

**Home Farm, Woodway Road, Sibford Ferris,
Oxfordshire, OX15 5RF**

22/01050/F

Case Officer: Daisy Kay-Taylor

Recommendation: Approve

Applicant: Mrs Emily Crossley

Proposal: Single storey rear extension to dwelling and extension to and conversion of existing outbuilding to habitable accommodation (revised scheme of 21/01712/F to enlarge the approved extension to the outbuilding and to vary the roof material to the existing lean-to section of the building)

Expiry Date: 2 June 2022



1. Relevant Features of the Site

The application relates to a stone and slate period dwelling located on the edge of the village of Sibford Ferris. The main dwelling sits to the front of a substantial curtilage fronting directly onto Woodway Road and with extensive private garden areas extending northwards to the rear. The site benefits from vehicular access to the side which serves a large area of hard-standing to the rear of the property. The site contains a number of outbuildings to the side and rear. Land levels, whilst relatively level at the main dwelling and immediate rear garden area, drop to the north out onto open countryside

The site is located within the Sibford Ferris Conservation Area and historic village core which is considered of archaeological interest. The application building is not a listed building. There are no listed buildings within the immediate vicinity of the site.

The geology in the area is known to contain naturally occurring elevated levels of arsenic and is an area affected by radon gas; as seen across much of the district.

There are records of protected and notable species (swifts and house martins) within the vicinity of the site; although given the single storey nature of the proposed development it is considered that these species are unlikely to be affected by the proposed development.

2. Description of Proposed Development

The application seeks planning permission for a single storey rear extension to the dwelling and conversion and extension of an existing outbuilding (former piggery) to habitable accommodation. The proposed rear extension is proposed to be constructed externally of stone under a single ply flat roof with glazed lantern.

The proposed conversion of the outbuilding to provide ancillary residential accommodation would include new window and door openings to the south-west elevation, replacement of existing corrugated metal roof with new profiled grey metal roof and a small glazed extension to the northern end of the building.

The description of development as submitted did not refer explicitly to the changes proposed to the development – this has been added in the interests of clarity and accuracy – and given that this is a revised scheme of 21/01712/F reference to the single storey rear extension to the dwelling has also been added back in even though that is not subject of any proposed changes under the current application.

The proposed conversion of the outbuilding now increases the depth of the glazed extension element by 1.5m to 3m (scaling off the submitted drawings), an increase of 11% over the overall depth of the approved scheme. It remains 4.5m wide with an eaves height of 3.6m.

3. Relevant Planning History and Pre-Application Discussions

The following Planning History and Pre-Application discussions are considered relevant to the current proposal.

21/01712/F – Single storey rear extension to dwelling and extension to and conversion of existing outbuilding to habitable accommodation – granted with conditions 09 July 2021

4. Response to Publicity

This application has been publicised by way of a Site Notice displayed near the site, expiring **20 May 2022**, by advertisement in the local newspaper expiring **20 May 2022** and by letters sent to properties adjoining the application site that the Council has been able to identify from its records. The overall final date for comments was **3 June 2022**.

The comments raised by third parties are summarised as follows:

- The approved scheme would have altered the existing building very little visually; new cladding on the roof but otherwise no changes to the outlook of the neighbour
- Impact on the amenities of the neighbour: The current proposal, mission creep, would drastically change the appearance of the building – firstly the roof material from cladding to slate, and secondly to increase the footprint of the building by 30% which by virtue of its scale and form would alter the rustic building into an alien feature.
- Incorrect statement in the application submission with regard to loss of trees; the neighbour has several mature trees within falling distance of the building as does the applicant. Planning permission was granted in 1998 (98/01693/F) for change of use of the land to the orchard/vegetable garden with no buildings, etc.

5. Response to Consultation

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.

Sibford Ferris Parish Council objects for the following reasons:

- The original application was designed to retain the characteristics of the old piggery which fitted with the conservation area and did not extend the building further down the Sib valley.
- The new application has amended the materials for the walls and the roof which no longer retain the original characteristics.
- A glass annexe has also been added that extends the development substantially and raises concerns of possible development creep down the Sib valley which might set a precedent elsewhere in the village.

6. Relevant Policy and Guidance

Cherwell Local Plan 2011-2031 Part 1 - (CLP 2015)

- **ESD10 – Protection and Enhancement of Biodiversity and the Natural Environment**
Requires relevant habitat and species surveys to accompany applications which may affect a site, habitat or species of known or potential ecological value, seeking net gains in biodiversity, the protection of existing trees and the protection, management, enhancement and extension of existing resources along with the creation of new ones. *See page 106 of the CLP 2031 Part 1 for full details*
- **ESD15 - The Character of the Built and Historic Environment.**
New development will be expected to complement and enhance the character of its context through sensitive siting, layout and high-quality design. Where development is in the vicinity of the District's distinctive natural or historic assets, delivering high quality design that compliments the asset will be essential. *See page 117 of the CLP 2031 Part 1 for full details.*

Cherwell Local Plan 1996 (saved policies) – (CLP 1996)

- **C28 – Layout, Design and External Appearance of New Development**
New development required to have standards of layout, design and external appearance sympathetic to the character of the urban or rural context of that development. *See page 120 of the CLP 1996 for full details.*
- **C30 – Design of New Residential Development**
Development should be compatible to the scale of the existing dwelling, its curtilage and the character of the street scene. Development should also provide acceptable standards of amenity and privacy. *See page 120 of the CLP 1996 for full details.*

Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Cherwell Residential Design Guide (2018)
- CDC Home Extensions and Alterations Design Guide (2007)
- Sibford Ferris Conservation Area Appraisal 2012

7. Appraisal

The key issues for consideration in this case are

- Design, and impact on the character of the area
- Residential amenity
- Highway safety

Design and impact on character of the area

The site is a large residential property which has previously been extended and which lies within its own substantial curtilage at the edge of the village. The proposed development would not expand the existing residential use.

The proposed development would be located to the rear of the property and, as such, not readily visible from the public realm. Views would be experienced only from within the site and by the adjacent neighbouring properties to the east.

The proposed single-storey extension to the dwelling would be constructed externally of materials to match the host dwelling and would appear subservient to it. The design is not considered to have any impact on the residential context of the site or the significance of the conservation area. The plans appear unchanged since permission was granted in July 2021.

One of the two changes to the approved scheme is an increase in depth by 1.5m of the northward glazed extension of the outbuilding, bringing it to within 1 metre of the nearest tree. It would be constructed of frameless glass to the north and west, and of stone to the east. However, it is considered that this change does not significantly alter the overall merits of the scheme; the extension would be set down from the existing 12.5m deep outbuilding and is considered proportionate and subservient to its scale and form. It would not extend beyond the existing hardstanding, would not materially impact on trees in the vicinity and does not have any bearing on the 1998 permission for change of use of the land to the north from orchard to residential garden.

The other change to the proposed development is that slate tiles would replace the existing corrugated metal roofing; this would match or closely reflect the materials used on other buildings across the site. Frameless glass is proposed, to lighten the extension element, and the eastern wall of the extension is now proposed to be solid rather than in glass. The overall effect of these changes would be minimal and the amended proposal would be in keeping with the rural nature of the locality and character of the area.

It is not considered that the proposed development would be out of keeping with the rural nature of the site or visually detrimental to the character of the wider setting within the conservation area.

Conclusion: Acceptable

Residential amenity

There is separation between the dwelling and its neighbours to the east and west and, given the substantial curtilage and mature vegetation, the only property likely to be affected by the proposed development is the adjacent 1 Home Farm Court to the east. The eastern boundary with 1 Home Farm Court is of closed boarded fencing and hedgerow planting.

The proposed single storey extension would be to the rear of the host dwelling and would not create any new windows that would overlook neighbouring properties beyond that which already exists.

The proposed outbuilding development would be sited further to the rear (north) of the property, along the eastern boundary. The proposals are not considered to significantly alter the form or scale of the existing outbuilding and would not create any new windows to the east to overlook the adjacent property.

Having regards to the context of the site and to the spatial relationships with neighbouring properties the proposed development is not considered to have any significant detrimental impact on their residential amenities and would not result in any loss of outlook, light or privacy, nor result in the creation of an overbearing effect. The proposed changes have no material bearing on the impact to this neighbour or any other neighbouring property.

Conclusion: Acceptable

Highway safety

The proposed development increases the number of bedrooms by one; however, given the ancillary nature of the converted outbuilding, it is considered that the proposal is unlikely to result in any increased need for parking.

The existing area of hardstanding at the site is sufficiently large to accommodate and allow vehicles to enter and leave in a forward manner.

As such, it is considered that the proposals would not have any adverse impact upon the local highway network in terms of traffic and safety.

Conclusion: Acceptable

8. Planning Balance and Conclusion

The appraisal above, which is informed by the policy and guidance set out in section 6, does not identify any material planning issues which compromise the acceptability of this application. The proposal is therefore considered to be sustainable development and, in accordance with Paragraph 11 of the NPPF, planning permission should therefore be granted.

9. 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 information contained within the application form and drawings numbered: WG1069-001B, WG1069-005B, WG1069-011 A, WG1069-012, WG1069-013, WG1069-014A, WG1069-015A and WG1069-016 B.

Reason: For the avoidance of doubt, to ensure that the development is carried

out only as approved by the Local Planning Authority and to safeguard the character and appearance of the area, the significance of heritage assets and the living conditions of neighbouring occupiers and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policies C28 and C30 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

3. The natural stone to be used on the external walls of the rear extension shall be of the same type, texture, colour and appearance as the stone on the existing dwelling and shall be laid dressed, coursed and pointed to match that of the existing dwelling, and shall be retained as such thereafter.

Reason: To safeguard the character and appearance of the area, the significance of heritage assets and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policies C28 and C30 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

4. The detached converted outbuilding hereby approved shall be used solely as ancillary accommodation to the existing dwelling house and as such shall not be sold, leased or used as an independent dwelling unit.

Reason: The site is unsuitable to accommodate a separate dwelling without it being cramped or causing harm to the amenities of the occupants of the main dwelling (Home Farm) or the character and appearance of the area or to local highway safety and in order to comply with saved Policies C28 and C30 of the Cherwell Local Plan 1996, Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

Planning Notes:

1. Planning permission only means that in planning terms a proposal is acceptable to the Local Planning Authority. Just because you have obtained planning permission, this does not mean you always have the right to carry out the development. Planning permission gives no additional rights to carry out the work, where that work is on someone else's land, or the work will affect someone else's rights in respect of the land. For example there may be a leaseholder or tenant, or someone who has a right of way over the land, or another owner. Their rights are still valid and you are therefore advised that you should seek legal advice before carrying out the planning permission where any other person's rights are involved.
2. Your attention is drawn to the need to have regard to the requirements of UK and European legislation relating to the protection of certain wild plants and animals. Approval under that legislation will be required and a licence may be necessary if protected species or habitats are affected by the development. If protected species are discovered you must be aware that to proceed with the development without seeking advice from Natural England could result in prosecution. For further information or to obtain approval contact Natural England on 0300 060 3900.
3. Birds and their nests are fully protected under the Wildlife and Countryside Act 1981 (as amended), which makes it an offence to intentionally take, damage or destroy the eggs, young or nest of a bird whilst it is being built or in use. Disturbance to nesting birds can be avoided by carrying out vegetation removal or building work outside the breeding season, which is March to August inclusive.
4. The applicant's and/or the developer's attention is drawn to the requirements of the Control of Pollution Act 1974, the Environmental Protection Act 1990 and the Clean Air Act 1993, which relate to the control of any nuisance arising from

construction sites. The applicant/developer is encouraged to undertake the proposed building operations in such a manner as to avoid causing any undue nuisance or disturbance to neighbouring residents. Under Section 61 of the Control of Pollution Act 1974, contractors may apply to the Council for 'prior consent' to carry out works, which would establish hours of operation, noise levels and methods of working. Please contact the Council's Environmental Protection Team Leader for further advice on this matter.

5. It is known that in some areas of the northern part of Cherwell District elevated concentrations of naturally occurring arsenic, chromium and nickel and in Souldern, Somerton, Upper Heyford, Lower Heyford and Kirtlington elevated levels of naturally occurring arsenic exist above soil guideline values produced by DEFRA. While these elements are not considered a risk to residents occupying the completed development, there exists a potential risk to residents using the garden for home grown produce or where regular contact with the soil occurs due to ingestion and dermal contact. A risk may also occur to building site workers during construction, due to dermal contact and inhalation of potentially contaminated soil and dust. The applicant is therefore requested to ensure contact with the soil is minimised, especially where young children are present and not to grow home grown produce until such a potential risk has been shown to be negligible. In addition, to ensure that all site workers are informed of this potential risk and that appropriate health and safety requirements are used to protect the site workers. For further information please contact the Council's Environmental Protection Officer.

Case Officer: Daisy Kay-Taylor

DATE: 01 June 2022

Checked By: Nathanael Stock

DATE: 06.06.2022
