

Planning Statement

Brecon House
Charlton Hill
Cheltenham
GL53 9NE

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Project: 17332

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1. INTRODUCTION

- 1.1 This Planning Statement is submitted in support of a full planning application seeking permission for the reconstruction of a previously demolished barn (Note: Reconstructed barn reduced in length) for the continued use for the storage of small farm machinery for the maintenance of the land holding associated with Brecon House, Cheltenham.
- 1.2 This Statement sets out the main planning considerations and justification for the proposed development. It is demonstrated that the proposed scheme is acceptable in principle and expands upon issues relating to inter alia; use and proposed siting.
- 1.3 The application submitted comprises the following plans and documents.
- Location Plan – Drawing No. 18.10.036.PL001
 - Existing and Proposed Block Plans - Drawing No. 18.10.036.PL022
 - Proposed Floor Plan and Elevation – Drawing No. 18.10.036.PL023
- 1.4 This statement should be read in conjunction with the plans and documents that make up the application as a whole.

2. SITE AND SURROUNDINGS

- 2.1 The application site is located within the wider grounds of the residential dwelling known as Brecon House located to the east of Cirencester Road/A435. The wider site contains a number of other buildings ancillary to Brecon House, together with self-contained dwellings set within the wider grounds. The outbuildings are in use for car parking, home office, garaging etc.
- 2.2 The barn to be relocated was previously located to the south of the application site area, as shown in the submitted block plan.
- 2.3 The proposed siting for the barn is shown in Figure 1 below. Please note that this aerial view is from 2021, prior the removal of the buildings to the south of the site area. This demonstrates the change in the positioning of the barn. A photograph of the site, showing the barn in its original position, is included at Figure 2 - Photograph of barn in its original position. This barn has been in place on site since at least 2011.



Figure 1 - Site Location (taken from Google Maps)



Figure 2 - Photograph of barn in its original position

- 2.4 Access to Brecon House is via a private drive extending from the eastern side of the Cirencester Road/A435.
- 2.5 The character of the area is rural, with there being a mix of isolated dwellings and associated domestic buildings, paddocks and agricultural land.
- 2.6 The site is located within the Cotswolds Area of Outstanding Natural Beauty (AONB), is in Flood Zone 1. Aside from this, the site is not subject to any local or national designations.

3. DEVELOPMENT PROPOSAL

3.1 The application seeks planning permission for the re-siting of a barn at Brecon House. Note the barn is to be reduced in length slightly (as indicated upon the submitted plans). The barn will be located adjacent to the eastern boundary of the site, see Figure 3 - Proposed Site Layout (extracted from submitted plans).

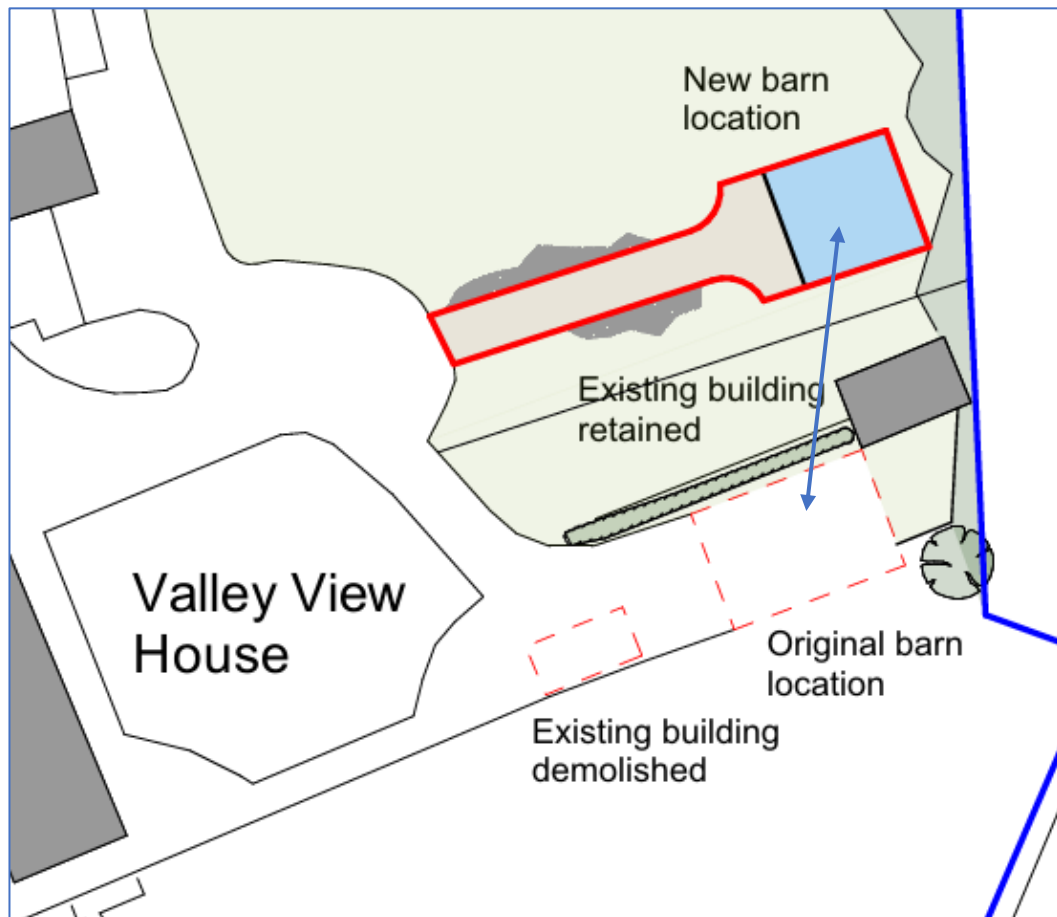


Figure 3 - Proposed Site Layout (extracted from submitted plans)

3.2 The reconstructed barn is a single storey structure, which will be utilised for the storage of small farm machinery, necessary for the maintenance of the wider grounds. To allow ease of access for the machinery, a gravel surfaced permeable track will extend from the existing network of access tracks within the site. Additional landscaping is proposed to soften the visual appearance and screen the building from the wider curtilage of Brecon House. It is notable that there are no public footpaths within or adjacent to the site.

- 3.3 The barn is of steel frame construction, clad externally with profiled metal cladding (as per the demolished barn).
- 3.4 The re-sited barn will be circa. 14.5m from its original position.

4. PLANNING HISTORY

4.1 A review of the Council's online planning register confirms the following planning history:

- Use of building as separate dwelling ancillary to main residence and in association with existing equestrian facility (Formally Known As Black Barns) - Ref. No: 01/00963/CLEUD | Status: Grant
- Extension to provide new master bedroom and en-suite bathroom - Ref. No: 02/00556/FUL | Status: Application Refused
- Alterations to grooms house - Ref. No: 02/00566/FUL | Status: Application Permitted
- Black Barn Cheltenham Gloucestershire - Extension To Existing Dwelling Plus Erection Of Agricultural Building - Ref. No: 87/00645/PF | Status: Application Permitted
- Erection Of Single Storey Kitchen and Utility Room Extension, Conservatory And Swimming Pool (Revised Scheme) (Formally Known As Black Barns) - Ref. No: 97/00144/PF | Status: Application Permitted
- Rebuilding and Extension Of Existing Two Storey Wing At Front As Amended By Revised Plans (Formally Known As Black Barns) - Ref. No: 97/00844/PF | Status: Application Permitted
- Alterations, rebuild and extension (Formally Known As Black Barns) - Ref. No: 98/00230/FUL | Status: Application Permitted
- Two storey extension to dwelling and erection of garage - Ref. No: 04/00807/FUL | Status: Application Withdrawn
- Two storey extension to dwelling, erection of garage - Ref. No: 04/01794/FUL | Status: Application Permitted
- Demolition and replacement of barn and stable outbuildings - Ref. No: 06/01350/FUL | Status: Application Permitted

- Erection of a detached garage with ancillary accommodation over (revised scheme to that approved under 06/01350/FUL) - Ref. No: 09/00049/FUL | Status: Application Refused – Dismissed at appeal – Ref. APP/B1605/A/09/2101746
- Layout of tennis court and ancillary works - Ref. No: 10/00617/FUL | Status: Application Refused – Allowed at appeal – Ref. APP/B1605/D/10/2131315
- Erection of dwelling, associated access and landscaping - Ref. No: 18/02036/FUL | Status: Application Withdrawn
- Application to determine whether prior approval is required for a change of use of offices (B1(a)) to form one residential dwelling (C3) - Ref. No: 19/00355/PRIOR | Status: No Prior Approval Needed
- Conversion and extension of office building to create a new dwelling together with associated access and landscaping - Ref. No: 19/00982/FUL | Status: Application Permitted
- Discharge of condition 3 (tree protective fencing) on planning permission ref. 19/00982/FUL- Ref. No: 20/00399/DISCON | Status: Discharge of Condition(s)
- Variation of condition 2 (approved plans) on planning permission ref. 19/00982/FUL, under Section 73 of the Town and Country Planning Act 1990, to allow for minor material amendments to the approved fenestration - Ref. No: 21/01093/CONDIT | Status: Application Permitted
- Erection of carport - Ref. No: 21/01100/FUL | Status: Application Permitted
- Minor amendments to the site boundary, re-siting of carport and re-aligned access drive to Valley View House (within curtilage of Brecon House) following the grant of planning permission refs. 19/00982/FUL and 21/01100/FUL - Ref. No: 21/02595/FUL | Status: Application Permitted

- Construction of a paragraph 80 dwelling, estate management building, and associated landscaping, ecology enhancements, access, parking and garaging on land adjacent to Brecon House - Ref. No: 21/02755/FUL | Status: Application Refused – Dismissed at appeal – Ref. APP/B1605/W/22/3310113
- Construction of a paragraph 80 dwelling, estate management building, and associated landscaping, ecology/BNG enhancements, access, parking and garaging on land adjacent to Brecon House (re-submission of 21/02755/FUL) - Ref. No: 23/00938/FUL | Status: Application Permitted
- Variation of condition 2 (approved plans) of planning permission ref. 23/00938/FUL, under Section 73 of the Town and Country Planning Act 1990, to reinstate the home office element as an integral part of the Estate Management Building - Ref. No: 23/01851/CONDIT | Status: Application Permitted

5. PLANNING POLICY CONTEXT

5.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that planning decisions should be made in accordance with the Development Plan unless material considerations indicate otherwise.

The Development Plan

5.2 The Development Plan policy context for the site and the surrounding area is provided by the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2031, adopted December 2017 (JCS) and the Cheltenham Plan, adopted July 2020.

5.3 The policies that are of relevance to this application are:

- SD3 – Sustainable Design and Construction (JCS)
- SD4 – Design Requirements (JCS)
- SD6 – Landscape (JCS)
- SD7 – The Cotswolds Area of Outstanding Natural Beauty (JCS)
- SD9 – Biodiversity and Geodiversity (JCS)
- INF3 – Green Infrastructure (JCS)
- D1 – Design (Cheltenham Plan)
- L1 – Landscape and Setting (Cheltenham Plan)
- SL1 – Safe and Sustainable Living (Cheltenham Plan)

National Planning Policy Framework

5.4 The National Planning Policy Framework (The Framework) was revised on 5th September 2023. The Framework sets out the Government's economic, environmental and social planning policies for England and details how these are expected to be applied. It is, in itself, a material consideration in planning decisions.

5.5 The Framework states that the purpose of the planning system is to contribute to the achievement of sustainable development, which can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs. So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development. This

means “approving development proposals that accord with an up-to-date Development Plan without delay” or “where there are no relevant Development Plan policies, or the policies which are most important for determining the application are out of date, granting permission unless: i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework as a whole.”

5.6 The Framework defines the three overarching objectives of sustainable development as:

An Economic Objective – *to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*

A Social Objective - *to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and*

An Environmental Objective – *to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*

5.7 These objectives should be delivered through the preparation and implementation of plans and the application of policies in the Framework; they are not criteria against which every decision can or should be judged. Planning decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

5.8 Paragraph 218 of the Framework advises that the policies within the Framework are material considerations which should be taken into account in dealing with applications from the day of its publication.

5.9 Paragraph 219 of the Framework advises that existing policies should not be considered

out-of-date simply because they were adopted or made prior to publication. Due weight should be given to them, according to their degree of consistency with the Framework and that the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given.

5.10 Section 12 of the Framework provides context to design within planning. Paragraph 126 states *“The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”*

5.11 Section 15 focuses on conserving and enhancing the natural environment. Paragraph 176 states *“Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas and should be given great weight in National Parks and the Broads. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.”*

5.12 Paragraph 177 states *“When considering applications for development within National Parks, the Broads and Areas of Outstanding Natural Beauty, permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:*

a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy.

b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and

c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.”

Other Material Policy Consideration

5.13 Outside of the Development Plan and the Framework, there are other material policy considerations that need to be discussed in relation to this development. In this case, the other material policy considerations are:

- Cotswolds National Landscape Management Plan 2023-2025

Appropriate Weight

5.14 Regarding the weight that is given, Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that, determination of applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise. In this instance, full weight is given to the JCS and Cheltenham Plan as they form the Development Plan.

5.15 As it forms the basis of Government policy for planning applications, substantial weight should be given to the policies of the Framework.

5.16 Since it does not form part of the Development Plan, limited weight can be given to the aforementioned AONB Management Plan. However, it is a material consideration and should not be overlooked.

6. PLANNING CONSIDERATIONS

6.1 Having regard for the proposed development; the sites planning history; the relevant planning policy context; and all other material issues; the main planning considerations for the determination of this application relate to the principle of development and the Cotswolds AONB.

Principle of Development

6.2 Neither the JCS nor the Cheltenham Plan contains any specific policies related to the principle of development for outbuildings. As the development is for re-siting an existing building, there are no issues that should prevent it from being acceptable in principle, given that a barn has been present within the environs of Brecon House for a prolonged period of time.

6.3 The use of the land remains unaltered, being within the curtilage of Brecon House. As the barn being relocated was also within the curtilage of Brecon House, there are no issues in relation to land use which prevent the development from being acceptable in principle. This proposal simply seeks consent to reduce the barn in size and relocate some 14 meters to the South.

Cotswolds AONB

6.4 Policy SD7 of the JCS confirms that:

“all development proposal in or within the setting of the Cotswolds AONB will be required to conserve and, where appropriate, enhance its landscape, scenic beauty, wildlife, cultural heritage and other special qualities.”

6.5 The same policy also references the AONB Management Plan, stating that proposals will need to be consistent with the policies therein. Although it is now known as the Cotswolds National Landscape Management Plan, proposals need to be consistent with it.

6.6 Furthermore, paragraph 176 of the Framework states that great weight should be given to conserving and enhancing the landscape and scenic beauty of the AONB. Within AONBs, the scale and extent of development should be limited, development should be

sensitively located and designed to avoid or minimise adverse impacts on it.

6.7 As stated previously, the barn will be re-sited circa. 14.5m to the north of its original location. We submit that, due to the close proximity of the reconstructed barn to the original, there will be no greater impact on the AONB as a result of the re-siting.

6.8 There will be no additional impact on the tranquillity of the AONB, with there being no increase in noise pollution or other disturbances.

7. SUMMARY AND CONCLUSIONS

- 7.1 The application seeks planning permission for the re-siting of a barn at Brecon House, together with the formation of a permeable access track.
- 7.2 Due to the close proximity of the re-sited barn to its original location we submit that this proposal will have no impact on the wider setting of the site or wider setting of the AONB.
- 7.3 This Statement has reviewed the relevant Development Plan Policy Framework as it applies in this case, together with the other material considerations. On the evidence presented it has been demonstrated that the proposal accords with all relevant Development Plan policies and national guidance, and there are no other material considerations present to override them.
- 7.4 It is therefore urged that the Local Planning Authority grant planning permission for this sustainable development.

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