

**Case Officer:** Gemma Magnuson

**Applicant:** Mr & Mrs M Wilson

**Proposal:** Ground and first floor extensions

**Ward:** Cropredy, Sibfords And Wroxton

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

**Reason for Referral:** Called in by Councillor Douglas Webb for the following reasons: public interest

**Expiry Date:** 12 November 2019

**Committee Date:** 18 December 2019

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

### **RECOMMENDATION: GRANT CONSENT SUBJECT TO CONDITIONS**

#### **Proposal**

The proposed development would consist of ground and first floor extensions upon the western facing principal elevation of the dwelling, to create two storey accommodation with kitchen at ground floor level and en-suite bedroom at first floor level. This would effectively involve the replacement of an existing garden room structure that projects from the western facing elevation at present. The ground level would also be partially reduced.

#### **Consultations**

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

- Shenington with Alkerton Parish Council

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

- Historic England, OCC Archaeology, CDC Conservation, CDC Building Control

4 letters of objection have been received and 2 letters of support have been received.

A larger number of comments were received with regard to the accompanying application for planning permission 19/01736/F, in part due to the fact that neighbour letters are not sent with regard to applications for listed building consent and no re-consultation with neighbours was therefore carried out following the submission of amended plans. In total, 17 responses were received for the planning application; 14 objecting to the proposal and 3 supporting the proposal.

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

Alkerton House is a Grade II listed building and lies within the designated Conservation Area. Other Grade II listed buildings are situated to the north and south of the site. The site is also within an area of archaeological interest, and the Northern Valleys Conservation Target Area.

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 for consideration in this case is the impact of the proposed development upon the building or its setting, or any features of special architectural or historic interest which it possess.

The report looks into the key planning issues in detail, and Officers conclude that the proposal is acceptable 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 relates to Alkerton House, a detached Grade II listed dwelling situated central to the village of Alkerton, within the designated Conservation Area.
- 1.2. Alkerton House was designated as a listed building on 20 September 1988, when the building description was for identification purposes only (as was usual at the date of listing) and does not give an indication of significance. The Conservation Officer has summarised the historic significance of the building to be a large, handsome property which may have been a manor house for Bret Goodwin, Lord of Epwell Manor. A significant amount of historic fabric remains, particularly upon external elevations in the form of window and door features, including stone mullions and hood moulds. The building also has a dual elevation, with one facing onto Well Lane, but with the principal elevation facing out towards the countryside to the west of the village.
- 1.3. The Shenington and Alkerton Conservation Area Appraisal describes Alkerton House as one of the oldest in the Parish, bearing a datestone of AD 1415. It is understood that the dwelling was partially rebuilt at the end of the 18<sup>th</sup> century, and restored in 1834. The 'L' shaped footprint is also noted. The site is within the Alkerton Character Area, where it is explained that the village has undergone little change since 1875, with no major 20<sup>th</sup> century building, and the majority of any new development comprising barn conversions. The village character is therefore retained.
- 1.4. The rear elevation of Alkerton House abuts Well Lane, with the private amenity space associated with the dwelling wrapping around both sides and the frontage of the building. The land level slopes downwards away from the frontage of the dwelling, with this slope continuing downwards, eventually culminating at the Sor Brook watercourse to the west. The land level then begins to steeply rise again up towards the village of Shenington. As a result of these levels, the principal elevations of Alkerton House is clearly visible from the Public Right of Way that runs to the south, connecting the two villages of Alkerton and Shenington.

- 1.5. The existing building is constructed with natural ironstone walls. The main roof of the dwelling is covered using a decorative red and blue fish scale tile pattern, whilst later additions are roofed with slate. A tall ironstone wall marks the eastern (rear) boundaries, with the land to the west remaining largely open.

## **2. CONSTRAINTS**

- 2.1. Alkerton House is a Grade II listed building and lies within the designated Conservation Area. Other Grade II listed buildings are situated to the north and south of the site. The site is also within an area of archaeological interest, and the Northern Valleys Conservation Target Area.

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

- 3.1. The proposed development would consist of ground and first floor extensions upon the western facing principal elevation of the dwelling, to create two storey accommodation with kitchen at ground floor level and en suite bedroom at first floor level. This would effectively involve the replacement of an existing garden room structure that projects from the western facing elevation at present.
- 3.2. The initial proposals were received with the application on 27 August 2019. The scheme was then amended by plans received on 25 October 2019, and later amended a second time by plans received 22 November 2019. It is these plans, received on 22 November 2019, that form the subject of this assessment.
- 3.3. The works would involve the lowering of the existing ground level towards the west of the existing rear projection, and the erection of a two-storey extension with ironstone walls and clay plain tiles to match those on the main roof of the dwelling. Stone mullioned windows are proposed within the western facing elevation. Openings would be constructed using painted softwood and powder coated steel frames. Dressed stone quoins are proposed within the stonework. Rooflights would be positioned within the northern and southern facing roof slopes.
- 3.4. The total length of the extension would be 10.8 metres, measured at roof height, which is the same as that of the existing garden room. The ground level would be reduced by 80cm towards the western most element of the structure, and the highest point would reach 7.1 metres, taken from that lower land level.
- 3.5. Alterations to the existing fabric of the listed building would involve the insertion of window openings in the eastern facing elevation of the existing outshot to serve a staircase, and the reconfiguration of the ground floor layout to accommodate the staircase and a kitchen. The roof of the existing outshot would also be removed and increased in height.

## **4. RELEVANT PLANNING HISTORY**

- 4.1. There is no planning history directly relevant to the proposal. There is no record of an application for the existing garden room that is proposed for replacement.

## **5. PRE-APPLICATION DISCUSSIONS**

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

16/00073/PREAPP – First floor extension

- 5.2. The Case Officer advised that they had concerns regarding the impact of the extension upon the living amenities and privacy currently enjoyed at adjacent Well

Cottage. It was not considered that the extensions would cause harm to the visual amenities of the area, including the Conservation Area and setting of nearby listed buildings. Suggestions were made to ensure that the extension would be more in keeping with existing dwelling.

## **6. RESPONSE TO PUBLICITY**

- 6.1. This application has been publicised by way of a site notice displayed near the site and by advertisement in the local newspaper. The final date for comments was **31 October 2019**, although comments received after this date and before finalising this report have also been taken into account. 6 responses were received; 4 objecting to the proposal, and 2 supporting the proposal.
- 6.2. As a result of the amendment of the application, the neighbouring properties have been consulted a total of three times. The comments received relate to all versions of the scheme.
- 6.3. The comments raised by third parties are summarised as follows:

### Object

- Unsited to Conservation Area, development will not be screened, building is not necessary
- Any extension above ground floor level will harm Grade II listed Alkerton House, addition intrusive and unsuitable, and visible from public spaces
- Too close to the adjacent house to the north, invading light and privacy
- Reduction in ridge height is welcomed but it remains a long new roof slope still of a height that would appear overbearing to The Well House. Eaves level has increased despite narrowing of extension and moving slightly away from boundary.
- Only a replacement single storey structure of similar height to existing buildings would protect amenity of The Well House and not be overbearing to most used sitting out areas
- Squat roof profile at odds with proportions of principal building, sit jarringly against structure, compete visually with main historic range
- Replacement of existing structure, that is unfortunate but diminutive in scale and polite in detail, not justification for extension of greater scale and high ornamentation
- Sunlight and shading report does not address concerns relating to overbearing or oppressive impact
- Harm to residential amenity enjoyed by occupiers of The Well House – height, length and proximity resulting in overshadowing of windows to dwelling, overbearing to occupiers when using main sitting out areas, introduces harmful overlooking, increases sense of being overlooked including sitting out areas – sitting out area is south and west facing and enjoys good light year round. Balconied window less than 10 metres from rear sitting out area. No assessment of impact of light, and extension would breach 45 : 25 degree rising line set out in BRE guidance to assess impact of proposed additions on daylight to windows.

- Less than substantial harm to designated heritage assets – listed building and Conservation Area – with no public benefit arising from the proposals – contrary to Policy, proposal will not be screened and will be obtrusive
- Would fill/too close to the current gap between The Well House and Alkerton House
- No Heritage Impact Assessment or justification submitted with the application
- Extension will compete with linear character of Well Lane due to its scale and location – it is not linear but at right angles to the street, appearing strikingly behind Alkerton House, set out from valley side, obscuring views of landscape, impact on view up through the village over the back of the houses where footpath first enters the village, view from Shenington towards Alkerton across valley spoiled
- Impact on views from Well Lane and public footpath to the south – Alkerton House would dominate the landscape, degrade views from Shenington, two villages have been linked for centuries, as have the communities, and to spoil the integrity in a place of outstanding beauty would be a shame, impact upon the historic setting of the two villages
- Impact on view from common land opposite the site on Well Lane across to Shenington – extension would narrow the gap significantly between the buildings and have a significant and harmful impact upon the view

#### Support

- More sympathetic addition to Alkerton House than the large modern conservatory
- Modest extension would not in any way be detrimental to the views of Alkerton, revised design sits much lower than before and minimises the impact on Alkerton House and neighbouring The Well House
- Would be no more visible from The Well House than the current extension, whilst being far more aesthetically pleasing
- Looks for be further away from The Well House than what currently exists

6.4. The comments received can be viewed in full on the Council's website, via the online Planning Register.

## **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.

7.2. Amended plans were received on 22 November 2019. The re-consultation period has not expired at the time of writing. The following comments may not, therefore, reflect the opinion of the scheme that this the subject of this report. Any consultation responses received after the finalisation of the report will be reported as late representations.

### **7.3. PARISH/TOWN COUNCIL AND NEIGHBOURHOOD FORUMS**

7.4. SHENINGTON WITH ALKERTON PARISH COUNCIL (commenting on the accompanying 19/01737/LB): **objects** on the following grounds:

- Scale of extension too large in relation to the house
- Architectural detail of the extension conflicts with house
- Extension is very imposing when viewed from valley below the house
- Extension is not sympathetic to the Conservation Area
- Impact upon the privacy of neighbouring property

7.5. Further comments were received following the first amendment of the proposal, and whilst they acknowledged the significant changes that go a long way to address the concerns raised by the neighbouring property, but previous comments from the Parish Council that a single storey extension is more reasonable are still valid.

#### OTHER CONSULTEES

7.6. HISTORIC ENGLAND: no comments.

7.7. NATIONAL AMENITY SOCIETIES: no response received at the time of writing.

7.8. OCC ARCHAEOLOGY: no archaeological constraints to the scheme.

7.9. CDC CONSERVATION: **no objection**. The Conservation Officer objected to the first two schemes. However, the amendments received on 22 November 2019 satisfactorily address the concerns raised.

7.10. CDC BUILDING CONTROL: no comment.

### **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 – Listed buildings

8.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)

- Planning Practice Guidance (PPG)
- National Design Guide (NDG)
- The Planning (Listed Buildings and Conservation Areas) Act 1990
- Human Rights Act 1998 (“HRA”)
- Equalities Act 2010 (“EA”)

## 9. APPRAISAL

- 9.1. The key issue for consideration in this case is the impact of the proposed development upon the building or its setting, or any features of special architectural or historic interest which it possesses.

### *Legislative and policy context*

- 9.2. The site is within and affects the setting of a Conservation Area and the application relates to a Grade II listed building.
- 9.3. 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.*
- 9.4. 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.
- 9.5. 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.*

### *Policy context*

- 9.6. 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.
- 9.7. 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, 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.
- 9.8. 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.

- 9.9. 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.
- 9.10. 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*

- 9.11. The proposed development would involve the replacement of an existing garden room that projects off the northern most element of the dwelling. The existing structure consists of a parapet style wall, against which a shallow hipped roof abuts, with the western most element of the garden room extending beyond the parapet consisting of the end of the hipped roof. The structure is largely glazed, with the exception of the parapet wall, with white timber framed openings.
- 9.12. On the other side of the parapet wall sits a stone and slate lean-to outshot. It is clear from historic plans that whilst the fabric of this element of the building has clearly been renewed at some point, the basic form of the building has remained in its historic configuration, with outshots present in this location, since 1882.
- 9.13. The existing garden room is not considered to hold any historic significance. There is no planning history relating to this structure and the circumstances behind its presence are therefore unknown. The hipped roof of the structure is out of keeping with the pitched roofs found on the remainder of the dwelling, and whilst the colouring of the openings is consistent with the openings on the principal elevation, their bulky frames and differing design to those found in the remainder of the dwelling serve to detract from the appearance of the principal elevation of this Grade II listed building.
- 9.14. The principal elevation of Alkerton House is also visible in longer range views across the valley in Sherington when walking the public right of way, and when entering the village of Alkerton along the same footpath. The white frames of the garden room currently draw attention to themselves as discordant additions to the dwelling and it is therefore considered that the loss of this structure should not be resisted.
- 9.15. As previously explained, outshots have existed to the north of the dwelling since 1882, including upon the footprint of the existing garden room. It is therefore considered that the replacement of the existing structure itself would be in-keeping with the historic form of the building.
- 9.16. The proposed extension would involve the loss of the existing parapet wall that currently divides the garden room and lean-to extension, and the northern most elevation of the replacement structure would be brought closer to the shared boundary with adjacent The Well House by 2 metres. The form and appearance of



the outshots would be maintained by setting the northern facing elevation of the proposed extension back off the northern elevation of the existing lean-to in order to enable it to continue to be read as an earlier element of the building.

- 9.17. The roof ridge would be set 50cm below the ridge height of the existing two storey gable extension to the dwelling, which itself is subservient in height to the main dwelling. In order to avoid a squat appearance, and to facilitate the creation of first floor accommodation, the ground level would be partially lowered as part of the works.
- 9.18. Construction materials would match those found on the existing dwelling, and the gable coping detail would match that of the main dwelling and gable extension. The proposed openings would also be similar in style to those found within the existing dwelling.
- 9.19. The development would involve minimal alteration to historic fabric, with minor works to the exterior and internal arrangement of the existing lean-to outshot. The garden room and parapet wall proposed for partial demolition is not considered to constitute historic fabric and their loss is not, therefore, considered to cause harm to the historic significance of the listed building.
- 9.20. It is considered that the proposed extension as amended would represent a sympathetic addition to the building, appearing subservient to, and in-keeping with, its host. Furthermore, it is considered that the amended proposal would constitute an enhancement to this Grade II listed building and the designated Conservation Area, through the replacement of the existing garden room with a more sympathetic structure that would not detract from the principal elevation of the existing dwelling, or longer range views from public vantage points.
- 9.21. Due to the height of the structure, the upper elements would be visible from Well Lane above the existing stone wall on the eastern boundary. Whilst the existing garden room is not visible from this viewpoint at present, due to the height of the existing stone wall it is not considered that the extension would appear overly prominent or detract from the character and appearance of the streetscene in this location. The proposed development would also maintain the historic plan form of the building and the spacious curtilage is capable of accommodating a structure of this size without resulting in a cramped or overdeveloped appearance. A distance of 4.3 metres would be maintained between the position of the proposed extension and adjacent The Well House, serving to avoid these two neighbours appearing attached.
- 9.22. The proposed development as amended is therefore considered to constitute an enhancement to the appearance of this Grade II listed building through the replacement of the discordant garden room with an extension that would retain the historic form of the building and introducing a more sympathetic projection in this location. The development would also enhance the views of Alkerton House and the designated Conservation Area from public vantage points within both Shenington and Alkerton, and would not result in harm to the historic significance of these designated heritage assets, in accordance with Government guidance contained within the NPPF, Policy ESD 15 of the Cherwell Local Plan 2011-2031 and saved Policy C18 of the Cherwell Local Plan 1996.

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

- 10.1.** The proposal complies with the requirements of the Planning (Listed Building and Conservation Areas) Act 1990, relevant Development Plan policies and guidance

listed at section 8 of this report. In accordance with Paragraph 11 of the NPPF, listed building consent should therefore be granted.

## **11. RECOMMENDATION**

**RECOMMENDATION – DELEGATE TO THE ASSISTANT DIRECTOR FOR PLANNING AND DEVELOPMENT TO GRANT CONSENT, SUBJECT TO THE CONDITIONS SET OUT BELOW (AND ANY AMENDMENTS TO THOSE CONDITIONS AS DEEMED NECESSARY)**

### CONDITIONS

#### **Time Limit**

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 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

#### **Compliance with Plans**

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: Drawing No's: 16030/19/SLP1, and 16030/P01 Rev. B, 16030/P02 Rev. B, 16030/P03 Rev. B, 16030/P04 Rev. A, 16030/P05 Rev. A, 16030/P06 all received 22 November 2019

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. Prior to the commencement of the development hereby approved above slab level, a schedule of materials and finishes for the external walls and roof(s) of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved schedule and shall be retained as such thereafter.

Reason - To ensure that the completed development is in keeping with and conserves the special character of the existing historic building and to comply with Policy ESD 15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C18 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

4. The natural stone to be used on the walls of the extension shall be of the same type, texture, colour and appearance as the stone on the existing building and shall be laid dressed, coursed and pointed to match that of the existing building.

Reason - To ensure that the completed development is in keeping with and conserves the special character of the existing historic building and to comply with Policy ESD 15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C18 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

5. Prior to the insertion of any openings, including the stone mullion windows, hereby approved, full details at a scale of 1:20 including a cross-section, cill, lintel and recess detail and colour/finish, shall be submitted to and approved in writing by the Local Planning Authority. The openings shall not be installed within the building other than in accordance with the approved details and shall be retained as such thereafter.

Reason - To ensure that the completed development is in keeping with and conserves the special character of the existing historic building and to comply with Policy ESD 15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C18 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

6. The rooflights to be used in the development hereby permitted shall be of a design which, when installed, do not project forward of the general roof surface to which they are installed.

Reason - To ensure that the completed development is in keeping with and conserves the special character of the existing historic building and to comply with Policy ESD 15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C18 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

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