

Case Officer: Wayne Campbell

Recommendation:

Applicant: Bloxham School

Proposal: Extension of existing boarding house through the reinstatement of part of the existing ruined coach house, the demolition of outbuildings, the erection of an extension and link structure (with associated alterations to Stone Hill House), insertion of internal wall, and associated works

Expiry Date: 22 June 2021

Extension of Time:

1. APPLICATION SITE AND LOCALITY

- 1.1. Stone Hill House is a large 18th century house, which lies in a prominent location within Bloxham Conservation Area. The building has been associated with Bloxham School since the date of listing in 1985. Located in a residential area of Bloxham, the site has a gable end fronting Stone Hill, a narrow road situated off the Main High Street. The building is owned by of Bloxham School, an independent boarding and day school and is currently used for general staff/student accommodation with prep facilities.
- 1.2. The application building is a Grade II Listed building and is located within the designated Bloxham Conservation Area. The building is also in close proximity to a number of other listed and locally listed buildings. The building is of architectural, historic, evidential and communal significance. The building also makes a positive contribution to the character and appearance of Bloxham Conservation Area.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1. This application seeks planning permission for the extension of the existing boarding house through the reinstatement of part of the former coach house, the demolition of outbuildings, the erection of an extension and link structure (with associated alterations to Stone Hill House), insertion of internal wall, and associated works.
- 2.2. The proposed extension is positioned to the west of Stone Hill House and to the north of the remains of the coach house. The extension provides two floors of accommodation. It sits within a low point of the site (2.5-3.6m lower than the Old Park Farm Annex site to the west), protruding from the Old Park Farm annex side as a single storey structure. A doorway and steps would be present on the west side. The main point of access would be from the ground floor. The extension and works are inspired by the historic evolution of the site. The single storey link structure is proposed to allow persons to walk between parts of the building and would sit behind the existing wall.

3. RELEVANT PLANNING HISTORY

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

16/00088/LB: Internal alterations to layouts, one external window opening enlarged and adapted to form doorway and one external door opening adapted to form window. Permitted.

19/01156/LB: Internal Alterations - Removal of an internal wall and associated alterations. Permitted

20/01527/LB: Internal Alterations - formation of internal doorway, and replacement of internal door for fire regulation reasons, and associated works. Permitted

21/01476/LB: Extension of existing boarding house through the reinstatement of part of the existing ruined coach house, the demolition of outbuildings, the erection of an extension and link structure (with associated alterations to Stone Hill House), insertion of internal wall, and associated works - Pending

4. PRE-APPLICATION DISCUSSIONS

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

20/03007/PREAPP: Proposed extension and internal alterations.

Meeting took place and issues discussed. No formal response provided as applicant requested time to consider the comments made during the pre-app meeting. Application submitted without written advice provided.

5. RESPONSE TO PUBLICITY

- 5.1. This application has been publicised by way of a site notice displayed near the site, by advertisement in the local newspaper, statutory consultees 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 **14 September 2021**, although comments received after this date and before finalising this report have also been taken into account.

- 5.2. A total of 44 letters of objection were received on the initial design of the extensions / alterations to the property. The comments raised by third parties are summarised as follows:

- Adverse impact on Conservation Area and neighbouring Listed Buildings due to scale and appearance of development
- The new building is a significant addition to the profile of the site. Its height, along with the addition of a roof to the coach house will change the visual impact of the building significantly
- Design too modern and would not blend with surrounding stone buildings
- Level of demolition would harm the listed building by eroding the historic fabric
- No traffic assessment leading to parking congestion along narrow road due to loss of parking provision on site and increase pupil numbers
- Lack of communication on the applications, not aware of consultation/ knowledge of the plan for development, until the application went in and at

the AGM of the Parish council in April 2021 where it wasn't possible/appropriate for residents to comment on this one application

- Development contrary to adopted Local Plan Policy ESD 15 and saved Policy C18, C23, C 27 and C28 as well as BL5, BL9, BL10, BL11 of the Bloxham Neighbourhood Plan
- School masterplan highlights this site is not suitable for development – *“Stone Hill, Stone Hill Cottage and curtilage are an important group, prominent within the town. Quality garden spaces and associated walls limit development opportunities”*
- Masterplan of major development is not something of which villagers are aware
- Loss of light, outlook and privacy to neighbouring properties
- Increase in noise disruption due change in use of the site from amenity space to C2 (Residential institution)
- Materials would appear as highly discordant and urbanising features
- The proposal would lead to a high level of less than substantial harm to the identified designated heritage assets; harm to views has not been clearly and convincingly justified
- Overdevelopment of the site would lead to unwelcome precedent in Bloxham
- The aim within the Master Plan seems to be to try to drip feed many planning applications through over the next couple of years, need to take into account the combined plans of The School, and how bad these would be of the majority of villagers

5.3 Following revisions to the design of the extensions / alteration's neighbours were re-consulted and 24 letters of objection were received. The comments raised by third parties are summarised as follows:

- Still overdevelopment of site
- Modern building materials proposed for the new build element are not in keeping with the existing heritage/listed buildings
- Development would result in overlooking into neighbours property
- Road too narrow to cope with the additional traffic leading to pedestrian safety compromised
- Harm to Conservation Area and Listed Buildings
- Proposal would still lead to a high level of less than substantial harm to the identified designated heritage assets
- Lack of consultation on the proposal
- Noted that the extent of demolition has been reduced, but the revised proposal would still result in the irreplaceable loss of listed, historic fabric which would diminish significance rather than preserve and enhance it

- Contrary to adopted Policies ESD 15, SLE4 and saved Policies C18, C28, Neighbourhood Plan Policy BL10, BL11. BL12

5.4 The comments received can be viewed in full on the Council's website, via the online Planning Register.

6. RESPONSE TO CONSULTATION

6.1. 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.

PARISH/TOWN COUNCIL AND NEIGHBOURHOOD FORUMS

6.2. BLOXHAM PARISH COUNCIL: No objections.

6.3. BLOXHAM PARISH COUNCIL: On the revised plans no objections but if minded to approve the application the Parish requests a traffic management plan be put in place to minimise disruption to local residents.

OTHER CONSULTEES

6.4. CDC CONSERVATION: Initial comments – Objection. The general principle of the re-development on the footprint of historic buildings is acceptable, but there is considered to be a high degree of harm with the proposal for the linking structure. There are also concerns with the design and scale of the proposed development. The harm is to the fundamental plan form and separation of the principal and ancillary elements of the site, the historic fabric associated with Stone Hill House, the setting of Stone Hill House and the character and appearance of the conservation area, as well as the setting of surrounded listed buildings and local heritage assets. There is some 'heritage benefit' in relation to the proposal to re-instate the 'coach house', but this is limited due to the existing stable condition of the building (it has been reduced in height and the roof removed so there is no continuing decline) and less than sympathetic treatment of the roof and glazed panels. The public benefits relate to the educational benefits for the school.

6.5. Revised Comments – No objection. The revised proposals have reduced and minimised the harm to Stone Hill House itself as well as the conservation area and surrounding heritage assets. [Also comments on the planning balance but this is a matter for the planning officer assessment.]

6.6. OCC ARCHAEOLOGY: No objections

6.7. OCC HIGHWAYS: No objections

6.8. CDC ECOLOGY: No comments received

6.9. BBO WILDLIFE TRUST: No comments received

6.10. CDC TREE OFFICER: No objections subject to conditions.

7. RELEVANT PLANNING POLICY AND GUIDANCE

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

- 7.2. The Cherwell Local Plan 2011-2031 - Part 1 ('CLP 2015') was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The CLP 2015 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
- C18 – Development proposals affecting a listed building

BLOXHAM NEIGHBOURHOOD PLAN

- BL2 – Infill development
- BL3 – Low-carbon connectivity
- BL9 – Amenity of existing residents
- BL10 – Bloxham Conservation Area
- BL11 – Residential design

- 7.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Cherwell Residential Design Guide (2018)

8. APPRAISAL

- 8.1. The key issues for consideration in this case are:

- Principle of development
- Design, and impact on the character of the area
- Residential amenity
- Highway implications
- Ecology

PRINCIPLE

- 8.2. The application site is in education use as part of one of the many school buildings / sites around the village. Stone Hill House has been owned and used by Bloxham School since 1957. The semi-detached building is arranged over three floors, built of stone and maintains a gable end fronting Stone Hill. Adjacent to the property and within the site ownership is an archway into the site. Within the site the remains of a coach house are present adjacent to the road frontage and behind this are garage and storage type structures. Historically there was more ancillary built form to the west of Stone Hill House.
- 8.3. The need for the application is highlighted by the applicant in that one of the key 'Visions' for the school is to have a more equal balance of male and female pupils; in essence to increase the proportion of female pupils at the school over time. This is an issue as the school needs to increase the number of female students to ensure continuity in recruitment and to maintain competitiveness in the market place. The

School Masterplan has found that it is a very challenging time, with a number of factors influencing the cost pressures of running such a school – it is important for the ongoing viable running of the school to incorporate this objective in order to offer a more balanced co-educational experience. Currently only 39% of the student population are female, with the imbalance more pronounced among senior boarding pupils.

- 8.4. The applicant contends that the extension of existing boarding houses is the most sustainable and logical solution to the increased demand, rather than building a brand new boarding house that would be beyond the scale required and the cost that would be appropriate. Usually, Bloxham School operates boarding houses at around 40 pupils. This provides the right scale for effective mentoring and overseeing, whilst being of a small enough scale to complement the existing Bloxham School character. Stone Hill House presently serves 22-24 pupils (girls). This is the smallest of all the Bloxham School boarding houses. It is therefore the boarding house that would benefit most from extending, in terms of school gender mix and in terms of facility provision for boarding pupils.
- 8.5. In the context of the above, the proposed extension / alterations are required to accommodate the forecasted growth in pupil numbers – specifically girls' boarding – in the coming years. The applicant highlights that there is an essential pastoral need to ensure that the accommodation which it provides to pupils is of sufficient and appropriate quality and design to foster an enjoyable, secure and safe boarding experience. The applicant states that in order to deliver the number of bed spaces required, the extensions are designed to ensure a capacity of 40 pupils on the site overall, and dormitory accommodation is required to be split between existing and new built form. Notwithstanding this, there is a pastoral need to ensure that pupils are supervised appropriately. The applicant contends that a link would ensure that pastoral needs are met, and that the accommodation is not of a lower standard than other boarding houses provided. As such the main use of the site would be retained as part of this application. That said, and as set out to the applicant in pre-application discussions, it has not been demonstrated that the link is essential to meet the need / stated objectives.
- 8.6. Policy BSC7 of the CLP 2015 highlights that the Council will work with partners to ensure the provision of pre-school, school, community learning and other facilities which provide for education and the development of skills. Policy BSC7 stating that new schools' buildings should be located in sustainable locations. This application will provide new accommodation for outdoor education (i.e. small and supervised classes), space for administrative office functions and ancillary storage where necessary for Bloxham School. As such it is considered that the principle of the development is acceptable in terms of provision of additional / enhanced education facilities in a geographically sustainable location, though the overall acceptability of the proposals will be dependent on other considerations, especially heritage, along with amenity, ecology and highway safety.

DESIGN, AND IMPACT ON THE CHARACTER OF THE AREA AND THE SIGNIFICANCE OF HERITAGE ASSETS

- 8.7. Section 16(2) of The Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that: *In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.* Further, under Section 72(1) of the same Act the Local Planning Authority has a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area.

- 8.8. Listed Buildings and Conservation Areas are designated heritage assets, and Paragraph 190 of the NPPF states that: *Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise.*
- 8.9. Paragraph 193 of the NPPF directs 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.
- 8.10. Stone Hill House is a large 18th century house which lies in a prominent location within Bloxham Conservation Area and has been associated with Bloxham School since the date of listing in 1985. The building is of architectural, historic, evidential and communal significance and makes a positive contribution to the character and appearance of Bloxham Conservation Area.
- 8.11. With regard to the proposals as originally submitted with this application the Conservation Officer raised concerns over its design / appearance. The Conservation Officer had no in principle objection to a more modern design but it is clear that the Policy confirms that any design must *reflect or, in a contemporary design response, re-interpret local distinctiveness, including elements of construction, elevational detailing, windows and doors, building and surfacing materials, mass, scale and colour palette.*
- 8.12. The proposed development as originally submitted would have visually dominated the re-developed 'coach house'. While the width of the building had been reduced from the pre-application plans, it was still significantly more substantial than the footprint of the original buildings on the site and was based on the dimensions of the principal building rather than an ancillary building. It was also considered that the prominence of the new development was exacerbated by the position of the building at the top of Stone Hill (which is a natural consequence of the topography of the area) and the proposed materials. There were particular concerns with the proposal for a zinc roof on the re-developed 'coach house' building, which it was anticipated would be in slate, and for entirely timber clad facades (including both horizontal and vertical timber) on the new development.
- 8.13. Following a meeting with officers, the applicant's agent submitted revised proposals seeking to address the Council's concerns. The following revisions to the design were made and the scheme provided as an amendment:
- Revised roof form to rear part of the proposed extension (resulting in the proposed ridge height of the new extension being reduced by approximately 1.4m from the original proposal).
 - Reduced width of the link corridor (resulting in a greater internal courtyard space and reduced impact to Stone Hill House). This coincides with the utilisation of a former opening into Stone Hill House, rather than creating a fully new opening that would have removed historic form.
 - Retention of a greater proportion of the internal garden wall.
 - Where possible, the re-use of existing cobbles/brick setts (this had been shown on the plans submitted with the pre-app enquiry)

- Revision to the proposed roof material of the reinstated coach house. This would now feature a slate finish, rather than a standing seam zinc finish.
- Revised window to the first floor on the eastern elevation (the revised window design is slightly inset to the elevation, rather than the extruded style of window originally proposed).
- Retention of a greater proportion of boundary wall to Old Park Farm Annexe.
- Reduction to the stepped terrace area (this now solely relates to areas of emergency access requirements).
- Adjustment to the southern elevation of the coach house, to reduce the extent of glazing within the opening facing the street scene.

8.14. The reduction in the building's height has been largely or entirely achieved through an asymmetrical roof design, which is not a typical design feature in this part of the Bloxham. Nonetheless, it is considered that the reduction in height of the ridge would limit the impact of the roof to a potential glimpse from the public highway as from either side of the extension the only view would be of the roof slope. The use of zinc standing seam for the roof of the extension is considered acceptable and not in conflict with Policy ESD 15.

8.15. The removal of a large projecting 'box' style window is also welcomed as the initial design although appearing contemporary was felt to be too extreme for the simple design character of the surrounding buildings. The link walkway between the extension and Stone Hill House has also been reduced in width resulting in a greater area of the open courtyard being retained and would result in less historic fabric on the side of Stone Hill House being removed.

8.16. The use of slate for the roof of the coach house, the reduction in the amount of glazing in the access archway, and the in-fill of the access archway between the coach house and Stone Hill House with a timber door are all considered important factors/changes in minimising the harm caused to the significance of the listed building.

8.17. Overall, and on balance, and subject to conditions, the amended proposals are considered to result in minor harm to the significance of the listed building but not to an extent that would be 'less than substantial' or which would be required to be outweighed by any public benefits.

RESIDENTIAL AMENITY

8.18. Policy BL9 of the Bloxham Neighbourhood Plan confirms that all development should have regard to the amenity of the existing residents. Saved Policy ENV1 of the CLP 1996 states that the Council will seek to ensure that the amenities of the environment, and in particular the amenities of residential properties, are not unduly affected by development proposals which may cause environmental pollution. In addition to this Policy ESD15 of the CLP 2015 requires that the amenity of residential properties to be considered in the design process.

8.19. The site shares a common boundary with a number of other properties all of which are within the ownership of the applicant. The proposal would not introduce a different use into the area and would be for the benefit of the applicant in providing facilities in association with the applicant's educational provision. The proposal relates to the extension of an existing use by the applicant. The use of the property

is for residential institution purposes (boarding house) and this type of use is considered to be compatible with the other uses (residential) of Stone Hill. The proposal has very limited openings on to Stone Hill by utilising an existing opening and existing arch.

- 8.20. In terms of any additional windows / openings as the site levels are split the development will utilise the higher levels on the western side as part of the build. As such, the view from the neighbouring property of Old Park Farm, which is also owned by the applicant, would be of a single storey structure with limited windows and doors to serve the dormitory accommodation on the first floor. The impact of this in terms of any loss of privacy would be limited to a point which would not warrant a refusal in this instance.
- 8.21. With regards to the neighbouring properties on the other side of Stone Hill it is noted that there have been objections raised regarding the potential loss of privacy as a result of this development. However, there are no first-floor side windows facing these existing residential properties and the ground floor openings are mainly existing and or limited. As such the development is not considered to result in any adverse impact on the neighbouring properties in terms of loss of privacy.

HIGHWAY IMPLICATIONS

- 8.22. Paragraph 110 of the NPPF advises that in assessing specific applications for development, it should be ensured that:

- *appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;*
- *safe and suitable access to the site can be achieved for all users; and*
- *any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.*

- 8.23. Both Policies ESD15 and SLE4 of the CLP 2015 reflect the provisions and aims of the NPPF. Policy ESD15 of the CLP 2015 states that: *New development proposals should be designed to deliver high quality safe, attractive, durable and healthy places to live and work. Development of all scales should be designed to improve the quality and appearance of an area and the way it functions; whilst Policy SLE4 states that: All development where reasonable to do so, should facilitate the use of sustainable modes of transport (and) development which is not suitable for the roads that serve the development, and which have a severe traffic impact will not be supported.*

- 8.24. The local highway authority (LHA) has no objections to the proposals.

- 8.25. Concern and objections to the proposal have been raised by a number of residents regarding the implications and impact this development would have upon the highway network in this area. The reason for the objections is that Stone Hill is a relatively narrow lane and with a lack of on-site parking provision the objectors are concerned that the development would lead to traffic congestion to the detriment of highway safety. In responding to this concern, the applicant has highlighted that as the existing property operates as a satellite site and is within a walkable distance to the main part of the school campus. As such both pupils and staff already use the existing main car park for parking and for drop-off/pick-up. Therefore, in this proposal, vehicular activity would not be different and it is the school's internal policy

that parking should not occur at Stone Hill House directly, and that the existing main car park shall be used by parents/staff.

- 8.26. Notwithstanding, the concerns remain and in particular that this development would result in an increase in use of the site leading to pupils being dropped off outside the site along Stone Hill.
- 8.27. With this in mind the applicant has confirmed that *the plans identify 7 bed spaces created in the new proposed form. Though it is key also that the proposed built form would provide and enhance supporting rooms (common room, matron's room, tutor room, facilities) that in turn would enable a greater utilisation of the existing property. The increase in pupils could therefore be around 12 pupils. In terms of staff, in the application site only, the proposals would create the opportunity (& economic benefit) for around 2 jobs.*
- 8.28. Officers queried the LHA's lack of objection; the LHA confirmed it continued to have no objection to the proposal from a highway safety point of view. As such it is concluded that there are no highway reasons to warrant a refusal of permission.

ECOLOGY

Legislative context

- 8.29. 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.
- 8.30. 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.
- 8.31. The Regulations provide for the control of potentially damaging operations, whereby consent from the country agency may only be granted once it has been shown through appropriate assessment that the proposed operation will not adversely affect the integrity of the site. In instances where damage could occur, the appropriate Minister may, if necessary, make special nature conservation orders, prohibiting any person from carrying out the operation. However, an operation may proceed where it is or forms part of a plan or project with no alternative solutions, which must be carried out for reasons of overriding public interest.
- 8.32. The Regulations make it an offence (subject to exceptions) to deliberately capture, kill, disturb, or trade in the animals listed in Schedule 2, or pick, collect, cut, uproot, destroy, or trade in the plants listed in Schedule 4. However, these actions can be made lawful through the granting of licenses by the appropriate authorities by meeting the requirements of the 3 strict legal derogation tests:
- a. Is the development needed to preserve public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment?

- b. That there is no satisfactory alternative.
- c. That the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

8.33. The Regulations require competent authorities to consider or review planning permission, applied for or granted, affecting a European site, and, subject to certain exceptions, restrict or revoke permission where the integrity of the site would be adversely affected. Equivalent consideration and review provisions are made with respects to highways and roads, electricity, pipelines, transport and works, and environmental controls (including discharge consents under water pollution legislation).

Policy Context

- 8.34. Paragraph 174 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.
- 8.35. Paragraph 180 states that when determining planning applications, local planning authorities (LPAs) 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.
- 8.36. Paragraph 185 of the NPPF states that planning decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should (amongst others) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.
- 8.37. 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.
- 8.38. Policy ESD11 is concerned with Conservation Target Areas (CTAs), and requires all development proposals within or adjacent CTAs to be accompanied by a biodiversity survey and a report identifying constraints and opportunities for biodiversity enhancement.
- 8.39. These policies are both supported by national policy in the NPPF and also, under Regulation 43 of Conservation of Habitats & Species Regulations 2017, it is a criminal offence to damage or destroy a breeding site or resting place, unless a licence is in place.

- 8.40. The Planning Practice Guidance dated 2014 post-dates the previous Government Circular on Biodiversity and Geological Conservation (ODPM Circular 06/2005), although this remains extant. The PPG states that LPAs should only require ecological surveys where clearly justified, for example if there is a reasonable likelihood of a protected species being present and affected by development. Assessments should be proportionate to the nature and scale of development proposed and the likely impact on biodiversity.

Assessment

- 8.41. Natural England's Standing Advice states that an LPA only needs to ask an applicant to carry out a survey if it's likely that protected species are:

- a. present on or near the proposed site, such as protected bats at a proposed barn conversion affected by the development

It also states that LPAs can also ask for:

- b. 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's not clear which species is present, if at all
 - c. 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 aren't affected at each stage (this is known as a 'condition survey')
- 8.42. The Standing Advice sets out habitats that may have the potential for protected species, and in this regard the site is mainly of built form with limited spaces / habitat opportunities. The application is supported by a detailed ecology assessment of the site which assessed for bats, amphibians and birds. The assessment confirms that although the proposal will may result in the loss of amenity grassland, hard-standing and some trees and ornamental planting. This is not considered to result in any significant ecological impacts. Furthermore, it is also noted that the removal of woody vegetation during the bird nesting period may result in disturbance, destruction of nests and killing and injury of young and eggs and as such it is recommended that habitat enhancement is made through planting of native flora and ornamentals of known value to wildlife. It is also recommended that habitat creation and species-specific enhancements are provided as part of the development in the form of bird boxes.
- 8.43. Officers are satisfied, on the basis of the advice from the Council's Ecologist and the absence of any objection from Natural England, 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. PLANNING BALANCE AND CONCLUSION

- 9.1. The applicant provides a valuable and essential service in the area in the form of an educational facility. Officers acknowledge the applicant's need to provide adequate school facilities to continue this service. The proposal would allow the applicant to provide enhanced facilities (rather than additional facilities) to serve the school, and the service it provides.

- 9.2. It is considered that the essential need for a link between the main building and the coach house has not been demonstrated, but that the revised proposals minimise its impact on the significance of the heritage asset, and that the early 19th century maps showed some form of link here, and it is considered on balance and subject to conditions that the proposed extension would not result in a level of harm to the significance of the listed building that could be described as 'less than substantial'.
- 9.3. The proposals are considered acceptable in highway safety terms, and would avoid harm to the living conditions of neighbouring residents in the vicinity, either through a loss of privacy, outlook or light.
- 9.4. For the above reasons it is considered that the development represents a sustainable development, and that permission should be approved.

10. RECOMMENDATION

That permission is granted, subject to the following conditions

1. The development hereby permitted shall be begun before the expiration of three years from 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. The development shall not be carried out otherwise than in complete accordance with the approved plans 20-050-27 105A, received 26/04/2021, plan 20-050-27 205 received 27/04/2021 and amended plans reference 20-050-27 201C, 20-050-27 202E, 20-050-27 203E, 20-050-27 204C, 20-050-27 206C, 20-050-27 207C, and 20-050-27 208C received 26/08/2021, and plan reference 20-050-27 209A received 27/09/2021 Heritage Statement dated April 2021 by HCUK Group received 26/04/2021 and Heritage Addendum by HCUK Group received 26/08/2021, Preliminary Ecological Appraisal by Windrush Ecology dated March 2021 and received 26/04/2021 unless a non-material or minor material amendment is approved by the Local Planning Authority under the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

Reason : To clarify the permission and for the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and to safeguard the character and appearance of the area and the significance of heritage assets and to accord with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance in the National Planning Policy Framework.

3. No development shall commence in respect of the roof of the Coach House unless and until samples of the slates (including ridge tiles) to be used in the covering of the roof of the Coach House have been submitted to and approved in writing by the Local Planning Authority. 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 ensure that the materials are appropriate to the appearance of the locality and to ensure the satisfactory appearance of the completed development and to safeguard the significance of heritage assets and in accordance with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policies C18 and C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

4. No development shall commence above slab level unless and until a schedule of the

timber cladding including colour / staining to be used on the external walls of the building has been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details and shall be retained as such thereafter.

Reason : To ensure that the materials are appropriate to the appearance of the locality and to ensure the satisfactory appearance of the completed development and to safeguard the significance of heritage assets and in accordance with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policies C18 and C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

5. Notwithstanding the details submitted, no development shall commence above slab level unless and until full details of the rooflights, doors and windows as applicable at a scale of 1:20 including a cross section, cill, lintel and recess detail and colour/finish and details of all gutters and downpipes have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in strict accordance with the approved details and shall be retained as such thereafter.

Reason - To safeguard the character and appearance of the area and the significance of heritage assets and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

6. No development shall commence above slab level unless and until full details of the siting, appearance and colour of any electricity or gas supply meter housings to be located on the external elevations of the buildings have been submitted to and approved by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details and shall be retained as such thereafter.

Reason : To preserve the character and appearance of the conservation area in accordance with ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policies C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

7. The natural stone to be used on the walls of the coach house and areas of existing walls made good shall be of the same type, texture, colour and appearance as the stone on the existing building and shall be laid dressed, coursed and pointed to match that of the existing building.

Reason : To ensure that the development is constructed and finished in materials which are in harmony with the materials used on the existing building and to safeguard the significance of heritage assets and to comply 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.

8. No mortar shall be used in the stonework hereby approved other than lime mortar, and no gauging cement shall be used.

Reason - To safeguard the character and appearance of the area and the significance of heritage assets and to comply with Government advice on conserving and enhancing the historic environment contained within the National Planning Policy Framework and Policy ESD15 of the Cherwell Local Plan 2011-

2031 Part 1 and saved Policy C28 of the Cherwell Local Plan 1996.

9. No retained tree shall be cut down, uprooted, damaged or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plan 35-SHH-DRW-TRP 01 received 27/09/2021 and the Arboricultural report by Tree Frontiers received 27/04/2021, without the prior written approval of the Local Planning Authority. All tree works shall be carried out in accordance with BS3998: Recommendations for Tree Works. If any retained tree is cut down, uprooted, destroyed or dies, another tree shall be planted in the same place in the next planting season following the removal of that tree, full details of which shall be firstly submitted to and approved in writing by the Local Planning Authority.

In this condition a "retained tree" is an existing tree which shall be retained in accordance with the approved plans and particulars; and shall have effect until the expiration of five years from the date of this planning permission.

Reason: To ensure the continued health of retained trees/hedges and to ensure that they are not adversely affected by the construction works, in the interests of the visual amenity of the area, to ensure the integration of the development into the existing landscape and to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policies C18 and C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

10. The development hereby permitted shall not be carried out other than in accordance with the recommendations set out in Preliminary Ecological Appraisal of the Proposed Extension to Stonehill House by Windrush Ecology Limited dated 29 March 2021 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 Policy ESD10 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework..

11. No construction work including site clearance and delivery of materials shall be carried out except between the hours of 08.00 to 18.00 Monday to Friday and 08.00 to 13.00 on Saturdays and at no times on Sundays, Bank and Public Holidays.

Reason : In order to protect the amenities of occupiers of nearby properties from noise outside normal working hours and to comply with Saved Policy ENV1 of the Cherwell Local Plan 1996

12. The living accommodation hereby approved shall be occupied solely in conjunction with and ancillary to Bloxham School and shall not be sold, leased or occupied as a separate unit of accommodation.

Reason : This consent is only granted in view of the special circumstances and needs of the applicant, which are sufficient to justify overriding the normal planning policy considerations which would normally lead to a refusal of planning consent, and in the interests of the significance of heritage assets and in accordance with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

Case Officer: Wayne Campbell

DATE: 03/11/2021

Checked By: Nathanael Stock

DATE: 05.11.2021
