

**Land North West Of Fabis House
Rattlecombe Road
Shenington**

18/01115/LB

Applicant: The Magpie Partnership Ltd

Proposal: Conversion of barn to form new dwelling

Ward: Cropredy, Sibfords And Wroxton

Councillors: Cllr George Reynolds
Cllr Douglas Webb
Cllr Phil Chapman

Reason for Referral: Application called in by Ward Councillor

Expiry Date: 23 August 2018 **Committee Date:** 23 August 2018

Recommendation: Refuse

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

The application is reported to the Planning Committee, as it has been called in by Councillor Reynolds.

Proposal

Listed building consent is sought to convert and extend the building to form a single dwelling house

Consultations

- Shenington with Alkerton Parish Council have raised objections to the application.
- CDC Conservation has raised objections to the application.

Four letters of objection have been received.

Planning Policy

The site is located within Shenington with Alkerton Conservation Area and is a curtilage listed building. The application has been assessed against the relevant policies in the NPPF, the adopted Local Plan and other relevant guidance.

Conclusion

The key issues arising from the application are:

- Principle of development
- Design, and impact on the character of the area and impact on designated heritage assets
- Residential amenity
- Highway safety

The report looks into the key issues in detail, and officers conclude that the proposals are unacceptable, as the development would cause harm to the significance of the listed building and the character and appearance of the conservation area.

RECOMMENDATION – REFUSE PERMISSION

Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.

1. APPLICATION SITE AND LOCALITY

- 1.1. The application site is located within the village of Shenington on the south side of Rattlecombe Road at the junction with Mill Lane. The redevelopment of the site into two dwellings was approved in 2017 under 17/01201/F and 17/01202/LB. This consent has been implemented and the building in the southwest of the site (Barn B) is nearly fully constructed, whilst 'Barn A', the dilapidated barn attached to 'Longworth' has yet to have works commence.
- 1.2. The site is located within the Shenington with Alkerton Conservation Area and the ruined building in the northeast of the site is considered to be a curtilage listed building given that it is attached to the Grade II listed dwelling named 'Longworth' to the east. Common Swifts have been located in proximity of the site, which are a protected species. The site is also located within an Archaeological Constraint Area.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1. Listed building consent is sought for alterations to convert and extend the dilapidated barn to form a single dwelling. The dwelling would be 1.5 storeys in height, with a single storey element to the southwest of the building. There are a number of changes from the previously approved application. The previously approved application had a single storey element on the northeast of the building and this has now been changed so that the ridgeline of the building continues at the same 1 and ½ storey height. The overall ridge height of the building would also be slightly reduced from the approved scheme. The fenestration of the building would be altered on both the front of the building facing onto Rattlecombe Road and the rear facing towards Fabi's House.

3. RELEVANT PLANNING HISTORY

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

<u>Application Ref.</u>	<u>Proposal</u>	<u>Decision</u>
16/02183/F	Conversion and extension of existing buildings to form 2 dwellings	Application Refused
16/02184/LB	Conversion and extension of existing building to form a single dwelling	Application Refused
17/01201/F	Conversion and extension of existing buildings to form 2 dwellings - Resubmission of 16/02183/F	Application Permitted
17/01202/LB	Conversion and extension of existing buildings to form 2 dwellings - Resubmission of 16/02184/LB	Application Permitted

- 3.2. The previous applications (16/02183/F and 16/02184/LB) were refused for five reasons. The first reason was that the alterations to Barn A were considered to cause harm to the curtilage listed building, the character and appearance of the Sherington with Alkerton Conservation Area and the setting of the nearby Grade II listed building 'Longworth'. The second reason was that the extensions to Barn B would cause harm to the character and appearance of the Sherington with Alkerton Conservation Area. The third reason was that the southern extension to Barn B would cause harm to the residential amenity of Pound Cottage. The fourth reason was that the development would have provided an insufficient number of parking spaces for the number of residential units proposed. The fifth reason was that in the absence of an appropriate ecological survey it was not possible to demonstrate whether the development would have an impact on protected species.
- 3.3. An application for minor alterations to Barn B is also currently under consideration (18/01098/F). An application for planning consent is submitted alongside this application (18/01114/F).

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, by advertisement in the local newspaper, and by letters sent to all properties immediately adjoining the application site that the Council has been able to identify from its records. The final date for comments was 09.08.2018, although comments received after this date and before finalising this report have also been taken into account.
- 5.2. Four letters of objection have been received. The comments raised by third parties are summarised as follows:
- There were no historic openings onto Rattlecombe Road with the exception of the doorway.
 - The proposed openings onto Rattlecombe Road would cause harm to the character and appearance of the conservation area.
 - The 1.8m timber fence in close proximity to Longworth would cause harm to the listed building and the amenities of the occupiers.
 - The openings on the rear elevation of the building will be in close proximity to Longworth.
 - The timber fence and wall that it continues into would obstruct a Right of Way.
 - The boundary wall has been demolished and rebuilt at a higher height without any planning consent (not included in this application).
- 5.3. The comments received can be viewed in full on the Council's website, via the online Planning Register.

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 COUNCIL AND NEIGHBOURHOOD FORUMS

- 6.2. SHENINGTON WITH ALKERTON PARISH COUNCIL: **Objects.** The windows on the front should remain as slits. Changing the windows would have a harmful impact on the building and conservation area. The fence in close proximity to Longworth would cause harm to the amenities of the occupiers of the dwelling.

STATUTORY CONSULTEES

- 6.3. None.

NON-STATUTORY CONSULTEES

- 6.4. CONSERVATION: **Objects.** The fenestration on the front and rear elevations would be harmful to the character and appearance of the conservation area and the significance of the listed building.

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 was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The Local Plan 2011-2031 – Part 1 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 2031 Part 1)

- ESD15 - The Character of the Built and Historic Environment

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- C18 – Proposals affecting a listed building
- C21 – Proposals for re-use of a listed building

- 7.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Shenington with Alkerton Conservation Area Appraisal (2009)

8. APPRAISAL

- 8.1. The key issue for consideration in this case is the impact on the historic significance and setting of the listed buildings.
- 8.2. Section 16(2) of The Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that: *In considering whether to grant listed building consent for*

any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Further, under Section 72(1) of the same Act the Local Planning Authority has a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area.

- 8.3. Listed Buildings and Conservation Areas are designated heritage assets, and Paragraph 190 of the NPPF states that: *Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise.*
- 8.4. Paragraph 193 and 194 of the NPPF states that: *when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Any harm to, or loss of, the significance of a designated heritage asset should provide clear and convincing justification.* Policy ESD15 of the CLP 2031 Part 1 echoes this guidance.
- 8.5. The site is located within the Shenington with Alkerton Conservation Area. Longworth to the east of the site is a Grade II listed building and Barn A is attached to Longworth, so is curtilage listed.
- 8.6. The site is located within the Shenington with Alkerton Conservation Area. Longworth to the east of the site is a grade II listed building and Barn A is attached to Longworth, so is curtilage listed.
- 8.7. The application proposes to convert and extend the existing dilapidated barn to form a single dwelling. The previously approved scheme had a 1½ storey dwelling, with single storey elements at the northeast and southwest gable ends of the dwelling. The fenestration was simple, with arrow slit windows on the front elevation and full height barn-door style openings on the rear, with some more domestic openings in the west of the building.
- 8.8. The present application proposes a number of changes to the approved scheme. Some of these changes are considered to be an improvement on the approved scheme, such as the reduction in the overall ridge height of the building and the continuation of the 1½ storey element to the north-east, which would respect the traditional form of the building.
- 8.9. There are a number of areas of concern, to which the Conservation Officer, parish council and neighbours have all objected. The fenestration on the Rattlecombe Road frontage of the approved scheme had a very simple design, with three arrow slit windows and a window in the then single storey element, with timber cladding below.
- 8.10. The scheme now seeks to make use of the existing door opening onto Rattlecombe Road to form a full height, obscurely glazed window, two small arrow slit windows at a high level on the western side of the 1½ storey element and in the eastern part of the building, a window is proposed at ground floor level, with a timber shutter above and a conservation rooflight in the roof slope.
- 8.11. The alterations to the fenestration on the Rattlecombe Road frontage would cause demonstrable harm to the significance of the listed building and the character and appearance of the designated conservation area. It is recognised that the application seeks to utilise existing openings. However, it is unlikely that the full

height obscurely glazed window would traditionally have been a full height window. It is likely that this would have been a doorway of a regular height. The cumulative impact of the untraditional full height windows serving the bathrooms, the window with the timber shutter directly above and the rooflight in the front roof slope would result in a more domestic and cluttered elevation that would move away from the simple, more traditional design of building that was previously approved.

- 8.12. Two rooflights were included on the rear roof slope of the approved scheme. In paragraph 8.8 of the case officer's report for the approved scheme (17/01202/LB), it was stated that '*rooflights are not considered to be a traditional feature on a converted agricultural building*'. However, it was considered these were acceptable as they were located on the rear roof slope. The inclusion of a rooflight on the front roof slope would be significantly more harmful to both the significance of the listed building and the appearance of the conservation area and is not a traditional feature on a converted agricultural building.
- 8.13. Turning to the fenestration on the rear of the dwelling, the approved scheme had a large barn door style opening roughly in the middle of the 1½ storey element of the scheme. The current scheme proposes that the existing barn door opening is utilised to make the full height glazed opening, instead of creating a new opening in the middle of the building. In terms of the retention of historic fabric, this element of the scheme is considered to be an improvement on the approved scheme as this would have required the existing opening to be infilled and a new opening created.
- 8.14. The re-use of the opening at a high level on the west of the rear elevation is considered to be a positive element of the proposals, as is the reduction of two rooflights to one.
- 8.15. The retention and re-use of the existing opening is considered to be a benefit of the scheme. However, the proposed fenestration in this space is far too domestic for the infilling of a barn door opening. The fenestration would appear very cluttered, with a number of small windows surrounded by timber boarding. The infill of a barn door should be kept as simple as possible, with the large, open nature of the former opening retained as much as possible. The different elements proposed in this scheme would be overcomplicated and too domestic for the simple design that a converted agricultural building should have.
- 8.16. Paragraph 196 of the NPPF states that where a development proposal would lead to less than substantial harm to a heritage asset, that harm should be weighed against the public benefits of the scheme. It is considered that the proposals would cause less than substantial harm to the heritage assets, for which there are no public benefits which outweigh this identified harm.
- 8.17. It is therefore considered that the cluttered and domestic fenestration on the front and rear elevations of the proposed development would cause less than substantial harm to the significance of the listed building for which there are no public benefits which outweigh this harm. The significance of the building derives from its simple agricultural character. Harm would also be caused to the character and appearance of the Shenington with Alkerton Conservation Area, which has a rural and traditional appearance.

9. PLANNING BALANCE AND CONCLUSION

- 9.1. Some of the proposed alterations are considered to be beneficial to the scheme, such as original features of the building being retained. However, the changes to the fenestration on both the front and rear elevations of the building would appear too cluttered and domestic and would cause harm to the significance of the listed

building, which derives from its simple agricultural character and rural character and appearance of the conservation area. This harm would be *less than substantial*. However, there are no public benefits that would outweigh this harm and therefore it is recommended that listed building consent is refused.

10. RECOMMENDATION

That permission is refused, for the following reasons:

1. The fenestration of the building, including the full height obscurely glazed window, rooflight and other new openings on the elevation facing Rattlecombe Road and the fenestration in large opening on the rear elevation would appear as overly complicated and domestic features that would cause harm to the simple, agricultural appearance of the curtilage listed building and its contribution to the character and appearance of the Sherington with Alkerton Conservation Area and the setting of the Grade II listed building Longworth. The harm caused would be *less than substantial*. However, the public benefits created by the development would not outweigh this harm. This would be contrary to Policy ESD15 of the Cherwell Local Plan 2011 - 2031 Part 1, Saved Policy C18 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

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