

APPLICATION NO.	P18/S2708/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	13.8.2018
PARISH	Bix
WARD MEMBERS	David Nimmo-Smith Charles Bailey
APPLICANT	Mr & Mrs M & J Turner
SITE	American Barn, Crockmore Farm Henley Park Fawley, RG9 6HY
PROPOSAL	Proposed conversion of existing american barn and existing stables with linking extensions to create a three bedroom dwelling house with associated parking and amenity space provision.
OFFICER	Simon Kitson

1.0 **INTRODUCTION**

- 1.1 This application is referred to planning committee as the officers' recommendation of approval conflicts with the views of the Parish Council.
- 1.2 The application site (which is shown on the OS extract and aerial photograph **attached** at Appendix A) relates to an existing equestrian site located to the north of a cluster of residential development at Henley Park, within the parish of Bix and Assendon. The site contains a main barn granted permission in 2003 for the private use of the applicants (P02/S1022). There are also timber stable buildings and a manege which have no planning history. The applicant's main property is at Crockmore Farm, which is located some distance to the north, within Wycombe District Council's administrative area.
- 1.3 The site measures approximately 0.39 ha and it falls wholly within the Chilterns Area of Outstanding Natural Beauty (AONB). Bix Footpath 21 runs along the highway to the east of the site. Bix Bridleway 23 runs approximately 380m to the south.

2.0 **PROPOSAL**

- 2.1 Following the grant of planning permission for equestrian development at Crockmore Farm (Wycombe DC, 16/05363/FUL) consent is now sought for the change of use and conversion of the existing buildings within the application site to residential.
- 2.2 As detailed in the application submission, the proposal seeks the conversion of the 'American Barn' barn to a three-bedroom dwelling, with ancillary accommodation within the stabling to the west. The structures would be connected by a glazed conservatory link.
- 2.3 The proposed site plans, elevations and floor plans are **attached** as Appendix B. All associated documents and consultation responses can be viewed on the council's website: www.southoxon.gov.uk

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

- 3.1 **Bix & Assendon Parish Council – Objection**
- The existing barns are temporary structures and cannot therefore be converted to other uses.

Countryside Officer (SODC) - No objections

Forestry Officer (SODC) - No strong views

- No objection to the tree protection details. However, the landscaping scheme needs to be amended to reflect the parkland character of the site.

Highways Liaison Officer (OCC) - No strong views

- The proposal is unlikely to result in any significant intensification of transport activity at the site. No change is proposed to the existing access arrangements. The proposal is unlikely to have a significant adverse impact on the highway network.

Environmental Health Contaminated Land (SODC) – No strong views

- There is the potential for contamination to be present on the site. Further information is required, but this could be dealt with by condition.

Countryside Access (OCC) – No strong views

- The public footpath to the east should not be obstructed during the construction works

Waste Management Officer (SODC) - No strong views

CPRE Oxfordshire - Object

- The change of use would result in loss of a care facility for horses and a loss of the working character of the farm. This would set a terrible precedent within the AONB.
- The introduction of residential paraphernalia would overly domesticate the site and the glazing would result in intrusive light pollution
- The development is within site of the Oxfordshire Way public footpath

Neighbour Object (22) – key issues raised:

- There would be potential precedent for future residential development if permission were to be granted.
- Impact upon private views from neighbouring dwellings
- Loss of open character of the site and adverse landscape impacts upon the wider AONB
- There are inconsistencies within the application submission, relating to the previous agricultural use and the unauthorised use of the barn for commercial purposes
- Detrimental impact upon the AONB through lighting within the site.
- The current building design is wholly unsuitable for residential uses. There are no overriding economic, social or environmental benefits.
- There would be an economic impact arising from the loss of the existing equestrian facilities.
- There are no permitted development (PD) rights for equestrian to residential conversions
- The domestication of the land is contrary to current national and local planning policy
- The current equestrian development contributes positively to the experience of walkers and ramblers using the Oxfordshire Way
- There are TPO trees within the area

Neighbour Approve (2)

- The proposed design is appropriate and the creation of a new dwelling positive.
- The current barn is not an attractive feature for walkers. Its conversion into a dwelling would be an improvement

4.0 RELEVANT PLANNING HISTORY

4.1 [EE04/148](#) - (18/09/2008)

Change of use of land to equestrian use and erection of field shelter

[EE06/061](#) - (06/03/2007)

Development not in accordance with P02/S1022

[P02/S1022](#) - Approved (26/02/2003)

Change of use from agricultural to equestrian and erection of new equestrian building to replace existing (as amplified by drawing no.2732.03 accompanying letter from agent dated 3 February 2003).

5.0 POLICY & GUIDANCE

5.1 South Oxfordshire Core Strategy (SOCS) Policies;

CS1 - Presumption in favour of sustainable development

CSEN1 - Landscape protection

CSQ3 - Design

CSS1 - The Overall Strategy

5.2 South Oxfordshire Local Plan 2011 (SOLP 2011) policies;

C4 - Landscape setting of settlements

C8 - Adverse affect on protected species

C9 - Loss of landscape features

D1 - Principles of good design

D2 - Safe and secure parking for vehicles and cycles

D3 - Outdoor amenity area

D4 - Reasonable level of privacy for occupiers

D10 - Waste Management

EP8 - Contaminated land

E8 - Re-use or adaptation of rural buildings outside built up areas

G2 - Protect district from adverse development

T1 - Safe, convenient and adequate highway network for all users

T2 - Unloading, turning and parking for all highway users

5.3 Supplementary Planning Guidance/Documents

South Oxfordshire Design Guide 2016 (SODG 2016)

5.4 National Planning Policy Framework (NPPF)

National Planning Policy Framework Planning Practice Guidance (NPPG)

6.0 PLANNING CONSIDERATIONS

6.1 Although the site does not fall within the confines of a settlement specifically allocated for housing development under the current Development Plan, Policy E8 of the SOLP takes a relatively permissive stance to proposals for the re-use of rural buildings. This is provided that:

- they are of permanent and substantial construction and are capable of conversion without major or complete reconstruction;
- their form, bulk and general design are in keeping with their surroundings;
- the fabric and essential character of the buildings are maintained;
- there are no overriding amenity, environmental or highway objections;
- in the case of proposals for residential use, other uses have been explored and found to be unacceptable in planning terms.

The application could also be weighed against relevant guidance within the NPPF which repeatedly makes reference to the importance of re-using brownfield land and supports exceptions to housing policy where a proposal would 're-use redundant or disused buildings and lead to an enhancement to the immediate setting' (paragraph 79c)

Principle of conversion

- 6.2 The main barn is a substantial, timber clad structure on brick plinth and in generally good condition. The stabling and storage buildings to the rear, whilst not benefitting from planning permission, have been in situ for a number of years and are likely to be immune from enforcement action. In any event, they are relatively innocuous buildings which have an ancillary function and appearance within the site. None of the buildings proposed for conversion have the appearance of temporary or moveable structures and officers are satisfied that they are capable of conversion to alternative uses without significant works of reconstruction.

Residential use

- 6.3 Although alternative commercial uses have not been fully considered in this proposal, in accordance with clause (vii) of saved Policy E8, this requirement is at variance with more recent guidance in the NPPF, which places a strong emphasis on the importance of re-using redundant rural buildings without a bias in favour of commercial uses. On this basis, the council has consistently accepted the principle of residential conversions on other sites without insisting upon more onerous marketing or detailed viability information.
- 6.4 Notwithstanding the above, consent was only ever granted for the personal equestrian use of the building by the applicants. Permission has never been granted for commercial livery or other business uses and if the building were to be marketed as such, this would result in potential breaches of planning control. Having regard to the characteristics of the highway and the open character of the surrounding land, officers would have concerns over the visual impact associated with more intensive commercial uses of the site or resultant increases in heavy goods or other vehicular movements. Whilst this is a comparatively isolated location, with few amenities accessible without public transport, there is a cluster of residential land within the immediate locality and a residential conversion of this building would be preferable to a commercial one.
- 6.5 With regard to the current operational status of the building, officers accept that it is currently in use. However, there is no reason to challenge the applicant's statement that the building is now surplus to their requirements following alternative provision approved at Crockmore Farm. If this leads to the building and associated operational development within the site being redundant, then there is no reason why the housing exceptions advice provided within Paragraph 79 of the NPPF should not weigh in the planning balance.

Scale, design and landscape impact

- 6.6 In terms of the scale and design, officers note that the building does not have the appearance of a conventional residential property. However, it is an existing established feature within the local landscape as indicated within the range of consultation responses. It is also worthy of note that the other dwellings within the locality are bespoke, with significant variations in footprint, heights, layout, external finishes and detailing. As required by Policy E8, the external changes to the main building would be sensitive to its defining form and character and the property would remain legible as a former equestrian site rather than a more generic form of volume housing which the council would strongly resist. The proposal would not add overly domestic features to the building.
- 6.7 Whilst the conversion and attachment of the stabling to the rear of the building has also attracted many objections, the link itself would be a very modest structure. If permission had been granted solely for the conversion of the main building, the subsequent provision of modest, ancillary structures within the site would be unlikely to be objectionable.
- 6.8 In terms of the visual impact upon the wider landscape, officers accept that the site is divorced from the line of housing to the east and as such, it is a sensitive location. There is a high degree of visibility of the site from parts of the footpath immediately to the east and some views from farther afield which are likely to be more pronounced in winter months. It is nonetheless the case that the current proposal would reduce the amount of hardstanding within the site, reinstating areas of grassland and remove the manege to the rear. Appropriate boundary treatment would be provided, filtering views of the structures. Whilst it is conceivable that some domestic paraphernalia would be visible, this would need to be weighed against the potential presence of commercial vehicles, HGV traffic or attendant jumps, fences or lighting associated with alternative uses for the site.
- 6.9 With regard to light pollution, there is already internal and external lighting attached to the existing buildings and the larger openings now proposed would be mostly confined to ground floor level where there would be more screening afforded by the proposed boundary treatments. No objections were received from the council's ecologist in relation to the associated wildlife impact. Whilst it is possible that there would be some additional light spillage as a result of the residential use, this would be localised and most evident from around the existing housing area. The impact upon views from farther afield would be very limited. Officers are satisfied that this would not detract from the intrinsic natural beauty of the wider landscape.
- 6.10 The Forestry Team is satisfied that an appropriate landscaping scheme can be achieved as a condition of consent which would better integrate the development into the parkland setting. This should include all boundary treatments and detail of any hardsurfacing. Provided that permitted development (PD) rights are also revoked for the provision of any further ancillary structures within the site, in order to help preserve its open character, officers are satisfied that the proposal would not materially harm the special rural character of this part of the Chilterns AONB

Neighbouring amenity

- 6.11 Having regard to the location of the building and the significant distances to the nearest residential properties, there would not be any significant impacts in terms of loss of light, outlook or privacy.

Highway safety

- 6.12 The proposal would provide adequate off-street parking provision in accordance with the maximum standards set out under Appendix 5 to the SOLP. Neither the Local Highways Authority nor the Countryside Access Team raise objection to the proposed residential use on the basis of vehicular or pedestrian safety.

Environmental protection

- 6.13 No ecological issues have been raised by the council and the Environmental Protection Team accept that the potential for land contamination can be addressed as a condition of consent.

Community Infrastructure Levy (CIL)

- 6.14 The minor increase in floorspace would be CIL liable, although there are potential discounts in relation to self-build exemption.

7.0 CONCLUSION

- 7.1 The proposal broadly complies with the relevant Development Plan policies and national planning guidance. The District Council is satisfied that the principle of the conversion of the building to residential use is acceptable and that the proposal has the potential to improve the appearance of the site to the benefit of the wider landscape setting of the AONB. The proposal is also acceptable in terms of the impact upon neighbouring amenity and highway safety.

8.0 RECOMMENDATION

- 8.1 **To grant planning permission, subject to the following conditions:**

- 1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.**
- 2. Development to be implemented in accordance with the approved plans unless varied by other conditions of consent.**
- 3. Prior to the commencement of any works to the existing buildings, a schedule of the external materials shall be submitted to, and approved in writing by, the Local Planning Authority.**
- 4. Notwithstanding the details shown on the approved plans, a scheme for the landscaping of the site, including planting, boundary treatment and hardstanding, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby permitted. The scheme shall be implemented prior to the first occupation.**
- 5. The developer shall confirm in writing to the Local Planning Authority the presence of any unsuspected contamination encountered during the development. In the event of any contamination to the land and/or water being encountered, no development shall continue until a programme of investigation and/or remedial works to include methods of monitoring and certification of such works undertaken has been submitted to and approved in writing by the local planning authority.**
- 6. Notwithstanding the provisions of the Town and Country Planning (general permitted development) Order 2015, no alterations to the exterior of the buildings or the erection of incidental/ ancillary structures (as described Under Part 1, Classes A, B, C, E and F of the Order) shall be implemented without the express grant of planning permission from the Local Planning Authority.**

7. **Notwithstanding the provisions of the Town and Country Planning (general permitted development) Order 2015, no means of enclosure (as described Under Part 2, Class A, shall be erected within the curtilage of the site without the express grant of planning permission from the Local Planning Authority.**

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