

APPLICATION NO.	P14/S2395/LB
APPLICATION TYPE	LISTED BUILDING CONSENT
REGISTERED	30.7.2014
PARISH	THAME
WARD MEMBER(S)	David Dodds Ann Midwinter
APPLICANT	Rectory Homes Ltd
SITE	Land at The Elms, 32 Upper High Street, Thame, OX9 2DN
PROPOSAL	Works and alterations as follows: (i) Partial demolition of the boundary wall along Elms Road and creation of vehicle entrance with erection of new plinth walls and painted metal railings with 2no. brick piers; (ii) the removal of wooden gates at site entrance on Upper High Street and repairs to 2no. existing piers; (iii) the erection of 2no. new stone piers and timber boarded electric gates at the private entrance to The Elms; (iv) new timber boarded gates at the entrance to the annex to The Elms (32a) with repairs to 2no. existing stone entrance piers; (v) erection of a new 2m high stone boundary wall to the annex to The Elms (32a); (vi) the erection of 2no. new bollards; (vii) the partial demolition of an existing brick wall and creation of a new footpath and cycleway; (viii) repairs and refurbishment of existing stone ha-ha and provision of new metal fencing. (As amended by drawing number 1771-117-B-19747 received on 8 January 2015, addendum to The Heritage Statement dated 8 January 2015, letter from Barton Wilmore dated 8 January 2015).
AMENDMENTS	None
GRID REFERENCE	470829/205570
OFFICER	Emily Hamerton

1.0 INTRODUCTION

1.1 This planning application has been referred to Planning Committee at the discretion of the Planning Manager given the level of public interest.

1.2 Attached at **Appendix 1** is an OS extract plan which shows the location of the site. The Elms is a Grade II listed detached dwelling built in the 19th Century situated within an eight acre parkland setting within a central area of Thame. Immediately surrounding the dwelling is a ha-ha separating the parkland from the immediate formal garden area. The site is bound on all sides by brick and stone walling with one access opening onto Upper High Street. There are various outbuildings associated with the listed dwelling including a Grade II listed barn now converted to a separate dwelling. All pre-1948 walls and outbuildings within the site and bounding the site are Grade II listed by means of their association with the main listed dwelling. The site lies within Thame Conservation Area.

2.0 **PROPOSAL**

2.1 This application seeks listed building consent for the following works;

- (i) Partial demolition of the boundary wall along Elms Road and creation of vehicle entrance with erection of new plinth walls and painted metal railings with 2no. brick piers;.
- (ii) the removal of wooden gates at site entrance on Upper High Street and repairs to 2no.existing piers;.
- (iii) the erection of 2no. new stone piers and timber boarded electric gates at the private entrance to The Elms;
- (iv) new timber boarded gates at the entrance to the annex to The Elms (32a) with repairs to 2no. existing stone entrance piers;
- (v) erection of a new 2m high stone boundary wall to the annex to The Elms (The Elms Barn; 32a);
- (vi) the erection of 2no. new bollards;
- (vii) the partial demolition of an existing brick wall and creation of a new footpath and cycleway;
- (viii) repairs and refurbishment of existing stone ha-ha and provision of new metal fencing.

2.2 Amendments to the application:

- (i) southern access onto Elms access moved 4.5 metres to east

2.3 Attached at Appendix 2 are the layout plans and elevations for the new development. A copy of the supporting documents can be viewed on the council’s website at www.southoxon.gov.uk.

2.4 Two other planning applications relate to this proposal. Planning application reference P14/2310/O and P14/S2176/FUL for a total of 37 new houses and apartments to the south of The Elms and proposals for Elms Park to the east.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

Below is a summary of the consultation responses received. A full copy of the response can be viewed on line at www.southoxon.gov.uk.

3.1 **First submission**

Consultee	Summary of response
Thame Town Council	<ul style="list-style-type: none"> • objection made to all three applications at The Elms however listed building alterations considered to be ‘minor in nature’ and therefore were not considered in report
Conservation Officer	<ul style="list-style-type: none"> • the revised access from Upper High Street will compromise the setting of The Elms and The Elms Barn: design for new walls, gate piers and gates are generally acceptable and if housing is found to be acceptable then the overall harm is outweighed by the public benefit of safe and improved access • new driveway from Elms road is acceptable if housing is found to be acceptable however the existing moulded brick pier should be retained for its positive contribution to Edwardian development history within Conservation Area

	<ul style="list-style-type: none"> works to the ha-ha are acceptable and measures should be taken to ensure that the historic boundary definition is not neglected or eroded in future conclusion: at this stage the works are unjustified because the housing scheme has not been accepted.
Neighbours	<p>24 objections</p> <ul style="list-style-type: none"> works to the boundary walls will destroy the character of the Elms street scene the wall is an amazing Grade II Listed feature along this street and no part should be demolished or removed. The enclosure of the park by walls is integral to the character of The Elms house and its grounds; demolishing 19 metres of this wall will undermine the character of this listed building and detract from the concept of enclosed parkland 'estate type metal railings on the upper level of the ha-ha would negate the purpose of the feature and ruin the interrelationship between the house and its grounds placing metal fencing on the ha-ha will prevent it from being a ha-ha and destroy the integrity of this feature – it should facilitate unobstructed views across the land from The Elms house. The application is reliant on the approval of related application for housing and should not be carried out unless other applications are approved The application should be objected to in principle because it facilitates an access for the housing development

3.2

Amended submission

Below is a summary of the consultation responses in relation to the amended plans.

Consultee	Summary
Thame Town Council	<ul style="list-style-type: none"> Deferred determination of application
Conservation Officer	<ul style="list-style-type: none"> Alterations to curtilage listed structures rely on the approval of application P14/S2176/FUL and the applications should be determined in conjunction with an agreed management plan for the site (to include maintenance of public pathways, stone walls, ha-ha and entrance) Revision to Elms Road access would not constitute harm to the setting of the Conservation Area and the appearance off the opening is acceptable Brick piers are now to be retained which is a positive improvement to scheme

	<ul style="list-style-type: none"> An approval should be subject to conditions relating to appropriate materials and finishes
Thame Conservation Area Advisory Committee	<ul style="list-style-type: none"> The extent of work is not clearly defined and more drawings and information is required. The yellow stone building materials do not reflect nature of Thame's brickwork
Neighbours	<ul style="list-style-type: none"> Demolition of 19 metres of brick wall on Elms Road will adversely alter the character of this area of Thame New iron railings and removal of trees will harm semi-rural character and adversely affect The Elms House by means of breaking the enclosed nature of the parkland setting Amendments are cosmetic and little alter the objection in principal to this development 'New access plan and elevation drawing' is inaccurate and does not show the driveway of 1 Elms Road, misrepresenting available parking New access results in the removal of protected trees Metal fence on ha-ha is inappropriate and has not been removed from the proposal

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P14/S1367/DIS](#) - Approved (09/06/2014)

Discharge condition 4 of planning permission P14/S0044/HH.

Removal of existing timber shed, garage and wall. Erection of new stone wall and timber gates around barn currently being converted

[P14/S0045/LB](#) - Approved (16/04/2014)

Removal of existing timber shed, garage and wall. Erection of new stone wall and timber gates around barn currently being converted. (Amended by plan 05c received via e-mail 2014-04-07 amending the extent of the proposed wall and identifying location of new Irish Yew tree).

[P14/S0044/HH](#) - Approved (16/04/2014)

Removal of existing timber shed, garage and wall. Erection of new stone wall and timber gates around barn currently being converted. (Amended by plan 05c received via e-mail 2014-04-07 amending the extent of the proposed wall and identifying location of new Irish Yew tree).

[P11/E1344/LB](#) - Approved (21/10/2011)

Removal of part of stone wall.

[P10/E1294/LB](#) - Approved (28/10/2010)

Demolition of outbuildings, two storey extension and new glazed link from stable block to main house. New orangery to replace existing greenhouse, and addition of home cinema to basement (As amended by schedule of works & structural method statement accompanying email from Agent dated 15 October 2010 & as amended by drawings ref.1367-01b, 03d, 04e & 06d accompanying email from Agent dated 26 October 2010)

[P10/E1293](#) - Approved (28/10/2010)

Demolition of outbuildings, two storey extension and new glazed link from stable block to main house. New orangery to replace existing green house, and addition of home cinema to basement (As amended by schedule of works & structural method statement accompanying email from Agent dated 15 October 2010 & as amended by plans ref.1367-01b, 03d, 04e & 06d accompanying email from Agent dated 26 October 2010).

5.0 POLICY & GUIDANCE

5.1 South Oxfordshire Core Strategy policies
CSEN3 – Historic Environment

5.2 South Oxfordshire Local Plan Policies
CON3 – Alteration to a listed building
CON5 – Setting of a Listed Building

5.3 National Planning Policy Framework

National Planning Policy Framework Planning Practice Guidance

5.4 Thame Neighbourhood Plan

6.0 PLANNING CONSIDERATIONS

6.1 **The main consideration in the determination of this listed building application is whether the proposals respect the established character and do not diminish the special historical or architectural qualities which make it worthy of inclusion on the statutory list.**

6.2 This application for alterations to listed structures is made to facilitate the full application P14/S2176/FUL for the erection of 37 houses and apartments. This application comprises a number of elements which are dealt with in turn below. The Conservation Officer considers that the proposals in their entirety would be harmful to the setting of The Elms but that given the site has been allocated within the Thame Neighbourhood Plan, the principle is acceptable in planning terms and if the proposal for housing is found to be acceptable then these minor alterations to listed structures are not substantially harmful. The following assessment is based on the understanding that listed building consent should only be granted in conjunction with the approval of housing and would not otherwise be justified.

6.3 **1. Partial demolition of the boundary wall along Elms Road and creation of vehicle entrance with erection of new plinth walls and painted metal railings with two brick piers**

The demolition of part of this wall is considered to be acceptable provided the decorative moulded piers are left intact, as has been confirmed in the amended submission shown within drawing 1771-117-B. The section of wall is thought to be of Edwardian origin, and although it is recognised that this contributes to the character of the area as a whole, is not considered to be of substantial historic importance in its own right and is not contemporary with The Elms. In this instance, if the principle of housing is considered to be acceptable within the site then the impact of this new opening upon the setting of the listed building is negligible.

6.4 **2. the removal of wooden gates at site entrance on Upper High Street and repairs to 2no.existing piers**
3. the erection of 2no. new stone piers and timber boarded electric gates at

- the private entrance to The Elms
4. new timber boarded gates at the entrance to the annex to The Elms (32a) with repairs to 2no. existing stone entrance piers;
 5. erection of a new 2m high stone boundary wall to the annex to The Elms (32a)
 6. the erection of 2no. new bollards
 7. the partial demolition of an existing brick wall and creation of a new footpath and cycleway;

Whilst the cumulative impact of these changes will compromise the setting of the listed buildings (The Elms and The Elms Barn) and their historic relationship, your officers consider this harm is outweighed by the public benefits of safe and improved access.

6.5 **8. repairs and refurbishment of existing stone ha-ha and provision of new metal fencing.**

The proposed repair works are acceptable. Metal fencing is acceptable but permitted development rights should be removed to prevent increased fencing here which would lead to erosion of the historic boundary definition. A management plan should be agreed with the local authority to prevent neglect of these features.

7.0 **CONCLUSION**

- 7.1 If the application for housing under reference P14/S2176/FUL is approved then this application for alterations to the listed structures is considered to be justified and would cause less than substantial harm to the setting of the Grade II listed buildings and their special historical and architectural significance. In conjunction with the attached conditions the proposal is recommended for approval.

8.0 **RECOMMENDATION**

- 8.1 **To grant listed building consent (subject to approval of P14/S2176/FUL), subject to the following conditions:**

1. Commencement three Years.
2. Approved Plans - Listed Building.
3. Details to works.
4. Works to match existing.
5. Management Plan.

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