

**Case Officer:** Iwona Gogut

**Applicant:** Cherwell District Council

**Proposal:** Insertion of 3 new windows, enlargement of fire escape door opening and insertion of glazed door with sidelights, addition of rear escape gate in courtyard and rear escape steps with handrails and associated internal changes to increase capacity

**Ward:** Banbury Hardwick

**Councillors:** Cllr Besmira Brasha, Cllr Andrew Crichton, Cllr Dr Kerrie Thornhill

**Reason for Referral:** Application affects Council's own land, and the Council is the applicant

**Expiry Date:** 4 July 2025

**Committee Date:** 03 July 2025

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

**MAIN REPORT**

**1. APPLICATION SITE AND LOCALITY**

- 1.1 The Hanwell Fields Community Centre is situated north-west of the Rotary Way roundabout, adjacent to 'The Hanwell Arms' public house and the car parking serving a number of local shops to the north-west. Hanwell Fields Community School is situated across the road to the south of the site.

**2. CONSTRAINTS**

- 2.1. There are no relevant site constraints to this application.

**3. DESCRIPTION OF PROPOSED DEVELOPMENT**

- 3.1. The applicant seeks planning permission for the proposed works comprising:
- The insertion of three new windows at ground floor level, specifically 1no window on the north-west elevation and 2no windows to the north-east elevation;
  - The enlargement of the existing fire escape door opening and insertion of glazed door with sidelights (north-west elevation);
  - The provision of rear escape gate in courtyard, along with rear escape steps with handrails; and
  - Associated internal alterations, including the creation of a community café and meeting room at ground floor level in lieu of the existing main hall, and the relocation of the main hall to first floor level.

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

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

**95/01117/OUT (PER)** Residential development, new link road, landscaping, ancillary development and new primary school site, (as amended by additional masterplan received 15/05/96 and link road plans received 27/03/97).

**05/00809/REM (PER)** Reserved Matters to Outline 95/01117/OUT: Mixed Use Local Centre comprising of up to 7 No. A1, A2 and A5 units, public house, community centre, 39 No. 1 and 2 bed flats, land identified for possible future doctors surgery, landscaping and parking. Including temporary construction access (as amended by plans received 30/06/05, 01.08.05, 24.10.05 and 11.11.05).

**08/02146/F** Replacement of first floor level windows to include opening panels.

**08/02408/F** Alteration to existing entrance canopy.

**15/00015/CLUE** Certificate of Lawful Use Existing for a photovoltaic array installation on south-west facing roof.

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

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

#### **6. RESPONSE TO PUBLICITY**

6.1. This application has been publicised by way of a site notice displayed near the site, and by 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 **01 July 2025**, although comments received after this date and before finalising this report have also been taken into account.

6.2. No comments have been raised by third parties.

#### **7. RESPONSE TO CONSULTATION**

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

7.2. BANBURY TOWN COUNCIL: No objections

7.3. BUILDING CONTROL: The proposal is subject to the Building Regulations, and will require an application to be submitted to a Building Control body.

#### **8. RELEVANT PLANNING POLICY AND GUIDANCE**

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

8.2. The Cherwell Local Plan 2011-2031 - Part 1 was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The Local Plan 2011-2031 – Part 1 replaced a

number of the 'saved' policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the development plan. The relevant planning policies of Cherwell District's statutory Development Plan are set out below:

#### CHERWELL LOCAL PLAN 2011-2031 PART 1 (CLP 2015)

- ESD15 - The Character of the Built and Historic Environment

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

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

### 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

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

- 9.2. The proposed new window openings, along with the enlargement of the existing fire escape door opening and insertion of glazed door with sidelights, would be located to the north-east and north-west side of the building and would be readily visible from the public domain.
- 9.3. However, the proposed fenestrations and door would match the designs of the existing openings on the building in terms of its size, scale, design and materials and as such would be in keeping with the established character and appearance of the building.
- 9.4. A rear escape gate, together with escape steps and handrails, is proposed to be installed in the courtyard on the eastern side of the site. These elements are intended to improve the safety and functionality of the building and are considered to be in keeping with the utilitarian character typically associated with buildings of this type and use.
- 9.5. Having regard to the above and given its scale and nature, it is not considered that the proposal would result in any adverse impact on the character or appearance of the area, are therefore acceptable in this regard, and would accord with Policies ESD15 of the CLP 2015 and C28 of the CLP 1996 in this respect, as well as the NPPF.

#### Residential amenity

- 9.6. Having regard to its nature, scale and design and distance to the neighbouring properties, it is considered that the proposed development would not adversely affect the living conditions of neighbouring properties in terms of loss of outlook, loss

of light or privacy and would therefore accord with Policy ESD15 of the CLP 2015 in this respect.

## **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 Paragraph 11 of the NPPF, planning permission should therefore be granted.

## **11. RECOMMENDATION**

**DELEGATE TO THE ASSISTANT DIRECTOR OF PLANNING AND DEVELOPMENT TO GRANT PERMISSION, SUBJECT TO THE CONDITIONS SET OUT BELOW (AND ANY NECESSARY AMENDMENTS TO THE WORDING OF THOSE CONDITIONS):**

### **Time Limit**

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

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

### **Compliance with Plans**

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the application form, Site Location Plan (dwg no 06425-101) and following approved plans and documents: 06425-106 (Proposed Elevations), Proposed Floor Plans (06425-105) and Design/Access/Planning/Ecology Statement.

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.