

**Case Officer:** Lewis Knox

**Applicant:** Mrs E Lejeune-White

**Proposal:** Restoration of outbuilding & conversion to habitable accommodation; single storey garden room extension to cottage

**Ward:** Cropredy, Sibfords And Wroxton

**Councillors:** Councillor Phil Chapman, Councillor George Reynolds, Councillor Douglas Webb

**Reason for Referral:** Called in by Councillor Douglas Webb on the grounds of Public Interest

**Expiry Date:** 12 November 2019

**Committee Date:** 18 December 2019

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## **EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION**

### **RECOMMENDATION: REFUSE PERMISSION**

#### **Proposal**

This application relates to the restoration of outbuilding & conversion to habitable accommodation; and the erection of a single storey garden room extension to cottage.

The garden room would measure 4.9m in width, 4.8m in depth and would have a pitched roof of ridge height 3.5m falling to 2.4m at the eaves.

#### **Consultations**

The following consultees have raised **objections** to the application:

- Cherwell District Council Conservation

The following consultees have raised **no objections** to the application:

- Epwell Parish Council, OCC Highways

No consultees responded **in support** of the application.

There have been no comments received from members of the public, either through objection or support

#### **Planning Policy and Constraints**

The application building is a Grade II Listed Building and the site is located within the Cotswolds Area of Outstanding Natural Beauty

The application has also been assessed against the relevant policies in the NPPF, the adopted Local Plan and other relevant guidance as listed in detail at Section 8 of the report.

#### **Conclusion**

The key issue in the assessment of the application is the proposals' impact on the historic significance of the listed building and its setting.

The report looks into the key planning issues in detail, and Officers conclude that the proposal is unacceptable for the following reasons:

1. It would result in a visually incongruous and alien form of development that would relate poorly to the existing listed and curtilage listed buildings. As a result, the proposal would cause harm to the historic plan form of the cottage.

**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 listing entry for the Manor Cottage describes the building as Manor Farm service block, which is a dairy, washhouse and bakery dating to the 16th and 17th century. The list entry suggests that the roof was raised in the 18th century. The building has a 2 unit plan and is single storey with an attic and an external staircase and corrugated iron roof. The construction of the building is of coursed ironstone rubble. The building appears to have been extended in 1988 when it was converted and a second storey and new roof were added. The roof retains the stone coped gables.
- 1.2. The significance of the buildings is their historical association with the farm complex and their ancillary use and relationship. Also the historic fabric that remains from the previous buildings is of significance.

### **2. CONSTRAINTS**

- 2.1. The cottage is a grade II listed building and the outbuilding is considered to be curtilage Listed. The site is located within the Cotswolds Area of Outstanding Natural Beauty. There are no other planning constraints relevant to this application.

### **3. DESCRIPTION OF PROPOSED DEVELOPMENT**

- 3.1. The application relates to the restoration and enlargement of an existing outbuilding in order for it to be converted to habitable accommodation. The works involved include raising the overall height of the building to allow for sufficient space in the first floor of the building for adequate living conditions. The proposals also include the addition of further openings for windows and doors. The original ground floor layout would be retained through the proposals.
- 3.2. The application also seeks the erection of a single storey rear extension to Manor Cottage. The proposed extension would extend beyond the original side elevation of the dwelling and would feature one gable end and one hipped gable and would alter the plan form of the dwelling from the existing L-shape to a U-shape.
- 3.3. A large section of the original rear wall of the dwelling would be removed in order to achieve access from the main dwelling to the proposed extension.

#### 4. RELEVANT PLANNING HISTORY

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

<u>Application Ref.</u>	<u>Proposal</u>	<u>Decision</u>	<u>Date</u>
04/02680/F	Conversion of existing outbuilding into a self-contained annexe (Resubmission 04/02205/F)	Application Permitted	17.03.2005
04/02681/LB	Conversion of existing outbuilding into a self-contained annexe	Application Permitted	17.03.2005
19/00380/F	Restoration of outbuilding & conversion to habitable accommodation; single storey garden room extension to cottage	Application Refused	
19/00381/LB	Restoration of outbuilding & conversion to habitable accommodation; single storey garden room extension to cottage	Application Refused	08.05.2019

4.2. 19/00380/F & 19/00381/LB – A similar proposal to the current scheme and were refused on the grounds of the harm which would be caused cause to the historic plan form of the cottage; and would have therefore detrimentally impacted on the character and appearance of the grade II listed Manor Cottage and the setting of the curtilage listed outbuilding. The identified harm identified would not have been outweighed by any public benefits.

#### 5. PRE-APPLICATION DISCUSSIONS

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

<u>Application Ref.</u>	<u>Proposal</u>
18/00090/PREAPP	Single storey extension to main dwelling and conversion of existing outbuilding
18/00225/PREAPP	Pre-Application Enquiry - Follow Up Request- Single storey extension to rear

5.2. 18/00090/PREAPP - the proposed conversion of the existing outbuilding to ancillary accommodation to be acceptable and any future planning application for this proposal would be viewed favourably subject to the materials and detailing being acceptable and the proposed living accommodation being truly ancillary to Manor Cottage. The proposed rear extension would not be viewed favourably in any form due to the significant detrimental impact it would have on the Grade II listed building by virtue of the unacceptable alteration of the historic plan form of the building.

5.3. 18/00225/PREAPP - the proposed rear extension would not be viewed favourably in any form due to the significant detrimental impact it would have on the Grade II

listed building by virtue of the unacceptable alteration of the historic plan form of the building.

## **6. RESPONSE TO PUBLICITY**

- 6.1. 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 October 2019**, although comments received after this date and before finalising this report have also been taken into account.
- 6.2. No comments have been raised by third parties

## **7. RESPONSE TO CONSULTATION**

- 7.1. 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

- 7.2. EPWELL PARISH COUNCIL: **Raised no objections**

### CONSULTEES

- 7.3. CHERWELL DISTRICT COUNCIL CONSERVATION: The conversion of the existing outbuilding is considered to be acceptable in principle. The plans submitted show additional openings to this building, however these are not extensive and are designed to be in keeping with the character of the building as an outbuilding. The existing layout at ground floor will be retained and this is welcomed. The roof is of modern construction and therefore raising the roof will not result in a loss of historic fabric. Overall there are no objections to the proposed works to the outbuilding to convert it to habitable space subject to the use of appropriate materials to ensure that the character is preserved.
- 7.4. The proposed single storey addition to the cottage is considered to have a greater impact on the significance of the Listed Buildings. It is accepted that the cottage has been extended to the rear in the past; however, the proposed extension is considered to be incongruous. The existing protrusion to the north east is in a form that is common on historic buildings as it creates an L shaped layout. The proposed extension would alter this plan form and unacceptably change the appearance of the building. The design of the proposed extension is not traditional and the gable and the hipped roof results in an unbalanced appearance. The form and design of the extension does not draw upon the character of the existing building and furthermore the historic plan form of the building is considered to be detrimentally altered by the proposed extension.

## **8. RELEVANT PLANNING POLICY AND GUIDANCE**

- 8.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 8.2. 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 – Development proposals affecting a listed building
- C21 – Proposals for re-use of a listed building

### 8.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Cherwell Residential Design Guide (2018)
- Cherwell Council Home Extensions and Alterations Design Guide (2007)
- The Planning (Listed Buildings and Conservation Areas) Act 1990
- EU Habitats Directive
- Natural Environment and Rural Communities Act 2006
- Conservation of Habitats and Species Regulations 2017
- Circular 06/2005 (Biodiversity and Geological Conservation)
- Human Rights Act 1998 ("HRA")
- Equalities Act 2010 ("EA")

## 9. APPRAISAL

### 9.1. The key issues for consideration in this case are:

- Impact upon the historic significance of the listed building and its setting

#### Impact upon the historic significance of the listed building and its setting

##### *Legislative and policy context*

9.2. The site is a Grade II listed building. 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.*

9.3. 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.

9.4. Conservation Areas and Listed Buildings are designated heritage assets, and Paragraph 193 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 (and the more important the asset, the greater*

*the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.*

- 9.5. Government guidance contained within the NPPF requires development to function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. Development should be visually attractive, sympathetic to local character and history, and establish or maintain a strong sense of place. Permission should be refused for development of poor design that fails to take opportunities available for improving the character and quality of an area and the way it functions.
- 9.6. Any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification. Substantial harm to or loss of assets of the highest significance, including Grade II\* listed buildings, should be wholly exceptional. Where a proposed development will lead to substantial harm to, or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.
- 9.7. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 9.8. The National Design Guide explains that development should respond to existing local character and identity, and that well designed new development is influenced by an appreciation and understanding of vernacular, local or regional character, including existing built form, landscape and local architectural precedents, and the elements of place or local places that make it distinctive. This includes considering the relationships between buildings, and views, vistas and landmarks.
- 9.9. Policy ESD15 of The Cherwell Local Plan 2011-2031 Part 1 requires development 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. Further, development proposals will be required to conserve, sustain and enhance designated and non-designated heritage assets including buildings, features, archaeology, conservation areas and their settings. Saved C18 of the Cherwell Local Plan 1996 seeks minor and sympathetic alterations to listed buildings.

#### *Assessment*

- 9.10. Rear Extension – The building has been extended to the rear in the past. However, the existing extension to the north western side of the rear elevation is of a form that is not uncommon on historic buildings (an extension to create an L shaped Building). Whereas the proposed extension would compete with this simple layout and would result in a large proportion of the rear elevation being covered by modern extensions, overwhelming the form and character of the original building.
- 9.11. The form and design of the extension does not appear to draw upon the character of the existing building and furthermore the historic plan form of the building would be altered by the proposal which is considered to be harmful to its significance. The design with one gable end and one hipped end would unbalance the application dwelling and would not continue the largely gabled character of the original cottage and would further harm the significance of the listed building.

- 9.12. The proposed extension would be largely glazed and the amount of fenestration would be at odds with the fenestration on the original cottage. The amount of glazing would lead to the appearance of an overly modern addition to a building of historic significance.
- 9.13. Furthermore, a large section of the original external stone wall would be removed as part of the extension resulting in a loss of historic fabric having a permanent and irreversible impact on the listed building.
- 9.14. The proposed design of the extension would be at odds with the existing simple character of the listed building. The plans show a mixed roof type with a gable end to the south eastern elevation, and a hipped roof to the north western elevation. This would be at odds with the current form of the dwelling which has a strong gable character. The form and design of the extension does not draw upon the character of the existing building and would unbalance the form of the building.
- 9.15. It is therefore considered that the proposed rear extension would be contrary to Policy ESD 15 of the Cherwell Local Plan 2011-2031 Part 1, and saved Policy C18 of the Cherwell Local Plan 1996 by resulting in harm to the significance of the Grade II Listed Building through a visually incongruous and alien form of development causing harm to the historic plan form of the cottage.
- 9.16. Conversion of Outbuilding – The conversion of the existing outbuilding is considered to be acceptable in principle. The plans submitted show that additional openings would be kept to a minimum as is the retention of the existing layout at ground floor. The existing roof is of modern construction and therefore raising the roof would not result in a loss of historic fabric. There are therefore no objections to the proposed works to the outbuilding to convert the building subject to conditions relating to materials and detailing.

## **10. PLANNING BALANCE AND CONCLUSION**

- 10.1. The proposal fails to comply with the relevant Development Plan policies and guidance listed at section 8 of this report because it would result in a visually incongruous and alien form of development that would fail to relate to the character or historic plan form of the listed building. The proposal would therefore cause harm to the significance of the listed building. There are no other material considerations that outweigh this conflict and the harm caused, and therefore permission should be refused.

## **11. RECOMMENDATION**

### **RECOMMENDATION - REFUSAL FOR THE REASONS SET OUT BELOW**

By virtue of its design, scale and form, the proposed extension to the dwellinghouse would result in a visually incongruous and alien form of development that would fail to relate to the existing listed and curtilage listed buildings. As a result the proposal would cause harm to the historic plan form of the cottage, and therefore detrimentally impact on the significance of the grade II listed Manor Cottage. The identified harm identified would not be outweighed by any public benefits. The proposed development is therefore contrary to Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and saved Policy C18 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.