



SFPLANNING

PLANNING STATEMENT

SHORNHILL FARM, WITHINGTON, CHELTENHAM, GL54 4BJ | JUNE 2022

Full planning permission for the conversion of linked disused stables to single dwelling, including associated access and landscaping

On behalf of Mr Padraic O'Sullivan

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1.0 Introduction and background

- 1.1 This Planning Statement is prepared by SF Planning Limited on behalf of our client, Mr Padraic O’Sullivan, in support of an application for the change of use and conversion of two linked redundant equestrian barns to a single dwelling at Shornhill Farm, Withington, Cheltenham, GL54 3BJ.
- 1.2 This Statement provides a description of the application site, its context and planning history. The Statement also explains how the proposed development is in accordance with the relevant policies of the Cotswold District Local Plan (2018) and the National Planning Policy Framework (NPPF), the advice in national planning guidance and any relevant local guidance.
- 1.3 One of the principle purposes of the planning system is the pursuit of sustainable development – that is, meeting the needs of today without compromising the needs of tomorrow. In development terms this is distilled as the need to ensure that development is economically, socially and environmentally compliant. This planning statement will scrutinise how the proposed development accords with these principles, together with all relevant national, local and emerging planning policy.
- 1.4 This statement should be read in conjunction with the submitted application and comprehensive suite of supporting plans and information, comprising:
 - Existing and Proposed Plans and Elevations;
 - Site Location Plan;
 - Structural Report;
 - Ecological Appraisal, and;
 - Drainage Strategy.

2.0 The site and development context

- 2.1 The Application Site, as identified in Figure 1, is located approximately 2 miles west of the village of Withington, at the property known as Shornhill Farm. Withington comprises some local services and amenities, including primary school, church, pub and bus stops. It is well connected to a number of surrounding villages including Chedworth, Shipton Oliffe and Colesbourne, whilst Cheltenham lies 7 miles north-west and Cirencester 9 miles south.
- 2.2 The site comprises two linked, single storey buildings which stand detached from and to the north-east of the main farm house of Shornhill Farm and immediately west of a disused riding arena, at the end of the estate access road. Prior to purchase of the property by the applicant in 2007, the buildings had been used as stables for horses owned by various individuals. Since the applicant took over the site, the buildings were let until June 2017. Since June 2017 the buildings became disused and are therefore now redundant pending the outcome of this application.



Figure 1: Site location

- 2.3 The currently disused buildings comprise two broadly rectangular parts on plan with the longer axis of both sections orientated approximately north-south. The land is gently sloping east to west around the buildings meaning the eastern elevations are built into the ground by circa. 1m.
- 2.4 The buildings are of modern construction and have a structural form of timber, masonry and green profiled metal clad elevations, under duo-pitched roof clad with corrugated sheeting. They are considered structurally sound and capable of conversion, as detailed further in the accompanying Structural Report. The buildings are in good condition, and will be let out for equestrian purposes, in the alternative.



Figure 2: Existing Barn

- 2.5 The Site is located in Flood Zone 1 on the Environment Agency’s Flood Risk Map for Planning, and is therefore at minimal risk of flooding. There are no Listed Buildings in the immediate vicinity, nor is the site located within a Conservation Area. The Site is located within the Cotswold Area of Outstanding Natural Beauty (AONB), the relevance of which is discussed further below.

3.0 Proposed development

- 3.1 The proposal is for the conversion of the existing disused stables to a single residential dwelling, which is considered an enhancement to its current use and provides an opportunity to make more effective use of the site.
- 3.2 The proposal will re-utilise the existing buildings, with height, mass and scale remaining the same, as shown in the accompanying elevation drawings. Minimal alterations to the form or external appearance will be undertaken, with original materials retained where possible.
- 3.3 The dwelling will retain the green profiled metal cladding throughout, whilst the brickwork and existing timber cladding will be painted black. A number of existing openings have been elongated and will be glazed with black aluminium frames, along with new openings to the south and north elevations, including bi-fold doors which open out onto a private terrace and courtyard garden. Low profile rooflights have also been installed to maximise natural light into the property.
- 3.4 Internally, the dwelling makes provision for family-friendly accommodation with open-plan kitchen and living area, maximising natural light and space.
- 3.5 The proposed site layout has been produced to enable a development which provides for the 'best use of land' and functionality, whilst ensuring a high standard of residential amenity for future occupants.
- 3.6 The scale of the dwelling in terms of layout is considered commensurate with other rural properties in the vicinity and can therefore be considered contextual and concordant with the character of the area. Moreover, the re-use of the existing building means that very little change is anticipated to the existing landscaping. Consequently, the existing green openness of the locale will be preserved as it is currently.
- 3.7 The proposed site layout will accommodate the vehicle parking and manoeuvring that is likely to be generated. Service and delivery vehicles (including refuse vehicles) will serve the proposed dwelling in the same manner as Shornhill Farm House.
- 3.8 A simple but practical hard and soft landscaping scheme will be utilised to complement the proposal, including low maintenance shrub borders and trees, post and rail fencing and Cotswold stone gravel to the occupant parking area.

4.0 Relevant planning history

4.1 The planning history for the wider Shornhill Farm site is as set out below:

- **00.02048** - Construction of new staff accommodation following demolition of existing. Approved;
- **00.02234** - Removal of flat roof on side extension and provision of new pitched roof, adjustment to ground levels and provision of retaining walls. Approved;
- **13/01208/FUL** - Erection of first floor extension. Approved;
- **20/04361/FUL** - Fenestration alterations and installation of 1no. flue to facilitate conversion of barn to form 1no. detached new dwelling, new access and associated landscaping. Approved;
- **21/02186/NONMAT** - Non-material Amendment to permission 20/04361/FUL - Fenestration alterations and installation of 1no. flue to facilitate conversion of barn to form 1no. detached new dwelling, new access and associated landscaping - to enable proposed design amendments relating to external facing and roof materials. Withdrawn;
- **21/03583/FUL** - Change of use of redundant barn to single dwelling, including associated access and landscaping (resubmission of planning permission ref. 20/04361/FUL to include an extension and alteration to cladding). Approved.

4.2 There is no direct planning history linked to the existing buildings associated with this proposal, however, the buildings and riding arena have been in situ for decades, as shown in Figure 3.



Figure 3: Google Earth image showing building and riding arena in situ in 1999

Fallback position

- 4.3 The buildings and riding arena are an unrestricted equestrian use. The existing floor plans demonstrate that the building has the potential to stable up to 7no. horses, with adjoining large storage/tack room. Given the good condition of the building, the applicant could therefore reasonably reactivate the equestrian use and rent out the stables for 7no. horses each with separate owners, which would generate at least 14no. two-way trips per day.

- 4.4 The caselaw on the matter of fallback considerations has evolved over time. Some of the initial judgments on the matter are from *New Forest District Council v. Secretary of State for the Environment [1996]* and *Brentwood Borough Council v. Secretary of State for the Environment [1996]*. These state that decision makers must ask themselves whether there is a real possibility that the fallback will be implemented, such that the prospect of implementation is real and not merely theoretical. If there is a real prospect of the fallback permission being implemented, then it is a material consideration. If it is a material consideration, the decision maker must have regard to it. The question is one of real possibility, not certainty; definitive resolution is not required.

- 4.5 However, this has been updated much more recently. For example, the decision in Samuel Smith Old Brewery (Tadcaster) v Secretary of State for Communities and Local Government [2009] EWCA Civ 333 case establishes merely an 'outside chance' of a fallback being implemented is sufficient to influence the outcome of a planning application or appeal. This has since been confirmed by the judgement in Zurich Assurance Ltd (t/a Threadneedle Property Investments), R (on the application of) v North Lincolnshire Council & Anor [2012] E WHC 3708 (Admin) (20 December 2012). This states:

"The prospect of the fallback position does not have to be probable or even have a high chance of occurring; it has to be only more than a merely theoretical prospect. Where the possibility of the fallback position happening is "very slight indeed", or merely "an outside chance", that is sufficient to make the position a material consideration."

- 4.6 Whilst the reinstatement of the equestrian use is a realistic prospect in the alternative, this approach would not provide any opportunity for the council to 'control' the use or seek any enhancement through landscaping, gains in biodiversity or management. The applicant would also be willing to agree to the removal of the riding arena to further enhance the landscape setting, if officers deemed it a necessary part of the application.
- 4.7 It is also relevant that the equestrian use would fail to have the benefits of the proposed development in terms of gains in enhancement to the setting of the AONB, improvements in amenity for neighbouring residents and the opportunity to further boost the supply of housing in a sustainable way. The proposal will also reduce the number of trips to and from the site compared to the equestrian use. Accordingly the fallback position is a very realistic but less desirable outcome for the site.

5.0 Planning policy justification

- 5.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the development plan, unless material considerations indicate otherwise. To therefore assess the acceptability of this proposal, it is necessary to consider it against the adopted development plan, in this case the Cotswold District Local Plan (2018).
- 5.2 It is also necessary to take account of any material considerations relevant to the development proposals such as national planning policy contained within the revised National Planning Policy Framework (NPPF) and national planning guidance contained within Planning Practice Guidance (PPG), as well as locally adopted supplementary planning guidance (SPG) and documents (SPD).

Principle of development

- 5.3 Policy DS4 of the Local Plan set outs that *"New-build open market housing will not be permitted outside Principal and Non-Principal Settlements unless it is in accordance with other policies that expressly deal with residential development in such locations."*
- 5.4 In this instance, Local Plan Policy EC6 applies and set outs that:
- "The conversion of rural buildings to alternative uses will be permitted provided:*
- a. the building is structurally sound, suitable for and capable of conversion to the proposed use without substantial alteration, extension or re-building;*
 - b. it would not cause conflict with existing farming operations, including severance or disruption to the holding that would prejudice its continued viable operation; and*
 - c. the development proposals are compatible with extant uses on the site and existing and planned uses in close proximity to the site."*
- 5.5 It is therefore the case that Policy EC6 is an 'other policy' which expressly deals with residential development in other locations. Indeed, with reference to the planning history associated with application ref. 20/04361/FUL for the conversion of a different building, the officer report confirms, *"Policy DS4 can offer support for the conversion of rural buildings to residential accommodation in locations outside Principal and Non-Principal Settlements."*

- 5.6 In addition to the above, the sub-text to Policy EC6 at paragraph 9.6.3 of the Local Plan states that '*This policy applies to the conversion of all rural buildings, whether of modern construction or traditional construction*'. The existing building is of modern construction and is therefore considered compliant in this regard.
- 5.7 With regard to criterion a. the existing building is considered structurally sound and capable of conversion, as confirmed in the accompanying Structural Report. The proposal will re-utilise the existing building, with height, mass and scale remaining the same and original material re-used. The resultant scheme will therefore not result in any substantial alterations to the existing building.
- 5.8 In relation to point's b and c. the reuse of a redundant rural building is considered entirely appropriate for the site and responds well to the rural character and setting of the area. This is a relatively small self-contained site, and will not cause any conflict with any farming operations. There is no farming business at Shornhill as the land holding is now relatively small (the extent of land ownership associated with Shornhill can be found at Appendix A). The only requirement that exists therefore is for smaller-scale machinery which is housed in another outbuilding at the site. As such it is submitted that the proposal fully complies with Policy EC6.



Figure 4: Building which now houses all landscaping/maintenance devices

- 5.9 NPPF paragraph 80 sets out that *"Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:*
- a) *there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;*
 - b) *the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;*
 - c) *the development would re-use redundant or disused buildings and enhance its immediate setting;*
 - d) *the development would involve the subdivision of an existing residential dwelling; or*
 - e) *the design is of exceptional quality, in that it:*
 - *is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and*
 - *would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area."*
- 5.10 It is considered that the adoption of a sensitive design and landscaping approach will ensure that the proposed development both conserves and enhances the immediate setting relative to the fallback of having an ancillary equestrian building with feed, and horse-related paraphernalia around it. The conversion to residential use will also ensure the future of the building through structural enhancements and up-keep through its residential design life, thus preventing it falling into a dilapidated condition. In addition, as set out above, the applicant would be willing to remove/re-landscape the area of the site associated with the riding school should officers consider it necessary in order to further enhance the immediate setting. This can be secured through the use of an appropriately worded planning condition.
- 5.11 The proposal is also supported by paragraphs 119, 120 and 124 of the NPPF to promote and support the development of under-utilised land and buildings; and furthermore, to seek development densities that reflect local market housing conditions and viability, together with maintaining an area's prevailing character and setting, and promoting regeneration and change.
- 5.12 Furthermore, in appeal decision APP/F1610/W/17/3174211 (attached at Appendix B), the Appeal Inspector concluded that *"The domestic curtilage has been kept to a minimum. Consequently, whilst there would be the potential for the introduction of*

domestic paraphernalia this would be limited by the size of the curtilage and would not be significantly visible from public vantage points due to the intervening topography as well as the distances involved.” It is considered that the potential for domestic paraphernalia to be more visually intrusive is somewhat limited by the modest size of the proposal site / gardens which would not extent far from the dwelling and therefore negligible impact would occur, over and above the extant uses. Indeed, domestic paraphernalia will be less harmful in landscape terms than all the outside storage, vehicles, jumps etc associated with an equestrian use.

- 5.13 Moreover, with regards to ‘setting’ the site is considered well contained and is not easily visible from any public vantage points, as illustrated on the extract below from Gloucestershire County Councils (GCC) Public Rights of Way Map. Notwithstanding the above, the sensitive design approach retains the core features of the existing building and therefore any impact on prevailing public views will be negligible.

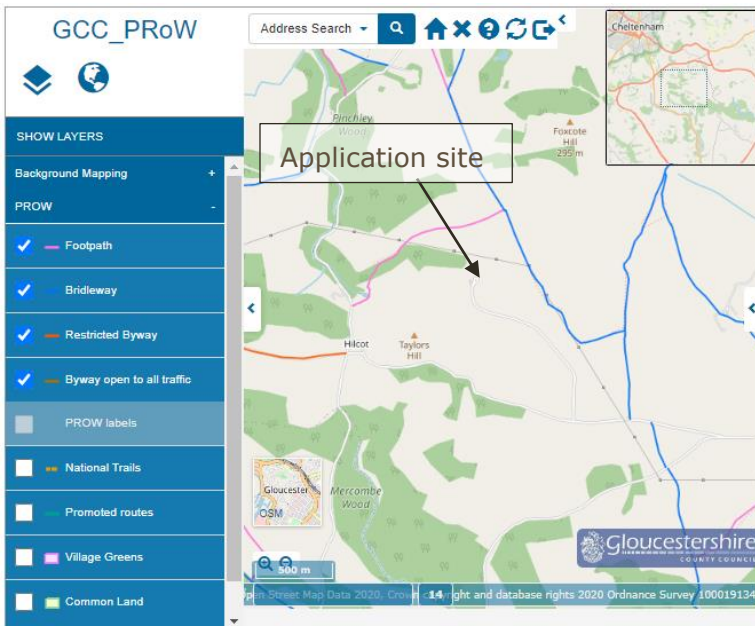


Figure 5: GCC PRoW Map extract

Design and character considerations

- 5.14 Chapter 12 – ‘Achieving well designed places’ of the NPPF stresses the importance of good design and the key role it plays in achieving sustainable development. Development should be designed to be attractive and safe places for people to live, work and visit, with a mix of uses which function well and add to the quality of the area for the lifetime of the development. Good design goes beyond aesthetic considerations and therefore planning decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.
- 5.15 This is echoed in Local Plan Policy EN2 (Design of the Built and Natural Environment) which sets out that *"Development will be permitted which accords with the Cotswold Design Code. Proposals should be of a design quality that respects the character and distinct appearance of the locality."*
- 5.16 The Cotswold Design Code, at Section 5 sets out the relevant criteria/considerations for Barn Conversions and states that *'In designing a barn conversion the aim should be to preserve the traditional agricultural appearance of the building, and the contribution it makes to the surrounding landscape.'*
- 5.17 The key considerations, set out under Section 5, and deemed relevant to this application include:
- a) *Barn conversions should be designed sympathetically. A scheme should work around the building, rather than the building being subject to unnecessary changes. Often a creative approach is required.*
 - b) *The building should be capable of conversion without extension or any significant degree of re-building.*
 - c) *Use should be made of existing openings. New glazing should be recessed within these, and should be of a simple, functional design, avoiding domestic styles.*
 - d) *New openings in the style of single doorways or pitching doors (typically in gable end walls) are occasionally permissible.*
 - e) *In minimising new external openings, and maximizing natural light to rooms from existing openings, it is usually most appropriate to maintain an open plan to much of the interior of a barn. Smaller rooms might be housed in existing attached structures, and use might be made of galleried mezzanine floors.*
 - f) *Services and installations on or around the building (such as lighting schemes, alarm boxes, post boxes, and aerials or satellite dishes) should be minimised*

and sympathetically sited, designed and finished. Potential impacts of night time lighting should also be considered.

- g) New outbuildings, such as garages and sheds, should be avoided, as these new structures can detract from the simplicity and original form of a barn or farm complex, and they generally have a more domestic appearance.*
- h) Boundary treatments should be traditional and appropriate to the rural setting, such as low dry stone walls and hedging.*
- i) New tracks, accesses and gateways should be designed to minimise the impact on the agricultural character of the surroundings.*
- j) The landscaping around the building should aim to avoid obvious domestication. The extent of the residential curtilage should be limited, to minimise the impact of garden uses, and associated planting and paraphernalia. It should be particularly tightly drawn where a close relationship survives between a barn and its open field setting, and in these cases should generally be contained within enclosed courtyard areas.*
- k) Landscape schemes should be soft and low-key, and inspired by the rural surroundings. For example hard paved or tarmac surfacing and new subdividing walls should be avoided, and planting should generally be native species and informal in style.*

5.18 The scale, form, design and materials of the proposed development have been carefully considered to ensure that the resultant scheme sits sensitively in its surroundings and retains the core features of the existing building. Minimal alterations to the external appearance are proposed, and whilst some alterations are necessary to maximise residential amenity, these have been designed to complement and enhance the building.

5.19 Moreover, Paragraph 130 of the NPPF states that planning should ensure development functions well and adds to the overall quality of the area, not just for the short term but over the lifetime of the development. Development should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping, whilst being sympathetic to local character and history, including the surrounding built environmental and landscape setting.

5.20 The proposal further complements the character and form of neighbouring properties, whilst taking account the rural nature of the locality and scenic beauty of the AONB. As such the proposed alterations are considered to accord with the relevant policies of the adopted Development Plan, the Cotswold Design Code and Chapter 12 of the Framework.

Impact on the AONB

- 5.21 Local Plan Policy EN5 (Cotswold Area of Outstanding Natural Beauty) sets out that:
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."*
- 5.22 Taking account the scale of the proposed development and the surrounding context, it is considered that it responds positively and sensitively to the requirements of Policy EN5 and does not conflict with the intentions to conserve the character distinctiveness or special qualities of the Cotswold AONB.
- 5.23 Furthermore, Paragraph 176 of the NPPF requires that *"Great weight should be given to conserving and enhancing landscape and scenic beauty in...AONBs (amongst other designated areas), which have the highest status of protection in relation to these issues...the scale and extent of development within these designated areas should be limited. Planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that that development is in the public interest"*. It is submitted that the proposal for the conversion of the existing barn does not constitute 'major development', therefore, whilst it is agreed that great weight should be given to conserving and enhancing the landscape and scenic beauty of the AONB, this should not preclude development.

Ecology considerations

- 5.24 Biodiversity matters are addressed through the Ecological Appraisal, Dusk Emergence Survey and Great Crested Newt eDNA reports prepared by All Ecology.
- 5.25 In terms of habitats, the Ecological Appraisal concluded that the habitats on site are common, of low ecological value and easy to replace. Any impact as a result of loss/changes to these habitats in terms of their vegetation are considered to be negligible.
- 5.26 An inspection of the existing building found that it offered potential roosting features of low potential that could not be fully inspected. A dusk emergence survey was therefore undertaken to determine the presence or likely absence of roosting bats. No bats were recorded emerging from, or entering, the building

during the survey period and it is therefore concluded that roosting bats were absent from the building, and no further surveys are required. The potential for other species of protected mammal species to use the site is also deemed to be low. No constraints to development are predicted as a result of the potential presence of small mammals and passing badgers.

- 5.27 The Ecological Appraisal also found that the site provides limited opportunities for amphibians but there are two ponds within 100m of the site, one of which was deemed potentially suitable for Great Crested Newts. Further investigation of the ponds via an HSI Assessment was therefore undertaken. The results showed that only Pond 1 returned a score above the 0.5 threshold at which further surveys are required, with the remaining pond scoring a rating of 'poor'. Water samples were collected from Pond 1 and subject to eDNA analysis. This returned a negative result and therefore Great Crested Newts are likely to be absent from the pond and in turn the site.
- 5.28 Furthermore, whilst there are considered to be no ecological constraints, a series of mitigation and enhancement measures are recommended through the Ecological Appraisal. These can be agreed and secured by condition as necessary.

Other material considerations

- 5.29 It is important to be clear at this point that Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development and identifies, for decision taking, that applications should be approved where *"development proposals accord with an up-to-date development plan without delay"*.
- 5.30 Paragraph 69 of the NPPF is also relevant in this regard, with emphasis places on the importance of small and medium sites for housing as they can make an important contribution to local housing requirements and are often built out relatively quickly. As such, councils are encouraged to support the development of windfall sites, giving great weight to the benefits of using suitable sites such as this one.
- 5.31 The proposed development would contribute to this (albeit in a relatively small way) and it is therefore important that local authorities continue to grant planning permission for housing in suitable locations such as this one, without prejudicing the AONB.

6.0 Conclusion

- 6.1 This Statement, in conjunction with the other material submitted in support of this application, demonstrates that the proposed development is in accordance with the policy objectives of the Framework and the relevant policies of the Development Plan.
- 6.2 The proposal accords with the principles of the conversion of rural buildings for residential use, and ensures that the new use is sympathetic to the rural character of the area, respectful of the setting and local vernacular, and preserves the scenic beauty and landscape of the AONB.
- 6.3 The principle of development as detailed above is encouraged and supported by both the NPPF and the Local Development Framework.
- 6.4 The proposal has been demonstrated to accord with relevant planning policy considerations and there are no material considerations that would suggest otherwise. We therefore urge the Council to adopt the proactive and positive approach to planning the Framework advocates and respectfully request that planning permission is granted without delay.

Appendix A

Extent of wider land ownership:



Appendix B



The Planning Inspectorate

Appeal Decision

Site visit made on 14 August 2017

by **G P Jones BSc (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: : 29 August 2017

Appeal Ref: APP/F1610/W/17/3174211

Syde Park Farm, Caudle Green, Gloucestershire GL53 9PP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mrs C Prentice against the decision of Cotswold District Council.
- The application Ref 16/03870/FUL, dated 14 September 2016, was refused by notice dated 16 December 2016.
- The development proposed is described as Change of use of barn to dwelling and all associated alterations; replacement of lean-to open store to the rear with a single storey lean-to extension; and all associated site works.

Decision

1. The appeal is allowed and planning permission is granted for the Change of use of barn to dwelling and all associated alterations; replacement of lean-to open store to the rear with a single storey lean-to extension; and all associated site works at Syde Park Farm, Caudle Green, Gloucestershire GL53 9PP in accordance with the terms of the application, Ref 16/03870/FUL, dated 14 September 2016, and the plans submitted with it, and subject to the conditions contained in the attached schedule.

Preliminary matters

2. I note from the Council's decision notice that the appeal site is referred to as 'Shepherd's Barn'. However, I have used the site address and description as provided in the application form, although for the sake of brevity and improved clarity I have omitted the road description but added the county name.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area, having particular regard to its open countryside location within the Cotswolds Area of Outstanding Natural Beauty.

Reasons

4. The appeal site is a stone barn with a corrugated metal roof that is located on a hill side, with the land rising up from west of the site towards the Caudle Green to Brimspfield road that lies to the east. The site lies beyond the small hamlet of Caudle Green and is within the Cotswolds Area of Outstanding Natural Beauty (AONB). It is not in dispute between the parties that the site lies in an isolated, open countryside location and therefore paragraph 55 of the National Planning Policy Framework (the Framework) applies.

<https://www.gov.uk/planning-inspectorate>

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5. Paragraph 55 of the Framework states that local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances. The list of such special circumstances that paragraph 55 goes on to describe includes where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting. In addition, paragraph 115 of the Framework states that great weight should be given to conserving landscape and scenic beauty in AONBs, which have the highest status of protection in relation to landscape and scenic beauty. Also footnote 9 to the fourth bullet point of paragraph 14 of the Framework applies.
6. It is not in dispute between the parties that the Cotswold District Local Plan 2001 to 2011 (LP), adopted 2006 is considered out-of-date in regard to the relevant policies in relation to this proposal, and LP policies were not cited in the Council's reasons for refusal. I concur with this and therefore attach little weight to the LP in this instance.
7. The barn is located some distance away from the main Syde Park Farm property and is also set back from the road that leads towards Brimpsfield. The barn is considered to be a non-designated heritage asset and thus is of historical importance within the landscape. The local topography is such that the barn is set down in relation to the road that lies to the east, so that when viewed from the aforementioned road only the roof and the upper part of the end gables are visible.
8. The public right of way west of the appeal site is set down in the valley. Due to the relationship between the appeal site and the surrounding road and public rights of way network, the barn is only visible at longer distances when viewed from public vantage points to the west. This is demonstrated in the photographs that were submitted for the consideration of the Council's Planning Committee. Although the camera details were not provided it is clear that a zoom lens was used to capture these images, with the distances to the barn stated as being 904m and 769m respectively.
9. The proposed addition of the single storey lean-to extension to the rear (east) elevation of the barn would be small in scale and subservient to the main building. Due to their location and scale neither the proposed lean-to extension nor the two car parking spaces, that would be located immediately in front of this extension, would be readily visible from public viewpoints.
10. The domestic curtilage has been kept to a minimum. Consequently, whilst there would be the potential for the introduction of domestic paraphernalia this would be limited by the size of the curtilage and would not be significantly visible from public vantage points due to the intervening topography as well as the distances involved.
11. As part of the proposal the barn would be re-roofed using corrugated metal sheeting, and the walls would be restored if required. Although not in a significant state of disrepair, the barn can be converted to a dwelling without significant alterations and would secure a long-term future for this non-designated heritage asset. The proposed new roof and the introduction of a sheep fold adjacent to the barn and bounded by a drystone wall would add to the character and appearance of both the building and its surrounds within the landscape, as reported in the officer's report to Planning Committee.

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12. The proposal would bring residential development into part of a secluded valley where none currently exists. The proposal would include a rooflight that would be sited above the proposed first floor bathroom. There would inevitably be some additional light spill due to the residential use of the barn at night. However, the restrained nature of the additional fenestration proposed and the distance of the barn from public viewpoints would mean that the light spill would be limited and acceptable overall.
13. I then turn to the matter of the proposed access track. Much of track already exists and currently comprises a mud track with a grass verge in the middle. The proposal would see this track extended and overlain with stone chippings, with the central grassed verge retained, and thus it would not be a sealed hard surface track in the sense of tarmac or concrete.
14. I accept that my site visit took place when vegetation was in full leaf thereby providing more screening than in the winter months. However, due to the topography of the surrounding area the proposed access track would not be readily visible from the nearby road to the east and would only be visible in some long distance views from public vantage points to the west. It is also the case that such tracks are not uncommon within the AONB. I also have regard to the 'fallback' position cited by the appellant that would allow for the creation of a farm track or adding stone to an existing track as permitted development, and thus could take place without the imposition of relevant planning conditions.
15. I therefore consider that by virtue of its scale, design and location the overall proposal would conserve the landscape and scenic beauty of the AONB and thus would comply with paragraph 115 of the Framework.

Other matters

16. The appellant has detailed a number of other cases within the District where permission has been granted for barn conversions in isolated locations. I do not have the full details of these cases and inevitably their individual circumstances would differ from those of the proposal that is before me. Whilst I therefore accord limited weight to these other cases they do indicate that the conversion of redundant agricultural buildings within the AONB has recently been considered acceptable by the Council in some instances.
17. The appellant has indicated that the dwelling would be occupied by a family member. Whilst I have no reason to doubt this would be the case, it has not been secured by the submission of a planning obligation and neither has the Council recommended a planning condition in this regard. Consequently, I attach little weight to this aspect of the proposal.

Conditions

18. In addition to the standard condition which provides a timescale for the commencement of the development, the Council has suggested a number of conditions in the event that the appeal succeeds. I have considered these in light of the advice contained within the Planning Practice Guidance (PPG). In allowing the appeal I shall impose conditions accordingly, improving precision where necessary in accordance with the advice in the PPG.
19. A condition to specify and direct that the development accords with the approved plans is required for the avoidance of doubt and in the interests of

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proper planning. Conditions concerning external materials, including rainwater goods and the timber on the lean-to extension, and details of landscaping and vehicle parking and manoeuvring are needed in order to ensure that the proposal protects the character and appearance of the AONB.

20. A condition requiring compliance with the mitigation and enhancement measures in the submitted Bat and Barn Owl Survey is required in order to protect and enhance biodiversity.
21. The Council has recommended two planning conditions withdrawing permitted development rights in regard to alterations to the roof and the insertion of additional windows or other openings. The Planning Practice Guidance (PPG) indicates that the withdrawal of permitted development rights should only take place in exceptional circumstances. However, due to the nature of the proposal in regard to its open countryside location within the AONB, I consider it reasonable and necessary to impose the conditions as recommended by the Council in the interests of protecting the character and appearance of the area from inappropriate future development.

Planning balance and conclusion

22. The proposal would help to boost the supply of housing, albeit by a very modest amount. Although I have not been presented with any substantive evidence that the Council cannot demonstrate a five year supply of housing, I accord moderate weight to this benefit of the proposal. The property would also be likely to provide limited economic benefits in terms of a boost to the local construction industry and future patronage for local shops and services.
23. The main benefits of the proposal are that it would lead to the renovation and long-term preservation of a redundant non-designated heritage asset that is of historic and landscape value. Also it would entail the introduction of a traditional field pattern through the creation of a walled sheep fold, thereby improving the setting of the barn within the immediate landscape. As such I consider that the proposal would re-use a redundant building and would lead to an enhancement to the immediate setting, and therefore special circumstances in relation to paragraph 55 of the Framework have been demonstrated.
24. In terms of its negative aspects the proposal would give rise to a dwelling that would be in an isolated, open countryside location that would not be accessible for the nearest shops and services other than by means of the private motor vehicle. Furthermore, it would introduce a dwelling into part of the landscape where none currently exists.
25. Overall I consider that the benefits of the proposal, in particular securing a long term future for a non-designated heritage asset with some landscape enhancements, would outweigh the harm I have identified, and which I consider to be very limited due to the particular circumstances of this case.
26. Therefore for the reasons set out above, and having due regard to paragraph 115 of the Framework and all other matters raised, I conclude that the appeal should be allowed.

GP Jones

INSPECTOR

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SCHEDULE OF CONDITIONS

1. The development shall be started by 3 years from the date of this decision notice.
2. The development hereby approved shall be implemented in accordance with the following drawing numbers:

BM186/001 Site Location Plan, BM186/002 Proposed Site Plan (received 7th October), BM186/200 Proposed Plans & Sections - Option One, BM186/201 Proposed Elevations, BM186-004 Proposed Access Track, BM186-210 Proposed Bat mitigation.
3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any other statutory instrument amending or replacing it, no extensions, outbuilding, additions or alterations to the roof, porches, hard surfacing, antennas, flues or means of enclosure, shall be erected, constructed or sited, other than those permitted by this Decision.
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any other statutory instrument amending or replacing it, no windows or other openings, shall inserted in the building other than those permitted by this Decision.
5. The development shall not be occupied or brought into use until the vehicle parking and manoeuvring facilities have been completed in all respects in accordance with the approved details and they shall be similarly maintained thereafter for that purpose.
6. The entire landscaping scheme, as depicted on plan BM186-002, shall be completed by the end of the first planting season following the occupation of the development hereby permitted.
7. Prior to the construction of any external wall of the development hereby approved, details or samples of all the proposed walling and roofing materials shall be approved in writing by the Local Planning Authority and thereafter only the approved materials shall be used.
8. The timber to be used in the external elevation of the proposed lean-to extension, shall not be treated in any way and shall be left to weather and silver naturally.
9. New rainwater goods shall be black or charcoal grey painted cast aluminium or a substitute which has been approved in writing by the Local Planning Authority.
10. The development hereby approved shall be completed fully in accordance with the recommendations for mitigation and enhancement as set out at Section 4 'Potential impacts and mitigation and enhancement measures' of the Bat and Barn Owl Survey, paras 4.1-4.7 (MDEcology, December 2015). In addition provision shall be made for barn owls through the installation of a barn owl box within a nearby tree. All measures shall be implemented and completed in full prior to the development being first brought into use. Works undertaken shall be retained in accordance with the details of the agreed report.

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