

Case Officer: Imogen Hopkin

Recommendation: Refuse

Applicant: Mr Harry Blackwell

Proposal: Build a timber frame building within the existing pole barn building. This will make a two bay garage, shed and boiler room, ancillary to the main house. Home office, storage and mezzanine to the first floor.

Expiry Date: 6 December 2023

1. Site and Surroundings

The application site refers to a steel frame barn building sited within the curtilage of Mawles Farm, a barn that has recently been converted to a residential property. The steel barn is open on three sides, and partially open on the western boundary, which has spaced cladding at first floor and open at ground floor. The position of the steel barn is along the eastern boundary of the site, which abuts the rear garden of the Mawles Farmhouse, a separate dwelling. There is a steep level change to the north, as the levels fall towards the site.

The site sits within the Sibford Gower Conservation Area and the stone barns which sit adjacent the highways are identified as non-designated heritage assets. There are a number of grade II listed buildings within the vicinity of the site, within Carters Yard and Gowers Close sitting opposite the site south of Main Street. There are records of protected and notable species being present with the vicinity of the site, including Swifts nesting at the site. The site is partially within a buffer zone surrounding an area of potentially contaminated land and within an area known to be affected by Radon Gas and naturally occurring elevated levels of Arsenic, as seen across much of the district.

2. Description of Proposed Development

The application seeks approval to build a timber building within the existing steel pole barn. It would have a two bay garage, shed and boiler room at ground floor, and two bedrooms and a mezzanine at first floor.

3. Relevant Planning History and Pre-Application Discussions

The following planning history and pre-application discussions are considered relevant to the current proposal.

Application: 21/02409/F	Permitted	4 November 2021
Variation of condition 2 (plans) of 20/02545/F - substitute the revised drawings, with minor material amendments to the consented scheme relating to adapting the internal layout of the main barns, amendments to landscape taking account of a prior approval permission to demolish a small, freestanding brick building under permitted development rights (not actioned yet).		

Application: 20/02545/F	Permitted	24 November 2020
Conversion of existing barns to create 1 new dwelling, demolition of existing steel barn, erection of replacement ancillary outbuilding and associated works		
Application: 19/02700/F	Refused	3 April 2020
Conversion of existing stone/brick barns to 1no dwelling and conversion of existing steel pole barn to 1no dwelling. Associated works including landscaping and new access		
Application: 19/00138/PREAPP	Detailed Pre-App response sent	17 June 2019
Conversion of stone barns to a single dwelling. Replacement of steel pole barn with a second dwelling. Proposals include landscaping and highway access provisions.		
Application: 18/00137/PREAPP	Detailed Pre-App response sent	28 June 2018
Demolition of buildings and conversion of redundant barn to residential (1 dwelling)		

19/02700/F – The proposal was refused, with the first reason relating predominantly to the steel barn. The refusal reason stated:

- 1) *By virtue of its siting, scale, design and materials, the proposed development, in particular the proposed new dwelling on the site of the existing pole barn, would fail to sustain or contribute positively to the site's character, or reinforce local distinctiveness by respecting the special architectural or historic interest of the site as a non-designated heritage asset, and would also result in harm to the character and appearance of the Sibford Gower Conservation Area. This harm, which would be less than substantial, significantly and demonstrably outweighs the proposal's benefits. The proposed development is therefore contrary to the provisions and aims of saved Policies C23, C28 and C30 of the Cherwell Local Plan 1996, Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, and Government guidance, with regards to 'Conserving and enhancing the historic environment' and 'Requiring good design', expressed within the National Planning Policy Framework.*

4. Response to Publicity

This application has been publicised by way of a Site Notice displayed near the site, expiring **21 November 2023**, by advertisement in the local newspaper expiring **9 November 2023** 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 **21 November 2023**.

No comments have been raised by third parties.

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 Gower Parish Council: Concerns with development in relation to the previously approved planning permission. A previous application to replace the steel barn with an additional dwelling was refused. Planning permission was given on the basis that the steel barn would be removed and replaced with a smaller, ancillary building. The new ancillary building will now be as big as the old barn which should have been removed.

Building Control: The proposal requires a building regulations application.

6. Relevant Policy and Guidance

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

- PSD1 – Presumption in favour of Sustainable Development
When considering development proposals, the Council will take a proactive approach to reflect the presumption in favour of sustainable development contained in the National Planning Policy Framework. Planning applications that accord with the policies in the Development Plan will be approved without delay unless material considerations indicate otherwise. *See page 36 of the CLP 2015 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 2015 for full details.*

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

- C23 – Retention of features contributing to character or appearance of a conservation area
There is a presumption in favour of retaining buildings trees, walls and other features that make a positive contribution to the character and appearance of a conservation area. *See page 117 of the CLP 1996 for full details.*
- 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, Sibford Gower and Burdrop Conservation Area Appraisal

7. Appraisal

Design and impact on character of the area

The proposal includes the addition of timber cladding to all sides which, given the scale of the building and the purpose proposed, is not considered an acceptable material. The existing building is highly visible from the street due to the position and has a generous bulk and massing.

Wood cladding is cited as a material that is not acceptable within Cherwell's New Residential Design Guide 2018. Further, the Conservation Area Character Appraisal outlines that the character of Sibford Gower is predominantly stone or brick, and therefore cladding would be out of character with the designated Conservation Area. This is exacerbated by the large scale of the outbuilding.

There are windows proposed to the north, south and west elevations, which result in a highly modern design approach. The windows, together with the cladding, create a stark design approach that would appear unduly obvious in the streetscene.

The use of the building as a whole was included within the original refusal, reference: 19/02700/F, with paragraph 8.23 of the previous officer report highlighting that a modern building of this scale is not characteristic of the area. Paragraph 8.24 of the officer report concluded that given its design, including the numerous openings and materials, the re-use of the barn would not integrate with the rest of the site, or reflect or reinforce its character. Officers draw the same conclusions in respect of the current proposal, as the domestication of the building would be apparent and would have a significant visual impact given its siting, scale and design.

The proposal is larger than the building that was approved in a similar position under previous approval, reference: 20/02545/F, which included a car port and 22.7m² of ancillary accommodation at ground floor and 28.6m² of 'ancillary/storage' at first floor. This proposal is for 77m² of accommodation at first floor, including two rooms annotated as 'Bed / Storage / Office'. The details of the ancillary accommodation is not clear or precise to be able to robustly assess the impact of the accommodation on the character of the area.

For the reasons set out above, the proposal is considered contrary to Policy ESD15 of the CLP 2015, saved Policies C28 and C30 of the CLP 1995, the House Extension and Alteration Design Guide 2007, and government guidance within the NPPF.

Residential amenity

The proposed development has a mezzanine to the south of the site. The proposed mezzanine is 2.8m by 5.6m, and would be covered by the roof of the barn and set in from the eastern wall by 1.1m.

The position of the eastern wall beyond the mezzanine helps to provide a privacy screen to the rear garden and dwelling at Mawles Farmhouse, to the south-east. However, due to the size of the mezzanine and the level change, there would be overlooking and the perception of overlooking to the private garden and dwelling. The size and position of the mezzanine could be used in a similar way as a balcony, which results in prolonged dwell times. For these reasons, this arrangement results in a detrimental impact to the amenity of the adjacent neighbour.

There is a balcony area to the northern boundary, which would not be set significantly above the land, due to the levels in the area. This element is set in from the sides of the building by 1m, and would not result in any overlooking due to the level change in the area.

The additional accommodation would not result in any detrimental impact to neighbouring amenity, and could be conditioned to remain ancillary and not be sub-let or sold from the main house should a future application for a different proposal be considered more positively.

The proposed mezzanine is thus considered contrary to the neighbour amenity elements of Policy ESD15 of the CLP 2015, saved Policy C30 of the CLP 1996, and government guidance within the NPPF.

Highway safety

The proposal includes garage space at ground floor. The application site retains sufficient parking provision for a dwelling of this size and in this location. Further, the proposals would not encroach on the parking provision. The proposals are therefore considered acceptable in this regard.

8. Planning Balance and Conclusion

The appraisal above, which is informed by the policy and guidance set out in section 6, identifies material planning issues which compromise the acceptability of this application, and that the proposal would result in a detrimental impact to the character of the area and would harm the amenity of current and future occupiers of Mawles Farmhouse. As such, the application is considered to be contrary to the relevant policies outlined in section 6. In the absence of any material considerations to outweigh the identified harm to the character and appearance of the area, the proposals are not considered to be sustainable development and, in accordance with Paragraph 11 of the NPPF, planning permission should be refused.

9. RECOMMENDATION

That permission is refused, for the following reason(s):

1. The proposed development, by virtue of its scale, design and materials, would result in a visually incongruous form of development, which would adversely affect the visual amenity of the locality, and would result in harm to the character and significance of the Sibford Gower Conservation Area. In the absence of any public benefits to outweigh the harm identified, the proposal is contrary to 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.
2. By reason of the scale, siting and design of the southern mezzanine, the proposal would result in a detrimental impact to the living conditions of the dwelling and garden of the neighbouring dwelling to the south-east, Mawles Farmhouse, due to direct and perceived overlooking for prolonged periods of time. The harm identified is exacerbated by the change in levels. The proposed development is therefore contrary to Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C30 of the Cherwell Local Plan 1996, the Council's Home Extensions & Alterations Design Guide March 2007 and Government guidance contained within the National Planning Policy Framework.

Case Officer: Imogen Hopkin

DATE: 4th December 2023

Checked By: Nathanael Stock

DATE: 06.12.2023
