

**Case Officer:** Gemma Magnuson

**Recommendation:** Application  
Permitted

**Applicant:** Bee Osborn

**Proposal:** Variation of condition 2 (plans) of 17/02372/F – Alteration to openings

**Expiry Date:** 15 November 2019

**Extension of Time:** Yes

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## **1. APPLICATION SITE AND LOCALITY**

- 1.1. The Old Post Office is a detached Grade II listed building situated north-east of the village of Sibford Ferris, in the Conservation Area. Other Grade II listed buildings are situated in close proximity to the site to the east. A Public Right of Way runs adjacent to the site to the west. The site is of archaeological interest and is likely to contain naturally elevated levels of Arsenic.
- 1.2. The building became a listed building in September 1988 and is described as an early/mid 18<sup>th</sup> Century house. It is understood that it is the former post office serving the village and a post box remains in the front elevation.

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

- 2.1. The application seeks to amend a previously approved application (ref: 17/02372/F) that gained planning permission for the erection of a second storey extension to an existing single storey utility room with the renovation of the current rear ancillary buildings. The amendments would involve the alteration of an approved door, the installation of a door opening in the rear ancillary buildings. An existing window opening would also be enlarged on the rear elevation.
- 2.2. Application 19/01763/LB accompanies this application for planning permission.

## **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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17/02372/F:	Erection of second storey extension to an existing single storey utility room with the renovation of the current rear ancillary buildings.
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17/02373/LB:	Erection of second storey extension to an existing single storey utility room with the renovation of the current rear ancillary buildings.
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## **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 **9 November 2019**, 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. Sibford Ferris Parish Council – no objection.

### OTHER CONSULTEES

- 6.3. CDC Conservation – The general proposals are now considered acceptable. Further details are required of the proposed sections of the windows and doors. Slim lite double glazing is considered acceptable, but standard double glazing isn't. Rooflights should be flush with the slope of the roof and not situated on top of the rafters. The details can be submitted in advance of the determination of the application or can be attached as a condition. Amended plans were received on 15.11.2019 and the Conservation Officer verbally advised that these are acceptable on the same date.
- 6.4. OCC Rights of Way – Sibford Ferris Footpath 10 runs to the Western side of the buildings. The width of this footpath is not limited to the surfaced track but is assumed to include the full width between the boundary walls/buildings. Therefore not doors or gates should open outwards onto the footpath as appear to be shown in the plans. No other objects should be placed here. Conditions suggested.
- 6.5. Open Spaces Society – no comments received.
- 6.6. Ramblers Association – 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)

- C28 – Layout, design and external appearance of new development
- C30 – Design of new residential development

- 7.3. Other Material Planning Considerations
- National Planning Policy Framework (NPPF)
  - Planning Practice Guidance (PPG)

## 8. APPRAISAL

- 8.1. The key issues for consideration in this case are:
- Design, and impact on the character of the area, including designated heritage assets
  - Residential amenity

### Design and Impact on the Character of the Area, including designated 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. The principle of the development has already been accepted by the previous permission and I am therefore only considering the proposed amendments. I did have concerns regarding the original scheme, as it would involve the loss of a historic feature on the rear elevation connected to the previous post office use that is believed to have been used for loading. The style of the opening in the side of the ancillary outbuilding was also considered domestic in appearance and the increase in the rooflights on the public side of the ancillary building was considered a backwards step.
- 8.6. Amended plans were received on 15 November 2019 that included rooflights as previously approved, details of a less domestic style door and the increase in the size of an existing window opening rather than the installation of a door. This increase would actually restore the dimensions of the probable former post office loading opening and would, in my opinion, enhance its significance.
- 8.7. The amendments would take place away from view of the public domain and would have no impact upon visual amenity, or the character and appearance of the designated Conservation Area. The listed building, its setting and the setting of nearby listed buildings would also be unharmed. I consider the proposal to accord with the above Policies in terms of visual impact.

## Residential Amenity

- 8.8. Paragraph 127 of the NPPF includes, as a core planning principle, a requirement that planning should have a *high standard of amenity for all existing and future users*. This is reflected in Policy ESD15 of the CLP 2031 Part 1, which states that new development proposals should: *consider the amenity of both existing and future development, including matters of privacy, outlook, natural lighting, ventilation, and indoor and outdoor space*.
- 8.9. The proposed openings are positioned a sufficient distance from openings at neighbouring properties in order to avoid a significant loss of 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 25<sup>th</sup> January 2021.

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: 100\_Rev C, 110\_Rev C, 120\_Rev C, 200\_Rev C, 210\_Rev C, 400\_Rev C, 401\_Rev C, 402\_Rev C, Door and Window Schedule dated 14.11.2019 all received 15.11.2019

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 commencement of any stonework hereby approved, a stone sample panel (minimum 1m<sup>2</sup> in size) shall be constructed on site in natural ironstone to match the stonework on the existing building, which shall be inspected and approved in writing by the Local Planning Authority. Thereafter, the external walls of the development shall be laid, dressed, coursed and pointed in strict accordance with the approved stone sample panel.

Reason - To ensure that the development is constructed and finished in materials which are in harmony with the building materials used in the locality and to comply with Policy ESD15 of the Cherwell Local Plan 2011 - 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

4. Prior to the covering of the roofs of the development hereby approved, samples of the tile to be used in the construction of the roof of the development shall be

submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the samples so approved.

Reason - To ensure that the completed development is in keeping with and conserves the special character of the existing historic building and to comply with Policy ESD15 of the Cherwell Local Plan 2011 - 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

5. The approved window in the first floor side (eastern) elevation shall be glazed at all times with obscured glass that achieves a minimum of level 3 obscurity and shall be non-opening below a height of 1.7 metres taken from internal finished floor level. The window shall be retained as such thereafter.

Reason - To safeguard the privacy and amenities of the occupants of the adjoining premises and to comply with Policy ESD15 of the Cherwell Local Plan 2011 - 2031 Part 1, Saved Policy C30 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

6. The rooflights hereby approved shall be of a conservation style design which, when installed, do not project forward of the general roof surface, and shall be permanently so retained thereafter.

Reason - In the interests of preserving the character and appearance of the heritage asset and to accord with Policy ESD 15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

Case Officer: Gemma Magnuson

DATE: 15 November 2019

Checked By: Paul Ihringer

DATE: 15/11/19

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