

Case Officer: Stuart Howden **Contact Tel:** 01295 221815

Applicant: Farima Properties

Proposal: Conversion of existing office building to form 10 No residential apartments; new aluminium windows to rear building; painting existing East façade off white; some alterations to existing windows on South and West Elevations; bin storage and cycle storage areas – re-submission of 16/00120/F

Expiry Date: 21st February 2017 **Extension of Time:** N/A

Ward: Banbury Cross And Neithrop **Committee Date:** 16th February 2017

Ward Councillors: Cllrs Banfield, Dhesi and Milne-Home

Reason for Referral: Major Development

Recommendation: Approve

1. APPLICATION SITE AND LOCALITY

- 1.1 51 South Bar Street forms part of a terrace of buildings and is constructed from brick. The three storey building is set back from South Bar Street which it fronts and parking is situated to the rear of the site and is accessed via a tarmacked track off West Bar Street. The main building dates back to the 19th Century, but a large modern extension is situated to the rear of the building. The building is in a business use (B1 use), but is currently vacant.
- 1.2 The building is Grade II listed and lies within the Banbury Town Conservation Area. A number of Grade II listed buildings are situated within close proximity to the site including the next door properties of No.49/50 and No.52/53 South Bar Street. The locally listed building of 3 West Bar Street is situated to the rear of the site. The site lies within an Area of High Archaeological Interest and on potentially contaminated land. The protected species of the common swift has been recorded within close proximity to the site. A Public Right of Way (120/25/10) is situated to the rear of the site.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1 Planning permission is sought to change the use of the site from offices (B1) to a residential use (C3 use). The building is proposed to accommodate 10 residential units (5.No 1 bedroom apartments and 5.No 2 bedroom apartments).
- 2.2 As part of this conversion external alterations to the building are proposed. This includes:
 - The re-painting of the front façade in white;

- The replacement of two fire exit doors with windows at first floor level;
- The reduction in scale of an existing opening on the south elevation at ground floor level;
- The replacement of a door and window in the south elevation at ground floor level with a new window;
- An opening smoke vent on the south roof slope on the extension to the rear of the building;
- The replacement of all aluminium windows with aluminium double glazed windows on the extension to the rear of the building;
- The introduction of obscure glazing to a ground floor window on the west side elevation of the extension to the rear of the building;
- The introduction of two windows at first floor level in the north elevation of the extension to the rear of the building;
- A roof light on the northern roof slope of the building;
- The replacement of an existing dome light with a double glazed flat roof light.

2.3 Consent is also sought for the addition of 17 wall mounted lights, a bin storage area and a cycle storage area all to the rear of the building. 15 parking spaces are proposed to the rear of the site.

2.4 An application for listed building consent has been submitted alongside this application for planning permission (ref: 16/02364/LB). This application is subject to a separate assessment, and the decision is currently delegated to officers.

3. RELEVANT PLANNING HISTORY

3.1 88/00825/NLB – Demolition of hut and small rear extension. Development of new three storey office extension to rear of existing two storey extension – APPROVED (implemented).

3.2 16/00120/F – Conversion of existing office buildings to form 9 No new dwellings; some minor alterations to existing windows on south and west elevations along with bin storage and cycle storage areas – APPROVED on 17th March 2016 (not implemented). The principle of the change of use was considered acceptable and it was considered that the proposal would not cause harm to the significance and setting of the Grade II listed building or harm to the character and appearance of the Banbury Conservation Area. This consent is extant. The scheme was fairly similar to the scheme put forward in this application, but another residential unit is now proposed in the building and the following additional changes are also proposed in this application:

- The painting of the front façade in white;
- The replacement of a door and window in the south elevation at ground floor level with a new window;
- An opening smoke vent on the south roof slope in the extension to the building;
- The replacement of all aluminium windows with aluminium double glazed windows on the extension to the building;
- The introduction of two windows at first floor level in the north elevation of the extension to the rear of the building; and
- The replacement of an existing dome light with a double glazed flat roof light.

4. PRE-APPLICATION DISCUSSIONS

- 4.1 15/00251/PREAPP – Conversion of existing building to 11no. 1 and 2 bedroom apartments - Response sent on 8th December 2015. It was noted that a statement that demonstrates the marketing undertaken of the property and which seeks to demonstrate the lack of demand for the building to continue to be used for office purposes should be submitted alongside the application. It was also noted that the Local Planning Authority will be keen to ensure the building has a reasonable beneficial use that will continue to maintain the building to the standard expected for this listed building. A planning application (ref: 16/00120/F) was later submitted at the site with 2 fewer units than proposed at the pre-app stage and the loss of the office use was considered acceptable in principle.

5. RESPONSE TO PUBLICITY

- 5.1 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.
- 5.2 No comments have been raised by third parties.

6. RESPONSE TO CONSULTATION

- 6.1 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

- 6.2 BANBURY TOWN COUNCIL: **No comments received.**

STATUTORY CONSULTEES

- 6.3 OCC HIGHWAYS AUTHORITY: **No objections** subject to further details of the cycle storage prior to the commencement of the development.
- 6.4 THAMES WATER: **No objections** in relation to sewerage infrastructure capacity and water infrastructure capacity.

NON-STATUTORY CONSULTEES

- 6.5 CDC ARBORICULTURAL OFFICER: **No objections.**
- 6.6 BANBURY CIVIC SOCIETY: **No comments received.**
- 6.7 BANBURY HISTORICAL ASSOCIATION: **No comments received.**
- 6.8 CDC BUILDING CONTROL: **No comments received.**
- 6.9 CDC BUSINESS SUPPORT UNIT: **No comments received.**
- 6.10 CDC CONSERVATION OFFICER: **No objections** in principle to the conversion into 10 units.
- 6.11 CDC ECOLOGY OFFICER: **No comments received.**

- 6.12 CDC ENVIRONMENTAL PROTECTION OFFICER: **No comments received.**
- 6.13 CDC LANDSCAPE SERVICES: **No objections** in principle. An offsite contribution towards play provision will be required because 10 units triggers play provision. The established clipped Yew hedge on the frontage should be retained and maintained, as part of the setting of the building and the street scene.
- 6.14 CDC PLANNING POLICY: **No objections.**
- 6.15 OCC PROPERTY: **No objections** subject to a condition that requires the provision of fire hydrants.
- 6.16 CDC RECREATION & LEISURE: **No comments received.**
- 6.17 RAMBLERS ASSOCIATION: **No comments received.**
- 6.18 OCC RIGHTS OF WAYS: **No comments received.**
- 6.19 THAMES VALLEY POLICE DESIGN ADVISER: **No comments received.**
- 6.20 CDC WASTE & RECYCLING: *"The developer has said there is adequate storage for waste and recycling but they will have to satisfy the local authority that it is accessible and large enough. This needs to be detailed so the authority can assess. Guidance for flats is 1.4 sqm per dwelling, and so the bin store area will need to be a minimum 14 sqm."*

7. RELEVANT PLANNING POLICY AND GUIDANCE

- 7.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 7.2 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)

- PSD1 - Presumption in Favour of Sustainable Development
- SLE1 - Employment Development
- SLE2 - Securing Dynamic Town Centres
- BSC1 - District Wide Housing Distribution
- BSC2 - The Effective and Efficient Use of Land – Brownfield and Housing Density
- BSC11 - Local Standards of Provision - Outdoor Recreation
- BSC4 - Housing Mix
- ESD1 - Mitigating and Adapting to Climate Change
- ESD7 - Sustainable Drainage Systems
- ESD10 - Protection and Enhancement of Biodiversity and the Natural Environment
- ESD15 - The Character of the Built and Historic Environment
- Policy Banbury 7 - Strengthening Banbury Town Centre

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- H21 - Conversion of buildings in settlements
- C28 - Layout, design and external appearance of new development
- C30 - Design of new residential development
- ENV12 - Development on contaminated land

7.3 Other Material Planning Considerations:

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Banbury Conservation Area Appraisal (October 2014)
- Banbury Vision and Masterplan (December 2016), in particular the sections on Economy, Town Centre, and the Environment

8 APPRAISAL

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

- Principle of the Development;
- Impact upon the Setting and Significance of the Listed Buildings;
- Impact upon the Setting and Significance of the Nearby Locally Listed Building;
- Impact upon the Character and Appearance of the Area;
- Residential Amenities;
- Highway Safety;
- Archaeology;
- Affordable Housing and Infrastructure Contributions;
- Other Matters.

Principle of the Development

- 8.2 Paragraph 14 of the National Planning Policy Framework (NPPF) states that a presumption of sustainable development should be seen as a golden thread running through decision taking. There are three dimensions to sustainable development, as defined in the NPPF, which require the planning system to perform economic, social and environmental roles. These roles should be sought jointly and simultaneously through the planning system.
- 8.3 Paragraph 12 of the NPPF notes that the development plan is the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise. Cherwell District Council has an up-to-date Local Plan which was adopted on 20th July 2015.
- 8.4 Cherwell District Council can demonstrate a five-year supply of deliverable housing sites therefore the presumption in favour of sustainable development, as advised by the NPPF, will therefore need to be applied in this context.
- 8.5 Policy SLE1 of the Cherwell Local Plan Part 1 states that: *"In cases where planning permission is required existing employment sites should be retained for employment use unless the following criteria are met:*

- *The applicant can demonstrate that an employment use should not be retained, including showing the site has been marketed and has been vacant in the long term;*
- *The applicant can demonstrate that there are valid reasons why the use of the site for the existing or another use is not economically viable;*
- *The applicant can demonstrate that the proposal would not have the effect of limiting the amount of land available for employment....*

Regard will be had to whether the applicant can demonstrate that there are other planning objectives that would outweigh the value of retaining the site in an employment use."

- 8.6 The applicant's agent has noted that the offices have been empty since September 2012 and that the rear extension element was marketed for leasehold in May 2013. Whilst the submission fails to demonstrate that other employment uses for the building have been properly considered, it should be noted that a change of use to residential would generally be acceptable under permitted development rules (Part 3 of The Town and Country Planning (General Permitted Development) (England) Order 2015). It is only because the building is listed that planning permission is required. It is considered that this restriction to listed buildings exists so as to protect the historic fabric and character of these heritage assets. In addition, the approval of this application would bring back this listed building and site into use. Whilst the change of use would lead to the loss of employment space, it is also worth highlighting that the main building was originally used as a residential property and it could be argued that the main building, in terms of its historic interest, serves itself better to residential use than commercial use.
- 8.7 Importantly, planning permission was granted for the change of this building into a residential use last year and this consent is extant. This is a significant material consideration in the assessment of this application.
- 8.8 The site is identified as being within Banbury 'Town Centre' within the Cherwell Local Plan Part 1. Policy SLE 2 of the Cherwell Local Plan Part 1 notes that: *"Retail and other 'Main Town Centre Uses' will be directed towards the town centres of Banbury and Bicester and the village of Kidlington in accordance with Policies Bicester 5, Banbury 7 and Kidlington 2".* Policy Banbury 7 (Strengthening Banbury Town Centre) of the Cherwell Local Plan states that residential development will be supported in appropriate locations in the town centre except where it will lead to a loss of retail or other main town centre uses. Furthermore Policy Banbury 7 states that: *"The change of use of sites used for main town centre uses in the town centre for residential development will normally be permitted if proposals contribute significantly to the regeneration of the town centre."*
- 8.9 The site is in B1 use (office) and this is considered to be a 'main town centre use' in the NPPF. As noted in Policy Banbury 7, such proposals (change of use to residential from 'main town centre use') will normally be permitted if the proposals contribute significantly to the regeneration of the town centre. Whilst it has not been argued by the applicant's agent that the proposal would contribute to the regeneration of the town centre, the proposal would bring this building back into use. Again, it is also important to note that planning permission was granted for the change of this building from an office use into a residential use last year and this permission is extant.

- 8.10 Being a housing scheme within the town centre of Banbury, the proposal represents a scheme with an urban focus. This goes a long way to establishing the sustainability credentials, particularly with regard to the economic and social roles. Reliance on private transport is also far reduced contributing to the environmental role but this also covers the effect on the built and historic environment, as discussed below. In addition, saved Policy H21 of the Cherwell Local Plan 1996 states that: *“Within settlements the conversion of suitable buildings to dwellings will be favourably considered unless conversion to a residential use would be detrimental to the special character and interest of a building of architectural and historic significance.”*
- 8.11 For the reasons above, the principle of the proposal could be acceptable in this case. That said the acceptability of the scheme is also dependent on it not causing harm to the significance and the setting of the listed buildings and nearby locally listed building, as well as not causing harm to the character and appearance of the area, residential amenities, highways safety, archaeology, public health or ecology. These issues are discussed below.

Impact upon the Setting and Significance of the Listed Buildings

- 8.12 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard to the desirability of preserving a listed building or its setting should be taken.
- 8.13 Paragraph 132 of the NPPF states that: *“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the heritage asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I or II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.”*
- 8.14 Paragraph 134 of the NPPF advises that harm to the significance of a designated heritage asset needs to be weighed against the public benefits of the proposed development.
- 8.15 Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 states that new development proposals should: *“Conserve, sustain and enhance designated ‘heritage assets’ (as defined in the NPPF) including buildings, features, archaeology, conservation areas and their settings, and ensure new development is sensitively sited and integrated in accordance with advice in the NPPF and NPPG.”*
- 8.16 The main building of 51 South Bar Street was originally built as a house in the 19th Century. As noted in the Banbury Conservation Area Appraisal, the western side of South Bar Street (known as The Green) was developed in the 18th Century with high status housing for the merchant classes and in the 1830s this area was a preferred residential area.

- 8.17 The Conservation Officer has raised no objections in principle to the external alterations proposed, including the new windows on the north elevation of the extension element of the building, the addition of two new roof lights and the smoke vent, and these are considered to be minor and sympathetic alterations to the listed building. Furthermore, the addition of the lights, bin storage and cycle storage areas to the rear of the site are considered to have a negligible impact upon the significance and setting of the listed building. The building would retain its appearance as a high status former residential property fronting onto South Bar Street, and so its significance would be preserved in this respect.
- 8.18 It is considered that the proposal would not cause harm to the significance and the setting of the Grade II listed building or the setting and significance of the nearby Grade II listed buildings.

Impact upon the Setting and Significance of the Nearby Locally Listed Building

- 8.19 The Non-Designated Heritage Asset of 3 West Bar is situated to the rear of the site, but it is considered that the proposed alterations are relatively minor and would not materially alter the way this building is experienced. It is therefore considered that the proposal would not cause harm to the significance, setting and character of this nearby locally listed building.

Impact upon the Character and Appearance of the Area

- 8.20 Government guidance contained within the NPPF requiring good design states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Further, permission should be refused for development of poor design that fails to take the opportunities for improving the character and quality of an area and the way it functions.
- 8.21 Paragraph 137 of the NPPF states that Local Planning Authorities should look for opportunities for new development within Conservation Areas to enhance or better reveal their significance.
- 8.22 Policy ESD15 of the Cherwell Local Plan Part 1 states that: *“New development will be expected to complement and enhance the character of its context through sensitive siting, layout and high quality design. All new development will be required to meet high design standards.”* It also echoes the requirement of the NPPF for new development to preserve or enhance the character, significance and appearance of designated heritage assets such as Conservation Areas.
- 8.23 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.*
- 8.24 Saved Policy C28 of the Cherwell Local Plan 1996 reflects Government guidance in relation to the design of new development by seeking to ensure that such development is in harmony with the general character of its surroundings and is sympathetic to the environmental context

of the site and its surroundings, and the nature, size and prominence of the development proposed.

- 8.25 The proposed lights, bin storage area and cycle storage areas would be visible from the Public Footpath (120/25/10) to the rear of the site and partially visible from West Bar Street. The lights, cycle storage and bin storage areas are considered acceptable in principle as these features would have limited impact upon the character and appearance of the area due to their scale and siting, but further details are required in relation to cycle storage and wall mounted lights.
- 8.26 It is considered that the alterations to the openings are minor changes that would have a negligible impact upon the building and the contribution it makes to the character and appearance of the area, and would not be any greater than those already permitted under the extant consent (16/00120/F).
- 8.27 The Landscape Officer has noted that the established clipped Yew hedge on the front should be retained and maintained as part of the setting of the building, but the Landscape Officer's desire to preserve this hedge is not directly related to the proposed development and this has therefore not been requested as a condition. The Council's Arboricultural Officer has raised no objections to the proposal in principle and has noted that the proposed works will have a negligible impact on any trees of amenity value on the site.
- 8.28 Given the above, it is considered that the proposal would not cause harm to the character and appearance of the Banbury Conservation Area or detrimental harm to the visual amenities of the locality.

Residential Amenities

- 8.29 The site is surrounded by a number of commercial uses. It is not proposed to extend the building in any way but bin and cycle storage areas are proposed. Given the siting of these proposed features it is considered that the proposal would not cause adverse harm to any residential properties in terms of loss of light or the creation of an overbearing effect.
- 8.30 Two fire doors are proposed to be replaced by windows, but these fire doors are already glazed. Two roof lights are proposed, but the views out of these roof lights of neighbouring properties would be highly restricted due to the height of these windows. Two new first floor windows are also proposed on the northern elevation of the extension element to the rear of the building, but the properties immediately to the north are not in residential use. It is therefore considered that the proposal would not cause harm to any residential properties in terms of loss of privacy or overlooking.
- 8.31 Whilst comments have not been received from the Environmental Protection Officer during the consultation period, the Environmental Protection Officer commented on the previous application at the site for the conversion of the building to 9 residential units (ref: 16/00120/F). In this previous application, the Environmental Protection Officer raised no objections to the application and noted that the sound insulation details for the proposal are satisfactory. It is therefore considered that the proposal would provide a good standard of amenity for future occupiers.

Highways Safety

- 8.32 Policy ESD15 of the Cherwell Local Plan Part 1 states that: *“New development proposals should be designed to deliver high quality safe, attractive, durable and healthy places to live and work. Development of all scales should be designed to improve the quality and appearance of an area and the way it functions.”*
- 8.33 The Local Highways Authority has raised no objections to this proposal. The on-site parking would equate to 1 space per bedroom and the Local Highways Authority is of the opinion that this proposed on-site parking is commensurate for this number of units of this scale in this location. The Local Highways Authority has noted that these parking bays are laid out in a way that provides sufficient space for turning and manoeuvring.
- 8.34 OCC guidelines for cycle storage are one space per bedroom, plus one space per unit for visitors. This results in a total requirement of 25 spaces, equivalent to 12 stands. The Local Highways Authority has noted that these stands should ideally be 1m apart, but that 850mm can be accepted as a minimum. The Local Highways Authority note that as the cycle parking is for residents it is normal practice to provide an enclosed space to accommodate cycles, such as a lockable unit. This is because it is more secure and it protects the bikes from the elements. The Local Highways Authority has therefore requested more details of the cycle parking provision which should demonstrate that at least 24 cycles can be parked on the site.
- 8.35 However, such details were not requested by the Local Highways Authority in the previous application at the site and officers have significant concerns that such an outbuilding to house the cycles could cause harm to the significance and setting of the listed building. Given the town centre location of the site as well as the adequate car parking provision for the use, demonstration of storage for at least 24 cycles on the site is not considered necessary by officers. Instead the amount of cycle parking shown on the submitted plans (7 spaces) is considered appropriate and acceptable to serve the development, subject to details.
- 8.36 Thus, given the above it is considered that the proposal would not have an adverse impact upon highway from a traffic and safety point of view.

Archaeological Impact

- 8.37 Comments have not been received from the County Council's Archaeologist during the consultation period, but in the previous application at the site for the conversion of the building into 9 residential units (ref: 16/00120/F), the Planning Archaeologist raised no objections to the proposal and noted that the proposal would not appear to have an invasive impact upon any known archaeological sites or features. Given the similarities between this current scheme and the previous scheme, it is considered that these comments are still relevant and that there are no archaeological constraints to this scheme.

Affordable Housing and Infrastructure Contributions

- 8.38 Policy BSC3 of the Cherwell Local Plan Part 1 states that: *“At Banbury and Bicester, all proposed development that include 11 or more dwellings (gross), or which would be provided on sites suitable for 11 or more dwellings (gross), will be expected to provide at least 30% of new housing as affordable homes on site.”* Whilst 10 houses are proposed (1 less than the

threshold for contributions), it is considered that no more dwellings could be accommodated without likely causing harm to the character and significance of the listed building.

- 8.39 Policy BSC11 highlights that for schemes for 10 residential units or over, there is a requirement for a Local Area for Play (LAP) to be provided. However, there is insufficient space for this on site and the Landscape Officer has requested an offsite contribution of £23,068.60. However, the Planning Practice Guidance notes that there are specific circumstances where contributions for affordable housing and section 106 planning obligations should not be sought including for schemes of 10 units or less and which have a maximum combined gross floor space of no more than 1,000 square metres. As the scheme would fall short of both of these thresholds, it is not considered necessary or reasonable to request this sum.

Other Matters

- 8.40 Given the nature of the proposal (i.e. the conversion of a building within the centre of Banbury, with limited works to the roof of the original part of the building) it is considered unlikely that it would cause adverse ecological harm or harm to public health as a result of land contaminants. Furthermore, it is worth noting that the Council's Waste Resource Manager raised no objections to the previous proposal at the site for a relatively similar scheme (16/00120/F), and further details of the bin storage area can be secured by condition, to ensure it is adequate to serve the development.
- 8.41 Oxfordshire County Council has raised no objections to the proposal subject to a condition that requires the provision of fire hydrants. However, the matter of fire safety is not a material planning consideration and is addressed under Building Regulations, therefore such a condition has not been attached.

9. CONCLUSION

- 9.1 The principle of the proposal is considered acceptable and the proposal is considered to be of a design, scale and style that is sympathetic to the character and appearance of the Banbury Conservation Area. The proposal is also considered not to cause harm to the significance and setting of the listed building or adjacent listed buildings or detrimental harm to residential amenity, public health, protected species, highway safety or archaeology and is therefore compliant with the policies outlined in section 7 of this report. Overall, the proposal is considered to have no significant adverse impacts and constitutes sustainable development therefore the application is recommended for approval.

10. RECOMMENDATION

That permission is **granted**, 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 conditions attached to this permission, the development shall be carried out strictly in accordance with the details provided by the following plans and documents:

- Application Form submitted with the application;
- Design and Access Statement (Ref: WG299-DaS Rev A – October 2016) by Walker Graham Architects submitted with the application; and
- Drawing Numbers: WG299-001; WG299-003 Revision J; WG299-004 Revision H; WG299-005 Revision D; WG299-010; WG299-011; and WG299-016 submitted with the application.

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 The National Planning Policy Framework.

3. Prior to the installation of the wall mounted lights hereby approved, full details of the design, appearance, luminance and siting of the proposed wall mounted lights shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the details so approved.

Reason - To ensure that the development is constructed and finished in materials which are in harmony with the building materials used in the locality, to preserve the character and appearance of the Banbury Conservation Area and to comply with Policy ESD15 of the Cherwell Local Plan Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

4. Notwithstanding the details shown on the approved plans, prior to the commencement of the development of the bin storage area hereby approved, full details of the design, appearance, materials and siting of the bin storage shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the details so approved.

Reason - To ensure that the development is constructed and finished in materials which are in harmony with the building materials used in the locality, to preserve the character and appearance of the Conservation Area and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

5. Notwithstanding the details shown on the approved plans, prior to the commencement of the development of the cycle storage hereby approved, full details of the design, materials, appearance and siting of the cycle storage shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the details so approved.

Reason - To ensure that the development is constructed and finished in materials which are in harmony with the building materials used in the locality, to preserve the character and appearance of the Banbury Conservation Area and to comply with Policy ESD15 of the Cherwell Local Plan Part 1, saved Policies 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, full details of the new and altered doors, windows and roof lights hereby approved, at a scale of 1:20 including a cross section, cill, lintel and recess detail and colour/finish, shall be submitted to and approved in writing by the Local Planning Authority. The doors, windows and rooflights shall be installed within

the building in accordance with the approved details and retained as such thereafter.

Reason – To ensure that the completed development is in keeping with and conserves the special character of the existing historic building and to comply with Policy ESD15 of the Cherwell Local Plan Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

PLANNING NOTES

1. Planning permission only means that in planning terms a proposal is acceptable to the Local Planning Authority. Just because you have obtained planning permission, this does not mean you always have the right to carry out the development. Planning permission gives no additional rights to carry out the work, where that work is on someone else's land, or the work will affect someone else's rights in respect of the land. For example there may be a leaseholder or tenant, or someone who has a right of way over the land, or another owner. Their rights are still valid and you are therefore advised that you should seek legal advice before carrying out the planning permission where any other person's rights are involved.
2. The applicant is reminded that this building is included in the Statutory List of Buildings of Architectural or Historic Interest, and no works to the exterior or interior of the building, which materially affect the character may be carried out without the prior express consent of the Local Planning Authority (given through the submission of an application for, and subsequent grant of Listed Building Consent). This consent gives approval only to those works shown on the plans and details submitted to and approved in this application.
3. The applicant is further reminded that the carrying out of unauthorised work to a listed building is an offence, punishable by a fine, imprisonment or both, as detailed in Section 9 of the Planning (Listed Buildings & Conservation Areas) Act 1990.
4. The County Archaeologist has indicated that the proposal does not appear to directly affect any presently known archaeological sites. However, the County Council's records do show the presence of known archaeological finds nearby and this should be borne in mind by the applicant. If archaeological finds do occur during development, the applicant is requested to notify the County Archaeologist in order that he may make a site visit or otherwise advise as necessary. Please contact: County Archaeologist, Historic and Natural Environment Team, Infrastructure Planning, Speedwell House, Speedwell Street, Oxford, OX1 1NE (Telephone 01865 328944).
5. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.