

**Land North West Of Fabis House
Rattlecombe Road
Shenington**

18/01098/F

Applicant: The Magpie Partnership Ltd

Proposal: Variation of Conditions 2 (rooflight), 6 (surface water drainage), 7 (existing building fabric), 15 (doors, windows and rooflights) of 17/01201/F

Ward: Cropredy, Sibfords And Wroxton

Councillors: Cllr George Reynolds
Cllr Douglas Webb
Cllr Phil Chapman

Reason for Referral: Application called in by Ward Councillor

Expiry Date: 15 August 2018 **Committee Date:** 23 August 2018

Recommendation: Approve

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

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

Proposal

Planning permission is sought to vary conditions from the planning consent to make changes to the fenestration of the building and the elevation facing onto Mill Lane.

Consultations

- Statutory consultees have raised no objections to the application.
- Shenington with Alkerton Parish Council have raised no objections to the application.
- OCC Highways have raised no objections.
- CDC Conservation have raised no objections.

Planning Policy

The site is located within Shenington with Alkerton 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

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 application site is located within the village of Shenington on the south side of Rattlecombe Road at the junction with Mill Lane. The redevelopment of the site into two dwellings was approved in 2017 under 17/01201/F and 17/01202/LB. This consent has been implemented and the building to which this application relates (Barn B) is nearly fully constructed.
- 1.2. The site is located within the Shenington with Alkerton Conservation Area and the ruined building in the northeast of the site is considered to be a curtilage listed building given that it is attached to the Grade II listed dwelling named 'Longworth' to the east. Common Swifts have been located in proximity of the site, which are a protected species. The site is also located within an Archaeological Constraint Area.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1. Planning consent is sought to vary Conditions 2, 6, 7 and 15 of planning consent 17/01201/F. These changes involve the addition of two rooflights, one to the roofslope facing Mill Lane and one to the roof slope facing the courtyard. The elevation facing onto Mill Lane would also be altered, with the porch element removed and replaced with a flat gable and enlarged window. At the time of the officer's site visit, these works were being undertaken. Plans of the drainage scheme for the development have also been included as Condition 6 has yet to be discharged.

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>
16/02183/F	Conversion and extension of existing buildings to form 2 dwellings	Application Refused
16/02184/LB	Conversion and extension of existing building to form a single dwelling	Application Refused
17/01201/F	Conversion and extension of existing buildings to form 2 dwellings – revised scheme of 16/02183/F	Application Permitted
17/01202/LB	Conversion and extension of existing	Application

buildings to form 2 dwellings - revised Permitted
scheme of 16/02184/LB

- 3.2. The previous applications (16/02183/F and 16/02184/LB) were refused for five reasons. The first reason was that the alterations to Barn A were considered to cause harm to the curtilage listed building, the character and appearance of the Shenington with Alkerton Conservation Area and the setting of the nearby Grade II listed building 'Longworth'. The second reason was that the extensions to Barn B would cause harm to the character and appearance of the Shenington with Alkerton Conservation Area. The third reason was that the southern extension to Barn B would cause harm to the residential amenity of Pound Cottage. The fourth reason was that the development would have provided an insufficient number of parking spaces for the number of residential units proposed. The fifth reason was that in the absence of an appropriate ecological survey it was not possible to demonstrate whether the development would have an impact on protected species.
- 3.3. A full and listed building application (18/01114/F and 18/01115/LB) are currently under consideration which relate to 'Barn A' on the site, the curtilage listed building attached to the Grade II listed 'Longworth'.

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 09.08.2018, although comments received after this date and before finalising this report have also been taken into account.
- 5.2. No comments have been raised by third parties.

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 COUNCIL AND NEIGHBOURHOOD FORUMS

- 6.2. SHENINGTON WITH ALKERTON PARISH COUNCIL: **No objections.**

STATUTORY CONSULTEES

- 6.3. LOCAL HIGHWAYS AUTHORITY: **No objections.**

NON-STATUTORY CONSULTEES

- 6.4. CONSERVATION: **No objections**, subject to submission of acceptable roof light details.

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)

- PSD1 – Presumption in Favour of Sustainable Development
- ESD15 - The Character of the Built and Historic Environment
- Villages 1 – Village Categorisation

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- H21 – Conversions within settlements
- C23 – Retention of features contributing to a conservation area
- C28 – Layout, design and external appearance of new development
- C30 – Design control

7.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Sherington with Alkerton Conservation Area Appraisal (2009)

8. APPRAISAL

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

- Principle of development
- Design, and impact on the character of the area
- Residential amenity
- Highway safety

Principle of development

- 8.2. The principle of residential development was established under the approval of 17/01201/F. That consent has been implemented and therefore the principle of development is considered to be acceptable, subject to the other material considerations discussed below.

Design and impact on the character of the area

- 8.3. Government guidance contained within the NPPF requiring good design states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Further, permission should be refused for development of poor design that fails to take the opportunities for improving the character and quality of an area and the way it functions.

- 8.4. Saved Policies C28 and C30 of the Cherwell Local Plan 1996 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. New housing development should be compatible with the appearance, character, layout, scale and density of existing dwellings in the vicinity.
- 8.5. Policy ESD15 of the Cherwell Local Plan 2011 – 2031 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, and should respect the historic environment including Conservation Areas and listed buildings.
- 8.6. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
- 8.7. The site is located within the Sherington with Alkerton Conservation Area. The changes in this application involve the insertion of two rooflights and a change to the elevation of the building facing onto Mill Lane, which involves the erection of flat gable onto the road and a larger window. At the time of the officer's site visit, these works were being undertaken.
- 8.8. The Conservation Officer has offered no objections, subject to details of the rooflights. The rooflights have already been installed and match those that have been previously approved. These rooflights are considered to be acceptable.
- 8.9. The scale of the building would be unchanged by the proposals and the impact on the design of the dwelling is considered to be minimal. These alterations are considered to be minor and would not cause harm to the character and appearance of the conservation area.

Residential amenity

- 8.10. Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1 states that new development proposals should consider the amenity of both existing and future development, including matters of privacy outlook, natural lighting, ventilation, and indoor and outdoor space.
- 8.11. The new rooflights are located above the dining room and the staircase. The rooflight over the dining room is too high to cause any overlooking and given the height and location of the rooflight above the staircase, it is considered that the impact of overlooking on Pound Cottage would not be significant and that the impact on the amenity of neighbours is acceptable.

Highway safety

- 8.12. The Highways Liaison Officer has offered no objections to the proposals. It is therefore considered that the proposals would not cause harm to the safety of the local highway network.
- 8.13. The drainage scheme demonstrates that surface water from the site would drain within the site and this scheme is therefore considered to be acceptable.

9. PLANNING BALANCE AND CONCLUSION

9.1. The principle of development is considered to be acceptable and the recent permission has almost been fully constructed. The changes proposed under this application are relatively minor and would not cause demonstrable harm to the character and appearance of the Sherington with Alkerton Conservation Area, the amenities of neighbours or the safety of the local highway network.

10. RECOMMENDATION

That permission is granted and that The exact conditions and the wording of those conditions are delegated to the Assistant Director for Planning Policy and Development, the conditions will cover:

1. Compliance with approved plans
2. Development in accordance with approved bat mitigation measures
3. Development in accordance with approved bird mitigation measures
4. Development in accordance with measures to enhance swift nesting
5. Development in accordance with drainage details
6. Development in accordance with submitted plan showing retained fabric
7. Development in accordance with approved landscaping details
8. Development in accordance with British Standard for landscaping
9. Development in accordance with approved parking details
10. Development in accordance with approved stone sample panel (dwelling)
11. Development in accordance with approved stone sample panel (boundary wall)
12. Development in accordance with approved timber sample
13. Development in accordance with approved slate sample

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