

**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 George Reynolds

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

**Recommendation:** Approve

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### **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 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 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.

### 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 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>
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	Application - Permitted

## Resubmission of 16/02183/F

17/01202/LB            Conversion and extension of existing Application  
buildings to form 2 dwellings - Permitted  
Resubmission of 16/02184/LB

- 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 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 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. None.

### NON-STATUTORY CONSULTEES

6.4. CONSERVATION: **No objections**.

## **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 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.
- 8.7. 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.
- 8.8. 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.
- 8.9. 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.

- 8.10. 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.
- 8.11. 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.
- 8.12. 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.
- 8.13. 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.
- 8.14. It is therefore considered that the changes proposed in this application are acceptable and would not cause demonstrable harm to the designated heritage assets.

## **9. PLANNING BALANCE AND CONCLUSION**

- 9.1. The proposed development would not cause demonstrable harm to the setting or significance of the curtilage listed building or the neighbouring Grade II listed Longworth and therefore the development is considered to be acceptable with regard to its impact on the nearby designated heritage assets.

## **10. RECOMMENDATION**

Delegate to the Assistant Director of Planning Policy and Development to grant listed building consent, 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. Rainwater goods to be cast iron or aluminium