

# EDGARS

Ms Rebekah Morgan  
Planning Officer  
Cherwell District Council

By email: [rebekah.morgan@cherwell-dc.gov.uk](mailto:rebekah.morgan@cherwell-dc.gov.uk)

Our Ref: 934/2940  
Your reference: 22/03033/F

06/01/2023

Dear Ms Morgan,

## **22/03033/F THE STABLES, MAIN STREET, WENDLEBURY, OX25 2PR**

**Proposal:** The conversion and infill extension of equestrian stables to a create a single residential dwelling.

This letter seeks to address and clarify a number of matters which have been raised against the application thus far, including the points made within your email dated 21<sup>st</sup> December 2022.

The Conservation Officer, Parish Council and neighbour comments have identified concerns with regard to the following aspects of the proposal:

- Principle of Development
- Building Line
- Description of Development
- Increased number of openings
- Impact of proposed amenity space
- Impact on Grade II listed Stables and College Farmhouse
- Drainage and flooding
- Neighbouring residential amenity
- Lighting

The following pages of this letter responds to each matter in turn, drawing on the planning history, and information contained within the current application to outline how the current proposal is acceptable and accords with planning policy.

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### *Principle of Development*

Policy Villages 1 identifies that Category C settlements such as Wendlebury are sustainable locations for developments which create new dwellings through 'infilling and conversions'. To be a conversion, it is considered that a proposed development should not significantly alter the overall form or scale of an existing building. In the officer response on the 21<sup>st</sup> December, they noted that they did not consider that a modern equestrian building was suitable for residential use. The proposed conversion of the modern stable building accords with Policy Villages 1 as the proposals does not represent a significant alteration of the overall form and scale of the existing building {emphasis added}.

The proposals maintains the scale, footprint, roof form and the overall appearance of the existing stable building. It utilises the existing openings and minimises new openings. Further, the existing stable building is a substantial, and well-built structure. The proposed conversion does not require significant alterations of the buildings structure, and can be delivered through reuse of the existing buildings fabric with minimal intervention.

In addition, the proposal is also in an appropriate location due to its relationship with neighbouring dwellings and the character of the settlement envelope and such is considered to be infilling. Further discussion on this matter is noted below under '*Building line*'. Overall it considered that the proposal is compliant with Local Plan Policy Villages 1, but in any event given the lack of a five year housing land supply demonstrated by the Council, achieving new dwellings in villages, and on sites such as this which would not extend built from should be considered favourably.

A secondary point the officer raised on the 21<sup>st</sup> December related to planning permission 14/00426/F and the assertion that the proposed equestrian stable was acceptable because it replaced old and unattractive buildings and the equestrian use justified the location in a rural area. In reviewing the Delegated Report for 14/0042/F we note at paragraph 5.9 the design solution is deemed acceptable and would not adversely impact upon the character and appearance of the rural area. It is then separately noted that the removal of the existing buildings *would arguably improve the appearance of the site*, therefore conflating the two reasons is incorrect.

The principle of equestrian development assessed in 14/00426/F was against Local Plan Policy AG5 - Equestrian Development. The delegated report does not consider the equestrian nature of development in relation to location, it merely considers the acceptability of the development of its impact to the character and appearance, neighbouring amenity and other policies on the 1998 plan. Therefore, the officers assertion that the equestrian use justified the location is again incorrect.

In regards to the principle of development, the officer also noted in their correspondence on the 21<sup>st</sup> December that the proposed development would constitute an encroachment of residential land into open countryside (through the change from equestrian to residential). As the menage is equestrian land, is enclosed and has a purpose built surface we are of the opinion that it is not characterised as open countryside, and such the land forming the residential curtilage should not be regarded as encroaching on open countryside because that is not the existing use or character of the land in question. For the avoidance of doubt, the large grassed paddock which sits to the east of the site is being retained as such.

### *Building Line*

In further response to officer comments about this location being unsuitable for residential development, we note that the Stables is currently surrounded by residential dwellings of which some have been developed through conversion.



The building line of the village has been set out within our planning statement and in Figure 1 below. Farriers Mead, St Giles Close and Rectory Close extend the settlement envelope beyond the built-up frontage of Wendlebury Road. Farriers Mead which immediately adjoins the site to the north extends the built-up part of the settlement much further east than the proposal site.

Furthermore, the existing stable building benefits from its relationship to The Stables, The Old Granary and The Old Dairy as a group of converted agricultural buildings and is served from an existing access road. This cluster of buildings means that there is no open land between the proposed site, residential dwellings along Main Street and Farriers Mead, so the existing stable building is read as being within the built-up envelope of the village. This grouped nature of dwellings, served by a communal access behind the frontage of Wendlebury Road, is a characteristic of the village and such is not inconsistent with the existing pattern of development.

The historic photograph below shows the original farm layout prior to any conversions. The modern stable building is in the original barn location at the back of this group. The barn/silo was taken down in 2013 and re-built at a later date when the various outbuildings were converted into houses. To further emphasise, this is an existing building on the site of an existing agricultural building, and so will not be extending the building line because no new buildings are being proposed.

To reiterate points made earlier in the application, Section 3 of the Planning Statement includes reference to several applications which indicate earlier decision making on the location of housing adjacent to, or behind existing dwellings within Wendlebury. Permission under 21/01664/F permitted a four bedroom detached dwelling to the south of Dairy Cottage. The position of this permitted dwelling extends into open countryside to the south of existing dwellings, extends the settlement boundaries further to the south and illustrates that the Council have found new residential development outside of the existing settlement boundary to be acceptable. Therefore, we consider the conversion of an existing building should be found acceptable and be supported by the Council in light of the points raised through this letter. The contribution of housing, albeit a single dwelling, gathers further weight in light of the housing land supply shortfall within the District.

Further, appeal APP/C3105/W/19/3220463 for an infill dwelling a Rectory Close, considered the principle of development for infilling within the village. Whilst this appeal was dismissed on the grounds of flooding, the Inspector did not consider the location of the dwelling would conflict with Policy Villages 1, nor would unacceptable impact the character and appearance of the area. The location of the proposed development was on the edge of the settlement, albeit was residential garden land already.

#### *Description of Development*

In response to officers comments on the description of development, we firmly believe that the conversion of the building from equestrian use to residential use implies the change of use of the land as well. There is no deviation in the red line of the application site between 15/00147/F and this application. Therefore, the description of development does not need to be changed.



This position is supported by the description of developments used for similar developments within the District, where the change of use of land forming the curtilage of buildings being converted was not specifically reference as changing use<sup>1</sup>.

#### *Increased number of openings*

The Conservation Officer has raised concerns with the increased number of openings. Whilst the proposal does seek the introduction of windows on the southern and eastern elevation, and the infilling of the car port on the northern elevation, this has been designed in a way that retains the rural aesthetic of the building. Existing openings are being retained and the proposed new openings on the south and east resemble stable doors with timber boarding in the lower sections. The infill of the car port with vertical windowpanes and oak timber frames is an appropriate design response to infilling this large opening in a manner concurrent with barn conversions countywide. This maintains an rural aesthetic through referencing the use of the building as a stable, retains existing openings and features, and limits openings to where they are necessary. Furthermore, the proposed insertion of windows will not overlook neighbouring properties.

Overall, the design solution ensures that the conversion of the building is functional while maintaining a simple, non-domestic character and is in accordance with ESD15.

#### *Impact of proposed amenity space*

The extent of the outdoor amenity space for the proposed dwelling has been considered carefully. The residential curtilage that would be associated with this dwelling is tight to the converted building on its eastern, southern and western side. The proposed private amenity space is to the north of the existing stable, an area already occupied by a horse menage area. The equine paddock which adjoins to the east lies outside the proposed curtilage and as such will not be subject to domestic paraphernalia. Existing hardstanding, menage area and land to the buildings north is utilised with an overall improvement in condition through additional lawned and landscaped areas. The proposed landscaping seeks to maintain the character of the existing garden land and reinforce the boundary with estate fencing which is in keeping with the existing character of the land.

Notwithstanding, existing dwellings and gardens at Farriers Mead adjoin to the north and extend considerably further east beyond the site toward the open countryside. In light of its siting and existing equine use, it is not considered that the proposed garden area will be harmful to the character of the area or countryside to the east.

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<sup>1</sup> Examples include: 22/02380/F 1 'Alterations to and conversion of an existing agricultural Barn to a single Dwelling house (Note: previously approved under Class 'Q' for residential use), and 20/00467/F 'Alterations to and conversion of agricultural building to one residential dwelling'. Please note this is not a complete list.



Figure 1: Land Uses and Settlement Boundary

#### *Impact on Grade II listed Stables and College Farmhouse*

Considering the sensitive nature of the proposed design approach which converts and reuses the existing building it is not considered that the proposal will have any material effect on the heritage significance of this asset or other assets in the village.

The Conservation Officer comments state that the building is on land associated with College Farm but the stable building itself is some distance from the listed building. The comments go on to explain the area originally had some agricultural buildings on the site which formed part of the agricultural holding relating to the farmhouse (College Farm). The photo below shows the grouping of buildings around College Farm. The indicative location of the site is outlined in red.



Figure 2: Historic aerial photo of College Farm



As part of the 2014 application (14/00426/F) for the modern stable building, no formal Conservation Officer comment were provided. However, within the Officer Report, the case officer states that the proposed stable building, given its height, design, form and siting would not adversely affect the setting of the listed buildings. The officer considered that the proposal represented an opportunity to enhance and better reveal the significance of the heritage asset 'The Stables' through the removal of older and more unattractive buildings. It is clear therefore that the provision of the Stable building as existing and the change of use of the land from agricultural to equestrian was not considered harmful to the historic significance of College Farm.

Considering the neighbouring buildings, the Grade II listed building 'The Stables' was subject to planning and listed building consent in 2010 and 2015<sup>2</sup>. These applications have included significant extensions and alterations to the existing stable building increasing its size and the number of openings. This has altered the buildings' character to a more domestic form, compared with its original simple and diminutive form. Similarly, The Old Granary and The Old Dairy associated with College Farm have also been converted to residential dwellings and such the land and buildings between the site and College Farm are now solely residential. This further illustrates that the previous agricultural connection with the site and College Farm has already been subject to change and loss. Subsequently, the site does not contribute to the historical significance of the buildings.

The current proposal to convert the modern stable building into a dwelling centres around retaining the existing buildings height and form, maintaining its rural aesthetic and limiting its residential curtilage to that which is experienced as residential equestrian land currently. It is also important to add that this building was replaced from a previously existing barn and therefore is not a new building. Subsequently, it is considered that there is no harm or impact on the listed buildings and their settings. For the reasons that the proposal seeks to convert the existing modern stable building that was given permission in 2014 with no heritage harm identified.

#### *Drainage and Flooding Issues*

The building is located within Flood Zone 1 with the access to the site itself in Flood Zone 2/3 (like most of the dwellings accessed off Main Street). We have received no objection from Oxfordshire County Council Highways who have no issues with the access to the site which will remain unaltered.

Condition 6 of application 14/00426/F states:

*Prior to the first use of the development hereby approved, the hard standing areas shall be provided in accordance with the plan approved and shall be constructed from porous materials or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the site. Thereafter, the hard standing area shall be retained in accordance with this condition.*

The development was implemented in accordance with this condition. The proposed conversion of the stable building does not change the existing drainage conditions of the site as it maintains the porous areas of hardstanding previously permitted. There is an existing foul sewerage connection that will be utilised for the dwelling.

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<sup>2</sup> 10/01124/F, 10/01125/LB, 15/01697/F and 15/01698/LB



Subsequently, we do not consider that there would be any issues within drainage or flooding to preclude the conversion of existing building to a dwelling. A suitably worded drainage condition could be included if necessary.

### *Amenity Issues*

It has been noted that some neighbours and the Parish Council have objected to the proposal due to the impact on neighbouring amenity, including privacy and overlooking.

The proposed development and the design of the scheme has centred around the conversion of the existing building and therefore the sites conditions are largely unaltered. New openings are proposed; however, these do not directly overlook any neighbouring building as they are located on the northern, eastern and southern elevations.

Existing dwellings located to the west are separated by an existing hedge and tree line which will remain. There are no windows proposed on the western elevation, with only the insertion of four rooflights on the western roof slope. However, these are considerably above head height and would not allow for any loss of privacy or overlooking to the dwelling to the west. As the dwelling is to remain single storey, the majority of the dwelling would look onto the existing fence or hedge, and such there is no opportunity for overlooking.

The proposed garden area will adjoin the existing garden area for the dwelling also known as The Stables and those to Farriers Mead to the north. Existing vegetation, boundary treatments and landscape proposals will reinforce boundaries to ensure adequate amenity in the gardens of these dwellings.

Accordingly, the conversion of the building to a dwelling will maintain adequate levels of outlook, natural lighting and privacy to neighbouring dwellings.

### *Lighting*

Any remaining concerns regarding external lighting can be secured via condition.

### **Conclusion**

This letter has drawn on information contained within the submitted application to address comments made against the application and responds to the most recent correspondence with the planning officer to clarify, and include examples of other applications within the village/district to demonstrate why the proposed development is acceptable. The proposed development is acceptable on the following grounds:

- The proposed development is regarded as a conversion and represents infilling within the built up limits of the settlement. As such the development is compliant with Local Plan Policy Villages 1.
- The description of development is appropriate, and consistent with similar developments in the district. It therefore does not require amending.
- The proposed development's design does not cause harm to the character and appearance of the area.
- There are no impacts on the significance of nearby heritage assets



- There are no unacceptable impacts neighbouring amenity; and
- The proposed development can be delivered through the existing drainage conditions for the site and therefore there are no further flooding or drainage issues

We therefore conclude that the proposed development is in accordance with Local and National Planning policy, and should be determined without further delay.

Yours sincerely,

*Emma Wagland*

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