

APPLICATION NO.	P22/S0903/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	15.3.2022
PARISH	HARPSDEN
WARD MEMBERS	Leigh Rawlins David Bartholomew
APPLICANT	Mr & Mrs Eggleton
SITE	Poachers Cottage, Mays Green, RG9 4AL
PROPOSAL	Conversion of redundant barn to 1 x dwellinghouse (retention of existing portal frame as shown on amended floor plan received 5th August 2022 and additional structural information received 13th October 2022).
OFFICER	Paul Lucas

1.0 **INTRODUCTION AND PROPOSAL**

- 1.1 This application is referred to planning committee due to the difference in officers' recommendation and the views of Harpsden Parish Council. This report sets out the justification for officers' recommendation to grant planning permission having regard to the development plan and any other material planning considerations.
- 1.2 The application site is shown at **Appendix A**. The site is located within the hamlet of Mays Green, which is located around 1.5 miles south-west of Harpsden and 2.5 miles south-west of Henley-on-Thames. The site is located on the eastern side of Harpsden Road and sits adjacent to a small cluster of six two-storey dwellings. The southern end of the site contains a barn, which was previously used in association with an agricultural smallholding. Since this use ceased, the land on which the barn sits has been used in association with Poachers Cottage, one of the dwellings to the south of the site. Whilst the southern portion of the site has been maintained as mown grassland, the northern portion of the site has been maintained as pastureland. The two parcels of land are separated by a post and wire fence.
- 1.3 The site lies within the Chilterns AONB and contains many trees that have no statutory protection, but which make a positive contribution to the landscape. There is a line of mature trees on the boundary between the site and the garden of Woodstock to the south. There are also several mature trees located close to the boundary with Harpsden Road and another group in the north-east corner adjacent to a public right of way. Part of the eastern site boundary is adjacent to the garden of Maysfield, with a hedge in between. Bellehatch Park House is a Grade II Listed Building located opposite the site on the western side of Harpsden Road.
- 1.4 The application seeks full planning permission for the conversion of the barn into a 1-bedroom dwelling, as shown on the plans and supporting documents submitted with the application and subsequent structural information at officers' request. The proposal incorporates the closure of the existing informal field access and formation of a new vehicular access onto Harpsden Road. The residential use would be restricted to the southern portion of the site, with the northern portion subject to a programme of arboricultural and ecological mitigation and enhancements.
- 1.5 A copy of the current plans is attached at **Appendix B** and other documentation associated with the application can be viewed on the council's [website](#).

2.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

- 2.1 Harpsden Parish Council - Harpsden Parish Council objects to this Application because it would intrude housing into the AONB beyond the building line established by the main house (Bellehatch Park) and the cottages along the north side of May's Green; also because it would require an exit at a narrow part of the road from Chalk Hill to Binfield Heath. The barn in question stands on a 5-acre holding that needs a shed for whatever purpose the open agricultural land is put to. In all these ways the application conflicts with the Henley/Harpsden Neighbourhood Plan as well as the SODC's policies G4 and C4.

Countryside Officer (South and Vale) – No objection subject to conditions to secure biodiversity mitigation and enhancement and to control external lighting.

Drainage - (South&Vale) – No objection subject to surface water and foul water drainage conditions.

Forestry Officer (South and Vale) – No objection subject to conditions to secure implementation of tree protection and landscaping as submitted with the application.

South -Highways Liaison Officer (Oxfordshire County Council) – No objection

CPRE South Oxfordshire District Committee - has serious concerns about this proposed dwelling house. Its location in Mays Green is unsustainable and no additional housing is supported for this small settlement in the Henley/Harpsden Neighbourhood Plan or in the South Oxfordshire Local Plan 2035. This proposal would introduce a house, its long driveway and domestic paraphernalia into a greenfield site in the Chilterns AONB. It will be visible from the road and the nearby PRoW and have a negative impact on views of the landscape. the potential for light spill into the countryside of the AONB remains. If planning permission is granted we would request that a condition be attached relating to mitigating measures (e.g. the use of special glass) to reduce light spill from the windows and in particular the rooflights. Some external lighting will be required for this isolated dwelling and we would request an external lighting scheme be submitted for approval.

Building Control Manager – A structural engineers report (from a chartered structural engineer) would be required to confirm that the existing foundations, walls, roof and portal frame, etc. are suitable for the intended residential use to meet Building Regulations.

Third Parties – One representation of objection/concern due to mutual overlooking between the proposed windows and the facing windows of Mayfield and one representation stating no objection.

- 2.2 These representations can be viewed in full on the council's [website](#).

3.0 RELEVANT PLANNING HISTORY

- 3.1 [P21/SO987/PEM](#) - Advice provided (14/05/2021)
Proposed erection of barn conversion-style dwelling following demolition of a redundant barn.

4.0 ENVIRONMENTAL IMPACT ASSESSMENT

- 4.1 Whilst located in a sensitive area, the proposal is not of a scale that would 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

DES5 - Outdoor Amenity Space

DES6 - Residential Amenity

DES7 - Efficient Use of Resources

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

ENV6 - Historic Environment

ENV7 - Listed Buildings

EP3 - Waste collection and Recycling

H1 - Delivering New Homes

H11 - Housing Mix

INF4 - Water Resources

STRAT1 - The Overall Strategy

TRANS5 - Consideration of Development Proposals

5.2 Joint Henley and Harpsden Neighbourhood Plan 2016 Policies:

DQS1 – Local Character

EN1 – Biodiversity

H4 – Infill and self-build dwellings

T1 – Impact of development on the transport network

Review Joint Henley and Harpsden Neighbourhood Plan. Following the independent examination of plan, the district council has decided that the plan should proceed to referendum. The referendum will take place on Thursday 24 November 2022. It therefore carries significant weight. Policies:

SD3 – Local Character

H4 – Infill and self-build dwellings

ENV2 - Biodiversity

ENV3 – Trees

T1 – Impact of Development on the Transport Network

T4 – EV Charging Points

T6 – Parking and Standards

5.3 Supplementary Planning Guidance/Documents

South Oxfordshire and Vale of White Horse Joint Design Guide 2022

South Oxfordshire Landscape Assessment – Character Area 10

Chilterns Buildings Design Guide – Chapter 3

Chilterns AONB Management Plan 2019-2024

DOI Ensure planning decisions put the conservation and enhancement of the AONB first.

DO2 Ensure that where development happens, it leaves the AONB better than it was before – richer in wildlife, quieter, darker at night, designed to have a low impact on the environment, and beautiful to look at and enjoy.

DO3 Embrace opportunities to restore natural beauty on sites currently degraded by unsympathetic development, infrastructure or dereliction.

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

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 arboricultural impact**
- **Setting of Grade II listed building**
- **Residential amenity**
- **Access and parking**
- **Ecological impact**
- **Other material planning considerations**

6.2 **Principle of 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. The development plan currently comprises the SOLP 2035 and the made Joint Henley and Harpsden Neighbourhood Plan 2016 (JHHNP 2016). The Review JHHNP 2022 is proceeding to referendum on 24 November 2022 and now carries significant weight. Policy STRAT1 of the South Oxfordshire Local Plan 2035 (SOLP 2035) sets out the overall strategy for the District. It seeks to focus most major new development at the growth point of Didcot with Henley, Thame and Wallingford also being a focus for development and regeneration.

6.3 The application site is located adjacent to the hamlet of Mays Green, which is not listed in the settlement hierarchy at Appendix 7 of the SOLP 2035. As such, it is not a location where new housing would usually be permitted. However, the SOLP 2035 Policy H1 criterion 3 vii) explains that proposals that would bring redundant or disused buildings 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 re-use 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 **Visual and arboricultural impact**

The site falls within the Chilterns AONB. Paragraph 176 of the NPPF confirms that "great weight" should be given to conserving and enhancing the character and qualities of the AONB "which have the highest status of protection". This reinforces the statutory duty placed on the council under S85 of the Countryside Rights of Way Act 2000. An over-riding principle of the NPPF is that any development within the Chilterns or North Wessex Downs AONBs should conserve and enhance the natural beauty of

the AONB. The SOLP 2035 Policy ENV1 echoes the aims of the NPPF in respect of protecting landscape and scenic beauty of the AONB.

- 6.5 The SOLP 2035 Policy DES1 seeks to ensure that all new development is of a high-quality design. The SOLP 2035 Policy DES2 requires all new development to 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. These requirements are reinforced by the JHHNP 2016 Policy DQS1 and the JHHNP 2022 Policy SD3.
- 6.6 The site lies within an area where the landscape type is described as semi-enclosed dipslope. The barn can be seen from public vantage points from a public footpath to the east at a closest distance of about 80 metres, from Harpsden Road to the west at a closest distance of around 120 metres and from Harpsden Road to the north at approximately 370 metres. In all these views, the barn (3.6 metres high) is seen against the backdrop of mature trees and in the context of the adjacent group of dwellings, with the two-storey form of Mayfield (8.8 metres high) being particularly evident. In some of the viewpoints, views of the barn are obstructed by mature foliage in the foreground. Whilst it is typical of the type of building that is often found in agricultural countryside, it is evident that the barn is falling into disrepair and does not make a positive contribution to the surrounding landscape.
- 6.7 The proposed conversion would retain the proportions of the barn but would alter its external appearance through removal of the metal sheeting and the replacement with materials typically found on traditional barns, such as horizontal timber cladding and natural slate. The building would have nine ground floor openings, five being publicly visible on the north-west facing front elevation and seven rooflights, with two being publicly visible. The precise details of the external materials could be obtained through a planning condition. There are concerns about the impact of light spillage due to the introduction of glazing and occupation of the converted barn at night. Any internal lighting would be seen within the context of internal light sources from the adjacent two storey dwellings. For example, Mayfield's recent extension has introduced second floor dormer windows to the north-west facing elevation. Nonetheless, a planning condition can be justified to require details of glass coating to limit the amount of light spillage to an acceptable degree to help maintain dark skies in this sensitive area. A planning condition restricting external lighting is also necessary.
- 6.8 The southern part of the site already resembles garden land with mown grassland and some domestic paraphernalia present. The appearance of most of this part of the site would not significantly alter because of the proposed development. The exception would be the new vehicular access to serve the converted barn from Harpsden Road. The entrance point would be located just to the north of the existing field gate. The driveway would be about 100 metres in length, incorporating a turning head and passing place. The surface would be mostly gravel, except for the junction with the highway, which would be block pavements to prevent gravel spillage onto the highway. The supporting documentation states that the access would be rural in character, similar to the appearance of the nearby entrance to No.2 Mays Green, with a five-bar gate. This could be secured through a planning condition.
- 6.9 The council's Tree Officer has commented that the submitted Arboricultural Impact Assessment confirms that no trees require pruning or removal to facilitate the proposed building works. The submitted Arboricultural Method Statement and Tree Protection Plan provide suitable measures to ensure the protection of retained trees during development. The submitted Tree and Landscape Plan and Tree Planting & Maintenance Specification document provide details of the planting of 25 trees

throughout the site that will mitigate the loss of the 4 trees in poor condition that are shown to be removed.

- 6.10 A mixed native hedge is also shown to be planted alongside most of the western site boundary with Harpsden Road. This planting would help to ensure the development integrates into the surrounding landscape and enhances the area. Both tree protection and planting could be controlled through planning conditions. Details of the location of services are also required to be submitted through a planning condition to ensure that these do not intrude upon root protection areas. The northern part of the site would be retained as a meadow, with cutting to take place annually. The application sets aside areas for wildflowers and native scrub planting. The visual benefits of the ecological avoidance and mitigation measures as set out in the submitted Preliminary Ecological Appraisal (PEA) could be secured through a planning condition. This means that any domestic activities and uses would be restricted to the southern part of the site, with the northern part of the site taking on an increasingly natural visual appearance.
- 6.11 In officers' opinion, the character of the surrounding landscape would not be adversely impacted by the physical alterations to the barn or the changes to the associated land to provide formalised garden, access and parking, such that the landscape quality of this part of the Chilterns AONB would be conserved. Any localised visual impacts of the development would be offset by the arboricultural and ecological measures that would contribute to the enhancement of the immediate surroundings required by local and national policies and the aims and objectives of the Chilterns AONB Management Plan.
- 6.12 **Setting of Listed Building**
The application site is located within the setting of the Grade II listed building Bellehatch Park House. Therefore, there is a statutory duty under the provisions of Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the building or its setting or any features of special interest which it possesses. In accordance with paragraph 195 of the NPPF, the significance of the designated heritage asset has been assessed and the potential impact of the application scheme on the heritage asset has been duly considered with reference to the aims and objectives of the SOLP 2035 Policies ENV6, and ENV7, requiring great weight to be given to the conservation of heritage assets and good justification to be given for any harm.
- 6.13 Bellehatch Park House exhibits aesthetic and evidential value as a late 18th century country house, derived through design, proportion and materials. There is no known historical connection between the listed building and the application site. The barn lies 150 metres to the west of Bellehatch Park and the proposed access lies 75 metres to the south-west. There is no intervisibility between the existing barn and listed building due to the mature landscaping to the east of the listed building, which is an aspect that would be maintained and bolstered through the proposed development. Within Mays Green there are several accesses to residential properties within the vicinity of the listed building serving former associated buildings that are now separate dwelling houses. These contain some suburban features with a mixture of brick walls and piers, metal railings and solid timber gates. In contrast, the proposed access would take on a more rural appearance with hedging and a five-bar gate.
- 6.14 Within this context, in discussion with the council's Conservation Officer, it is considered that the proposal, including the access and driveway would have a neutral impact on the setting of the Grade II listed building and therefore would not detract from its significance. As such, the proposed development would comply with the above local and national policies.

6.15 **Residential amenity**

The SOLP 2035 Policy DES6 relates to residential amenity and requires that development proposals should demonstrate that they will not result in significant adverse impacts on the amenity of neighbouring uses, when considering both individual and cumulative impacts in relation to loss of privacy, daylight and sunlight, dominance or visual intrusion, noise or vibration, smell dust, heat, odour or other emissions, pollution, and external lighting. The SOLP 2035 Policy DES5 requires satisfactory outdoor amenity space in line with the guidance under Section 7 of the SODG 2016.

6.16 The closest part of the rear elevation of the barn lies about 8.5 metres from the boundary with Mayfield, but it is angled away from this boundary. The closest distance between the converted barn and Mayfield (including the recent extension) is around 34 metres. This would be more than the 21-metres window to window standard, which is a strong indicator that any mutual loss of privacy would not be significant. It also follows that this level of separation would be sufficient to maintain acceptable levels of light and outlook. The distances between the barn and other dwellings to the south are greater and as such there would be no discernible loss of light, outlook, or privacy. The glazing and external lighting conditions already discussed would prevent nuisance. The proposal would comply with the aims and objectives of Policy DES6.

6.17 Section 5 of the JDG 2022 sets out a requirement for a minimum of 40m² of outdoor amenity space. There is scope for an area more than this to be accommodated next to the converted barn in the southern part of the site. The upper floor windows in the north-west facing rear elevation and south-east facing side elevation would not directly face the site and any oblique views from these into the outdoor space next to the east of the converted barn would be at approximately 25 metres. The Cherry Laurel hedge along the boundary is shown to be retained. The proposal would accord with the aims and objectives of Policy DES5. The proposal would provide an excellent standard of living accommodation for future occupiers. The dwelling would have an internal floorspace figure of 54.5m² which would exceed the minimum standard of 50m² for a one-bedroom two-person single-storey dwelling as required by the SOLP 2035 Policy H11 criterion 4.

6.18 **Access and parking**

The SOLP 2035 Policy TRANS5 seeks to ensure that development would not be prejudicial to highway and pedestrian safety. This is reinforced by JHHNP 2016 Policy T1 and JHHNP 2022 Policies T1 and T6. The Highway Liaison Officer (HLO) has commented that the existing field access is to be closed off and a new access is proposed. Visibility splays have been demonstrated and given the characteristics of the carriageway, along with the relatively low speed and volume of passing traffic, these are acceptable in this location. Parking and turning opportunities have been demonstrated and are considered sufficient for the proposal. The proposed development is unlikely to have a significant adverse impact on the highway network. The HLO has raised no objection to the proposed access and parking arrangements, subject to the imposition of highways-related planning conditions. As such, the proposal would be in compliance with the aims and objectives of the above policies.

6.19 **Ecological impact**

The SOLP 2035 Policy ENV2 seeks to protect ecological receptors (designated sites, protected species, priority habitat, etc.) from adverse impacts. Where adverse impacts are anticipated, the tests under the policy must be met for development to be

acceptable. The SOLP 2035 Policy ENV3 seeks to secure net gains for biodiversity. These requirements are reinforced by the JHHNP 2016 Policy EN1 and JHHNP 2022 Policy ENV2.

- 6.20 The PEA submitted with the application has concluded that the existing building to be converted is unsuitable for roosting bats and that the habitats present on site are not a constraint to development. The council's Countryside Officer (CSO) agrees with this conclusion. The offsite pond, within the grounds of The Lodge, is separated from the application site by an intact garden wall. The wall forms a notable barrier to the movement of amphibians and would likely prevent any amphibians within the offsite pond from accessing the application site. The area of the site which is subject to access works is well managed lawn and lacks the structural variety to be of any increased value to Great Crested Newts (GCNs). On the basis of the above-mentioned matters, the CSO is generally satisfied that the risks of impacts to GCNs is low.
- 6.21 The CSO has recommended that the ecological avoidance and mitigation measures and biodiversity enhancements set out in the PEA should be secured through planning conditions. A planning condition preventing external lighting on the south-western and south-eastern elevations and requiring details of location and specification in other locations would also be necessary on ecological grounds as well as the landscape grounds already discussed. As such, the proposed development would be in accordance with the above policies.
- 6.22 **Other material planning considerations**
The SOLP 2035 Policy DES10 only applies to new-build residential development and not conversions. Policy DES8 requires all new development to reduce greenhouse gas emissions. Proposals must demonstrate that they are seeking to limit greenhouse emissions through location, building orientation, design, landscape and planting. In terms of sustainable methods of construction, the proposal would utilise an existing building and waste construction materials would be minimized. Existing materials such as the existing metal cladding to the building would be recycled if possible. Details of external materials are required to be submitted through a planning condition. Although there would be limited opportunity to reduce emissions beyond Part L of the Building Regulations, the landscaping and planting proposals would provide additional sustainability benefits. A planning condition to secure an EV charge point is also recommended in accordance with the SOLP 2035 Policy TRANS5 ix).
- 6.23 The applicant has submitted a General Building Specification in support of their view that the building is structurally sound and is capable of conversion through retention of the portal frame. To achieve approval under Building Regulations, a more detailed structural engineers report would be required. However, the SOLP 2035 Policy H1 does not set out any requirement for structural details and therefore such a report cannot be insisted on at this stage. Should it transpire that the building is not structurally sound then this would make it impossible to implement any planning permission for conversion. Harpsden Parish Council are concerned that this proposal would lead to the need for a new agricultural building. Any such building would require either prior approval or planning permission from the council and therefore could be assessed at that time.
- 6.24 Matters relating to surface water and foul water drainage could be dealt with through pre-commencement planning conditions. Should any contaminated land be discovered during the conversion process, then the recommended unsuspected contamination condition would enable this to be dealt with. Exceptionally, a condition removing permitted development rights for various forms of householder development is considered necessary to allow the Council to exercise control over any future additions

to the converted barn that might otherwise result in visual harm, or damage/loss of retained trees, or would compromise the agreed ecological mitigation/enhancements.

6.25 Community Infrastructure Levy

The application is CIL liable at a rate of £150 per square metre (index linked), 25% of which would go to Harpsden Parish Council due to the made neighbourhood plan.

6.26 Pre-commencement conditions

Location of drainage and services

Surface Water Drainage

Foul Water Drainage

7.0 CONCLUSION

7.1

The proposed development would be acceptable in principle in accordance with relevant Development Plan policies, Supplementary Planning Guidance and Government Guidance. Subject to the recommended conditions, it is considered that the proposal would conserve this part of the Chilterns AONB and the arboricultural and ecological measures would represent tangible enhancements. The proposal would have a neutral impact on the setting of the nearby Grade II listed building, would not harm the amenity of neighbouring occupiers and provide adequate living conditions for future occupiers and would not result in conditions prejudicial to highway safety or adversely impact upon protected species.

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 Materials to be agreed

4 : Timber framed openings and flush fitting rooflights

5 : Glass coating for external glazing

6 : Withdrawal of permitted development rights

7 : New vehicular access to be provided

8 : Close existing access

9 : Vision splay protection

10 : Parking & Manoeuvring Areas Retained

11 : Landscaping implementation

12 : Tree protection (implementation as approved)

13 : Location of drainage and services to be agreed

14 : Ecological Avoidance and Mitigation (as approved)

15 : Biodiversity Enhancement (prior to occupation)

16 : Unsuspected Contaminated Land Condition

17 : External Lighting to be agreed

18 : Surface Water Drainage to be agreed

19 : Foul Water Drainage to be agreed

20 : Electric Vehicle Charging Point (implementation)

21 : CIL-Planning permission or reserved matters approval (South)

22 : Mud and vehicle obstructions on the Highway Informative

23 : Neighbourhood Plan Policies Informative

24 : Drainage Informative

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