

**Site Address:** Bucknell Manor, Bainton  
Road, Bucknell, OX27 7LS

**13/01210/F**

**Ward:** Caversfield

**District Councillor:** Cllr Jon O'Neill

**Case Officer:** Stuart Howden

**Recommendation:** Approval

**Applicant:** Mr & Mrs Bowden

**Application Description:** Demolish modern single storey wing and lean-to-structures in lightwell; form glass roof over internal courtyard.

**Committee Referral:** Site area over 1ha

**Committee Date:** 31.10.13

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

- 1.1 The site is located on the south side of Bainton Road, Bucknell. The manor house is set back from the street behind an old rectory and church. The house is constructed from partly-coursed limestone rubble with ashlar dressing; Stonesfield-slate, Welsh-slate, plain tile and artificial stone-slate roofs with stone and brick stacks. There are large grounds to the rear of the property.
- 1.2 Planning Permission is sought for a variety of works as detailed below:
- The demolition to a 20th Century single storey accommodation building which is attached to the existing manor house and is situated to the front of the manor house.
  - The doorway between the house and the 20th Century accommodation building is proposed to be blocked up and the existing quoined corner to the gable of the existing house would be reinstated.
  - a glazed roof is proposed above the internal courtyard and to the south, this roof would replace a reinforced concrete flat roof and to the west it would spring from a line above all the ground floor window openings and below all the first floor window openings.
  - To the north and the east of the internal courtyard, the existing outbuilding walls would be raised, to create valleys to the existing outbuilding roofslopes and would be covered with Stonesfield-slates.
  - The external lift shaft will be retained within the internal lightwell and it is proposed to part tile hang the existing rendered elevation and form a pitched roof over it. A single storey WC block and wine cellar will be demolished within this internal lightwell.
  - A swimming pool is proposed to the south east of the manor house in the grounds.
  - The frames of five 19th Century dormer windows are proposed to be replaced on the second floor.
  - On the first floor an existing stone mullion window would be reinstated.
  - Three windows overlooking the courtyard would be replaced.
  - A window on the south elevation would be replaced.
  - At ground floor, a window overlooking the lightwell would be re-glazed and a doorway to the north east section of the house would be replaced with a window.
- 1.3 The building is grade II listed and two grade II listed outbuildings are situated within the site including a limestone building to the front of the property and a limestone rubble building to the east of the house. The property is set back from the road, behind St Peter's Church, which is a grade I listed building and the Old Rectory which is a grade II listed building. A listed church cross dating back from the 13<sup>th</sup> Century and a listed memorial dating back from the 17<sup>th</sup> Century are also situated between the church building and Bucknell Manor. The property is not within a Conservation Area,

but is within a Site of Medium Archaeological Interest. A footpath runs to the east of the site (FP 148/2). There are records of swifts in the area, which are a Notable/UK BAP Priority & Section 41 Species.

- 1.4 The internal works sought are considered under application 13/01316/LB which has been submitted alongside this application and also appears on this agenda.

## **2. Application Publicity**

- 2.1 The application has been advertised by way of neighbour letter, site notice and press notice. The final date for comment was the 3<sup>rd</sup> October 2013. No correspondence has been received as a result of this consultation process.

## **3. Consultations**

- 3.1 Bucknell Parish Council: No objections.

### **Cherwell District Council Consultees**

- 3.2 Conservation Officer: No objections in principle.
- 3.3 Ecology Officer: No objections, but notes that there are records of swifts in the area which are particularly vulnerable to the loss of nesting opportunities.

### **Oxfordshire County Council Consultees**

- 3.4 Highways Liaison Officer: No objections.
- 3.5 Planning Archaeologist: No objections subject to a planning condition that the applicant should be responsible for ensuring the implementation of a staged programme of archaeological investigation to be maintained during the period of construction.

### **Other Consultees**

- 3.6 English Heritage: Do not wish to comment in this case and has advised that we follow the advice of our Conservation Officer.
- 3.7 Thames Water: No objections.

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

- 4.1 Development Plan Policy

### **Adopted Cherwell Local Plan (Saved Policies)**

- C18: Historic Buildings
- C25: Development affecting the site or setting of a scheduled ancient monument
- C28: Layout, design and external appearance of new development
- C30: Design of new residential development

- 4.2 Other Material Policy and Guidance

### **National Planning Policy Framework**

### Draft Submission Cherwell Local Plan (October 2013)

The Proposed Submission Local Plan was published for public consultation in August 2012. A further consultation on Proposed Changes to the draft plan was undertaken from March to May 2013. On 7 October 2013, the draft Submission Plan was approved by the Council's Executive. The Plan is scheduled to be presented to Full Council on 21 October 2013 for endorsement as the Submission Local Plan.

At the present time the Plan carries limited weight. Once formally 'Submitted' to the Secretary of State for Communities and Local Government for Examination, the weight that can be attached to the Plan will increase. However, it will not form part of the statutory Development Plan until the Examination process is complete and the Plan is formally adopted by the Council (anticipated mid 2014). The policies listed below are considered to be material to this case and are not replicated by saved Development Plan policy:

#### ESD16: The Character of the Built and Historic Environment

## **5. Appraisal**

5.1 The key issues for consideration in this application are:

- The design and character;
- The impact upon the heritage assets;
- The impact upon the neighbour amenity;
- The impact upon highways safety;
- The archaeological impact;
- The ecological impact.

### **Design and Character**

5.2 Government guidance contained within the NPPF requiring good design states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Further, permission should be refused for development of poor design that fails to take the opportunities for improving the character and quality of an area and the way it functions.

5.3 Saved Policies C28 and C30 of the adopted Cherwell Local Plan exercise control over all new developments to ensure that the standards of layout, design and external appearance are sympathetic to the character of the context as well as compatible with the existing dwelling. Proposals to extend an existing dwelling should be compatible with the scale of the existing dwelling, its curtilage and the character of the streetscene.

5.4 The proposed scheme would not be visible from the public domain of the public footpath (FP 148/2) or the highway and it is officer's opinion that the proposed changes would be of a scale, style and design that is sympathetic with the visual amenities of the locality and appropriate to the listed building and its setting.

### **Heritage assets**

5.5 Saved Policy C28 of the adopted Cherwell Local Plan notes that In Conservation Areas developments are required to be of a high standard and they should use local building materials. Policy C18 advises that alterations or extensions to a listed building should be minor and sympathetic to the architectural and historic character or the building.

- 5.6 Paragraph 126 of the NPPF also states that designated heritage assets should be preserved, sustained and enhanced.
- 5.7 Policy ESD 16 of the Draft Cherwell Local Plan states that where development is in the vicinity of any of the district's distinctive natural or historic assets, delivering high quality design will be essential.
- 5.8 The demolition of the front 'modern' wing is welcomed. Officers consider that this would enhance the historic significance and character of this heritage asset which is a grade II listed building. The Conservation Officer also noted that the proposed scheme is in accordance with extensive pre-application discussions that were held with the agent and it is considered that the proposal would preserve the historic significance and character of this grade II listed manor.
- 5.9 There are two additional grade II listed buildings on the application site which are in close proximity to the manor house, but it is the opinion of officers that the demolition of the 20<sup>th</sup> Century wing would enhance the setting and historic significance of these listed buildings. In addition, the other external proposals would be of a sympathetic scale and design which are highly unlikely to interfere with the setting of these grade listed buildings.
- 5.10 It is considered that the proposed works would not interfere upon the setting of the grade I listed building, St Mary's Church, the grade II listed building, the Old Rectory, or the grade II listed memorial and cross, which are to the north of the site because these listed structures are visually separated from Bucknell Manor by adequate landscaping to the north of the site.

#### **Neighbour amenity**

- 5.11 The proposed works are of a sufficient scale and distance away to prevent detrimental harm to the neighbouring properties in terms of loss of light, overbearing and loss of privacy for these neighbouring properties.

#### **Highways safety**

- 5.12 The Local Highway Authority have no objections to the proposal because the site would retain adequate parking and it is therefore agreed that the proposal is unlikely to cause detrimental harm regarding highway safety.

#### **Archaeological Impact**

- 5.13 The Planning Archaeologist of OCC noted that the site is located in an area of archaeological potential within the core of the medieval village. The manor house itself dates to the early 17<sup>th</sup> Century but is located on the site of the original medieval manor house and a section of the moat associated with this earlier manor survives to the east (PRN 1114). The medieval manor would have had a number of associated outbuildings within the moated area. The 11<sup>th</sup> Century Church of St Peter (PRN 5103) is located 70 metres to the north of the application area. This development therefore has the potential to encounter archaeological deposits relating to the medieval manor as well as further buildings related to the post medieval current manor house.
- 5.14 It is considered that the planning condition recommended by the Planning Archaeologist be imposed, as recommended below.

#### **Ecological Impact**

- 5.15 The Ecology Officer has no objection to the proposals on ecological grounds. It is noted that there is some potential for bats and birds to be present on the building but

the proposals are affecting areas which are less likely to impact them. It is considered that art.12(1) of the EC Habitats Directive has been duly considered in that the welfare of any protected species found to be present at the site and surrounding land will continue and be safeguarded notwithstanding the proposed development. The proposal therefore accords with the National Planning Policy Framework and Saved Policies C2 and C4 of the adopted Cherwell Local Plan.

### **Engagement**

- 5.16 With regard to the duty set out in paragraphs 186 and 187 of the Framework, no problems or issues have arisen during the application. It is considered that the duty to be positive and proactive has been discharged through the efficient and timely determination of the application. The agent has agreed to the recommended conditions.

### **Conclusion**

- 5.17 The proposed scheme would not have an adverse impact on the visual amenities of the wider locality as the design, scale and style of the proposal is sympathetic to the context of the development. The proposal would also not have an adverse impact on the heritage assets, neighbour amenity, highway safety, ecology or Site of Archaeological Interest and is therefore compliant with the policies outlined in section 4 of this report. Overall, the proposal would have no adverse impacts and the application should be approved and planning permission should be granted subject to appropriate conditions.

## **6. Recommendation**

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

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 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Except where otherwise stipulated by condition, the application shall be carried out strictly in accordance with the following plans and documents: Application Forms, Design & Access Statement and Drawing No's; 1370/SLP5, 1370/SLP6, 1370/P01, 1370/P02, 1370/03, 1370/P04, 1370/P05, 1370/P06 and 1370/P07 submitted with the application.

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 Government guidance contained within the National Planning Policy Framework.

3. Any existing stonework (or stonework revealed by demolition) shall be made good. Any new remedial stonework necessary for the repair or making good of the development 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 comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

4. The reclaimed tiles to be used for the roof hereby approved shall match in terms of colour, type and texture to those used on 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 comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

5. Prior to the commencement of the development, full joinery details of the doors 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 an approved in writing by the Local Planning Authority. Thereafter the doors and windows shall be installed within the building in accordance with the approved details.

Reason - To ensure the satisfactory appearance of the completed development and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

6. All new casements to be used for the windows hereby approved shall be balanced.

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 comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

7. Prior to any demolition on the site, the commencement of the development and any archaeological investigation, a professional archaeological organisation acceptable to the Local Planning Authority shall prepare a first stage archaeological Written Scheme of Investigation, relating to the application area, which shall be submitted to and approved in writing by the Local Planning Authority.

Reason - To safeguard the recording and inspection of matters of archaeological importance on the site in accordance with Government guidance contained within the National Planning Policy Framework.

8. Prior to any demolition on the site and the commencement of the development and following the approval of the first stage Written Scheme of Investigation referred to in condition 7, a programme of archaeological evaluation, investigation and recording of the application area shall be carried out by the commissioned archaeological organisation in accordance with the approved first stage Written Scheme of Investigation.

Reason - In order to determine the extent, character and significance of the surviving remains of archaeological interest and to safeguard the recording and inspection of matters of archaeological importance on the site in accordance with Government guidance contained within the National Planning Policy Framework.

#### **PLANNING NOTES**

1. The applicant is advised that if further advice is required in relation to conditions 7 and 8, contact should be made with the County Archaeologist on 01865 328944 or by writing to Richard.Oram@oxfordshire.gov.uk or Historic and Natural Environment Team, Infrastructure Planning, Speedwell House, Speedwell Street, Oxford, OX1 1NE, who can provide advice in terms of the procedures involved, provide a brief upon which a costed specification can be based, and provide a list of archaeological contractors working in the area.

2. There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the options available at this site.
3. With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. This is in order to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.
4. Regarding emptying the swimming pool into a public sewer, Thames Water requests that the applicant empty the swimming pool overnight and in dry periods and that the discharge rate is controlled such that it does not exceed a flow rate of 5 litres/ second into the public sewer network. This is in order to prevent the risk of flooding or surcharging.
5. Any property involving a swimming pool with a volume exceeding 10 cubic metres of water will need metering. The applicant should contact Thames water on 0845 9200 800.
6. Nesting birds are legally protected under the Wildlife & Countryside Act 1981 (as amended). It is an offence to intentionally take, damage or destroy the eggs, young or nest of a bird whilst it is being built or in use. Should nesting birds be present on the building they and their nests cannot be disturbed until all young are fledged. Any nests removed or blocked as part of the proposed works should be replaced with a similar nesting opportunity - for example in the form of a nest box. Please contact the CDC Ecologist if further advice is needed.
7. Under UK and European law it is illegal to disturb, kill or injure bats, or destroy their roosting places. If bats are found during the building works, all work in that area is to cease until a suitably qualified ecologist and Natural England has been consulted for advice on how to proceed.

#### **STATEMENT OF ENGAGEMENT**

In accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No 2) Order 2012 and paragraphs 186 and 187 of the National Planning Policy Framework (March 2012), this decision has been taken by the Council having worked with the applicant/agent in a positive and proactive way as set out in the application report.