

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

Applicant: Mr William Sabin

Proposal: RETROSPECTIVE - Steel portal / oak framed workshop and two bay carport with integral mezzanine over

Expiry Date: 18 November 2020 **Extension of Time:** Yes

1. APPLICATION SITE AND SUMMARY OF SIGNIFICANCE

1.1. The application site is a grade II listed mill building situated within open countryside to the north east of Sibford Ferris. The site is a working livestock farm and the main dwelling sits adjacent to historic and agricultural buildings/barns.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

2.1. The application seeks listed building consent (part retrospective) for a steel portal/oak framed workshop and two bay carport with integral mezzanine. The application is accompanied by an application for planning permission (ref: 20/00947/F).

2.2. Planning permission and listed building consent were both granted during July 2018 for an oak framed workshop and two bay carport with integral mezzanine over (see planning history below), although the applicant began constructing a larger steel framed structure that was not in accordance with the approved plans. The current applications now seek to regularise the situation.

2.3. The applicant has explained that the steel frame was used in order to ensure the longevity of the structure given the pressure of the 3 metre tall earth bank to the north, to overcome the risk of flooding through raising the floor level of the car port and due to the poor foundations of the mill building and the requirement for the proposed workshop to support this.

2.4. At the time of my visit during May 2020 the steel structure was in place along with some blockwork walls. Work had ceased on site.

2.5. The current proposal seeks to make use of the steel structure that is already in place. One of the main concerns with the increased height was the interruption of a first floor window in the gable of the existing dwelling to which the structure would adjoin. A stepped design has therefore been proposed with part of the roof cut away where it abuts the gable to accommodate the window.

3. RELEVANT PLANNING HISTORY

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

Application: 18/00775/F Permitted 20 July 2018

Demolition of existing lean to canopy and stone built carport to be replaced with oak framed workshop and two bay carport with integral mezzanine over

Application: 18/00776/LB Permitted 20 July 2018

Demolition of existing lean to canopy and stone built carport to be replaced with oak framed workshop + two bay carport with integral mezzanine over.

Application: 18/00032/PREAPP 28 March 2018

Demolition of existing lean to canopy and stone built carport to be replaced with an oak framed workshop & two bay carport with integral mezzanine over for further workshop area

Application: 18/00341/DISC Permitted 30 November 2018

Discharge of Conditions 3 (material samples), 4 (doors and windows), 6 (staddle stone footings), 7 (ridge, eaves and verge) and 8 (forge and brick step recording) of 18/00775/F

Application: 18/00342/DISC Permitted 28 May 2019

Discharge of Conditions 3 (material samples), 4 (doors and windows), 6 (staddle stone footings), 7 (ridge, eaves and verge) and 8 (forge and brick step recording) of 18/00776/LB

Application: 20/00947/F Permitted

RETROSPECTIVE - Steel portal / oak framed workshop and two bay carport with integral mezzanine over

4. PRE-APPLICATION DISCUSSIONS

- 4.1. No pre-application discussions have taken place with regard to this specific proposal, although discussions did take place prior to the submission of the 2018 scheme.

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 **20 December 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. Sibford Ferris Parish Council – no comments received.

OTHER CONSULTEES

- 6.3. CDC Conservation - a number of concerns, although almost all been resolved through the submission of amended/additional plans. There remains one

outstanding issue and that is the stone sample panel. Concerns have been raised over the panel produced to discharge condition 3 from 18/00775/F & 18/00776/LB although it was subsequently approved. The applicant is unwilling to alter the approved stonework and I consider it unreasonable to pursue further.

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

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 of the Cherwell Local Plan 1996 seeks alterations to listed buildings that are minor and sympathetic.

- 8.5. The design does differ from that approved, and steel is not a traditional construction material, nor is its use generally encouraged within listed buildings. However, the applicant has proposed sufficient screening of the steelwork and the use of oak posts that would make this appear as a traditional structure. The stepped and cut away roof is unfortunate, although it would avoid interruption of the first floor gable window.
- 8.6. The choice of materials and principle of openings has already been established by the previous permissions. With the exception of the stonework (already approved), the Conservation Officer is now content with the scheme and I see no reason to disagree with this assessment.
- 8.7. I consider that the proposal would be in-keeping with its context, and that it would not harm the historic significance of the listed building or its setting, or the setting of nearby listed buildings 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 be carried out strictly in accordance with the information contained within the application form and the following approved plans: JCC Planning Statement dated September 2020, Design and Access Statement, Drawing No's: 006 Rev. D, 007 Rev. C, 008 Rev. F, 009, 010 Rev. F

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.

2. The construction materials for the walls of the development hereby approved shall consist of timber boarding in accordance with the sample, and stonework in accordance with the stone sample panel, both viewed by the Conservation Officer on site and approved as part of 18/00341/DISC.

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 ESD 15 of the Cherwell Local Plan 2011-2031, saved Policy C18 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

3. Notwithstanding the details submitted, the rooflights to be used in the development hereby permitted shall be of a design which, when installed, do not project forward of the general roof surface to which they are installed.

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 ESD 15 of the Cherwell Local Plan 2011-2031, saved Policy C18 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

4. The forge shall be dismantled by hand method only and without the use of

machinery and shall be reconstructed in the same form at the same time as the construction of the workshop hereby permitted. Any works required to the steps shall match in terms of type, texture, colour and appearance those used on the existing.

Reason - To safeguard the preservation and retention of these historic features and ensure that it is reconstructed as part of the new building in order to comply with Policy C18 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

Case Officer: Gemma Magnuson

DATE: 7 January 2021

Checked By: Paul Ihringer

DATE: 8/1/21