

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 of 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.