

**CHERWELL DISTRICT COUNCIL
TOWN AND COUNTRY PLANNING ACT 1990**

Appeal by Mr J Granger, against the decision by Cherwell District Council to refuse planning permission and listed building consent for Internal alterations, external alterations (including insertion of six rooflights), demolition of attached outbuildings and erection of single storey extension.

Appellant	:	Mr J Granger
Appeal Site	:	Chancel Cottage, Fir Lane, Steeple Aston, OX25 4SF
Description of Development	:	Internal alterations, external alterations (including insertion of six rooflights), demolition of attached outbuildings and erection of single storey extension
LPA Reference	:	14/01552/F and 14/01601/LB
Planning Inspectorate Reference	:	APP/C3105/Y/15/3138337

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1.0 SITE LOCATION AND DESCRIPTION OF THE PROPOSED DEVELOPMENT

- 1.1 The appeal site comprises a detached, Grade II listed 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 a two-storey building of a simple vernacular form, dating from the 18th century. The property is bounded to either side by residential neighbours and by allotments to the rear (east). There is a public footpath to the south east of the appeal site which provides views of the site and the church from the south east.
- 1.2 Chancel Cottage 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 This appeal relates to the refusal of planning permission for the erection of a single storey side extension and refusal of listed building consent for internal alterations, external alterations (including insertion of six roof-lights), demolition of attached outbuildings and erection of single storey extension.

2.0 RELEVANT PLANNING HISTORY

Reference	Description	Status
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)	Permitted – 12/01/2009
14/01552/F and 14/01601/LB	Erection of single storey side extension/ Internal alterations, external alterations (including insertion of six rooflights), demolition of attached outbuildings and erection of single storey extension	Refused – 11/05/2015
15/01327/F and 15/01328/LB	Demolition of attached outbuilding and erection of single storey side extension (revised scheme of 14/01552F) / Internal alterations, external alterations (including insertion of six rooflights), demolition of attached outbuildings and erection of single storey extension (revised scheme of 14/01601/LB)	Refused – 08/10/2015

3.0 POLICY CONSIDERATIONS

3.1 Development Plan Policies

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

ESD15 - The Character of the Built and Historic Environment

Cherwell Local Plan 1996 (Saved Policies)

C18 – Development proposals affecting a listed building

C28 – Layout, design and external appearance of new development

C30 – Design Control

3.2 **Other Material Planning Considerations**

Section 16, Section 66 and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (“the Listed Buildings Act”)

National Planning Policy Framework (“the Framework”), in particular paragraphs 9-17 (presumption), 56-67 (design), 93-104 (climate change and flooding), 109-125 (natural environment), 126-139 (historic environment) and 186-206 (decision taking)

Planning Practice Guidance (NPPG)

Historic England Good Practice Advice in Planning 2 and 3

STATEMENT OF CASE

4.0 **PROPOSED WORKS**

Listed building consent is sought for the following proposed works:

Ground floor level

- 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)

First floor level

- 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. (external)
- Removal of part of south facing roof slope to the two storey rear projection to enable construction of proposed single storey extension (external)

4.2 Planning permission is sought for the demolition of the existing single storey addition and erection of a single storey extension.

4.3 The appellant seeks to bring the currently vacant Chancel Cottage back into use as a residential family home through extensive refurbishment of the existing building and the construction of an extension to the side/rear to provide additional living space. The Local Planning Authority has no objection to the repair and refurbishment of the property and no reference is made to the repair works in the reason for refusal. The repair element of the proposal was not fully detailed within the submitted applications. The applications were refused on the basis of the works of extension and alteration.

4.4 There is very little reference throughout the correspondence on the application to the repair works. Repair and restoration works could have been the subject of a separate listed building application and furthermore, any like for like repairs could be carried out without the need for listed building consent.

4.5 The appeal statement indicates that the property has been vacant since September 2012 and owned by the appellant since January 2014. It is unclear how much repair and maintenance work has been undertaken to the property since January 2014, but at the time of the an internal site visit to the property on 13th March 2015 and an external inspection from the road frontage on the 15th December 2015 it appeared that very little repair/restoration work had been undertaken.

4.6 The National Planning Policy Framework is clear about how the condition of a property should be considered within the planning regime. Paragraph 126 *'Where there is evidence of deliberate neglect of or damage to a heritage asset the*

deteriorated state of the heritage asset should not be taken into account in any decision’.

4.7 It is appreciated that the property was vacant for sixteen months prior to purchase by the current owners, but it is unclear why the required repair and maintenance works has not been carried out in the past two years.

4.8 The cost of repairs to the property are not a material planning consideration in this case because it is the Local Planning Authority’s opinion that the building could be used as a single dwelling with refurbishment works and without the proposed extension. The state of the property at the time of purchase by the current owners should have been reflected in the market value.

5.0 DEGREE OF SIGNIFICANCE

5.1 Historic England’s Good Practice Advice in Planning ‘Significance in Decision taking in the Historic Environment’ provides advice on how to assess significance in decision taking. The Heritage Statement submitted as part of the listed building application summarises the significance of Chancel Cottage as required by paragraph 128 of the Framework and Historic England’s Good Practice Advice, the statement included the following:

- *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*

The Council’s Conservation Officer made comments during the assessment of the application, see Appendix A which stated agreement with the detail within the Heritage Statement, but also added the following elements of significance of the listed building which were not included within the Heritage Statement:

- *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*

5.2 The building also contributes to the significance of the character and appearance of the Steeple Aston Conservation Area and the setting of the surrounding listed buildings, including the grade II* listed parish church to the west, by virtue of its unspoilt, rural, vernacular appearance. The Management Plan of the Steeple Aston Conservation Area Appraisal specifically identifies ‘Important Views’ and states ‘*Views into, out of and within the Conservation Area, in particular those of the church and eye-catcher, are essential to the special quality of the place. Their protection and enhancement will be an important consideration in the determination of any proposed development*’. Chancel Cottage lies in a direct line between the church an eye-catcher in very close proximity to the church.

6.0 ‘SUBSTANTIAL’ OR ‘LESS THAN SUBSTANTIAL’ DEGREE OF HARM

6.1 Section 16 and Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (“the Listed Buildings Act”) sets out the duty of the Local Planning Authority in assessing applications for listed building consent and planning permission which affects a listed building. Subsection (2) of Section 16 provides: “*In considering whether to grant listed building consent for any works the local planning authority or the secretary of state 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.*” Subsection (1) of Section 66 provides: “*In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State 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.*”

6.2 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (“the Listed Buildings Act”) sets out the duty of the Local Planning Authority in assessing application which affect Conservation Areas. Subsection (1) of Section 72 provides: “*In the exercise, with respect to any buildings or other land in a conservation area, ... Special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.*”

6.3 Paragraph 131 of The National Planning Policy Framework sets out the considerations to be taken into account when considering applications which affect designated heritage assets. The importance of significance of the designated heritage asset is set out at paragraph 132 which states:

'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.

The more important the asset, the greater the weight should be. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional.'

Paragraphs 133 considers the test to be applied when considering 'substantial harm' and paragraph 134 considers the test to be applied when assessing applications when assessing 'less than substantial' harm. Historic England's Good Practice Advice 2: Managing significance in Decision Taking at paragraph 27 advises that Substantial harm is a high test which may not arise in many cases.

6.4 The case officer's delegated report, attached at Appendix B concludes that significant and demonstrable harm would be caused to the character, setting and significance of the listed building Chancel Cottage and within the reason for refusal concluded that the proposal would result in 'substantial' harm to the character, setting and significance of the building. After, further consideration and discussion with the Council's Conservation Officer in preparing for this appeal it appears that the Case Officer's conclusions have misinterpreted the Conservation Officers comments which assessed the proposed extension as causing 'significant' harm to the character, setting and significance. The level of harm is considered to be significant and there could be debate about whether it meets the 'high test' of 'substantial harm'. Regardless of where the bar lies in relation to substantial / less than substantial harm to the significance of the heritage asset the proposed development must also be considered under Section, 16, 66 and 72 of the "the Listed Buildings Act" which places a duty of the Local Planning Authority to ensure special regard and attention is had to the desirability of preserving the special interest of listed buildings and their setting and preserving and enhancing the special interest of conservation areas. In this case the proposed development does not preserve the special interest of the cottage and its setting, does not preserve the setting of the Church and does not preserve or enhance the special character and appearance of the Conservation Area.

6.5 The Local Planning Authority's Case is considering the proposal under Section 16, Section 66, and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("the Listed Buildings Act") and paragraph 134 of the NPPF which considers development proposals which will lead to 'less than substantial' harm to the significance of a designated heritage asset, which in this case includes Chancel Cottage and its setting, Steeple Aston Conservation Area and the setting of St Peter's Church, grade II*. This harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

7.0 IMPACT ON CHANCEL COTTAGE - SCALE, MASSING AND FORM

7.1 The proposed extension measures 4.25m in depth which is only marginally narrower than the original cottage depth of 4.9m, and furthermore, the length of the extension is significantly longer than the original cottage. The proposed extension will fundamentally alter the experience of the building and create a situation whereby the original cottage becomes subservient to its later extensions.

7.2 As noted above at paragraph 5.1, a significant 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 courtyard. Whereas the distance from the side elevation of the gable projection to the corner of the front element of the dwelling is approximately 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 approximately 2.3m. The extension would extend beyond the side elevation of the original cottage and therefore would be a prominent feature when viewed from the east, south and west. The scale of the extension does not respect the scale of the existing building and would alter the plan form of the building to the detriment of the special significance of the building and its setting and would not be considered to preserve the special interest of the building and its setting, contrary to Local Plan Policy ESD15 of Cherwell Local Plan 2011-2031 Part 1 and saved policies C18, C28 and C30 of the Cherwell Local Plan 1996 and Government Guidance within the NPPF.

7.3 The visual prominence of the extension versus 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 not considered to mitigate the harm caused to its

fundamental form and massing. Furthermore, the inclusion of new screen planting to the front in an attempt to screen the extension is not considered to mitigate the identified harm.

- 7.4 It is not asserted that the plan form of the building has remained unchanged and indeed the Historic England Listing Selection Guide states that *'Hardly any vernacular houses have escaped alteration over time, and many will have undergone several phases of change, reflecting altered concepts of privacy and hygiene, as well as the impact of other social and economic changes..... The evidence of change, important in any building type, has particular value in those that have adapted incrementally over hundreds of years'*.
- 7.5 The designation of Chancel Cottage at grade II rather than grade I or II* does not mean that the current configuration or plan form of the building is not of significance.
- 7.6 Chancel Cottage originated as a rectangular lobby-entrance house, which is a characteristic building type of the region. The provision of a wing to the rear to form an L-shaped or T-shaped plan form was also a characteristic development to provide additional accommodation.
- 7.7 The Heritage Statement prepared for the appellants identifies that the plan form development of Chancel Cottage is representative of the 18th century development of Steeple Aston. *'Chancel Cottage is such an example of this 18th century architecture of the village, displaying many of the common features including a central front door with symmetrical windows either side; upper windows arranged symmetrically as with the ground floor; chimney stacks positioned on both gable ends and an L-shaped plan to the rear'*.
- 7.8 The proposed development provides a U-shaped plan, which is an entirely non-traditional plan form for an individual property, both in the locality and nationally.
- 7.9 The proposed extension by virtue of its scale, form and massing is considered to cause harm to the significance of the listed building, and its setting and would not be considered to preserve or enhance the special interest of the building and its setting. The harm to the significance of the listed building itself is caused by the alteration of its plan form, by the provision of an extension of a form and scale that is not in-keeping with the remainder of the building. The proposal is therefore considered to be contrary to Policy ESD15 of Cherwell Local Plan 2011-2031 Part 1 and saved

policies C18, C28 and C30 of the Cherwell Local Plan 1996 and Government Guidance within the NPPF.

8.0 IMPACT ON THE CONSERVATION AREA

- 8.1 The proposed extension by virtue of its scale, form and massing would have a detrimental impact on the setting of Chancel Cottage which sits within the wider Conservation Area. The appeal site is visible from the west within the Church Yard, from the allotments to the east and public footpath 364/6/10 to the east, from Fir Lane to the south and views from the north are limited to the frontage of Chancel Cottage within the street scene.
- 8.2 The setting of Chancel Cottage and the Conservation Area would be compromised by the proposed extension which will be clearly visible when view from the Church Yard as illustrated in photos 8,9,10,11 and 12 of appendix C, from the south and from the allotments as illustrated in photos 1-7 and from the footpath to the south east as illustrated by photos 15,16 and 17. Views from the west, south and east are all important views within the area. The Management Plan of the Steeple Aston Conservation Area Appraisal, see a copy of the Conservation Area Appraisal at Appendix D states *'The importance of views into, out of and within the Conservation Area, in particular those of the church an eye catcher, are essential to the special quality of the place. Their protection and enhancement will be an important consideration in the determination of any proposed development'*.
- 8.3 The current setting from the east is a particularly historic, rural and tranquil setting on the village edge. It is appreciated that this is largely a private setting, although the site is visible from the allotment gardens to the rear of the property, but in any case Historic England's Good Practice Advice in Planning 3 'The Setting of Heritage Assets' clearly states that setting *'does not depend on public rights or ability to access it'*.
- 8.4 The proposed extension due to its scale, form and massing would significantly alter the plan form of the listed building and would be clearly visible when viewed from the west from the Church Yard and would significantly alter the existing views gained from within the Conservation Area on Fir Lane and with the setting of the grade II* listed church out to the open countryside to the east. From the allotments to the east the extension would be highly visible and would disrupt the views into the conservation area and views of the Grade II* listed church beyond as illustrated in

photographs 1, 2 and 5. The proposed extension would be considered to be an incongruous feature within the conservation area adversely affecting views into and out of the conservation area causing significant and demonstrable harm to the character and appearance of the Conservation Area and this harm is 'less than substantial'. Furthermore, the proposal is not considered to preserve or enhance the special interest of the character and appearance of the Conservation Area. The proposal would therefore fail to accord with Policies and ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and saved policies C28 and C30 of the Cherwell Local Plan 1996.

9.0 IMPACT ON THE SETTING OF ST PETER'S CHURCH – GRADE II* LISTED

- 9.1 The proposed extension by virtue of its scale, form and massing would have a detrimental impact on the setting of St Peter's Church, a grade II* listed building.
- 9.2 The extension would be seen - both from the appeal 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.
- 9.3 As set out 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 due to the scale, form and massing of the extension and its prominence within the street scene. This impact would be further emphasised by the proposed use of timber slats/cladding to its walls. The proposal would be considered to cause significant and undue harm to the setting of the grade II* listed Church which would not preserve or enhance the special interest of the buildings setting, therefore the proposals fail to accord with Policy ESD15 of the adopted Cherwell Local Plan 2011-2031 Part 1 and saved policies C28 and C30 of the Cherwell Local Plan 1996.

10.0 PUBLIC BENEFIT OF THE PROPOSED DEVELOPMENT

- 10.1 Paragraphs 134 of the National Planning Policy Framework requires the decision maker to weigh his harm against the public benefits of the proposal.
- 10.2 The optimum viable use is as a single family dwelling and the building clearly needs repair and maintenance in order to be put to this use. It is, however, considered that the property could be made into a single family dwelling suitable for modern day use without the need for the large extension. The Local Planning Authority has indicated that there are compromises that can be made to ensure the dwelling is suitable for modern living.
- 10.3 In this instance, it is considered that the identified harm to the grade II listed cottage and Conservation Area, which is clear, significant and demonstrable, is not outweighed by the proposal's benefits. Furthermore, 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.
- 10.4 There are not considered to be any public benefits to the proposal. The repair and maintenance works are considered to be the responsibility of the owners of the property and should be seen as a separate issue to the proposed extension works.
- 10.5 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 and listed building consent for the current proposal would not prevent use of the building.

11.0 IMPACT ON THE LISTED BUILDING – INSERTION OF ROOFLIGHTS, INTERNAL DOOR WAY AT FIRST FLOOR LEVEL AND OTHER WORKS

- 11.1 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.

11.2 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.

11.3 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.

11.4 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 combined with their size is considered to cause significant 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.

12.0 OTHER EXAMPLES OF EXTENSION IN THE AREA

12.1 **97/00338/LB and 97/00337/F** – The details of these applications has been considered. These applications were considered and determined on the 11th April 1997. Since this time a lot has changed in relation to National and Local Planning

policy and guidance and it is not considered by the Local Planning Authority that these applications are relevant to the assessment of the current applications.

- 12.2 **14/01553/F** – This application relates to a detached property within the Steeple Aston Conservation Area, the property is not listed. The proposal was for a two storey side extension which was considered to be in keeping with the scale, form and massing of the building. Furthermore, the site of the property is not as sensitive as the appeal site as it is sited further away from the grade II* listed church and other listed buildings along Fir Lane. The Local Planning Authority do not consider this planning application to be relevant to the assessment of the current proposal.

13.0 CONCLUSIONS

- 13.1 For the reason set out above it is clear that the proposed development, by virtue of its scale, form massing and materials, and insertion of six rooflights, in the existing building and the insertion of an internal door opening at first floor level, would result in significant and demonstrable harm to; the significance of Chancel Cottage as a grade II listed building and its setting, the special character and appearance of the Steeple Aston Conservation Area and the special character and appearance of the setting of St Peter's Church a grade II* listed Church. The proposed development would not be considered to preserve or enhance the special interest of Chancel Cottage and its setting, the conservation area and the special interest and setting of the grade II* listed St Peter's Church. The proposal would therefore fail to accord with Policy ESD15 of the Cherwell Local Plan Part 1 2011-2031 and saved policies C18, C28 and C30 of the Cherwell Local Plan 1996.