



**Demolition of existing dwelling and
erection of replacement dwelling and
outbuildings**

Longview House, Sibford Gower

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1.0 Introduction

- 1.1 This report has been produced by JPPC to accompany a planning application to demolish the existing dwelling and erect a replacement dwelling at Longview House, Sibford Gower.
- 1.2 The submission is accompanied by plans, a Preliminary Ecological Appraisal prepared by Collington Winter Environmental and a Design and Access Statement prepared by James Gorst Architects.
- 1.3 This planning application follows a pre-application submission to the Council, for which the response was received in May 2023. The response was broadly positive, with the exception of the proposed materials. The scheme has been amended in line with this advice.

2.0 Site Description, Planning History and Proposal

2.1 The application site is located to the north of Sibford Gower, close to the junction of Pound Lane and the B4035. The site itself is accessed from Pound Lane, with a shared access point with Handywater Farm. The site lies on the edge of the Cherwell district and is approximately 1km to the boundary with Stratford district. The site is not within a conservation area and there are no listed buildings in close proximity of the site. The Cotswold AONB is located to the north and west of the site at a closest distance of approximately 500m.



Map showing site context

2.2 The existing dwelling dates from the early 2000s and it is not the subject of any agricultural tie or other restriction. This replaced a previous dwelling which was constructed in the early 1950s. The site currently consists of the principal dwelling, two Nissen huts which are used as storage and garaging and an annexe.

2.3 The existing dwelling was designed in the early 2000s as a contemporary dwelling. The dwelling is constructed from ironstone and has part pitched roof, part flat roof and part domed roof. The house is built into the topography and appears single storey from the road side but is set across two storeys.

Planning History

- 2.4 The planning history of the site goes back to 1951, when a farmhouse was permitted on the site under B.206/51. This dwelling was replaced with the existing dwelling under 06/00313/F. A two-storey side extension to the dwelling was permitted under 22/01576/F.
- 2.5 A pre-application enquiry was submitted in February 2023 for a replacement dwelling on the site under reference 23/00669/PREAPP. The Council concluded that a future planning application could be supported subject to appropriate materials being used externally and further details being provided regarding the substandard nature of the dwelling.

Proposal

- 2.5 Our clients purchased the site in August 2021 with a view to refurbish the house that same year. Following some initial works, they found that there was a significant amount of mould in the house and had a Building Investigation Report undertaken. This report concluded that there are high degrees of contamination within the principle structural frame, slab, insulation and throughout the internal fitout. Our client suffers from severe asthma and fungal sensitivity and is vulnerable to respiratory illnesses.
- 2.6 Given these significant construction issues with the existing house, this planning application proposes to demolish the dwelling and replace it with a dwelling fit for modern habitation. The new dwelling has been designed to have a similar scale and siting and to also use the topography of the site as the existing dwelling does. The material for the dwelling has been altered from the pre-application submission and is now proposed to be constructed from ironstone. This will be formed by an ashlar-cut ironstone frame with inset rubble ironstone panels. The existing ironstone will be reused wherever possible, including the inset rubble walls for the proposed dwelling, along with boundary walls.
- 2.6 Three ancillary buildings are proposed. These are an annexe, a replacement garage and new garage and outbuilding. The annexe and replacement garage are proposed to be constructed from ironstone rubble, with the new garage building clad in timber.

- 2.7 There are no formal or domesticated gardens proposed. The proposals will seek to introduce native flower, herb and meadow planting to provide a biodiversity enhancement. The existing access onto Pound Lane will be used and the driveway surfacing changed to limestone chippings.

3.0 Planning Policy

3.1 Under Section 38(6) of the Planning and Compulsory Purchase Act 2004 there is a statutory obligation to determine planning applications and appeals in accordance with the development plan unless material considerations indicate otherwise. Material considerations include Government Guidance and any other matters relevant to the use and development of land.

National Planning Policy Framework

3.2 The National Planning Policy Framework (“the NPPF”) was revised in July 2021. It has, at its heart, a presumption in favour of sustainable development. Paragraph 11 confirms that for decision-taking this means approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless;

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed (the relevant policies are listed in a footnote in the NPPF); or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

3.3 Paragraph 38 states that local planning authorities should approach decisions on proposed development in a positive and creative way and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area.

3.4 Section 12 of the NPPF deals with design and confirms that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve.

Cherwell Development Plan

Cherwell Local Plan 2015

- 3.5 In this instance, the Development Plan comprises of the Cherwell Local Plan 2015 together with the saved policies of the 1996 Adopted Local Plan. The following policies are considered relevant to the development proposal:
- 3.6 Policy ESD13: Opportunities will be sought to secure the enhancement of the character and appearance of the landscape, through the restoration, management or enhancement of existing landscapes and development proposals will be expected to respect and enhance local landscape character. Proposals that cause undue visual intrusion into the open countryside; cause undue harm to important natural landscape features; are inconsistent with local character; harm the setting of settlements; or harm the historic value of the landscape will not be permitted.
- 3.7 Policy ESD15: The Character of the Built and Historic Environment requires development proposals to complement and enhance the character of its context through sensitive siting, layout and high quality design and all new development is required to meet high design standards.
- 3.8 Supporting text to policy ESD15 advises that the Council will protect the historic environment since it is a major contributor to the local distinctiveness of the District. The text continues on this theme and advises that designated (and non-designated) heritage assets form part of the historic fabric of the District and contribute to the character of the area and will be maintained.

Adopted Cherwell Local Plan 1996

- 3.9 Saved Policy H17 considers only proposals for the one-for-one replacement of an existing statutorily unfit or substandard dwelling. It is silent on the proposed replacement of dwellings that are not statutorily unfit or substandard. The policy provides as follows:

H17 Proposals for the one-for-one replacement of an existing statutorily unfit or substandard dwelling will normally be permitted provided:

- (l) The existing building is not a listed building capable of restoration or suitable for an appropriate alternative and beneficial use;

- (II) In case where the existing building lies outside the limits of an existing settlement, the use of the building as a dwelling has not been abandoned or extinguished and its proposed replacement is similar in scale and within the same curtilage;
- (III) The proposal meets the requirements of the other policies in the plan.

3.10 The supporting text to saved policy H17 states as follows:

“The Council recognises that it will occasionally be necessary to permit the replacement of an unfit or substandard dwelling in the countryside. A strong presumption against the demolition of a listed building is embodied in planning law, and the number of instances where this might be justifiable in the plan area as a whole will be exceedingly rare. The protection of the character of the countryside will be a primary objective in all cases, and proposals for substantially larger and conspicuous dwellings in the landscape will be resisted”.

3.11 The supporting text does not define the requirements for a dwelling to be considered substandard.

3.12 Saved Policy C28 states as follows:

Control will be exercised over all new development, including conversions and extensions, to ensure that the standards of layout, design and external appearance including the choice of external-finish materials, are sympathetic to the character of the urban or rural content of that development. In sensitive areas such as conservation areas, the area of outstanding natural beauty and areas of high landscape value, development will be required to be of a high standard and the use of traditional local building materials will normally be required.

4.0 Discussion

Principle of the Development

- 4.1 Saved policy H17 of the Cherwell Local Plan 1996 provides in favour of the replacement of existing statutorily unfit or substandard dwellings. The existing dwelling is substandard for the reasons set out previously in this statement. It is a dangerous living environment due to the high levels of mould and is causing harm to the health of the occupiers.
- 4.2 Notwithstanding this, saved policy H17 is now over 25 years old and since this time national policy has changed significantly. The supporting text of the policy notes that the primary objective of this policy is to protect the character of the countryside. It is therefore not considered reasonable to resist the proposal on the grounds of a lack of information in terms of building being unfit and substandard. This was also the conclusion of the Inspector in the Muddle Farm Barn appeal (a similar case for a replacement dwelling, appeal ref. APP/C3105/W/17/3173098).
- 4.3 It is considered that the proposed replacement dwelling would accord with the 'in principle' requirements of saved policy H17 and the wider guidance set down within the NPPF, being sustainable development that would meet the social, economic and environmental roles required by the NPPF. Saved policy H17 nevertheless provides two matters for consideration when looking at replacement dwellings – these being scale and siting.

Scale

- 4.4 Saved Policy H17 requires that a replacement dwelling in locations outside the built-up area of the settlements is of a similar scale to the existing dwelling on the site and is within the same curtilage. The Planning Practice Guidance which accompanies the NPPF advises that scale relates both to the overall size and mass of individual buildings and spaces in relation to their surroundings, and to the scale of their parts.
- 4.5 The proposed dwelling would be slightly larger in footprint than the existing dwelling and on the same footprint as the current dwelling. The length of the dwelling would reduce by 3.5m and overall there would be an increase in 8% in the built area of the site when compared to the existing. Given this very minor

increase in overall built area, in this regard, there would be no conflict with the provisions of Saved Policy H17 for the development.

- 4.6 The existing dwelling on the site is two storeys in scale but appears single storey when viewed from Pound Lane. The dwelling was constructed in a contemporary style in the early 2000s, however as set out in the previous sections of this report, there are a number of issues with the construction of the dwelling owing to poor detailing and workmanship.



- 4.7 The proposed dwelling would have a slightly smaller footprint than the existing dwelling. The dwelling would have a small first floor element which would sit slightly above the ridge line of the existing dwelling, however given that this increase would be less than 1m, the scale of the building when seen from this viewpoint would appear minor. A comparison of the scale of the existing and proposed dwellings can be seen below.



4.8 Given the wider landscape setting and the scale of natural features within the locality, it is our view that the proposed scale of the replacement dwelling would be entirely appropriate.

Siting

4.9 Saved Policy H17 does not provide against the repositioning of a replacement dwelling but does seek to limit this to a position within the existing curtilage.

4.10 The dwelling is proposed to remain on the same siting as the existing dwelling, which will allow for the dwelling to be built into the levels of the land and maximise views toward the west.

4.11 The siting of the existing dwelling sits well within the wider landscape and ensures that the house appears single storey from the most prominent viewpoint from Pound Lane to the east. It is our view that retaining the siting of the existing dwelling would be acceptable for these reasons.

4.12 The dwelling is substandard due to issues with its construction, which are affecting our client's health. The proposed dwelling is of a very similar scale to the existing house on the site and is on the same siting. Overall, the principle of development is in compliance with Saved Policy H17 and the provisions of the NPPF.

Design and Impact on the character of the area

4.13 Policy ESD15 states that successful design is founded upon an understanding and respect for an area's unique built, natural and cultural context. New development will be expected 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. Development should contribute positively to an area's character and identity by creating or reinforcing local distinctiveness.

4.14 Saved Policy C28 states that control will be exercised over all new development, including conversions and extensions, to ensure that the standards of layout, design and external appearance, including the choice of external-finish materials, are sympathetic to the character of the urban or rural context of that development. In sensitive areas such as conservation areas, the area of

outstanding natural beauty and areas of high landscape value, development will be required to be of a high standard and the use of traditional local building materials will normally be required.

- 4.15 One of the key elements of Policy ESD15 is that development within Cherwell should create or reinforce local distinctiveness. The existing dwelling was constructed in a contemporary style in the early 2000s. The house is constructed from ironstone, however due to some of its detailing it does not contribute positively to the character of the area.
- 4.16 The NPPF gives significant weight to outstanding or innovative designs which promote high levels of sustainability. The scheme has been designed with careful consideration of views and passive solar design, with the primary openings of the dwelling facing towards the east. There will be solar thermal and voltaic panels installed on the flat roof sections of the dwelling and ground source heat pumps to provide hot water and heating.
- 4.17 The proposed materials have been changed since the pre-application submission, from limestone bricks to a mixture of ashlar ironstone and ironstone rubble. The ironstone from the walls of the existing house is to be repurposed in the construction of the new dwelling. The materials are locally distinctive, with a contemporary design. The Council raised no concerns with the overall design and scale of the house, and the use of ironstone as the building material should be considered as a significant enhancement for the site.
- 4.18 The design, scale and siting of the development would not cause harm to the character and appearance of the area. The development would comply with Policy ESD15 of the Cherwell Local Plan 2031, Saved Policies C28 and C30 of the Cherwell Local Plan 1996 and Government guidance contained within the NPPF.

Ecology

- 4.19 A preliminary ecological appraisal has been undertaken, which recommended that nocturnal surveys were undertaken due to some of the buildings on the site having moderate bat roosting potential. Nocturnal surveys were subsequently undertaken, which found no bat roosts. The report recommends that the buildings on the site are demolished in accordance with Reasonable Avoidance

Measures. The report also recommends that bat boxes are installed on the buildings. Subject to this mitigation measure, the development would result in an ecological enhancement for the site.

Other matters

- 4.21 The site is not located in close proximity to any other dwellings. The replacement dwelling would not cause harm to the amenities of any neighbours with regard to an overlooking, loss of light or loss of privacy.
- 4.22 The site benefits from an existing access onto Pound Lane and this would remain unaltered in the proposed development. There is sufficient parking and manoeuvring space to the front of the dwelling.

5.0 Conclusions

- 5.1 This statement has examined the planning background of the site, the context of the site and the surrounding area and the relevant national and local planning policy framework in respect of the proposed development at Longview House, Sibford Gower.
- 5.2 The proposal results in the replacement of the existing dwelling on the site and the erection of ancillary outbuildings. This planning statement demonstrates that the development would not result in harm to the character and appearance of the area or the amenities of neighbours.
- 5.3 The proposals are considered to be a sustainable form of development in accordance with the Cherwell Local Plan 2031, the Cherwell Local Plan 1996 and the NPPF.
- 5.4 In light of the above, we respectfully request on behalf of our client that the Council approves the proposal.