**18/01872/F**

**Erection of a building within the setting of a Listed Buildings.**

**Application site**

Nicholas Corner, Burdrop, Banbury, OX15 5RQ.

**Understanding the heritage assets affected**

The application site is the rear garden of Nicholas Corner which is considered to be a Local Heritage Asset located within a Conservation Area. The adjacent property to the south is Burdrop House and this is a grade II Listed Building. This house is 17th Century in origins. Nicholas Corner potentially has parts that are a similar age however the building has been extensively altered and extended. The garden to the rear is not visible from the road because of the existing buildings and planting.

**Significance**

The significance of this building lies in its age and attractive appearance and the contribution it makes to the character of the Conservation Area.

**Proposals**

Erection of a cabin.

**Appraisal of issues**

The main consideration is the impact of the proposed building on the setting of the Adjacent Listed Building as the character of the Conservation Area. The proposed outbuilding will be a timber construction designed to sit within the existing garden landscaping and to complement the existing structures. The new building will therefore not compete with the main dwelling, or the adjacent Listed Building.

Due to the position, design and scale of the proposed building it is not considered to adversely affect the character of the Conservation Area in this location.

**Level of harm**

The proposal will not result in harm to the significance of the setting of the Listed Building or the character of the Conservation Area.

**Policies**

The relevant local and national policies are as follows:

Cherwell District Council Local Plan Policy ESD15

This policy states that new development proposals should: Conserve, sustain and enhance designated and non-designated ‘heritage assets’ including buildings, features, archaeology, conservation areas and their settings, and ensure new development is sensitively sited and integrated, furthermore development should respect the traditional pattern of the form, scale and massing of buildings. The scale and design of the proposed building will ensure the setting of the Listed Building and Conservation Area will be conserved and sustained. Therefore the proposal is considered to comply with policy ESD15.

NPPF – Chapter 16

Paragraph 193 requires that when considering the impact of a proposed development on the significance of a designated heritage asset great weight should be given to the assets conservation.

The proposed building is considered not to result in harm to the significance of the setting of the Listed Building or the Conservation Area.

Planning (Listed Buildings and Conservation Areas) Act 1990

Section 72 of the Act requires that ‘with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area’.

Section 16 of the Act requires that ‘In considering whether to grant listed building consent for any works the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.’

**Recommendation**

There are no objections to the proposal

**Conditions**

No suggested conditions

**Officer / Date**

Emma Harrison 18/12/2018