

Site Address: Former Rosemary, Main Street, Fringford

15/01190/F

Ward: Fringford

District Councillor: Cllr Barry Wood

Case Officer: Michelle Jarvis

Recommendation: Approval

Applicant: Mr & Mrs Ward

Committee Referral: Previously contentious matter determined by Committee

Application Description: Variation of Condition 1 of planning permission 13/00718/F – in relation to Plot 1 only

1. Site Description and Proposed Development

- 1.1 The site is situated central to the village of Fringford. There was a previous building on the site which was demolished as part of the earlier planning permission. The previously demolished dwelling was not a listed building although a Grade II listed building, The Forge, is situated directly opposite the site to the south-east beyond a grass verge. The site is not in a Conservation Area, although it is within an Area of High Landscape Value. The site is an Area of Archaeological Interest as part of the historic village core.
- 1.2 The detached dwelling that was demolished was set forward of its neighbours to either side (Kohanka to the southwest and The Gables to the northeast). Vehicular access to the site was gained via a gated driveway, leading to a detached garage and an outbuilding stood adjacent to the south-western boundary of the curtilage. A low hedgerow marked the front boundary. A conifer hedgerow runs along the rear boundary of the curtilage, with stone built boundary walls to the side boundaries.
- 1.3 The approved development under the 2011 consent (11/01160/F) involved the complete clearance of the site and replacement with 2 no. detached three bedroom dwellings. The front elevation of each dwelling comprises two mid-eaves height dormer windows, single integral garage and entrance doorway with kitchen window. The dwellings would appear 'mirrored', both being of identical appearance. The depth of the dwellings is formed using a gable feature upon the rear elevation, providing two-storey accommodation, with a ridge height that appears subservient to the front-most element of the dwellings. Four off-street parking spaces are provided to the front of the dwellings. The existing hedgerow has been removed and access to the dwellings centralised within the curtilage with a 1 metre tall dry stone wall erected either side of the access.
- 1.4 The construction materials are stone with brick detailing to match that of the neighbouring dwellings to the north-east and south-west. The roofs are tile. Windows and doors are constructed from timber.
- 1.5 This site has been subject to a considerable amount of planning history as detailed below:

Application	Description	Decision	Date
11/01160/F	Demolition of existing dwelling and replacement	APPROVED	Sept. 2011

	with 2 no. new dwellings		
11/00298/DISC	Discharge of conditions	APPROVED	Dec. 2011
12/00173/CPLANS	Enforcement complaint logged alleging the dwellings were not being built in accordance with approved plans	SUSTAINED – take action	July 2012
13/00097/F	Variation of Condition 2 of 11/01160/F	WITHDRAWN	April 2013
13/00718/F	Variation of condition 2 of 11/01160/F – resubmission of earlier application	REFUSED	July 2013
13/00138/EPLAN	Enforcement Notice served to secure compliance with earlier permission	SERVED	July 2013
13/01075/F	Variation of condition 2 of 11/01160/F – amended landscaping and site boundary	NOT PROCEEDED WITH	July 2013
APP/C3105/A/13/2203150	Appeal against Notice	ALLOWED & NOTICE QUASHED	March 2014
APP/C3105/A/13/2203150	Appeal against refusal of planning	ALLOWED	March 2014

	permission		
14/00817/F	Variation of Condition 2 of 13/00718/F – alteration to the front elevation	REFUSED	July 2014
14/00918/F	Garden shed	ALLOWED ON APPEAL	December 2014
15/00485/F	Variation of Conditions 1 and 2 of 13/00718/F - Plot 1 only (to retain house with an altered façade/side elevation) - No changes to Plot 2	REFUSED	June 2015
15/00486/F	Removal of Conditions 1 and 2 of 13/00718/F (retain Plot 1 building "as built" with first floor side window to be removed) - Plot 1 only	REFUSED	June 2015
15/01190/F	Variation of Condition 1 of planning permission 13/00718/F	PENDING	

Current position

- 1.7 Plot 1(adjacent to Kohanka) is now complete and occupied and Plot 2 is almost complete. With regard ONLY to Plot 2 (adjacent to The Gables) in determining the recent appeal for a garden shed in the rear of this property favourably, the Planning Inspector has effectively granted a planning permission for Plot 2 and as such the Council will not take any further action in

respect of this property.

- 1.8 The issue regarding Plot 1 (adjacent to Kohanka) still remains complicated. Given that the original consent in 2011 (ref 11/01160/F) was not implemented in accordance with original approved plans, there remains no lawful planning permission on the site for the this house. When the Inspector determined the Section 78 Appeal (ref 13/00718/F), the time limit on the very first approved application (11/01160/F) was not varied. In addition, the Inspector also imposed a condition requiring the alteration to Plot 1 to be carried out within 6 months from the date of the decision. That date has now passed.
- 1.9 This therefore means that the time limit for the implementation of application 11/01160/F expired on 15 September 2014. As a result there remains no planning permission for the development that has been carried out on the site (in relation to Plot 1 only).
- 1.10 Following the submission of a further planning application which sought permission for plot 1 through the variation of condition 2 of the original application 11/01160/F but was not registered due to the view being taken that there was no planning permission to vary, the applicants then resubmitted two separate proposals of varying designs to try and get one of them approved thus giving Plot 1 the permission it currently lacks.
- 1.11 Both applications were refused by Officers as neither scheme overcame the impact of the forward positioning of the plot which is 1.2 metres further towards the road than authorised, and would therefore continue to be harmful to the residential amenity of adjacent properties and to the character and appearance of the street scene
- 1.12 The application to which this report relates seeks consent to retain Plot 1 predominantly as it stands but with an altered side arrangement adjacent to Kohanka involving a shortened side elevation with an altered gable end.

2. Application Publicity

- 2.1 The application has been advertised by way of neighbour letter and site notice. The final date for comment was 12 August 2015.

3 letters of objection have been received and in summary, raise the following issues:

- does not rectify all resolve the detrimental affect Plot 1 has on the occupants of Kohanka as identified by the Appeal Inspector in his summing up when granting Appeal C (Ref: APP/C3105/A/13/2203150Flagrant abuse of the planning system
- we believe that Plots 1 & 2 do not have any planning permission as they now stand
- deplorable that developer can keep reapplying for planning amendments
- important site being immediately opposite the Old Forge which is an historic building
- the hard standing/driveway creates an eyesore which is out of keeping with the environment
- This proposal does not take into account the comments of the Inspector in the previous decision

3. Consultations

- 3.1 **Fringford Parish Council** - The Parish Council considered the application, reference 15/01190/F, at the meeting on Monday 20 July (at which 11 members of the public attended to discuss the issue), and wished to raise the following objections.

The current application does not remedy the problems highlighted in several earlier planning application refusals, would not meet the requirements of the Planning Inspector and would not overcome the following issues:

- it does not remedy the fundamental problem that the house was built 1.2m too far forward of the approved position and the proposed plans do not conform to the Planning Inspector's recommendation that the whole of the first floor be set back by 1.1 metres;
- as proposed, the forward projection of the dwellings still negatively affects the street scene;
- the minimal alterations to the dwellings will not sufficiently reduce the overbearing impact on Kohanka or the listed building – the Forge – opposite;
- Additionally the Parish Council considers that this latest proposal is only minimally different to the earlier application 14/0817/f and would draw attention to the following -

The Planning Officer's recommendation in her report to the Planning Committee for application reference 14/00817/f (September 2014) was 'The proposal by virtue of its contrived design does not respect the character and scale of the existing building as well as the surrounding built form and is therefore considered to introduce an incongruous feature into the street scene which is unsympathetic and harmful to the character and appearance of the area. The proposal is therefore contrary to the provisions of Policies C28 and C30 of the adopted Cherwell Local Plan, Policy ESD 16 of the Proposed Submission Local Plan and Government guidance contained within the National Planning Policy Framework.'

The Planning Officer's comments above apply with equal validity to this application and as such a consistent approach is required to ensure the Cherwell District Council planning policies and practices remain credible. In addition an approval of this application would confirm that CDC would be complicit in ignoring the decision of Her Majesty's Planning Inspectorate.

This application seems to rely heavily on the applicant's paid Agent's personal opinion as expressed in the accompanying letter rather than the actual planning impact of the proposal.

The Parish Council notes the comments made in this letter and highlights below some of the misleading points and inaccuracies within it as follows:

The Agent states that the Planning Inspector considered that there was a potential impact on Kohanka. This is incorrect. The Inspector clearly identifies that plot 1 as built as having an effect on the living conditions on Kohanka's residents. The Inspector states in his summing up in No.37, "I noted that part of the as built first floor of Plot 1 is clearly visible." He also states in 37, "that the scheme as passed for Plot 1 would reduce the visual impact of the first floor of Plot 1 on the outlook from Kohanka such that it would not be dominant or harmful to the living conditions of occupants of that dwelling."

This new proposed scheme by the developers does not address the main concerns raised by the Inspector in his Conditions set out when granting the Appeal.

The following responses relate to the order of the Agent's letter:-

- 1) The Parish Council is not yet convinced of the claimed Planning Permission for Plot 2. No application or appeal has ever been made for Plot 2 in isolation and conditions imposed for the overall application by the Planning Inspector at the Appeal for the overall site have not been met.
- 2) no comment required
- 3) Planning permission was granted for two houses 1.2 metres further back than they are now built and not in the same position as the Agent states.
- 4) CDC has objected to the forward siting of the two houses, and that is why the planning applications have been refused for the two houses as they now sit. The houses have not been granted planning permission in the present position as implied.

The 2011 planning permission was only granted after the developers located both houses further back on the application plans behind the old Rosemary building line, as requested by Gemma Magnuson, and agreed with David Berlouis via emails sent. The original position of the two houses was deemed to appear "an over prominent addition to the street scene", as stated by Gemma Magnuson, and not as stated by the developers Agent in his letter. The permission granted for the two houses was 1.2 metres back from where they are now built.

5) Again planning permission was granted 1.2 metres back from where they are now built.

6) This application seeks to ignore the Appeal Inspector's specific conditions required to reduce the impact Plot 1 has on Kohanka residents.

7) The building line before planning was originally granted was 1.2 metres back from where the houses are now built. The Condition for planning approval recommendation by Gemma Magnuson was that both the main parts of the new build houses were behind the old Rosemary building line.

8) & 9) no comment required.

10) The new proposed plans do not overcome the detrimental effects caused to the residents of Kohanka as clearly stated in the Appeal's Inspectors summing up and Conditions laid down.

These were that the work in Appeal C be started and completed in six months from the Appeal decision date. Condition 2 as stated by the Appeal Inspector, "within six months of the date of this permission the front portion of the first floor of Plot 1 shall be demolished and rebuilt in accordance with the plans herewith approved and specified in Condition 1."

Oxfordshire County Council Consultees

3.2 None

4. Relevant National and Local Policy and Guidance

4.1 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

ESD13 - Local Landscape Protection and Enhancement
VIL1 - Village Categorisation
ESD15 - The Character of the Built Environment

Cherwell Local Plan 1996 (Saved Policies)

C28: Development Control Design
C30: Development Control Amenity

4.2 Other Material Policy and Guidance

National Planning Policy Framework

5. Appraisal

5.1 The key issues for consideration in this application are:

- Relevant planning History
- Impact on residential amenities
- Design
- Impact on highway safety
- Impact on listed buildings
- Third party comments

Relevant Planning History

5.2 As outlined in the table above, there is a significant amount of planning history arising from the enforcement investigation which began in 2012. For the purposes of this application, it is pertinent to outline the most recent position since the appeal decision was made in March 2014.

5.3 The applicants were granted permission through the appeal for a variation scheme, however they have chosen not to implement that scheme. There still therefore remains an enforcement issue with the site in that Plot 1 still does not accord to the planning permission first granted in 2011. As already outlined, Plot 2 is effectively immune from any further action due to the previous appeal for the garden shed.

5.4 The applicants submitted a previous application (ref 14/00817/F) to seek an alteration to the front of Plot 1. Members refused this at Committee in July 2014.

5.5 The Council has been actively pursuing the applicants to seek regularisation voluntarily to avoid at this stage any further enforcement action being taken. However it has not been possible to reach any agreement with the applicants. Two further applications were submitted to attempt to regularise the situation (15/00485/F; 15/00486/F) but in both cases the solution proposed was not acceptable and therefore Officers refused both applications. The current application (15/01190/F) is an attempt to find a solution for the current issue

Impact on residential amenities

- 5.6 In assessing the agreed siting of the proposed dwellings under application 11/01160/F, it was acknowledged that the proposed dwellings would sit forward of the general building line along the north-western side of Main Street, although the existing building line is not rigid, as the original dwelling at Rosemary sat further forward than its immediate neighbours. It was accepted that the siting would respect the current form of development in the vicinity and would not harm the character and appearance of the area nor the amenities of the adjoining occupiers to a significant degree.
- 5.7 It is acknowledged that the approved siting of the two dwellings did allow them to project by 3.5m of Kohanka and 3m forward of The Gables. The proposal which was allowed on appeal (ref 13/00718/F) proposed to set the first floor element of plot 1 (adjacent to Kohanka) back by 1.1 metres from the existing front elevation. This would then bring the existing first floor WC and bathroom windows back behind the existing front elevation of Kohanka. It also reduced the first floor projection beyond the existing front elevation of Kohanka from 4.5 metres to 3.4 metres, which is 100mm less than was originally approved.
- 5.8 The two recently refused schemes were not considered to go far enough in their mitigation of the issues to warrant the approval of either scheme. One proposal sought to retain the building exactly as was with the omission of one window overlooking Kohanka, whilst the other application proposed an alteration to the front corner of the building and the removal of one of the first floor side facing windows in addition, the ground floor window would be obscure glazed. This would have effectively resulted in the removal of the tall gable detail and replacement of it with a stepped roof arrangement. The built form at ground floor level would have remained at 4.5m projected forward of Kohanka but at first floor the development would be taken back by 1.10m resulting in the built form being less prominent when viewed from the office, but would have resulted in an asymmetric gable design which would have been obtrusive in the streetscene.
- 5.9 The current application seeks to retain the building as it currently stands in terms of its location on the plot but with alterations at first floor. It is proposed that the first floor window and side gable will be set back by 1.10m which will then in turn push the window back reducing the total floor space to the existing kitchen and bedroom 2 by some 3 square metres.
- 5.10 Officers have spent a significant amount of time negotiating with the applicants the best way in which to seek a resolution to this long standing issue. The demolition of the building is not an option that the Council feel appropriate given that the Inspector has previously considered the retention of the two dwellings as acceptable but with alterations to Plot 1. Officers consider that this approach would not be successful at appeal. Therefore the current proposal has been submitted following detailed discussions and is considered to be the best way forward. It is considered to significantly reduce the impact on both the neighbouring property Kohanka and also the appearance within the street scene. The symmetry now proposed in the fenestration is much more attractive visually and ties in better with Plot 2. The subservient appearance of the side gable is much more in keeping with the character of the surrounding developments in the locality.
- 5.11 In his decision on the previous application, the Inspector outlined that in his view the issues for consideration in terms of neighbour amenity were that of overlooking presented by the first and ground floor windows and the resulting outlook from the office window in Kohanka. He considered that *“due to plot 1 being built forward of the position approved a ground floor window to kitchen/breakfast area in the side elevation of Plot 1 overlooks the front garden and access of Kohanka and lead to*

some actual and also perceived overlooking of that area. I accept that overlooking from the side window involved is likely to reduce the enjoyment gained from the use of the front garden of Kohanka by its occupants although such harm would be limited'.

- 5.12 Officers have considered carefully these comments and believe that this scheme does address significantly the concerns of the amenity relating to the neighbouring property. It is therefore the consideration of Officers that the amended scheme no longer represents a significant detrimental impact on the amenities of the neighbouring property to the level of justifying the refusal of the application.

Design

- 5.13 The NPPF sets out the economic, social and environmental roles of planning in seeking to achieve sustainable development: contributing to building a strong, responsive and competitive economy; supporting strong, vibrant and healthy communities; and contributing to protecting and enhancing our natural, built and historic environment (para' 7). It also provides (para' 17) a set of core planning principles which, amongst other things, require planning to:

- Be genuinely plan led, empowering local people to shape their surroundings and to provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency;
- proactively drive and support sustainable economic development to deliver homes and businesses, infrastructure and thriving local places that the country needs;
- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- support the transition to a low carbon future in a changing climate;
- encourage the effective use of land by reusing land that has been previously developed;
- actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are of can be made sustainable; and
- deliver sufficient community and cultural facilities and services to meet local needs

- 5.14 Further, guidance contained within the NPPF requires good design, "The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people." (Para. 56) Further, "Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions." (Para. 64)

- 5.15 Policies ESD 13 and ESD 15 of the Cherwell Local Plan 2011-2031 Part 1 seek to ensure that development respects existing built form, scale and massing of buildings through the integration of new development contributing to the existing streets, spaces and form and character with buildings configured to create clearly defined active public frontages. These policies also require consideration of amenity of both existing and future development, including matters of privacy, outlook, natural lighting, ventilation and indoor and outdoor space.

- 5.16 Retained Policy C28 of the Cherwell Local Plan 1996 states that control will be exercised over all new development to ensure that standards of layout, design and external appearance are sympathetic to the character of the urban context of that development. Retained Policy C30 of the Cherwell Local Plan 1996 states control will

be exercised to ensure that all new housing developments is compatible with the appearance, character, layout, scale and density with existing dwellings in the vicinity. The policy continues by stating that a development must also provide standards of amenity and privacy acceptable to the local planning authority.

- 5.17 Whilst it has been acknowledged at length that the built scheme is further forward than it should be, and if left as is would be overbearing and dominant in the street scene it is considered that the reduction in the side gable and subservient roof line as proposed by this scheme minimises the overall impact that this plot has in the locality.
- 5.18 Furthermore, the wider views that are gained of the current built form as you approach the development from the south of the village are dominated by the large gable end of Plot 1 currently. Clearly by reducing this span it will reduce the visual impact and result in a much more appropriately sized building.
- 5.19 Local planning policy clearly outlines the need for planning to support good design and reject that which does not contribute well to its locality. Whilst it is noted Main Street does not have a uniform appearance, insofar as the dwellings comprise a variety of styles, designs and set back from the highway. Views of the dwellings will still be gained particularly when travelling towards the properties from the main road into the village. There is some vegetation which provides glimpses through however it is considered that the current built form does stand out against the more traditional appearance of the majority of dwellings adjacent. It is therefore very important that this revised design is implemented as soon as possible. Although the scheme has been negotiated with the applicant following the refusal of two previous schemes, it is considered by Officers appropriate to follow any approval up with an Enforcement Notice and this issue is considered in more detail below.

Impact on listed buildings

- 5.20 The original application (11/01106/F) considered the impact the development would have on The Forge, a grade II listed building opposite the site. In determining the application, it was considered that the development would not result in substantial harm to the significance of the listed building.
- 5.21 The Council did raise concern through the appeal process that the proposal at that time impacted detrimentally upon the appearance of The Forge caused by the increased projection. The Inspector disagreed and ruled that the scheme would have very little additional impact on the setting of the building.
- 5.22 The buildings will be seen in context with the listed building however given the view of the Planning Inspector, it is now not considered to be detrimental enough to justify a reason for refusal on these grounds. Furthermore the reduction in built form of Plot 1 should be sufficient to remove some of the visual impact away from the listed building.

Enforcement Action

- 5.23 As is detailed in the earlier history section of this report, the site has been subject to some significant planning history. There are currently no live Enforcement Notices on the site.
- 5.24 If Members are minded to approve this proposal, it is considered that it would be prudent to accompany any decision issued with a formal Enforcement Notice. This would then provide a specific period of time, in this instance a suggestion of 6 months, for the applicants to carry out the works required to Plot 1 to comply with this permission.

- 5.25 The service of the Notice provides some certainty to Members that the amended scheme would be implemented (unless an appeal against the Notice is made). It also confirms to the occupiers of the neighbouring property the Council's insistence that their concerns are addressed. Once compliance with the Notice is achieved this will then close the case.

Third Party Comments

- 5.26 The comments made by the occupants of Kohanka have been addressed through this report. They are mainly concerned with the fact that this latest scheme still does not address the impact on their property. It has been explained earlier in the report that in your officers opinion this scheme does alter the impact of development on Kohanka and is considered to provide a reasonable compromise to the issue bearing in mind the decision of the Inspector on the earlier application.
- 5.27 In addition the objectors make the point that "*The developers are choosing to take the good parts of the Inspector's Appeal decision and ignore any parts they do not like*". The level of frustration is understood given the amount of time that this situation has been on-going, however this compromise in our view is acceptable in terms of material planning concerns, namely the visual impact in the greater locality and more specifically the lessened impact on their property due to the alteration of the gable span. The scheme before Members now is very similar to that approved by the Planning Inspector and therefore Officers have been very mindful of the comments made during the appeal. It is their view that the scheme provides a compromise which does alleviate the issues that Kohanka have raised to some extent making it on balance a scheme which can now be supported.
- 5.28 With regard to the claim that the decision is being made without the comments of local residents and the Parish Council being considered, clearly this is not the case. All received comments (both through the post and electronically) have been reported to Members in this report and are also available to be viewed publicly. Furthermore, this report only makes a recommendation and the final decision on the proposal will be made at Planning Committee.
- 5.28 The Parish Council provide some very detailed comments to the application and some of their points have already been addressed in this report regarding the development still being built further forward; the impact on the street scene; and that the proposal does not sufficiently reduce the overbearing impact on Kohanka or The Forge opposite.
- 5.30 They state that "*the Parish Council considers that this latest proposal is only minimally different to the earlier application 14/00817/F*". The earlier application sought to again alter this same elevation but by altering the front corner of the building and removing one of the first floor side facing windows. This would effectively have resulted in the removal of the tall gable detail and its replacement with a stepped roof arrangement. In this instance the Council considered that in respect of the impact of the neighbouring property alone, the proposal at that time did provide a solution which was acceptable to the Council and which did go some way to rectify the issues with the proposal that were raised in the appeal. However Officers considered that the scheme overall represented a poor design. It proposed a loss of the symmetry that is currently present in both plots and would have been highly visible in the street scene and from wide views. Local planning policy clearly outlines the need for planning to support good design and reject that which does not contribute well to its locality. Whilst the applicants may have reached a reasonable compromise with the impact of development on the neighbours, this would have come at the cost of the design of the dwelling. The dwelling as proposed would have a window set back into the wall with a shorter roof above which would then drop down straight to then accommodate the remaining dormer window. This was considered to

be out of keeping with the adjacent Plot 2 dwelling and the street scene.

- 5.31 The current scheme provides a much more traditional arrangement with a subservient roof and consequent set back of the bulk of the development. This allows for a staggered appearance on site which is considered to be much more pleasing on the street scene and as such a much different scheme to that previously proposed and refused.
- 5.32 The Council have remained consistent all through the process and have applied the same policy to each of the recent applications. This is considered to be the best compromise for the site. The report has demonstrated how the appeal decision has been carefully considered and the main comments of it compared against this scheme.
- 5.33 With regard to the *“paid Agents personal opinion as expressed in the accompanying letter”*. The comments of the agent have been noted however the Council do not agree with all the comments made and in this instance have given little weight to the letter. It has come in as an accompaniment to the planning application but has not been deemed to represent either a formal planning statement or a Design and Access statement therefore has limited use in forming the recommendation shown below.

Engagement

- 5.34 With regard to the duty set out in paragraphs 186 and 187 of the Framework, no problems or issues have arisen during the application. It is considered that the duty to be positive and proactive has been discharged through the efficient determination of the application.

Conclusion

- 5.35 This site has had a very chequered planning history. The scheme before Members now has been carefully considered by Officers and is on balance thought to be an acceptable compromise on the issues that have been previously of concern. The Council have been very vigorous in reiterating concern over the impact that the current built form has on both the neighbouring property Kohanka and the street scene. This scheme has taken into account these concerns and has sought to provide an amendment to the built form and through the service of the suggested Enforcement Notice this will secure that the matters are addressed and the case brought to a conclusion.

6. Recommendation

Approval subject to the following conditions:

1. The development to which this permission relates shall be begun not later than the expiration of six months 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.

2. Except where otherwise stipulated by condition, the development shall be carried out strictly in accordance with the following plans and documents:
Application forms and drawings numbered: P/11/055/015 A and P/11/055/003 F

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

3. The materials to be used for the replaced walls and roof hereby approved shall match in terms of colour, type and texture those used on the existing building.

Reason - To ensure that the development is constructed and finished in materials which are in harmony with the materials used on the existing building and to comply with Policy ESD13 and ESD 15 of the Cherwell Local Plan 2011 - 2031 Part 1, Policy C28 of the Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

4. The ground floor side facing kitchen window and the northeast elevation first floor bathroom window shall be fully glazed with obscured glass that complies with the current British Standard, and retained as such thereafter.

Reason - To safeguard the privacy and amenities of the occupants of the adjoining premises and to comply with Policy C30 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

It is further **RECOMMENDED** that Members indicate that they concur with the intention to serve an Enforcement Notice to run alongside this approval ensuring that the work to amend the built form of the development currently on site is carried out in the approved manner

STATEMENT OF ENGAGEMENT

In accordance with the Town and Country Planning (Development Management Procedure)(England) Order 2015 and paragraphs 186 and 187 of the National Planning Policy Framework (March 2012), this decision has been taken by the Council having worked with the applicant/agent in a positive and proactive way as the decision has been made in an efficient way.