

**Case Officer:** Rebekah Morgan

**Applicant:** Mr Paul Bell

**Proposal:** Demolition of existing bungalow and construction of two houses - re-submission of 23/02203/F

**Ward:** Launton And Otmoor

**Councillors:** Cllr. Gemma Coton, Cllr. Julian Nedelcu and Cllr. Alisa Russell

**Reason for Referral:** Called in by Cllr. Gemma Coton for the following reasons: Public interest

**Expiry Date:** 24 March 2025

**Committee Date:** 20<sup>th</sup> March 2025

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

**MAIN REPORT**

**1. APPLICATION SITE AND LOCALITY**

- 1.1. The application site is a small parcel of land situated on the corner of Middle Street and North Street in Islip. The land is occupied by a detached bungalow which has an existing vehicle access from North Street. The existing bungalow is constructed from buff coloured brick with a plain tile roof. The site is situated on slightly elevated land with a stone boundary wall.
- 1.2. The area has two different characters. The properties along Middle Street are very traditional with a mixture of stone and rendered properties facing directly onto the road. Along North Street, the properties are large, two storey detached properties finished in cut stonework with plain tile roofs and hung tile cladding features.

**2. CONSTRAINTS**

- 2.1. The following constraints are applicable:
  - The site is within Islip – Category C Village
  - The site is within the Oxford Green Belt
  - The site is within the Islip Conservation Area
  - The site is within Flood Zone 2
  - The site is within an Archaeological Alert Area
  - The site is within 2km of a Site of Special Scientific Interest (SSSI) – Woodeaton Quarry
  - The constraints data identifies the potential for the presence of protected and notable species within the vicinity of the site.

### **3. DESCRIPTION OF PROPOSED DEVELOPMENT**

- 3.1. The application proposes the demolition of an existing bungalow and replacement with a pair of semi-detached, two storey dwellings on the site. The vehicular access point would remain in the existing location. The proposal includes a detached carport to serve both properties.
- 3.2. The design and position of the dwellings have been amended during the application process. The current scheme proposes a pair of two storey properties finished in stone with slate roofs. The dwellings would be positioned to face towards the junction of North Street and Middle Street.
- 3.3. The two storey section of House 1 would measure 7.8m (w) x 6.8m (d) with an eave's height of 3.9m and a ridge height of 7.4m. A single storey rear section would have a width of 4.9m and project 4.1m to the rear of the property with an eave's height of 2.1m and a ridge height of 3.4m.
- 3.4. House 2 would measure 7.7m (w) x 7.1m (d) with an eave's height of 3.9m on the front elevation. The drawings show there is a small change in levels within the site, with the eave's height measuring 4.2m on the rear elevation. The ridge height would be 7.6m.
- 3.5. The car port would measure 10.4m (w) x 4.9m (d) with an overall height of 5.5m This would be a simple, open structure comprising of four upright corner posts and a pitched roof covering.
- 3.6. The development is laid out to provide private garden space for both properties with bin and bike storage contained within small buildings in the rear gardens.

### **4. RELEVANT PLANNING HISTORY**

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

23/02203/F: Demolition of existing bungalow and erection of two houses.  
WITHDRAWN

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

- 5.1. The following pre-application discussions have taken place with regard to this proposal:

23/00460/PREAPP: Two new build houses to replace an existing house on the junction of North Street and Middle Street, Islip

- The enquiry was submitted without any proposed drawings for the dwelling. Advised that the principle of development for two dwellings could be supported. Advised that design, impact on the Conservation Area and relationship with neighbouring properties would be key considerations and therefore a follow up pre-application enquiry with full design details was recommended.

23/01047/PREAPP: Demolition of existing bungalow. Construction of two houses.

- The pre-application enquiry included design details. Advised that further consideration was required with regard to the relationship with neighbouring properties. With regards to design, the approach presented was a modern design

that incorporated traditional elements. The applicant was advised to consider a simple, traditional design to better reflect the character of Middle Street.

## 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 was **13 March 2025**, although comments received after this date and before finalising this report have also been taken into account.

6.2. The comments raised by third parties are summarised as follows:

- Development is incompatible with the surroundings.
- The size of the dwellings are disproportionate to the space.
- Create a cramped development on the site and overdeveloped plot.
- The proposed houses are too tall for the plot.
- The proposed dwellings will be very dominant.
- The development will be overbearing given the elevated position.
- The development does not contribute positively to the Conservation Area
- This is a historic area that should be protected.
- Two dwellings will be out of keeping with the area.
- Design is out of keeping with the area.
- Impact on neighbouring properties
- Too close to neighbours
- Overlooking of neighbouring properties and gardens
- Overshadowing of neighbouring properties
- Impact on right to light
- Loss of outlook and view from neighbouring property
- Highway safety – close to a dangerous junction
- Highway safety – traffic speeds are high near the site.
- The existing access is unsuitable.
- Insufficient parking provision
- Building too close to the highway and will affect sight lines at junctions.
- No onsite parking for visitors
- Proposal will add additional traffic and car movements.
- Impact of deliveries and construction traffic
- Noise and disruption during construction
- Site is within the flood plain.
- Increased run off from the site.
- The site is only suitable for one house.
- Loss of a single storey dwelling which are needed in Islip.
- Impact on ecology
- The existing bungalow is not pretty but it does not dominate the area.
- The existing house is in good condition and does not need to be demolished.
- Loss of existing vegetation
- The amendments to the scheme have not addressed previous concerns and objections.
- Support the redevelopment of the site, but not in this form.
- Proposal is within the Oxford Green Belt

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.

7.2. ISLIP PARISH COUNCIL: **object** on the following grounds:

- Impact on the character and appearance of the area. Contrary to Policy ESD15 of the CLP 2015 and Policy C28 of the CLP 1996
- Impact on residential amenity – specifically the relationship with Nos. 1 and 2 St. Nicholas Close
- Concerns regarding parking layout and accessibility of the spaces.

It is noted that the Parish Council has provided detailed comments on the above issues and made suggestions to amend the scheme. They state 'The Parish Council would be supportive of the development of the site if the above issues were resolved. A high quality, sympathetic design, which respected the Conservation Area and the neighbouring properties.

7.3. OCC HIGHWAYS: **no objections** subject to conditions requiring a traffic management plan and electric vehicle charging.

*'From a highways perspective, this application is largely similar to that submitted under 23/02203/F to which OCC proposed no objections subject to the above conditions. I have no objections to the amended parking layout for dwelling 2. An explanation was provided under application 23/02203/F for the verdict of no objection. Since this was written I have since conferred with senior colleagues and obtained accident data from the site and these colleagues have echoed my views.'*

7.4. OCC ARCHAEOLOGY: **no objections**, subject to conditions requiring an archaeological watching brief and written scheme of investigation.

The site lies in an area of archaeological interest and potential, immediately west of a field which contains earthworks relating to Medieval fishponds, clearly visible on LiDAR data (PRN 11086). The proposal site also lies c. 115m southwest of the remains of a rectangular moat on the supposed site of Ethelred's palace; an archaeological investigation revealed that moat was part of high status C13-14 buildings, which were probably the residence of the Abbot of Westminster (PRN 5277). The 1797 Davies map of Oxfordshire, as well as historic OS maps, show that the proposal site was undeveloped until the current building, and so there is potential for Medieval remains to survive on the site.

7.5. CDC CONSERVATION OFFICER: The existing dwelling on the site has no historic significance and is not considered to make a positive contribution to the conservation area in this location, therefore there are no objections to its demolition in principle. However as previously advised an appropriate replacement or use of the site is needed, and this is considered to provide an opportunity for enhancement.

The site is a prominent location within the conservation area and is highly visible as you enter the village. The two dwellings now proposed are considered to sit more comfortably into the street scene, they will however still be prominent as you enter the conservation area. The materials proposed are stone and slate to match the surrounding dwellings and the enclosing boundary wall is welcomed, the materials

will need to be carefully considered to ensure they are consistent with the area. However, it is suggested that a design that is more appropriate could be found. As previously suggested the quality, appearance and overall execution will be key to ensuring a complementary and appropriate development within the conservation area.

On balance the proposals are now not considered to harm the significance of the conservation area and therefore there are no objections.

#### 7.6. CDC URBAN DESIGNER:

- Whilst a single replacement dwelling would better reflect the village edge context and corner location, the proposed layout for two dwellings is appropriate and sensitive to the site and context.
- The two dwellings provide a main frontage that is orientated to the Middle Street and North Street junction. This would respond more positively than the existing side gable. Although the entrances are to the side, this would provide further animation and activity to Middle Street and North Street.
- A 0.3m change in level between the properties mediates between Middle Street and North Street and adds interest to the roofline.
- The layout arrangement retains intervisibility between the wider countryside and the gable end of 1 Middle Street within the Conservation Area.
- The existing stone boundary wall would be retained with bin, bike storage and parking within unobtrusive locations to the side and rear of the properties.
- Eaves and ridge levels are needed to understand how the proposals will relate to existing properties in the street scene.
- The elevations do not include details of the positioning and appearance of solar panels (if proposed)

7.7. CDC ECOLOGY OFFICER: **no objections**, subject to conditions requiring a construction environment management plan (CEMP) and a biodiversity enhancement scheme. The submitted ecology report is considered to be acceptable in scope and depth.

7.8. CDC ARBORICULTURAL OFFICER: **no objections**, The three trees to be removed are not of sufficient value to act as constraints to development. The adjacent T4 is of limited amenity and not expected to be a constraint to development.

7.9. CDC LOCAL LAND DRAINAGE OFFICER: **no objections**, the applicant has provided Product 4 flood level data acquired from the Environment Agency and proposed a finished floor level of 60.15m AOD for the lower of the two dwellings. Whereas the 1% AEP + Climate Change flood level at this location is 59.23m AOD.

The proposed means of surface water drainage is acceptable based on the findings of the BRE 365 soakage tests carried out on the site.

The demolition of the existing dwelling will require a prior Notice being given to the Council under section 80 Building Act 1984.

## 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)

- PSD1: Presumption in Favour of Sustainable Development
- ESD1: Mitigating and Adapting to Climate Change
- ESD3: Sustainable Construction
- ESD6: Sustainable Flood Risk Management
- ESD7: Sustainable Drainage Systems (SuDS)
- ESD10: Protection and Enhancement of Biodiversity and the Natural Environment
- ESD14: Oxford Green Belt
- ESD15: The Character of the Built and Historic Environment
- VILLAGES 1: Village Categorisation

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

- C28: Layout, design, and external appearance of new development
- C30: New residential development

- 8.3. Other Material Planning Considerations
  - National Planning Policy Framework (NPPF)
  - Planning Practice Guidance (PPG)
  - Cherwell Design Guide (2018)
  - The Planning (Listed Buildings and Conservation Areas) Act 1990
  - Islip Conservation Area Appraisal (2008)
  - EU Habitats Directive
  - Natural Environment and Rural Communities Act 2006
  - Conservation of Habitats and Species Regulations 2017
  - Circular 06/2005 (Biodiversity and Geological Conservation)

## **9. APPRAISAL**

- 9.1. The key issues for consideration in this case are:
  - Principle of development
  - Impact on Green Belt
  - Design, impact on the character of the area and impact on heritage assets.
  - Residential amenity
  - Accessibility, highway safety and parking
  - Climate change and sustainability
  - Ecology impact
  - Flood Risk
  - Other Matters

#### Principle of Development

- 9.2. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that any application for planning permission must be determined in accordance with the

Development Plan unless material considerations indicate otherwise. The Development Plan for the District comprises the adopted Cherwell Local Plan 2011-2031 ('CLP 2015') and the saved policies of the Cherwell Local Plan 1996.

- 9.3. The CLP 2015 seeks to allocate sufficient land to meet District-wide housing needs. The overall housing strategy is to focus strategic housing growth at the towns of Banbury and Bicester and a small number of strategic sites outside of these towns, whilst limiting growth in rural areas and directing it towards more sustainable villages, also aiming to strictly control development in the open countryside.
- 9.4. Paragraph 11 of the NPPF states that at the heart of the Framework is a presumption in favour of sustainable development. There are three dimensions to sustainable development, as defined by the NPPF, which require the planning system to perform economic, social, and environmental roles. These roles are interdependent and need to be pursued in mutually supportive ways.
- 9.5. Policy Villages 1 of the CLP identifies Islip as a Category C settlement which is considered one of the least sustainable villages within the district and therefore development is limited to infilling and conversions.
- 9.6. The site occupies a triangular piece of land at the junction of the main road and the side street. Both roads (to either side of the site) have dwellings fronting the road with dwellings laid out in a linear manner. The CLP 2015 defines infilling as '*a gap in an otherwise built up frontage*'. In this case, the application site represents the land at the end of both of the roads, with the site turning a corner rather than representing a traditional 'gap' in a built-up frontage, therefore it does not strictly comply with the definition of 'infill', however it is an existing residential site which would make good use of the land and relate well to the linear form of development on both streets.
- 9.7. The Council published the 2024 Annual Monitoring Report in February 2025; this reports a 5year Housing Land Supply of 2.3 years. Therefore, the tilted balance in paragraph 11d of the NPPF is engaged and states:

*'Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting planning permission unless:*

- i. The application of policies in this Framework that protect area or assets of particular importance provides a strong reason for refusing the development proposed; or*
  - ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places, and providing affordable homes, individually or in combination.'*
- 9.8. The application would provide an additional dwelling (1 additional dwelling when taking account of the removal of the existing bungalow) which would make a small contribution to the Council's Housing Land Supply. The dwellings would be located within the confines of an existing village that has a small number of services including a village hall and shop, and access to public transport and is therefore considered to be sustainable. The principle of development is considered to be acceptable, subject to other material planning considerations set out below.

Impact on Green Belt

9.9. Paragraph 142 of the NPPF states *'The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.'*

9.10. Paragraph 153 of the NPPF states that *'Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances'*. Paragraph 154 goes on to state:

*'A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:*

- a) Buildings for agriculture and forestry;*
- b) The provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;*
- c) The extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*
- d) The replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
- e) Limited infilling in villages;*
- f) Limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and*
- g) Limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would: – not have a greater impact on the openness of the Green Belt than the existing development; or – not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority'.*

9.11. As set out above, the proposal occupies a corner plot with continuous, linear development along both streets that it adjoins. Whilst this is not a strict compliance with the local plan definition of infilling ('a gap in an otherwise continuous built-up frontage'), the plot does represent a gap that relates to both built-up frontages and therefore is considered to be an infill plot within a village. Therefore, the proposal would meet the exemption set out in paragraph 154 of the NPPF.

9.12. Paragraph 155 of the NPPF goes on to state: *'The development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where all of the following apply:*

- a) The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;*
- b) There is a demonstrable unmet need for the type of development proposed,*

- c) *The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework, and*
- d) *Where applicable, the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157 below'.*

9.13. With regards to paragraph 155 the proposal is for the development of homes and therefore is appropriate.

9.14. With regard to point (a) of paragraph 155, Grey belt is defined in the NPPF as:

*'For the purposes of plan-making and decision-making, 'grey belt' is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. 'Grey belt' excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.*

9.15. The site is previously developed land containing an existing residential dwelling. With regards to the sites contribution to purposes (a), (b) or (d) of paragraph 143, the PPG for Greenbelt is clear that villages should not be considered large built up areas in relation to purpose (a), therefore the site does not strongly contribute to purpose (a). Similarly, the guidance is clear that purpose (b) relates to the merging of towns, not villages and therefore the site does not strongly contribute to purpose (b). The guidance is also clear that purpose (d) relates to historic towns and not villages, therefore the site does not strongly contribute to purpose (d). With regard to footnote 7, there are no areas or assets that would provide a strong reason for refusing this development. Therefore, on the basis of this assessment the site is considered to meet the definition of Grey Belt.

9.16. With regards to point (b) of paragraph 155, as set out above, the Council cannot demonstrate a current 5 year Housing Land Supply and therefore there is an unmet need for the type of development proposed.

9.17. With regards to point (c) of paragraph 155, the site is located within the confines of a village. Islip is only a category C village however it does have some facilities including a village hall and shop. With specific regard to paragraph 110 and 115 of the NPPF, the village does have good access to public transport in the forms of bus routes and a train station. Therefore, the site is considered to be sustainable.

9.18. Point (d) of paragraph 155 is not applicable because the site is not major development.

9.19. On the basis of the above, the proposal is considered to meet the definition of Grey Belt and the conditions of paragraph 155 of the NPPF and is therefore not regarded as inappropriate development in the Green Belt.

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

9.20. Government guidance contained within the NPPF towards achieving well-designed places states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. The NPPF goes on to note that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Further, Paragraph 139 of the NPPF states that 'development that is not well designed should be refused, especially where it fails to reflect local design policies and national guidance on design'.

- 9.21. Paragraph 135 of the NPPF states that planning policies and decision should ensure that developments:
- a) Will function and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
  - b) Are visually attractive as a result of good architecture, layout, and appropriate and effective landscaping;
  - c) Are sympathetic to local character and history including the surrounding built environment and landscape setting, while not preventing or discouraging innovation or change (such as increased densities);
  - d) Establish or maintain a strong sense of place, using arrangement of streets, spaces, building types and materials to create attractive, welcoming, and distinctive places to live, work and visit;
  - e) Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
  - f) Create places that are safe, inclusive, and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 9.22. Policy ESD15 of the CLP 2015 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.”* The Cherwell Residential Design Guide SPD also encourages development which is locally distinctive and the use of appropriate materials and detailing, but states that new development should avoid the creation of ‘anywhere places’ which do not respond to local context.
- 9.23. Policy C28 of the CLP 1996 exercises control over all new developments to ensure that the standards of layout, design and external appearance are sympathetic to the character of the context as well as compatible with existing buildings.
- 9.24. The Cherwell Residential Design Guide states that new development should avoid architectural focus on individual buildings rather than the overall street composition. The SPD goes on to state that individual buildings should be designed to relate well to their neighbours, creating a harmonious overall composition and work with site conditions.
- 9.25. The site is within the Islip Conservation Area. 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.*
- 9.26. 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.* Policy ESD15 of the CLP 2015 echoes this guidance.

- 9.27. The application site is a large corner plot that is currently occupied by a single bungalow. The existing bungalow does not relate well to the street scene either along Middle Street or North Street and the design is out of keeping with the properties in the area.
- 9.28. The proposal is to replace the existing bungalow with a pair of semi-detached two storey dwellings. The application has been amended during the process to respond to comments raised by third parties and by the Council's Urban Designer. The current proposal positions the dwellings facing towards the junction of Middle Street and North Street. The dwellings have been set away from Middle Street to retain the openness that currently exists.
- 9.29. The site is within the Islip Conservation Area which includes nearly the entirety of the village and some rural land immediately to the east of the application site. The Conservation Area Appraisal provides an analysis of both the North Street character area and the Middle Street character areas; the site is considered to relate more to the Middle Street character area because the historic part of North Street is located away from the application site.
- 9.30. The Middle Street character area has a strong linear feel, with houses having little or no front gardens. Properties are close to the street and very prominent and somewhat imposing on the street scene. The dwellings are predominantly two storey, some with dormer window features. There are a mix of materials, but dwelling walls are predominantly stone, and the stone boundary walls are identified as positive features.
- 9.31. With regards to design, the properties would be finished in stone with slate roofs to reflect the traditional materials that are prominent on Middle Street. The properties have included design features such as dormer windows and chimney features to replicate the local vernacular. The use of dormer windows in the roof space has allowed the buildings to be slightly lower in height than a traditional two storey building which mitigates the development's impact given the slightly elevated position of the plot. Both dwellings have windows and doors on all the elevations visible from the street to ensure active frontages and avoid large blank gable elevations facing the street.
- 9.32. The proposal would be prominent as you enter the village along Middle Street due to the position of the plot. Whilst the proposal would replace the bungalow with a larger form; the design would be more in keeping with the character of the area than the existing bungalow. The dwellings have been designed to have a slight step down, with house 1 also being set back slightly which visually breaks up the elevation. In addition, landscaping is proposed to soften the views of these elevations.
- 9.33. The car port is a relatively small structure located on the northern corner of the site. Due to its location, it would be most visible from North Street. The structure is simple and would not appear out of keeping in the context of the site and the surrounding residential properties.
- 9.34. The site is within an area that is identified as having potential archaeological significance. The County Council Archaeologist has assessed the proposal and advised that archaeology does not represent a constraint to the scheme provided appropriate conditions are included to ensure a watching brief occurs and a written scheme of investigation are undertaken.
- 9.35. Overall, the design of the development is considered to be appropriate for the site and would not be harmful to the character and appearance of the area and would not harm heritage assets, including the Islip Conservation Area and archaeological assets. In this regard, the proposal complies with Policy ESD15 of the CLP 2015, Policy C28 of the CLP 1996 and government guidance contained within the NPPF.

### Residential amenity

- 9.36. Paragraph 135 of the NPPF states that planning decisions should create places that are safe, inclusive, and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 9.37. Policy ESD15 of the CLP 2015 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.
- 9.38. The properties most likely to be affected by the proposal are Nos. 1 and 2 St. Nicholas Close and No. 40 North Street as these are the properties that adjoin the application site. Objections have been received from neighbouring properties regarding potential impact on residential amenity and the case officer has visited No. 1 Nicholas Close. As a result of this site visit the application has been amended to address concerns regarding the relationship with these neighbouring properties.
- 9.39. Nos. 1 and 2 St. Nicholas Close would be positioned to the rear of the proposed dwellings. The gap between no. 1 and house 1 is approximately 14m away from the single storey element and 18.3m from the two storey section. No. 2 is approximately 14m away from house 2. Both properties are two storey dwellings and have the gable elevations facing the application site, however, these rooms are also served by windows on other elevations. Whilst the introduction of two storey buildings on the site are likely to impact on the view of the countryside from these windows, there is sufficient distance that the proposal would not be overbearing or result in a significant loss of outlook. Views themselves are not protected and following the amendments to reposition of the dwellings away from Middle Street, both neighbouring properties would still have a sufficient outlook when also taken account of the change in levels between the properties.
- 9.40. In terms of overlooking, the proposed development would have some views of the courtyard and garden area of Nos. 1 and 2. The area closest to the boundary is a parking/manoeuvring area and No.1 does have an area of outside space which is enclosed with mature planting. Furthermore, this area is surrounded by buildings in a courtyard formation and therefore neighbouring properties already overlook this area in closer proximity than the application site. Therefore, any limited views from the application site are not considered to be harmful in this respect.
- 9.41. With regard to overlooking of the neighbouring properties, the Council's Residential Design Guide suggests a back to back distance of 22m where windows directly align. The proposal falls short of this distance, however, the neighbouring windows in question are not the only windows serving those rooms and the tight knit layout of development in the area means that similar relationships already existing in the locality.
- 9.42. With regard to No. 40 North Street, the property has a blank gable facing the application site. There would be no impact on the outlook from this property and the development would not result in harmful overlooking.
- 9.43. It is therefore considered that the proposed development would be sited so as to prevent significant or demonstrable harm to any neighbouring residents in terms of loss of light, loss of privacy or overlooking, or the creation of an overbearing impact. Therefore, the proposal is considered to be acceptable in this regard and accords with Policy ESD15 of the CLP 2015, Policy C30 of the CLP 1996 and Government guidance contained within the NPPF.

### Accessibility, highway safety and parking

- 9.44. Policy ESD15 of the CLP 2015 states, amongst other matters, that new development proposals should: *“Be designed to deliver high quality safe...places to live and work in.” This is consistent with Paragraph 117 of the NPPF which states that: “Developments should create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles.”*
- 9.45. The development would utilise the existing vehicular access to the site. Parking is provided in the form of a car port located on the northern side of the site with a turning area to the front. The proposal includes 2 spaces for each property. The level of provision accords with the requirements set out in Oxfordshire County Council’s ‘*Parking Standards for New Developments*’ guidance.
- 9.46. It is noted that third parties have raised concerns regarding the use of the existing access and its relationship and proximity to the road junction. However, The Local Highway Authority has raised no objections to the proposal or the use of the existing access. The proposal would provide a suitable level of parking and a safe and suitable access.
- 9.47. In conclusion, the access, vehicular parking, and cycle parking provision are considered to be adequate for the development. The proposal is unlikely to cause significant detrimental impacts on the highway network and is considered acceptable in this regard.

#### Climate change and sustainability

- 9.48. Policies ESD1, ESD3 and ESD5 of the CLP 2015 set out the Council’s expectations in terms of climate change and sustainability requirements.
- 9.49. The development site is sustainably located within an existing village that has access to by public transport and has a range of local amenities. The submission states the proposal would be built in accordance with Building Regulations which ensure more sustainable methods of construction are utilised on developments.
- 9.50. Policy ESD3 of the CLP 2015 states ‘Cherwell District is in an area of water stress and as such the Council will seek a higher level of water efficiency than required in the Building Regulations, with developments achieving a limit of 110 litres/person/day’. The applicant has not provided details of water efficiency methods or rates for the development; however, it is considered that this could be appropriately secured via a planning condition.

#### Ecology impact

- 9.51. The Conservation of Habitats and Species Regulations 2017 consolidate the Conservation of Habitats and Species Regulations 2010 with subsequent amendments. The Regulations transpose European Council Directive 92/43/EEC, on the conservation of natural habitats and of wild fauna and flora (EC Habitats Directive), into national law. They also transpose elements of the EU Wild Birds Directive in England and Wales. The Regulations provide for the designation and protection of ‘European sites’, the protection of ‘European protected species’, and the adaptation of planning and other controls for the protection of European Sites.
- 9.52. Under the Regulations, competent authorities i.e. any Minister, government department, public body, or person holding public office, have a general duty, in the exercise of any of their functions, to have regard to the EC Habitats Directive and Wild Birds Directive.

- 9.53. Paragraph 187 of the NPPF states that Planning policies and decisions should contribute to and enhance the natural and local environment by (amongst others): a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils; and d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.
- 9.54. Paragraph 193 states that when determining planning applications, local planning authorities should apply the following principles: a) if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused; d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.
- 9.55. Policy ESD10 of the Cherwell Local Plan 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.
- 9.56. Natural England's Standing Advice states that an LPA only needs to ask an applicant to carry out a survey if it is likely that protected species are:
- present on or near the proposed site, such as protected bats at a proposed barn conversion affected by the development.

It also states that LPA's can also ask for:

- a scoping survey to be carried out (often called an 'extended phase 1 survey'), which is useful for assessing whether a species-specific survey is needed, in cases where it is not clear which species is present, if at all
  - an extra survey to be done, as a condition of the planning permission for outline plans or multi-phased developments, to make sure protected species are not affected at each stage (this is known as a 'condition survey')
- 9.57. The Standing Advice sets out habitats that may have the potential for protected species, and in this regard the site is on the edge of the village abutting an open rural area, there are stone walls along the boundaries of the site and the proposal involves the removal of an existing building.
- 9.58. In order for the local planning authority to discharge its legal duty under the Conservation of Habitats and Species Regulations 2017 when considering a planning application where EPS are likely or found to be present at the site or surrounding area, local planning authorities must firstly assess whether an offence under the Regulations is likely to be committed. If so, the local planning authority should then consider whether Natural England would be likely to grant a licence for the development. In so doing the authority has to consider itself whether the development meets the 3 derogation tests listed above.
- 9.59. In respect of planning applications and the Council discharging of its legal duties, case law has shown that if it is clear/ very likely that Natural England will not grant a licence then the Council should refuse planning permission; if it is likely or unclear whether Natural England will grant the licence then the Council may grant planning permission.

- 9.60. The application is supported by an Ecological Impact Assessment. The Council's Ecologist has advised the assessment is acceptable in scope and depth; there is no objection to the development subject to conditions.
- 9.61. Officers are satisfied, on the basis of the advice from the Council's Ecologist and subject to conditions, that the welfare of any European Protected Species found to be present at the site and surrounding land will continue and be safeguarded notwithstanding the proposed development and that the Council's statutory obligations in relation to protected species and habitats under the Conservation of Habitats & Species Regulations 2017, have been met and discharged.
- 9.62. It is noted that the application was submitted prior to the introduction of mandatory Biodiversity Net Gain. In accordance with the PPG Biodiversity Net Gain, the requirements are only applicable to applications made on or before the 12<sup>th</sup> February 2024, therefore the requirement is not applicable to this application.

### Flood Risk

- 9.63. Paragraph 181 of the NPPF states: *"When determining any applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in light of this assessment (and the sequential and exception test, as applicable) it can be demonstrated that:*
- a) *Within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;*
  - b) *The development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;*
  - c) *It incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;*
  - d) *Any residual risk can be safely managed;*
  - e) *Safe access and escape routes are included where appropriate, as part of an agreed emergency plan."*
- 9.64. Paragraph 182 of the NPPF States: *"Applications which could affect drainage on or around the site should incorporate sustainable drainage systems to control flow rates and reduce volumes of runoff, and which are proportionate to the nature and scale of the proposal. These should provide multifunctional benefits wherever possible, through facilitating improvements in water quality and biodiversity, as well as benefits for amenity."*
- 9.65. Policy ESD6 of the CLP 2015 requires all developments with all or part of the site located within Flood Zone 2 to submit a Flood Risk Assessment. The policy goes on to state 'Development should be safe and remain operational (where necessary) and proposals should demonstrate that surface water will be managed effectively on site and that the development will not increase flood risk elsewhere, including sewer flooding.'
- 9.66. A small strip of land (measuring approximately 20 square metres) on the eastern side of the site falls within Flood Zone 2, with the remainder of the site being in Flood Zone

1. The application has been accompanied by a Flood Risk Assessment, and it is noted all of the proposed development would be on land in Flood Zone 1.
- 9.67. The Flood Risk Assessment concludes the site is at low risk of flooding; it acknowledges that no parts of the building or the site are below the estimated flood level. There are also no perceived issues in respect of safe access/egress to the development as residents would be able to evacuate in a timely manner prior to any flooding event.
- 9.68. The Council's Local Land Drainage Officer has reviewed the submitted documents and advised the applicant has submitted the required information with regards to flood risk and raises no objection.
- 9.69. With regards to surface water drainage, the Council's Local Land Drainage Officer has advised the surface water drainage information is acceptable based on the findings of submitted soakage tests carried out on site.
- 9.70. On the basis of the submitted information and the comments of the Council's drainage officer, the proposal would not be at significant risk of flooding and would not increase the risk of flooding to surrounding areas. Therefore, the proposal complies with Policy ESD6 of the CLP 2015 and government guidance contained within the National Planning Policy Framework.

#### Other matters

- 9.71. The proposal would require the removal of some trees on the site. The Council's Arboricultural Officer has advised that the trees do not have significant value, and their removal would not be a constraint to development.

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

- 10.1. For the reasons set out above in this report, the proposal complies with the relevant Development Plan policies and guidance listed at section 8 of this report. The Council cannot currently demonstrate a 5yr Housing Land Supply and therefore paragraph 11d of the NPPF is engaged and therefore more weight should be given to the provision of additional housing.
- 10.2. The principle of infilling in a Category C village is acceptable and the site meets the test set out in paragraph 155 of the NPPF and therefore is not considered to be inappropriate development in the Green Belt. The proposal would not cause detrimental harm to the character and appearance of the area or a detrimental impact on heritage assets and would safeguard the living conditions of neighbouring residents. In addition, the proposal would not have an adverse impact upon protected species or the safe and efficient operation of the highway network.
- 10.3. It is concluded that there are no impacts that would significantly and demonstrably outweigh the benefits of providing additional housing, when assessed against the policies of the NPPF as a whole. The proposal is therefore considered to constitute sustainable development and is recommended for approval subject to conditions set out below.

## **11. RECOMMENDATION**

**GRANT PERMISSION, SUBJECT TO THE CONDITIONS SET OUT BELOW**

## CONDITIONS

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

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

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out in accordance with the application form and the following plans and documents:

- Drawing number PA-01 Rev PL1 – [Location Plan]
- Drawing number PA-04 Rev PL3 – [Proposed Block Plan]
- Drawing number PA-05 Rev PL2 – [Proposed Floor Plans]
- Drawing number PA-06 Rev PR3 – [Proposed Elevations]
- Design, Access and Heritage Statement prepared by Lynrace Studio

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. No development shall commence above slab level until a sample panel of the materials to be used in the construction of the external surfaces has been prepared on site for inspection and approved in writing by the local planning authority. The sample panel shall be at least 1 metre x 1 metre and show the proposed material, bond and pointing technique. The sample panel shall be constructed in a position that is readily accessible for viewing in good natural daylight and shall not be removed from the site until completion of the development. The development shall not be carried out other than in accordance with the approved sample 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.

4. Samples of the slates to be used in the covering of the roof of the development hereby permitted shall be submitted to and approved in writing by the local planning authority prior to commencement of those works. The development shall not be carried out other than in accordance with the samples so approved 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. No development shall commence above slab level until details of the construction, including cross sections, cill, lintel, reveal and colour/finish of the proposed windows/doors to a scale of not less than 1:10 have been submitted to and approved in writing by the local planning authority. The development shall be carried out in strict accordance with the approved details prior to the

first occupation of the dwelling(s) 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.

6. Details of all external facing materials to be used in the construction of the dormer windows hereby approved shall be submitted to and approved in writing by the local planning authority prior to commencement of any works to the roof. The development shall not be carried out other than in accordance with the approved details 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.

7. Prior to the construction of the parking and manoeuvring area of the development hereby approved, full specification details (including construction, layout, surfacing and drainage) of the parking and manoeuvring areas shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the development, the parking and manoeuvring areas including the approved carport shall be provided on the site in accordance with the approved details and shall be retained unobstructed except for the parking and manoeuvring 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 Policies ESD7 and ESD15 of the Cherwell Local Plan 2015 and Government guidance contained within the National Planning Policy Framework.

8. No development shall commence until a construction traffic management plan (CTMP) has been submitted to and approved in writing by the local planning authority. The CTMP shall include:
  - a) Details of wheel cleaning/wash facilities, to prevent mud from being carried onto the adjacent highway by vehicles.
  - b) Contact details of the Project Manager and Site Supervisor responsible for on-site works.
  - c) Details of how appropriately trained banksmen will be used for guiding vehicles and unloading.
  - d) Details of where staff and visitors to the construction site will park.
  - e) Details of times for deliveries to and the removal of materials from the site.
  - f) Layout plan of the site that shows haul roads, site storage, compound, and pedestrian routes.

The development shall then be undertaken in accordance with the approved CTMP.

Reason: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding highway network, road infrastructure and local residents, particularly at morning and afternoon peak traffic times, and in accordance with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, Policy ENV1 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the

acceptability of the scheme.

9. No development shall commence above slab level until a scheme for landscaping the site has been submitted to and approved in writing by the Local planning authority. The scheme shall include:

- Details of the proposed tree and shrub planting including their species, number, sizes, and positions, together with grass seeded/turfed areas and written specifications (including cultivation and other operations associated with plant and grass establishment i.e. depth of topsoil, mulch, etc.),
- Details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation,
- Details of the hard landscaping including hard surface areas, pavements, pedestrian areas, and steps.
- Details of all boundary treatments (existing and proposed)

The development shall be carried out in strict accordance with the approved landscaping scheme and the hard landscape elements shall be carried out prior to the first occupation or use of the development and shall be retained as such thereafter.

All planting, seeding, or turfing included in the approved details of landscaping shall be carried out 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,] and shall be maintained for a period of 5 years from the completion of the development. 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. The approved hard landscaping and boundary treatments shall be completed prior to the first occupation of the development and shall be retained as such thereafter.

Reason: To ensure that a satisfactory landscape scheme is provided in the interest of visual amenity of the area and to comply with Policies ESD13 and 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. No development shall commence until the applicant (or their agents or successors in title) has submitted to and had approved in writing by the local planning authority a programme of archaeological work consisting of a written scheme of investigation and a timetable for that work. The development shall thereafter proceed in accordance with the approved written scheme of investigation and timetable.

Reason: To secure the provision of archaeological investigation and the subsequent recording of the remains, to comply with government guidance contained within the National Planning Policy Framework.

11. Within six months of the completion of the archaeological work, carried out in accordance with the written scheme of investigation approved pursuant to condition 10, the applicant (or their agents or successors in title) shall submit to the local planning authority an archaeological archive report comprising a post-excavation assessment and analysis.

Reason: To secure the provision of archaeological investigation and the subsequent recording of the remains, to comply with government guidance contained within the National Planning Policy Framework.

12. The development shall not be carried out other than in accordance with the Flood Risk Assessment prepared by Forge Engineering Design Solutions (reference: FEDS-223039 Rev A) accompanying the application unless otherwise previously approved in writing by the local planning authority.

Reason: To protect the development and its occupants from the increased risk of flooding in accordance with Policy ESD6 of the Cherwell Local Plan 2011-2031 Part 1 and government guidance contained within the National Planning Policy Framework.

13. The development hereby permitted shall be carried out in accordance with the recommendations set out in Section 4 of the Ecological Impact Assessment by Nicholsons dated May 2023 unless otherwise agreed in writing by the local planning authority.

Reason: To protect habitats and/or species of importance to nature conservation from significant harm in accordance with government guidance contained within the National Planning Policy Framework

14. No development shall commence (including demolition, ground works, vegetation clearance) unless and until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP: Biodiversity shall include as a minimum:

- Risk assessment and mitigation of potentially damaging construction activities.
- Identification of 'Biodiversity Protection Zones'
- Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements)
- The location and timing of sensitive works to avoid harm to biodiversity features.
- The times during construction when specialist ecologists need to be present on site to oversee works.
- Responsible persons and lines of communication
- The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person
- Use of protective fences, exclusion barriers and warning signs

The approved CEMP: Biodiversity shall be adhered to and implemented throughout the construction period strictly in 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.

15. No development shall commence above slab level until a method statement for enhancing the biodiversity (including the installation of swift bricks) has been

submitted to and approved in writing by the local planning authority. The biodiversity enhancement measures approved shall be carried out prior to occupation 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.

16. The dwellings shall not be occupied until it has been constructed to ensure that it achieves a water efficiency limit of 110 litres person/day and shall continue to accord with such a limit thereafter.

Reason: In the interests of sustainability in accordance with the requirements of Policy ESD3 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

17. Notwithstanding the provisions of Schedule 2, Part 1, Classes A-D inclusive of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting or amending that order) no enlargement of any dwellinghouse shall be undertaken at any time without the grant of further specific planning permission from the local planning authority.

Reason: In order to safeguard the character and appearance of the area and to ensure that the amenities of the occupants of the neighbouring properties are not adversely affected by loss of privacy in accordance with Policy ESD15 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.

18. Notwithstanding the provisions of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting or amending that order) no building or structure shall be erected or placed within the curtilage of the dwelling hereby permitted without the grant of further specific planning permission from the local planning authority.

Reason: In order 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.

19. Notwithstanding the provisions of Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting or amending that order) no gate, fence, wall or other means of enclosure shall be erected, constructed or placed along the boundary of the site that adjoins the highway without the grant of further specific planning permission from the local planning authority.

Reason: In order 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.

20. Notwithstanding the provisions of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) Order 2015 (or any order

revoking or re-enacting or amending that order), the carports shown on the approved plans shall be retained for the parking of private motor vehicles and shall not be enclosed or converted to provide additional living accommodation without the grant of further specific planning permission from the local planning authority.

Reason: In the interests of highway safety, to ensure the provision of adequate off-street car parking and manoeuvring to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and government guidance contained within the National Planning Policy Framework.

Planning Notes

1. The applicant is advised that the demolition of the existing dwelling will require a Prior Notice being given to the Council under Section 80 of the Building Act 1984.

CASE OFFICER: Rebekah Morgan