



3 December 2024

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PLANNING AND LICENSING COMMITTEE

A meeting of the Planning and Licensing Committee will be held in the Council Chamber - Council Offices, Trinity Road, Cirencester, GL7 1PX on **Wednesday, 11 December 2024 at 2.00 pm.**

A handwritten signature in black ink, appearing to read 'Rob Weaver'.

Rob Weaver
Chief Executive

To: Members of the Planning and Licensing Committee
(Councillors Ray Brassington, Patrick Coleman, Dilys Neill, Michael Vann, Mark Harris, Ian Watson, Gary Selwyn, Julia Judd, David Fowles, Daryl Corps and Andrew Maclean)

Recording of Proceedings – The law allows the public proceedings of Council, Cabinet, and Committee Meetings to be recorded, which includes filming as well as audio-recording. Photography is also permitted.

As a matter of courtesy, if you intend to record any part of the proceedings please let the Committee Administrator know prior to the date of the meeting.

AGENDA

1. **Apologies**

To receive any apologies for absence.

The quorum for the Planning and Licensing Committee is 3 members.

2. **Substitute Members**

To note details of any substitution arrangements in place for the Meeting.

3. **Declarations of Interest**

To receive any declarations of interest from Members and Officers, relating to items to be considered at the meeting.

4. **Minutes**

To confirm the minutes of the meeting of the Committee held on 13 November 2024.

5. **Chair's Announcements**

To receive any announcements from the Chair of the Planning and Licensing Committee

6. **Public questions**

A maximum of 15 minutes is allocated for an "open forum" of public questions at committee meetings. No person may ask more than two questions (including supplementary questions) and no more than two such questions may be asked on behalf of one organisation. The maximum length of oral questions or supplementary questions by the public will be two minutes. Questions must relate to the responsibilities of the Committee but questions in this section cannot relate to applications for determination at the meeting.

The response may take the form of:

- a) A direct oral response (maximum length: 2 minutes);
- b) Where the desired information is in a publication of the Council or other published work, a reference to that publication; or
- c) Where the reply cannot conveniently be given orally, a written answer circulated later to the questioner.

7. **Member questions**

A maximum period of fifteen minutes is allowed for Member questions. Questions must be directed to the Chair and must relate to the remit of the committee but may not relate to applications for determination at the meeting.

Questions will be asked in the order notice of them was received, except that the Chair may group together similar questions.

The deadline for submitting questions is 5.00pm on the working day before the day of the meeting unless the Chair agrees that the question relates to an urgent matter, in which case the deadline is 9.30am on the day of the meeting.

A member may submit no more than two questions. At the meeting the member may ask a supplementary question arising directly from the original question or the reply. The maximum length of a supplementary question is one minute.

The response to a question or supplementary question may take the form of:

- a) A direct oral response (maximum length: 2 minutes);
- b) Where the desired information is in a publication of the Council or other published work, a reference to that publication; or
- c) Where the reply cannot conveniently be given orally, a written answer circulated later to the questioner.

Schedule of Applications

To consider and determine the applications contained within the enclosed schedule:

8. **24/00066/FUL - New Barn Farm, Temple Guiting** (Pages 7 - 64)

Proposal

Conversion of a traditional barn to residential use and the erection of five new-build residential dwellings, the provision of landscaping, demolition of five existing agricultural barns and associated works at New Barn Farm Temple Guiting Cheltenham Gloucestershire GL54 5RW

Case Officer

Martin Perks

Ward Member

Councillor Len Wilkins

Recommendation

Refuse

9. **Sites Inspection Briefing**

Members for 8 January 2025 (if required)

Councillors Ray Brassington, Daryl Corps, Mark Harris, Andrew Maclean, Gary Selwyn and Michael Vann

10. **Licensing Sub-Committee**

Members for 18 December 2024 Licensing Sub-Committee (Taxis, Private Hire, and Street Trading Consent Matters) (if required – to be confirmed at the meeting)

Councillors Mark Harris, Julia Judd, David Fowles, Ian Watson and Michael Vann

(END)



Planning and Licensing Committee
13/November2024

Minutes of a meeting of Planning and Licensing Committee held on Wednesday, 13 November 2024

Members present:

Ray Brassington - Chair	Patrick Coleman – Vice Chair	
Michael Vann	Gary Selwyn	Daryl Corps
Mark Harris	Julia Judd	Andrew Maclean
Ian Watson	David Fowles	

Officers present:

Ana Prelici, Governance Officer	Kevin Dunford, Licensing Officer
Mandy Fathers, Business Manager for Environmental, Welfare and Revenue Service	

61 Apologies

Apologies were received from Councillor Dilys Neill.

62 Substitute Members

There were no substitute members.

63 Declarations of Interest

There were no declarations of interest.

64 Minutes

The minutes of the meeting held on 16 November were considered. There were no amendments to the minutes.

The proposal to accept the minutes was proposed by Councillor Andrew Maclean and seconded by Councillor Gary Selwyn.

Minutes of previous meeting (Resolution)

RESOLVED: That the Planning and Licensing Committee APPROVED the minutes as a correct record.

For	Ray Brassington, Patrick Coleman, Daryl Corps, David Fowles, Mark Harris, Julia Judd, Andrew Maclean, Gary Selwyn, Michael Vann and Ian Watson	10
Against	None	0
Conflict Of Interests	None	0
Abstain	None	0
Carried		

65 Chair's Announcements

The Chair stated that Ana Prelici, the Committee's Clerk was leaving the Council due to an external promotion. The Chair thanked her for her work and wished her the best for the future.

66 Public questions

There were no public questions.

67 Member questions

There were no Member questions.

68 Gambling Act 2005 Statement of Principles (Policy) Review 2024

The Business Manager for Environmental, Welfare and Revenues introduced the item.

They explained that a statutory consultation had been carried out, after which it was decided to make a 'no casino' resolution.

This recommendation had also been made in 2006 and subsequently, Council had resolved that this be renewed at meetings in 2009, 2012, 2015 and 2022, in line with the requirement to review this once every three years.

Members discussed the report, suggesting the following corrections and additions to the report, which the Business Manager stated they would include before consideration at Full Council;

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- The Licensing Officer confirmed that ‘Intelligence’ in ‘Intelligence based inspection programme’ referred to police intelligence. This would be explicitly defined within the report.
- The definition of “young person” to be included.
- The definition of the machine categories (i.e. A, B, C etc.) would be included.

Members also asked the following questions;

- Whether online betting was included within this. The Business Manager explained that this was regulated by the gambling commission.
- How many applications for casinos were received. The Licensing Officer said that there were very few, estimating approximately one every few years.
- What ‘adult gaming centres’ were. The Licensing Officer explained this was ‘fruit machine’ type gambling, in sectioned off areas, for instance, in service stations.

Members thanked Officers for their work on the policy and highlighted the importance that these policies be as transparent as possible.

The recommendations were proposed by Councillor Patrick Coleman and seconded by Councillor Julia Judd.

Gambling Act 2005 Statement of Principles (Policy) Review 2024 (Resolution)		
RESOLVED: That the Planning and Licensing Committee RECOMMENDED to Full Council to:		
<ol style="list-style-type: none"> 1. Approve the Statement of Principles; and, 2. Adopt a “no-casino resolution” for inclusions in the published Gambling Act 2005 Licensing Policy Statement. 		
For	Ray Brassington, Patrick Coleman, Daryl Corps, David Fowles, Mark Harris, Julia Judd, Andrew Maclean, Gary Selwyn, Michael Vann and Ian Watson	10
Against	None	0
Conflict Of Interests	None	0
Abstain	None	0
Carried		

69 Sites Inspection Briefing

No Sites Inspection Briefing was needed.

70 Licensing Sub-Committee

No Licensing Sub-Committee was needed.

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The Meeting commenced at 2.00 pm and closed at 2.20 pm

Chair

(END)

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SCHEDULE OF APPLICATIONS FOR CONSIDERATION AND DECISION (HP)

- **Members are asked to determine the applications in this Schedule. My recommendations are given at the end of each report. Members should get in touch with the case officer if they wish to have any further information on any applications.**
- **Applications have been considered in the light of national planning policy guidance, the Development Plan and any relevant non-statutory supplementary planning guidance.**
- The following legislation is of particular importance in the consideration and determination of the applications contained in this Schedule:
 - **Planning Permission:** Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that “where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 - special regard to the desirability of preserving the (listed) building or its setting or any features of special architectural or historic interest.
 - **Listed Building Consent:** Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 - special regard to the desirability of preserving the (listed) building or its setting or any features of special architectural or historic interest.
 - **Display of Advertisements:** Town and Country Planning (Control of Advertisements) (England) Regulations 2007 - powers to be exercised only in the interests of amenity, including any feature of historic, architectural, cultural or similar interest and public safety.
- The reference to **Key Policy Background** in the reports is intended only to highlight the policies most relevant to each case. Other policies, or other material circumstances, may also apply and could lead to a different decision being made to that recommended by the Officer.
- Any responses to consultations received after this report had been printed, will be reported at the meeting, either in the form of lists of **Additional Representations**, or orally. Late information might result in a change in my recommendation.
- The **Background Papers** referred to in compiling these reports are: the application form; the accompanying certificates and plans and any other information provided by the applicant/agent; responses from bodies or persons consulted on the application; other representations supporting or objecting to the application.

PLANNING AND LICENSING COMMITTEE 11 December 2024
INDEX TO APPLICATIONS FOR CONSIDERATION AND DECISION

Parish	Application	Schedule Order No.
Temple Guiting	New Barn Farm Temple Guiting Cheltenham Gloucestershire GL54 5RW 24/00066/FUL Full Application	1

Conversion of a traditional barn to residential use and the erection of five new-build residential dwellings, the provision of landscaping, demolition of five existing agricultural barns and associated works at New Barn Farm Temple Guiting Cheltenham Gloucestershire GL54 5RW

Full Application 24/00066/FUL	
Applicant:	Mackenzie Miller Developments Ltd
Agent:	Morgan Elliot Planning Ltd
Case Officer:	Martin Perks
Ward Member(s):	Councillor Len Wilkins
Committee Date:	11 December 2024
RECOMMENDATION:	REFUSE

1. Main Issues:

- (a) Residential Development in a Non-Principal Settlement
- (b) Affordable Housing and Housing Mix
- (c) Design and Impact on the Character and Appearance of Temple Guiting Conservation Area and the Significance of Non-Designated Heritage Assets
- (d) Impact on the Cotswolds National Landscape
- (e) Access and Parking
- (f) Impact on Residential Amenity
- (g) Biodiversity

2. Reasons for Referral:

- 2.1 This application has been referred to Planning and Licensing Committee following referral to the Committee Review Panel by Cllr Wilkins.

'The Review Panel agreed the request for the application to be heard by the Planning and Licensing Committee on the grounds that there was a careful balance to be struck between the impact of, and benefits arising from such development within the National Landscape and heritage context, and the application represented a suitable example where the Committee could express their view through the determination of this application.'

- 2.2 A copy of Cllr Wilkins reasons for referral are attached to this report.

3. Site Description:

- 3.1 This application relates to an existing farmyard and associated land located on the south-western edge of the village of Temple Guiting. The application site measures approximately 0.66 hectares in size and is occupied by a 19th century roadside stone barn and a range of post war agricultural barns. The eastern boundary of the site adjoins a Class C Highway. The northern boundary of the site adjoins Temple Guiting Church of England Primary School and an area of grassland associated with the farmyard. A village hall, car park and recreation ground are located to the north of the school and approximately 50m to the north of the application site.

The western boundary of the site adjoins agricultural fields. The southern boundary of the site adjoins a track (Mill Lane) and a single dwelling (New Barn Farm). Agricultural fields are located to the south of the track.

3.2 The site is located within the Cotswolds National Landscape (formerly Cotswolds Area of Outstanding Natural Beauty (AONB)).

3.3 The site is located within Temple Guiting Conservation Area (CA).

3.4 The site is located within Flood Zone 1.

4. Relevant Planning History:

4.1 CD.3930 Grain store building. Granted 1965

4.2 CD.3930/A Alterations to existing vehicular and pedestrian access. Granted 1987

4.3 CD.3930/B Use of existing mobile home as holiday accommodation. Refused 1988

4.4 CD.3930/C Application for continued use of shed to park three 24 tonne tipper trucks. Granted 1990

4.5 20/00200/FUL Conversion of 6 agricultural buildings into 7 self contained dwellings and associated works. Withdrawn 2021

5. Planning Policies:

- EC6 Conversion of Rural Buildings
- DS3 Small-scale Res Dev non-Principal Settle
- H1 Housing Mix & Tenure to meet local needs
- H2 Affordable Housing
- EN1 Built, Natural & Historic Environment
- EN2 Design of Built & Natural Environment
- EN4 The Wider Natural & Historic Landscape
- EN5 Cotswolds AONB
- EN7 Trees, Hedgerows & Woodlands
- EN8 Bio & Geo: Features Habitats & Species
- EN10 HE: Designated Heritage Assets
- EN11 HE: DHA - Conservation Areas
- EN12 HE: Non-designated Heritage Assets
- EN13 HE: Conv'n of non-domestic historic bldgs
- EN14 Managing Flood Risk
- EN15 Pollution & Contaminated Land
- INF3 Sustainable Transport
- INF4 Highway Safety
- INF5 Parking Provision
- INF7 Green Infrastructure

6. Observations of Consultees:

- 6.1 Gloucestershire County Council Highways: Views incorporated in report.
- 6.2 Conservation Officer: Objection. Comments incorporated into report.
- 6.3 Landscape Officer: Comments incorporated into report.
- 6.4 Tree Officer: No objection subject to conditions.
- 6.5 Biodiversity Officer: No objection subject to conditions
- 6.6 Environmental and Regulatory Services Contamination: No objection subject to condition.
- 6.7 Drainage Engineer: No objection subject to condition.

7. View of Parish Council:

7.1 Response received on the 7th March 2024:

- 7.1.1 *'Temple Guiting Parish Council has no objections to the application but does have a number of comments and concerns resulting from discussions at a planning committee meeting held on 29th February. These are listed below. 33 members of the public attended, together with representatives of the developers, their consultants and the freeholder.*
- 7.1.2 *The Parish Council appreciates that this application would achieve the main aim of restoring the traditional Cotswold stone barn which is the principal feature of the site. Building the other houses on the site will support this renovation and resolve the issue of the dilapidated and redundant farm buildings at this location.*
- 7.1.3 *The Council recognises that the applicant has taken steps to address concerns expressed by the Conservation Officer relating to the development of the site in such a way as to minimise the visual impact of the new houses on the surrounding countryside and the adjoining Diamond Way. It is also clear that the applicant has been at pains to formulate a scheme which is site sensitive and appropriate to the location within the Cotswolds AONB in terms of design, layout and construction materials.*
- 7.1.4 *At the Planning Committee meeting, members of the public and councillors expressed a number of significant concerns, focusing on the following:*
 - 1. *Sustainable energy*
 - 2. *Long term management of the site and biodiversity*
 - 3. *Surface water*
 - 4. *Foul drainage*
 - 5. *Lighting*
 - 6. *Absence of affordable housing*
 - 7. *Potential for part-time and/or rental occupation*
 - 8. *Access*
 - 9. *Construction traffic*
 - 10. *Safeguarding for the school*

- 11. *Overplanting*
- 12. *Waste management*

7.1.5 (1) Sustainable energy: Although the construction specification for the new houses should give rise to a high level EPC in terms of materials, fenestration and insulation, the Council is concerned that:
o The noise created by the multiple individual air source heat pumps is likely to be noticeable not just to residents but to walkers and local residents.

- *Air source heat pumps may not provide adequate heating, especially for the renovated barn.*
- *There are no measures to make a net contribution to energy creation*
- *The new builds are not to Passivhaus standards*
- *Solar panels have been dismissed at this stage, primarily it seems, for aesthetic reasons.*

Councillors recommend that ground source heat pumps are considered, either individual or one central unit for all the houses. Regarding PV panels, technological advances mean that PV panels can be virtually invisible e.g. if installed in place of tiles. TGPC requests that the developers revisit their decision.

7.1.6 (2) Long term management of the site and preservation of biodiversity gains: Although the applicant has sought to reassure the community with regard to the long-term management of the overall site and retention of the scheme as planned through a Management Company, several issues raised by the Council and participants in the public meeting have not been fully addressed. Clear covenants covering the owners' responsibilities and ensuring the requirement for the 30 year diversity net gains should be a condition of any planning permission and included in the terms of reference of the Management Company. A method of monitoring the Management Company and its compliance is also essential.

7.1.7 (3) Surface water: While the scheme includes plans for the satisfactory mitigation of excess surface water, including an excess to allow for the effects of climate change, the corner of the access road and the main road between TG and Kinton floods regularly. The Council recommends that further drainage work is considered to reduce this flooding.

7.1.8 (4) Foul sewage: The Parish Council questions the absence of a central foul sewage treatment plant as opposed to the individual units proposed for each house. A central treatment plant should offer higher standards of water being released into the nearby Windrush.

7.1.9 (5) Lighting: There is no reference in the Application to compliance with Dark Skies strategies promoted by both the Parish and District Council and the Cotswold AONB. To prevent intrusive lighting in an otherwise relatively unspoilt, dark area and disturbing nocturnal wildlife, compliance should be included as a condition of the development

7.1.10 (6) Absence of affordable housing: These houses, designed in a style which reflects the agricultural nature of the site, will be offered for sale on the open market. Councillors recognised that the introduction of 2 semi-detached 2 bed homes provides less

expensive accommodation, but these are still not affordable for local agricultural workers. Councillors regret that no affordable homes are included in the application.

- 7.1.11 (7) Potential for part-time/short term rental occupation: Villagers expressed concern that these houses might become rarely used 'second homes' or even short-term lets used by people with little commitment to the village or the local way of life. The parish has avoided this so far, unlike other villages. Councillors and the public would welcome any conditions or similar which could minimise this risk.
- 7.1.12 (8) Access: The Parish Council has been assured that access to the site from Mill Lane complies with parameters set by Gloucestershire Highways. However, the junction of Mill Lane with the 'main' road has limited visibility and there will be two driveways joining Mill Lane close together. The road is also part of the Diamond Way and many walkers and riders use it. The developers should review access issues in more detail (especially as this area floods regularly) to ensure the safety of all users.
- 7.1.13 (9) Construction traffic: The roads around the site are all single track and marked 'Unsuitable for HGVs'. Increased use of the roads has already led to degradation of the verges. The impact of HGVs during the demolition and construction phases will be significant if not managed. While the developers will produce a Construction Management Plan after permission has been granted, Councillors recommend (as for other sites developed by McKenzie-Miller) that a condition of granting permission is that only smaller vehicles are used during both phases.
- 7.1.14 (10) Safeguarding for the school: The School is concerned that although there would be a gap of about 6 metres between Unit 3 and the school, this may not be adequate in terms of safeguarding. TGPC requests that developers review whether this gap could be increased.
- 7.1.15 (11) Overplanting: Councillors and public were encouraged by the commitment to increasing biodiversity and delivering Net Biodiversity Gain. However, the high density tree-planting designed to reduce the visual impact of the development appears to be excessive given the wider location. TGPC requests that developers review the planting in the local context.
- 7.1.16 (12) Waste management: Although provision has been made for two locations for waste and recycling containers, insufficient attention has been given to the CDC practice of only collecting from bins at the kerbside. The developer should review the location and number of these bin containers, although the details of the housings are valued.
- 7.1.17 Note: Councillors were aware that several residents were deeply concerned that the development plans did not offer a contribution to the adjacent school and village hall infrastructure. However, residents were informed that the development was a separate issue unrelated to the freeholder of the village hall and the recreation field.'

7.2 **Response to amended plans received on the 9th July 2024:**

- 7.2.1 'Response to further amendments to planning application 24/00066/FUL, New Barn Farm, Temple Guiting, Cheltenham, Gloucestershire, GL54 5RW

7.2.2 *Temple Guiting Parish Council has reviewed the documents provided in June 2024 regarding Sustainability, Biodiversity Net Gain, Design and Heritage, and other issues such as improvements to the roads and drainage next to the proposed development. The reduced window space, solar panels and new orchard are particularly welcome. Temple Guiting Parish Council appreciates the level of effort and thought required to design these improvements.*

7.2.3 *The development would be a highly sustainable addition to the village and councillors are keen that the non-designated Heritage Asset (New Barn Farm) is restored. It is clear that this end can only be met by a suitable development of the site. Councillors believe that the development proposed by Morgan Elliott will achieve this objective.'*

8. Other Representations:

8.1 1 support and 3 general comments received

8.2 Main grounds of support are:

- i) I have only ever known the site as derelict with ever increasing degrees of collapse. The design proposal is a welcome improvement and in keeping with the mixed architecture of houses within Temple Guiting. However, if experts and residents can make further suggested improvements then all the better. I would just like to see the start of bringing the site back into use this year if possible.
- ii) More of a controversial request, as a resident of Temple Guiting, is that I would like to see a creative use of the Community Infrastructure Levy. I understand the owner of the site is also the owner of the village hall and recreation fields. I have a vision where the District Council, County Council, Parish Council, Temple Guiting Primary School and the Developer/landowner, all come together for the mutual benefit of residents and the school. My suggestion is that the CIL is physical rather than monetary. The developer agrees to replace the crumbling wooden village hall with a permanent community and school building. The Parish Council and School would pay a joint fixed rent of say £2000 per annum for a twenty-five year lease. Ideally, I would also like to see the play equipment updated, with the children of the school choosing what they want to have. Taking this approach, residents, the school, the developer, the Parish Council, become invested in seeing the very best outcome for Temple Guiting, working in partnership.

8.3 General comments are:

- i) As development in Temple Guiting is not in the CDC plan, I think such a proposal may be more favourably looked on if it included affordable housing to specifically support local young people to get on the property ladder. And why not propose a sustainable development? It's time to break the mould.
- ii) I am not opposed to this development, but I am very strongly opposed to many common building practices in the UK. I would strongly like to suggest that any new development being built now does not use gas.
- iii) I would also point out that building houses to near passive house standards will not only dramatically reduce occupants energy costs, it will increase the value of the property. Installing Solar PV as an integrated part of a south facing roof is now cheaper

than tiles, and a small battery dramatically increases the amount of power generated that can be used in the home.

- iv) Geothermal heating, (drilling down) is the cheapest and most sustainable way of heating a house, and a reed bed system of sewage treatment has been proven time and again to be the best method of dealing with waste when no sewer system is available.
- v) If all these measures and more were used, people would travel from far and wide to witness what has been achieved in Temple Guiting. There are many examples of sustainable homes being built around the country. There is no excuse, they do not cost substantially more and they are a far better prospect for the people who live in the houses.
- vi) If the application is permitted, the houses will be expensive, as no affordable housing is included under the present scheme. This suggests that they will be bought by people from outside the area. I would like to see a restrictive covenant in place to ensure that these houses are bought to be permanently occupied rather than becoming second or holiday homes.
- vii) Energy generation and storage is best done at a local level. All new building should be required to include rooftop solar panels, air or ground-source pumps as feasible. There are many examples of new Solar PV panels which can be incorporated into Cotswold stone-tiled roofs in a way which is sympathetic to the setting.
- viii) I am interested in how the developers are planning to achieve Biodiversity Net Gain. This is something which should be measurable. The site has been derelict for some time and is relatively undisturbed which is usually attractive to wildlife. The Biodiversity Officer states in her report that more information is needed, especially in relation to provision for bats and to the orchard and boundary hedging. I understand that a management company will be responsible for the ongoing maintenance of parts of the site, e.g. the boundary hedging. I am unclear who will control this company but the LPA will need to be confident that such management will accord with its environmental policies.
- ix) The Design and Access Statement talks a lot about preserving the views on the New Barn site, both of the site and from the site. However, I am concerned that the position of Unit 3, overlapping the edge of the site of the primary school, could have a negative impact on the views from the new school building. This is not in the best interest of pupils at the school. Also, the proximity of Unit 3 to the school site could have safeguarding implications.
- x) Temple Guiting is a village and area without street lighting and the ability to see dark skies is very important to many local residents. This should not be compromised by any development which takes place on this site

9. Applicant's Supporting Information:

- Arboricultural Implications Assessment and Arboricultural Method Statement
- Preliminary Ecological Assessment with Preliminary Roost Assessment
- 2023 Nocturnal Bat Survey and Reptile Report

- Drainage Strategy
- Financial Viability Appraisal
- Built Heritage Statement
- Planning Statement
- Design and Access Statement
- Highways Technical Note
- Landscape and Visual Appraisal
- Structural Report

10. Officer's Assessment:

Proposed Development

- 10.1 This application seeks permission for the conversion of the existing roadside barn to a single four bed dwelling, the demolition of 5 existing post war agricultural buildings on the site and the erection of 5 new build dwellings. The new build dwellings consist of 3 detached four bed dwellings (Units 1-3) and the erection of a Dutch barn style building which would house 2 two bed dwellings (Units 4-5). Units 1-3 would be located in the western part of the application site, whilst Units 4-5 would be located close to its centre.
- 10.2 Units 1-3 would range in height from approximately 8.1m to 8.7m. The external walls of the aforementioned units would be constructed in natural stone. Artificial stone tiles are shown as a roofing material. Units 4 and 5 would measure approximately 6.8m in height. The external walls of the units would be clad in timber and the roof would be covered in metal sheeting. The roadside barn measures approximately 8.8m at its highest and includes a single storey range to its front (south). The single storey range measures approximately 4m in height and extends for approximately 21m alongside the road running adjacent to the eastern boundary of the application site. The applicant proposes to demolish and re-build this part of the building, albeit to 18m in length.
- 10.3 It is proposed to demolish 5 of the existing barns on the site. The barns in question are 2 metal clad barns located adjacent to the roadside stone barn, a Dutch barn located towards the centre of the site and a portal framed barn and timber barn located in the western part of the application site. A further barn located adjacent to the southern boundary of the application site will be retained and used as a bat roost.
- 10.4 Vehicular access to the proposed development would be via the existing farmyard entrances which opens onto Mill Lane to the south of the site. Access and egress to and from the main road running to the east of the application site would be via the existing Mill Lane junction. The eastern vehicular access point to the north of the roadside stone barn would be converted to a pedestrian/cycle access.

(a) Residential Development in a Non-Principal Settlement

- 10.5 The application site consists of a group of historic/post war agricultural buildings and an associated farmyard area. The northern boundary of the site adjoins Temple Guiting Church of England primary school and a grassed area, to the north of which is located the village hall and an associated playing field. A single dwelling (New Barn Farm) adjoins the south-western boundary of the application site. Whilst the site is separated from the main core of the village to the north-east, it is noted that it is located adjacent to the main community facilities within the settlement. The site has been used historically as a farmyard and has a physical and visual

connection with the settlement. It appears as part of the settlement rather than as being distinct or separate from it. In light of this, it is considered that the site can reasonably be considered to be located within the village. Due to the size of the village and the facilities on offer within it, it is considered that Temple Guiting constitutes a Non-Principal Settlement for the purposes of the Local Plan. As a consequence, the proposed development is subject to the following Local Plan policy:

10.6 Policy DS3 Small Scale Residential Development in Non-Principal Settlements

1. *In Non-Principal Settlements, small-scale residential development will be permitted provided it:*
 - (a) *demonstrably supports or enhances the vitality of the local community and the continued availability of services and facilities locally.*
 - (b) *is of a proportionate scale and maintains and enhances sustainable patterns of development;*
 - (c) *complements the form and character of the settlement;*
 - (d) *does not have an adverse cumulative impact on the settlement having regard to other developments permitted during the Local Plan period; and*
2. *Applicants proposing two or more residential units on sites in Non-Principal Settlements should complete a rural housing pro-forma and submit this with the planning application.*

10.7 In relation to the above, it is considered that the creation of 5 dwellings can constitute 'small-scale' development when assessed against the size and form of the settlement as a whole. In addition, the creation of additional dwellings has the potential to support existing services and facilities on offer in the settlement in accordance with the aspirations of criterion a. In terms of house numbers, the provision of 5 dwellings is also considered to be proportionate in scale to the settlement. With regard to cumulative impact, the Council's Residential Land Monitoring Statistics August 2024 state that the parish of Temple Guiting has been subject to 3 residential completions since the 1st April 2011 and that there are 4 commitments as of the 1st April 2024. The village/parish has therefore been subject to a very limited amount of new development in the current Local Plan period. It is considered that the addition of 5 further dwellings would not have an adverse cumulative impact on the function of the settlement when combined with completions or commitments. There are no other permitted or committed residential developments within the vicinity of the application site. The proposal is considered to comply with Policy DS3 in these respects. The issue of whether the proposal complements the form and character of the settlement as required by criterion c will be addressed later in this report.

10.8 In terms of national guidance, paragraph 83 of the National Planning Policy Framework (NPPF) states that '*housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.*' Development in Temple Guiting has the potential to benefit facilities in other nearby villages such as Kineton and Guiting Power.

10.9 It is noted that one of the proposed dwellings would result from the conversion of a historic stone barn. The conversion of rural buildings within the District is covered by the following policy:

10.10 Policy EC6 Conversion of Rural Buildings

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.*

10.11 The aforementioned policy is primarily intended to cover buildings located outside settlements where new build development would normally be restricted. In contrast, the roadside barn is located within a settlement where new build residential development can be acceptable in principle and where the creation of a new dwelling does not need to be reliant on the re-use of an existing building. Notwithstanding this, the applicant has submitted a structural report with this application. The report indicates that the building is in relatively poor condition with evidence of cracking, water damage, missing mortar and stone. It concludes by stating *'Although in poor condition, there is sufficient sound structural framing to warrant retaining the building and conducting the necessary repairs to convert it to residential use. An in-depth survey at detailed design stage will inform a program of structural alterations that will be necessary to effect the changes and give the building a new lease of life.'* It is evident from the structural report that a significant amount of work will be required to enable the conversion of the building to a residential use. However, it is considered that the building is of sufficient substance to enable conversion without recourse to a level of work that would be tantamount to the erection of a new building.

10.12 With regard to criterion b, the application site is no longer used for agricultural purposes and the proposal is therefore considered not to cause conflict with a farming operation. In terms of criterion c, a residential use of the building is considered not to be incompatible with its surroundings given its proximity to an existing dwelling and a primary school. Future occupants would not be subject to unacceptable levels of noise, odour or disturbance from agricultural activities.

(b) Affordable Housing and Housing Mix

10.13 The proposed development has a floor area in excess of 1000sq metres and is therefore liable for affordable housing. As the site has an established agricultural use, it does not constitute previously developed land. The scheme would ordinarily be required to provide 40% on-site affordable housing in accordance with the following Local Plan policy:

10.14 Local Plan Policy H2 Affordable Housing

1. *'All housing developments that provide 11 or more new dwellings (net) or have a combined gross floorspace of over 1,000 square metres, will be expected to contribute*

towards affordable housing provision to meet the identified need in the District and address the Council's strategic objectives on affordable housing.

2. *In settlements in rural areas, as defined under s157 of the Housing Act 1985, all housing developments that provide 6 to 10 new dwellings (net) will make a financial contribution by way of a commuted sum towards the District's affordable housing need subject to viability. Where financial contributions are required payment will be made upon completion of development.*
 3. *The affordable housing requirement on all sites requiring a contribution, subject to viability is:*
 - i. *Up to 30% of new dwellings gross on brownfield sites; and*
 - ii. *Up to 40% of new dwellings gross on all other sites.*
 4. *In exceptional circumstances consideration may be given to accepting a financial contribution from the developer where it is justified that affordable housing cannot be delivered on-site, or that the District's need for affordable housing can be better satisfied through this route. A financial contribution will also be required for each partial number of affordable units calculated to be provided on site.*
 5. *The type, size and mix, including the tenure split, of affordable housing will be expected to address the identified and prioritised housing needs of the District and designed to be tenure blind and distributed in clusters across the development to be agreed with the Council. It will be expected that affordable housing will be provided on site as completed dwellings by the developer, unless an alternative contribution is agreed, such as serviced plots.*
 6. *Where viability is questioned or a commuted sum is considered, an "open book" assessment will be required. The local planning authority will arrange for an external assessment which will be paid for by the developer.'*
- 10.15 In the case of this application, the applicant advises that the costs involved in the conversion of the roadside barn, as well as other costs incurred in the re-development of the site, adversely impact on the viability of the scheme. The applicant has submitted a financial viability appraisal in order to demonstrate that a viable scheme cannot be developed if either on-site affordable housing or a financial contribution towards off-site provision are required. The submitted appraisal has been independently assessed by the District Valuer in accordance with criterion 6 of Policy H2. Following the receipt of additional information, the District Valuer has advised that a viable scheme cannot be achieved if on-site affordable housing or an off-site contribution are included. It is therefore considered that reasonable evidence has been provided to demonstrate that the requirements of Policy H2 cannot be met in this instance.
- 10.16 With regard to housing mix, the applicant is proposing 2 two bed units and 4 four bed units. Whilst a higher number of smaller units would be welcomed, it is considered that it would not be possible to sustain an objection based on housing mix having regard to Local Plan Policy H1.

(c) Design and Impact on the Character and Appearance of Temple Guiting Conservation Area and the Significance on Non-Designated Heritage Assets

10.17 The application site is located within Temple Guiting Conservation Area (CA). With respect to any buildings or other land in a conservation area, Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Considerable weight and importance must be given to the aforementioned legislation.

10.18 The roadside stone barn is considered to constitute a non-designated heritage asset by virtue of its age, design, historic interest and materials. Temple Guiting School is also considered to constitute a non-designated heritage asset.

10.19 The following Local Plan policies are applicable to this proposal:

10.20 Local Plan Policy EN1 Built, Natural and Historic Environment states:

'New development will, where appropriate, promote the protection, conservation and enhancement of the historic and natural environment by:

- a. Ensuring the protection and enhancement of existing natural and historic environmental assets and their settings in proportion with the significance of the asset;*
- b. Contributing to the provision of multi-functional green infrastructure;*
- c. Addressing climate change, habitat loss and fragmentation through creating new habitats and the better management of existing habitats;*
- d. Seeking to improve air, soil and water quality where feasible; and*
- e. Ensuring design standards that complement the character of the area and the sustainable use of the development.'*

10.21 Local Plan 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.'

10.22 Local Plan 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.'*

10.23 Local Plan Policy EN10 Designated Heritage Assets states:

- 1 *'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.*
- 2 *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.*
- 3 *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.'*

10.24 Local Plan Policy EN11 Designated Heritage Assets - Conservation Areas states:

'Development proposals, including demolition, that would affect Conservation Areas and their settings, will be permitted provided they:

- a. *Preserve and where appropriate enhance the special character and appearance of the Conservation Area in terms of siting, scale, form, proportion, design, materials and the retention of positive features;*
- b. *Include hard and soft landscape proposals, where appropriate, that respect the character and appearance of the Conservation Area;*
- c. *Will not result in the loss of open spaces, including garden areas and village greens, which make a valuable contribution to the character and/or appearance, and/or allow important views into or out of the Conservation Area.*
- d. *Have regard to the relevant Conservation Area appraisal (where available); and*
- e. *do not include internally illuminated advertisement signage unless the signage does not have an adverse impact on the Conservation Area or its setting.'*

10.25 Local Plan Policy EN12 Non-Designated Heritage Assets

1. *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.*
2. *Where possible, development will seek to enhance the character of the non-designated heritage asset. Proposals for demolition or total loss of a non-designated heritage asset will be subject to a balanced assessment taking into account the significance of the asset and the scale of harm or loss.*

3. *The assessment of whether a site, feature or structure is considered to be a non-designated heritage asset..*
- 10.26 Local Plan Policy EN13 The Conversion of Non-Domestic Historic Buildings (Designated and Non-Designated Heritage Assets) states;
1. *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/or 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 use without substantial alterations, extension or rebuilding which would be tantamount to the erection of a new building.*
 2. *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.'*
- 10.27 In addition, the following national guidance is also considered relevant:
- 10.28 Paragraph 203 of the National Planning Policy Framework (NPPF) states '*in determining planning applications, local planning authorities should take account of:*
- a) *The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
 - b) *The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
 - c) *The desirability of new development making a positive contribution to local character and distinctiveness.*
- 10.29 Paragraph 205 states '*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.'*
- 10.30 Paragraph 208 states that '*where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.'*

- 10.31 Paragraph 209 of the NPPF states that *'the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'*
- 10.32 Paragraph 212 states *'Local Planning Authorities should look for opportunities for new development within Conservation Areas., and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.'*
- 10.33 With regard to design, Paragraph 135 states that planning policies and decisions should ensure that developments:
- a) *will function well and add to the overall quality of an area, not just for the short term but over the lifetime of the development;*
 - b) *are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
 - c) *are sympathetic to local character and history, including surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
 - d) *establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
 - e) *optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
 - f) *create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*
- 10.34 The current application site comprises a 19th Century roadside stone barn and a number of post war agricultural buildings. The roadside barn consists of a principal 2 storey building with a single storey range extending approximately 21m to its south. Metal barns adjoin the northern and western sides of the roadside barn. A further 3 barns are located to the west of the roadside barn. Areas of grass lie to the north and west of the aforementioned barns, with agricultural land lying to the west of the application site. The existing site has the character and appearance of an agricultural farmyard and represents a form of development which is often seen on the edge of villages across the District. Whilst the site is currently redundant, it does not appear as an incongruous or obtrusive form of development. It is reflective of the type of development seen in a working rural environment and highlights the agricultural history of this part of the settlement.

- 10.35 The current proposal will result in the removal of the existing post war agricultural buildings as well as the single storey range lying to the front of the historic stone barn. New build residential development will be introduced onto the site. This will include new dwellings, outbuildings, garden areas, parking and turning areas and domestic paraphernalia. The current proposal will therefore result in a noticeable change to both the character and appearance of the existing site. Moreover, the fact that the whole of the existing farmyard and the associated grassed area are included within the conservation area boundary highlights the fact that the application site is deemed to be of historic interest and importance and that it contributes in a positive way to the historic character and appearance of the settlement. It is therefore important that the re-development of the site is undertaken in a manner that preserves or enhances the character and appearance of the conservation area.
- 10.36 The proposed scheme shows that the 2 storey part of the roadside barn will be retained. The single storey range will be demolished and re-built. Whilst the retention and conversion of the main part of the barn is welcomed, it must also be noted that the loss of the historic single storey range will diminish the historic integrity of the original building and impact on its significance as a non-designated heritage asset. Whilst Officers are agreeable to the taking down and re-building of the range in order that the remainder of the building can be retained, it is also necessary to balance this benefit against the loss of a notable part of the existing barn. The current proposals for the roadside barn are therefore considered to represent more of a compromise solution rather than an ideal outcome for the barn. Notwithstanding this, Officers consider that the main part of the barn is capable of conversion in accordance with the requirements of Local Plan Policies EC6 and EN13. It is also considered that the level of harm arising from the removal of the single storey range can be accepted when balanced against the retention of the principal part of the barn and the removal of the 2 metal barns which lie alongside it. In this respect, the proposed changes to the roadside barn are considered not to conflict with Local Plan Policies EN12 and EN13 and guidance in Section 209 of the NPPF. With regard to the impact of this part of the scheme on the conservation area, it is considered that the building will retain some of its agricultural character and appearance and that associated domestic activity will be relatively contained around the barn. The proposed changes to the roadside barn are therefore considered not to cause harm to the designated heritage asset.
- 10.37 With regard to Units 4 and 5, it is noted that the proposed units take the form of a Dutch barn style building. The proposed building will be located in a similar position to an existing Dutch barn which is proposed for removal. The proposed building will be located in close proximity to the roadside barn on the site and to the existing dwelling adjacent to the application site. The design of the proposed dwellings is relatively functional and plain in appearance. It is considered to reflect the appearance of an agricultural building and is considered to be appropriate for the site. Residential gardens and parking areas associated with Units 4 and 5 are modest in size and well related to the proposed dwellings. On balance, it is considered that this part of the proposal can be undertaken without having an adverse impact on, or causing harm to, the character and appearance of the conservation area.
- 10.38 With regard to Units 1-3, it is noted that the scheme introduces 3 detached 'barn style' dwellings in the western part of the site. The proposed dwellings are set around a hard surfaced area and incorporate enclosed front gardens. A separation distance of approximately 1.5m is proposed between the neighbouring units. In addition, it is proposed to excavate the land to the rear of the proposed dwellings to create 2 tier garden areas. The positioning of Units 1-3 will result in the introduction of additional built development in the more open western part of the site. At present, the western area provides a transition between the more developed eastern and central parts of the site and the open countryside to the west of the application site. It is

also noted that the western edge of the application site is not defined by any significant landscape planting such as hedgerows or tree belts, with the result that the western part of the site has a strong visual relationship with the adjacent agricultural landscape. This existing relationship contributes in a positive way to the character and appearance of the conservation area as a whole and helps to reinforce its strong rural identity. Officers have significant concerns that the current proposal will undermine these existing qualities to the detriment of the character and appearance of the conservation area.

- 10.39 Units 1-3 are primarily 2 storey in form and appear to have been designed to echo traditional threshing barns in terms of their overall size, scale and form. In response, Officers have concerns about a number of aspects of the proposal. In the first instance, the creation of 3 buildings of the size proposed and in the arrangement proposed is not reflective of traditional farmyard developments, Whilst a single threshing barn would not be untypical within a farmyard, other buildings within a yard of this size would typically be subservient to it. In contrast, the current proposal includes 3 buildings of a similar size with no hierarchy in terms of their size, scale or general arrangement. In addition, whilst the buildings now proposed are detached they are also located in very close proximity to one another. Historically, barns in a farmyard would typically be attached to one another if they were in such close proximity. Furthermore, the arrangement of the buildings, with enclosed front gardens and excavated rear gardens with retaining walls and steps, also appears overtly domestic in appearance and is considered not to respond in a sympathetic manner to the historic agricultural character of the site. The introduction of new planting around the perimeter of Units 1-3 also appears to be aimed at screening the aforementioned units rather than being of form which responds sensitively to the open nature of the western part of the site where trees are largely absent.
- 10.40 In terms of design, Units 1-3 have a hybrid barn/dwelling style appearance which is considered to represent an unsuccessful interpretation of either a traditional Cotswold barn or a vernacular farmhouse or cottage building. The proposed fenestration, combined with the number and design of rooflights, is considered to be unsympathetic to the design of a traditional barn. Such buildings would typically have far fewer openings. The proposed openings appear cluttered and to lack any sense of cohesion. In the instances where full height openings are proposed it appears that the openings are being used to give the dwellings a barn style appearance. However, this results in designs which do not represent an honest interpretation of a traditional Cotswold barn. For example, the full height openings in the front elevations of the dwelling are not matched by similar sized openings in the rear elevations. A traditional barn would typically have a large opening in the front and rear elevations in order to enable a wagon to pass through the building, as is seen in the roadside barn. The current designs appear contrived and to result in an unsuccessful marriage of barn and dwelling style elements.
- 10.41 In addition, the introduction of black solar panels/tiles onto an artificial stone tiled roof looks awkward and diminishes the overall appearance of the dwellings. In terms of their mass and scale, Unit 1 has a large unbroken roofscape, whilst the set down ridgelines in Units 2 and 3 are unconvincing and do little to break up the mass of the 3 units when viewed in combination. The current proposals would result in a group of buildings which would be noticeably larger than the existing roadside barn, which is in itself a large threshing barn. The proposed development would compete with the historic barn and would detract from its setting and significance. The proposal is also considered to have a suburbanising and domesticating impact on the character and appearance of the conservation area and to cause less than substantial harm to the designated heritage asset. In the context of Local Plan Policy DS3, the proposal is considered not to complement the form and character of the settlement.

10.42 The Conservation Officer states:

10.42.1 'At pre-application stage, concerns were raised over the sprawl of residential development towards the open landscape to the west, however:

10.42.2 'A more modest development that reflects traditional farmsteads in terms of the form and massing, albeit potentially interpreted in a subtle, sensitive, contemporary way, may, potentially, be possible. The scale should decrease to the west, which would also reflect traditional farmsteads, which had fewer large barns (typically one or two, which would relate to the stone barn and the Dutch barn) and more outbuildings and sheds of more modest scale (such as linear shelter sheds), logically arranged around two or three sides of yard. Such a development should be kept reasonably close to the Dutch barn, to try to maintain a softer transition to the open countryside.'

10.42.3 Unfortunately, the current proposal has opted for a cluster to three large houses/pseudo-barns, rather than the softer and more characteristic yard that was suggested. The clustering of such a quantity of large barns in close proximity to each other, or to the historic barn, would be uncharacteristic and would look contrived.

10.42.4 The houses themselves would be identified as aping traditional barns by the large, glazed-in threshing porches; however, beyond this, the resemblance to traditional barns falters. The complex massing, the L-shaped buildings, and the quantity and nature of the fenestration would give the proposed buildings the appearance of a cul-de-sac of large, executive houses in a weak pastiche style. The proposal would suburbanise this currently very rural, edge-of-settlement area of the conservation area, and would thereby fail to preserve or enhance its character, appearance or significance.

10.42.5 In order to achieve a proposal that did not harm the character of this site, as a soft transition to the open countryside, a far gentler, less intensive approach needs to be taken. The option of a traditional yard of shelter-sheds and smaller ancillary agricultural buildings, designed with some understanding of the characteristics of the genre, may be possible. Alternatively, a more contemporary, and environmentally sensitive approach may be possible, for example, single storey structures with timber cladding for the walls and flat grass roofs, perhaps with one-and-a half storey elements with mono-pitched, segmentally-curved or saddle-back roofs with photovoltaic coverings, and working with the slope of the topography and the solar aspect, rather than merely excavating a flat platform.

10.42.6 Any new development should make provision for maximum use of renewable energy sources, and these should be incorporated into the architectural and landscape design, should be clearly shown on the planning drawings, and not merely left as an afterthought. Such provision is often easier and more aesthetically successful with contemporary design.'

10.43 It is considered that the proposed development fails to respond in a sympathetic manner to the character and appearance of the site and the setting of the roadside barn. Units 1 - 3 are also considered to be of poor design contrary to the aspirations of Local Plan Policy EN2 and guidance in Section 12 of the NPPF. As stated previously, the proposal is considered to cause less than substantial harm to the designated heritage asset. The level of harm is considered to be at the higher end of less than substantial. It is noted that the applicant has also confirmed that the proposal will cause less than substantial harm, albeit at a lower level than that stated

by Officers. In light of these findings, it is necessary to have regard to paragraph 208 of the NPPF and to weigh the identified harm against the public benefits of the proposal.

- 10.44 In terms of public benefits, it is noted that the proposed development will generate new housing which will contribute to the Council's supply of housing land. However, as the Council can currently demonstrate a robust 7.2 year supply of housing land, it is considered that the benefits arising from the delivery of new housing are limited. Moreover, the proposal does not seek to provide affordable housing so is not addressing identified housing needs in the area. It is also of note that 4 of the 6 dwellings will be 4 bed properties and will be large in size. The proposed development will therefore contribute to the high price differential that currently exists between median wages and median house prices in the District. At present, the gap stands at around 15x. Schemes that increase average house prices potentially result in an increase in the number of people in housing need and the need for affordable housing. This further reduces the public benefits arising from this proposal, when compared to a scheme that delivers smaller and more affordable units. The delivery of the type of housing proposed in this instance is considered not to carry sufficient weight to outweigh the harm to the conservation area.
- 10.45 It is noted that the proposal would enable the conversion and retention of the principal part the roadside barn, which is a non-designated heritage asset. The aforementioned works constitute a public benefit that weighs in favour of the scheme. However, the weight that can be given to this element of the proposal is diminished by the fact that the existing single storey roadside range will be demolished. As such, a section of the building which contributes to its historic and architectural interest will be lost. The building will not therefore be retained in its entirety. Moreover, the building is not being retained as an agricultural building but as a dwelling. It would therefore have a different character and appearance to the existing building which further impacts on its significance as a non-designated heritage asset. In addition, the works relate to a non-designated heritage asset rather than a designated heritage asset such as a listed building. The harm to the conservation area (a designated heritage asset) arising from the wider scheme is considered to outweigh the benefits of converting the non-designated heritage asset to a dwelling, or in relation to the contribution a converted building would make to the character and appearance of the conservation area.
- 10.46 With regard to other benefits, it is considered that the economic benefits are likely to be short term, primarily arising during the construction phase of the development. In addition, there is no guarantee that the proposed dwellings would be occupied by children of a primary school age or that occupiers would make use of village facilities. These benefits are therefore also considered to be limited and not to outweigh the harm to the conservation area.
- 10.47 The proposal is considered not to have an adverse impact on the significance of Temple Guiting School as a non-designated heritage asset, given the presence of existing post war buildings to its rear and the fact, that unlike the roadside barn, it does not have an agricultural character or appearance, which would be diminished by the proposed development.
- 10.48 It is considered that the proposed development does not complement the form and character of the settlement. It fails to preserve or enhance the character and appearance of Temple Guiting and the identified harm is not outweighed by any public benefits. In addition, the design of the scheme is considered to be unacceptable and the proposal is considered to have an adverse impact on the setting and significance of the roadside barn.. The proposal is therefore considered to be contrary to Local Plan Policies DS3, EN1, EN2, EN4, EN10, EN11 and EN12 and guidance in Sections 12 and 16 of the NPPF.

(d) Impact on the Cotswolds National Landscape

- 10.49 The application site is located within the Cotswolds National Landscape (formerly known as the Cotswolds Area of Outstanding Natural Beauty (AONB)) wherein the Council *'must seek to further the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.'* (S85(A1) of the Countryside and Rights of Way Act 2000).
- 10.50 In addition to Local Plan Policy EN4 mentioned previously, the following policy and guidance are considered applicable to this proposal:
- 10.51 Local Plan 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.'*
- 10.52 In terms of national policy, Paragraph 180 of the National Planning Policy Framework (NPPF) states that planning policies and decisions 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'.*
- 10.53 Paragraph 182 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.'*
- 10.54 The application site and its surroundings are classified in the Cotswolds Conservation Board's Landscape Character Assessment (LCA) as falling within Landscape Character Area 7C Cotswolds High Wold Plateau. This in turn falls within Landscape Character Type (LCT) High Wold. The eastern boundary of the application site lies adjacent to Landscape Character Area 8E Upper Windrush Valley which falls within Landscape Character Type High Wold Valley. The proximity of the site to the latter area means that the character and appearance of the application site is influenced by both Landscape Character Areas.
- 10.55 The LCA identifies the *'development, expansion and infilling of settlements within and on to the High Wold, including residential, industrial and leisure'* as a Local Force for Change.
- 10.56 The LCA identifies the following as Potential Landscape Implications in respect of the above LCTs:
- *Erosion of the rural character of the valleys and the landscape setting of historic villages.*
 - *Intrusion of expanded settlements onto the highly visible valley sides.*
 - *Increase in light pollution.*
 - *Loss of village patterns and development of 'rural sprawl' due to settlement growth and coalescence.*

- *Erosion of distinctive settlement patterns and loss of small fields and network of narrow lanes associated with houses fringing the valley villages.*
- *Loss/dilution of organic growth patterns of settlements including the relationship between the historic core and adjacent historic fields, paddocks and closes.*
- *Loss of archaeological and historical features, field patterns and landscapes.*
- *Interruption, weakening or loss of the historic character of settlements and the historic context in how they have expanded, especially the importance of the relationship between the historic core of the settlement and surviving historic features such as churchyards, manor houses, burgage plots, historic farms, pre-enclosure paddocks and closes.*
- *Proliferation of suburban building styles, housing estate layout and materials and the introduction of ornamental garden plants and boundary features.*
- *Erosion of characteristically dark skies.*

10.57 The Landscape Strategies and Guidelines section states:

- *Maintain the open, sparsely settled character of the High Wold by limiting new development to existing settlements.*
- *Avoid development that will intrude negatively into the landscape and cannot be successfully mitigated, for example, extensions to settlements on visible hillsides.*
- *Ensure new development is proportionate and does not overwhelm the existing settlement.*
- *Ensure that new development does not adversely affect settlement character and form or impact on views of key features such as church towers.*
- *Avoid developments incorporating standardised development layout, suburban style lighting, construction details and materials that cumulatively can lead to the erosion of peaceful rural landscape character.*
- *Layout of development should respect local built character and avoid cramming up to boundaries resulting in hard suburban style edge to the settlement.*
- *Control the proliferation of suburban building styles and materials.*
- *Promote the use of local stone and building styles in the construction of new buildings and extensions to existing dwellings. (New buildings should, at least, respect local vernacular style).*
- *Ensure new built development is visually integrated with the rural landscape setting and does not interrupt the setting of existing villages or views .*
- *Retain existing trees, hedges etc as part of the scheme.*

- *Ensure new development is integrated into its surroundings. Break up harsh edges of new development with appropriate and adequate tree planting ideally in advance of the development taking place.*
- *Ensure the density of new development reflects its location relative to the 'core' of the settlement and its proximity to the surrounding rural landscape.*
- *Adopt measures to minimise and where possible reduce light pollution.*
- *Limit expansion of villages.*
- *Ensure the density of new development reflects its location relative to the 'core' of the settlement and its proximity to the surrounding rural landscape.*

10.58 With regard to landscape sensitivity, the LCA states the following in relation to the High Wold:

'Despite its predominantly agricultural character, the wide, elevated, gently undulating plateau landscape retains a strong sense of remoteness and tranquillity contributing to its high sensitivity. Wide panoramic views, a high degree of inter-visibility, and limited woodland cover also add to the sensitivity of the High Wold landscape to development.'

10.59 The existing group of agricultural buildings occupy an edge of village location. In combination, the buildings have a character and appearance that is consistent with a farmyard. Whilst a number of the existing buildings are not of any particular architectural or historic interest, they do have a relatively plain and functional appearance which is consistent with the type of agricultural development that is often seen on the edge of a rural village or within a working rural environment. In this respect, the existing buildings are considered not to appear as an incongruous or obtrusive form of development. Furthermore, the western part of the site is relatively open and connects visually with the agricultural fields to its west. As a consequence, the existing site provides a rather soft edge to the settlement, as well as providing a transition between the built core of the settlement and the open countryside to the south and west of the village.

10.60 The applicant has submitted a Landscape and Visual Appraisal (LVA) with this application. Paragraph 3.2.5 of the aforementioned document states that *'The site occupies a very small part of this broad LCA and is already occupied by built form, much of it derelict, however, the wider area is attractive agricultural landscape, and there is some intervisibility with the site from the surrounding slopes. Therefore, on balance, as a result of a high value given its location within the Cotswolds National Landscape and a high susceptibility given its positive contribution to it, 7C Cotswolds High Wold Plateau is judged to be of High sensitivity to the proposed development.'*

10.61 Paragraph 3.3.12 of the LVA states *'Overall, on balance, as a result of a high value and a high susceptibility as discussed in Appendix D, LLCU 1 is judged to be of High sensitivity to the proposed development.'*

10.62 The LVA has assessed the application site from a number of public vantage points, including the from main road to the east and south of the site, the village hall to the north and Mill Lane to the south and south-west of the application site. The latter lane forms part of the Diamond Way and Winchcombe Way long distance footpaths. In a section of the report titled *'Effects*

on Landscape Features and Character', the LVA states 'As a result, it is considered that the magnitude of effect would be Moderate, resulting in a Moderate adverse effect at year 1, which would gradually reduce as planting matures and increasingly screens and filters built form, to a permanent Minor adverse effect by year 15 on a small part of this broad LCA.' In relation to particular viewpoints, the LVA states the following:

- '6.3.1 Views approaching the village from the south would include partial views of the proposed development, available to motorists and walkers/cyclists from an approximately 360m long stretch of the lane, although it is only close up that notable change would be evident. A moderate adverse effect initially would reduce gradually as planting matures and assimilates the dwellings to a permanent minor adverse effect.
- 6.3.2 Views approaching from the north, would include partial views of the proposed development available to motorists and walkers on the lane for a short stretch of around 50m, beyond this vegetation intervenes to screen views. A moderate adverse effect initially would reduce gradually as planting matures and assimilates the dwellings to a permanent minor adverse effect.
- 6.3.3 Views approaching the site from the west/east on the Winchcombe/ Diamond Way (approximately 145m long stretch) would include some partial views of the proposed development. Intervening tree belts screen views from further afield. Residents in the dwelling adjacent to the site would experience similar but more open views. A moderate adverse effect initially would reduce gradually as planting matures and increasingly screens and breaks up views of the dwellings, to a permanent minor adverse effect.
- 6.3.4 Views from elevated ground on the Winchcombe/Diamond Way towards the proposed development would be screened by vegetation cover which remains even during winter months when the leaves have fallen from the trees, resulting in a permanent negligible effect.
- 6.3.5 Views from the village hall car park towards the proposed development would be available to users of the school, the village hall car park and the sports field. The proportion visible would vary according to elevation but closer to the site boundary some quite open views would be available. A moderate adverse effect initially would reduce gradually as planting matures, increasingly screening and breaking up the dwellings to a permanent minor adverse effect.
- 6.3.6 Views from the local footpath network towards the proposed development available to walkers would be very limited due to intervening woodland and landform. However, on high ground to the north there is a brief opportunity from an oblique glimpse view through the trees on Temple Guiting footpath 9. Elsewhere along the route trees and hedgerow screen views. A minor adverse effect initially would reduce gradually as planting matures and assimilates the new dwellings, to a permanent negligible effect.'

- 10.63 Whilst Officers concur with the above findings insofar as potential viewpoints and the visibility of the site from the respective viewpoints are concerned, Officers consider that the proposal would have a greater effect on the Cotswolds National Landscape than stated. It is noted that existing buildings such as the school, retained barn and existing dwelling, as well roadside vegetation will afford a degree of screening from public vantage points, thereby mitigating the impact of the development on the appearance of the designated landscape, the proposal would

still result in a very discernible change to the character of the site. Aside from the existing dwelling lying to its south, the site does not have a residential character and is distinct from the main body of residential development in the village, which is located to the north-east of the application site. Landscape character can be defined as the distinct, recognisable and consistent pattern of elements in the landscape. It is these patterns that give each locality its 'sense of place', making one landscape different from another. In the case of this site, it is evident that it has an agricultural character and that it has a strong visual connection with the adjacent countryside, which in turn exhibits many of the characteristics set out in the LCA. Its existing character is considered not to have an adverse impact on the intrinsic rural character of this part of the Cotswolds National Landscape.

10.64 The current proposal would result in the creation of a group of 3 four bed dwellings in the western part of the site. The size, scale and arrangement of dwellings gives this part of the development a significant mass and residential character and appearance. In combination with the excavated gardens areas, hard surfaces and associated domestic paraphernalia, this element of the scheme is considered to have a significant urbanising impact on the western part of the application site and its relationship with the adjacent countryside. The soft, transitional edge which is currently present will be diminished by new buildings and associated residential development. It is considered that the proposal fails to respond in a sympathetic manner to its edge of settlement location and the agricultural character and appearance of the site and its surroundings. In addition, the proposal seeks to introduce new tree belts around Units 1-3. At present, the western edge of the site is relatively open. The introduction of the tree belts is uncharacteristic of the western edge of this part of the settlement and appears to be a means to screen the development rather than to arrive at a scheme which responds in a sympathetic manner to its location. Moreover, the proximity of the proposed trees to the existing dwellings means that there may be pressure from future occupiers of the dwellings to remove the trees due to shading, leaf drop and root damage issues. Whilst Officers are not opposed in principle to new landscape planting, it is considered that the planting should be sensitive to its location. The current landscaping proposals are symptomatic of the problems with the scheme as a whole, in that it does not respond in a particularly sensitive manner to its setting or character.

10.65 Officers consider that the proposed development would have an adverse urbanising impact on this edge of village location. The proposals would detract from the setting of the village within the Cotswolds National Landscape and would fail to conserve or enhance the natural beauty of the landscape. It is considered that the proposal is contrary to Local Plan Policies EN4 and EN5 and guidance in Section 15 of the NPPF.

(e) Access and Parking

10.66 Vehicular access to the proposed development would be via 2 existing farm entrances which open onto Mill Lane to the south of the site. The aforementioned lane is an unmarked single carriageway road which joins onto a Class C highway which runs adjacent to the eastern boundary of the application site. The main road is subject to a 30mph speed limit where it passes the junction with Mill Lane. With regard to the 2 site entrances onto Mill Lane, the easternmost entrance is set back approximately 5m from the main road, whilst the other is set back approximately 25m from the aforementioned road. The easternmost entrance would provide vehicular access to the roadside barn, whilst the western entrance would be used in connection with the other dwellings proposed on the site.

10.67 In addition to the proposed vehicular access points in the southern boundary of the site, the applicant is also seeking to alter an existing access point located to the north of the roadside

barn. At present, the access point can be used by farm traffic. It is proposed to alter the access point so that it can be used by pedestrians and cyclists rather than motor vehicles.

- 10.68 At present, Mill Lane has a substandard surface. It is also noted that an unsuitable for motor vehicles sign lies at the eastern end of the lane. It highlights the poor quality of the lane lying to the west of the application site. In light of the poor quality of the road surface, Gloucestershire County Council (GCC) Highways has requested further details about the works proposed to Mill Lane to the south of the application site. In response, the applicant has submitted additional plans showing the extent of re-surfacing works and the addition of new white lines. GCC Highways has been notified of the additional information but has yet to provide a response to the new details. Notwithstanding this, in the event that planning permission were to be granted for this development, works to the public highway would still require the separate consent of GCC Highways in order to ensure that such works were completed to an appropriate standard. The works shown on the submitted plans are intended to improve the quality of the existing road surface and, as such, Officers have no objection in principle to the proposed arrangements.
- 10.69 The creation of a pedestrian/cycle entrance to the north of the existing roadside barn in place of the existing farm entrance is considered to be acceptable in highway safety terms.
- 10.70 In terms of access visibility, the applicant has undertaken an automated traffic survey which has recorded 85th percentile speeds along the main road of 35.8mph northbound and 25.8mph southbound. The applicant's highway technical note sets out a visibility requirement of 2.4m by 55.4m to the south of the Mill Lane junction and 2.4m by 34.8m to its north. Whilst the visibility to the south can be achieved, the highway technical note states *'It is noted that pre-application comments received from GCC considered that the visibility splays previously set out were not considered suitable as the visibility to the north was partially obstructed by an existing wall and building. Following these comments, the proposals have been amended to rebuild the wall further back from the highway, and to rebuild, refurbish and reorient the building to not impinge on the required visibility splay. Therefore, fully compliant visibility splays can be achieved.'* It is noted that the aforementioned comments relate to the original application submission. The scheme has subsequently been subject to amendment. As a consequence, the wall to the south of the roadside barn has been re-positioned further into the site. In addition, changes have been made to the width and design of the single storey range extending to the south of the aforementioned barn. Notwithstanding this, the re-built single storey range would still be approximately 3m shorter in length than the existing range and of a length that is broadly consistent with that considered in the highway technical note. In addition, the submitted details also show the removal of a group of sycamore trees within the stated visibility splay. GCC Highways has not raised an objection on the grounds of inadequate visibility and it is considered that the amended scheme does not materially alter the comments set out in the highway technical note. It is therefore considered that a safe means of access and egress can be achieved in accordance with the requirements of Local Plan Policy INF4 and guidance in Section 9 of the NPPF.
- 10.71 The proposed development is considered not to generate a level of traffic that would have an adverse impact on the operation of the local highway network.
- 10.72 With regard to car parking, each dwelling would be provided with sufficient space to park 2 vehicles plus additional garage space. It is considered that the proposed parking arrangements as well as on-site turning and manoeuvring are acceptable in accordance with Local Plan Policy INF5.

(f) Impact on Residential Amenity

- 10.73 The floorspace of each of the proposed dwellings meets minimum floorspace standards in accordance with Local Plan Policy H1.
- 10.74 The layout and orientation of each dwelling is such that each property could be occupied without being subject to an unacceptable level of privacy, light or general amenity in accordance with the Cotswold Design Code. In addition, the proposal would not have an adverse impact on the occupiers of New Barn Farm by virtue of the distance and orientation of the proposed dwellings from the aforementioned property. Notwithstanding this, Officers do have reservations about the long term impact of the proposed tree planting to the rear of units 1-3. The proximity of the trees to the aforementioned units may result in pressure to remove the trees in the longer term due to shading, leaf drop and root damage issues. If this application were to be permitted, details of tree species would need to be agreed through condition.
- 10.75 It is considered that each dwelling can be provided with an adequate level of outdoor amenity space in accordance with the Cotswold Design Code.
- 10.76 It is considered that the residential use of the site would not prejudice activities undertaken at the adjacent primary school. In addition, it is considered that the level of noise or disturbance generated by the school would not have an unacceptable impact on the amenity of future occupiers of the site.
- 10.77 The Council's Environmental and Regulatory Services section has recommended a condition requiring ground investigation should permission be granted. This will ensure that any potential contamination arising from the historic use of the site can be identified and remediated where necessary in accordance with the requirements of Local Plan Policy EN15.

(g) Biodiversity

- 10.78 The application site is occupied by a number of redundant agricultural buildings which have the potential to host protected species such as bats and nesting birds. In addition, the undisturbed ground within and adjacent to the site is a suitable habitat for reptiles. In light of the ecological sensitivity of the site, this application is accompanied by a Preliminary Ecological Appraisal and a Nocturnal Bat Survey and Reptile Report. The latter report includes the results of 3 nocturnal emergence surveys and a reptile survey.
- 10.79 The main part of the roadside barn has been identified as a confirmed bat roost, whilst the single storey range has moderate bat roost potential. The other barns on the site are identified as having negligible bat roost potential in the submitted ecological reports.
- 10.80 The nocturnal emergence surveys recorded 6 different bat species using the roadside barn as a day roost. The proposed development would result in the loss of the aforementioned roosts. In order to mitigate the impact of the scheme on the bat species, the applicant is proposing to create a new bat roost in the loft space of an existing barn located adjacent to the southern boundary of the application site. It is also proposed to install 4 bat boxes on trees around the site. The applicant initially proposed to create a new bat roost building in the south-western corner of the site. However, this was deemed to be unacceptable due to its distance from the existing roosts.

10.81 With regard to reptiles, the survey found 3 grass snakes and 1 common lizard to be present on the site. Precautionary measures such as an exclusion fence are proposed which are intended to limit future access to the site during a future construction phase should this application be permitted.

10.82 An active swallow nest was also present in the roadside barn in 2023.

10.83 The Council's Biodiversity Officer has assessed the submitted reports and the proposed mitigation and states:

10.83.1 'The site and its surroundings are considered to have 'high' suitability for commuting and foraging bats due to the presence of good-quality habitat that is well connected to the surrounding landscape. Further, a significant lesser horseshoe bat roost is known to be present at Temple Guiting House. Consequently, I am pleased to see the removal of a number of rooflights from the dwelling along the eastern boundary however, a lighting condition is still recommended, ensuring any external lighting required for the operational phase of the development is sensitively designed to minimise light spill towards important foraging and commuting habitat, as well as, the compensatory bat house located within the retained orchard habitat.'

10.83.2. In addition to roosting bats, the preliminary ecological assessment and reptile and bat surveys established the presence of nesting barn swallows, and a low population of grass snake and common lizard. In addition, the reports identified opportunities for badger, hedgehog and commuting and foraging bats. Consequently, a construction ecological management plan condition is recommended. This report will need to include mitigation measures which will ensure these species are safeguarded from site clearance/construction works. Although the bat and reptile report details some measures to safeguard reptiles, further details are required, including how on-site habitats will be cleared e.g. in a sensitive manner. Furthermore, the CEMP will need to include measures to eradicate Cotoneaster sp. which has been identified on-site.'

10.84 The Biodiversity Officer is satisfied that the proposed mitigation measures are acceptable and that the scheme could be undertaken in a manner that would not have an unacceptable adverse impact on protected species having regard to Local Plan Policy EN8 and guidance in Section 15 of the NPPF. Notwithstanding this, the proposed development would involve the redevelopment of the stone barn and would therefore result in the loss of the existing bat roosts thereby having an adverse impact on a European protected species. As a consequence, a licence from Natural England will be required in order for works to proceed lawfully. Due to the fact that the proposed development could potentially affect European protected species, it is necessary to have regard to ODPM Circular 06/2005 (para 116) and the Conservation of Habitats and Species Regulations 2017 (as amended), and consider the proposal against the 3 'derogation' tests, as set out in Regulation 55 :

- 1. the consented operation must be for 'preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment'; (Regulation 55(2)(e))*
- 2. there must be 'no satisfactory alternative' (Regulation 55(9)(a)); and*

3. *the action authorised 'will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range' (Regulation 55(9)(b)).*

- 10.85 In the case of this proposal, it is noted that the conversion of the main part of the roadside barn has the potential to secure the long term viable use of a non-designated heritage asset and to provide a new dwelling. The scheme does therefore generate public benefits. Notwithstanding this, the conversion of the barn is part of a wider scheme for the re-development of the whole site. For the reasons set out previously in this report, Officers have significant concerns about the acceptability of the scheme in terms of its impact on the conservation area and Cotswolds National Landscape. On the basis that this application is being recommended for refusal, it is considered that there is currently no overriding public interest that justifies the loss of the bat roosts. The proposal is therefore considered to be contrary to the above legislation.
- 10.86 This application is not subject to Biodiversity Net Gain as it was submitted prior to the introduction of the aforementioned requirement. Notwithstanding this, the applicant has submitted biodiversity metric calculations. The Biodiversity Officer states *'it would appear that the baseline habitat information is relatively accurate while proposed habitat creation and enhancements would appear to be achievable. To ensure these habitats are managed and maintained, a 10-year LEMP condition is recommended.'* LEMP is an Landscape and Ecological Management Plan.

Other Matters

- 10.87 This application proposes the removal of an ash and sycamore tree as well as 5 small groups of trees comprised principally of ash and sycamore. A sycamore tree located in the southern boundary of the site will be retained, whilst a group of roadside sycamore trees to the south of the roadside barn are proposed for removal. New tree planting is proposed to the north, west and south of Units 1-3, as well as within the application site. The Council's Tree Officer has reviewed the submitted details and advises *'The submitted Arboricultural Method Statement and Tree Protection Plan are appropriate to secure the protection of retained trees on the site during site works. No objection subject to a condition requiring compliance with the submitted Arboricultural Method Statement and Tree Protection Plan. The tree planting detailed in the soft landscaping plan appears appropriate to mitigate tree loss as a result of the development. The tree planting should be subject to an appropriate condition requiring compliance with the submitted details.'* It is considered that the proposed development can be undertaken without having an unacceptable adverse arboricultural impact. The proposal is considered to accord with Local Plan Policy EN7.
- 10.88 The application site is located within Flood Zone 1, which is the lowest designation of flood zone and one in which new residential development can be acceptable in principle. A Drainage Strategy has been submitted this application which indicates that surface water will be dealt with by soakaways and an attenuation pond. Foul drainage would connect to an existing sewer. The Council's Drainage Engineer raises no objection to the application subject to condition. It is considered that the proposal accords with Local Plan Policy EN14.
- 10.89 This application is liable for the Community Infrastructure (CIL) and there will be a CIL charge payable. Section 143 of the Localism Act 2011 states that any financial sum that an authority has received, will, or could receive, in payment of CIL is a material 'local finance consideration' in planning decisions.

11. Conclusion

- 11.1 It is considered that the proposed development does not complement the form and character of the settlement and will have an adverse impact on the character and appearance of Temple Guiting Conservation Area causing less than substantial harm to the designated heritage asset. It is considered that the identified harm is not outweighed by any public benefits arising from the proposal. In addition, the proposal will fail to conserve or enhance the natural beauty of the Cotswolds National Landscape and is of poor design. Finally, the scheme would result in the loss of established bat roosts and there is no overriding public interest to justify their loss. It is therefore recommended that the application is refused.

12. Reasons for Refusal:

1. The application site is located within Temple Guiting Conservation Area, wherein the Local Planning Authority is statutorily obliged to pay special attention to the desirability of preserving or enhancing the character or appearance of the locality. The proposed development, by virtue of the size, scale, mass and design of Units 1-3, combined with associated works such as the creation of the garden areas, is considered have an adverse urbanising impact on the character and appearance of the conservation area and to fail to complement the form and character of the settlement. In addition, the aforementioned developments are considered to cause harm to the setting and significance of the roadside barn, which is a non-designated heritage asset. The proposal is considered to cause less than substantial harm to the conservation area and the identified harm is not outweighed by any public benefits. The proposed development is considered to be contrary to Local Plan Policies DS3, EN1, EN2, EN4, EN10, EN11, EN12 and Sections 12 and 16 of the National Planning Policy Framework.
2. The application site is located within the Cotswolds National Landscape, wherein the Council must seek to further the purpose of conserving and enhancing the natural beauty of the landscape. The proposed development, by virtue of the size, scale, mass and design of Units 1-3, combined with associated works such as the creation of the garden areas, is considered have an adverse urbanising impact on the rural, agricultural character and appearance of the site, its relationship with the wider landscape and the setting of the village within the designated landscape. The proposal is considered to be contrary to Local Plan Policies EN4 and EN5 and guidance in Section 15 of the National Planning Policy Framework.
3. The proposed development will result in the loss of established bat roosts. There is no overriding public interest that justifies the loss of the bat roosts. The proposal does not therefore satisfy the requirements of ODPM Circular 06/2005 (para 116) or the Conservation of Habitats and Species Regulations 2017 (as amended),

Informatives:

1. This decision relates to drawing numbers :

45_001-FDB-V1-ZZ-DM-A-115-S2 P02, 45_001-FDB-V1-ZZ-GA-A-120 S3 P09, 45_001-FDB-V1-ZZ-GA-A-121-S3 P07, 45_001-FDB-V1-ZZ-GA-A-122-S3 P07, 45_001-FDB-V1-ZZ-GA-A-123-S3 P05, 45_001-FDB-V1-ZZ-GA-A-125 -S2 P08, 45_001-FDB-V1-ZZ-DR-A-126 -S2 P01, 45_01-FDB-

V1-00-GA-A-126 -S2 P01, 45_001-FDB-V1-ZZ-EL-A-140 S3 P09, 45_001-FDB-V1-ZZ-EL-A-141-S3 P08, 45_001-FDB-V1-ZZ-EL-A-142-S3 P08, 45_001-FDB-V1-ZZ-EL-A-143 -S2 P08, 45_01-FDB-V1-ZZ-SI-A-161 -S4 P023, 2167 DLA DR L 011 P13, 2167 DLA DR L 012 P12 , 2167 DLA DR L 013 P12,

2. Please note that the proposed development set out in this application would have been liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) if planning permission had been granted. Therefore, if an appeal is lodged and subsequently allowed, the CIL liability will be applied. Any revised application would also be CIL liable.

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SCALE TO FIT - FOR PLANNING PURPOSES

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H&S HAZARDS:

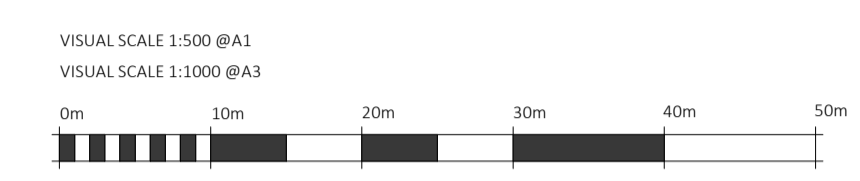
Significant hazards relative to the architectural design shown on this drawing have been assessed and highlighted with reasonable skill and care using a warning triangle system.

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Significant hazards are defined as:-

- Those not likely to be obvious to a competent contractor or other designers.
- Those of an unusual nature.
- Those likely to be difficult to manage effectively.



AWAITING STAGE APPROVAL

- N
- Site Boundary
 - Additional Site Ownership

PO1 Rev	Location and block plan issue Description	RG/JH By/Chk	24.01.2024 Date
Revisions			

Project

45_01 / Temple Guiting

Client

Mackenzie Miller

Title

SI - ZZ - Existing Site Location and Block Plans

Drawing No.	Revision
45_01-FDB-V1-ZZ-SI-A-116	- S4 P01

Scale @ A1	Drawn
As indicated	RG

Site Address	Checked
Temple Guiting	JH

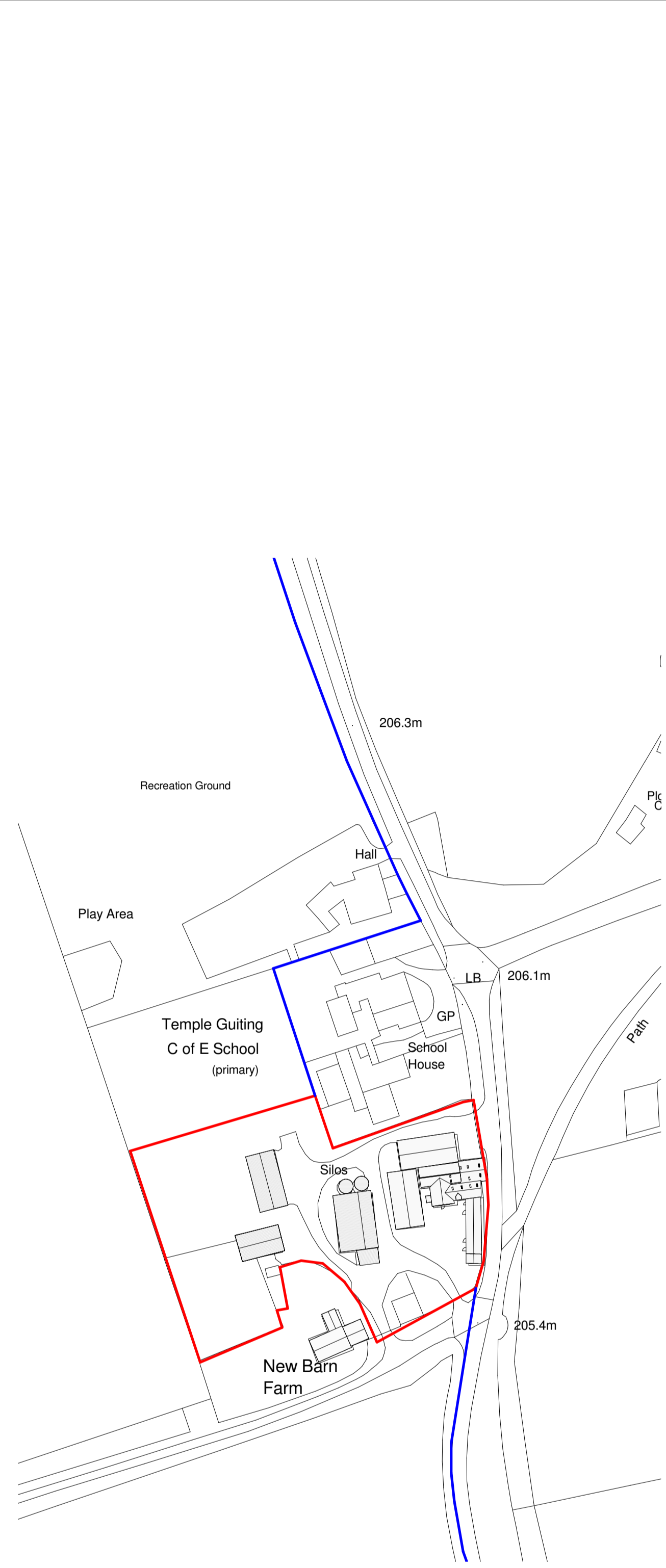
RIBA Work Stage	Drawing Suitability Code
3	S4 - Suitable for stage approval



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1 | SI - ZZ - Existing Site Location Plan
1 : 1250



2 | SI - ZZ - Existing Block Plan
1 : 500

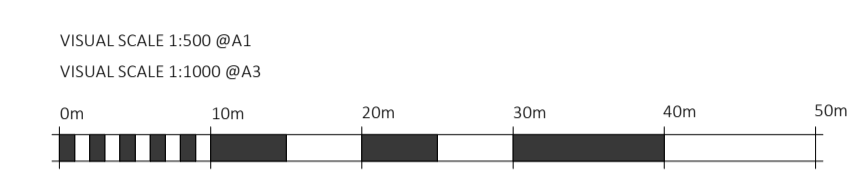
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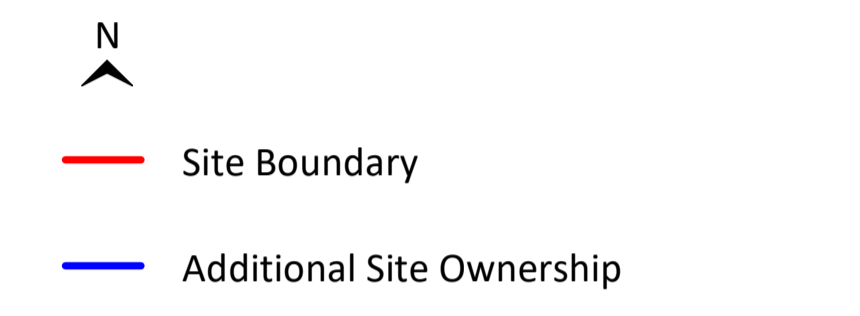
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 - Those likely to be difficult to manage effectively.



AWAITING STAGE APPROVAL



P01	Location and block plan issue	RG/JH	24.01.2024
Rev	Description	By/Chk	Date

Revisions

Project
45_01 / Temple Guiting

Client
Mackenzie Miller

Title
SI - ZZ - Proposed Location and Block Plans

Drawing No.	Revision
45_01-FDB-V1-ZZ-SI-A-117	P01

Scale @ A1	Drawn
As indicated	RG

Site Address	Checked
Temple Guiting	JH

RIBA Work Stage	Drawing Suitability Code
3	S4 - Suitable for stage approval



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1 | SI - ZZ - Proposed Site Location Plan
 1 : 1250

2 | SI - ZZ - Proposed Block Plan
 1 : 500

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Significant hazards are defined as:-

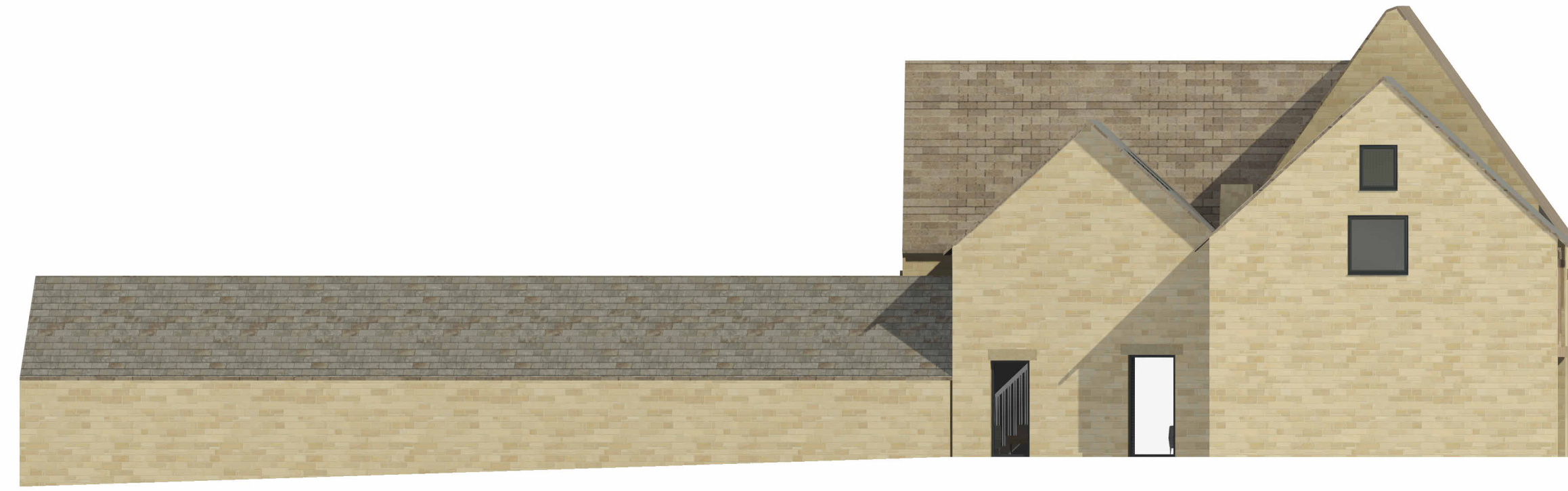
- Those not likely to be obvious to a competent contractor or other designers.
- Those of an unusual nature.
- Those likely to be difficult to manage effectively.

VISUAL SCALE 1:100 @A1

VISUAL SCALE 1:200 @A3



PRELIMINARY ISSUE



1 | EL - ZZ - Proposed East Elevation
1 : 100



2 | EL - ZZ - Proposed North Elevation
1 : 100



3 | EL - ZZ - Proposed South Elevation
1 : 100



4 | EL - ZZ - Proposed West Elevation
1 : 100

P08	Updates as agreed with planner	AL/RG	01.11.2024
P07	Barn N rooflight updates	AL/RG	24.09.2024
P06	Solar PV adjustments	RG/JH	25.06.2024
P05	DWG issue	JD/RG	24.05.2024
Rev	Description	By/Chk	Date

Revisions

Project

**45_001 /
Temple Guiting**

Client

Mackenzie Miller Home Ltd

Title

EL - ZZ - Proposed GA Elevations

Drawing No.	Revision
45_001-FDB-V1-ZZ-EL-A-143	- S2 P08

Scale @ A1	Drawn
1 : 100	RG

Site Address	Checked
Temple Guiting	JH

RIBA Work Stage	Drawing Suitability Code
3	S2 - Suitable for information

A2 | Architecture+

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01/11/2024 15:21:45

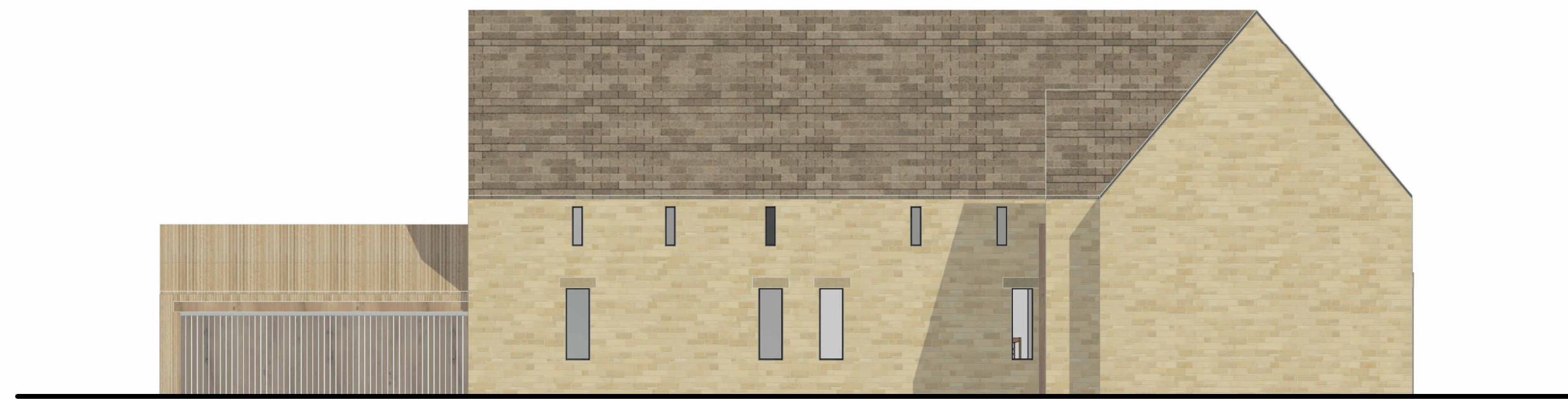
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- Those not likely to be obvious to a competent contractor or other designers.
- Those of an unusual nature.
- Those likely to be difficult to manage effectively.

VISUAL SCALE 1:100 @A1
VISUAL SCALE 1:200 @A3



PRELIMINARY ISSUE



EL - ZZ Front Elevation
1 : 100



EL - ZZ Side Elevation A
1 : 100



EL - ZZ Rear Elevation
1 : 100



EL - ZZ Side Elevation B
1 : 100

Rev	Description	By/Chk	Date
P09	Orchard path amendments	AL/RG	10.09.2025
P08	Solar PV adjustments	RG/JH	25.06.2024
P07	DWG Issue	JD/RG	24.05.2024
P06	Planning Issue	RG/JH	01.12.2023

Revisions

Project

45_001 /
Temple Guiting

Client

Mackenzie Miller Home Ltd

Title

EL - ZZ - Proposed GA Elevations - Unit 1

Drawing No.	Revision
45_001-FDB-V1-ZZ-EL-A-140	- S3 P09

Scale @ A1	Drawn
1 : 100	RG

Site Address	Checked
GL54 5RT	JH

RIBA Work Stage	Drawing Suitability Code
2	S3 - Suitable for review and comment

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VISUAL SCALE 1:100 @A1

VISUAL SCALE 1:200 @A3



PRELIMINARY ISSUE



EL - ZZ Front Elevation
1 : 100



EL - ZZ Side Elevation A
1 : 100



EL - ZZ Rear Elevation
1 : 100



EL - ZZ Side Elevation B
1 : 100

P08	Solar PV adjustments	RG/JH	25.06.2024
P07	DWG Issue	JD/RG	24.05.2024
P06	Planning Issue	RG/JH	01.12.2023
P05	Design updates to design team comments	NN/RG	15.11.2023
Rev	Description	By/Chk	Date

Revisions

Project

45_001 /
Temple Guiting

Client

Mackenzie Miller Home Ltd

Title

EL - ZZ - Proposed GA Elevations - Unit 2

Drawing No.	Revision
45_001-FDB-V1-ZZ-EL-A-141	- S3 P08

Scale @ A1	Drawn
1 : 100	RG

Site Address	Checked
GL54 5RT	JH

RIBA Work Stage	Drawing Suitability Code
2	S3 - Suitable for review and comment

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VISUAL SCALE 1:100 @A1

VISUAL SCALE 1:200 @A3



PRELIMINARY ISSUE



EL - ZZ Front Elevation
1 : 100



EL - ZZ Side Elevation A
1 : 100



EL - ZZ Rear Elevation
1 : 100



EL - ZZ Side Elevation B
1 : 100

P08	Solar PV adjustments	RG/JH	25.06.2024
P07	DWG Issue	JD/RG	24.05.2024
P06	Planning Issue	RG/JH	01.12.2023
P05	Design updates to design team comments	NN/RG	15.11.2023
Rev	Description	By/Chk	Date

Revisions

Project

45_001 /
Temple Guiting

Client

Mackenzie Miller Home Ltd

Title

EL - ZZ - Proposed GA Elevations - Unit 3

Drawing No.	Revision
45_001-FDB-V1-ZZ-EL-A-142	- S3 P08

Scale @ A1	Drawn
1 : 100	RG

Site Address	Checked
GL54 5RT	JH

RIBA Work Stage	Drawing Suitability Code
2	S3 - Suitable for review and comment

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- Those likely to be difficult to manage effectively.

VISUAL SCALE 1:100 @A1

VISUAL SCALE 1:200 @A3



PRELIMINARY ISSUE



EL - ZZ Front Elevation
1 : 100



EL - ZZ Side Elevation A
1 : 100



EL - ZZ Rear Elevation
1 : 100



EL - ZZ Side Elevation B
1 : 100

P08	Solar PV adjustments	RG/JH	25.06.2024
P07	DWG Issue	JD/RG	24.05.2024
P06	Updated to suit planner's commentary	RG/JH	15.05.2024
P05	Planning Issue	RG/JH	01.12.2023
Rev	Description	By/Chk	Date

Revisions

Project

45_001 /
Temple Guiting

Client

Mackenzie Miller Home Ltd

Title

EL - ZZ - Proposed GA Elevations - Units 4 + 5

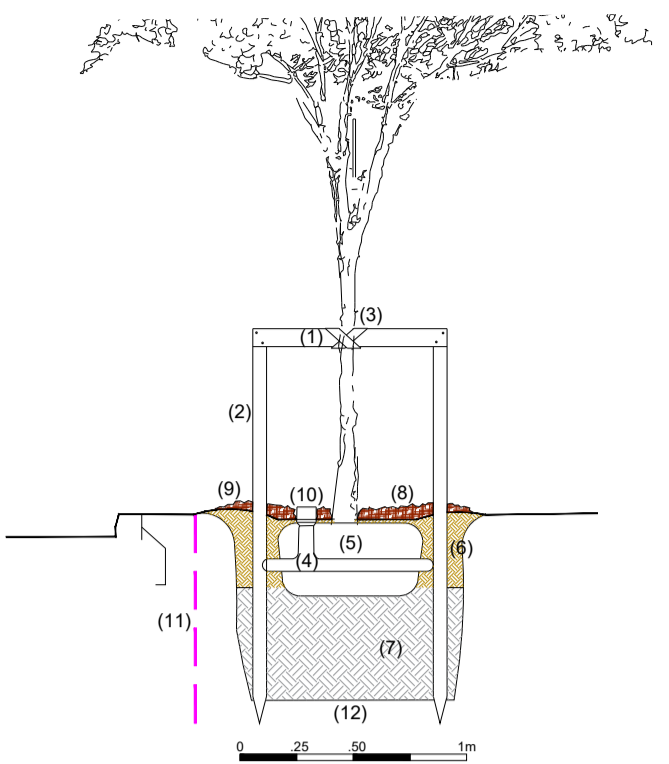
Drawing No.	Revision
45_001-FDB-V1-ZZ-EL-A-143	- S3 P08

Scale @ A1	Drawn
1 : 100	RG

Site Address	Checked
GL54 5RT	JH

RIBA Work Stage	Drawing Suitability Code
2	S3 - Suitable for review and comment

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STANDARD TREE - PLANTING DETAIL
SCALE: 1:20

- 1) 100x38mm section, treated softwood timber cross spar fixed to posts with galvanised nails.
- 2) Pressure impregnated turned timber stakes (min 7mm diameter)
- 3) Rubber strap and rubber spacer collar - strap overlapped and fixed to timber cross spar with galvanised cold headed nails
- 4) Plastic perforated pipe - Greenleaf RoofRain Metro or similar
- 5) Root ball
- 6) 300mm depth of topsoil in accordance with BS3882 with ameliorants in accordance with soil analysis
- 7) 500mm suitable loamised subsoil
- 8) 75mm amenity grade bark mulch with 100-120mm diameter clear area adjacent to tree bole
- 9) Raised edge to tree pit to retain mulch and precipitation
- 10) Watering tube
- 11) Root barrier located to protect services and hard surfaces as required
- 12) 1000x1000x800mm tree pit with the sides and bottom of pit to be broken up by forking prior to planting

Planting Schedule

Number	Species	Girth	Height	Height Y7 (+0.3m per Year)	Specification
9	Acer campestre	14-16cm	350-425cm	560cm	RB-3x-Heavy Standard-Clear Stem 175-200 :3/5 brks
4	Carpinus betulus	14-16cm	350-425cm	560cm	RB-3x-Heavy Standard-Clear Stem 175-200 :3/5 brks
10	Fagus sylvatica	14-16cm	350-425cm	560cm	RB-3x-Heavy Standard-Clear Stem 175-200 :3/5 brks
4	Malus domestica 'Anseif'	175-200cm	385cm		Half Standard :M111 rootstock-Clear Stem 100-125cm :3 brks
2	Malus domestica 'Arlingham Schoolboys'	175-200cm	385cm		Half Standard :M111 rootstock-Clear Stem 100-125cm :3 brks
5	Malus domestica 'Ben Lane'	175-200cm	385cm		Half Standard :M111 rootstock-Clear Stem 100-125cm :3 brks
2	Malus domestica 'Box Kermef'	175-200cm	No Pilot		Half Standard :M111 rootstock-Clear Stem 100-125cm :3 brks
2	Malus domestica 'Chaxhill Red'	175-200cm	660cm		Half Standard :M111 rootstock-Clear Stem 100-125cm :3 brks
1	Malus domestica 'Chaxhill Red'	175-200cm	385cm		Half Standard :M111 rootstock-Clear Stem 100-125cm :3 brks
2	Malus domestica 'Elmore Pippin'	175-200cm	385cm		Half Standard :M111 rootstock-Clear Stem 100-125cm :3 brks
4	Prunus padus	14-16cm	350-425cm	560cm	RB-3x-Heavy Standard-Clear Stem 175-200 :3/5 brks
2	Quercus robur	14-16cm	350-425cm	560cm	RB-3x-Heavy Standard-Clear Stem 175-200 :3/5 brks
18	Sorbus aucuparia	14-16cm	350-425cm	560cm	RB-3x-Heavy Standard-Clear Stem 175-200 :3/5 brks

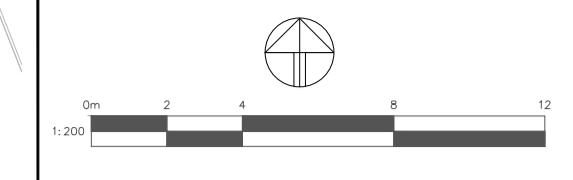
Number	Species	Height	Specification	Density
207	Acer campestre	40-60cm	BR :1+1	0.3Ctr Double Staggered at 0.5m offset
23	Ceanothus 'Blue Mound'	40-60cm	Bushy :5/6 brks	4/m ²
23	Choiysya ternata 'Sundance'	40-60cm	C :Bushy :5 brks	4/m ²
34	Cornus sanguinea	40-60cm	BR :1+1; Transplant	1/m ²
207	Cornus sanguinea	40-60cm	BR :1+1	0.3Ctr Double Staggered at 0.5m offset
95	Corylus avellana	40-60cm	BR :1+1; Transplant	1/m ²
65	Crataegus monogyna	40-60cm	BR :1+1; Transplant	1/m ²
617	Crataegus monogyna	40-60cm	BR :1+1	0.3Ctr Double Staggered at 0.5m offset
23	Elaeagnus ebbingei 'LimeLight'	40-60cm	Branched :5 brks	4/m ²
4	Euonymus europaeus	40-60cm	BR :1+1; Transplant	1/m ²
207	Euonymus europaeus	40-60cm	BR :1+1	0.3Ctr Double Staggered at 0.5m offset
333	Fagus sylvatica	60-80cm	BR :1+1	0.3Ctr
3	Hebe 'White Gem'	30-40cm	C :Bushy :5 brks	4/m ²
20	Ilex aquifolium	40-60cm	Leader With Laterals	1/m ²
50	Lavandula angustifolia 'Hidcoler'	10-20cm	C :Bushy :3/5 brks	5/m ²
37	Lonicera nitida 'May Green'	40-60cm	C :Bushy :8 brks	4/m ²
207	Malus sylvestris	40-60cm	BR :1+1	0.3Ctr Double Staggered at 0.5m offset
23	Phormium 'Sundowner'	60-80cm	Triple crown	4/m ²
34	Prunus spinosa	40-60cm	BR :1+1; Transplant	1/m ²
207	Prunus spinosa	40-60cm	BR :1+1	0.3Ctr Double Staggered at 0.5m offset
207	Rhamnus cathartica	40-60cm	BR :1+1	0.3Ctr Double Staggered at 0.5m offset
20	Rosa carina	40-60cm	BR :1+0; Seedling; branched	1/m ²
20	Salix caprea	40-60cm	C :Branched :3 brks	1/m ²
207	Sambucus nigra	40-60cm	BR :1+1	0.3Ctr Double Staggered at 0.5m offset
35	Sarcococca humilis	20-30cm	C :Bushy :6 brks	4/m ²
35	Viburnum davidii	20-30cm	C :Bushy :3 brks	4/m ²
20	Viburnum opulus	40-60cm	BR :1+1; Transplant	1/m ²
23	Viburnum opulus 'Compactum'	40-60cm	Bushy :5/6 brks	4/m ²
39	Vinca minor 'Alba'		Several shoots :3/5 brks	4/m ²

Number	Pot Size	Species	Specification	Density
27	2L	Tiarella cordifolia	C	4/m ²

Number	Species	Height	Height Y7 (+0.3m per Year)	Specification	Density
14	Taxus baccata	175-200cm	385cm	4x: leaders: feathered to base	Counted

Number	Species	Specification	Density
22	Allium giganteum	Grade 18/20	5/m ²
9	Allium schoenoprasum	Grade 4/5	5/m ²
11	Galanthus nivalis	Grade 5/6	5/m ²

Number	Species	Pot Size	Specification	Density
20	Asplenium scolopendrium	2L	Full Pot	4/m ²
27	Matteuccia struthiopteris	3L	Full Pot	4/m ²
20	Polypodium vulgare	2L	Full Pot	4/m ²



- Application Boundary
- Retained Tree
- Proposed Tree
- Proposed Native Hedgerow
- Proposed Species Rich Short Grass
- Product: Species Rich Lawn Turf (WFT-Species-Rich-26) or similar Supplier: Willflower Turf
- Proposed Meadow Grass
- Product: Meadow Seed Mix for Chalk and Limestone Soils (EM6) or similar Supplier: Emorgate Seeds
- Proposed Native Scrub
- Proposed Grid Stabilized Cotswold Chippings
- Proposed Cotswold Stone Chippings
- Proposed Block Paving
- Proposed Grasscrete Surface
- Proposed Dry Stone Walls
- Proposed Spot Height

Rev	Date	Details	By	DA
P12	20.09.2024	Unit 1 adjusted to allow off-road access	JW	MD
P11	23.07.2024	General revision and BTO area added	JW	MD
P10	13.07.2024	ENG measurements added	JW	MD
P09	08.09.2024	Consent revised	JW	MD
P08	12.04.2024	Fence added to define buffer area	JW	MD
P07	02.01.2024	Unit walls reduced and minor amended	JW	MD
P06	09.12.2023	Barn 70mm revised	JW	MD
P05	08.12.2023	Further layout adjustments	JW	MD
P04	09.12.2023	Layout updated	JW	MD
P03	01.12.2023	Layout updated	JW	MD
P02	11.11.2023	Layout updated	JW	MD
P01	18.10.2023	Final issue	JW	MD

NUMBER	STATUS	TITLE	PROJECT	CLIENT
		Temple Guiting		
		Soft Landscape Plan		
		Comment		
		DATE		
		2167_DLA - DR L 013_P12		
		Job Number 2167	Scale: 1:620	Sheet: A1

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VISUAL SCALE 1:200 @A1
 VISUAL SCALE 1:400 @A3
 0m 4m 8m 12m 16m 20m

AWAITING STAGE APPROVAL



Rev	Description	By/Chk	Date
P013	M4(2) Compliance	AL/RG	14.11.2024
P012	DWG Issue	JD/RG	24.05.2024
P011	Level adjustments	RG/JH	21.12.2023
P010	Final planning Issue	RG/JH	08.12.2023

Revisions			
Project			
45_01 / Temple Guiting			
Client			
Mackenzie Miller			
Title			
VS - ZZ - South Axonometric			
Drawing No.		Revision	
45_01-FDB-V1-ZZ-VS-A-182		- S4 P013	
Scale @ A1		Drawn	
		RG	
Site Address		Checked	
Temple Guiting		JH	
RIBA Work Stage		Drawing Suitability Code	
3		S4 - Suitable for stage approval	



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14/11/2024 17:38:03

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VISUAL SCALE 1:200 @A1

VISUAL SCALE 1:400 @A3



AWAITING STAGE APPROVAL

P09	Final planning issue	RG/JH	08.12.2023
P08	Landscape planning issue	RG/JH	06.12.2023
P07	Design updates to design team comments	NN/RG	15.11.2023
P06	Planning issue	RG/JH	12.10.2023
Rev	Description	By/Chk	Date

Revisions

Project

**45_01 /
Temple Guiting**

Client

Mackenzie Miller

Title

VS - ZZ - North Axonometric

Drawing No. Revision

45_01-FDB-V1-ZZ-VS-A-183 - S4 P09

Scale @ A1 Drawn

RG

Site Address Checked

Temple Guiting JH

RIBA Work Stage Drawing Suitability Code

3 S4 - Suitable for stage approval



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08/12/2023 13:50:28



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Dear Review Panel

I am requesting that this application be referred to the planning committee. Whilst at first sight this appears a straightforward application because of the situation concerning Temple Guiting School, the village hall and the recreational land adjacent to it.

During numerous meetings with the Parish Council I have learnt of their desire for this application to proceed. They see a number of advantages of the scheme including the restoration of a traditional Cotswold and beautiful stone barn which is the principal feature of the site. They accept the concerns over visual impact of the development but stress the developers attempts to produce a sensitive design have been successful.

The Parish Council has held a planning meeting which residents attended to review the original plan. This produced a list of 12 significant concerns which the appear in the planning officers report. There was a second meeting regarding Sustainability, Biodiversity Net Gain, Design and Heritage which was welcomed by the Council.

The development is highly sustainable and residents would wish the non-designated Heritage Asset of the Barn to be restored.

Lastly, I realise the above is of little importance in planning considerations but felt that it was necessary to set the scene for the application. I have asked the parish council if there objection could not be overturned would they prefer the development to go ahead and the majority would prefer this development to proceed.

My comments on the planning officer, who I hold in high regard, are as follows.

Residential Development in a Non-Principal Settlement

Under Policy DS3 the development needs to support or enhance the vitality of the local community and the continued availability of services and facilities. It needs to be proportionate and maintain/enhance sustainable patters of development. It should complement the form and character of the settlement and must not have an adverse cumulative impact on the settlement.

This is a small 5 dwelling development and ticks all the above boxes. It is next to a major area of village life – the village hall and the school. The development will both support and enhance the local community by providing increased housing in a proportionate and sustainable manner. It will support existing services. There has been very limited development in the village and to my knowledge no more are planned. This development will support services not only in Temple Guiting itself but also in nearby settlements such as Kineton and Ford, promoting local sustainability. The expected population from this development is around 16 people, based on an average household size of 2.62 people.

The application could not be refused for this reason.

EC6 Conversion of Rural Buildings

The buildings must be structurally sound, suitable for conversion without substantial alteration or re-building. It must not cause conflict with existing farming operations and the development must be compatible with existing uses.

As the application site is not long used for farming, we need to be concerned with structure and suitability. Whilst the barn is not in good condition there is a sufficient structure to be worked on. It can be repaired and converted to residential use although the work will be substantial.

The application could not be refused for this reason.

H2 Affordable Housing

This is a brownfield site and would be expected to provide 40% affordable housing. However the Government's District Valuation Office has assessed the applicant's viability case and has identified that the scheme, as proposed, is not viable to a point of providing affordable housing.

Whilst this assessment has been undertaken in relation to the requirement to include affordable housing within the scheme, it is also relevant with regards to the consideration of the scheme as a whole and desire to ensure the heritage asset of the old barn and the site as a whole within the Conservation Area.

Any proposal which sought to provide a lower level of accommodation, would mean that the public benefits identified above would not come forward, including importantly the beneficial repurposing of the barn.

As there are less than six houses in the development no financial payment is called for. It is considered that it would not be possible to sustain an objection under Local Plan Policy H.

The application could not be refused for this reason.

Design and impact on the Character and Appearance of Temple Gutting's Conservation Area

The site is in the Conservation Area the proposed development must be assessed for its overall impact on the conservation area, not just the site itself. I understand the conservation officer considers the development to harm to the conservation area as Units 1-3 do not follow a typical farmstead approach. Personally I think they do and in any event this harm must be considered to be less than substantial which means public benefit must be achieved to overcome the harm.

The application could not be refused for this reason.

Local Plan Policy EN1 Built, Natural and Historic Environment

This promotes the protection, conservation and enhancement of the historic and natural environment. Protections are in proportion to their significance. Address climate change and seek to improve air, soil and water quality. This policy also promotes sustainable development that respects local distinctiveness and minimises adverse environmental impact.

This development of an all low-carbon schemes in the Cotswold are not currently comparable to this development as they tend to use red brick. This scheme proposed at Temple Guiting would surpass the sustainability specification that is achieved on the low-carbon schemes in the Cotswolds. It achieves an A-rated EPC for each property and an 86% reduction in CO2. The proposed scheme is expected to be an exporter of energy to the grid and also sufficient in the winter months; this is principally due to the PV array and storage.

The application could not be refused for this reason.

Local Plan Policy EN2 Design of the Build and Natural Environment

I believe this development meets with the Cotswold Design Code and respects the character and distinctiveness of the Cotswolds.

The application could not be refused for this reason.

Local Plan EN4 The Wider Natural and Historic Landscape

Currently this is a largely brownfield, degraded mixture of decaying buildings and unmanaged land which has not been worked on for some time. They detract the views of the Cotswolds and give a sense of decay and abandonment on an important threshold into the village. Views are very localised due to intervening vegetation and landform and is only perceived when in close proximity to the site and cannot be seen from the wider rural landscape.

The proposed development would provide an improved gateway when approaching the village from the south and will be visually attractive to users of the Diamond and Winchcombe Way which would have an expectation of seeing attractive rural buildings rather than a dilapidated farmstead.

The development would improve this landscape and I cannot see how it could be refused for this reason.

Local Plan EN10 Designated Heritage Assets

The application involves the restoration and conversion of a non-designated heritage asset (Barn N) located at the entrance to Temple Guiting's Conservation Area. The heritage asset is currently in a dilapidated state, with part of the roof having collapsed. Without intervention, this barn risks further deterioration, potentially contributing to a decline in the character of the conservation area.

The proposed development will involve the removal of surrounding barns, which currently obscure the heritage asset, as well as wider new build proposals that aim to improve the setting of the barn and its relationship to the village.

I understand that the applicant has worked closely with the conservation officer to ensure that the historic form of the building is maintained while allowing for sensitive restoration and alteration. The current appearance of the barn is not sympathetic to its context, particularly in relation to the nearby school and village hall. The restoration works are expected to result in a net benefit for the heritage asset and the overall character of the conservation area.

In terms of public benefits, the restoration of the heritage asset and its enhanced setting are key components of the development. The development will also contribute to housing delivery, which supports local services and facilities, and will improve the aesthetic quality of the area. Furthermore, by securing the future of the non-designated heritage asset and removing the risk of further decay, the development ensures the long-term viability of the building as a contributing feature to the conservation area.

The application could not be refused for this reason.

Local Plan EN11 Designated Heritage Assets – Conservation Area

Under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the proposed development must be assessed for its overall impact on the conservation area, not just the site itself. I understand the conservation officer considers the development to harm to the conservation area, particularly the design of Units 1-3 which do not follow a typical farmstead approach. I and the Parish Council consider this harm to be less than substantial which means public benefit must be achieved to overcome the harm.

The development's careful design, including a traditional courtyard arrangement, mitigates some of the potential negative impacts so I can't see this as a reason for refusal.

Local Plan EN12 Non-Designated Heritage Assets

This requires a sympathetic design with regard to the significance of the asset. Where possible it should enhance the character of the Non-Designated Heritage Assets.

I and other believe the design to be sympathetic and can not see this as a reason to refuse this application.

Local Plan EN13 The Conversion of Non-Domestic Historic Buildings (Designated and Non-Designated Heritage Assets)

Plus paragraphs 135 203, 205, 208, 209 and 212

To meet this test the conversion must secure the future of the asset. The asset must be structurally sound and the asset must be suitable for and capable of conversion to the proposed use with substantial alterations, extension or rebuilding.

This will be permitted where it can be demonstrated that the works would preserve the significance of the asset. Great weight should be given to the significance of the asset.

As stated earlier the heritage asset is currently in a dilapidated state. Part of the roof has collapsed and without work this asset will deteriorate. The developer and the conservation officer have worked together to ensure that the historic form of the building is maintained while allowing for sensitive restoration and alteration. The restoration works will result in a net benefit for the heritage asset and the overall character of the conservation area.

Whilst the current proposal are regarded as a compromise solution and not ideal the alternative is to do nothing. This would result over time the loss of the barn for future generations. I note that most of the barns to be lost are post war and have no heritage status. For this reason I cannot see this as a reason to refuse this application.

I note the comments on the design of units 1-3 but believe the proposed layout reflects both the form and utility of a traditional farmstead while meeting the functional requirements of modern housing. The design of these units is sensitive to the defining characteristics of the landscape, in terms of scale, massing, form, layout using materials in keeping with the village context. The disposition of the dwellings, walling and planting is designed to minimise views into garden areas to avoid perception of garden paraphernalia. I feel that the landscape quality and condition of the site would result, to conserve and enhance the AONB.

The proposed development would provide an improved gateway when approaching the village from the south and will be visually attractive to users of the Diamond and Winchcombe Way whom would have an expectation of seeing attractive rural buildings rather than a dilapidated farmstead. More importantly without sensitive intervention this farmstead would fall into further decline and disrepair adding to an already negative influence in the Cotswold National Landscape.

For this reason I urge you to allow this application to go to Committee

Impact on the Cotswold National Landscape

The site is located within the Cotswolds National Landscape (AONB), and as such, its design and impact on the landscape are of critical importance. The local landscape officer raised concerns about potential negative impacts on the agricultural character and the visual intrusion of the development, particularly from views along the Diamond and Winchcombe Way. However, the site is arguably brownfield, consisting of degraded buildings and unmanaged land that currently detracts from the landscape. The development's careful design minimizes these concerns by integrating the site into the

existing village character, which is made up of dispersed residential clusters surrounded by stone walls and trees.

As I have already said the proposed development will enhance the village's approach from the south, providing an attractive visual gateway for those traveling along the footpaths. The design ensures that the development is sensitive to the Cotswold National Landscape and will not create visual harm. The introduction of additional fruit trees and orchards will further enhance the ecological value of the site and provide a positive contribution to local biodiversity.

I cannot see this as a reason to refuse this application.

Access and Parking

A considerable amount of work has gone into this aspect of the application. GCC Highways had concerns over the use of Mill Lane due to its substandard surface. It requested more information and the applicant has submitted plans regarding resurfacing and additional white lines. To date there has been no reply from Highways.

Subject to Highways reply I believe this meets an acceptable standard.

Impact on Protected Species

I note the comments on protected species and the comments on bat roosts. However the Biodiversity & Countryside Officer comment on 30th September was to find the application acceptable subject to conditions.

Conservation Officers comments

I note the Conservation Officer's comments that this an apparent sprawl of a development. Whilst a more modest development is possible it is most unlikely to happen. Developers have spent a number of years on this application and have done their best to provide an application that whilst it will not be seen as perfect by some do they want the alternative of decayed buildings, overgrown landscapes and a detrimental effect on the approach to the village.

It is unlikely that a smaller bespoke house builder will pick this up again due to the history, cost and extent that a smaller scheme would produce. I have made enquires and understand the smaller bespoke developers would see this as too risky. Whilst this scheme may be seen by some as inappropriate unless action is taken soon I fear that the historic building will collapse soon making it less likely for it to be restored.

What we are being offered are new houses and the saving of a traditional Cotswold barn. Whilst I note the request for affordable housing for a site of this size it is impossible to provide. As the Government's District Valuation Office has assessed the scheme, as proposed, is not viable to a point of providing affordable housing, yet providing another viable scheme is impossible on a site of this size.

I cannot agree that the economic benefits will be short term. These are beautifully designed, well built houses. I have visited the developers site in Lower Rissington and

have seen the quality of the work for myself. The conservation officer says there is no guarantee that the houses will be occupied by children of primary school age but surely there is no guarantee that they will not be.

Whilst I do understand the comments over the sixteen years that I have been involved with local planning I have accepted that the ideal is not always possible and that we have to compromise between the need of our residents, the standard laid down by CDC and the ability of the developers to deliver projects. I believe this application provides a suitable and acceptable project.

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