

**Case Officer:** John Gale

**Applicant:** Mr & Mrs Kaye

**Proposal:** Replacement roof dormers and replacement cladding

**Ward:** Cropredy, Sibfords and Wroxton

**Councillors:** Cllr D. Webb, Cllr G. Reynolds and Cllr P. Chapman

**Reason for Referral:** Application submitted by a member of staff with management responsibility

**Expiry Date:** 30 April 2021

**Committee Date:** 15 April 2021

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## **1. APPLICATION SITE AND LOCALITY**

- 1.1. The application site is a chalet bungalow style dwelling on the northern edge of Mollington village access from a track off Roundhill Road. The boundaries to the north and west of the site are with open fields and a paddock respectively. The building itself appears to have been constructed in the 1960s following a 1962 application for development of the land. The building is constructed from reconstituted stone with a plain tile roof. The building is part-clad in waney edged timber – on the gable ends and the cheeks and headers of the 7 existing dormers. Fenestrations are in white uPVC.
- 1.2. The building is located to the rear of several dwellings which front Roundhill Road and it is not prominent in the street scene until the approach along the access to the dwelling.

## **2. CONSTRAINTS**

- 2.1. The application site is within the Mollington Conservation Area and falls within an archaeological alert area for village's historic core.
- 2.2. There are no other constraints situated on the property or the land which would need to be taken into consideration in the assessment of the application.

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

- 3.1. Replacement of 2 roof dormers with two larger dormers joined by a short bridging element and replacement timber cladding throughout the site.
- 3.2. The proposals are to increase the living accommodation on the first floor of the dwelling, with the modest enlargement of two of the existing dormers, with a bridging element strung between them.

#### **4. RELEVANT PLANNING HISTORY**

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

**Application: 62/00116/B                      Approved**

Site for bungalow and garage with access

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

5.1. No pre-application discussions have taken place with regard to this proposal.

#### **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 (amend as appropriate). The final date for comments was **8 April 2021**, 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 at the time of writing.

#### **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. Mollington Parish Council: No comments received at time of writing

##### CONSULTEES

7.3. CDC Building Control: No comments received at time of writing

#### **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)

- C28 – Layout, design and external appearance of new development
- C30 – Design control

### 8.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- 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

## 9. APPRAISAL

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

- Design, and impact on the character of the area
- Heritage impact
- Residential amenity

#### Design, and impact on the character of the area

9.2. Government guidance contained within the NPPF requiring good design states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Furthermore, 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.

9.3. Saved Policies C28 and C30 of the adopted 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 as well as compatible with the existing dwelling. Proposals to extend an existing dwelling should be compatible with the scale of the existing dwelling, its curtilage and the character of the streetscape.

9.4. Policy ESD 15 of the CLP 2031 states that development should '*Reflect or, in a contemporary design response, re-interpret local distinctiveness, including elements of construction, elevational detailing, windows and doors, building and surfacing materials, mass, scale and colour palette*'.

#### *Assessment*

9.5. The area is made up of a mixture of house types and ages and there is not strict building line or clear pattern of development that would be disrupted by the proposals.

9.6. The development would largely keep the existing form of the building intact, with only minor enlargement of the two dormers and the bridging element between them. This modest enlargement would be proportionate to the original dwelling.

9.7. The change in proposed cladding from the present horizontal waney edged board to vertical timber cladding is somewhat regrettable given the fact that timber is not a

traditional building material in the district. However, given that the building is already part-clad in timber, a permitted development fallback would support its continued use.

- 9.8. Although a very different type of timber cladding is sought, given the fallback position noted above, the use of a different form of timber is considered to be acceptable in this instance.
- 9.9. The proposed design would result in a more contemporary and cohesive built form – with the vertical timber boarding better reflecting the 1960s design of the building. It is considered to represent a visual improvement over the existing waney edged boarding.

#### *Conclusion*

- 9.10. The proposal is considered to be acceptable in design terms.

#### Heritage Impact

##### *Legislative and policy context*

- 9.11. The site is within the designated Mollington Conservation Area. There are no nearby listed buildings and so the assessment below is made upon the impact to the Conservation Area alone.
- 9.12. 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.*
- 9.13. 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 ESD15 of the CLP 2031 Part 1 echoes this guidance.

##### *Assessment*

- 9.14. Amare Cottage is set back and to the rear of several dwellings fronting Roundhill Road. As such few views of the building existing in the public realm and it is not readily apparent in the street scene until the final approaches to the building itself along the access lane.
- 9.15. The changes to the layout of the existing dormers is of minimal impact to the character of the Conservation Area and would not impact negatively upon it. The bridging element would not be widely seen from anything but the most distant and acute angles from the public realm.
- 9.16. The use of waney edged timber boarding on the existing dwelling is regrettable given the lack of historic precedence for the use of this material on domestic buildings in the area. However, given that there is existing timber boarding, and this could be replaced like for like, the proposed change to another form of timber cladding would be hard to resist.
- 9.17. The reconstituted stone construction is very much of its time and equally the use of waney edged boards against this backdrop leaves the building with a very mixed

architectural form. The proposed use of vertical timber boards would better suit the reconstituted stone elements and give the building a more contemporary and cohesive design.

- 9.18. It is therefore considered that the changes to the dwelling would have a neutral impact on the character and appearance of the Mollington Conservation Area, particularly given the property's back land siting.

#### *Conclusion*

- 9.19. The proposal is considered to be acceptable as it would not harm the character of the Mollington Conservation Area.

#### Neighbouring amenity

#### *Legislative and policy context*

- 9.20. Policy C30 of the CLP 1996 requires that a development must provide standards of amenity and privacy acceptable to the Local Planning Authority. These provisions are echoed in Policy ESD15 of the CLP 2031 which states that new development proposals should consider amenity of both existing and future development, including matters of privacy, outlook, natural lighting, ventilation and indoor and outdoor space.

#### *Assessment*

- 9.21. The proposals would not result in a material change in the level of overlooking on the neighbouring properties as the dormers both face north towards open fields and would both serve bathrooms.

#### *Conclusion*

- 9.22. The proposals would be acceptable in neighbouring amenity terms.

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

- 10.1. The proposal complies with the relevant Development Plan policies and guidance listed at section 8 of this report, and so is considered to be sustainable development. In accordance with Paragraph 11 of the NPPF, permission should therefore be granted.

## **11. RECOMMENDATION**

RECOMMENDATION – **GRANT PERMISSION**, SUBJECT TO THE CONDITIONS SET OUT BELOW

### 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 91 of the Town and Country Planning 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: WG1036 001; WG1036 002; WG1036 003; WG1036 004; WG1036 005 Rev A & WG1036 006 Rev B.

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.

## INFORMATIVES

### **Biodiversity/Protected Species**

Your attention is drawn to the need to have regard to the requirements of UK and European legislation relating to the protection of certain wild plants and animals. Approval under that legislation will be required and a licence may be necessary if protected species or habitats are affected by the development. If protected species are discovered you must be aware that to proceed with the development without seeking advice from Natural England could result in prosecution. For further information or to obtain approval contact Natural England on 0300 060 3900.

### **Bats**

Bats are a highly mobile species which move between a number of roosts throughout the year. Therefore, all works must proceed with caution and should any bats be found during the course of works all activity in that area must cease until a bat consultant has been contacted for advice on how to proceed. Under the Wildlife & Countryside Act 1981 (as amended) and the Habitat and Species Regulations 2010 it is illegal to intentionally or recklessly disturb, harm or kill bats or destroy their resting places.

CASE OFFICER: John Gale

TEL: 01295 221857