

Case Officer: Gemma Magnuson

Recommendation: Approve

Applicant: Mr & Mrs A Pasteur

Proposal: Amendments to the external elevational treatments to the potting shed/garden studio design as previously permitted under 19/00531/F

Expiry Date: 22 November 2019

1. APPLICATION SITE AND LOCALITY

- 1.1. Cedar Lodge is a detached Grade II listed dwelling situated to the north of the village of Steeple Aston, in the designated conservation area. Other Grade II listed buildings are situated to the north and west of the site. The site is of medium archaeological interest and it is likely to contain naturally elevated levels of Arsenic. A number of protected and notable species have been identified in the area. Two TPO'd trees are within the site.
- 1.2. The application relates to an existing curtilage listed outbuilding to the south-west of the main dwelling, abutting a curtilage listed wall.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1. The applicant seeks planning permission to amend a previously approved scheme for the conversion of the outbuilding to a garden studio (see ref:19/00531/F). The approved application related to a large number of works at the property along with the works to the outbuilding and has been partially implemented. The current application therefore seeks to amend the outbuilding only, rather than a resubmission of the whole scheme or variation of condition.
- 2.2. The proposed works would involve changes to the exterior appearance of the outbuilding, to include differing openings to those approved. In addition, as work has progressed on site the brick piers have been found to be unstable, thereby requiring their reconstruction.
- 2.3. The proposed openings would be constructed from timber. The roof would be slate with aluminium rainwater goods. Timber cladding would infill the walls between the piers and openings.

3. RELEVANT PLANNING HISTORY

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

<u>Application Ref.</u>	<u>Proposal</u>
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19/00531/F:	Removal of existing timber framed conservatory, internal alterations, new kitchen extension and the refurbishment of an existing potting shed to form a new garden studio.
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19/00532/LB:	Removal of existing timber framed conservatory, internal alterations, new kitchen extension and the refurbishment of an existing potting shed to form a new garden studio.
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3.2. The above applications relate to the approved scheme.

4. PRE-APPLICATION DISCUSSIONS

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

5. RESPONSE TO PUBLICITY

5.1. This application has been publicised by way of a site notice displayed near the site, by advertisement in the local newspaper, and by letters sent to all properties immediately adjoining the application site that the Council has been able to identify from its records. The final date for comments was **18 November 2019**, although comments received after this date and before finalising this report have also been taken into account.

5.2. No comments have been raised by third parties.

6. RESPONSE TO CONSULTATION

6.1. 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

6.2. Steeple Aston Parish Council – (commented on accompanying 19/02110/LB) no objection .

6.3. Mid-Cherwell Neighbourhood Plan Forum – no comments received.

OTHER CONSULTEES

6.4. CDC Conservation (consulted as part of accompanying 19/02110/LB) - There are no particular objections to the alternative external appearance of the potting shed. There are some concerns that the proposal is to replicate the design / profiles of the kitchen extension as the potting shed is clearly historically distinct from the principal property. It was understood from a site visit to the property that a more significant level of work was required to the historic fabric due to defects that were uncovered during the commencement of works. This was clearly necessary (particularly in terms of the rebuild of the brick piers), but should be detailed in a schedule of works or method statement. A core consideration will be the impact on the historic boundary wall and further information / justification is required about the insulated plasterboard to ensure it will not be causing environment damage to the historic fabric and will allow the wall to breathe.

7. RELEVANT PLANNING POLICY AND GUIDANCE

7.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

7.2. 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 of new residential development
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MID-CHERWELL NEIGHBOURHOOD PLAN

- PD4: Protection of important views and vistas
- PD5: Building and Site Design

7.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Cherwell Residential Design Guide (2018)
- Cherwell Council Home Extensions and Alterations Design Guide (2007)

8. APPRAISAL

8.1. The key issues for consideration in this case are:

- Design, and impact on the character of the area, including heritage assets
- Residential amenity
- Highway safety/parking provision

The impact of the development upon protected species was considered as part of the approved scheme. Given that work has already commenced on site, and the short length of time between this application and the consideration of the previous application I did not consider it necessary to require a protected species survey. The retention of existing biodiversity enhancements throughout the site have already been secured by the previous scheme.

Design and Impact on the Character of the Area, including Heritage Assets

8.2. 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.

8.3. Policy ESD 15 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. Proposals for development that affect non-designated heritage assets will be considered taking account of the scale of any harm or loss and the significance of the heritage asset.

- 8.4. Saved Policies C28 and C30 of the Cherwell Local Plan 1996 seek a standard of layout, design and external appearance, including the choice of external finish materials, that are sympathetic to the character of the context of the development. In sensitive areas, such as Conservation Areas, development will be required to be of a high standard and the use of traditional local building materials will normally be required.
- 8.5. Policy PD4 of the Mid-Cherwell Neighbourhood Plan requires consideration of important views and vistas, the designated conservation area and other heritage assets, in order to avoid harm. Policy PD5 requires new development to be a high standard that responds to the character of the settlement, including landscape mitigation and retention of walls.
- 8.6. The existing outbuilding is well concealed from view of the public domain beyond the main dwelling and an existing stone wall and as a result, I do not consider that the proposed amendments would result in harm to the visual amenities of the locality or the historic significance of the designated Conservation Area.
- 8.7. The use of timber cladding upon an outbuilding is considered acceptable, and whilst there are concerns regarding the domestic appearance of the outbuilding, given the physical separation of the structure from the main dwelling I do not consider that this could be described as causing harm to the historic significance of the listed buildings or their setting. The proposed accords with the above Policies in terms of visual impact.
- 8.8. Residential Amenity
- 8.9. Government guidance contained within the NPPF requires development to create places that are safe, inclusive and accessible, promoting health and well-being, and with a high standard of amenity for existing and future users. Policy ESD 15 of the Cherwell Local Plan 2011-2031 requires all development to consider the amenity of both existing and future development. Saved Policy C30 of the Cherwell Local Plan 1996 seeks standards of amenity and privacy acceptable to the Local Planning Authority.
- 8.10. The proposed works would take place a sufficient distance from all neighbours to avoid any harm in terms of a loss of amenity or privacy, in accordance with the above Policies.

9. PLANNING BALANCE AND CONCLUSION

- 9.1. For the reasons set out in this report, the proposal complies with the relevant Development Plan policies and guidance listed at section 7 of this report, and so is considered to be sustainable development. In accordance with Paragraph 11 of the NPPF, permission should therefore be granted.

10. RECOMMENDATION

That permission is granted, subject to the following conditions:

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.

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the information contained within the application form and the following approved plans: Drawing No's: 2018-1014-PL01 Rev. B, 2018-1014-PL02 Rev. A, 2018-1014-GA10 Rev. B, 2018-1014-GA11 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.

3. Prior to the erection of the walls of the outbuilding hereby approved, opening details at a scale of 1:20 including cross sections shall be submitted to, and samples of the proposed construction materials shall be made available for inspection on site, and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained as such thereafter.

Reason – To ensure the satisfactory appearance of the completed development and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, Policy PD5 of the Mid-Cherwell Neighbourhood Plan 2018-2031, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

Case Officer: Gemma Magnuson

DATE: 22 November 2019

Checked By: Paul Ihringer

DATE: 22/11/19
