

Case Officer: Shona King

Recommendation: Approve

Applicant: Mr and Mrs Alex and Frances Pasteur

Proposal: Repairs, refurbishment and alterations to existing stone/brick outbuildings to provide pool plant room and changing facilities

Expiry Date: 7 December 2023

1. Relevant Features of the Site

Cedar Lodge is a detached Grade II listed dwelling situated to the north of the village of Steeple Aston, in the designated conservation area. Other Grade II listed buildings are situated to the north and west of the site.

2. Description of Proposed Development

Planning permission is sought for various external works to a range of outbuildings to provide a pool plant room and changing facilities. The works involve the conversion and extension of existing outbuildings to the west of the dwelling within the garden of the property. As part of the development an open fronted section is to be replaced with a fully glazed structure and the existing glasshouse replaced.

A concurrent application for listed building consent is being considered – 23/02834/LB refers.

3. Relevant Planning History and Pre-Application Discussions

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

23/00462/F - Construction of swimming pool with associated works. Approved

4. Response to Publicity

This application has been publicised by way of a Site Notice displayed near the site, by advertisement in the local newspaper 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 **9 November 2023**.

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.

6.1. STEEPLE ASTON PARISH COUNCIL: No comment to date

6. Relevant Policy and Guidance

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

- ESD10 - Protection and Enhancement of Biodiversity and the Natural Environment
- 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
- C30 – Design of New Residential Development

Mid-Cherwell Neighbourhood Development Plan 2018-2031 Policies:

- PD5 – Building and Site Design

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 and setting of heritage assets

The outbuildings are located within the curtilage of Cedar Lodge and are currently used for ancillary purposes. The buildings are in a relatively poor state of repair and the works are required to upgrade the existing ancillary accommodation and to provide a plant room and changing facilities for the swimming pool approved under application 23/00462/F and a replacement greenhouse.

The proposed works are considered to be acceptable in terms of their appearance and would not result in any adverse impact on the visual amenities of the area nor on the character and appearance of the Conservation Area or setting of the listed buildings.

Conditions are recommended regarding the materials to be used to ensure that the works remain in keeping with the existing buildings. The proposed development is therefore considered to accord with Policy ESD15 of the CLP 2015 and saved Policies C28 and C30 of the CLP 1996 and the relevant paragraphs in the NPPF and CDC's residential design guide.

Residential amenity

The development will not result in any adverse impacts on the living amenities of the neighbouring properties by way of overlooking due to the location of the outbuildings and the relationship between the properties. The works would not result in any significant loss of light to the neighbouring properties or be overbearing on their outlook.

Ecology and biodiversity

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.

The Preliminary Ecological Appraisal, the Bat Nocturnal Survey and the Hibernation Survey confirm that bats are roosting in parts of the run of outbuildings and specific mitigation will be required as part of the mitigation licence application. Other species (nesting birds, Great Crested Newts etc.) are likely to be present on the site but not specifically affected by the proposals. However, it is considered that subject to works be carried out in accordance with the recommendations, mitigation measures of the appraisals and surveys, it is considered that the proposals would not result in any significant detriment impacts in this regard. The recommendations include:

- Timing of initial, intrusive works to avoid the sensitive hibernation season.
- Provision of alternative temporary roosting features on Site e.g. bat boxes;
- Where required, sensitive removal of any features of value / known to support roosting bats (such as roof tiles) under direct supervision of a licenced bat worker.
- Retention of existing roosting features as far as possible, such as loft spaces and gaps under eaves.
- Where retention is not possible, replacement roosting opportunities will need to be incorporated within the renovated structure e.g. bat access roof slates, integrated boxes within the walls of the structure, or bespoke gaps provided into new/retained loft spaces.
- Post-renovation monitoring checks by a suitably qualified ecologist
- Night working avoided where possible, and lighting used during the construction phase must be directed away from the trees around the boundaries of the Site.
- Construction practices should follow best practice in terms of dust and noise and control.
- Any exterior lighting installed on the new building should be directed away from the retained trees and into the existing car parking area to the south and east.

The Council considers that an appropriate scheme for biodiversity enhancement can be secured by way of appropriate condition attached to any such permission, would ensure that that the proposed development would provide a net gain in biodiversity, and therefore accord with the provisions of Policy ESD10 of the CLP 2015 and Government guidance within the NPPF in this regard.

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 the following approved plans and documents:
 - Site Location Plan, 01, 02, 03, 04, 05, 06, 07, 08, 09, 10 and 11.
 - Design and Access Statement, Outline Schedule of Work, Heritage Impact Assessment, Ecology Surveys (Protected Species)

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. Prior to the re-roofing works hereby approved, samples of the slate to be used to make up any shortfall shall be 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.

Reason - To safeguard the character and appearance of the area and the significance of the heritage asset 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.

4. Prior to any demolition works hereby approved, a brick sample panel to demonstrate brick type, colour, texture, face bond, mortar and pointing profile (minimum 1m² in size) of the structures and the brick plinth of the restored greenhouse shall be constructed on site, inspected and approved in writing by the Local Planning Authority. Thereafter, the external walls of the development shall be constructed in strict accordance with the approved brick sample panel.

Reason - To safeguard the character and appearance of the area and the significance of the heritage asset 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.

5. Notwithstanding the details submitted, no glazing to any window openings shall be replaced unless and until a justification for the replacement of the window with slimline double-glazed units for each historic window to be replaced has been submitted to and approved in writing by the Local Planning Authority. The windows shall be replaced strictly in accordance with the approved details.

Reason - To safeguard the character and appearance of the area and the significance of the heritage asset 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.

6. Notwithstanding the indicative drawings submitted with the application, no doors windows or rooflights or inner glazing to doors shall be replaced installed or added unless and until full details of each replacement door, window, rooflight and glazing to doors hereby approved, at a scale of 1:20 including cross sections at scale 1:5, cill, lintel and recess detail and colour/finish, have been submitted to and approved in writing by the Local Planning Authority. Thereafter the doors and

windows shall be installed within the building strictly in accordance with the approved details.

Reason - To safeguard the character and appearance of the area and the significance of the heritage asset 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.

7. Prior to the installation of new rainwater goods details of the proposed rainwater goods shall be 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.

Reason - To safeguard the character and appearance of the area and the significance of the heritage asset 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. Prior to the construction of the glazed link full details and sections at a scale of 1:20 with 1:5 sections of the proposed roof, eaves and verges shall be 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.

Reason - To safeguard the character and appearance of the area and the significance of the heritage asset 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.

9. Where an offence under Regulation 41 of the Habitat and Species Regulations 2010 is likely to occur in respect of the development hereby approved, no works of site clearance, demolition or construction shall take place which are likely to impact on bats until a licence to affect such species has been granted in accordance with the aforementioned Regulations and a copy thereof has been submitted to the Local Planning Authority.

Reason - To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

10. The development hereby approved shall be carried out in accordance with the recommendations set out in section 10 of the Preliminary Ecological Survey carried out by Nicholsons dated February 2023, section 5 of the Bat Nocturnal Survey carried out by Nicholsons dated November 2022 and section 6 of the Hibernation Survey carried out by Nicholsons dated July 2023.

Reason - To ensure that the development does not cause harm to any protected species or their habitats 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 change of use of land is hereby approved.

Reason: For the avoidance of doubt, to clarify the planning permission 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, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance in the National Planning Policy Framework.

PLANNING NOTES

1. Your attention is drawn to the need to have regard to the requirements of UK and European legislation relating to the protection of certain wild plants and animals. Approval under that legislation will be required and a licence may be necessary if protected species or habitats are affected by the development. If protected species are discovered, you must be aware that to proceed with the development without seeking advice from Natural England could result in prosecution. For further information or to obtain approval contact Natural England on 0300 060 3900.
2. Bats are a highly mobile species which move between a number of roosts throughout the year. Therefore all works must proceed with caution and should any bats be found during the course of works all activity in that area must cease until a bat consultant has been contacted for advice on how to proceed. Under the Wildlife & Countryside Act 1981 (as amended) and the Habitat and Species Regulations 2010 it is illegal to intentionally or recklessly disturb, harm or kill bats or destroy their resting places.
3. Birds and their nests are fully protected under the Wildlife and Countryside Act 1981 (as amended), which makes it an offence to intentionally take, damage or destroy the eggs, young or nest of a bird whilst it is being built or in use. Disturbance to nesting birds can be avoided by carrying out vegetation removal or building work outside the breeding season, which is March to August inclusive.

Case Officer: Shona King

DATE:

Checked By: Nathanael Stock

DATE: 13.02.2024
