

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

18/01114/F

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 George Reynolds

Expiry Date: 23 August 2018 **Committee Date:** 20 September 2018

Recommendation: Approve

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

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

Proposal

Planning permission 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 no objections to the application.

Six 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 planning issues in detail, and officers conclude that the proposal is acceptable subject to conditions. The scheme meets the requirements of relevant CDC policies.

RECOMMENDATION - GRANT PERMISSION SUBJECT TO CONDITIONS

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.

MAIN 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. Planning consent is sought 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.
- 2.2. The applicant's agent has amended the scheme during the application process to attempt to address the case officer's concerns. These changes relate to:
 - the fenestration on both the front and rear elevations of the building and;
 - the removal of the fence to the rear which was in close proximity of Longworth.

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>
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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 - revised scheme of 16/02183/F	Application Permitted
17/01202/LB	Conversion and extension of existing buildings to form 2 dwellings - revised scheme 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). A listed building application has been submitted alongside this application (18/01115/LB).

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 27.09.2018, although comments received after this date and before finalising this report have also been taken into account.

5.2. Six 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 (no comments received following submission of amended plans).

STATUTORY CONSULTEES

6.3. LOCAL HIGHWAYS AUTHORITY: **No objections**, subject to a condition relating to parking and manoeuvring details.

NON-STATUTORY CONSULTEES

6.4. BUILDING CONTROL: **No objections**.

6.5. CONSERVATION: **No objections**.

6.6. ECOLOGY: No comments received.

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)

- PSD1 – Presumption in Favour of Sustainable Development
- ESD10 – Biodiversity and the Natural Environment

- ESD15 - The Character of the Built and Historic Environment
- Villages 1 – Village Categorisation

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- H21 – Conversions within settlements
- C21 – Proposals for re-use of a listed building
- C23 – Retention of features contributing to a conservation area
- C28 – Layout, design and external appearance of new development
- C30 – Design control
- C33 – Protection of important gaps of undeveloped land

7.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Cherwell Home Extension Guidance (2007)
- Shenington with Alkerton Conservation Area Appraisal (2009)

8. APPRAISAL

8.1. The key issues for consideration in this case are:

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

Principle of development

- 8.2. The National Planning Policy Framework (NPPF) explains that the purpose of the planning system is to contribute to the achievement of sustainable development. This is defined as meeting the needs of the present without compromising the ability of future generations to meet their own needs.
- 8.3. Paragraph 11 of the NPPF states that a presumption of sustainable development should be seen as a golden thread running through decision taking, which means approving development proposals that accord with an up-to-date development plan without delay. The NPPF goes on to say that, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system.
- 8.4. The NPPF does not change the statutory status of the development plan as the starting point for decision making. Proposed development that conflicts with the Local Plan should be refused unless other material considerations indicate otherwise (Para. 12). Cherwell District Council has an up-to-date Local Plan which was adopted on 20th July 2015 and can demonstrate a 5.2 year supply from 2017-2022 (the previous period) and a 5.4 year supply from 2018-2023 (the current period).
- 8.5. The principle of residential development in Shenington is assessed against Policy Villages 1 in the Cherwell Local Plan Part 1. Shenington is recognised as a Category C village in the Cherwell Local Plan 2011 – 2031 Part 1. Category C villages are considered the least sustainable settlements in the District's rural areas to accommodate growth and therefore residential development will be restricted to the conversion of non-residential buildings and infilling.

- 8.6. The application for the conversion of the buildings to two dwellings was approved under 17/01201/F and 17/01202/LB. This consent has been implemented and the conversion and extensions to Barn B have nearly been completed. Given that this consent has been implemented, the principle of development is considered to be acceptable, subject to other material considerations discussed below.

Design, impact on the character of the area and heritage assets

- 8.7. Government guidance contained within the NPPF requiring good design states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Further, permission should be refused for development of poor design that fails to take the opportunities for improving the character and quality of an area and the way it functions.
- 8.8. Saved Policies C28 and C30 of the Cherwell Local Plan 1996 exercise control over all new developments to ensure that the standards of layout, design and external appearance are sympathetic to the character of the context. New housing development should be compatible with the appearance, character, layout, scale and density of existing dwellings in the vicinity.
- 8.9. Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1 states that new development will be expected to complement and enhance the character of its context through sensitive siting, layout and high quality design. All new development will be required to meet high design standards, and should respect the historic environment including Conservation Areas and listed buildings.
- 8.10. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a Conservation Area. Likewise Section 66(1) of the same Act states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority 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.
- 8.11. 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.
- 8.12. The Conservation Officer has offered no objections to the proposals following the receipt of amended plans. The Parish Council had objected to the proposals in their initial form but at the time of writing this report had not commented on the amended plans.
- 8.13. The application proposes to extend and convert the existing dilapidated barn to form a single dwelling. The previously approved scheme had a 1 and ½ 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.
- 8.14. The present application proposes a number of changes to 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 better respect the traditional form of the building.

- 8.15. There had been a number of concerns with the fenestration of the scheme as initially submitted. The fenestration was considered to be too domestic and would have appeared cluttered. The agent has changed the fenestration onto Rattlecombe Road so that there are now only three openings. The easternmost of these openings was previously approved under 17/01201/F and it would be therefore unreasonable to resist this under the present application. The other window at ground floor level would make use of the historic door opening onto Rattlecombe Road and would have a recessed stone panel underneath the window. This window, although domestic in its design, would make use of an existing opening and would not result in the removal of historic fabric and is therefore considered to be acceptable. The third window would be at first floor level above the historic door opening and would be obscurely glazed. The introduction of an obscurely glazed window on the front elevation is considered to be unfortunate, however would not be harmful enough in its own right to justify a reason for refusal.
- 8.16. 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.
- 8.17. 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.
- 8.18. The retention and re-use of the existing opening is considered to be a benefit of the scheme. On the initial plans, the fenestration in this opening appeared very cluttered and complicated. In the amended plans that have been submitted, the opening has been infilled slightly and the fenestration would not appear less cluttered and more appropriate for a converted agricultural building. There were no concerns raised with the other windows on the rear of the building and therefore the development is considered to be acceptable in this regard.
- 8.19. It should be noted that some of the alterations proposed in this application have been constructed during the course of the application. This is an unfortunate act on behalf of the developer, however the changes are considered to be acceptable and would not cause harm to the setting or significance of the listed building or the character and appearance of the Shenington with Alkerton Conservation Area.
- 8.20. It is therefore considered that the changes proposed in this application are acceptable and would not cause demonstrable harm to the designated heritage assets.

Residential amenity

- 8.21. Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1 states that new development proposals should consider the amenity of both existing and future development, including matters of privacy outlook, natural lighting, ventilation, and indoor and outdoor space.
- 8.22. The Cherwell Home Extension Guidance (2007) advises that where a new window is proposed, it should normally be at least 22 metres away from a window of a neighbour's habitable room to prevent loss of privacy.

- 8.23. The current proposal sits on the same footprint as the previous application and the impact of overlooking of Fabis House to the rear is therefore still acceptable in this regard, with a minor improvement due to the reduction of rooflights on the rear roofslope from 2 on the approved scheme to 1 on this scheme.
- 8.24. Concerns had been raised regarding the impact that the development would have on the amenities of the occupiers of Longworth, as a 1.8m high fence had been proposed approximately 1.1m away from the dining room of Longworth. This has removed as part of the amended plans.
- 8.25. Concerns have also been raised regarding the impact that the new glazing in the barn door opening on the rear of the dwelling would have on the amenities of the occupiers of Longworth. No overlooking would be provided as a part of this, as there is a void at first floor and an obscurely glazed element and the ground floor windows would not provide sufficiently harmful overlooking.
- 8.26. It is therefore considered that the proposals would not cause demonstrable harm to the occupiers of neighbouring properties.

Highway safety

- 8.27. The Highways Liaison Officer has offered no objections to the scheme, subject to a condition of further details of the parking and manoeuvring areas. The approved scheme was found to be acceptable in this regard and therefore it is considered that the development would not cause harm to the safety of the local highway network.

9. PLANNING BALANCE AND CONCLUSION

- 9.1. The principle of development is considered to be acceptable, as the previous scheme has already been implemented. The changes would not cause demonstrable harm to the setting or significance of the curtilage listed building or the neighbouring Grade II listed building, or the character and appearance of the Shenington with Alkerton Conservation Area. The development would not cause harm to the amenity of neighbours or the safety of the highway network and therefore the development is recommended for approval.

10. RECOMMENDATION

Delegate to the Assistant Director of Planning Policy and Development to grant planning permission, subject to the conditions set out below (and any amendments to those conditions as deemed necessary):

1. Time
2. Plans
3. Details of fabric
4. Development in accordance with approved stone sample panel
5. Development in accordance with approved slate samples
6. Window details to be submitted
7. Landscaping scheme to be submitted
8. Rainwater goods to be cast iron or aluminium
9. Removal of PD

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