

**Mawles Farmhouse, Main Street, Sibford Gower,  
Banbury, OX15 5RW**

**22/02908/F**

**Case Officer:** Daisy Kay-Taylor

**Recommendation:** Approve

**Applicant:** Ian O'Brien Studio Ltd

**Proposal:** Creation of a pedestrian gate within existing boundary wall and associated partial demolition (to form door opening) and hard landscaping

**Expiry Date:** 07 December 2022

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## 1. Relevant Features of the Site

The application relates to a section of the existing rubblestone boundary wall to Mawles Farmhouse, located on the north side of Main Street within the built form of Sibford Gower. The site is bounded by residential neighbours to the east, west and south and by agricultural land to the north.

The site formed part of the old Mawles Farm at the crossroads of Main Street (east-west), Colony Road (south) and Pound Land (west), one of the four distinct areas of the settlement, which is characterised by a sense of enclosure created by rubblestone walls without significant openings set at the back of pavements along the relatively narrow roads. The wall in its present form is thought to have been rebuilt some time after 1922.

Mawles Farmhouse is not a listed building but is noted as a non-designated heritage asset and lies within the designated Sibford Gower with Burdrop Conservation Area. The site lies in close proximity to a number of listed buildings, including the Grade II listed Carter's Yard and Gower's Close across Main Street to the south. The site is located in an archaeological alert area and is a noted hotspot for swifts and naturally elevated levels of arsenic. No public rights of way would be directly affected.

## 2. Description of Proposed Development

The application seeks planning permission for the creation of a pedestrian gate within the existing boundary wall and associated partial demolition (to form a door opening) and associated hard landscaping.

The proposed new pedestrian gate would have a painted hardwood door with a ledged and braced frame with full-height vertical boarding on the outer face. Scaling off the supplied drawings it would measure approx. 1.3m (w) x 2.3m (h) including lintel.

The repaired areas of the wall would be ironstone rubble with lime mortar pointing and lime mortar hogback capping to match that of the existing wall.

### **3. Relevant Planning History and Pre-Application Discussions**

The following Planning History and Pre-Application discussions are considered relevant to the current proposal.

**21/02409/F** Variation of condition 2 (plans) of 20/02545/F - substitute the revised drawings, with minor material amendments to the consented scheme relating to adapting the internal layout of the main barns, amendments to landscape taking account of a prior approval permission to demolish a small, freestanding brick building under permitted development rights (not actioned yet). Permitted 04 November 2021

**20/02545/F** Conversion of existing barns to create 1 new dwelling, demolition of existing steel barn, erection of replacement ancillary outbuilding and associated works. Permitted 24 November 2020

**20/01946/CLUP** Certificate of Lawfulness of Proposed Development for the demolition of an existing lean-to extension at the rear of the house and re-introduction of window openings on the original building line. Permitted 15 September 2020

**19/02700/F** Conversion of existing stone/brick barns to 1 no dwelling and conversion of existing steel pole barn to 1 no dwelling. Associated works including landscaping and new access. Refused 03 April 2020

No pre-planning discussions have taken place.

### **4. Response to Publicity**

This application has been publicised by way of a Site Notice displayed near the site, expiring **02 November 2022**, by advertisement in the local newspaper expiring **27 October 2022** and by letters sent to properties adjoining the application site that the Council has been able to identify from its records. The overall final date for comments was **2 November 2022**.

No comments have been raised by third parties

### **5. Response to Consultation**

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.

- **Sibford Gower Parish Council:** no objection
- **OCC Archaeology:** no objection
- **CDC Ecology:** no comments or objections received

- **Rights of Way Officer:** no objection
- **Local Highways Authority OCC:** no objection
- **CDC Conservation:** no objection subject to conditions relating to materials, design and method statement

## 6. Relevant Policy and Guidance

Cherwell Local Plan 2011-2031 Part 1 - (CLP 2015)

- **ESD15 - The Character of the Built and Historic Environment.**  
New development will be expected to complement and enhance the character of its context through sensitive siting, layout and high-quality design. Where development is in the vicinity of the District's distinctive natural or historic assets, delivering high quality design that compliments the asset will be essential. *See page 117 of the CLP 2015 for full details.*

Cherwell Local Plan 1996 (saved policies) – (CLP 1996)

- **C23 – Retention of features contributing to character or appearance of a conservation area**  
There is a presumption in favour of retaining buildings trees, walls and other features that make a positive contribution to the character and appearance of a conservation area. *See page 117 of the CLP 1996 for full details*
- **C28 – Layout, Design and External Appearance of New Development**  
New development required to have standards of layout, design and external appearance sympathetic to the character of the urban or rural context of that development. *See page 120 of the CLP 1996 for full details.*
- **C30 – Design of New Residential Development**  
Development should be compatible to the scale of the existing dwelling, its curtilage and the character of the street scene. Development should also provide acceptable standards of amenity and privacy. *See page 120 of the CLP 1996 for full details.*

Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Cherwell Residential Design Guide (2018)
- CDC Home Extensions and Alterations Design Guide (2007)

## 7. Appraisal

The key issues for consideration in this case are

- Design, and the impact on the character of the area
- Residential amenity
- Highway safety

Design and impact on character of the area

The conservation area appraisal notes that prominent ironstone walls are an important and significant feature within the village which, alongside the buildings that front directly onto the roads, define the visual character of the streetscape.

The wall appears to have been infilled at various points and Hills OS Map 1885-1903 shows what appears to be a previous opening in the c7.8m wide existing wall leading into the farmyard area. By 1922 the original wall appears to have been lost, after which it is believed to have been rebuilt in its present form. The wall is currently in a poor state of repair and has exposed sections of inner concrete blockwork.

The proposal would partially demolish a section of the existing wall to create an opening for a pedestrian gate to improve access to the rear of the property. Remedial stonework repairs would be undertaken using traditional materials and techniques. The proposed opening would be supported using an exposed timber linted, finished to match others found elsewhere on the building and within the locale.

As noted by the Conservation Officer, 'it is thought that the wall itself has historically been subject to adaptation and change' and, subject to conditions, no objections are raised to the principle of a creating a pedestrian opening and gate in the existing wall. While there would be some loss of historic fabric as a result of the proposals, the proposed opening is of a modest scale and would not break the top line of the wall, thus helping to maintain the visual image of a continuous wall and the sense of enclosure that characterises the area.

Lastly, while the site lies in an area of archaeological interest, the proposals would have no new below ground impact and there are therefore no archaeological constraints to the proposed scheme.

As such, the proposals are considered to not cause harm to the setting of nearby listed buildings or the significance of the non-designated heritage assets and would preserve the character and appearance of the conservation area.

For the reasons above the proposals are therefore considered to accord with Policy ESD of the CLP 2015 and retained Policies C23 and C28 of the CLP 1996 and government guidance contained within the NPPF.

#### Residential amenity

The proposals do not seek to form any form of extension or enlargement to the application dwelling and would therefore not result in any impact on neighbouring properties in terms of loss of light, loss of privacy, loss of outlook or the creation of an overbearing effect.

The proposals are therefore considered to accord with Policy ESD15 of the CLP 2015 and retained Policy C30 of the CLP 1996.

#### **Highway safety**

The proposals are of a minor scale and the new access in the wall opens onto a pedestrian footway and not directly into the road space. Pedestrians would therefore continue to have safe refuge from moving vehicles.

OCC Highways do not object and have stated that 'This proposal is unlikely to have any detrimental impact on the highway in terms of safety or convenience'.

## **8. Planning Balance and Conclusion**

The appraisal above, which is informed by the policy and guidance set out in section 6, does not identify any material planning issues which compromise the acceptability of this application. The proposal is therefore considered to be sustainable development and, in accordance with Paragraph 11 of the NPPF, planning permission should therefore be granted.

## **9. RECOMMENDATION**

That permission is granted, subject to the following conditions:

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.

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the information contained within the application form and drawings numbered 2209-PA-0001 Rev 01 and 2209-PA-0003.

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

3. Notwithstanding the details submitted, no installation works shall commence until additional drawings that show the details of the proposed new gate (including materials and finish) and gate opening including lintel, frame and reveals at a scale of 1:10 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 approved details and shall be retained as such thereafter.

Reason - To ensure that the completed development is in keeping with and conserves the special character of the historic environment and to safeguard the significance of the heritage asset(s) and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policies C23 and C28 of the Cherwell Local Plan 1996, and Government guidance contained within the National Planning Policy Framework.

4. Notwithstanding the details submitted, prior to the demolition of any wall or any part thereof a detailed method statement for the demolition and making good of the stone wall must be submitted and agreed in writing by the Local Planning Authority. Thereafter the development shall not be carried out otherwise than in strict accordance with the approved schedule of works and method statement and shall be retained as such thereafter.

The relevant section of the wall must be dismantled by hand and the existing stone shall be reused in creation of the reveals with any supplementary stone being of the same type, texture, colour, and appearance as the stone on the existing wall. The stonework shall be laid, dressed and coursed, and with coping, to match that of the existing wall.

Reason – to ensure that the completed development is in keeping with and conserves the special character of the historic environment and to safeguard the

significance of the heritage asset(s) and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policies C23 and C28 of the Cherwell Local Plan 1996, and Government guidance contained within the National Planning Policy Framework.

5. Any excess stone removed as part of the works hereby approved shall be retained on site for future use in repairs of other stone walls.

Reason – To safeguard the significance of the heritage asset(s) and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policies C23 and C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

#### INFORMATIVE

Please note that if works are required to be carried out within the public highway, the applicant shall not commence such work before formal approval has been granted by Oxfordshire County Council by way of legal agreement between the applicant and Oxfordshire County Council. This is separate from any planning permission that may be granted.

Case Officer: Daisy Kay-Taylor

DATE: 05 December 2022

Checked By: Nathanael Stock

DATE: 07.12.2022

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