

Case Officer: Emma Whitley

Recommendation: Refusal

Applicant: Mr & Mrs J Eeley

Proposal: Single storey extension to rear, removal of existing conservatory and lean-to

Expiry Date: 22 September 2020

1. APPLICATION SITE AND SUMMARY OF SIGNIFICANCE

- 1.1. Wendlebury Lodge is a Grade II listed semi-detached dwelling, situated within the built-up village of Wendlebury. The building was formerly one dwelling with the attached Wendlebury House and the buildings date from the mid-18th Century. The building is constructed from limestone ashlar in both squared coursed rubble and random rubble. To the rear of the more formal front-range there are some later additions – with both a single-storey element and a flat-roofed castellated two-storey element.
- 1.2. The dwelling is not situated within a designated conservation area. The dwelling is situated within the Archaeological Alert Area of the Wendlebury historic core and swift nests have been identified within buildings on the site.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1. The applicant seeks planning permission to demolish the existing lean-to and conservatory and replace these with a single storey rear extension.
- 2.2. The proposed rear extension would protrude to the rear by approximately 6.67 metres and would be 10.6 metres wide. The maximum roof height would be 3 metres, dropping to an eaves height of 2.6 metres. Three roof lanterns are proposed, which would protrude by a maximum height of 0.7 metres above the roof height. Two windows and four patio doors are proposed to the rear (north elevation).

3. RELEVANT PLANNING HISTORY

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

18/00993/F – Demolish existing conservatory and replace with new Garden room. Demolish existing detached garage. *Application Permitted.*

18/00994/LB – Demolish existing conservatory and replace with new Garden room. Demolish existing detached garage. *Application Permitted.*

18/00320/DISC – Discharge of Conditions 3 (walls and roof materials) and 5 (doors, door linings, architraves, beading, skirtings' and staircases) of 18/00994/LB. *Application Permitted.*

18/00338/DISC – Discharge of conditions 3 (walls and roof finishes) and 5 (external joinery details) of 18/00993/F. *Application Permitted.*

18/01582/LB – New boiler and flue location; new roof tile vent to kitchen mechanical ventilation. *Application Permitted.*

18/01972/LB – Sub-division of existing second floor bedroom to provide two smaller children's rooms. *Application Permitted.*

4. PRE-APPLICATION DISCUSSIONS

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

18/00038/PREAPP – Potential replacement of existing rear conservatory with garden room and internal alterations to include new en-suite/dressing room and rationalisation of existing bedroom layouts.

4.2. Overall, it is considered that the works discussed would present an opportunity to sensitively restore the building to a status commensurate with the significance of the building. It is considered that a full historical survey of the building would be the most robust starting point for any works and that a certain flexibility on the part of the applicant to be guided by the results of this survey; in order to form a holistic proposal which combines the applicant's needs with those of the listed building. Historic England has produced a useful guide entitled 'Understanding Historic Buildings'.

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 **15 September 2020**, although comments received after this date and before finalising this report have also been taken into account.

5.2. The comments raised by third parties are summarised as follows

- No objections to the proposed development
- Concern in relation to parking during construction.

5.3. The comments received can be viewed in full on the Council's website, via the online Planning Register.

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. WENDLEBURY PARISH COUNCIL – **No comments/ objections** received at the time of writing this report.

OTHER CONSULTEES

6.3. BUILDING CONTROL (CDC) – **No objections. Comments:** Building control application would be required.

6.4. LOCAL HIGHWAYS AUTHORITY (OCC) – **No objections. Comments:** The proposals are unlikely to have any adverse impact upon the local highway network from a traffic and safety point of view. The proposals would not materially change the volume or type of vehicles accessing the development.

6.5. CONSERVATION (CDC) – **Objection and the following comments:**

Understanding the heritage assets affected

The property is half of the former manor house which is now 2 houses. The building can be dated to the Mid- 18th century, possibly with an earlier core. Wendlebury Lodge is the range to the right, this part of the building is constructed of squared rubble limestone and has an earlier front to that on the neighbouring Wendlebury House. This elevation has a dentiled cornice and storeyband. There is a large window at ground floor which is an early 20th century alteration. The building has a continuous steep pitched roof with hipped roof dormers. To the rear the wall is obscured by additions however some large lunette windows remain. The property is a grade II Listed Building.

Significance

The significance of the building lies in its special interest as part of the manor house which can be dated back to the 18th century. There are some interesting features, most notably the lunette windows. Most of the significance comes with the external appearance and fabric as internally this section of the building has been significantly altered in the 20th century. Therefore any historic fabric that remains should be preserved.

Proposals

Single storey extension to rear, removal of existing conservatory and lean-to

Appraisal of issues

The existing conservatory to be demolished is a late 20th century addition which does not contribute to the special character of the building, furthermore its removal will not result in a loss of historic fabric and therefore the principle of a replacement extension in this position is acceptable and has already been granted consent through a previous application.

However, the current proposal is larger and goes beyond what was approved previously. The extension proposed here is not considered to be acceptable in its current form. The proposal involves the demolition of the early 20th century 'lean to' type extension to the western side of the rear elevation. The removal of this is not considered to be harmful on its own, but it is considered that any replacement extensions should respect the form of the existing house. The extension proposed will protrude at least 1.6m from the existing building line at the rear and this additional protrusion and the square form of the extension is considered to result in the proposal dominating and detracting from the main historic part of the building. Although the early 20th century extensions do not have significance on their own, they allow the principal historic building to dominate and they contribute to legibility of the development of the building. In this respect the approved extension sits more comfortably than this proposal. Therefore, it is suggested that the size and design of the proposed extension should be rethought. In terms of the size and plan of the extension this should be reduced so that it does not protrude beyond the rear wall of the existing parts of the building to such an extent. Ideally any new extension would remain in line with the existing rear walls of the building. It is suggested that the

design could also be reconsidered to give an appearance that is more 'modular' this would reflect the existing additions which appear more organic and illustrate the development of the building.

In conclusion in their current form the extension is considered to result in less than substantial harm to the significance of the Heritage Asset. The NPPF paragraph 196 states that 'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use'. In this case it is considered that the public benefit does not outweigh the resulting harm and therefore the proposal cannot be supported.

Level of harm

The proposed scheme is considered to result in less than substantial harm to the significance of the Listed Building.

Recommendation

There are objections to the proposal in its current form, however it is felt that these objections could be overcome.

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)
- Cherwell Residential Design Guide (2018)
- Cherwell Council Home Extensions and Alterations Design Guide (2007)

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.
- 8.5. The proposed extension would be visible from the public realm, Church Lane. The proposed development would be of an overbearing and detracting design and style to the existing dwelling, which in this circumstance is unacceptable due to its scale, siting and appearance would adversely impact the character and appearance of the listed building.
- 8.6. The proposal is not a characteristic or an expected feature of buildings of this type and age and would result in a development that would dominate and detract from the main historic part of the dwelling, preventing the legibility of the development of the main dwelling. The proposal would obscure a significant portion of the rear elevation of this Grade II listed building. The current proposal is for an extension which would protrude from the host dwelling by an additional 1.6 metres. The protrusion of the extension beyond the rear wall of the existing parts of the building would contribute to the over-dominance of the proposed extension. The proposed extension would be neither minor nor sympathetic and would have a detrimental effect on the character and appearance of the listed building.
- 8.7. The proposed windows and doors to be included would be grey timber. While it is acknowledged that the windows and doors would be situated to the rear of the development (on the north elevation), they do not match the existing windows and doors. The proposed windows and doors have already been discharged as acceptable under the 2018 DISC applications. These additions within the proposed development are considered acceptable in this regard.
- 8.8. Having regard to its scale, siting, design and appearance, the proposed extension is not considered to be acceptable due to its overbearing and dominating size and scale of development. It would be out of keeping with the form and character of the host building.
- 8.9. For these reasons, the proposal would therefore fail to preserve the Grade II listed building's character and appearance. The harm caused would be *'less than substantial'*. No public benefits have been put forward, nor are there considered to be any such benefits. Therefore, the proposal does not comply with Policy ESD15 of

the Cherwell Local Plan Part 1 and saved Policy C18 of the Cherwell Local Plan 1996.

- 8.10. The NPPF requires the decision maker to weigh this harm against the public benefits of the proposal. Where the proposal would lead to *'less than substantial'* harm to the significance of the designated heritage asset, the harm should be weighed against the benefits of the proposal. In this case there are considered to be no public benefits, with benefit only being of a private nature to the applicants' in the form of amended built form and floorspace.

9. RECOMMENDATION

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

1. By virtue of its scale, siting and design, the proposal would fail to respect the character and significance of the Grade II listed building, resulting in less than substantial harm. In the absence of any public benefits to outweigh the harm identified, the proposal therefore fails to accord with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C18 of the Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

Case Officer: Emma Whitley

DATE: 21 September 2020

Checked By: Paul Ihringer

DATE: 22/9/20