

APPLICATION NO.	P23/S2544/FUL and P23/S2545/LB
SITE PROPOSAL	Court House Toot Baldon, OX44 9NG Conversion of redundant barn to a single dwelling unit with a front projecting extension to create an entrance hall, with also a detached garage and store outbuilding.
AMENDMENTS	(As amended and clarified by revised materials, roof light details and structural report received 15 September 2023 and as further clarified by revised structural repair details and drawings 2127-05B and 2127-08 accompanying agent's email dated 5 June 2024).
APPLICANT	P Ardern
APPLICATION TYPE	FULL APPLICATION and LISTED BUILDING CONSENT
REGISTERED	28.7.2023
TARGET DECISION DATE	30.8.2024
PARISH	TOOT BALDON
WARD MEMBER(S)	Sam Casey-Rerhaye
OFFICER	Sharon Crawford

- 1.1 This report sets out the recommendation that planning permission and listed building consent should be granted having regard to the material planning considerations and the development plan.
- 1.2 The application is referred to planning committee because the recommendation conflicts with the views of the parish council. The Baldons Parish Council object on the grounds that the proposed garage is too large for the plot, that the garage represents encroachment on the Green Belt and is out of character with the other buildings. A map extract identifying the site is **attached** at appendix 1.
- 1.3 The barn is a detached building which is located within the grounds of Court House, a Grade II listed building. The barn is of wooden framed construction with a pitched roof clad in interlocking roof tiles; the external walls are clad in timber boarding. Internally, the building is open to the western end and is used for domestic storage and there is a small workshop to the eastern end. There is also a storage area within the roof space which is accessed via a ladder. The barn is curtilage listed and it is located within the Toot Baldon Conservation Area and the Oxford Green Belt.
- 1.4 There are other recent applications for planning permission (P23/S2542/FUL) and listed building consent (P23/S2453/LB) for a similar conversion scheme but including a small shed/cycle store in place of the detached double garage and store with studio above. The Parish Council did not object to the proposal

subject of these applications, and planning permission and listed building consent have been granted under delegated powers.

- 1.5 Planning permission and listed building consent were granted in 2015 for the conversion of this barn for use as a two bedroomed annex to Court House (refs P15/S2916/HH and P15/S2917/LB). These permissions were never implemented, and the permissions have lapsed.

2.0 **PROPOSAL**

- 2.1 The applications seek planning permission and listed building consent for the conversion of the barn to a single, three bedroom dwelling with a single storey extension to create an entrance hall (one bedroom on ground floor). Planning permission is also sought for a detached, double garage and store outbuilding, with studio/storage accommodation above.
- 2.2 The barn conversion includes a single storey entrance hall extension, floor to ceiling glazing on the ground floor and four conservation rooflights in the north elevation. Two modest rooflights are proposed in the south elevation. One to light the ground floor dining area and one to light the first floor landing. As part of the conversion works the barn would be re-roofed with plain clay tiles.
- 2.3 The garage outbuilding would be clad with timber boarding under a plain tile roof. Photovoltaic panels are proposed on the south elevation of the outbuilding with three conservation style rooflights on the north elevation facing towards Court House. An internal staircase is proposed to access the first floor.
- 2.4 Copies of the plans accompanying the application are **attached** at 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.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1 **Publicity**

Neighbours and consultees were notified of the application on 1 August 2023. A site notice and newspaper advert were posted from 9 August to 31 August 2023. Reconsultation has also been carried out on the amended plans.

3.2 **Statutory Consultee responses**

Representation
Toot Baldon Parish Council -

Comments

The Baldons Parish Council objects to P23/S2544/FUL on the grounds that the proposed garage is too large for the plot. The garage represents encroachment on the Green Belt and is out of character with the other buildings, including a Grade II listed

building, within this conservation area. The Council also supports the objection from other residents concerning loss of their privacy by the development.

3.3 Council - professional officer comments

Representation
OCC (Archaeology)

Comments
No objection subject to conditions to require a written Scheme of Investigation and watching Brief during development.

Heritage Officer -

The works would result in less than substantial harm to the significance of the curtilage listed building, and the contribution it makes to the significance of primary listed building Court House. There would also be a low level of harm to the significance of the Toot Baldon Conservation albeit this is limited. The harm is at the lower end of the scale of harm and paragraph 208 of the NPPF should be applied. This requires that the harm is weighed against the public benefits of the scheme. It is considered that there are heritage benefits (which constitute public benefits) associated with putting this building into a new use that will enable its repair and encourage its ongoing conservation and this should also be weighed in the balance.

Ecology Officer -

No objection. A Bat Mitigation Class License from Natural England will be required for the development to proceed legally, with regard to the bat roost identified within the structure. The development should be undertaken in adherence with the methods set out in Sections 5.2.2, 5.2.3, 5.2.4, 5.2.5 and 5.2.7 of the Bat Survey Report (Windrush Ecology, July 2023). Replacement roosting opportunities should be provided as per Section 5.2.6 of the Bat Survey Report. The development should also be undertaken in adherence with

Section 5.3 of the Bat Survey Report with regard to nesting birds, including the provision of artificial nest boxes.

OCC Highways Liaison Officer –

No objection, subject to conditions. The site itself has an existing vehicular access; the carriageway is relatively straight in its alignment to its junction with the main carriageway running through the village. The visibility splays at this access are considered acceptable, given the relatively low vehicle speeds and volumes passing the proposal. The proposal provides ample parking and turning provision and it is unlikely that vehicles will be displaced onto the adopted Highway so as to cause an obstruction.

Drainage

No objection subject to conditions in respect of surface and foul drainage.

3.4 Public responses

Representation
Neighbour objection

Comments

We object to size and location of the proposed new garage/outbuilding, which is within 30 feet of our house, at 2 storeys high with roof lights on the south elevation that overlook the back of our house and garden.

We object to the proposed roof light on the east elevation which would overlook our kitchen and garden.

Our objections are the loss of privacy from the proposal.

There is no main drainage in the village. Where is the foul drainage water going? There appears to be no provision for a septic tank.

Neighbour comments 1

As a direct neighbour we confirm that we have no objections to this application and in fact support it entirely. Our reasons are the housing shortage in this area together with the belief that a few more homes in the villages make them more viable. The

building has been unused for many years so it makes sense to convert it. It will also tidy up and make use of a neglected and wasted area.

4.0 **RELEVANT PLANNING HISTORY**

Application Number	Description of development	Decision and date
4.1 P22/S1726/FUL	Conversion of redundant barn to a single dwelling unit with a front projecting single storey extension to create an entrance hall, with also a detached garage outbuilding and store	Withdrawn (26/09/2022)
P22/S1715/LB	Conversion of redundant barn to a single dwelling unit with a front projecting single storey extension to create an entrance hall, with also a detached garden store.	Withdrawn (26/09/2022)
P22/S1714/FUL	Conversion of redundant barn to a single dwelling unit with a front projecting single storey extension to create an entrance hall, with also a detached garden store.	Withdrawn (26/09/2022)
P22/S1727/LB	Conversion of redundant barn to a single dwelling unit with a front projecting single storey extension to create an entrance hall, with also a detached garage outbuilding and store	Withdrawn (26/09/2022)
P18/S3703/LB	Alterations to existing barn to create annex to the Court House (Amendments to listed building consent P15/S2917/LB)	Withdrawn (02/07/2020)
P19/S2328/PEM	Conversion of barn to dwellinghouse with associated parking area and amenity space.	Advice provided (05/09/2019)
P18/S2990/DIS	Discharge of conditions 3 (sample materials) and 4 (joinery details) on application ref. P15/S2916/HH	Details Agreed (09/10/2018)
P15/S2916/HH	Alterations to existing barn to create annex to the Court House.	Approved (20/10/2015)
P15/S2917/LB	Alterations to existing barn to create annex to the Court House.	Approved (20/10/2015)
P14/S2832/PEO	Proposed conversion of barn to self-contained annex.	Advice provided (15/10/2014)

5.0 ENVIRONMENTAL IMPACT ASSESSMENT

5.1 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.

6.0 POLICY & GUIDANCE

6.1 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

6.2 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
- DES8 - Promoting Sustainable Design
- H1 - Delivering New Homes
- STRAT1 - The Overall Strategy
- ENV2 - Biodiversity - Designated sites, Priority Habitats and Species
- ENV3 - Biodiversity
- ENV6 - Historic Environment
- ENV7 - Listed Buildings
- ENV8 - Conservation Areas
- ENV1 - Landscape and Countryside
- ENV9 - Archaeology and Scheduled Monuments
- H16 - Backland and Infill Development and Redevelopment
- INF4 - Water Resources
- STRAT6 - Green Belt
- TRANS5 - Consideration of Development Proposals

Emerging Joint Local Plan 2041

The Council is preparing a Joint Local Plan covering South Oxfordshire and Vale of White Horse, which when adopted will replace the existing local plan. Currently at the Regulation 18 stage, the Joint Local Plan Preferred Options January 2024 has limited weight when making planning decisions. The starting point for decision taking will remain the policies in the current adopted plan.

6.3 Neighbourhood Plan

The Baldons Neighbourhood Plan policies.

- POLICY 1 - GENERAL PRINCIPLES
- POLICY 2 - NEW HOUSES
- POLICY 3 - LOCAL GAPS
- POLICY 5 - DESIGN GUIDE
- POLICY 6 - MARSH BALDON GREEN
- POLICY 8 - INFRASTRUCTURE

- 6.4 **Other material considerations include government guidance, in particular**
National Planning Policy Framework
Planning Practice Guidance
Planning (Listed Buildings and Conservation Areas) Act 1990: Sections 16, 66
and 72
South Oxfordshire and Vale of White Horse Joint Design Guide 2022

7.0 **PLANNING CONSIDERATIONS**

7.1 **The relevant planning considerations for the planning application are;**

- Principle of conversion – housing policy
- Green Belt issues
- Impact on the special architectural and historic interest of the listed building
- Impact on the character of the conservation area
- Impact on neighbours
- Ecology/ bat impacts
- Biodiversity
- Access and Parking
- Drainage
- Carbon reduction
- CIL

The main issue for the listed building consent application is;

- Impact on the special architectural and historic interest of the listed building

- 7.2 **The Principle of Development in terms of Housing policy.** Policy STRAT1 of the SOLP sets out the overall strategy for development in the district. The policy includes specific reference to supporting ‘smaller’ and ‘other’ villages by allowing for limited amounts of housing and employment to help secure the provision and retention of services. In addition to protecting and enhancing the countryside and particularly those areas within the two AONBs (now National Landscapes) and Oxford Green Belt by ensuring that outside of the towns and villages any change relates to very specific needs such as those of the agricultural industry or enhancement of the environment.

Policy H1 of the SOLP allows for the re-use of redundant buildings for residential use where the immediate setting is enhanced.

H16 of the SOLP allows for limited infilling and the redevelopment of previously developed land or buildings in the other villages. In addition, The Baldons NP supports the conversion of existing buildings in Policy 3 where the development meets Green Belt requirements and retains the separation of settlements.

The site is located within the Oxford Green Belt and sits within the built limits of Toot Baldon. Toot Baldon is classed as an “other” Village in the SOLP settlement hierarchy. The re-use and conversion of the barn is acceptable in principle and has some merit in terms of the heritage issues as discussed

below. Limited infilling is also allowed within Toot Baldon and the site is clearly within the built up limits of the settlement and is closely surrounded by other buildings; the proposed garage constitutes limited infilling in your officer's view. As such, the conversion of this existing building and provision of a garage accords with the SOLP Policies STRAT1 and H16 and TBNP Policy 3.

- 7.3 **Green Belt** . The NPPF attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open – the most important attribute of Green Belts is their openness.

To protect openness there is a general presumption against inappropriate development. Inappropriate development is, by definition, harmful to the Green Belt.

Paragraphs 154 (new buildings) and 155 (other forms of acceptable development) of the NPPF set out exceptions of development that are not considered inappropriate in the Green Belt. In this case the scheme involves the conversion of an existing building and also the provision of a detached garage outbuilding. NPPF Paragraphs 154e) and 155d) allow for;

154 e) limited infilling in villages; and

155 d) the re-use of buildings provided that the buildings are of permanent and substantial construction;

Policy STRAT6 of the SOLP and Policy 3 of the TBNP seek to protect the Green Belt and make it clear that planning permission will not be granted for development within the Green Belt that is contrary to the guidance in the NPPF.

This is a location where the re-use of buildings and limited infilling is allowed by the NPPF and the development plan policies. Infill development is defined as the filling of a small gap in an otherwise continuous built-up frontage or on other sites within settlements where the site is closely surrounded by buildings. The policy adds that the scale of infill should be appropriate to its location. The proposed outbuilding would be immediately to the east of the barn and numbers 12 and 13 Toot Baldon would be immediately south and southwest. In addition, there are buildings slightly further to the east and Court House to the North. The outbuilding constitutes limited infilling in your officer's view. In addition, this scheme has merit by re-using the existing building in the Green Belt, over the creation of new dwellings elsewhere in the Green Belt. In Green Belt terms there is no objection to the development and no need to demonstrate special circumstances. The proposal accords with Policy STRAT6 of SOLP and Policy 3 of TBNP in my view.

- 7.4 **Impact on the special architectural and historic interest of the listed building.** Court House to the north and The Mole Inn to the south-west are grade II listed buildings. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that, in considering whether to grant planning permission for development which affects a listed building or its

setting, the local planning authority have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Paragraph 205 of the NPPF reflects this requirement, stating that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

Paragraph 207 of the NPPF requires that planning permission should be refused if there is substantial harm or the total loss of a designated heritage asset. Paragraph 208 of the NPPF establishes that where the harm is less than substantial that any harm should be weighed against the public benefits of the proposal.

Policy ENV6 of the SOLP aims to ensure that development that may affect designated and non-designated heritage assets should take account of the desirability of sustaining and enhancing the significance of those assets and putting them to viable uses consistent with their conservation. New development should conserve and enhance the historic environment. Policy ENV7 of the SOLP aims to protect listed buildings and their settings.

Policy DES1 of the SOLP requires all new development to use land efficiently while respecting the existing landscape character. It adds that development must respect local context working with and complementing the grain of the surrounding area.

Policy DES2 of the SOLP states that all 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.

The barn is circa C18 in origin and is listed by virtue of being within the curtilage of Court House. The building has been altered externally and all external finishes renewed but the internal character and the preservation of the timber frame is good, such that the building remains of heritage interest.

The proposals would result in some localised loss of historic fabric over and above the approved scheme of application ref. P15/S2917/LB. The later C19 brick and timber boarded wall that divides the larger space of the building from the enclosed eastern bay would be removed and two vertical posts from truss A would be replaced. It is understood that the two vertical posts are later additions of lesser scantling used as props. This fabric is secondary and is of lesser significance. As per the original scheme, an area of joists would need to be cut to provide the staircase access to the first floor. This represents some loss of historic fabric albeit the original joist arrangement and character would remain very clearly legible. These works would result in less than substantial harm to the significance of the curtilage listed building.

New works comprise the provision of a new floor slab, lining out of the internal walls and roof with insulation and new interior finishes, new glazed openings, a new roof (trusses to be retained and rafters previously renewed), interior spaces subdivided with new partition wall, some including structural supports

for the flooring. A new extension would be provided to the northern elevation to provide an entrance hall. These works would alter the character of the interior and exterior of the building and pose less than substantial harm to the significance of the curtilage listed building.

There is also some low harm to the setting of the main listed building associated with the change of use of the land for use by the new residential unit and arising from the intensification of the residential paraphernalia and parking that would result on the site. It should be noted that there is a substantial hedge that separates Court House from this barn which effectively subdivides the curtilage at present. In addition, parking etc could reasonably occur on the site at present given its association with the residential use of Court House. The harm associated with an independent dwelling is therefore considered to be low.

The amended plans have demonstrated a significant reduction in the heritage impacts from the original submission. Previous concerns by the Heritage Officer have been largely mitigated by the amended details. The residual harm to the significance of the building is at the lower end of less than substantial harm and para 208 of the NPPF should be applied. Officers consider that there are heritage benefits associated with putting this building to a new and viable use that will enable its repair and ongoing conservation, and this should be weighed in the balancing act required by para 208. At present the building does not appear to be in a use that has encouraged ongoing conservation and it is in a state of decay that puts it at risk.

The harm is at the lower end of the scale of harm and paragraph 208 of the NPPF should be applied. This requires that the harm is weighed against the public benefits of the scheme. Officers are satisfied that there are public benefits to this scheme that outweigh the harm. It is considered that there are heritage benefits (which constitute public benefits) associated with putting this building into a new use that will enable its repair and encourage its ongoing conservation and this should also be weighed in the balance.

In the circumstances the impact on the setting, character and fabric of the curtilage listed building is less than substantial and outweighed by the benefit of securing its viable future. As such, the scheme accords with Policies ENV6, ENV7, DES1 and DES2.

- 7.5 Impact on the character of the conservation area.** The site lies in the Toot Baldon conservation area. The conservation area is a designated heritage asset. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention be paid to the desirability of preserving or enhancing the character or appearance of a conservation area. Paragraph 205 of the NPPF reflects this requirement, stating that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

Paragraph 207 and 208 of the NPPF are relevant where any harm is identified. If the harm is less than substantial it must be weighed against the public benefits of the proposal.

There is some low-level harm to the Toot Baldon Conservation Area with the change of use of the land for use by the new residential unit and arising from the intensification of the residential paraphernalia and parking that would result on the site. However, it should be noted that this could reasonably occur on the site at present given its association with the residential use of Court House. The harm is considered to be low.

Concerns in relation to the size of the garage outbuilding are acknowledged but this building is of a simple linear form and constructed of materials sympathetic to the character of the conservation area. In addition given its location to the east of the barn and set back from the road and behind 12 Toot Baldon, it will have limited visibility from public view points.

ENV8 of SOLP and TBNP Policy 1 are the relevant policies seeking to provide appropriate development within conservation areas. The proposed conversion is a sensitive scheme and any harm is less than substantial and outweighed by the benefit of securing a viable and sympathetic long term use for the barn. The scheme accords with Policy ENV8 and TBNP Policy 1 in your officers view.

- 7.6 **Neighbour impact.** Policy DES6 of the SOLP aims to protect the amenity of neighbouring uses from loss of privacy or day/sunlight, visual intrusion, noise, or external lighting.

Neighbours at 12 Toot Baldon have objected to the proposal – to overlooking from the barn and to the size and location of the proposed new garage/outbuilding, in relation to their property. They consider that the roof lights on the south elevation of the garage and the window in the east elevation of the barn would overlook the back of their house and garden and compromise their privacy.



east elevation

Existing east elevation to 12 Toot Baldon



Proposed east elevation to 12 Toot Baldon

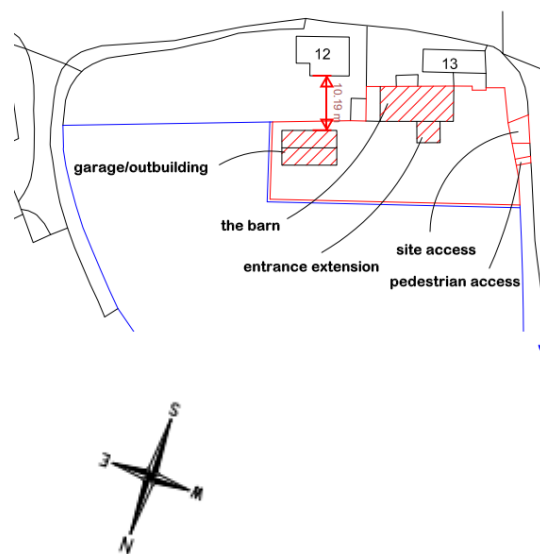
Impact from the barn

The barn already exists and so the converted building will not be any more overbearing or oppressive than the existing building. The single storey extension on the north elevation will be effectively screened from number 12 by the barn itself.

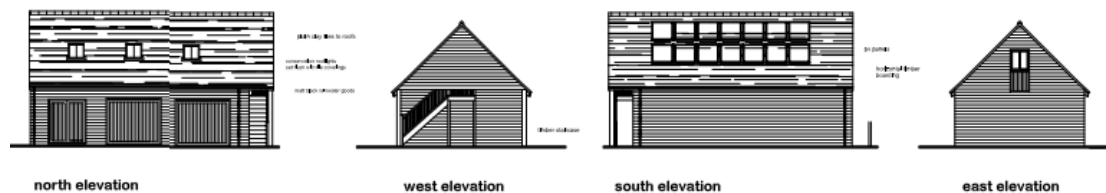
The neighbour concern about overlooking from the east elevation is acknowledged given the relationship of the proposed bedroom 2 window with the garden of number 12. A condition to ensure that the east elevation window is obscure glazed and fixed shut (other than a fan light) is recommended. In terms of amenity of occupants, there is a rooflight at eye level on the north elevation serving this bedroom which will provide a view and light and therefore the lack of view from the window in the east elevation is not unacceptable. In terms of escape, the stairwell is enclosed at ground floor and therefore the window in the east elevation is not needed as an escape window and can be fixed shut.

Any overlooking from the ground floor windows in the east elevation will be blocked by the wooden shed of number 12 that sits on the boundary.

Impact from the outbuilding on 12 Toot Baldon.



boundary in relation to 12 Toot Baldon



Outbuilding elevations

The proposed outbuilding houses a double garage and a store at ground floor and a storage/studio in the roof space at first floor. It would measure some 10m

by 6.6m in footprint and would be 2.5m in height to the eaves and 5.9 metres to the ridge.

Neighbours have objected to the size and location of the proposed new garage/outbuilding. They have identified solar panels on the north elevation as rooflights and consider that these would overlook the back of their house and garden.

The outbuilding would be located due north of 12 Toot Baldon and its garden and would not block any sunlight to that property due to this orientation. There would be a distance of some 10 metres between the north elevation of 12 Toot Baldon and the detached garage outbuilding. There is a ground floor window to 12 Toot Baldon on the north elevation but the impact of the height of the garage on this window will not be dissimilar to the impact from the existing apple tree and planting on the boundary.

There are no windows on the south elevation of the garage and no overlooking to 12 Toot Baldon can occur. There is a window at first floor in the east (side) elevation of the studio/storage area which has the potential to overlook the rear garden of 12 Toot Baldon. A condition to require that the window on the east elevation is obscure glazed is recommended to ensure that neighbour amenity is protected.

Subject to the conditions recommended the impact on neighbour amenity is acceptable in your officer's view. The proposal accords with Policy DES6 of the SOLP.

- 7.7 **Bats.** Policies ENV2 of the SOLP seeks to protect priority habitats and species and requires proposals to fully explore biodiversity impacts and any potential mitigation.

This application is supported by a bat survey and biodiversity report. The Ecology Officer has confirmed that a Bat Mitigation Class License from Natural England will be required for the development to proceed legally, with regard to a bat roost identified within the barn. They have suggested a condition to ensure that the development is undertaken in accordance with the methods set out in the Bat Survey Report (Windrush Ecology, July 2023). The report identifies replacement roosting opportunities and the provision of artificial nest boxes for birds. Subject to the condition to secure these measures, the application accords with Policy ENV2 of the SOLP.

- 7.8 **Biodiversity.** For proposals submitted before April 2024 when Biodiversity Net Gain requirements came into force, Policy ENV3 of the SOLP 2035 aims to ensure that as a minimum there should be no net loss of biodiversity as a result of development proposals.

The construction of the outbuilding will involve the removal of an apple tree and a Leyland Cypress hedge. The loss of the tree and hedge is not a constraint to development, but a condition is recommended to secure a replacement tree

and shrub planting. Subject to the condition to secure the replacement planting, the application accords with Policy ENV3 of the SOLP 2035.

- 7.9 **Access and parking.** Policy TRANS5 of the SOLP aims to ensure that development is acceptable from a transport perspective. The site itself has an existing vehicular access; the carriageway is relatively straight in its alignment to its junction with the main carriageway running through the village. The visibility splays at this access are considered acceptable, given the relatively low vehicle speeds and volumes passing the site. The proposal provides ample parking and turning provision and it is unlikely that vehicles will be displaced onto the adopted Highway so as to cause an obstruction.

The highway engineer has no objection to the proposal but has recommended a number of conditions, and these have been included in my recommendation. A condition to secure cycle parking is not considered necessary as this could be easily accommodated within the garage outbuilding.

Subject to conditions to secure parking and access the application accords with the SOLP Policy TRANS5.

- 7.10 **Drainage.** Policy INF4 of the 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 the 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 site lies in flood zone 1 which has the lowest probability of flooding and the proposal is acceptable in these terms.

With regard to water resources, Toot Baldon is not currently connected to the existing foul water system but there are plans to secure a connection in the future. There are however options such as septic tanks or other systems that can accommodate waste where there is no connection to the mains foul sewer. The Council's Drainage Engineer has no objection to the proposal subject to conditions to require further details in respect of foul and surface water drainage. Subject to the conditions the proposal accords with Policies INF4 and EP4.

- 7.11 **Carbon reduction.** Policy DES8 of the SOLP relates to conversions of buildings and requires development proposals to minimise the carbon and energy impacts. The application includes a sustainability statement which details a number of carbon reduction measures such as photovoltaic panels, efficient insulation and lighting and an electric vehicle charging point. Conditions are recommended requiring the energy efficiency measures to be carried out prior to the occupation of the building.

- 7.12 **Community Infrastructure Levy (CIL).** The development is CIL liable to the amount of £70,318.65

7.13 **Summary**

Your officers recommend that planning permission is granted for the barn conversion and detached garage outbuilding because the principle of development is acceptable. The less than substantial harm to the setting of the listed building and conservation area is outweighed by the public benefit of securing a viable use that ensures that the building is repaired and maintained for the future. The impact of the proposed development on the special architectural and historic character and setting of the listed building and the setting and the character of the conservation area is balanced but acceptable. Subject to the attached conditions the proposal is not unneighbourly and will not cause problems of parking, access or ecology. As such the development accords with development plan policies.

Your officers recommend that listed building consent is granted because the benefits of securing a viable long-term use of the curtilage listed building outweigh the less than substantial harm to the special architectural and historic character of the listed building to its setting. As such the works accord with development plan policies.

8.0 **Other Relevant Legislation**

8.1 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.

8.2 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.

8.3 Crime and Disorder Act 1998

In considering this application, due regard has been given to the likely effect of the proposal on the need to reduce crime and disorder in accordance with Section 17 of the Crime and Disorder Act 1998. In reaching a recommendation, officers consider that the proposal will/will not undermine crime prevention or the promotion of community safety.

9.0 **PLANNING BALANCE AND CONCLUSION**

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

9.2 The applications will provide an economic and social role via the creation of additional jobs during construction and the deliverability of an additional dwelling within the district. The development is also CIL liable and will contribute towards local infrastructure.

9.3 There are no technical concerns with the applications, subject to the recommended conditions. Overall, in the planning balance, the benefits of the development outweigh any potential harm. As such, the applications are recommended for approval.

9.4 Abbreviated versions of the recommended conditions are listed below and shown in full in **Appendix 3**.

10.0 **RECOMMENDATION**

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

- 1 : Commencement 3 years - Full Planning Permission
- 2 : Approved plans
- 3 : Surface water drainage works (details required)
- 4 : Foul drainage works (details required)
- 5 : Submission of details
- 6 : Landscaping scheme
- 7 : Archaeological Watching Brief
- 8 : Implementation of Programme or Archaeological Work
- 9 : Additional details for timber repair
- 10 : Materials as on plan
- 11 : Sustainable Design Features - as approved
- 12 : Existing vehicular access
- 13 : Parking & Manoeuvring Areas Retained
- 14 : Wildlife Protection (mitigation as approved)
- 15 : Rooflights (non-opening)
- 16 : Obscure glazing to window
- 17 : No additional windows, doors or other openings
- 18: Withdrawal of P.D. (Part 1 Class A, B and C)
- 19: Withdrawal of P.D. (Part 1 Class E) - no buildings etc
- 20 : Electric Vehicles Charging Point (implementation)

10.2 To grant listed building consent subject to the following conditions.

- 1 : Commencement 3 years - LBC
- 2 : Approved plans
- 3 : Submission of additional details
- 4 : Further details for additional works to timber frame
- 5 : Materials as on plan

Officer: Sharon Crawford

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Appendix 3

Conditions for the planning application

No	description	Details
1	Commencement 3 years - Full Planning Permission	<p>The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.</p> <p>Reason: By virtue of Sections 91 to 95 of the Town and Country Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.</p>
2	Approved plans	<p>That the development hereby approved shall be carried out in accordance with the details shown on the following approved plans, 2127-06, 2127-JD2, 2127-07, 2127-01, 2127-03, and</p> <ul style="list-style-type: none"> - Door Detail 2127-JD2 - Window detail 21277-JD1 - Rooflight detail GGLEDJ-0114-1103 - Truss Section & Joist Layouts 2127-08 - Site elevations and floor plans proposed 2127-05B - Revised Structural Repairs Statement of June 2024 - Revised Proposed materials list. <p>except as controlled or modified by conditions of this permission.</p> <p>Reason: To secure the proper planning of the area in accordance with Development Plan policies.</p>
3	Surface water drainage works (details required)	<p>Prior to the commencement of development, with the exception of any demolition, a full surface water drainage scheme, shall be submitted to, and approved in writing by, the Local Planning Authority. The design of the surface water drainage system will be in accordance with the non-statutory technical standards for sustainable drainage systems, including details of BRE 365 soakage testing, levels, size, position and construction of drainage works. The drainage scheme shall be sized to accommodate a minimum of the worst case 1 in 30 year storm, with evidence to demonstrate that the site can accommodate the worst case 1:100 year storm + 40% Climate Change storm, without any flows exiting up to this storm event and any storage on site not causing a nuisance or flooding to property. A surface water discharge to a Thames Water recorded foul sewer will not be permitted under any circumstance. The approved scheme shall be implemented in accordance with the approved details prior to the occupation of the development hereby approved.</p>

		Reason: To prevent pollution and flooding in accordance with Policies ENV12 and EP4 of the South Oxfordshire Local Plan 2035.
4	Foul drainage – details required	<p>Prior to the commencement of development, with the exception of any demolition, a full foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall include details of soakage testing (if necessary), method, levels, size, position and construction of the drainage scheme.</p> <p>Reason: To ensure the proper provision of foul water drainage and to ensure flooding and pollution is not exacerbated in the locality in accordance with policy EP4 of the South Oxfordshire Local Plan 2035.</p>
5	Submission of additional details	<p>Details, including drawings as necessary, in respect of the following, shall be submitted to and approved in writing by the Local Planning Authority before the relevant part of the work has begun:</p> <p>a) Specifications for all insulation materials proposed. (wall, roof, floor) b) Details of vent/extractor terminals (eg.to ensuite bathroom, kitchen etc).</p> <p>Thereafter the development shall be carried out in accordance with the approved details.</p> <p>Reason: To safeguard the special architectural or historic interest of the listed building in accordance with Policy ENV7 of the South Oxfordshire Local Plan 2035.</p>
6	Landscaping scheme	<p>That a landscaping scheme to secure a new tree to replace the apple tree shown to be removed and shrub planting to replace the hedging shown to be removed shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall be submitted prior to the commencement of development to construct the garage outbuilding and then shall be implemented prior to the first occupation of the dwelling hereby approved and thereafter be maintained in accordance with the approved scheme. In the event of the replacement trees or shrubs so planted dying or being seriously damaged or destroyed within 5 years of the completion of the development, a new tree or shrub or equivalent number of trees or shrubs, as the case may be, of a species first approved by the Local Planning Authority, shall be planted and properly maintained in a position or positions first approved in writing by the Local Planning Authority.</p> <p>Reason: To ensure no net loss of biodiversity in accordance with Policy ENV3 of the South Oxfordshire Local Plan 2035.</p>

7	Written Scheme of investigation	<p>The applicant, or their agents or successors in title, shall be responsible for organising and implementing an archaeological watching brief, to be maintained during the period of construction/during any groundworks taking place on the site. The watching brief shall be carried out by a professional archaeological organisation in accordance with a Written Scheme of Investigation that has first been approved in writing by the Local Planning Authority.</p> <p>Reason - To safeguard the recording of archaeological matters within the site in accordance with policy ENV9 of the South Oxfordshire Local Plan 2035.</p>
8	Archaeological mitigation	<p>Following the approval of the Written Scheme of Investigation referred to in condition 7, no development shall commence on site without the appointed archaeologist being present. Once the watching brief has been completed its findings shall be reported to the Local Planning Authority, as agreed in the Written Scheme of Investigation, including all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Local Planning Authority within two years of the completion of the archaeological fieldwork.</p> <p>Reason To safeguard the identification, recording, analysis and archiving of heritage assets before they are lost and to advance understanding of the heritage assets in their wider context through publication and dissemination of the evidence in accordance with policy ENV9 of the South Oxfordshire Local Plan 2035.</p>
9	Further details for additional works to timber frame	<p>In the event of any additional works of timber repair or replacement being identified during the course of works, details including drawings and written specifications shall be submitted to the Local Planning Authority and approved in writing prior to undertaking those works of repair or replacement. Thereafter the works shall be carried out in accordance with the approved details.</p> <p>Reason: To safeguard the special architectural or historic interest of the listed building in accordance with Policy ENV7 of the South Oxfordshire Local Plan 2035.</p>
10	Materials as on plan	<p>The exterior of the development hereby permitted shall only be constructed in the materials specified on the revised materials list hereby approved or in materials which shall previously have been approved in writing by the Local Planning Authority.</p> <p>Reason: In the interests of the visual appearance of the development in accordance with Policies DES1 and DES2 of the South Oxfordshire Local Plan 2035.</p>
11	Sustainable design features	<p>The measures set out in Sustainability Statement, which accompanied the application, in respect of sustainable</p>

		<p>building, shall be implemented prior to the first occupation of the development, unless as may otherwise be agreed in writing by the Local Planning Authority.</p> <p>Reason: To ensure high standards of sustainable design and construction in accordance with Policy DES8 of the South Oxfordshire Local Plan 2035.</p>
12	Access	<p>Prior to the first occupation of the dwelling, the existing means of access onto the 'Unnamed Road', shall be improved and laid out and constructed strictly in accordance with the local highway authority's specifications and all ancillary works specified shall be undertaken.</p> <p>Reason: In the interest of highway safety in accordance with Policy TRANS5 of the South Oxfordshire Local Plan 2035.</p>
13	Parking & Manoeuvring Areas Retained	<p>Prior to the first occupation of the development hereby approved, the parking and turning areas shall be provided in accordance with the approved plan 2127-05B and shall be constructed, laid out, surfaced, drained and completed to be compliant with sustainable drainage (SuDS) principles, and shall be retained unobstructed except for the parking of vehicles associated with the development at all times.</p> <p>Reason: In the interests of highway safety and in accordance with policy TRANS5 of the South Oxfordshire Local Plan 2035.</p>
14	Biodiversity compliance	<p>The development hereby approved shall be undertaken in adherence with the methods set out in Sections 5.2.2, 5.2.3, 5.2.4, 5.2.5 and 5.2.7 of the Bat Survey Report (Windrush Ecology, July 2023). Replacement roosting opportunities should be provided as per Section 5.2.6 of the Bat Survey Report. The development should also be undertaken in adherence with Section 5.3 of the Bat Survey Report with regard to nesting birds, including the provision of artificial nest boxes. The barn shall not be occupied until the measures specified above have been carried out/put in place and shall be maintained as such.</p> <p>Reason: To ensure adverse construction effects on protected species are avoided in line with policy ENV2 of the South Oxfordshire Local Plan.</p>
15	Rooflights – non opening	<p>The proposed rooflights on the south elevation of the barn serving the landing and dining area shall be fixed shut non-opening windows.</p> <p>Reason: To ensure that the development is not unneighbourly in accordance with Policy DES6 of the South Oxfordshire Local Plan 2035.</p>
16	Obscure glazing	<p>The window to bedroom 2 in the East elevation of the dwelling and the studio/storage window in the East elevation</p>

		<p>of the outbuilding hereby permitted shall be glazed in obscure glass with a minimum of level 3 obscurity, and shall be fixed shut with the exception of a top hung openable fanlight (or other means of opening to be first agreed in writing by the Local Planning Authority) prior to the first occupation of the accommodation and it shall be retained as such thereafter.</p> <p>Reason: To ensure that the development is not unneighbourly in accordance with Policy DES6 of the South Oxfordshire Local Plan 2035.</p>
17	No additional windows	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order), no window(s), door(s) or other openings other than those shown on the approved plans shall be inserted in the south elevation (facing 13 Toot Baldon) of the converted barn hereby permitted.</p> <p>Reason: To ensure that the development is not unneighbourly in accordance with Policy DES6 of the South Oxfordshire Local Plan 2035.</p>
18	Withdraw permitted development rights for extensions	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order), the enlargement, improvement or other alteration of any dwellinghouse as described in Schedule 2, Part 1, Classes A, B, and C of the Order shall not be undertaken without obtaining planning permission from the Local Planning Authority.</p> <p>Reason: To safeguard the amenities of the occupiers of the adjoining properties and the character of the curtilage listed building in accordance with Policies ENV8 and DES6 of the South Oxfordshire Local Plan 2035.</p>
19	Withdraw permitted development rights for Class E	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order) the provision within the curtilage of the dwelling of any building, enclosure or swimming pool as described in Schedule 2, Part 1, Class E of the Order shall not be undertaken without obtaining planning permission from the Local Planning Authority.</p> <p>Reason: To safeguard the safeguard the openness of the Green Belt and the character of the area in accordance with Policies DES1, DES2 and STRAT6 of the South Oxfordshire Local Plan 2035.</p>
20	Electric vehicle charging points	<p>Prior to the first occupation of the dwelling hereby approved an Electric Vehicle Charging Point shall be installed and retained as such.</p>

		Reason: To ensure sustainable forms of transport are provided in accordance with Policy DES8 of the South Oxfordshire Local Plan 2035.
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Conditions for the Listed building consent

Sequence	Description	Details
1	Commencement 3 years -	<p>The works to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.</p> <p>Reason: By virtue of Sections 91 to 95 of the Town and Country Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.</p>
2	Approved plans	<p>That the works hereby approved shall be carried out in accordance with the details shown on the following approved plans, 2127-05B, 2127-08, 2127-06, 2127-JD2, 2127-07, 2127-01, 2127-03 and 2127-JD1,</p> <ul style="list-style-type: none"> - Door Detail 2127-JD2 - Window detail 21277-JD1 - Rooflight detail GGLEDJ-0114-1103 - Truss Section & Joist Layouts 2127-08 - Site elevations and floor plans proposed 2127-05B - Revised Structural Repairs Statement of June 2024 - Revised Proposed materials list. <p>except as controlled or modified by conditions of this permission.</p> <p>Reason: To secure the proper planning of the area in accordance with Development Plan policies.</p>
3	Submission of details	<p>Details, including drawings as necessary, in respect of the following, shall be submitted to and approved in writing by the Local Planning Authority before the relevant part of the work has begun:</p> <ul style="list-style-type: none"> a) Specifications for all insulation materials proposed. (wall, roof, floor) b) Details of vent/extractor terminals (eg.to ensuite bathroom, kitchen etc)

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		<p>Thereafter the works shall be carried out in accordance with the approved details.</p> <p>Reason: To safeguard the special architectural or historic interest of the listed building in accordance with Policy ENV7 of the South Oxfordshire Local Plan 2035.</p>
4	Further details for additional works to timber frame	<p>In the event of any additional works of timber repair or replacement being identified during the course of works, details including drawings and written specifications shall be submitted to the Local Planning Authority and approved in writing prior to undertaking those works of repair or replacement. Thereafter the works shall be carried out in accordance with the approved details.</p> <p>Reason: To safeguard the special architectural or historic interest of the listed building in accordance with Policy ENV7 of the South Oxfordshire Local Plan 2035.</p>
5	Materials as on plan	<p>The exterior of the works hereby permitted shall only be constructed in the materials specified on the revised materials list hereby approved or in materials which shall previously have been approved in writing by the Local Planning Authority.</p> <p>Reason: To safeguard the special architectural or historic interest of the listed building in accordance with Policy ENV7 of the South Oxfordshire Local Plan 2035.</p>