

**Round House
Main Street
Hethe
Bicester
OX27 8ES**

18/00608/F

Applicant: Mr & Mrs Roach

Proposal: Conversion of existing outbuilding to Kitchen/Diner and the construction of a glazed link from the existing house to the conversion. Internal alterations to the existing house.

Ward: Fringford And Heyfords

Councillors: Cllr Ian Corkin
Cllr James Macnamara
Cllr Barry Wood

Reason for Referral: *Called in by Councillor Wood*

Expiry Date: 20 July 2018

Committee Date: 19 July 2018

Recommendation: Approve, subject to conditions

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

The application is reported to the Planning Committee, as it has been called in by Councillor Wood.

Proposal

Planning permission is sought to convert an outbuilding to a kitchen/diner and the erection of a glazed link to connect it to the house, at Round House, Main Street, Hethe

Consultations

- Statutory consultees have raised no objections to the application subject to the imposition of conditions.
- Hethe Parish Council have objected to the application.
- CDC Conservation support the principle but raise objections to elements of the scheme.
- One letter of support received from a neighbour

Planning Policy

The application property is a Grade II listed building and the site is located within Hethe Conservation Area. The application has been assessed against the relevant policies in the NPPF, the adopted Local Plan and other relevant guidance.

Conclusion

The key issues arising from the application are:

- Design, and impact on the character of the area and impact on designated heritage assets
- Residential amenity
- Highway safety

- Ecology

The report looks into the key planning issues in detail, and officers conclude that the proposals are acceptable, subject to conditions. The scheme meets the requirements of relevant CDC policies.

RECOMMENDATION – GRANT PERMISSION SUBJECT TO CONDITIONS.

Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.

MAIN REPORT

1. APPLICATION SITE AND LOCALITY

- 1.1. The site forms a detached dwelling constructed of stone under a thatched roof, located in a corner plot towards the centre of the village, adjacent to the village green. The building lies within an area that is mainly rural in character. The building is listed grade II and is within the designated Hethe Conservation Area. To the south of the dwelling is an outbuilding, constructed in brick under a slate roof. A brick wall connects the two buildings, separating the residential curtilage from the road.
- 1.2. Whilst the outbuilding does have the appearance of a garage building, with doors that open onto the road, the applicant states that this has never been used for vehicles and is referred to in both the application description and the Design and Access Statement as an outbuilding.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1. The applicant seeks planning consent to erect a glazed link which would join the main house to the outbuilding, which is proposed to be converted into a kitchen. Furthermore the boundary wall is proposed to be raised in height by 0.6m and finished with once weathered masonry coping. The glazed link would be made of glass with aluminium. Furthermore the applicant proposes to erect a bike store to the east of the outbuilding whilst replacing/repairing openings to the outbuilding. An existing door to the main dwelling will also be filled in with recessed stone.

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>
00/00028/LB	Removal and rebuilding of front porch. Internal alterations to building including removal of stud wall to kitchen and removal and rebuild brick wall to w.c.	Application Permitted
05/00073/TCA	Thin and prune crown by 1 metre on 1 No. Apple Tree	Application Permitted
09/01849/LB	Single storey rear extension. Remove flat	Application

		ceiling bed to expose trussed roof in bedroom. Replace existing porch door with stable door (as amended by drawing No. 2825(SK)03(C) received on 25.02.10)	Permitted
10/00193/DISC		Clearance of condition no.3, no.5, no.10 & no.11 of 09/01849/LB	Application Permitted
12/01760/F 12/01731/LB	and	Remove oil contaminated stone work, soil, cellar floor, cellar brickwork. Demolish some non contaminated above ground walls to allow excavation for concrete foundations to support temporary towers & steel needles. Build new cellar concrete retaining wall, floor, and block work chimney base. Build up new masonry. Remove & reinstate existing timber dining room floor & brick garden wall	Applications Permitted
13/00060/TCA		T1 x Apple - Fell	Application Permitted
17/00222/TCA		T1, T2 x Horse Chestnut - Fell.	Application Withdrawn
17/02084/F 17/02085/LB	and	Conversion of existing outbuilding to living accommodation and the construction of a glazed link from the existing house to the conversion.	Applications Withdrawn

4. PRE-APPLICATION DISCUSSIONS

- 4.1. The following pre-application discussions have taken place with regard to this proposal:

<u>Application Ref.</u>	<u>Proposal</u>
17/00131/PREAPP	Conversion of existing outbuilding to living accommodation and the construction of a glazed link from the existing house to the conversion

- 4.2. The Conservation Officer had advised the principle of a linked extension would be acceptable and that the best solution going forward was to raise the wall which bounds the site from the road. Whilst this would alter the junction between the eaves and the wall, would retain the simple form and allow the link to be light and more importantly hidden. The Conservation Officer advised that a simple, light, glazed lean to linked extension would therefore be the least obtrusive form.
- 4.3. On the basis of the Conservation Officer's advice at this time, Officer's recommended that a potential scheme could be submitted which would not cause harm to the historic significance, character and appearance of the Grade II Listed Building in the context of the Conservation Area. However this was subject to details, dependant on the raising of the brick wall not causing an awkward roof

junction and that a lightweight glazed structure can be built to provide an acceptable head height for occupiers and not causing harm to designated heritage assets.

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 04.07.2018, although comments received after this date and before finalising this report have also been taken into account.

5.2. The comments raised by third parties are summarised as follows

- Simple enhancement to the dwelling with little negative impact, making good use of an existing outbuilding

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.

PARISH/TOWN COUNCIL AND NEIGHBOURHOOD FORUMS

6.2. HETHE PARISH COUNCIL: **Object** – the glazed link will spoil the original features of the property and together with the garage conversion are not sympathetic additions to the historic character of this traditional stone cottage, being detrimental to its appearance. Furthermore, glass and aluminium do not sit comfortable alongside a listed building and the glazed link will allow light pollution.

STATUTORY CONSULTEES

6.3. OCC HIGHWAYS: **No objections** – as existing garage appears to be sub-standard and unable to accommodate a modern family car. In addition it would appear that the access off the highway to the garage has no signs of damage or to have been overrun by motor vehicles recently, alluding to the fact that the garage is not used for a motor vehicle.

NON-STATUTORY CONSULTEES

6.4. CDC CONSERVATION: **Both in support and in objection**

6.5. The Conservation Officer objects to the clear glazed roof with no control over upward light spill, which is considered to cause substantial harm to the tranquillity and dark nature around The Green and consequently the setting of the listed buildings and Conservation Area. Furthermore it was considered that the proposal should introduce a parapet wall, as the proposed return wall is not a sympathetic junction with a curtilage listed wall.

6.6. The Conservation Officer also recommended the removal of the proposed rooflights and new opening within the dwelling, which were removed from the scheme.

- 6.7. On other matters – the Conservation Officer is supportive of the link in principle and a shallow pitched roof behind the link is acceptable. The Conservation Officer requests the following conditions to be attached to any consent; joinery details, glazed wall details, glass for the roof details, repairs schedule for the outbuilding, floor sample, roof insulation material details, details of the light within the link, coping details, junction detail, details of the widened opening into the outbuilding, lintel detail to the new opening and step details.
- 6.8. CDC ARBORICULTURE: **No objections** – as the existing structure of the building is not being modified and there doesn't appear to be any conflict between the building and the adjacent trees.
- 6.9. CDC ECOLOGY: **No objections** – as the Bat Survey confirms there are no bats present. It is recommended that any mitigation measures are carried out in accordance with the recommendations within the report.
- 6.10. CDC BUILDING CONTROL: **No objections**

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)

- ESD10 – Protection and Enhancement of Biodiversity and the Natural Environment
- ESD15 - The Character of the Built and Historic Environment

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- C18 – Listed buildings
- C23 – Features contributing to a conservation area
- C28 – Layout, design and external appearance
- C30 – Design of new residential development

- 7.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)

8. APPRAISAL

- 8.1. The key issues for consideration in this case are:

- Design, and impact on the character of the area and impact on designated heritage assets

- Residential amenity
- Highway safety
- Ecology

Design, and impact on the character of the area and impact on designated heritage assets

- 8.2. Design and impact on the character of the area and designated heritage assets
Policy ESD15 of the Cherwell Local Plan Part 1 states that: “New development will be expected to complement and enhance the character of its context through sensitive siting, layout and high quality design. All new development will be required to meet high design standards.”
- 8.3. ESD15 goes on to say that new development proposals should: “Conserve, sustain and enhance 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.
- 8.4. Saved Policy C23 of the 1996 Local Plan states that there will be a presumption in favour of retaining walls and other features which make a positive contribution to the character and appearance of a conservation area and Policies C28 and C30 seek to 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 existing buildings.
- 8.5. Government guidance contained within the NPPF attaches great importance to the design of the built environment and 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, LPA’s 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. Government guidance contained within the NPPF attaches great importance to the design of the built environment and 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, LPA’s 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.
- 8.6. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that in carrying out its functions as the Local Planning Authority in respect of development in a conservation area: special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Likewise Section 66 of the same Act states that: In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority...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. Therefore significant weight must be given to these matters in the assessment of this planning application.
- 8.7. Round House is a Grade II Listed Building, which also lies within the designated Hethe Conservation Area and is in close proximity to other designated heritage assets. The Listed Building is considered significant by way of its aesthetic value, i.e. the simple yet characterful form and its thatched roof, and the prominence on the street corner. It is also a good example of local vernacular architecture and building typologies.

- 8.8. The proposal is considered to follow advice given by Officers of the Council through the introduction of a lightweight glazed structure which links the main dwelling to the outbuilding. The scheme introduces a lean-to extension which would not be readily visible from the public domain.
- 8.9. Due to the works approved under application 12/01760/F, a majority of the fabric on the southern elevation of the dwelling where the extension is proposed is not historic and as such where the new opening is proposed for the glazed link to join with the main dwelling, this does not result in harm to the Grade II Listed Building.
- 8.10. The glazed structure is clearly more modern in its design, materials and overall external appearance than that of the Listed Round House and curtilage listed outbuilding. It is considered that this is positive in differentiating between the historic buildings and the new addition. Furthermore, the Conservation Officer advised at pre-app stage that a simple glazed link would be the least obtrusive form of development in this location. As such this element of the proposal is considered acceptable in preserving the significance of the Grade II Listed Building and the designated Hethe Conservation Area.
- 8.11. Whilst I note the Conservation Officer's concerns that the proposal could introduce light spillage onto The Green, which is dark in its nature, Officers consider that the impact of this is limited, particularly as the extension is a lean-to and as such is contained within the site and hidden behind the boundary wall, thus not readily visible from the public domain. Furthermore, existing windows in Round House and other buildings that front onto The Green and Main Street are likely to cause light spillage to a greater extent than the glazed link would. A more solid roof structure would also give the building a more substantial appearance, not appearing lightweight and thus causing demonstrable harm to the character and appearance of the Grade II Listed Building.
- 8.12. Furthermore, the proposal seeks to convert the outbuilding into kitchen accommodation, which is not considered to cause any significant harm to the character and appearance of the wider Conservation Area, with limited alterations proposed. Whilst the proposal does replace the existing 'garage' door which faces out onto The Green, the new door is considered acceptable in this context. Furthermore, the replacement windows and doors that face into the applicants residential amenity space are not considered to cause any significant harm to the Listed Building or character and appearance of the Conservation Area, subject to details.
- 8.13. In regard to impact on trees, the Arboricultural Officer has confirmed that nearby trees are not within 'impact distance' of the proposal, particularly as the existing structure of the nearest building to the trees is not being modified.

Residential amenity

- 8.14. Policy ESD15 of the CLP (2011 - 2031) Part 1 states that new development proposals should consider amenity of both existing and future development, including matters of privacy, outlook, natural lighting, ventilation and indoor and outdoor space.
- 8.15. Given the nature of the proposal and the location of the site in relation to neighbouring properties, it is not considered that there would be any additional harm caused to adjacent neighbours by way of loss of light, outlook or privacy.

Highway safety

- 8.16. Paragraph 32 of the NPPF states that planning decisions should take account of whether safe and suitable access to a site can be achieved for all people. However development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. It goes on to state that development which is not suitable for the roads that serve the development and which have a severe traffic impact will not be supported. Further, Policy ESD 15 of the Cherwell Local Plan 2031 Part 1 states that: *“New development proposals should be designed to deliver high quality safe, attractive, durable and healthy places to live and work in. Development of all scales should be designed to improve the quality and appearance of an area and the way it functions.”*
- 8.17. The Highways Liaison Officer has been consulted on this application and has not raised any objections, citing the fact that the ‘garage’ is not large enough for a typical family car and appears to be unused by virtue of the lack of damage to the access over the highway. Therefore, the proposal is considered acceptable in this regard.

Ecology

- 8.18. Section 40 of the Natural Environment and Rural Communities Act 2006 (as amended) places a duty on all public authorities in England and Wales to have regard, in the exercise of their functions, to the purpose of conserving biodiversity. A key purpose of this duty is to embed consideration of biodiversity as an integral part of policy and decision making. Paragraph 99 of Circular 06/2005: Biodiversity and Geological Conservation states that: It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision.
- 8.19. Paragraph 109 of the NPPF states that: The planning system should contribute to and enhance the natural and local environment by...minimising impacts on biodiversity and providing net gains in biodiversity where possible. This requirement is echoed by Policy ESD10 of the CLP 2031 Part 1.
- 8.20. The Ecologist has been consulted on this application, who concurs with the findings of the Bat Survey and as such no further surveys are required. Therefore it is recommended that works are carried out in accord with paragraph 4.2 of this report.

9. PLANNING BALANCE AND CONCLUSION

- 9.1. The proposed development is considered to represent an acceptable and appropriate development, which would not cause undue harm to the character or historic significance of the heritage asset. As such the proposal complies with Policies C23 and C28 of Cherwell Local Plan 1996 (Saved Policies), Policy ESD15 of the Cherwell Local Plan 2011 - 2031 Part 1 and the relevant paragraphs of the Framework. The proposal also complies with government guidance and is recommended for approval.

10. RECOMMENDATION

Delegate to the Assistant Director of Planning Policy and Development to grant permission, subject to:

- (a) the conditions set out below (and any amendments to those conditions as deemed necessary)

TIME LIMITS AND GENERAL IMPLEMENTATION 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 conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents: Application form, Design and Access Statement 357/2018, Initial Bat Survey Report November 2017, the Horizon Treecare Tree Condition Survey 08/01/2018 and drawing no: PL357/2018/01A.

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.

3. The development hereby approved shall be carried out in accordance with the recommendations set out in paragraph 4.2 of the Initial Bat Survey Report by Martin Ecology dated November 2017.

Reason - To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy ESD10 of the Cherwell Local Plan 2011 – 2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BY DEVELOPER BEFORE SPECIFIC CONSTRUCTION WORKS TAKE PLACE

4. A brick sample panel, to demonstrate brick type, colour, texture, face bond and pointing (minimum 1m² in size) shall be constructed on site to match the brickwork on the existing wall and shall be constructed, inspected and approved in writing by the Local Planning Authority prior to any works to increase the height of the brick boundary wall. Thereafter, the increased height of the wall shall be constructed in strict accordance with the approved brick sample panel.

Reason - To ensure that the completed development is in keeping with and conserves the special character of the existing historic building and designated Conservation Area and to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

5. Full design details of the coping for the brick wall shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. Thereafter, the development shall be carried out in accordance with the approved details.

To ensure that the completed development is in keeping with and conserves the

special character of the existing historic building and designated Conservation Area and to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

6. Full design details of the joinery and windows/doors including elevations, vertical and horizontal sections, cill and lintel details at a scale of <1:20 shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. Thereafter, the development shall be carried out in accordance with the approved details.

CASE OFFICER: George Smith

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