

APPLICATION NO.	P21/S2551/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	2.6.2021
PARISH	CLIFTON HAMPDEN
WARD MEMBER(S)	Sam Casey-Rerhaye
APPLICANT	Mr A Stewart
SITE	Waterstone House, Burcot, OX14 3DN
PROPOSAL	Works of demolition, extension, alteration and conversion of the existing storage building to form a self-contained dwelling (19-08-2021 amended neighbour notification certificates following notification on all frontages of access road and structural survey).
OFFICER	Andy Heron

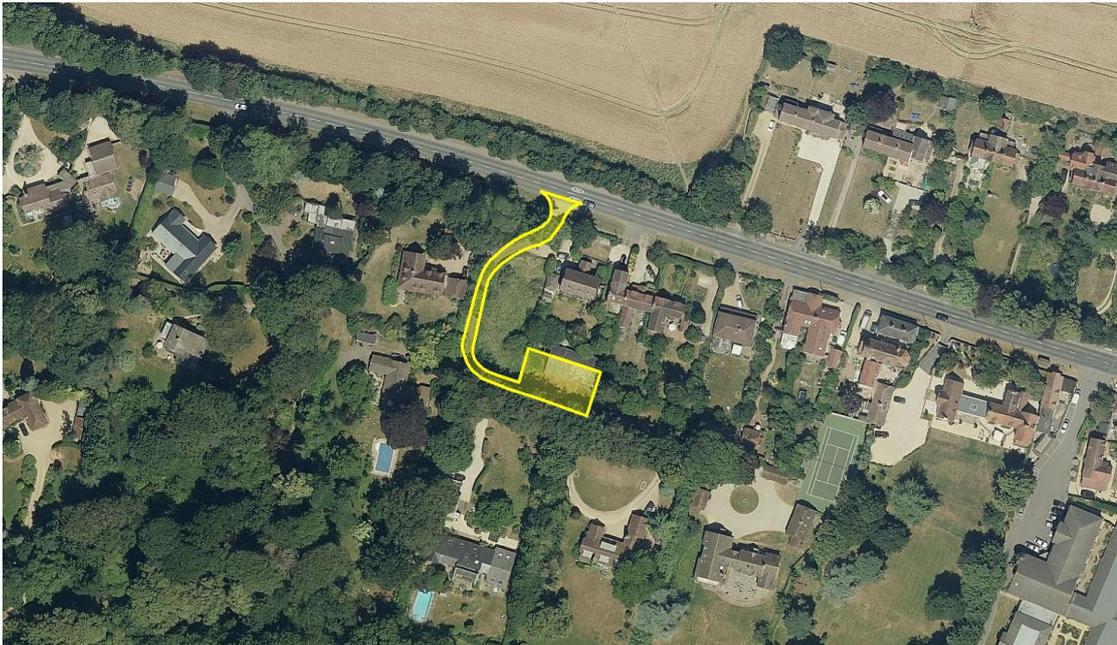
1.0 INTRODUCTION

- 1.1 This report sets out the officer’s recommendation that planning permission should be granted having regard to the material planning considerations and the development plan.
- 1.2 The application is referred to planning committee by councillor Casey-Rerhaye who has called in the application with concerns in relation to drainage, whether the building is capable of conversion, and the potential loss in privacy to neighbouring occupants. A map extract identifying the site is attached at **Appendix 1**.
- 1.3 The site is within the Green Belt and designated as an area of archaeological interest. It covers a 0.07 hectare area and consists of a single storey timber clad storage building on land to the north-west of Waterstone House, Burcot. Large dwellings set within spacious plots are located to the south and east, with more traditional early 20th century dwellings situated to the north. The building has a lean-to pitched roof with a maximum height of 4.4 metres and a footprint measuring 4.9 metres by 18.6 metres. The building forms the southern half of a former barn, sharing a party wall to the north with the northern part of the barn which is within the rear garden of Withywindle. Vehicle access is via Abingdon Road to the north-west.

PROPOSAL

- 1.4 Planning permission is sought for the alteration and conversion of the storage building to form a one bedroomed dwelling. To enable the works a 3-metre-wide section of the western end of the building, and a 1-metre-wide section to the east will be demolished. In addition, the footprint of the south extension will extend by 1.2 metres to the south to increase the depth of the building. The pitch of the roof will also be reduced to accommodate the additional depth.
- 1.5 Externally the building will be finished with dark stained, horizontal weatherboarding over a brick plinth, with a slate roof. Fenestration will also be inserted in the southern roof slope and east, south and west elevations.
- 1.6 Vehicle access will be taken from the exiting access via Abingdon Road. One car parking space will be situated on-site to the west of the dwelling. An area of amenity space will be provided to the west of the dwelling.

1.7 An aerial photograph showing the surrounding area is shown below.



1.8 Reduced copies of the plans accompanying the application are attached as **Appendix 2** to this report. All the plans, supporting information 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 The comments below represent the latest comments on the scheme. Full details of the representations can be viewed on the Council’s website www.southoxon.gov.uk under the planning reference number.

Clifton Hampden Parish Council	No comment.
Letters of representation	<p>4 letters of representation received, consisting of 1 letter of support and 3 letters of objection.</p> <p>The 1 letter of support stated;</p> <ul style="list-style-type: none"> - The current building is an eyesore and will provide much needed housing and re-use a redundant building. <p>The 3 letters of objection were concerned with;</p> <ul style="list-style-type: none"> - Lack of information - Drainage concerns - Wildlife implications - Green Belt implications - Impact on the character and appearance of the area - Highway safety - Impact on neighbouring amenity - Impact on amenity of future occupants - Noise - Harm to a non-designated heritage asset

Oxfordshire County Council Archaeological Services	No objection. The site is located in an area of archaeological interest however the development is of a relatively small scale and as such there are no archaeological constraints to this scheme.
Countryside officer	No objection.
Drainage	No objection, subject to surface water and foul water drainage conditions.
Highways (Oxfordshire County Council)	No objection, subject to a car parking condition. The existing building would have generated a level of vehicular movements. It is considered the proposed dwelling would generate a similar level of vehicle movements. Given the characteristics of the carriageway, vehicular traffic and speeds are relatively low. The proposal is unlikely to result in any significant intensification of transport activity at the site, in addition the development is unlikely to have a significant adverse impact on the highway network.
SGN Plant Protection Team	No objection.

3.0 RELEVANT PLANNING HISTORY

3.1 One previous application of relevance.

[P20/S1133/LDE](#) - Approved (29/06/2020)

Certificate of existing lawful use for the use of the building for domestic/residential storage purposes (Use Class B8).

4.0 ENVIRONMENTAL IMPACT ASSESSMENT

4.1 The application has been considered under the provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. The proposed development is not EIA development.

5.0 POLICY & GUIDANCE

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of any planning application must be made in accordance with the development plan unless material considerations indicate otherwise. The statutory Development Plan comprises:

- The Local Plan 2035
- Adopted neighbourhood plans

5.2 The South Oxfordshire Local Plan (SOLP) 2035 policies which are relevant to the proposed development consist of:

- DES1 - Delivering High Quality Development
- DES2 - Enhancing Local Character
- DES5 - Outdoor Amenity Space
- DES6 - Residential Amenity
- DES7 - Efficient Use of Resources
- DES8 - Promoting Sustainable Design
- ENV2 - Biodiversity - Designated sites, Priority Habitats and Species
- ENV3 - Biodiversity
- ENV6 - Historic Environment

ENV9 - Archaeology and Scheduled Monuments
ENV12 - Pollution - Impact of Development on Human Health, the Natural Environment and/or Local Amenity (Potential Sources of Pollution)
EP3 - Waste collection and Recycling
H1 - Delivering New Homes
H8 - Housing in the Smaller Villages
H16 – Backland, Infill and Redevelopment
INF4 - Water Resources
STRAT1 - The Overall Strategy
STRAT6 - Green Belt
TRANS2 - Promoting Sustainable Transport and Accessibility
TRANS5 - Consideration of Development Proposals

5.3 Neighbourhood Plan

There is no neighbourhood plan for this area.

5.4 Other material considerations include government guidance, in particular:

- The National Planning Policy Framework (NPPF)
- The National Planning Practice Guidance (NPPG)
- National Design Guide Planning practice guidance for beautiful, enduring and successful places (NDDG)
- South Oxfordshire Design Guide 2016 (SODG 2016)
- South Oxfordshire Infrastructure Delivery Plan (April 2020)
- South Oxfordshire Section 106 Planning Obligations Supplementary Planning Document (1st April 2016)

5.5 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
- Green Belt
- Is the building capable of conversion?
- Impact on the character and appearance of the area
- Is the building a non-designated heritage asset and would the development create harm?
- Residential amenity
- Residential amenity of future occupants
- Access and Parking
- Wildlife implications
- Drainage
- Other matters

6.2 Principle of development

The site is situated within the built area of Burcot. Burcot is designated as one of the district's smaller villages. Policy STRAT1 of the SOLP allows for limited amounts of housing in smaller villages. Policy H16 of the SOLP supports the redevelopment of buildings within smaller villages. The principle of development is therefore acceptable.

6.3 Green Belt

Policy STRAT6 of the SOLP seeks to protect the Green Belt from harmful development. Its main aim is to prevent urban sprawl by keeping land permanently open.

6.4 Paragraph 150d of the NPPF states that the re-use of permanent and substantial buildings is not inappropriate development in the Green Belt provided the development preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. An additional exception which is relevant to this proposal is paragraph 149g which allows the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt than the existing development.

6.5 Officers consider that the application accords with both of the above exceptions. The supporting structural survey states that the barn is believed to have stood since the late 18th Century. It concludes that the barn is in a reasonable structural condition for its age and past usage and can be safely converted. The development would involve an alteration to the building which would involve alterations to the roof, the demolition of western and eastern parts of the existing building, and a small extension to the south. There will be a 10 square metre reduction in floor space which shows the development will not result in disproportionate additions over and above the size of the original building. The development is therefore considered to preserve the openness of the Green Belt and will not conflict with the purposes of including land within it.

6.6 It is therefore considered that the development is appropriate, however it is unlikely that any further extensions will be considered appropriate in the future due to Green Belt constraints. The development will comply with policy STRAT6 of the SOLP and paragraphs 149 and 150 of the NPPF.

6.7 Is the building capable of conversion?

Concern has been raised whether the building is capable of conversion. The applicants have submitted a structural survey which concludes that the barn is in a reasonable structural condition for its age and past usage and can be safely converted.

6.8 Nevertheless, it has already been demonstrated that the principle of the development is acceptable as the proposed works would represent the redevelopment of a previously developed site within the built area of Burcot. The development would also accord with Green Belt policy on this basis.

6.9 The conversion is stated in the description of the development. If the building is not capable of conversion a new planning consent would be required.

6.10 **Impact on the character and appearance of the area**

Policy DES1 of the SOLP seeks to ensure that all new development is of a high-quality design. One of the key requirements of the policy is to ensure development respects the local context working with and complementing the scale, height, density, grain, massing, type, and details of the surrounding area. Policy DES2 of the SOLP requires development to enhance local character, it states that new development must be designed to reflect the positive features that make up the character of the local area and should both physically and visually enhance and complement the surroundings.

6.11 The works will maintain the original agricultural/ stable character and tidy up a tired and underutilised building. The alterations and conversion are considered to enhance the character of the site and the wider area.

6.12 The application is considered to comply with policy DES8 of the SOLP. High levels of insulation and sustainable technologies are proposed to be utilised to maximise the energy and water efficiency of the building.

6.13 In view of the above the design of the dwelling is considered to fit with the surrounding character of the area. The development therefore accords with policies STRAT1, DES1, DES2, and DES8 of the SOLP.

6.14 **Is the building a non-designated heritage asset and would the development create harm?**

Non-designated heritage assets are buildings, monuments, sites, places, areas or landscapes identified by plan-making bodies as having a degree of heritage significance meriting consideration in planning decisions, but which do not meet the criteria for designated heritage assets.

6.15 A substantial majority of buildings have little or no heritage significance and thus do not constitute heritage assets. Only a minority have enough heritage significance to merit identification as non-designated heritage assets.

6.16 There are several processes through which non-designated heritage assets may be identified, including the local and neighbourhood plan-making processes and conservation area appraisals and reviews. Irrespective of how they are identified, it is important that the decisions to identify them as non-designated heritage assets are based on sound evidence.

6.17 Plan-making bodies should make clear and up to date information on non-designated heritage assets accessible to the public to provide greater clarity and certainty for developers and decision-makers. This includes information on the criteria used to select non-designated heritage assets and information about the location of existing assets.

6.18 It is important that all non-designated heritage assets are clearly identified as such. In this context, it can be helpful if local planning authorities keep a local list of non-designated heritage assets, incorporating any such assets which are identified by neighbourhood planning bodies.

6.19 The council does not keep a record of non-designated heritage assets, although important historical buildings are often mentioned in conservation area appraisals and neighbourhood plans. Unfortunately, there is no conservation area appraisal or adopted neighbourhood plan for this area. In the absence of the above document's officers do not consider that the building is a non-designated heritage asset.

- 6.20 Paragraph 203 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining applications. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 6.21 Even if the building was a non-designated asset it has already been stated above that the development is considered to enhance the character of the building and the surrounding character of the area. There would therefore be little harm in terms of the development on the historical features of the building, particularly as the building could be safely converted.
- 6.22 **Residential amenity**
Policy DES6 of SOLP aims to protect the amenity of neighbouring uses from loss of privacy or day/sunlight, visual intrusion, noise, contamination or external lighting. There is unlikely to be any loss in privacy caused by the development. Withywindle is the nearest dwelling to the site which is situated 21 metres to the north. Neighbouring properties are a sufficient distance away and are unlikely to suffer from a loss of light or privacy. Particularly as the dwelling will be single storey.
- 6.23 It is accepted there may be some increase in noise levels during construction, although this will only be temporary. The highway officer has confirmed the traffic levels to and from the site will be no different from the current levels. It is therefore considered there will be no harmful impact in terms of noise towards neighbouring occupants. To ensure the development preserves neighbouring amenity a condition will be attached to remove permitted development rights for extensions, roof alterations and outbuildings.
- 6.24 The development will not result in significant adverse impacts on the amenity of neighbouring uses and is therefore considered to comply with policy DES6 of the SOLP.
- 6.25 **Residential amenity of future occupants**
Policy DES5 of the SOLP aims to ensure that all new dwellings have an adequate provision of private outdoor garden. The garden size will be dictated by the number of bedrooms and minimum garden sizes are prescribed in the South Oxfordshire Design Guide. For 1 bedroom dwellings gardens should be at least 35 square metres in size. The proposed plot proposes 66 square metres of amenity space which easily exceeds the minimum standard. The proposal accords with policy DES5 of the SOLP.
- 6.26 **Access and Parking**
Policy TRANS5 of the SOLP requires development to provide safe and convenient access for all users to the highway. The dwelling will have one on-site car parking space on the front driveway.
- 6.27 Vehicle movements to and from the site are considered to remain as existing. Oxfordshire County Council's highway liaison officer has raised no objection to the proposed development, subject to a parking condition which will need to be discharged prior to commencement of development.

6.28 Wildlife implications

Policy ENV2 of the SOLP seeks to avoid adverse impacts on ecological receptors (protected species, priority habitats, designated sites, etc.). Where adverse impacts are predicted, development must meet the tests outlined under the policy.

6.29 Neighbouring concerns have been received regarding the impact of development on wildlife habitats and protected species. The council's countryside officer has been consulted and advised that the site is unlikely to harm the habitat of local wildlife and protected species.

6.30 Policy ENV3 of the SOLP supports development that will conserve, restore and enhance biodiversity. It requires all development to provide a net gain in biodiversity where possible. As a minimum, there should be no net loss of biodiversity.

6.31 The council's countryside officer has confirmed she is satisfied that the development will not lead to a net loss in biodiversity. As a precautionary measure, the countryside officer has recommended a bat protection informative is attached to the decision in case bats are discovered during construction. It remains the legal responsibility of the applicant to ensure that a wildlife offence is not committed on site.

6.32 In view of the above the development is not considered to harm local wildlife or create a net loss in biodiversity and is therefore in compliance with policies ENV2 and ENV3 of the SOLP, and paragraph 174 and 175 of the NPPF.

6.33 Drainage

Policy INF4 of SOLP aims to ensure that development proposals demonstrate that there is or will be adequate water supply, surface water, foul drainage and sewerage treatment capacity to serve the whole development. Policy EP4 of SOLP aims to minimise flood risk directing new development to areas of the lowest probability of flooding and also aims to achieve sustainable drainage systems.

The council's drainage officer has reviewed the proposed plans and raised no objection, subject to surface water drainage and foul drainage conditions to ensure the proper provision of drainage and to ensure flooding is not exacerbated in the locality in accordance with Policy EP4 of the South Oxfordshire Local Plan 2035.

6.34 Other matters

Neighbouring concerns have been raised regarding potential implications the development may have on the northern barn which adjoins the building to the north. The buildings share a party wall (the proposed dwellings northern wall). This would not constitute a material planning consideration. Any potential impact on a party wall would be covered by the Party Wall Act which is separate legislation that falls outside of the Town and Country Planning Act.

6.35 Despite the above it is useful to note that the structural survey concludes the existing party wall foundation will not be compromised and that the building is capable of conversion.

6.36 Conditions

Paragraph 55 of the NPPF is clear that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions. The NPPF goes on to state at paragraph 56 that conditions should

only be imposed where they are necessary; relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.

6.37 A condition is necessary relating to the plans approved, in order to ensure the satisfactory appearance of the completed development. Time frame conditions will also be attached to secure the proper planning of the area in accordance with development plan policies. A compliance condition to restrict the materials to the approved plans will also be attached in the interest of visual amenity.

6.38 A condition restricting occupation of the dwelling until an electric vehicle charging point has been installed will also be attached to the planning approval to ensure sustainable forms of transport are provided in accordance with Policy DES8 of the SOLP. All other conditions have been discussed in the relevant sections of the delegated report.

6.39 **Community Infrastructure Levy (CIL)**

This application is not CIL Liable as there will be a 10 square metre reduction in floor space.

7.0 **CONCLUSION**

7.1 The application has been assessed against relevant policies in the development plan, the NPPF, PPG, the adopted SPD's and all other material planning considerations.

7.2 The application will provide an economic and social role via the creation of a smaller 1 bed dwelling unit within the district which is in short supply.

7.3 In terms of the environmental role, the development would re-use and improve a underutilised redundant building.

7.4 Overall, in the planning balance, the benefits of the development outweigh any potential harm. As such, the application is recommended for approval.

8.0 **RECOMMENDATION**

8.1 **To grant Planning Permission subject to the following conditions**

1 : Commencement three years - Full Planning Permission

2 : Approved plans

3 : Surface Water Drainage

4 : Foul Water Drainage

5 : Car parking provision

6 : Electric Vehicle Charging Points

7 : Materials

8 : Withdrawal of P.D. (Part 1 Class A, B, C, D and E)

9 : Section 151 of the Highways Act 1980 - informative

10 : Section 137 of the Highways Act 1980 - informative

11 : Bats - informative

Author: Andy Heron

E-mail : planning@southoxon.gov.uk

Contact No: 01235 422600

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