

Case Officer: Shona King

Applicant: Cherwell District Council

Proposal: Removal of the roof tiles and set aside for re-use, replacing any damaged tiles to match existing; remove remaining ivy growth to roof; inspect roof timbers and replace where decayed and damaged; replace roofing felt; replace timber fascias and soffits to match existing; replace PVCu rainwater goods to match existing. Remove Asbestos surrounds to stained glass and vents at first floor level; re-bed stained glass and vents within holes with mortar to match existing. Repair first floor concrete landing to staircase. Remove corrosion to stair balustrade and decorate. Strip out all electrical services back to distribution board and replace with new. Replace heating and lighting throughout

Ward: Bicester South and Ambrosden

Councillors: Councillor Cotter, Councillor Sames and Councillor Wing

Reason for Referral: The Council is the applicant

Expiry Date: 30 September 2021

Committee Date: 4 November 2021

SUMMARY OF RECOMMENDATION: GRANT PERMISSION, SUBJECT TO CONDITIONS

1. APPLICATION SITE AND LOCALITY

- 1.1. The application site is located within the built-up area of Bicester to the west of the town centre.

2. CONSTRAINTS

- 2.1. The application relates to a Grade II Listed building, which is adjacent to Bicester Conservation Area, within the setting of listed buildings and is of high archaeological interest.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1. Listed building consent is sought for the refurbishment of the building with works including repairs to the roof of the building, replacement of fascias/soffits and rainwater goods, removal of asbestos from the building, repair of window surrounds and re-bedding of stained glass and vents, repair of a concrete landing and removal of corrosion to stair balustrade. It is also proposed to rewire the building and replace the heating and lighting.

4. RELEVANT PLANNING HISTORY

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

5. PRE-APPLICATION DISCUSSIONS

5.1. No pre-application discussions have taken place with regard to this proposal

6. RESPONSE TO PUBLICITY

6.1. This application has been publicised by way of a site notice displayed near the site and by advertisement in the local newspaper. The final date for comments was **30 August 2021**.

6.2. The comments raised by third parties are summarised as follows:

- Suitable place to provide new habitat for swifts and other birds.
- Could be achieved when replacing the east and west facing soffits

6.3. The comments received can be viewed in full on the Council's website, via the online Planning Register.

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.

7.2. BICESTER TOWN COUNCIL: No objections. Pleased to see 'making good' existing issues.

7.3. BICESTER LOCAL HISTORY SOCIETY: Welcome decision to carry out repairs and refurbish the interior. Opportunity to have a replacement cupola and the building would be more in keeping with its original design.

7.4. Conservation Officer: No objection, subject to conditions.

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 ('CLP 2015') was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The CLP 2015 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 2015)

- ESD15 - The Character of the Built and Historic Environment

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- C18 – Development proposals affecting a listed building

8.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)

- Planning Practice Guidance (PPG)
- Managing Significance in Decision-Taking in the Historic Environment: Historic England Good Practice (2015)
- The Setting of Heritage Assets: Historic England Good Practice (2015)

9. APPRAISAL

- 9.1. The key issue for consideration in this case is the impact on the historic significance and setting of the listed building.
- 9.2. Section 16(2) of The Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that: *In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State 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.* Further, under Section 72(1) of the same Act the Local Planning Authority has a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
- 9.3. Listed Buildings and Conservation Areas are designated heritage assets, and Paragraph 195 of the NPPF states that: *Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise.*
- 9.4. Paragraph 199 of the NPPF directs 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 2015 echoes this guidance.
- 9.5. The Dovecote is Grade II listed and dates from the C17. The building was altered in the 1960s to give the building a new use as a meeting room and store and whilst the alterations allowed for the re-use of the building unsympathetic additions were introduced, namely the external concrete stair. However, Historic England, in response to a National Lottery Heritage Fund bid, argued that the 1960s scheme was an important part of the significance of the Dovecote's history and these alterations should be retained.
- 9.6. It is considered that the building is in need of safeguarding as a significant historic structure and an important marker for the adjacent Augustinian Priory site.
- 9.7. The proposed repair works are considered to be acceptable and sympathetic to the character of the building subject to the conditions set out below.

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. The proposals conserve this designated heritage asset and so listed building consent should therefore be granted

11. RECOMMENDATION

RECOMMENDATION – GRANT PERMISSION, SUBJECT TO THE CONDITIONS SET OUT BELOW:

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

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 application form and the following plans and documents:
 - Drawings: Site Location Plan, NTBS3589/TDB/01, NTBS3589/TDB/02 and NTBS3589/TDB/05
 - Design and Access Statement

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.

Ecology

3. The development hereby approved shall be carried out in accordance with the recommendations set out in section 6 of the Ecology Survey prepared by Landscape Science Consultancy LTD dated August 2021.

Reason - To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

Materials Finishes and Methodology

4. Prior to the removal of any roof tiles a condition survey of the tiles shall be undertaken and submitted to and approved in writing by the Local Planning Authority.

Reason - To safeguard the preservation and retention of all parts of the existing historic building(s) and to comply with saved Policy C18 of the Cherwell Local Plan 1996, Policy ESD 15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

5. All the existing tiles that are shown to be re-useable in the condition survey submitted under Condition 4 shall not be disposed of but shall be conserved and re-used in the re-roofing of the building as part of the works hereby approved.

Reason - To safeguard the preservation and retention of all parts of the existing historic building(s) and to comply with saved Policy C18 of the Cherwell Local Plan 1996, Policy ESD 15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

6. Prior to the re-roofing of the building a sample of any new tiles required to re-roof the building shall be submitted to and approved in writing by the Local Planning Authority. The re-roofing of the building shall be carried out in accordance with the approved samples.

Reason - To ensure that the completed development is in keeping with and

conserves the special character of the existing historic building and to comply with Policy ESD 15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C18 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

7. Any roof timbers that are decayed or damaged shall be replaced in accordance with details that shall first be approved in writing by the Local Planning Authority.

Reason - To ensure that the completed development is in keeping with and conserves the special character of the existing historic building and to comply with Policy ESD 15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C18 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

8. Prior to the replacement of the roofing felt full details of the eaves shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be completed in accordance with the approved details.

Reason - To ensure that the completed development is in keeping with and conserves the special character of the existing historic building and to comply with Policy ESD 15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C18 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

9. Prior to the replacement of the timber fascias and soffits, full details of the timber fascias and soffits shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be completed in accordance with the approved details.

Reason - To ensure that the completed development is in keeping with and conserves the special character of the existing historic building and to comply with Policy ESD 15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C18 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

10. Notwithstanding the proposed details for the rainwater goods the rainwater goods to be replaced shall be replaced with cast iron. Details of the replacement rainwater goods shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. Thereafter the development shall be completed in accordance with the approved details.

Reason - To ensure that the completed development is in keeping with and conserves the special character of the existing historic building and to comply with Policy ESD 15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C18 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

11. Prior to the removal of corrosion to the balustrading details of the method to be used for the said corrosion removal shall be submitted to and approved in writing. Thereafter the development shall be completed in accordance with the approved details.

Reason - To safeguard the preservation and retention of all parts of the existing historic building(s) and to comply with saved Policy C18 of the Cherwell Local Plan 1996, Policy ESD 15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

12. Prior to the painting of the repaired balustrade the specification and colour of the proposed paint shall be submitted to and approved in writing by the Local Planning Authority and thereafter the works shall be carried out in accordance with the approved details.

Reason - To ensure that the completed development is in keeping with and conserves the special character of the existing historic building and to comply with Policy ESD 15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C18 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

13. Prior to the rewiring and installation of heating and lighting details of the wiring routes and fittings shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the works shall be carried out in accordance with the approved details.

Reason - To ensure that the completed development is in keeping with and conserves the special character of the existing historic building and to comply with Policy ESD 15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C18 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

14. Prior to the repointing of the building a sample of the lime mortar shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the repointing shall be carried out in accordance with the approved sample.

Reason - To safeguard the preservation and retention of all parts of the existing historic building(s) and to comply with saved Policy C18 of the Cherwell Local Plan 1996, Policy ESD 15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.