

**Case Officer:** Shona King

**Recommendation:** Approve

**Applicant:** H Smart

**Proposal:** Demolition of existing garage to rear and single storey extension to front. Internal refurbishment and reconfiguration.

**Expiry Date:** 11 January 2022

**Extension of Time:** No

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## 1. APPLICATION SITE AND SUMMARY OF SIGNIFICANCE

- 1.1. The application site is located within Bodicote Conservation Area. It is a Grade II listed building. Vehicular access is provided from High Street. The property is mostly screened in public views by a high stone wall along the High Street and Broad Gap frontages.
- 1.2. The 18<sup>th</sup> century wall to the west of the cottage is also separately listed. The wall is similar in materials, style and height to the wall surrounding the grade II listed Bodicote House (a large 18<sup>th</sup> century house) and the sites may originally have been linked. It is possible that the southern wall along Broad Gap may be the curtilage listed boundary wall associated with Bodicote House.

## 2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1. Listed building consent is sought for the demolition of an existing garage to the north elevation, served from High Street, and single storey extension to the southern elevation. Various internal works and reconfiguration of the internal layout are proposed. There is a concurrent planning application ref. 21/03761/F for the demolition of existing garage to rear and the single storey front extension.
- 2.2. It was originally proposed to create an access from Broad Gap to the south to provide off street car parking. This element has been withdrawn from the application by the applicant following concerns from officers regarding the alterations to the boundary wall and the impact that this would have on both the character and appearance of the Conservation Area and on the setting of the listed building.

## 3. RELEVANT PLANNING HISTORY

- 3.1. None relevant

## 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, expiring **22 December 2021**, and by advertisement in the local newspaper expiring **16 December 2021**. The overall final date for comments was **26 January 2022**.
- 5.2. 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. BODICOTE PARISH COUNCIL: The Parish Council raises an objection for the following reasons: 1. Highway safety concerns on a busy junction. 2. Significant changes to a listed wall.

### OTHER CONSULTEES

- 6.3. CONSERVATION OFFICER: (Original comments):

#### **Internal refurbishment and reconfiguration**

There are a number of proposed alterations to the layout of the property.

#### Ground floor

There is a proposal to remove the existing 20th century extension to the frontage of the building and to remove the 20th century stud walls to the rear of the existing lounge. There are no objections to this proposal, which is considered to enhance the setting of the listed building.

There are no objections to the slight reconfiguration of the 20th century extension to the rear of the building.

There is a proposal to remove the wall between the existing kitchen and dining room to create a kitchen diner. There is insufficient information about this element of the scheme within the application. The Heritage Statement claims 'The odd alignment of this end of the building and the insertion of the dividing wall between the dining room and kitchen are also evidence for a more complex history' and 'Much of the internal layout and partitions probably date to its amalgamation, (although without intrusive survey, it's not always possible to tell whether some of the partitions are historic, or more recent)' and 'It is also proposed to remove the existing partition between the dining room and kitchen and replace with a structural steel member into which the existing ceiling beams will be slotted. The existing partition is not original to the building, but probably represents a relatively late addition (see above)'. There is evidence of relatively modern red brick as part of the construction at first floor level, but there are also concerns that significant structural intervention is required to remove the partition. Further information is required in the form of a structural engineers report explaining the need for the structural intervention and an assessment of the historic significance of the partition.

It is recommended that the application is altered to allow some opening up works to this element of the building. This would allow the significance of the partition to be considered and depending on the findings an additional application could be submitted at a later date. If the partition is found to be of significance there may be a compromise option of opening up a wider area in the centre of the partition.

There are no objections to the creation of a small lean-to porch to replace the existing garage.

#### First floor

There is the proposal to move the partition in bedroom 1 to create a slightly smaller bedroom and some corridor space adjacent to the stairs. There is evidence that the partition was originally in the proposed position (through the change in alignment of the floorboards) and therefore there are no objections.

It is also proposed to remove a number of the doors from their original positions – in the majority of cases this is not considered to cause any harm to significance. The doors into the extension are clearly not of historic merit. The changes to the doors to bedroom 2 and the master bedroom facilitate the creation of a master bedroom suite in a minimal way without causing harm to other elements of historic significance and is therefore considered proportionate.

There are no objections to the minor alterations in the rear extension which are not considered to impact on the significance of the building.

### Second floor

There are no objections in principle to the use of the upper floor for accommodation providing this does not negatively impact on the historic fabric or layout of the building. Further information may be required on building regulations aspects including means of escape if the space is to be used as a bedroom.

There are some structural alterations proposed to the building and whilst the alterations have been detailed there is no structural engineers report outlining what the issues are, why the interventions are necessary and what options have been considered. This should be submitted prior to the determination of the application.

There are no objections to the insertion of a gable end window to the modern extension.

There are some concerns with the insertion of a window into the gable end of the historic building, but as this is the only light to this room this would be considered proportionate if the other alterations are acceptable.

### Elevations

- No objections to proposed replacement windows / doors / openings.
- Details of repair / refurbishment of existing windows.
- Stone sample panel for making good of the stonework following the demolition of the 20th century extension.
- No objection to repointing provided a lime mortar is used.
- No objection to removal and replacement of delaminating stonework, but further details are required in the form of a method statement and justification statement.
- No objection to blocking of windows in later extension, but concerns with proposal to paint brickwork white. An alternative solution may be required.
- further details / justification and method statement relating to proposed vents required.
- There are some concerns with the raising of the height of the chimney and further details are required about why this is necessary.

### Schedule of works

A schedule of works and detailed drawings of windows is included within the application.

There are no objections to

- The method statement for cleaning of beams
- The proposed refurbishment works to the historic sash windows
- The proposed works to internal and external doors
- Works to the plasterwork (providing lime plaster is used where appropriate)
- Works to floors
- Provision of additional balustrade
- Insulation of roof and rear wall

Works to fireplaces – opening up to be allowed, further details of proposed solutions to be conditioned.

Concerns about installation of log burner if this is the requirement for the raised chimney.

#### Demolition of garage and creation of courtyard

There are no objections to the demolition of the garage which is of mid 20th century date. There are no objections to its replacement with a lean to porch. The design is generally considered appropriate, but a sample of the proposed timber would be required by condition.

There would not be an objection to the creation of a courtyard garden in its own right, but there are concerns with the loss of the parking space given the comments below on the creation of a new parking space along Broad Gap.

#### Landscaping including creation of car parking.

There are concerns with this aspect of the proposals which include the demolition of a section of wall along Broad Gap.

The high boundary walls are a significant feature of the Bodicote Conservation Area. The Appraisal states 'The street pattern in the Northern Village area is dominated by the front boundary walls of properties therefore these are really important in retaining the character of this part of Bodicote. Regular maintenance of both Ironstone wall and capping stones is essential' and 'Along Broad Gap the means of enclosure is a key element in creating a distinctive character, the high (in some places over 2 metres) stone walls, including those of Bodicote House, obscuring the houses behind..... The walls within this area are generally in good condition although in some areas the use of cement mortar has caused accelerated decay in the wall materials. Stone coping is used on 20 the higher boundary walls although there are also examples of cement haunches and upright stone capping.'

The boundary walls also contribute to the setting of Ivy Cottage and were potentially associated with Bodicote House. The wall to the west is listed in its own right, but the wall to the south of the cottage is likely to be curtilage listed either to Ivy Cottage or Bodicote House.

It is recommended that this aspect is withdrawn from the application.

- 6.4. CONSERVATION OFFICER: (Final comments): No objections following the revised details and the heritage statement

## **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 ('CLP 2015') was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The CLP 2015 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 2015)

- 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.*
- 8.3. Listed Buildings and Conservation Areas are designated heritage assets, and Paragraph 195 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 199 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 2015 echoes this guidance.

- 8.5. Following negotiation, the submission of additional information and the carrying out of exploratory works it is considered that, under the amended proposal, the works proposed would not result in the significant loss of historic fabric or harm the character of the building. The demolition of the modern extensions to the northern and southern elevations would better reveal the original character of the building. The reconfiguration to the internal layout is considered to be acceptable.
- 8.6. The withdrawal of the creation of the access onto Broad Gap is welcomed and will enable the preservation of this historic feature in its entirety.
- 8.7. Therefore, subject to the conditions below, it is considered that the development would involve appropriate alterations to the listed building without harming the historic significance of the building in accordance with the above Policies.

## **9. RECOMMENDATION**

That consent is granted, subject to the following conditions

1. The works to which this consent relates shall be begun not later than the expiration of three years beginning with the date of this consent.

Reason - To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) 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 Nos: 001 00 001 P2, 001 00 100 P2, 001 06 100 P2, 001 06 101 P2, VE21088 10 P4, VE21088 11 P4, VE21088 12 P2, 001 01 100 P6, 001 01 101 P3, 001 01 102 P4, 001 02 100 P3, 001 02 101 P4, 001 02 102 P3, and 001 02 103 P4.
- Structural Engineers Report produced by Varndell Engineering Ltd dated 26/02/2022
- Heritage Consultant Statement prepared by NSP Heritage Consulting dated 14/02/2022

Reason – For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and to safeguard the significance of heritage assets and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

Case Officer: Shona King

DATE: 15 March 2022

Checked By: Nathanael Stock

DATE: 15.03.2022