

Land West of Hornton Hall, Quarry Road, Hornton

12/01811/F

Ward: Wroxton

District Councillor: Cllr Webb

Case Officer: Shona King

Recommendation: Refusal

Applicant: Mr H Keller

Application Description: Conversion of barn to grooms accommodation; relocation and extension of existing barn; erection of stables; installation of horse walker and all associated works. Change of use from agricultural to mixed use of agriculture and equestrian.

Committee Referral: Major

1. Site Description and Proposed Development

- 1.1 The application site is located to the north west of Hornton accessed off Quarry Road to the west of Hornton Hall. It is an elevated and open site currently in agricultural use. The site itself, the land to the north and Quarry Road are relatively flat but the land falls steeply away to the south. A public footpath runs to the south and the route of a DERA Conservation Walk runs immediately to the east of the site.
- 1.2 Hornton Hall, a Grade II listed building, is screened from the site by a belt of woodland planting.
- 1.3 The proposal seeks:
 - a change of use of the application site from agricultural use to mixed agricultural and equestrian use
 - to erect a stable block with 15 stables, rug store, tack room, storage areas, staff room and two wash boxes
 - to convert an existing barn to living accommodation for a stable manager/groom
 - to relocate and extend an existing portal framed barn for vehicle, hay and implement storage
 - to install a horse walker
 - areas of hard standing are also to be created around the buildings along with additional planting, new fencing and land remodelling.

2. Application Publicity

- 2.1 The application has been advertised by way of a site notice and press notice. The final date for comment was the 7th February 2012. No correspondence has been received as a result of this consultation process.

3. Consultations

- 3.1 **Hornton Parish Council:** No objections but would wish to ensure that it is retained as part of the estate and have some concerns about extra traffic on the road.

Cherwell District Council Consultees

- 3.2 **Conservation Officer:** No objections

- 3.3 **Anti Social Behaviour Manager:** No observations or objections
- 3.4 **Housing Officer:** No concerns in relation to Housing standards. If 3 unrelated people were living in the accommodation, the property would be considered a HMO meaning the Management of Houses in Multiple Occupation (England Regulations 2006 would need to be complied with
- 3.5 **Environmental Protection Officer:** The small potentially contaminated land site located 50m SE from the edge of Hornton Hall land but 250m from the proposed Grooms' accommodation is described as an unknown infill shown on historical maps 1876-1887. To the north of the site (at 276m) is an Environment Agency recorded former landfill where a former quarry is shown on historical maps 1889-1980. Neither of these are likely to impact on the development. The application site is also located over a Marlstone Rock formation which gives rise to naturally occurring high concentration of metals in soils. However, this proposed development is unlikely to increase the risks bearing in mind the scope of the works and I would have no objection to the development.
- 3.6 **Landscape Officer:** No comment to date
- 3.7 **Arboriculturalist:** No objections
- 3.8 **Ecologist:** No comment to date

Oxfordshire County Council Consultees

- 3.9 **Highways Liaison Officer:** No comment to date
- 3.10 **Drainage Officer:** Buildings roofs should drain to soakaway or other Suds feature. Hard standings should be permeable or drain to a soakaway or suds feature. Surface water from the development should not be allowed to leave the site onto adjacent land or onto the highway.
- 3.11 **Minerals Officer:** No objections

Other Consultees

- 3.12 **Environment Agency:** No objections
- 3.13 **Thames Water:** No objections

4. Relevant National and Local Policy and Guidance

4.1 Development Plan Policy

Adopted Cherwell Local Plan (Saved Policies)

H18: New dwellings in the countryside

H19: Conversion of buildings in the countryside

AG2: Construction of farm buildings

AG5: Development involving horses

C7: Landscape conservation

C8: Sporadic development in the countryside

C13: Area of High Landscape Value

C28: Layout, design and external appearance of new development

C30: Design of new residential development

4.2 Other Material Policy and Guidance

National Planning Policy Framework (NPPF)

5. Appraisal

5.1 The key issues for consideration in this application are:

- Principle of the development and policy context
- Landscape and visual amenity
- Renovation of the existing barn and its use as living accommodation
- Impact on heritage assets

Principle of the Development

- 5.2 The purpose of the planning system is to contribute to the achievement of sustainable development and the NPPF defines this as having 3 dimensions: economic, social and environmental. Also at the heart of the NPPF is a presumption in favour of sustainable development and in the context of this application would include requiring good design, conserving and enhancing the natural environment and the conservation and enhancement of the historic environment.
- 5.3 The applicant's agent has argued that the development supports a prosperous rural economy (Section 3 of the NPPF) but this relates to the sustainable growth and expansion of business and enterprise. The proposed change of use and associated buildings and works are for the personal use of the applicant and his family.
- 5.4 Policies H18 and H19 of the adopted Cherwell Local Plan deal with new dwellings and the conversion of buildings in the countryside. Development in the countryside is restricted to dwellings to meet a need where it is essential for an existing undertaking or the conversion of suitable buildings.
- 5.5 Policy AG2 of the adopted Cherwell Local Plan requires that new farm buildings that require planning permission are sited so that they do not intrude into the landscape.
- 5.6 Policy AG5 of the adopted Cherwell Local Plan deals with development involving horses and states that such development will normally be permitted providing that the proposal would not have an adverse effect on the character and appearance of the countryside.
- 5.7 Policies C7 and C8 deal with landscape conservation and seek to restrict development which would cause demonstrable harm to the topography and character of the landscape or be sporadic. The site lies within the Area of High Landscape Value (AHLV) and therefore Policy C13 of the adopted Cherwell Local Plan is relevant.
- 5.8 The layout, design and external appearance of new development has to be sympathetic to the context of the development. Policy C28 requires that new development in sensitive areas such as the AHLV is of a high standard and the use of traditional local building materials will normally be required.

Landscape and Visual Amenity

- 5.9 In your officers' opinion the buildings and associated works will be very prominent in the landscape, especially when viewed from Quarry Road. The development is to be sited

on the highest part of the site and will extend along the road frontage for a significant distance (approximately 123m). The layout of the site, as shown on the application plans, is linear and this will increase the landscape impact. It is considered that the proposed additional planting will do little to mitigate this impact.

- 5.10 The area is within the Ironstone Downs Area of High Landscape Value and part of the Incised Ironstone Plateau as described in the Cherwell District Landscape Assessment 1995. Any development in the AHLV is required to conserve and enhance the environment. It is considered that the proposed development will have a detrimental impact on the character and appearance of the area. It is inevitable with an equestrian use that smaller paddocks will be created (without requiring planning permission) and this in itself will change the open character of the landscape to its detriment.
- 5.11 The current barns have an agricultural appearance and due to their size, layout and how they are placed in the field, without hard surfacing around them, or to them, have a minimal impact within the landscape.
- 5.12 The scale of the buildings and hard surfacing is significant, not normally associated with personal use, and the design of the stables is not considered to be sympathetic to the rural location. Policy AG5 of the adopted Cherwell Local Plan states that development involving horses should not have an adverse effect on the character or appearance of the countryside.
- 5.13 The application is accompanied by an assessment of the impact that the buildings may have in the landscape. However the impact on the very open, agricultural character of the area is judged to be harmful and therefore the proposal is considered to be contrary to Policies AG2, AG5, C7, C8 and C13 of the adopted Cherwell Local Plan
- 5.14 Officers have asked the applicant's agent to investigate the relocation of the application proposal to the east side of Hornton Hall adjacent to the existing riding arena and their comments are awaited. This site is less open, as it is better screened by existing vegetation, and less prominent due to surrounding land levels. It also has more of an equestrian character with the existing riding arena rather than an agricultural character.
- 5.15 The applicant's agent has also been asked by officers to investigate changing the layout of the buildings and associated hard standings etc to minimise their impact. This could be achieved by grouping the buildings together more. Again their comments are awaited.

Renovation of the existing barn and its use as living accommodation

- 5.16 The existing barn on the site will require a significant amount of work to enable it to be used as living accommodation. The roof is to be retiled and the walls reclad with new timber cladding. It currently has a natural stone plinth and along with the internal framework are the only parts of the building that will remain. As such it could be argued that it is tantamount to a new building.
- 5.17 Even though it is proposed to use the new accommodation for staff this is a new enterprise and it has not been justified that grooms' accommodation is necessary and cannot be provided elsewhere at Hornton Hall. Further information regarding this has been requested from the applicant's agent and Members will be updated verbally at the Committee Meeting.

Impact on the Heritage Asset

- 5.18 Hornton Hall is a Grade II listed building and as such any development within its setting needs to be carefully considered to ensure that the heritage asset is not harmed. The location of the proposed development is such that it will not have any significant impact on the setting of the heritage asset.

Engagement

5.19 With regard to the duty set out in paragraphs 186 and 187 of the Framework, the applicant's agent was advised by letter that the application was to be recommended for refusal at the Planning Committee on 28 February 2013 for the reasons set out above. The agent was given the opportunity to seek to address the concerns prior to a decision being made. It is considered that the duty to be positive and proactive has therefore been discharged.

Conclusion

5.20 The proposed development is considered to have an adverse impact on the character and visual amenities of this part of the Area of High Landscape Value due to the size, scale, design and layout of the proposed buildings and associated works. Also the creation of a new dwelling in open countryside has not been justified. As such it is considered to be contrary to Policies H18, H19, AG2, AG5, C7, C8, C13 and C28 of the Cherwell Local plan.

6. Recommendation

Refusal for the following reasons:

The proposed development will have a detrimental impact on the visual amenities and character of the area due to the size, scale, design and layout of the proposed buildings and associated works. Furthermore the creation of a new dwelling in open countryside has not been justified. As such the proposal is contrary to Policy CC6 of the South East Plan, Policies H18, H19, AG2, AG5, C7, C8, C13 and C28 of the adopted Cherwell Local Plan and the guidance set out in the National Planning Policy Framework.

In accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No 2) Order 2012 and paragraphs 186 and 187 of the National Planning Policy Framework (March 2012), this decision has been taken by the Council having worked with the applicant/agent in a positive and proactive way as set out in the application report.