

## OXFORD CITY PLANNING COMMITTEE

15<sup>th</sup> February 2022

**Application number:** 21/02432/LBC

**Decision due by** 3rd November 2021

**Extension of time** 4<sup>th</sup> March 2022

**Proposal** Alterations to grade II listed wall including widening of opening, and the substantial demolition and reconstruction of existing single-storey stable conversion and adjacent remains of cowshed to habitable accommodation. Works in association with 21/02431/FUL. (Amended description, amended plans).

**Site address** Meadow Larkins , Larkins Lane, Oxford, OX3 9DW – see **Appendix 1** for site plan

**Ward** Headington Ward

**Case officer** Amy Ridding

**Agent:** Adrian James      **Applicant:** Mr & Mrs Michael & Megan Dent

**Reason at Committee** Application has been called in by Cllrs Clarkson, Rowley, Fry, Turner, Munkonge, Cook, Altaf-Khan, Wade, Smowton and Fouweather for the reasons that it proposes the change of use of a historic orchard to form residential curtilage, the erection of a large additional building, the total loss of a heritage asset, the demolition of historic farm buildings in the Old Headington Conservation Area and the impact on a neighbouring listed barn.

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## 1. RECOMMENDATION

1.1. Oxford City Planning Committee is recommended to:

1.1.1. **approve the application** for the reasons given in the report and subject to the required planning conditions set out in section 11 of this report and grant listed building consent; and

1.1.2. **agree to delegate authority** to the Head of Planning Services to:

- finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary

- Issue Listed Building Consent following the end of the consultation period which expires on 3<sup>rd</sup> March 2022 and subject to no new material representations being received that have not already been considered in this report.

## **2. EXECUTIVE SUMMARY**

- 2.1. This report considers alterations to a grade II listed stone wall which include the widening of an existing vehicular opening, the reconstruction of the derelict and dilapidated former cowshed alongside the wall, and the reconstruction of the former stable building including the removal of its western gable end which sits on top of the wall, and the removal of its rear pitched roof projection which is built onto the eastern face of the wall. The works relate to associated planning application 21/02431/FUL for the reconstruction and extension of the existing dwelling known as Meadow Larkins, the change of use of land described as 'orchard' to residential curtilage and the provision of landscaping across the site.
- 2.2. The site is located within the Old Headington Conservation Area in the St Andrew's Lane and Larkin's Lane character area, and features a grade II listed stone boundary wall, which runs alongside Larkin's Lane, a converted former stables and the ruins of a former cowshed. The former agricultural buildings originally belonged to Mather's Farm, and sit within the setting of the grade II listed converted threshing barn, The Barn, and the grade II listed farmhouse, Mather's Farm.
- 2.3. In considering the impact of the proposed development, great weight and importance has been given to the desirability of preserving the grade II listed wall and the special character and appearance of the Old Headington Conservation Area as designated heritage assets. The assessment carried out below concludes that a low level of less than substantial harm would be caused to the significance of the listed wall which is considered justified by the need to ensure the optimum viable use of the site. The heritage benefits of the enhancements to the former farmyard and the continued use and maintenance of the site would constitute public benefits that would outweigh the low level of less than substantial harm caused and subject to conditions.
- 2.4. The report also considers the impact on European Protected Species and concludes that the development accords with the requirements of the regulations as set out in detail below.
- 2.5. Based on the assessment below, officers consider that the proposal would be acceptable in all regards and would be in accordance with the relevant legislation, and national and local planning policies and as such is recommended for approval.

## **3. LEGAL AGREEMENT**

- 3.1. This application is not subject to a legal agreement.

## **4. COMMUNITY INFRASTRUCTURE LEVY (CIL)**

4.1. The proposal is not liable for CIL.

## 5. SITE AND SURROUNDINGS

5.1. The site is located within the Old Headington Conservation Area in the St Andrew's Lane and Larkin's Lane character area, just to the north of the village core. Meadow Larkins is a single-storey residential property created from two former agricultural buildings in 1976, although the principle of planning permission was established in 1954 for the creation of a bungalow on the site. The living accommodation is housed in a former stable building which runs perpendicular to Larkins Lane and the garage and utility area is housed in part of a suspected former cattle shed which is constructed onto the listed stone boundary wall which runs alongside the lane.

5.2. The buildings are constructed primarily from rubble Headington limestone, much of it likely to have been re-used from the former agricultural buildings. The southern wall of the former stables is constructed from modern yellow brickwork, although historically this side of the building would have featured structural piers possibly infilled by shiplap timber. Timber framed windows punctuate the northern elevation, although these are suspected to be modern additions inserted as part of the 1970s residential conversion. The roofs, which evidence suggests post-date the limestone walls, are covered with red clay tiles. The majority of the former cow shed lies in ruins to the south of the residential building and alongside the listed boundary wall.

5.3. The former agricultural buildings originally belonged to Mather's Farm (referred to in 1721 as 'the chief farm of Headington'). Mather's Farm House, sited to the south west of Meadow Larkins on the corner of Larkins Lane and Barton Lane, is a grade II listed building dating from the 17<sup>th</sup> century. Sited to the south east is the grade II listed former threshing barn belonging to the farm, which was converted to a residential property in the 1970s and is now known as The Barn. In 1988 planning permission was granted for the erection of a single storey dwelling (58 Barton Lane) on the historic farm site, located just west of the threshing barn and north east of the farm house.

5.4. The residential curtilage of Meadow Larkins includes the area of land directly to the north of the building which features a gravel driveway and grassed area demarcated by a hedgerow along the eastern boundary, together with the grassed area to the south which is surrounded by cowshed ruins to the west, eastern stone boundary wall and southern boundary fence. To the east of the Meadow Larkins residential curtilage is an area of grassed land which is within the same ownership as Meadow Larkins and marks the extent of the historic farm curtilage, following the eastern boundary line of The Barn's residential curtilage. This area of land, referred to as orchard land, contains a mature Poplar tree, a number of orchard trees and a conifer hedge running along the southern boundary. Beyond this piece of land to the east is a green field of land known as the 'Barton Triangle' and owned by Oxford Preservation Trust, which is currently used as pasture fields and sited in the Green Fields character area of the Old Headington Conservation Area.

5.5. See block plan below:



## 6. PROPOSAL

- 6.1. This application seeks listed building consent for alterations to the grade II listed boundary wall along Larkins Lane. These alterations include three elements of proposed work. Firstly, the widening of the existing vehicular opening in the southern end of the wall and the installation of a new entrance gate. Secondly, the reconstruction of the derelict and dilapidated former cowshed alongside the listed wall and its incorporation into the main dwelling. Thirdly, the reconstruction of the former stable building including the removal of its western gable end which sits on top of the wall, and the removal of its rear pitched roof projection which is built onto the eastern face of the wall. Where the existing gable end sits on top of the wall, the wall would be extended slightly in height to the south, continuing the height of existing wall to accommodate the reconstructed cowshed.
- 6.2. These works are in association with planning application 21/02431/FUL which in addition to the works to the listed wall and the reconstruction of the former cowshed and stables, also proposes a change of use of the orchard land to residential curtilage, the construction of a new one-and-a-half storey extension with basement level which would adjoin the eastern end of the former stables and be sited in the southern part of the orchard land, associated landscaping works across the whole site and the erection of a bin and bicycle store in the north western corner of the site.
- 6.3. Since the submission of the applications, amended plans have been provided which lower the ridge and eaves heights of the proposed reconstructed stables and cowshed, and proposes the construction of the cowshed roof alongside the wall rather than on top of the wall.

## 7. RELEVANT PLANNING HISTORY

7.1. The table below sets out the relevant planning history for the application site:

<p>54/00253/D_H - Land at Larkins Lane - Bungalow (in principle). APPROVED 23rd March 1954.</p> <p>75/00351/A_H - Conversion of existing stable block to form dwelling house and integral garage. APPROVED 20th October 1975.</p> <p>75/00553/L_H - Adaptation of existing stable block to form dwelling house involving alterations and creating of entrance access through. APPROVED 20th October 1975.</p> <p>18/02588/FUL - Erection of 3 x 3-bed dwellings (Use Class C3) and alterations to the width of the existing entrance on the west boundary wall. Provision of shared forecourt, private amenity space, parking and bin and cycle stores. Associated landscaping. WITHDRAWN 21st January 2019.</p> <p>20/02450/FUL - Partial demolition and reconstruction of existing single-storey former stable residential conversion. Demolition of cowshed remains and reconstruction to form single-storey residential accommodation. Erection of two storey extension to former stable. New south boundary wall. Alterations to widen vehicular opening in listed west boundary wall. Associated landscaping and provision of bin stores. WITHDRAWN 1st September 2021.</p> <p>20/02455/LBC - Partial demolition and reconstruction of existing single-storey former stable residential conversion. Demolition of cowshed remains and reconstruction to form single-storey residential accommodation. Erection of two storey extension to former stable. New south boundary wall. Alterations to widen vehicular opening in listed west boundary wall. Associated landscaping and provision of bin stores. WITHDRAWN 1st September 2021.</p> <p>21/02431/FUL - Refurbishment and extension of existing house to include; partial demolition and reconstruction of existing single storey stable conversion and adjacent remains of cowshed; replacement windows and doors; erection of two storey extension; formation of new boundary wall; alterations to Grade II listed wall including widening the opening. Associated landscaping and provision of bin and cycle stores. Change of use of land described as 'orchard' to be within the residential curtilage (amended plans). PENDING CONSIDERATION.</p>
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## 8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Other planning documents	Headington Neighbourhood Plan:
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<b>Design</b>	126-136	DH1: High quality design and placemaking	Local Plan Appendix 6.1 Design checklist	CIP1: Development to respect existing local character  CIP2: Protecting locally important views  CIP3: Innovative Design
<b>Conservation/ Heritage</b>	189-208	DH3: Designated heritage assets	Old Headington Conservation Area Appraisal	CIP4: Protecting important assets
<b>Natural environment</b>	179-182	G2: Protection of biodiversity and geo-diversity		

## 9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 15th September 2021 and an advertisement was published in The Oxford Times newspaper on 16th September 2021. Following the recent submission of amended plans and an amendment to the description to clarify the exact works which are subject to listed building consent, new site notices have been displayed around the application site and an advertisement published in the newspaper advertising the amendments and changed description. These will be displayed for 21 days minimum and will expire on 3<sup>rd</sup> March 2022.

### **Statutory and internal consultees**

#### Historic England

9.2. 'On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation adviser.'

#### National Amenity Societies

9.3. No representations were received.

#### Ecology

9.4. No objection subject to the use of conditions and an informative requiring an updated bat survey should work not commence within two years of the original survey, the approval of a Landscape and Ecological Management Plan, and for works to have regard to the protection of nesting birds.

9.5. The ecology consultant is satisfied that the presence of protected species and habitats has been given due regard and a net gain in biodiversity will be

achieved, and that with the mitigation outlined, European Protected Species are unlikely to be harmed as a result of the proposals and no further consideration is required.

### Archaeology

9.6. No objection subject to the use of a historic building recording condition.

9.7. Meadow Larkins itself is a house, created in in 1976 out of parts of two post-medieval agricultural buildings originally belonging to Mather's Farm, referred to in 1721 as 'the chief farm in Headington'. The living part of the accommodation was created out of the former stables building, while the garage and utility area were converted from a part of an adjacent agricultural building that may have been a cow house. The buildings are of some local interest and would warrant a Level II photographic record prior to conversion. The Grade II listed perimeter wall of Mather's Farm fronting onto Larkins Lane (of likely 17th century date), will also require minor widening and should be included in the photographic survey.

### **Public representations**

9.8. Two local people commented on this application. One from the neighbouring building to the south known as The Barn, Barton Lane and one with an unknown address but known as Headington Heritage.

9.9. In summary, the main points of objection from these 2 residents were:

- The application description is incorrect as the proposal would result in substantial, rather than partial, demolition of the existing dwelling, and the erection of a new dwelling, rather than an extension to the existing.
- The application does not meet validation requirements.
- Fundamental objection to changing the use of the orchard into residential garden land and developing on it. The eastern extension would extend the property into previously undeveloped land, into the sensitive countryside beyond, setting a dangerous precedent.
- The development responds poorly to the 'Barton Triangle' (green field of land directly adjacent and owned by Oxford Preservation Trust) and intrudes into the 'green belt'.
- The buildings will be visible from Barton Lane, the Barton Triangle and Larkin's Lane contrary to HNP policy GSP4. Destroys rare views in and out of the village.
- The application does not address the impact on viewpoint 1 'Old High Street' as identified in the Neighbourhood Plan. The proposed western building would block the view down Larkin's Lane out to the countryside which is experienced in viewpoint 1. The Key Views document is not comprehensive enough.
- The proposed demolition works will destroy most existing building fabric, resulting in total heritage loss.
- The application would result in harm to the significance of designated

heritage assets by:

- Removing the last traces of historic built fabric that provide evidence and last links of this part of the farmstead with its former farming activities,
  - Eroding the historic layout of buildings that currently allows understanding of the historic farm group,
  - Eroding the historic functional links between farm buildings and the farmland adjacent,
  - Eroding the rural and agricultural setting of the farmstead and the village and our experience of it.
- The development will cause considerable harm to the Old Headington Conservation Area and impact on the setting of Mather's Barn and the Barton Triangle, contrary to LP policy DH3.
  - The proposals siting, massing, scale, form, layout and external appearance would cumulatively result in a disjointed, incongruous form of development that would be completely out of character with the form and grain of the surrounding area.
  - The truncated, angular form would be alien to the traditional character and appearance of the surrounding agricultural buildings and the area. It would fail to respond to and enhance local distinctiveness, and would suburbanise this part of the conservation area and its setting.
  - The proposed increase in the vehicular entrance would be damaging as it would mean more cars, more visibility of the cars and house, the removal of the 5 bar gate, and it would destroy the ambience of the area.
  - Concerns that the proposal would pave the way for a further application for 3 dwellings.
  - A significant detrimental impact would be caused to neighbour amenity in terms of outlook, loss of daylight, sense of enclosure and overbearingness.

#### Friends of Old Headington

9.10. The Friends of Old Headington submitted a comment on this application which is summarised below.

9.11. The plans to renovate and restore the existing building on the site are supported.

9.12. The change of the orchard to land within the curtilage of the property is objected to for the following reasons:

- A significant proportion of the orchard would be lost to new development
- The site is an orchard (essentially part of adjacent green fields) rather than a residential garden and there is no local plan policy to support building on this site.



- If approved, this proposal would set a precedent by which other similar green sites in the Conservation Area could be lost to development.
- The site provides an open aspect to the Green Fields Character Area, an area that includes the remnants of the agricultural land on the edges of the historic village, and represents the eastern end of a 'green belt' that protects the Conservation Area.
- The appeal inspectors report of a Ruskin Field development in 2012 is applicable to this application.
- Wish to see the street light attached to the existing western gable retained in the new development.

#### Oxford Preservation Trust

9.13. Oxford Preservation Trust (OPT) submitted a comment on the associated planning application 21/02431/FUL which is detailed in full below.

9.14. 'OPT own the land to the immediate east of the site, which is currently retained as open green fields to help preserve and enhance the character of the surrounding Conservation Area. Whilst the Trust have no objections to the proposed building works on site, we do have some concerns with the proposed change of use of the existing orchard area into a residential use. For at least 50 years this part of the site has been used as an orchard, softening the views from OPT land towards Larkins Lane. We feel that it is regrettable that this could now be lost. A change of use to residential, will inevitably bring with it, the introduction of domestic paraphernalia over time. Whilst not a public open space, the current orchard area can be glimpsed in certain views, and it helps to maintain the semi-rural character that this part of the city retains.'

#### Additional representations

9.15. An additional seven local people commented on the associated planning application 21/02431/FUL with views in support of the scheme. The comments relevant to this listed building consent application are:

- Need high quality accommodation in Old Headington for young growing families.
- The applicants are seeking to create a sustainable, future proofed family home capable of adapting to the changing needs of a growing family.
- The applicants have listened to, and taken advice from, a variety of experts including Oxford City's planning officers and conservation officer, alongside deep deliberation on the comments made by local people concerning the first application.
- The height of the proposed development has been reduced to lessen any perceived impact on its surroundings.

- At last someone is turning this eye sore into an attractive family home and lifting the threat of a developer wanting to build multiple dwellings.
- This proposal appears sympathetic to the heritage of the site and has addressed all previous concerns raised by planning and heritage officers.
- This application conserves the best of the past while updating and extending to provide family accommodation at a modern standard – all on a sensitive site in a much loved area of Oxford.
- The applicants have taken time to converse and consult with local residents about their plans and revisions.
- The use of traditional materials is to be commended as is the care and attention given to the heritage of the site; including the preservation of the large garden and ailing orchard that developers have previously proposed to build over with multiple dwellings.
- Support this application on condition that the change of use of the land described as ‘orchard’ is limited to that part on which the proposed building (plus surrounding paths, access etc.) will be situated.

### **Officer response**

- 9.16. Where these are material considerations, the above matters are addressed in the report below.
- 9.17. Since the submission of the comments, a proposed view of the Headington Neighbourhood Plan viewpoint 1 from Old High Street together with amended drawings have been submitted lowering the ridge heights of the former stables and cowshed buildings.
- 9.18. The site lies within the Larkin’s Lane and St Andrew’s Lane character area of the Old Headington Conservation Area, not the Green Fields character area as referred to in the Friends of Old Headington comments.
- 9.19. The associated planning application addresses the comments relating to the proposed one-and-a-half storey extension, the impact on the setting of surrounding listed buildings, the change of use of the existing orchard land to residential curtilage and the impact on neighbour amenity.

## **10. PLANNING MATERIAL CONSIDERATIONS**

10.1. Officers consider the determining issues to be:

- Impact on the significance of designated heritage assets
- Impact on European Protected Species

### **a. Impact on the significance of designated heritage assets**

#### Policy considerations

- 10.2. In accordance with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, local planning authorities when considering whether to grant listed building consent, are required to give 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.
- 10.3. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to have special regard to the desirability of preserving or enhancing the character or appearance of any conservation area.
- 10.4. In the Court of Appeal, *Barnwell Manor Wind Energy Ltd v East Northants District Council, English Heritage and National Trust*, 18th February 2014, Sullivan LJ made clear the nature of the statutory duty is the same under both enactments (s66 and s72). To discharge this responsibility means that decision makers must give considerable importance and weight to the desirability of preserving (meaning doing no harm) to the listed building or its setting and the character or appearance of any conservation area. There is a strong presumption against granting planning permission for development that causes harm, and the decision maker should only permit such development where he concludes it carries some advantage or benefit which outweighs the failure to satisfy s66 or s72.
- 10.5. Local Plan policy DH3 requires development to respect and draw inspiration from Oxford's unique historic environment (above and below ground), responding positively to the significance, character and distinctiveness of the heritage asset and locality. Both policy DH3 and paragraph 199 of the NPPF require great weight to be given to the assets conservation.
- 10.6. Local Plan policy DH3 and NPPF paragraph 200 require clear and extensive justification to be demonstrated for any harm caused to heritage assets. Development that would lead to less than substantial harm to the significance of a designated heritage asset should be weighed against any public benefits the proposed development may offer, including securing its optimum viable use (policy DH3 and paragraph 202).
- 10.7. Policy DH1 of the Oxford Local Plan 2036 stipulates that permission will only be granted for development of high quality design that creates or enhances local distinctiveness, where the design rationale has been explained in accordance with key design objectives and principles as set out in the Local Plan.
- 10.8. The Headington Neighbourhood Plan contains policies relating to green spaces, and character and identity. Policy CIP1 requires new development to respond to and enhance the distinctive local character. Policy CIP2 seeks to protect important identified views within Headington. Innovative and/or contemporary design will be permitted by policy CIP3 where it respects local heritage and enhances distinctive identity character and setting. CIP4 requires proposals to address the conservation and enhancement of the significance, character and special architectural and historic features of a heritage asset.

#### Heritage significance

- 10.9. The rubble stone boundary wall which runs along the eastern side of Larkins Lane and formerly enclosed the farmyard, dates to the 17<sup>th</sup> century and is grade II listed. The wall forms part of the fabric of the existing Meadow Larkins building, with the west gable end and rear gable projection of the building incorporated into the wall. These elements as well as the vehicular opening to the north were alterations made to the stone wall as part of the 1970s residential conversion of the former stable building.
- 10.10. The Meadow Larkins former stable building is not listed itself, and does not qualify as a curtilage listed building due to its change of use and separation from the main farm house. It is however, a non-designated heritage asset comprising architectural and historic significance of local interest and importance. By virtue of the western end of the building being incorporated into the listed stone boundary wall and the proposed reconstruction of this element as well as the former cowshed alongside the wall, listed building consent is required for these works.
- 10.11. Evidence that the existing building, or another building, has existed on the same footprint as the former stables first appeared on the 1897 Ordnance survey map. The existing former stables, due to its linear plan form, scale and stone walling, is still recognisable as a former agricultural building, despite substantial parts of it having been rebuilt, part of the former cowshed being incorporated, and other additions made as part of its residential conversion in the 1970s. The brick infill along its southern elevation is particularly unsympathetic and detracts from its interest as a former agricultural building. It plays an important role in conveying the development and layout of the historic farmyard, by defining its northern edge and in its relationship to the listed threshing barn and farm house.
- 10.12. A historic aerial photo suggests the former cowshed had a steeply pitched roof with gable ends and was a two-storey building, much taller than the adjacent stable building. The cowshed was suspected to have been de-roofed between the late 1940s and early 1950s, and since then has been left to become ruinous. The ruins are of local heritage interest providing evidence of the construction and form of the former cowshed.
- 10.13. The orchard land to the east of the Meadow Larkin's residential curtilage contains a number of fruit trees which according to the Ecological Appraisal, all appear to be relatively young trees and the orchard, not particularly long-established. The lands eastern boundary is a continuation of the eastern boundary of the threshing barn, and marks the edge of the St Andrew's and Larkin's Lane character area. Historic evidence suggests that this area of land was irregularly planted with trees in the late-19<sup>th</sup> century with one map showing paths in this area. Photographic and map evidence shows that in the first half of the 20<sup>th</sup> century, buildings were sited in the south eastern corner of this land with no trees or orchard visible. Following the residential conversion of the stables in the 1970s, evidence suggests the orchard land was used as part of the private curtilage of Meadow Larkins, planted with additional fruit trees and used primarily for growing plants and private domestic activities. Although the exact use and layout of this land has experienced changes in recent centuries and decades, it is likely to have retained a semi-rural character which makes an important contribution to the conservation area today in the transition from the urban

character area to the Green Fields character area and the setting of the threshing barn.

- 10.14. The grade II listed farmhouse, Mather's Farm, comprises high significance as the principal building of the historic farmyard. Historic evidence suggests the farmhouse was separated from its land at the end of the 1940s and the farmyard ceased to be used as such at around the same time. Sited prominently on the corner of Larkin's Lane and Barton Lane, the 17<sup>th</sup> century stone building is highly visible in key dynamic views from relatively long distances moving along the principal streets of Old High Street, Barton Lane and St Andrew's Road, as well as Larkin's Lane. Meadow Larkins is experienced in the setting of Mather's Farm in the long narrow unfolding view moving southwards up Larkin's Lane. It is also experienced within the farmhouse's setting in the key viewpoint on Old High Street (viewpoint 1 of the Headington Neighbourhood Plan) which looks northwards with the farmhouse in the foreground, the listed stone wall and the roofscape of Meadow Larkins beyond, and the surrounding green hills as the backdrop above. From public views of the site, Meadow Larkins and the boundary wall have an integral visual relationship with the farmhouse and are important to its setting and the understanding of its historic significance.
- 10.15. The grade II listed threshing barn, The Barn, is sited to the east of the farmhouse and Meadow Larkins, running perpendicular to Barton Lane and Meadow Larkins. The converted 18<sup>th</sup> century barn is 8 bays and substantial in size, with stone walls, weather boarded gable ends and a slate roof. The barn, predominantly its long roof slope, is experienced in views moving westwards up Barton Lane and looking across the pasture fields, with glimpses of Meadow Larkins also experienced in this dynamic view.
- 10.16. From within the Meadow Larkins site only the top of the farmhouses gable walls, roof pitches and chimneys are experienced due to the intervening boundary treatments, vegetation and other surrounding buildings. The northern elevation and long roof slopes of The Barn are much more prominent in views from within the site, from both the residential curtilage and the orchard land, which form part of the barns setting.
- 10.17. The building group as a whole defines the extent of the former farmyard and the village's agricultural origins and has significant architectural and historic interest. However, the former farm has evolved and experienced periods of significant change since its beginnings, not least the subdivision of the site into separate residential curtilages, conversions and developments since the 1940s, which as a result has eroded the historic form of the farmyard and its heritage significance.
- 10.18. The significance of the Old Headington Conservation Area lies in its character and appearance as a rural village dating predominantly from the 17<sup>th</sup> to the 19<sup>th</sup> centuries which has been retained despite the surrounding development of suburban housing since the late 19<sup>th</sup> century. The village's evolution can be understood through the tightly knit urban grain of the historic core, the network of smaller lanes which extend off of the principal streets, and the ring of large detached houses set in mature landscaped grounds and areas of pasture fields which surround the village to the north. The survival of traditional buildings and

vernacular materials contribute to the locally distinctive character and historic significance, with the mature green surroundings and visual connections to the countryside reinforcing its historic origins.

- 10.19. The historic farmyard buildings of Mather's Farm contribute positively to the conservation areas special interest, providing evidence of the villages agricultural past. Visible from Larkin's Lane, Meadow Larkins with its limestone walls is identified in the conservation area appraisal as a positive contributor to the character and appearance of the area.
- 10.20. Limestone walls are a locally distinctive feature of the conservation area enclosing many of its streets and lanes, and the listed limestone wall at Mather's Farm is no exception, making a positive contribution to the special character and appearance of the St Andrew's Lane and Larkin's Lane character area and the settings of the surrounding listed buildings.

#### Impact on significance

- 10.21. The proposed works to the listed stone boundary wall would involve widening the existing vehicular opening by 1.5m, increasing it from 2.7m wide to 4.2m wide, resulting in the loss of the section of stone wall that was impacted and rebuilt when the vehicular opening was created in the 1970s. The gable end that was added on top of the wall as part of the 1970s Meadow Larkins conversion works would be removed and this section of the wall extended slightly in height to the south to accommodate the new roof pitch of the reconstructed cowshed building.
- 10.22. The widening of the opening would cause a small amount of less than substantial harm to the significance of the wall and the character and appearance of the conservation area. However, the need for the works are considered clearly and convincingly justified and the re-use of the existing stone within the reconstruction works (to be controlled via condition) would mitigate the low level of harm caused. The works to the wall associated with the reconstruction of the cowshed would not result in any further harm to the significance of the wall or lessen the positive contribution it makes to the setting of Mather's Farm or the special character and appearance of the conservation area.
- 10.23. The former cowshed, except the listed boundary wall which forms its western elevation, currently exists only as ruins surrounded and covered by vegetation. The proposal to reconstruct the former cowshed on the same footprint with a simple pitched gable roof design form has been informed by historic photographs and consideration of the key viewpoints. The reconstruction of a linear form pitched roofed building in this location alongside the boundary wall would enhance the significance of the farmyard, the setting of the listed buildings, and the special interest of the conservation area. Although historic evidence suggests the former cowshed was a much higher two-storey building, the scheme proposes a lower single-storey building instead to ensure the views of the green hills as experienced in viewpoint 1 remain unharmed. The materials, natural stone walls and slate roof tiles, and the large fully glazed openings arranged in similar locations to the remnants of the existing openings on the east elevation would ensure the building references the former structure and sits comfortably

within the farmyard setting. Whilst, the detailing of the eaves and rooflights would result in a high quality but subtle contemporary design aesthetic.

- 10.24. The reconstruction of the former cowshed and works to the stables would reinstate the former arrangement of farm buildings around a courtyard, and due to their simple linear forms their agricultural origins would remain identifiable. As such these works would have a positive impact, enhancing the setting of the listed wall, the heritage significance of the site and its contribution to the conservation area.
- 10.25. As the proposed conversion and rebuilding works will require demolition of existing stonework of some importance on both the former cowshed and stables, and the listed wall, it is considered reasonable and necessary for the approval of demolition and construction method statements by condition. This is to ensure that all existing stone is retained and re-used wherever practical.
- 10.26. The buildings are of some local heritage interest and would warrant a Level II photographic historic building record prior to conversion. The grade II listed perimeter wall of Mather's Farm fronting onto Larkins Lane (of likely 17th century date) should also be included in the photographic survey. This recording work is to be secured by condition.

#### *Summary of harm and benefits*

- 10.27. A low level of less than substantial harm would be caused to the heritage significance of the listed wall by the slight widening of the existing opening. The proposed works would enable the optimum viable use and the long term maintenance of the site for the foreseeable future, and are considered clearly and convincingly justified in accordance with NPPF paragraph 200 and Local Plan policy DH3. The reconstruction of the former stables and cowshed would return this part of the former farmyard closer to its historic form which would be a heritage benefit, enhancing the understanding and appreciation of the former farmyard, the setting of Mather's Farm and the listed wall, and the character and appearance of the conservation area. This heritage benefit of the scheme, together with enabling the optimum viable use of the site would constitute public benefits that would outweigh the low level of less than substantial harm that would be caused, in accordance with NPPF paragraph 202 and policy DH3.

#### **b. Impact on European Protected Species**

- 10.28. Policy G2 of the Oxford Local Plan 2036 states that development that results in a net loss of sites and species of ecological value will not be permitted. Compensation and mitigation measures must offset any loss and achieve an overall net gain for biodiversity.
- 10.29. The Local Planning Authority in exercising any of their functions, has a legal duty to have regard to the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended), and secure compliance with the Habitats Directive. The Habitats Directive is construed from 31 December 2020 to transfer responsibilities to UK authorities to enable it to function as retained EU law. This applies to European sites (SACs and SPAs) and European Protected

Species, both in and out of European sites which identifies 4 main offences for development affecting European Protected Species (EPS).

1. Deliberate capture or killing or injuring of an EPS
2. Deliberate taking or destroying of EPS eggs
3. Deliberate disturbance of an EPS including in particular any disturbance which is likely
  1. To impair their ability – i) to survive, to breed or reproduce, or to rear or nurture their young, or ii) in the case of animals of a hibernating or migratory species, to hibernate or migrate; or
  2. To affect significantly the local distribution or abundance of the species to which they belong.
4. Damage or destruction of an EPS breeding site or resting place.

10.30. ODPM and Defra Circular 06/2005: Biodiversity and geological conservation, paras' 98, 99 provides that the presence of European Protected Species is a material planning consideration in determining planning applications.

10.31. The Council's Ecologist has reviewed the Preliminary Ecological Appraisal submitted to support the application and is satisfied that the potential presence of protected species and habitats has been given due regard, that European Protected Species are unlikely to be harmed as a result of the proposals and that a net gain in biodiversity will be achieved on the site subject to a number of conditions.

10.32. The recommended conditions require the submission of an updated bat survey if the works are not carried out within two years of the date of the original survey, and the submission of a Landscape and Ecological Management Plan prior to occupation of the development.

10.33. As no significant impacts on bats are predicted under The Conservation of Habitats and Species Regulations 2017, a European Protected Species (bat) licence will not be required for the proposed works to proceed. Since there are no predicted impacts on bats or their habitats, it is not necessary to consider the 'three tests' of The Conservation of Habitats and Species Regulations 2017 in this instance.

10.34. As such, subject to the proposed conditions, the development is considered to be acceptable in terms of its impact on biodiversity and would comply with policy G2 of the Oxford Local Plan 2036.

## **11. CONCLUSION**

11.1. Great weight and importance has been given to the desirability of preserving the grade II listed wall and the special character and appearance of the Old Headington Conservation Area as designated heritage assets. The low level of less than substantial harm that would be caused to the significance of the designated heritage assets is considered justified by the need to ensure the optimum viable use of the site. The heritage benefits of the enhancements to the setting of the former farmyard wall and the continued use and maintenance of the site would constitute public benefits that would outweigh the low level of less than



substantial harm caused and subject to conditions, the scheme would comply with sections 16(2) and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, paragraphs 199, 200 and 202 of the NPPF, policies DH1 and DH3 of the Oxford Local Plan 2036, and policies CIP1, CIP2, CIP3 and CIP4 of the Headington Neighbourhood Plan.

11.2. It is recommended that the Committee resolve to grant listed building consent for the development proposed subject to the following conditions.

## **12. CONDITIONS**

### *Time limit*

1. The works permitted shall be begun not later than the expiration of three years from the date of this consent.

Reason: In accordance with Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 in accordance with policy DH3 of the Adopted Oxford Local Plan 2036

### *Approved plans*

2. Unless specifically excluded by subsequent conditions the works permitted shall be carried out strictly in accordance with the terms of, and subject to, the conditions attached to this consent and in compliance with the details specified in the application and the submitted/amended plans listed in this decision notice.

Reason: As Listed Building Consent has been granted only in respect of the application as approved, to ensure that the development takes the form envisaged by the Local Planning Authority when determining the application in accordance with policy DH3 of the Adopted Oxford Local Plan 2036.

### *Bat survey*

3. The bat survey conducted on 28th April 2020 shall be considered valid for no longer than two years. Should work not commence within two years of the original survey, an updated assessment must be undertaken and the results provided to the Local Planning Authority.

Reason: To comply with the requirements of the National Planning Policy Framework, the Conservation of Habitats and Species Regulations 2017 (as amended), Wildlife and Countryside Act 1981 (as amended) and Policy G2: Protection of biodiversity and geo-diversity of the adopted Oxford Local Plan 2036.

### *Historic building recording*

4. No development shall take place until the implementation of a programme of historic building recording has been secured in accordance with a written scheme

of investigation which has been submitted and approved by the Local Planning Authority. All works shall be carried out and completed in accordance with the approved written scheme of investigation, unless otherwise agreed in writing by the Local Planning Authority.

The historic building recording should consist of a photographic record of the standing farm buildings to Level II standard (Historic England 2016 Understanding Historic Buildings) and undertaken by a professionally qualified archaeologist working to a brief issued by the Local Planning Authority.

Reason: Because the development may have a damaging effect on known or suspected elements of the historic environment of the people of Oxford and their visitors, including post-medieval remains in accordance with policy DH3 of the Adopted Oxford Local Plan 2036.

#### *Construction methodologies*

5. Prior to the commencement of works on site, a construction management plan detailing the adequate protection of the listed boundary wall for the duration of the works and methodologies for the hereby approved deconstruction and reconstruction works to the listed boundary wall, former stables and former cowshed, including details of the re-use of the existing stone and external materials in the reconstruction works, shall be submitted to and approved in writing by the Local Planning Authority and the works shall be carried out in accordance with the approved details only. The stone from the dismantled sections of wall shall be carefully cleaned off, stored safely and securely under cover for re-use in the proposed reconstruction works.

Reason: To ensure the preservation and protection of original, weathered materials and features of historic interest and their reinstatement as part of this contract, and to preserve the special architectural or historic listed building, in accordance with policies DH3 of the Adopted Oxford Local Plan 2036.

#### *Cowshed listed wall abutment*

6. Large scale drawings and details showing the abutment of the new cowshed building with the listed wall including the roof junctions and any treatment to the internal (east) face of the wall shall be submitted to and approved in writing by the Local Planning Authority before the start of the relevant work and the works shall be carried out only in accordance with the approved details.

Reason: To safeguard the special interest of the listed building in accordance with policies DH1 and DH3 of the Adopted Oxford Local Plan 2036.

#### *New entrance gates*

7. Details including dimensions, design, materials, finished appearance and fixing methods of the proposed new gates for the vehicular entrance in the listed wall shall be submitted to and approved in writing by the Local Planning Authority before the relevant parts are installed and the works shall be carried out in accordance with the approved details only.

Reason: To ensure a sympathetic appearance for the new work and in the interest of the special character of the listed building and conservation area in accordance with policies DH1 and DH3 of the Adopted Oxford Local Plan 2036.

*External material samples*

8. Samples of all exterior materials proposed to be used for the hereby approved new works shall be made available for inspection on site and details shall be submitted to and approved in writing by the Local Planning Authority before the start of the relevant works and only the approved materials shall be used. All existing original materials from the dismantled sections of wall shall be re-used in accordance with the requirements of condition 5. The Local Planning Authority shall be notified where the re-use of existing external materials is not possible.

Reason: To enable the Local Planning Authority to give further consideration to the external appearance of the approved works, in the interest of visual amenity and the special character of the listed building, in accordance with policies DH1 and DH3 of the Adopted Oxford Local Plan 2036.

*Sample panels*

9. Sample panels of stonework demonstrating the colour, texture, face bond, mortar and pointing for the new works shall be erected on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The approved sample panels shall be constructed with a lime mortar mix, shall represent the minimum standard and any pointing shall at least match the standard of the sample, to the satisfaction of the Local Planning Authority. The development shall be completed in accordance with the approved sample panels which shall remain on site for the duration of the development works.

Reason: To ensure a sympathetic appearance for the new work and in the interest of the special character of the listed building, in accordance with policies DH1 and DH3 of the Adopted Oxford Local Plan 2036.

*Architectural details*

10. Notwithstanding the hereby approved drawings, large scale drawn design details of the following elements of the new cowshed shall be submitted to and approved in writing by the Local Planning Authority before the relevant parts are installed and the works shall be carried out in accordance with the approved details only:

- a) Eaves detail
- b) Junctions of glazed links
- c) Windows and glazed panels
- d) External doors
- e) Rooflights which shall be set flush with the surrounding roof plane

Reason: To ensure a sympathetic appearance for the new work and in the interest of the special character of the listed building and conservation area, in accordance with policies DH1 and DH3 of the Adopted Oxford Local Plan 2036.

*External fixtures*

11. Details of the siting, size, design and finished appearance of any of the following external fixtures on the new cowshed, shall be submitted to, and approved in writing by, the Local Planning Authority before the relevant parts are installed and the works shall be carried out in accordance with the approved details only:

- a) Ventilation grilles and extracts
- b) Boiler flues and new soil and vent pipes
- c) CCTV cameras
- d) Lighting fixtures
- e) Alarm boxes
- f) Bird and bat boxes

Reason: To ensure a sympathetic appearance for the new work and in the interest of the special character of the listed building and conservation area in accordance with policies DH1 and DH3 of the Adopted Oxford Local Plan 2036.

**13. INFORMATIVES**

*Nesting birds*

1. Removal of any building or vegetation shall be undertaken outside of the bird nesting season (March to August inclusive). If this is not possible, then a suitability qualified ecologist shall check the areas concerned immediately prior to the commencement of clearance works to ensure no nesting or nest-building birds are present. If any nesting birds are present then the vegetation or buildings shall not be removed until the fledglings have left the nest and the nest is considered inactive.

**14. APPENDICES**

- **Appendix 1 – Site block plan**

**15. HUMAN RIGHTS ACT 1998**

15.1. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to approve this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection of the rights and freedom of others or the control of his/her property in this way is in accordance with the general interest.

**16. SECTION 17 OF THE CRIME AND DISORDER ACT 1998**

16.1. Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to grant listed building consent, officers consider that the proposal will not undermine crime prevention or the promotion of community.

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