

**Case Officer** Matthew Chadwick  
**Applicant:** The Magpie Partnership Ltd  
**Proposal:** Conversion of barn to form new dwelling - re-submission of 18/01114/F  
**Ward:** Cropredy, Sibfords And Wroxton  
**Councillors:** Cllr George Reynolds  
Cllr Douglas Webb  
Cllr Phil Chapman  
**Reason for Referral:** Application called in by Councillor Reynolds as ward member  
**Expiry Date:** 28 February 2019 **Committee Date:** 14 March 2019

---

## **EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION**

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

#### **Proposal**

Planning permission is sought to convert and extend the building to form a single dwelling house

#### **Consultations**

The following consultees have raised **objections** to the application:

- Shenington with Alkerton Parish Council
- 

The following consultees have raised **no objections** to the application:

- OCC Highways, CDC Conservation

Two letters of **objection** have been received.

#### **Planning Policy and Constraints**

The site is located within Shenington with Alkerton Conservation Area and is a curtilage listed building. The application has been assessed against the relevant policies in the NPPF, the adopted Local Plan and other relevant guidance.

#### **Conclusion**

The key issues arising from the application details are:

- Principle of development
- Design, and impact on the character of the area and impact on designated heritage assets
- Residential amenity
- Highway safety

The report looks into the key planning issues in detail, and Officers conclude that the proposal is acceptable subject to conditions.

Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.

**MAIN REPORT**

**1. APPLICATION SITE AND LOCALITY**

1.1. The application site is located within the village of Shenington on the south side of Rattlecombe Road at the junction with Mill Lane. The redevelopment of the site into two dwellings was approved in 2017 under 17/01201/F and 17/01202/LB. This consent has been implemented and the building in the southwest of the site (Barn B) is fully constructed, whilst works have also been undertaken to 'Barn A'.

**2. CONSTRAINTS**

2.1. The site is located within the Shenington with Alkerton Conservation Area and the ruined building in the northeast of the site (to which this application relates) is considered to be a curtilage listed building given that it is attached to the Grade II listed dwelling named 'Longworth' to the east. Common Swifts have been located in proximity of the site, which are a protected species. The site is also located within an Archaeological Constraint Area.

**3. DESCRIPTION OF PROPOSED DEVELOPMENT**

3.1. Planning consent is sought to convert and extend the dilapidated barn to form a single dwelling. The dwelling would be 1½ storeys in height, with a single storey element to the southwest of the building. There are a number of changes from the previously approved application. The previously approved application had a single storey element on the northeast of the building and this has now been changed so that the ridgeline of the building continues at the same 1½ storey height. The overall ridge height of the building would also be slightly reduced from the approved scheme. The fenestration of the building would be altered on both the front of the building facing onto Rattlecombe Road and the rear facing towards Fabis House. On the front of the building, the historic doorway has been filled in and the ventilation slots to the west are to be retained. To the rear of the building, the door has moved further away from 'Longworth'.

**4. RELEVANT PLANNING HISTORY**

4.1. The following planning history is considered relevant to the current proposal:

<u>Application Ref.</u>	<u>Proposal</u>	<u>Decision</u>
16/02183/F	Conversion and extension of existing buildings to form 2 dwellings	Application Refused
16/02184/LB	Conversion and extension of existing building to form a single dwelling	Application Refused
17/01201/F	Conversion and extension of existing buildings to form 2 dwellings - Resubmission of 16/02183/F	Application Permitted

17/01202/LB	Conversion and extension of existing buildings to form 2 dwellings - Resubmission of 16/02184/LB	Application Permitted
18/01098/F	Variation of Condition 6 (surface water drainage) relating to the whole site, and Conditions 2 (rooflight), 7 (existing building fabric), 15 (doors, windows and rooflights) in respect of Barn B only of 17/01201/F	Application Permitted
18/01114/F	Conversion of barn to form new dwelling	Application Refused
18/01115/LB	Conversion of barn to form new dwelling	Application Refused

- 4.2. The previous applications (16/02183/F and 16/02184/LB) were refused for five reasons. The first reason was that the alterations to Barn A were considered to cause harm to the curtilage listed building, the character and appearance of the Shenington with Alkerton Conservation Area and the setting of the nearby Grade II listed building 'Longworth'. The second reason was that the extensions to Barn B would cause harm to the character and appearance of the Shenington with Alkerton Conservation Area. The third reason was that the southern extension to Barn B would cause harm to the residential amenity of Pound Cottage. The fourth reason was that the development would have provided an insufficient number of parking spaces for the number of residential units proposed. The fifth reason was that in the absence of an appropriate ecological survey it was not possible to demonstrate whether the development would have an impact on protected species.
- 4.3. Design changes were approved to 'Barn B' under 18/01098/F at August 2018 planning committee.
- 4.4. Applications 18/01114/F and 18/01115/LB were refused at December 2018 planning committee, as the alterations to the building, particularly the new windows on the Rattlecombe Road frontage, would cause less than substantial harm to the significance of the curtilage listed building and the character and appearance of the conservation area, for which the public benefits did not outweigh the harm.
- 4.5. An application for listed building consent is submitted alongside this application (19/00015/LB).

## **5. PRE-APPLICATION DISCUSSIONS**

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

## **6. RESPONSE TO PUBLICITY**

- 6.1. This application has been publicised by way of a site notice displayed near the site, by advertisement in the local newspaper, and by letters sent to all properties immediately adjoining the application site that the Council has been able to identify from its records. The final date for comments will be 14.03.2019.
- 6.2. At time of writing this report, two letters of objection have been received. The comments raised by third parties are summarised as follows:

- The submitted landscaping plans are inconsistent (these have been superseded).
- The drainage scheme may impact on the neighbouring dwelling.
- The development would affect a Right of Way across the land (this is a private matter between the neighbours and the applicant).
- Spanish slate is to be used which is not appropriate.
- The windows on the gable ends are not appropriate for a barn conversion.

6.3. The comments received can be viewed in full on the Council's website, via the online Planning Register.

## 7. RESPONSE TO CONSULTATION

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

### PARISH/TOWN COUNCIL AND NEIGHBOURHOOD FORUMS

7.2. SHENINGTON WITH ALKERTON PARISH COUNCIL: **Objects** on the grounds that the windows in the gable ends would not be in keeping with a listed barn.

### CONSULTEES

7.3. CDC BUILDING CONTROL: There is a problem with the internal layout, because the proposed first floor bedroom does not have an adequate escape route in the event of fire. The ground floor bedroom also needs to have a window large enough to be suitable for means-of-escape.

7.4. CDC CONSERVATION: **No objections.**

7.5. CDC ECOLOGY: No comments received.

7.6. OCC HIGHWAYS: **No objections.**

## 8. RELEVANT PLANNING POLICY AND GUIDANCE

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

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

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

- PSD1 – Presumption in Favour of Sustainable Development
- ESD10 – Biodiversity and the Natural Environment

- ESD15 - The Character of the Built and Historic Environment
- Villages 1 – Village Categorisation

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

- H21 – Conversions within settlements
- C21 – Proposals for re-use of a listed building
- C23 – Retention of features contributing to a conservation area
- C28 – Layout, design and external appearance of new development
- C30 – Design control
- C33 – Protection of important gaps of undeveloped land

#### 8.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- The Planning (Listed Buildings and Conservation Areas) Act 1990
- EU Habitats Directive
- Natural Environment and Rural Communities Act 2006
- Conservation of Habitats and Species Regulations 2010
- Circular 06/2005 (Biodiversity and Geological Conservation)
- Human Rights Act 1998 (“HRA”)
- Equalities Act 2010 (“EA”)
- Shenington with Alkerton Conservation Area Appraisal (2009)
- CDC Design Guide for the conversion of farm buildings (2002)

#### 8.4. Council Corporate Priorities

Cherwell District Council and South Northamptonshire District Council’s Joint Corporate Strategy for 2018-19 sets out the councils three strategic priorities which form our overarching business strategy. Below these are the key actions for the year 2018–19. This is a strategy which looks to the future taking into account the priorities and aspirations of the communities who live and work in the districts.

The three corporate priorities are to ensure the Districts are “Protected, Green & Clean”, are places which support “Thriving Communities & Wellbeing”, and are Districts of “Opportunity & Growth”. All three priorities are of significance to the determination of planning applications and appeals. Below these priorities, the key actions which are of most relevance to planning applications and appeals are: (1) deliver the Local Plans for CDC & SNC; (2) increase tourism; (3) protect the built heritage; (4) reduce our carbon footprint & protect the natural environment; (5) mitigate the impact of High Speed 2; and (6) deliver affordable housing.

The remaining key actions are also of significance to the determination of planning applications and appeals in particular delivering the Bicester, Banbury, Kidlington, Brackley, Towcester and Silverstone Masterplans.

The above corporate priorities are considered to be fully compliant with the policy and guidance contained within the National Planning Policy Framework and National Planning Practice Guidance.

## **9. APPRAISAL**

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

- Principle of development

- Design, and impact on the character of the area
- Residential amenity
- Highway safety
- Ecology
- Other matters

### Principle of Development

#### *Policy Context*

- 9.2. The National Planning Policy Framework (NPPF) explains that the purpose of the planning system is to contribute to the achievement of sustainable development. This is defined as meeting the needs of the present without compromising the ability of future generations to meet their own needs.
- 9.3. Paragraph 11 of the NPPF states that a presumption of sustainable development should be seen as a golden thread running through decision taking, which means approving development proposals that accord with an up-to-date development plan without delay. The NPPF goes on to say that, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system.
- 9.4. The NPPF does not change the statutory status of the development plan as the starting point for decision making. Proposed development that conflicts with the Local Plan should be refused unless other material considerations indicate otherwise (Para. 12). Cherwell District Council has an up-to-date Local Plan which was adopted on 20th July 2015 and can demonstrate a 5.2 year supply from 2017-2022 (the previous period) and a 5.4 year supply from 2018-2023 (the current period).
- 9.5. The principle of residential development in Shenington is assessed against Policy Villages 1 in the Cherwell Local Plan Part 1. Shenington is recognised as a Category C village in the Cherwell Local Plan 2011 – 2031 Part 1. Category C villages are considered the least sustainable settlements in the District's rural areas to accommodate growth and therefore residential development will be restricted to the conversion of buildings and infilling.

#### *Assessment*

- 9.6. The application for the conversion of the buildings to two dwellings was approved under 17/01201/F and 17/01202/LB. This consent has been implemented and the conversion and extensions to Barn B have been completed. This development seeks for a number of alterations to the design of the dwelling that was approved under that scheme.

#### *Conclusion*

- 9.7. Given that this consent has been implemented, the principle of development is considered to be acceptable, subject to other material considerations discussed below.

### Design, impact on the character of the area and heritage assets

#### *Policy Context*

- 9.8. 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.

- 9.9. Saved Policies C28 and C30 of the Cherwell Local Plan 1996 exercise control over all new developments to ensure that the standards of layout, design and external appearance are sympathetic to the character of the context. New housing development should be compatible with the appearance, character, layout, scale and density of existing dwellings in the vicinity.
- 9.10. Saved Policy C21 of the Cherwell Local Plan 1996 states that sympathetic consideration will be given to proposals for the re-use of an unused listed building provided that the use is compatible with its character, architectural integrity and setting and does not conflict with other policies in the plan. This policy is consistent with guidance contained within Paragraph 196 of the NPPF.
- 9.11. Policy ESD15 of the Cherwell Local Plan 2011 – 2031 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, and should respect the historic environment including Conservation Areas and listed buildings.
- 9.12. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a Conservation Area. Likewise Section 66(1) of the same Act states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 9.13. Cherwell District Council's 'Design Guide for the conversion of farm buildings (2002)' states that the new openings in barns should be kept to a minimum and that simple robust wood-framed casements will normally be most appropriate.

#### *Assessment*

- 9.14. The site is located within the Shenington with Alkerton Conservation Area. Longworth to the east of the site is a grade II listed building and Barn A is attached to Longworth and historically associated with this dwelling, so is curtilage listed.
- 9.15. The application proposes to extend and convert the existing dilapidated barn to form a single dwelling. The previously approved scheme was a 1½ storey dwelling, with single storey elements at the northeast and southwest gable ends of the dwelling. The fenestration was simple, with arrow slit windows on the front elevation and full height barn-door style openings on the rear, with some more domestic openings in the west of the building.
- 9.16. The present application proposes a number of changes to the approved scheme, such as the reduction in the overall ridge height of the building, the continuation of the 1½ storey element to the north-east and alterations to the fenestration on the building.
- 9.17. The ridge height of the element that is in closest proximity to the Grade II listed 'Longworth' to the east would be continued at the same ridge height as the rest of the building. On the previously approved scheme, this was a single storey element.

Historically, it would appear that this part of the building had the same ridge height as the rest of the building and the consistent ridge height would be a more traditional form of development.

- 9.18. The overall ridge height of the building is lower than that of the approved scheme, with the proposed ridge height being approximately 0.3m lower than the approved scheme. The lower ridge height of the building would also help to emphasise the subservience of the building to 'Longworth', to which it had a historic relationship with and this is a positive element of the scheme. The single storey element on the western end of the building is retained from the previously approved scheme; however, the depth of this element has slightly increased.
- 9.19. The fenestration on the front elevation of the building would be altered from the approved scheme. The approved scheme had three large arrowslits and one rectangular window on the east of the building in the single storey element that was closest to 'Longworth'. The proposed scheme would now have a single window on the Rattlecombe Road frontage, in the same location in close proximity to 'Longworth' as the window that was in the approved scheme. Two arrowslit ventilation slots are proposed to be retained at first floor level. Given that only a single window would be created on the Rattlecombe Road frontage and that this window has been previously approved, on balance it is considered that only minor harm would be caused due to the new fenestration.
- 9.20. There are also changes proposed to the fenestration on the rear and sides of the building from the approved scheme. Two rooflights are proposed in the rear roofslope in a similar location to the approved scheme. The barn door style opening would also be in a similar location to the barn door opening in the previous scheme, with the main change to this window being that it would extend up to the eaves of the building. The eastern door on the rear elevation has been moved further away from the neighbouring dwelling 'Longworth' and would be more than 2.3m away from this property. A single glazed door would be created to the west of the barn door style opening and in the single storey element; a four casement window of a domestic design would be created in a similar design to the approved scheme. The fenestration on the rear elevation is broadly similar to that of the approved scheme and the proposed changes are considered to result in a minor improvement to the visual appearance of the building.
- 9.21. A window is proposed to be created in the east elevation at first floor level. A window was previously approved in this location. However, the proposed window would be more centrally positioned in the gable elevation and this is considered to be acceptable. A window would also be created in the west elevation at first floor level and this would be in the same location as a window in the approved scheme. There have been objections to the windows on the gable ends of the building; however, windows were approved here under 17/01201/F and 17/01202/LB. Furthermore, these windows would comply with the guidance provided in Cherwell District Council's 'Design Guide for the conversion of farm buildings (2002)'.
- 9.22. The proposal would bring a listed building back into use that has been derelict for a number of decades. It is considered that a residential use is the optimum viable use for the listed building and that this would be a public benefit of the proposal.

### *Conclusion*

- 9.23. It is considered that the proposed development would cause minor harm to the setting and significance of the affected listed buildings and the Shenington with Alkerton Conservation Area. However, the harm caused to these heritage assets is limited and would be outweighed by the public benefits of providing a dwelling in a

location that accords with the Development Plan, along with bringing the site back into use.

### Residential amenity

#### *Policy Context*

- 9.24. Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1 states that new development proposals should consider the amenity of both existing and future development, including matters of privacy outlook, natural lighting, ventilation, and indoor and outdoor space.
- 9.25. The Cherwell Home Extension Guidance (2007) advises that where a new window is proposed, it should normally be at least 22 metres away from a window of a neighbour's habitable room to prevent loss of privacy.

#### *Assessment*

- 9.26. The current proposal sits on the same footprint as the previous application and the impact of overlooking of Fabis House to the rear is therefore still acceptable in this regard, with a minor improvement due to the reduction of rooflights on the rear roof slope from 2 on the approved scheme to 1 on this scheme.
- 9.27. The barn door style opening on the rear of the building would be 5.2m away from the dining room window of 'Longworth'. This is a similar distance to the distance between the opening and the window on the approved scheme. A wall is also proposed to be constructed between the two properties which would obscure views from the window. The proposed window would only provide views from a ground floor level and given this and the distance between the two properties, the oblique angle and the proposed wall, it is considered that this element of the scheme would not cause harm to the amenities of the occupiers of the neighbouring dwelling.
- 9.28. The door in the eastern end of the rear of the building would be in close proximity to the dining room window of Longworth. However, this door would be further away from the window of the neighbouring dwelling than on the approved scheme and this element would not provide any level of overlooking of 'Longworth'. Residents of the proposed dwelling using this door would walk past the dining room window of 'Longworth'; however, given how this door would be used as a secondary entrance to the dwelling, furthest away from the parking area, it is considered that this would not have any greater degree of impact on the amenities of the occupiers of 'Longworth' above that of the approved scheme. An appropriate landscaping scheme would mitigate the impact to some extent, and an appropriately worded condition would need to be attached to any permission given.
- 9.29. A window is proposed in the eastern end elevation that would look over the front of garden of 'Longworth' and to the east towards 'The Green'. This window would look out towards public views, would not result in overdue overlooking and is therefore considered to be acceptable.

#### *Conclusion*

- 9.30. It is considered that the proposed development would not cause harm to the amenities of neighbouring occupiers with regard to overlooking, loss of light or loss of privacy.

### Highway safety

- 9.31. The Highways Liaison Officer has offered no objections to the scheme, subject to a condition of further details of the parking and manoeuvring areas. The approved scheme was found to be acceptable in this regard and therefore it is considered that the development would not cause harm to the safety of the local highway network.

#### Ecology

- 9.32. The Council's Ecology Officer has not commented on the current application, however on the previous application for a similar proposal it was stated that the details contained within the previously approved bat, nesting bird and swift strategy approved under 17/00441/DISC were considered to be acceptable and should be conditioned on this application and this remains to be the case.

#### Other matters

- 9.33. The Council's Building Control Officer has raised an issue with the internal layout of the building. The agent is in discussions with the Building Control Officer about solutions to this issue; however a Building Regulations application is a separate process to the planning application and shall be covered under this.

#### Human Rights and Equalities

- 9.34. The Human Rights Act 1998 ("HRA") sets out fundamental freedoms which have been laid out by the European Convention on Human Rights ("ECHR"). In making any decisions, Cherwell District Council ("the Council") should have due regard to and take into account any implications that may arise under the HRA. As a public authority, it is unlawful for the Council to act in a manner which is incompatible with the ECHR.
- 9.35. The rights under the ECHR which the Council views as being the most likely to affect planning matters are: Article 6 (the right to a fair trial); Article 8 (right to respect for private and family life); Article 14 (prohibition of discrimination); and Article 1 of the First Protocol (protection of property).

#### *Article 6*

- 9.36. Officers have considered these matters and have resolved that, whilst there are potential rights in play, these will not be affected by the application due to the application being publicised by way of neighbour letter, site notice and in the local press giving affected third parties the opportunity to comment on the application and their views taken into account when considering the application. In this case any comments/concerns raised by third parties are listed above and have been taken into account in assessing the application. In addition, third parties were invited to the public meeting of the Planning Committee and had the opportunity to speak. Furthermore should a third party be concerned about the way the application was decided they could complain to the Local Government Ombudsman or if they question the lawfulness of a decision can appeal to the Courts for Judicial Review of the application.

#### *Article 8 and Article 1 of the First Protocol*

- 9.37. Officers have considered the duties under both Article 8 and Article 1 of the First Protocol and have resolved that the application does respect the private and family life of neighbours and does not fail to protect the neighbours' property.

- 9.38. Officers have considered that, in the event that the application is granted planning permission, there will not be any discrimination (or potential discrimination) on neighbours.

#### *Duty under The Equalities Act 2010*

- 9.39. S149 of the Equalities Act 2010 (“EA”) sets out what is known as the Public Sector Equality Duty (“PSED”). Under the PSED, the Council, as a public authority, must have due regard to the need to, inter alia, advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and has to foster good relations between persons who share a relevant protected characteristic and persons who so not share it. The protected characteristics to which the PSED refers are: (a) age; (b) disability; (c) gender reassignment; (d) pregnancy and maternity; (e) race; (f) religion or belief; (g) sex; (h) sexual orientation.
- 9.40. Officers have considered the application and resolved that none of the protected characteristics is affected or potentially affected by the application.

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

- 10.1. The principle of development is considered to be acceptable, as the previous scheme has already been implemented. It is considered that the development would cause less than substantial harm to the setting and significance of the curtilage listed building, the nearby Grade II listed building and the Sherington with Alkerton Conservation Area. However, this harm would be outweighed by the benefits of bringing back into a use a building that has been derelict for many years and the provision of a dwelling that accords with the Development Plan. The development would not cause harm to the amenities of neighbours, local biodiversity or the safety of the local highway network. On balance, the development is considered to be acceptable, subject to the conditions set out below.

### **11. RECOMMENDATION**

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

#### CONDITIONS

##### **Time Limit**

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

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

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

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents: Site Location Plan and ‘Scheme Drawings Barn A’ (P751-022X).

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 Policy ESD 15 of the Cherwell Local Plan 2011 - 2031 Part 1 and with Government guidance contained within the National Planning Policy Framework.

### **Stone walls**

3. The external walls of the dwellings to be constructed in stone shall be laid, dressed, coursed and pointed in strict accordance with the stone sample panel viewed on site by the planning case officer on 5th April 2018, as approved under 18/00065/DISC.

Reason - To ensure the satisfactory appearance of the completed development and to preserve historic fabric and the significance of designated heritage assets, to comply with Policy ESD 15 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.

### **Slate Roof**

4. No externally facing tiles shall be used in the development other than in strict accordance with the slate sample viewed on site by the planning case officer on 5th April 2018, as approved under 18/00065/DISC.

Reason - To ensure the satisfactory appearance of the completed development and to comply with Policy ESD 15 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.

### **Window Details to be submitted**

5. Within one month of the date of this consent and prior to the installation of the doors, windows and rooflights, full details of the doors, windows and rooflights 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. Thereafter the doors and windows and their surrounds, and the rooflights, shall be installed within the buildings in accordance with the approved details and shall be retained as such thereafter.

Reason - To ensure the satisfactory appearance of the completed development and to comply with Policy ESD 15 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.

### **Parking**

6. The development shall not be occupied unless and until the parking and manoeuvring areas have been provided in strict accordance with set out in drawings titled 'Proposed Hard Landscaping Details' and drawing numbers '17 27251/50 P1', '17 27251/51 P1', '17 27251/52 P1' and '17 27251/53 P2', as approved under 17/00570/DISC and shall be maintained as such thereafter.

Reason - In the interests of highway safety and surface water drainage, to comply with Policy ESD7 and ESD15 of the Cherwell Local Plan 2011 - 2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

### **Surface Water Drainage**

7. The development shall not be occupied unless and until the surface water drainage scheme has been carried out in accordance with the details shown on Drainage Layout Design (drawing number 17 27251/50 rev P1) and Drainage Construction Details (drawing number 17 27251/51 rev P1) as approved under 18/01098/F and shall be maintained as such thereafter.

Reason - To ensure satisfactory drainage of the site in the interests of public health, to avoid flooding of adjacent land and property and to comply with Policy ESD7 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy ENV1 of the Cherwell Local Plan 1996, and Government guidance contained within the National Planning Policy Framework.

### **Bat and Bird Mitigation Strategy**

8. The development shall not be occupied unless and until the bat and bird mitigation measures and the measures for enhancing swift nesting have been carried out as set out on page 8 of the 'Mitigation Strategy - Bats, Nesting Birds & Swifts' prepared by Ridgeway Ecology, dated 22nd August 2017, as approved under 17/00441/DISC and shall be retained as such thereafter.

Reason - To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy ESD10 of the Cherwell Local Plan 2011 – 2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

### **Submission of Landscaping Scheme**

9. Within one month of the date of this consent, 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,
  - (b) details of the hard surface areas, including pavements, pedestrian areas, reduced-dig areas, crossing points and steps,
  - (c) details of the boundary treatments and means of enclosure, including height, layout, materials and finished appearance.

The development shall be carried out in strict accordance with the approved landscaping scheme and the approved hard surface areas and boundary treatments shall be provided prior to the first occupation of the development 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 to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

### **Maintenance of Landscaping**

10. 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 ESD15 of the Cherwell Local Plan 2011-2031, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

### **Rainwater Goods**

11. No rainwater goods shall be used in the development unless they are either cast iron or aluminium finished and shall be painted matt black.

Reason - To ensure the satisfactory appearance of the completed development and to preserve the historic character and significance of designated heritage assets, comply with Policy ESD 15 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.

### **Removal of Permitted Development Rights**

12. Notwithstanding the provisions of Classes A to D (inc.) of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 and its subsequent amendments, the approved dwellings shall not be extended or altered without the grant of further specific planning permission from the Local Planning Authority.

Reason - To ensure and retain the satisfactory appearance of the completed development, to protect the character and appearance of a Conservation Area and the setting of a Grade II listed building and to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1 and Government guidance contained within the National Planning Policy Framework.