

APPLICATION NO.	P20/S1342/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	16.4.2020
PARISH	CROWMARSH GIFFORD
WARD MEMBER(S)	Sue Cooper Andrea Powell
APPLICANT	Messrs Merson
SITE	'New Barn', Mongewell Park Farm, Constitution Hill, Mongewell, OX10 8BS
PROPOSAL	Demolition of building. New dwelling with garden and laid out parking area and improved entrance.
OFFICER	Will Darlison

1.0 INTRODUCTION AND PROPOSAL

- 1.1 This application is referred to Planning Committee at the Planning Manager's discretion because Officer's recommendation of approval conflicts with that of Crowmarsh Gifford Parish Council.
- 1.2 New Barn is an unlisted single storey open sided barn located at the West end of Constitution Hill where it meets The Ridgeway. Located within the built-up limits of the village of Mongewell on its outer edge, the application site is located within the Chilterns Area of Outstanding Natural Beauty.
- 1.3 A plan identifying the site can be found at **Appendix 1** to this report.
- 1.4 The application seeks planning permission for the demolition of the existing vacant agricultural barn and the erection of a two-bedroom single-storey dwelling with associated access, parking and amenity garden space.
- 1.5 The existing detached barn benefits from extant planning permission under application reference P18/S1255/FUL to be converted to a residential dwelling.
- 1.6 Reduced copies of the plans accompanying the application can be found at **Appendix 2** to this report. All the plans and representations can be viewed on the Council's website www.southoxon.gov.uk under the planning application reference number.

2.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

2.1 Crowmarsh Parish Council – Objection

- Objection on the basis of the village being an unsustainable location for additional housing such as what is proposed.
- Highway concerns given the extant permission for 166 houses particularly given the limited visibility at the bottom of Constitution Hill. Assertion made that the Highway Authority has not taken any account of the impact the major housing development will have on highway matters.
- The barn conversion previously approved was never going to be workable as the building is merely a lean-to shed.

County Archaeological Services – No objection

Countryside Officer – No objection subject to conditions

Drainage – No objection subject to conditions

OCC Highways Liaison Officer – No objection subject to conditions

Env. Protection Team – No comments

Countryside Access – No response received

Forestry Officer - No objection subject to conditions

Neighbour representations - Neighbour objection x (3)

- Increased risk to highway safety.
- Negative impact on the beauty and peace of the area.
- Concerns that there is not enough provision in the plans to preserve the screening between the site and the neighbouring flats.
- A greater value should be placed upon the retention of the mature trees present on the site as they are well established and provide welcome screening from road noise.

3.0 **RELEVANT PLANNING HISTORY**

3.1 [P19/S4707/PEM](#) – Response (10/02/2020)

Redevelopment of existing building which has consent for re-use via construction of new dwelling.

[P18/S2155/FUL](#) - Approved (07/08/2018)

Change of use of existing redundant barn to 1 no. two-bedroom residential unit

[P18/S0179/FUL](#) - Withdrawn (15/03/2018)

Demolish existing barn and erect three new terraced dwellings with parking.

[P17/S1092/PEM](#) – Response (02/06/2017)

Change of use of existing barn to residential unit/dwelling

4.0 **ENVIRONMENTAL IMPACT ASSESSMENT**

4.1 N/A

5.0 **POLICY & GUIDANCE**

5.1 **National Planning Policy Framework and Planning Practice Guidance**

5.2 **South Oxfordshire Core Strategy 2027 (SOCS) Policies:**

CSEN1 - Landscape protection

CSQ3 - Design

CSR1 - Housing in villages

5.3 **South Oxfordshire Local Plan 2011 (SOLP) Policies:**

C9 - Loss of landscape features

EP1 - Adverse affect on people and environment

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

G2 - Protect district from adverse development

H4 - Housing sites in towns and larger villages outside Green Belt

- T1 - Safe, convenient and adequate highway network for all users
- T2 - Unloading, turning and parking for all highway users

5.4 **South Oxfordshire Emerging Local Plan 2034 Policies:**

The council is currently progressing the emerging local plan through the examination stage. The plan currently carries limited weight. Relevant policies include;

- DES1E - Delivering high quality development
- DES2E - Enhancing local character
- DES5E - Outdoor amenity space
- DES6E - Residential amenity
- ENV1E - Landscape and countryside
- ENV3E - Biodiversity Non designated sites, habitats and species
- H8E - Housing in the smaller villages
- STRAT1E - The overall strategy

5.5 **Crowmarsh Neighbourhood Plan Policies:**

Mongewell lies within Crowmarsh parish. Crowmarsh Parish Council are working on a Neighbourhood Plan. The Neighbourhood Area was formally designated on 1 June 2017. The parish council is consulting on their draft neighbourhood plan. The eight-week consultation concluded on 21 August 2020 and the parish are working on the consultation responses. The plan has limited weight at this stage.

- 5.6 Relevant emerging policies;
- CRP1 – Village boundaries and infill development
 - CRP4 – Conservation and environment

5.7 **Supplementary Planning Guidance/Documents**

South Oxfordshire Design Guide 2016 (SODG)

5.8 **Other Relevant Legislation**

Human Rights Act 1998

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

Equality Act 2010

In determining this planning application the Council has regard to its equalities obligations including its obligations under Section 149 of the Equality Act 2010.

6.0 **PLANNING CONSIDERATIONS**

6.1 **The relevant planning considerations are the following:**

- **Principle of development.**
- **Impact on neighbours.**
- **Impact on the character and appearance of the existing building and the wider area.**
- **Impact on the Chilterns Area of Outstanding Natural Beauty.**
- **Impact on trees.**
- **Impact on protected species.**
- **Impact on parking, access and amenity space.**
- **Impact on drainage.**
- **Other issues.**

- 6.2 **The principle of the development.** Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 6.3 Section 70 (2) of the Town and Country Planning Act 1990 provides that the local planning authority shall have regard to the provisions of the Development Plan, so far as material to the application, and to any other material considerations.
- 6.4 The principle of the replacement of the existing barn with a single residential dwelling would, in my view fall within Policy CSR1 of the SOCS as the site is considered to be located within the built-up area of the village of Mongewell.
- 6.5 Policy CSR1 states that redevelopment proposals in all categories of settlement (larger, smaller, other) may be acceptable but will be considered on a case by case basis through the development management process in line with other policies in the Development Plan. Mongewell is classified an ‘other village’ of the SOCS, which in Policy CSR1 allows infill development on sites up to 0.1ha. The application site area is some 0.075 ha and, on that basis,, I am satisfied that the principle of redevelopment taking place on this site is an acceptable one. In addition, it should be noted that there is a realistic fallback position with the conversion of the existing barn to a residential use.
- 6.6 Where a proposed housing development is acceptable in principle and accords with Policy CSR1 of SOCS then the details of the proposal need to be assessed against the criteria of saved Policy H4 of the SOLP. Policy H4 is permissive in terms of new dwellings subject to a number of provisions and is considered to constitute a sound and robust basis for the assessment of this proposal. The aforementioned provisions are;
- *An important open space of public, environmental or ecological value is not lost, not an important view spoilt*
 - *The design, height, scale and materials of the proposed development are in keeping with its surroundings*
 - *The character of the area in not adversely affected*
 - *There should be no overriding amenity or environmental or highway objections*
 - *If the proposals constitutes back land development it would not cause problems of privacy and access and would not extend the built up limits of the settlement*
- 6.7 In terms of the first provision the site to be developed does not form an important open space or one with environmental or ecological value and the development proposed would not spoil an important public view. The rest of the provisions shall be covered over the course of this report. Although it is worth noting that the final provision pertaining to back land development is not relevant to the proposed development in this instance due to being directly accessed from the highway.
- 6.8 In addition, it is important to clarify that Policy CRP1 of the pre-submission version of the Crowmarsh Gifford Neighbourhood Plan, would allow for infill development within the village boundaries of Crowmarsh, Mongewell and North Stoke, relative to the specific settlement hierarchy requirements, provided they are in accordance with the relevant policies in the development plan. The Neighbourhood Plan defines the village settlement boundaries for Crowmarsh Gifford, Mongewell and North Stoke and the application site falls within the one for Mongewell. This situation therefore supports the in-principle acceptable status of this proposal as set out in paragraph 6.5 of this report.

- 6.9 **Impact on neighbours.** Policy D4 of the SOLP states that all new dwellings should be designed and laid out so as to secure a reasonable degree of privacy for the occupiers. Development will not be permitted if it would unacceptably harm the amenities of neighbouring properties through loss of privacy, daylight or sunlight or as a result of being overbearing.
- 6.10 There is located to the South of the site a development consisting of sixteen flats at Mongewell Court. The closest block of which is located at a distance of some 12 metres from the end of the proposed building. The space lying in the intervening space would be the garden for the proposed dwelling, the southern boundary of which shall be delineated with hedging. This spatial arrangement combined with the single storey scale of the proposal and the functional nature of the north facing aspect of the neighbouring flats means the proposed building would not be overbearing or oppressive on the neighbouring flats and what not result in the loss of ambient daylight or direct sunlight.
- 6.11 The level of privacy to the garden of the dwelling itself, which would be located to the south of the barn would be reasonable in my opinion. The flats along the southern boundary would have their view into the space in question as it is screened by trees and hedges along the boundary. Furthermore, the Northern elevation of these flats are the front doors of the properties and so are functional access routes for access and not areas where the occupants would spend extended amounts of time relaxing or socialising. Therefore, I do not consider that these neighbouring flats would experience harm aided further by virtue of the absence of an upper storey to the barn, the absence of any side facing windows and the aforementioned degree of separation. I am therefore satisfied that the development would be compliant with Policy D4 of the SOLP.
- 6.12 **Impact on the character and appearance of the existing building and the wider area.** The proposed dwelling like the existing barn would be of a simple, uncomplicated design with a dual pitched roof. The proposed replacement structure would in my view not materially deviate substantially from the appearance of the existing building. The use of timber boarding to the walls, the single storey scale and the rectangular plan form all reinforce the rural agricultural aesthetic that is an established characteristic of the site. Whilst the new building would be fully enclosed, which would be in contrast the existing partially open barn, this east facing aspect would face into the parking area and consist of sliding doors that would not look incongruous and is certainly within the established vernacular of a barn conversions in a rural location.
- 6.13 The most prominent external change when viewed from outside the site would be the replacement of the existing roof coverings with plain clay tiles. I consider that this would be a significant enhancement as the existing barns roof covering is profiled asbestos cement sheeting. It is my view this change of material would contribute to uplifting the visual amenity of the site and of the wider area.
- 6.14 The proposed development would, in my professional opinion be acceptable in design terms and not at odds with the character and appearance of the wider area, which in this instance is unique due to the presence of a number of houses and flats employing flat roofs that are less than ideal in terms of preserving the otherwise prevalent rural village character of the settlement.
- 6.15 **Impact on the Chilterns Area of Outstanding Natural Beauty.** Policy CSEN1 of the South Oxfordshire Core Strategy (SOCS) gives a high priority to the conservation and enhancement of the Chilterns and North Wessex Downs Areas of Outstanding Natural Beauty and that planning decisions will have regard to their setting.

- 6.16 Valuable portions of the intrinsic rural character of the barn would be retained as the replacement building would not involve significant enlargement or change to the form, with the exception of the previously mentioned use of plain clay roof tiles. I am therefore of the view that the outward appearance of the proposed would still draw strong links to the agricultural history of the site and that the clay tiles on the roof would be a desirable addition to the palette of materials. This would be aided with the retention of feather edged boarding on the external walls.
- 6.17 The proposed parking area would be sited where an existing concrete parking area in connection with the barn is located. Whilst the site is not currently in use there is nothing preventing it resuming and as such, I do not consider that the use of the parking area for domestic cars to be any more harmful than for agricultural machinery particularly given the small size of the site.
- 6.18 I am therefore, satisfied that in conjunction with a condition to secure landscaping the proposal would not be damaging to the special landscape character of the Chilterns Area of Outstanding Natural Beauty.
- 6.19 **Impact on trees.** The existing trees on site are not currently subject to protection in the form of a Tree Preservation Order and the site is not within a designated conservation area. This means that the trees on the site could be removed without the need for approval from the District Council. However, despite the above that does not mean that they are without landscape value and make a contribute to the rural character of the site and the wider area.
- 6.20 The proposed development would see the removal of a group of 5 trees situated as a group along the boundary with Conduit Hill, a single tree on the eastern boundary and a group of small diameter trees aligned towards the western boundary with The Ridgeway. The proposed site plan indicates that the more mature trees, which I consider to be the more valuable in amenity terms, situated in the southern section of the site are to be retained.
- 6.21 The Forestry Officer undertook a site visit in order to assess the impact of the proposed development and the above outlined tree removals alongside the submitted Arboricultural Impact Assessment. He had no objection to the proposed development subject to conditions to protect the trees that are to be retained on site and secure landscaping. The landscaping condition will ensure that the loss of trees on the site would be mitigated through the securing of replacement tree and hedge planting
- 6.22 I consider that the two conditions recommended by the Forestry Officer are reasonable and justified. They would be advantageous in softening the impact of the development on this site upon the wider landscape character of the area as well as helping to protect the amenities of both the application site and the nearby flats.
- 6.23 **Impact on protected species.** The application is supported by a Protected Species Survey Report as the site contains a bat feeding perch and bird nesting opportunities. As such, the site will need to be registered under the bat mitigation class licence to implement works lawfully. The Countryside Officer considers that the mitigation and enhancement measures proposed in the report are suitable, as was the additional landscape planting around the edge of the site. He has no objection to the application subject to the attachment of conditions.
- 6.24 The first condition proposed would require that prior to commencement of development evidence of the successful registration of the site under the bat mitigation class licence

from Natural England, specific to the development be submitted and approved by the local planning authority.

6.25 The second condition would require that development proposed be implemented in accordance with the recommendations made with section 6 of the supporting Protected Species Survey Report. I consider that both conditions are reasonable and necessary.

6.26 **Impact on parking, access and amenity space.** For two-bedroom properties the council's standard seeks to ensure that as a minimum 50 square metres of private amenity space is provided. The submitted site plan of the site depicts that proposed dwelling would be afforded some 300 square metres of amenity garden space. Therefore, I consider that there is ample amenity space for a two-bedroom property.

6.27 With regards to parking and access issues I have consulted with the Oxfordshire County Council Highway Authority who have commented as follows;

'The proposal seeks the demolition of the building and the construction of a residential dwelling.

Given the characteristics of the carriageway, vehicular traffic and speeds are likely to be low.

The proposal is unlikely to have a significant adverse impact on the highway network.

6.28 The Highway Officer has recommended four conditions. These would be used to ensure that the access is constructed in accordance with local highway authority specifications, that vision splays depicted on plan are maintained unobstructed, that the parking area would be in accordance with the submitted plans and that any gates to the site be set back a minimum of 5 metres from the edge of the carriageway. These are in my opinion necessary to protect highway safety and are in accordance with SOLP Policies T1 and T2.

6.29 Comments have been made by the Parish Council indicating that the Highways Liaison Officer has not taken into any account the impact from the approved but not implemented major housing scheme at Carmel College. This is noted but planning applications must be assessed first and foremost on the current on site conditions and as such it is spurious to expect the non-existent impact of a scheme that has yet to be implemented to be given any particular weight in their response. In addition it should be noted that there are a number of highway improvements associated with the approved major scheme at Carmel College to accommodate the anticipated growth in traffic.

6.30 The conditions in question would ensure that the existing means of access shall be improved and laid out and constructed appropriately, that the proper level of visibility splays are demonstrated for the access and that the parking and turning areas are implemented and retained in accordance with drawing 854.2 Rev A.

6.31 **Impact drainage.** The site lies adjacent to an area identified as Flood Zone 2 by the Environment Agency. Consultation with our Drainage Engineers resulted in no objection being raised to the proposed development subject to the attachment of conditions requiring the submission of a full surface and foul water drainage schemes for approval. This is considered to be reasonable and necessary to ensure flooding or pollution is not exacerbated in the locality.

6.32 **Other issues.** The council's CIL charging schedule has been adopted and applies to relevant proposals from 1 April 2016. CIL is a planning charge that local authorities can implement to help deliver infrastructure and to support the development of their area and is primarily calculated on the increase in footprint created as a result of the development. In this case the CIL is liable for the creation of a new residential unit but the liable amount shall be offset due to the demolition of the existing floor space.

7.0 **CONCLUSION**

7.1 Officers recommend that planning permission is granted as the proposed development would be of an appropriate rural inspired design, which would integrate well into the site, the wider landscape and not be harmful to the setting of nearby listed buildings. It would not be unneighbourly and would be afforded a generous amount of amenity space with vehicular access and parking provided for in accordance with the required standards. In conjunction with the attached conditions the proposal is in accordance with the Development Plan.

8.0 **RECOMENDATION**

8.1 **Grant Planning Permission subject to the following conditions;**

- 1 : Commencement three years - Full Planning Permission**
- 2 : Approved plans**
- 3 : Materials as on plan**
- 4 : Existing vehicular access**
- 5 : Vision splay protection**
- 6 : Parking & Manoeuvring Areas Retained**
- 7 : Gate/carriageway**
- 8 : Landscaping Scheme (trees and shrubs only)**
- 9 : Tree Protection (General)**
- 10 : Surface Water Drainage**
- 11 : Foul drainage works (details required)**
- 12 : Evidence of Natural England Bat Licence**
- 13: Wildlife Protection (mitigation and enhancement as approved)**

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