

Case Officer: Hansah Iqbal

Applicant: Robert Parkinson

Proposal: Re-lead existing historic glass in two arched panels within existing stone surround

Ward: Bicester South and Ambrosden

Councillors: Cllr. Nick Cotter, Cllr. Frank Ideh and Cllr. Chris Pruden

Reason for Referral: Application submitted by a CDC Councillor

Expiry Date: 4 June 2025

Committee Date: 5 June 2025

SUMMARY RECOMMENDATION: GRANT CONSENT SUBJECT TO CONDITIONS

1. APPLICATION SITE AND LOCALITY

- 1.1 The two storey application property is a former priory, which dates back to the 15th Century/early 16th Century. The Grade II* listing includes not only the dwelling but the attached garden walls. The only other listed structures within the immediate vicinity are the grade II listed Stables, which once served the priory, and the grade II garden wall which surrounds both properties and two further properties to the north.
- 1.2 The Old Priory, which is constructed from limestone rubble with ashlar dressings, is positioned at right angles to Priory Lane and is located just to the south of Bicester town centre and lies within the Bicester Conservation Area.

2. CONSTRAINTS

- 2.1. The application building is a grade II* listed building and sited within Bicester Conservation Area. The application site is within an area of archaeological interest, an area of potentially contaminated land and also lies within Flood Zones 2 and 3.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1. The proposal is to re-lead the 2 light first floor window in the eastern, road facing, elevation.

4. RELEVANT PLANNING HISTORY

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

24/00712/LB - Replacement of three decayed timber windows with new painted timber windows of identical size and external appearance in unaltered existing openings. New windows to have slim-line double glazed units and slim timber glazing beads; application permitted.

24/00124/LB – Replacement of four decayed first floor painted timber windows with painted timber windows of identical dimensions in existing openings; application withdrawn.

23/02174/LB – Replacement painted timber kitchen door and French doors to existing openings; application permitted.

00/02394/LB - Internal and external alterations including formation of new staircase including reposition of dormer window (Amendment to CHSLB 275/92) (as amended by plans received 30.01.01); application permitted.

97/00255/LB – Internal alterations; 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, 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 (amend as appropriate). The final date for comments was **20 May 2025**, 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.
- 7.2. Bicester Town Council: no comments received
- 7.3. CDC Conservation Officer: no objections.
- 7.4. Historic England: no comments received
- 7.5. Bicester Local History Society: no comments received

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 2015)

- ESD15 - The Character of the Built and Historic Environment

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- C18 – Development proposals affecting a listed building

8.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Cherwell Design Guide (2018)
- Cherwell Home Extensions and Alterations Design Guide (2007)
- The Planning (Listed Buildings and Conservation Areas) Act 1990

9. APPRAISAL

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

- Heritage impact

Heritage Impact

- 9.2. 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.*
- 9.3. Likewise, Section 66 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.* Therefore, significant weight must be given to these matters in the assessment of this planning application.
- 9.4. Conservation areas and listed buildings are designated heritage assets, and Paragraph 212 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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.* Policies ESD15 of the CLP 2015 and C18 of the CLP 1995 echo this guidance.
- 9.5. On carrying out their site visit, the Conservation Officer confirmed that the window in question was in very poor condition and that the replacement of the lead was necessary and justified. As this would be undertaken on a like for like basis, officers are satisfied that there would be no harm to the grade II* listed building and that the character and appearance of the Bicester Conservation Area would remain unaffected.
- 9.6. The proposed development would accord with Policy ESD15 of the CLP 2031 Part 1, Policy C18 of the CLP 1996 and government guidance contained within the NPPF.

10. PLANNING BALANCE AND CONCLUSION

- 10.1. The proposal complies with the relevant Development Plan policies and guidance listed at section 8 of this report and so is considered to be appropriate development. In accordance with Paragraph 11 of the NPPF, consent should therefore be granted.

11. RECOMMENDATION

DELEGATE TO THE ASSISTANT DIRECTOR FOR PLANNING AND DEVELOPMENT TO GRANT CONSENT, SUBJECT TO THE CONDITIONS SET OUT BELOW (AND ANY AMENDMENTS TO THOSE CONDITIONS AS DEEMED NECESSARY).

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 form and following approved plans: SLP 'Site Location Plan', 1 'First floor east end plan', 2 'East Elevation' and documents called 'Design/Heritage Statement', 'Photo - external arched panels', 'Photo – external arched panels', 'Photo – internal arched panels' and 'Photo – external elevation'.

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