

Listed Building Consent Delegated Report



Cherwell
DISTRICT COUNCIL
NORTH OXFORDSHIRE

Application No.	23/02175/LB
Site Address	Rosemary Cottage, Somerton Road, North Aston, OX25 6HX
Proposal	Replacement windows to annexe at Rosemary Cottage; door with glass side panels to be fitted with a new aluminium floor rail, added bottom rail/false bottom rail and security lock/handle
Amended Plans	None received

A. How the Application is Assessed

Section 16(2) of The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the duty of Local Planning Authorities (when considering whether to grant listed building consent) to 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.

B. Relevant Planning Policy Documents and Considerations

<p>Development Plan</p> <ul style="list-style-type: none"> • Cherwell Local Plan 2011-2031 Part 1 (CLP 2015) • Cherwell Local Plan 1996 (CLP 1996) • Mid-Cherwell Neighbourhood Plan (MCNP) 	<p>Material Considerations</p> <ul style="list-style-type: none"> • National Planning Policy Framework (NPPF) • Planning Practice Guidance (PPG) • Supplementary Planning Guidance and Documents • Conservation Area Appraisal • CDC Residential Design Guide (2018) • Managing Significance in Decision-Taking in the Historic Environment: Historic England Good Practice (2015) • The Setting of Heritage Assets: Historic England Good Practice (2015)
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C. Constraints and Relevant Planning History

Constraints	CONA2 - Conservation Area, Name: North Aston - Distance: 0 LIST - Listed Building, Grade: II, Name: ROSEMARY COTTAGE, HE Ref: 1369833 - Distance: 0
Site history	23/02174/LB – Replacement windows to annexe at Rosemary Cottage; door with glass side panels to be fitted with a new aluminium floor rail, added bottom rail/false bottom rail and security lock/handle – Yet to be determined.
Pre-application advice	None sought.

D. Summary of Responses

Below is a summary of the 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.

Consultees	<ol style="list-style-type: none"> 1. Clerk to North Aston PC - No response. 2. Mid Cherwell Neighbourhood Forum – No response.
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	3. Ward Councillor - No response.
	4. Conserva•on (CDC) - Objection. See below. <ul style="list-style-type: none"> • Further information has been submitted which does demonstrate that the proposed windows would have true integrated glazing bars, would be flush fitted and would generally be traditionally designed and detailed. • However, it is still proposed to have double glazed units as opposed to single glazing. As commented previously double glazing is usually only ever acceptable when there is a visual benefit to the listed building and there does not appear to be a real benefit to the listed building in this instance as the existing window designs are not necessarily inappropriate or harmful in their design. • As such, although the proposed windows would appear to be traditionally designed, it is the double glazing itself, and resulting visual appearance/impact, where there are concerns. This is because double glazing can give double reflections and appear non-traditional, resulting in a visual disparity. • Consequently, it is considered that there would be a low-level of less than substantial harm to the heritage asset.
Neighbours	No responses received.

E. Appraisal of Applica•on

In order to be acceptable, the applica•on needs to be assessed against the following criteria:

Impact on listed building and/or its se• ng - Policies: C18, C21 (CLP 1996), ESD15 (CLP 2015); NPPF

Understanding the Impact	Y/N
Development to or a•ec•ng the se• ng of a listed Building, needs to •rst meet the following tests regarding understanding the signi•cance of the a•ected listed building(s) and/or their se• ng:	
a) Has the applica•on had special regard to the preserva•on of the listed building or its se• ng or historic interest which it possesses?	Y
b) Has the applica•on submission demonstrated the signi•cance of the listed building/and or its se• ng?	Y
c) If so, is the applica•on su•cient so as to understand the poten•al impact of the proposal on the signi•cance of the asset?	Y
Comments (if any):	
Assessment of the Impact	Y/N
Proposals to alter or extend a listed building or development within its se• ng will be permi•ed where they meet the following tests:	
d) The proposal contributes to the preserva•on of the building and is not detrimental to its signi•cance and would not result in the loss of any historic fabric	Y
e) The proposal is of an appropriate scale, form, massing and design and use appropriate materials and methods of construc•on which are compa•ble with the character and construc•on of the building	Y
f) The proposal has regard to the historic layout of the building and other internal features of signi•cance	Y
g) The proposal preserves the se• ng of the heritage asset	Y
Comments (if any):	
Assessment of Harm and any Bene•ts	Y/N
Having assessed the impact of the development above, assess below the level of harm being caused by the development	
h) The proposed development would result in no harm to the listed building and/or its se• ng	N

i) The proposed development considered to result in less than substantial harm to the significance of the listed building and/or its setting?	Y
j) The less than substantial harm identified (such as loss of historic fabric or modest extensions or to its setting) would be outweighed by the public benefits of the proposal	Y
k) The proposed development is considered to result in substantial harm to the significance of the Listed Building and/or its setting?	N
l) If substantial harm would be caused, has it been demonstrated that this is necessary to achieve substantial public benefits that outweigh harm or loss , or that the tests and considerations in the NPPF have been met?	N

Comments (if any):

Response to Comments

CDC Conservation have objected to the proposal as outlined above – design OK by potential window glare.

The Planning Officer agrees with the Conservation Officer in that a low-level of less than substantial harm to the heritage asset would occur from the installation of the proposed windows. However, the Planning Officer disagrees with CDC Conservation that the double glazing itself and resulting visual appearance/impact are sufficient in themselves to substantiate a reasonable objection to the proposal and would not result in a visual, non-traditional disparity.

The applicant has indicated that the windows would be manufactured in a suitable hardwood, with thin Pane double glazing units, Putty Beads/Ovolo glazing bar. Fitted with washer butt hinges, multi-lock furniture and trickle vents to help ventilate the building.

Such windows are considered to be appropriate in this case and would allow the building to continue to be used for residential accommodation in a sustainable manner with improved energy efficiency.

As such, the LPA conclude that the proposed works, whilst resulting in a low level of the less than substantial harm, would be offset by the efficiency improvements to the residential building.

F. Conclusion

The proposals are considered to cause less than substantial harm to the historic fabric, character and appearance of the listed building, its features of architectural and historic interest and its overall significance. The LPA conclude that the proposed works, whilst resulting in a low level of the less than substantial harm, would be offset by the efficiency improvements to the residential building.

G. Recommendation

The application is recommended for **Approval** subject to the conditions set out on the decision notice.

H. Authorisation

Case Officer:	Christopher Wentworth	Date:	14 th March 2024
Authorising Officers:	Andy Bateson & Paul Seckington	Date:	14 th March 2024