

**Case Officer:** Gemma Magnuson**Recommendation:** Approve**Applicant:** Mr & Mrs A Pasteur**Proposal:** Discharge of Condition 3 (opening details and material samples) of 19/02109/F**Expiry Date:** 18 May 2020**Extension of Time:** No

## **1. APPLICATION SITE AND DESCRIPTION OF APPROVED DEVELOPMENT**

- 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. Planning permission was granted on 22 November 2019 for the amendment of external elevational treatment to the outbuilding under reference 19/02109/F. This was an amendment to an earlier application 19/00531/F that incorporated alterations to the existing outbuilding and main dwelling. The latter application therefore only dealt with the outbuilding.
- 1.3. Permission was granted subject to conditions. The current application seeks to discharge condition 3 from 19/02109/F.

## **2. CONDITIONS PROPOSED TO BE DISCHARGED**

- 2.1. Condition 3 sought opening details prior to the erection of the walls of the outbuilding. This was submitted in the form of Mumford and Wood Ltd order details, and Conservation Casement details received with the application on 23 March 2020.

## **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: 19/02109/F** Permitted 22 November 2019

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

**Application: 19/02110/LB** Permitted 22 November 2019

Amendments to the external elevational treatments to the potting shed/garden studio design as previously permitted under 19/00532/LB

**Application: 20/00845/DISC**

Discharge of conditions 3 (Opening Details and Material Samples), 4 (Method Statement) & 5 (Insulation Details) of 19/02110/LB

#### **4. RESPONSE TO PUBLICITY**

- 4.1 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 **2 May 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.

#### **5. RESPONSE TO CONSULTATION**

- 5.1. CDC Conservation – no comments received.

#### **6. APPRAISAL**

- 6.1. This current application was received on 23 March 2020 and it is my understanding that this followed the installation of the openings. However, plans of the openings were also submitted with this application.
- 6.2. I received confirmation from the Agent on 06 February 2020 that the openings in the extension had already been installed. The submission of the current application coincided with the COVID-19 pandemic, resulting in a delay in visiting the site. However, during my visit on 27 May 2019 I confirmed that the openings had also been installed within the outbuilding.
- 6.3. The current application followed the consideration of two DISC applications relating to openings (of the same type) within the extension (refs: 19/01418/DISC & 19/01419/DISC) and at this point, the Conservation Officer had already raised concerns regarding the use of standard double glazing with applied glazing bars.

- 6.4. I had raised these concerns with the Agent on 03 February 2020, advising that the openings should consist of slimlite double glazing with integral glazing bars.
- 6.5. As previously mentioned, the Agent advised on 06 February 2020 that the openings had already been installed within the extension. The determination of these DISC applications were therefore delayed whilst the Conservation Officer considered whether or not the details of the openings should be refused and enforcement action pursued. A meeting was due to be held on site on 18 March 2020 although the COVID-19 pandemic resulted in the need for this to be cancelled until further notice.
- 6.6. 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.”*
- 6.7. No comment has been provided specifically with regard to the same openings being used within the outbuilding, although I have applied the same principle. The outbuilding is physically and visually detached from the main dwelling and continues to be read as a separate structure. The work is reversible, with the opportunity for more traditional and sympathetic openings to be installed in future without causing harm to the original fabric of the building.
- 6.8. It is very disappointing that the applicants had installed these openings prior to discharging conditions, however on balance, it is considered that we are unlikely to be able to defend the refusal of the application at appeal for the above reasons. I therefore reluctantly recommend that this condition is discharged.

## **7. RECOMMENDATION**

That Planning Condition(s) 3 of 19//02109/F be discharged based upon the following:

### Condition 3

Openings in accordance with Mumford and Wood Ltd order details, and Conservation Casement details received with the application on 23 March 2020.

Case Officer: Gemma Magnuson

DATE: 12 January 2021

Checked By: Paul Ihringer

DATE: 27/1/21

---