

**Case Officer:** Katherine Daniels

**Applicant:** Royal Voluntary Service

**Proposal:** Conversion of unused garage into a new office for two members of staff, this work includes a new front window and access from the existing building

**Ward:** Banbury Cross And Neithrop

**Councillors:** Cllr Becky Clarke, Cllr Matt Hodgson, Cllr Dr Chukwudi Okeke

**Reason for Referral:** Application affects Council's own land

**Expiry Date:** 3 July 2024

**Committee Date:** 11 July 2024

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**SUMMARY RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS**

**1. APPLICATION SITE AND LOCALITY**

1.1. The application site is located on the edge of the town centre of Banbury. Castle Street is located to the north, with JD Davies Public house located to the south. Bolton Road car park is located to the west of the site. It is an existing building which is currently being used for the Royal Voluntary Service.

**2. CONSTRAINTS**

2.1. The application site is within Banbury's Conservation and there are footpaths which run around the building.

**3. DESCRIPTION OF PROPOSED DEVELOPMENT**

3.1. The proposal is for the conversion of the unused garage into a new office in conjunction with the existing community centre use. The works would not increase the floor area of the building. There would be some external alterations to the building, including a new front window and access to the building.

**4. RELEVANT PLANNING HISTORY**

4.1. There is no planning history directly relevant to the proposal

**5. PRE-APPLICATION DISCUSSIONS**

5.1. No pre-application discussions have taken place with regard to this proposal

**6. RESPONSE TO PUBLICITY**

6.1. This application has been publicised by way of a site notice displayed near the site, by advertisement in the local newspaper, and by letters sent to all properties immediately adjoining the application site that the Council has been able to identify from its records. The final date for comments was **29 May 2024**, although comments received after this date and before finalising this report have also been taken into account.

6.2. No comments have been raised by third parties

## **7. RESPONSE TO CONSULTATION**

7.1. Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.

### PARISH/TOWN COUNCIL AND NEIGHBOURHOOD FORUMS

7.2. BANBURY TOWN COUNCIL: **No objections**

## **8. RELEVANT PLANNING POLICY AND GUIDANCE**

8.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

8.2. The Cherwell Local Plan 2011-2031 - Part 1 was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The Local Plan 2011-2031 – Part 1 replaced a number of the 'saved' policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the development plan. The relevant planning policies of Cherwell District's statutory Development Plan are set out below:

### CHERWELL LOCAL PLAN 2011 - 2031 PART 1 (CLP 2031 Part 1)

- ESD15 - The Character of the Built and Historic Environment
- Banbury 8 – Bolton Road Development Area

### CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- C28 – Layout, design and external appearance of new development

8.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- The Planning (Listed Buildings and Conservation Areas) Act 1990

## **9. APPRAISAL**

9.1. The key issues for consideration in this case are:

- Design, and impact on the character of the area
- Residential amenity

### Design, and impact on the Character of the Area

9.2. Policy ESD15 of the CLP 2015 provides guidance as to the assessment of development and its impact upon the character of the built and historic environment. It seeks to secure development that *would complement and enhance the character of its context through sensitive siting, layout and high-quality design meeting high design standards and complementing any nearby heritage assets.*

- 9.3. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that in carrying out its functions as the Local Planning Authority in respect of development in a conservation area: *special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.*
- 9.4. The proposal includes the replacement of the garage door with windows. The windows would be in keeping with the existing modern building. The changes, which are relatively minor, would therefore not have a detrimental impact on the appearance of the existing building or the visual amenity of the locality, and would preserve the character and appearance of the Conservation Area.
- 9.5. The proposal is therefore considered to be acceptable and in accordance with the aforementioned policies.

#### Residential Amenity

- 9.6. The new windows are located away from the nearest residential property to the north. As a result, it would not impact on the amenities of the nearby residents and are therefore in accordance with Policy ESD15 of the CLP 2015.

### **10. PLANNING BALANCE AND CONCLUSION**

- 10.1. The proposal complies with the relevant Development Plan policies and guidance listed at section 8 of this report, and so is considered to be sustainable development. In accordance with Paragraph 11 of the NPPF, permission should therefore be granted.

### **11. RECOMMENDATION**

**DELEGATE TO THE ASSISTANT DIRECTOR FOR PLANNING AND DEVELOPMENT TO GRANT PERMISSION, SUBJECT TO THE CONDITIONS SET OUT BELOW (AND ANY AMENDMENTS TO THOSE CONDITIONS AS DEEMED NECESSARY)**

#### CONDITIONS/REASONS

##### **Time Limit**

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason - To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

##### **Compliance with Plans**

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents: Site Location Plan (Titled: 5825 MAP), Block Plan (Titled: 5828 01), Proposed Floor Plans and Elevations (Titled: 5828 21)

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

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