

**Case Officer:** Matthew Chadwick

**Applicant:** Mr & Mrs Bryn Williams

**Proposal:** Discharge conditions 3 (stone sample), 8 (contamination present) and 9 (scheme of remediation) of 18/00971/F

**Ward:** Deddington

**Councillors:** Cllr Bryn Williams  
Cllr Hugo Brown  
Cllr Mike Kerford-Byrnes

**Reason for Referral:** Application submitted by a CDC Councillor

**Expiry date:** 23 April 2019

**Committee date:** 18 April 2019

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

#### **RECOMMENDATION: DELEGATE DETERMINATION OF THE APPLICATION TO THE ASSISTANT DIRECTOR FOR PLANNING AND ECONOMY**

##### **Proposal**

This application seeks the clearance of conditions attached to the full planning approval ref. 18/00971/F.

##### **Consultations**

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

- CDC Environmental Protection

No third party letters of objection have been received.

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

The application building is a grade II listed building and is located within the Deddington Conservation Area. There are records of protected species in proximity of the site and the site lies within an area of potentially contaminated land.

The application has also been assessed against the relevant policies in the NPPF, the adopted Local Plan and other relevant guidance as listed in detail at Section 8 of the report.

##### **Conclusion**

The applicant seeks to discharge conditions relating to land contamination and a stone sample panel. The details relating to land contamination are considered to be acceptable, however the stone sample panel prepared at the time of writing is not acceptable. Following discussions with the applicant's agent, officers do not anticipate any particular difficulties in being able to approve satisfactory details and are therefore seeking delegated authority to approve this application once acceptable details are submitted.

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 relates to an existing stone barn with natural slate roof, which is part of a wider complex of buildings in a linear arrangement, and which is considered to have previously formed part of Park Farm. Land levels drop across the site from east to west down from the access into the site. To the west of the barn are adjoining stables and previously converted buildings now in residential use. Attached to the south of the main barn is a single storey outbuilding which is of stone and red brick construction again under a natural slate roof. Whilst only single storey this outbuilding is on two levels, given the topography of the site, with only the top (eastern) section falling within the application's site boundary.
- 1.2. To the east of the barn are again adjoining buildings which have been converted to residential use, with grade II listed Park Farm House further to the east fronting on to New Street (A4260), one of the main routes through the village of Deddington. Adjacent to the south is a residential property and walled garden, whilst to the north there an agricultural building with residential properties beyond. The site is accessed via an existing vehicular access off New Street which also serves Park Farm House and other previously converted building.

**2. CONSTRAINTS**

- 2.1. The application building is a grade II listed building (curtilage listed by association to Park Farm House) and sits within the Deddington Conservation Area; the site is considered of archaeological interest. The southern boundary wall is a grade II listed structure in its own right with further grade II listed buildings to the south, including Deddington Manor. There are records of protected and notable species (including Eurasian Badger and Common Swift) within the vicinity of the site. The site also sits within a buffer zone surrounding an area of potentially contaminated land north of the site; and further an area where the geology is known to contain naturally occurring elevated levels of Arsenic, Nickel and Chromium; as seen in many areas across the district.

**3. DESCRIPTION OF PROPOSED DEVELOPMENT**

- 3.1. This application seeks the clearance of conditions attached to the full planning approval 18/00971/F. Approval is sought for details concerning:
  - Stone sample panel (Condition 3)
  - Comprehensive intrusive investigation (Condition 8)
  - Scheme of remediation (Condition 9)

**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>
18/00971/F	and Conversion of existing barn and associated out-building/stables to residential use. Raise	Application

18/00972/LB	roof of out-building/stables by 860mm. New single storey extension to rear with living roof.	Permitted
18/00472/DISC	Discharge of Conditions (Weatherboarding sample), 5 (door and window details), 6 (Parking and manoeuvring details) and 7 (Desk study and site walk over) of 18/00971/F	4 Application Permitted

## 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 and by advertisement in the local newspaper. The final date for comments was 04.04.2019, although comments received after this date and before finalising this report have also been taken into account.
- 6.2. No comments have been raised by third parties.

## 7. RESPONSE TO CONSULTATION

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

### CONSULTEES

- 7.2. CDC CONSERVATION: No comments received.
- 7.3. CDC ENVIRONMENTAL HEALTH: **No objections.**

## 8. APPRAISAL

- 8.1. Condition 3 requires that prior to the commencement of the development that a stone sample panel of the ironstone to be used in the construction of the walls of the development to be submitted and approved. The stone sample panel prepared at the time of writing this report would not match the existing building with regard to the stone used, the coursing or the mortar. However, following discussions with the applicant's agent, officers do not anticipate any particular difficulties in being able to approve satisfactory details and are therefore seeking delegated authority to approve this application once acceptable details are submitted.
- 8.2. Condition 8 requires that prior to the commencement of the development that a comprehensive intrusive investigation is undertaken and report submitted to the LPA. The applicants have submitted a Phase 2: Site Investigation Report prepared by 'Your Environment' (ref. YE6584 (Revision 1), dated February 2019) in respect of this condition. The Council's Environmental Protection Team has reviewed the report and its recommendations and considers it acceptable in terms of meeting the requirements of condition 7.
- 8.3. Condition 9 requires that prior to the commencement of the development a scheme of remediation and/or monitoring to ensure the site is suitable for its proposed use is

undertaken and report submitted to the LPA. The applicants have submitted a Phase 2: Site Investigation Report prepared by 'Your Environment' (ref. YE6584 (Revision 1), dated February 2019) in respect of this condition. The Council's Environmental protection Team has reviewed the report and its recommendations and considers it acceptable in terms of meeting the requirements of condition 9.

**9. RECOMMENDATION**

DELEGATE TO THE ASSISTANT DIRECTOR FOR PLANNING AND ECONOMY TO **APPROVE THE DETAILS SUBMITTED SUBJECT TO THE AMENDMENTS CONSIDERED NECESSARY BY OFFICERS** AS SUMMARISED IN THIS REPORT.

CASE OFFICER: Matthew Chadwick

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