

**Heyford Lodge, Heyford Road, Middleton Stoney,  
OX25 4AL**

**23/01646/F**

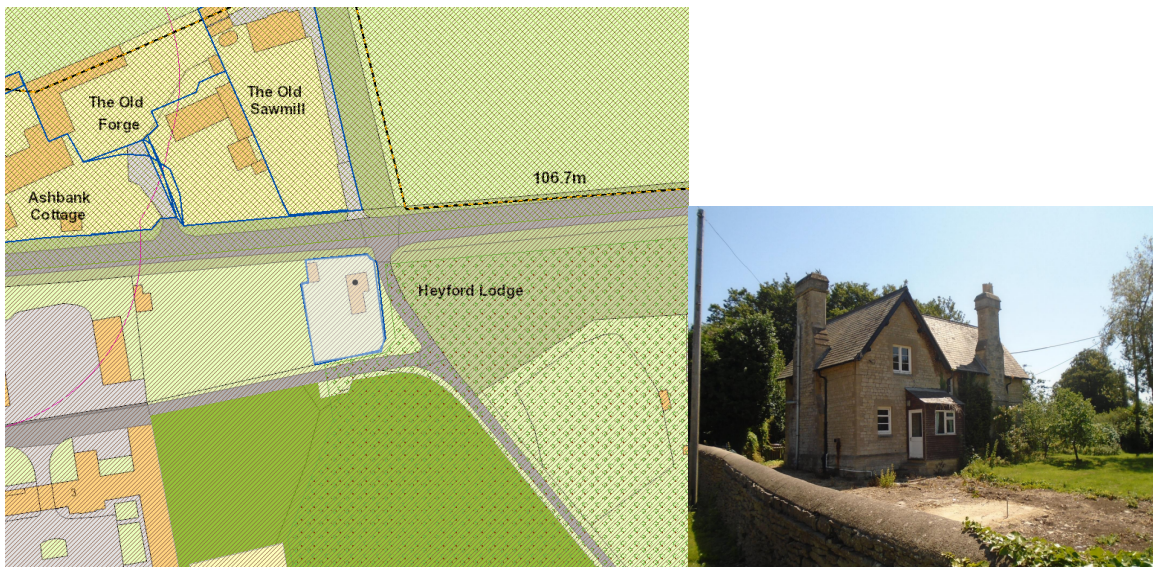
**Case Officer:** Gemma Magnuson

**Recommendation:** Refuse

**Applicant:** J H Norman & Sons

**Proposal:** Single and two storey extensions and internal modifications to existing dwelling

**Expiry Date:** 10 August 2023



## **1. Relevant Features of the Site**

Potentially contaminated land  
Major aquifer  
Ardley Trackways SSSI within 2km  
Minerals Consultation Area  
NERC Act Section 41 Habitat Wood pasture and parkland in close proximity  
Ponds in the vicinity  
Adjacent to Middleton Park Grade II Registered Park and Garden

## **2. Description of Proposed Development**

The application seeks planning permission to extend the existing dwelling. Internal modifications have also been proposed, although these do not require planning permission.

The extensions would consist of the erection of a two-storey rear extension at a depth of 6 metres, to be constructed from stonework with detailing to match that of the existing dwelling. The extension would incorporate a single storey lean-to element to the southern facing elevation, and there would be further pitched roof, timber clad single storey extension to the northern elevation. The timber clad extension would be staggered, so that it extends further beyond the rear elevation of the proposed two storey extension.

New openings are also proposed within the original dwelling, to include a below eaves level rooflight and the infilling of the existing porch canopy. The roofs would be constructed using natural slate.

The number of bedrooms at the property would remain at three, as existing.

### **3. Relevant Planning History and Pre-Application Discussions**

There is no planning history relating to the site.

### **4. Response to Publicity**

This application has been publicised by way of a site notice displayed near the site expiring **28 July 2023**. The overall final date for comments was **7 August 2023**. One response was received, supporting the application. The comments raised by third parties are summarised as follows:

- Will enhance the property
- In-keeping with the existing property

### **5. Response to Consultation**

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.

Middleton Stoney Parish Council – support the application.

Mid-Cherwell Neighbourhood Plan Forum – no comments received.

The Gardens Trust – holding objection and comment as follows:

*We have read the online documentation for a part 2-storey and part single-storey extension to the unlisted Victorian Heyford Lodge, which lies at the northern end of the drive which approaches the Grade II registered park and garden (RPG) of Middleton Park from the north. Heyford Lodge is immediately adjacent to the northern boundary of the RPG (NHLE 1001405) and the main house itself is listed at Grade I. Although the Lodge is not listed, it could potentially be considered to be a curtilage structure to the main house. It is therefore surprising that the Design and Access Statement (D&A) makes no mention whatsoever of the RPG or the relationship of the Lodge to the RPG and what impact the proposals might have on the setting and significance of the heritage assets.*

*Therefore, the application fails to meet the requirements of the NPPF Para 194 : 'In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.'*

*In our opinion, the single-storey extension is awkwardly related to the proposed two-storey extension and the fenestration could be more sympathetically designed. The lack of any reference to the RPG or other heritage assets means that insufficient information has been submitted in order for us to properly assess the application. We request that a proper heritage statement be prepared and that the design be reconsidered to simplify the fenestration and improve the relationship between the*

*extension and the original lodge building. We would like to submit a holding objection until these issues are resolved.*

OCC Minerals and Waste – no objection.

CDC Arboriculture – no comments received.

CDC Conservation – no comments received.

CDC Environmental Health – requests condition regarding unsuspected contamination.

CDC Land Drainage - no comments received.

## **6. Relevant Policy and Guidance**

Cherwell Local Plan 2011-2031 Part 1 - (CLP 2015)

- PSD1 – Presumption in favour of Sustainable Development  
*See page 36 of the CLP 2015 for full details.*
- SLE 4 – Improved Transport and Connections  
Requires all development, where reasonable to do so, to facilitate the use of sustainable modes of transport to make the fullest possible use of public transport, walking and cycling. Encouragement is also given to solutions which support reductions in greenhouse gas emissions and reduce congestion. Development which is not suitable for the roads that serve the development, and which have a severe traffic impact will not be supported. *See page 55 of the CLP 2015 for full details*
- ESD10 – Protection and Enhancement of Biodiversity and the Natural Environment  
Requires relevant habitat and species surveys to accompany applications which may affect a site, habitat or species of known or potential ecological value, seeking net gains in biodiversity, the protection of existing trees and the protection, management, enhancement and extension of existing resources along with the creation of new ones. *See page 106 of the CLP 2015 for full details*
- ESD13 – Local Landscape Protection and Enhancement  
Development is expected to respect and enhance local landscape character, securing appropriate mitigation where appropriate to local landscape character. Proposals will not be permitted if they would amongst others, harm the historic value of the landscape. *See page 111 of the CLP 2015 for full details*
- ESD15 - The Character of the Built and Historic Environment.  
New development will be expected to complement and enhance the character of its context through sensitive siting, layout and high-quality design. Where development is in the vicinity of the District's distinctive natural or historic assets, delivering high quality design that compliments the asset will be essential. *See page 117 of the CLP 2015 for full details.*

Cherwell Local Plan 1996 (saved policies) – (CLP 1996)

- C28 – Layout, Design and External Appearance of New Development  
New development required to have standards of layout, design and external appearance sympathetic to the character of the urban or rural context of that development. *See page 120 of the CLP 1996 for full details.*
- C30 – Design of New Residential Development

Development should be compatible to the scale of the existing dwelling, its curtilage and the character of the street scene. Development should also provide acceptable standards of amenity and privacy. *See page 120 of the CLP 1996 for full details.*

#### C33 – Protection of Important Gaps of Undeveloped Land

Seeks to preserve a view or feature of recognised amenity or historical value, such as trees of amenity value or the loss of features such as boundary walls where they constitute an important element of an attractive or enclosed streetscape. *See Page 115 of the CLP 1996 for full details*

### Mid-Cherwell Neighbourhood Development Plan Policies (MCNP)

- PD4 – Protection of Important Views and Vistas  
Development should not harm to the Conservation Area and its setting, other heritage assets or historic street and village views and longer distance vistas. *See page 33 of the MCNP 2031 for full details.*
- PD5 - Building and Site Design  
New development should be designed to a high standard which responds to the distinctive character of the settlement. *See page 35 of the MCNP 2031 for full details.*
- PH6 – Parking Facilities for Existing Dwellings  
Requires applications to alter or extend an existing dwelling that would reduce the existing level of off-street parking provision will be resisted unless it can be demonstrated that the amount of overall parking provision retained on site is satisfactory, and will not exacerbate existing difficulties with on-street parking in the locality. *See page 45 of the MCNP 2031 for full details.*

#### Other Material Planning Considerations

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

## 7. Appraisal

### Design and impact on character of the area

The existing dwelling consists of a modest former lodge house associated with one of the entrances to the Middleton Park estate. The applicants have declared that they are the owner of the building, and all surrounding land, including nearby Park Farm to the west. It is unclear when the lodge building was separated from Middleton Park although, as The Gardens Trust have indicated, the building could potentially be a curtilage listed building to the main Grade I and Grade II\* listed Middleton Park house. Whilst the site is not within the Registered Park and Garden, I consider that it does form a part of the setting of this designated heritage asset, particularly since it marks one of the entrances to the park.

Due to the historic interest of the site, I agree with The Gardens Trust that a heritage assessment should accompany the application, which is a requirement of the NPPF. The assessment should determine whether or not the building is curtilage listed.

The site is immediately adjacent to the B4030 road, separated by a low stone wall and narrow grass verge. There is no other boundary treatment on the northern boundary and, as a result, the northern facing side, and rear, elevations are visually prominent within the existing street scene. Trees and mature vegetation partially obscure the frontage of the dwelling, although glimpses are possible from the

existing gated access. Aerial images suggest that a mature tree has recently been felled within the garden, and an outbuilding also appears to have been demolished.

The application proposes a substantial extension to the existing dwelling, with a footprint 153% larger than the footprint of the existing dwelling. The single storey, timber clad, pitched roof element of the extension would also serve to stagger the northern elevation and bring it closer to the road. The use of timber cladding as a construction material is not generally supported in the District upon residential extensions, as indicated in the Residential Design Guide.

Whilst the roof ridge height of the proposed two storey extension would be set lower than that of the existing dwelling, it would constitute a bulky addition that would conceal the majority of the visually prominent western facing elevation of the dwelling, which is at present a neat and attractive gable with characteristic eaves detailing. The chimney features would also be partially obscured from view. The design of the lean-to element of the two-storey extension would appear rather contrived with a section of roof cut away to avoid concealing the landing window, although I acknowledge that this would not be visible from the public domain.

Eaves level dormer windows are proposed within the southern facing roof slope of the two-storey extension, which are not features of the existing building, and these, together with an incoherent assortment of openings that do not resemble the appearance of the existing openings, would all result in a fussy and discordant appearance.

Whilst a heritage assessment has not been submitted with the application, I consider that I am still able to determine that the existing dwelling is a heritage asset that has some historic significance through association with Middleton Park, whether or not it is designated, and that the site forms a part of the setting of the Grade II listed Registered Park and Garden. The dwelling could be curtilage listed, although this has not been established at the time of writing.

It is considered that the extensions, by virtue of their size, design, siting and choice of construction material, would appear as bulky, overly prominent, unsympathetic and discordant additions to the dwelling that would draw undue attention to themselves, detracting from the visual amenities of the area and resulting in less than substantial harm to the historic significance of this heritage asset and the setting of the Middleton Park Grade II listed Registered Park and Garden. With no public benefits to outweigh the harm identified, the proposal is considered to be contrary to Policies ESD 13 and ESD 15 of the CLP 2015, saved Policies C28 and C30 of the CLP 1996, and Government guidance contained within the NPPF.

Conclusion: unacceptable.

### **Residential amenity**

The proposed extensions and alterations are positioned a sufficient distance from all neighbouring properties to avoid any harm in terms of a loss of privacy or amenity. The proposal therefore accords with the above Policies in terms of residential amenity.

Conclusion: acceptable.

### **Highway safety**

The proposed development would not increase the number of bedrooms at the property, and it would not involve the loss of existing off-street parking. As a result, I

do not consider that the development would present any harm in terms of highway safety and parking provision, in accordance with the above Policies.

Conclusion: acceptable.

### **Ecological impact**

Due to the age and proximity to suitable habitat features I consider that the site may be suitable for use as a bat roost. However, given the lack of records in the vicinity of the site and as the development would not involve an interruption to the existing roof space, aside from one rooflight beneath the eaves on the northern facing elevation. I have not, therefore, requested the submission of a protected species survey. However, I consider that the applicant's attention should be drawn to the potential to discover protected species during the course of the development and their responsibilities should this be the case. This can be done via an informative.

The development therefore complies with the above Policies in terms of protected species and their habitat.

Conclusion: acceptable.

## **8. Planning Balance and Conclusion**

Despite the development not resulting in harm in terms of residential amenity, highway safety or ecological impact, the proposed extensions would detract from the visual amenities of the locality and cause less than substantial harm to this heritage asset and the setting of Grade II listed Middleton Park Registered Park and Garden. The development is not considered to constitute sustainable development for these reasons, and the application is recommended for refusal.

## **9. RECOMMENDATION**

That permission is refused, for the following reason(s):

By virtue of their size, design, siting and choice of construction material, the proposed extensions would appear as bulky, overly prominent, unsympathetic and discordant additions to the dwelling that would draw undue attention to themselves, resulting in poor design and detracting from the visual amenities of the area and resulting in less than substantial harm to the historic significance of this heritage asset and the setting of the Middleton Park Grade II listed Registered Park and Garden. Furthermore, the applicant has failed to provide a heritage assessment to determine the impact of the development upon the historic significance of this potentially curtilage listed structure and the setting of the adjacent Grade II listed Registered Park and Garden. The proposed development is therefore contrary to Policies ESD 13 and ESD 15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policies C28 and C30 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

Case Officer: Gemma Magnuson

DATE: 10 August 2023

Checked By: Nathanael Stock

DATE: 10.08.2023

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