

Site Address: Outbuilding, Elephant and Castle, Humber Street, Bloxham

15/00325/F

Ward: Bloxham and Bodicote

District Councillor: Chris Heath and Lynda Thirzie-Smart

Case Officer: Rebekah Morgan

Recommendation: Refusal

Applicant: Mr James Clarke (Hook Norton Brewery)

Application Description: Change of use of outbuilding to residential accommodation. Removal of bread oven and repairs to building.

Committee Referral: Member Request – Cllr Chris Heath

Committee Date: 3 September 2015

1. Site Description and Proposed Development

- 1.1 The Elephant and Castle is a large imposing pub situated on the corner of Humber Street, Chapel Street and Rose Bank. The pub is a grade II listed building and is constructed from ironstone, with a slate roof. This particular application relates to a two storey outhouse to the north of the main part of the pub, which is currently in a poor state of repair and used mainly for storage.
- 1.2 The site is within the Bloxham Conservation Area, in proximity to other listed buildings and may have some archaeological interest.
- 1.3 The application seeks consent to convert the outbuilding to an independent dwelling. The works would include the removal of a large bread oven and both internal and external repair works to the building.

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 23rd April 2015.

1 letter has been received. The following comment was made:

We know that swifts nest in the outbuilding. Given the recent significant decline in swift numbers which can be caused by the loss of swifts' nest places as a result of building repairs and alterations, any repairs which are permitted should leave unaltered the small spaces which swifts use to access their nest places here. Local advice and information is available.

3. Consultations

- 3.1 Bloxham Parish Council: Objects to the application. The following comments were made:
 - The planning application refers to a change of use of the outbuilding to “residential accommodation”, the Planning statement references as viable options being short term lets, recent approvals for this site have been for guest accommodation. The Parish Council queries whether this dwelling be used to support the business of the Public House as a rental property?
 - The Parish Council would object to this building being converted to a non-

business related residential property for sale on the open market. This would be contrary to Bloxham's Neighbourhood Plan which seeks to safeguard land used for employment within the village.

- The Bread Oven; It is noted that the plan is to retain "unaltered and untouched" the bread oven openings and their doors in the wall of the Bakery fireplace, and that the rest of the oven can be used for historic research.
- If the Bread Oven was removed, The Parish Council would seek for this to be done sympathetically and with the approval of the Conservation Officer.
- We note that the Application Form states that all windows replacement would be done on a like for like, Conservation Grade repairs and this would also apply to repairs to masonry, roofs etc. We would seek that if Approval is given that this is monitored.
- The Parish Council draws the Planning Officers' attention to the known Swift Nesting site on the wall facing Rosebank, that does not appear to be recorded on the District's Information Map.

Cherwell District Council Consultees

- 3.2 Conservation Officer: The proposal is to convert part of the building which is currently occupied by a traditional C19 bread oven and the ancillary accommodation adjacent into a self-contained apartment. This scheme includes the removal of the bread oven although the picturesque oven and fire door front will remain.

The principle of creating ancillary accommodation is not an issue however the destruction of the bread oven very much is and is contrary to both national and local policies as this will result in fundamental harm to the heritage asset.

A single bedroom apartment can easily be accommodated within the rooms currently available and therefore there is no over-riding need to demolish the bread oven.

- 3.3 Environmental Protection Officer: No comments received.

Oxfordshire County Council Consultees

- 3.4 Local Highway Liaison Officer: No objections subject to conditions.
- 3.5 Archaeologist: There are no archaeological constraints to the scheme.

4. Relevant National and Local Policy and Guidance

- 4.1 Development Plan Policy

Cherwell Local Plan 2011-2031 Part 1:

ESD15: The Character of the Built and Historic Environment

The Cherwell Local Plan 2011-2031 - Part 1 was formally adopted by Cherwell District Council on 20th July 2015.

The Plan was the subject of an independent examination conducted by an Inspector appointed by the Secretary of State. The Inspector's report was published on 12th June 2015 and the recommended main modifications required to make the Plan sound have been included in the adopted plan.

The Plan provides the strategic planning policy framework and sets out strategic site allocations for the District to 2031. Now adopted, the Plan forms part of the statutory development plan and provides the basis for decisions on land use planning affecting

Cherwell District.

The Local Plan 2011-2031 – Part 1 replaces a number of the saved policies of the 1996 adopted Cherwell Local Plan. Those saved policies of the 1996 adopted Cherwell Local Plan which are retained remain part of the development plan. These are set out in Appendix 7 of the Local Plan 2011-2031.

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

The Local Plan and its associated documents are available on the Council's website: www.cherwell.gov.uk

Cherwell Local Plan 1996 (Saved Policies)

- 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

National Planning Practice Guidance

5. Appraisal

5.1 The key issues for consideration in this application are:

- Relevant planning history
- Principle of the development
- Visual amenity and impact on heritage assets
- Neighbouring amenity
- Highway safety

Relevant planning history

5.2 **10/01566/F:** Refit outhouse to create dwelling (Application withdrawn)

5.3 **11/01365/F:** Refit outhouse to create dwelling (Application permitted)

Principle of the development

5.4 The application is for a new dwelling within Bloxham which is classified as a Category A village within the Cherwell Local Plan 2011-2031. Policy Villages 1 of the Cherwell Local Plan 2011-2031 restricts new residential development to:

- Minor development
- Infilling
- Conversions

5.5 The Cherwell Local Plan 2011-2031 states '*Policy Villages 1 allows for the most sustainable villages to accommodate 'minor development' and all villages to accommodate infilling or conversions. The appropriate form of development will vary depending on the character of the village and development in the immediate locality. In all cases, Policy ESD 15: The Character of the Built and Historic Environment will be applied in considering applications.*

5.6 The building subject to this application is a designated heritage asset (Grade II listed building) and Policy ESD 15 of the Cherwell Local Plan 2011-2031 states that new development proposals should '*Conserve, sustain and enhance designated and non-*

designated heritage assets (as defined in the NPPF) including buildings, features archaeology, conservation areas and their settings, and ensure new development is sensitively sited and integrated in accordance with advice in the NPPF and NPPG’.

- 5.7 Although the proposal is the conversion of an existing building within the village, it does require the removal of a significant feature (the bread oven) within the building to enable the conversion to take place. The building is a designated heritage asset; as proposed, the conversion would lead to irreplaceable harm to the building contrary to paragraph 133 of the National Planning Policy Framework and Policy ESD15 of the Cherwell Local Plan 2011-2031. As such, the principle of the development is not considered to be acceptable contrary to Policy Villages 1 of the Cherwell Local Plan 2011-2031.

Visual amenity and impact on heritage assets

- 5.8 As stated, the internal works proposed would have a detrimental effect on the character and significance of the listed building due to the loss of a substantial feature within the building. This matter is dealt with in greater detail in the accompanying listed building application 15/00326/LB.

- 5.9 The proposed external alterations are limited to necessary repair work to enable the building to be occupied and do not include any significant changes to the external appearance. Therefore the proposal would not cause harm to the setting of neighbouring listed buildings or to the character and appearance of the Conservation Area.

Neighbouring Amenity

- 5.10 The proposal utilises the existing windows, which overlook the public house car park. Therefore the development would not result in direct overlooking of the neighbouring properties.
- 5.11 The property could be converted without the need for extension, therefore the general outlook from the neighbouring properties would remain unchanged and would not appear over dominant or overbearing.
- 5.12 The proposed development would not cause harm to neighbouring amenity and accords with the core principles of the National Planning Policy Framework and saved Policy C30 of the Cherwell Local Plan 1996.

Highway safety

- 5.13 The Local Highway Authority has raised no objections to the proposal. The public house has a large car park and on previous applications it has been suggested that allocated parking could be provided for the new dwelling. Conditions could be included to require full details of the parking provision for the proposed dwelling to be provided.
- 5.14 The proposal would not cause harm to highway safety and complies with government guidance contained within the National Planning Policy Framework.

Engagement

- 5.15 With regard to the duty set out in paragraphs 186 and 187 of the Framework, ongoing discussions and meetings have been held with the applicant/agent during the application process. It is considered that the duty to be positive and proactive has been discharged by communicating effectively with the applicant/agent.

6. Recommendation

Refusal for the following reason:

1. The application property is a Grade II listed building and the conversion of the building in the manner proposed would result in the loss of a significant internal feature (the bread oven) causing substantial harm to the designated heritage asset. As such, the property is not considered to be suitable for conversion in this way and the proposal is therefore contrary to government guidance contained within the National Planning Policy Framework and Policies ESD 15 and Villages 1 of the Cherwell Local Plan 2011-2031.

STATEMENT OF ENGAGEMENT

In accordance with the Town and Country Planning (Development Management Procedure)(England) Order 2015 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 and with on-going discussions with the applicant/agent.