

Site Address: Bean Acre Cottage Rope Way Hook Norton

15/02053/LB

Ward: Hook Norton

District Councillor: Cllr Ray Jelf

Case Officer: Bob Neville

Recommendation: Approval subject to conditions

Applicant: Mr Charlie Luxton

Application Description: Demolition of outbuildings and erection of one low energy building with change of use of land to residential

Committee Referral: Member call-in, in relation to surrounding Common Land. **Committee Date:** 17/03/2016

1. Site Description and Proposed Development

- 1.1 The site consists of Beanacre Cottage, a grade II listed building, a group of three outbuildings and an area of paddock land located on the outskirts of Hook Norton. Beanacre Cottage sits within an area of 'Common Land' controlled by Hook Norton Parish Council and commands a visually prominent position at the edge of the village. There are residential properties immediately north and east of the site, whilst land levels drop to the south and south-west of the existing outbuilding and then rise again with open countryside beyond.
- 1.2 In terms of site constraints, as noted above, Beanacre Cottage is situated on 'Registered Common Land' and is a grade II listed building (listed as Benacre, first listed on the 9th November 1984), with the outbuildings considered to be curtilage listed through association to the cottage. The site sits within the Hook Norton Conservation Area and there are two further grade II listed properties some 85m west of the site. The 'House By The Green', adjacent the site, is considered to be of local importance and is listed as a Non-Designated Heritage Asset. The site sits within a buffer zone surrounding an area of potentially contaminated land north-east of the site. The Swere Valley and Upper Stour Conservation Target Area follows the line of the valley south of the site and cuts through part of the site. Hook Norton disused railway and cutting is a District Wildlife Site is located to the east of the site and there are records of several notable and protected species (Common Frog, European Otter, Yellow Hammer, Bullhead and Bluebell) within the vicinity of the site. There are no other notable site constraints relevant to planning and this application.
- 1.3 The application proposes the demolition of the existing outbuildings at the site to be replaced by a two storey low energy building sunken into the hillside, to provide residential accommodation, and the change of use of land to provide an area of residential curtilage to be used as a domestic garden. The proposed building would be of a somewhat contemporary design with a palette of materials intended to provide links to existing structures and agricultural buildings within the area and would employ renewable energy technologies. The proposed building would be built over the footprint of the existing outbuildings with a proposed footprint of some 160m², providing residential accommodation on two floors. The upper section would be finished in timber under a metal roof, reflecting an agricultural barn like appearance. Whilst the lower section would be set into the hillside with natural stone walls under a flat sedum roof.
- 1.4 The application has been amended during the course of determination in response to officers raising issues with the applicant with regard to the proposed site area not including the area of land necessary for the proposed entrance steps to the north-west elevation. This element was subsequently removed from the application, retaining the existing steps. The site area was also amended reducing the amount of

residential garden to be considered as part of the application. Further information in the form of Landscape and Visual Impact Assessment was also submitted in response comments made by the Council's Landscape Officer. In light of the amended and additional information the application was re-advertised and a further consultation exercise undertaken.

2. Application Publicity

2.1 The application has been advertised by way of a press notice, site notice and neighbour letters. The initial final date for comment on this application was 11.02.2016; however, following the submission of revised and additional information further consultation exercises were undertaken and a final deadline for comments has been set at the 17th March 2016. As the deadline for further comments extends beyond the date when this report has been prepared, any further consultee responses or comments received will be conveyed to committee members as a written update prior to the meeting on the 17th of March. At the time of writing, comments and observations have been received from three local residents as a result of this process.

Full details of all the representations received are viewable on the Council's web-site. Relevant planning issues raised by third parties are summarised as follows:

- Detrimental impact on Common Land; through potential encroachment and access during the construction phase of any such development;
- The proposals are not in keeping with surrounding properties or Conservation Area;
- The site is beyond the built-up limits of the village;
- Detrimental impact on highway safety, with on-street parking being a particular issue.

3. Consultations

3.1 **Hook Norton Parish Council** - No objections

3.2 **Cherwell District Council Internal Consultee:**
Conservation Officer: No objections subject to conditions.

3.3 **Oxfordshire County Council Consultees:**
None undertaken

3.4 **Other External Bodies:**
Historic England: No comments to make. 'We do not consider that it is necessary for this application to be notified to Historic England'.
Banbury Historical Association: No comments received
National Amenity Societies: No comments received

4. Relevant National and Local Policy and Guidance

4.1 **Development Plan Policy**
The Cherwell Local Plan 2011-2031 - Part 1 (CLP)
ESD 15: The Character of the built and historic environment
Cherwell Local Plan 1996 (Saved Policies) (CLP 1996)
C18: Development affecting a listed building

4.2 **Other Material Policy and Guidance**

National Planning Policy Framework (the Framework) - March 2012
Planning Practice Guidance (PPG)
Hook Norton Neighbourhood Plan

5. Appraisal

5.1 The key issues for consideration in this application are:

- Relevant Planning History
- Impact on the Listed Building

Issues relating visual and neighbour amenity, highway safety and the impact on the Common Land are to be dealt with under the associated application for full planning permission ref. 15/02052/F.

Relevant Planning History

5.2 B.279/59 - New porch and windows (Approved)

CHN.403/79 - Demolish existing stables and erection of new stables with tack-room and wood-store (Approved)

CHN.407/84 - Demolish outside w.c., build front extension (Approved)

CHN.LB.206/85 - Single storey extension, renew existing thatch roof raising lower roof-line to match rest lower ground floor (Approved)

CHN.LB.207/85 - Single and two storey extensions, renew existing thatched roof. Lower part ground floor raise lower roof-line to match rest (Approved)

06/01634/F - Replacement porch to front, alterations and conversion of laundry/stable building to guest bedroom, en-suite and office for ancillary use to main dwelling including installation of solar panels to south east roof slope and refurbishment of store building for use as a workshop (Approved)

06/01635/LB - Refurbishment and alterations to dwelling including replacement and alterations to windows, replacement porch and alterations to internal staircase, new stone wall and hardwood and wrought iron gates (Approved)

08/01416/LB - Removal of acrylic paint on exterior and application of new thin skim of self coloured off-white lime render. Internal alterations. New wood wool breathable insulation applied to internal face of exterior walls (Approved)

Impact on the Listed Building

5.3 The key issue to consider is the impact upon the historic character, interest and fabric of the listed building, and the impact upon the significance of this designated heritage asset. 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 Beanacre Cottage is a Heritage Asset and therefore the Framework requires that any development must sustain and enhance its significance, and development should also make a positive contribution to its local character and distinctiveness. The emphasis is on ensuring that the historic significance of the heritage asset is not harmed.

5.5 Saved Policy C18 of the CLP 1996 advises of the Council's desirability of preserving the listed building or its setting or any features of special architectural or historic interest.

5.6 Beanacre Cottage a grade II listed building (listed as Benacre, first listed on the 9th

November 1984). The listing describes the property as:

'Benacre Cottage - II Cottage. C17. Coursed ironstone rubble painted white. Thatched roof. 2 brick end stacks. 2-unit plan plus extension on right. Single storey plus attic. C20 casements throughout with wooden lintels. C20 porch. Main structure unaltered. Single 3-light metal casement on first floor at rear. Interior: Chamfered beam in C17 part and bressumer over fireplace'.

- 5.7 No works are proposed to Beanacre Cottage itself as part of this application, and works only relate to the outbuildings associated with the main dwelling. These outbuildings are considered to be curtilage listed through their associated ancillary use to Beanacre Cottage. The outbuildings, formally stables, are physically separate from the cottage and have previously received permission from the Local Planning Authority for rebuild (CHN.403/79) and alteration (06/01634/F & 06/01635/LB) over the years. The current proposals would see the demolition of the outbuildings, to be replaced by a two storey building of contemporary design, providing residential accommodation.
- 5.8 Whilst considered to be curtilage listed, officers are of the opinion that the existing outbuildings are of little architectural merit or historic interest and that their replacement with a building of quality design would be a visual improvement whilst sustaining the character at this edge of village location. The timber Louvre/cladding and metal roof would reflect a somewhat rural/agricultural style building albeit with a modern twist, and the stone walls would reflect materials in use on surrounding properties and those within the village and it is this element of the proposals which would be viewed in the same context as the main listed building.
- 5.9 The Council's Conservation Officer supports the proposals, subject to approval of finish construction materials and details, considering that the proposals would not have a significant impact on the setting of the adjacent listed building or wider Conservation Area and would not be to detriment of the historic or architectural significance of these Heritage Assets. The case officer sees no reason to disagree with this opinion and consider that the significance of Beanacre Cottage as a Heritage Asset is at very least sustained and potentially enhanced through the development proposals being completed to a high standard of design and finish. It is further considered that the specific appropriate detailing and choice of construction materials to ensure a high standard could be dealt with through appropriate pre-commencement conditions, should permission be granted.

Conclusion

- 5.10 It is considered that the proposed replacement of the existing outbuilding with a contemporary building of quality design and finish would not detract from the architectural or historic significance of the listing building (Beanacre Cottage) and has the potential to enhance the setting of the listed building and the Hook Norton Conservation Area, whilst meeting the applicant's desire for improved living accommodation meeting the modern family's needs and homeworking requirements. Special regard has been paid to the desirability of preserving the listed building, its setting and/or any features of special architectural or historical interest which it possesses and also the setting within the Conservation Area, through the design of the proposal and choice of construction materials. The proposal is not considered to be contrary to the aim of relevant policies and is therefore considered acceptable and recommended for approval as set out below.

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 development shall be carried out strictly in accordance with the following plans and documents: Application forms and drawings numbered: 108_Location Plan A, 108_03_100A, 108_03_210, 108_03_211A, 108_03_212A, 108_04_220A, 108_05_210 and 108_05_211.

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. Prior to the commencement of the development hereby approved, a sample of the material to be used in the construction of the roof of the upper barn structure of the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter 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 Policy C18 of the Cherwell Local Plan 1996, Policy ESD 15 of the Cherwell Local Plan 2011-2031 and Government guidance contained within the National Planning Policy Framework.

4. Prior to the commencement of the development hereby approved, full details of the timber louvres/timber cladding to be used in the construction of the external walls of the development, including materials, colour and finish shall be submitted to and approved in writing by the Local Planning Authority. Thereafter 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 Policy C18 of the Cherwell Local Plan 1996, Policy ESD 15 of the Cherwell Local Plan 2011-2031 and Government guidance contained within the National Planning Policy Framework.

5. Prior to the commencement of the development hereby approved, a stone sample panel (minimum 1m² in size) shall be constructed on site in natural stone using lime mortar, which shall be inspected and approved in writing by the Local Planning Authority. Thereafter, the external walls of the lower ground floor and boundary retaining walls shall be laid, dressed, coursed and pointed in strict accordance with the approved stone sample panel.

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 C18 of the Cherwell Local Plan 1996, Policy ESD 15 of the Cherwell Local Plan 2011-2031 and Government guidance contained within the National Planning Policy Framework.

6. All rainwater goods shall be traditional cast iron or metal painted black and permanently so retained thereafter.

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 C18 of the Cherwell Local Plan 1996, Policy ESD 15 of the Cherwell Local Plan 2011-2031 and Government guidance contained within the National Planning Policy Framework.

PLANNING NOTES

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 of the building 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 for those works shown on the plans and details submitted and approved in relation to this application. Additionally the applicant shall carry out the approved works in such a manner as to ensure that the existing building(s) is/are preserved and not structurally or superficially altered in any way whatsoever save in accordance with the approved plans the subject of this consent and the said building(s) shall be structurally supported and weatherproofed at all times during the construction period in accordance with established building practice.

The applicant is reminded that the carrying out of any 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.

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), any problems or issues that have arisen during the determination of the application have been dealt with in consultation with the applicant. It is considered that the duty to be positive and proactive has been discharged through the interaction with the applicant and the efficient determination of the application.

Bob Neville

Date: February 2016