



**Cherwell**  
DISTRICT COUNCIL  
NORTH OXFORDSHIRE

# NOTICE OF DECISION

## TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) AND PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990

### Name and Address of Agent/Applicant:

Mr David Stewart  
Stable Barn  
Acacia Cottage  
South Side  
Steeple Aston  
OX25 4RT

### Listed Building Determination

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**Date Registered:** 4th November 2019

**Proposal:** Creation of jib door and stair, and associated works to include the removal of ceiling joists

**Location:** Cedar Lodge, North Side, Steeple Aston, OX25 4SE

**Parish(es):** Steeple Aston

### REFUSAL OF PERMISSION FOR DEVELOPMENT

Cherwell District Council, as Local Planning Authority, hereby **REFUSES** to grant listed building consent for the works described in the above-mentioned application, the accompanying plans and drawings and any clarifying or amending information. **THE REASONS FOR REFUSAL ARE SET OUT IN THE ATTACHED SCHEDULE.**

Cherwell District Council  
Bodicote House  
Bodicote  
BANBURY  
OX15 4AA

David Peckford  
Assistant Director – Planning and  
Development

**Date of Decision:** 27th January 2020

**Checked by:** Paul Ihringer

## REASONS FOR REFUSAL

1. The proposed breach through the building would result in less than substantial harm to the significance of the grade II listed Cedar Lodge through the erosion of the distinction between the differing functional areas of the building. In the absence of identified public benefit to outweigh the less than substantial harm identified, the proposal is contrary to Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C18 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

## STATEMENT OF ENGAGEMENT

In accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) and paragraph 38 of the National Planning Policy Framework, Cherwell Council has given consideration to whether amendments or additional information would overcome its concerns with the application, but unfortunately it has concluded that it would not be possible to resolve those concerns within the scope and timescales of this application. Cherwell Council has resolved that the application proposals do not amount to sustainable development and consent must accordingly be refused.

The case officer's report and recommendation in respect of this application provides a detailed assessment of the merits of the application when considered against current planning policy and guidance, including consideration of the issues raised by the comments received from consultees and members of the public. This report is available to view online at: <http://www.cherwell.gov.uk/viewplanningapp>.



## NOTICE OF DECISION

### TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) AND PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990

#### NOTES TO THE APPLICANT

#### REFUSAL OF LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT

The Local Planning Authority has refused consent for the reasons set out in the schedule forming part of this notice of refusal. A further explanation of the reasons for the decision can be found in the planning officer's report, which can be viewed in Public Access via the council's web site.

If you wish to examine any of the development plans which set out the Local Planning Authority's policies and proposals for the development and use of land in its area, these are available for inspection on our website, or at the District Council offices, Bodicote House, Bodicote, during normal office hours.

#### APPEALS TO THE SECRETARY OF STATE

If you are aggrieved by the decision of the Local Planning Authority to refuse consent for the proposed works you can appeal to the First Secretary of State in accordance with Sections 20 and 21 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

If you wish to appeal, then you must do so within six months of the date of this notice. Forms can be obtained from the **Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Tel 0303 444 5000.**

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

#### PURCHASE NOTICES

If listed building consent or conservation area consent is refused, whether by the Local Planning Authority or by the First Secretary of State and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any works which have been or would be permitted, he/she may serve on the District Council a purchase notice requiring the Council to purchase his/her interest in the land in accordance with the provisions of Section 32 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

#### COMPENSATION

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused by the Secretary of State on appeal or on reference of the application to him. These circumstances are set out in the Section 27 of the Planning (Listed Buildings and Conservation Areas) Act 1990.