of the Cotswold Local Plan sets out that development will be permitted that conserves and enhances biodiversity and geodiversity, providing net gains where possible.

Para 175 of the NPPF sets out that 'when determining planning applications, local planning authorities should apply the following principles:

- a) if significant harm to biodiversity resulting from development cannot be avoided (through locating on an alternative site with less harmful impacts) adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;
- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and
- d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

The council's biodiversity officer has been consulted on the proposals and raises no objections subject to conditions.

A supplementary survey of the buildings to update previous surveys in 2014 and 2016 for bats and barn owls was provided with the application. The supplementary 2018 survey confirms that the buildings are in a similar condition and found no evidence of roosting bats. No further bat surveys were therefore required. Mitigation is proposed within Section 6 of the report by AD ecology (dated 4th August 2018) and this is confirmed on the proposed plans. As such the proposals are subject to conditions to secure the mitigation are considered to accord with Policy EN8.

#### **(d) Highways**

The NPPF does not set minimum or maximum parking standards however it sets out at para 105 that local planning authorities should take into account, the accessibility of the development, the type, mix and use of development, the availability of and opportunities for public transport, local car ownership levels; and an overall need to reduce the use of high-emission vehicles.

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

Local Plan policy INF5 (Parking Provision) requires development to make provisions for residential vehicle parking where there is clear and compelling evidence that such provision is necessary to manage the local road network.

Paragraph 79 of the NPPF: "Planning policies and decisions should avoid the development of isolated homes in the countryside unless (...) the development would re-use redundant or disused buildings and enhances its immediate setting (...)"'. While the site would for new build development be considered unsustainably located. The government does not put the onus on accessibility via alternatives to the private car as the sustainability of re-using redundant overcomes the unsustainable location.

The application site would be served by the existing access of a 60mph road. The requirement therefore is for visibility splays in both directions of 215m. The visibility splays have been plotted and demonstrate that the required visibility can be achieved in either direction to which the County Highways Authority agrees.

As the access road would serve 5 vehicles it would not be an adopted highway and therefore refuse would need to be collected from the kerbside. Under Building Regulations (2010) developers need to ensure that householders do not have to carry waste containers further than 30m. This is also detailed within the Cotswold District Council 'Requirements for refuse and recycling provision at new developments' guidance, section 6.8.9 of the Manual for Streets.

The Cotswold District Council Requirements for refuse and recycling provision at new developments document acknowledges that 'rural areas of the district can present their own problems when dealing with domestic waste. Existing properties located along unadopted highways and tracks are usually required to bring their waste down to a pre-arranged collection point. Where this is the case, the council may issue householders with beige refuse sacks. Nonetheless, such dwellings will still need to be furnished with adequate storage space for appropriate waste and recycling receptacles and many will still wish to use a bin or at least contain their sacks in a bin until collection day.'

An amended site layout plan has been provided detailing the construction of a small refuse enclosure that would be the permanent storage area for the bins. This would therefore overcome the highway officer objections in relation to the moving of waste containers more than 30m. A condition is recommended that would ensure that the dwellings could not store bins outside of their properties which again would also ensure that the bins would not require moving along the

access road. In addition the bins would be accessible to the waste collectors and screened from view.

Each property would have its own access and parking area which would provide sufficient off street parking commensurate with the size of the dwellings. There would be sufficient space within each plot for cars to enter and exit in a forward gear.

Concerns have been raised regarding potential vehicle movements. It must be noted that the previous use as a grain store would have generated significant number of large vehicle movements. While the daily movements from 5 residential dwellings would generate additional domestic scale vehicle movements it is considered that this would not result in a significant adverse impact on the surrounding highway network to warrant refusal of the application.

The highways objection raised is with regards to the lack of the provision of an internal segregated pedestrian route within the site which therefore does not prioritise pedestrian movements or address the needs of disabled people and reduced mobility. Given the rural location of the site the provision of a separate footpath within the site would only link to the public highway which has no footpath itself anyway. The access would serve the residential properties proposed through the barn conversion, as such the likelihood of the occupants of those properties wishing to walk or cycle within the surrounding countryside would not expect a designated footpath or cycleway due to the rural location. The provision of a separate footpath would result in an urbanisation effect of an urban access road within a rural setting. It is considered while an objection has been received from County Highways with regards to the above given the rural context of the site and lack of connecting footpath the provision of a segregated footpath is not required and would result in harm to the character and appearance of the area if provided.

The Highways officer also raises concerns regarding forward visibility around bends within the development adjacent to barn 1 and 4. The highways officer appears to not recognise that the proposed fencing adjacent to the access route is a post and rail fence which by its nature is open and visible through.

Therefore while objections have been received from County Highways it is officer's opinions that due to the rural location of the development the implementation of highways requirements for a segregated footpath to an unfootpathed highway are unreasonable and not necessary. The visibility through a post and rail fence would not hinder cars using the access route due to the nature of its construction. The fencing would form part of the formal landscaping scheme and as such can be suitably controlled to ensure that the design allows views through. It is clear given the location of the site that any future occupants of this site would be using cars to access. However the sustainability balance is from re-using redundant buildings rather than building new ones.

The highways officer accepts that the site would be served by a safe and suitable access achieving the required visibility in either direction. The layout out of the scheme provides sufficient off street parking and turning within the site that would allow cars to enter and exit in a forward gear. The issue of waste collection would be overcome by the provision of a permanent bin storage area. As such the proposals would not give rise to any highway safety concerns and are considered to accord with national and local planning policy.

#### **(e) Archaeology**

Para 193 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Policy EN10 of the Cotswold District Plan states that in considering proposals that affect a designated heritage asset or its setting, great weight will be given to the asset's conservation. The more important the asset, the greater the weight should be.

Development proposals that sustain and enhance the character, appearance and significance of designated heritage assets (and their settings), and that put them to viable uses, consistent with their conservation, will be permitted.

Proposals that would lead to harm to the significance of a designated heritage asset or its setting will not be permitted, unless a clear and convincing justification of public benefit can be demonstrated to outweigh that harm. Any such assessment will take account, in the balance of material considerations:

- the importance of the asset;
- the scale of harm; and
- the nature and level of the public benefit of the proposal.

The site is located within close proximity to the earthwork remains of the medieval village of Hullasey, which is designated a Scheduled Monument in recognition of the national importance of the remains. In addition, the application site is thought to contain the site of a medieval chapel and an associated graveyard.

The application is supported by a Heritage Settings Assessment (Cotswold Archaeology, June 2016), which concludes that the proposed development will have no significant impacts on the nearby Scheduled Monument and its setting. The Council's Archaeologist agrees with that conclusion.

The Heritage Settings Assessment also confirms the potential presence of a medieval chapel and associated graves within the application site. The precise location of the chapel and the extent of any associated graveyard are not known as such a condition is recommended to ensure provision for archaeological monitoring of any ground works required for the proposed development.

Subject to condition it is considered that the potential impacts on archaeological interests would be mitigated.

#### **(f) Drainage**

Policy EN14 of the Cotswold District Local Plan sets out that:

1. Development proposals must avoid areas at risk of flooding, in accordance with a risk-based sequential approach that takes account of all potential sources of flooding. Proposals should not increase the level of risk to the safety of occupiers of a site, the local community or the wider environment as a result of flooding.
2. Minimising flood risk and providing resilience to flooding will be achieved by:
  - a. applying the sequential test for assessment of applications for development in Flood Zones 2 or 3, applying the exception test where necessary and in that event requiring developers to demonstrate that both limbs of the exception test can be satisfied;
  - b. requiring a site specific flood risk assessment for:
    - i. proposals of one hectare or greater in Flood Zone 1;
    - ii. all proposals in Flood Zones 2 and 3; or
    - iii. proposals in an area in Flood Zone 1 that has critical drainage problems.
3. The design and layout of development proposals will take account of flood risk management and climate change and will include, unless demonstrably inappropriate, a Sustainable Drainage System (SuDS).
4. Developers will, where required, fund flood management and/or mitigation measures for the expected lifetime of the development including adequate provision for on-going maintenance.

The application site is located within Flood Zone 1 which is an area least likely to be at risk of flooding. The Council's drainage officer has commented on the proposals and raises no objections subject to a surface water drainage scheme being provided. As such it is considered that the proposals would accord with Policy EN14 and would not give rise to any increased risk of flooding.

### **(g) Affordable Housing**

Policy H2 of the Cotswold Local Plan sets out that all housing developments that provide a gross floorspace of over 1000sqm will be expected to contribute towards affordable housing.

The existing barns on site total an internal floorspace of 1067 sqm.

The proposals would demolish barn 5 which currently provides 366sqm of floorspace and partially demolish some elements of barn 4 which currently has a floor area of 374sqm.

Barn 1 and 2 are single storey and therefore the floorspace for these 2 barns remains the same at 77sqm for Barn 1 and 112sqm for barn 2.

Barn 3 would include the insertion of a first floor over part of the building and a small extension that would increase the existing floorspace from 168sqm to 279sqm.

Barn 4 currently provides 375sqm of floorspace. The proposals include the insertion of a 1st floor and partial demolition of areas of the barn. This would result in an over floorspace for barn 4 of 600sqm plus the garage to plot 5 which has a floorspace of 78sqm.

This result in an overall floorspace of 1146sqm which therefore would trigger the requirement for affordable housing contributions.

However vacant building credit is a material consideration. Vacant Building Credit (VBC) is a national policy incentive for brownfield development on sites containing vacant buildings. Essentially VBC means that where a vacant building is brought back into any lawful use, or is demolished to be replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross floorspace of relevant vacant buildings when the local planning authority calculates any affordable housing contribution which will be sought. Affordable housing contributions may be required for any increase in floorspace.

NPPG sets out a process for determining VBC and states as follows:

"Where there is an overall increase in floorspace in the proposed development, the local planning authority should calculate the amount of affordable housing contributions required from the development as set out in their Local Plan.

A 'credit' should then be applied which is the equivalent of the gross floorspace of any relevant vacant buildings being brought back into use or demolished as part of the scheme and deducted from the overall affordable housing contribution calculation.

This will apply in calculating either the number of affordable housing units to be provided within the development or where an equivalent financial contribution is being provided.

The existing floorspace of a vacant building should be credited against the floorspace of the new development."

The NPPG provides the following example:

"Where a building with a gross floorspace of 8,000 square metre building is demolished as part of a proposed development with a gross floorspace of 10,000 square metres, any affordable housing contribution should be a fifth of what would normally be sought."

The NPPG does however, makes it clear that VBC does not apply where the building has been abandoned. The vacant building credit applies where the building has not been abandoned. In considering how the vacant building credit should apply to a particular development, local planning authorities should have regard to the intention of national policy (i.e. to incentivise brownfield development, including the reuse or redevelopment of empty and redundant buildings). In doing so, the NPPG states that it may be appropriate for authorities to consider:

Whether the building has been made vacant for the sole purposes of re-development.

Whether the building is covered by an extant or recently expired planning permission for the same or substantially the same development.

The buildings are currently vacant and are not considered to be abandoned or made vacant for the purposes of re-development.

The proposals would trigger the requirement for affordable housing contributions which for brownfield sites such as this would be 30% (1.5 dwellings).

The vacant building credit represents 93%. The affordable housing credit is therefore  $1.5 \times 93\% + 1.39$  units. This results in an affordable housing requirement of  $1.5 - 1.39 = 0.11$  units.

As such it is clear that the vacant building credit that can be afforded to the site overrides the affordable housing requirement as it results in a requirement of 0.11 units which therefore could not be provided on site and as such an off-site financial contribution would be sought in accordance with Part 4 of Policy H2. This would result in an offsite contribution of £16,458.75. The applicant has agreed to provide the financial contribution and a legal agreement is being sought. An update will be provided to members at committee.

The provision of an affordable housing contribution can be afforded significant weight, particularly in light of the local and District affordable housing need.

## **9. Conclusion:**

The proposals would represent a sympathetic conversion of a group of redundant farm buildings. The stone barns are considered non-designated heritage assets and the proposals would secure long term viable uses for the buildings. The proposals subject to conditions would not give rise to highway, biodiversity or archaeological concerns. The proposals would represent a sustainable re-use of buildings. The proposals would provide an affordable housing financial contribution which is a public benefit of the scheme. As such the proposals are recommended for approval.

## **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): 10 REV A, 9 REV D, 8 REV B, 13 REV A, 14 REV A, 1 REV B, 15

**Reason:** For purposes of clarity and for the avoidance of doubt, in accordance with 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 or outbuildings shall be erected, constructed or sited and new openings created other than those permitted by this Decision Notice..

**Reason:** In order to preserve the rural character and appearance of the area in accordance with Cotswold District Local Plan Policies 8 and 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 fences, walls, gates, gate piers or other means of enclosure shall be erected, constructed or sited in the application site.

**Reason:** In order to preserve the rural character and appearance of the area in accordance with Cotswold District Local Plan Policies 8 and 42.

Prior to the installation of any external lighting, details shall be submitted to and agreed in writing by the Local Planning Authority which specifies the provisions to be made for the level of illumination of the site and the control of light pollution. The scheme should be implemented and maintained in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To prevent light pollution in accordance in accordance with Cotswold District Local Plan Policy EN15.

Prior to the commencement of development, a full surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the size, position and construction of the drainage scheme and results of soakage tests carried out at the site to demonstrate the infiltration rate. Three tests should be carried out for each soakage pit as per BRE 365 with the lowest infiltration rate (expressed in m/s) used for design. The details shall include a management plan setting out the maintenance of the drainage asset. The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved and shall be maintained in accordance with the management plan thereafter.

**Reason:** To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality (The Cotswold Strategic Flood Risk Assessment, National Planning Policy Framework and Planning Practice Guidance).

No development shall take place until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development begins. If any significant contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority before any development begins.

**Reason:** To ensure any contamination of the site is identified and appropriately remediated.  
**Relevant Policies:** Cotswold District Local Plan Policy EN15 and Section 15 of the NPPF.

The Remediation Scheme, as agreed in writing by the Local Planning Authority, shall be fully implemented in accordance with the approved timetable of works and before the development hereby permitted is first occupied. Any variation to the scheme shall be agreed in writing with the Local Planning Authority in advance of works being undertaken. On completion of the works the developer shall submit to the Local Planning Authority written confirmation that all works were completed in accordance with the agreed details.

If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.

**Reason:** To ensure any contamination of the site is identified and appropriately remediated.  
**Relevant Policies:** Cotswold District Local Plan Policy EN15 and Section 15 of the NPPF.

No development shall take place within the application site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, including a timetable for the submission of the findings, which has been submitted by the applicant and approved in writing by the Local Planning Authority.

**Reason:** To ensure that items of archaeological interest are properly recorded. Such items would potentially be lost if development was commenced prior to the implementation of a programme of archaeological work. It is therefore important that such a programme is agreed prior to the commencement of development.

The development shall be completed in accordance with the recommendations in Section 6 of the Phase 1, Phase 2 and Supplementary Bat Surveys Final Report dated 4th August 2018 prepared by AD Ecology Ltd. All the recommendations shall be implemented in full according to the specified timescales, unless otherwise agreed in writing by the local planning authority.

**Reason:** To ensure that bats, barn owls and nesting birds are protected in accordance with The Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981 as amended, Circular 06/2005, the National Planning Policy Framework (in particular Chapter 15), policies EN1, EN2, EN7, EN8 and EN9 of the Cotswold District Local Plan 2011-2031 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

Prior to the first occupation of any residential unit, full details of the pole-mounted barn owl box shall be submitted to the local planning authority for approval. The details shall include drawings showing the type of box, dimensions, materials, exact location (in the general location shown on drawing number 2357-9-B), type of pole and construction methodology. The approved details shall be implemented in full and the barn owl box shall be retained thereafter.

**Reason:** To provide adequate compensation for the loss of an existing barn owl nest box in one of the barn buildings in accordance with the EC Wild Birds Directive, the Wildlife and Countryside Act 1981, Local Plan Policy EN8, Chapter 15 of the National Planning Policy Framework and Section 40 of the Natural Environment and Rural Communities Act 2006.

No refuse or recycling bins or containers shall be stored/placed outside the curtilages of the dwellings hereby approved. Bins and recycling bins or containers shall only be stored within the bin store as indicated on plan 9 REV D.

**Reason:** In order to prevent the proliferation of bins and containers along the access drive and at the junction of the access drive in the interests of visual amenity and highway safety in accordance with Local Plan Policies EN2 and INF4.

Prior to the first occupation of any residential unit on the site, the bin store enclosure shall be constructed in accordance with Plan ref 9 Rev D. The timber enclosure shall not be treated in anyway and left to weather and silver.

**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 EN2.

Landscaping on the boundary of the site shall be completed by the end of the first planting season following the start of construction and the remainder by the end of the planting season immediately following the development being brought into use or occupied.

**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 EN4.

The grain dryer building (barn 5) shall be removed from site prior to the first occupation of any residential unit on site.

**Reason:** To ensure that the landscape enhance from the removal of barn 5 is carried out and thereby achieving the objective of Cotswold District Local Plan Policy EN4 and EN5.

**Informative:**

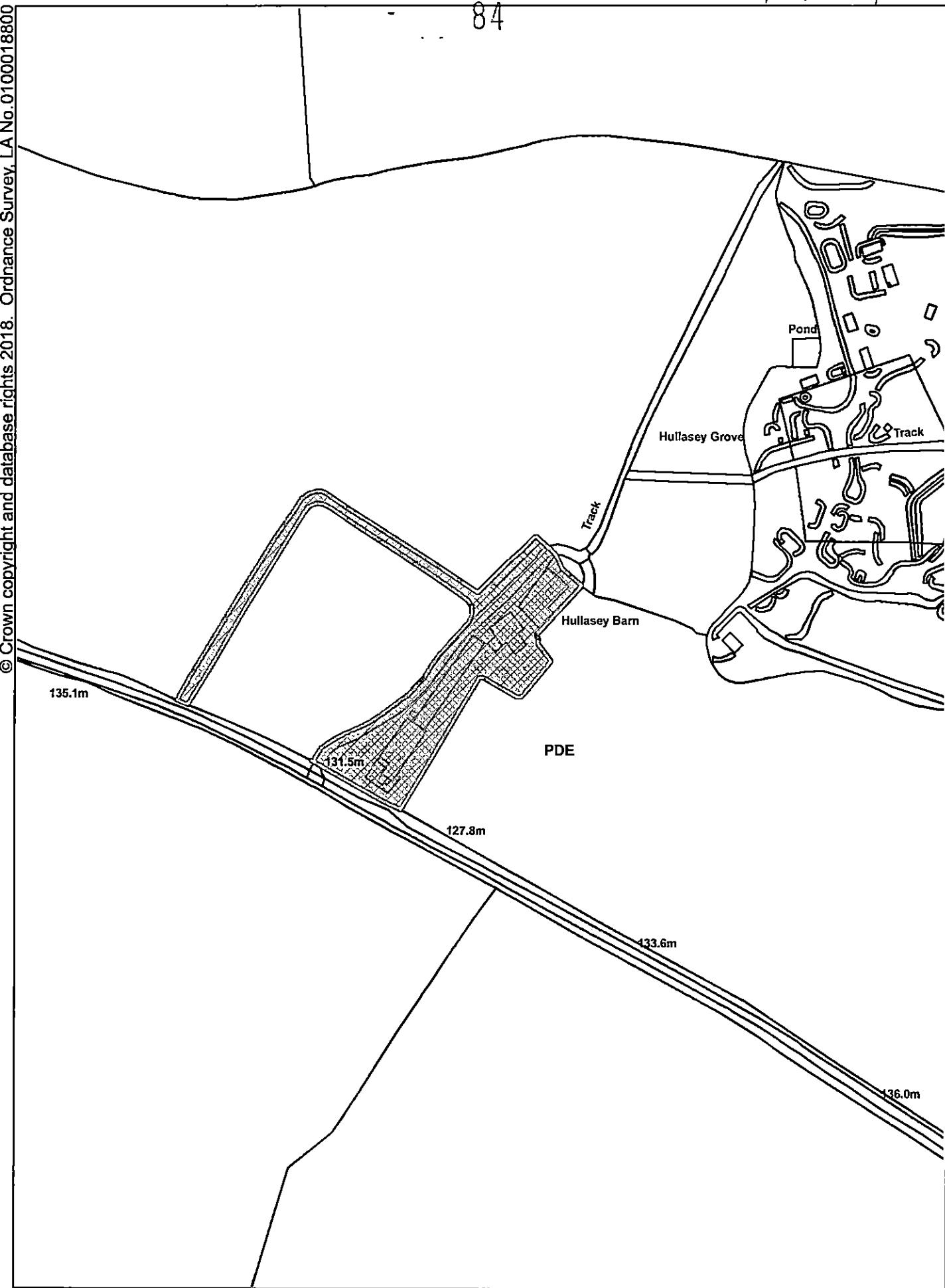
The Surface Water Drainage scheme should, where possible, incorporate Sustainable Drainage Techniques in order to ensure compliance with;

- Flood and Water Management Act 2010 (Part 1 - Clause 27 (1))
- Code for sustainable homes - A step-change in sustainable home building practice
- The local flood risk management strategy published by Gloucestershire County Council, as per the Flood and Water Management Act 2010 (Part 1 - Clause 9 (1))
- CIRIA C753 SuDS Manual 2015

18/04696 | PUL

84

© Crown copyright and database rights 2018. Ordnance Survey LA No. 01000018800



### HULLASEY BARNS TARLTON GLOS

Scale: 1:2500



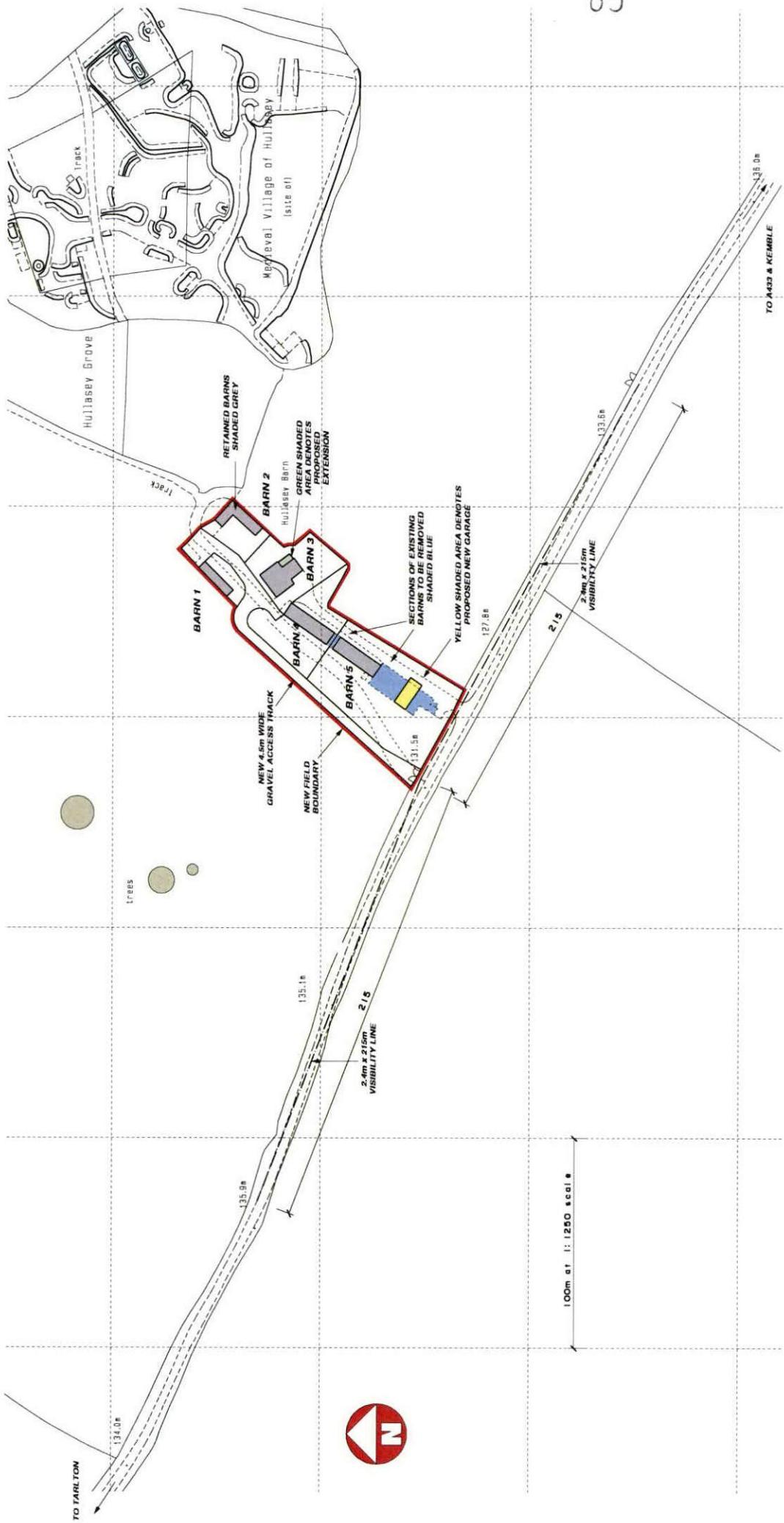
**COTSWOLD  
DISTRICT COUNCIL**

Organisation: Cotswold District Council

Department:

Date: 28/03/2019





## PROPOSED LOCATION PLAN 1:1250

Dronfield Survey (c) Crown Copyright 2016. All rights reserved. Licence number 10002242

CLIENT:		TITLE:		This drawing is COPYRIGHT ©	
The Bathurst Estate		PROPOSED LOCATION PLAN			
		Date:	5/16	Scale:	1:1250 at A2
		Project No:	2357	Dwg No:	Rev:
B	vis lines added	3/19		8	B
A	site layout amended, red & blue boundary lines amended	1/19	Hullasay, Tarlton, Cirencester, Glos.		
Revision	Description	Date			

**DANIEL STEWART**  
ARCHITECTURAL SERVICES LTD

Rockness House, Rockness Hill,  
Nailsworth, Stroud, Glos. GL6 0JS  
Tel: 01453 835007

86

**KEY**

- Denotes specimen native Little trees.
- Denotes traditional native mixed hedge species: 20% Hawthorn, 10% Hazel, 20% Blackthorn, 10% Spindle, 10% Corn Almond, 10% Buckthorn, 10% Guelder Rose.
- Denotes Tree hedge

D	Site Area Number	2018	CHEMIST
C	Vehicle Areas	2019	The Bathurst Estate
B	Car Park Areas	2019	
A	Access & Site Boundaries	2019	LOCATION
	Ordnance Survey Grid Reference	1:10	Hillmasey, Tarlton, Cheltenham, Glos.
	Date		

**DANIEL STEWART**  
ARCHITECTURAL SERVICES LTD  
Woodstock House, Burford Hill,  
Nailsworth, Stroud, Glos GL6 0JS  
Tel: 01453 855007

TITLE: PROPOSED ALTERATIONS  
PROPOSED ALTERATIONS  
SITE PLAN

This drawing is COPYRIGHT ©

Date: 5/16 Scale: 1:250 at A1

Project No.: 2367 Dwg No.: 9 Rev: D

**PROPOSED SITE PLAN 1:250**