

WEST OXFORDSHIRE DISTRICT COUNCIL

UPLANDS AREA PLANNING SUB-COMMITTEE

Date: 6th January 2020

**REPORT OF THE HEAD OF
BUSINESS MANAGER – DEVELOPMENT MANAGEMENT**



**WEST OXFORDSHIRE
DISTRICT COUNCIL**

Purpose:

To consider applications for development details of which are set out in the following pages.

Recommendations:

To determine the applications in accordance with the recommendations of the Business Manager. The recommendations contained in the following pages are all subject to amendments in the light of observations received between the preparation of the reports etc and the date of the meeting.

List of Background Papers

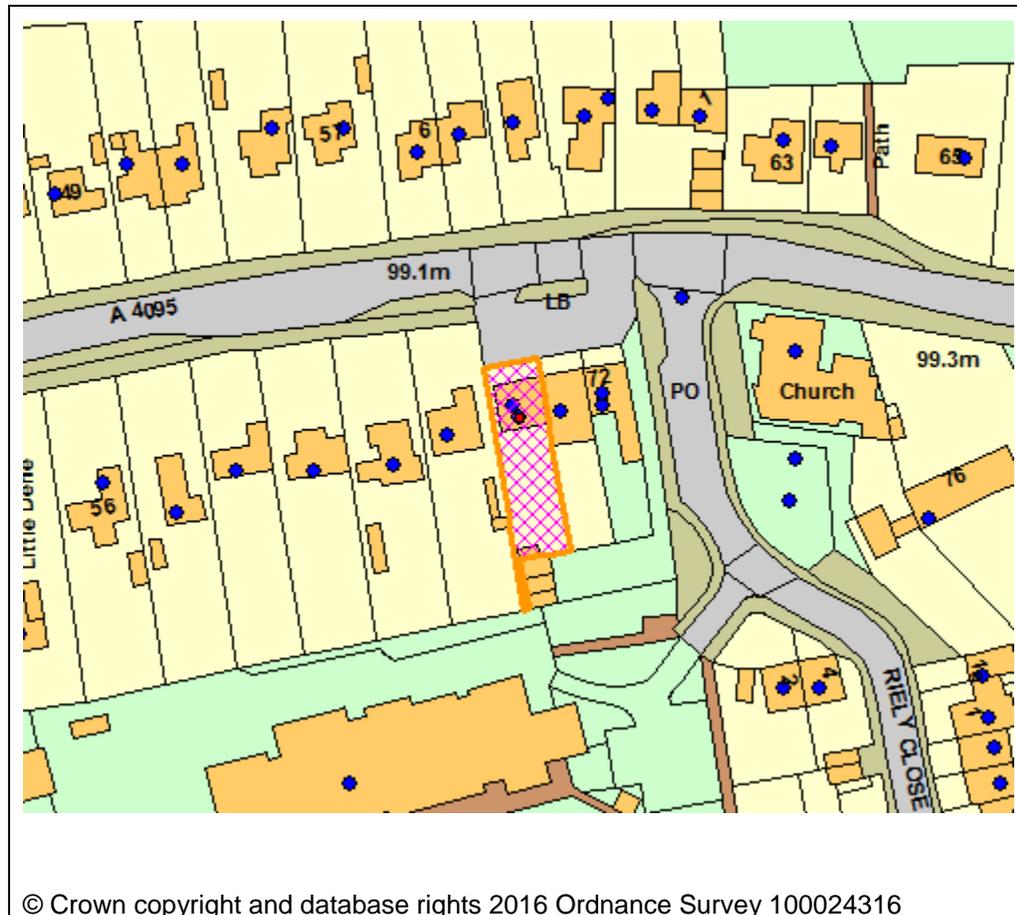
All documents, including forms, plans, consultations and representations on each application, but excluding any document, which in the opinion of the 'proper officer' discloses exempt information as defined in Section 1001 of the Local Government Act 1972.

Please note that observations received after the reports in this schedule were prepared will be summarised in a document which will be published late on the last working day before the meeting and available at the meeting or from www.westoxon.gov.uk/meetings

Application Number	Address	Page
19/02499/FUL	<u>68 Main Road, Long Hanborough</u>	3
19/02563/HHD	<u>2 Hurst Lane, Freeland</u>	10
19/02780/FUL	<u>No Oven Cottage, Chipping Norton Road, Little Tew</u>	14
19/02916/HHD	<u>Greenmore, Chastleton</u>	27
19/02917/LBC	<u>Greenmore, Chastleton</u>	36

Application Number	19/02499/FUL
Site Address	68 Main Road Long Hanborough Witney Oxfordshire OX29 8BD
Date	18th December 2019
Officer	Kim Smith
Officer Recommendations	Approve
Parish	Hanborough Parish Council
Grid Reference	442084 E 214131 N
Committee Date	6th January 2020

Location Map



Application Details:

Single storey rear extension for food preparation (Retrospective).

Applicant Details:

Mr Luke Carter, South Lodge, Barnards Gate, Witney, OX29 6XD

I CONSULTATIONS

I.1 ERS Env. Consultation Sites Mr ERS Pollution Consultation Thank you for consulting our team. I have looked at the application in relation to contaminated land and risk to human health. Review of our records suggests that the development site is located adjacent to (potentially on) an area that has previously been used as a quarry and is likely to have been filled with unknown material. I understand this application is retrospective and that the extension has already been built. Review of the information submitted indicates that the extension is of wood construction placed on paving slabs, it does not appear to be set on foundations? If the application had not been retrospective I would have likely asked for the following condition to be added to any grant of permission.

I. In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Environment Agency's Model Procedures for the Management of Land Contamination, CLR 11, and where remediation is necessary a remediation scheme must be prepared, to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and which is subject to the approval in writing of the Local Planning Authority. Reason: To prevent pollution of the environment in the interests of the amenity.

Relevant Policies: West Oxfordshire Local Planning Policy EH8 and Section 15 of the NPPF.

Given the nature of the extension and the fact it is retrospective I have no objection to the development.

If there has been any subsurface works completed as part of the development please ask the applicant if any historical fill type material was encountered.

I.2 OCC Highways The proposal, if permitted, will not have a significant detrimental impact (in terms of highway safety and convenience) on the adjacent highway network.

I.3 Parish Council Hanborough Parish Council wish to object.

The Application does not specify the function of the extension: while the Retrospective Application is described as 'Single storey rear extension for food preparation (Retrospective)', the Application Form at 5, Description of Proposal, states 'Single storey rear extension for storage'. If it is for 'food preparation', it constitutes a kitchen, and should be subject to Health and Safety environmental controls for

ventilation, odour and noise. We cannot see these are in place. Would you please check.

I.4 WODC Env Health -
Uplands

Mr ERS Pollution Consultation No objection subject to conditions.

I have undertaken a site visit to see the context and met the owner Luke Carter. The gas pizza oven was in use at the time of my visit. Luke has agreed if the LPA support the idea, to extend the flue chimney along the flat roof of the preparation kitchen across to the rear facade and then vertically to terminate 1m above eaves height. There is an existing flue venting at this height above the eaves which is not actually shown on the photographs on the application. This would go towards satisfying Environmental Health, as we promote high level discharge where ever possible.

His engineer suggested he didn't actually need a dedicated odour treatment unit for the pizza oven. To a certain extent I tend to agree as the ingredients he currently uses have not caused complaint to date. However, I understand circumstances can change over time and the absence of an odour treatment units could then clearly be detrimental for neighbours (on one side is a dentist practice and to the other a bungalow). The following I hope will provide you with a choice of conditions, which seek to address a potential worst case and the current operating scenario. With or without the redesign of the flue termination. The applicant would rather avoid installing costly odour treatment.

The development shall not start until a drawing(s) showing the position and height of the chimney flue terminating 1m above eaves height, has been approved in writing by the Local Planning Authority and the chimney flue shall be permanently installed in accordance with the approved drawing(s) before the development is brought into use or occupied

And, or

Equipment shall be installed to suppress and disperse fumes and, or smell produced by cooking and food preparation and noise from the pizza oven equipment, and the equipment shall be effectively operated for so long as the use continues. Details of the equipment shall be submitted to, and approved by, the Local Planning Authority and the equipment shall be installed and be in full working order to the satisfaction of the Local Planning Authority prior to the commencement of use

Fine filtration or ESP electrostatic precipitator, followed by carbon filtration shall be installed to the pizza oven flue, to mitigate cooking odours, before its use shall commence.

Informative:

The current industry standard reference guidance is 'Control of odour and noise from commercial kitchen exhaust systems 2018' (Defra).

2 REPRESENTATIONS

2.1 No representations received at the time of writing.

3 APPLICANT'S CASE

3.1 The applicants agent has provided the following information in respect of the retrospective development.

3.2 The extension when it was built was built purely for use as a storage unit for the business to allow us to expand and do pizzas in our front of house pizza oven. After three months of this and using the extension as a storage area it was clear that the demand for pizzas could simply not be kept up with using the single oven system at the front of the shop.

3.3 At this point we decided to hygienically clad the entire extension the same as our main food preparation area, surface fix all electrics and provide an hygienic floor system covering, to be able to start using this for cooking the pizzas the food prep takes place in the main kitchen. We then purchased a Middleby and Marshall stand alone oven that is directly extracted via a flue to the outside. We have since changed this old oven to a brand new oven that is more efficient. We have been using this area for cooking now for over 18 months without a single complaint from either the council or our neighbours.

3.4 We do not put any garlic or any ingredient that gives of a strong aroma at all. The majority are vegetable based and obviously meat products and tomato sauce.

3.5 We are more than happy to take any advice if needed from the environmental health team. We were inspected not 6 months ago and we achieved our 6th year running 5 star hygiene rating. We are therefore more than happy to work with you on any and all aspects of this application.

3.6 The oven is directly extracted to the outside of the property via a flue that is directly attached to the oven and is fan driven blowing the odour and smell outside. There is mechanical extraction and open ventilation built into the existing extraction system for the kitchen and this was deemed by the installers to be sufficient. This also contains UV odour neutralising unit.

3.7 With regards to odours we only use this oven at night between the hours of 5-10pm and not during the day and we only cook tomato and vegetables and meat products in it. Therefore the odours are pretty minimal. This building is some 15 metres from any residential property 20 metres from any neighbouring property.

3.8 The consultants that I used to advise us on this at the time suggested that when cooking these sorts of foods unless specifically required by the council and possibly in residential areas they would not fit any extra odour killing equipment. If we were cooking garlic they would but we are not.

- 3.9 We are happy to take on board any advice by form of an additional condition to the permission which we will adhere too.

4 PLANNING POLICIES

H6NEW Existing housing

OS2NEW Locating development in the right places

The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

- 5.1 This application is retrospective and seeks to regularise the erection of a wooden clad single storey extension to the rear of a fish and chip shop, 'Off the Hook', which forms part of a terrace of commercial properties at ground floor level in the village. There are residential properties in the immediate vicinity of the site.
- 5.2 The unauthorised development came to light as a result of a complaint which has raised concerns about its use as a commercial kitchen without the requisite planning or building approvals being a fire hazard.

Planning History

- 5.3 12/1551/P/FP- Conditional planning permission granted for a change of use of the premises from A1 (retail) to A5 (hot food takeaway) including the installation of a flue.
- 5.4 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:

Principle

- 5.5 The principle of utilising the ground floor of the premises for hot food takeaway purposes has already been established under 12/1551/P/FP. This permission has a number of conditions imposed on it which seek to ensure that odour and noise from the use are controlled in the interests of residential amenity of neighbouring properties.

Siting, Design and Form

- 5.6 The flat roofed design of the extension is indicative of other single storey extensions in the vicinity of the site. Whilst the use of wooden cladding is a material at variance with the light coloured rendered finish of the rear of the property and the adjoining development, the extension is not highly visible in the street scene and the wooden finish with 'silver' down over time. As such the cladding is considered acceptable in context.

Highways

- 5.7 County Highways has raised no objection to the extension of the commercial floor area.

Residential Amenities

- 5.8 The key issue in respect of the retrospective application is the impact of the development on the residential amenity of the adjoining occupiers by way of smell and noise nuisance. Your Environmental Health Officer has visited the site in order to assess the impact and has raised no objections to the application subject to the imposition of conditions and an informative which will ensure that noise and smells from the operation of the pizza oven will not unacceptably harm the adjoining occupiers.

Other matters

- 5.9 Following consultation with Building Control it has come to light that the extension constitutes unauthorised works under the Building Regulations. Your Building Control Officer has visited the site and it is understood that the applicant is going to apply for a Certificate of Regularisation under the Building Regulations. For the avoidance of doubt the breach of the Building Regulations does not preclude the conditional approval of the retrospective planning application. However, an informative is recommended advising that notwithstanding the retrospective grant of planning permission that the works are unauthorised under the Building Regulations. If as a result of any regularisation works there need to be 'material' alterations to the external elevations of the extension a further planning application may be required.

Conclusion

- 5.10 In light of the above planning assessment the application is recommended for conditional approval with three informatives, one relating to relevant Environmental Health legislation, one advising that the development is unauthorised works under the Building Regulations and one advising that the conditions attached to the enabling consent for a change of use from retail to a hot food takeaway in 2012 remain in force.

6 CONDITIONS

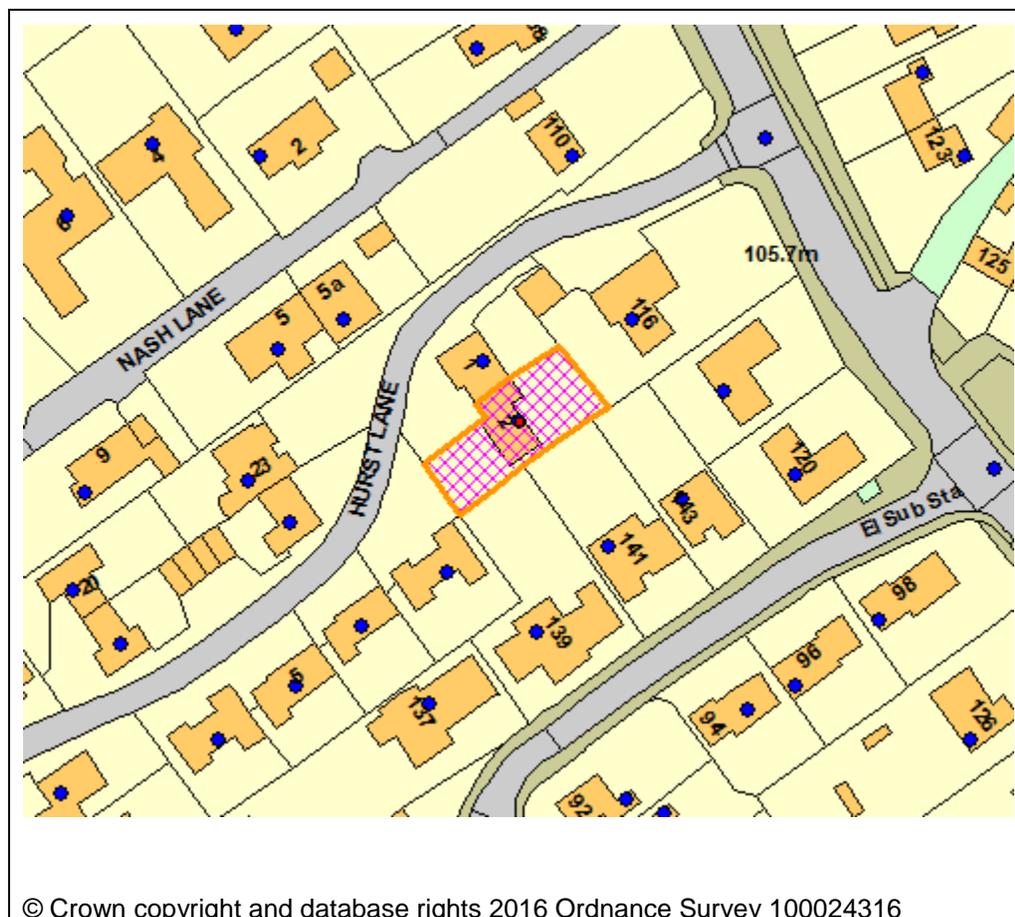
- 1 That the development be carried out in accordance with the approved plans listed below.
REASON: For the avoidance of doubt as to what is permitted.
- 2 Equipment shall be installed to suppress and disperse fumes and, or smell produced by cooking and food preparation and noise from the pizza oven equipment, and the equipment shall be effectively operated for so long as the use continues. Details of the equipment shall be submitted to, and approved in writing by the Local Planning Authority and the equipment shall be installed and be in full working order to the satisfaction of the Local Planning Authority within three months of the date of this decision notice.
REASON: In the interests of the amenities of adjoining occupiers.
- 3 Fine filtration or ESP electrostatic precipitator, followed by carbon filtration shall be installed to the pizza oven flue, to mitigate cooking odours, within three months of the date of this decision letter and the said mitigation measures shall be maintained and retained thereafter.
REASON: In the interests of the amenities of adjoining occupiers.

NOTES TO APPLICANT

- 1 The current industry standard reference guidance is 'Control of odour and noise from commercial kitchen exhaust systems 2018' (Defra)
- 2 Notwithstanding this grant of planning permission the development subject of this application is unauthorised works under the Building Regulations for which a Certificate of Regularisation should be sought. If as a result of any regularisation works there need to be 'material' alterations to the external elevations of the extension a further planning application may be required.
- 3 Notwithstanding the conditions attached to this grant of planning permission the conditions attached to planning permission 12/1551/P/FP for a change of use of the premises from retail to hot food take away remain in force.

Application Number	19/02563/HHD
Site Address	2 Hurst Lane Freeland Witney Oxfordshire OX29 8JA
Date	18th December 2019
Officer	Kim Smith
Officer Recommendations	Approve
Parish	Freeland Parish Council
Grid Reference	441133 E 213045 N
Committee Date	6th January 2020

Location Map



Application Details:

Erection of garden room (Retrospective).

Applicant Details:

Mr & Mrs Rogers, 2 Hurst Lane, Freeland, Witney, Oxfordshire, OX29 8JA

I CONSULTATIONS

1.1 Parish Council No comments or objections

2 REPRESENTATIONS

2.1 John Morris of 141 Broadmarsh Lane has objected to the application. His objection is precised as follows:

- I made no objection to the original application as I was not aware of the application until the construction started;
- From the start it was obvious that the plain wooden wall facing my garden was starting from a raised ground level and also being constructed with door or window frames;
- The applicant has been claiming a need for more light when he already has approximately twenty foot of window space on two other walls. A second reason for a second window was for symmetry;
- All I want is my privacy. I don't like the extension but if it is built according to the original agreement, I do retain my privacy;
- My privacy must be part of my human rights.

3 APPLICANT'S CASE

3.1 The applicant has written in support of his case. His supporting comments are summarised as follows:

- The extension at our property is not totally congruent with the plan originally submitted for which I apologise. When the oak structure was completed it became apparent that the room was quite dark. It was therefore decided to overcome this by placing two windows at the side of the extension. My agent advised that he would inform the Planning Department. Further plans were submitted outlying the changes. It was then decided to go ahead with the windows as both the builder and agent who are very experienced thought that the windows should not pose a problem with the planning department. It was realised that anybody looking out of either window would have a view of a neighbours glass conservatory but not of inside the house.
- We received a formal solicitor's letter from the neighbour out of the blue. The expectation was that the windows would have to be removed even though this would be costly for us.
- We are willing to make the fence higher, not because we think that the neighbour's privacy is being undermined, but we wish to resolve the matter swiftly as we do not want ongoing conflict.

3.2 We wish to make the following points:

We cannot see directly into his house and the alleged invasion of privacy, by having the windows is that he has a glass conservatory. The conservatory is also an extension. If there is a difference it is one of age and surely this does not give the neighbour and more rights to privacy than it does to us. The windows of our extension are at the side and are not main windows. The purpose is to make the room lighter and we rarely look out of them. In summary the inconvenience to the neighbour is that we can see his glass conservatory from windows the main purpose of which is to provide light against the inconvenience for us of having to sit in a room during the day without the luxury of natural light. We are willing to pay the cost of the

fence being made higher. We think that this is a reasonable and fair solution and hope the planning department will accept this.

4 PLANNING POLICIES

OS2NEW Locating development in the right places

The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

- 5.1 This application has been submitted following receipt of a complaint that a single storey extension to the front of 2 Hurst Lane was not in accordance with the approved plans. The extension has been built with two windows inserted in the side elevation of the extension adjoining the rear garden serving 141 Broadmarsh Lane. The application has been submitted in an attempt to seek to regularise the breach of planning control. The applicant has confirmed that he is willing to pay for the fence located between the two properties to be raised in order to address any concerns of overlooking from the two windows.
- 5.2 The application has been the subject of a complaint and as such Officers consider that the application is one that should be determined by the Sub Committee.
- 5.3 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key consideration of the application is:

Impact on Residential Amenity

- 5.4 It is clear from a site visit made to 141 Broadmarsh Lane that the two window insertions, by reason of the close proximity of the extension to the neighbouring property and the limited height of the intervening fence, unacceptably overlook the private garden and rear conservatory serving 141. This overlooking can in your Officers opinion be overcome by the raising of the height of the intervening fence and its retention at that height or alternatively the siting of an enclosure within the applicants garden of an appropriate height if the applicant has no control over the intervening common boundary fence. The applicant has advised that he is willing to undertake that work at his own expense.

Conclusion

- 5.5 In light of the above your Officers are recommending the application for approval with a condition that requires the precise details of the proposed fenced enclosure to be submitted to and approved in writing by the LPA and the said approved works to be implemented within one month of the grant of planning permission and the said fence to be retained thereafter.

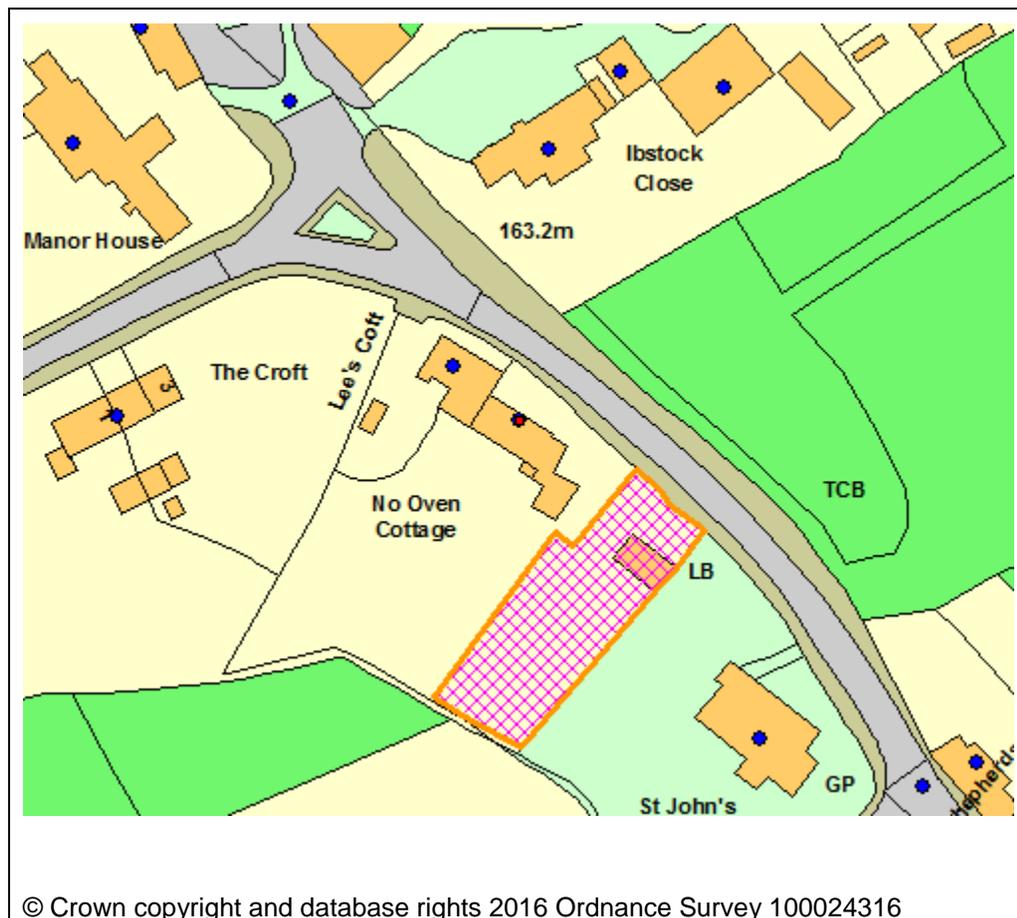
6 CONDITIONS

- 1 That the development be carried out in accordance with the approved plans listed below.
REASON: For the avoidance of doubt as to what is permitted.

- 2 Within one month of the date of this grant of planning permission a fenced enclosure shall be erected along the boundary identified as green on the attached plan ref KS/2020. The precise siting/location, elevational details and materials of the enclosure shall be first submitted to and approved in writing by the LPA and the said enclosure shall be retained as such thereafter.
REASON: In the interests of acceptable residential amenity.

Application Number	I9/02780/FUL
Site Address	No Oven Cottage Chipping Norton Road Little Tew Chipping Norton Oxfordshire OX7 4JF
Date	18th December 2019
Officer	Chloe Jacobs
Officer Recommendations	Refuse
Parish	Little Tew Parish Council
Grid Reference	438407 E 228595 N
Committee Date	6th January 2020

Location Map



Application Details:

Demolition of existing annex and erection of new detached dwelling. Close existing and formation of new vehicular access in revised position for use by existing and new property. Associated landscaping and parking.

Applicant Details:

Mrs Justine Tibbets, No Oven Cottage , Little Tew, Chipping Norton, OX74JB

I CONSULTATIONS

- I.1 Parish Council No Comment Received.
- I.2 OCC Highways The proposal, if permitted, will not have a significant detrimental impact (in terms of highway safety and convenience) on the adjacent highway network
- Recommendation:
- Oxfordshire County Council, as the Local Highways Authority, hereby notify the District Planning Authority that they do not object to the granting of planning permission, subject to conditions
- I.3 WODC Drainage Engineers No objection subject to conditions
- I.4 Biodiversity Officer No objection subject to conditions.
- I.5 OCC Archaeological Services I recommend that, should planning permission be granted, the applicant should be responsible for ensuring the implementation of an archaeological monitoring and recording action (watching brief) to be maintained during the period of construction. This can be ensured through the attachment of suitable negative conditions.
- I.6 Conservation Officer Context
- No Oven Cottage is a grade II listed building (List Entry Number: 1193481) dating from the 17th century, extended 18th century. Limestone rubble and coursed squared marlstone with timber lintels; thatch roof with C20 brick stacks. 3-unit plan, probably with through passage, enlarged to L-plan. One storey plus attic and 2 storeys plus attic. Front of lower earlier main range has a central doorway between irregular fenestration including, at first floor, a 3-light leaded casement and a leaded cross window. To right is a large stone flying buttress. Single-storey bay to left. C18 marlstone range projects from the right and has large leaded casements of 3 and 4 lights facing left. All gables have stacks and there is a further ridge stack to right of the entrance. Left gable of single-storey bay has a small 2-light window in a stone frame, possibly medieval re-set. Interior not inspected.
- The application proposes to split a piece of land into two - this is to create a new property which replaces an existing garage/annex, also, to close the existing access and form a new vehicular access in a revised position, and includes landscaping and parking at No Oven Cottage. The proposal affects the existing curtilage and setting of this

listed building. Also, No Oven Cottage is located in Little Tew Conservation Area, a small village that retains its unspoilt and isolated rural character.

Legislation and Policy

The Local Authority has a statutory obligation to give special regard to the desirability of preserving listed buildings and conservation areas; and their settings:

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, states that: special regard should be given to the desirability of preserving a listed building or any features of special architectural or historic interest which it possesses.

Paragraph 193 of the National Planning Policy Framework states that when considering the impact of new development on the significance of a listed building, great weight should be given to its conservation, and the more important the asset, the greater the weight should be. It continues that significance can be harmed or lost from development within its setting. The policy objectives set out in the NPPF (section 16) establish that there is a twin role for setting: it can contribute to the significance of a heritage asset, and it can allow that significance to be appreciated. The NPPF Glossary: Setting of a heritage asset refers to setting as 'the surroundings in which a heritage asset is experienced'. The historic character of a place is the group of qualities derived from its past uses that make it distinctive. This may include: its association with people, its visual aspects, features and materials and spaces associated with its history, including its original configuration and subsequent losses and changes.

Also, within a Conservation Area, Officers are required to take account of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that, with respect to buildings or land in a conservation area, special attention shall be paid to the desirability of preserving and enhancing the character or appearance of that area. Further the paragraphs of section 16 'Conserving and enhancing the historic environment' of the NPPF are relevant to consideration of the application.

Heritage Considerations

No Oven Cottage is located within Little Tew Conservation Area. In conservation areas, important groups of buildings often have a special value and historic character which can be harmed by new development, in this case, this includes:

- Church of St John the Evangelist -grade II listed church dating 1853 by G.E Street; north aisle and tower 1869 by Charles Buckeridge. Limestone ashlar; artificial stone-slate roofs

<https://historicengland.org.uk/listing/the-list/list-entry/1368194>

- Ibstock Close - Grade II - Farmhouse, now house. C17, enlarged c.1900 and altered early C20. The house was the vicarage for a period from 1880. <https://historicengland.org.uk/listing/the-list/list-entry/1052528>

- Cottage Approximately 10 Metres North Of Ibstock Close, The Green - GV II - Cottage. Early C18. <https://historicengland.org.uk/listing/the-list/list-entry/1193552>

- The Bell House, The Green - grade II - Inn and cottage, now house. Possibly early C17, re-modelled late C17 and extended early C18 <https://historicengland.org.uk/listing/the-list/list-entry/1052529>

- Coach House And Cottage Approximately 20 Metres North West Of Manor House, The Green Stables and coach house, now partly cottage. Late C17/early C18, altered late C20 <https://historicengland.org.uk/listing/the-list/list-entry/1368195>

- Manor House, The Green - GV II - Manor house. C17, extended C18 and C19, altered early C20 <https://historicengland.org.uk/listing/the-list/list-entry/1193562>

- Croft Cottages, Grade II 1-4 - Row of 4 cottages. 1863 by Charles Buckeridge - Intended as almshouses <https://historicengland.org.uk/listing/the-list/list-entry/1052522>

Little Tew Conservation Area Appraisal states: 'Important groups of buildings often have a special value and historic character which can be harmed by new development (however well designed)'. Also, 'Special care must be taken to ensure that views into and out of the Conservation Area, as well as views within the Conservation Area, are not harmed.

The Little Tew Conservation Area Appraisal Map also shows locally listed buildings, and a 'Significant Boundary Wall' located within the curtilage of No Oven Cottage.

Heritage Assessment Comments

The application site is within the curtilage of No Oven Cottage, in the Little Tew Conservation Area. The applicant has stated that the current curtilage was previously smaller - however although it appears that the map of 1875 does show what looks like a separate parcel - firstly, it is accessible via No Oven Cottage (see highlighted on image below).

And secondly, the applicant's Heritage Statement refers to evidence that the land was in separate ownership by discussing the Church

graveyard expansion in 'A History of Little Tew' by Francis Price. However, the text says '...by transferring land previously forming part of the gardens of No Oven Cottage'... this means that the land between No Oven Cottage and the Church belonged to No Oven Cottage. Therefore, the curtilage of this building does appear to have remained unchanged, at least, since 1875.

Notwithstanding, whilst there is no doubt that the 20th century garage /annex is not of special interest, there are other aspects to consider. National and Local Policy including LP2031 -Policies EH9, EH10, EH11 and EH13 - direct us to focus on conservation and enhancement of heritage assets, and this includes their setting, their historic landscape character / pattern, and views into, and out from all heritage assets.

Although is a single-storey building, the footprint of the proposed building is large-scale, and will fill a significant amount of this plot, together with other associated residential paraphernalia, this characterful plot will alter considerably. Also, the proposed building will particularly alter views from the Church grounds which are slightly elevated, and from No Oven Cottage itself where the view will be a building instead of a garden plot; this building will be an incongruous addition to this characterful area, and have a negative impact on the heritage assets. Also, the applicant wishes to revise the position of the access in the boundary wall which has been identified as a Significant Boundary Wall in Little Tew Conservation Area; this will negatively alter the appearance and setting of the listed building and conservation area.

The proposed development does not conserve and enhance the appearance and setting of the heritage assets, it does not build on the pre-existing historic character (including building layouts), it does not respect the historic character of the landscape, nor does it respect the building's historic curtilage or context and setting, including the pattern of development - it does not respect the form, scale, massing, density, layout, landscaping, use, alignment and external appearance of the listed building and wider conservation area.

Consequently, it is not considered that the special interest of the heritage assets would be preserved, and the less than substantial harm which would result from the development proposed would not be outweighed by any discernible public benefits. Therefore, in conclusion, I consider the proposal in its current form would not conserve and enhance the heritage assets, which have been given special weight in this assessment, and are contrary to policies OS4 and EH9, EH10, EH11, EH12, EH13, EH15 and EH16 of the West Oxfordshire Local Plan 2031 and section 16 of the NPPF, and Little Tew Conservation Area Appraisal.

N.B.: In undertaking a further investigation during this application I

noted that the Victoria County History (<https://www.british-history.ac.uk/vch/oxon/vol11/pp247-258>) it states that 'The Cogges priory, later Eton College, house may have stood on the site known in the 18th century as Prior's close, given by Eton in 1853 for the new church'. There were historically three Manors in Little Tew of which the locations of only two of them are known, if the missing Manor is under the Church, it stands to reason that the Church grounds, as well as surrounding land could have been associated with the Manor, and may therefore be of archaeological interest. I recommend that the County Archaeologist is consulted.

I.7 WODC Planning Policy
Manager

Background

The application proposes the demolition of an existing annexe building to be replaced by a single storey dwelling along with the formation of new vehicular access. The site is located within Little Tew, which is defined as a small village. The site is located within the Tew Conservation Area and the annexe is within the curtilage of a Listed Building.

Status of development plan:

The current statutory development plan for West Oxfordshire is the West Oxfordshire Local Plan 2031 which was adopted on 27 September 2018 and must therefore be given full weight. The West Oxfordshire Design Guide SPD is also relevant to this application, particularly sections 4, 6, and 7.

Assessment

This development is located within the Chipping Norton Sub-Area. From the evidence provided in the application and from further research, I believe this proposal highlights the following policy issues:

OS2 - Locating Development in the right places

Implications for this proposal should be carefully considered against OS2.

Development in Little Tew should be limited to that which is required and is appropriate for a rural location and respects the intrinsic character of the area. Development should conserve and enhance the built environment, form a logical complement to the character of the area, be provided with safe vehicular and pedestrian access, not result in harmful impacts on existing occupants and not involve the loss of any features that make an important contribution to the character or appearance of the area.

H2- Delivery of New Homes

New dwellings in small villages, hamlets and open countryside will only be permitted where there is an essential operational or other local need that cannot be met in any other way in the settlement or where the design is of an exceptional quality or innovative design. This proposal does not appear to meet either of these tests.

EH9 - Historic Environment

Great weight should be given to the character and appearance of Conservation Areas and their settings including the contribution their surroundings make to their physical, visual and historic significance. In addition, great weight should be given to the special architectural and historic interest of Listed Buildings, including their setting.

EH10 - Conservation Areas

Proposals for development in a Conservation Area will be permitted where the location, form, scale, massing, height, layout, landscaping, alignment and external appearance conserves or enhances the character, appearance and setting of the Conservation Area and is not detrimental to views within, into or out of the area. Views from the Church and church yard should also be considered.

Additionally, demolition of a building in a Conservation Area will only be permitted where it has been demonstrated that: The building detracts from or does not make a positive contribution to the special interest, character, or appearance of the Conservation Area; or the building is of no historic or architectural interest or is wholly beyond repair and not capable of beneficial use; and the proposed replacement building makes an equal or greater contribution to the character of the Conservation Area.

EH11 - Listed Buildings

This proposal will affect the setting of the listed buildings; it must comply with Policy EH11 of the Local Plan.

Proposals for additions within the curtilage of a listed building will only be permitted if they can be shown to conserve or enhance its setting and respects the building's historic curtilage. This should be considered in regards to both No Oven Cottage and Church of St. John the Evangelist, particularly to the loss of enclosure of the exiting church yard.

Other considerations

Other relevant planning considerations include the impacts on protected species and biodiversity (Policy EH3), the impact on trees on the site - particularly in regard to the Yew trees, the provision of safe access (Policy T2), the impacts on the living conditions of

neighbouring properties (Policy OS4) and management of surface water runoff (EH7).

Conclusion

In conclusion, the key issues in assessing this application are the impacts on:

- The appropriateness of new development in Little Tew which is defined as a small village
- The need for new housing in the village, and whether this proposal offers an exceptional quality or innovative design..
- Protection and enhancement of the Conservation Area
- The setting of the listed buildings and the impacts on both the natural and built environment.
- The loss of trees

Further consultation from the Conservation and Heritage team and a Biodiversity Officer is required regarding the proposed development.

List of Relevant Planning Policies

The relevant policies in relation to this planning application are listed below:

West Oxfordshire Local Plan 2031: OS2, OS3, OS4, H2, T2, T4, EH2, EH3, EH7, EH9, EH10, EH11, EH13.

2 REPRESENTATIONS

2.1 One letter of representation has been received objecting to the proposed scheme for the following reasons:

- Risk of flooding has been ignored in the submitted drainage report- the site has flooded several times over the years.
- Not appropriate for the Conservation area
- Close proximity between the new dwelling and neighbouring, No Oven Cottage.
- Demolition of annexe would result in lack of storage space to serve No Oven Cottage
- The development would despoil Little Tew

2.2 Three letters of representation have been received in support of the application. These comments can be summarised as follows:

- The design would be an improvement
- The design is of high quality
- The current garage block/annex to the house 'No Oven Cottage' has been a substantial blot on the landscape
- Would open up views to the church

3 APPLICANT'S CASE

3.1 A planning statement has been submitted as part of the application which concludes:

- Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- This statement has set out that the development proposal would result in a dwelling of exceptional quality and innovative design. It has set out that the development would be of a proportionate and appropriate scale to its context. It has been set out that development is entirely compatible with its adjoining land uses and its siting and design has been informed such to avoid any harmful impacts on the amenity of existing occupants.
- This statement has set out that the proposal will not harm the local landscape or the setting of the settlement. Being located within an existing domestic curtilage, the proposal will provide safe vehicular access and safe and convenient pedestrian access to supporting services and facilities within the village.
- It is therefore concluded the development proposal fully conforms to the requirements of Local Plan Policies OS2 and H2.
- In addressing Local Plan Policy H2, it has been set out that the application currently comprises a two-storey building that could otherwise be converted to form a dwelling. However, as an alternative approach the replacement of that building in the manner proposed is considered to result in significant environmental enhancements. This is a material consideration to which some weight should be attached.
- This statement has also set out, in detail, several enhancements to this part of the Conservation Area and the heritage assets of the Church of St John the Evangelist and No Oven Cottage. It has been set out that great weight and importance should be attached to that matter, in accord with the provisions of Local Plan Policy EH9.
- This statement has demonstrated the proposal will both conserve and enhance the special architectural and historic interest of the listed buildings features, appearance, character and setting. Moreover, it has been set out that the proposal will replace an existing building which is of no architectural significance, and due to the siting and design of the proposals, it is considered the visual change on the character and significance of the conservation area will result in positive impact.
- It has been set out that the proposal constitutes 'sustainable development'.
- For all the above reasons, it is recommended that planning permission should not be withheld for this development of exceptional quality and innovative design, resulting in significant enhancements to several designated heritage assets.

4 PLANNING POLICIES

OS1NEW Presumption in favour of sustainable development

OS3NEW Prudent use of natural resources

OS2NEW Locating development in the right places

OS4NEW High quality design

EH9 Historic environment

EH10 Conservation Areas

EH11 Listed Buildings

EH12 Traditional Buildings

EH13 Historic landscape character

EH15 Scheduled ancient monuments

EH16 Non designated heritage assets

H2NEW Delivery of new homes

H6NEW Existing housing

T4NEW Parking provision

NPPF 2019

DESGUI West Oxfordshire Design Guide

The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

5.1 The application seeks planning permission to sub-divide the plot and erect a new 3-bed dwelling to replace an existing garage, annexe and lean-to extension at No Oven Cottage. The proposal also includes the relocation of the access and new landscaping. No Oven Cottage is a grade II listed building which sits within Little Tew Conservation Area.

5.2 Pre-application advice was sought in October 2018 for the proposed development. Officers advised at this time that the proposal would be contrary to Local Plan policies OS2, H2, EH9, EH10 and EH11 and therefore officers would not be likely to support an application.

5.3 Notwithstanding this, an application was submitted in June 2019 (REF: 19/01646/FUL) which was withdrawn following extensive discussions regarding the unacceptability of the proposal in terms of the principle of development and impact on heritage assets.

5.4 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:

Principle

Heritage impact

Residential amenity

Highways

Ecology

Principle

5.5 Little Tew is identified in the West Oxfordshire Local Plan 2031 settlement hierarchy as a small village. Policy H2 of the adopted WOLP 2031 only permits new dwellings in Sutton in a limited

number of exceptional circumstances. The relevant circumstances outlined in the policy are as follows:

- where there is an essential operational or other specific local need that cannot be met in any other way, including the use of existing buildings. Where appropriate, new homes provided (other than replacement dwellings) will be controlled by an occupancy condition linked to the operational need and/or to the 'rural exception site' approach for permanent affordable dwellings;
- where residential development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of a heritage asset;
- residential development of exceptional quality or innovative design.

5.6 In this case, it has not been demonstrated that there is an operational or specific local need for this dwelling which cannot be met in any other way, nor is it considered to be a rural exception site providing affordable housing. Further, the impact on the heritage assets will be assessed in detail below, but the development is not considered to represent the optimal viable use of the heritage assets, and does not secure the future of the listed building. Lastly, whilst the proposed dwelling, when looking at design principles only, is inoffensive when considered out of context, it is not considered to be of exceptional quality or innovative design. In addition, your officers do not consider that a new dwelling in this location would fall within any of the other exceptional circumstances listed in policy H2. Therefore, the application is contrary to policies OS1, OS2, OS3 and H2 of the adopted West Oxfordshire Local Plan 2031 and is unacceptable in these terms.

5.7 Your officer's consideration of the proposal against the other relevant policies within the adopted Local Plan 2031 will be explored in detail below.

Heritage Impact

5.8 As the site is within the curtilage of a listed building, your officers are required to take account of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that in considering whether to grant listed building consent for any works 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.

5.9 Further, given that the application site is also within a Conservation Area, your officers are required to take account of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that, with respect to buildings or other land in a Conservation Area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Furthermore, the paragraphs of Section 16 'Conserving and enhancing the historic environment' of the NPPF are relevant to consideration of the application.

5.10 Whilst the applicant has stated that the curtilage serving No Oven Cottage was previously smaller than it currently is, it appears historically that the land between No Oven Cottage and the Church belonged to No Oven Cottage. Therefore, the curtilage of this building does appear to have remained unchanged, at least, since 1875.

5.11 In this case, whilst there is no doubt that the 20th century garage /annex is not of special interest, there are other aspects to consider. National and Local Policy, including the WOLP

2031 policies EH9, EH10, EH11 and EH13, direct us to focus on conservation and enhancement of heritage assets, and this includes their setting, their historic landscape character / pattern, and views into, and out from all heritage assets.

- 5.12 Although the proposed development is a single-storey building, the footprint of the proposed building is large-scale, and will fill a significant amount of this plot, together with other associated residential paraphernalia, this characterful plot will alter considerably. Also, the proposed building will particularly alter views from the Church grounds which are slightly elevated, and from No Oven Cottage itself where the view will be a building instead of a garden plot; this building will be an incongruous addition to this characterful area, and have a negative impact on the heritage assets. Also, the applicant wishes to revise the position of the access in the boundary wall which has been identified as a Significant Boundary Wall in Little Tew Conservation Area; this will negatively alter the appearance and setting of the listed building and conservation area.
- 5.13 Therefore, your officers are of the opinion that the proposed development fails to conserve and enhance the appearance and setting of the heritage assets, it does not build on the pre-existing historic character (including building layouts), it does not respect the historic character of the landscape, nor does it respect the building's historic curtilage or context and setting, including the pattern of development - it does not respect the form, scale, massing, density, layout, landscaping, use, alignment and external appearance of the listed building and wider conservation area.

Residential Amenity

- 5.14 In terms of the impact on neighbouring amenity, this has been carefully assessed. Given the single storey nature of the proposed new dwelling, officers are of the opinion that this would not be overbearing or result in any loss of light and or overshadowing towards the neighbouring property at No Oven Cottage. Furthermore given the nature of the development and its siting, the application is not considered to give rise to any adverse impacts in regards to overlooking, and or loss of privacy. As a result the new dwelling is not considered to result in any adverse impacts in regards to neighbouring amenity.

Highways

- 5.15 The proposal seeks to close the existing vehicular access and to relocate this to the east using the same stone work allowing a clear entrance to the two properties. This action is sought to improve the vision splay to the north, retaining the southern vision splay within safe limits. OCC Highways have been consulted on the application and have raised no objections in regards to highways safety and convenience. On this basis, the scheme is considered acceptable and complies with policy T4 of the West Oxfordshire Local Plan.

Conclusion

- 5.16 In light of the above, the principle of a new dwelling here is unacceptable given its unsustainable location. Further, it is not considered that the special interest of the heritage assets would be preserved, and the less than substantial harm which would result from the development proposed would not be outweighed by any discernible public benefits.

- 5.17 Therefore, the development is considered to be unacceptable and contrary to policies OS1, OS2, OS3, OS4, H2, EH9, EH10, EH11, EH12, EH13, EH16 and EH16 of the adopted West Oxfordshire Local Plan 2031, and the relevant provisions of the NPPF.

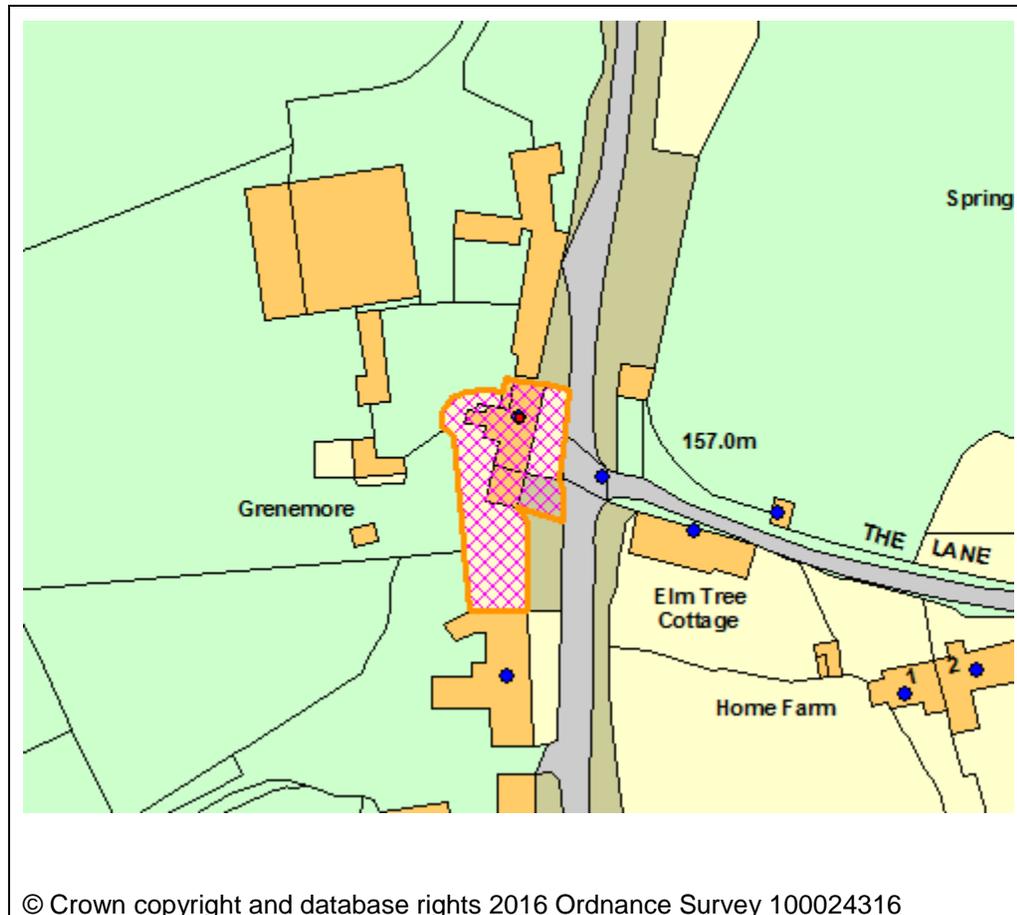
6 REASONS FOR REFUSAL

- 1 The proposed development would not represent sustainable development given the very limited range of services and facilities within Little Tew. The applicant has failed to demonstrate justification for this development proposal as either essential operational or other specific local need that cannot be met in any other way, as a residential development that would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of a heritage asset, as residential development of exceptional quality or innovative design, neither has the site been allocated for housing development within the adopted West Oxfordshire Local Plan 2031 or an adopted (made) neighbourhood plan. The proposed development would therefore, be contrary to policies OS1, OS2, OS3 and H2 of the Adopted West Oxfordshire Local Plan 2031, and the provisions of the NPPF 2019.

- 2 The proposed development, by reason of its siting and scale, which does not build on the pre-existing historic character (including building layouts), does not respect the historic character of the landscape, nor does it respect the building's historic curtilage or context and setting, including the pattern of development and does not respect the form, scale, massing, density, layout, landscaping, use, alignment and external appearance of the listed building and wider conservation area, fails to conserve or enhance the appearance and setting of the heritage assets. The proposed development would therefore be contrary to policies OS2, OS4, EH9, EH10, EH11, EH12, EH13, EH15 and EH16 of the adopted West Oxfordshire Local Plan 2031, and Section 16 of the National Planning Policy Framework 2019.

Application Number	19/02916/HHD
Site Address	Greenmore Chastleton Moreton-In-Marsh Oxfordshire GL56 0SU
Date	18th December 2019
Officer	Chloe Jacobs
Officer Recommendations	Refuse
Parish	Chastleton Parish Council
Grid Reference	424695 E 229281 N
Committee Date	6th January 2020

Location Map



Application Details:

Alterations to include replacement of existing lean-to storage structure with a lean -to kitchen/dining room and addition of two new dormers to rear elevation. Associated landscaping works.

Applicant Details:

Ms Maggie Todd, Greenmore, Chastleton, Moreton-In-Marsh, Oxfordshire, GL56 0SU

I CONSULTATIONS

1.1 Parish Council No Comment Received.

2 REPRESENTATIONS

2.1 One letter of representation received objecting to the proposed scheme for the following reasons:

- We strongly object to the glazing on the (east elevation). This would completely and utterly spoil the front facade and the street scene of this Grade 2 listed building which is in the centre of the village and directly opposite our Grade 2 thatched cottage. This is absolutely not in keeping with this beautifully preserved, unspoilt 'step back in time' village.
- Grenemore has a Grade 2 listed farmhouse on one side and a Grade 2 listed barn on the other side. Directly opposite is a Grade 2 listed thatched cottage (our property) together with the Grade 2 listed village forge.
- Grade 2 listed Home Farm was denied planning recently to remove the barn doors and have glazing there instead. This decision was based upon the street scene.
- Architecturally, nothing has changed in Chastleton for the last 400 years, which makes it such a special village. Grade 1 listed Chastleton House owned all of the village including Grenemore for many years. When you drive through Chastleton, you observe that there are no new buildings and visually the street scene has remained unchanged since all the houses, farmhouses, barns, bakehouse (one of only two in England) cottages and the old village forge were originally built in the early seventeenth century.
- This village is pretty unique because it is in essence a National Trust Village that has not been touched for 400 years. Very little has changed and most of the buildings are listed.
- The listed building consent that is being sought is for a 'shock' of graduating glass to blend in with 400 year old mullion windows. The combination of the two types of windows sitting side by side will look awful. It bears a resemblance to an extension that you'd expect to see on an industrial trading estate!
- Quite apart from anybody walking or driving past Grenemore and seeing this modern glazed panel of graduated glass, this will be highly visible to anyone walking or driving down 'The Lane'. The Lane is directly opposite Grenemore and you'd see the glazing right in front of you. All of the buildings in The Lane are Grade 2 listed, including the extremely rare Bakehouse (recently restored by the National Trust).
- We wondered if the lean-to existing garage/lean-to originally had planning permission, given that it is of wooden construction.
- We are also concerned about the front door keeping its same appearance.
- We would ask you to fully consider our objection and suggest that you have a site meeting to fully evaluate the impact this application has.

3 APPLICANT'S CASE

- 3.1 In support of the proposal the agent has provided a design and access statement as part of the application which concludes:

As highlighted in the covering statement, this application is for a resubmission of 19/01195/HHD. The proposal herein remain largely unaltered with the exception of a reduced width opening into the lean-to kitchen to ensure the original plan for is still legible. Additional documentation has been included to highlight alternative designs that helped inform the original submissions. The opportunity has also been taken to directly challenge the conclusions of the Conservation Officer's report. This assessment should also be read in conjunction with the updated heritage assessment which also contains an addendum addressing the additional material and conservation officer discussions.

- 3.2 Notwithstanding the above comments, it is strongly felt that the original summary still stands:

'Grenemore' has been empty for several of years and although it has previously been well maintained, recently it has fallen into disrepair. The current owners purchased the property with a view to refurbishing it and bring it up to the standard expected of a family home. However, they acknowledge that a comprehensive program of repair, including structural repairs, and minor alterations are required in order to ensure Grenemore is fit for purpose.

- 3.3 These can be summarised as follows:

- Comprehensive programme of repair to address defective building fabric
- Minor reconfiguration of existing partitions and insertion of some new partitions in order to facilitate the insertion of adequate bathroom facilities.
- Minor alterations to fabric to include new dormers, roof lights and services.
- A new kitchen addition to replace the c20th lean-to storage structure

- 3.4 The careful considerations of the significance of the historic fabric of Grenemore, and its location within the Conservation Area as summarised in the Heritage Assessment, have informed the design of these proposals. It is argued that they are both sympathetic to the original c17th fabric but also acknowledge and respect later alterations that contribute to the history and significance of the building. The introduction of modern services and facilities is fundamental in ensuring the future viability and longevity of Grenemore as a home. Without the provision of these essential modern conveniences there is a danger that Grenemore is not fit-for-purpose and may not be adequately maintained in the future. Therefore, it is argued that the level of repair required balances any perceived harm to historic fabric that may be caused by these relatively minor proposals.

- 3.5 Full text is available online.

4 PLANNING POLICIES

OS2NEW Locating development in the right places
OS4NEW High quality design
H6NEW Existing housing
EH1 Cotswolds AONB
EH9 Historic environment

EH10 Conservation Areas
EH11 Listed Buildings
EH13 Historic landscape character
T4NEW Parking provision
NPPF 2019
DESGUI West Oxfordshire Design Guide

The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

- 5.1 The application seeks planning permission for a number of alterations to include the replacement of the existing lean-to storage structure with a lean -to kitchen/dining room and the addition of two new dormers to the rear elevation. It also seeks planning permission for the associated landscaping works. The application site relates to the grade II listed building (List Entry Number: 1053332) dating from Mid-17th century with minor later additions and alterations. The building is located within Chastleton Conservation Area, and is stated to be historically connected to Chastleton Estate. Grenemore House is sited both within the Chastleton Conservation Area and the Cotswolds Area of Outstanding Natural Beauty.
- 5.2 This application is made following the withdrawal of a previous application for planning permission and listed building consent (REF: 19/01195/HHD). The previous application was for the same development: Alterations and refurbishment of existing dwelling including new replacement single storey extensions, new dormer windows and reconfiguration of internal rooms. The application was withdrawn following an objection from the Conservation Officer which concluded:
- 5.3 The current proposal would result in a listed building which would be harmfully altered in its form and character, integrity and significance. Consequently, it is not considered that the special interest of the listed building would be preserved, and the less than substantial harm which would result from the development proposed would not be outweighed by any discernible public benefits. Therefore, in conclusion, I consider the proposal in its current form would not conserve and enhance the heritage assets, which have been given special weight in this assessment, and are contrary to policies OS4 and EH9, EH10, EH11 and EH12 of the adopted West Oxfordshire Local Plan 2031, Chastleton Conservation Area Appraisal, the West Oxfordshire Design Guide - Section 14, and section 16 of the NPPF.
- 5.4 The application has been brought before Members of the Uplands Sub-Committee for consideration as it has been called in by Councillor Beaney on Policy OS2 grounds.
- 5.5 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:

Principle
Siting, Design and Form
Impact on the listed building
Residential amenity
Highways

Principle

- 5.6 As per the previously withdrawn application, many of the proposed changes and alterations, including the pentice to the rear of the building are now supportable; this is subject to conditions E12, E17, D11, and D33. However there are elements in the application which are to be considered against the following policies:
- 5.7 Policy EH9 - states that all proposals should conserve and/or enhance the special character; appearance and distinctiveness of West Oxfordshire's historic environment, including the significance of the District's heritage assets, in a manner appropriate to their historic character and significance, and in a viable use that is consistent with their conservation, in accordance with national legislation, policy and guidance for the historic environment.
- 5.8 It directs Officers to assess whether applicants have demonstrated that their proposal would, in order of preference: avoid adverse impacts on the significance of the asset(s) (including those arising from changes to their settings) and, wherever possible, enhance or better reveal the significance of the asset(s); minimise any unavoidable and justified (by the public benefits that would accrue from the proposed development - see below) adverse impacts and mitigate those impacts in a manner proportionate to the significance of the asset(s) and the nature and level of the impact, investigate and record changes to or loss of physical fabric, features, objects or other remains and make the results publicly available; demonstrate that any new development that would result in the unavoidable and justified loss of all or part of a heritage asset would proceed within a reasonable and agreed timetable that makes allowance for all necessary safeguarding and recording of fabric and other remains, including contingencies for unexpected discoveries.
- 5.9 Proposals which would harm the significance of a designated asset will not be approved, unless there is a clear and convincing justification in the form of substantive tangible public benefits that clearly and convincingly outweigh the harm, using the balancing principles set out in national policy and guidance.
- 5.10 Policy EH11 - whilst the policy, in principle, allows for development, it sets out that additions to Listed Buildings will be permitted where development; conserves or enhances the special architectural or historic interest of the building's fabric, detailed features, appearance or character, and setting, respects the building's historic curtilage and retains the special interest that justifies its designation.
- 5.11 Officers consider that the development would result in less than substantial harm to the significance of the Grade II listed building. In accordance with the provisions of Paragraph 198 of the NPPF, when assessing the public benefits of the proposed development against the compromising impact of the proposed development on the significance of the listed building officers are of the opinion that the public benefits do not outweigh the harm that this proposal will have on the character and significance of this listed building; including its setting.

Siting, Design and Form

- 5.12 The application seeks planning permission for a number of alterations to include the replacement of the existing lean-to storage structure with a lean -to kitchen/dining room and the addition of two new dormers to the rear elevation. It also seeks planning permission for the associated landscaping works. As previously stated, many of the changes and alterations

proposed, including the pentice to the rear of the building are now supportable; this is subject to conditions E12, E17, D11 and D33.

5.13 However, there are three particular items that are of concern and are currently insupportable:

5.14 Firstly, the proposal seeks planning permission to insert two dormer windows within the rear elevation. Whilst there is no disagreement that the level of intervention required in inserting dormers would be the same as rooflights and that dormers could also be reversible, there is more to consider because this proposal will affect the character of this listed building. There are currently two dormers on this otherwise unbroken roof-scape, the date that the dormers were added is unknown. The current roofscape and dormers are not symmetrical and according to the applicant's drawing P005, one dormer sits slightly higher than the other.

5.15 The main issue is that this proposal introduces something to the listed building that was not previously there. Vernacular buildings are not always perfectly consistent, sometimes they are a little rough around the edges, and they will not always have well-balanced design - this is actually part of their charm and character. So, to alter its current asymmetrical character to try to incorporate a more balanced design can harm the character of the existing roofscape setting and building as a whole.

5.16 The attic space appears to have been used as accommodation in the past, without the need for extra light, and so the addition of two dormers is not necessary to ensure continued habitation of the dwelling. Historic England states that there is a need to sympathetically integrate openings without compromising the external characteristics of a building. In this case, in understanding the applicant's requirement for extra light in the loft - I have referred to the fact that the addition of two rooflights to this building was not deemed unacceptable because it is possible for light and ventilation to be introduced in a less intrusive way, and still ensure that the character of this listed building is preserved as much as possible. And, because some rooflights are available that are designed specifically for sensitive locations and sit flush with the roof, in the interest of preserving this listed building the use of roof-lights would be more sensitive than dormers.

5.17 Secondly, the application seeks to replace the existing front door with a fully glazed addition. Fully glazed doors are not appropriate for a building of this age, we could not support this because traditionally buildings of this age would not have had glazing panels in the upper and lower front door, and therefore, the proposal would have a harmful impact on the character of this listed building and the conservation area. In Section 10 of the WODC Design Guidance - Windows and Doors it states 'for vernacular houses and cottages of the C17 and the first half of the C18, a solid upright planked or boarded door is characteristic (in modern versions, these sometimes have a small square window in the upper half of the door)'. Although the existing door is not the original, it does to some extent correspond to our design guidance, and therefore preserves the character of this listed building in the conservation area, which the proposed door fails to do.

Impact on the Listed Building

5.18 Officers are required to take account of section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that in considering whether to grant planning permission for any works the local planning authority shall have special regard to the

desirability of preserving the building, its setting and any features of special architectural or historic interest which it possesses.

- 5.19 With regard to listed buildings our Design Guidance - Section 14: Extensions and Alterations states:

'in some cases (perhaps owing to the building's sensitivity, or because it has already been extended) it may be impossible to extend the building at all without causing undue harm to its character or fabric. And, any proposed extension... resulting in the loss of significant original fabric or features, or which fails to respond sympathetically or meaningfully to the Listed Building, is unlikely to be supported'.

- 5.20 Paragraph 193 and 194 of the National Planning Policy Framework (the Framework) states that when considering the impact of any proposal on the significance of a listed building, great weight should be given to its conservation. It continues that significance can be harmed or lost through alteration. In this case the current proposal to extend /elongate the plan form of this listed building to create a kitchen / dining room in the lean-to structure - which would include structural intervention and puncturing through historic fabric - would result in a building significantly greater in size, which would harmfully affect its fabric, form and character.

- 5.21 With regard to the impact on the listed building, the proposed development is considered to obscure the historical architecture of the existing listed building. The proposed development is therefore not considered to respect the special qualities and historic context of the Conservation Area and would not maintain the appearance of the heritage asset given the nature of what is proposed and its location. The proposed development would be contrary to policies EH10 and EH11 of the Local Plan.

Impact on the character and appearance of the area

- 5.22 Within the Chastleton Conservation Area, Officers are required to take account of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that, with respect to buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Further the paragraphs of section 16 'Conserving and enhancing the historic environment ' of the NPPF are relevant to consideration of the application.

- 5.23 The Chastleton Conservation Area Appraisal states:

'...an accumulation of extensions can easily obscure the simple form of traditional buildings, and should be avoided...It should be recognised that in these instances extensions may not be acceptable'.

- 5.24 And, 'it is expected that in all cases the basic size of the existing property will be respected and that alterations and extensions will take into account the scale and character of the original form'.

- 5.25 Furthermore, 'Buildings may need altering or enlarging from time to time to meet the evolving needs of successive owners. However, many existing buildings in Chastleton have a scale and character worthy of retention'.

- 5.26 The applicant's comprehensive heritage statement has referred to the significance of Grenemore's plan form stating: 'Of great interest is the plan-form. The arrangement of the front elevation together with the ground floor layout, suggests a three-cell cross-passage house'. As an example they provide a figure (47) of a generic 'three-cell plan of a C17 Cottage'. Grenemore retains a similar plan form today albeit with possible loss of some partitioning.
- 5.27 In this regard the proposed development is not considered to respect the special qualities and historic context of the Conservation Area and would not maintain the appearance of the heritage asset given the nature of what is proposed and its location.
- 5.28 Paragraph 172 of the NPPF 2019 requires great weight to be given to conserving and enhancing landscape beauty in Areas of Outstanding Natural Beauty. It is considered that the proposed alterations and replacement extension would only be viewed in its immediate context which is wholly residential and will therefore conserve the wider Cotswold AONB.

Impact on residential amenity

- 5.29 Given the nature of what is proposed and its siting, design and scale, officers are of the opinion that the proposed alterations and replacement of the existing extension would not give rise to any adverse impacts in regards to neighbouring amenity. Whilst the proposal seeks to insert two dormer windows within the rear elevation, there are no neighbouring properties towards the rear of the dwellinghouse for these to give rise to any overlooking and or loss of privacy. As for the replacement of the existing side extension, this is to be single storey and is not considered to give rise to any loss of light nor is it thought to be overbearing on the neighbouring properties. Therefore the proposal is considered acceptable in this regard.

Conclusion

- 5.30 In conclusion, as Grenemore is a grade II listed building, in accordance with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, when considering whether to grant planning permission, special regard should be given to the desirability of preserving a listed building or any features of special architectural or historic interest which it possesses. Paragraph 193 of the National Planning Policy Framework (the Framework) states that when considering the impact of any proposal on the significance of a listed building, great weight should be given to its conservation. It continues that significance can be harmed or lost through alteration. In this case the current proposal to extend /elongate the plan form of this listed building to create a kitchen / dining room in the lean-to structure - which would include structural intervention and puncturing through historic fabric - would result in a building significantly greater in size, which would harmfully affect its fabric, form and character. Furthermore, the addition of two dormers, and alteration of the front door with overly modern glazing will also have a harmful impact on the character of this listed building and the conservation area.
- 5.31 Therefore, the current proposal would result in a listed building which would be harmfully altered in its form, function, character, integrity and significance. Consequently, it is not considered that the special interest of the listed building would be preserved, and the less than substantial harm which would result from the development proposed would not be outweighed by any discernible public benefits. Therefore, in conclusion, the proposal in its current form would not conserve and enhance the heritage assets, which have been given special weight in this assessment, and are contrary to policies OS4 and EH9, EH10, EH11 and EH12 of the

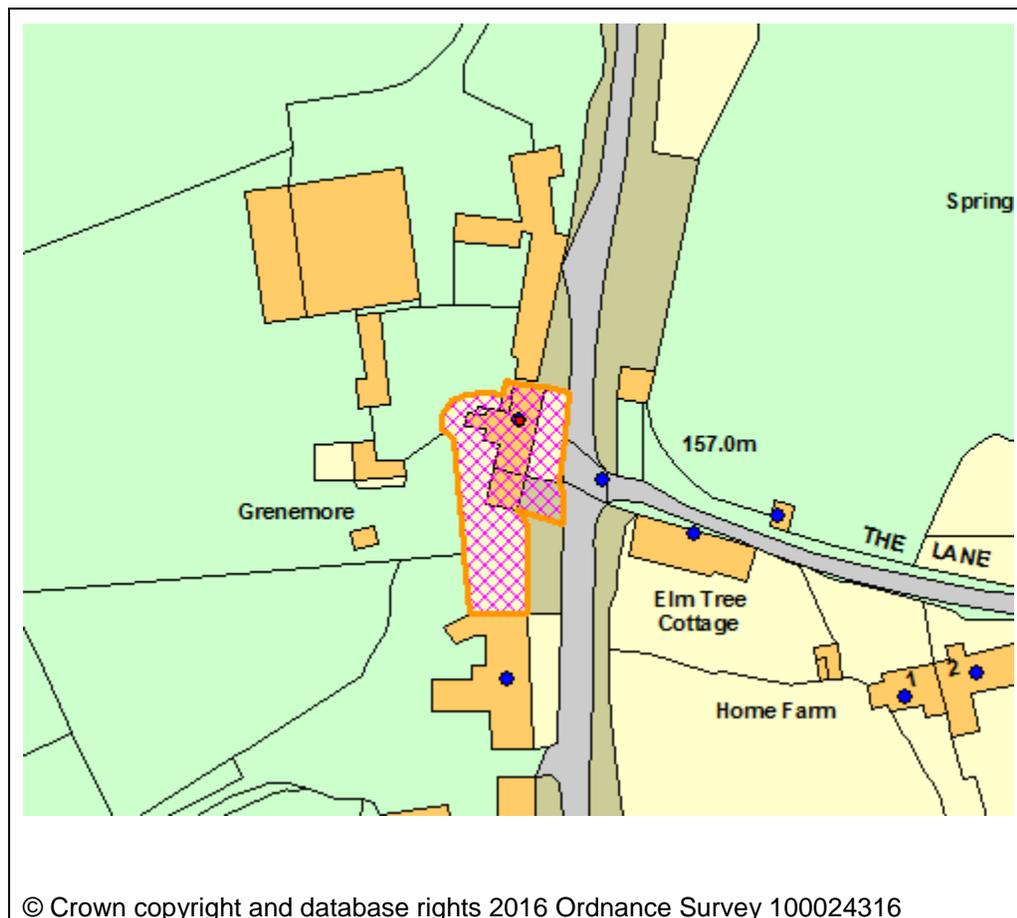
adopted West Oxfordshire Local Plan 2031, Chastleton Conservation Area Appraisal, the West Oxfordshire Design Guide - Section 10 and Section 14, and Section 16 of the NPPF.

6 REASON FOR REFUSAL

- I The proposed development by reason of its siting, design and scale would result in a listed building which would be harmfully altered in its form, function, character, integrity and significance. Consequently, it is not considered that the special interest of the listed building would be preserved, and the less than substantial harm which would result from the development proposed would not be outweighed by any discernible public benefits. The proposal is not considered to conserve and enhance the heritage assets, which have been given special weight in this assessment, and are contrary to policies OS4 and EH9, EH10, EH11 and EH12 of the adopted West Oxfordshire Local Plan 2031, Chastleton Conservation Area Appraisal, the West Oxfordshire Design Guide - Section 10 and Section 14, and Section 16 of the NPPF.

Application Number	I9/02917/LBC
Site Address	Greenmore Chastleton Moreton-In-Marsh Oxfordshire GL56 0SU
Date	18th December 2019
Officer	Chloe Jacobs
Officer Recommendations	Refuse
Parish	Chastleton Parish Council
Grid Reference	424695 E 229281 N
Committee Date	6th January 2020

Location Map



Application Details:

Internal and external alterations to include replacement of existing lean-to storage structure with a lean-to kitchen/dining room and addition of two new dormers to rear elevation. Changes to internal layout and alterations to fenestration. Associated landscaping works.

Applicant Details:

Ms Maggie Todd, Greenmore, Chastleton, Moreton-In-Marsh, Oxfordshire, GL56 0SU

I CONSULTATIONS

I.1 Parish Council No Comment Received.

I.2 Conservation Officer The proposal affects a grade II listed building (List Entry Number: 1053332) dating from Mid-17th century with minor later additions and alterations. The building is located within Chastleton Conservation Area, and is stated to be historically connected to Chastleton House / Estate.

Other Heritage Assets nearby include:

Adjacent - Barn, Cowhouse and Outbuildings - Grade II - List Entry 1053333

Opposite - Elmtree Cottage and Outbuilding - Grade II - List Entry 1053331

The proposal is for internal and external alterations to include replacement of existing lean-to storage structure with a lean-to kitchen/dining room and addition of two new dormers to rear elevation. Changes to internal layout and alterations to fenestration. Associated landscaping works.

Many of changes and alterations proposed, including the pentice to the rear of the building are now supportable; this is subject to conditions E12, E17, D11, and D33.

However, there are three particular items that are of concern and currently insupportable:

I. Insertion of Two Dormers

Whilst there is no disagreement that the level of intervention required in inserting dormers would be the same as rooflights and that dormers could also be reversible, there is more to consider because this proposal will affect the character of this listed building.

There are currently two dormers on this otherwise unbroken roof-scape, the date that the dormers were added is unknown. The current roofscape and dormers are not symmetrical and according to the applicant's drawing P005, one dormer sits slightly higher than the other.

The main issue is that this proposal introduces something to the listed building that was not previously there. Vernacular buildings are not always perfectly consistent, sometimes they are a little rough around the edges, and they will not always have well-balanced design - this is actually part of their charm and character. So, to alter its

current asymmetrical character to try to incorporate a more balanced design can harm the character of the existing roofscape setting and building as a whole.

The attic space appears to have been used as accommodation in the past, without the need for extra light, and so the addition of two dormers is not necessary to ensure continued habitation of the dwelling. Historic England states that there is a need to sympathetically integrate openings without compromising the external characteristics of a building. In this case, in understanding the applicant's requirement for extra light in the loft - I have referred to the fact that the addition of two rooflights to this building was not deemed unacceptable because it is possible for light and ventilation to be introduced in a less intrusive way, and still ensure that the character of this listed building is preserved as much as possible. And, because some rooflights are available that are designed specifically for sensitive locations and sit flush with the roof, in the interest of preserving this listed building I recommend that roof-lights are used on this building, not dormers.

2. The front door replacement

Fully glazed doors are not appropriate for a building of this age, we could not support this because traditionally buildings of this age would not have had glazing panels in the upper and lower front door, and therefore, the proposal would have a harmful impact on the character of this listed building and the conservation area. In Section 10 of our Design Guidance - Windows and Doors it states 'for vernacular houses and cottages of the C17 and the first half of the C18, a solid upright planked or boarded door is characteristic (in modern versions, these sometimes have a small square window in the upper half of the door)'. Although, this door is not the original, it does to some extent correspond to our design guidance, and therefore preserves the character of this listed building in the conservation area. I recommend that this item is revised.

3. The single storey extension and opening up and alteration of the chimney (fireplace) on the south gable

Firstly, the plan form of this listed building has remained intact for a significant amount of time; the principal building since the mid-17th century, with only minor later alterations and additions, mainly to the rear where there is an extant kitchen, and a fairly light-weight lean-to storage shed abutted to the side (the shed is only accessed from outside).

With regard to listed buildings our Design Guidance - Section 14: Extensions and Alterations states:

'in some cases (perhaps owing to the building's sensitivity, or because it has already been extended) it may be impossible to extend the

building at all without causing undue harm to its character or fabric. And, any proposed extension... resulting in the loss of significant original fabric or features, or which fails to respond sympathetically or meaningfully to the Listed Building, is unlikely to be supported'

The Chastleton Conservation Area Appraisal states:

'...an accumulation of extensions can easily obscure the simple form of traditional buildings, and should be avoided...It should be recognised that in these instances extensions may not be acceptable'.

And, 'it is expected that in all cases the basic size of the existing property will be respected and that alterations and extensions will take into account the scale and character of the original form'.

Furthermore, 'Buildings may need altering or enlarging from time to time to meet the evolving needs of successive owners. However, many existing buildings in Chastleton have a scale and character worthy of retention'.

The applicant's comprehensive heritage statement has referred to the significance of Grenemore's plan form stating: 'Of great interest is the plan-form. The arrangement of the front elevation together with the ground floor layout, suggests a three-cell cross-passage house'. As an example they provide a figure (47) of a generic 'three-cell plan of a C17 Cottage'. Grenemore retains a similar plan form today albeit with possible loss of some partitioning.

Grenemore plan form shown without the additional extensions

Also the applicant adds, that 'the cottage is of high significance for its plan form, suggesting a three unit house of 'hall', 'parlour' and 'service room' (possibly dairy...the plan form contributes to an understanding of the importance and evolution of such dwellings dating from the 17th century and an understanding of the lives of their occupants. It reflects the fortunes of the Chastleton estate and the wider economy of the period'.

Whilst on the one hand recognising the high significance of the building's plan form, in their Addendum (October 2019) to the Heritage Statement the applicant states that the house is already elongated with the addition of the lean-to storage shed - in effect the harm is lessened by its existence. However, the shed is an addition abutted to the property - not tied-in, it can only be accessed externally, its construction is fairly light-weight, as that of a shed, and if it was removed the house could revert back to its original plan form without evidence of openings and any structural intervention.

The plan form of a building is often one of its most important characteristics, and this is the case for this building, the plan form has

largely survived, and is worthy of retention, so any proposal to open historic fabric in its gable end, elongate and alter the plan form of this listed building would have a deleterious impact on its historical (evidential) and architectural character and significance.

Secondly, in terms of the design of the kitchen incorporates glazing to the front top section of the façade of the lean-to extension - this is an inappropriate addition and an overly modern design for this listed building, detracting from the existing historic facade, and not upholding the character of this listed building, the existing streetscene of Chastleton conservation area and other heritage assets nearby.

Thirdly, the alteration proposed for the current fireplace (Chimney), by opening up the south gable end so that a wood-burning stove can be added is inappropriate - the existing fireplace is part of the internal structure of the building envelope, turning it around by punching a hole in the external chimney is incongruous and causes unnecessary harm to the historic fabric, the function and character of this listed building. Even if a kitchen extension were supportable, it would be more appropriate to locate a wood burning stove elsewhere in the newer aspect of the building, as opposed to harming historic fabric. There is no clear and justified reasoning for this amount of structural intervention at this location, and no public benefit could outweigh the harm done to the listed building.

Consequently, the proposal is not a public benefit - it is a private benefit and the continued optimum viable use of the property as a residential dwelling is not dependent on the creation of the kitchen - as the building has an ongoing residential use that would not cease in its absence. It currently has a kitchen, and because it is a sizable building, it does have capacity within the existing building envelope for extra kitchen space, storage / and dining area.

In conclusion, as Grenemore is a grade II listed building, in accordance with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, when considering whether to grant listed building consent, special regard should be given to the desirability of preserving a listed building or any features of special architectural or historic interest which it possesses. Paragraph 193 of the National Planning Policy Framework (the Framework) states that when considering the impact of any proposal on the significance of a listed building, great weight should be given to its conservation. It continues that significance can be harmed or lost through alteration. In this case the current proposal to extend /elongate the plan form of this listed building to create a kitchen / dining room in the lean-to structure - which would include structural intervention and puncturing through historic fabric - would result in a building significantly greater in size, which would harmfully affect its fabric, form and character. Furthermore, the addition of two dormers, and alteration of the front door with overly modern glazing will also have a harmful impact on the character of this listed building and the

conservation area.

Therefore, the current proposal would result in a listed building which would be harmfully altered in its form, function, character, integrity and significance. Consequently, it is not considered that the special interest of the listed building would be preserved, and the less than substantial harm which would result from the development proposed would not be outweighed by any discernible public benefits. Therefore, in conclusion, I consider the proposal in its current form would not conserve and enhance the heritage assets, which have been given special weight in this assessment, and are contrary to policies OS4 and EH9, EH10, EH11 and EH12 of the adopted West Oxfordshire Local Plan 2031, Chastleton Conservation Area Appraisal, the West Oxfordshire Design Guide - Section 10 and Section 14, and Section 16 of the NPPF.

2 REPRESENTATIONS

2.1 One letter of representation received objecting to the proposed scheme for the following reasons:

- We strongly object to the glazing on the (east elevation). This would completely and utterly spoil the front facade and the street scene of this Grade 2 listed building which is in the centre of the village and directly opposite our Grade 2 thatched cottage. This is absolutely not in keeping with this beautifully preserved, unspoilt 'step back in time' village.
- Grenemore has a Grade 2 listed farmhouse on one side and a Grade 2 listed barn on the other side. Directly opposite is a Grade 2 listed thatched cottage (our property) together with the Grade 2 listed village forge.
- Grade 2 listed Home Farm was denied planning recently to remove the barn doors and have glazing there instead. This decision was based upon the street scene.
- Architecturally, nothing has changed in Chastleton for the last 400 years, which makes it such a special village. Grade 1 listed Chastleton House owned all of the village including Grenemore for many years. When you drive through Chastleton, you observe that there are no new buildings and visually the street scene has remained unchanged since all the houses, farmhouses, barns, bakehouse (one of only two in England) cottages and the old village forge were originally built in the early seventeenth century.
- This village is pretty unique because it is in essence a National Trust Village that has not been touched for 400 years. Very little has changed and most of the buildings are listed.
- The listed building consent that is being sought is for a 'shock' of graduating glass to blend in with 400 year old mullion windows. The combination of the two types of windows sitting side by side will look awful. It bears a resemblance to an extension that you'd expect to see on an industrial trading estate!
- Quite apart from anybody walking or driving past Grenemore and seeing this modern glazed panel of graduated glass, this will be highly visible to anyone walking or driving down

'The Lane'. The Lane is directly opposite Grenemore and you'd see the glazing right in front of you. All of the buildings in The Lane are Grade 2 listed, including the extremely rare Bakehouse (recently restored by the National Trust).

- We wondered if the lean-to existing garage/lean-to originally had planning permission, given that it is of wooden construction.
- We are also concerned about the front door keeping its same appearance.
- We would ask you to fully consider our objection and suggest that you have a site meeting to fully evaluate the impact this application has.

3 APPLICANT'S CASE

3.1 In support of the proposal the agent has provided a design and access statement as part of the application which concludes:

As highlighted in the covering statement, this application is for a resubmission of 19/01195/HHD. The proposal herein remain largely unaltered with the exception of a reduced width opening into the lean-to kitchen to ensure the original plan for is still legible. Additional documentation has been included to highlight alternative designs that helped inform the original submissions. The opportunity has also been taken to directly challenge the conclusions of the Conservation Officer's report. This assessment should also be read in conjunction with the updated heritage assessment which also contains an addendum addressing the additional material and conservation officer discussions.

3.2 Notwithstanding the above comments, it is strongly felt that the original summary still stands:

'Grenemore' has been empty for several of years and although it has previously been well maintained, recently it has fallen into disrepair. The current owners purchased the property with a view to refurbishing it and bring it up to the standard expected of a family home. However, they acknowledge that a comprehensive program of repair, including structural repairs, and minor alterations are required in order to ensure Grenemore is fit for purpose.

3.3 These can be summarised as follows:

- Comprehensive programme of repair to address defective building fabric
- Minor reconfiguration of existing partitions and insertion of some new partitions in order to facilitate the insertion of adequate bathroom facilities.
- Minor alterations to fabric to include new dormers, roof lights and services.
- A new kitchen addition to replace the c20th lean-to storage structure

3.4 The careful considerations of the significance of the historic fabric of Grenemore, and its location within the Conservation Area as summarised in the Heritage Assessment, have informed the design of these proposals. It is argued that they are both sympathetic to the original c17th fabric but also acknowledge and respect later alterations that contribute to the history and significance of the building. The introduction of modern services and facilities is fundamental in ensuring the future viability and longevity of Grenemore as a home. Without the provision of these essential modern conveniences there is a danger that Grenemore is not fit-for-purpose and may not be adequately maintained in the future. Therefore, it is argued that the

level of repair required balances any perceived harm to historic fabric that may be caused by these relatively minor proposals.

3.5 Full text is available online.

4 PLANNING POLICIES

OS4NEW High quality design

EH9 Historic environment

EH10 Conservation Areas

EH11 Listed Buildings

EH12 Traditional Buildings

NPPF 2019

DESGUI West Oxfordshire Design Guide

The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

5.1 The application seeks listed building consent for a number of internal and external alterations to include the replacement of the existing lean-to storage structure with a new, lean -to kitchen/dining room and the addition of two new dormers to the rear elevation. The application also seeks changes to the internal layout and alterations to the fenestration along with associated landscaping works. The application site relates to the grade II listed building (List Entry Number: 1053332) dating from Mid-17th century with minor later additions and alterations. The building is located within Chastleton Conservation Area, and is stated to be historically connected to the Chastleton Estate. Grenemore House is sited both within the Chastleton Conservation Area and the Cotswolds Area of Outstanding Natural Beauty.

5.2 The application has been brought before Members of the Uplands Sub-Committee for consideration as the application was called in by Councillor Beaney on Policy OS2 grounds.

5.3 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:

Principle

Impact on the listed building

Conclusion

Principle

5.4 As per the previously withdrawn application, many of the proposed changes and alterations, including the pentice to the rear of the building are now supportable; this is subject to conditions E12, E17, D11 and D33. However there are elements in the application which are to be considered against the following policies:

Policy EH9 - states that all proposals should conserve and / or enhance the special character; appearance and distinctiveness of West Oxfordshire's historic environment, including the significance of the District's heritage assets, in a manner appropriate to their historic character

and significance, and in a viable use that is consistent with their conservation, in accordance with national legislation, policy and guidance for the historic environment.

- 5.5 It directs Officers to assess whether applicants have demonstrated that their proposal would, in order of preference: avoid adverse impacts on the significance of the asset(s) (including those arising from changes to their settings) and, wherever possible, enhance or better reveal the significance of the asset(s); minimise any unavoidable and justified (by the public benefits that would accrue from the proposed development - see below) adverse impacts and mitigate those impacts in a manner proportionate to the significance of the asset(s) and the nature and level of the impact, investigate and record changes to or loss of physical fabric, features, objects or other remains and make the results publicly available; demonstrate that any new development that would result in the unavoidable and justified loss of all or part of a heritage asset would proceed within a reasonable and agreed timetable that makes allowance for all necessary safeguarding and recording of fabric and other remains, including contingencies for unexpected discoveries.
- 5.6 Proposals which would harm the significance of a designated asset will not be approved, unless there is a clear and convincing justification in the form of substantive tangible public benefits that clearly and convincingly outweigh the harm, using the balancing principles set out in national policy and guidance.
- 5.7 Policy EH11 - whilst the policy, in principle, allows for development, it sets out that additions to Listed Buildings will be permitted where development; conserves or enhances the special architectural or historic interest of the building's fabric, detailed features, appearance or character, and setting, respects the building's historic curtilage and retains the special interest that justifies its designation. The policy, in principle, allows for development.
- 5.8 Officers consider that the development would result in less than substantial harm to the significance of the Grade II listed building. In accordance with the provisions of Paragraph 198 of the NPPF, when assessing the public benefits of the proposed development against the compromising impact of the proposed development on the significance of the listed building officers are of the opinion that the public benefits do not outweigh the harm that this proposal will have on the character and significance of this listed building; including its setting.

Impact on the Listed Building

- 5.9 Grenemore is a grade II listed building (List Entry Number: 1053332) dating from Mid-17th century with minor later additions and alterations. The building is located within Chastleton Conservation Area, and is stated to be historically connected to Chastleton House / Estate. Officers are required to take account of section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that in considering whether to grant listed building consent for any works the local planning authority shall have special regard to the desirability of preserving the building, its setting and any features of special architectural or historic interest which it possesses.
- 5.10 With regard to listed buildings our Design Guidance - Section 14: Extensions and Alterations states:
- 'in some cases (perhaps owing to the building's sensitivity, or because it has already been extended) it may be impossible to extend the building at all without causing undue harm to its

character or fabric. And, any proposed extension... resulting in the loss of significant original fabric or features, or which fails to respond sympathetically or meaningfully to the Listed Building, is unlikely to be supported'

- 5.11 Paragraph 193 and 194 of the National Planning Policy Framework (the Framework) states that when considering the impact of any proposal on the significance of a listed building, great weight should be given to its conservation. It continues that significance can be harmed or lost through alteration. In this case the current proposal to extend /elongate the plan form of this listed building to create a kitchen / dining room in the lean-to structure - which would include structural intervention and puncturing through historic fabric - would result in a building significantly greater in size, which would harmfully affect its fabric, form and character.
- 5.12 The applicant's comprehensive heritage statement has referred to the significance of Grenemore's plan form stating: 'Of great interest is the plan-form. The arrangement of the front elevation together with the ground floor layout, suggests a three-cell cross-passage house'. As an example they provide a figure (47) of a generic 'three-cell plan of a C17 Cottage'. Grenemore retains a similar plan form today albeit with possible loss of some partitioning. WODC Local Plan policy
- 5.13 Also the applicant adds, that 'the cottage is of high significance for its plan form, suggesting a three-unit house of 'hall, 'parlour' and 'service room' (possibly dairy...the plan form contributes to an understanding of the importance and evolution of such dwellings dating from the 17th century and an understanding of the lives of their occupants. It reflects the fortunes of the Chastleton estate and the wider economy of the period'.
- 5.14 Whilst on the one hand recognising the high significance of the building's plan form, in their Addendum (October 2019) to the Heritage Statement the applicant states that the house is already elongated with the addition of the lean-to storage shed - in effect the harm is lessened by its existence. However, the shed is an addition abutted to the property - not tied-in, it can only be accessed externally, its construction is fairly light-weight, as that of a shed, and if it was removed the house could revert back to its original plan form without evidence of openings and any structural intervention.
- 5.15 The plan form of a building is often one of its most important characteristics, and this is the case for this building, the plan form has largely survived, and is worthy of retention, so any proposal to open historic fabric in its gable end, elongate and alter the plan form of this listed building would have a deleterious impact on its historical (evidential) and architectural character and significance.
- 5.16 Secondly, in terms of the design of the kitchen incorporates glazing to the front top section of the facade of the lean-to extension - this is an inappropriate addition and an overly modern design for this listed building, detracting from the existing historic facade, and not upholding the character of this listed building, the existing streetscene of Chastleton conservation area and other heritage assets nearby.
- 5.17 Thirdly, the alteration proposed for the current fireplace (Chimney), by opening up the south gable end so that a wood-burning stove can be added is inappropriate - the existing fireplace is part of the internal structure of the building envelope, turning is around by punching a hole in the external chimney is incongruous and causes unnecessary harm to the historic fabric, the function and character of this listed building. Even if a kitchen extension were supportable, it

would be more appropriate to locate a wood burning stove elsewhere in the newer aspect of the building, as opposed to harming historic fabric. There is no clear and justified reasoning for this amount of structural intervention at this location, and no public benefit could outweigh the harm done to the listed building.

- 5.18 In accordance with the provisions of Paragraph 198 of the NPPF, officers are required to assess the public benefits of the proposed development, against the comprising impact of the proposed development on the significance of the listed building.
- 5.19 Officers are of the opinion that the proposal does not equate to a public benefit. The proposed it is a private benefit and the continued optimum viable use of the property as a residential dwelling is not dependent on the creation of the kitchen - as the building has an ongoing residential use that would not cease in its absence. Grenemore currently benefits from a kitchen, and because it is a sizable nature of the building, it does have capacity within the existing building envelope for extra kitchen space, storage / and dining area.
- 5.20 Consequently, the proposal in its current form would have a deleterious impact on the character and significance of this listed building; including its setting and is therefore contrary to Policies OS4, EH9, and EH11 of the Local Plan; and the provisions of section 16 of the NPPF.

Conclusion

- 5.21 In conclusion, as Grenemore is a grade II listed building, in accordance with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, when considering whether to grant listed building consent, special regard should be given to the desirability of preserving a listed building or any features of special architectural or historic interest which it possesses. Paragraph 193 of the National Planning Policy Framework (NPPF) states that when considering the impact of any proposal on the significance of a listed building, great weight should be given to its conservation. It continues that significance can be harmed or lost through alteration. In this case the current proposal to extend /elongate the plan form of this listed building to create a kitchen / dining room in the lean-to structure - which would include structural intervention and puncturing through historic fabric - would result in a building significantly greater in size, which would harmfully affect its fabric, form and character. Furthermore, the addition of two dormers, and alteration of the front door with overly modern glazing will also have a harmful impact on the character of this listed building and the conservation area.
- 5.22 Therefore, the current proposal would result in a listed building which would be harmfully altered in its form, function, character, integrity and significance. Consequently, it is not considered that the special interest of the listed building would be preserved, and the less than substantial harm which would result from the development proposed would not be outweighed by any discernible public benefits. Therefore, in conclusion, I consider the proposal in its current form would not conserve and enhance the heritage assets, which have been given special weight in this assessment, and are contrary to policies OS4 and EH9, EH10, EH11 and EH12 of the adopted West Oxfordshire Local Plan 2031, Chastleton Conservation Area Appraisal, the West Oxfordshire Design Guide - Section 10 and Section 14, and Section 16 of the NPPF.

6 REASON FOR REFUSAL

- I The proposed development by reason of its siting, design and scale would result in a listed building which would be harmfully altered in its form, function, character, integrity and significance. Consequently, it is not considered that the special interest of the listed building would be preserved, and the less than substantial harm which would result from the development proposed would not be outweighed by any discernible public benefits. The proposal is not considered to conserve and enhance the heritage assets, which have been given special weight in this assessment, and are contrary to policies OS4 and EH9, EH10, EH11 and EH12 of the adopted West Oxfordshire Local Plan 2031, Chastleton Conservation Area Appraisal, the West Oxfordshire Design Guide - Section 10 and Section 14, and Section 16 of the NPPF.