
SUBJECT DEVELOPMENT APPLICATION REPORTS ITEM 7

REPORT OF Head of Planning & Building Control

APPLICATION NO.	P08/W0987 and P08/W0988/LB
APPLICATION TYPE	Full and Listed Building
REGISTERED	01.11.2008
PARISH	Aston Tirrold/Aston Upthorpe
WARD MEMBER(S)	Mr. Patrick Greene
APPLICANT	Mrs Laura Holland
SITE	Croft House, Fullers Road, Aston Tirrold
PROPOSALS	Removal of existing timber conservatory and erection of hardwood conservatory.
AMENDMENTS	Drawings 08.3974.RP1A, 08.3974.RP2A, 08.3974.RP3A, 08.3974.RP4A
GRID REFERENCE	455525/186327
OFFICER	Mr. P. Bowers

1.0 **INTRODUCTION**

1.1 The application is referred to Committee at the request of the Ward Member Mr. Patrick Greene.

1.2 The application site comprises a two storey detached Grade II listed villa within the Aston Upthorpe/Tirrold Conservation Area. The property fronts on to Fullers Road and forms the corner plot with The Croft. The vehicular access is formed via a track which runs along the eastern boundary of the site. You can find a site plan at **Appendix A.**

1.3 We granted planning permission and listed building consents in October 2008 for the replacement of an existing garage along the southern boundary of the site with the adjoining property 'Suggetts'.

2.0 **PROPOSAL**

2.1 The proposal seeks planning permission and listed building consent for the removal of an existing conservatory and replacement with a new conservatory. You can find the application plans and supporting statement from the agent at **Appendix B.**

2.2 The proposed conservatory is to be located adjacent to the existing boundary wall with 'Suggetts'. It is 5.5 metres in length and 4.1 metres deep. The fully glazed roof is hipped at the rear elevation and where it adjoins the listed building. At its highest point, the conservatory is 3.6 metres from ground level. The doors of the conservatory are positioned on the northern side elevation.

3.0 **CONSULTATIONS & REPRESENTATIONS**

3.1 **Aston Tirrold/Aston Upthorpe Parish Council** – Recommend refusal of planning permission and listed building consent to the original and amended plans. They have concerns that the development would:

- have an adverse impact on the conservation area and neighbouring listed buildings;
- create light pollution to the neighbouring property ‘Suggetts’; and
- have an adverse impact on the boundary wall.

3.2 **Conservation Officer** – Following amendments to the scheme there are no objections to the proposal. This is subject to conditions requiring:

- detailed drawings of flashing and rainwater goods at the junction with the listed building;
- the existing window and door frames be retained;
- the conservatory be painted timber; and
- sample of the brick work to be submitted for approval by the LPA.

3.3 **Neighbours** – Objection – Concerns from the adjoining property ‘Suggetts’ about the impact the conservatory will have in terms of being overbearing and oppressive. Also concerned that its position adjacent to the boundary wall will harm their residential amenities due to the wall forming the rear of an existing ground floor bedroom. There is also concern about the ability to maintain the wall.

4.0 **RELEVANT PLANNING HISTORY**

4.1 P86/W0297/LB - Erection of a conservatory at rear. - LB Consent on 25 June 1986

4.2 P08/W0972/LB - Demolition of existing garage and outbuildings. Erection of a new garage. (As amended by Drawing No. 10A and cross section accompanying email from Agent received 7 October 2008). - Listed Building Consent on 27 October 2008.

4.3 P08/W0969 - Erection of garage. (As amended by Drawing No 10A and cross section accompanying email from Agent received 7 October 2008). - Planning Permission on 27 October 2008.

4.4 P08/W0972/LB - Demolition of existing garage and outbuildings. Erection of a new garage. (As amended by Drawing No. 10A and cross section accompanying email from Agent received 7 October 2008). - Listed Building Consent on 27 October 2008.

5.0 **POLICY & GUIDANCE**

5.1 South Oxfordshire Local Plan 2011 Policies:

- G2 - Protection and enhancement of the environment
- G6 - Promoting Good Design
- C2 - Areas of Outstanding Natural Beauty
- CON2 - Alterations and extensions to listed buildings
- CON3 - Alterations and extensions to listed buildings
- H13 - Extensions to dwellings

5.2 South Oxfordshire Design Guide 2008.

6.0 **PLANNING CONSIDERATIONS**

6.1 The issues that are relevant to these two applications are:

- i) **The impact on special architectural and historic character of the listed building and its setting.**
- ii) **The impact on the amenities of the occupants of nearby properties.**
- iii) **The impact on the character and appearance of the Aston Tirrold/Aston Upthorpe Conservation Area.**
- iv) **The impact on the special landscape of the Chilterns Area of Outstanding Natural Beauty.**

i) **The impact on special architectural and historic character of the listed building.**

6.2 Policy CON2 of the South Oxfordshire Local Plan states that an extension to a listed building must be appropriate to its character, must be sympathetic to the original structure in design, scale and must not dominate or overwhelm it. Policy CON3 states that any alteration to a listed building must respect its established character and not diminish the special historical or architectural qualities which make it worthy of inclusion on the statutory list.

6.3 The existing conservatory referred to in the development description has been removed prior to the determination of the applications. It had a depth of 3 metres and was located centrally on the elevation. Access from the building was not possible internally and only possible from the garden. The works to remove the structure and make good the rear elevation are however acceptable in terms of their quality and finish and have not resulted in damage to the listed building.

6.4 The size of the internal space created by the conservatory reflects the size of the existing rooms within the listed building. The conservatory does not therefore provide additional living accommodation which is disproportionate to the existing living space.

6.5 The conservatory does not result in the creation of new openings in the existing rear elevation. The window on the left-hand side of the elevation is to be retained internally. The access from the main building in to the conservatory will be via the existing doorway opening. There will be no loss of the listed buildings historic fabric.

6.6 Although larger than the previous conservatory, the proposed replacement is a lightweight construction. Its materials, scale and bulk mean that it does not compete with established character of the listed building and is clearly a subservient modern addition.

6.7 Your officers consider that the proposed conservatory will not harm the special architectural and historic character of the listed building and its setting. The proposal therefore accords with Policies CON2 and CON3 of the adopted South Oxfordshire Local Plan 2011.

ii) **The impact on the character and appearance of the Aston Tirrold/Aston Upthorpe Conservation Area.**

6.8 Policy CON7 of the South Oxfordshire Local Plan states that planning permission will not be granted for development which would harm the character or appearance of the conservation area. Development within the conservation area is required to be of a design and scale that is in sympathy with the established character of the area and that traditional materials should be used whenever it is appropriate to the character of the area.

- 6.9 The site lies within the Aston Tirrold/Aston Upthorpe Conservation Area. Croft Villa contributes significantly to the character of Fullers Road, and the garden and its boundaries contribute to the overall character of The Croft to the north. The position of the conservatory at the southern corner of the site adjacent to the boundary wall means that public views of the conservatory will be extremely limited. Your officers consider that the lightweight nature of the conservatory, its position, bulk and massing mean that it will not have harmful impact on the overall character and appearance of the conservation area. Officers therefore consider that the development accords with Policy CON7 of the adopted South Oxfordshire Local Plan 2011.
- iii) The impact on the amenities of the occupants of nearby properties.**
- 6.10 Policy H13 of the South Oxfordshire Local Plan 2011 indicates that we will permit extensions to dwellings subject to a number of criteria. One of these is that the amenity of the occupants of nearby properties is not materially harmed.
- 6.11 The property most affected by the development is the adjoining property 'Suggetts' to the south. Between the two properties is a 2.8 metre high brick boundary wall which extends along the full extent of the shared boundary. Attached to the wall on the 'Suggetts' side is an attached lean-to brick built single storey extension which comprises a ground floor bedroom.
- 6.12 The highest part of the conservatory is the ridge of the roof at 3.6 metres high from ground level. The ridge is set in from the boundary by 2.5 metres. The extent of roof visible from the garden of 'Suggetts' above the garden wall will be very limited. Its position to the north will mean that it has no impact in terms of loss of direct sunlight and its limited visible height means that it will have no significant overbearing or oppressive impact to the amenities of the occupants of 'Suggetts'.
- 6.13 There is concern that the proximity of the conservatory to the brick boundary wall will give rise to noise and disturbance to the occupiers of 'Suggetts'; in particular, the single storey extension built against the wall. Whilst there is likely to be some impact in terms of noise, the brick wall and glazing of the proposed structure will assist in mitigating the impact. There will not therefore be any material impact to the amenities of the occupiers of 'Suggetts'.
- 6.14 There is concern that the erection of the conservatory in this location will mean that any essential repair and maintenance to the wall cannot be carried out. This is the existing situation at 'Suggetts' where a brick built extension has been attached to the wall. Whilst this is undesirable, in isolation this is not a justifiable reason for refusal of permission.
- 6.15 Your officers consider that the proposed conservatory does not result in a significantly harmful unneighbourly impact. The development accords with Policy H13 of the adopted South Oxfordshire Local Plan 2011.
- iv) The impact on the special landscape of the Chilterns Area of Outstanding Natural Beauty.**
- 6.16 Policy C2 of the Local Plan seeks to protect the AONB. It states that the policy's primary aim is to conserve and enhance the natural beauty, special landscape quality and distinctiveness of the area. We should not permit development that would harm the beauty or distinctiveness. To be acceptable it must be of a scale and type appropriate to the area and sympathetic in terms of its siting, design and materials.

6.17 Aston Tirrold and Aston Upthorpe are located within the Chilterns Area of Outstanding Natural Beauty. Officers consider that the erection of the conservatory is appropriate in terms of its design, scale and materials. Its siting ensures that it is not intrusive to the area as whole and does not detract from the special landscape character of the Chilterns AONB. The development is therefore in accordance with Policy C2 of the adopted South Oxfordshire Local Plan 2011.

7.0 **CONCLUSION**

7.1 The erection of the conservatory does not result in any loss of historic fabric of the listed building. Its lightweight construction, scale and design mean that it does not compete with the historic character of the Grade II Listed Building.

7.2 The extent of visible roof of the conservatory does not result in a significantly harmful overbearing or oppressive impact to the amenities of the occupiers of 'Suggetts'. Although there may be an increase in noise and disturbance adjacent to the boundary with that property as result of the siting of the conservatory, officers consider that this impact is not materially harmful.

7.4 Although located within a conservation area and AONB the conservatory is of a size and design that ensures there is no harm to either as result of the development.

8.0 **RECOMMENDATION**

8.1 **P08/W0987**

That planning permission be granted subject to the following conditions:

- 1. Commencement 3 Years.**
- 2. Sample of external brickwork for the brick plinth shall be submitted and approved by the Local Planning Authority.**
- 3. That a detailed drawing of the flashing and rainwater goods be submitted and approved by the Local Planning Authority prior to commencement.**
- 4. Conservatory to be painted timber.**

P08/W0988/LB

That Listed Building Consent be granted subject to the following conditions:

- 1. Commencement 3 Years.**
- 2. Sample of external brickwork for the brick plinth shall be submitted and approved by the Local Planning Authority.**
- 3. That a detailed drawing of the flashing and rainwater goods be submitted and approved by the Local Planning Authority prior to commencement.**
- 4. Conservatory to be painted timber.**
- 5. That the existing window and door frame be retained.**

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