

**Elm Tree House
Church Lane
Wendlebury
OX25 2PN**

19/01006/LB

Case Officer: Sarah Greenall **Recommendation:** Approve

Applicant: Mr Jason Williams

Proposal: Internal and external alterations to the house and garage

Expiry Date: 25 July 2019 **Extension of Time:** 7 August 2019

1. APPLICATION SITE AND SUMMARY OF SIGNIFICANCE

- 1.1. The application relates to a two-storey detached dwelling located centrally within the village of Wendlebury and is accessed directly from Church Lane. Elm Tree House was Grade II listed in the 1950's and is constructed from course limestone rubble with some wooden lintels under a Stones-field slate tiled roof. The dwelling benefits from a driveway to the side of the house that leads to a detached garage that is partially attached to the neighbouring property, The Laurels. The surrounding area comprises a mixture of detached, semi-detached and terraced properties finished in a mixture of materials including red brick, render, stone and Bradstone. To the south east of the site there is also The Red Lion public house.
- 1.2. The house itself is Grade II listed with a number of other Grade II listed buildings, including the Red Lion, within close proximity. The building is not located within a designated conservation area. However, it is located within Flood Zones 2 and 3. There are no further site constraints directly relevant to this application.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1. The applicant seeks listed building consent for internal and external alterations to the house and garage. The proposed internal alterations include removing a modern partition wall and replacing it with a thinner partition to create hallway in the current living room, erect a new partition and door in the snug, remove modern partitions in the kitchen and replace with oak and post and replace existing kitchen units and install island, lower the cill on the internal hatch unit to create access to a new larder and erect new partitions in the dining room to create WC, utility and larder. The external works to the property include replacing two windows on the rear elevation with timber French doors, a new gabled canopy style porch over front door that leads to the newly created hallway, the existing entrance hall and service area would be turned into an orangery to create a dining room by increasing the height of the wall on the eastern side of the house with a new façade to the orangery, and alterations to the garage that have previously been approved involving creating and blocking up openings to the rear and raising the height of the roof.

3. RELEVANT PLANNING HISTORY

- 3.1. The following planning history is considered relevant to the current proposal:

14/01591/F: Alterations to house and garage, retrospective swimming pool, satellite dish and shed. *Application permitted.*

14/01592/LB: Alterations to house and garage, retrospective swimming pool, satellite dish and shed. *Application permitted.*

15/00972/F: Extension to raise pitch of existing garage roof. *Application permitted.*

15/00975/LB: Extension to raise pitch of existing garage roof. *Application permitted.*

19/01005/F: Internal and external alterations to the house and garage. *Pending consideration.*

- 3.2. The proposed alterations to the garage were previously given permission in the applications referenced 15/00972/F and 15/00975/LB.

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 19 July 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. WENDLEBURY PARISH COUNCIL: **No objections**, however noted it should be taken into consideration that the application site is situated within Flood Zones 2 and 3.

OTHER CONSULTEES

- 6.3. CONSERVATION (CDC): **No objections** subject to conditions.

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 190 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 193 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 2031 Part 1 echoes this guidance.

8.5. The proposed works include internal alterations to reconfigure the layout of the existing house. These works mostly consist of changes to remove internal walls, which evidence suggests were installed in the 1980's, and to insert some modern partition walls. The main change would be the creation of a hallway from the main front entrance. It appears there was a wall roughly in this position in the 1950's and this was removed to create one large room in the 1980's. The new partitions would not affect the historic fabric and as they would be temporary in nature could be removed at a later date. The Conservation Officer advises that the alterations to change the internal layout of the main section of the building would not result in a loss of historic fabric or alter the plan form in a harmful way and are therefore considered to be acceptable.

- 8.6. The proposal also includes alterations to a number of windows to provide doors, which would result in the need to widen the existing openings. There is, however, evidence that these openings have been altered previously and the Conservation Officer therefore advises that this would not cause further harm the significance of the listed building.
- 8.7. A timber canopy porch is proposed to the front of the building, which would be located above the main entrance door. Photographic evidence shows a similar canopy was previously erected in this location. The Conservation Officer considers that the installation of a canopy would not cause harm to the fabric of the building and that its design would complement that character of the house.
- 8.8. The proposals also include the alteration of the existing utility area to create a garden room. Concerns were raised about the visual appearance of this due to the roof lantern that would be visible above the proposed parapet. Amended plans have been received that now include a flat roof lantern which would not be visible. This is welcomed as it is considered that it would maintain the appearance of the building from the important front elevation, as well as ensuring the proposal does not harm the character of the surrounding area due to its prominence in the street scene. Most of the fabric to be removed in this area of the building is modern fabric. However, there is one internal wall to be removed that is believed to be a historic wall to a pigsty that was located here historically. This wall although historic fabric is not considered to contribute to the significance of the building and therefore on balance its removal is considered acceptable.
- 8.9. Finally, the proposals include alterations to the garage. This is a largely modern construction and consent has previously been granted to alter this area in the 2015 applications. Therefore, these works are considered to be acceptable.
- 8.10. The Conservation Officer requests a condition is imposed on any consent given to preclude any internal features being removed or altered unless they were identified on the approved plans. It is not, however, considered reasonable to attach such a condition given that any significant works or alterations would require listed building consent.
- 8.11. For these reasons it is therefore considered that the proposed works would not harm the historic significance of the listed building, and thus accord with Government guidance contained within the NPPF and saved policy C18 of the Cherwell Local Plan 1996.

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: P4, P6 D, P7 C, P10 E and P13.

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.

3. Prior to the commencement of the development, full details of all external windows and doors including the roof lantern hereby approved, at a scale of 1:20 including a cross section, cill, lintel and recess detail and colour/finish, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the doors and windows shall not be installed within the building other than in accordance with the approved details and shall be retained as such thereafter.

Reason - To ensure that the completed development is in keeping with and conserves the special character of the existing historic building and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C18 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

4. Any new plaster to be used on existing walls shall be lime based and breathable.

Reason - To safeguard the preservation and retention of all parts of the existing historic building(s) and to comply with saved Policy C18 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

5. The natural stone to be used on the walls of the orangery and for the making good of any altered openings shall be of the same type, texture, colour and appearance as the stone on the existing building and shall be laid dressed, coursed and pointed to match that of the existing building.

Reason - To ensure that the completed development is in keeping with and conserves the special character of the existing historic building and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C18 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

Case Officer: Sarah Greenall

DATE: 07.08.2019

Checked By: Nathanael Stock

DATE: 08.08.2019