

APPLICATION NO.	P15/V1215/FUL and P15/V1216/LB
APPLICATION TYPE	FULL APPLICATION and LISTED BUILDING CONSENT
REGISTERED	27.5.2015
PARISH	BLEWBURY
WARD MEMBER(S)	Janet Shelley Reg Waite
APPLICANT	Mr & Mrs Morgan
SITE	Land opposite Borlase South Street, Blewbury, Didcot, OX11 9PX
PROPOSAL	Conversion, extension and renovation of existing barn and loggia to form a new dwelling. (10 August 2015 - additional information received - revised heritage statement and structural investigation report; amended plans for revised access)
AMENDMENTS	
GRID REFERENCE	453251/185735
OFFICER	Sarah Green

SUMMARY

- These applications are referred to planning committee due to an objection from Blewbury Parish Council and to the significant level of objection from local residents.
- The proposal is for the conversion, extension and renovation of two curtilage listed structures on the site to form a new dwelling. The site is also within the Blewbury Conservation Area and AONB, and is surrounded by listed buildings as well as more modern dwellings.
- The main thrust of objections is the harm to the curtilage listed buildings, harm to the setting of listed buildings, harm to the character and appearance of the conservation area, and harm to highway safety.
- The proposal has been assessed against the NPPF and the relevant legislation. It is considered by officers that it would cause harm to designated heritage assets but that the impact would amount to less than substantial harm to the curtilage listed buildings and to the setting of nearby listed buildings, and would not harm the character or appearance of the conservation area.
- Officers consider the harm that is identified will be outweighed by public benefits. The level of detail submitted is considered to be proportionate to the significance of the buildings as curtilage listed structures. There is not considered to be an adverse impact on highway safety.
- The applications are recommended for approval subject to conditions.

1.0 INTRODUCTION

- 1.1 This report deals with an application for planning permission and for listed building consent. The applications are referred to planning committee due to an objection from

Blewbury Parish Council and due to the significant level of objection from local residents.

- 1.2 The site is within the centre of Blewbury. Its frontage forms the corner of South Street and Church Road. It is owned by the occupiers of the property Borlase opposite. Borlase is a grade II listed building and the site and is considered to be within the curtilage of Borlase. A location plan is **attached** at Appendix 1.
 - 1.3 The site is rectangular in shape. A timber framed barn spans the northern side of the site. This barn is believed to date from the 18th century. It is gable fronted to South Street and has been used as a garage. Along the western site boundary is a brick loggia, comprised in part of a tiled roof sitting on a brick wall and on four brick and tile piers, and in part of open timber framing sitting on a further row of four brick and tile piers. This loggia is believed to have been constructed partly in the 1920's but also, according to the applicant's heritage statement, partly in the 1950's.
 - 1.4 The rest of the site is open with an area used for parking, access to which is off South Street. A brick boundary wall runs along the Church Road boundary and turns the corner onto South Street. There is a small portion of brick wall that also runs from the garage along South Street. In between, the boundary with South Street is marked with a low fence.
 - 1.5 Any separate building that lies within the curtilage of a listed building and is pre-1948 in age is considered to be curtilage listed. As Borlase is grade II listed both structures on the site are considered to be curtilage listed. There are also a number of other listed buildings in the vicinity. The site is also within the Blewbury Conservation Area and the North Wessex Area of Outstanding Beauty (AONB).
 - 1.6 This is the third proposed scheme for the site. The two previous schemes proposed demolishing the loggia and erecting a new dwelling and utilising the barn as garaging. Both these previous schemes were withdrawn prior to determination, following advice from your officers that the schemes would not be supported.
- 2.0 **PROPOSAL**
- 2.1 The applications seeks planning permission and listed building consent for the conversion, extension & renovation of the barn and loggia to form a single dwelling. A new gabled structure would be built adjacent to the loggia and linked to the barn by a building with a roof that is a mixture of pitched and flat roofs. The space between the new structures and the north-west site boundary would be covered with a partially glazed flat roof.
 - 2.2 The vehicular access to the site would be off South Street. The location of the access has been amended to address the highway officer comments, as has the height of the boundary walls within the visibility splays. The existing boundary wall along South Street would be extended along the boundary and lowered for the visibility splay. The boundary wall along Church Road is to remain as it is, with the only alteration at the corner to lower it for the visibility splay.
 - 2.3 Extracts of the plans are **attached** at Appendix 2. The full application documents can be viewed online at www.whitehorsedc.gov.uk. During the application amended plans relating to the relocated access and wall, revised heritage statement, and structural report were submitted.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1 Below is a summary of the responses received to both the original plans and the amendments. A full copy of all the comments made can be viewed online at www.whitehorsedc.gov.uk.

Blewbury Parish Council	<p>Object</p> <p>“Blewbury Parish Council objects. We continue to believe that this site, although small, makes a significant contribution to the conservation area and that its development would be contrary to policy HE1 in the current Local Plan. Developing this plot will impact both the setting of Borlase, a listed building, and the appearance of the conservation area.</p> <p>“The current design involves the alteration and probably (for structural reasons) the dismantling of two buildings within the curtilage of a listed building (Borlase) We also feel that the proposed boundary wall would be intrusive and restrict visibility for both pedestrians and motorists at the junction of Church Road and South Street. The Council is aware that there is a great deal of local opposition to this development.</p> <p>“We recognise that efforts have been made to meet some of the previous objections, but the fundamental problems remain.”</p> <p>Amended plans: “Blewbury PC stand by their original objection.”</p>
Local Residents	See below
Thames Water Development Control	No objection
County Archaeologist	There are no archaeological constraints to this application
Conservation Officer (Vale)	Proposal is considered acceptable – see full comments attached at Appendix 3.
Highways Liaison Officer (Oxfordshire County Council)	<p><i>Original plans:</i></p> <p>Object</p> <p>Not demonstrated that the access arrangements provide vision splay according with standards.</p> <p><i>Amended plans:</i></p> <p>Having reviewed drawing no: R600.05 I confirm that this addresses the highways matters that were of concern in my original recommendation for refusal by –</p> <ul style="list-style-type: none"> <input type="checkbox"/> Relocating the access to improve separation from the Church Road junction. <input type="checkbox"/> Reducing the height of the walling fronting South Street, from its junction with Church Street, to 0.9m to provide vision splay in this direction.

	<p><input type="checkbox"/> Confirming that the replacement boundary treatment further along South Street on this frontage will be < 0.9m to ensure vision splay in this direction.</p> <p><input type="checkbox"/> Closing off the existing vehicular access into the former garage</p> <p>Revise original recommendation to no objection subject to suitable conditions</p>
Countryside Officer(South Oxfordshire & Vale of White Horse)	<p>There is only a low risk of impacts on protected species. Recommend informative on any permission to draw attention to need to have regard to requirements of UK and European legislation relating to protection of certain species.</p> <p>Amended plans/information No further comments</p>
Drainage Engineer (Vale of White Horse District Council)	No objection subject to condition requiring fully detailed sustainable drainage scheme.
Sustainable Blewbury Group	Destruction of heritage buildings on site and the resultant loss of green space within a sensitive part of Blewbury's conservation area is not consistent with groups aims
SPAB	Unfortunately we have not had opportunity to visit the site and discuss the proposals. However, on the basis of the drawings submitted we have some concerns. Although the scheme makes an effort to incorporate the existing structures that form part of the listed building's curtilage we are not convinced that this would be achievable in practice without substantial reconstruction, nor that the setting of the listed building would be unharmed if the change occurred. Overall, we are not convinced that there would be any public benefit to outweigh harm to the heritage asset. We urge that further information about the impact of work on existing structures is sought from the applicant for consideration, before the application is determined.

Local Residents' Comments

Objection

Petitions

Four different petitions/letters have been submitted to the applications. Copies of these are **attached** as appendices.

- Letter 1 (appendix 4) – 94 submissions
- Letter 2 (appendix 5) – 26 submissions
- Letter 3 (appendix 6) - 21 submissions
- Letter 4 (appendix 7) – 14 submissions

Individual responses

A total of 49 individual representations to the planning application and 28 individual

representations to the listed building application have been received. Many were duplicated on both applications. The following are a summary of the comments.

- Out of scale and character
- Important open lung in street, Garage should be not be altered
- Respect substantial improvements made but under policies there has to be exceptionally strong grounds to grant consent
- Value open spaces in Blewbury. No need for infill in conservation area
- Little buildings form a local landmark; structures intended to protect setting of Borlase; small important green space
- Loss of an important green space with aesthetic value to whole of village; detriment to conservation status of village
- Structures have been left to decline
- Conflict with statutory requirements in respect of conservation area and listed building
- Dismantling of loggia contrary to listing regulations
- At no time have there been other structures on the site
- High level wall/fence obnoxious obstruction; loss of open visual amenity; precedent for other green spaces in conservation area
- Sad to see site fall into disrepair through lack of maintenance
- Proposed house too large; does not properly preserve loggia, entails destruction of barn
- Cannot see with building regulations that building can be retained
- Benefit to community will be non existent
- Believe village organisations have asked to lease land and maintain if current owners not able to.
- Should have same protection from redevelopment as listed building
- Lose open green space that has been integral to character and charm of Blewbury for so many years; it means the loss of two listed buildings; impact on setting of Borlase
- Traffic hazard by proposed high wall and fence
- Not compatible with listed legislation or high court ruling that there is a statutory presumption against planning permission being granted for development which would harm setting of listed building to conservation area.
- Council should make owners restore listed properties as is their obligation under the relevant legislation
- If conservation rules to have any meaning this proposal must be rejected
- As the site is within the conservation area there should be natural presumption to not making changes to historic street scene
- Part of historic fabric of community
- Too small for development; needed to park cars
- High wall inappropriate
- First floor bedrooms look inadequate to function as practical living space
- Would not object to development at rear of Borlase to provide second property
- Damage setting of Borlase and street scene
- High wall/fence worsen visibility of traffic
- Application marked improvement on previous versions showing more respect for scale and listed loggia and barn. Despite that it should not be approved
- Attack on open space of Blewbury
- One was a wheel rights shop, the other an Arts and Craft loggia
- Would necessitate demolition of listed structures within site
- Most important greens paces, plays important role in steetscape, important role in life of village
- Considerable changes to their fabric proposed

- Blewbury in process of producing neighbourhood development plan
- Contravenes policies – AONB, conservation area, listed building legislation
- Possible only remaining site of roadside shrine in Oxfordshire
- Excavating the barn floor will lead to upsetting all of the many local springs
- Flies in the face of designation as conservation area
- Constitutes a massive step of turning Blewbury into just another town
- Tragedy and travesty of views of the area, as approaches down South Street will be lost forever
- Sets dangerous precedent
- Not infill development
- Dwelling impractical and will require rebuilding
- Would adversely affect market value of Borlase
- Appears the proposed design could be used as a commercial facility rather than domestic dwelling and operated mostly unseen behind proposed ungainly high wall.
- Current owners have neglected it
- Planned building shows no appreciation of village environment
- Requires change of use permisison
- Cause precedent for infilling other green spaces in conservation area.
- Requires destruction of listed building structures of significant local historical note.
- Completely change street scene
- Unsatisfactory that not enough attention has been given to maintaining the site and its listed structures
- Should be presumption against change in conservation area
- Head height not sufficient in garage
- Loggia built in 1920s by previous owner – Arts and Craft
- Should lease land to village
- Should require owners to restore
- Space used to host gathering attended by famous artists in first half twentieth century
- Special interest in structures and green spaces like this
- Site has become eyesore

Responses to highway amendment and revised heritage statement and structural information

Objection

A summary of the 18 comments received below:

- Views remain the same. Plenty of alternative sites in the Vale and gaining one new house cannot be set against the harm to the listed building nor the value of this space within a conservation area
- Have no idea whether neglect of site is deliberate but does appear to have deteriorated over last few months
- Scheme would result in certain demolition of brick columns if they are to be incorporated
- It is concerning that the conservation officer would consider a scheme without establishing how much of the extent of fabric could be saved.
- Deterioration of site coincided with attempts to seek planning permission
- 'viable economic use' apparently flies in the face of conservation principles and seem to refer to the owner making a profit from the enterprise
- Will block sightlines of people coming out of Church Road

- Historical plot of open space in beautiful part of historic village, highly visible open space in conservation area
- Additional information does nothing to alter the unacceptability of proposed development
- Sets a precedent for other green spaces.
- Gather concession to 'visibility for pedestrians and traffic' has been made for safety reasons and I appreciate that objections have been listened to. However this is not enough - remain in principle totally against any building on site.
- Proposed changes are irrelevant
- Conservation officer's report takes no account of the cultural significance
- No detail as to how building would be constructed
- It will destroy a green space integral to charm of Blewbury
- Complete misunderstanding of importance of site
- Proposed lowering of wall needs to be extended by 10m to Church Road. Proposal to raise height of this wall is unsafe
- Vehicular entry/exit needs to be moved closer to centre of south street
- No method statements provided to explain construction
- Disagree with conservation officer's comments, conflict with traditional amenity of open green space in conservation area and statutory regulation and saved local plan policy regarding setting
- Misunderstanding to assume heritage structures can be retained or repaired. Report identifies foundations not been examined and geological survey needed.
- Glass curtain walling incompatible with setting. Does not provide storage facilities
- Would be more economically viable being restored and maintained to protect the value of Borlase
- Heritage statement inaccurate. Barn was known to be the workshop for various activities over the many years. Excavations will surely demolish it
- Another building site will make corner even more dangerous

Support

A total of five individual representations to the planning application and one individual representation to the listed building application have been received. One was a duplicate on both applications. The following are a summary of the comments.

- Sensitive proposed development is appropriate; low roof lines are thoughtful and modest scale is fitting; unlikely can be left idle indefinitely given pressure on housing. Intelligent use of existing buildings and site
- Height is modest; allows retention of loggia. This imaginative schemes deserves to succeed
- New plan done much to address previous concerns; footprint and scale of house reduced. Care been taken to incorporate existing listed structures within new plans
- Have taken on board objections to previous applications and produced plan sympathetic to site
- Much better proposal than in the two previous applications

4.0 RELEVANT PLANNING HISTORY

4.1 [P14/V2470/FUL](#) - Withdrawn (16/12/2014)

Proposed erection of a three bedroom dwelling (resubmission).

[P14/V1114/FUL](#) - Withdrawn (17/06/2014)

Proposed erection of a four bedroom dwelling and extension to garage.

Opposite side of Church Road at Bankside

P12/V2554/FUL – Approved (05/04/2013)

Erection of a new dwelling adjacent to Bankside, including the demolition of garage and widening of access.

- New dwelling on part of former garden of dwelling

Adjacent to site at Robinsons

[P00/V1281](#) - Approved (19/03/2001)

Erection of new dwelling.

- Demolished existing bungalow on site and erected a new house in its place.

5.0 POLICY & GUIDANCE

5.1 Vale of White Horse District Council Local Plan 2011

The development plan for this area comprises the adopted Vale of White Horse local plan 2011. The following local plan policies relevant to this application were 'saved' by direction on 1 July 2009.

DC1 - Design

DC5 - Access

DC6 - Landscaping

DC9 - The Impact of Development on Neighbouring Uses

H11 - Development in the Larger Villages

HE1 - Preservation and Enhancement: Implications for Development

HE4 - Development within setting of listed building

HE5 - Development involving alterations to a listed building

HE7 - Change of use of listed building

NE6 – AONB

5.2 Emerging Local Plan 2031 – Part 1

The draft local plan part 1 is not currently adopted policy. Paragraph 216 of the NPPF allows for weight to be given to relevant policies in emerging plans, unless other material considerations indicate otherwise, and only subject to the stage of preparation of the plan, the extent of unresolved objections and the degree of consistency of the relevant emerging policies with the NPPF. At present it is officers' opinion that the emerging Local Plan housing policies carry limited weight for decision making. The relevant policies are as follows:-

Policy No.	Policy Title
Core Policy 1	Presumption in favour of sustainable development
Core Policy 3	Settlement hierarchy
Core Policy 4	Meeting our housing needs
Core Policy 15	Spatial strategy for South East Vale sub-area
Core Policy 37	Design and local distinctiveness
Core Policy 39	The historic environment
Core Policy 42	Flood risk
Core Policy 44	Landscape
Core Policy 46	Conservation and improvement of biodiversity

5.3 Supplementary Planning Guidance

- Design Guide – March 2015

5.4 National Planning Policy Framework (NPPF) – March 2012

Paragraphs 126 to 141 of the NPPF deal with the historic environment. Paragraph 126 sets out that heritage assets should be conserved in a manner appropriate to their significance. It states that planning authorities should take into account

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
- the desirability of new development making a positive contribution to local character and distinctiveness; and
- opportunities to draw on the contribution made by the historic environment to the character of a place.

5.5 Paragraph 129 of the NPPF required local planning authorities to identify and assess the particular significance of any heritage asset that may be affected by a proposal, taking account of the available evidence and any necessary expertise. Paragraph 130 states that where there is evidence of deliberate neglect of, or damage to, a heritage asset the deteriorated state of the asset should not be taken into account. Paragraph 131 states that when determining applications local planning authorities should take account of –

- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation
- The positive contribution that conservation of heritage assets can make to sustainable communities, including their economic vitality
- The desirability of new development making a positive contribution to local character and distinctiveness

5.6 Paragraph 132 confirms that *“When considering the impact of a proposed development on the significance of a designated asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be”*. The NPPF adds at paragraph 133 that proposals causing substantial harm to or total loss of significance of a designated heritage asset should be refused unless the substantial harm or loss is necessary to achieve substantial public benefits that outweigh the harm or loss. The PPG states that in general terms substantial harm is a high test so it may not arise in many cases.

5.7 Paragraph 134 of the NPPF explains that less than substantial harm to the significance of the heritage asset should be weighed against the public benefits of the proposal, including securing its optimum viable use. Public benefits can also include sustaining and enhancing the heritage asset and ensuring its long term conservation. The level of detail submitted with an application should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

5.8 **Planning Practice Guidance 2014 (PPG)**

This contains further advice on conserving and enhancing the historic environment to supplement the advice in the NPPF (ID.18a).

5.9 **Neighbourhood Plan**

Paragraph 216 of the NPPF allows for weight to be given to relevant policies in emerging plans, unless other material considerations indicate otherwise, and only subject to the stage of preparation of the plan, the extent of unresolved objections and the degree of consistency of the relevant emerging policies with the NPPF.

5.10 An application has been received and approved for a neighbourhood planning designation area but to date a neighbourhood plan has not been submitted to the Council. Consequently no weight can be given to any policies that may be emerging in any draft neighbourhood plan.

5.11 Environmental Impact

The site falls within the North Wessex Area of Outstanding Natural Beauty. Under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, the site is therefore considered to be located in a sensitive area.

However the proposal for a single dwelling does not exceed the applicable EIA thresholds (exceeds 150 dwellings and site area over 5ha) and therefore is not EIA development.

5.12 Other Relevant documents

Legislation –

- Planning (Listed Buildings and Conservation Areas) Act 1990
- Town and Country Planning Act 1990
- Community & Infrastructure Levy Legislation
- Human Rights Act 1998
- Equality Act 2010
- Section 17 of the Crime and Disorder Act 1998
- Natural Environment and Rural Communities (NERC) Act 2006
- The Conservation of Habitats and Species Regulations 2010
- Localism Act (including New Homes Bonus)

Documents –

- Blewbury Parish Plan 2004
- English Heritage – Conservation principles

5.13 Human Rights Act

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.

5.14 Equalities

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 in the determination of this application are:

1. The principle of housing
2. The impact on the historic environment
3. The impact on the AONB
4. Traffic, parking and highway safety issues
5. Drainage
6. The impact on residential amenity
7. Ecology

The Principle of Housing

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. Section 70 (2) of the Town and Country Planning Act 1990 provides that the local planning authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations. The development plan currently comprises the saved policies of Vale of White Horse Local Plan 2011. Paragraph 215 of the NPPF provides that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given). Other

material planning considerations include national planning guidance within the NPPF and PPG and the emerging Local Plan: Part 1 and its supporting evidence base.

- 6.3 Paragraph 49 of the NPPF states *"Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites"*. The council does not have a five year housing land supply. This means that the relevant housing policies in the adopted Local Plan are not considered up to date and the adverse impacts of a development would need to significantly and demonstrably outweigh the benefits if the proposal is refused. In order to judge whether a development is sustainable it must be assessed against the economic, social and environmental roles.
- 6.4 Policy GS1 of the adopted Local Plan provides a strategy for locating development concentrated at the five major towns but with small scale development within the built up areas of villages provided that important areas of open land and their rural character are protected. In terms of a hierarchy for allocating development this strategy is consistent with the NPPF, as is the intention to protect the character of villages. Blewbury is identified as a larger village with a good range of services and facilities.
- 6.5 The relevant housing policies of the adopted and emerging local plan hold very limited material planning weight in light of the lack of a five year housing supply. Consequently paragraph 14 of the NPPF is engaged and planning permission should be granted unless
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF as a whole, or
 - specific policies in the NPPF indicate development should be restricted.

The specific policies referred to include those relating to designated heritage assets (eg, listed buildings and conservation areas).

The Impact on the Historic Environment

- 6.6 The NPPF deals with the historic environment in paragraphs 126 to 141. These applications raise issues relating to listed buildings and to the conservation area. Both of these are designated heritage assets. The local planning authority also has specific legal duties with regard to both. The report will consider each in turn.
- 6.7 Listed buildings
Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires a local planning authority to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. Considerable importance and weight should be given to this requirement.
- 6.8 Paragraph 5.4 of English Heritage's Conservation Principles states the weight given to heritage values in making the decision should be proportionate to the significance of the place and the impact of the proposed change on that significance.
- 6.9 In assessing the proposals the conservation officer has paid particular attention to three particular issues. These are –
- The particular significance of each of the existing buildings
 - The relative importance of finding a viable use for the buildings that is consistent with their conservation to secure their future

- If harm to significance will be caused, how substantial is it, and if it is less than substantial harm are there any public benefits to be obtained that outweigh the harm, including finding an optimum viable use

These issues require the careful assessment of a balance of pros and cons.

6.10 *The Significance of the Existing Buildings*

OS maps from 1876, 1899, 1912 and 1978 show the historic development of the site. The existing barn is evident in all the plans. There was also clearly a much larger building on the site in the first three maps but which has disappeared by 1978, to be replaced by the loggia. It is stated by local residents that the loggia dates from 1924 and may have been designed by CR Ashbee, an Arts and Crafts architect. However there is no documented evidence to substantiate this. The heritage statement submitted with the application suggests that the structure had two phases of construction with the latest around the 1950s.

6.11 An application was made to list the loggia in its own right in 2014. Historic England (formerly English Heritage) considered the request and declined it. The reasons were –

- that the loggia is not remarkable in terms of its architectural interest
- it is not a rare type of structure but reflects a common trend for such structures at the time
- it has a relatively unimportant function as a garden structure, and
- it has no group value as it is not contemporaneous with Borlase

6.12 An application to request the barn be listed in its own right is pending with Historic England.

6.13 Both the barn and the loggia are curtilage listed buildings. The conservation officer has carefully assessed the significance of both designated heritage assets in accordance with paragraph 129 of the NPPF. This has involved assessment of the available evidence including the Historic England report on the loggia. Her opinion can be summarised as follows –

- The barn dates from the 18th century and has a number of original features remaining – it has a certain degree of historic significance proportionate to these factors
- The assessment of the loggia shows it has relatively less significance – nevertheless it should be retained rather than removed
- The principal significance of both buildings is their association with Borlase

6.14 Following paragraph 131 of the NPPF the conservation officer has also assessed the options for viable uses that are compatible with the conservation of the assets. Their current use as outbuildings does pose the risk of deterioration through lack of investment in upkeep. Given the location of the site the only viable alternative option would be a residential use. Incorporating the buildings into a single separate dwelling would significantly increase the likelihood of investment in their upkeep. The main issue then becomes the degree of change that is required to achieve this outcome and whether that change is consistent with the conservation of the assets. Clearly the application proposals have the potential to affect the significance of other designated heritage assets, including the setting of Borlase and other nearby listed buildings.

Impact on the Significance of the Designated Heritage Assets

6.15 Objectors attach considerable significance to both buildings. They are concerned that

the proposal will significantly erode the significance of both designated heritage assets. The amount of change that is proposed is too great and the works are likely to require significant demolition and rebuilding of the structures, so degrading their historic status. They also argue that the works may not meet building regulations particularly in terms of internal headroom.

- 6.16 The proposal is that both structures are incorporated into the new dwelling. Its plan form is intended to reflect that of the historic larger structure that was once on the site, as evidenced by the OS maps, although it would be smaller in footprint. The new gabled structure is designed to reflect the vernacular form of the existing barn. Its ridge would be the same height as the barn and it would be of the same external materials. The section joining the two would have a part flat roof to ensure that its height is kept subservient to the barn and also to allow internal head room. The loggia would be mainly enclosed by glazing in between the existing piers. The intention of the glazing is to provide a light-weight structure that reflects the open nature of the loggia.
- 6.17 The amount of proposed works has been carefully assessed in terms of the balance between the impact on the significance of the assets and the benefit of finding a viable use. The works to the barn will affect its south-west elevation which has already undergone some change. The remaining three elevations will be largely unchanged. The works to the loggia retain the essential form of the building, either externally through the use of glazed panels between the retained piers, or internally through the retention of piers within a large open-plan kitchen. The existing pitched roof will be retained. The main change is the replacement of the existing open wood framing with a solid roof. This is considered to be an acceptable alteration which retains the external shape of the building whilst allowing the change to a more viable use.
- 6.18 The proposed extensions have been designed so that they are in general no higher than the existing barn. This moderates the scale of the proposal. As such the proposal is not considered to harm the setting of Borlase or that of any other nearby listed building.
- 6.19 Overall officers consider that the works do provide an appropriate balance between finding an optimal viable use and safeguarding the significance of the historic assets. There will be some harm to the significance of the assets arising from the additional built form. However this harm is considered to be less than substantial and is outweighed by the public benefits of finding a more viable, optimum use that is consistent with their conservation.
- 6.20 There is one additional public benefit that members should take into account. This is that the proposal will provide a new dwelling in the context of the current shortfall in the five year supply of housing land. Officers consider the benefits of finding a viable use for the heritage assets is sufficient to outweigh the harm. Nevertheless the additional public benefit should be noted and officers advise that weight should be attached to it.
- 6.21 The submitted structural report suggests the works will likely include underpinning of both buildings and the rebuilding of the brick piers to the loggia, some of which are leaning. The exact details of how this will be achieved can be controlled by the submission of method statements and schedule of works, which normally form part of conditions on a listed building consent.
- 6.22 With regard to the ability of the proposal to meet building regulations officers have sought advice from the council's building control manager. She confirms there is no minimum internal height for rooms although there is for stairways. The minimum height above stairways is two metres to allow for means of escape. In this case the internal

height of the first floor within the existing garage will be 1.8m to the dotted line on the plans, as will the first floor height in the new gable. Above the stairs it will be two metres, with the flat link between the two being 2.1 metres. Thus the proposal does meet buildings regulations.

- 6.23 Objectors have requested the council take legal action to force the owners to repair the two buildings. Such action by the council must be proportionate to the significance of the buildings, their level of decay and the public benefit. The structural inspection report has found the buildings are currently in a reasonable condition except for the timber framing on the loggia. It is also pertinent that the buildings are curtilage listed and not listed in their own right. In light of this officers consider it would not be reasonable or proportionate for the council to use its statutory powers to require repairs to the buildings.
- 6.24 Conservation area
Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention should be paid to the desirability of preserving or enhancing the character or appearance of a conservation area. In this case considerable importance and weight is given to the desirability of protecting or enhancing the character or appearance of the conservation area. Policy HE1 of the adopted local plan seeks to preserve or enhance the character or appearance of the conservation area.
- 6.25 Paragraph 137 of the NPPF states *“Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.”* The NPPF also states at paragraph 138 that not all elements of a conservation area will necessarily contribute to its significance.
- 6.26 Objectors argue that the site as it exists is an important space that contributes significantly to the character and appearance of the conservation area. It lies at a significant road junction and is open to view. They argue the current collection of buildings sitting in the associated space makes for a highly attractive appearance, with the buildings being clearly subservient to the space. The proposal will significantly erode the space with unsympathetic buildings that will harm the character and appearance of the conservation area. The more intensive use of the site, and the associated domestication, will also harm the area. Objectors are also concerned over the precedent that may be created for other green spaces in the conservation area.
- 6.27 The proposal will clearly lead to an increase in the built form on the site. Unlike previous proposals, however, the location of the new built development will be kept to the north-east part of the site, furthest from the road junction. It will add incrementally to the existing built form and its height will be contained so that it is no higher. Officers consider that a significant proportion of the space will remain and that this significantly moderates the impact on the character and appearance of the conservation area. The site is in use at the present time as a residential curtilage and is used for parking. Officers consider the proposal will not lead to changes in appearance that are so significant that they amount to harm.
- 6.28 The current open view across the site will also be retained. The existing wall on South Street would be continued at its existing height past the new gable before dropping down to 0.9m in height for access visibility. The existing highest part of the wall on the other side on the corner of Church Road would also be lowered from its current height.

The wall along Church Road, which is lower, would be retained. Officers consider that the boundary treatments are appropriate and would retain the open nature of the site. The proposal includes retaining the two trees in the corner of the site adjacent to Church Road. Details of their protection during construction can be sought as condition to ensure this is satisfactory.

- 6.29 With regard to precedent members are aware that each application is assessed on its own merits and against the prevailing planning policies. It is not considered that this scheme would set a precedent for undesirable infill development elsewhere in the conservation area. Overall it is not considered that the proposal will harm the character or appearance of the conservation area. The significance of the designated heritage asset will not be adversely affected.

6.30 Archaeology

Policy HE10 of the adopted Local Plan states that development will not be permitted if it would cause damage to the site or setting of nationally important archaeological remains, whether scheduled or not. The county archaeologist considers that the proposal will not have any affect upon archaeological interests.

AONB

- 6.31 Policy NE6 seeks that the landscape of the North Wessex AONB is conserved or enhanced by developments. The site is within the built up area of the village surrounding by buildings. It is therefore considered that the proposal would have little impact upon the wider open AONB landscape, given it is surrounded by buildings. It is not considered to harm the wider landscape.

Traffic, Parking and Highway Safety

- 6.32 Adopted local plan policy DC5 requires safe access for developments and that the road network can accommodate the traffic arising from the development safely. Currently on site there is an access into the garage, which requires cars to reverse out into the road to manoeuvre, and another access which is used to park on the site. The location of the access to serve the dwelling has been moved north slightly following comments from the highway officer. This will improve the separation from the junction with Church Road. The boundary walls within the visibility splays will be below 900mm and the existing access point into the garage will be closed off. Cars will be able to enter and turn on site and exit in a forward gear. Three car parking spaces would be provided on site. Parking for Borlase would be adjacent to that dwelling on the opposite side of South Street.

- 6.33 Comments have been received that the Church Road junction is already dangerous and it should be improved. This is however the existing situation. It has been suggested that lowering more of the wall along Church Road would improve the current situation. Members are aware that new proposals cannot be reasonably expected to resolve existing problems, but should not make them worse. The corner of the wall at the junction, which is the highest part, will be lowered to 900mm. This will offer some improvement to users of Church Road. The county highway officer is satisfied with the amendments and that the development will not result in severe harm to the highway network.

Drainage

- 6.34 The NPPF provides that development should not increase flood risk elsewhere and should be appropriately flood resilient and resistant (paragraph 103). The council's drainage engineer has reviewed the proposals. He has no objections to the proposal subject to a condition requiring a fully detailed sustainable drainage scheme (SuDS) for foul and surface water being approved prior to the commencement of the development.

- 6.35 It has been raised by an objector that there are springs close to the site which any excavations would cut through. The drainage engineer is aware that Blewbury is known to have natural springs and high groundwater levels at certain times. However in his opinion the scale of the proposed development is unlikely to have any significant impact on flood risk from groundwater. Groundwater may be encountered during excavation of foundations and, if so, this will have to be addressed under building regulations where the foundation design may have to be amended. To discharge his suggested condition on the sustainable drainage scheme (SuDS), the applicant will need to carry out soil porosity tests to determine the design of the SuDS and this could also include ground investigation to establish soil and groundwater conditions.

Residential Amenity

- 6.36 Adopted local plan policy DC9 seeks to prevent development that would result in a loss of privacy, daylight or sunlight for neighbouring properties or that would cause dominance or visual intrusion for neighbouring properties and the wider environment.
- 6.37 The closest property would be Robinsons which is sited directly behind the loggia. This is a replacement house built in the early 2000s. It is L-shaped and is sited close to the boundary of the site. The property does not have any first floor side windows along the boundary with the site. It has bedroom windows which look to the front and rear of the property. The front window would have oblique views over the proposed parking area, as it does now. It is not considered by officers that this would be harmful. The rear window would have oblique views along the back of the loggia and proposed dwelling. The glazed roof to the dining area would be approximately 10 metres away from the nearest bedroom window, and at an oblique angle. Officers consider this distance and the angle is sufficient to not result in direct overlooking between the two properties. There are also no first floor level windows proposed in the side of the proposed dwelling towards Robinsons. The proposed rooflight in the existing garage is to a bathroom and therefore will be obscured glazed.
- 6.38 Immediately to the other side of the boundary is the parking area for Robinsons. The proposed new gable has been set in from the boundary and it will be 5.5 metres high, the same as the existing garage. The link between the two is set down by 0.5 metre. Officers consider that the proximity and height of the proposal would not cause harm through over-dominance.
- 6.39 On the opposite side of Church Road, on the corner, is a recently built new dwelling within the garden of Bankside. The property is set at a higher level than Church Road. It has bedroom windows which look towards Church Road. The property is 13 metres away from the boundary of the proposed site and would be over 26 metres from the proposed dwelling. Given these distances the relationship is considered to be acceptable.
- 6.40 On the opposite side of South Street is Borlase which faces directly onto South Street. The proposed dwelling will have two first-floor bedroom windows in the end of gables facing the road. These windows will not be directly opposite those in Borlase and will look across a public frontage. Given these facts officers consider there will be no harm to either occupiers' amenity.
- 6.41 To the north east of the site is Gilmore Cottage. This property is approximately 21 metres from the site and across a small private access road. There are no windows or rooflights proposed in the end of the existing garage along its boundary with the private access. A rooflight in the side of the new gable will be partially obscured by the garage roof and will be over 29 metres from the neighbours' property. Officers consider the

amenities of this neighbours will not be harmed by the proposal.

Ecology

- 6.42 Paragraph 117 of the NPPF refers to the preservation, restoration and re-creation of priority habitats, whilst Paragraph 118 sets out the basis for determination of planning applications. The council's countryside officer has assessed the site and is of the view that there is only a low risk of impacts on protected species. However, as certain species, particularly bats, are highly mobile and opportunistic he takes a precautionary approach in this case and recommends that an informative is added to any permission to draw the applicant's attention to the relevant UK and European legislation.

7.0 CONCLUSION

- 7.1 The presumption in favour of sustainable development is the golden thread running through the NPPF and permission should be granted unless "any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, or specific policies in the Framework indicate development should be restricted" (NPPF paragraph 14). Paragraph 7 of NPPF identifies three mutually dependant dimensions to sustainable development; it should fulfil an economic role, a social role and an environmental role.
- 7.2 The historic environment issues relating to this application have been carefully assessed in terms of the balance to be struck. The proposals will have an impact upon curtilage listed buildings, the setting of listed buildings and on the character and appearance of the conservation area. Considerable importance and weight must be given to the desirability of preserving or enhancing these designated heritage assets. In this case it is considered that the harm caused to the significance of the heritage assets will be less than substantial. To counter-balance this the proposal will provide a viable use for the buildings in accordance with the NPPF and will not harm the setting of a listed building or the character or appearance of the conservation area. It will also provide a new dwelling in the context of the current shortfall in five year land supply. The proposal will have a limited impact upon the wider landscape of the AONB.
- 7.3 The proposal is acceptable in terms of archaeology. Subject to conditions there are no objections with regard to highway safety and drainage. The impact on the amenities of neighbours is also acceptable.
- 7.4 The proposal would have an economic role at least in the short term during the construction phase. It would provide a social role and environmental role by ensuring the long term viable and conservation of the buildings for the future.
- 7.5 Overall, the development is considered to amount to sustainable development under the NPPF. Consequently, both applications are recommended for approval subject to conditions.

8.0 RECOMMENDATION

- 8.1 **To grant planning permission subject to the following conditions:**
- 1. Commencement of development – three years.**
 - 2. List of approved plans.**
 - 3. Access, visibility splays, parking in accordance with plan.**
 - 4. Existing access to garage to be stopped up.**
 - 5. Details of fully sustainable drainage scheme.**
 - 6. No drainage to highway.**
 - 7. Details of slab levels.**
 - 8. Landscaping scheme (submission).**
 - 9. Landscaping scheme (implement).**

10. Details of tree protection.

8.2 To grant listed building consent subject to the following conditions:

- 1. Commencement of development – three years.**
- 2. List of approved plans.**
- 3. Full photographic record of the barn and loggia to level 2 of the Historic England publication, understanding Historic Buildings, a Guide to Good Recording Practice.**
- 4. Samples of materials for roof and walls.**
- 5. Specification of the lime mortar for any brick pointing/bedding.**
- 6. Schedule of works for the development.**
- 7. Method statements including repair schedule and restoration of the loggia and barn, details of foundation underpinning.**
- 8. Details of joinery details for all windows and doors.**
- 9. Details of the boundary walls.**

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