

- 3.2. The elements of the retrospective development failed to respect the character and significance of the grade II listed building, resulting in 'less than substantial' harm to the heritage asset. The harm identified was not significantly and demonstrably outweighed by any public benefits.

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, 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 25 April 2019, although comments received after this date and before finalising this report have also been taken into account.

- 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. **Sibford Gower Parish Council** – No comments

OTHER CONSULTEES

- 6.3. Cherwell District Council Conservation – No objections

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 129 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 132 of the NPPF states 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. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm loss should require clear and convincing justification.* Policy ESD15 of the CLP 2031 Part 1 echoes this guidance.
- 8.5. Each part of the proposal will be considered individually.

Alterations to the configuration of internal ground floor spaces

- 8.6. The main alteration has been to the central passageway which is shown on the 'existing' drawing as a cupboard. Analysis of the fabric at the rear of the building shows that the current window was originally a door and therefore this was originally a passageway leading all the way through the property. The alignment of the central passage is therefore of significance to an understanding of the property.
- 8.7. Given that there is no information to determine at what date the rear door to the passage was converted to a window it is not considered reasonable to refuse this element of the proposal.
- 8.8. There are no objections to the utilisation of the space for a ground floor toilet and basin.
- 8.9. The alignment of the passageway is however of significance and a partition and door has been reinserted to the dining room to the north of the cottage to retain this alignment.

Alterations to the main bedroom

- 8.10. Previous unauthorised works involved the removal of an internal partition (the current owner suggests 20th Century hardboard) and the ceiling of the room. The construction of a mezzanine floor. It is unclear whether there have been any alterations to the timber roof structure.
- 8.11. The alterations to the main bedroom were significant and have involved the loss of a substantial amount of historic fabric as well as the traditional proportions of the room. There is also the possibility that there have been works to the roof which have undermined the structural integrity of the building. The removal of ceiling joists is likely to have weakened the structure as these would have provided a triangular tie for the roof construction.
- 8.12. It is likely that the partition between the two rooms was 20th Century and it is concluded that there is no need to reinstate this.
- 8.13. The works to remove the ceiling have had a significant detrimental impact. Remaining historic fabric in the mezzanine area shows historic wide timber boards which are likely to have continued across the length of the room. The owner suggests that the ceiling was sagging and collapsed as a result of the works to remove the partition. This suggests that there was a lath and plaster ceiling in this area.
- 8.14. The ceiling has been reinstated whilst included the use of floor joists, wide timber boards and a lath and plaster ceiling. The details submitted and the ceiling which was viewed during the site visit are considered to be acceptable and can be approved.

Works to the chimney

- 8.15. The proposed works to the chimney would only be a minor change to what is there currently and would not impact on the main structure of the chimney. It is considered that this would not result in a loss of significance of the listed building and can be approved.

Partial re-design and replacement of ground floor fireplaces

- 8.16. The fireplace in the sitting room was clearly a modern insert and there are no objections to its alteration.
- 8.17. The fireplace to the dining room was originally an inglenook which has been substantially re-modelled with the insertion of a modern brick chimney (possibly prior to the date of listing). There are no objections to the removal of the 20th Century surround.
- 8.18. Listed building consent should be granted for alterations to 20th Century fireplaces in sitting room. No objections to the removal of 20th Century surround.

Replacement of timber doors

- 8.19. The Heritage Statement indicates that the doors that were removed were 'outdated' and 'incongruous', but there is no mention of their design or date. The current doors simple plank doors of an appropriate design and material. There are no objections to the current doors.

Re-wiring of the property

- 8.20. The property would have required listed building consent for rewiring and care should be have been taken to avoid disruption of historic fabric. The work has now been completed and greater harm would be caused by undoing the work.

Replacement of one of the ground floor windows

- 8.21. The window to the southern side of the building at the ground floor has changed since the date of listing. The style of the window is considered to be appropriate.

Conclusion

- 8.22. Following the amendments outlined above, the now retrospective development causes no harm to the fabric of the listed building and therefore complies with the test set out in the NPPF relating to heritage assets as well as Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1.

9. RECOMMENDATION

That consent is granted, subject to the following conditions:

1. Except where otherwise stipulated by conditions attached to this permission, the development shall remain strictly in accordance with the information contained within the application form and the following approved plans: Design, Access and Heritage Statement Ref 2019/5272(b) March 2019, Site Location Plan, 2018039 001, 2018039 002, MP-19-002 drg no 01, Methodology Statement and works estimate for sample area stripping to remove modern emulsion paint from timber beams to lounge, Method Statement – Hugo Seely, Ceiling Replacement, Woodburner Compliance Certificate, Report on the effects of an original ceiling removal, Site Location Plan and Block Plan

Reason – For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and comply with Government guidance contained within the National Planning Policy Framework.

Case Officer: Lewis Knox

DATE: 6 February 2020

Checked By: Paul Ihringer

DATE: 6/2/20