

Case Officer: Imogen Hopkin

Recommendation: Approve

Applicant: Nigel and Carole Morris

Proposal: Change of Use of agricultural land to residential associated with existing consent 23/00542/F

Expiry Date: 16 February 2024

Extension of Time:

1. APPLICATION SITE AND LOCALITY

- 1.1. The application site is located in an agricultural field some 0.9km to the north of the villages of Sibford Gower and Burdrop. The application site accommodates two agricultural buildings set around what appears to have previously been an enclosed farmyard area with 2no further agricultural portal frame buildings adjacent, and with open countryside surrounding.
- 1.2. The two barns subject of this application are identified within the application as 'Buildings 1 and 2'. Building 1 is a brick-built barn with large full height timber doors again under a fibre cement roof. Building 2 is a single storey stone and concrete blockwork open sided barn under a dual corrugated fibre cement roof. Access to the site is taken directly from the adjacent B4035 via an existing gated access.
- 1.3. In terms of site constraints, the site is not within a conservation area and there are no heritage assets within the vicinity of the site. A Public Right of Way (ref. Footpath 348/12/10) wraps around the southern boundary of the site continuing across land to the west of the site. The site is within an area known to be affected by Radon Gas.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1. The application seeks approval for a change of use of agricultural land to residential use to be associated with existing consent, 23/00542/F. This development has been commenced, with some conditions having already been discharged.
- 2.2. The current proposal seeks to extend the residential use by 29.6m² to the south of the site, 3.3m² to the east of the site, and move the boundaries associated with the original proposal.

3. RELEVANT PLANNING HISTORY

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

Application: 18/01094/Q56	Permitted	15 August 2018
Change of Use of agricultural buildings to a dwellinghouse and associated building operations		
Application: 20/00954/F	Permitted	2 June 2020
Creation of single dwellinghouse through conversion and partial re-building of existing barn with parking, amenity space, landscaping and associated works		

in replacement of dwellinghouse permitted under 18/01094/Q56		
Application: 23/00542/F	Permitted	12 June 2023
Variation of condition 2 (plans) of 20/00954/F - Vary roof from metal to slate tiles, Add window and door, Add PV array to south side		

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, expiring **30 January 2024**, 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 **30 January 2024**.
- 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/TOWN COUNCIL AND NEIGHBOURHOOD FORUMS

- 6.2. Sibford Gower Parish Council: No comments received.

OTHER CONSULTEES

- 6.3. CDC Environmental Health: No comments to make.
- 6.4. CDC Building Control: No adverse comments.
- 6.5. OCC Highway Authority: No objections or suggested conditions.

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 (CLP 2015) was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The CLP 2015 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 2015)

- ESD13 – Local landscape protection and enhancement
- ESD15 – The Character of the Built and Historic Environment

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- C28 – Layout, design and external appearance of new development

7.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Cherwell Residential Design Guide (2018)

8. APPRAISAL

- 8.1. The key issue for consideration in this case is the principle of development and its impact on the character and appearance of the wider area.
- 8.2. The proposal subject of this application is the change of use of an area of land to be associated with the barn converted to a residential dwelling through the extant permission 23/00542/F.
- 8.3. The increased residential land use is modest, well related to the dwelling, and would not materially change the character of the area or the wider rural landscape.
- 8.4. Should there be any additional increase of residential land use proposed in the future, it could result in a detrimental impact to the character of the countryside and may not be acceptable.
- 8.5. Due to the boundary change, it is reasonable and necessary, to safeguard the character and appearance of the area, to include one outstanding condition from the planning permission ref. 23/00542/F, which relates to the southern boundary of the site.

9. PLANNING BALANCE AND CONCLUSION

- 9.1. For the reasons set out in this report, the proposal would not have a significant impact on the character and appearance of the rural area. The proposal is considered to be in accordance with local and national planning policy. The proposal is therefore recommended for approval, subject to the conditions set out below.

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:
 - 23_061_002 – Location Plan
 - 23_061_102 – Proposed Block Plan
 - 23_061_001 – Site Plan Showing Agricultural Holding

Reason – For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and comply with Government guidance contained within the National Planning Policy Framework.

3. Prior to the construction of the southern boundary wall hereby approved, a stone sample panel (minimum 1m² in size) shall be constructed on site in natural ironstone and shall be inspected and approved in writing by the Local Planning Authority. Thereafter, the southern boundary wall shall be laid, dressed, coursed and pointed in strict accordance with the approved stone sample panel and the development shall be retained as such thereafter.

Reason – To ensure the satisfactory appearance of the completed development and in the interests of the character of the area and to comply with Policies ESD13 and 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: Imogen Hopkin

DATE: 16th February 2024

Checked By: Nathanael Stock

DATE: 16.02.2024
