

Application 09/01410/F	No:	Ward: Sibford	Date Valid: 12 October 2009
Applicant:	Mr J Bentley		
Site Address:	Ivy Cottage, Main Street, North Newington, OX15 6AJ		

Proposal: Restoration and alterations to cottage including new thatched roof, demolition of single storey rear extensions and replacement with one and a half storey extension and vehicular access with turning facility

1. Site Description and Proposal

- 1.1 The application seeks planning permission for a two storey rear extension, together with alterations to the existing cottage and provision of off-street parking at Ivy Cottage, North Newington. This traditional small single unit cottage is situated west of the village of North Newington on the Main Street running through the village towards Shutford from Banbury. The site lies within the North Newington Conservation Area and an Area of High Landscape Value. The Cottage is not a listed building and no listed buildings are in immediate proximity to the site.
- 1.2 Neighbouring properties are Plum Cottage to the east (side) of the site, Shirley Cottage to the west (side) of the site and Saddlers Cottage across the street to the north (front). Open fields lie to the south (rear) of the site.
- 1.3 The existing cottage is a single unit cottage that appears to date from the late 18th Century. This humble cottage retains its original footprint, with two later single storey extensions to the rear. Through analysis of historic maps it appears that the cottage has existed in its current form since 1875. It appears to have once formed part of a group of single unit cottages lining the Main Street. Construction materials are ironstone with a slate roof and red-brick chimney stack.
- 1.4 The main cottage consists of a single room downstairs with a loft space bedroom above. To the rear there is a small single storey kitchen/pantry and outdoor privy. Only one window opening is present in the northern facing elevation. The remaining openings are found in the eastern and southern facing elevations of the original Cottage. All living accommodation is contained within one room, enabling the cottage to be heated by the single fireplace positioned against the western gable of the cottage. The existing Cottage is very basic and has no heating system, no hot water and no bathroom.
- 1.5 The application proposes to demolish the existing single storey rear extensions and to replace them with a large two storey extension. Two additional bedrooms would be created by the extension resulting in a three bedroom property. The slate roof of the existing cottage would be removed and replaced with thatch, and the roof ridge height would be raised from 4 metres to 6.2 metres from ground level. All windows

on the existing cottage would be increased in size and their positions altered. Two new window openings would also be created within the western elevation of the existing cottage.

- 1.6 The two storey rear extension would consist of a 'link' block, linking the taller rear most element of the extension with the existing cottage. This link would be rendered with a blue slate roof, containing the entrance hallway at ground floor level and storage cupboards and landing at first floor level. The rear most element of the extension would be constructed from orange/orange red slop moulded brick and blue slate roof, containing the kitchen/dining area at ground floor level and bathroom at first floor level. First floor windows in the side facing elevations of the rear most element are high level.
- 1.7 A new vehicular access would be provided to the east of the Cottage with vehicle turntable and off-street parking area.

2. Application Publicity

- 2.1 The application has been advertised by site notice, neighbour letter and press notice. The final date for comment was 26 November 2009. Four letters have been received, all objecting to the application. The following issues were raised (please refer to file for full comments),

- Size of extension would overshadow our property/loss of natural light
- Out of keeping with original property or dwellings surrounding the property
- Our extension was designed and laid out to ensure that it remained in keeping with the look and feel of surrounding properties and that it had no impact on neighbours
- Out of keeping with Conservation Area
- Design and Access Statement is misleading
- It would appear no thought has been given to impact the size and design of extension will have on surrounding properties
- All surrounding properties have single storey rear extensions that have been designed so that they cannot be viewed from front aspect/ensures no overshadowing for neighbouring properties
- Design and extensive bulk would have an unacceptable impact on our property and Plum Cottage
- Increasing ridge height of cottage and size and bulk of rear extension will not enhance the character and appearance of the Conservation Area
- Size of proposed property is totally out of context and will be an eyesore to many neighbours
- There are too few single storey village properties left and a more sympathetic plan to marry onto existing property would be favourable for those living close by (i.e. much lower and shorter new build)
- Height of rear extension would dwarf original property making it virtually unrecognisable - detrimental to look and feel of Conservation Area
- Increased height of roof for thatched roof would be out of keeping with original building and makes no attempt to retain look and feel of original group of buildings in Conservation Area
- It would completely change the skyline
- Proposed property is far too large for the site in this position in the Conservation Area, a less ambitious 2 bedroom re-development would be of

- benefit to village
- Car access will be on a section of road that has very poor visibility and is used by residents parking – restricted turning space and view
 - No mention of effect on neighbouring properties of changing the building and land heights in the case of extreme rain in application documents – no study appears to have been done as to the route storm water will take if development takes place

3. Consultations

- 3.1 North Newington Parish Council has **no objection** to the application.
- 3.2 Oxfordshire County Council Highway Authority has **no objection** to the application subject to conditions.
- 3.3 Cherwell District Council Conservation Officer, Ruth Watkinson, **objects** to the application.
- 3.4 Oxfordshire County Councils Planning Archaeologist, Richard Oram, recommends the attachment of a note regarding archaeological finds.
- 3.5 The Secretary of State has decided not to list the building based upon the advice of English Heritage.
- 3.6 Natural England have advised that the application falls under their legal standing advice as the proposal appears to be in a historic cottage which could have the potential to support bats.

4. Relevant Planning Policies

- PPG 15: Planning and the Historic Environment
- 4.1 PPS 9: Biodiversity and Geological Conservation and accompanying Circular 06/05
- 4.2
- 4.3 South East Plan 2009 – Policies CC6, BE1, BE6 and T1
- 4.4 Adopted Cherwell Local Plan 1996 – Saved Policies C2, C13, C23, C28 and C30

5. Appraisal

- 5.1 The key issues to consider are:
- The character and appearance of the Conservation Area,
 - Highway safety,
 - Neighbour amenity,
 - Visual Amenity & Area of High Landscape Value
 - Protected Species
- 5.2 **Conservation Area**

Policy BE6 of the South East Plan states that Local Authorities should “...support proposals which protect, conserve and, where appropriate, enhance the historic environment and the contribution it makes to local and regional distinctiveness and sense of place.”

- 5.3 Government guidance contained within PPG 15 also states that “*The Courts have recently confirmed that planning decisions in respect of development proposed to be carried out in a conservation area must give a high priority to the objective of preserving or enhancing the character or appearance of the area. If any proposed development would conflict with that objective, there will be a strong presumption against the grant of planning permission...*”
- 5.4 Due to its staggered positioning the proposed extension would be clearly visible when viewed from the public domain to the front of the property. The disproportionately large size and non-matching construction materials would ensure that undue attention would be drawn to the extension. A characteristic of neighbouring properties immediately adjacent to the site is that later additions sit in line with the side elevations of the existing properties, with no protruding elements, so that they remain discreet and sympathetic to their historic surroundings.
- 5.5 The existing cottage contributes significantly to the character and appearance of the Conservation Area as it incorporates traditional features and is a relatively unaltered example of one of a group of similar single unit cottages that would once have stood upon Main Street. It is the opinion of the HDC&MD that the proposed extension is wholly unsympathetic to its context and that it would serve to destroy the historic character and appearance of this traditional single unit cottage through the removal of all traditional features and the introduction of a large, dominating extension.
- 5.6 The HDC&MD therefore considers that the alteration of this traditional cottage beyond recognition would detract from the character and appearance of the Conservation Area rather than preserve or enhance it, contrary to Policy BE6 of the South East Plan 2009 and guidance contained within PPG15.
- 5.7 However, the HDC&MD considers that the re-instatement of the thatched roof would

serve to enhance, and that the vehicular access and boundary wall would preserve the character and appearance of the Conservation Area.

5.8 Highway Safety

Oxfordshire County Council Highway Authority has no objection to the proposal on highway safety grounds. The HDC&MD concurs with this viewpoint as sufficient parking could be accommodated within the site. The proposal therefore accords with Policy T1 of the South East Plan 2009.

5.9 Neighbour Amenity

The two neighbouring properties that could be affected by the proposed development are Plum Cottage to the east and Shirley Cottage to the west. Both of these neighbouring properties are modest in size, each with later extensions to the rear. The rear-most element of the proposed development would reach a height of 6.2 metres at its highest point, with a length of 5.3 metres. The HDC&MD considers that the proposed extension would appear bulky and overbearing when viewed from the rear windows and gardens of these neighbouring properties. On balance however, it is not considered that refusing the application on this ground could be sustained at appeal. Further, the use of high level windows in the side facing elevations would serve to protect the privacy of these neighbouring properties.

5.10 Visual Amenity & Area of High Landscape Value

Policy C28 of the Cherwell Local Plan states that *“control will be exercised over all new development...to ensure that the standards of layout, design and external appearance, including the choice of external-finish materials, are sympathetic to the character of the urban or rural context of the development. In sensitive areas such as conservation areas...development will be required to be of a high standard and the use of traditional local building materials will normally be required.”*

5.11 The HDC&MD considers the design of the proposed extension and alterations, with the exception of the boundary wall and reinstatement of the thatch roof, to be unsympathetic to the rural context of the development. The immediate locality is characterised by modest sized cottages sitting against the pavement edge. The front elevations of neighbouring cottages appear largely unaltered from their original

form, with the majority of later extensions to the cottages positioned to the rear and concealed from view of the public domain through careful design. The proposed extensions and alterations would be clearly visible from the public domain, this combined with the mixture of construction materials (render, orange/orange red brickwork) and disjointed arrangement of 'blocks' of differing heights would result in the development appearing completely out of character with its surroundings. The HDC&MD considers that the development would draw undue attention to itself and detract from the visual amenity of the locality and Area of High Landscape Value.

5.12 Further, Policy C30 of the Cherwell Local Plan seeks to ensure that any proposal to extend an existing dwelling is compatible with the scale of the existing dwelling, its curtilage and the character of the streetscene. The HDC&MD considers that the proposed extension would dwarf the original Cottage rather than appearing as a subservient addition, and that the extension fails to respect the scale of the existing Cottage and its narrow curtilage. As such, the HDC&MD considers the proposed development to be contrary to both Policies C28 and C30 of the Cherwell Local Plan.

5.13 **Protected Species**

Natural England guidance states that disused or little used buildings built pre-20th century with entrances that bats could fly through have an increased probability of being used by bats, an animal species that is afforded protection by The Wildlife and Countryside Act 1981. PPS 9 places a duty upon Local Planning Authorities to request a bat survey to be undertaken prior to determination of a planning application for works that could potentially affect bats. The HDC&MD considers that the proposed roof alterations could affect bats if they are utilising the existing roof void of the Cottage. The presence of a protected species is a material consideration when a planning authority is considering a development proposal. PPS 9 states that *"It is essential that the presence or otherwise of a protected species, and the extent to 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."*

5.14 As a bat survey has not been submitted with the planning application, the extent to

which they may be affected by the proposal cannot be fully assessed, and therefore, all material considerations cannot be borne in mind when determining the application. As such, it is the opinion of the HDC&MD that the application cannot be considered favourably.

6. Recommendation

Refuse, on the following grounds

That the proposed development, by reason of its design, height, scale, bulk and positioning does not respect the character and scale of the existing dwelling and is therefore considered to be unsympathetic and significantly detrimental to the character and appearance of the original dwelling. It would constitute an incongruous feature within the streetscene, significantly detrimental to the visual amenities of the locality, and result in a development that would neither preserve nor enhance the character or appearance of the Conservation Area. The applicant has also failed to demonstrate that the proposal would not cause irreversible harm to a protected species. The proposed development is therefore contrary to Government guidance within PPS9: Biodiversity and Geological Conservation and accompanying Circular 06/05, PPG15: Planning and the Historic Environment, Policies CC6, BE1 and BE6 of the South East Plan 2009 and saved Policies C2, C28 and C30 of the adopted Cherwell Local Plan 1996.

CONTACT OFFICER: Gemma Dixon

TELEPHONE NO: 01295 221827