

Case Officer: Daisy Kay-Taylor / Nathanael Stock

Applicant: Mrs Nuzhat Asma Chaudhry

Proposal: Demolition of garage and erection of single storey extensions to side and rear and addition of box dormer to side roof slope (revised scheme of 25/02081/F to amend the roof of the rear extension from a flat roof to a pitched roof and to make changes to fenestration).

Ward: Banbury Calthorpe And Easington

Councillors: Councillors John Brown, Ian Harwood, Kieron Mallon

Reason for Referral: Called in by Councillor Mallon for the following reasons:

- The scale of the extension is disproportionate to the dwelling, out of keeping with the street scene and would be harmful to the character of the area
- By reason of the inappropriate materials used the design and appearance is out of keeping with the street scene and would be harmful to the character of the area
- The proximity of the extension to the road would be detrimental to the openness of the area and to the safety of pedestrian and highway safety
- Loss of privacy to neighbours
- The site's planning history including the number of objections

Expiry Date: 28 September 2026

Committee Date: 24 September 2026

SUMMARY OF RECOMMENDATION: Approval subject to conditions

MAIN REPORT

1. APPLICATION SITE AND LOCALITY

- 1.1. The application relates to a detached, two-storey dwelling, occupying a corner plot position facing Heathcote Avenue and with its side elevation being adjacent to Elton Road. The area is characterised by detached dwellings on similar-sized plots.
- 1.2. The dwelling is one of several of the same or similar character in the locality with a single wide ground floor window on the front elevation and the same at first floor level, an external chimney on the front elevation, cladding below and above the aforesaid first floor window, and a side-facing dormer window.
- 1.3. Several dwellings in the vicinity, including the immediate neighbour to the east (No. 2 Heathcote) benefit from extended dormers to one or both sides (both sides in the case of No. 2 Heathcote).
- 1.4. The residential garden of the dwelling is bounded by a brick wall to its west and north. To the west (between the dwelling and the highway) is an area of land

enclosed by a low hedgerow and partly in use for car parking. There are no changes in levels across the site which impact the application's assessment.

2. CONSTRAINTS

- 2.1. The application site is within the built limits of Banbury and is bounded by residential properties to its north and east. The site is not within a designated conservation area and there are no other significant constraints e.g. footpaths, contamination, flood risk or records of protected species that may impact assessment of the planning application. The property's permitted development rights have been removed in respect of any gate, fence, wall or other means of enclosure.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1. The application relates to the proposed demolition of the garage and erection of single storey extensions to the side and rear and the addition of a box dormer to the side roof slope.
- 3.2. This is a revised scheme of planning permission ref. 25/02081/F. The principal change is to amend the roof of the rear extension from a flat roof to a pitched roof. On its eastern elevation the pitched roof would include a rooflight. Other changes are also proposed – (a) patio doors replaced with window on the rear elevation, (b) window replaced with door on the rear elevation, (c.) size of window reduced on the front elevation of the extension, (d) one additional window on the western side elevation and another window moved.
- 3.3. Officers noted that, as submitted, the description of development did not refer to these additional changes. Objectors noted this deficiency in the description of development and officers agree. The words “and to make changes to fenestration” have been added to the description of development. These changes were shown on the submitted drawings and various third parties have commented on them; as such there is no need to carry out additional publicity.
- 3.4. Officers also noted that the plans originally submitted with this application do not accurately reflect the development currently being undertaken; accordingly amended plans were sought and have been received which reflect the development under construction, and also show two off-road car parking spaces.

4. RELEVANT PLANNING HISTORY

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

25/02081/F - Demolition of part garage and erection of single storey extensions to side and rear and addition of box dormer to side roof slope – granted with conditions, 21.01.2026

- 4.2. The site also has the following planning history not of relevance to the current proposal:

B.21/71 - Erection of 119 bungalows and houses with roads and sewers. Permitted 13 April 1971

10/00901/E - New dormer windows, granny annex and garage. Application withdrawn 03 August 2010

26/01243/CLUE – Use of amenity land as residential garden – under consideration

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 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 was **10 August 2026**, although comments received after this date and before finalising this report have also been taken into account.

6.2. Objections have been received from 17 households, a petition with names from 27 households (15 of those 27 having sent individual objections) and one further letter of comment. The comments raised by third parties are summarised as follows:

- Impact on residential amenity – the dormer(s) would adversely affect the privacy of neighbours unless the windows are obscurely glazed and fitted with restricted opening mechanisms; the condition applied to 25/02081/F needs to be reimposed; the dormer windows must be amended from the plan drawings to include outward-opening top-hung upper elements.
- Impact on highway safety – the extensions would increase occupancy potential, which massively impact the available space for parking; may place additional pressure on on-street parking, which could reduce visibility for drivers and pedestrians; the proposals increase the property's capacity with the potential for additional vehicle ownership and for additional vehicles to park around blindly around a bend; CDC's duty under section 130 of the Highways Act 1980. Any planning permission granted must be subject to strict parking conditions including to eliminate the risk of vehicles blocking or overhanging neighbouring driveway entrances.
- Description of development – it does not include some of the proposed changes i.e. an additional window, alterations to window and door positions, modifications to internal layouts, changes to the height and appearance of extensions, and introduction of a side access door [on the south-east / front elevation] onto adjacent communal land, which "compromises the safety and privacy of adjacent properties by introducing uncontrolled thoroughfares" and which should be removed. Objectors also mention changes to internal layout, an additional window on the existing dwelling, and a deviation in height for the rear extension in relation to the brickwork. Some objectors say the omission of certain of these changes means the LPA cannot properly assess the true scale of the amendments. The development exceeds the height of the approval by three layers of brick; question as to whether this can still be deemed a single storey.
- Compliance with previously imposed planning conditions, in relation to dormer window privacy, boundary hedge maintenance, occupancy restrictions. Any breaches should be fully investigated before any further consent is granted. The "applicant has demonstrated a continuous failure to comply with established planning conditions, raising serious concerns regarding future adherence and community safety".
- Conditions should be imposed to require adequate on-site parking provision, prohibition of parking arrangements that obstruct neighbouring accesses, maintenance of visibility splays and restrictions preventing overspill parking associated with intensified occupation.

- Permitted development rights should be removed for extensions, enlargements, roof alterations, and any further alterations to certain elevations

6.3. Other issues raised that are not material considerations:

- The hedgerow adjacent to the footpath is overgrown and restricts the effective width of the footpath, creating difficulties for pedestrians. The overgrown hedge blocks the footpath by more than 62% and has been a topic of complaint by local residents historically. The applicant has in the past not consistently refused requests for the hedgerow to be maintained.
- The development requires a drainage strategy to be approved by the Council, with no uncontrolled discharge onto communal land; evidence needs to be provided to demonstrate the development would not increase flood risk; the Council should commission an independent hydrological report proving the efficacy of the new drainage system and should issue a stop notice on construction until a compliant, council-approved drainage scheme is fully installed.
- No need for the extension – the dwelling has been a rental property for 7+ years and there is no need to extend the property for any personal reasons; please can a valid reason / purpose be established for this extension
- The LPA should initiate enforcement action to secure the removal of some of the unapproved works and the restoration of the property to the exact specifications of the approved drawings in particular the reversion from a door to a window in the south-west elevation of the garage, the permanent blocking up of the door on the south-east elevation
- An investigation should be carried out as to how the development has been allowed to be carried out without regular checks to make sure the terms of the planning permission are being complied with
- Suggestion that the full demolition was intentional with a view to increase the depth of the foundations to plan ahead for future planning applications for a second storey of development – can this be investigated
- The established pattern of non-compliance should be heavily weighed in the evaluation of the current planning application
- The development has changed considerably from the earlier approval; the way in which the development has evolved is concerning and rather shift
- Unapproved internal structural alterations. Strong indication that internal walls have been removed; concern that the original external boundary wall of the main house has been removed where it meets the new side extension.
- This property is likely to be made into an HMO to house illegal immigrants. If it becomes an HMO, where would all the cars park and who would manage the safety of children and other residents in the area. It cannot be ignored that this property is intended for a low-grade rental HMO property nor that this and the property subject of planning application 26/00560/F are being extended for financial gain.
- Concern that a company in Cirencester has been notified of the current planning application; one objector questions why the Council is actively

accepting or prioritising the views of this company whose business model is offering rooms for rent as a service, while refusing to consider the deeply held concerns of local residents that this property is being physically prepared for commercial rental/HMO use. The inclusion of this specific rental business corroborates the community's suspicions regarding the intended commercial exploitation of the site.

- Transparency of the application process
- The applicant has also submitted a planning application to extend a dwelling on Chatsworth Drive
- Sufficient space for waste management, refuse and recycling bins
- No active garden waste or brown bin subscription for the application property, raising serious operational concerns as to how the required landscaping maintenance would realistically be managed
- The applicant states they have lived at the application property but it is common knowledge that it has been rented out for many years

6.4. 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.

7.2. BANBURY TOWN COUNCIL: **Objects**, commenting that "the Town Council note the level of concern that this proposal is causing to nearby local residents and I note that Cllr Mallon has requested that this application be determined by your Planning Committee. We are happy to endorse the numerous concerns of the local residents and local member and also object to the proposal."

7.3. OCC HIGHWAYS: **No objection** - comments as follows –

Following a review of the revised Site & Location Plan (Drawing with ref.: 00-ST-01 Rev.03, dated 03.09.26), submitted in support of the planning application for the demolition of the existing garage and the erection of a single-storey side and rear extension to an existing 4-bedroom dwelling, the Local Highway Authority (LHA) is satisfied that sufficient off-street parking can be provided within the site.

The proposed vehicular parking arrangement is not considered ideal, as the spaces will be positioned at right angles to one another and as a result, vehicles manoeuvring, particularly for the parking space located adjacent to Heathcote Avenue, may be somewhat constrained when entering/leaving the site. However, these constraints are relatively minor and are not considered likely to result in an unacceptable impact on highway safety or severe adverse impact on the operation of the local highway network.

Policy TR6(4) of the National Planning Policy Framework states that development should be refused on highway grounds where they would have a severe adverse impact on the transport network or an unacceptable impact on highway safety. The LHA does not consider that this threshold is met in this instance. Accordingly, the LHA raises no objection to the proposed development.

OCC Highways had initially commented as follows:

Insufficient information has been provided to demonstrate that adequate off-street parking provision can be retained following demolition of the existing garage and construction of the proposed extension. In the absence of a parking layout, the Local Highway Authority cannot be satisfied that the proposal complies with Oxfordshire County Council's Parking Standards and Paragraph 115 (c) of National Planning Policy Framework.

Please Note: The applicant may be able to overcome this objection by the submission of additional information which adequately addresses the [LHA's concerns, the full content of which may be viewed on the electronic file and which is discussed in the officer report below].

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)

- ESD10 – Biodiversity
- ESD15 - The Character of the Built and Historic Environment

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- C28 – Layout, design and external appearance of new development
- C30 – Design control

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)

9. APPRAISAL

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

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

Design and impact on the character of the area

- 9.2. Extensions on the same footprint and of generally the same scale were granted planning permission earlier this year (ref. 25/02081/F). Under that application a much larger, two-storey extension had originally been proposed, but officers made clear to the applicant that such a proposal would not be supported and that only a single storey addition to the side would be considered favourably, and one that did not project any further towards the road than the existing garage. The deep set back is considered necessary to maintain the open, verdant character of the area, and the existing hedge helps to offset the visual impact of the extension.
- 9.3. The height and footprint of the side extension now proposed is identical to the approved scheme. The only changes to the side extension are to its fenestration as described in paragraph 3.2 of this report; these changes do not have any additional impact on the character or appearance of the area compared to the approved scheme.
- 9.4. The proposed single storey rear extension would have a depth of 4.0 metres, which if not attached to the sideward element would render it permitted development. It is of the same depth and footprint as previously approved.
- 9.5. The proposed rear extension would now have a pitched roof as opposed to a flat roof. The roof would have a low gradient, to ensure it does not affect the existing first floor window on the rear elevation. Its eaves would be lower than that of the approved scheme. At the time of the original application officers had discussed with the agent the potential for revised plans to give the rear extension a pitched roof rather than a flat roof but ultimately amended plans were not submitted and the rear extension was approved with a flat roof.
- 9.6. The rear extension would be single storey, set down in height and would have no impact on the character or appearance of the area.
- 9.7. The proposed dormer to the north-east elevation is large and not in keeping with the host dwelling. However, there are multiple examples of similar dormers in the neighbourhood, including to the neighbouring dwelling (No. 2 Heathcote Avenue) and it is acknowledged that a very similar dormer could be achieved under the property's permitted development rights, to which significant weight must be afforded. Also, it is identical to that approved under the last planning application.
- 9.8. The submitted plans show the creation of a separate annexe, with a shared porch with the host dwelling. There is no objection to this in principle; however, a condition should be imposed ensuring purposes ancillary to 1 Heathcote Avenue.
- 9.9. The existing boundary treatment of low mixed evergreens is integral to the verdant feel of the locality and the established character of the area. It would help screen the proposed development and should be maintained.

Residential amenity

- 9.10. The extensions proposed under planning application 25/02081/F were adjudged to be acceptable in this regard. None of the changes proposed here would justify a different conclusion.
- 9.11. The only two neighbours that may experience impact from the properties are to the north (38 Elton Road) and east (2 Heathcote Avenue). The rear extension would have a similar impact on these neighbours to the rear extension at no. 2 Heathcote Avenue. Its eaves height as currently proposed would be lower than as approved, reducing its impact on the neighbours.

- 9.12. Having regard to its scale and siting, the proposed single storey extensions would not adversely affect the amenities of any neighbouring residents, either through loss of light, privacy or outlook or through an imposing or overbearing form of development.
- 9.13. The proposed dormer is identical to that approved under planning application 25/02081/F. The dormer would have some impact on the amenities of no. 2 Heathcote Avenue. The dormer requires planning permission because it includes upper floor side facing windows (and if clear glazed the windows would not conform to the conditions of the General Permitted Development Order). If clear glazed it is considered that these windows would cause overlooking and loss of privacy to the occupiers of no. 2 Heathcote Avenue. It is noted that these windows are not the primary or only windows serving the upper floor rooms i.e. those rooms are served by other (front and rear-facing) windows. It is therefore considered reasonable and necessary to impose a condition that these windows be obscure glazed and fixed shut, or with a high-level opening (above 1.7m of the finished floor level). For the avoidance of doubt, without this condition this application would have been refused on this basis.
- 9.14. It is noted some objectors state that the dormer windows must be amended from the plan drawings to include outward-opening top-hung upper elements. However, this only needs to happen if the applicant wants the windows to have opening elements – if the applicant is content for the windows to be fixed shut then the currently proposed design may be used.

Highway safety

- 9.15. There is existing hardstanding providing off-street parking for two vehicles and this is adequate for a dwelling of this size.
- 9.16. OCC as local highway authority ('the LHA') raised no objection to the last application subject to a condition to ensure the proposed annexe remains ancillary to the existing dwelling and is not sold or leased as a separate dwelling; officers consider such a condition would meet the government's tests for conditions.
- 9.17. The LHA initially objected to the current application on the grounds of displacement of existing car parking caused by the side extension, and it is noted that whereas the last application included a parking plan such a plan did not accompany the current application. The LHA commented: "the applicant is required to submit a revised site layout plan demonstrating that a minimum of 2 off-street vehicular parking spaces can be accommodated and retained within the curtilage of the property".
- 9.18. The applicant's agent subsequently submitted the said parking plan, very similar to that which formed part of the earlier approval. The LHA was reconsulted and confirms it has no objection, advising that the proposal would not result in an unacceptable impact on highway safety.
- 9.19. We have also given consideration to matters of access and parking, in the interests of highway safety, including adequate and safe visibility splays at the Elton Road/Heathcote Avenue junction. In light of which, the planting along Elton Road to be maintained at a maximum height of 1m; this should be secured by condition.

Ecology Impact

- 9.20. Policy ESD10 of the CLP 2015 lists measures to ensure the protection and enhancement of biodiversity and the natural environment, including a requirement for relevant habitat and species surveys and associated reports to accompany

planning applications which may affect a site, habitat or species of known ecological value.

- 9.21. Having considered Natural England's Standing Advice and taking account of the site constraints it is considered that the site has limited potential to contain protected species and their existence on the site is unlikely. As such no formal survey is required and the absence of which this does not result in a reason to withhold permission.
- 9.22. Nevertheless, at least one bird box and/or integrated bee brick should be provided to deliver biodiversity net gain in line with NPPF and the local plan; this should be conditioned. In addition, an informative note reminding the applicant of their duty to protected species should be included on the decision notice and is considered sufficient to address the risk of any residual harm.

Comments on issues raised by third parties

- 9.23. Various comments have been made by third parties; officer responses to these comments form the rest of this report.

The amenity land between the application site and Elton Road

- 9.24. The area of land between the existing garage/wall and Elton Road has formed part of the application property since the parcel of land was purchased in 1991. Originally amenity land, no formal application appears to have been made for a change of use. Documentation and aerial photographs would indicate that this part has been in domestic use continually for ten (10) years. There is a separate lawful development certificate application relating to this land.

Description of development

- 9.25. Internal changes do not of themselves constitute development and do not need to be referenced in the description of development. Various objectors mention the introduction of a side access door onto adjacent communal land. There is no such door. The submitted plans show three ground floor doors. The door to the south-east, front elevation, would be the front door to the dwelling, was approved under 25/02081/F, and opens out onto land which is within the residential curtilage of the dwelling and private land not communal land. There are two doors shown to the north-west, rear elevation. One of those two is additional to that approved under 25/02081/F. Both of these windows would open out onto land which is within the residential curtilage of the dwelling and is private land not communal land.
- 9.26. The objectors may instead be referring to an *entrance way* on to the *south-west* elevation. Given the site is not in a Conservation Area, any such alteration constitutes permitted development under Part 2 of Schedule 1 of the General Permitted Development Order ("the GPDO").

Additional window on the existing dwelling

- 9.27. This constitutes permitted development, does not require planning permission and does not form part of the current planning application.

Change to height of rear extension

- 9.28. Officers agree. There is a discrepancy in the eaves height between the submitted plans and what has been constructed. This has been queried with the applicant's planning agent and amended plans submitted.

Potential future use as a House of Multiple Occupation ('HMO')

- 9.29. Officers note concerns raised that the property could or would be used as an HMO. However, the submitted plans do not indicate such use and the current application is made as a householder extension for extensions to a residential dwelling and must be assessed as such and determined on this basis.

Increased occupancy potential

- 9.30. Concerns are raised that the extensions would increase occupancy potential, that there would be additional vehicle ownership and potentially additional pressure on on-street parking, which could reduce visibility for drivers and pedestrians. The proposals would result in one additional bedroom, from three (existing) to four (as proposed). Two off-road parking spaces would be sufficient for a four-bedroom dwelling. A site layout plan showing two off-road parking spaces was part of the approved planning application, which satisfied the concerns of CDC planning officers and OCC highways officers.

Condition to require on-site car parking provision

- 9.31. Officers agree.

Conditions relating to parking on the highway

- 9.32. Such conditions would be not be reasonable and would not pass the government's tests for conditions.

Conditions to remove permitted development rights

- 9.33. These should only be imposed if they relate to the development subject of the planning application. The approved extension (and that currently proposed) is a wrap-around extension and therefore under criterion A.1 (j) any further extension would require planning permission. Even if A.1 (j) is removed or amended in future iterations of the GPDO, other parts of Class A would continue to apply. In relation to roof alterations (Classes B and C), the recommended condition imposes restrictions on the dormer addition subject of the planning application. Any additional restriction is not reasonable or necessary. The approved developments do not preclude Classes D – H of the GPDO. In short, it would not be reasonable or necessary to remove permitted development rights beyond the condition recommended.

Compliance with conditions

- 9.34. Third parties' concerns are noted in relation to the applicant's non-compliance with conditions. The particular concerns regarding occupancy restrictions relate to what may or may not happen in the future and are not material to consideration of this application. The development is currently under construction and the dormers not yet used/occupied and therefore the condition in relation to obscure glazing has not been breached. It needs to be complied with in order for the development to be acceptable, and the Council's planning enforcement team will continue to monitor this aspect of the development.

Requirement for drainage strategy

- 9.35. Officers consider that it would be disproportionate to require a drainage strategy in relation to this development, that it is not necessary to make the development acceptable.

Sufficient space for waste management, refuse and recycling bins

- 9.36. The same is true in this regard. It must be borne in mind that the application relates to single storey extensions to a residential dwelling.

Need for the extension

- 9.37. This is not a material consideration. It is inappropriate to opine as to the personal reasons for the application.

Enforcement action

- 9.38. The door on the south-east elevation has been approved and may be carried out whether or not the current application is approved; it would therefore be wholly inappropriate to require its blocking up. Officers consider that the door on the rear elevation of the dwelling results in no harm and that any refusal on the basis of this opening being a door rather than a window would be unreasonable behaviour on the part of the local planning authority.

Internal alterations

- 9.39. These do not constitute development and do not require planning permission unless they lead to a material change of use. No change of use is proposed here and a condition to require the extension to be used for ancillary purposes would make the development acceptable.

The notification of a Cirencester company of the current planning application

- 9.40. The Council is certainly not prioritising any views above any others and has regard to all representations making comments on substantive planning matters. One of those who commented on the previous planning application (25/02081/F) did so from an address in Cirencester. The Council's long-established protocol is to send notification letters to all third parties who commented on a previous related application. As far as officers are aware the Cirencester company is nothing to do with the applicant and in any case it is not a material consideration; and it would be inappropriate to notify some third parties and not others.

The applicant has also submitted a planning application to extend a dwelling on Chatsworth Drive

- 9.41. This is not a material consideration.

The applicant states they have lived at the application property but it is common knowledge that it has been rented out for many years

- 9.42. This is not a material consideration. It is not relevant whether or not the applicant lives at the application address, and nowhere in the application submission does the applicant say they live at the application address. All applicants are required to complete an ownership certificate on the application form, but this is not the same as whether they live at the application site.

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 sustainable development. In accordance with the NPPF, permission should therefore be granted.

11. RECOMMENDATION

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

CONDITION

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 application form and the drawings numbered 00-ST-01 P03, 00-PR-EL-01 P03, 00-PR-FP-01 P03, and 00-PR-RF-01 P02.

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.

3. Notwithstanding the details submitted, within three months of the date of this decision a method statement for biodiversity enhancement, to full details of bee bricks and the type and location of at least one bird box or owl box or bat box shall be submitted to and approved in writing by the local planning authority. The biodiversity enhancement measures approved shall be carried out prior to the first use or occupation of the development and shall thereafter be retained in full accordance with the approved details.

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 Part 1 and government guidance contained within the National Planning Policy Framework.

4. The external materials to be used for the walls and roof of the development hereby permitted shall match in terms of colour, type and texture those used on the existing building and shall be retained as such thereafter.

Reason: To safeguard the character and appearance of the area in accordance 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. The parking area for two vehicles shown in the drawing numbered 00-ST-01 Site & Location Plan shall be laid out and completed prior to the first use or occupation of the development hereby permitted and the car parking spaces shall be retained for the parking of vehicles at all times thereafter.

Reason: In the interests of highway safety, to ensure the provision of adequate off-street car parking 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.

6. Prior to the first occupation of the development hereby approved the first floor dormer windows in the north-eastern side elevation of the development shown on drawing no. 00-PR-EL-01 P02 to serve 1x bathroom and 2x bedrooms shall be obscurely glazed using manufactured obscure glass that is impenetrable to sight (Level 3 or above and not an applied adhesive film) and shall be permanently retained as such thereafter. The said openings shall also be fixed shut and non-opening unless (a) those parts which can be opened are more than 1.7 metres above the floor of the room in which it is/they are installed or (b) an alternative means of restricted opening has first been submitted to and approved in writing by the local planning authority and shall be permanently retained as such thereafter.

Reason: To safeguard the privacy and amenities of the occupants of the adjacent properties and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C30 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

7. Notwithstanding the details submitted, the existing hedgerow/planting along the site's boundary with Elton Road shall be retained and maintained in perpetuity and shall be maintained at a maximum height of one metre above adjacent ground level. Any trees and/or 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 next planting season with others of similar size and species.

Reason: To ensure the satisfactory appearance of the completed development and to safeguard the character and appearance of the area and in the interests of local highway safety and to comply with Policy ESD 15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policies C28 and C30 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

8. The development hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling currently known as 1 Heathcote Avenue, Banbury, OX16 9TP and as such shall not be sold, leased, let or sub-let as a separate unit of accommodation.

Reason: To safeguard the character and appearance of the area and the living conditions of existing and future occupiers and because of the basis on which the current application has been submitted, and in order to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, Saved Policies C28 and C30 of the Cherwell Local Plan 1996 and comply with Government guidance contained within the National Planning Policy Framework.

9. The external materials to be used for the walls and roof of the development hereby permitted shall match in terms of colour, type and texture those used on the existing building and shall be retained as such thereafter.

Reason: To safeguard the character and appearance of the area in accordance 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.

10. The parking area for two vehicles shown in the drawing numbered 00-ST-01 Site & Location Plan shall be laid out and completed prior to the first use or occupation of the development hereby permitted and the car parking spaces shall be retained

for the parking of vehicles at all times thereafter.

Reason: In the interests of highway safety, to ensure the provision of adequate off-street car parking 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.

11. Prior to the first occupation of the development hereby approved the first floor dormer windows in the north-eastern side elevation of the development shown on drawing no. 00-PR-EL-01 P02 to serve 1x bathroom and 2x bedrooms shall be obscurely glazed using manufactured obscure glass that is impenetrable to sight (Level 3 or above and not an applied adhesive film) and shall be permanently retained as such thereafter. The said openings shall also be fixed shut and non-opening unless (a) those parts which can be opened are more than 1.7 metres above the floor of the room in which it is/they are installed or (b) an alternative means of restricted opening has first been submitted to and approved in writing by the local planning authority and shall be permanently retained as such thereafter.

Reason: To safeguard the privacy and amenities of the occupants of the adjacent properties and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C30 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework

12. Notwithstanding the details submitted, the existing hedgerow/planting along the site's boundary with Elton Road shall be retained and maintained in perpetuity and shall be maintained at a maximum height of one metre above adjacent ground level. Any trees and/or 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 next planting season with others of similar size and species.

Reason: To ensure the satisfactory appearance of the completed development and to safeguard the character and appearance of the area and in the interests of local highway safety and to comply with Policy ESD 15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policies C28 and C30 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

13. The development hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling currently known as 1 Heathcote Avenue, Banbury, OX16 9TP and as such shall not be sold, leased, let or sub-let as a separate unit of accommodation.

Reason: To safeguard the character and appearance of the area and the living conditions of existing and future occupiers and because of the basis on which the current application has been submitted, and in order to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, Saved Policies C28 and C30 of the Cherwell Local Plan 1996 and comply with Government guidance contained within the National Planning Policy Framework.