

Planning Committee

Date	18 June 2024
Case Officer	Chloe Buckingham
Application No.	24/00299/FUL
Site Location	Chestnut Barn, Barrow, Boddington
Proposal	Erection of a new detached outbuilding for car parking and storage.
Ward	Severn Vale South
Parish	Boddington
Appendices	Location Plan Existing and Proposed Site Plan Proposed Floor Plan and Elevations
Reason for Referral to Committee	Called in for a committee determination by Councillor Williams, to assess whether the proposal would comply with Green Belt policy.
Recommendation	Refuse

Site Location



1. The Proposal

- 1.1 Full application details are available to view online at:
<https://publicaccess.tewkesbury.gov.uk/online-applications/>.
- 1.2 Erection of a new detached outbuilding for car parking and storage, comprising a single storey timber framed building with two open bays constructed on a brick plinth to match the existing dwelling, with timber oak cladding to the elevations and a plain tiled roof over.

2. Site Description

- 2.1 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.
- 2.2 Permitted development rights have been removed from the property and the site lies within the Green Belt.

3. Relevant Planning History

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

21/00311/FUL	Erection of a single storey rear extension (re-submission)	PERMIT	01.07.2021
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4. Consultation Responses

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

- 4.1 **Boddington Parish Council** - Support.
- 4.2 **Building Control** - The application will require Building Regulations approval.

5. Third Party Comments/Observations

- 5.1 Full copies of all the representation responses are available online at <https://publicaccess.tewkesbury.gov.uk/online-applications/>.
- 5.2 Third Party Comments: The application has been publicised through the posting of a site notice for a period of 21 days and no comments have been received.

6. Relevant Planning Policies and Considerations

6.1 Statutory Duty

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

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

6.2 National guidance

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

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

Policy SP1 (The Need for New Development)
 Policy SP2 (The Distribution of New Development)
 Policy SD4 (Design Requirements)
 Policy SD5 (Green Belt)
 Policy SD6 (Landscape)
 Policy SD8 (Historic Environment)
 Policy SD9 (Biodiversity and Geodiversity)
 Policy SD10 (Residential Amenity)
 Policy SD14 (Health and Environmental Quality)
 Policy INF1 (Transport Network)
 Policy INF2 (Flood Risk Management)

6.4 Tewkesbury Borough Local Plan to 2011-2031 (TBLP) – Adopted 8 June 2022

Policy RES2 (Settlement Boundaries)
Policy RES10 (Alteration and Extension of Existing Dwellings)
Policy NAT1 (Biodiversity, Geodiversity and Important Natural Features)
Policy NAT5 (Cotswold Beechwoods Development)
Policy ENV2 (Flood Risk and Water Management)
Policy LAN2 (Landscape Character)
Policy TRAC9 (Parking Provision)
Policy HER5 (Non-Designated Heritage Assets)
Policy GRB4 (Cheltenham-Gloucester Green Belt)

6.5 Neighbourhood Plan

None

7. Policy Context

- 7.1** 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.
- 7.2** The Development Plan currently comprises the Joint Core Strategy (JCS) (2017), saved policies of the Tewkesbury Borough Local Plan to 2011-2031 (June 2022) (TBLP), and a number of 'made' Neighbourhood Development Plans.
- 7.3** The relevant policies are set out in the appropriate sections of this report.
- 7.4** Other material policy considerations include national planning guidance contained within the National Planning Policy Framework 2021 and its associated Planning Practice Guidance (PPG), the National Design Guide (NDG) and National Model Design Code.

8. Evaluation

Green Belt Impact

- 8.1** Paragraph 142 of the National Planning Policy Framework (NPPF) states that the government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
- 8.2** Paragraph 143 of the NPPF states that the Green Belt serves 5 purposes:
- a) to check the unrestricted sprawl of large built-up areas;
 - b) to prevent neighbouring towns merging into one another;
 - c) to assist in safeguarding the countryside from encroachment;
 - d) to preserve the setting and special character of historic towns; and
 - e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

- 8.3** Paragraph 152 of the NPPF, Policy SD5 of the JCS and Policy GRB4 of the TBLP states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 8.4** Paragraph 153 of the NPPF, Policy SD5 of the JCS and Policy GRB4 of the TBLP states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 8.5** Paragraph 154 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. One of the exceptions to this is:
- c) 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;
- 8.6** Given the very close proximity of the proposed outbuilding to the existing dwelling it is considered that the proposal falls to be considered under this criterion.
- 8.7** It is noted that an application for a single storey rear extension at the same property (21/00311/FUL) was overturned and permitted by Planning Committee.
- 8.8** Within the previous application it was explained that *'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 also been supported at appeal.'*
- 8.9** Within the previous application, it was explained that the floorspace of the existing building is 177 square metres and it is noted that this has been used on previous applications. However, the previous 2021 report explained that on closer inspection it was not understood how this calculation had been arrived at. The previous report also stated that *'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.'*
- 8.10** The 2021 report went on to explain that *'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.'*
- 8.11** Therefore, the cumulative volume increase of the property is already above the 50% recommended as being proportionate. The volume of the detached garage is approx. 189m³ and this would equate to an approx. 130% cumulative volume increase.

- 8.12** 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 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. The scheme is therefore contrary to the provisions of Policy SD5 of the JCS and the NPPF.

Non-designated heritage asset

- 8.13** Policy SD8 states that: Development should make a positive contribution to local character and distinctiveness, having regard to valued and distinctive elements of the historic environment. The policy also states that: designated and undesignated heritage assets and their settings will be conserved and enhanced as appropriate to their significance, and for their important contribution to local character, distinctiveness and sense of place.
- 8.14** Policy HER5 of the Local Plan states that: “Locally Important Heritage Assets will be conserved having regard to the significance of the asset and its contribution to the historic character of the area. Proposals affecting a Locally Important Heritage Asset and/or its setting will be expected to sustain or enhance the character, appearance and significance of the asset. Proposals that seek the preservation and/or enhancement of these assets will be encouraged. Historically important groups of farm buildings will be protected from proposals for destructive development or demolition.”
- 8.15** Although the barn is considered to be a non-designated heritage asset, officers agree that it has undergone previous extensions and alterations which have reduced the barn like character of the building, and therefore, the historic significance of the building has been diluted. Therefore, the impact of the detached garage on the non-designated heritage asset is considered to be minimal, considering all the previous extensions.
- 8.16** Therefore, the proposal would be broadly compliant with Section 16 of the NPPF, Policy SD8 of the JCS and HER5 of the TBLP.

Design and Visual Amenity

- 8.17** JCS Policy SD4 of the JCS provides that new development should respond positively to and respect the character of the site and its surroundings, enhancing local distinctiveness, and addressing the urban structure and grain of the locality in terms of street pattern, layout, mass and form. It should be of a scale, type, density and materials appropriate to the site and its setting.
- 8.18** Criterion 6 of Policy SD10 'Residential Development' of the JCS states the residential development should seek to achieve maximum density compatible with good design, the protection of heritage assets, local amenity, the character and quality of the local environment, and the safety and convenience of the local and strategic road network.
- 8.19** Policy RES10 of the TBLP states that proposals for the extension and alteration of existing dwellings, and the erection of domestic outbuildings and annexes, will be permitted providing that (amongst other criteria):
1. The detailed design reflects or complements the design and materials of the existing dwelling

2. The scale of the proposal is appropriate to the character and appearance of the existing dwelling and its surrounding area

5. The proposal respects the character and appearance of surrounding development.

8.20 The garage would be positioned approx. 6.5m to the front of the property, and its dimensions are 7m wide, 10m in length, 4m to the pitch and 2.1m to the eaves, utilising a pitched roof. The garage would be constructed from plain rooftiles, a brick plinth to match the main house and oak cladding.

8.21 Overall, the design and proposed materials would be in-keeping with the character and appearance of the host property and wider area. Therefore, if the scheme were acceptable a materials sample condition would be attached to ensure the character and appearance of the scheme was in-keeping with the host property and wider area, in compliance with policies SD4 and SD10 of the JCS, and policy RES10 of the TBLP.

Ecology

8.22 Policy NAT5 of the TBLP states that Cotswold Beechwoods Development will not be permitted in the Cotswolds Beechwoods where it would be likely to lead directly or indirectly to an adverse effect upon the integrity of the Cotswold Beechwoods Special Area of Conservation (SAC) (alone or in combination), and the effects cannot be mitigated.

8.23 Considering the small-scale nature of the proposal, the scheme is unlikely to have any impact on the Cotswold Beechwoods SAC zone of influence. The scheme is compliant with policy NAT5 of the TBLP.

Residential amenity

8.24 JCS policies SD4 and SD14 require development to enhance comfort, convenience and enjoyment through assessment of the opportunities for light, privacy and external space. Development should have no detrimental impact on the amenity of existing or new residents or occupants.

8.25 Policy RES10 of the TBLP states that proposals for the extension and alteration of existing dwellings, and the erection of domestic outbuildings and annexes, will be permitted providing that (amongst other criteria):

4. The proposal does not have an unacceptable impact on the amenity of neighbouring properties.

8.26 Considering the small-scale single storey nature of the garage and its position away from any direct views of neighbouring properties, the scheme would not give rise to any significant negative residential amenity impacts for neighbouring occupiers nor future/existing occupiers of the host property. The scheme is compliant with policies SD4 and SD14 of the JCS and policy RES10 of the TBLP.

Highway Matters

8.27 Policy INF1 of the JCS sets out that permission shall only be granted where the impact of development is not considered to be severe. It further states that safe and efficient access to the highway network should be provided for all transport means.

8.28 Policy TRAC9 of the TBLP states that proposals for new development that generate a demand for car parking space should be accompanied by appropriate evidence which demonstrates that the level of parking provided will be sufficient. The appropriate level of parking required should be considered on the basis of the following:

- 1) the accessibility of the development;
- 2) the type, mix and use of development;
- 3) the availability of and opportunities for public transport;
- 4) local car ownership levels;
- 5) an overall need to reduce the use of high emission vehicles; and
- 6) a comparison of the forecast trip generation and resultant accumulation with the proposed parking provision.

8.29 The existing access and parking situation would remain the same and there would be no increase in the number of bedrooms at the property. The scheme would not give rise to any significant highways issues and overall, the scheme is compliant with policy INF1 of the JCS and policy TRAC9 of the TBLP.

9. Conclusion

9.1 Overall, it is considered that the proposal is inappropriate development in the Green Belt resulting 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.

10. Recommendation

10.1 The proposal does not accord with relevant policies as outlined above; it is therefore recommended the application be **refused**.

11. 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 therefore represents inappropriate development in the Green Belt in conflict with Policy SD5 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy and advice within the National Planning Policy Framework.

12. 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.