

**Erection of first storey extension and ground floor alterations at The Barn Hills Farm
Calveshill Chedworth Cheltenham Gloucestershire GL54 4AH**

Full Application 24/02125/FUL	
Applicant:	Mr Jeremy Theyer
Agent:	
Case Officer:	Graham Smith
Ward Member(s):	Councillor Paul Hodgkinson
Committee Date:	12 March 2025
RECOMMENDATION:	REFUSE

1. Main Issues:

- (a) Design and impact on the Chedworth Conservation Area and the existing dwelling (Non-Designated Heritage Asset)
- (b) Impact on the Cotswolds National Landscape

2. Reasons for Referral:

- 2.1 The Councils Non-Executive Scheme of Delegation outlines that Applications submitted by or on behalf of a Member of the Council must be determined by the Planning and Licensing Committee and may not be determined under delegated powers.

3. Site Description:

- 3.1 The application site comprises a two storey dwellinghouse, The Barn, a converted agricultural building and its residential curtilage extending to an area of 0.1ha. The dwelling was converted from agricultural use to a single dwelling in late 2019/early 2020. The dwellinghouse has a modern single storey lean to extension to the north and a single storey entrance hall to the north which was part of the original structure. The Barn appears on the early OS plans for the area dating from 1853-1893 and is constructed of natural stone and is orientated with the front entrance facing southwards. The site has a vehicular access onto the Chedworth Restricted Byway (73) and in addition to the dwellinghouse comprises a gravelled parking/turning area accessed by a gated entrance to the front (south) and a garden area to the rear (north). To the front of the site contains a single storey outbuilding constructed of stone.
- 3.2 The application site is located outside of a development boundary and within the Cotswold National Landscape. The application site is also located within the Chedworth Conservation Area.

4. Relevant Planning History:

- 4.1 07/00010/FUL: Change of use and conversion of a barn to form a residential annexe. Granted May 2007.
- 4.2 09/01123/COMPLY: Change of use and conversion of a barn to form a residential annex. Granted June 2009.
- 4.3 18/01089/FUL: Change of use of converted barn/annexe to self-contained dwelling and associated external alterations. Granted July 2018.
- 4.4 18/03582/FUL: Change of use of converted barn/annexe to self-contained dwelling with external alterations and an extension to the rear (north) elevation. Granted April 2019.

5. Planning Policies:

- NPPF National Planning Policy Framework
- EN1 Built, Natural & Historic Environment
- EN2 Design of Built & Natural Environment
- EN4 The Wider Natural & Historic Landscape
- EN5 Cotswolds AONB
- EN10 HE: Designated Heritage Assets
- EN11 HE: DHA - Conservation Areas
- EN12 HE: Non-designated Heritage Assets
- EN13 HE: Conversion of non-domestic historic buildings

6. Observations of Consultees:

- 6.1 Conservation Officer : Objects to the proposals. Comments are incorporated into the main body of this report.

7. View of Town/Parish Council:

- 7.1 Chedworth Parish Council : No objection in principle subject to no unnecessary external lighting to conform with the Chedworth parish dark skies policy, as this is in a prominent position near the crest of the Chedworth valley.

8. Other Representations:

- 8.1 One third party objection letter has been received raising concerns of:
- i. Overlooking from the proposed extension;

- ii. Increased light pollution;
- iii. Uncharacteristic design.

9. Applicant's Supporting Information:

- Plans
- Design and Access Statement
- Heritage Statement
- Additional Supporting Statement

10. Officer's Assessment:

- 10.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that *'If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.'*
- 10.2 The starting point for the determination of this application is therefore the current development plan for the District which is the adopted Cotswold District Local Plan 2011 - 2031.
- 10.3 The policies and guidance within the revised National Planning Policy Framework (NPPF) are also a material planning consideration.

Background and Proposed Development

- 10.4 The applicant has implemented the April 2019 permission reference 18/03582/FUL for the change of use of the barn to self-contained dwelling. This permission was conditional and all permitted development rights were removed.
- 10.5 This application seeks permission to extend the dwelling by the addition of a first floor above the existing ground floor to the rear of the property. At ground floor level the application proposes a minor amendment to the arrangement of doors and windows.
- 10.6 The extension measures 4.7m by 10.4m and would provide an additional 48.9sqm of residential floorspace. The height of the extension would be 7.1m to ridge and 4.7m to eaves.
- 10.7 The submitted proposals relate to the extension and alteration of an existing dwelling and fall within the established curtilage of the property. The proposals constitute householder development and therefore represents a form of development which is acceptable in principle in the proposed location.
- 10.8 The proposals are however required to satisfy the detailed requirements of other policies and this is considered below.

10.9 The applicants have made reference to three previous decisions taken by the Council that they consider create a precedent that should mean planning permission be granted for the proposals. Officers have considered each of these applications and consider that these applications are not comparable to the current proposal. It is therefore considered that limited weight should be attached to these applications.

(a) Design and impact on the Chedworth Conservation Area and the existing dwelling (Non-Designated Heritage Asset)

10.10 The site lies within the Chedworth 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 area, in accordance with Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

10.11 The dwellinghouse is a non-designated heritage asset due to its age, historic significance and that it survives largely intact with minimal alteration to its built form. Whilst such assets have not been identified comprehensively across the District in a local list, the Local Plan states that non-designated heritage assets will continue to be identified as part of the planning application process, as is the case here, based on the criterion contained within the supporting text to Local Plan Policy EN12 and will be given appropriate consideration.

10.12 Local Plan Policy EN2 supports development which accords with the Cotswold Design Code and respects the character and distinctive appearance of the locality.

10.13 Local Plan Policy EN10 states that in considering proposals that affect a designated heritage asset or its setting great weight will be given to the assets conservation.

10.14 Local Plan Policy EN11 states that development proposals that would affect Conservation Areas and their settings, will be permitted provided they 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.

10.15 Local Plan policy EN12 states that development affecting a non-designated heritage asset will be permitted where it is designed sympathetically having regard to the significance of the asset.

10.16 Local Plan policy EN13 relates to non-domestic historic buildings. The policy states that proposals to convert non-domestic heritage assets to alternative uses will be permitted provided a range of criteria are met including that the building is suitable for conversion without substantial alteration, extension or rebuilding. Where such buildings have been converted proposals to extend or alter such buildings will be permitted where it can be demonstrated that the proposed works would preserve the significance of the asset.

- 10.17 The application seeks to add a first floor extension to an existing single storey modern addition. It is noted that a similarly scaled addition was proposed as part of application reference 18/03582/FUL and during the course of the applications, concerns were raised regarding the additional uncharacteristic bulk of the extension. The original proposal detailed a two-storey addition which was deemed to diminish the agricultural character of the building, and the proposals were subsequently amended to remove the first storey element. As part of a separate application in 2019 a replacement single-storey extension was agreed and this ensured that the vernacular character was simple and utilitarian in appearance thereby retaining the buildings agricultural character. The existing single storey addition was demolished and replaced as part of the 2019 scheme.
- 10.18 It is acknowledged that there are differences to the previous proposal and that the current extension needs to be considered on its own merits. In this regard the extension is slightly lower in height than the main dwelling at 7.1m to ridge compared to the main dwellings 8m. Similarly, it is smaller than the corresponding depth of the main house at 4.7m compared to 6.2m and width at 10.4m to 11.2m. The proposals would add 48.9sqm of additional floorspace to the original dwellinghouses 195.8sqm which equates to an increase of 25%.
- 10.19 It should be noted that the Design Code (D.67, 5 parts a-v) allows for the conversion of agricultural buildings to residential use only where they are structurally sound to do so and there are minimal alterations to the existing fabric and limited extensions needed to make the building of a size suitable for living accommodation. It is considered that the 2019 permission achieved these requirements.
- 10.20 Following the conversion any extensions to the dwelling would need to be considered against policy EN2 and the Design Code D.67 1, parts a-s.
- 10.21 The Code makes reference to extensions respecting the existing building in terms of scale, proportions and massing.
- 10.22 The current proposal would add an uncharacteristic second gable end to both the west and east elevations which would appear incongruous to the main dwelling. This would add excessive bulk and would compete with the original building contrary to the Design Code. The proposals are a disproportionate addition to the building taking into account policy EN2 and the Design Code advice and would erode the character of the building. The twin gable form would also be an overly suburban form, out of keep within the agricultural character of the building, which was carefully retained as part of the original conversion.
- 10.23 It is noted that the extension would not be visible when viewed from public highway to the south. To the east any views from the Chedworth Restricted Byway (73) will be filtered and intermittent due to the topography and existing vegetation. However, whilst public views of the development within the Conservation Area may be restricted that does not necessarily mean that there is no harm. Views are available from

neighbouring dwellings and gardens and the development as proposed would diminish the appreciation neighbouring occupiers have of the conservation area.

- 10.24 The scheme also fails to accord with Policy EN11 due to the over development of the host building and the schemes failure to retain a characteristic agricultural plan, form and massing and would therefore fail to preserve or enhance the Chedworth Conservation Area.
- 10.25 The scheme also fails to accord with Policy EN12 as the extension does not respond to the significance of the host building, its character, features and setting. The proposals would diminish the buildings agricultural character and is considered an overdevelopment of the building.
- 10.26 The proposals need to be considered against policy EN13 part 2. It is noted that whilst the policy does not rule out every extension or alteration to heritage assets that have been converted. However, this has to be balanced with such works preserving the significance of the asset. In this case it is considered that the proposed development will fundamentally alter the form and features of the building by adding an uncharacteristic second floor gable end and marring the current simple roof form.
- 10.27 Regarding the harm to the conservation area, it is considered that the harm would fall into the category of 'less than substantial harm' in terms of section 16 of the NPPF. Paragraph 215 of the NPPF states that less than substantial harm should be weighed against the public benefits of the proposals. However, these are limited due to the building being in private ownership, not vacant and not a building at risk.
- 10.28 It is considered that the application fails to comply with Local Plan Policies EN1, EN2, EN10, EN11, EN12 and EN13, as well as sections 12 and 16 of the NPPF.

(b) Impact on the Cotswolds National Landscape

- 10.29 The site is located within the Cotswolds National Landscape. Section 85 (A1) of the Countryside and Rights of Way (CROW) Act 2000 (as amended by Section 245 of the Levelling-up and Regeneration Act 2023) states that relevant authorities have a duty to seek to further the purpose of conserving and enhancing the natural beauty of national landscape.
- 10.30 Local Plan Policy EN5 relates specifically to the national landscape and states that in determining development proposals within the area, or its setting, the conservation and enhancement of the natural beauty of the landscape, its character and special qualities will be given great weight.
- 10.31 The proposals are located wholly within the established curtilage of the dwellinghouse and would not extend the dwelling into the open landscape. From a landscape point of view the proposed development would be viewed against the backdrop of the existing dwelling and therefore would not harm the natural beauty of the landscape.

10.32 It is considered that the proposals are in accordance with policy EN5, as well as Section 15 of the NPPF.

Other Matters

10.33 The proposed development is not liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended). This is because it is less than 100m² of new build residential floorspace and therefore benefits from Minor Development Exemption under CIL Regulation 42.

10.34 The application raises no other issues relevant to matters such as biodiversity, highways and access and protected trees.

11. Conclusion:

11.1 The proposed development is considered to be contrary to policies EN1, EN2, EN10, EN11, EN12 and EN13. It is therefore recommended that permission is refused.

12. Reasons for Refusal:

1. The Barn lies within the Chedworth Conservation Area. Under the Planning (Listed Buildings and Conservation Areas) Act, 1990, there is a statutory duty for the Local Planning Authority to pay special attention to the desirability of preserving or enhancing the character or appearance of that area. The current proposal, by virtue of its design, scale and massing would result in an incongruous addition that would neither preserve nor enhance the character and appearance of the Chedworth Conservation Area, nor sustain its significance as a designated heritage asset. The harm would be less than substantial but would not be outweighed by any resultant public benefits. The proposal is also considered to have an adverse impact on the significance of the non-designated heritage asset and would be of a poor design, contrary to the Cotswold Design Code. As a result, the proposal conflicts with Local Plan Policies EN1, EN2, EN10, EN11, EN12 and EN13 part 2 and Sections 12 and 16 of the National Planning Policy Framework.