

APPLICATION NO.	P22/S3363/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	14.9.2022
PARISH	WATLINGTON
WARD MEMBER	Anna Badcock
APPLICANT	Country Snugs Ltd
SITE	Grove Farm Patemore Lane Pishill, RG9 6HH
PROPOSAL	Conversion of existing barn into single 4 bedroom dwelling, construction of new car port and renovation of existing stables. Demolition of all other site buildings and upgrade of existing vehicular entrance (as amended to detail the extent of the domestic garden and to reduce the areas of glazing).
OFFICER	Tom Wyatt

1.0 INTRODUCTION AND PROPOSAL

- 1.1 This application is referred to Planning Committee due to the objection from Watlington Parish Council.
- 1.2 The application site, which is shown on the copy of the OS plan attached as **Appendix A**, extends to an area of approximately 0.5 hectares. The applicant also owns a larger area of associated pastoral farmland to the north and west of the site extending to an approximate area of 4 hectares. The site is located within the countryside around the small and scattered settlement of Pishill and forms part of the Chilterns Area of Outstanding Natural Beauty (AONB).
- 1.3 The application site comprises vacant agricultural buildings with a main access and secondary access into the site from the adjoining public highway (B480 – Patemore Lane). The proposal seeks planning permission for the conversion of an existing agricultural building to a four bedroom dwelling and the construction of a new three bay car port. All other existing buildings within the site would be demolished as part of the development. Copies of the plans showing the proposed development are attached as **Appendix B** whilst other documentation associated with the application and all of the consultation responses can be viewed on the council's website, www.southoxon.gov.uk.

2.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

- 2.1 **Watlington Parish Council** – Objects for the following reasons:
- The proposal has an adverse impact on the Chilterns AONB.
 - Pishill does not feature in SODC's settlement hierarchy and is an unsustainable location for any form of development
 - The building is not suitable for conversion and the proposal would largely represent a new build.
 - The design and materials proposed are not sympathetic to this location.
 - The building should be demolished if not needed for agriculture.

Pishill with Stonor Parish Council – Objects for the following reasons:

- The barn is not suitable for conversion
- Visual and landscape impact within the AONB
- The site is on the B480 with poor visibility
- The site is prone to flooding in heavy rain
- Light pollution on the dark skies of the AONB
- The site is unsustainable with no local facilities
- If granted, the dwelling should be subject to an agricultural tie

Chilterns Conservation Board – Due weight should be given to the Chilterns AONB Management Plan 2019-2024 at DP2 and DP13. The proposal appears as a bold design and could be readily changed to more modest part single and part two storey to reflect the existing buildings. We accept this is a judgment to make but notwithstanding the proposed materials, which are to some degree recessive, it will appear as a new build modern dwelling and not part of a complex of former agricultural buildings within their setting.

Countryside Officer – No objections subject to the implementation of the recommendations outlined in the submitted Ecological appraisal.

Drainage Officer – Further drainage details are required but can be secured via appropriate conditions.

Forestry Officer – No objections subject to tree protection and landscaping conditions.

Highways Liaison Officer (Oxfordshire County Council) – No objections to the access and parking arrangements but the location of the site is considered unsustainable in transport terms.

Contaminated Land Officer – Conditions are required to ensure that any contamination is properly addressed.

CPRE – Objects - The proposed dwelling would present an isolated and unsustainable development in the AONB. The house is not modest and would be obtrusive. It would not sit comfortably in the landscape and domestic paraphernalia would be introduced into a very sensitive landscape. Also concern about light spillage and harm to the agricultural landscape.

Third party representations – 10 representations have been received raising objections to the proposal on the following grounds:

- Building not suitable for conversion
- Harm to the landscape qualities of the AONB
- The site is prone to flooding
- Impact on highway safety
- Inappropriate design

3.0 **RELEVANT PLANNING HISTORY**

3.1 [P22/S0356/N4C](#) - Refused (24/03/2022)

Change of use of existing agricultural barns and any land within the curtilage to storage or distribution (Use Class B8).

[P21/S0047/FUL](#) - Refused (28/02/2022) - Appeal dismissed (17/01/2023)

The erection of 5 holiday pods, maintenance building, managers flat and associated landscaping and parking (as amended to realign maintenance building).

The proposed site layout for this proposal is attached as **Appendix C**, and the appeal decision is attached as **Appendix D**.

[P21/S0878/N4C](#) - Refused (19/04/2021)

Change of use of existing agricultural barns and any land within the curtilage to a hotel (Use Class C1).

[P20/S1195/FUL](#) - Withdrawn (17/12/2020)

The erection of 6 holiday pods and associated landscaping and parking.

[P19/S3293/PEM](#) - Advice provided (03/12/2019)

Conversion of 3 barns to either market dwellings or holiday let and demolition of other outbuildings as shown on submitted aerial view.

[P97/S0365](#) - Approved (20/11/1997)

Steel framed agricultural building for housing sheep (as amended by drawing nos. E4175/D2 received on 8 September 1997 and E4175/D1 Rev A received on 1 October 1997).

4.0 **ENVIRONMENTAL IMPACT ASSESSMENT**

4.1 The site is within a sensitive area (AONB) but the scale of the development is not such to require an Environmental Statement.

5.0 **POLICY & GUIDANCE**

5.1 **Development Plan Policies**

South Oxfordshire Local Plan 2035 (SOLP) Policies:

DES1 - Delivering High Quality Development

DES2 - Enhancing Local Character

DES7 - Efficient Use of Resources

INF4 - Water Resources

DES5 - Outdoor Amenity Space

DES6 - Residential Amenity

DES8 - Promoting Sustainable Design

ENV1 - Landscape and Countryside

ENV11 - Pollution - Impact from existing and/ or Previous Land uses on new Development and the Natural Environment (Potential receptors of Pollution)

ENV12 - Pollution - Impact of Development on Human Health, the Natural Environment and/or Local Amenity (Potential Sources of Pollution)

ENV2 - Biodiversity - Designated sites, Priority Habitats and Species

ENV3 - Biodiversity
EP4 - Flood Risk
H1 - Delivering New Homes
STRAT1 - The Overall Strategy
TRANS5 - Consideration of Development Proposals

5.2 Watlington Neighbourhood Plan (WNP) Policies:

P2 – Transport
P3 – Conserve and Enhance the Natural Environment
P5 – New Housing Development

5.3 Supplementary Planning Guidance/Documents

South Oxfordshire and Vale of White Horse Joint Design Guide 2022
Chilterns AONB Management Plan
Chilterns Buildings Design Guide

**5.4 National Planning Policy Framework and Planning Practice Guidance
Countryside and Rights of Way Act 2000 (CROW Act)**

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**
- **Visual and landscape impact**
- **Residential amenity**
- **Access and parking**
- **Ecological impact**
- **Other material planning considerations**

Principle of development

6.2 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. The development plan currently comprises the SOLP and the made Watlington Neighbourhood Plan.

6.3 The application site is located within Pishill, which is not listed in the settlement hierarchy at Appendix 7 of the SOLP. As such, it is not a location where new housing would usually be permitted. However, SOLP Policy H1 criterion 3 vii) explains that a proposal that would bring a redundant or disused building into residential use and would enhance its immediate surroundings is one of the

scenarios where sites unallocated for residential development could be permitted. This is consistent with the NPPF where at paragraph 80 it states: "Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply: c) the development would reuse redundant or disused buildings and enhance its immediate setting;". Having regard to both national and local policies, the principle of conversion of the barn to residential use would be acceptable and in line with the council's housing distribution strategy.

- 6.4 Several representations have questioned the ability of the existing barn to be converted to a dwelling based on its structural form and integrity. The building proposed for conversion is a steel portal framed barn. A structural engineer's report has been submitted with the application, which advises that the steel portal frames and roof structure are structurally sound and that the pad foundations for the framework are sufficient to support the converted structure. A new concrete slab to replace the existing slab will be required to support additional internal walls. New external wall and roof coverings would be required to replace the existing part enclosed walls and existing roof sheeting. This would represent a significant replacement of the existing fabric of the building but critically the structural frame of the building would be used. I have considered whether the requirement for new roofing and wall cladding would take the development outside the scope of a conversion, however, the wording referred to in Policy H1 and the NPPF above relates to the residential re-use of buildings and there is no implication that a new use cannot be facilitated through significant changes to the building's fabric. Indeed, I am mindful that under Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (<https://www.legislation.gov.uk/ukxi/2015/596/schedule/2>) the conversion of agricultural buildings to dwellings allows for the installation or replacement of windows, doors, roofs, or exterior walls necessary for the building to function as a dwellinghouse. Whilst these permitted development rights do not apply to buildings within an AONB, they demonstrate the scope of what changes can be considered acceptable, and often necessary, to re-purpose an agricultural building for residential use.
- 6.5 There is no evidence to suggest that the frame would need to be replaced, and indeed if this were the case then the development would not fall within the scope of this application and a further application to replace the existing building would be required.

Impact on the Character and Appearance of the Site and Surrounding Area

- 6.6 The site lies within the AONB, and the NPPF (Para. 176) states that 'great weight' should be given to the conservation and enhancement of the landscape and scenic beauty of these areas. This requirement is echoed within Policy ENV1 of the SOLP. Whilst the site is within a rural part of the AONB it is not isolated from other development. The site has a long frontage with the adjacent public highway, and there are individual dwellings positioned opposite the site and at regular points along the road as it extends down the valley towards the

main part of Pishill and Stonor beyond. Furthermore, there are several vacant buildings on the site ranging from relatively derelict pole barns to modern more substantial concrete framed buildings.

- 6.7 Having regard to the South Oxfordshire Landscape Character Assessment 2017 the site lies within the 'Chilterns Ridges and Valley' Landscape Character Area, which covers an area of land forming part of the Chilterns dip slope, from the Aston Rowant nature reserve in the north, to the town of Henley-on-Thames to the south. This character area is bound by the top of the Chilterns escarpment to the west. Key characteristics of this character area are an undulating landscape defined by strong valleys, steep valley sides supporting woodland, extensive areas of ancient woodland, agricultural land including arable and pasture located on the lower valley sides and bottoms. The pattern of settlement in the Chilterns is typically one of small hamlets and farms scattered amongst extensive woods and commons. Most of the settlements are located on the ridges or within the valleys and have a typically linear form.
- 6.8 The existing agricultural buildings on the site are visually prominent from the adjacent public highway and are not attractive buildings within the landscape. However, evidently they are viewed in context with the surrounding rural landscape and are not incongruous in the local scene. Nevertheless, the buildings are now mainly vacant with little prospect of being used for agricultural purposes in the foreseeable future.
- 6.9 Having regard to Policy H1 of the SOLP and Paragraph 80 of the NPPF the key issue is whether the development would enhance its immediate setting. The existing buildings on the site, with the exception of the building proposed to be converted, are in a poor state of repair and their presence on the site does not make a positive contribution to the landscape qualities of the AONB. The retention of these buildings and their further deterioration would not be in the interests of conserving the AONB as required by Section 85 of the CROW Act. The proposal involves the demolition of most of the buildings within the site such that the volume of built form would be reduced from around 2800m³ to 950m³ and the hardstandings on the site would be reduced in area from around 1050m² to around 290m². As indicated on the submitted site plan the removal of the buildings and hardsurfacing would allow these areas to be restored to grass and native trees and hedging.
- 6.10 The current proposal is for a very different form of development compared to the scheme refused under application P21/S0047/FUL for the removal of existing buildings and construction of five holiday pods with an associated maintenance building, manager's flat and covered parking area. As can be seen from a comparison of the site plan for the current application and that for the previous scheme as shown at **Appendix C**, the extent of the built form both in terms of total area and spread across the site is much reduced. An appeal against the refusal of P21/S0047/FUL has recently been dismissed, and this is attached as **Appendix D**. The Inspector's main criticism of the scheme is outlined in Paragraph 12 of the decision letter, which states:

‘Substantial soft landscaping has been proposed. In the longer term, this would shield much of the development from view from public vantages outside of the appeal site. However, due to the proposed design and orientation of the five pods, they would have a high degree of uniformity, which is uncharacteristic of the prevailing patterns of development within the area. Furthermore, and notwithstanding the high-quality materials and finishes proposed, the amount and form of development, and its coverage of almost the entire area between the existing buildings on site, would have a harmful urbanising effect upon the character and appearance of the area. In addition, and due to the number of units proposed, the subsequent use of the development would generate levels of noise and activity which are out of keeping with the relative tranquillity of the area.’

- 6.11 As per the quote above the Inspector’s main concerns relate to the uniformity of the pods previously proposed, the form and spread of development across the site and the general noise and activity associated with the scale of the tourist development proposed. Whilst raising these concerns, the Inspector also acknowledged that the removal of the existing buildings would be a positive change where he/she states at Paragraph 11 *‘I accept that the proposal to remove the existing buildings and to clear the site would enhance the appearance of the area.’*
- 6.12 In his/her assessment of the site and its surroundings the Inspector states at Paragraph 10, *‘The predominant character and appearance of the wider area is one of a managed rural environment, containing mainly buildings suitable for agricultural use; fields divided by fencing and hedgerows; woodland to the upper sections of the valley sides; and sporadic and mainly roadside dwellings. These features positively inform the distinctiveness of the area and natural beauty of this part of the Chilterns AONB.’*
- 6.13 I do not consider that the Inspector’s criticism of the previous scheme can reasonably be carried forward in connection with the current proposal. This is as a result of the very significant reduction in the overall built form proposed in terms of the spread of development to the east and west of the existing valley and that a proposal for a single dwelling would largely address concerns regarding the impact of noise and general activity on the tranquillity of the AONB. Furthermore, the provision of a single dwelling in this location within a spacious and verdant plot would accord with the predominant character and appearance of the wider area as identified by the Inspector, which can be appreciated with regard to the location plan attached as **Appendix A**.
- 6.14 The proposed conversion would not alter the form and dimensions of the building. There would be a material change to the external appearance of the building with the use of black stained feather edge boarding and grey coloured roofing panels. These materials would be sympathetic to the rural surroundings and are considered acceptable subject to further details of the materials being agreed by condition. The change in materials along with the required door and window openings would give the building a clear domestic appearance representing a contrast to the agricultural appearance of the existing site, however, given the presence of several dwellings on the roadside in the

immediate locality, the appearance of a domestic property on the application site would not be incongruous. The proposed window openings are largely contained to the ground floor or comprise modestly sized first floor openings in the gables or conservation type rooflights. The lack of first floor windows in the main south elevation facing the public highway would reduce the building's domestic appearance whilst the relatively low ridge height of the building and the lower ground level of the site compared to the public highway would ensure that the building sits comfortably in its rural setting and would not be intrusive in views from the highway. The proposed car port would be visible close to the entrance to the site but is modest in scale and height and traditional in design and would be sympathetic to its rural surroundings. The removal of all of the existing adjacent buildings allows for new planting that would further soften the domestic appearance of the development.

- 6.15 Policy ENV12 seeks to avoid adverse light pollution and this is also a requirement of Policy DP8 of the Chilterns AONB Management Plan (CMP) which seeks to keep skies dark at night. Whilst the window and door openings are relatively modest, the submitted plans also indicate that the proposed glazing would use electro chromic glass. This will reduce light pollution into the night sky to a low level. External lighting will also need to be controlled and this can be done through a suitably worded condition.
- 6.16 Overall I consider that the proposal would represent a visual enhancement of the site and its surroundings through removing the majority of existing unsightly development, and providing space for new planting which would supplement the existing woodland cover in the surrounding area and make a positive contribution to the receiving landscape. The concerns raised by the Inspector in respect of the appeal for application P21/S0047/FUL are not particularly pertinent to the current proposal, and although the site's change to a domestic plot would diminish its agricultural character, this would not be at odds with the pattern of development in the immediate surroundings and would be more than offset by the environmental and visual improvements to the site as a whole. I have recommended conditions to remove permitted development rights for the construction of extensions and outbuildings so that the council retains control over how the site is developed in the future.

Impact on the Amenity of Neighbouring Residents

- 6.17 There are a small number of properties opposite the site to the south and further along the road to the east. Policy DES6 of the SOLP seeks to ensure that development proposals do not result in significant adverse impacts on the amenity of neighbouring uses, when considering both individual and cumulative impacts, in relation to factors such as loss of privacy, daylight or sunlight, dominance or visual intrusion, noise or vibration or external lighting.
- 6.18 The proposed development is well separated from the existing dwellings by the public highway and roadside planting. The use of the site in connection with a single domestic dwelling as proposed would not cause any material harm to the amenity of the nearby residential occupiers in my view. The Inspector found no

harm would be caused to neighbouring amenity from the more intensive scheme under application P21/S0047/FUL.

Highway Access and Parking

- 6.19 Policy TRANS5 of the SOLP seeks to ensure that development provides for a safe and convenient access for all users to the highway network. The site is accessed off the B480, and is subject to a 30mph limit in the vicinity of the site, although given the straight alignment and gradient of the road it appears likely that many vehicles (and cyclists) will exceed this speed. The proposal seeks to utilise the existing access and a secondary access would be stopped up. The proposal would improve the existing access by providing appropriate visibility splays to either side with a hedge replanted behind the splays. In my view this represents a significant improvement to highway safety for users of the access and the highway more generally. Application P21/S0047/FUL was not refused for any highway related reason and no highway related concerns were expressed by the appeal Inspector, and in comparison to this scheme a single dwelling would generate a lower number of trips. The Highway Authority has raised no concerns with the access and parking arrangements proposed.
- 6.20 The Highway Authority has raised concerns regarding the lack of sustainability of the site in transport terms. However, such concerns are not considered sufficient to resist the proposal given that the principle of converting rural buildings to housing is acceptable having regard to the council's development plan and national planning policy.

Impact on Protected Species, Trees and Biodiversity

- 6.21 Policy ENV2 of the SOLP seeks to ensure that development does not result in harm or loss to the ecological resource of the district including protected species and ancient woodland. Policy ENV3 of the SOLP seeks to support proposals that would conserve, restore and enhance biodiversity in the district. These requirements are also set out within the NPPF and Chilterns AONB Management Plan. Policy ENV1 seeks to protect important landscape features, including trees.
- 6.22 The application is supported by an Ecological Appraisal. The existing buildings show no evidence of bat use and are not suitable for bat roosting. The wider site has limited ecological value at the present time, with the main value as a result of the existing hedges and trees which are largely to be retained. The proposal includes new wildflower planting along with new native trees and hedging, and this can all be secured by condition. The development would remove existing buildings and activity on the eastern side of the site immediately adjacent to ancient woodland and provide new planting in this area that would supplement and provide a protective buffer to the edge of the woodland. As stated above the development allows space for new hedge and tree planting across the site as a whole to the benefit of the site's landscape setting.

6.23 **Energy Efficiency**

Policy DES10 of the SOLP only applies to new-build residential development and not conversions. However, without specifying a performance target Policy DES8 seeks that all new development reduce carbon and energy requirements. Proposals must demonstrate that they are seeking to limit greenhouse emissions through location, building orientation, design, landscape and planting. The application submission states that the dwelling is designed to be 25% more efficient than the current Building Regulations, and that this will be achieved with additional insulation in the floors, walls and roof, more energy efficient windows and doors and that locally sourced materials will be used where possible. It is proposed that an air or ground source heat pump will be used to provide all heating and hot water and that a rainwater harvesting system will be installed to provide recycled water for washing machines, WC's and all external garden taps. A permanent Electric Vehicle charging point will also be installed in the car port to provide a charging location for an electric vehicle.

6.24 **Drainage**

Given the site's location within the valley bottom the site is prone to surface water flooding but is within Flood Zone 1. Policy EP4 seeks to ensure that development addresses the effective management of flood risk, and does not increase flooding elsewhere. The council's drainage engineer has raised no objections to the proposal subject to conditions to require the approval of further technical aspects of the drainage scheme.

7.0 **Conclusion and Planning Balance**

- 7.1 The application site is located within the countryside where new housing is restricted. However, the principle of reusing an existing rural building as a dwelling is acceptable. This is on the basis that the development results in an enhancement of the site and its surroundings. The proposed development achieves this through removing existing unsightly agricultural buildings and providing extensive soft landscaping to the benefit of the landscape setting of the immediate site and the wider AONB. The proposal also includes highway improvements to the site access that would be beneficial to highway safety. Other significant benefits derived from the proposed development include the enhancement of biodiversity within the site through additional hedgerow and tree planting and areas of wild flowers. In weighing up the overall planning balance officers consider that these outweigh the limited harm of introducing a residential use on the site in terms of the associated change to the site's character and the presence of domestic activity.

8.0 RECOMMENDATION

Grant Planning Permission subject to the following conditions

- 1. Commencement of development within 3 years**
- 2. Development in accordance with the approved plans**
- 3. Schedule of the materials to be agreed**
- 4. Levels as shown on the approved plans**
- 5. Landscaping in accordance with the approved plans**
- 6. Tree protection details in accordance with submitted details**
- 7. External lighting to be agreed**
- 8. Hard surfacing details to be agreed**
- 9. Surface water drainage details to be agreed**
- 10. Foul drainage details to be agreed**
- 11. Contaminated land investigation**
- 12. Contaminated land remediation**
- 13. Unsuspected contamination to be resolved**
- 14. Development in accordance with the Ecological Appraisal**
- 15. Means of access to be improved**
- 16. Existing access to be stopped up**
- 17. Provision and protection of vision splays**
- 18. Parking and turning areas to be provided and maintained**
- 19. Electric vehicle charging point to be provided**
- 20. Use of electro chromatic glass**
- 21. Removal of permitted development rights for extensions, outbuildings and means of enclosure**

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