

Case Officer: Gemma Magnuson **Recommendation:** Approve

Applicant: Mr & Mrs A Pasteur

Proposal: Change to one window in new extension as approved under application 19/00532/LB.

Expiry Date: 16 April 2020 **Extension of Time:** No

1. APPLICATION SITE AND SUMMARY OF SIGNIFICANCE

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 Conservation Officer has provided the following summary of significance:

- *The listed building description is for identification purposes only (as was usual at the date of listing in 1988) and does not give an indication of significance. The building is of mid-18th century date with some later extensions and alterations. The heritage report for the site provides a basic description of the building 'The north (front elevation to the house) whilst imposing is relatively plain, in comparison to what appears to be a more refined and architectural south (garden elevation). The main range is 'double pile' with a central valley and gable ends, the west service range is single span, hipped and with a slate roof.' The heritage report suggests there a range of elements of significance including:*
- *Physical evidence of building that has evolved from its early 18th century origins and provides understanding of its development and the gentrification of the village from the 19th century.*
- *It exhibits evidence of several phases of change, reflecting the needs and aspirations of new occupiers and shows how the demands of contemporary society are reflected in the building's fabric and setting.*
- *Its history as a large detached house and its ownership by wealthy landowners contributes to understanding of the social and economic structure of the village and the impact of the wealthy middle and upper classes.*
- *The 'chapters' in the building's history have resulted in a change to the house, adding interest but sometimes losing part of the history and earlier evidence. Changes to the building's setting also contribute to its historical interest with evidence of the amalgamation of the closes to create the extensive garden setting.*

2. DESCRIPTION OF PROPOSED DEVELOPMENT

2.1. This application seeks listed building consent to use a larger window to that approved within an extension to the dwelling. The original extension was approved

on 16 May 2019. The window proposed for amendment is within the southern facing elevation and the window would be enlarged following the lowering of the sill.

3. RELEVANT PLANNING HISTORY

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

Application: 19/00531/F Permitted 17 May 2019

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.

Application: 19/00532/LB Permitted 17 May 2019

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.

Application: 19/01418/DISC Permitted 25 November 2020

Discharge of condition 4 (biodiversity enhancements), 5 (schedule of materials) and 6 (Arboricultural Method Statement) of 19/00531/F

Application: 19/01419/DISC Permitted 25 November 2020

Discharge of condition 4 (schedule of materials), 5 (cross section and colour/finish), 7 (French drain details) and 8 (stone floor method statement) of 19/00532/LB

Application: 20/00493/F Permitted

Change to one window in new extension as approved under application 19/00531/F

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 and by advertisement in the local newspaper. The final date for comments was **31 March 2020**, although comments received after this date and before finalising this report have also been taken into account. 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 – no comments received.

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

OTHER CONSULTEES

6.4. CDC Conservation – no comments received.

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)

- C18 – Development proposals affecting a listed building

Mid-Cherwell Neighbourhood Development Plan 2018-3031 Policies:

- 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)
- Managing Significance in Decision-Taking in the Historic Environment: Historic England Good Practice (2015)
- The Setting of Heritage Assets: Historic England Good Practice (2015)

8. APPRAISAL

8.1. The key issue for consideration in this case is the impact on the historic significance and setting of the listed building(s).

8.2. Section 16(2) of The Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that: *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.* Further, under Section 72(1) of the same Act the Local Planning Authority has a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area.

8.3. Listed Buildings and Conservation Areas are designated heritage assets, and Paragraph 190 of the NPPF states that: *Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise.*

- 8.4. Paragraph 193 of the NPPF directs 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. Saved Policy C18 from the Cherwell Local Plan 1996 requires alterations to listed building to be both minor and sympathetic.
- 8.5. Policy PD4 of the Mid-Cherwell Local Plan states that development should not harm to the Conservation Area and its setting, other heritage assets or historic street and village views and longer distance vistas. Policy PD5 requires development to be designed to a high standard which responds to the distinctive character of the settlement, including where possible appropriate landscape mitigation, identification and protection of traditional stone walls and the improvement of footpaths and cycleways.
- 8.6. The current application was submitted whilst two DISC applications (see refs: 19/01418/DISC & 19/01419/DISC) were being considered by the Local Planning Authority. These are relevant to the current case, as they related to the opening details for the approved extension (see refs: 19/00531/F & 19/00532/LB). The current case seeks to amend the cill height of one of the approved windows.
- 8.7. During the consideration of the DISC applications, the Conservation Officer raised concern regarding the use of standard double glazing with applied glazing bars. I raised this with the Agent on 03 February 2020, advising that the openings should consist of slimlite double glazing with integral glazing bars.
- 8.8. The Agent advised on 06 February 2020 that the openings had already been installed. The current application was subsequently submitted and determination has been delayed pending the outcome of further consideration by the Conservation Officer. The COVID-19 pandemic has hampered the consideration of the application; a meeting was due to be held on site on 18 March 2020 although this had to be cancelled until further notice.
- 8.9. As restrictions eased, I visited the site unaccompanied on 27 May 2020 and was able to confirm that the larger window proposed as part of the current application has been installed within the extension.
- 8.10. I received comments from the Conservation Officer on 11 September 2020 advising that *"In my view although the windows on the extension aren't ideal and the Conservation Team would usually try to push for slimlite double glazing I am not sure that it is expedient to enforce those on the extension. The harm is more limited and reversible– (this is the second extension in this location since 2000) and the building is clearly read as a modern addition."*
- 8.11. As a result, the opening details proposed as part of the DISC applications were approved on 25 November 2020.
- 8.12. The current application seeks to increase the size of the central window on the southern elevation through the lowering of the cill, although in other respects the opening is as approved as part of the DISC applications.
- 8.13. I therefore consider that the lowered cill represents a minor alteration, in-keeping with the two door openings to either side, that does not harm the historic significance of the listed building, its setting, the setting of nearby listed buildings or the designated Conservation Area, in accordance with the above Policies.

9. RECOMMENDATION

That consent is granted, subject to the following conditions:

1. Except where otherwise stipulated by conditions attached to this permission, the development shall remain in accordance with the information contained within the application form and the following approved plans: Drg. No: 2018-1014-PL31, Mumford and Wood Ltd window details

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.

Case Officer: Gemma Magnuson

DATE: 14 January 2021

Checked By: Paul Ihringer

DATE: 27/1/21