

PLANNING APPLICATION 24/00817/F CONSULTATION OBJECTION**THE STABLES, COLLEGE FARM, MAIN STREET, WENDLEBURY, BICESTER, OX25 2PR**

I have been asked to represent Mr and Mrs McDonagh, the occupiers of The Old Dairy, College Farm, Main Street, Wendlebury OX25 2PR.

I note that this is the third time the applicant has sought planning permission to change the stable block into residential use. This is the second occasion that I am writing and the objections remain very much the same as previously in respect of application 22/03033/F, which was eventually withdrawn.

I would also point out that if the submitted plans showing the existing stables are to be relied on, then the stables have not been built in accordance with the approved plans, application reference 14/00426/F. Condition 2 of the decision notice, lists the approved plans. Approved Plan number 730 04C only had 5 rooflights, whereas the 'existing roof plan' that accompanies this application has 11 rooflights! Approved Floor Plan 730 03C and Elevation Drawing 730 01C has the 'garaging element' on the eastern side of the building; and no rooflights on the western roof elevation.

This objection is made on grounds of harm to neighbouring residential amenity; principle; design; drainage; landscape and biodiversity impact.

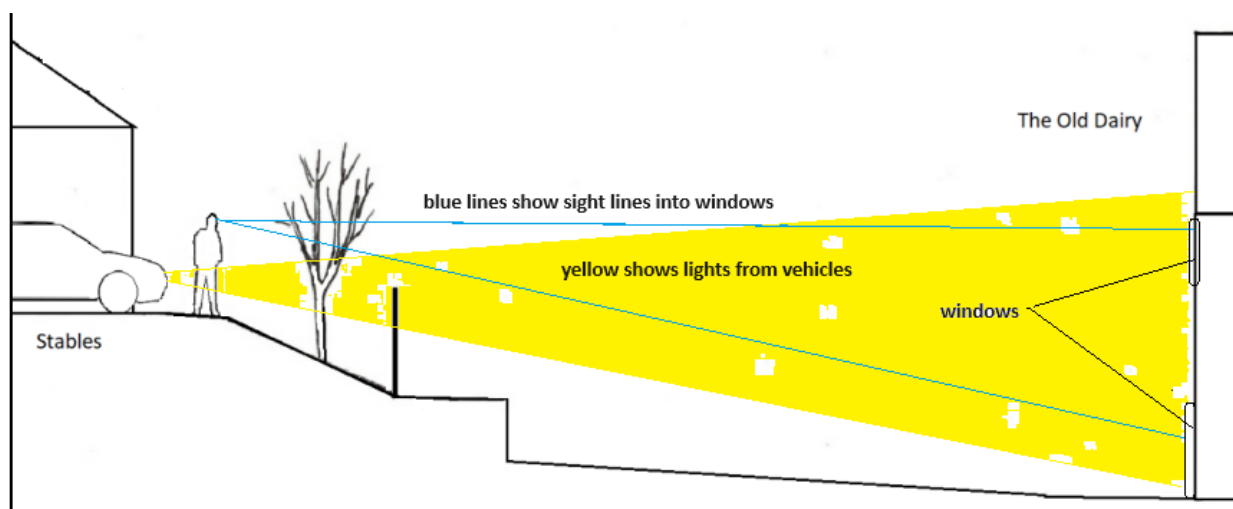
RESIDENTIAL AMENITY

The Old Dairy is an immediate neighbour. The stable block is located immediately adjacent to the Old Dairy's rear boundary; and on land that is at least 2m higher than all neighbouring properties to the west, including The Old Dairy. Thus, the stable building is already visually imposing and domineering from neighbouring properties. The photos below show this, taken from the back garden of the Old Dairy. As the photos show, the trees do not provide year-round screening and cars driving to and from the site are very visible. A parked white car is visible in the second photo.

Photos of views from the Old Dairy to the stables and application site.

The proposal to change the stables to residential use will result in additional car movements and the associated noise, from car engines and door slamming, and light disturbance will not only spoil the tranquil enjoyment of the garden, but will also intrude into the house and habitable rooms that face the

garden, namely the main bedroom and living room. The difference in ground levels, which the applicant does not mention, mean that people leaving and entering the proposed dwelling will have direct views into habitable rooms of The Old Dairy. As illustrated in the sketch below.



It is interesting that previously the application sought parking provision for ten cars and now it says only four are required – which conveniently matches the existing provision. The plans show four double bedrooms with eight people residing there, this indicates that there would be much more than four vehicles associated with the proposed use. Certainly, movements associated with residential uses would be greater than those associated with the use of the stables and over a much more extensive time period, including evenings and nighttime.

The external door to the utility room faces directly towards The Old Dairy and The Granary. The door appears to have glass panels, required to provide some natural light into the utility room. Serving the utility function, it means that the refuse and recycling bins will be kept nearby. So, neighbours will have their tranquillity spoiled by the associated movements, bin noise and smells, as well as lights pouring from the room during darker periods and months.

The numerous roof lights, large windows, as well as outdoor security lights associated with properties of this size will cause more disturbance and night sky pollution. As can also be seen in the photos above, the Stables are slightly angled so that existing openings have views towards the Old Dairy. Therefore, the large windows that will serve the sitting room will afford views into the Old Dairy. Even people standing in the proposed front area have views into the Old Dairy, especially during the long winter months when the trees between the properties are not in leaf. Added to this people generally have an outside sitting area directly outside their sitting room and again this affords direct views into the garden, living room and bedroom of the Old Dairy.

Thus, the proposal is contrary to LP2011 Policy ESD15 and LP1996 Policy C30, in respect to poor design and the harmful impact on neighbouring amenity levels. The harm to neighbouring residential amenity levels also includes flooding, which is expanded on later in this objection.

PRINCIPLE

The proposal is contrary to Policy PSD 1 and Policy Villages 1 of the Cherwell Local Plan 2011 – 2031 part 1 (LP2011); and Policies H18 and H19 of the Cherwell Local Plan 1996 (LP1996).

Wendlebury is a category C village, considered the least sustainable location for new residential dwellings. The village has about 190 dwellings and it does not have the services that the applicant claims to exist. For example, there is no retail or take-away. A resident has a take away business, but it is his home and the business is believed to be in Woodstock. There is a Pilates studio, but it is in someone's private house.

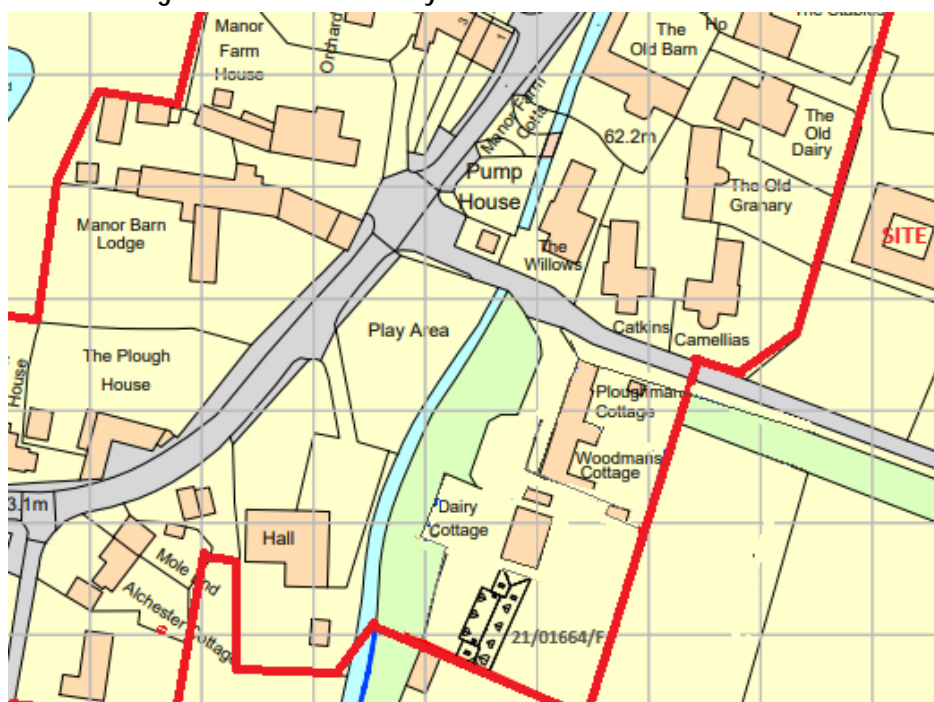
As a category C village, the development plan suggests that only infill and conversion **within the existing built environment** may be acceptable; **subject to the site's context within the existing built environment, whether it is in keeping with the character and form of the village, and its local landscape setting.**

Whilst the built-up area of Wendlebury has not been defined in the Development Plan, it is very clear that the application site is located outside the built environment and within the countryside.

There is no development on three sides of the site, it is all open countryside. It is only adjacent to the rear gardens of residential development to the west; and these gardens represent the boundary of the built environment. See figure 1 below. Also, unlike application 21/01664/F shown in figure 1, it is far from being in-line with other houses.

Whilst the Council's Design Guide for the conversion of farm buildings states that accommodation should aim to be contained wholly within existing buildings; LP1996 Policy H19, clarifies that the intention of the policy **is not for the conversion of modern construction**. As the stable block has only existed for about eight years, the proposal clearly contravenes the aims of this policy. The policy also clarifies that the Council will resist proposals that are tantamount to the erection of a new dwelling in the countryside, such as this.

Figure 1. Showing that the site is clearly outside the built environment of Wendlebury.



A stable block is not an unusual countryside feature. However, a residential dwelling in this countryside location is certainly inconsistent and discordant with the character and form of the village. The change of use of the building and its curtilage, and the residential paraphernalia that will follow, will harm the existing rural landscape setting of the village.

DESIGN

The proposal will result in a dwelling reliant on its courtyard area for amenity and light to habitable rooms. The rooms are separated from the courtyard by a passageway. So, the living environment for future occupiers will be poor. The photos on page 5 of the Design and Access Statement shows that the courtyard sits in shadow for most of the time.

The stables already form an incongruent and domineering structure that looms over its immediate neighbours by way of its proximity to their rear gardens and the 2m change in land height. The Case Officer is invited to view the application site from The Old Dairy, in order to properly appreciate the concerns being expressed herein.

DRAINAGE & FLOOD RISK

Although the site itself lies outside the flood risk areas and areas susceptible to high risk from surface water flooding, it is next to areas along and off Main Street where flooding has occurred and is identified by the Environment Agency. This proposal on higher land will only serve to cause worse flooding problems for those areas already at risk sitting on the lower ground areas.

When the stables were originally granted planning permission there was a condition imposed to ensure all the surrounding open areas, including the courtyard area, would be permeable, in order to reduce flooding elsewhere. However, since the construction of the stables, the Old Dairy has suffered significantly greater amounts of water run-off from the application site into their property. This has resulted in undue expense already for the Old Dairy requiring the installation of more drains to deal with their run-off and the erection of an engineered wall to stabilise the ground that is adjacent to the proposal site. Even after these works, the land is consistently marshy.

The current run-off is substantial and the proposal will only exacerbate the drainage and flooding problems to neighbours.

LP2011 Policy ESD 6 states that site specific flood risk assessments will be required to accompany development sites located in an area known to have experienced flooding problems and proposals should demonstrate that surface water will be managed effectively so that it will not increase flood risk elsewhere including sewer flooding. Wendlebury has a history of flooding in Main Street and problems with sewage services. It is common sense that developments built on higher land might not suffer problems themselves but their run-off causes problems for everyone sited on adjacent lower grounds.

LP2011 Policy ESD 7 states that all development will be required to use sustainable drainage systems for the management of surface water run-off. The application does not make any provision for this requirement; and in an area where there are existing flooding issues, it is inappropriate to attempt to reconcile the issue through a planning condition.

LANDSCAPE

LP 2011 Policy ESD 13 seeks to protect and enhance the local landscape character. Contrary to the aims of this policy, this proposal will result in an unacceptable creeping urbanisation that results in visual intrusion and harm to the countryside and landscape setting around Wendlebury.

BIODIVERSITY

LP 2011 Policy ESD 10 seeks to protect and enhance biodiversity and the natural environment. This proposal fails to demonstrate a net gain in biodiversity and in all likelihood, it will result in loss and harm to nature conservation.

It is known that light emissions from roof lights and windows have a detrimental impact on the flight patterns of nocturnal creatures. This proposal has numerous roof lights and other large openings, which will harm the quality of the night sky and negatively impact on nocturnal protected species, such as bats.

The significant additional movements of cars and people in association with the residential use proposed will further jeopardise the site's tranquillity and potential as a haven for protected species.

The loss of permeable land that will result from the development will increase water run-off to the west, which will be detrimental to the stability and longevity of the trees planted along this side on a slope.

FURTHER POINTS

The Design and Access Statement clarifies that at the time of the previous application 22/03033/F (only two years ago) **the Officer considered that this location was not suitable for residential development, and further that this modern equestrian building was not suitable for conversion. The council also expressed concern that the proposals would result in the building having a 'very domestic appearance' and would include land currently in equestrian use to create a residential curtilage, which would extend a residential area into the open countryside.**

This remains the case today.

The Design and Access Statement also refers to an appeal that was dismissed and which considered characteristics that help define the settlement boundary of Wendlebury. This site has a stable block which is an acceptable building in the countryside, however there is no residential development around it – except the dwellings on the western side of the stables, which define the edge of the village at this point.

The Design and Access Statement at point 3.13 implies that Policy H19 is out of date and not relevant as it precedes the NPPF and Class Q in the GPDO. Class Q is for the conversion of agricultural buildings that are over ten years old and no longer required. That is not comparable to this application. The NPPF does not support the conversion of buildings that would jeopardise sustainable development principles. Then at paragraph 6.20 Policy H19 is used in order to support the application, except only those parts of the policy that suits the applicant!

It is noted that in discussing the impact on neighbouring amenity, there is no mention in the difference in levels, 2m is not insignificant. In addition, a residential use, of the size proposed will be completely

different to the equestrian use for four horses. This section of the Design and Access Statement completely ignores all the concerns previously voiced in respect of the 2022 application which was not supported by the Council and was withdrawn.

It is clear from the application that the applicant still has a horse. The applicant also owns the field behind the stables. Making the choice to use an alternative stable and location for the horse, which cannot be reached from Wendlebury except by car, does not provide a reasonable explanation that this very modern and substantial stables building is genuinely no longer required. The concerns of my clients, are that the applicant will next apply for another stable in the field. So, starting the whole cycle of additional development with a view to a future conversion.

There is also the likelihood that any residential use of the site would expand into the field, to obtain some reasonable garden area. Therefore, the fear of urbanisation of the countryside landscape is genuine.

CONCLUSION

This proposal would result in residential development that is outside the built-up area of the village, it will harm the landscape quality of the countryside around Wendlebury, it will provide poor quality living space for future occupiers and it will harm the amenity levels of neighbouring residents, especially those of the clients I am representing.

You are welcome to visit The Old Dairy, to see the reality of the situation.

Lastly you are sincerely asked to refuse planning permission for this proposal.

With regards

A L Banks, on behalf of Mr and Mrs McDonagh (copied in to this correspondence)