

TEWKESBURY BOROUGH COUNCIL – DEVELOPMENT MANAGEMENT

Committee:	Planning
Date:	22 June 2021
Site Location:	Chestnut Barn Barrow Boddington Cheltenham Gloucestershire GL51 0TL
Application No:	21/00311/FUL
Ward:	Severn Vale South
Parish:	Boddington
Proposal:	Erection of a single storey rear extension (re-submission).
Report by:	Sarah Barnes
Appendices:	Site location plan Block plan Existing elevations and floor plans Proposed elevations and floor plans
Recommendation:	Refuse

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1. Chestnut Barn is a detached property set back from a single track lane which serves a small number of properties in the immediate vicinity of the site. The barn has been converted for residential use. Although the barn is a non- designated heritage asset it has undergone previous extensions and alterations which have reduced the barn like character of the building.
- 1.2. Permitted development rights have been removed from the property and the site lies within the Green Belt.
- 1.3. Councillor Mark Williams has requested a committee determination to assess whether or not the proposal amounts to a proportionate addition to the property in Green Belt having regard to the Councils recognised method for assessing such developments.

2.0 RELEVANT PLANNING HISTORY

Application Number	Proposal	Decision	Decision Date
95/00823/FUL	Erection of a stable/tackroom	PER	14.11.1995
03/00619/FUL	Conversion of barn to a dwelling	REF	25.07.2003
03/01589/FUL	Conversion of barn to a dwelling (re-submission).	PER	13.04.2004
10/00498/FUL	Retention of 'as built' residential barn conversion (including first floor accommodation and rooflights to rear elevation.	REF	15.09.2010
10/00994/FUL	Retention of 'as built' residential barn conversion (Revised Scheme).	PER	15.10.2010
11/00504/FUL	Erection of new stables, tackroom, concrete apron and trailer parking area.	PER	03.08.2011
14/01287/FUL	Erection of garden room	PER	24.02.2015
16/00463/FUL	Porch	PER	08.06.2016
18/01123/FUL	Erection of a canopy to rear of existing garden room.	PER	18.01.2019

3.0 RELEVANT POLICY

- 3.1. The following planning guidance and policies are relevant to the consideration of this application:

National guidance

- 3.2. National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG).

Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) - Adopted 11 December 2017

- 3.3. Policy SD4 (Design Requirements).
3.4. Policy SD14 (Health and Environmental Quality).

Tewkesbury Borough Local Plan to 2011 - March 2006 (TBLP)

- 3.5. Policy HOU8 (Domestic Extensions), Policies AGR6 and AGR7.

Tewkesbury Borough Plan 2011-2031 Pre-Submission Version (October 2019)

- 3.6. Policy RES7 and Policy RES10 (Alteration and Extension of Existing Dwellings).
3.7. Human Rights Act 1998 - Article 8 (Right to Respect for Private and Family Life).
3.8. The First Protocol, Article 1 (Protection of Property).

4.0 CONSULTATIONS

Parish Council – no objections.

Conservation Officer – no objections.

Full copies of all the consultation responses are available online at <https://publicaccess.tewkesbury.gov.uk/online-applications/>

5.0 PUBLICITY AND REPRESENTATIONS

- 5.1. The application has been publicised through the posting of a site notice for a period of 21 days.
- 5.2. Local residents – eight letters of support have been received. The letters are summarised as follows:
 - Strongly recommend approval.
 - The extension won't obstruct any views and won't have a visual or physical impact on the local area.
 - The extension would be a lovely addition, beautifully designed and would complement the original dwelling.
- 5.3. Full copies of all the representations responses are available online at [Insert text https://publicaccess.tewkesbury.gov.uk/online-applications/](https://publicaccess.tewkesbury.gov.uk/online-applications/)

6.0 POLICY CONTEXT

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. Section 70 (2) of the Town and Country Planning Act 1990 provides that the Local Planning Authority shall have regard to the provisions of the Development Plan, so far as material to the application, and to any other material considerations.
- 6.2. The Development Plan currently comprises the Joint Core Strategy (JCS) (2017), saved policies of the Tewkesbury Borough Local Plan to 2011 (March 2006) (TBLP), and a number of 'made' Neighbourhood Development Plans.
- 6.3. The Pre-Submission Tewkesbury Borough Plan was submitted to the Secretary of State for Housing, Communities and Local Government on 18 May 2020 for examination. On the basis of the stage of preparation it has reached it is considered that the plan can be afforded at least moderate weight. However, the weight to be attributed to individual policies will be subject to the extent to which there are unresolved objections (the less significant the unresolved objections, the greater the weight that may be given) and their degree of consistency with the NPPF (the closer the policies to those in the NPPF the greater the weight that may be given).
- 6.4. The relevant policies are set out in the appropriate sections of this report.

7.0 ANALYSIS

Design and Visual Amenity

- 7.1. JCS Policy SD4 of the Joint Core Strategy sets out requirements for high quality design while Local Plan Policy HOU8 provides that development must respect the character, scale and proportion of the existing dwelling and the surrounding development.
- 7.2. Local Plan Policy AGR7 states that rural buildings should be capable of conversion to the proposed alternative use without substantial alteration or extension to their original structure. Policy RES7 of the emerging Borough Plan carries forward these policy requirements; the reasoned justification stating that extensions or new outbuildings will not normally be permitted, particularly where these would involve alien domestic features that would detract from the simple, utilitarian appearance of traditional buildings.
- 7.3. The proposed single storey extension would be sited off the rear elevation and would be combined with the existing conservatory to form a covered seating area and a snug. The Conservation Officer has been consulted and has advised that the building is not listed but sits within a reasonably sensitive historic environment. He found that the arrangement of fenestration on the South elevation unnecessarily quirky nevertheless did not raise an objection. Overall, on balance, given the location of the proposed extension at the rear of the site, but also to the character and appearance of the existing dwelling, it is considered that the proposal is acceptable with regard to the Council rural building conversion policies.

Effect on the Living Conditions of Neighbouring Dwellings

- 7.4. Policy SD14 of the JCS requires that new development must cause no harm to local amenity including the amenity of neighbouring occupants. Local Plan Policy HOU8 provides that extensions to existing dwellings should not have an unacceptable impact on adjacent property and residential amenity. In this regard, Policy 5.1 states that the amenities of neighbouring residential occupiers should not be unduly affected by overlooking, loss of light, over-dominance or disturbance.
- 7.5. Other material policy considerations include national planning guidance contained within the National Planning Policy Framework 2019 and the Tewkesbury Borough Plan 2011-2031 Pre-Submission Version (October 2019).
- 7.6. The impact of the proposal upon neighbouring properties has carefully been assessed and it is considered that there would not be an undue impact upon their amenity in accordance with Policy HOU8 of the Local Plan and Policy SD14 of the JCS.

8.0 GREEN BELT

- 8.1. Section 13 of the National Planning Policy Framework (NPPF) sets out that the construction of new buildings is inappropriate in Green Belt. However, there are exceptions including: the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.
- 8.2. Policy SD5 of the JCS similarly advises that within the Green Belt, “development will be restricted to those limited types of development which are deemed appropriate by the NPPF, unless very special circumstances can be demonstrated”.
- 8.3. Consequently, as the site is within the Green Belt, only limited extensions and additions are permitted.

- 8.4. The assessment of whether an extension is disproportionate to the original building is not always a judgement that can be made on a simple floorspace calculation as has been suggested by the applicant's agent. In some cases, it will also be relevant to look at the volumetric increase. This is particularly so in this case, as the original building is essentially single storey in form and accommodation has been introduced into the roof space. This approach has been supported at appeal.
- 8.5. The application sets out that the floorspace of the existing building is 177 square metres and it is noted that this has been used on previous applications. However, on closer inspection it is not understood how this calculation is arrived at. The first-floor plan is shown to be identical in extent to that of the ground floor. However, given the location of the ground floor windows in relation to the eaves, and the slope of the roof within which the first floor sits, it does not appear possible that the usable first floor area can extend as far as the submitted plans suggest. Clarification has been sought from the agent on this matter. This may affect the floorspace calculation.
- 8.6. Using the floorspace approach on the basis of the 'worst case scenario' of 177 square metres, there would be a 54% increase over and above the floor area of the original dwelling. As indicated above, this percentage increase may well be higher given the nature of the first floor. Taking the volumetric approach, which as explained above is considered to be more appropriate in this case, the combined volume of the permitted extensions plus the proposed extension would be around a 70% increase. What is being proposed here is therefore considered to be a disproportionate addition.
- 8.7. The applicant's agent has referred to a number of applications where the Council has used floorspace calculations to determine whether proposed extensions would be proportionate or disproportionate and the fact that officers use this approach is not disputed in any way. Nevertheless, as set out above, this will not always be the appropriate approach given the facts of each individual case. It is wrong for the agent to suggest that a floorspace calculation is the only approach that has been used previously by the Council and it is explained above why it is considered appropriate to use a volumetric approach in this case.
- 8.8. The agent has also referred to other cases where a greater than 50% addition has been accepted in the past. As members are aware, each application must be considered on its own merits and this is done consistently. In the other cases mentioned, the dwellings had their permitted development rights intact and there were fallback positions where those properties could be extended without the need for planning permission. In this case however, those rights were removed by the Planning Committee when permission was originally granted, so as to maintain the original agricultural character and appearance of the barn, the openness of the Green Belt and the visual amenities of the locality. Furthermore, those properties were on Withybridge Lane/Gardens where the context is very different.
- 8.9. In Green Belt terms therefore, it is considered that the proposal would result in disproportionate additions which would be harmful to the openness of the Green Belt. No very special circumstances case has not been advanced by the applicant. The proposal is therefore considered to be inappropriate development in the Green Belt which would be harmful by definition and would harm the openness of the Green Belt.

9.0 CONCLUSION AND RECOMMENDATION

- 9.1 Overall, it is considered that the proposal is inappropriate development in the Green Belt result in disproportionate additions to the original dwelling and there are no very special circumstances that outweigh the harm. The proposal is contrary to the NPPF and Policy SD5 of the JCS and therefore it is recommended that planning permission be refused.

Refusal Reason:

1. The proposed extension would result in disproportionate additions over and above the size of the original dwelling which would be harmful to the openness of the Green Belt. The proposal would therefore represent inappropriate development in the Green Belt in conflict with Policy SD5 of the Joint Core Strategy and advice within the National Planning Policy Framework 2019.