

Case Officer: Shona King

Applicant: Mr Simon Holland

Proposal: External and internal alterations to outbuilding to facilitate its conversion to living accommodation ancillary to East Wing, Kirtlington Park House

Ward: Fringford And Heyfords

Councillors: Councillor Corkin, Councillor Macnamara and Councillor Wood

Reason for Referral: Application submitted by a CDC Councillor

Expiry Date: 30 January 2020

Committee Date: 13 February 2020

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS

Proposal

The proposal is for external and internal alterations to outbuilding to facilitate its conversion to living accommodation ancillary to East Wing, Kirtlington Park House. The remainder of the outbuilding has already been converted.

Consultations

The following consultees have raised **no objections** to the application:
Kirtlington Parish Council, OCC Highway Authority, Historic England, CDC Building Control.

No letters of objection have been received and no letters of support have been received.

Planning Policy and Constraints

The site lies within the curtilage of Kirtlington Park House, a Grade 1 Listed building and within the Registered Park and Garden. It also lies within Kirtlington Conservation Area.

The application has also been assessed against the relevant policies in the NPPF, the adopted Local Plan and other relevant guidance as listed in detail at Section 8 of the report.

Conclusion

The key issue arising from the application details is the impact on the curtilage listed building.

The report looks into the key planning issues in detail, and Officers conclude that the proposal is acceptable subject to conditions.

Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.

MAIN REPORT

1. APPLICATION SITE AND LOCALITY

- 1.1. The application site comprises part of a single storey outbuilding, of natural stone construction, which lies to the north of Kirtlington Park House.

2. CONSTRAINTS

- 2.1. The application site is a curtilage listed building and lies within both the Registered Park and Garden and Kirtlington Conservation Area.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1. Permission is sought for the conversion of part of the outbuilding to living accommodation ancillary to the use of the dwelling currently known as East Wing. The remainder of the outbuilding was converted in 1994 and does not form part of East Wing.
- 3.2. The proposed works involve infilling two large openings in the north elevation with timber boarding, doors and windows. The accommodation to be provided includes a living area with kitchen a bedroom and an en-suite.
- 3.3. Amended plans have been received which simplify the design of the infill panels, omitting a full length glazed screen and a window and the insertion of a row of windows.

4. RELEVANT PLANNING HISTORY

- 4.1. There is no planning history directly relevant to the proposal.

5. PRE-APPLICATION DISCUSSIONS

- 5.1. The following pre-application discussions have taken place with regard to this proposal:
- 5.2. 19/00157/PREAPP – the principle of the conversion to ancillary living accommodation was considered to be acceptable however the details of the design needed revising to minimise the impact on the heritage assets. In addition, an assessment of the impact on ecology was required.

6. RESPONSE TO PUBLICITY

- 6.1. This application has been publicised by way of a site notice displayed near the site, by advertisement in the local newspaper, and by letters sent to all properties immediately adjoining the application site that the Council has been able to identify from its records. The final date for comments was **7 January 2020**, although comments received after this date and before finalising this report have also been taken into account.
- 6.2. No comments have been raised by third parties.

7. RESPONSE TO CONSULTATION

- 7.1. Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.

PARISH/TOWN COUNCIL AND NEIGHBOURHOOD FORUMS

- 7.2. KIRTLINGTON PARISH COUNCIL: **No objection**

OTHER CONSULTEES

- 7.3. DESIGN AND CONSERVATION: **No objection**

- 7.4. HISTORIC ENGLAND: **No objection**

8. RELEVANT PLANNING POLICY AND GUIDANCE

- 8.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

- 8.2. The Cherwell Local Plan 2011-2031 - Part 1 was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The Local Plan 2011-2031 – Part 1 replaced a number of the 'saved' policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the development plan. The relevant planning policies of Cherwell District's statutory Development Plan are set out below:

CHERWELL LOCAL PLAN 2011 - 2031 PART 1 (CLP 2031 Part 1)

- ESD 15: The Character of the built and historic environment

- 8.3. Under Section 38 of the Planning and Compulsory Purchase Act 2004, a Neighbourhood Plan that has been approved at referendum also forms part of the statutory development plan for the area. In this case, the application site falls within the Mid Cherwell Neighbourhood Plan and the following Policies of the Neighbourhood Plan are considered relevant:

- PD5: Building and Site Design

- 8.4. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- The Planning (Listed Buildings and Conservation Areas) Act 1990

9. APPRAISAL

- 9.1. The key issue for consideration in this case is the impact on the curtilage listed building.

Legislative and policy context

- 9.2. The site is a curtilage listed building, being within the curtilage of Grade 1 listed Kirtlington Park.

- 9.3. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that: *In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority...shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.* Therefore significant weight must be given to these matters in the assessment of this planning application.
- 9.4. Listed Buildings are designated heritage assets, and Paragraph 193 of the NPPF states that: *when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be).* This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Policy ESD15 of the CLP 2031 Part 1 echoes this guidance.
- 9.5. The building forms part of the setting of Kirtlington Park House which has been divided into separate dwellings but retains the appearance of a single large country house. The outbuilding is constructed from natural stone with a natural stone slate roof. The south elevation faces across the open parkland and is currently blank, as is the western elevation which faces towards East Wing. The north elevation has two wide openings, without doors, in the part to be converted and a pedestrian entrance door in the part that has already been converted, along with three rooflights. There is a set of glazed french doors in the western elevation.
- 9.6. The conversion works would retain the blank southern and western elevations and infill the two wide openings with glazing and entrance doors. Three additional rooflights are proposed in the north elevation. Amended plans have been received which simplify the treatment of these infill panels and would ensure the agricultural character of the building is retained.
- 9.7. The conversion works are not considered to result in any significant harm to the curtilage listed building and the amendments to the design as set out above would ensure that the simple agricultural character is retained. It is therefore considered that the proposal complies with Policy ESD15 of the Cherwell Local Plan 2011-2031.

10. PLANNING BALANCE AND CONCLUSION

- 10.1. The proposal complies with the relevant Development Plan policies and guidance listed at section 8 of this report, and so is considered to be sustainable development. In accordance with Paragraph 11 of the NPPF, permission should therefore be granted

11. RECOMMENDATION

RECOMMENDATION – DELEGATE TO THE ASSISTANT DIRECTOR FOR PLANNING AND DEVELOPMENT TO GRANT PERMISSION, SUBJECT TO THE CONDITIONS SET OUT BELOW (AND ANY AMENDMENTS TO THOSE CONDITIONS AS DEEMED NECESSARY)

CONDITIONS

Time Limit

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason - To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Compliance with Plans

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents: Design and Access Statement, Structural Report and drawing Nos: 100/03 rev A, 200/01, 300/01 rev A, 300/02 rev C and 500/02,

Reason – For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and comply with Government guidance contained within the National Planning Policy Framework.

Materials

3. Any remedial stonework necessary for the repair or making good of the elevations shall be carried out in natural stone of the same type, texture, colour and appearance as the stone on the existing building and shall be laid, dressed, coursed and pointed to match that of the existing building.

Reason – To ensure that the development is constructed and finished in materials which are in harmony with the materials used on the existing building and to safeguard the significance of the heritage asset and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

4. Prior to the insertion of the doors, rooflights and windows, full details of the doors, rooflights and windows hereby approved, at a scale of 1:20 including a cross section, cill, lintel and recess detail and colour/finish, shall be submitted to and approved in writing by the Local Planning Authority. The doors and windows shall not be installed within the building other than in accordance with the approved details and shall be retained as such thereafter.

Reason - To ensure the satisfactory appearance of the completed development and to safeguard the significance of the heritage asset and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.