

# Site Address: Quills 36 Main Street Duns Tew

15/01894/F

**Ward:** The Astons and Heyfords

**District Councillors:** Mike Kerford-Byrnes and  
James Macnamara

**Case Officer:** Bob Neville

**Recommendation:** Refusal

**Applicant:** Mr J Scotchbrook

**Application Description:** Erection of an open canopy and application of timber cladding to eastern elevation of dwelling (retrospective) and increase in height of stone wall to eastern boundary

**Committee Referral:** Member Call-in, in light of  
public interest

**Committee Date:** 17 December 2015

## 1. Site Description and Proposed Development

- 1.1 The site is a two-storey, detached dwelling constructed of reconstructed stone (Bradstone) under a tiled roof, built in the early 70s, in the village of Duns Tew. The property has off-street parking to the front, side access and a private rear residential garden. The plot is accessed off Main Street and is a prominent feature within the street-scene. The immediate vicinity is primarily residential of a similar typology and varying street character. There is a recreational area to the rear (south-east) of the site, with open countryside beyond. The site has recently undergone rear extensions and alterations, approved under reference 14/00264/F, and a further permission exists (15/00013/F) for a timber gabled roof porch to the front and the rendering of the existing walls; however, at the time of the case officer's site visit (12/11/2015) this permission was yet to be implemented.
- 1.2 In terms of site constraints, the site is not a listed building but does sit within the designated Duns Tew Conservation Area and the village's Historic Core, which is considered to be of medium archaeological interest. There are several grade II listed buildings within the vicinity of the site, including Manor Farmhouse directly opposite the front of the site on Main Street and the converted buildings associated with Daisy Hill Farmhouse to the east. A Public Right of Way (ref. Footpath 195/6) runs along the rear boundaries of the site and adjacent properties. There are records of Swifts being present within the vicinity of the site; however, given the nature of the proposals, it is considered that this site constraint would not affect development.
- 1.3 The application seeks retrospective planning permission for the erection of an open canopy and the application of timber (Cedar) cladding to the north-east side elevation of the main dwelling, and also for planning permission to increase the side boundary wall to an overall height of some 1.8m.
- 1.4 The application submission follows the unauthorised development being brought to the attention of the Council's Planning Enforcement Team by officers dealing with another site in Duns Tew (Bradstones, ref. 15/01111/F), with that applicants verbally citing Quills as an example of where they believed the Local Planning Authority (LPA) had allowed the use of timber cladding on a main elevation of a dwelling house. Enforcement officers investigated the matter (ref. 15/00198/CPLANS) and following consultation with the Council's Conservation Officer concluded that the unauthorised work that had been undertaken represented an inappropriate form of development in what is a sensitive part of the built environment. The applicant was then contacted with a request for the canopy and cladding to be removed, but has since submitted the planning application.

## 2. Application Publicity

- 2.1 The application has been advertised by way of neighbour letter, site notice and press advert. The final date for comment was the 03.12.2015. Thirty seven letters of support have been received as a result of this process.

### 3. Consultations

- 3.1 **Duns Tew Parish Council** - No objections. The Council also wish to make the following observations:

- a) The timber cladding is a great improvement on the original Bradstone and provides continuity with the cladding on the new extension (agreed by your Planning Department} and completes the architectural character of the property.
- b) The Applicants did seek advice from your Planning Department prior to this work being carried out and were advised that the Planning Permission was not required. Having carried out they work they were advised this was not the case so have applied for retrospective permission.

The Council see no valid reason why permission should not be granted.

- 3.2 **Cherwell District Council Internal Consultee:**

**Conservation Officer:** Quills is a late 20th century property situated on the south side of Main Street in the centre of Duns Tew opposite as well as adjacent to two of the principal late 17th/early 18th century farmhouses located within the settlement.

Quills is a building without architectural merit; it neither reflects the traditional architectural style nor is constructed using traditional vernacular materials of the district. It is a building of its age and as was typical of that time, was built with no reference to or understanding of the rich and deep architectural tradition of the area. In the building's defence it can also be added that it is a building without pretention. The building cannot be said to contribute in any positive sense to the historic architectural character of the main streetscape, but similarly it cannot be said that its contribution is harmful. The building's contribution to the overall architectural character and appearance of the conservation area is a neutral one – simply, it is there.

In recent time the building has been the subject of a number of alterations all focused on improving the accommodation and enhancing the appearance of the property. These changes have not been without some success. It is therefore unfortunate that the latest tranche of works were undertaken initially without consent and it is this application which seeks to regularise the works.

The same measure of acceptability should be applied to retrospective applications as to regular planning applications. It should not be the case that the works described in retrospective applications be viewed more 'leniently' as this may well encourage applicants to undertake unauthorised works as a matter of routine.

It is the case that timber cladding is not ordinarily part of the historic repertoire of building material found within the area for the construction of primary dwellings. That is not to say that there are not timber-clad buildings, there certainly are - ancillary agricultural buildings are often found to be timber-framed with brick/stone plinths and timber cladding.

It is also the case that artificial stone is not part of the historic repertoire of building material found within the area, but stone is the principal construction material for dwellings and artificial stone is a poor cousin of the real thing.

I appreciate that there is much local support for the works undertaken by the current owner but this does not negate the fact that this work is alien to the vernacular tradition of the area.

My view is that the timber cladding of the gable wall of the main house should

be removed. This leaves the main house constructed in artificial stone and the new extension timber clad – both alien to the vernacular tradition of the area but at least honest about it. This arrangement helps the observer better read the building. The veranda whilst also alien falls within architectural embellishments likely to be seen on late 20th century dwellings and in my view causes little additional harm to the aesthetic of the streetscape.

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

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

###### **Cherwell Local Plan 1996 (Saved Policies) (CLP 1996)**

C28: Layout, design and external appearance of new development

C30: Design control

###### **The Cherwell Local Plan 2011-2031 - Part 1 (CLP)**

ESD 15: The Character of the built and historic environment

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

###### **National Planning Policy Framework (the Framework) - March 2012**

###### **Planning Practice Guidance (PPG)**

###### Listed Building (Listed Building (Section 16(2) & Section 66(1) and Conservation Area (Section 72(1) of the Listed Buildings and Conservation Areas Act 1990)

The LPA has a statutory duty under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area (CA). Paragraph 131 of the Framework sets out that in determining planning applications, LPAs should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. Para 132 of the Framework confirms that the significance of a designated heritage asset (including CAs) can be harmed or lost through development within its setting.

#### **5. Appraisal**

##### **5.1 The key issues for consideration in this application are:**

- Relevant Planning History
- Visual Amenity (including the impact on the character and appearance of the Conservation Area)
- Neighbour Amenity

###### **Relevant Planning History**

5.2 B.871/71 - Proposed erection of 4 bedroom dwelling house and garage. Permitted.

B.867/73 - Extension to lounge. Permitted.

14/00264/F - Single storey rear extension. Raise existing front wall in stone to approx. 1.2m. Permitted.

15/00013/F - Render all external elevations and gable porch to existing lean-to roof over front entrance - Amendment to 14/00264/F. Permitted.

###### **Visual Amenity (including the impact on the character and appearance of the Conservation Area)**

5.3 The purpose of the planning system is to contribute to the achievement of sustainable development and the Framework defines this as having 3 dimensions: economic,

social and environmental. Also at the heart of the Framework is a presumption in favour of sustainable development and in the context of this application would include conserving and enhancing the historic environment.

- 5.4 The Government attaches great importance to the design of the built environment within the Framework. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. These aims are also echoed within Policy ESD15 of the CLP which looks to promote and support development of a high standard which contribute positively to an area's character and identity by creating or reinforcing local distinctiveness.
- 5.5 Saved Policies C28 and C30 of the CLP 1996 also seek standards of layout, design and external appearance, including the choice of external finish materials, which are sympathetic to the character of the context of the development. Further, extensions and alterations to dwellings should be compatible with the scale of the existing dwelling, its curtilage, the character of the street scene and should not be visually intrusive.
- 5.6 The site is within the Duns Tew Conservation Area, which was designated as such in 2005. Conservation areas are designated by the Council under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990; with the aim being to manage new development within such areas to ensure that the character or appearance of the Conservation Area, and the special architectural or historic interest which it may possess, is preserved and where possible enhanced.
- 5.7 The 2005 Duns Tew Conservation Area Appraisal identifies development within the village as being typified by the older buildings being a mixture of farmhouses, houses and cottages in rural vernacular style, located directly onto the street or set a little way back with a traditional stone wall inclosing the front garden, while the more modern dwellings tend to be constructed using a range of building materials, such as render, brick and artificial stone, and a mixture of styles and therefore stand out from the older buildings.
- 5.8 Quills is one of the latter group, i.e. a modern building, which is of reconstructed stone (Bradstone) construction, and which, in officers' view, despite being in a prominent corner plot location, is of relatively little architectural merit and is a building that cannot be said to positively contribute to the historic architectural character of the main street-scene.
- 5.9 The current application has three distinct elements for consideration, which affect the character and appearance of the building and its setting within the street-scene. These are (1) the canopy to the side; (2) the raising of the boundary wall and (3) the application of timber cladding to the side elevation of the dwelling.
- 5.10 The canopy has the appearance of continuing the existing canopy on the front elevation around the side of the dwelling and is constructed in materials sympathetic to the existing house. In the case officer's opinion, the canopy adds visual interest to the property, breaking up the expanse of reconstructed stone that is the side elevation, and to some extent enhances the appearance of the building. It is noted that this opinion is shared by third parties in the numerous letters of support that have been received during the course of the application.
- 5.11 Stone boundary walls are a feature that is present throughout the village and are considered to be integral to the character of the village and the Conservation Area. At the time of the case officer's site visit the side boundary at the site comprised of a low dry-stone wall and close-boarded fencing. However, it is noted that a blockwork wall and timber panelled fence did previously run down the side of the property behind the stone boundary wall. The lack of side boundary treatment allows for views into the

rear garden and the recently constructed timber clad rear extensions.

- 5.12 The proposed alteration to the wall would run from the existing close-boarded fencing up to the rear of the open canopy at the side and would be at a height of some 1.8m and length of some 12.75m. The wall would be visible from the highway to the front although not prominent within the street-scene. It is considered that, subject to appropriate stone being used to match the existing wall, the proposed alteration to the wall would not detrimentally affect the visual amenities of the property or wider area and would have some benefit to the privacy of the occupants of Quills.
- 5.13 With regard to the timber cladding, as noted by the Council's Conservation Officer, timber cladding is not generally part of the historic palette of primary building material found within the area, and the use of timber, as a building material, is largely confined to use on outbuildings and as boundary treatment; with very instances of such visible from the public domain within Duns Tew. The timber cladding to proposed rear extensions at the property (14/00264/F) were granted on the single premise that the rear elements appeared as *additions* to the property rather than an *integral part of the building*, albeit in visual appearance only. In this instance the wrapping of the timber cladding along the side elevation of the *existing dwelling* would make the development contrary to this approach.
- 5.14 As noted above, the site is within the Duns Tew Conservation Area, a Designated Heritage Asset. The Framework (Para. 126) advises that Local Planning Authorities should positively set out strategies for the conservation and enjoyment of the historic environment, and should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance. It further states that in developing this strategy, local planning authorities should take into account:
- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
  - the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
  - the desirability of new development making a positive contribution to local character and distinctiveness; and
  - opportunities to draw on the contribution made by the historic environment to the character of a place.
- 5.15 Policy ESD 15 of the CLP is consistent with the advice and guidance within the Framework with regard to the conservation of the historic environment and looks for development to:
- Contribute positively to an area's character and identity by creating or reinforcing local distinctiveness;
  - Conserve, sustain and enhance designated and non-designated Heritage Assets, including their settings, ensuring that new development is sensitively sited and integrated;
  - Respect the traditional pattern of routes, spaces, blocks, plots, enclosures and the form, scale and massing of buildings.
- 5.16 Given the context of the site and its relationship with the adjacent highway, the timber cladding is visually prominent within the street-scene and appears as an alien feature, that has an awkward association between the front and side elevations (where the timber meets the stonework on the corner) which is not considered sympathetic or reflective of local character or distinctiveness. It is therefore considered to cause '*less than substantial*' harm to the character and appearance of the street-scene and the designated Conservation Area, and the setting of adjacent listed buildings.

- 5.17 Paragraphs 133 and 134 of the Framework both require the decision maker to weigh this harm against the public benefits of the proposal. The dwelling as a relatively modern building has remained in use and as a less than positive contributor to the character of the Conservation Area its retention would not be critical even if it were in a state of disrepair (factors that may provide positive benefit in some instance).
- 5.18 The benefits arising from the timber cladding are therefore considered to be of a private nature and are therefore not outweighed by the identified public harm. Since the other elements of the proposal are considered acceptable and are separate elements (as opposed to being inter-dependent) it is not necessary to carry out the same balancing exercise in respect of those elements. Notwithstanding, the benefits of both are largely of a private nature and are not considered to outweigh the public harm identified.

### **Neighbour Amenity**

- 5.19 Given the context of the site, the nature of the development and the site's relationship with neighbouring properties it is considered that there will be no impact on neighbour amenity as a result of the proposed work or the work that has already been undertaken and is therefore acceptable in this regard.

### **Other Matters**

- 5.20 Comment has been made with regard to the applicant having seemingly been verbally advised, by a member of the Council, that the work that has been undertaken did not require planning permission and therefore could be undertaken without requiring consent. However, it is unclear as to who offered this advice and no evidence has been submitted to support this allegation. Notwithstanding these comments, the point is somewhat moot as the works are not considered permitted development under the provisions of the Town and Country (General Permitted Development) Order (as amended) and planning permission is therefore required.

### **Engagement**

- 5.21 With regard to the duty set out in paragraphs 186 and 187 of the Framework, no problems or issues have arisen during the application. The applicant's agent has been made aware of the case officer's concerns; unfortunately in this instance a mutually acceptable solution could not be found. It is considered that the duty to be positive and proactive has been discharged through the efficient and timely determination of the application.

### **Conclusion**

- 5.22 While the development assessed within this application does not impact on neighbour amenity and is considered to have some limited benefit to the visual appearance of the property, it is considered on balance that, by virtue of the use of timber cladding – an alien construction material within the context, on a prominent elevation of the original dwellinghouse – the development has a detrimental impact on the character and appearance of the street-scene, and causes *less than substantial* harm to the Duns Tew Conservation Area and the setting of adjacent grade II listed buildings. It is therefore considered to be contrary to the provisions and aims of Saved Policies C28 and C30 of the Cherwell Local Plan 1996, Policy ESD 15 of the Cherwell Local Plan 2011-2031 Part 1 and Government advice and guidance within the National Planning Policy Framework. Furthermore, if this application were granted planning permission, it is likely to set an unwelcome precedent for the further use of timber cladding within the Conservation Area. It is therefore recommended for refusal for the reason set out below.

**6. Recommendation - Refusal**

1. The Cedar timber cladding, by virtue of being a foreign material within the street-scene, fails to reinforce or reflect local distinctiveness and does not preserve or enhance the character of the Conservation Area and is detrimental to the character and appearance of the street-scene and the setting of the grade II listed Manor Farmhouse opposite north of the site, and causes 'less than substantial' harm to these designated heritage assets. The above mentioned development therefore fails to accord with Saved Policies C28 and C30 of the Cherwell Local Plan 1996, Policy ESD 15 of the Cherwell Local Plan 2011-2031 Part 1 and paragraphs 14, 17, 132 and 134 of the National Planning Policy Framework, and it is considered that this identified harm significantly and demonstrably outweighs the proposal's benefits.

**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), no problems or issues have arisen during the application. The applicant's agent has been made aware of the case officer's concerns; unfortunately in this instance a mutually acceptable solution could not be found. It is considered that the duty to be positive and proactive has been discharged through the efficient and timely determination of the application.