

Applicant: Williamscot Estate

Proposal: Regularising historic internal and external works to the West Wing of Williamscot House - refer to supplementary sheet for details

Ward: Cropredy, Sibfords And Wroxton

Councillors: Cllr Ken Attack
Cllr George Reynolds
Cllr Douglas Webb

Reason for Referral: Member call-in request – Councillor Attack

Expiry Date: 5 September 2017 **Committee Date:** 26 October 2017

Recommendation: Approve

1. APPLICATION SITE AND LOCALITY

- 1.1. The application site relates to a late sixteenth century property situated within Williamscot, a settlement to the north east of Banbury. The site is accessed from a private driveway which has two access points from Cropredy Lane and further along the road at 'Williamscot Road' (to the North West).
- 1.2. The application site relates to the West Wing at Williamscot House. The house itself has historically been divided into two wings (East and West), with a latter addition to the west of the property being known as the Georgian Wing. The East and West Wings of Williamscot House are Grade II* Listed and there are a number of Grade II Listed Buildings in close proximity, including the Georgian Wing; Orangery And Attached Wall Approximately 5 Metres West Of Williamscot House; Stable Range Approximately 25 Metres North West Williamscot House; and the Old School House. The site is also situated within the designated Williamscot Conservation Area.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1. The planning history for the site is long and complicated. At some point between 1969 and 2014 a number of alterations were carried out to the listed building without Listed Building Consent. It is noted that the majority of these alterations were latterly included on plans for other Listed Building Consent applications (which were approved), but no consent was specifically sought for these works.
- 2.2. This application seeks to regularise the historic works to the Listed Building. Given the long and complicated history of the application site, it is difficult to identify which of these works require consent. Nevertheless, a schedule of works has been produced which, to the best of our knowledge, identifies these.
- 2.3. The schedule of works has been produced jointly for the East Wing and West Wing (and in that respect pages 14 to 23 of the document are relevant). Particular items of note are the creation of a new corridor parallel to the East Wing (including the partitioning off of the bathroom) and the creation of a new doorway into the kitchen (and the blocking up of the old doorway).

- 2.4. A concurrent Listed Building consent application has been submitted for the East Wing, application reference 17/02025/LB.

3. RELEVANT PLANNING HISTORY

- 3.1. The following planning history is considered relevant to the current proposal:

<u>Application Ref.</u>	<u>Proposal</u>	<u>Decision</u>
LB.B.9/69	Subdivision of property into 3 dwellings	Application Permitted
LB.B.25/72	New External Steps	Application Permitted
LB.B.28/72	Convert West Wing into self-contained dwellinghouse	Application Permitted
B.827/72	Convert 18th century wing into a self-contained dwelling	Application Permitted
12/01085/LB	Single storey extension	Application Permitted
12/01086/F	Single storey extension	Application Permitted
13/01142/LB	Internal alterations to reinstate East and West wings as 1 dwelling.	Application Permitted
13/00343/DISC	Clearance of conditions 5 & 6 of 13/01142/LB	Application Permitted
17/01034/LB	Regularising historic internal and external works to the West Wing of Williamscot House - refer to supplementary sheet for details	Pending Decision
17/01424/CLUE	Certificate of Lawfulness of Existing Use. The West Wing is a self-contained dwelling with its own entrance, kitchen and bathrooms. In the future it may be either sold together with the East Wing to make a "granny flat", or a large single dwelling, or sold separately on its own. For the foreseeable future we wish to rent the West Wing to tenants.	Application Permitted

4. PRE-APPLICATION DISCUSSIONS

- 4.1. No pre-application discussions have taken place with regard to this proposal.

5. RESPONSE TO PUBLICITY

- 5.1. This application has been publicised by way of a site notice displayed near the site, by advertisement in the local newspaper, and by letters sent to all properties immediately adjoining the application site that the Council has been able to identify from its records. The final date for comments was 17.08.2017.
- 5.2. The comments raised by third parties are summarised as follows:
- The neighbouring occupiers objected the application (and the previous application for the East Wing) as they consider harm has been caused to the historic fabric of the listed building and 'no clear and convincing justification has been provided'. It is noted that they also produced a heritage statement regarding the proposed works, concluding that the majority of them should be refused consent (comments relating to pages 14-23 of the schedule of works).
- 5.3. The comments received can be viewed in full on the Council's website, via the online Planning Register.

6. RESPONSE TO CONSULTATION

- 6.1. Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.

WARDINGTON PARISH COUNCIL

- 6.2. Wardington Parish Council raises no objections to the proposals.

STATUTORY CONSULTEES

- 6.3. Historic England originally advised that they did not wish to comment on the application and that advice should be sought from Cherwell District Council's conservation specialists. However, following on from the amount of neighbour and political interest in this application (as well as the complexity of the planning history of the site), Historic England were requested to provide comments.
- 6.4. Historic England carried out a joint site visit with CDC Planning and Conservation Officers on 18/09/2017 and they provided the following written response, which concludes:

Historic England supports the application on heritage grounds. Providing that the as proposed plans are amended as suggested above we consider that the application meets the requirements of the NPPF, in particular paragraph number 17. In determining this application you should bear in mind the statutory duty of section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess. In our opinion granting this application would be consistent with paying special regard to the desirability of preserving the listed building.

NON-STATUTORY CONSULTEES

- 6.5. The Conservation Officer was involved in the assessment of the application and the investigations into the status of the works. It is noted that they provided an annotated plan that drew together some of the planning history of the site.

- 6.6. Whilst they raised some verbal concerns regarding some of the works, no formal comments were provided prior to this report being written. Should any comments be received from the Conservation Officer after the publishing of the Committee Agenda and before the Committee date, Members will be updated accordingly.

7. RELEVANT PLANNING POLICY AND GUIDANCE

- 7.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 7.2. The Cherwell Local Plan 2011-2031 - Part 1 was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The Local Plan 2011-2031 – Part 1 replaced a number of the ‘saved’ policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the development plan. The relevant planning policies of Cherwell District’s statutory Development Plan are set out below:

CHERWELL LOCAL PLAN 2011 - 2031 PART 1 (CLP 2031 Part 1)

- ESD15 - The Character of the Built and Historic Environment

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- C18 – Proposals affecting a listed building
- C28 – Layout, design and external appearance of new development

- 7.3. Other Material Planning Considerations
- National Planning Policy Framework (NPPF)
 - Planning Practice Guidance (PPG)
 - Managing Significance in Decision-Taking in the Historic Environment: Historic England Good Practice (2015)
 - The Setting of Heritage Assets: Historic England Good Practice (2015)

8. APPRAISAL

- 8.1. The key issue for consideration in this case is the impact on the historic significance and setting of the listed building(s).
- 8.2. Section 16(2) of The Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that: *In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.* Further, under Section 72(1) of the same Act the Local Planning Authority has a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
- 8.3. Listed Buildings and Conservation Areas are designated heritage assets, and Paragraph 129 of the NPPF states that: *Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise.*
- 8.4. Paragraph 132 of the NPPF states that: *when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the*

weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm loss should require clear and convincing justification. Policy ESD15 of the CLP 2031 Part 1 echoes this guidance.

- 8.5. When dealing with an application for listed building consent, it is imperative to understand the significance of the building. In this instance, the significance of the building lies within evidential value retained in the walls, floors, and roof structure of the building. A number of early internal features survive, including historic floorboards; the upper part of a newel staircase; the fireplace and chimneystack; and the lateral partitions dividing the northern rooms at first and second floors. Historic England has advised that these are '*of value in that they tell us about the early arrangement and plan form of the house*'. The rest of the interior appears to date largely from the second half of the 20th century; incorporating a number of reused doors and '*does not meaningfully contribute to the significance of the building*'.
- 8.6. This part of the building has undergone a great deal of change in the later 20th century and it is likely that the West Wing took its current form in 1969 when Williamscot House was subdivided (and the consented plans were not implemented fully or accurately). As a result, many of the internal works in the West Wing do not benefit from listed building consent, despite the fact that the building has probably been in this state for approximately 50 years.
- 8.7. Historic England have advised that:

When determining this application the Council need to be clear as to whether any of these unauthorised works actually harm the significance of the listed building. The Council also needs to be mindful that, if they fail to grant consent, that they must be willing to take enforcement action to deal with the unauthorised works. The unauthorised works, while different to those consented, have not in my opinion meaningfully harmed the significance of the building as they did not affect elements that contributed to this significance. Furthermore, requiring the applicant to restore the building to its supposed form in 1969 (which it probably never took) would not aid the preservation or enhance of the significance of the building in any way.

- 8.8. Whilst it is noted that the neighbours have objected to the proposal (including a Heritage Statement), it is considered that these comments have not appropriately assessed what the significance of the building. Historic England have advised that these comments make '*the error of assuming that the entire plan form as shown in 1969 contributed to the significance of the building ... this is not the case*'.
- 8.9. Having regard to all of the above mentioned comments, it is considered that the proposals have not detrimentally affected the significance of the building (which lies in the evidential value retained in the walls, floors and ceilings) and would therefore be in accordance with Saved Policies C18 and C28 of the CLP 1996; Policy ESD15 of the CLP 2031 (Part 1); and Government guidance contained within the Framework.

9. PLANNING BALANCE AND CONCLUSION

- 9.1. The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 requires that the three dimensions to sustainable development (economic, social and environmental) are not undertaken in isolation, but are sought jointly and simultaneously.

- 9.2. In conclusion, the proposed works are not considered to be harmful to the historical significance of the listed building. It is therefore considered that the proposal complies with Saved Policies C18 and C28 of the Cherwell Local Plan 1996; Policy ESD15 of the Cherwell Local Plan 2011-2031; and Government guidance contained within the National Planning Policy Framework.

10. RECOMMENDATION

That consent is granted, subject to the following conditions:

1. 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: 'Plan 1.0 WW Proposed'; and Williamscot House Schedule of Works Version 5 (Pages 14 to 23 only).

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

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