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| <b>APPLICATION NO.</b>  | <a href="#">P12/V1125</a>  |
| <b>APPLICATION TYPE</b> | FULL APPLICATION   |
| <b>REGISTERED</b>       | 8.6.2012   |
| <b>PARISH</b>           | FYFIELD AND TUBNEY   |
| <b>WARD MEMBER(S)</b>   | Matthew Barber   |
| <b>APPLICANT</b>        | Kingston Colts & Kingston Bagpuize Cricket Club  |
| <b>SITE</b>             | Sports Ground and Pavillion Abingdon Road<br>Kingston Bagpuize Abingdon, OX13 5AS  |
| <b>PROPOSAL</b>         | Proposed mixed use development comprising 50 dwellings, sports pavilion, pitches, cafe and new public footpath and cycleway link. (As amended by Drg No: P01a received 10.08.2012) |
| <b>AMENDMENTS</b>       | 14 August 2012 revised layout reducing numbers to 47 dwellings   |
| <b>GRID REFERENCE</b>   | 441191/197784  |
| <b>OFFICER</b>          | Mr D Rothery   |

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## 1.0 INTRODUCTION

- 1.1 The 7.74ha site lies to the south and east of Kingston Bagpuize with Southmoor village, across the parish boundary in Fyfield and Tubney parish. The site is currently a number of separate fields, some laid to rough grass land to the southern half with no active use observable, whilst the northern half comprises the existing sports ground, laid out for pitches for football and cricket.
- 1.2 The main Kingston Bagpuize with Southmoor village area lies about 0.8km to the north-west and is separated from the site by Kingston Bagpuize House and grounds, a grade II\* listed building. The village itself is located about 9.7km west of Abingdon and south of the A420 village bypass, and provides a varied range of local services and facilities such as a primary school, a village hall, and three public houses.
- 1.3 Kingston Bagpuize House and grounds and the Kingston Business Park lie adjacent to the west of the site. Land to the south and east comprises open fields as does the land to the north opposite and separated from the site by the A415 Abingdon Road.
- 1.4 The eastern part of the site is reasonably well screened from external views from the road; the western half is more open with a mix of hedgerow and post-and-rail fencing clearly visible from the business park access road that marks the sites boundary to the south and west.
- 1.5 A location plan is **attached** at appendix 1.

## 2.0 PROPOSAL

- 2.1 Amended plans have been submitted on 14 August 2012 that reduce the dwelling numbers to 47 in total, reconfigure the dwelling orientation and relocate the proposed replacement sports pavilion.
- 2.2 This is a full detailed proposal for residential development of the site for 47 dwellings. The development would take vehicular access off the access road leading into the business park from the south-east and includes roads, footpaths and associated parking areas, landscaping (principally to the site boundaries with surrounding roads), amenity space, open space and a local equipped area for play (leap).

2.3 Other proposals include the building of a café on the business park edge of the site, a replacement sports / cricket pavilion in the middle of the site with car parking areas on the western boundary and adjacent to the new pavilion and reconfigured and new sports pitches in the eastern corner field. Pedestrian access to the village would be promoted via a new footpath to be constructed through the pavilion car park then behind the existing boundary wall of Kingston Bagpuize House along the A415 and then running towards the southern end of Kingston Bagpuize village.

2.4 The proposed mix of dwelling units is as follows  
1-bedroom = no units  
2-bedroomed = 14 units (11 affordable and 3 market)  
3-bedroomed = 20 units ( 8 affordable and 12 market)  
4-bedroomed = 13 units ( all market)

A total of 19 properties of the 47 would be secured as affordable housing (40%). On the 7.7ha site the 47 dwelling units would produce a density of 15 dwellings per hectare on the 3.15ha area shown for the housing component of this proposal (i.e excluding the sports ground reconfigured land to be retained). Some 30% of the dwellings are two-bedroom properties or less.

2.5 In support of the application the following documents have been submitted:

- Planning Statement (June 2012 – Dijksman Planning)
- Design and Access Statement (undated - TSH)
- Arboricultural Survey (April 2012 – Sylva)
- Protected Species Survey (April 2012 – Chris Vine)
- Transport Statement (May 2012 – Glanville)
- Travel Plan Statement (August 2012 – Glanville)
- Phase 1 Geo-environmental Desk Study (April 2012 – Glanville)
- Flood Risk Assessment (March 2012 – Gemma)
- Foul Drainage Assessment (March 2012 – Gemma)
- Statement of Community Involvement (June 2012 - Dijksman Planning)

2.6 The proposal is a large major development and is contrary to the policies of the development plan. The proposal has been publicised on this basis. The proposal also affects the setting of a listed building and has been publicised on this basis as well.

2.7 The applicants have been advised by officers of contributions towards off-site services which this proposal (through the increase in population and the activities they generate) would need to contribute towards and the on-site facilities such as affordable housing which will need to be secured. Contributions would cover such facilities and services as waste collection, street name plates, public art, education (primary, secondary, sixth-form and SEN), library and museums, waste management, social and healthcare, fire and rescue, highways and transport, police equipment, and local community hall and recreational facilities.

2.8 Extracts from the application plans are **attached** at appendix 2.

### 3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1 **Fyfield and Tubney Parish Council** – Express no strong views with comments for consideration on the sites location in relation to Kingston Bagpuize village, traffic flow, and population demographics within the parish boundaries. A copy of the parish council's comments is **attached** at appendix 3.

- 3.2 **Kingston Bagpuize Parish Council** – Supports the proposal. A copy of the parish council's comments is **attached** at appendix 4.
- 3.3 **Representations from local residents** – A total of 25 representations had been received at the time of writing this report, eight objecting to the proposal and 17 supporting the scheme. The objections are made on the following grounds:
- The location is unsustainable
  - Poor footpath access to the village and existing narrow footpath stretches are unsafe
  - Increased traffic leading to additional road congestion
  - Noise, disturbance and increased litter
  - Visual appearance out of character with the locality
  - Adverse impact on the setting of Kingston Bagpuize House
- 3.4 Architects Panel – Defer for negotiation – layout with distinct groups of houses is welcomed but regret lack of relationship between the new housing and cricket field. Materials and details adequate. Query position of the new pavilion.

*Note: The amended plans reposition the pavilion closer to the proposed dwellings and car park, and dwellings now face the sports pitches and retain groupings.*

- 3.5 County Highways – objection – unsustainable location, unsafe access, and lack of sufficient details.  
This site does not meet the walkable neighbourhoods definition in Manual for Streets. Visibility splays are inadequate for traffic speeds along the unclassified access road and trees are incorrectly plotted on the plan as on the ground they obscure vision. Parking spaces are not identified, no large vehicle spaces are shown for the sports pavilion, and the pedestrian route through the middle of the car park. Footpath to be constructed in 'low key' manner is unclear and being behind a wall it is not secure or overlooked and hence less likely to be used.

*Note: amended plans clarify parking provision across site and for the café, and show sweep paths and visibility splays.*

- 3.6 Landscape Architect – The proposed housing will be clearly visible from the A415 and is not visually linked to the main residential area of the village. The majority of the business park is screened from view and therefore the proposed housing area would change the character of the area. The layout does not integrate with the sports pitches and further isolates itself.  
The current position of the pavilion at the centre of the site is visually subdued but moving it closer to the A415 and converting the access road to car parking would impact on the setting of Kingston Bagpuize House, the conservation area and on the North Vale Corallian Ridge area.  
The visibility splays associated to the proposed site access results in the loss of a large section of the maturing tree lined avenue.  
The proposed LEAP is not associated with a wider area of public open space for informal play but is isolated next to the site access road and adjoined by back gardens to the north. There are also excessive areas of hard standing within the housing development such as between plots 19 to 22 which weakens the urban form of the layout.

*Note: amended plans have returned the pavilion location to centre of the site and the layout now has more units facing the sports pitches.*

- 3.7 Arboriculturalist – The large poplar trees adjacent to the A415 and the cricket ground are significant features and if they are to be lost replacement planting of specimen trees of stature would be needed.
- 3.8 Ecologist – Holding objection. The majority of the site is relatively unconstrained, the main habitats being amenity grassland, planted shelter belts and woodland. Evidence of soprano pipistrelle bats has been confirmed in the existing pavilion roof void. Further survey work is needed to confirm the size and status of the roost and to design an appropriate mitigation strategy.
- 3.9 Conservation and Design Officer –  
“The existing playing fields provide a soft rural setting to Kingston Bagpuize House. The proposed development, in particular because of the position of the new parking and pavilion would harm that setting. In coming to that conclusion I have been mindful of the English Heritage guidance 'The Siting of Heritage Assets and the fact that 'setting' does not involve just views towards a heritage asset but also views to and from a heritage asset. I have seen no evidence to suggest that opportunities have been taken to enhance or better reveal the significance of the asset through the proposed development as set out in the NPPF.

While the design of the housing appears well designed it is unfortunate that little opportunity has been taken to arrange the new dwellings to take best advantage of views over the cricket pitch.

On a general note the development is relatively remote from the village and the proposed footpath would not reduce that remoteness. The footpath behind the wall would I believe not be a safe environment for pedestrians as there would not be any natural surveillance

*Note: amended plans have returned the pavilion location to the centre of the site and the layout now has more units facing the sports pitches.*

- 3.10 Drainage Engineer - No objection subject to inclusion of conditions for a sustainable drainage scheme, foul scheme and flood risk assessment compliance.
- 3.11 Housing Services – more larger properties are sought as part of the housing mix. Distribution of the affordable housing over the site requires revision in line with policy.
- 3.12 Environmental Health – The proposed development is close to an industrial estate and should demonstrate that it will not be adversely affected by industrial noise and would not unreasonably constrain permitted industrial activities on the estate. The café should comply with appropriate health legislation for food hygiene.
- 3.13 Land Contamination – A condition to secure unknown contaminants that may result from development works should be applied.
- 3.14 Waste Management – Require storage areas for wheeled bins per plot to be provided with collection points clear of parking areas.
- 3.15 Leisure Services – Maintenance of open space areas should be clarified and secured by adoption by parish or through a management company.
- 3.16 County archaeologist – There are important Anglo Saxon finds in the area that have been identified. Conditions to secure a field evaluation should be applied

- 3.17 Thames Valley Police Liason Officer – No response.
- 3.18 Environment Agency – no objection.
- 3.19 Sport England – no objection as additional sports pitches to those that exist are to be marked out and improved facilities, including a new pavilion, are to be provided.

4.0 **RELEVANT PLANNING HISTORY**

- 4.1 [P03/V1066](#) - Approved on 07 August 2003  
Erection of 3 x 12m high floodlight masts to southern boundary.

5.0 **POLICY & GUIDANCE**

5.1 **Vale of White Horse Local Plan**

The local plan was adopted in July 2006. The following relevant policies have been considered to be saved by the Secretary of State's decision of 1 July 2009 whilst the Core Strategy is being produced.

- 5.2 Policy GS1 of the adopted local plan provides a general location strategy to concentrate development within the five main settlements, and small scale development in other villages is covered by policies H11 (larger villages), H12 and H13 (small villages).
- 5.3 Policy GS2 indicates that outside the built-up areas new building will not be permitted unless on land identified for development or is in accordance with other specific policies.
- 5.4 Policy DC1 requires new development to be of a high design quality in terms of layout, scale, mass, height, detailing, materials to be used, and its relationship with adjoining buildings.
- 5.5 Policy DC4 requires development on sites of 0.5ha or more to contribute to public art to significantly contribute to the scheme or the area.
- 5.6 Policy DC6 requires hard and soft landscaping to protect and enhance the visual amenities of the site and surroundings and to maximise nature conservation and wildlife habitat creation.
- 5.7 Policy DC7 require necessary waste storage and collection arrangements to be in place.
- 5.8 Policy DC8 requires necessary and essential infrastructure is provided to the site.
- 5.9 Policy DC9 seeks to ensure development will not unacceptably harm the amenities of neighbouring properties and the wider environment.
- 5.10 Policy HE4 requires development with the setting of listed buildings to respect the characteristics of the setting.
- 5.11 Policy NE4 covers sites of nature conservation importance and the need to protect valued habitats
- 5.12 Policy NE7 requires developments within the North Vale Corallian Ridge not to harm the landscape quality of the area unless an overriding need is identified and any impact is minimised.

- 5.13 Policy H11 allows limited development of no more than 15 dwellings in settlements such as *Kingston Bagpuize with Southmoor* subject to design and no loss of open space.
- 5.14 Policy H13 seeks to limit new housing development outside the built-up areas of settlements.
- 5.15 Policy H15 seeks net residential density of development dependant on the location of the proposal, 50dpha close to main settlement centres, 40dpha within the five main settlements of Abingdon, Botley, Faringdon, Grove and Wantage, and 30dpha in other locations.
- 5.16 Policy H16 requires about 50% provision of housing to be two-bedroom or less for schemes of more than 10 dwellings and 10% should meet lifetime homes standards.
- 5.17 Policy H17 requires 40% provision of affordable housing for schemes of more than 15 dwellings.
- 5.18 Policy H23 refers to housing schemes providing open space areas at 15% in large villages or a financial contribution if in small villages or inappropriate to be on site.

#### **Supplementary Planning Guidance (SPG)**

- 5.19 Residential Design Guide – December 2009  
Provides guidance on design and layout.
- 5.20 Sustainable Design and Construction – December 2009  
Code for Sustainable Homes guidance to achieve code level 3 and working to code level 4 by 2013.
- 5.21 Open Space, Sport and Recreation Future Provision – July 2008  
Advice for the provision and maintenance requirements for open space areas.
- 5.22 Affordable Housing – July 2006  
Provides further guidance in relation to local plan policy H17.
- 5.23 Planning and Public Art – July 2006  
Sites over 0.5ha should provide a contribution towards public art installations in line with policy DC4.

#### **Other Policy Documents**

- 5.24 **National Planning Policy Framework (NPPF)** – March 2012  
Paragraphs 14 & 49 – presumption in favour of sustainable development  
Paragraph 34 & 37 – encourage minimised journey length to work, shopping, leisure and education  
Paragraph 47 – five year housing land supply requirement  
Paragraph 50 - create sustainable inclusive and mixed communities  
Paragraphs 57, 60 & 61 – promote local distinctiveness and integrate development into the natural, built and historic environment  
Paragraph 99 – flood risk assessment  
Paragraph 109 – contribute to and enhance the natural and local environment  
Paragraph 111 - encourage the effective use of land by re-using land that has previously been developed (brownfield land)

Paragraph 118 – contribute to conserving and enhancement of biodiversity  
Paragraph 119 - presumptions in favour do not over-ride protected species and habitats directives  
Paragraph 126-134 – historic asset and environment

5.25 **South East Plan (SEP) – May 2009**

The SEP is still an extant policy document, however the government has a clear intention to revoke the document as an unnecessary hindrance to promoting development. The Court of Appeal has ruled that the governments intention to revoke Regional Spatial Strategies can be a material consideration in certain circumstances with the assessment of weight given by individual decision makers. The policies of the SEP reflect those of the local plan.

Policy CC4 – Sustainable design and construction

Policy CC6 – Sustainable communities and character of the environment

Policy H3 – Affordable housing provision

Policy H4 – Type and size of new housing units

Policy H5 – Housing design and density

6.0 **PLANNING CONSIDERATIONS**

*Policy position*

- 6.1 At the heart of the new National Planning Policy Framework (NPPF) is a presumption in favour of sustainable development. Within the context of the NPPF, planning permission should be granted where the development plan is absent, silent or relevant policies are out of date, unless any adverse impacts would so significantly and demonstrably outweigh the benefits of the proposed development when assessed against the policies in the NPPF taken as a whole (para.14).
- 6.2 The current lack of a five year supply of housing land in the district is due to the lack of delivery of new housing by developers rather than an under-supply of allocated housing land. This has primarily been caused by delays in progressing some major allocations due to the economic downturn and the delay in bringing forward the council's core strategy. The current lack of a five year housing land supply requires some flexibility in line with the NPPF in the consideration of planning applications which do not accord with local plan policy.
- 6.3 It is clear the proposed development is contrary to local plan policies GS2 and H11. However, whilst the council does not have a five year housing land supply, policies GS2 and H11 are inconsistent with the NPPF. The proposed development, therefore, needs to be considered on its site specific merits and in particular whether it constitutes a sustainable form of development as defined in the NPPF.
- 6.4 This approach, by necessity, is time limited and would be aimed at identifying sites suitable to address the housing land shortfall whilst still meeting relevant sustainability criteria as referred to in the NPPF. On the basis of the assessment of the case that has been put forward by the applicants that this proposal could be claimed to help meet the current shortfall in the five year housing land supply, it is considered that this site cannot be considered favourably as it is clearly contrary to the specifications in the NPPF for providing housing in sustainable locations.
- 6.5 Kingston Bagpuize with Southmoor is one of the larger villages within the district and scores within the top 20 in the village hierarchy. However the location of the proposed housing is in a remote and divorced location from the main built up village area and is not close to the established services and facilities (other than the adjacent employment site) offered by the village. This site therefore is considered to be in an unsustainable

location for residential development as proposed. The principle of the proposal is considered unacceptable and therefore is opposed on policy grounds.

*Visual impact – layout and landscape setting*

- 6.6 Paragraph 109 of the NPPF says that “the planning system should contribute to and enhance the natural and local environment”, and paragraph 111 says that planning decisions “should encourage the effective use of land by re-using land that has previously been developed (brownfield land).”
- 6.7 The site has been used for agricultural or similar low activity uses in the past and for recreational provision. The site cannot be claimed to represent brownfield land in this regard. The site lies within the countryside designation of the area and development of part of the site for housing is contrary to Policy H11. However as indicated above (at paras. 6.2 – 6.3) this is not a restricting factor given the current housing land shortfall, and all relevant site specific matters still need to be considered. In this regard the proposal is considered unacceptable on sustainability and character grounds, as identified within the NPPF.
- 6.8 The site is relatively level and appears to be generally unconstrained by previous uses. The proposed layout of the housing area and the accessibility to the plots shown offers a good use of the land in providing a workable and visually pleasing residential environment. The amended plans have sought to address the on-site relationship and integration of the housing and the recreational areas, with properties bordering the sports pitches now being orientated to face this area, offering a level of surveillance and visual linkage.
- 6.9 The proposal retains some boundaries but requires parts of other field boundaries within the site to be removed. Additional landscaping is proposed to the open sports field area and within the street scene proposed to be created within the housing layout. Overall adequate private and public outdoor space would be provided.
- 6.10 Potential issues of noise disturbance may arise from the positioning of the replacement pavilion to the nearest of the new housing plots proposed, but this issue could be addressed through conditioning of openings and insulation of the pavilion. However, the relationship of the new housing to the industrial estate could raise issues of noise and disturbance should any of the industrial units operate beyond the confines of light industrial activities. Furthermore, in such cases environmental protection legislation may tend to support the residential environment should noise and disturbances arise that are considered harmful, and this could result in restrictions or cessation of some employment activities. The council’s environmental protection team have highlighted these concerns above (3.11).
- 6.11 In the wider perspective it is not considered the setting of the housing development would relate well with the surrounding area. There is the potential for land use conflict with the industrial estate to the west (indicated above) and the development would not sit well with or positively add to the character of the open nature of this countryside area. The development would represent an outpost of residential development unrelated to the surrounding uses and distanced from the services and facilities normally expected to be close-at-hand when considering creating a sustainable community. The proposal therefore fails to meet a key requirement of the NPPF.
- 6.12 The proposal introduces a significant amount of new landscape planting, particularly on the site boundary along the access road to the business park and the A415. In addition belts of planting are proposed within the site to provide visual separation within the proposed housing area and to screen the sports pavilion and car parking area from the



closest housing. However the amended layout includes the removal of a tree belt and field boundary on the eastern third of the sports ground, opening up the vista across the pitches, and to the south of the cricket pitch, to enable housing to face over the sports ground through the removal of the field boundary in this location.

*Visual Impact – design and appearance*

- 6.13 The proposed housing comprises 13 detached, 28 semi-detached, and six terraced houses of a traditional two-storey appearance. All are shown with chimneys but none have fireplaces within their floor plans. External construction and finish materials are listed as multi-red brick and stone for walls and red-brown plain clay tiles. Fenestration would have white coloured finished frames of traditional proportions.
- 6.14 The sports / cricket pavilion would be a two-storey structure. Although predominantly having a single floor of accommodation, a store and score box area to the porches overhang the ground floor area of the building. Four team changing rooms and an officials changing room would be provided together with a club room with kitchen and servery and associated storage areas. The appearance is rural with a barn-like long part and a glazed pavilion part, with a clock turret to the roof area. The amended plans show 130 car parking spaces, including two impaired accessibility spaces (92 spaces on the western boundary and 38 spaces adjacent to the pavilion).
- 6.15 The café is a single storey plane building with full length window opening on the main elevation and side walls and accommodates a dining area, servery, store and two toilets. Amended plans show one impaired accessibility parking space, a delivery vehicle bay and ten bicycle spaces.
- 6.16 Good design in layout and building form is a key aspect of sustainable development and the NPPF is explicit in seeking a high quality outcome. The dwelling types and design are appropriate for a semi-rural location as could be expected within a countryside village; however this site is not in such a location. The layout and arrangement of the development gives rise to a density of 15 dpha which is significantly below the specifications of policy H15 of the local plan and obviously seek to reflect the clearly open countryside location the development is proposed within.

*Recreational alterations*

- 6.17 The proposal promotes alterations to the existing sports ground. These comprise the building of a replacement sports / cricket pavilion to be located within the middle area of the application site, south of the pitches and adjacent to the proposed housing estate. In addition the pitch arrangement has been modified to enable the same number of marked out pitches to be provided but without any overlapping of play areas between the cricket and football pitches. The provision of these facilities is supported by Sport England.

*Access and parking*

- 6.18 The site would be accessed off the business park access road and requires the removal of some of the trees forming the existing avenue to enable sight lines to be provided. Notwithstanding this tree loss there is still a clear highway objection on safety grounds.
- 6.19 The location of the site remote from existing facilities (notwithstanding the café element forming part of the proposal) means the proposal is considered unsustainable in transport terms, with all main facilities having to be accessed by car. The proposed footpath / cycle link is not within the application site and would have to be subject to an off-site contribution to secure. The route is not considered to be ideal, being screened from passive surveillance from the highway as it would be located behind the screen

wall to the listed building (the roadside verge is not wide enough to provide a footway/ cycleway of acceptable width).

- 6.20 In addition, the links to the existing footpath network highlight existing width limitations due to constrained highway dimensions which cannot be altered due to existing building positions. The existing footpath routes therefore would not adequately or safely take the potential additional users from the proposed development. The footpath as existing and as proposed as a footpath / cycleway therefore would be of limited attractiveness to users, given the distance, the highway risk and the lack of overlooking from public vantage points along the A415.

*Impact on neighbours' residential amenity*

- 6.21 The lack of adjacent hosing means this proposal would have no impact on the residential amenity other properties.

*Drainage and flooding issues*

- 6.22 The site is considered large enough to dispose of surface water without causing surface water run-off problems to the highway or onto neighbouring land.

*Heritage assets*

- 6.23 The NPPF requires that account should be taken of the desirability to sustain and enhance heritage assets. Kingston Bagpuize House, a grade II\* listed building is a clearly identified heritage asset that this proposed development should be assessed against. The amended proposal has limited impact on the heritage asset that is identifiable in the local area although the introduction of a formalised car parking area along the boundary with the listed building curtilage would transform the informal existing drive access into a formal parking area that would not enhance the setting of this prestigious property.

*Social Infrastructure*

- 6.24 There has been some concern expressed that current social and physical infrastructure within the village could not cope with the increase in residents from this proposal. Notwithstanding other principal issues it is considered that these pressures would be possible to be addressed by contributions to offset the impact from the development. The applicant has agreed to the principle of addressing these needs through off-site provision to be secured through a legal agreement / obligation. However, these contributions can not address the objection to the unsustainable location of the site in relation to local facilities or the concerns on highway safety both at the site junction and along the proposed footpath route into the village 800m away.

7.0 **CONCLUSION**

- 7.1 The proposal does not accord with the development plan and has been publicised as a departure. In the light of the current shortfall in the council's housing land supply, the proposal has been fully considered to see if it could be considered as a suitable exception site for development. However the site and development is considered to fall short in the following areas –

- In terms of character – it has a significant visual / landscape impact in the development of an open countryside site
  - in terms of adding to the settlement – it is remote from the nearest settlement and therefore creates a separate housing enclave in the countryside
  - in terms of sustainability – it is divorced from the existing settlement and is therefore is not close to services and facilities provided there
- and these factors need to be afforded significant weight.

- 7.2 The proposal would result in an unsustainable development and therefore does not accord with the requirements of the national planning policy framework (NPPF). The amended proposal would also have a negative impact to heritage assets through the formalisation of the sports ground car park to the listed buildings southern boundary. Furthermore the proposal would harmfully impact on the rural character of the area and highway safety and therefore does not comply with the NPPF.

8.0 **RECOMMENDATION**

8.1 **Refuse**

- 1 **The proposed residential development of 47 dwelling units is contrary to the Council's general planning policy which requires:**

i) that so far as possible future development should in the main be concentrated in established settlements as this is considered in the best interests of the public from the point of view of economy in the provision of services of all kinds and in land use, the preservation of rural amenities and the conservation of agricultural land and because it is only in this way that balanced communities can be achieved.

ii) that in rural areas development is only likely to be permitted within the approved limits of development of specified villages and within the village envelope of other villages where such envelope is limited and well defined and where there is no valid planning objection.

iii) no overriding local need or special circumstances exist, including the present shortfall in housing land allocation provision, to warrant any departure from the planning policies of the Local Planning Authority.

The proposal is therefore contrary to Policies GS1, GS2, H11, H13, DC1, of the local plan and paragraphs 14, 34, 37, 47, 49, 50, 60, 61 and 111 of the NPPF.

- 2 The site lies within a countryside area and having regard to the unsatisfactory nature of the proposal would lead to a progressive detracting in the rural character of the area and be detrimental to the visual amenity of the area, the rural landscape and to amenities of the locality. The proposal is therefore contrary to Policies GS1, GS2, H11, NE4, and NE7 of the local plan and paragraphs 57, 60, 61, 109, 111 and 115 of the NPPF.
- 3 The site and the existing cricket pavilion roof void have been identified as a roosting area for soprano pipistrelle bats. The application has not provided suitable survey work or a mitigation methodology or strategy to address the change to the protected species habitat as would be necessary as part of the demolition and replacement of the sports pavilion. In the absence of this required information the proposal is contrary to the provisions of wildlife and countryside legislations which requires the protection of species, habitats and foraging areas in such circumstances. The proposal is also contrary to policy NE4 of the local plan and paragraphs 118, 119 and of the NPPF.
- 4 The siting of the proposed 47 dwellings within close proximity to the Kingston Business Park would be likely to give rise to concerns related to noise and disturbance originating from the business park which could result in the need for investigation and monitoring that could result in the cessation of certain business activities should remedial measures not be effective. The absence of a noise and disturbance survey report and levels of mitigation within the

residential development give rise to the proposal being contrary to policy DC10 of the local plan and paragraph 123 of the NPPF.

- 5 **As part of the rejuvenation of the sports ground facilities on the site the proposed development results in formalising an access road into a car parking area which lies to the southern boundary of Kingston Bagpuize House, a grade II star listed building. This work is considered to harmfully impact on the character and setting of this important listed building and would detract from the appearance and setting of the building and its associated grounds. The proposal would therefore be contrary to policy HE4 of the local plan and paragraphs 126, 128, 129, 131, 132, and 134 of the NPPF.**
- 6 **The proposed development would generate the requirement for contributions both on site for affordable housing and off-site for highway works, education, social service, leisure and arts, waste management and towards police services, which have not been entered into. Without such provision the proposal would be unacceptable. The lack of this requirement is contrary to policy DC8 of the local plan and paragraphs 203 to 206 of the NPPF.**

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