

**Stonewalls, Bonds End Lane, Sibford Gower,
Oxfordshire, OX15 5RT**

23/00474/F

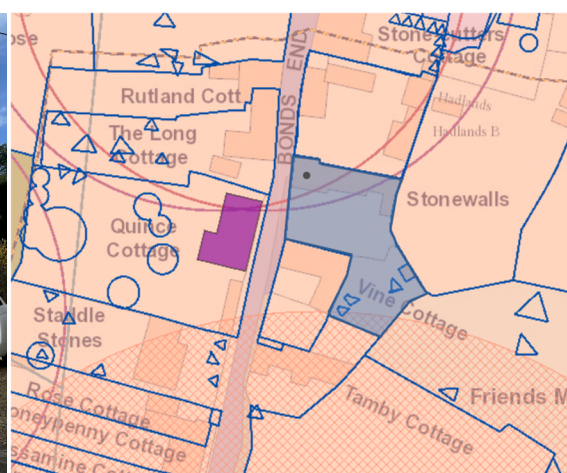
Case Officer: Jordan Campbell

Recommendation: Approve

Applicant: M Smales

Proposal: To remove the stone wall that was granted planning permission in 2018 to increase parking area. Removal of double gates and to replace with single pedestrian gate. Plant privacy screening hedge to existing trellis.

Expiry Date: 09th June 2023



Cherwell Planning Constraints

Constraints

- Public Rights of Way
- Public Footpath
- Public Bridleway
- Restricted Byway
- Byway Open to all Traffic

Listed Buildings (CDC)

- I
- II*
- II
- DL

Conservation Areas

- Application Site

1. Relevant Features of the Site

This application relates to a detached two-storey property located within the built form of Sibford Gower. Whilst the property is not a Listed Building the site is located within the Sibford Gower with Burdrop Conservation Area. Further to this, the property is located within close proximity to a grade II Listed Building, Quince Cottage; Ref: 1300098, which is immediately due west of the site. Moreover, the property is situated within a Protected Species Buffer for Pipistrelle Bat species; Location: Barley Close, Sibford Gower; Year: 2012 - 2022. The property is additionally sited within a Swift Hotspot; Hotspot Record Count: 4.

2. Description of Proposed Development

The applicant seeks Planning Permission to (1) remove an existing stone wall which is sited to the front of the main dwelling, in order to increase the property's on-site parking space; (2) to remove the existing set of double gates, and to replace them with a single pedestrian gate; (3) to replace the existing timber fencing with a planted privacy screening hedge to existing trellis.

3. Relevant Planning History and Pre-Application Discussions

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

15/00810/F – Erection of single storey extension to replace existing single storey extension. Permitted, 01/07/2015.

18/00550/F – Erection of single storey extension to replace single storey extension. Permitted, 25/05/2018.

21/00786/TCA – T1 x Cherry-Crown reduction up to 20% ,up to 2m meters from height and crown thin. Remove all deadwood on going management. T2x Juniper- Fell to ground level. T3 x Norway Spruce- Fell to ground level. Fell to allow lighter in the garden and will re-place with something more suited. Permitted, 14/04/2021.

4. Response to Publicity

This application has been publicised by way of a Site Notice displayed near the site, expiring , by advertisement in the Banbury Guardian expiring **15 April 2023** 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 **15 April 2023**.

The comments raised by third parties are summarised as follows:

- Objection, as the Grade II Listed Property Quince Cottage would be detrimentally impacted by the proposal.
- The removal of the stone wall would have an adverse impact on the character of the Conservation Area.
- The proposed development would result in an adverse impact to the safety of the local highway network, and would be averse to pedestrian movement and walkability within the locality.

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 response received.
- **Local Highway Authority (Oxfordshire County Council)** – Do not object to the granting of planning permission.

The removal of the stone wall will increase both the visibility and accessibility of this access, which in turn should increase its safety. Therefore, this proposal is unlikely to have any detrimental impact on the highway in terms of safety or convenience.

6. Relevant Policy and Guidance

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

- **PSD1 – Presumption in favour of Sustainable Development**
When considering development proposals, the Council will take a proactive approach to reflect the presumption in favour of sustainable development contained in the National Planning Policy Framework. Planning applications that accord with the policies in the Development Plan will be approved without delay unless material considerations indicate otherwise. *See page 36 of the CLP 2015 for full details.*

- **ESD 1 – Mitigating and Adapting to Climate Change**
Seeks to incorporate suitable adaptations measures in new development to ensure that development is more resilient to climate change impacts. *See page 85 of the CLP 2015 for full details.*
- **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

Design and impact on character of the area

- The property's existing stone wall would be fully removed as part of the proposed works, and this change would be clearly visible from the public domain. Whilst the stone wall is a positive contributor to the character and appearance of the Sibford Gower Conservation Area, it makes only a minor contribution and notably was recently erected in 2018, i.e. it had not been there previously and was not present at the time the Conservation Area was designated. Overall, it is not considered a heritage asset. Thus, it is considered that the removal of the stone wall would not result in harm to the character or appearance of the Sibford Gower Conservation Area. It is also worth mentioning that the wall appears to have a height in the region of 1 metre. If its height was less than 1 metre it is considered that planning permission would not be required for its demolition.
- The proposed Cotswold chip gravel would be made to match the existing, and would not cause harm to the character or appearance of the Conservation Area.
- The existing timber double gates would be replaced with a timber single pedestrian gate, and this change would be clearly visible from the public domain.

However, any impact to the character of the site and Conservation Area from the proposal would be negligible, not harmful and does not warrant refusal.

- The proposed replacement of the existing timber fencing with mature hedging would not adversely impact the character of the site or Conservation Area.

Conclusion: Acceptable

Residential amenity

- When assessed against all of the adjoining neighbouring properties, the proposed development would not result in any notable material impacts to residential amenity, due to its design, scale, and siting.

Conclusion: Acceptable

Highway safety

- The proposed development would not result in the establishment of any additional bedrooms.
- An additional on-site car parking space would be established as part of the proposed works, increasing the total number of on-site parking spaces from x2 to x3.
- The Local Highway Authority, Oxfordshire County Council, advises that the removal of the stone wall would increase both the visibility and accessibility of the access, which in turn would increase its safety. Thus, the proposal would not result in any detrimental impact on the highway in terms of safety or convenience.

Conclusion: Acceptable

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, the site location plan (1:1250) and PDF

documents entitled Stonewalls, Drawing with removal of wall and West Elevation

Reason – 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, the significance of heritage assets and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

Case Officer: Jordan Campbell

DATE: 01/06/2023

Checked By: Nathanael Stock

DATE: 07.06.2023
