

APPLICATION NO.	P13/V0821/FUL & P13/V0822/CA
APPLICATION TYPE	FULL APPLICATION
REGISTERED	16.4.2013
PARISH	ABINGDON
WARD MEMBER(S)	Julie Mayhew-Archer Tony de Vere
APPLICANT	Cockspur Property (General Partner) LTD
SITE	57-59 Stert Street Abingdon Oxon, OX14 3JF
PROPOSAL	Demolition of 55-59 Stert Street & Abbey Court and the erection of a new three storey building fronting Stert Street, comprising 9 flats, and erection of three storey terrace building fronting Old Station Yard comprising 4 dwelling houses and 1 maisonette
AMENDMENTS	None
GRID REFERENCE	449808/197220
OFFICER	Martin Deans

1.0 INTRODUCTION

1.1 The application site runs from Stert Street to Old Station Yard in Abingdon. The site location plan is **attached** at appendix 1. The site currently contains commercial buildings. There are two, three-storey commercial buildings facing onto Stert Street, a large three storey office building to the rear, occupying a large proportion of the site, running back to Old Station Yard, and a single storey stone building facing onto Old Station Yard. The site lies within the Abingdon Town Centre Conservation Area and is adjoined by a grade II listed building to the south, no. 49 – 53 Stert Street.

1.2 On the north side of the Stert Street frontage is The Harp PH, which is not listed. Along the north boundary is a three storey terrace of buildings fronting the Old Station square and containing a mixture of commercial and residential uses. To the east lies Station House, a modern residential care home. To the south are gardens to the rear of nos. 41 – 45 Stert Street.

2.0 PROPOSAL

2.1 The proposal is to demolish all of the existing buildings and to replace them with new three storey buildings containing residential dwellings fronting both Stert Street and Old Station Yard. The new buildings fronting Stert Street will contain eight flats and one maisonette, while the new building fronting Old Station Yard will comprise a terrace of four houses and one maisonette. The total is for fourteen dwellings in the following mix:-

- 2 x 1-bedroom flats
- 6 x 2-bedroom flats
- 2 x 2-bedroom maisonettes
- 4 x 4-bedroom houses

Twelve of the dwellings will have off-street parking, comprising one space for each flat or maisonette, and two spaces for each house. The two one-bedroom flats would not have parking. Parking for the houses will be a single space located in front of each house, and a large single integral garage measuring six metres long by three metres wide. Parking for the flats/maisonettes will be provided within the site using a new access from Old Station Yard.

2.2 The design of the scheme is contemporary. It has been informed by a heritage statement and is a modern interpretation of the historic patterns of development in Stert Street. The design has been amended from its original form and the amended plans have been the subject of re-consultation. The amendments have sought to address concerns raised by the council's conservation officer and the architects' advisory panel, by introducing elements to better reflect the proportions of historic buildings and those of details such as traditional fenestration. The external materials are a wall tiling system, slate roof and aluminium glazing. The amended application plans are **attached** at appendix 2.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1 Abingdon Town Council – Original Plans – Object for the reasons **attached** at appendix 3

Amended Plans – Object for the same reasons.

3.2 Neighbour – Original Plans - Five letters of objection and one letter of observation were received. The grounds for objection were:-

- Completely inappropriate design for this location in the conservation area
- The scale of the proposed buildings dominates the surroundings
- Overlooking
- Obstruction of existing windows
- It is likely to lead to traffic congestion on Old Station Yard
- The ground floor residential use is inappropriate in this part of Stert Street and will harm its vitality
- Impact on neighbouring foundations (this is not a material consideration)

Amended Plans – one letter of objection had been received at the time of writing the report re-iterating objections made before

3.3 Oxfordshire County Highways – Original Plans – concerns over the proposed access and parking arrangements

Amended Plans – no objection subject to conditions

3.4 Conservation Officer Vale – Original Plans – objections on the grounds of lack of sufficient respect for the historic setting

Amended Plans – better reflect the historic setting through the use of more articulation

3.5 Architects Panel – Original Plans – Defer - consideration should be given to the site's historic context including impact on layout, massing and bulk, detailing and materials, landscaping, conservation areas and listed buildings

Intermediate Stage – Defer - Reconsider design of frontage onto Stert Street – varied roof treatment, scale of windows. Reconsider parking on Old Station Yard. Recognise high quality of design

Amended Plans – Recommend approval with conditions – detailing very important (glazing, cladding, undercloak) and will affect the finished scheme significantly.

3.6 Drainage Engineer (Vale of White Horse District Council) – no objection subject to additional information regarding the submitted flood risk assessment

3.7 Health & Housing – no objections subject to details regarding acoustic protection

3.8 Waste Management Officer (District Council) – no objections subject to details and a financial contribution towards the provision of recycling/refuse bins

3.9 Countryside Officer(South Oxfordshire & Vale of White Horse) - No objections

3.10 County Archaeologist – no objection subject to conditions

4.0 RELEVANT PLANNING HISTORY

4.1 None

5.0 POLICY & GUIDANCE

5.1 Policy HE1 of the adopted Vale of White Horse Local Plan 2011 deals with development in the conservation area and requires all new development to preserve or enhance the character or appearance of the conservation area. Policy S4 allows retail uses within Abingdon town centre except for the ground floor of premises with protected shopping frontages. Policy S5 defines these protected shopping frontages. Policies DC1, DC5 and DC9 of the adopted local plan require all new development to be acceptable in terms of design, impact on neighbours, and highway safety. Policy DC8 ensures that measures are put in place to mitigate the impact of any new development on local services and infrastructure.

5.2 Published in March 2012, the National Planning Policy Framework replaced all previous PPG's and PPS's, and is a material consideration in the determination of all planning applications. The core principle of the Framework is a presumption in favour of sustainable development, comprised of three mutually dependent dimensions – economic, social and environmental. Where relevant policies of the development plan are out-of-date, the Framework states (paragraph 14) that planning permission should be granted "... unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.."

5.3 Paragraph 49 of the Framework states that "Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites." Currently the council does not have a five year supply of housing sites. Paragraph 50 supports the delivery of sustainable, inclusive and mixed communities.

5.4 Paragraph 60 states that planning decisions should not attempt to impose architectural styles or particular tastes, and should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. Local distinctiveness is important, however.

6.0 PLANNING CONSIDERATIONS

6.1 The main issues are:-

- The principle of the proposal
- The impact on the character and appearance of the conservation area
- The impact on neighbours
- The impact on local services and facilities
- Highway safety

- 6.2 With regard to the principle of the proposal, the site lies within the Abingdon town centre policy area and the conservation area. The use of buildings for residential purposes in the town centre is acceptable, provided the ground floor of the site is not within a protected shopping frontage. The ground floor of the site's Stert Street frontage is not part of the protected shopping frontage of Stert Street and the established use of the ground floor is not for retailing, but for offices. Local plan policy S5, which protects ground floor retail use, does not apply and, therefore, the use of the ground floor for residential use is acceptable in principle by reason of policy S4.
- 6.3 The site lies in a highly sustainable position. It is within easy walking distance of all the services of Abingdon town centre, and of numerous bus services to Oxford and other settlements. The proposal does represent sustainable housing development and, following the Framework, there is a presumption in favour of granting planning permission.
- 6.4 With regard to the impact on the character and appearance of the conservation area, there are two elements – firstly, the acceptability of the demolition of the existing buildings, and, secondly, the acceptability of the proposed buildings. Records show that the existing buildings on the site, including the buildings fronting Stert Street and the stone building fronting Old Station Yard, all date from the early 1980's, when the site was redeveloped. They have no historic merit. Consequently, the demolition of the existing buildings is not harmful to the conservation area in principle.
- 6.5 The proposal is of contemporary design. It has been amended in response to comments made by the conservation officer and the architects' advisory panel. The amendments have involved greater articulation of the terraced houses and revisions to the design and detail of the proposed Stert Street frontage, both designed to pay more regard to the rhythm and proportions found in the historic pattern of development in Stert Street. The amendments have now gained the agreement of the conservation officer and the architects' advisory panel.
- 6.6 The design is modern, minimalist, and based on very precise detailing. The execution of this detailing will be critical to the visual quality of the scheme. Substantial conditions controlling this detailing will therefore be necessary. The external wall material is an applied tile system which, in practise, looks like brick. Windows will have a significant recess and will have aluminium frames.
- 6.7 Councillors need to give careful consideration to this issue. The modern design in this location is controversial. However, advice in the Framework is clear, that innovation and originality should not be rejected unless there are valid design reasons for so doing. In view of the support of the architects' advisory panel, and provided the scheme is executed to a high standard, there is considered to be no justification for refusal on design grounds.
- 6.8 The design includes privacy blinds that can be drawn across the ground floor windows of the proposed flats fronting Stert Street. Blinds or curtains are an accepted feature in such circumstances, and this is not considered to be harmful to the appearance of the proposal. The proposal also provides a street frontage to Old Station Yard, which is beneficial in urban design terms
- 6.9 With respect to the impact on neighbours, this assessment has to be informed by the presence of the existing large office building in the centre of the site, which lies very close to the north boundary, and has first and second floor windows that already look directly towards the rear of adjacent buildings in Stert Street, and towards the gardens to the south. The proposal will have the effect of removing built form from some of the

north boundary, although there are no principal windows in the rear elevation of the terrace facing the square. No additional harm will arise to the properties fronting Stert Street.

6.10 The garden immediately to the south lies at a level approximately three metres higher than the ground level of the site. This change in level means the garden will not suffer harmful noise or other disturbance from vehicles using the new vehicular access into the site from Old Station Yard. The scheme has been carefully designed to minimise harm from overlooking, and represents a significant improvement to the direct overlooking that currently exists from the office building. Overall the impact on neighbours is acceptable.

6.11 The next issue is the impact on local services. Section 106 agreements are being prepared at the Vale and at Oxfordshire County Council to secure financial contributions. The contributions will cover the following areas – local primary and secondary schools, special needs education, integrated youth services, social and health care, libraries, waste management, central museum storage, sport and leisure, and the provision of recycling bins

6.12 The final issue is highway safety. The amended plans have also sought to address concerns regarding access and parking. The proposed integral garages have been increased in size to six metres by three metres, so they are more likely to be used for parking. Amendments have also been made to the proposed access so that it now meets the required standard.

6.13 Two of the proposed residential units will not have off-street parking. These are the two smallest units, the one-bedroom flats. Given the highly sustainable location of the site, in the town centre, and the presence of double-yellow lines in surrounding streets, it is not considered that the lack of parking for these two small units is sufficient to justify refusal of the application.

7.0 CONCLUSION

7.1 The proposal is sustainable housing development and has an acceptable impact on the character and appearance of the conservation area. When compared to the impact of the existing office building on the site, the amenities of neighbours will not be harmed by the proposal. Access arrangements will meet safety standards. Parking will be provided for all but two of the proposed dwellings. Given the location of the site in the town centre, this is considered to be acceptable. Consequently, the proposal accords with relevant policies of the adopted Vale of White Horse Local Plan 2011, particularly policies HE1, DC1, DC5 and DC9.

8.0 RECOMMENDATION

Planning Permission is granted subject to:

1. The completion of section 106 agreements for financial contributions,

2. Conditions as follows:

P13/V0821/FUL:

1. Commencement 3 yrs - full planning permission
2. Approved plans
3. HY2[1] - access in accord.with specified plan (f)
4. HY7[1] - car parking (full)
5. HY19 - no drainage to highway (full)
6. MC2 - materials (samples) (full)

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7. MC9 - building details (full – including eaves, verges, undercloak, rainwater goods, door and window frames, reveals, and vents)
8. MC24 - drainage details (surface and foul(full))
9. RE2 - pd restriction on dwels. Exten/outbld.(f
10. RE5 - restriction on fences/walls (full)
11. RE7[I] - bound.details in accord. With spec.plan
12. RE11 - garage accommodation (full)
13. HY20 – bicycle parking
14. RE29 – refuse storage
15. CN11 – scheme of archaeological investigation
16. RE15 – sound insulation (dwellings)

P13/V0822/CA:

1. TL4 – Time Limit

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