

Application No: 09/00913/F	Ward: Wroxton	Date Valid: 10 th July 2009
Applicant:	Mr Nick De Pennington	
Site Address:	Rough Hill Farm Shenington Road Shenington OX15 6HQ	

Proposal: Demolition of attached single storey structures and detached outbuildings. Extension and conversion of existing cottage and barns to form large single dwelling with ancillary equestrian facilities.

1. Site Description and Proposal

- 1.1 Rough Hill Farm is located approximately 1 mile south west of Shenington village on the road to Shutford. The main farmhouse building fronts the road, in a slight dip, and has barns and service buildings that flank it to the rear to create a courtyard, most notably a threshing barn which may be the oldest structure on site, possibility late 18th century. A map from 1813 shows the courtyard arrangement in existence.

The majority of buildings date from the early 19th Century although the farmhouse has a number of modern accretions. The most significant buildings are constructed in stone under a slate roof although there are quite a variety of materials on some of the outbuildings. The buildings themselves are of little architectural merit and are not listed although the threshing barn is of some historic interest. There are also a number of separate freestanding, open barns and evidence that some have recently been removed. Along with the farm buildings the application site extends to include 2.5 hectares of land and because of the size of the site area the proposal constitutes a major development that requires to be determined by Committee. The land includes orchard, paddock, fields, former stone quarry and slurry store.

- 1.2 The proposal itself constitutes of a number of constituent parts. In association with the main farm buildings: The modern extensions to the farm buildings are being removed; a number of extensions and alterations are being proposed, notably a two storey addition to the north east corner; and the farm buildings are then converted to a family dwelling house. Outside of this core group of buildings, the courtyard becomes an enclosed terraced garden and further kitchen and meadow gardens are created beyond. A swimming pool will be constructed to the rear.

The remaining open barns to the north of the farmhouse are removed, already several have been demolished. The present vehicular access to them becomes the main entrance to the new house and will have a gravelled drive leading to a triple garage. This access will also serve a new stable building beyond which will be a ménage.

2. Application Publicity

- 2.1 The application has been advertised by way of a site notice, press notice and neighbour's letters. The last date for comments was 21st August 2009. A number of statutory and internal comments have been made which are set out below, however, no public comment has been received.

3. Consultations

- 3.1 The Design and Conservation Officer advises:

"Rough Hill is a courtyard farm based around a single large threshing barn with flanking farmhouse and agricultural service buildings. The buildings appear to date from the early 19th century although the barn may be an earlier structure (probably late 18th century) and there are 20th century additions to both the farmhouse and the outbuildings. The buildings themselves are of little architectural merit and are not listed although the threshing barn is of some historic interest.

The application proposes the demolition of a number of single storey extensions which have built up incrementally to provide modern facilities over the 20th century. The outbuildings once associated with the running of the farm are also to be demolished. None of the proposed demolitions will, in my view, be detrimental to the setting of the original buildings and should in fact restore the historic legibility of the site. The conversion of all the buildings to form a single large dwelling will not involve substantial addition to the footprint and the design sensitively addresses the agricultural character of the building group.

The conversion of the barn in particular retains the characteristic height of the space by only inserting two small mezzanine first floors. The original threshing door openings are preserved with new openings taking a contemporary approach with undivided modern timber casements. Timber weatherboarding is proposed in the conversion to replace areas of poor construction and to tie the new corner extension into the natural materials of the whole site. The new extension is located on what appears (from the 1887 map) to be the site of a previous building. It is contemporary in style and subsidiary in scale to the main threshing barn. The only concern I have about the main area of the site is the slightly urban treatment of the courtyard which should, in my view, have limited division.

Elsewhere on the site although I have no objections in principal to the construction of stables, I do have concerns about the size of what is proposed. Stabling for three horses will inevitably produce a certain amount of associated clutter which could seriously damage the rural character of the site. Horse boxes, jumps and stabling equipment in addition to the large ménage could be intrusive. I would suggest that both stables and ménage are kept very simple in design and constructed of timber,

with the stables being reduced to two loose boxes with extra storage space replacing the third loose box.

3.2 **Natural England** comments:

“The survey submitted finds no evidence of barn owls. There is evidence of low numbers of Natterer’s and Pipistrelle bats roosting in the building described as the Wood store. The survey information and mitigation measures that have been proposed are acceptable. It is noted that the ecologist has advised that an EPS Licence will be required for this development to proceed.

Based upon the information provided Natural England does not wish to object to the proposal providing that an advisory is attached, should permission be granted, which informs the applicant of the requirement to obtain an EPS Licence from Natural England prior to the commencement of development on site that may affect the EPS Species concerned.

Natural England advises that the following text could be used in the advisory note;

A European Protected Species Licence must be obtained from Natural England prior to the commencement of development works on site that may affect the species concerned. Advice should be sought from the ecologist who undertook the survey of the site. The grant of planning permission does not absolve the applicant from complying with the relevant law, including obtaining and complying with the terms and conditions of any licences required as described in Part IV B of ODPM Circular 06/2005.”

3.3 **Environmental Protection Officer** states that as “this is a sensitive development and the current use is potentially contaminative, I would recommend applying a contamination condition. The desktop study is the first phase of the condition, which will identify whether the agricultural building has been used for chemical storage e.g. pesticides, herbicides, oils, lubricants, fuels and whether there are potential pathways for these contaminants to affect any receptors. Some agricultural buildings have the same potential contaminants as servicing garages and historically, pesticides and herbicides contained elevated concentrations of chemicals now known to pose a risk to human health. Additionally, it is a sensitive development i.e. residential, and will introduce new sensitive receptors and the risk from potentially contaminated land should be considered in this scenario (in line with PPS23), even if there are no potentially contaminative uses evident on my records.”

3.4 **Ecology Officer, Urban & Rural Services**

I am now satisfied with the level of surveying carried out and the suggested mitigation for the species and disturbance involved. The full updated mitigation plans outlined on pages 12-15 in the new bat report following the nocturnal surveys should be conditioned and supercede those in the daytime inspection report *i.e.* a purpose built bat loft above the garaging with bat boxes installed on the gable ends as outlined on page 12 and 13 of the new report, directional lighting only should be

used in the garaging and subdued lighting around the exterior of the buildings. Reroofing of the main barn and conversion of the wood store should be subject to timing restrictions as outlined in the report and to a pre-works inspection by an ecologist to check for presence of bats before any work begins.

Monitoring of the use of the mitigation features installed should be carried out following completion as outlined on page 14 and the results submitted to NE and to CDC for my records. Nest boxes for little and barn owls and ledges for swallows as suggested in the ecological report would be an appropriate enhancement for wildlife in this location and should therefore be sought under PPS9. An advisory regarding the necessity of obtaining an EPS licence prior to commencing any works should be included in any permission

It would be desirable under PPS9 for further wildlife enhancements to be secured as part of the development - an obvious one would be the provision of an owl box within one of the conversions or buildings given the suitability of the locality for these species. I would also be happy to advise further on the proposed creation of the wildlife pond if the applicant wishes.

3.5 **Landscape Officer**

“Context

The site is situated in the area defined as Incised Ironstone Plateau in the Cherwell District Landscape Assessment, Nov 1995. It lies on the edge of an Area of Outstanding Natural Beauty with a linear woodland feature that screens the site from views from the west (on the opposite side of the road from the site). The area immediately to the south is a semi-formal grassed area with ornamental / native trees within the boundary of an old quarry (the stone edge forms a backdrop to this area). The site is generally flat but the land falls gently away from the quarry area into an incised valley towards the east. Immediately to the north there is a disused barn and hard standing and beyond this the land, used as 'horsiculture', gently falls to the northeast. To the east the garden is laid to formal vegetable growing and orchard and just beyond this a slurry-filled quarry exists. A large ash tree grows on the edge of the quarry. The east boundary of the quarry has established trees and vegetation. A field of overgrown grass field lies immediately to the east of the site.

Visual Impact and Mitigation

It appears that the site is visible from the gliding club building approximately 550 m to the north. The development / use, especially the proposed stable block immediately north of the proposed main access will be seen from this location. It will also be seen from the Macmillon PROW running NE/SW, where the 175 m contour starts. It appears that the stable block will be quite prominent at various aspects along this route. Although the applicant proposes a native hedge to enclose the stable block and ménage it will take 5 or more years for the hedge to grow to a height and density, along with the appropriate maintenance, to provide adequate visual mitigation. To improve the screening I think that planting of native large trees within the hedge line combined with small areas of tree and thicket planting will be necessary.

The existing trees to the south and southeast of the site (the quarry garden, the boundary to the slurry quarry and the Ash Tree etc) will provide screening to the development from PROW. These trees also provide valuable amenity and shelter to

the site and therefore they must be retained. The applicant must ensure the protection of these trees during the course the construction with robust fencing to at least 3 metres outside the Tree canopies, details of which to be drawn on the landscape proposals (see below).

The roadside hedges to the northwest and north of the site screens the site from users of the road, however with hedge trimming and the loss of leaf during winter will expose part of the development to the road user.

Landscape Proposals

To ensure that the landscape scheme is appropriate adjacent to the AONB, and the development visually mitigated, a sketch landscape scheme with a landscape structure should be submitted for our consideration, with the subsequent submission of detailed proposals. The details must include plant species names, their positions, planting densities and supplied sizes, along with maintenance intentions to ensure that the scheme is successfully established.

The landscape proposals should consider how the view from the balcony of Bedroom 1 is to be addressed.

Other Considerations

The stream must be protected from spillage of chemicals during the course of the construction as this will pollute downstream.

I have a concern about the slurry-filled quarry and its after use, mainly in regard to health and safety. I would be grateful if the applicant could confirm aspirations for this quarry.”

- 3.6 **Oxfordshire County Council, Highways Officer:** No objections subject to conditions retaining garage, parking and manoeuvring area and keep verge clear of planting.

4. Relevant Planning Policies

- 4.1 **Planning Policy Statement 1 (PPS1): Delivering sustainable development**
Planning Policy Statement 3 (PPS3): Housing
Planning Policy Statement 7 (PPS7): Sustainable Development in Rural Areas
Planning Policy Guidance 13 (PPG13): Transport
- 4.2 **Regional Spatial Strategy for the South East (The South East Plan) 2009**
Policy C4: Landscape and Countryside Management
BE5: Village Management
Policy H5: Housing Design and Density
Policy H6: Making better use of the Existing Stock
- 4.3 **Adopted Cherwell Local Plan November 1996 (ACLP 1996)**
Policy H19: Conversion of Buildings in the Countryside
Policy C28: Layout, design and external appearance of new development

Policy C30: Design of new residential development
Policy AG5: Development Involving Horses
Policies C1; C2: Nature Conservation
Policies C7,C8: Landscape Conservation
Policy C12: Area of Outstanding Natural Beauty
(for clarity, the site is just outside the AONB)
Policy C14: Trees and Landscaping
Policy TR5: Parking
Policy ENV12: Contaminated land

4.4 **Non-Statutory Cherwell Local Plan 2011 (NSCLP 2011)**

Policy H22: Conversion of Rural buildings
Policy EN1: Conserve/Enhance the Environment
Policy D1: Urban Design Objectives
Policy D3: Local Distinctiveness
Policy D4: Quality of Architecture
Policy TR11: Parking
Policy EN17 Contaminated Land
Policy EMP11: Development Involving Horses
Policy EN22: Nature Conservation
Policy EN23: Ecological surveys
Policy EN24: Protection of Sites and Species
Policies EN30, EN31: Countryside Protection
Policy EN33: Area of Outstanding Natural Beauty
Policies EN34,EN35: Landscape Character
Policy EN36: Landscape Enhancement

4.5 **Other Relevant Documents**

English Heritage-Conversion of Traditional farm buildings-Guide to Good Practice
Cherwell D C –Design Guide for the Conversion of Farm Buildings

5. Appraisal

- 5.1 The application raises the following issues:
- The layout, design and appearance of the extension and alterations to the farm house and associated buildings
 - The layout, design and appearance of the extension and alterations to the stable and associated buildings
 - Access, parking and highway safety
 - Nature Conservation
- 5.2 **The Layout, Design and Appearance of the Extension and Alterations to the Farm House and Associated Buildings**
- 5.2.1 The starting point for the applicant is the removal of the majority of the modern additions to the farmhouse. The remaining buildings are refurbished internally and externally in materials reflecting those on that particular building. So for example,

where doors/windows are blocked up in the farmhouse natural stone will be used; New windows will be in timber. The main doors of the threshing barn will have a full height oak framed glazed screen; the roof will be natural slate. Some materials will be utilitarian to reflect the former nature of the buildings so the garages and former dairy shed will be roofed in zinc. Where some of the dilapidated buildings have to be removed their replacement extensions are in timber weather boarding under a slate roof.

5.2.2

The main, and most notable extension, is on the north east corner, effectively the far side of the building from the road. This two storey extension is flat roofed, weather boarded with a high proportion of glazing, and with a first floor balcony giving views over the new garden and fields. It links two original stone buildings, the main threshing barn and the dairy barn, so needs sensitive treatment. This has been achieved through a contemporary design and modern facing materials. The extension is also linked to the barns with two lightweight structures, one glazed, one zinc, which delineates old from new in what promises to be interesting architectural form. It also appears that where the extension is proposed there was previously a building although it has not existed for some time.

5.2.3

The Council's policy on conversion of buildings in the countryside is clearly set out in a number of documents and the ACLP 1996 requires conversions to avoid major rebuilding, extensions to be appropriate form and character, and to avoid harm to the countryside or setting of the building. In fact what is proposed here only increases the footprint of the building by 15sqm.

5.2.4

In summary, the buildings, though not listed, are clearly of local historic interest and the removal of the recent poorly designed structures is to be welcomed. The refurbishment appears to be a sensitive one and the extensions also enhance the composition of the former farm rather than detract from it.

5.3 **The Layout, Design and Appearance of the Extension and Alterations to the Stable and Associated Buildings**

5.3.1 The location of the stable block has been selected partly because of its accessibility and also because a substantial conifer hedge screens it from the roadside. The area itself is about 20 sqm and consists mainly of a yard area. There will also be stabling for 3 horses in a low slung, functional building together with storage for hay, tack, etc The building is L shaped with the two arms measuring approximately 15.55m in one direction and 14.28m in the other. Its height is 2.84 to ridge and 2.23 to eaves. The roof will be gable ended.

5.3.2

Development involving horses will normally be permitted provided there is no adverse effect on the character and appearance of the countryside, or on neighbours, and it complies with other policies (AG5-ACLP 1996). In this case there are no neighbours directly affected. In terms of its more general impact, the site has been opened up by the removal of larger barn structures therefore what is proposed has a lesser impact. But, there is still an impact, albeit a modest one as the building sits low in the landscape, and if permission is granted it can be mediated by a scheme of planting. Certainly it is officer's advice that there is an opportunity here for a comprehensive landscaping scheme that can enhance the setting of Rough

Hill Farm as well as screen the stables from distant views so on balance this element of the development is not considered unacceptable.

5.4 Access, Parking and Highway Safety

- 5.4.1 The farm currently has two main vehicular access points, one that provides entrance to the courtyard and to the orchard and field beyond. The second is more of a field entrance at the top of the rise before the road dips to the farmhouse.
- 5.4.2 The existing courtyard access is currently the main entrance to the farmhouse but becomes the secondary one in the scheme. It will remain physically, as it is.
- 5.4.3 The field access becomes the main entrance to the new house which of the two alternatives is preferable being a better location with greater visibility. It will provide access to both the house and garage, and to the proposed stable block.
- 5.4.4 An existing building backing on to the road will be converted to garaging for three cars. Further parking for visitors is possible on the wide drive to them. The Highway Authority has no objection to the use of the access and recommends conditions to retain the garages, parking and manoeuvring area.
- 5.4.5 The stable block will have a yard area for servicing but no separate parking provision being an ancillary use.
- 5.4.6 In conclusion, the access appears to be satisfactory and although the parking provision is above the maximum level normally required for this size of house it appears to be proportionate for the type of development proposed in this location.

5.5 Nature Conservation

- 5.5.1 Bat and owl surveys have been undertaken prior to submission of the application and followed up with nocturnal surveys in August. The findings are:

Bats

- Common Pipistrelle Bat – small maternity colony in the gable end of the farmhouse and single animals (presumed males) roosting in the gable end of the main barn and the quarry. Limited foraging in the portal frame barn and cow sheds, but general use of the whole site by hunting bats;
- Brown Long-eared Bat – roost for a single animal in the gable end of the wood store;
- Natterer's Bat – occasional use of the wood store as a roost site, with general foraging around the site;
- Whiskered/Brandt's Bat – occasional foraging around the farm.

Owls

- Barn Owl – hunting around the farm, but not roosting,
- Little Owl – occasional roost by a single bird in the portal frame barn

- 5.5.2 As these roosts will be lost when the buildings are converted or demolished, it is the advice of the ecologists not to refuse planning permission but to undertake appropriate mitigation measures will have to be provided including conditions to include timing of the works, the provision of a bat loft to replace the roof void lost to the Brown Long-eared and Natterer's Bats, retention of the barge board and cavities in the gable end of the main barn, and the erecting of nest boxes for Little and Barn Owls. A bat license from Natural England will also be required before work commences on the wood store and gable end of the main barn. This is in line with the relevant policies of the Council on nature conservation that seeks to prevent adverse affect on wildlife species and to promote the creation of new habitats.
- 5.5.3 Other buildings can be converted or demolished as soon as planning permission has been granted and all appropriate conditions have been discharged. It is understood that the gable end/roof structure of the farmhouse containing the pipistrelle maternity colony will not be affected by the proposed development.

6.1 **Other Issues**

6.2 **Landscaping**

- 6.2.1 The site is just outside the Cotswolds AONB but "particular care will need to be taken in the siting, scale and design of any new development and proposals which would damage the beauty of the area" (policy C12 ACLP 1996/ EN33 NSCLP 2011). There are a number of important trees and hedges on site, particularly to the south of the farmhouse which the Council should ensure are retained and protected during the course of development, a condition is recommended.
- 6.2.2 However, to the north the site is more exposed. It is the advice of the Council's Landscape Officer that a comprehensive planting scheme is required to both screen the development and integrate it into the landscape. Again, a condition can be imposed to achieve this.
- 6.2.3 Certainly the architect is aware of policies C7 and C14 of the ACLP 1996 and is committed to planting indigenous trees and plants. It is also pointed out that a number of large structures have already been removed, with more derelict barns to go, creating a more open feel to the countryside here than previously existed.

6.3 **Natural Resource Assessment**

- 6.3.1 No details have been submitted but the architect, in his design statement, advises the development will seek to minimise its carbon footprint and incorporate geothermal heating and rainwater recycling.

6.4 **Contamination**

- 6.4.1 The application site has been identified as within an area where there is a strong possibility that the land may be contaminated and as the proposed use is residential and therefore sensitive, it is normal practice to impose a condition to require a survey before development commences.

Conclusion

The proposed development follows the thrust of government policy to make best use of previously developed sites and conforms to the broad range of policies applicable from the Development Plan. It handles sensitively the conversion and extension of a historic group of buildings. It does not adversely affect neighbouring properties nor does it cause demonstrable harm or significantly impinge on the countryside but, in any case, conditions can be used to minimise any such impact. It is therefore recommended planning permission be granted subject to the conditions laid out below.

6. Recommendation

Grant planning permission subject to the following conditions:

1. 1.4A
2. 2.0A-extensions, alterations and refurbishment of the farmhouse building and the stable block including the surface materials for the stable courtyard, farmhouse courtyard and driveway
3. 3.0A
4. 3.1A
5. 3.3A –This scheme shall include all trees south of the existing farmhouse complex
6. No development shall take place until a schedule of landscape maintenance for a minimum period of five year(s) has been submitted to, and approved in writing by, the Local Planning Authority. The schedule shall include details of the arrangements for its implementation and development shall be carried out in accordance with the approved schedule. Reason: In the interests of amenity and the appearance of the area and to comply with policy C28 of the adopted Cherwell Local Plan.
7. The garage shown on the approved plan(s) shall only be used as a private domestic garage (or for a purpose incidental to the enjoyment of the dwelling house) and shall at no time be used for any business or commercial purposes. Reason: RC15AA
8. No use of the proposed main access will be permitted until vision splays are provided in accordance with the details which shall be submitted to, and approved in writing by the Local Planning Authority, and no structure or vegetation within the splay shall be raised or allowed to grow 1 metre above the carriageway level. Reason: To provide and maintain adequate visibility in the interests of highway safety and to comply with advice contained PPG13-Transport.
9. 8.13
10. No development shall begin until details of measures to prevent contamination of the stream during the period of construction have been submitted to, and approved in writing by, the Local Planning Authority. REASON: To enable the Local Planning Authority to give further consideration to these matters and to comply with policy ENV1 of the adopted Cherwell Local Plan
11. No development will commence until a sustainable drainage scheme is implemented in accordance with details which have been submitted to and approved in writing by the Local Planning Authority. Reason: To prevent the increased risk of surface water flooding and improve water quality and in the interests of sustainability in accordance with policy EN15 of the non statutory Cherwell Local Plan

12. No development shall be undertaken unless it is constructed in complete accordance with the specifications in the Cotswold Wildlife Survey Bat and Owl Survey report dated 28th October 2008 as amended by the Nocturnal Bat Survey dated 7th and 13th August 2009 accompanying this application or unless otherwise agreed in writing by the Local Planning Authority. In particular development on the farmhouse buildings shall only take place between 1st September and 1st May, a scheme of mitigation measures shall be submitted to and approved by the Local Planning Authority before development commences, and the mitigation measures as approved shall be monitored in accordance with details submitted to and approved by the Local Planning Authority before development commences. Reason: To avoid doubt, to ensure an acceptable development as indicated on the submitted drawings and supporting documents, and to comply with policies C1, C2 and C4 of the adopted Cherwell Local Plan.

Informatives:

1. A European Protected Species Licence must be obtained from Natural England prior to the commencement of development works on site that may affect the species concerned. Advice should be sought from the ecologist who undertook the survey of the site. The grant of planning permission does not absolve the applicant from complying with the relevant law, including obtaining and complying with the terms and conditions of any licences required as described in Part IV B of ODPM Circular 06/2005.

SUMMARY OF REASONS FOR THE GRANT OF PLANNING PERMISSION AND RELEVANT DEVELOPMENT PLAN POLICIES

The Council, as local planning authority, has determined this application in accordance with the development plan unless material considerations indicated otherwise. The development is considered to be acceptable on its planning merits as the proposed development will not adversely impact on neighboring properties, would not cause harm to the character of the countryside and is a sympathetic conversion of a group of former farm buildings. As such the proposal is in accordance with Planning Policy Statement 1 (PPS1): Delivering sustainable development, Planning Policy Statement 3 (PPS3): Housing, Planning Policy Statement 7 (PPS7): Sustainable Development in Rural Areas, and Planning Policy Guidance 13 (PPG13): Transport, policies C4, BE5, Policy H5, and H6 of the Regional Spatial Strategy for the South East (The South East Plan) 2009, policies H19, C28, C30, AG5, C1, C2, C7, C8, C12, C14, TR5, ENV1 and ENV12 of the adopted Cherwell Local Plan and policies H22, EN1, D1, D3, D4, TR11, EN17, EMP11, EN22, EN23, EN24, EN30, EN31, EN33, EN34, EN35 and EN36 of the non statutory Cherwell Local Plan. For the reasons given above and having regard to all other matters raised, the Council considers that the application should be approved and planning permission granted subject to appropriate conditions, as set out above.

CONTACT OFFICER: Andrew Lewis

TELEPHONE NO: 01295 221813