

16 May 2022  
L 220516 NS RB Covering letter and Addendum Planning Statement FINAL



W. Campbell  
Planning Department  
Cherwell District Council  
Bodicote House,  
White Post Road,  
Bodicote,  
Banbury,  
OX15 4AA

Neville Surtees  
E: [neville.surtees@savills.com](mailto:neville.surtees@savills.com)  
DL: +44 (0) 1865 269 151

Wytham Court  
11 West Way  
Oxford OX2 0QL  
T: +44 (0) 1865 269 000  
F: +44 (0) 1865 269 001  
[savills.com](http://savills.com)

Dear Mr Campbell

**Section 73 Town and Country Planning Act 1990**  
**Application to Vary Conditions 2 and 4 and Remove Condition 8 of Full Planning Permission Ref. 21/02366/F relating to land at Wincote, Cow Lane, Steeple Aston, OX25 4SG**  
**On behalf of Mr. Henry Squire**  
**Planning Portal Reference: PP-11254666**

Savills is instructed by Mr. Henry Squire to submit a Section 73 application to vary Conditions 2 and 4, and to remove Condition 8 of the full planning permission which was granted by the Local Planning Authority on 29<sup>th</sup> October 2021 (CDC Ref. 21/02366/F). This permission relates to land north of Cow Lane, Steeple Aston and the property known as 'Wincote'.

### **Contents of the S73 Application**

This application is accompanied by the following technical inputs:

- Completed application forms.
- Addendum Planning Statement (see below).
- Design and Access Statement Addendum (May 2022) (Squire and Partners).
- Architectural plans, relating to the changes proposed to Wincote which are specified in this application (see attached drawing schedule by Squire and Partners).

In addition, to set the context and for information to assist the determination of this application, the following plans and reports - which were approved by CDC as part of the determination of the full planning application and NMA applications - are also submitted:

- Ecology Survey and Report (Ref. 6193 EcoAp vf/EG/RL/DS) (Aspect Ecology).
- Arboricultural Impact Assessment (Ref. 10897\_AIA.001 Rev A) (Aspect Arboriculture)
- Construction Traffic Management Plan (Ref. 26322-08-CTMP-01 REV A) (M-EC)
- Architectural plans (see attached drawing schedule by Squire and Partners).
- Topographical survey plans and measured building survey plans (see attached drawing schedule by ME-C).
- Design and Access Statement (July 2021) (Squire and Partners).

All documents have been uploaded via the Planning Portal system. The relevant planning application fee has also been arranged, with the requisite amount paid to Planning Portal as per the updated application guidelines.

Offices and associates throughout the Americas, Europe, Asia Pacific, Africa and the Middle East.

Savills (UK) Limited. Chartered Surveyors. Regulated by RICS.

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## ADDENDUM PLANNING STATEMENT

### 1.0 Background

#### 1.1 Full Planning Permission

The proposed development of Wincote which is the subject of the full planning permission is described in the decision notice as follows:

*“Demolition of the existing dwellinghouse and the erection of a replacement dwellinghouse”.*

With regard to the conditions of the full planning permission which the applicant requires variation, the following is noted:

Condition 2 states that:

*“The development shall not be carried out otherwise than in complete accordance with the approved plans reference 20064 Sqp Zz Zz Dr A PL121 Rev P1, 20064 Sqp Zz 01 Dr A PL123 Rev P1, 20064 Sqp Zz Rf Dr A PL 124 Rev P1, 20064 Sqp Zz Zz Dr A PL220 Rev P1, 20064 Sqp Zz Zz Dr A PL 221 Rev P1, 20064 Sqp Zz Zz Dr A PL002 Rev P1, 20064 Sqp Zz Zz Dr A PL320 Rev P1, 20064 Sqp Zz Zz Dr A PL321 Rev P1, 20064 Sqp Zz Zz Dr A PL001 Rev P1, received 08/07/2021 and plan reference 20064 Sqp ZZ 00 Dr A PL122 Rev P2 received 23/07/2021 and Ecological Appraisal by Aspect Ecology dated 30/06/2021, Arboricultural Impact Assessment by Aspect Arboriculture dated 01/07/2021, Construction Traffic Management Plan by Mewies Engineering Consultants dated July 2021, received 08/07/2021 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.”*

Condition 4 states that:

*“No development shall commence above slab level unless and until a stone sample panel (minimum 1m2 in size) has been constructed on site in natural ironstone to match the stonework on the existing building and has been inspected and approved in writing by the Local Planning Authority. The sample panel shall be constructed in a position that is protected and readily accessible for viewing in good natural daylight from a distance of 3 metres. The panel shall be retained on site for the duration of the construction contract. The external walls of the development shall be laid, dressed, coursed and pointed in strict accordance with the approved stone sample panel and shall be retained as such thereafter.”*

*“Reason - To ensure that the development is constructed and finished in materials which are in harmony with the building materials used in the locality and 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, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.”*

Condition 8 states that:

*“Prior to the commencement of any works a plan detailing the proposed parking provision for construction workers vehicles to be accommodated within the site (including details of the proposed surfacing and drainage of the provision) shall be submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be laid out and maintained as such during the construction period. Within a period not more than 6 months following the completion of the dwelling the access road/parking/turning areas used in association with the construction of the dwelling shall be*

*removed and the land made good in accordance with a landscaping scheme which shall have first been submitted and approved in the writing by the local planning authority.*

*Reason: In the interests of highway safety, to ensure the provision of adequate off-street parking/turning/unloading of construction vehicles and to safeguard the character and appearance of the Conservation Area and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance in Section 12 of the National Planning Policy Framework.”*

## **1.2 Non-Material Amendment**

Savills also note that the full planning permission has also been the subject of a non-material amendment (NMA) which was approved on 21<sup>st</sup> December 2021. The description of that NMA is as follows:

*“1. A replacement basement, which is to be built in the same location as the existing basement; 2. A bat enclosure, which is to be provided on the western side of the proposed new home (proposed as non-material amendments to 21/02366/F).”*

## **1.3 Proposed Discharge of Condition 8**

Savills has also submitted an application to discharge Condition 8 which relates to proposed parking provision for construction workers. This application was submitted on 7<sup>th</sup> April 2022. Receipt of the application was issued by CDC on 13<sup>th</sup> April 2022. The target decision date which is stated on the CDC website is 2<sup>nd</sup> June 2022.

## **2.0 Description of the Proposals**

### **2.1 Limestone Stonework**

This application seeks a variation of Condition 4 in order to enable the applicant to construct his new home using limestone stonework, rather than with natural ironstone (which is currently prescribed by the condition). In particular, to use a mixture of cream and grey limestone.

The details of this proposed change to the stonework are set out in the Design and Access Statement Addendum. Illustrative CGIs are also provided in the DAS Addendum to show how the proposed change of stonework to cream and grey limestone would look. An alternative option which comprises predominantly limestone with a random mix of ironstone is also shown in the event that a compromise solution is required.

The DAS Addendum which is submitted with this application also explains why the applicant's choice of material is appropriate, particularly when set in the context of the wider village and its Conservation Area.

In essence, the DAS Addendum notes that the Conservation Area is characterised by limestone buildings that are creamy and grey in nature and that this mixture sits very well within the Conservation Area. Although the existing building (Wincote) is ironstone, given that the new building will be increased in size it is felt that using ironstone would lead to an over dominant and heavy form and be out of keeping with the large stone elements in the village. For example, where there are long runs of stone in the village they tend to be lighter in character. Where it is used, ironstone tends to be on small individual buildings or as part of a random selection of stones within a limestone base.

### **2.2 Other Changes**

Other changes are also proposed to the proposed development. These proposals are described in detail in the Design and Access Statement Addendum and on the accompanying plans drawn by the architect, and are also summarised below:

- Porch added to the entrance as part of design development.
- Stone copings added to the gable ends to create a more robust detail.

- Ground floor bathroom in the west wing has split into a shower room and en-suite for a more effective use of the space.
- Extractor fan added to the north façade of the utility room as required under the building regulations.
- Secret stair added for better connectivity between ground and first floor master bedroom.
- Hard landscaping increased to maintain the consented access widths around the barn.
- Barn increased in length by 1m to accommodate the detailed design of the fireplace and chimney without having a detrimental impact on the consented living spaces.
- Width of the barn terrace has increased by 800mm to accommodate a stair, ensuring that connection to the east area of the garden is retained.
- Layout of spaces along the east wing ground floor corridor have been revised to provide increased storage, better connectivity to the first floor master bedroom and a more usable living space.
- Entrance hall WC moved to under the stairs to improve entrance accessibility and efficiency of the space.
- Window on north façade of snug has moved to suit the revised layout.
- Windows to the north and east facades to match style of the rest of the property.
- Bedroom windows above the entrance hall have been moved to sit centrally to the bedroom, windows at ground have also moved to maintain the alignment.
- Windows of the ground floor en-suite have enlarged for improved natural light into the space.
- Windows on the east façade of the master bedroom have shifted positions to better suit the developed bedroom layout.

For completeness it is also proposed that the changes which are covered by the approved NMA relating to the replacement basement and bat enclosure; and also the proposed location of the construction workers parking area (which is the subject of a live application) are also included in this S73 application.

### 3.0 Planning Assessment

This Planning Assessment should be read with the DAS Addendum, and with the Design and Access Statement and Planning which were submitted with the full planning application.

#### 3.1 Limestone Stonework

##### 3.1.1 Planning Statement – Full Planning Application

In Sections 6 and 7 of the Planning Statement which was submitted with the full planning application consideration was given to the design and appearance of the proposed development and also the impact on heritage assets. The Planning Statement is re-submitted with this application and includes text relating to the following:

- Relevant planning policies and guidance (Paragraphs 6.1 to 6.19).
- The impact of the proposed development on heritage assets (including the Steeple Aston Conservation Area and Listed Buildings (Paragraphs 7.14 to 7.24).
- The design of the new home (Paragraph 7.25 to 7.29).

Our assessment of the proposals which formed part of the full planning application and which was based on the proposal that “walls will be constructed offaced in limestone” (see Paragraph 5.7 of the Planning Statement) remains the same. Key points from the Planning Statement are restated below:

Paragraph 6.19 the Planning Statement concluded that:

*“The proposed development has been designed by the Applicant to respond in a positive manner to the relevant national and local policies and guidance which seek to achieve a high quality of design. The proposed development also takes into consideration the strict requirements placed upon the design and location of new development within Conservation Areas and in close proximity to Listed Buildings.”*

In the Planning Assessment, the Planning Statement considered at Paragraph 7.19 that:

*“Based on the current development proposals, we consider that the proposed layout and design of the new building and landscaping proposals will conserve and enhance the Conservation Area. The choice of materials and architectural styles will complement the design and layout of the existing residential properties and spaces in the vicinity of the site.”*

Based on an assessment of the relevant planning policies and guidance relating to heritage, the Planning Assessment concluded at Paragraph 7.22 of the Planning Statement that:

*“Overall, we consider that the proposal will comprise high quality design that complements its setting, and will contribute positively to the wider character of the Conservation Area.”*

In addition, at Paragraph 7.23 the Planning Statement it was concluded that “... the scale and design of the replacement for the original cottage represents an improvement in visual appearance”. At Paragraph 7.24 it was also concluded that “we do not consider that the proposed development will significantly adversely affect the setting of the closest listed buildings”.

### 3.1.2 Previous Officer’s Delegated Report

Matters relating to heritage were considered in the determination of the full planning application and the Officer’s Delegated Report (October 2021) addressed matters relating to design and impact on the character of the area and on heritage assets.

In Section 7 of the Delegated Report, we note that the following positive comments were made in relation to the design and impact of the proposed development on the character of the area and on heritage assets:

*“As advised by the Conservation Officer, the existing dwelling may be considered a non-designated heritage asset, although it is noted the dwelling is not highlighted in the Conservation Area appraisal as being one of the buildings which makes a positive contribution...” (our emphasis) (13th Paragraph)*

*“Given he [sic] location of the dwelling, its relative lack of visibility, and the issues highlighted by the applicant, in terms of light, layout and build standards, it is considered on balance that its demolition would not result in harm to the conservation area such that would warrant refusal of the application and given that the building is not a listed building it is afforded no special protection of itself.” (our emphasis) (14th Paragraph)*

*“The proposed dwelling would not be clearly visible from the public highway and relative to the existing dwelling is not considered to result in demonstrable harm to the character or appearance of the Conservation Area.” (15th Paragraph)*

We consider that the above comments support the arguments made in the DAS Addendum that the choice of stonework which is proposed in this S73 application will not result in harm to the Conservation Area.

With regard to the Officer’s assessment in the Delegated Report of the proposed change in main material (see 16th and 17th Paragraphs of Section 7), the following comments are disputed by the applicant:

Officer Comment: *“Notwithstanding the issue over the increase in scale of the new build compared to that of the old, the change in main material is of a concern. As highlighted above the main material of the existing build is of natural ironstone which has a distinctive character and appearance, while limestone has a different, lighter appearance.”*

Applicant’s Response: Whilst it is noted that natural ironstone has a ‘distinctive character and appearance’, so does buildings faced in limestone. The DAS Addendum illustrates that Steeple

Aston is characterised by having a significant number of buildings comprising limestone, which in turn makes Steeple Aston distinctive.

Officer Comment: *“Although the village has a mix of ironstone and limestone, as outlined above the existing building is recognised as a non-designated asset and makes a positive contribution towards the character of the conservation area.”*

Applicant’s Response: It is acknowledged that the existing building is a non-designated asset. This point has been taken into consideration by the architect when drawing up the proposals for his new home.

However, we consider that the Officer’s comment that the existing building makes a positive contribution towards the character of the conservation area is at odds with the findings of the Conservation Area Appraisal. That Appraisal concluded that this dwelling is not identified as a building which makes a positive contribution. We also note from other comments made in the Delegated Report that the dwelling is not considered to be particularly visible. Accordingly, we consider that it is not necessary to replicate a predominantly ironstone faced building in this location because a limestone faced dwelling built here would not materially affect its visual contribution to the Conservation Area.

Officer Comment: *“The acceptability of the replacement dwelling in natural ironstone is an on balance decision; if it were replaced in a limestone dwelling then the view of the local planning authority is that the demolition of the existing dwelling would not be justified and there would be insufficient reminder of the original dwelling in the development.”*

Applicant’s Response: As stated in the DAS Addendum, the architectural treatment of the proposed new home has taken as its lead the desire of the applicant to leave a reminder to future generations of the original Wincote dwelling. These ‘reminders’ include replicating the height of the existing house, maintaining the same window proportions and utilising the existing footprint. The design is particularly sensitive to the original cottage and will replicate the chimney and aperture locations. The stonework will also be constructed with a traditional cottage aesthetic.

In addition, and as noted in this Statement and in the DAS Addendum, the building of a limestone faced replacement dwelling at Wincote is suitably justified because it is characteristic of other homes in Steeple Aston and is not out-of-keeping for its surroundings within the Conservation Area.

Officer Comment: *“As such, although on balance the loss of the existing building is considered acceptable, this is based on the use of ironstone to minimise the change in and harm to the character of this part of the Conservation Area.”*

Applicant’s Response: Based on the arguments provided in this S73 application submission, we consider that, on balance, a limestone faced new home is acceptable in this location. Furthermore, with the prevalence of limestone faced buildings in Steeple Aston, it is considered that the applicant’s choice of materials for Wincote will not result in a noticeable or harmful change in the character of the Conservation Area.

In terms of the Planning Balance, we consider that the proposed development accords with the relevant national and local planning policies relating to heritage (as set out in the original Planning Statement). The change in material from ironstone to limestone would not adversely affect the visual amenity of the locality and, notwithstanding the objection from the Conservation Officer, and the proposed development would preserve the character and appearance of the Conservation Area.

Accordingly, we consider that the variation of Condition 4 (as outlined below) should be approved.

### 3.2 Other Changes

The DAS Addendum identifies the proposed changes to Wincote, including to the north elevation, entrance, footprint of the barn building, windows, west wing bathroom, entrance hall WC, east wing ground floor corridor and gable end roof. The Addendum also explains why the applicant has taken the decision to make these changes.

We consider that the nature and scale of the changes proposed are non-material when compared against the current approved development, i.e. both when considered individually and collectively.

As explained in the DAS Addendum, the proposed changes are intended for various reasons, including: to ensure that certain features better match the rest of the new home or are more sympathetic in nature from a visual perspective; to ensure that the use of the new home is more efficient; and to meet building regulations.

Accordingly, we consider that the variation of Condition 2 (as outlined below) should be approved.

### 4.0 Request

#### 4.1 Condition 4

We request that Condition 4 is varied to state the following:

“4. No development shall commence above slab level unless and until a stone sample panel (minimum 1m<sup>2</sup> in size) has been constructed on site in *limestone natural ironstone* to match the stonework on ~~the~~ *existing buildings in the immediate locality* and has been inspected and approved in writing by the Local Planning Authority. The sample panel shall be constructed in a position that is protected and readily accessible for viewing in good natural daylight from a distance of 3 metres. The panel shall be retained on site for the duration of the construction contract. The external walls of the development shall be laid, dressed, coursed and pointed in strict accordance with the approved stone sample panel and shall be retained as such thereafter.”

[Note: New text is shown in bold, underlined and in italics. Deleted text is struck through.]

No changes to the associated ‘Reason’ are requested.

#### 4.2 Condition 2

We request that the list of plans referred to in Condition 2 is amended to include the following plans which show the proposed non-material amendments:

- 20064-SQP-ZZ-00-DR-A-PL122 - P4
- 20064-SQP-ZZ-01-DR-A-PL123 - P3
- 20064-SQP-ZZ-RF-DR-A-PL124 - P3
- 20064-SQP-ZZ-ZZ-DR-A-PL220 - P3
- 20064-SQP-ZZ-ZZ-DR-A-PL221 - P3
- 20064-SQP-ZZ-ZZ-DR-A-PL320 - P3
- 20064-SQP-ZZ-ZZ-DR-A-PL321 - P2

#### 4.3 Additional Change to Condition 2: Replacement Basement and Bat Enclosure

For completeness, it is requested that Condition 2 is amended further by including references to additional changes are made to the full planning permission in order to take into account of the approved NMA relating to

the replacement basement and the bat enclosure (CDC Ref. 21/04010/NMA). This is shown on the following plan and should be referenced in an amended Condition 2.

- 20064-SQP-ZZ-B1-DR-A-PL125 Rev P1.

#### **4.4 Additional Change to Condition 2 and Removal of Condition 8: Proposed Construction Worker Parking Area**

It is also requested that the plan which was recently submitted to CDC in order to discharge Condition 8 of the full planning permission (CDC Ref. 22/01054/DISC) is also included in the list of plans which is included in Condition 2 of the full planning permission, namely:

- 20064-SQP-ZZ-ZZ-DR-A-PL131 Rev P1.

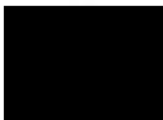
Note: The following approved plans which are shown on the Squire & Partners drawing register, and which remain unchanged, should also remain listed in Condition 2:

- 20064-SQP-ZZ-ZZ-DR-A-PL001 – P1
- 20064-SQP-ZZ-ZZ-DR-A-PL002 – P1
- 20064-SQP-ZZ-ZZ-DR-A-PL121 – P1

Subject to the acceptance of this plan by the LPA, it is also requested that Condition 8 of the full planning permission is removed.

We trust the above provides sufficient information for the application to be validated by the LPA and for you to be able to consider this application favourably. Should you require any further information or would like to discuss the application in more detail please do get in touch.

Yours sincerely



**Neville Surtees**  
Associate Planner

Encs.