

**Case Officer:** Gemma Magnuson      **Recommendation:** Refuse

**Applicant:** Mr & Mrs A Pasteur

**Proposal:** Creation of jib door and stair, and associated works to include the removal of ceiling joists

**Expiry Date:** 30 December 2019      **Extension of Time:** No

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## 1. APPLICATION SITE AND SUMMARY OF SIGNIFICANCE

- 1.1. Cedar Lodge is detached, Grade II listed dwelling situated central 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.
- 1.2. The Conservation Officer has provided the following summary of significance of the building:
- 1.3. *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.*
- 1.4. *The building is of mid 18th Century date with some later extensions and alterations. The initial 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.'*
- 1.5. *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 19<sup>th</sup> 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.*
- 1.6. *The Heritage Report also provides a conjectural summary of the changing role of the service wing. The report indicates that the loft area would not have been used as accommodation with servants instead being housed in the service wing of the*

*building. The report also states that guests and members of the family would also have used this same area. 'Census information indicates that there are usually about 3 or 4 family members and 3 or 4 servants at any one time. Two of the servants (the Groom and the Gardener) very possibly lived in ancillary accommodation to the house, leaving just two servants occupying the service range. This means that there were likely only 2 or 3 servants needing accommodation in the service range and 3 or 4 members of the family plus guests needing 'main' accommodation. As there are only 2 principal bedrooms for the heads of the household and their guests, at least one more 'main' room is required for the children'*

## **2. DESCRIPTION OF PROPOSED DEVELOPMENT**

- 2.1. This application seeks consent to create a jib door at first floor level to connect one of the principal bedrooms in the main house into a small room within the service wing to create a dressing room.
- 2.2. The application follows a refused application for the creation of a jib door and stair in this location to provide access from the bedroom to an en-suite (19/00703/LB). Listed building consent has since been granted to create an en-suite on the opposite side of the bedroom making use of an existing door (19/01411/LB), and a walk-in wardrobe and office accessed from the existing landing. The jib door and stairs are now proposed to provide access from the bedroom to the approved walk-in wardrobe and office.
- 2.3. Following a further visit to the site, the ceiling within the walk-in wardrobe and office had been removed without consent, although it enabled full appreciation of the extent of the work that would be required in order to create the jib door and stair. It was now clear that ceiling joists would also need to be removed in order to accommodate the access. Further details have subsequently been supplied of the required works to the ceiling and joists.

## **3. RELEVANT PLANNING HISTORY**

- 3.1. The following planning history is considered relevant to the current proposal:
- 3.2. 19/00703/LB – Creation of a jib door between bedroom and bathroom to create an en-suite with associated works – refused
- 3.3. 19/01411/LB – Creation of new bathroom, removal of existing bathroom partition, realignment of existing bathroom wall, creation of new walk-in wardrobe/office and removal of staircase to attic rooms and insertion of loft hatch and ladder – approved
- 3.4. 19/01647/LB – Creation of jib door and associated stair – withdrawn

Application 19/00703/LB was refused on the following grounds:

*That the proposed breach through between the original farmhouse and the later service wing would result in less than substantial harm to the significance of this designated heritage asset through the erosion of the distinction between the principal and service accommodation. In the absence of identified public benefit to outweigh the less than substantial harm, the proposal is contrary to Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and saved Policy C18 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.*

#### 4. PRE-APPLICATION DISCUSSIONS

- 4.1. The following pre-application discussions have taken place with regard to this proposal:

<u>Application Ref.</u>	<u>Proposal</u>
19/00012/PREAPP	Internal alterations and reconfiguration and glazed link to existing buildings

- 4.2. The applicant was advised that the creation of a jib door between the bedroom and bathroom was unlikely to be supported at application stage.

#### 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 23 January 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 Plan Forum – no comments received.

##### OTHER CONSULTEES

- 6.4. CDC Building Control – no adverse comments or observations.
- 6.5. CDC Conservation – Regardless of the specific phasing and development of the building the following fundamental issues remain.

- The fundamental issue is that the proposed development breaches through two physically and functionally distinct areas of the building which causes harm to an understanding of the evolution of the plan form of the building. Regardless of the precise historic evolution of the building the internal character of the 'service wing' is different to that of the principal property which is reflected in the change of levels, lower ceiling heights, relative size of rooms etc.
- The Heritage Report refers to the room which is the subject of this application as '*A former small box room, typical of a servant's bedroom has been extended when a small lean-to was added over a ground floor bay window*'. The proposal to alter the function of this room to an ancillary dressing room by linking these two spaces creates a 'false history' for the building reflecting a property of historically higher status with a series of ancillary rooms more reminiscent of grand country houses rather than the

smaller country home of local 'gentleman' status that Cedar Lodge represents.

- In previous applications it was thought that the only historic fabric to be lost was the walling in the gable end, however the return visit to the site revealed that it would also involve the loss of part of the lath and plaster ceiling (which had already been taken down without consent) and ceiling joists in the service wing in order to allow for headroom above the stairs between the two phases of the building.
- It is understood that the listed buildings need to adapt and change and a number of alterations to the building have been permitted in recent listed building and planning consents (19/00531/F and 19/00532/LB; 19/01124/F). In particular listed building consent (19/01411/LB) has been granted for an ensuite leading off the same bedroom in a more suitable area (which was identified in the Heritage Report as having potentially once formed a shared dressing room).
- The changes proposed in this application are considered to cause harm to the significance of this area of the building. An alternative solution for an ensuite for this bedroom has been agreed upon and granted listed building consent. There are therefore no public benefits and the purely private benefits of the particular preferences of the current owners are not considered to outweigh the harm caused.

The proposed development is recommended for refusal.

6.6. National Amenity Societies – 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 PLAN

- PD4 - Important views and vistas

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)
- The Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended)

## 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 of the CLP 1996 seeks minor and sympathetic alterations to listed buildings.
- 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.
- 8.6. At the time of consideration of the previously refused application (19/00703/LB) it was understood that the dwelling consisted of a principal dwelling with attached service range, connected via the hallway at ground floor level and landing at first floor level. This is where the original connection between these two elements was anticipated to have been positioned.
- 8.7. Since the refusal of the application based on the breach through from the original farmhouse to the later service wing, information has come to light suggesting that this may not have been the function of both elements of the dwelling. A new Heritage Statement was produced to accompany a second application for the jib door (19/01647/LB) application that concluded that the 'service wing' was in fact a former farmhouse dating from pre 1767, that has now been absorbed as part of the service wing once The Lodge was constructed around 1767-1780 to become a smaller country residence.
- 8.8. During a further site visit, as a result of the unauthorised removal of the ceiling in the walk-in wardrobe at the time of the visit, the Conservation Officer identified a blocked window within the gable of the principal dwelling. The Conservation Officer considers it unlikely that a window would have been inserted into the wall if there was an

existing building in that location. The Heritage Statement submitted with the current application is not considered to fully address the issue of the blocked window.

- 8.9. The current application also details the loss of a section of ceiling joists, and lathe and plaster ceiling, an element of the proposal that was not included in previous submissions. The development would therefore involve the loss of more historic fabric than had previously been appreciated.
- 8.10. As the Conservation Officer has advised, regardless of the specific phasing and development of the building, fundamental issues with the proposed breach between these physically and functionally distinct areas of the building remain. The development is considered to lead to harm in terms of the understanding of the evolution of the plan form of the building, with both elements displaying differing characters internally such as the level change, lower ceiling heights and room sizes.
- 8.11. The linking of the bedroom and ancillary dressing room would also create a false history for the building, reflecting a property of higher status such as a grand country house, rather than the actual status of Cedar Lodge as a smaller country home of a local gentleman.
- 8.12. As a result, it is considered that the proposed development would cause less than substantial harm to the historic significance of the listed building.
- 8.13. Government guidance contained within the NPPF and echoed by Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use, where appropriate.
- 8.14. Whilst the expectations of 21<sup>st</sup> Century accommodation are noted, and the current owners' investment in the repair and upgrading of the building, although I do not consider these benefits to outweigh the less than substantial harm that has been identified.
- 8.15. The proposed development is therefore contrary to Government guidance contained within the NPPF, Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and saved Policy C18 of the Cherwell Local Plan 1996.

## **9. RECOMMENDATION**

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

1. The proposed breach through the building would result in less than substantial harm to the significance of the grade II listed Cedar Lodge through the erosion of the distinction between the differing functional areas of the building. In the absence of identified public benefit to outweigh the less than substantial harm identified, the proposal is contrary to Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C18 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

Case Officer: Gemma Magnuson

DATE: 27 January 2020

Checked By: Paul Ihringer

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