

Application 09/01411/F	No:	Ward: Astons and Heyfords	Date Valid: 18 November 2009
Applicant:	Mr & Mrs Eastwood		
Site Address:	Church End, Church Street, Somerton		

Proposal: Demolition of single storey extension and construction of single storey link to existing outbuilding. Outbuilding converted to living accommodation

1. Site Description and Proposal

- 1.1 This application seeks planning consent for the demolition of a single storey, lean-to extension on the rear of the property, conversion of an existing rear outbuilding to provide ancillary living accommodation and erection of a glazed link/covered yard at the rear.

The property was listed in 1988, and was originally part of a farmhouse, forming a terrace of vernacular stone, rural buildings, which has since been converted to form a single dwelling.

The property is located within the Somerton Conservation Area, and adjoins the neighbouring Grade II listed cottage. St James's Church, which is a Grade I listed building lies directly to the west of the site, and public footpath no. 349/4 runs north-south past the western side of the plot. The site is also located within an Area of High Landscape Value.

- 1.2 The dwelling has been extended at single storey level to the rear in the form of a simple lean-to and at two storey level on the rear, which has been finished in white/cream render.

2. Application Publicity

- 2.1 The application has been advertised by site notice, neighbour letter and press notice. The final date for comment was 1 January 2010.
- 2.2 Four letters of support has been received, and in summary state that the planning application will further enhance the environment that is Church Street, particularly when viewed from the adjoining churchyard, will preserve the setting of the Grade I listed church and will improve the character and appearance of the Conservation Area by replacing an unsightly corrugated roof building with a high quality, slate roofed construction.

3. Consultations

- 3.1 Somerton Parish Council has **no objection** to the proposal.
- 3.2 Oxfordshire County Council Highway Authority has **no objection** to the application.

- 3.3 Conservation Officer - **objects** to the proposal.
- 3.4 Oxfordshire County Councils Planning Archaeologist, Richard Oram, recommends the attachment of a planning note regarding archaeological finds.
- 3.5 English Heritage – Do not wish to offer any comments on the proposal, and recommend that the application be determined in accordance with national and local Policy guidance, and on the basis of the Council's specialist conservation advice.

4. Relevant Planning Policies

- 4.1 PPG 15: Planning and the Historic Environment
- 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, C28 and C30

5. Appraisal

- 5.1 The key issues to consider are:

- Relevant planning history
- The character and appearance of the Conservation Area,
- Highway safety,
- Neighbour amenity,
- Setting of the Grade II and Grade I listed buildings,
- Protected Species

- 5.2 **Relevant planning history**

08/02195/F & 08/02196/LB– Refused. These applications related to the demolition of the existing single storey rear extension and outbuilding and construction of a single/one and a half storey extension. The proposal was considered to represent a disproportionate, unsympathetic and dominant extension, harmful to the setting of the listed building and character and appearance of the Conservation Area.

- 5.3 **Impact upon the character and appearance of the Conservation Area**

Government guidance contained within PPG 15 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 Policy BE6 of the South East Plan also 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.”*
- 5.5 Due to the considerable differences in the ground level between the churchyard and the application site, parts of the rear of the property are prominent and visible from the churchyard. Glimpses of the rear elevation are available from the public footpath, the most prominent parts being the two storey rear gable projection and the outbuilding.
- 5.6 The majority of the proposed alterations will not be particularly prominent or visible features from public vantage points within the Conservation Area. Glimpses of the top of the glazed lantern will be obtained from the footpath, and the glazed link, new window opening on the west elevation of the outbuilding and parts of the leaded roof will be visible from the churchyard.
- 5.7 The HDC&MD therefore considers that given the limited visibility and prominence of the proposed alterations from views within the public domain, the proposal would protect and preserve the character and appearance of the Conservation Area, in accordance with the guidance contained within PPG 15 and Policy BE6 of the South East Plan 2009.
- 5.8 **Impact on 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 the proposal would not create any additional demand for parking provision. The proposal therefore accords with Policy T1 of the South East Plan 2009.
- 5.9 **Impact on Neighbour Amenity**
The nearest neighbouring property (No. 1 Church Cottages) adjoins the application site. The majority of the alterations are contained within the courtyard area, the flat leaded roof section sitting below the level of the boundary wall. The adjoining boundary wall between the two properties is proposed to be elevated to form a parapet wall, but this will sit below the existing eaves by approximately 0.5m. As such, it is not considered that the proposal would cause detrimental harm to neighbour amenity by way of overbearing or overshadowing.

The new window opening within the outbuilding is positioned on the west elevation,

and as such, will not result in any detriment to residential amenity by way of overlooking.

5.10 **Impact on the setting of the Grade II and Grade I listed buildings**

Paragraph 2.12 of PPG 15 advises that 'Authorities are required by Section 66 (1) of the Act , in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest which it possesses'.

5.11 Paragraph 3.13 advises that where successive applications for alteration / extension to a listed building are made, it needs to be borne in mind that minor works of indifferent quality, which may seem individually of little importance, can cumulatively be very destructive of a building's special interest.

5.12 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."*

5.13 The HDC&MD considers that the size and scale of the proposed extension and alterations, with the exception of the conversion of the outbuilding, is disproportionate and unsympathetic to the setting of the existing dwelling and the adjoining Grade II listed building. The proposal is neither minor nor sympathetic to the architectural and historic character of the building, and is therefore contrary to the advice contained in PPG 15, Policy BE6 of the South East Plan and Policies C28 and C30 of the Adopted Local Plan.

5.14 **Impact on 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 statutory 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 applicants submitted a bat survey with the application, which concluded that the outbuilding is not being used as a roost site by bats, and has an extremely low potential to shelter

an undetected bat roost. However, it recommends appropriate mitigation measures, should the presence of bats/other protected species be detected during the course of the works. The HDC&MD therefore considers that the proposal pays proper regard to protected species, in accordance with Government advice contained in PPS 9 and Policy C2 of the Adopted Local Plan.

6. Recommendation

Refuse, on the following grounds

That the proposed development, by reason of its design and scale does not represent a minor and sympathetic addition to the existing listed building and is therefore considered to be unsympathetic and significantly detrimental to the character and appearance of the original dwelling. The proposed development is therefore contrary to Government guidance within PPG15: Planning and the Historic Environment, Policies CC6, BE1 and BE6 of the South East Plan 2009 and saved Policies C28 and C30 of the adopted Cherwell Local Plan 1996.

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