

Case Officer: Matthew Chadwick

Recommendation: Approve

Applicant: Mrs Holly Howard

Proposal: Alterations to and conversion of the existing agricultural building to form
1no dwelling

Expiry Date: 3 June 2020

Extension of Time: 26 June 2020

1. APPLICATION SITE AND LOCALITY

1.1. The application site is located to the south-east of the village of Wendlebury, amongst the complex of buildings that make up College Farm. College Farm is accessed from a track that leads onto Main Street. The building to which this application relates is a former pig rearing building, which is constructed from concrete blocks and externally faced in timber clad gables and a fibre cement sheet roof. The building is located in the east of the wider site.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

2.1. Planning consent is sought for the conversion of the agricultural building to form one dwelling. The dwelling would have four bedrooms and is single storey in scale. Four parking spaces would be provided for the dwelling. The conversion of the building to a dwelling has been previously approved under 18/01089/Q56. The changes from the previously approved scheme are as follows:

- The installation of a black powder coated stainless steel flue for a log burner;
- The re-introduction of an outside door to the utility room instead of a window;
- The use of timber cladding between the concrete block piers, to match the existing cladding to the gables; and
- Change of use for an additional area of garden.

3. RELEVANT PLANNING HISTORY

3.1. The following planning history is considered relevant to the current proposal:

18/01089/Q56 - Change of use of barn to 1no dwelling house and associated operational development – Application Permitted

4. PRE-APPLICATION DISCUSSIONS

4.1. No pre-application discussions have taken place with regard to this proposal.

5. RESPONSE TO PUBLICITY

5.1. This application has been publicised by way of a site notice displayed near the site, by advertisement in the local newspaper, and by letters sent to all properties immediately adjoining the application site that the Council has been able to identify

from its records. The final date for comments was **17 June 2020**, although comments received after this date and before finalising this report have also been taken into account.

5.2. No comments have been raised by third parties.

6. RESPONSE TO CONSULTATION

6.1. Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.

PARISH COUNCIL AND NEIGHBOURHOOD FORUMS

6.2. WENDLEBURY PARISH COUNCIL: **No objections**, but the dwelling should be tied to the farm.

OTHER CONSULTEES

6.3. OCC HIGHWAYS: No comments received.

6.4. CDC BUILDING CONTROL: Development would require a building regulations application.

6.5. CDC ECOLOGY: No comments received.

6.6. CDC ENVIRONMENTAL PROTECTION: **No objections**, subject to conditions relating to land contamination and EV charging infrastructure.

6.7. THAMES WATER: No comments received.

7. RELEVANT PLANNING POLICY AND GUIDANCE

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

7.2. The Cherwell Local Plan 2011-2031 - Part 1 was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The Local Plan 2011-2031 – Part 1 replaced a number of the 'saved' policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the development plan. The relevant planning policies of Cherwell District's statutory Development Plan are set out below:

CHERWELL LOCAL PLAN 2011 - 2031 PART 1 (CLP 2031 Part 1)

- PSD1 - Presumption in Favour of Sustainable Development
- ESD1 - Mitigating and Adapting to Climate Change
- ESD7 - Sustainable Drainage Systems (SuDS)
- ESD10 - Protection and Enhancement of Biodiversity and the Natural Environment
- ESD13 - Local Landscape Protection and Enhancement
- ESD15 - The Character of the Built and Historic Environment
- Policy Villages 1 - Village categorisation
- Policy Villages 2 - Distributing Growth Across the Rural Areas

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- H19 – Conversion of buildings in the countryside
- C28 - Layout, design and external appearance of new development
- C30 - Design of new residential development
- ENV12 - Contaminated Land

7.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Cherwell Residential Design Guide (2018)
- Cherwell Council Home Extensions and Alterations Design Guide (2007)

8. APPRAISAL

8.1. The key issues for consideration in this case are:

- Principle of development
- Design, and impact on the character of the area
- Residential amenity
- Highway safety
- Environmental protection

Principle of development

8.2. Paragraph 11 of the National Planning Policy Framework (NPPF) states that decisions should apply a presumption of sustainable development. There are three dimensions to sustainable development, as defined in the NPPF, which require the planning system to perform economic, social and environmental roles. These roles should be sought jointly and simultaneously through the planning system.

8.3. Paragraph 12 of the NPPF notes that the development plan is the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise. Cherwell District Council has an up-to-date Local Plan which was adopted on 20th July 2015.

8.4. Policy Villages 1 of the CLP 2031 provides a framework for housing growth in the rural areas of the district and groups villages into three separate categories (A, B and C). Wendlebury is a Category C settlement, which means that it is one of the least sustainable rural settlements in the district. Within the limits of Wendlebury only infilling and conversions are considered acceptable in principle.

8.5. The site is not within the built limits of the village of Wendlebury given its separation from the built form of the village. The proposal therefore cannot be assessed against Policy Villages 1 of the CLP, but instead stands to be assessed against Saved Policy H19 of the Cherwell Local Plan 1996.

8.6. Policy H19 states that proposals for the conversion of a rural building, whose form, bulk and general design is in keeping with its surroundings to a dwelling in a location beyond the built-up limits of a settlement will be favourably considered provided:-

- (i) the building can be converted without major rebuilding or extension and without inappropriate alteration to its form and character;

(ii) the proposal would not cause significant harm to the character of the countryside or the immediate setting of the building;

(iii) the proposal would not harm the special character and interest of a building of architectural or historic significance;

(iv) the proposal meets the requirements of the other policies in the plan.

8.7. The supporting text of Saved Policy H19 does state that the policy '*should encourage the conversion not of buildings of modern construction but of traditional farm buildings*'. The application building is not a traditional farm building. However, this policy dates from 1996, well preceding both the NPPF and the introduction of Class Q in the GPDO. In addition, recent appeal decisions have given less weight to the policy's requirement that it relates only to 'traditional farm buildings'.

8.8. The conversion of the building to form a single dwelling has been approved under a recent Class Q application (ref. 18/01089/Q56). This application seeks to make design changes that are outside the scope of the Class Q process.

8.9. The scheme approved in the Class Q application was considered to be a conversion without major rebuilding and no extensions were proposed. Similarly, the current proposal is for conversion of the building, without major rebuilding or extension, and therefore complies with Saved Policy H19 in this regard and is acceptable in principle, subject to consideration of the proposals' impact on the character of the area

8.10. An increase of the residential land use is proposed in this application, which would be to the north and east of the building. This land is currently in agricultural use but is closely related to the building and the garden area would be of an appropriate size for a dwelling of this scale. It is therefore considered that the change of use of this land is acceptable in principle.

Design and impact on the character of the area

8.11. Government guidance contained within the NPPF towards achieving well-designed places states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. The NPPF goes on to note that 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. Further, Paragraph 130 of the NPPF states that permission should be refused for development of poor design that fails to take the opportunities for improving the character and quality of an area and the way it functions.

8.12. Paragraph 127 of the NPPF states that planning decisions should ensure that developments:

- Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

- Are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change;

- Establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

- Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 8.13. Policy ESD15 of the Cherwell Local Plan Part 1 states that: “New development will be expected to complement and enhance the character of its context through sensitive siting, layout and high quality design. All new development will be required to meet high design standards.”
- 8.14. Saved Policy C28 of the Cherwell Local Plan 1996 exercises control over all new developments to ensure that the standards of layout, design and external appearance are sympathetic to the character of the context as well as compatible with existing buildings.
- 8.15. As noted above, the site is considered to be beyond the built up limits of the village and therefore any development on the site would represent an intrusion into the open countryside. Policy ESD 13 of the CLP states that development will be expected to respect and enhance local landscape character, securing appropriate mitigation where damage to local landscape character cannot be avoided. Furthermore, development that causes harm or visual intrusion into the open countryside will not be supported.
- 8.16. The site is not clearly visible from within the public domain, with only glimpses from the public footpath 450m to the north. Given that the application is for a conversion of the building with no extensions (the same as the Class Q approval), the scale of the development is considered to be acceptable.
- 8.17. The application proposes to clad the north and south elevations of the building, between the concrete block piers. Timber cladding is already used on the east and west elevations of the building. Timber cladding is a more modern material; however, it can be seen on agricultural buildings as well as dwellings. The change in materials would result in the dwelling appearing more modern and more domestic, but it is a more attractive material than the existing blockwork and on balance it is considered that the currently proposed development would result in a minor benefit to the character and appearance of the area over the extant prior approval scheme.
- 8.18. As set out earlier in this report, the area proposed for residential purposes ancillary of the dwelling is the larger than that approved under the prior approval scheme, which is limited as part of that approval. The residential use would spread into the adjoining agricultural field but is well contained and well related to the dwelling. The loss of this agricultural land would cause minor harm to the rural character and appearance of the area but given the amount of land that would change use and its siting, it is considered that this level of harm is not sufficient to justify a reason for refusal on the application.
- 8.19. The other two changes in this application from the prior approval scheme are the provision of a black metal flue on the northern roofslope and the alteration of a window to a door on the south elevation of the building. These are considered to be minor additions to the dwelling and would not cause harm to the character and appearance of the area.
- 8.20. For these reasons, the proposed development would not cause harm to the character and appearance of the development and is therefore considered to be acceptable in this regard. The proposed development therefore complies with Policies ESD13 and 15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy

C28 of the Cherwell Local Plan 1996 and Government guidance contained within the NPPF.

Residential amenity

- 8.21. Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1 states that new development proposals should consider amenity of both existing and future development, including matters of privacy, outlook, natural lighting, ventilation and indoor and outdoor space.
- 8.22. The proposal would be sited a sufficient distance away from any neighbouring dwelling and it is therefore considered that the scheme would be acceptable in this regard. The proposals would also not cause harm to the residential amenities of future occupiers and would therefore accord with Policy ESD15 of the Cherwell Local Plan 2011 - 2031 in this regard.

Highway safety

- 8.23. The Highways Officer offered no objections to the Class Q application and no highways related conditions were imposed. Four parking spaces would be provided, which is considered to be sufficient for a dwelling of this scale. It is therefore considered that the development would comply with Policy ESD15 of the Cherwell Local Plan 2011 - 2031 and Government guidance in this regard.

Environmental protection

- 8.24. The Environmental Protection Officer has offered no objections, subject to conditions relating to land contamination and EV charging infrastructure. No land contamination conditions were imposed on the Class Q scheme after the applicant submitted a sensitive use questionnaire at the request of the Environmental Protection Officer. This has been submitted again and updated for this application and therefore it is considered that it would be unreasonable to include the land contamination conditions. There was no condition relating to EV charging infrastructure on the Class Q scheme and, as this could still be implemented, it is considered unreasonable to include this condition.

9. PLANNING BALANCE AND CONCLUSION

- 9.1. The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 requires that the three dimensions to sustainable development (economic, social and environmental) are not undertaken in isolation, but are sought jointly and simultaneously.
- 9.2. The broad principle of development is considered to be acceptable, given that the application proposes the conversion of the existing building. The proposed development would not cause harm to the character and appearance of the area, residential amenities of neighbours or the safety of the local highway network.

10. RECOMMENDATION

That permission is granted, subject to the following conditions:

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason - To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory

Purchase Act 2004.

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the application form and the following plans and documents: 18.178.02 Rev D.

Reason – For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and to ensure the proposal is sustainable development and to safeguard the character and appearance of the area and to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and comply with Government guidance contained within the National Planning Policy Framework.

3. The walls of the development to be finished in oak cladding shall be finished in accordance with the details shown on the document titled 'Oak Cladding' submitted with this application and shall be retained in accordance with the details thereafter.

Reason - To ensure the satisfactory appearance of the completed development and to safeguard the character and appearance of the area and to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

4. The means of enclosure and hard and soft landscaping shall be carried out in strict accordance with the details shown on drawing number 18.178.02 Rev D prior to the first occupation of the dwelling (unless in the case of soft landscaping an alternative timeframe is first submitted to and agreed in writing by the local planning authority) and shall be retained as such thereafter.

Reason - To ensure the satisfactory appearance of the completed development and to safeguard the character and appearance of the area and to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

Case Officer: Matthew Chadwick

DATE: 25/06/20

Checked By: Nathanael Stock

DATE: 26.06.2020
