

**SUBJECT**            **DEVELOPMENT APPLICATION REPORTS**            **ITEM 7**  
**REPORT OF**        Head of Planning & Building Control

**APPLICATION NO.**        P07/W0989  
**APPLICATION TYPE**        Minor  
**REGISTERED**            12 September 2007  
**PARISH**                    Garsington  
**WARD MEMBER(S)**        Mrs Elizabeth Gillespie  
**APPLICANT**              Mr Akerman  
**SITE**                        The Top Yard, Oxford Equestrian Centre Lower Road Garsington OX44 9DP  
**PROPOSAL**                Alterations and conversion of existing barns and stables to provide 4no. dwellings and the provision of associated car parking facilities and private amenity space.  
**GRID REFERENCE**        458516/200616  
**OFFICER**                  Ms C Scotting

## 1.0 INTRODUCTION

1.1 This application is being forwarded to Planning Committee for consideration as the views of the Parish Council differ from the officer recommendation.

## 2.0 THE SITE

- 2.1 The application site is within the Oxford Green Belt and lies in an isolated position in the countryside, approximately 2km from the centre of Garsington. The site is situated off the B480 and is accessed via Lower Road, a tree-lined single width road. The site is marked on the **attached** location plan.
- 2.2 The application site is called Top Yard and forms part of the larger site of Oxford Equestrian Centre which recently ceased trading. The whole planning unit of the equestrian centre site is about 4.2 ha in area and the current application site is 0.18ha. The main equestrian site and Top Yard are accessed from separate points from the B480 but are linked via a driveway between the two areas. Top Yard includes stable accommodation and a manege and within the main site are further stables and a large indoor riding arena which has been extended.

- 2.3 Whilst Top Yard forms part of the overall equestrian site the application site itself forms part of Top Yard. The Top Yard buildings within the application site are centred around a courtyard and comprise part of a stable block to the south west, part of a large barn incorporating former stables to the north west and another smaller barn to the north east. To the north of the large barn is a manege, also forming part of the application site. The Top Yard stable buildings comprise painted white brick and corrugated asbestos roofs. The large barn to the north is a mixture of red brick, wooden cladding and small amount of white render plus a corrugated asbestos roof. The eastern barn is of white render and clay tile roof.
- 2.4 Outside of the application site but physically adjoining the application site buildings are the remaining stables and Tudor House, a two storey dwellinghouse, which face onto the rest of the Top Yard courtyard. To the west is the remainder of the large barn and other farm buildings (that physically adjoining the stable block) that centre around an adjoining courtyard providing farm buildings for Lower Farm.
- 2.5 The **attached** site location plan outlines the respective sites and the information below provides approximate details in respect of site areas and floor areas.
- A) Top Yard - Application site
  - B) Equestrian centre – Main Site
  - C) Remainder Top Yard
  - D) Farm Buildings, Lower Farm

### 3.0 PROPOSAL

- 3.1 The application details for Top Yard are **attached**. Existing and proposed details on elevations and floor plans are included. The site plan shows the 4 units, garden areas and parking. The application site is accessed from Lower Road via the existing driveway which leads to the main site. The application proposes the extension and part conversion and alteration of three buildings, comprising barns and stables into 4 houses. Two 2 bedroom units (units 1 and 2) and two 1 bedroom units (units 3 and 4) are proposed. The proposed floor area would increase by approximately 175 sq m. Car parking for 6 cars is shown off the linked driveway adjacent to the manege which would be subdivided and enclosed for gardens to serve units 1 and 2. Part of the courtyard would also become subdivided for amenity area for units 1, 3 and 4. The rest of the courtyard would, presumably, serve Tudor House and give access to 4 stables.
- 3.2 The main alterations to the buildings would involve:
- Removing the existing corrugated asbestos roof of the larger barn and stables and replacing with natural slate cladding
  - Renewing all existing horizontal timber cladding and re-pointing the brickwork on the larger barn
  - Inserting new doors, windows and roof-lights in the larger and smaller barn
  - Demolition of breeze block wall and small lean-to structure 2.6m high with an pitched roof extension 5.5m high infilling the north east corner between the larger and smaller barn
  - Blocking up of existing openings in the larger barn (to avoid overlooking from 2 to unit ) and in the north east corner of both barns (which would be blocked by the proposed extension)

- An increase in floor area from approx 280 sq m to 455 sq m

3.3 No details have been given as to how the conversion of the stables and the larger barn would work with the retention of the remaining physically adjoined buildings.

3.4 No details on the proposed uses for the Indoor School and extension have been received. The applicants state that the site has been marketed for 18 months and have been unable to sell the site as a going concern. However no detailed evidence on the marketing details has been submitted with the application. The application includes a Design and Access Statement, also **attached**.

#### 4.0 CONSULTATIONS & REPRESENTATIONS

##### 4.1 Garsington Parish Council – Support.

Have concerns about access which (hopefully) highways will address and about giving approval to residential use in the Green Belt which does not include some affordable housing.

##### 4.2 Neighbour Representations (1). Full comments can be viewed on the website.

No objection to suggestion of dwellings but are deeply concerned about obvious increase in traffic and refuse in Lower Road, the single track access road from the B480. Traffic along the B480 is fast and access onto Lower Road is hazardous. There was a recent access on Lower Road resulting in damage and injuries. Consider that alternative access should be used through the equestrian centre. In addition the refuse vehicles do not use Lower Road and lots of rubbish is left near the B480 creating a health hazard. Similarly request that refuse is collected from the Equestrian Centre access.

##### 4.3 Highways Area Liaison Officer – Refuse.

The proposed 4 dwellings will be located in an unsustainable location in terms of limited/no local facilities, no footway/cycle links (there is an hourly bus service, but no observed pedestrian links to the stops, which are some distance away). Therefore, it is likely the majority of associated vehicle movements with the dwelling will be by the private car, which is contrary to government guidance and G1 of the Oxfordshire Structure Plan 2016.

The access road into the site) is essentially of a single width and appears not have any passing places (contrary to Policy T8 of the Oxfordshire Structure Plan 2016). Please note that a plan showing the required vision splays for a 50mph speed limit at the access to serve the site has not been submitted for this application. No traffic statement has been submitted for this proposal comparing the extant and the proposed use.

#### 4.4 Conservation Officer – Refuse.

The stables and barns do not have sufficient historic or architectural merit to warrant their retention where the proposals to convert them conflicts with other local plan policies. The application site boundaries appear contrived and puzzling. The division of buildings and part conversion of other buildings is illogical. The treatment of boundaries needs to be addressed to demonstrate that the setting and amenity of the buildings can be protected. The design as it stands is unacceptable in that only part of the buildings are converted, parts of the buildings are demolished and too many new openings are introduced which would change the character to an unacceptable degree.

4.5 Building Control – Alternative means of escape will be required from first floor habitable rooms.

4.6 Countryside Officer – No objection. No evidence of protected species was found.

4.7 Environmental Health – Recommends conditions in respect of contaminated land surveys, construction noise and dust and external lighting.

### 5.0 RELEVANT PLANNING HISTORY

5.1 There is an extensive planning history on the equestrian site.

5.2 A riding school on the overall site (the main site and Top Yard) was granted planning permission in 1976. A large extension to the indoor school on the main site was permitted in 1992. This accommodation was for veterinary surgery, chiropractor, shop and restaurant/ clubroom in association with the riding school. Since this time there has been a series of applications to change the use or vary conditions to allow alternative uses. Most recently planning permission was granted for office B1 use for a floor area of 540m<sup>2</sup> (P04/W0773). The applicants advise that this use has not been taken up.

5.3 Top Yard, the subject of this application, has been used as stables and barns in association with equestrian centre. On the southeast corner is Tudor House, a dwellinghouse granted a certificate of lawful use for residential in 2001 (P94/N0759/LD) and extended in 2004 (P04/W0394).

5.4 The adjoining courtyard to Top Yard comprises buildings associated with Lower Farm which are being used partly for the storage of building materials. Permission was granted for B1/B8 use (215m<sup>2</sup>) in July 2002 but this was not implemented (P02/N0391).

### 6.0 POLICY & GUIDANCE

#### 6.1 PPG2 Green Belts

PPS7 Sustainable Development in Rural Areas

PPG 13 Transport

6.2 Oxfordshire Structure Plan (OSP) Policies G1, G2, G4, G6, E4, T1, T8

6.3 South Oxfordshire Local Plan (SOLP) Policies

Strategic policies: G1, G2, G3, G4, G6

GB3 – Use of land in the Green Belt

E8 – Re-use of rural buildings

D8 – Sustainable design

D10 – Waste management

EP1, EP2 – Pollution, noise

EP7 – Surface water

H7 – Range of dwelling types and size

H9 – Affordable housing

T1, T2 – Transport requirements

C8 – Species protection

## **7.0 PLANNING CONSIDERATIONS**

7.1 The main considerations relate to the principle of the development which is discussed under:

- (i) Sustainable development principles
- (ii) Re-use of buildings in the countryside
- (iii) Green Belt issues

In addition the following considerations apply:

- (iv) Highway considerations
- (v) Sustainable design
- (vi) Housing – Affordable housing, housing mix

### **(i) Sustainable development principles**

7.2 In relation to the re-use of buildings in the countryside PPS 7 states that it is government policy to support the re-use of appropriately located and suitably constructed existing buildings in the countryside where this would meet sustainable development objectives. Re-use for economic development purposes will usually be preferable, but residential conversions may be more appropriate in some locations, and for some types of building. The Oxfordshire Structure Plan (OSP) policy E4 and South Oxfordshire Local Plan (SOLP) Policy E8 reflect this advice.

- 7.3 The proposal therefore needs to be examined to see whether it would fulfill sustainable development principles. Developments which are likely to generate a large number of trips, such as housing or employment generating uses, should be in locations in or next to towns which are accessible by public transport, walking and cycling. The application site is in an isolated location over 2km from the centre of Garsington which has a school, pub and church yet over 3km away from any shop. The bus stops are not close to the site and the routes would involve roads with no footways/cycleways including a journey along a 50mph road. The routes are not direct, safe and secure as advocated by PPG 13 and the County Council highways officer objects to the application for the above reasons. The proposed development is therefore in an unsustainable and inappropriate location where access to public transport is limited and services and facilities are not available. The proposal is therefore contrary to OSP policies G1, G2, T1 and SOLP policies G2 and G3.
- 7.4 National planning policy, OSP policy E4 and SOLP policy E8 do permit the principle of the re-use of suitably constructed buildings in rural areas for appropriate purposes. There is a significant amount of disused buildings on the equestrian site, including Top Yard, and on the adjoining Lower Farm buildings which are semi used. Clearly the planning implications for the main equestrian site and the adjoining buildings are relevant to this application. The future use of the site in relation to its viability as an equestrian centre and for any alternative sustainable development is discussed below.
- (a) Viability of the equestrian centre
- 7.5 Clearly the most sustainable use of the site would be for an equestrian use as the buildings and surrounds are designed for these purposes. The applicant advises that the site has been marketed for 18 months and has submitted a summary of the marketing exercise undertaken, which can be viewed on the website. In the Design and Access statement the applicants state that:
- “In light of the fact the primary use of the site has ceased the applicant has obviously given consideration to how the component parts of the site – the Top Yard and the Indoor School and extension – might otherwise be used. Whilst firm proposals for the Indoor School and extension are yet to be formulated, the Top Yard has not featured in the expressions of interest.... and, therefore, the applicant has opted to pursue an independent and ‘self standing’ use of this area”.
- 7.6 However no actual evidence has been submitted to demonstrate that the site has been marketed at a reasonable price for equestrian use (e.g. financial evidence, evidence of advertisements and exposure and duration in appropriate publications). The details on the website are offering the unit as an investment opportunity with a guide price of £3.5million. It is possible that the viability of the equestrian use would be compromised by the partition of site and the release of Top Yard which includes 16 stables and the manege. No details of the future use for remainder of the equestrian site have been received.
- (b) Implications for sustainable development on remainder of site
- 7.7 If it were demonstrated that there was no demand at a reasonable price for equestrian uses then the future of the whole planning unit of the equestrian site and the adjoining farm buildings should be considered comprehensively. Policy

E8 does permit the principle of re-using buildings but there is not an automatic presumption that all rural buildings can be reused. With a total floor area in the region of 3200 sq m it is manifest that the potential conversion of buildings on this site for uses not appropriate in the countryside would be completely unsustainable. A masterplan for the whole site would be appropriate to avoid ad hoc, unrelated and unsustainable proposals.

- 7.8 Policy E8 cites the relevant criteria in respect of the re-use of existing buildings in the countryside. Commercial use is normally preferable as less adaptation is required. The applicants state that a commercial use has not been explored as permission for B1 use has already been granted for a floor area of 540m<sup>2</sup> in the extension to the indoor school and policy E8 seeks to prevent more than 500m<sup>2</sup> of B1 use. So although the applicants are treating the buildings subject of current application separately from the main site they are relying on the permitted use of the adjoining site as a reason for not exploring commercial uses. However, it is agreed that the adjoining site needs to be considered in relation to this application and it further demonstrates that a comprehensive approach is required.
- 7.9 The supporting text to policy E8 does suggest that where there is a larger floor area, proposals for B8 might be considered. Whilst it is not suggested that B8 uses are necessarily appropriate, the lack of consideration for alternative uses does not comply with the policy and again emphasises the need for a comprehensive approach to the whole site. A piecemeal approach is not appropriate for this major site and the current scheme does not demonstrate that the above considerations have been thoroughly explored in accordance with sustainable development objectives, contrary to PPS7 and SOLP Policy E8.

**(ii) Re-use of buildings in the countryside**

- 7.10 It is also necessary to look at the merits of the application in terms of the detail of these specific proposals. In accordance with sustainable development principles, policy E8 requires that the buildings are of substantial construction, are capable of conversion without major or complete reconstruction, the form bulk and general design are in keeping with their surroundings and the fabric and essential character of the buildings be maintained. The policy also requires that there are no amenity, highway or environmental objections.
- 7.11 No structural survey or specification of works, to demonstrate the scheme will be re-use rather than redevelopment, has been received with this application. The buildings, particularly the larger barn and stables that have asbestos roof sheeting and poor quality brick, do not give the impression of permanence and solidity and are not considered to be of any particular merit to be worthy of retention.
- 7.12 A considerable increase in floor area (approx 280 sq m to 455 sq m)) and volume (approx 60 cubic metres) is proposed. A significant amount of alterations are proposed including the removal of the roof on (part of) the large barn and stables and the replacement of timber cladding. It is not clear how these works will join with the remainder of the buildings, quite possibly leading to revisions in the working drawings. A large number of openings are proposed in the elevations and the roofs. Only the smaller barn has two small windows openings at present and a further 12 are proposed throughout the scheme. Existing openings in the large barn are being blocked to prevent overlooking on an adjoining unit and in the small barn as the proposed single storey extension will obstruct this elevation.

- 7.13 The domestication of the buildings and spaces including the sub division of the courtyard, the enclosure and sub division of the manege and the proposed parking will completely alter the character of the site. The design is ill considered in respect of retaining the fabric and essential character of the buildings and is contrived because the scheme is proposing too much subdivision i.e. too many units. The proposed alterations, extension, sub-division and layout are unacceptable and contrary to Policy E8.
- 7.14 The proposed conversions of dwellings immediately and physically adjoin farm buildings. Whilst these buildings are not intensively used at present they could become so. This will be likely to give rise to amenity issues for the future occupants and in turn could lead to pressure for conversion of further buildings to residential to alleviate harm to the residential occupants. Again, this emphasises the need for a comprehensive approach to the future use of the overall site and adjoining buildings. On grounds of amenity the proposal is also contrary to SOLP policies EP1, EP2 and E8.

**(iii) Harm to Green Belt**

- 7.15 SOLP Policies GB3, and E8 state that a material change of use in the land will not be permitted unless the openness of the Green Belt is maintained and the proposed use does not have a materially greater impact than the present use on the Green Belt. The proposed change of use to residential will inevitably have a greater impact on the openness of the Green Belt than the existing equestrian use as domestication of buildings and spaces will bring with it the inevitable, and reasonable, requirements for ancillary buildings and structures, e.g. patios, fences, walls, sheds, play equipment, external lighting.
- 7.16 This scheme further exacerbates the harm to the Green Belt by virtue of the design including the amount of alterations to the buildings (including the extension), the degree of subdivision and the number of units. The proposal will result in significant harm to the Green Belt contrary to above policies.

**(iv) Highway Considerations**

- 7.17 The County Council highways officer objects to the scheme on the grounds of unsustainable development as highlighted above. The highway officer also has concerns in respect of access and access issues have been raised by a local resident and the Parish Council. The application does not show the required vision splays for a 50mph limit and it is evident that these could only be achieved with the removal of hedgerow along the frontage towards the north west. Furthermore, the access road into the site is essentially of a single width, is 180 m long and does not have any passing places. Creating passing places could result in the removal of trees, it would certainly alter the character of this tree lined road. No traffic statement has been issued comparing proposed and extant use. However it is accepted that further information could possibly overcome the objections in respect of highway considerations. A condition would not be appropriate as it would need to be demonstrated that works could be undertaken without detrimentally affecting landscape features worthy of retention.

**(v) Sustainable design**

- 7.18 The location of the proposed development is unsustainable for the reasons amplified above. The re-use of buildings is more sustainable than new build however it is evident that a lot of the materials and structures would be replaced



as well as an extension. No details have been submitted as to how sustainability can be incorporated into the conversions e.g. internally with the conservation of energy, water and materials and externally in respect of waste collection, sustainable drainage and cycle parking. The proposal is contrary to SOLP policies D8, D10, EP7 and T2. It is accepted that details in respect of cycle parking and drainage could be dealt with by condition.

**(vi) Housing policies – affordable housing, mix and density**

- 7.19 The Parish Council are concerned that no affordable housing is proposed. The threshold for the provision of affordable housing is 0.5 ha or 15 dwellings within settlements over 3000 population or housing sites which are capable of accommodating a net gain of small dwellings in settlements of less than 3000 population (Policy H9). Neither threshold applies to the current proposal. The site is not within a settlement and for the above reasons the conversion of the buildings to housing is unsustainable and not acceptable.
- 7.20 There is no objection to the proposed mix. Policy H7 requires a higher number of smaller dwellings, however for the reasons cited above the proposed scheme would not achieve an acceptable subdivision into small units.

**8.0 CONCLUSION**

- 8.1 The site is in an isolated location and there are no footway or cycle links to facilities or services or good access to public transport. The proposed use will generate significant amounts of traffic and is in an unsustainable location for new residential development. The proposals do not form part of a comprehensive approach to the future of the whole planning unit of the equestrian site and alternative uses have not been explored in accordance with sustainable development principles. The existing buildings are not permanent and substantial structures worthy of retention and the proposed design will result in harm to the fabric and character of the buildings. The proposed conversion, extension and change of use will result in materially greater harm to the openness of the Green Belt and is an unsustainable development contrary to policies OSP policies G1, G2, G4, G6, T1, T8, and SOLP policies G2, G3, G4, G6, GB3, E8, D8, D10, EP1, EP2, EP7, T1 and T2.

**8.0 RECOMMENDATION**

- 8.1 **That planning permission be refused for the following reasons:**

**1. That the existing buildings are in an isolated and unsustainable location for housing where access to public transport is limited and services and facilities are not available. The site and buildings form part of the larger planning unit of an equestrian centre where a comprehensive approach for the future of the site is necessary. Alternative uses that would comply with and not undermine sustainable development principles have not been explored. The proposed conversion and change of use to four residential units would result in an inappropriate and unsustainable development in the countryside contrary to PPS7 and Oxfordshire Structure Plan policies T1, G1, G2, and South Oxfordshire Local Plan policies G1, G2, G3, G4,**

**E8, and T1.**

**2. That the existing buildings are not of permanent and substantial construction and that the scheme proposes significant reconstruction, extension and alterations which will undermine the essential character and fabric of the buildings. The domestication of the site in addition to the nature and extent of alterations and extension will have a materially greater impact on the openness of the Green Belt and the character of the countryside contrary to and Oxfordshire Structure Plan policies G4 and South Oxfordshire Local Plan policies G2, G4, GB3 and E8.**

**3. That the existing buildings are not of permanent and substantial construction and the scheme proposes significant reconstruction, extension and alterations which will undermine the essential character and fabric of the buildings, contrary to South Oxfordshire Local Plan policies G6 and E8.**

**4. That the design does not incorporate a sustainable design and construction contrary to Oxfordshire Structure Plan policy G6 and South Oxfordshire Local Plan policy D8, D10, T2 and EP7.**

**5. That the scheme does not incorporate adequate vision splays and passing bays resulting in an inadequate access detrimental to highway safety, contrary to Oxfordshire Structure Plan policy T8 and South Oxfordshire Local Plan policies T1 and T2.**

**6. That the scheme immediately and physically adjoins existing farm buildings which are likely to give rise to activities harmful to the amenity of the new residents. The proposal is contrary to South Oxfordshire Local Plan policies E8, EP1 and EP2.**

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