1. **Site Description:**
   1. The application site is comprised of a single, detached dwelling, four large agricultural buildings (two detached, the other two linked to a neighbour’s outbuildings) and other smaller structures, a horse walking area enclosed by hedges, and other hardstanding, as well as a manège to the west of the dwelling. A large area of agricultural land is also included within the blue line, i.e. the applicant’s ownership, covering broadly 440 metres in a west-east direction and 290 metres in a north-south direction and bounded to the west by the county boundary between Oxfordshire and Warwickshire. This boundary also marks the eastern edge of the Cotswolds Area of Outstanding Natural Beauty. The site is accessed from Colony Road, a classified road, to the east.
2. **Application Publicity:**
   1. No publicity required.
   2. Notwithstanding that no publicity was undertaken, online comments were received from the owner of a neighbouring property suggesting that the condition 15 Badger Check stays where it is until the applicant provides proof that all of the Badger setts on Muddle Barn Farm have not been interfered with.
   3. The comments received can be viewed in full on the Council’s website, via the online Planning Register.
3. **Details of Consent:**
4. Application 18/00793/F, for the ‘Variation of Condition 2 (plans) of 16/01563/F (Appeal reference - APP/C3105/W/17/3173098) - minor material amendments involving alterations to the design of the replacement dwelling as well as the construction of a replacement outbuilding’ at Muddle Barn Farm was approved subject to conditions on the 08/08/2018.
5. **Planning Considerations:**
6. Additional and revised information has been received during the course of the application, which unfortunately has resulted in the application going beyond its original target date, in light of the need to give due consideration to such information. An extension of the determination period was subsequently agreed with the applicant through their agent.
7. **Condition 3** requires full details of the dormers, chimneys, kneeler and coping, eaves, string and plinth including how the string returns, corner stones, ventilation slots, door cases, louvered windows and steps. The applicant has submitted drawings numbered: 5B and 6B (marked up with proposed materials, received 06/11/2018), 13, 14, 1759.125/B, 1759.126/B and ‘Jack Brunsdon’ window details. These are considered to be acceptable by the case officer in terms of detail and to ensure an acceptable appearance of the completed development.
8. **Condition 4** requires samples of all external facing materials. External facing materials were viewed on site on the 16/08/2018 and further drawings 5B and 6B marked up with proposed materials were received 06/11/2018. The applicant further provided examples where the use of similar contrasting materials being in use within the vicinity of the site. In light of the evidence submitted, officers consider the samples and details shown on the submitted plans were acceptable.
9. **Condition 5** requires the approval of a natural stone sample to be used as a benchmark for construction of the external walls of the development. An Ironstone sample was viewed on site 16/08/2018, which was considered by officers to be of appropriate materials and of an acceptable standard.
10. **Condition 6** requires full of new windows and doors. The applicant has submitted drawings numbered: 1759.125/B, 1759.126/B and 14, with further ‘Jack Brunsdon’ window details. The details submitted are considered sympathetic to the context and the overall design approach of the development.
11. **Condition 7** requires details of finished floor levels of the development. The applicant has submitted Site Plan drawing No. 20, detailing the finished floor levels set in the context of surrounding land levels. The levels shown are considered by the case officer to ensure an appropriate form of development that would safeguard the landscape character and visual amenity of the area.
12. **Condition 10** requires a BS5837 Tree survey in respect of the large mature oak trees along the drive, all trees and hedgerows within an influencing distance of the demolition and construction work. The applicants have submitted an Arboricultural Report, Impact Assessment and Method Statement prepared by ‘Nicholsons’ dated 02/09/2018. Having regard to the comments of the Council’s Arboricultural Officer, the details, recommendations and proposed Arboricultural Method detailed within this report are considered acceptable.
13. **Condition 15** requires a revised walk over badger check of the site to be undertaken prior to the commencement of the development. The applicant has submitted an ‘Update Badger Survey’ prepared by ‘BSG Ecology’, dated 03/09/2018, which includes details of further survey work carried out at the site on the 15/08/2018. Having regard to the comments of the Council’s Ecologist, the details and findings of the report are considered acceptable.
14. Whilst the comments made by the neighbour in respect of not clearing this condition are noted, it is considered that whilst there is an ongoing police investigation into alleged badger disturbance (in which the Council’s Ecologist has had some email input) to the Southern boundary of the wider site, this not directly related to the development as approved.
15. The allegations of crimes against badgers on the boundary between the two properties are now a police matter which the Council’s Ecologist has assisted within in terms of supplying clarity and information where possible, and are not considered a reason to withhold permission for the clearance of condition 15, given the acceptability of the details contained within the Update Badger Survey in relation to the proposed development site.
16. **Condition 16** requires approval of a method statement for enhancing biodiversity on site with particular reference to nesting/roosting provision for swallows and bats. The applicants submitted a ‘Biodiversity Enhancement Plan’ prepared by ‘BSG Ecology’, dated 03/09/2018. THaving regard to the comments of the Council’s Ecologist, the details and mitigation, avoidance and enhancement measures within the report are considered acceptable.
17. **Condition 18** requires full specification details of the altered access and access road and turning area. The applicant has submitted site plan drawing No. 20 which details the access, parking and manoeuvring within the site of the new dwelling parking. The access road has also been the subject of a separate application (18/01167/F) recently approved.
18. The details within this currently application and the associated application for the access road (18/01167/F) have been assessed and considered acceptable by the Local Highway Authority.

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| 1. **RECOMMENDATION**   The Local Planning Authority considered that the details submitted latterly pursuant to Conditions 3, 4, 5, 6, 7, 10, 15, 16 and 18 of planning permission 18/00793/F are acceptable, and as such it is recommended that the said condition is discharged. |

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| Case Officer: | Bob Neville | DATE: 15/11/2018 |
| Checked By: |  | DATE: |