

Case Officer: Michael Sackey

Recommendation: Approval

Applicant: Lusardi Architects

Proposal: The erection of one new two storey self-build dwelling alongside No 2 Shepherds Close, with all associated works and alterations to the existing dwelling

Expiry Date: 4 February 2026

Extension of Time: 4 February 2026

1. APPLICATION SITE AND LOCALITY

- 1.1. The application relates to land currently belonging to 2 Shepherds Close, a two-storey, semi-detached dwelling located fairly centrally in the village of Burdrop and within Shepherds Close which is accessed off Hawkes Lane. The existing dwelling is externally of pebble dash render with brick detailing under a tiled roof and its windows and doors are constructed of white UPVC.
- 1.2. The dwelling benefits from a relatively large garden to the side and the existing vehicular access to the property is gained from the north of the site. The site does not contain a listed building. The site is outside of but adjacent to the Sibford Gower with Burdrop Conservation Area. There are no other site constraints that are relevant to this application.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1. The current application is for the subdivision of the existing site and the erection of two storey, one bedroom dwelling to the side of the semi-detached dwelling, resulting in an end of terrace dwelling.
- 2.2. The proposed new dwelling would at two storey level measure 5.7m depth, 6.8m width with an overall height of 8.3m. The proposed dwelling also consists of a rear single storey element measuring 2.3m depth, 3.2m width with an overall roof lantern height of 3.2m sloping down to a flat roof height of 2.8m, and the single storey side porch and lobby which would also measure 5.7m depth, 1.5m width with an overall height 3.6m sloping down to an eaves height of 2.3m eaves height.
- 2.3. The current application also relates to works to obscurely glaze the host dwelling's two-storey rear element's north facing window and rooflight. A planning history search of the site resulted in no history of the existing two-storey element being approved at the site. However, this element of the host dwelling has been in its position since at least 2007 from the google satellite images and Streetview reviewed. Therefore, the existing two storey rear element appears to be immune from enforcement action and therefore considered lawful.
- 2.4. The application relates to the email and amended plans received on (05.01.2026) at 19:38hrs reference "25-30-L1b", "25-30-P1d", "25-30-P2e", "25-30-P2e" and "25-30-P3c" in response to officer concerns raised with regards to amenity and the design of the proposed dwelling.

- 2.5. The application relates to the email and amended plans received on (24.02.2026) at 11:37hrs reference “25-30-P1e” and “25-30-P2f” in response to officer concerns raised with regards to the positioning of the windows within the proposed front elevation.
- 2.6. The current application relates to the email, plans and photographs received on (09.04.2026) at 13:30hrs reference “25-30-EX1b- surface finishes” and “25-30-P1e indicating surface finishes” in relation to the re-assessment of the site and the proposal’s exemption in terms BNG. The assessment and determination of this application is based on the amended plans, additional plans, additional documents and information.

3. RELEVANT PLANNING HISTORY

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

03/01496/F – Two storey Side Extension (as amended by plans received in the department 12.08.03 with agent’s letter dated 11.08.03) – granted, 12.09.2023

4. PRE-APPLICATION DISCUSSIONS

- 4.1. No pre-application discussions have taken place with regard to this proposal

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 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 **19 February 2026**.
- 5.2. No comments have been raised by third parties

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.

SIBFORD GOWER PARISH COUNCIL

The Parish Council (PC) supports this application in principle as it is a good opportunity for an existing resident of the parish to be able to afford their own home in the parish. However, the PC does have some concerns in relation to the potential road safety issues as the corner that this property will be on is already quite dangerous as it is opposite a junction that many people who aren’t local don’t realise is a junction so do not stop, and the additional fencing could cause visibility issues on the bend. To ensure all visibility and Highways issues are considered we ask that Highways be requested to complete a site visit before making their response rather than just a desk top exercise. There are also some concerns about the fact that the neighbouring property that shares the land that the proposed property will be on has been under construction for many years and is an eye sore in a very visible part of the village so we would ask that, if possible, there could be some restrictions placed on timescales for the building to be completed, and a request for the existing project to be completed, although we understand that this may not be within the gift of the planning department.

OTHER CONSULTEES

- 6.2. Drainage (CDC) - No objections
- 6.3. Building Control - The proposal is subject to the Building Regulations and will require an application to be submitted to a Building Control body for approval. Please note that the new habitable rooms on first floor will need emergency egress windows.
- 6.4. Environmental Health (CDC) - No objections
- 6.5. Local Highway Authority (OCC) - The applicant proposes the erection of a 2 storey self-build dwelling alongside 2 Shepherds Close with associated works. The applicant does not propose any changes to access.

The access is existing and within a low speed 20mph vicinity. Therefore, it is the LHA's anticipation that the proposed development is unlikely to create adverse impact on the local highway network.

- 6.6. Ecology (CDC) (05.11.2025) - The Paxton Ecology report found that the building has negligible suitability for roosting bats and is unlikely to be used for foraging. Proposed planting is expected to improve foraging potential. Lighting should be kept to an absolute minimum and should be low level and low lux. No birds' nests were found, but any vegetation clearance should take place outside the nesting season (March –August) or be preceded by a check by an ecologist. There was no evidence of badger, water vole, otter, great crested newt, reptiles, or significant invertebrate interest. However, care should be taken during vegetation removal and excavation to avoid harm to small mammals and other wildlife in the unlikely event that they are present.

We should seek biodiversity enhancements, including an integrated bat or bird box, hedgehog highways, bee bricks, etc - secured through a condition for a Biodiversity Method Statement.

We should also include the following informatives:

- The developers and their contractors are reminded of the legal protection afforded to bats and bat roosts under legislation including the Conservation of Habitats and Species Regulations 2017 (as amended). In the unlikely event that bats are encountered during implementation of this permission works must stop and advice must be sought from a suitably qualified and experienced ecologist at the earliest possible opportunity.
- 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. In the unlikely event that nesting birds are encountered during implementation of this permission works must stop and advice must be sought from a suitably qualified and experienced ecologist at the earliest possible opportunity. Nests must remain in situ until all young have fledged.
- The developers are reminded of the legal protection afforded to badgers under the (Protection of Badgers Act 1992). During construction, excavations or large pipes (>200mm diameter) must be covered at night. Any open excavations will need a means of escape, for example a plank or sloped end, to allow any animals to escape. In the event that badgers, or signs of

badgers are unexpectedly encountered during implementation of this permission, works must stop and advice must be sought from a suitably qualified and experienced ecologist.

- 6.7. Ecology (11.02.2026) - The amendments do not appear to affect anything that would raise ecological concerns. I have already provided comments with recommended ecology conditions, so as long as these are attached to any permission granted, I have no further comments. Please let me know if anything changes and I can provide updated advice.
- 6.8. Ecology (09.04.2026) - The plans show around 33 m² of “grass” on the site, but it looks like only part of this would actually be impacted. From the photos, I would not describe the existing area as grassland anyway. It appears to be more like sparsely vegetated ground with very limited cover. The proposal seems to involve putting a path through this area and then creating additional grassed garden space around it.

Given this, I think we can agree that the area of impact is under 25 m², so the application falls within the small site exemption and is not required to deliver BNG. They will still need to provide basic biodiversity enhancements for bats and birds, as we discussed previously.

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)

- BSC 1: District Wide Housing Distribution
- BSC 2: The Effective and Efficient Use of Land
- PSD 1: Presumption in Favour of Sustainable Development
- ESD 10: Protection and Enhancement of Biodiversity and the Natural Environment
- ESD 15: The Character of the built and historic environment
- Policy Villages 1: Village Categorisation

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- C28 – Layout, design and external appearance of new development
- C30 - Design control

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
- Ecology
- Highway Safety
- Other matters

Principle of development

8.2. Government guidance contained within the NPPF explains that the purpose of the planning system is to contribute to the achievement of sustainable development. This is defined as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

8.3. Policy PSD1 contained within the CLP 2015 echoes the NPPF's requirements for 'sustainable development' and that planning applications that accord with the policies in the Local Plan (or other part of the statutory Development Plan) will be approved without delay unless material considerations indicate otherwise.

8.4. Policy BSC 2 states housing development in Cherwell will be expected to make effective and efficient use of land. The Council will encourage the re-use of previously developed land in sustainable locations.

8.5. The site is located in Burdrop, a category C village, which Policy Villages 1 allows for infilling and conversions of buildings within its built-up limits. The proposal would be within the built-up limits of the village of Burdrop and would be bounded by the host dwelling to the south and west. There also neighbours further west and also on the opposite side of the highways to north and East. Infilling is defined by Policy Villages 1 as:

"Infilling refers to the development of a small gap in an otherwise continuous built-up frontage. Not all infill gaps will be suitable for development. Many spaces in villages' streets are important and cannot be filled without detriment to their character. Such gaps may afford views out to the landscape or help to impart a spacious rural atmosphere to the village. This is particularly important in a loose knit village pattern where the spaces may be as important as the buildings."

8.6. The proposal would re-use previously developed land given the hardstanding it would occupy within the existing residential curtilage, and constitutes infilling within the built-up limits of the village of Burdrop, given the frontage is continuously built up either side of the proposal.

8.7. The amended proposal is therefore considered to be acceptable in principle and complies with Policies BSC 1, BSC2 and Villages 1 of the CLP 2015.

8.8. The acceptability of the proposed dwelling in this case is also clearly dependent on it not causing demonstrable harm to the character and appearance of the area, highway safety, ecology and residential amenities. These issues are discussed below.

Design and Impact on the Character of the Area

- 8.9. Paragraph 124 of the NPPF states that: *‘Good design is a key aspect of sustainable development’* and that it *‘creates better places in which to live and work’*. This is reflected in Policy ESD15 of the CLP 2015, which states that new development proposals should: *be designed to improve the quality and appearance of an area and the way it functions...contribute positively to an area’s character and identity by creating or reinforcing local distinctiveness...(and) respect the traditional pattern of routes, spaces, blocks, plots, enclosures and the form, scale and massing of buildings.*
- 8.10. Policy ESD15 of the CLP 2015 states new development will be expected to complement and enhance the character of its context through sensitive siting, layout and high-quality design. Saved Policies C28 and C30 seek to ensure the layout, scale and design of development is sympathetic to its context.
- 8.11. The proposal would be orientated to front on to the Shepherds Close as the host dwelling. There is no uniform character to the built form along Shepherds Close and its immediate locality. The area is characterised by residential development of a variety of shapes, sizes and styles, the majority of which are detached and semi-detached, but there are some terraced dwellings in the vicinity of the site. Although the proposal would unbalance the pair of semi-detached dwellings with the proposal resulting in an end of terrace dwelling, given its scale form and massing, with other terraced dwelling within its vicinity, this is considered acceptable in its context. The proposal would also match the overall ridge and eaves height of the host dwelling.
- 8.12. The proposed dwelling would have five, glazed openings to the front, five to the rear and three to the side elevation. Officers initially raised concerns with the design and positioning of the proposed windows of the proposal, particularly the front and side elevation with recommendations for the openings to the front elevation to be similar to those of the host dwelling and the window to the first-floor side elevation to be centralised within the gable end. Following amended plans, the window in the proposed side elevation has been centralised, the windows within the proposed front elevation would also be similar to that of the host dwelling and would result in a balanced appearance unlike the initial proposal. The amended plans address officers’ initial concerns in relation to the front elevation and the appearance of the fenestrations are considered acceptable.
- 8.13. The proposed development would be set well off the shared boundary with the neighbour to the west but would attach to the side of the host dwelling. The dwelling would have the same depth as the main part of the existing dwelling and would be of similar form.
- 8.14. The site benefits from a relatively large plot and, although filling a significant amount of the existing plot, the proposed dwelling is considered to sit comfortably within the site – it would not appear unduly cramped in the street scene – and would have adequate amenity space.
- 8.15. The proposed dwelling would be constructed of materials of concrete roof tiles and rendered walls to match those of the host dwelling. The proposal retains the site’s existing natural stone walls. New planting is proposed to the front, rear and to the side of the proposed dwelling.
- 8.16. Parking provision is proposed for two vehicles to serve the existing dwelling and one proposed parking space for the proposed dwelling, and this is considered to be acceptable. There is refuse storage proposed to the rear of the proposed dwelling and its details would be secured by a condition.

- 8.17. It is therefore considered that the proposed dwelling would not be out of keeping with the existing pattern of built form. Given the nature of the site, and the materials proposed, the design and appearance of the proposed dwelling, it is considered to be sufficiently in keeping with the character and appearance of the area.
- 8.18. Overall, for these reasons and on balance, the proposal would not adversely affect the character and appearance of the area or the adjacent heritage assets, and it is thus considered that the proposal accords with Policy ESD15 of the CLP 2015, retained Policy C28 of the CLP 1996 and Government guidance in the NPPF.

Residential Amenity

- 8.19. Paragraph 127 of the NPPF includes, as a core planning principle, a requirement that planning should have *a high standard of amenity for all existing and future users*. This is reflected in Policy ESD15 of the CLP 2015, which states that new development proposals should: *consider the amenity of both existing and future development, including matters of privacy, outlook, natural lighting, ventilation, and indoor and outdoor space*. These considerations are also reflected in Saved Policy C30 of the CLP 1996.
- 8.20. The proposed dwelling would attach to the western elevation of the existing dwelling and would be set flush with the front elevation to the host dwelling. Given its siting and spatial relationship with neighbouring dwellings, the only dwelling likely to be affected by the proposal is the host dwelling.
- 8.21. The proposal would comply with regards to the 45-degree rule in relation to the host dwelling. Having regard to its scale, positioning and design, it is considered that the proposed dwelling would have an acceptable spatial relationship with the host dwelling in terms of outlook and light as well as privacy. Following amended plans, the previous concerns of the potential overlooking and loss of privacy to the proposed dwelling from the two-storey rear element of the host dwelling, have been addressed with the windows to be obscurely glazed with restricted opening.
- 8.22. The proposed internal layout is fairly simple with one bedroom, a home office bathroom, cupboard on the first floor, and a porch, lobby, kitchen and dining room at the ground floor level. There are no inner rooms proposed and the internal space provision at approximately 80m² meets the national minimum gross internal floor area for one, and two bedroom, two storey dwellings and is considered acceptable in this regard. The proposal would result in the reduction of the amenity space of the existing dwelling; however, there are other properties within its locality which have similar amenity spaces and the proposed arrangement is not considered to be so significant or harmful so as to warrant refusal of the application.
- 8.23. Overall, therefore, the proposal would not adversely affect the amenities of the adjacent neighbours and would result in an acceptable standard of amenity for the future occupiers of the dwellings. The proposal therefore complies with Policy ESD15 of the CLP 2015, saved Policy C30 of the CLP 1996 and Government guidance in the NPPF.

Ecology Impact

- 8.24. 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.

- 8.25. The Council's Ecology Officer (CE) responded to the application advising that the submitted Paxton Ecology report found that the building has negligible suitability for roosting bats and is unlikely to be used for foraging, the proposed planting is expected to improve foraging potential and lightning should be kept to an absolute minimum and should be low level and low lux. No birds' nests were found, but any vegetation clearance should take place outside the nesting season (March–August) or be preceded by a check by an ecologist.
- 8.26. The CE confirmed that there was no evidence of badger, water vole, otter, great crested newt, reptiles, or significant invertebrate interest but, care should be taken during vegetation removal and excavation to avoid harm to small mammals and other wildlife in the unlikely event that they are present.
- 8.27. The CE recommended conditions on biodiversity enhancements including an integrated bat or bird box, hedgehog highways and bee bricks, and also informative on the conservation of habitats and species, birds and their nests and protection afforded to bats.
- 8.28. Additional plans and photographs were received during the course of the application to re-assess exemption from the 10% biodiversity net gain. The CE responded to the additional information advising that the plans show around 33m² of "grass" on the site, it appears that only part of this would actually be impacted and from the photos, the CE would not describe the existing area as grassland. The CE Further advised that it appears to be more like sparsely vegetated ground with very limited cover, and the proposal seems to involve putting a path through this area and then creating additional grassed garden space around it.
- 8.29. The CE concluded that the area of impact is under 25m², so the application falls within the small site exemption and is not required to deliver BNG and that the proposal will still need to provide the basic biodiversity enhancements for bats and birds, as previously advised.
- 8.30. Having regards to the CE's comments, it is considered that subject to the recommended conditions CE and informative note, the proposal would be acceptable in terms of the ecology of the site and would comply with Policies ESD10 and ESD15 of the CLP 2015 and Government guidance in the NPPF.

Highway Safety/Parking Provision

- 8.31. Policy ESD15 of the CLP 2015 states, amongst other matters, that new development proposals should: *be designed to deliver high quality safe...places to live and work in*. This is consistent with Paragraph 110 of the NPPF which states that: *developments should create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles*.
- 8.32. The Local Highway Authority (LHA) raises no objections to the proposal advising that the applicant does not propose any changes to access, and the access is existing and within a low speed 20mph vicinity, and therefore unlikely to create any adverse impact on the local highway network.
- 8.33. Officers agree with this assessment and the proposal is considered acceptable in relation to highway safety and parking provision, and therefore the proposal accords with Policy ESD15 of the CLP and Government guidance in the NPPF.

9. PLANNING BALANCE AND CONCLUSION

- 9.1. The proposed development would on balance not cause demonstrable harm to the character or appearance of the area and the amenity of neighbours, or highway safety. In addition, the proposed new dwelling is considered acceptable in principle in this location and would contribute additional residential development, which makes a minor contribution to the district's housing land supply (albeit that given it is only one dwelling the weight to be attached to this benefit is much reduced). The proposal is therefore considered to comply with the policies set out in Section 7 of the report and is recommended for approval subject to conditions as set out below.

10. 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 approved plans: 25-30-L1b, 25-30-PSP1, 25-30-P1e, 25-30-P2f, 25-30-P3c and Paxford Ecology - Protected Species Survey Report (Site: Land at 2 Shepherds Close, Sibford, Banbury, OX15 5RJ – 09.10.2025).

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 and to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

3. No development shall commence above slab level unless and until samples of the materials to be used externally in the construction of the walls and roof of the dwelling hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the samples so approved and shall be retained as such thereafter.

Reason: To ensure the satisfactory appearance of the completed development and to safeguard the character and appearance of the area and to comply with Policy ESD 15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policies C28 and C30 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

4. No development shall commence above slab level until there has been submitted to and approved in writing by the Local Planning Authority a scheme for landscaping the site which shall include:-
 - (a) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas,
 - (b) details of the hard surface areas, pavements, pedestrian areas, crossing points and steps,
 - (c) full details of the means of enclosure along all boundaries of the site

The development shall be carried out in accordance with the approved details and the hard landscape elements shall be carried out prior to the first occupation of the development and shall be retained as such thereafter.

Reason - To ensure and retain the satisfactory appearance of the completed development and to safeguard the character and appearance of the area 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. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s) or on the completion of the development, whichever is the sooner; and that any trees and shrubs which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent for any variation.

Reason - To ensure and retain the satisfactory appearance of the completed development 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. No development shall commence above slab level unless and until a method statement for enhancing biodiversity on site to include wildlife friendly planting, bird and bat provisions, bee bricks, hedgehog highways through any boundary fencing/walls and restricted exterior lighting has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the biodiversity enhancement measures approved shall be carried out prior to the first occupation of the development in accordance with the approved details and shall be retained as such thereafter.

Reason - To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

7. Where an offence under Regulation 43 of the Habitat and Species Regulations 2017 (as amended) 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/newts] 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.

8. Notwithstanding the details submitted, all removal of vegetation (including trees) should be undertaken outside of nesting bird season (March-August inclusive) unless the site is first checked by an ecologist immediately prior to vegetation removal.

Reason - To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the Cherwell Local Plan

2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

9. The scheme for parking and manoeuvring shown on the submitted plans (25-30-P1d) shall be laid out completed and made available prior to the first occupation of the development hereby permitted and that area shall not thereafter be used for any other purpose.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.

10. The window and rooflight in the first-floor side elevation (northeast elevation of 2 Shepherds Close) shown in the plans listed in Condition 2 of this decision shall be obscure glazed using manufactured obscure glass (not an applied adhesive film, and at least Level 3) before the proposed dwelling is first occupied and shall be permanently retained as such thereafter. It shall also be non-opening, unless those parts which can be opened are more than 1.7m above the floor of the room in which it is installed and shall be permanently retained as such thereafter.

Reason: To ensure that the amenities of the adjoining occupier(s) are not adversely affected by loss of privacy in accordance with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C30 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

11. Notwithstanding the provisions of Classes A to E (inc.) of Part 1, of the Town and Country Planning (General Permitted Development) 2015 and its subsequent amendments, the approved new dwelling shall not be extended (nor shall any structures be erected within the curtilage of the said dwelling) without the grant of further specific planning permission from the Local Planning Authority.

Reason - To ensure and retain the satisfactory appearance of the completed development and to safeguard the character and appearance of the area and the amenity of the neighbouring properties 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.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting or amending those Orders with or without modification), no additional windows, doors or any other openings shall be inserted in the dwelling without the grant of further specific planning permission from the Local Planning Authority

Reason - To safeguard the living conditions of neighbouring residents and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031, saved Policy C30 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

Notes

1. **PN21 Third Party Interests** - Planning permission only means that in

planning terms a proposal is acceptable to the Local Planning Authority. Just because you have obtained planning permission, this does not mean you always have the right to carry out the development. Planning permission gives no additional rights to carry out the work, where that work is on someone else's land, or the work will affect someone else's rights in respect of the land. For example, there may be a leaseholder or tenant, or someone who has a right of way over the land, or 54 another owner. Their rights are still valid, and you are therefore advised that you should seek legal advice before carrying.

2. The developers and their contractors are reminded of the legal protection afforded to bats and bat roosts under legislation including the Conservation of Habitats and Species Regulations 2017 (as amended). In the unlikely event that bats are encountered during implementation of this permission works must stop and advice must be sought from a suitably qualified and experienced ecologist at the earliest possible opportunity.
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. In the unlikely event that nesting birds are encountered during implementation of this permission works must stop and advice must be sought from a suitably qualified and experienced ecologist at the earliest possible opportunity. Nests must remain in situ until all young have fledged.
4. The developers are reminded of the legal protection afforded to badgers under the (Protection of Badgers Act 1992). During construction, excavations or large pipes (>200mm diameter) must be covered at night. Any open excavations will need a means of escape, for example a plank or sloped end, to allow any animals to escape. In the event that badgers, or signs of badgers are unexpectedly encountered during implementation of this permission, works must stop and advice must be sought from a suitably qualified and experienced ecologist.

Case Officer: Michael Sackey

DATE: 13.03.2026 / 14.04.2026

Checked By: Nathanael Stock

DATE: 14.04.2026
