

Application 09/01118/F	No:	Ward: Fringford	Date Valid: 18.08.09
Applicant:	Mr John O'Neill		
Site Address:	The Green Barn, Stoke Lyne Road, Stratton Audley, Bicester, OX27 9AT		

Proposal: Demolition of agricultural barn and erection of two pairs of semi-detached houses.

1. Site Description and Proposal

1.1 SITE DESCRIPTION

The application site is situated at the western end of the village and is bounded by open agricultural land to the rear and to the east. The site is elevated above road level with access onto the Stoke Lyne Road. The site is currently occupied by a modern steel clad agricultural building. The eastern and roadside boundaries also form the boundaries of the Stratton Audley Conservation Area. A public footpath crosses the field adjacent to the site on its northwestern side. The access is formed by a break in the hedge and is not formally constructed.

On the opposite northern side of the Stoke Lyne Road is residential development mainly in the form of semi-detached properties within a post war estate (Glen Close) and there is an isolated detached property further to the northwest (Kent Cottage).

1.2 PROPOSAL

The application seeks consent for the demolition of the agricultural barn and erection of two pairs of semi-detached properties set back from the road utilising the existing access point. Off street parking forms part of the scheme and the boundary would be formed by post and rail fencing and a hedge. The design of the properties utilises traditional materials including natural stone.

1.3 RELEVANT PLANNING HISTORY

Application 01/00893/F Demolition of existing barn and erection of two new 4 bed dwellings was refused in June 2001 on grounds of being contrary to policies H14 and H18 which restrict new development in Category II settlements to conversions, infill and other small development which secure an environmental improvement. The proposal represents unacceptable ribbon development which extends beyond the built-up limits of the village on this side of the road into open countryside detracting from its character and visual amenities. The application was also refused on grounds of impact on the setting of the Conservation Area.

This application was dismissed at appeal as the Inspector concluded that the site is outside the built-up area of the settlement and that the proposed development would have an adverse effect on the character of the village, the countryside and the Conservation Area.

Application 00/00793/F Conversion of the barn to residential accommodation as one house was refused in June 2000 on grounds that being contrary to H14 and H19 as the building is not an appropriate candidate for conversion as it would require substantial alterations, tantamount to the erection of a new dwelling outside the built up limits of the village. It would also fail to preserve or enhance the Conservation Area, contrary to Policy C22.

This application was also dismissed at appeal as the Inspector considered that the alterations to the building and the enclosure of the land would detract from the character and appearance of the area in general and would harm the setting of the adjacent Conservation Area.

CHS.1025/88 Planning permission was refused for the demolition of the farm building and the redevelopment of the site for 2 No. dwellings and garages on grounds that the site does not represent infill but would rather extend the built up limits of the village to the detriment of the character and amenities of the settlement, contrary to policy.

CHS.CA.830/88 Planning permission was refused for the demolition of the barn and its redevelopment for 4 new dwellings on similar grounds.

2. Application Publicity

- 2.1 The application has been advertised by way of a site notice, press notice and neighbour letters. The last date for comments is 2 October 2009.

3. Consultations

- 3.1 **Stratton Audley Parish Council:** Comments awaited
- 3.2 **Oxfordshire County Council Highway Liaison Officer** has raised no objection to the application subject to planning conditions relating to access and parking provision and standards. These requirements include a new section of footpath and vision splays involving a widening of the existing access and formal hardstanding and turning areas.
- 3.3 **Thames Water** raise no objection to the application on sewerage infrastructure and surface water grounds.
- 3.4 **CDC Environmental Protection Officer** raises no objection advising that this is a sensitive development and is currently a potentially contaminative use, matters can be satisfactorily dealt with by condition.
- 3.5 **CDC Ecology Officer** has no objections having considered the submitted bat and nesting bird scoping survey to be sufficient in depth. The requirements of PPS9 can be adequately addressed by condition.

3.6 **Third Party Representations**

At the time of writing this report, two letters have been received.

One letter raises objections to the scheme on the following grounds:

- Traffic – The existing traffic usage is high on the Stoke Lyne Road for a village with domestic and agricultural vehicle use. More houses will lead to further dangerous increases to the traffic on this road.
- Stratton House View – The proposal is double the size of the existing barn, closer to the adjacent farm land and higher than the current barn.
- Change of Use – the barn has an agricultural feel to this side of the village and this proposal would change this character of the area.

One letter is in support of the application stating that:

- Replacing a disused barn with 4 houses will not be detriment to the locality provided the site did not extend towards Kent Cottage.
- It will provide the sort of low cost housing required by the village.

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
Planning Policy Guidance 15 (PPG15): Planning and the Historic Environment

4.2 **Regional Spatial Strategy for the South East (The South East Plan)**

Policy CO1: Core Strategy

Policy CC6: Sustainable Communities & Character of the Environment

Policy H5: Housing Design and Density

Policy C4: Landscape and Countryside Management

Policy BE6: Management of the Historic Environment

Policy NRM5: Conservation & Improvement of biodiversity

Policy T4: Parking

4.3 **Cherwell Local Plan - November 1996**

Policy H14: Category II village settlements

Policy H18: New Dwellings in the Countryside (with references to Policies H1 & H6)

Policy C8: Sporadic Development

Policy C28: New developments

4.4 **Non-Statutory Cherwell Local Plan 2004**

Policy H1a: Location of new housing

Policy H16: The Category 2 Villages

Policy H19: New Dwellings in the Countryside

Policy H21: Conversion of buildings within Settlements

Policy TR5: Road Safety

Policy TR11: Parking

Policy EN30: Countryside Protection

Policy EN34: Landscape Character

Policy EN39: Conservation Areas & Listed Buildings: General Principles

Policy EN40: Conservation Areas: Preservation & Enhancement

Policy D3: Local Distinctiveness

5. Appraisal

5.1 Siting of the new dwellings with regard to the character of the surrounding area

The key component for establishing the level of impact that could be caused by this proposal is to consider whether or not the site is outside the built-up area of the settlement.

The site is separated from Kent Cottage by a significant gap of open land crossed by a public footpath. The barn is visible from the surrounding area including the back of the site across fields to the rear from Bicester Road, the public footpath and when approaching the village from the north west along Stoke Lyne Road. The character of this south west side of the Stoke Lyne Road is very different from its opposite side which is mainly low density residential development. The village boundary, not being formally defined, is considered to be identifiable by the established stone barn boundary wall to the south of the site which also forms the boundary with the Conservation Area. To extend that boundary to include the agricultural barn would not be a logical progression because of its isolated situation set back from the road in an agricultural setting. It does not form part of the more compact stone buildings to the south.

This site falls outside the built up limits of the settlement, which has been confirmed by the previous two Inspectors relating to the previous appeals in 2001 and 2002. Having established this stance, it follows that Policy H14 of the Cherwell Local Plan, which considers development within the village does not apply and Policy H18 of the Local Plan is the principle policy consideration. This policy restricts new dwellings beyond a settlement to those that are essential for agriculture or other existing undertaking and rural exception sites for affordable housing.

The development is not on an allocated site, is not intended for low cost housing and is not essential for agriculture so is considered to be sporadic development within the countryside contrary to Cherwell Local Plan policy H18. Central government advice in the form of PPS7 seeks to ensure that the countryside is protected from such development for its own sake.

Sporadic development of this nature would cause clear harm to the interests of conserving the countryside for its own sake and would also threaten the maintenance of the compact village character, contrary to Policy C8 of the Cherwell Local Plan.

5.2 Effect on the setting of the Conservation Area.

The site is outside, but abuts the Stratton Audley Conservation Area and PPG15 advises that the impact on the setting of such areas is a material consideration as the character and appearance of the Conservation Area does not stop at its boundary. Views from within the Conservation Area often encompass buildings and land beyond its fringes and such spaces and buildings are often as important as those within the Conservation Area when one considers its overall character and appearance.

The isolated nature of the existing barn, its agricultural setting and its appearance as a simple functional building does not detract from the character of the Conservation Area. Establishing a group of residential properties on the edge of a defined village boundary for no special reason would appear out of context and together with the domestic trappings which would result as a product of the development would fail to preserve or enhance the character of the Stratton Audley Conservation Area.

5.3 Design and appearance of the new dwellings

The two pairs of semis would sit in a linear arrangement facing onto the Stoke Lyne Road. Whilst the gable widths at 6.5m are modest and traditional, the overall heights and lengths are less so. With the existing agricultural barn being at a height of 6.5m at the highest point, and of a smaller footprint, the proposed development at 8m high will appear as a more dominant built form. The stone development to the south east is also far lower and it is considered that the scale of the proposed development will dominate this part of the village, particularly as this is an elevated site.

The consequence of the increase in bulk of development on the site is that it will have wider landscape impact and have a further impact upon the character of the street scene in the immediate vicinity and fail to preserve or enhance the character of the Conservation Area.

The development which lies opposite is part of the Conservation Area and whilst the design of the houses within this proposal is seeking to respect the design of the cottages opposite the overall effect will be unacceptable in part due to the proposed siting much closer to the road. The dwellings do not sit comfortably in their surroundings and fail to respect the adjacent and historic development pattern.

5.4 With regard to other matters raised:

- The proposed development provides sufficient car parking for the new development and existing parking pressure and will not adversely affect highway safety and is considered to be in accordance with policy T4 of The South East Plan and guidance contained with PPG13: Transport.
- Given the isolated nature of the site, there would be no harm caused to neighbouring properties and the development is therefore considered to be in accordance with policies in this regard.

5.5 **CONCLUSION**

Overall, this proposal is considered to be unacceptable on its planning merits as it represents a most discordant and incongruous form of development beyond the existing built up limits of the village and because of the elevated nature of the site and its relationship with the adjacent land would also stand isolated, divorced and separated from the existing built form of the village on this side of the road. The development is considered to be sporadic development and would also fail to improve or enhance the character or appearance of the abutting Conservation Area.

This application has been brought to Committee at the request of Cllr Wood.

6. Recommendation

Refusal, on the following grounds:

- 1. The erection of two pairs of semis on the site does not represent a conversion of an existing building, infilling within the built-up limits of the settlement or a significant environmental improvement but rather an unacceptable sporadic ribbon development extending beyond the built-up limits of the village into the open countryside which together with the necessary vision splays and footpath required for highway safety would detract from the rural character and visual amenities of the street scene contrary to policies C8, H14 and H18 of the adopted Cherwell Local Plan. Policy C4 of the South East Plan, Policies H16 and H19 of the non-statutory Cherwell Local Plan and PPS7:Sustainable Developments in Rural Areas.**
- 2. By virtue of the size and design of the dwellings, their positioning on the site and inevitable presence of domestic trappings which would result as a product of the development, the proposal would fail to preserve or enhance the character of the Stratton Audley Conservation Area, the boundary of which abuts the site, contrary to Policy BE6 of the South East Plan and PPG15: Planning and the Historic Environment.**

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