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Agent :  
David M  
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Design & Access Statement  
for a Retrospective Planning  
Application  
(Amendments to granted  
Planning Permissions  
21/00437/F & 21/00438/LB)

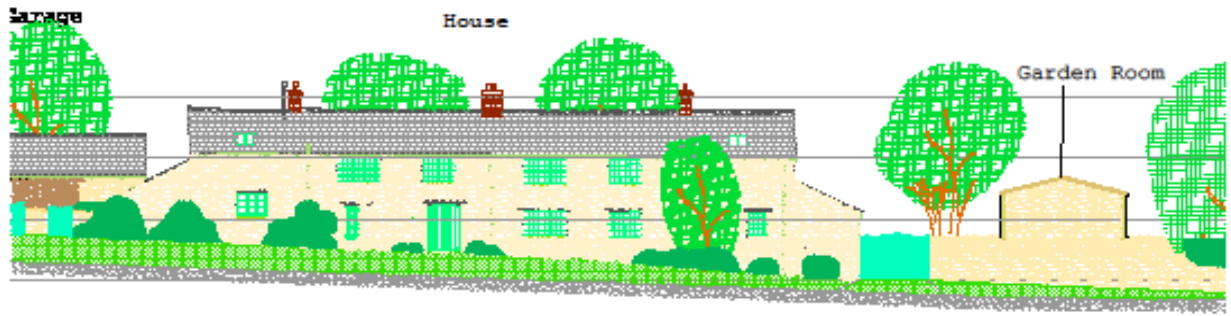
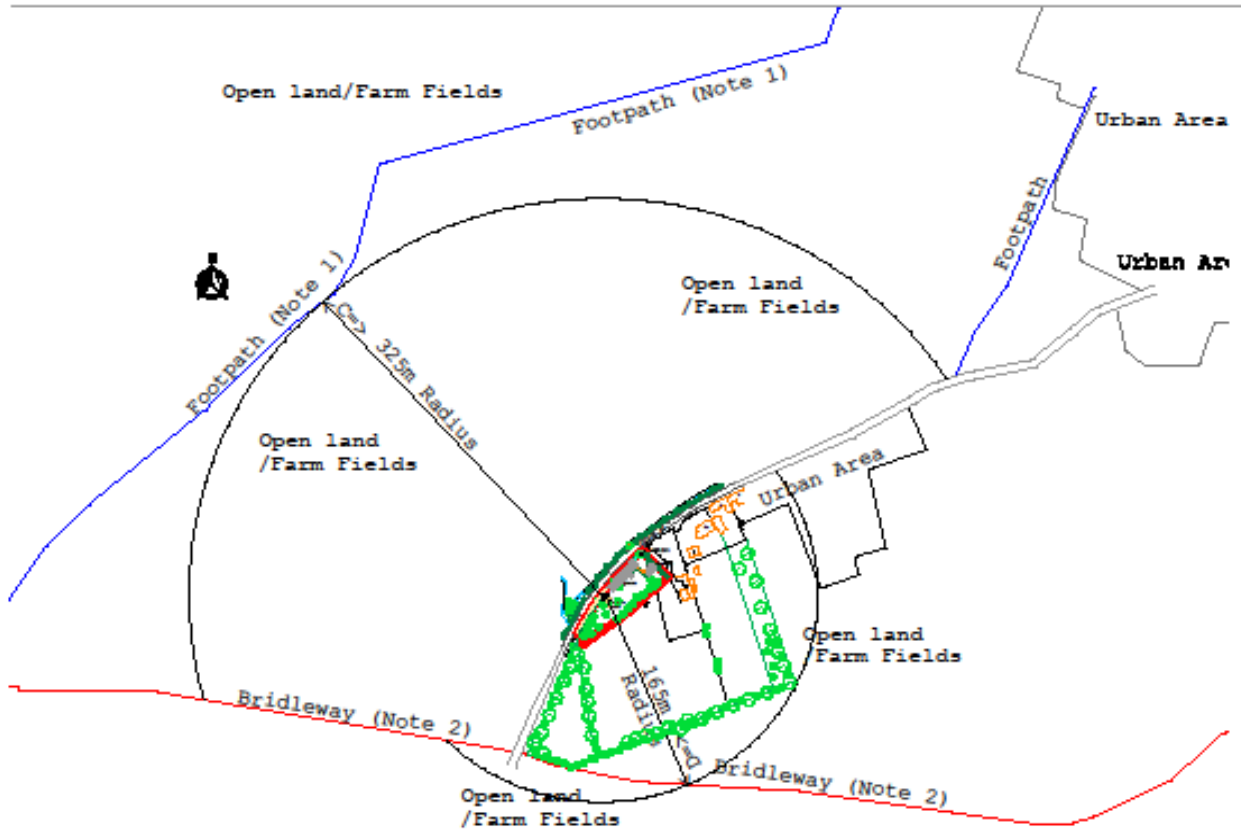
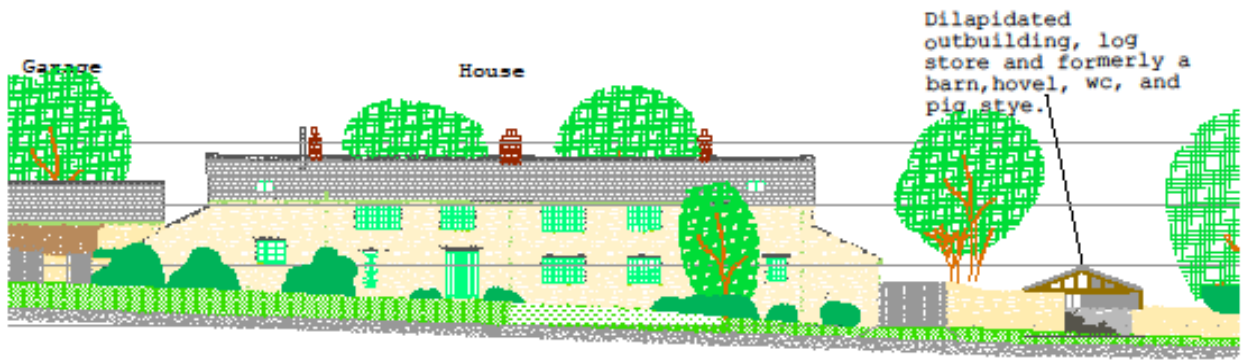
Baertlett Cottage  
7 The Colony  
Colony Road  
Sibford Gower  
OX15 5RY

Ref RP01-DAS01 rev 0  
Date 1/11/24

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Owner/Client Aysha Majid

Location Bartlett Cottage  
7 The Colony  
Colony Road  
OX15 5RY

Local Authority Cherwell District Council

Document Register Appendix A

This Design and Access Statement is in addition to and to be read with the Design and Access Statement (Appendix A) submitted with Planning Applications 21/00437/F and 21/00438/LB. Both Applications were granted permission on the 18 February 2021.

The works have been completed.

## **A Background to the current situation.**

The historical background to the property is covered in the Design and Access Statement for the Planning Applications and Consents, references 21/00437/F and 21/00438/LB, (Appendix A) and the Heritage Report (Appendix B) produced for this retrospective planning application.

In outline, the house, known as Bartlett Cottage, 7 The Colony is a Grade 2 Listed Building, Entry Number 1300059 (see App C). The garage to the East and the existing dilapidated pigsty building to the West are not the subjects of the Grade 2 Listing. The Cottage (originally two attached cottages number 7 & 8, The Colony) is a pre-1948 building(s) so the attached land/curtilage to the Cottage and the buildings within, are covered by the Listing. The demolition of the existing pigsty and the building of the Garden Room was included in the Planning Application 21/00437/F and Listing Building Application ref 21/00438/LB.

The Planning Applications and Consents, references 21/00437/F and 21/00438/LB, (see Appendix D) referenced the Sibford Gower

and Burdrop Conservation Area, The Cherwell Local Plans, and other relevant planning guidance.

**B - This Retrospective Planning Application is for the following additions/changes to the above Consents**

- 1 The addition of the heating tank and the reducing of the roof slope were not decided upon before the works commenced or they would have been the subject of a Section 73 Application for minor material changes. (drgs RP01-02-01&02)
- 2 The need for a heating oil tank and boiler was design development as the works progressed
- 3 The Garden Room was granted planning consent for a building with a footprint of 7.2m x 4.6m, ridge height of 4.3m and eaves height of 2.5m, above floor level. The Garden Room is to be subordinate to the main property with the ridge below the adjacent main house eaves level. (drgs RP01-03-09 to 12)
- 4 The as built Garden room approximates to the Planning Consent dimensions with the exception of the eaves height of 3.7m above floor level. The Garden Room as built remains subordinate to the main property with the ridge below the adjacent main house eaves level and maintains the historical relationship between the two buildings. (drgs RP01-03-13to16)
- 5 The builders were local very experienced craftsmen of this style of construction and nature. The reduction of the roof slope to a lower pitch was an unconscious, inadvertent drift during construction such that it approximated the slope to the existing dilapidated building. (drgs RP01-03-01 & 02)
  - a. This can be understood and explained as the works were carried out under a Building Control Notice, which reduces the need for detailed drawings. The following is an extract from Cherwell Building Control Department
    - i. **The advantage of the building notice procedure is that detailed drawings are not formally required for approval, although some details such as a block plan and structural calculations may be required.**
    - b. Another factor that will have influenced the build would seem to be the differences in the building profile on the drawings and that in the Design & Access Statement which is similar to the as built.
- 6 It is relevant to note that a consultee to the Planning process, an employee of Cherwell DC, Joyce Christie, Conservation Officer, Planning Policy and Conservation, Communities Directorate, in her report dated 23.04.2021 (see Appendix E), Section - **Replace log store with a garden room with storage space:**, Top of page 5 of 6, stated "*The existing roof itself is of low pitch and this might lend itself to a traditional corrugated roof that one might see on a farm outbuilding, these roofs are also good for rain harvesting.*" The report considered the new Garden Room roof

- slope could be as the existing dilapidated building. That is the as built Garden Room roof.
- 7 Extract from the Heritage Report - (reference the existing delapidated building)
- i. Historical records would indicate a roof of a greater height than new Garden room.

**C The implications of the change in the Garden Room roof slope are assessed with the following impact assessment.**

1. Street Scene/visual amenity.
  - a. This is a consideration of the impact of the proposed works on its surroundings. Street scene is generally applicable to an urban environment with buildings on both side of a street and perspectives from different locations to show how the proposed works sits in its environment.
  - b. Bartlett Cottage is in a very rural location adjacent a minor country road. There are no buildings on the North side of the road and on the South side there are only 10 building units in 0.2 of a mile. Due to the layout and level of the road and the space between buildings, Bartlett Cottage sits on its own, relatively isolated and not part of a greater street scene. \*see drgs RP01-03-03&04)
  - c. With regard to the Garden Room, when travelling East on Colony Road passing Bartlett cottage on the near side the Garden Room only comes into view (the NE corner, oblique view) when you are 25m from it.
  - d. When travelling West on Colony Road approaching Bartlett Cottage on the off side, the Garden Room only comes into view (the NW corner, oblique view) when you are 35m from it.
  - e. In a car travelling at 30mph (speed limit 60mph) the occupants would only see the Garden Room for 2 seconds travelling West and 3 seconds travelling East before they will have passed it.
  - f. The Garden Room as built will have very little, if any impact on the Street Scene and not result in any detriment to the living amenities of neighbouring properties and users of Colony Road.

2. Views from other possible locations (see drgs RP01-03-3&04)
  - a. North looking South
    - i. There is a public footpath to the North of Colony Road that could provide a view of the Garden Room. The distance is approx. 350m, at this distance the Garden Room would in relative terms only be 15mm high. The view from the public footpath would also be obstructed by the topography of the land in between and the trees and shrubbery along Colony Road.
  - b. West Looking East
    - i. See 1 above
  - c. East Looking West
    - i. See 1 above
  - d. South looking North
    - i. There is a Bridleway to the South of Colony Road that could provide a view of the Garden Room. The distance is approx. 165m, at this distance the Garden Room would in relative terms only be 30mm high. The view from the Bridleway would be obstructed by the topography and trees and shrubbery of the land in between and the trees and shrubbery in the garden of Bartlett Cottage.
  - e. The Garden Room as built will have very little, if any impact on the landscape view from the North or the South due to the topography and vegetation and the distances involved.

## **D Building Regulations**

1. The construction of the Garden Room has been covered by a Building Notice submitted to Cherwell DC, Building Control Department, ref 22/00153/BN, managed by Donald McAlister Senior BC Surveyor for Cherwell DC.
2. Periodic site inspections of the building works have taken place.
3. The Building Notice is awaiting the resolution of this Retrospective Planning Application to be signed off as the works satisfactorily completed.

## **E Planning History**

1. In the locality, post code OX15 5RY, over recent history there have been a number of unopposed Planning and Retrospective Planning Applications and a successful Appeal, for a mixture of proposals. (see Appendix F)
  - a. Demolition of outbuildings replaced with habitable buildings
  - b. Change of use of a business premise into residential accommodation that can be let out
  - c. Conversion of outbuildings into holiday lets.
  - d. 5no Retrospective Planning Applications. This is were works is carried out without first Applying for Planning Consent and they were all Consented to without modifications.
2. Some of the consented works are quite substantial and near to Colony Road and impacted the street scene and in some cases would be visible from the surrounding area, the Public Footpath and Bridleway.
3. It is important to note and relevant that the owner had followed all the correct procedures Applying for Planning and Listed Building Consent, for works to a Grade 2 Listed Building and in the Burdop Conservation Area and The Cherwell Local Plans.
4. That the subject of this Retrospective Planning Application was for an inadvertent change from the consented details. (see B above)

## **E Grade 2 Listed Building ownership and responsibilities**

1. A Grade 2 listing on a property, is intended to preserve the building in its original (or at the time of listing) state. This can be advantageous to the owner if it is a Georgian Mansion with all the architectural features of the period, but it incurs greatly increased costs of upkeep, maintenance and refurbishment, to the owner.
2. In this particular case it is to preserve the character of a farm labours cottage of the 1850's, which whilst a very characterful building, by definition is not grand. It is one of 4 pairs of cottages built at the same time
3. The difference between the 4 pairs of cottages is that no 7 due to its Listing, incurs the increased costs to the owner of ownership and maintenance and the restrictions on what can work or changes be made, without any relative increase in its value.
4. Its is the owner that absorbs these extra costs in preserving a Listed Building for the benefit of all.

5. Looking at the planning records for the property and the amount of works required, as identified in the Building Surveyors report for the above planning applications, the listing is likely to have been an economic factor in its lack of upkeep. The other 3 pairs of cottages close by are a less expensive to live in and maintain and own.
6. This lack of work to the building is recognised in the Sibford Gower PC comment on the planning applications, they stated **"...is currently in need of a sensitive renovation programme which the applicant is proposing to undertake."**
7. The Grade 2 listing and the Conservation Area may have also been a factor in the existing detached building becoming so dilapidated, an eyesore and potentially dangerous due to any onerous costs of rebuilding.
  - a. Extracts from the Heritage Report (Appendix C)
    - i. Heritage significance. The existing dilapidated building adversely impacted the setting of the cottage and the character of the conservation area and noticed as in poor condition in 1910. Historical records would indicate a roof of a greater height than new Garden room.
    - ii. Furthermore, it is considered the garden room, as constructed represents a visual improvement over the dilapidated structure it replaced, and provides a visual improvement, as part of the broader program of repairs undertaken to the cottage.
8. Work on a Listed Building needs consents, which require detailed Planning Applications and listed Building Consent, detailed architectural plans, building surveyors report and then the use of materials and craftsmen to recreate and preserve the buildings features. All at a considerable cost to the owner.
9. This is recognised by Historic England's Conservation Principles, Policies and Guidance (2008) approach to effective management of the historic environment and is best summed up in paragraph 86 of its 'Conservation Principles' (2008), which states:

'Keeping a significant place in use is likely to require continual adaptation and change; but provided such interventions respect the values of the place, they will tend to benefit public (heritage) as well as private interests in it. Many places now valued as part of the historic environment exist because of past patronage and private investment, and the work of successive generations often contributes to their significance. Owners and managers of significant places should not be discouraged from adding further layers of potential future interest and value, provided that recognised heritage values are not eroded or compromised in the process'.





F Concluding statement

1. The new owner of Barlett Cottage has spent considerable time and expense to stabilise and repair the deterioration the main cottage had suffered due to a lack of maintenance over a considerable period of time
2. The new owner has carried out the required building works as identified in the Building Surveyors Report and with necessary workmanship and materials
3. The new owner has removed the dilapidated pigsty that was an eyesore on the boundary of Barlett Cottage and abutting Colony Road and replaced it with a sympathetic building that in all instance other than the height of the eaves accords with the Planning consents and the comments of the Consultees
4. As has been demonstrated above in this Design and Access Statement, the raising of the eaves compared to the consent is not intrusive, not very noticeable and still subordinate to the main property with the ridge below the adjacent main house eaves, maintaining the relationship with the cottage.



Appendix A  
Document Register

Drawing number	Drawing Title	DOC. REG.		REVISION		DR01		DATE	
		Size	Rev Date	R	Date	R	Date	R	Date
RP01-01-01	Site location Plan	A3	0 01/11/24						1/11/24
RP01-01-02	Plot And Roof Plans - Existing	A3	0 01/11/24						
RP01-02-01	Heating Oil Tank - Plan	A3	0 01/11/24						
RP01-02-02	Heating Oil Tank - Elevations	A3	0 01/11/24						
RP01-03-01	GR - Colony Road Elevations	A3	0 01/11/24						
RP01-03-02	GR - North Elevation - Comparisons	A3	0 01/11/24						
RP01-03-03	GR - Visibility 1	A3	0 01/11/24						
RP01-03-04	GR - Visibility 2	A3	0 01/11/24						
RP01-03-05	GR - Plan Existing	A3	0 01/11/24						
RP01-03-06	GR - South Elevation Existing	A3	0 01/11/24						
RP01-03-07	GR - West & East Elevations Existing	A3	0 01/11/24						
RP01-03-08	GR - North Elevation - Existing	A3	0 01/11/24						
RP01-03-09	GR - Plan - As Planning Consent	A3	0 01/11/24						
RP01-03-10	GR - South Elevation - Planning	A3	0 01/11/24						
RP01-03-11	GR - West & East Elevation - Planning	A3	0 01/11/24						
RP01-03-12	GR - North Elevation - Planning	A3	0 01/11/24						
RP01-03-13	GR - Plan - As Built	A3	0 01/11/24						
RP01-03-14	GR - South Elevation - As Built	A3	0 01/11/24						
RP01-03-15	GR - West & East Elevation - As Built	A3	0 01/11/24						
RP01-03-16	GR - North Elevation - As Built	A3	0 01/11/24						
RP01-DAS01	Design & Access Statement	A4	0 01/11/24						
Bartlett Cottage	Heritage Report	A4	0 02/24						

Appendix B  
Design & Access Statement for Planning Applications

21/00437/F  
21/00438/LB

Appendix C  
Heritage Report

Appendix D  
Heritage Listing

Appendix E  
Planning Consents

Appendix F  
Extract from report on 21.00438.LB Bartlett Cottage

projecting the roof beyond the glazing, or timber louvred screens could be added. The existing roof itself is of low pitch and this might lend itself to a traditional corrugated roof that one might see on a farm outbuilding, these roofs are also good for rain harvesting. Alternatively we would not object to a natural slate roof to match the house.



**Boundaries:**

Works to the boundaries: - maintenance work to the existing stone walls - new timber entrance gates to the driveway. We would need to agree the matching stone and ask for a sample for the repairs. We would need details for the new entrance gates.

**Level of harm**

Elements of the proposals would cause significant but less than substantial harm to the listed pair of cottages but there is no public benefit in terms of the NPPG and NPPF to outweigh this harm.

There are repairs and the replacement of modern windows/doors which would be welcomed subject to details.

**Policies:**

**Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended):**  
states that 'in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority...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'. Likewise **Section 72** of the same Act states that in considering proposals for development in a Conservation Area, 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area'.

**Cherwell Local Plan 2011-2031: Adopted Document (July 2015) (As amended) Policy ESD15:**

*'Conserve, sustain or enhance designated 'heritage assets' (as defined in the NPPF) including buildings, features, archaeology, conservation areas and their settings, and ensure new development is sensitively sited and integrated in accordance with advice in the NPPF', and 'Respect the traditional pattern of routes, spaces, blocks, plots, enclosures and the form, scale and massing of buildings.'*

**Cherwell Local Plan 1996:**

*C18 Works to a listed building should preserve the building, its setting and any features of special architectural or historic interest. Alterations or extensions to a listed building should be minor and sympathetic.*

*C23 Presumption in favour of retaining positive features within a Conservation Area. – See C33.*

*C28 The layout, design and materials proposed within a new development should respect the existing local character. 'control will be exercised over all new development to ensure that standards of layout, design and external appearance are sympathetic to the character of the urban or rural context of that development.'*

**National Planning Policy Guidance NPPG:**

**Plan Making: the Historic Environment.**

Describes public benefits as 'anything that delivers economic, social or environmental progress.'

Appendix G  
Local Planning History

Reference	Type	Description	Status
24/03026/F	Retrospective	Compost Bays	Undecided
24/02065/F	Retrospective	Change of use to resi	Permitted
23/01092/F	Full Plan	Demolition/New resident	Permitted
23/00727/F	Full Plan	Change of use amenity to resi	Permitted
22/03135/F	Retrospective	Buildings & swimming pool	Permitted
21/00365/F	Full Plan	Single storey rear extension	Permitted
20/01086/F	Full Plan	Swimming pool tennis court	Permitted
20/02564/F	Retrospective	Convert barn to holiday lets	Permitted
19/02556/F	Full Plan	New garage & accommodation	Permitted
19/01387/F	Variation	Replace out buildings	Permitted
19/01120/F	Retrospective	New barn	Permitted
19/00834/F	Full Plan	Garage/workshop summer house	Permitted
18/01498/F	Full plan	New dwelling	Permitted