

<b>APPLICATION NO.</b>	<a href="#">P15/V1643/FUL</a>
<b>APPLICATION TYPE</b>	FULL APPLICATION
<b>REGISTERED</b>	9.7.2015
<b>PARISH</b>	ABINGDON
<b>WARD MEMBER(S)</b>	Katie Finch Helen Pighills
<b>APPLICANT</b>	Twin City Developments Ltd
<b>SITE</b>	83 The Vineyard, Abingdon, OX14 3PG
<b>PROPOSAL</b>	Change of use of site from commercial to residential with a redevelopment in the form of a part conversion, part new build residential development of 7 apartments with associated external works. Existing vehicle access to site retained. (Amendment to approved scheme P14/V0942/FUL)
<b>AMENDMENTS</b>	None
<b>GRID REFERENCE</b>	450004/197481
<b>OFFICER</b>	Holly Bates

---

## SUMMARY

- The application is to erect a building containing seven flats as a part-conversion, part-new build of an existing commercial property in Abingdon town centre.
- An application to erect a building containing six flats was approved at planning committee in January 2015.
- This is an amended application to increase the number of flats to seven; with the change being to change one 2-bed flat to two 1-bed flats.
- The application is referred to committee due to an objection from Abingdon Town Council.
- The main issues are:
  - impact on the character of the area;
  - impact on neighbour amenity;
  - impact on the highway
- The application is recommended for approval.

## 1.0 INTRODUCTION

1.1 The application site, approximately 0.07 ha in size, is located near the centre of Abingdon and is currently used for commercial purposes. The site is accessed off the Vineyard to the north and is located to the rear of an existing shop with flat above which fronts the highway. Residential development is located to the south, east and west of the site. The site plan is **attached** at appendix 1.

1.2 The application comes to committee as Abingdon Town Council objects to the proposal.

## 2.0 PROPOSAL

2.1 The application seeks planning permission for the redevelopment of the site to provide seven flats. The site would be converted from commercial to residential, involving part conversion of the existing building and part-new build.

- 2.2 The proposal involves the demolition of the existing single storey garage block along the southern boundary and its replacement with a new building that would extend eastwards from the existing commercial building. The commercial building would also be converted to provide flats, with some additional construction required to create the third storey.
- 2.3 In total, 4 x 1 bedroom flats and 3 x 2 bedroom flats would be provided.
- 2.4 The maximum height of the building at the third storey would be 9.4m and the second storey elements would be about 6.5m high. The development would be of a contemporary design with a white render finish complemented by sections of timber boarding and a flat roof with aluminium fascias. The application plans are **attached** at appendix 2.
- 2.5 As well as the planning permission granted earlier this year for 6 flats, planning permission was also previously granted in 2007 for the erection of 6 flats on the site in a more traditional design, but this has not been implemented.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

- 3.1 Below is a summary of the responses received to both the original plans and the amendments. A full copy of all the comments made can be viewed online at [www.whitehorsedc.gov.uk](http://www.whitehorsedc.gov.uk).

3.2

<b>Abingdon Town Council</b>	Object. Their concerns may be summarised as follows:  Members considered that the proposed change of use from commercial to residential would generate an increase in vehicular traffic for which could not be accommodated by the development, and that in particular there would not be safe and convenient access within the site and to and from the adjoining highway and that there would not be adequate and safe parking provision, in contravention of retained policy DC5 (access) of the adopted VWH District Local Plan 2011.
<b>Neighbours</b>	No representations have been received from any neighbouring properties.
<b>Highways Liaison Officer – Oxfordshire County Council</b>	No objections, subject to conditions.
<b>Landscape Officer – Vale of White Horse</b>	No further comments.
<b>Drainage Engineer – Vale of White Horse</b>	No objections, subject to conditions.
<b>Environment Agency</b>	No objections, subject to conditions.

<b>Thames Water Development Control</b>	No objections, subject to informative.
<b>Environmental Protection Team – Vale of White Horse</b>	No objections.
<b>Air Quality Officer – Vale of White Horse</b>	No objections.
<b>Contaminated Land Officer – Vale of White Horse</b>	No objections, subject to conditions.
<b>Archeaology Team – Oxfordshire County Council</b>	No objections, subject to conditions.
<b>Countryside Officer – Vale of White Horse</b>	No further comments.
<b>Natural England</b>	No comments.

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P14/V0942/FUL](#) - Approved (12/01/2015)

Redevelopment and change of use of the site from commercial to residential with part conversion part new build creating 6 flats with associated external works and retention of vehicle access.(as Amended by plans received on 30 October 2014)

[P07/V1425](#) - Approved (18/12/2007)

Demolition of garage and replacement with 2 no. apartments. Conversion of existing commercial building to 4 no. 1 bedroom flats.

[P84/V0895](#) - Approved (11/01/1985)

Re-development of workshop/warehouse and garaging to provide modern accommodation with office and toilet facilities. (BR 1376/84ABG)

[P83/V0814](#) - Refused (18/07/1983)

Conversion of existing house, shop and workshop to form two one-bedroom flats and four one-bedroomed houses.

[P82/V0737](#) - Approved (03/03/1982)

Remove projecting brickwork on side of shop to widen access. Remove large plate glass window and replace with smaller panes. BR 98/82ABG)

[P77/V0627/COU](#) - Approved (21/10/1977)

Change of use of outbuildings from storage to woodwork and cabinet making workshop.

5.0 **POLICY & GUIDANCE**

5.1 **Vale of White Horse District Council Local Plan 2011**

The development plan for this area comprises the adopted Vale of White Horse local plan 2011. The following local plan policies relevant to this application were ‘saved’ by direction on 1 July 2009.

Policy Number	Policy Title
GS1	Developments in Existing Settlements
DC1	Design
DC5	Access
DC6	Landscaping
DC7	Waste Collection and Recycling
DC9	The Impact of Development on Neighbouring Uses
DC10	The Effect of Neighbouring or Previous Uses on New Development
H10	Development in the Five Main Settlements
HE10	Archaeology

## 5.2 Emerging Local Plan 2031 – Part 1

The draft local plan part 1 is not currently adopted policy. Paragraph 216 of the NPPF allows for weight to be given to relevant policies in emerging plans, unless other material considerations indicate otherwise, and only subject to the stage of preparation of the plan, the extent of unresolved objections and the degree of consistency of the relevant emerging policies with the NPPF. At present it is officers' opinion that the emerging Local Plan housing policies carry limited weight for decision making. The relevant policies are as follows:-

Policy Number	Policy Title
Core Policy 1	Presumption in favour of sustainable development
Core Policy 3	Settlement hierarchy
Core Policy 4	Meeting our housing needs
Core Policy 8	Spatial Strategy for Abingdon-on-Thames and Oxford Fringe Sub-Area
Core Policy 33	Promoting sustainable transport and accessibility
Core Policy 35	Promoting public transport, cycling and walking
Core Policy 37	Design and local distinctiveness
Core Policy 44	Landscape

## 5.3 Supplementary Planning Guidance

- Design Guide – March 2015  
The following sections of the Design Guide are particularly relevant to this application:-

### *Responding to Site and Setting*

- *Character Study (DG6) and Site appraisal (DG9)*

### *Establishing the Framework*

- *Existing natural resources, sustainability and heritage(DG10-13, 15, 19)*
- *Landscape and SUDS (DG14, 16-18, 20)*
- *Movement Framework and street hierarchy (DG21-24)*
- *Density (DG26)*
- *Urban Structure (blocks, frontages, nodes etc) DG27-30*

### *Layout*

- *Streets and Spaces (DG31-43)*
- *Parking (DG44-50)*

### *Built Form*

- *Scale, form, massing and position (DG51-54)*

- *Boundary treatments (DG55)*
- *Building Design (DG56-62)*
- *Amenity, privacy and overlooking (DG63-64)*
- *Refuse and services (DG67-68)*
- *Apartments (DG69-75)*

**5.4 National Planning Policy Framework (NPPF) – March 2012**

**5.5 National Planning Practice Guidance 2014 (NPPG)**

**5.6 Neighbourhood Plan**

Paragraph 216 of the NPPF allows for weight to be given to relevant policies in emerging plans, unless other material considerations indicate otherwise, and only subject to the stage of preparation of the plan, the extent of unresolved objections and the degree of consistency of the relevant emerging policies with the NPPF.

5.7 Abingdon has not submitted a neighbourhood plan.

**5.8 Other Relevant Legislation**

- Planning (Listed Buildings and Conservation Areas Act) 1990
- Community & Infrastructure Levy Legislation Human Rights Act 1998
- Equality Act 2010
- Section 17 of the Crime and Disorder Act 1998
- Natural Environment and Rural Communities (NERC) Act 2006
- The Conservation of Habitats and Species Regulations 2010
- Localism Act (including New Homes Bonus)

**5.9 Human Rights Act**

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

**5.10 Equalities**

In determining this planning application the Council has regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010.

**6.0 PLANNING CONSIDERATIONS**

6.1 The relevant planning considerations in the determination of this application are:

1. Principle of the development
2. Locational credentials
3. Impact on the character and appearance of the area;
4. Residential Amenity
5. Traffic, Parking and Highway Safety

**6.2 The Principle of Development**

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. Section 70 (2) of the Town and Country Planning Act 1990 provides that the local planning authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations. The development plan currently comprises the saved policies of Vale of White Horse Local Plan 2011. Paragraph 215 of the NPPF provides that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given).

- 6.3 Other material planning considerations include national planning guidance within the NPPF and NPPG and the emerging Vale of White Horse Local Plan: Part 1-Strategic Sites and Policies and its supporting evidence base.
- 6.4 Paragraph 47 of the NPPF expects local planning authorities to *"use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area"*... The authority has undertaken this assessment through the April 2014 SHMA which is the most up to date objectively assessed need for housing. In agreeing to submit the emerging Local Plan for examination, the Council has agreed a housing target of at least 20,560 dwellings for the plan period to 2031. Set against this target the Council does not have a five year housing land supply.
- 6.5 Paragraph 49 of the NPPF states *"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"*. This means that the relevant housing policies in the adopted Local Plan are not considered up to date and the adverse impacts of a development would need to significantly and demonstrably outweigh the benefits if the proposal is refused. In order to judge whether a development is sustainable it must be assessed against the economic, social and environmental roles.
- 6.6 Policy GS1 of the adopted Local Plan provides a strategy for locating development concentrated at the five major towns but with small scale development within the built up areas of villages provided that important areas of open land and their rural character are protected. In terms of a hierarchy for allocating development this strategy is consistent with the NPPF, as is the intention to protect the character of villages.
- 6.7 The application site is located within the main built up area of Abingdon, which is the highest scoring town within the Town and Village Facilities Study (Update February 2014) which is part of the evidence base for the Emerging Local Plan 2031 Part One.
- 6.8 The relevant housing policies of the adopted and emerging local plan hold very limited material planning weight in light of the lack of a 5 year housing supply. Consequently the proposal should be assessed under the NPPF where there is a presumption in favour of sustainable development. Sustainable development is seen as the golden thread running through the decision making process. Having a deliverable 5 year housing supply is considered sustainable under the 3 strands. Therefore, with the lack of a 5 year housing supply, the proposal is acceptable in principle unless any adverse impacts can be identified that would significantly and demonstrably outweigh the benefits of meeting this objective.
- 6.9 **Locational Credentials**  
The NPPF requires the need to travel to be minimised and the use of sustainable transport modes to be maximised (paragraph 34).
- 6.10 Officers consider that the principle of converting the site to residential use is acceptable. The site is located near the centre of Abingdon, one of the largest settlements within the Vale with relatively good access to services, facilities and public transport. These include a wide range of shops and restaurants in the town centre a short distance away, as well as a library, doctor's surgeries, public houses and a large food store.

- 6.11 The application site is within reasonable walking distance of many of these facilities; approximately 250m to the large supermarket and approximately 140m from a bus stop which is serviced by 8 services; many of which are frequent services directly to Oxford, and to Didcot including Milton Park. The approximate distances provided are from the site access.
- 6.12 The proposal would make use of a redundant, previously developed site in an area which has seen significant residential development on disused commercial sites in recent times. The redevelopment of this site in a highly sustainable location is therefore supported by the NPPF in its encouragement of effective use of land reusing land that has previously been developed. It would also make a contribution towards the council's five year land supply deficit.
- 6.13 Consequently, it is considered the proposal is sustainable in terms of its economic and social aspects. The environmental aspect of the proposal also needs to be assessed. This relates to the impact of the proposal on the area, the impact on neighbours and highway safety.
- 6.14 **Character and appearance**  
Local plan policy DC1 seeks to ensure good quality design. In March 2015 the council adopted its design guide, which aims to raise the standard of design across the district. The NPPF is clear in paragraph 60 that "planning policies and decisions should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles".
- 6.15 The development in the form proposed is not considered to be harmful to the character of the locality. The proposal is of a high quality contemporary design which would utilise high quality materials and finishes, which are to be conditioned. The footprint is largely retained to the existing commercial buildings, and would predominately be two storeys in height apart from two sections rising to three storeys.
- 6.16 The building has been designed to incorporate alternative heights and contrasting sections of materials, such as render and timber boarding, to provide articulation to the design, reducing the massing and balancing the proportions.
- 6.17 The arrangement of the grey upvc windows and Juliette balconies, which complement the aluminium fascias, provides a verticality to the design. Simple detailing such as glazed canopies complement the contemporary finish, while the retention of existing features to the existing building such as the circular metal plates to the south-west elevation provide interest and local distinctiveness to the rendered façade to this elevation.
- 6.18 There are only a few external amendments from the scheme approved previously. The amended scheme reduces the scale of the third storey elements, further reducing the visual impact and massing of the proposal. A larger landscaped area of communal space would be provided to the front of the buildings with the movement of the cycle parking and refuse storage. This, along with the proposed 'grass-crete' turning area, would create a softer, more aesthetically pleasing approach to the building.
- 6.19 Five of the seven flats would have access to its own private terrace/balcony, while an area of approximately 55 sqm would be provided as a communal landscaped amenity area for the apartments. This level of amenity space is considered to be sufficient for the type of urban development proposed.

- 6.20 Officers do not consider that the proposed building would appear out of place within the urban town centre location, and the character of the immediate neighbourhood incorporates a number of three storey town houses and flats. As such, the proposal is not considered to harm the character and appearance of the locality.
- 6.21 Therefore the proposal is considered to comply with Local Plan Policies DC1, DC6 and H10, the Design Guide 2015, the NPPF and NPPG.
- 6.22 **Residential amenity**  
Adopted local plan policy DC9 seeks to prevent development that would result in a loss of privacy, daylight or sunlight for neighbouring properties or that would cause dominance or visual intrusion for neighbouring properties and the wider environment. Protecting amenity is a core principle of the NPPF. Design principles DG63-64 of the Design Guide pertain to amenity, privacy and overlooking.
- 6.23 This application further reduces the projection of the third storey element along the western boundary the neighbouring property, no. 5 Vintner Road. The proposed third storey element would not exceed a 40 degree line taken from the closest upper floor habitable room window in the front elevation of 5 Vintner Road (as set out in the council's Design Guide 2015). This is considered sufficient to ensure that the proposal would not appear over-dominating or block outlook from the windows to this property
- 6.24 The windows and terraces along the south elevation face a car parking area, and so will not result in any harmful overlooking but will create natural surveillance of this area. The windows to the west elevation will similarly face a car park area, serving Vintner Road. Windows to the north are mainly confined to the eastern most section of the building and would therefore overlook the access road and car park area for the site.
- 6.25 Two small secondary windows to the kitchen area of unit 5 would be located to the western end of the north elevation, but both would be more than 21m away from the rear elevation of the properties to the north fronting The Vineyard, complying with the minimum requirements as set out in the Design Guide 2015. The terrace areas for the units on the second floor would have obscure glazed screens to the north and south elevations, and a timber screen between them to ensure privacy.
- 6.26 The only windows in the east elevation would serve bathrooms; one ground floor and one first floor, which are non-habitable rooms. The amended application includes the first floor window and therefore given the proximity to the windows of the flats to the east, it is considered reasonable and necessary to condition these windows to be obscure glazed and top hung opening only.
- 6.27 It is noted that the windows do appear to be located directly on the boundaries of the site; the agent for the application has confirmed that there would be space within the curtilage of the site to accommodate window openings. The proposed windows should not open over any third party land, but this is not a material planning consideration.
- 6.28 It is not considered that the residential use of the site would result in any significant worsening of noise levels than those that could be experienced from the site's commercial use. The council's environmental health officer has raised no objections.
- 6.29 As such, the proposal is considered to comply with Local Plan Policy DC9, the Design Guide 2015 and the NPPF and NPPG.
- 6.30 **Traffic, Parking and Highway Safety**  
Adopted local plan policy DC5 requires safe access for developments and that the road



network can accommodate the traffic arising from the development safely. The NPPF, as paragraph 32 states: "Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe."

- 6.31 The application proposes to use the existing access to the site from The Vineyard, and would provide five car parking spaces for the seven flats. The five larger flats would be sold with one parking space each, while the two smaller ones would be sold without parking provision.
- 6.32 The other three spaces as shown would be retained for the hairdressers at 83 The Vineyard (2 spaces) and 81 The Vineyard (1 space) which is the current arrangement.
- 6.33 The car parking layout remains the same as approved under the previous application, apart from the replacement of one parking space closest to the building with cycle parking and refuse storage. Tracking plans were previously submitted to the satisfaction of the local highway authority which demonstrate that vehicles are able to turn within the site and egress in a forward gear. A plan demonstrating that safe fire access would also be able to be achieved, to building control standards, has also been submitted.
- 6.34 The level of traffic that the proposed seven flats would generate would be lower than that of a commercial site, which is the extant use. The existing access onto The Vineyard would therefore experience less movements with the residential use.
- 6.35 Cycle parking for seven bicycles would also be provided, and the site is within walking distance of bus stops with frequent connections into Didcot, Oxford and beyond.
- 6.36 Officers consider that the level of parking provision for the development is acceptable, particularly due to the site's highly sustainable town centre location, within a short walking distance to bus stops with services to Oxford and Didcot which enable connections further afield by bus and train. The local highway authority raise no objections to the proposal, subject to conditions.
- 6.37 The proposed use of the existing access and proposed parking provision are considered to be satisfactory and would not result in a severe impact on transport grounds. As such, the proposal is considered to be contrary to Local Plan Policy DC5, the NPPF and the NPPG.
- 6.38 **Other considerations**
- 6.39 **Waste and recycling**  
The council's waste team have not commented on this application; but did raise concerns with the previous application with regards to the size of the bin storage area. This issue can be satisfactorily addressed by condition and as such a condition requiring full details of the bin storage is recommended.
- 6.40 **Technical issues**  
Issues relating to drainage, contaminated land, archaeology and tree protection are considered to be acceptable in principle and can be adequately addressed by way of conditions requiring further details to be submitted for consideration. These are included here; as with the previous planning permission.
- 7.0 **CONCLUSION**
- 7.1 It is considered the proposal amounts to sustainable development in terms of the economic, social and environmental aspects. The principle of the proposed development is considered acceptable, it will not harm the visual amenity of the area or

the amenities of neighbouring properties, and there is adequate parking provision on the site. No adverse impacts have been identified that would significantly and demonstrably outweigh the benefits of the proposal.

7.2 The proposal, therefore, complies with the provisions of the development plan, in particular policies GS1, DC1, DC5, DC6, DC7, DC9, DC10, HE10 and H10. The development is also considered to comply with the provisions of the National Planning Policy Framework, the NPPG and the council's Design Guide 2015.

8.0 **RECOMMENDATION**

8.1 **That planning permission is granted, subject to the following conditions:**

1. **Commencement three years – full planning permission.**
2. **List of approved plans.**
3. **Submission of material details.**
4. **Submission of window, door and finish details.**
5. **Submission of surface water and foul drainage details.**
6. **Submission of refuse and recycle storage details.**
7. **Contaminated land risk assessment to be submitted.**
8. **Submission of an arboricultural method statement include a tree protection plan.**
9. **Archeaology watching brief/written scheme of investigation – to be submitted.**
10. **Archeaology watching brief/written scheme of investigation – implementation.**
11. **Submission of details of a rumble strip or boundary markers at entrance to site.**
12. **Submission of external lighting details.**
13. **Submission of a construction traffic management plan.**
14. **Boundary details in accordance with submitted plan.**
15. **Car parking provision in line with approved plan.**
16. **Cycle parking to be provided in line with approved plan.**
17. **No gates to vehicular access, unless otherwise agreed in writing.**
18. **Obscure glazing to bathroom windows to the north-east elevation.**

Author: Holly Bates

Telephone: 01235 540546

Email: [holly.bates@southandvale.gov.uk](mailto:holly.bates@southandvale.gov.uk)