

Case Officer: Nathanael Stock **Ward(s):** Cropredy, Sibfords And Wroxton

Applicant: Mr & Mrs Gregory Besterman

Ward Member(s): Cllr Ken Attack, Cllr George Reynolds, Cllr Douglas Webb

Proposal: Demolition of an existing dwelling and a range of large scale equestrian buildings and the erection of a replacement dwelling including associated works and landscaping (resubmission 15/01693/F)

Committee Date: 27 October 2016 **Recommendation:** Approve

1. Application Site and Locality

- 1.1 The application site is comprised of a single, detached dwelling, four large agricultural buildings (two detached, the other two linked to a neighbour's outbuildings) and other smaller structures, a horse walking area enclosed by hedges, and other hardstanding, as well as a manege to the west of the dwelling. A large area of agricultural land is also included within the blue line, i.e. the applicant's ownership, covering broadly 440 metres in a west-east direction and 290 metres in a north-south direction and bounded to the west by the county boundary between Oxfordshire and Warwickshire. This boundary also marks the eastern edge of the Cotswolds Area of Outstanding Natural Beauty. The site is accessed from Colony Road, a classified road, to the east. There are records of bats in the area. There are no other site specific constraints.

2. Description of Proposed Development

- 2.1 Planning permission is sought for the demolition of the existing dwelling, one existing outbuilding ('stable block 3') and part of another, and the erection of a replacement dwelling with associated soft and hard landscaping.
- 2.2 The main part of the proposed dwelling, two storeys in height with accommodation in the roof space, would feature four living rooms including dining room at ground floor level, with seven en suite bedrooms and a laundry room at upper levels. A single storey side element serving as kitchen/breakfast room would extend at ground floor level from the dwelling's north-east elevation, and from the kitchen a further single storey element would proceed in a south-east direction, providing pantry, WC, utility and plant room
- 2.3 The application is a revised scheme of 15/01593/F; the changes from that previous application are:
- The main dwelling has been moved approx. 13 metres N/NW
 - The accompanying terrace has also been moved approx. 9 metres N/NW
 - Associated changes to the landscaping of the site

- The wing has been reduced in extent, removing garages, workshop, gym, playroom, and second bathrooms and laundry rooms
- Retention of 'stable block 4' (existing building) – to be used as three garages plus store
- Retention of 'stable block 2' (existing building) – to be used as stabling
- Certain elevation changes, including roof shape returned from hipped to gable ended, and the design of the reduced wing (kitchen) amended
- Alterations to positions of chimneys (possibly differently to how we previously advised)

2.3 The proposal also includes the formation of hardstanding to form a new access drive, brick wall and piers to form a new stable yard adjacent to the existing stable blocks and partly in place of the outbuilding proposed for part demolition, alterations to a third outbuilding ('stable block 1') and its use for equestrian purposes, the planting of numerous trees, and alterations to ground levels to form a landscaped terrace to the west of the dwelling.

2.4 The application relates to drawings "1759.100E", "1759.110A", "1759.111A", "1759.118A", "1759.122A", "1759.125A" (window detail), "1759.126A" (dormer detail), "1759.127A" (stable 2), "1759.128A" (stable block 2), "1353.01C" (landscape proposals), a site location plan and drawings of the existing dwelling, site and outbuildings. The application is accompanied by a Design and Access Statement, ecology survey and planning statement.

3. Relevant Planning History

14/01100/CLUE – Certificate of Lawfulness of Existing Use for the use of the dwelling in breach of Condition 5 (Agricultural Occupancy) CHN600/85 – granted

14/02157/F – Demolition of an existing dwelling and a range of large scale equestrian buildings and the erection of a replacement dwelling including associated works and landscaping – withdrawn pending refusal

15/01693/F - Demolition of an existing dwelling and a range of large scale equestrian buildings and the erection of a replacement dwelling including associated works and landscaping (revised scheme of 14/02157/F) – withdrawn pending refusal

4. Response to Publicity

Three letters of support received, one of whom is the closest neighbour; issues raised include: (1) the footprint has moved and overall size considerably decreased from previous proposals; (2) some / great enhancement to the character and appearance of the site; (3) the existing dwelling is of poor design; the proposed dwelling is a considerable improvement; (4) comprehensive landscaping scheme proposed; (5) proposal is more in keeping with its surrounds than existing property

5. Response to Consultation

Parish/Town Council:

Sibford Ferris Parish Council – Objects:

As this property sits close to the border with the parish of Sibford Ferris and the proposed dwelling will be highly visible, the parish council would like to make comment on the application.

The parish council understands that the scale of the proposed dwelling and its siting have been amended from the previous application.

However, the design remains as a three-storey building to replace a two-storey building (H17).

The revised siting has not altered the fact that it will be positioned on a hill which will make it prominent when viewed from the valley to the east and its scale and design will be out of keeping with those around it (C30).

It is the view of the parish council, therefore, that the revised design still does not fit with planning policies as stated in the Cherwell Local Plan:

Local Plan C30: the new dwelling should be compatible with those around it in terms of appearance, character, layout, scale and density;

Local Plan H17: the scale of the new dwelling should not be significantly different to the one it is replacing.

Sibford Gower Parish Council – Objects:

With minor changes and a slight reduction in size, the application remains the same as before, for the replacement of the existing dwelling by a much larger private house of different character. We have considered the additional evidence presented by the applicants and do not find it convincing.

There is no reason to concur with the Landscape and Visual Assessment study previously submitted... in our view [the landscape] is incorrectly categorised as 'Rolling Village Pasture'. The extensive garden landscaping and planting around the house would indeed change the landscape nature of the valley as a whole. We are unhappy with this change in an area of High Landscape Value.

We do not find the parallels for historic large Georgian style buildings in the area convincing they are for the most part within the curtilage of a village rather than in open countryside, and do not override the planning regulations currently in force.

We do not accept the claim that Policy H17 'is an old and outdated policy' (Carter Jones document p10). It remains an essential criterion for limiting development within the countryside.

Despite the representations of the owner of New Barn Farm, we do not believe that the issue of the relation to New Barn Farm has been properly addressed.

Size: Despite their utilitarian nature, the present buildings are low and well shielded; they make little impact on the surrounding landscape. The proposal is to create a replacement dwelling five times the size of the original, erecting a four bedroom three storey house in place of a small three bedroom chalet type dwelling, together with a separate dwelling of two storeys which is approx. the same size as the original dwelling.

The Design and Access Statement makes much of the fact that because the new development is placed at a lower level on the site, its height above sea level will be identical with the old, at a building height of 177.58m. But that does not alter the fact that the ground floor to roof elevation of the new building is approx. one third greater than the old, and that the size and shape of the main house is much greater than the original.

Nor does it address the surrounding locality. The proposed development is situated on high land with magnificent views in every direction. These views extend as far as the Sibfords to the north (1 mile), Hook Norton to the east (3 miles), the Rollright Stones, Whichford Wood and Oatley Hill to the south (5-8 miles) and Broadway Tower to the west (13 miles). It will be prominently visible across a wide area.

The overall bulk and particularly the increased overall height of the development will also create an unacceptable impact on the immediate vicinity, dominating the valley. Whatever planting mitigation is proposed, any view of the building will stand out like a sore thumb across a landscape characterised by traditional and modest farm buildings, and the planting will change the nature of the valley and its landscape irrevocably in summer, while having no screening effect in winter. Some of this impact can be assessed by comparison with two nearby properties. New Barn Farm itself is very visible in the valley from surrounding hill paths; the new building will be in the same position, and approx. three times the size. The proposal is comparable in size to the dominant Gauthern's Barn on the other side of the valley (built before existing regulations were in place), but that at least is partially hidden from many angles by the bend in the valley.

Design: The proposal is to replace an admittedly undistinguished modest 60s chalet-type building with a mock Georgian mansion, or as the application calls it a 'finely designed Georgian house' (7.12) of 'country house character' or 'late Georgian Regency property' with 'later' Victorian additions. That may be appropriate for the deep Cotswolds, but is completely out of keeping with the traditional vernacular architecture of the Banbury ironstone area, and in particular the Sib Valley. The new proposal will permanently alter the landscape.

Paragraphs 59-60 of the Framework do not permit prescription on style but do suggest concentrating on 'overall scale, density, massing, height, landscape, layout... in relation to neighbouring buildings and the local area more generally', and state that 'it is proper to seek to promote or reinforce local distinctiveness'.

Local Plan H17 (retained) permits replacement of a dwelling outside the limits of an existing settlement provided that 'the proposed replacement is similar in scale and within the same curtilage'. This proposal is of a quite different scale, and is stated by the applicants to be in terms of floor area approx. five times the size of the original dwelling. The claim that this discrepancy can be mitigated by invoking permitted development guidelines seems to us irrelevant, and still leaves a shortfall of over 1,000 sq feet.

Local Plan C30 (retained) requires compatibility with appearance, character, layout, scale and density of existing dwellings in the vicinity. This has not been demonstrated in relation especially to New Barn Farm.

Local Plan Policy ESD13 – The valley in which the property stands is open farmland designated as an Area of High Landscape Value. While this designation does not itself affect

permitted development rights it must be asked whether the development is at all compatible with the aim of the Council as expressed in the Cherwell Local Plan 2011-2031.

Local Plan Policy ESD15 requires justification in terms of complementing and enhancing the context and an explanation of the design rationale. This has not been provided.

Cherwell District Council:

Landscape – No objection. With regard to my previous response of 09/02 I reaffirm no objection to the development of the reduced-scheme proposals, as long as the following conditions are met:

A BS5837 Tree survey in respect of the large mature oak trees along the drive, all trees and hedgerows within an influencing distance of the demolition and construction work. Root protection areas to be defined and maintained during the duration of the work.

Detailed landscape proposals with plant schedule and specification (BS4428:1989 and National Plant Specification)

The proposed trees are appropriate in their species/variety for the soil and distance from foundations of New Barn Farm – a qualified structural engineer to be consulted.

Tree pit details (15m³ of ameliorated on-site tree soil) are to be provided with trees supplied, planted and maintained in accordance with BS8545:2014.

Hedgerow retention for the northern, western, eastern and southern field/application site boundaries with a 3 m minimum maintenance height for landscape mitigation.

Ecology – No comments received. With regard to previous application had no objection subject to conditions

Conservation – Comments as follows:

North elevation: It is a pity that all the accommodation cannot be contained within the main house. The addition of the kitchen extension, with its own extension for the utility/plant room do not enhance the design of the main house and are not yet fully resolved. The Architect was going to look at this following our meeting. Externally it would look better if the kitchen extension moved forward, this would avoid the awkward rainwater arrangement but would mean the kitchen would be entered on the corner. As proposed we have the awkward rainwater hopper arrangement to the valley and the door opens just off centre which would always look odd. By moving the kitchen forward to the west you would lose the thin window to the dining room but it would help the rainwater disposal and avoid the offset door under the ridge of the kitchen ceiling when looking towards the main house internally.

The detail of the rainwater goods/sump from valley gutter needs to be neatly handled and should be conditioned to arrive at a more elegant arrangement (see comment above).

Query how the rainwater disposal of flat roof below the ridge will be handled?

The presumed en-suite on gable wall at first floor won't have a window.

Position of door to master bedroom will no doubt change when the interior furniture is laid out, I wouldn't object if this altered later on.

Dormers look too tall, and corresponding proportion of glass – recommend these are reduced in height so the ridge of the dormer does not project above the ridge of the linking roof between the two main roofs and the proportion of the glass is also shorter than currently shown in the dormer casements.

Glazed screen to kitchen to the west elevation the top of the screen aligns with top of windows to the main house but on east elevation top of window is lower. Consider it would look more subservient if the screen was also lower than the top of the windows.

The ridge of the utility/plant room wing needs to come in below the ridge of the kitchen extension, it looks a bit tight as drawn.

Query the treatment of the double doors on the utility/plant room wing are these louvred? If so the traditional game hanging larder structures might provide inspiration for ventilation. Details to be conditioned.

Outbuildings: During earlier discussions these were proposed to be removed as they were of low quality. Drg 1759.127 – is this being retained and converted to the stable?

Garage: Are they introducing 2No rooflights as the arrows only point to 2No as being existing?

Landscaping: The proposed landscaping needs to be carefully handled to blend with the existing landscape. It would be helpful to see updated visuals based on the current scheme.

Recommends conditions re. masonry, sample panel of masonry, lime mortar no cement gauging; chimney details; kneeler and coping detail; Eaves detail; String and plinth detail, including how the string returns; Detail of the corner stones to ensure the return of the stone is not thin – may need to have alternating L-shaped stones in plan to avoid this; Ventilation slots/in gable of utility/plant room wing; Doorcase details; Louvred window details; Cill and lintol details; Steps. [Also] Condition lead or Cast iron or rainwater goods and colour; as well as details in particular the north valley gutter above the kitchen and the flat roof of the main house. [Also] Condition Joinery: Timber sliding sash and case windows and colour:

Detail submitted shows sash box hidden in stone reveal (typical detail after 1774 in London by law, later copied in other parts of the country) with glazing bars at 35mm wide (typical 38mm in late 17thC/ early 18thC but by late 18thC the glazing bars had slimmed down), Historic England '<https://content.historicengland.org.uk/images-books/publications/traditional-windows-care-repair-upgrading/heag039-traditional-windows.pdf/>' + need to think about avoiding cold bridging and draft-stripping in due course. Historic England illustrate slimline double glazing with an 18mm glazing bar. The colour of the spacer bar/edge between the two sheets of glass needs to have a non-metallic finish – matt black might work better with certain colours, especially if an off white or colour is proposed suggest trialing which colour looks best with chosen window colour.

[Also Condition] Doors, including fanlight; Dormers – casement should be flush; Rooflights; Condition roofing sample of the proposed stone tiles, including details of ridge. Code of lead – Code 3 may be quite thin for an exposed position?

Oxfordshire County Council:

Highways – No objections subject to conditions

Other External Consultees:

None

6. Relevant National and Local Planning Policy and Guidance

6.1 Development Plan Policies:

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. Planning legislation requires planning decisions to be made in accordance with the Development Plan unless material planning considerations indicate otherwise. The relevant planning policies of Cherwell District's statutory Development Plan are set out below:

Cherwell Local Plan 2011 - 2031 Part 1

ESD1 - Mitigating and Adapting to Climate Change
ESD3 - Sustainable Construction
ESD10 - Protection and Enhancement of Biodiversity and the Natural Environment
ESD12 - Cotswolds AONB
ESD13 - Local Landscape Protection and Enhancement
ESD15 - The Character of the Built and Historic Environment

Cherwell Local Plan 1996 (Saved Policies)

C28 - Layout, design and external appearance of new development
C30 - Design of new residential development
H17 - Replacement dwellings
H18 - New dwellings in the countryside

6.2 Other Material Planning Considerations:

National Planning Policy Framework (The Framework) - National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied.

Planning Practice Guidance (NPPG) – This sets out regularly updated guidance from central Government to provide assistance in interpreting national planning policy and relevant legislation.

7. Appraisal

7.1 Officers consider the following matters to be relevant to the determination of this application:

- Principle of Development;
- Design, Layout and Appearance;
- Impact on Heritage Assets;
- Landscape and Visual Impact;
- Accessibility, Highway Safety and Parking;
- Effect on Neighbouring Amenity;
- Other matters - Ecological Implications, Flood Risk, Sustainability

Principle of development

- 7.2 Policy H18 relates to new dwellings within the countryside beyond the built up limits of settlements. Such dwellings will be supported if proven to be essential for agriculture or other existing land based businesses. The proposed dwelling does not meet these criteria. The proposed dwelling would therefore conflict with Policy H18.
- 7.3 Policy H17 of the Cherwell Local Plan 1996 supports the one-for-one replacement of dwellings, but only if the existing dwelling is “statutorily unfit or substandard”. No evidence has been submitted to demonstrate that the existing dwelling fits this criteria.
- 7.4 Even if this was to be demonstrated, part (ii) of the policy requires that the proposed replacement is “similar in scale and within the same curtilage”. The proposed dwelling would be considerably larger than the existing dwelling: The existing dwelling has a gross external floor area (GEA) of approx. 179 sq m, whereas the main dwelling proposed would have a GEA of approx. 734 sq m (down from approx. 998 sq m under the last application). This represents an approx. 410% increase over the GEA of the original dwelling.
- 7.5 Permitted development rights are intact for the existing dwelling, which allow for extensions of up to approx. 187 sq m. Taking this larger GEA of 366 sq m (i.e. 187+179) and assuming that permitted development rights are removed from the proposed new dwelling (were it to be approved), the proposed dwelling would have a GEA of approx. 200% that of the original dwelling.
- 7.6 The proposed dwelling would not be similar in scale to the existing dwelling, but would be substantially reduced from previous proposals. The dwelling has been brought significantly closer to the existing dwelling and under the current proposals would share part of its domestic curtilage. The proposed dwelling would also provide for substantial aesthetic enhancement over that of the existing dwelling.
- 7.7 Overall, therefore, the currently proposed dwelling is considered broadly consistent, and not in significant conflict, with Policy H17 of the 1996 Plan. Although the proposal also includes the demolition of some of the existing agricultural buildings, such buildings are not mentioned in Policy H17 and therefore have no significant bearing on the above assessment.
- 7.8 Policies H17 and H18 align well with paragraph 55 of the Framework in seeking to control isolated new dwellings in the countryside. The applicant contends that a replacement dwelling can serve as a special circumstance and officers agree. By virtue of its scale relative to the existing dwelling, its reduced scale relative to previous proposals, its architectural and aesthetic quality relative to that of the existing dwelling, and provided the high architectural quality is secured through appropriately worded conditions, and provided permitted

development rights are removed for the dwelling, it is considered that the currently proposed dwelling is an appropriate 'replacement', and not to significantly conflict with paragraph 55 of the Framework.

Design, Layout and Appearance

- 7.9 The dwelling has been designed in a Georgian / Regency style, and is sited so as to be oriented in line with the existing field pattern. The dwelling would be approached via an access drive sweeping around from a westward direction to northward, culminating in a semi-circular turning area bounded by formal planting partially bounded to its north by the L-shaped wing and to its east by a retaining wall which would enclose a proposed stable yard. A parking courtyard would be sited to the north of the dwelling's single storey element. The main dwelling faces westward, surrounded by terrace with steps down to a lawn bounded by ha ha.
- 7.10 The dwelling itself would have three storeys, the third storey in the roof, served by a total of four dormers, two each to west and east elevations. Both elevations would feature a central door at ground floor and two windows to either side with five at first floor level. The doors would have Georgian/Regency style canopies and the windows would have stone surrounds. To the north and south elevations the roof would have a double bay appearance, the roof between being set in, up to a flat roof. The dwelling is proposed to be constructed in Hornton ironstone, under a slate roof, with timber windows.
- 7.11 Given its Georgian / Regency style and its visual sensitivity, the Design and Conservation team has been consulted on the proposal. The Conservation Officer raised concerns with the previous proposals in terms of orientation, architectural style; the scale, massing and juxtaposition of the three key elements of house, kitchen and courtyard; the proportions, rhythm and solid/void ratio of the main house; the dormers and their relationship to the principal elevations and the conflict with the chimney stacks, and the scale, height, design and articulation of the courtyard buildings.
- 7.12 The *current proposal* is oriented so as to follow the existing field pattern, with a strong relationship to post-enclosure field boundaries.
- 7.13 In terms of architectural style, the Georgian/Regency style has been retained, but its fenestration pattern simplified, the number of dormers reduced and their positions improved, and the solid to void ratio appears to have been altered. The proportions and rhythm have been amended to good effect. It is considered that the amended proposal more successfully responds to local interpretations of the Georgian style.
- 7.14 The large single and two-storey wing previously proposed has been largely removed, with a single storey element retained. It continues to sit slightly awkwardly with the main dwelling and minor amendments have been since been obtained in order to improve this relationship. The Conservation Officer has no overall concerns with the current proposal subject to these conditions and various conditions re detailing.

Impact on Heritage Assets

- 7.15 The site is not within a designated Conservation Area and there are no listed buildings in the vicinity. The Conservation Officer raises no concerns on the proposal's impact on any heritage assets. Overall, the proposal is considered acceptable in this regard.

Landscape and Visual Impact

- 7.16 The proposed dwelling is designed to be seen and therefore to make a statement in the local landscape, and has regard both to views into and views from the site. The applicant's agent has contested that this is the case, but the size and architectural appearance, as well as its siting well away from that of the existing dwelling, and the associated landscaping proposed are all good indications.
- 7.17 The application is accompanied by a Landscape and Visual Assessment (LVIA) by Colvin & Moggridge, originally dated December 2014 but revised January 2016 to relate to the amended proposals. The LVIA follows the general guidance of the Landscape Institute and Institute of Environmental Management and Assessment.
- 7.18 The LVIA confirms that the site lies in a good quality landscape and within the Cotswolds Character Area as identified in the National Character Area profiles as recently revised by Natural England; that the existing dwelling sits at 170m AOD and the proposed dwelling would be at 167.6m AOD.
- 7.19 The LVIA concludes that, subject to removal of existing small scale paddock landscape, associated fences and prominent Lawson Cypress hedges, restoration of hedged field boundaries and the planting of hedgerow trees, the proposal would have a "moderate to slight" impact on the character of the landscape and "slight to negligible" visual effect. It is stated that the building would "not detract from or block any noteworthy views" and would have "little long-term effect on landscape character or visual amenity".
- 7.20 The LVIA Figures do show that the proposed dwelling would be clearly visible in the local landscape, and demonstrably more so than the existing dwelling, particularly from Sibford Ferris to the east (Viewpoint 4), footpath 347/2 to the east (Viewpoint 5), Sharps Hill to the south (Viewpoint 6), and the Macmillian Way and Area of Outstanding Natural Beauty to the west (Viewpoint 2A). The proposal would have a significant and demonstrable impact on the character and visual amenity of the local landscape.
- 7.21 The Council's Landscape Officer considers the proposal's visual impacts to be substantial, particularly from Viewpoints 6, 1B and 2B, and comments on the proposed architectural style that its scale "could inadvertently convey a building of power and authority where one did not previously exist".
- 7.22 It is noted that the Council's Landscape Officer does not object to the application (and has not objected to any of the previous applications), subject to conditions for landscape mitigation, landscape maintenance, hedgerow retention and an arboricultural method statement.
- 7.23 However, as noted by that officer, the proposal would clearly have a substantial visual impact. One of the core planning principles (para 17 of the Framework) is to recognise "the intrinsic character and beauty of the countryside". The landscape is noted by the applicant's landscape

consultant as being of good quality. Indeed, it is an attractive landscape that is relatively unadulterated. The proposed dwelling would be imposing in this context and would be a prominent new element in several views within the local landscape.

- 7.24 Overall, however, and on balance, by reason of its revised scale and siting, it is considered that the current proposal would not adversely affect the character of the countryside or the character and visual amenity of the local landscape to an extent that warrants refusal of this application. The current proposal thus accords with Policies ESD13 and ESD15 of the Cherwell Local Plan 2011-2031 Part 1 as well as paragraph 17 of the Framework.
- 7.25 In coming to this conclusion, regard is had to the proposal's proximity to and visibility from the Cotswold AONB.
- 7.26 The existing dwelling does not have any particular visual merit and its demolition and the removal of outbuildings is considered acceptable in visual terms.
- 7.27 It is noted that the planting of trees does not itself require planning permission.

Accessibility, Highway Safety and Parking

- 7.28 The local highway authority has no objections to the proposal, and there is sufficient space within the site for parking and turning. The proposal would not significantly increase the number of vehicular movements to or from the site. The proposal would therefore not have a severe impact on highway safety and would accord with Policy ESD15 of the Cherwell Local Plan 2011-2031 in this regard.

Effect on Neighbours' Amenity

- 7.29 The proposed dwelling is located at a sufficient distance (approx. 48 – 50m) so as not to materially impact on the living conditions of New Barn Farm, the only neighbouring occupier. As noted above, the originally submitted was oriented in a different direction and would have near-directly faced the neighbour, albeit at the distance noted above. The neighbour objected to the original proposal, but has written in support of the amended proposal. No other neighbours are materially affected by the proposals. Overall, the proposal would safeguard the living conditions of local residents and the proposal would accord with Policy ESD15 of the Cherwell Local Plan 2011-2031 in this regard.

Other matters - Ecological Implications, Flood Risk, Sustainability

- 7.30 The Council's ecology officer is satisfied that the proposal would have no adverse effects on protected species or other important wildlife. The proposal would not have a significant or demonstrable effect in terms of flood risk. The proposal would not result in any significant benefit or harm in respect of economic or social sustainability, but would have a significant and demonstrable impact on the character and visual amenity of the area and the local landscape and is therefore considered not to be an environmentally sustainable form of development.

- 7.31 The proposal would not contribute a net addition to the District's housing supply, and the Council can currently demonstrate a 5.3 year housing land supply. Thus it is not considered that any significant weight can be attached to the proposal's benefits in this regard.

8. Conclusion

The proposal would not adversely affect residential amenity, local highway safety, ecology or flood risk. The proposal would result in a significantly larger dwelling than the one it would replace, on a different siting but partly within the curtilage of the existing dwelling. Overall, having regard to its high architectural quality and subject to conditions re materials, detailing, landscaping and withdrawal of permitted development rights, the currently proposal would not adversely affect the character of the countryside or the character and visual amenity of the local landscape. The current proposal would thus broadly comply with Policy H17 of the Cherwell Local Plan 1996 and paragraph 55 of the Framework, and accord with Policies ESD13 and ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance with the National Planning Policy Framework.

9. Recommendation – Approve subject to the following conditions:

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.
2. Except where otherwise stipulated by condition of this planning permission, the application shall be carried out strictly in accordance with the following plans and documents: Application form, drawings "1759.100E", "1759.110A", "1759.111A", "1759.118A", "1759.122A", "1759.127A", "1759.128A", "1353.01C" and the site location plan.
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. Prior to the commencement of the development hereby approved above slab level, samples of all externally facing materials to be used in the construction of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the samples so approved.
Reason – To ensure the satisfactory appearance of the completed development and to comply with Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.
4. Prior to the commencement of the development hereby approved above slab level, a stone sample panel (minimum 1m² in size) shall be constructed on site in natural ironstone, which shall be inspected and approved in writing by the Local Planning Authority. Thereafter, the external walls of the development shall be laid, dressed, coursed and pointed in strict accordance with the approved stone sample panel.

Reason – To ensure that the development is constructed and finished in materials which are in harmony with the building materials used in the locality and to comply with Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

5. Prior to the commencement of the development hereby approved above slab level, and notwithstanding the details submitted, full details of the doors and windows and rooflights hereby approved, including fanlights, at a scale of 1:20 including a cross section, cill, lintel and recess detail and colour/finish, shall be submitted to an approved in writing by the Local Planning Authority. Thereafter the doors and windows shall be installed within the building in accordance with the approved details.

Reason – To ensure the satisfactory appearance of the completed development and to comply with Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

6. Prior to the commencement of the development hereby approved, and notwithstanding the details submitted, a plan showing full details of the finished floor levels in relation to existing ground levels on the site/existing and proposed site levels for the proposed dwelling shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved finished floor levels plan.

Reason – To ensure a visually appropriate form of development and to safeguard the landscape character and visual amenity of the area and to comply with Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

7. Prior to the first occupation of the development hereby approved, the existing dwelling and associated structures on the site at the date of this permission shall be demolished and the debris and materials removed from the site.

Reason – In order to achieve a satisfactory form of development, to prevent a net increase in residential dwellings in this environmentally and socially unsustainable location and to comply with Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

8. The rainwater goods installed to serve the development hereby permitted shall be cast iron or profiled aluminium and retained as such thereafter.

Reason - To ensure the satisfactory appearance of the completed development and to comply with Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

9. Prior to the commencement of the development hereby approved above slab level, and notwithstanding the details submitted, amended details of the dormers to the dwelling, including detailed scaled drawings, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason - To ensure the satisfactory appearance of the completed development and to comply with Policy C28 of the Cherwell Local Plan 1996 and Government guidance

contained within the National Planning Policy Framework.

10. Prior to the commencement of the development hereby approved above slab level, and notwithstanding the details submitted, full details of chimneys, kneeler and coping, eaves, string and plinth including how the string returns, corner stones, ventilation slots, doorcases, louvred windows and steps, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details and retained as such thereafter.

Reason – To ensure the satisfactory appearance of the completed development and to comply with Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

11. Prior to the commencement of the development hereby approved above slab level, a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme for landscaping the site shall include:

(a) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas, including plant schedule and specification (BS4428:1989 and National Plant Specification),

(b) details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation,

(c) details of the hard surface areas, including steps

The hard landscaping elements of the approved scheme shall be implemented fully in accordance with the approved details prior to the first occupation of the development hereby permitted and shall be retained as such thereafter.

Reason – In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development, and in the interests of highway safety, and to comply with Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework

12. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with BS 4428:1989 Code of Practice for general landscape operations (excluding hard surfaces), or the most up to date and current British Standard, in the first planting and seeding seasons following the occupation of the building(s) or on the completion of the development, whichever is the sooner. Any trees, herbaceous planting and shrubs which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the current/next planting season with others of similar size and species.

Reason – In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

13. Prior to the commencement of the development hereby approved above slab level, full specification details of the altered access and access road and turning area, including construction, surfacing, layout, drainage and road markings, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of the dwelling, the development shall be constructed in accordance with the approved details, and retained as such thereafter.

Reason – In the interests of highway safety, to ensure a satisfactory standard of construction and layout for the development and to comply with Government guidance contained within the National Planning Policy Framework

14. Prior to the commencement of the development hereby approved above slab level, a BS5837 Tree survey in respect of the large mature oak trees along the drive, all trees and hedgerows within an influencing distance of the demolition and construction work. Root protection areas to be defined and maintained during the duration of the work.

Reason – In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework

15. Prior to the commencement of the development hereby approved above slab level, and notwithstanding the submitted details, full details, locations, specifications and construction methods for all tree pits located within the landscaped areas, to include specifications for the dimensions of the pit, suitable irrigation and support systems and an appropriate method of mulching, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details and specifications.

Reason – In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework

16. Except where expressly shown on the drawings hereby approved as listed in Condition 2 of this permission, all existing hedgerows for the northern, western, eastern and southern field application site boundaries shall be retained, with a minimum maintenance height of 3 metres for landscape mitigation.

Reason – In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework

17. All species used in the planting proposals associated with the development shall be native species of UK provenance.

Reason – To conserve and enhance biodiversity and prevent the spread of non-native species in accordance with Government guidance contained within the National Planning Policy Framework

18. No removal of hedgerows, trees or shrubs nor works to, or demolition of buildings or structures that may be used by breeding birds, shall take place between the 1st March and 31st August inclusive, unless the Local Planning Authority has confirmed in writing that such works can proceed, based on health and safety reasons in the case of a dangerous tree, or the submission of a recent survey (no older than one month) that has been undertaken by a competent ecologist to assess the nesting bird activity on site, together with details of measures to protect the nesting bird interest on the site.

Reason – To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy C2 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework

19. If the site clearance and demolition of the current dwelling hereby approved does not commence by July 2016 a revised walk over badger check of the site shall be undertaken prior to the commencement of the development to establish changes in the presence, abundance and impact on badgers. The survey results, together with any necessary changes to the mitigation plans or working methods shall be submitted to and approved in writing the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.

Reason – To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy C2 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework

20. The development hereby approved shall be carried out in accordance with the recommendations and working practices set out in sections 4.4 and 4.5 of the 'Extended Phase 1 Survey assessment and Bat Survey' carried out by Wild Service Ecological Consultancy on July 2014.

Reason – To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy C2 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework

21. Prior to the commencement of the development hereby approved, including any demolition, and any works of site clearance, a method statement for enhancing biodiversity on site with particular reference to nesting/roosting provision for swallows and bats shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the biodiversity enhancement measures shall be carried out and retained in accordance with the approved details.

Reason – To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy C2 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework

22. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no development within Part 1 or Part 2 shall take place.

Reason – In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for

additions, extensions or enlargements and to accord with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1.

23. Prior to the commencement of the development hereby approved above slab level, and notwithstanding the details submitted, a plan shall be submitted to identify the residential curtilage of the dwelling hereby approved.

Reason – In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

Informative Notes

In respect of Condition 20 of this permission, it should be noted this includes restrictions on the demolition process and an update bat survey if certain conditions are not met.

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