

# **Mallards, New Street, Deddington, Banbury, Oxfordshire, OX15 0SR**

**12/00711/LB**

**Ward:** Deddington

**District Councillor:** Councillor O'Sullivan

**Case Officer:** Caroline Ford

**Recommendation:** Approval

**Applicant:** Mr A Morris

**Application Description:** Demolition of rear porch and derelict garden outbuildings; construction of two storey rear extension; improved access to existing parking area including covered area; fitting of satellite dish; internal alterations; replacement windows to dwelling and new roof light

**Committee Referral:** Member Request

## **1. Site Description and Proposed Development**

- 1.1 Mallards is an end of terrace, grade II listed stone built property with a tile roof. The property is situated on the main street through Deddington and is within the conservation area and amongst other listed buildings including the grade II\* listed Plough House next door. The site may have some archaeological potential and is also potentially contaminated; however there are no other site constraints.
- 1.2 The application seeks listed building consent for the demolition of a rear porch and derelict outbuildings and it is proposed to construct a two storey rear extension, improve the access to the parking area and to cover this to create a car port, the fitting of a satellite dish, internal alterations, the insertion of a roof light and the change of all existing windows.
- 1.3 Amended plans have been received through the processing of the application to re-position the extension slightly (by 1m) further towards the centre rear of the property and the width of the extension has also been reduced by 0.55m. The window arrangement has also been re-considered. The amended plans therefore show the two storey rear extension would project 5.2m from the rear of the existing dwelling and would be 5.1m in width. The extension would be set down from the ridge of the main dwelling and so appear subservient. The work to the parking area would involve the raising of the existing stone wall forming the front boundary, the removal of part of a stone wall to the side and again raise the section of wall that would remain and to insert an oak frame to cover the parking area forming a car port type structure. The satellite dish would be installed to the side of the existing dwelling. The proposal also includes replacing the existing windows to timber casements, the insertion of a roof light and internal alterations, which include removing a 1970's fireplace, exposing original ceiling beams in the lounge, replacing internal doors, replacing the balustrades and removing some plaster to expose original features.
- 1.4 A full planning application accompanies this listed building consent application (12/00732/F refers).

- 1.5 There is no planning history associated with this property.
- 1.6 This application is reported back to committee following its deferral at the last meeting for a formal site visit.

## 2. Application Publicity

- 2.1 The application has been advertised by way of site notice and press notice. The final date for comment was the 23<sup>rd</sup> August 2012 (the application has been advertised twice, in relation to the original and then the amended plans).

3 letters were received to the original plans. The following Issues were raised:

Material planning comments:

Unacceptable adverse impact on the character of a listed building, on the Deddington Conservation area and on amenities of neighbouring properties

Reference made to the Conservation area appraisal

Consider proposal will not be sympathetic to the existing building as it is not in scale

Consider design and access statement is flawed – proposal will be larger and taller than extensions attached to neighbouring properties.

Extension will impinge on Plough House

Proposal would alter the pattern and erode the intrinsic character of the settlement and do nothing to protect the view.

Concern about removal of exterior sheds. Nearby sheds should not be harmed by the demolition of the corrugated shed.

Other building forms an outside toilet and its removal goes against conservation area appraisal

Affric House faces towards Mallards. Design guide suggests a distance of 14m between a habitable room window and a blank elevation and the proposal is 11-12m. All habitable room windows other than 4 window/ door openings face in this direction.

These doors and windows are main source of natural light (albeit light from the north). Light will be severely reduced by the proposal. Roof ridge will be 2m higher than Affric House (Mallards garden is 1m above Affric House)

Removal of wall to front seems to serve no purpose other than changing the street scene. Loss of this wall would go against the Conservation area appraisal to retain traditional boundary walls

Plans state that the application will provide improved disabled access. There are existing steps throughout and the plans show there will be steps within the new building. If ground floor accommodation is needed, why is an en-suite bedroom provided at first floor? New rear doorway is positioned in such a way that it is unlikely to be easier for a disabled person

Extension does not appear to be minor or sympathetic to the dwelling  
Proposal will block sunlight and daylight currently enjoyed by Affric House and be overbearing and out of character

If approved, planners will have gone against policy and guidance.  
Proposal represents overdevelopment of what is a small house and  
loss of a large part of a small garden  
Height of extension would affect the amount of light available to the  
rear part of the garden of Plough House

Non material comments:

View from Affric House will be lost  
Owners of Mallards have a right of access over the bottom of the  
driveway of Affric House to the former barn that currently forms a  
parking space

4 letters have been received to the amended plans. Additional points over those  
outlined above are:

Intrusive in conservation area  
An extension of this scale would impact by its sheer height  
Immensely detrimental impact to the two neighbours either side  
The matter of the boundary between Mallards and Affric House is  
currently under dispute. Could this decision be deferred until this issue  
is resolved?  
Use of this parking area for two cars may involve driving close to the  
wall of Affric House by windows to enter this area. If car parked  
outwards then windows would shine into habitable room windows.  
Parking area roof appears to be inappropriate and there is no other  
feature similar to this.  
No reason to demolish outside privy. That in the rear of Plough House  
and The Steps are still in place. These are an important part of  
maintaining the history of the cottages.  
Accuracy of the plan for the shed questioned as this seems to suggest  
access will be from garden of Affric House  
Extension may have been reduced but is still no sympathetic to the  
existing building. It is still 40% the size of the original house and far  
bigger than those attached to the neighbouring Plough House  
Reinforce that proposal will be 13m from all habitable room windows  
in Affric House  
Extension will be visible to owners of Quinique House to the north of  
the Steps  
Completely out of scale for this historic parcel of land so close to listed  
buildings  
Threatens light to a part of the neighbours small garden  
Affric House will be seriously and adversely affected by this oversized  
and unsympathetic extension  
Travesty if the wishes of the new owners are permitted completely to  
ignore the needs of long standing residents who have lived in friendly  
harmony along the street for so many years  
Loss of light to garden of Plough House

### **3. Consultations**

- 3.1 **Deddington Parish Council:** To the original plans, the Parish Council objected on the grounds that Affric, the neighbouring property directly faces the side and rear of Mallards with all windows facing the proposed extension. The Parish Council considers that the new two storey extension with its high roof line would cause an overbearing impact on Affric restricting light to a large proportion of the property. Part of the application is to create better access to a parking area. The Parish Council considers that the demolition of parts of the existing walls and the proposal to put a timber structure on this area would not be in keeping with the properties Grade II listed status and would be detrimental to the look of the conservation area.

To the amended plans, the Parish Council continue to object on the same grounds as set out above.

#### **Cherwell District Council Consultees**

- 3.2 **Conservation Officer:** Concerns raised to the original scheme. No objection subject to conditions to the amended scheme

#### **Oxfordshire County Council Consultees**

- 3.3 **Highways Liaison Officer:** No objection subject to a condition
- 3.4 **Archaeologist:** Unlikely to be any impact, planning note could be used

#### **Other Consultees**

- 3.5 **English Heritage:** The application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

### **4. Relevant National and Local Policy and Guidance**

#### **4.1 Development Plan Policy**

Adopted Cherwell Local Plan (Saved Policies)  
C18: Development proposals affecting a listed building

South East Plan 2009  
BE6: Management of the historic environment

#### **4.2 Other Material Policy and Guidance**

National Planning Policy Framework

## 5. Appraisal

5.1 The key issues for consideration in this application are:

- Character and significance of the listed building

### **Character and significance of the listed building**

- 5.2 The NPPF requires an assessment of the impact of a development on the character and significance of a designated heritage asset. Policy C18 of the adopted Cherwell Local Plan relates to applications for listed building consent and states that the Council will normally only approve external alterations or extensions to a listed building which are minor and sympathetic to the architectural and historic character of the building.
- 5.3 The proposed extension is a relatively large extension to the listed building. A comparison of the additional accommodation reveals the percentage increase is approximately 37% and therefore given the property has not been extended before, it is considered that this could represent a minor addition to the listed building. The extension in its amended design is in a traditional form, with a rear projecting gable and which is slimmer in width than originally proposed and is considered to be an acceptable design for the dwelling and its grade II listed status. The fenestration pattern is also more traditional and other detailing has been included such as stone corbels which enhances the appearance of the extension and its suitability to be attached to a listed building. The materials to be used would match those used on the main dwelling and conditions can be recommended to ensure that the work is finished to an acceptable standard. It is considered that the proposed extension forms a minor and sympathetic addition to the listed building which will not harm the significance of the building or detract from its overall importance.
- 5.4 The work to the boundary wall and the covered parking area is considered to be acceptable. The original intention was to remove some of the boundary wall; however this was considered to be unsympathetic and so would have affected the significance of the building. The amended plans therefore include this wall retained in its current form to the front elevation and increased in height. The side wall will result in some loss of fabric, but this is a limited extent and will not harm the overall significance of the building. Further, the addition of the covered parking area should not harm the character of the building and details of this have been requested via condition.
- 5.5 The satellite dish is to be positioned in an unobtrusive location to the rear of the building and given that this is a removal feature, it will not cause serious harm to the character or historic fabric of the listed building.
- 5.6 The internal alterations relate mainly to works that appear to have been carried out in the 1970s and as such, these alterations are unlikely to result in the loss of any historic fabric and so are unlikely to harm the character of historic significance of the listed building.
- 5.7 The change of windows is considered acceptable as the existing windows are in some cases uPVC. The proposal was originally to use uPVC casements throughout, which the applicant was advised was not acceptable and as such

timber casements are now proposed, which constitute an acceptable window material for a listed building and the detail of these can be requested via condition. This alteration will enhance the character and significance of the listed building.

- 5.8 The insertion of the roof light to the rear elevation is considered to be acceptable and is placed in an unobtrusive location that will not harm the significance of the building.
- 5.9 The loss of the existing outbuildings, particularly the privy to the rear of the property is a regrettable loss and the Conservation Officer advises that these features, whilst not of any particular architectural merit, is part of the history of the building and says much about the life style of previous residents. It is also noted that neighbouring properties retain these features. Whilst the loss of this feature and the historic fabric is unfortunate, it is not considered that this outbuilding contributes greatly to the significance of the listed building overall and the Conservation Officer has not objected to the loss and so it is not considered that the loss could be resisted. As such, whilst this alteration is unfortunate, it does not harm the building so significantly that it detracts from its overall importance.
- 5.10 The comments of the third parties are noted and have been addressed within this appraisal or within the accompanying appraisal for full planning permission.
- 5.11 Conditions have been recommended to ensure the development is carried out to an acceptable standard.

### **Conclusion**

- 5.12 As has been demonstrated within this appraisal, the proposal is considered to be an acceptable form of development that will not cause serious harm to the character or historic significance of the listed building. As such, the proposal complies with the above mentioned policies and is recommended for approval as set out below.

## **6. Recommendation**

**Approval**, subject to the following conditions:

1. That the works to which this consent relates shall be begun not later than the expiration of three years beginning with the date of this consent.

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.

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: application forms, design and access statement, schedule of works, photographs and amended drawing numbers 32.11 B 'Existing and proposed elevations, floor plans, section and site plans', 32.11B 'Proposed timber outhouse' and 32.11A 'Improved

access to parking area and removal of outhouse' all received in the department on the 16 July 2012 with agent's letter of the same date.

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

3. That the external walls of the extension and the raised boundary walls to the side of the dwelling surrounding the covered parking area shall be constructed in natural ironstone which shall be laid, dressed, coursed and pointed in accordance with a sample panel (minimum 1m<sup>2</sup> in size) which shall be constructed on site to be inspected and approved in writing by the Local Planning Authority prior to the construction of the development hereby permitted.

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 Government advice in The National Planning Policy Framework, Policy BE6 of the South East Plan 2009 and Policy C18 of the adopted Cherwell Local Plan.

4. That samples of the tiles to be used in the covering of the roof of the extension shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The development shall be carried out in accordance with the samples so approved.

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 Government advice in The National Planning Policy Framework, Policy BE6 of the South East Plan 2009 and Policy C18 of the adopted Cherwell Local Plan.

5. That full design details of the windows, doors (which shall be timber) and roof lights (the roof lights shall be conservation grade), including details of the elevations, glazing and a cross section at a scale of 1:20 and an indication of the colour/ finish shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The development 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 Government advice in The National Planning Policy Framework, Policy BE6 of the South East Plan 2009 and Policy C18 of the adopted Cherwell Local Plan.

6. That full design details of the roof to the covered parking area shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The development 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 Government advice in The National Planning Policy Framework, Policy BE6 of the South East Plan 2009 and Policy C18 of the adopted Cherwell Local Plan.

7. That lime mortar shall be used in the construction and/or repointing of the extension and boundary wall.

Reason - To ensure appropriate materials are used which preserve the listed building and to comply Policy BE6 of the South East Plan 2009 and Policy C18 of the adopted Cherwell Local Plan.

8. Any making good to the internal walls shall be made good using lime plaster and permanently so retained thereafter.

Reason - To ensure appropriate materials are used which preserve the listed building and to comply Policy BE6 of the South East Plan 2009 and Policy C18 of the adopted Cherwell Local Plan.

9. All new works and works of making good shall be carried out in materials and detailed to match the adjoining original fabric except where shown otherwise on the approved drawings.

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 Government advice in The National Planning Policy Framework, Policy BE6 of the South East Plan 2009 and Policy C18 of the adopted Cherwell Local Plan.

#### **Planning notes**

1. The applicant is reminded that this building is included in the Statutory List of Buildings of Architectural or Historic Interest, and no works to the exterior or interior of the building, which materially affect the character may be carried out without the prior express consent of the Local Planning Authority (given through the submission of an application for, and subsequent grant of Listed Building Consent). This consent gives approval only to those works shown on the plans and details submitted to and approved in this application.
2. The applicant is further reminded that the carrying out of unauthorised work to a listed building is an offence, punishable by a fine, imprisonment or both, as detailed in Section 9 of the Planning (Listed Buildings & Conservation Areas) Act 1990.

#### **SUMMARY OF REASONS FOR THE GRANT OF LISTED BUILDING CONSENT AND RELEVANT DEVELOPMENT PLAN POLICIES**

The Council, as local planning authority, has determined this application in accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990, Government advice contained within the National Planning Policy Framework (March 2012) and the development plan unless material considerations indicated otherwise. The development is considered to be acceptable on its merits as the



proposal is considered to be sympathetic to the architectural and historic character and significance of the historic asset. As such the proposal is in accordance with the National Planning Policy Framework, Policy BE6 of The South East Plan and Policy C18 of the adopted Cherwell Local Plan. For the reasons given above and having regard to all other matters raised, the Council considers that the application should be approved and listed building consent granted subject to appropriate conditions, as set out above.