Site Address **14/01601/LB**

Chancel Cottage, Fir Lane, Steeple Aston, Bicester, OX25 4SF

Case Officer: Ernest Addae-Bosompra **Recommendation:** Refuse

Applicant: Mr Justin Grainger

Application Description: Internal alterations, external alterations (including insertion of six rooflights), demolition of attached outbuildings and erection of single storey extension

Report Type: Delegated Decision

1. Site Description and Proposed Development

1.1 The application property comprises a detached, Grade II dwelling, located on the eastern side of Fir Lane and immediately east of St Peter's Church, a Grade II* listed building, and south of Fir Lane Cottage and Fir Cottage, also Grade II listed buildings. The site is located towards the north-eastern corner of the designated Steeple Aston Conservation Area. Chancel Cottage is of a two-storey building of a simple vernacular, dating to the 18th century. The property is bounded to either side by residential neighbours and by allotments to the rear (east).

1.2 It is a two-storey dwelling, with a central front door and symmetrical windows either side, and chimney stacks at either end of the main roof ridge. The dwelling has a subservient, two-storey gable projection to the rear adjacent to the property's northern side boundary and at right angles to the highway-facing front element, and a small, single storey addition to the southern elevation of the rear gable projection; together these two elements form an L-plan. The property benefits from a parking space immediately adjacent to the dwelling and garden to the south and east of the dwelling – the part to its south is enclosed by a low stone wall and features planted flowerbeds.

1.3 The house was listed 26.02.88 and the listing reads as follows:

"House. C18. Coursed squared limestone with ashlar dressings and limestone rubble with wooden lintels; Stonesfield-slate and concrete plain-tile roof with rebuilt brick gable stacks. L plan. 2 storeys plus attic. Symmetrical 2-window front has a central 4-panel door below a flat stone canopy, and has renewed 2-light casements below stone lintels. End and rear walls, and lower rear wing returning from left, are in rubble, the wing partly converted from a stable, Interior: wide inglenook fireplace; quarter-turn stairs with winders; C18 panelled shutters and cupboards; butt-purlin roofs Included for group value."

1.4 Listed Building Consent is sought for the following proposed works:

<u>Ground floor level</u>
~ Insertion of ground floor window in rear elevation (external)
~ Removal of doors to stairway cupboard (internal)
~ Removal of door to cupboard in living room (internal)
~ Removal of existing kitchen fixtures and kitchen cupboard doors (internal)
~ Removal of walls to hot water tank in bathroom (internal)
~ Demolition of bathroom wall (part internal, part external)
~ Demolition of attached single storey outbuildings (external)
~ Erection of single storey side extension (external)

<u>First floor level</u>

~ Removal of parts of two bedroom walls (internal)
~ Insertion of new door opening in original internal wall (internal)
~ Replacement of two chimneys and rear-facing roof slope (roof)
~ Insertion of six rooflights, two to the rear elevation of the main roof, and four to the north elevation of the two-storey rear projection
~ Removal of part of south-facing roof slope to the two-storey rear projection (to enable construction of proposed single storey extension)

1.5 Relevant planning history

1.6 08/02404/LB – Remove existing window frames from front elevation and bathroom and replace with new (as amplified by applicants letter and accompanying photographs dated 05/01/09 received 07/01/09) – granted, with conditions, 12.01.2009

2. Application Publicity

2.1 Neighbour notification letters (x4), site notice (x1) and press notice. The final date for comment was 23.10.14.

2.2 No representations were received.

3. Consultations

3.1 **Steeple Aston Parish Council** – Comments received 21.10.14 – No objections

English Heritage – Comments received 13.10.14 – Not necessary to be consulted

Cherwell District Council Consultees

3.2 **Conservation Officer** – Objects, principally on the grounds that the form, scale and massing of the proposed extension causes harm to the significance / special interest of the listed building. Also concerned with the use of timber boarding and any dormers proposed (Detailed comments retained on file)

Oxfordshire County Council Consultees

3.3 **Archaeology** – Comments received 06.10.14 – No objections

4. Relevant National and Local Policy and Guidance

4.1 **Development Plan Policy**

Adopted Cherwell Local Plan (Saved Policies)
C18 – Development proposals affecting a listed building
C23 – Retention of features contributing to character or appearance of a Conservation Area
C28 – Layout, design and external appearance of new development
C30 – Design of new residential development

4.2 **Other Material Policy and Guidance**

National Planning Policy Framework ("the Framework"), in particular paragraphs 9-17 (presumption), 56-67 (design), (natural environment), 126-139 (historic environment) and 186-206 (decision taking)

Submission Cherwell Local Plan (January 2014)

The Submission Local Plan has been through public consultation and was submitted to PINs in January 2014 for Examination to take place in June 2014. The Submission Local Plan does not have Development Plan status but is a material planning consideration. The Plan sets out the Council's strategy for the District to 2031. The policies listed below are considered to be material to this case:

ESD16: The Character of the Built and Historic Environment

Other
The national Planning Practice Guidance Suite (06.03.14)
Appendix A to Circular 11/95 – Use of conditions in planning permission

Listed Building (Listed Building (Section 16(2) & Section 66(1) and Conservation Area (Section 72(1) of the Listed Buildings and Conservation Areas Act 1990)
The LPA has a statutory duty under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area (CA). Paragraph 131 of the Framework sets out that in determining planning applications, LPAs should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. Para 132 of the Framework confirms that the significance of a designated heritage asset (including CAs) can be harmed or lost through development within its setting.

5. Appraisal

5.1 The key issues for consideration in this application are:

Impact on character and appearance of the Conservation Area
Impact on character, setting and significance of the listed building
Impact on setting of other listed buildings

Impact on character and appearance of the Conservation Area

5.2 The submitted Heritage Statement summarises the significance of Chancel Cottage as required by paragraph 128 of the Framework.

- Physical evidence of development of village during 19th century
- Formality of façade as interpreted by rural craftsman, simplicity of form and absence of elaborate decoration.
- Plan form and earlier function of various rooms can be interpreted from surviving evidence
- House along with others providing a sense of enclosure to the street, framing the green space of the churchyard.
- Views from churchyard where cottage provides a backdrop or visual stop
- Use of natural, vernacular materials

In addition, the following elements also contribute to the significance of the building:

- Survival of the plan form with the 18th century single pile plan and the later incorporation of the stable building into the domestic accommodation.
- Simple vernacular form of the cottage and survival of historic fabric

5.3 As a Grade II listed building bounded by other listed buildings to the north and by the Grade II* listed parish church to its west, the application building is a positive contributor to the character and appearance of the designated Conservation Area.

5.4 Chancel Cottage originated as a simple, single pile dwelling which was subject to later modification to bring an ancillary wing into domestic ownership. However, it has been little altered during the latter part of the 20th century, which has ensured the

survival of a number of historic features and, although it has also suffered from a lack of maintenance for a period of time, its plan form remains.

5.5 In this context and for this reason, the proposals would amount to a significant change and would have a significant and demonstrable impact on the character and appearance of the Conservation Area.

5.6 As noted above, part of the special interest of the building is the survival of the plan form. The proposed extension would completely alter the plan form of the building by creating a U-plan building based around a court yard. Whereas the distance from the side elevation of the gable projection to the corner of the front element of the dwelling is approx. 4.4m and the existing single storey element has a width of 3.25m, the proposed extension would have a width of 6.7m, and would thus project beyond the side building line of the dwelling by approx. 2.3m.

5.7 The extension is only marginally narrower (4.25m compared to 4.9m) and significantly longer than the original cottage (as noted above), thus fundamentally altering the experience of the building and creating a situation whereby the original cottage becomes subservient to its later extensions. The visual prominence of the extension verses the original building would be emphasised by the proposed use of timber slats/cladding to its walls. The fact that the extension is single storey is considered not to mitigate the harm caused to its fundamental form and massing.

5.8 Neither is the inclusion on drawing "059_1_314 P12" of new screen planting to the front considered to mitigate the identified harm. The height and thickness of this planting would vary seasonally and over time and, in any case, would take several years to grow to a height where it would screen the extension to any significant extent. It is highly unlikely that the screen planting would ever fully obscure views of the extension (Section AA on drawing "059_1_301 PL02" gives a fair indication). In addition, the fact that screen planting is proposed as mitigation draws attention to the significant and demonstrable harm that would be caused.

5.9 It is considered that, for the reasons set out above, the proposal would cause significant and demonstrable harm to the character and appearance of the Conservation Area, and that this harm is *less than substantial*. The proposal would therefore fail to accord with Policies C28 and C30 of the adopted Cherwell Local Plan and Policy ESD16 of the Submission Cherwell Local Plan.

5.10 Paragraphs 133 and 134 of the Framework both require the decision maker to weigh his harm against the public benefits of the proposal. The optimum viable use is for the property to remain as a single residential property and it is acknowledged that in order to make the property suitable some alterations may need to take place. It is considered that a degree of harm to historic fabric and significance may be acceptable in order to ensure the property can remain in its optimum viable use. However, this should be proportionate to both the scale of the building and the historic significance, and the benefits of the current proposal are largely of a private nature.

5.11 In this instance, it is considered that the identified harm to the Conservation Area, which is clear, significant and demonstrable, is not outweighed by the proposal's benefits.

Impact on character, setting and significance of the listed building

5.12 For the same reasons as set out above, and having regard to the relative scale, massing and proportions of the proposed extension, it is considered that the proposed development would cause substantial harm to the significance and setting

of the listed building. The proposal would therefore fail to accord with Policy ESD16 of the Submission Cherwell Local Plan.

5.13 Certain of the proposed changes, including (at ground floor level) removal of internal cupboard doors, kitchen fixtures and the walls to the hot water tank, and (at first floor level) removal of parts of two bedroom walls, are not considered to cause demonstrable harm to the character of the listed building. Although a significant change, the proposed ground floor, rear-facing window is not considered to cause demonstrable harm to the significance of the listed building, subject to agreement of materials and detailing. The same conclusion applies to the replacement of the two chimneys and the tiles on the rear-facing roof slope.

5.14 However, the proposal to form an additional doorway at first floor level is considered to have a more significant impact. The doorway is between the original stable range and the later 19th century addition, which was constructed as a physically separate structure. The ground floor area of the building has been brought into domestic usage, but the first floor area remains unconverted and unused. There is evidence of a former opening at first floor level which has since been blocked up. It is considered that there would be some harm to the significance of the site if this element of the building were to be converted, although this would need to be weighed against the public benefit of bringing this section of the building into use with the associated benefits of better maintenance.

5.15 It is considered that the alterations to and conversion of one of the existing bedrooms to a bathroom would be acceptable provided that the front elevation window remained clear glazed. An obscure glazed window in the front elevation of the Grade II listed building, facing the Grade II* listed Church, would cause harm to the setting and significance of both heritage assets. In addition, details of the location and dimensions of any proposed waste pipes would be required, and could be secured by condition.

5.16 Rooflights are not a characteristic element of simple, vernacular cottages such as this one and would have a detrimental impact on the character and appearance of the heritage asset. Although proposed to be set flush within the roof slope, the cumulative impact of the number of rooflights proposed is considered to cause substantial harm to the character and appearance of the listed building. The proposed use of the roof space for a further bedroom is considered acceptable in principle.

5.17 As noted at paragraph 5.10 above, paragraph 133 of the Framework requires the decision maker to weigh his harm against the public benefits of the proposal. It is considered that the nature and condition of the heritage asset does not prevent all reasonable uses of the site, and that the harm is not outweighed by the benefits of bringing the building back in use. Indeed, there is no evidence of a substantial break in the use of the building, or that the building is currently uninhabitable. In addition, it is considered that the heritage asset may be viably used, and that to refuse planning permission for the current proposal would not prevent use of the building.

Impact on setting of other listed buildings

5.18 Having regard to the siting of the proposed extension and its spatial relationship with Grade II listed buildings to the north of the application site, and their relatively constrained setting, it is considered that the proposal would not adversely affect the setting of those listed buildings. In addition, other than Fir Lane, the only footpath from where the extension and those adjacent listed buildings would be seen and experienced together is the one to the south-east of the site, which heads eastward

away from the village. From this footpath the extension would not compete visually with those listed buildings to the same extent it would in the case of Chancel Cottage.

5.19 However, the extension would be seen – both from the application site and from the churchyard to St Peter's Church – in the context of the Church, which is Grade II* listed. The view of Chancel Cottage from the Church and its churchyard is currently one of the unaltered front elevation, with open, undeveloped space to the side, with views of the allotments and countryside beyond. Having regard to (i) the historic and cultural importance of the Church, (ii) the site's location within the Conservation Area, and (iii) that the Grade II* listed Church is 'surrounded' by a cluster of approx. eight Grade II listed buildings, the intervisibility of the heritage assets and views from/to the heritage assets are considered particularly important.

5.20 As per paragraph 5.7 above, the extension would be only marginally narrower and significantly longer than the original cottage, thus fundamentally altering the experience of the building and creating a situation whereby the original cottage becomes subservient to its later extensions. It is considered that the setting of the Grade II* listed Church and views from/to it would be unacceptably compromised. This impact would be further emphasised by the proposed use of timber slats/cladding to its walls. The proposal would therefore fail to accord with Policy ESD16 of the Submission Cherwell Local Plan.

5.21 As per paragraphs 5.10 and 5.11 above, it is considered that the identified harm to the setting of the Grade II* listed St Peter's Church, which is clear, significant and demonstrable, is not outweighed by the proposal's benefits.

Engagement

5.22 With regard to the duty set out in paragraphs 186 and 187 of the Framework, the issues that have arisen during the consideration of the application have been discussed at length with the applicant, and amendments sought. Although revised plans have been received, these have not satisfactorily addressed the concerns raised in this report, and the applicant has latterly requested determination of the application. The Local Planning Authority has looked for solutions, and it is considered that the duty to be positive and proactive has been discharged, in accordance with the Framework's objectives.

Conclusion

5.23 The proposal is considered acceptable in highway safety and residential amenity terms, but for the reasons set out in this report would cause significant and demonstrable harm to the character and appearance of the designated Steeple Aston Conservation Area, and the character, setting and significance of the Grade II listed Chancel Cottage and the Grade II* listed St Peter's Church, public harm which is not outweighed by the proposal's private net benefits. The proposal therefore fails to accord with Policies C28 and C30 of the Cherwell Local Plan, Policy ESD16 of the Submission Cherwell Local Plan, and paragraphs 14, 17, 132 and 134 of the Framework.

5.24 It is considered that individually (and cumulatively) the identified harm significantly and demonstrably outweighs the proposal's benefits, and the application is therefore recommended for refusal.

6. Recommendation

Refuse, for the following reason:

The proposed development, by virtue of its scale, form, massing and materials, and the insertion of six rooflights in the existing building, and the insertion of an internal doorway opening at first floor level, would result in 'substantial' harm to the character, setting and significance of the Grade II listed Chancel Cottage, and 'less than substantial' harm to the character and appearance of the Steeple Aston Conservation Area and and the character, setting and significance of the Grade II* listed St Peter's Church. The proposal would therefore fail to accord with Policies C28 and C30 of the Cherwell Local Plan, Policy ESD16 of the Submission Cherwell Local Plan, and paragraphs 14, 17, 132 and 134 of the National Planning Policy Framework, and it is considered that this identified harm significantly and demonstrably outweighs the proposal's benefits.

STATEMENT OF ENGAGEMENT

In accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 and paragraphs 186 and 187 of the National Planning Policy Framework (March 2012), this decision has been taken by the Council having worked with the applicant/agent in a positive and proactive way as set out in the application report.

SIGNED: DATED: 11.05.2015

AGREED: DATED:

Delegated Authority: Y ☐ / N ☐