

# TEWKESBURY BOROUGH COUNCIL – DEVELOPMENT MANAGEMENT

<b>Committee:</b>	Planning
<b>Date:</b>	16 November 2021
<b>Site Location:</b>	The Old Apple Store Toddington
<b>Application No:</b>	21/00449/FUL
<b>Ward:</b>	Isbourne
<b>Parish:</b>	Toddington
<b>Proposal:</b>	Erection of a single storey side extension and installation of windows.
<b>Report by:</b>	Pippa Brown
<b>Appendices:</b>	Existing elevations Proposed elevations Existing floor plans Proposed floor plans Existing site location and block plan Proposed site location and block plan
<b>Recommendation:</b>	Permit

## 1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1** This application relates to the Old Apple Store, a two storey, detached dwelling, which was formerly an agricultural building, located West of the village of Toddington, on the B4077. The building was originally built as an apple store and converted to a dwelling, through application 07/00880/FUL. The design of the original building and the conversion are such that it bears little resemblance to an agricultural building. The site lies within the Special Landscape Area (SLA).
- 1.2** The current proposal seeks to erect a single storey side extension on the west elevation of the dwelling, comprising both flat roofed and gable elements. The proposal also seeks to add a range of new windows and introduce new skylights to the dwelling.
- 1.3** **A committee determination is required as the application has been called in by Councillor Gore, to assess the impact on the SLA and Cotswolds AONB.**

## 2.0 RELEVANT PLANNING HISTORY

Application Number	Proposal	Decision	Decision Date
61/00237/FUL	Proposed erection of an apple store. approx. 40'x24'. Walls: grey/brown concrete brick. Roof: Big 6 asbestos sheets. Construction of a new 16' vehicular access.	PER	16.05.1961
62/00239/FUL	Extension to existing apple store. (approx 560 sq ft) Walls: grey/brown concrete bricks. Roof: Blg six asbestos sheets.	PER	20.03.1962
83/00361/FUL	Change of use from agricultural storage building to repair and sales of agricultural machinery.	REF	17.05.1983
85/00402/FUL	Alterations to existing apple store to provide a dwelling. Alteration of existing vehicular access.	REF	10.07.1985
90/95886/FUL	Change of use to accommodate the essential re-location of EMC test site.	PERMIT	14.02.1990
90/95887/FUL	Construction of new access to serve the new T R L Technology site.	PERMIT	04.07.1990
91/95889/FUL	Change of use of Apple Store to class B1 use	PER	21.05.1991
99/00958/FUL	Change of use and conversion of the store to a single residential unit	REF	09.11.1999
99/01439/FUL	Change of use of the store to a single residential unit	RET	29.02.2000

00/01142/FUL	Change of use and conversion of store to a single residential unit	PER	22.11.2000
07/00880/FUL	Change of use and conversion of store to a single residential unit	PER	15.10.2007

### 3.0 RELEVANT POLICY

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

#### 3.1 National guidance

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

#### 3.2 Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) – Adopted 11 December 2017

- Policy SD4 (Design Requirements)
- Policy SD14 (Health and Environment Quality)

#### 3.3 Tewkesbury Borough Local Plan to 2011 – March 2006 (TBPL)

- Policy HOU8 (Domestic Extensions)
- Policy AGR7 (Re-use and Adaptation of Rural Buildings – Retention of Character)
- Policy LND2 (Special Landscape Area)

#### 3.4 Tewkesbury Borough Plan 2011-2031 Pre-submission Version (October 2019)

- Policy RES10 (Alteration and Extension of Existing Dwellings)
- Policy RES7 (Re-use of Rural Buildings for Residential Use)
- Policy LAN1 (Special Landscape Area)

#### 3.5 Neighbourhood Plan

None

#### 3.6 Other relevant policy

- Human Rights Act 1998 - Article 8 (Right to Respect for Private and Family Life)
- The First Protocol - Article 1 (Protection of Property)

## **4.0 CONSULTATIONS**

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

- 4.1** Toddington Parish Council – no comments received during or since the consultation period.

## **5.0 PUBLICITY AND REPRESENTATIONS**

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

- 5.1** The application has been publicised through the posting of a site notice for a period of 21 days.

- 5.2** One letter of representation was received, in support of the application. Comments related to the improvements to the visual attractiveness of the house.

## **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 Tewkesbury Borough Plan (TBP) has reached an advanced stage. The Pre-Submission TBP was submitted for examination in May 2020. The Examination in Public (EiP) took place over five weeks during February and March 2021. The examining Inspector's post hearings Main Modifications letter was received on 16<sup>th</sup> June 2021. In this letter the Inspector provided his current view as to what modifications are required to make the Plan 'sound'.

A schedule of Main Modifications to the Pre-submission TBP (MMTBP) were approved at the meeting of the Council on 20th October 2021 and is now published for consultation.

Those policies in the Pre-submission version of the TBP which were not listed as requiring main modifications may now attract more weight in the consideration of applications, with those policies which are subject to main modifications attracting less weight depending on the extent of the changes required. The TBP remains an emerging plan and the weight that may be attributed to individual policies (including as with modifications as published for consultation) will still 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 the 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.

**6.5** 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).

## **7.0 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 outlines how new works to a rural building, now used as a dwelling should be of a scale, form, type and use materials that are compatible with the original character of the building.

**7.3** The proposed side extension would consist of a modest single storey and is considered of an appropriate size, in relation to the scale of the existing building and plot in which it is situated.

**7.4** It is noted that the proposed alterations would not be entirely in keeping with the agricultural character of the building, meaning it does not wholly fulfill the requirements of Policy AGR7.

**7.5** Notwithstanding this, by virtue of the alterations already made, and the original form of the building which was of no specific historical or architectural merit, it is considered that the agricultural character of the building has been significantly diluted. The proposed alterations would not therefore appear out of keeping with the character of the building now, nor would they be considered to have an additionally harmful impact on the appearance of the building or surrounding area.

**7.6** The building is already rendered (permitted as part of the original conversion) and includes features such as horizontal windows, which are not traditionally associated with agricultural buildings. Therefore, the appearance is presently more domestic, than agricultural, meaning the addition of skylights and a single storey extension would not appear wholly incongruous in the context.

**7.7** The proposed windows would be small in scale in relation to the building and would be located in positions similar to the existing fenestration. Whilst not following a particular pattern, the placement of the windows would appear appropriate and would not have an adversely harmful impact on the visual appearance of the dwelling.

**7.8** The dwelling itself is well screened from the highway by established hedging, which would remain unaltered as a result of this proposal. By virtue of this, the proposed alterations would not have an adverse impact on the street scene or wider area.

### ***Effect on the Living Conditions of Neighbouring Dwellings***

**7.9** 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.

- 7.10** The site lies in a relatively isolated location, with the closest neighbouring dwelling being over 50 metres away (on the other side of the B4077). As such, there would not be any adverse impacts on the amenity of neighbouring dwellings as a result of the proposed extension and additional windows.
- 7.11** The dwelling benefits from a spacious plot, which would comfortably accommodate the proposed extension, without any detrimental impact on off street parking provision or highway safety.

### ***Landscape Impacts***

- 7.12** The Old Apple Store lies within the Special Landscape Area (SLA) and is located near to the Cotswolds AONB, but not within it.
- 7.13** Policy LND2 of the Adopted Local Plan outlines how proposals for development within the SLA must demonstrate that they do not adversely affect the quality of the natural and built environment, its visual attractiveness, wildlife and ecology, or detract from the quiet enjoyment of the countryside.
- 7.14** The proposed extension, by virtue of its scale and location within the existing residential curtilage of the dwelling, would not have an adverse impact on the character of the local landscape. The alterations would appear minimal when considered in the context of the existing dwelling and would not have an adverse impact on wildlife or ecology in the area.
- 7.15** The site is located close to the B4077, in an area, which is a significant distance south of the Cotswolds AONB. It is not considered that the proposed alterations would have an adverse impact on the setting of the AONB, due to their scale and location within the site. The Old Apple Store would not appear visually prominent when viewed from the AONB and the scale of the alterations would not be noticeable from such a distance away.

## **8.0 CONCLUSION AND RECOMMENDATION**

- 8.1** It is considered that the proposal would not be unduly harmful to the appearance of the existing dwelling nor the surrounding area and it would not result in an unacceptable loss of residential amenity to neighbouring dwellings or harm the character of the Special Landscape Area. The proposal would also be of an acceptable size and design. It would therefore accord with relevant policies as outlined above. Therefore, it is recommended the application be **permitted**.

### **CONDITIONS:**

1. The works hereby permitted shall be begun before the expiration of five years from the date of this consent.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following documents:
  - Drawing 1791-02A – Proposed site location & block plan @A2 (received 15.10.2021)
  - Drawing 1791-11B – Proposed floor plan @A3 (received 15.10.2021)
  - Drawing 1791-15C – Proposed elevations @A3 (received 15.10.2021)

Except where these may be modified by any other conditions attached to this permission.

Reason: To ensure that the development is carried out in accordance with the approved plans.

3. The materials to be used in the construction of the external surfaces of the proposed development shall match those used in the existing dwelling, unless otherwise specified in the approved plans.

Reason: To ensure that the proposed development is in keeping with the existing dwelling.

**INFORMATIVES:**

1. In accordance with the requirements of the NPPF the Local Planning Authority has sought to determine the application in a positive and proactive manner by offering pre-application advice, publishing guidance to assist the applicant, and publishing the to the Council's website relevant information received during the consideration of the application thus enabling the applicant to be kept informed as to how the case was proceeding.