

<b>APPLICATION NO.</b>	<a href="#">P16/V3236/FUL</a>
<b>SITE</b>	Crossroads Garage, Faringdon Road, Southmoor, Abingdon, OX13 5HE
<b>PARISH</b>	Kingston Bagpuize
<b>PROPOSAL</b>	Demolition of Crossroads Garage showroom and sales office, retaining workshops at the rear, with one being altered to act as a new reception/office. New local supermarket with associated storage/office space, plant, refuse area and 3 flats above the supermarket with associated amenity space and shared refuse/bike storage. (Additional information received 28 March - contamination)
<b>WARD MEMBER(S)</b>	Eric Batts
<b>APPLICANT</b>	Mr Jonathan Cliff
<b>OFFICER</b>	Sarah Green

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## **RECOMMENDATION**

It is recommended planning permission is granted subject to the following conditions:

### Standard conditions

1. Commencement three years - full planning permission.
2. Approved plans.

### Prior to commencement

3. Samples of materials to be submitted.
4. Details of windows and doors to be submitted.
5. Details of hard and soft landscaping to be submitted.
6. Surface and foul water drainage details to be submitted.

### Prior to occupation

7. Contaminated land remediation in accordance with approved document.
8. No occupation of development until off- site highways works are completed (to include the provision of the servicing lay by/pull in and any associated footway alterations, including tactile paving, appropriate signage and lining measures as necessary).
9. Details of ventilation, refrigeration or plant equipment for retail unit to be submitted.
10. A delivery management plan for the retail unit to be submitted.
11. Access and parking in accordance with plan.
12. Bicycle parking in accordance with plan.
13. Bin stores in accordance with plan.

### Compliance

14. Landscaping to be implemented and maintained for five years.

**15. Deliveries to retail unit limited to between 0700 and 2300 unless a quiet delivery protocol is agreed.**

**1.0 INTRODUCTION AND PROPOSAL**

- 1.1 This application comes to committee as it is a major application and the parish council have a contrary view to the officers' recommendation, and also at the request of the local ward councillor Eric Batts.
- 1.2 The application site is the existing Crossroads Garage site in the centre of Southmoor which is a used car dealership and Renault repair centre. It occupies the corner of the Faringdon Road and Draycott Road, as shown on the location plan below.



- 1.3 This is the second application for redevelopment of this site. An application for the demolition of the showroom and office space at the front of the site and the erection of a retail unit with four flats above was refused by planning committee in September 2015. The refusal reason was the following:

*That having regard to the scale, mass, contemporary design, and prominent corner location, the proposed building would be incongruous with the surrounding development. It would result in a visually harmful development that would be inappropriate and not sympathetic to the established character of the area. As such the proposal is contrary to policy DC1 of the adopted Local Plan 2011, policy 37 (design and local distinctiveness) of the emerging Local Plan 2031 Part1, and advice in the Design Guide 2015.*

- 1.4 That application is currently being heard at appeal by written representations (reference APP/V3120/W/17/3167647).
- 1.5 This current application seeks to address the committee previous concerns and refusal reason. This application also proposes to retain and refurbish the workshops to the rear and retain the garage use on this portion of the site.

1.6 A slightly smaller retail unit of 360sqm would be erected with three flats above instead of the previous four. The previous scheme was of contemporary design whereas this revised building has a more traditional design with pitched roofs. As with the previous scheme a new lay-by would be created along Faringdon Road which would be used as a delivery bay for the store. Also as before the parking area for the store would be located to the side with access from Faringdon Road, and parking for the proposed flats would be separate and accessed from Draycott Road. Extracts of the plans are **attached** at Appendix 1. A full copy of the plans and supporting documents are available on the council's website.

1.7 Since the determination of the previous application the underground fuel tanks have been removed and some voluntary remedial works have been undertaken.

2.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

2.1	Kingston Bagpuize With Southmoor Parish Council	<p>Object</p> <ul style="list-style-type: none"> <li>• No justification for additional retail here</li> <li>• Issues with parking</li> <li>• Delivery lay-by is dangerous</li> <li>• Noise from heating and ventilation</li> <li>• Building height is higher, more imposing</li> <li>• Increase in traffic</li> <li>• Requests a number of highway contributions if granted</li> </ul>
	Neighbours – 29 letters of objection:	<ul style="list-style-type: none"> <li>• Parking problems, insufficient parking</li> <li>• Additional traffic at busy junction</li> <li>• Layby danger to pedestrians</li> <li>• Issues of pedestrian safety</li> <li>• Noise from workshop</li> <li>• Noise from shop</li> <li>• Lacks architectural merit</li> <li>• Mass and position out of keeping</li> <li>• Loss of privacy</li> <li>• Lack of information on refrigeration units</li> <li>• Still contrary to local plan design policy</li> <li>• Increased height, which is more than the Methodist Church</li> <li>• No requirement for further shop</li> <li>• Doesn't accord with Vale's corporate objectives</li> <li>• Insufficient capacity for two convenience shops in the village</li> </ul>
	Thames Water Development Control	No objection

Oxfordshire County Council Single Response	Highways - No objection subject to condition Archaeology – No objection
Waste Team	No objection
Drainage Engineer	No objection subject to condition
Urban Design Officer	Design and scale does relate to the site context. Further information on materials and landscaping required
Health & Housing - Food Safety	No objection
Health & Housing - Contaminated Land	No objection subject to condition
Health & Housing – Environmental protection	No objection subject to condition

### 3.0 **RELEVANT PLANNING HISTORY**

#### 3.1 [P16/V0446/FUL](#) - Refused (28/09/2016)

Demolition of Crossroads Garage showroom and sales offices, retaining workshops at the rear, with one being altered to act as new reception/office. New local supermarket with associated storage/office space, plant, refuse area and parking. 4no. flats above supermarket with associated amenity space and shared refuse/bike storage. (15 June 2016 - Amended plans received) (11 August 2016 - Amended plans receive - design amendments)

Appeal started 2 March 2017. (reference APP/V3120/W/17/3167647)

### 3.2 **Pre-application History**

None

### 4.0 **ENVIRONMENTAL IMPACT ASSESSMENT**

4.1 The application site area is under 5ha. Consequently the proposal is beneath the thresholds set in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (Amendment) Regulations 2015 and this proposal is not EIA development and there is no requirement under the Regulations to provide a screening opinion.

### 5.0 **MAIN ISSUES**

5.1 The relevant planning considerations are the following:

- Principle
- Design
- Amenity
- Highway matters
- Drainage
- Contaminated land
- Contributions

5.2 **Principle**

The NPPF requires the planning system to support an appropriate level of economic growth in rural areas to create jobs and prosperity by taking a positive approach to sustainable new development. The planning system should promote the retention and development of local services and community facilities in villages, such as local shops. It also states that sequential test does not apply to small scale rural retail development.

5.3 Policy S13 of the Local Plan 2011 supports new small scale shops within villages provided they do not result in other planning harm. Such shops can help to support the day to day needs of a community and contribute to making places more sustainable. There have been a number of objections relating to the proximity of the proposal to existing village shops. Members will be aware that commercial competition is not a material planning consideration. Thus the application cannot be refused because it will increase competition with existing shops. Kingston Bagpuize-with-Southmoor is categorised as a larger village within the adopted Local Plan 2031 Part 1. Over the last few years at least 672 new dwellings have received permission and are being built, increasing the population of the villages. The development will be a new service to the area which will serve both existing and new residents. Officers consider that the proposal to build this new village shop should be welcomed.

5.4 In terms of the new flats, the site is within the built up area and new residential would be acceptable in this location. The proposal also retains the existing garage use, and hence employment, on the site, although within a smaller area.

5.5 The proposed change of use of the site did not form a refusal reason for the previous application.

5.6 **Design**

The NPPF advises that design policies should avoid unnecessary prescription or detail and should not attempt to impose architectural styles or particular tastes. Moreover they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness. The adopted design guide advocates that the scale of new buildings should relate to their location but that landmark or corner buildings provide opportunities for distinctive designs and increased building heights. The relevant local plan design policy is CP37 from Local Plan 2031 Part 1, which replaced policy DC1 in the Local Plan 2011.

5.7 Members considered the previous proposal for this site, of contemporary design, was not in keeping with the context of the predominant residential area and indicated that a more traditional form of building may be more appropriate. This proposal seeks to address the committee's concerns over the design.

5.8 The design and access statement states that the building has been designed to resemble a terrace of three houses with pitched roofs. The maximum height to the ridge would be 8.7 metres with an eaves height of 5.7 metres. For

comparison the previous flat roof proposal had a height of 7.4 metres. The form of the building has sought to relate more to the surrounding built context of pitched roofs. The set of triple gables, with the set-back of the central gable, will help to break up the mass of the roof form as well as reflect a more vertical emphasis to the building as oppose to the more horizontal emphasis of the previous proposal. The urban design officer considers the visual impact of the proposal on the character and appearance of the surrounding area will be acceptable.

- 5.9 The size of the building has been reduced, creating more space and openness towards the junction, thereby reducing the visual impact upon views at the junction, and along Draycott Road towards the former Methodist Church. It has also been set back a further metre from Faringdon Road compared to the previous proposal, thereby enable more landscaping space to be created along the front as well as along Draycott Road.
- 5.10 The parking areas for both retail and residential will be separate as in the previous proposal, with the retail parking being to the side and therefore less dominating in the street scene. The use of the glazing and balconies help the building to address the street and provide natural surveillance, in accordance with good design principles. Each flat will be provided with its own amenity area at first floor level.
- 5.11 The proposed building itself incorporates high quality external materials including slate, timber, and brick. A clear reference to local distinctiveness is included with a Flemish bond pattern on some of the brick panels, involving stretchers alternating with recessed headers. A traditional Flemish bond wall comprises orange/red stretcher bricks with blue-glazed headers. It is a locally distinctive feature.
- 5.12 Overall officers consider the proposed building would relate well to its context. Its scale is justified in design terms and the proposed materials would be in keeping. It also incorporates a reference to local distinctiveness. In view of its attributes, officers consider the proposal to be acceptable in design terms.
- 5.13 In terms of the existing garage buildings, one of these will be refurbished to become the new office and reception area. This will help improve and provide a more active street frontage to Draycott Road.
- 5.14 **Amenity**  
Each flat would be provided with its own private external garden terrace area. These would provide the occupiers with some external living area and also provide natural surveillance of the stairs and terrace area, as well as the street.
- 5.15 There are residential properties around the site which have views of the site. It is acknowledged that the outlook these properties have towards the site will change. This in itself is not necessarily harmful. Members will be aware that the right to a view is not a material planning consideration. Therefore officers have paid careful attention to the material considerations of potential overlooking or dominance.

- 5.16 To the east of the site is Woodlea, a bungalow. The boundary of the site encloses one side of this property. The layout of the proposal means the building and external terrace areas will be set away from the boundary with this property and therefore would not result in overlooking or dominance to this neighbour. The proposed building is over 30 metres away from the bungalow and over 18 metres away from the boundary, which also means that the existing conifer hedge on the boundary will not be affected. Along the boundary will be parking, similar to the current arrangement, with the bin provision behind the building and not adjacent to the neighbour.
- 5.17 To the west of the site is Draycott Road and the backs of properties in Lime Grove. The first floor windows of the flats will overlook the street and public realm. The design guide recommends a distance of at least 21 metres between facing habitable rooms to ensure there is no direct overlooking between properties. The distance between the flats and the Lime Grove properties would be 26m. Given this distance officers do not consider that the proposal will result in harmful overlooking towards these properties. The reduction in the size of the building and re-siting of the side elevation further away from Draycott Road will also help to reduce the impact of the building on the residents of Lime Grove when compared to the previous proposal.
- 5.18 To the south of the site is Faringdon Road and a number of detached properties on the other side of the road. The proposed building would be set back from the edge of the road by approximately 6.5 metres, a metre further than the previous proposal. The distance between the opposite properties and the building would be over 21 metres, exceeding the recommended distance in the design guide.
- 5.19 Concerns have been raised by residents to the disturbance the development will create in terms of car movements and the use of the ATM. The site is essentially within the centre of the village, adjacent to the main road through the village, where there will be a higher level of disturbance than on residential side streets. Such convenience stores are typically located within residential areas without causing significant nuisance. The council's environmental health officer has no objections to the scheme. He recommends however that all deliveries should be restricted to between 7am and 11pm and officers consider this to be reasonable to ensure that residents are not disturbed during the night. Details of any ventilation or refrigeration units have not been provided at this stage. The environmental health officer is satisfied that such details can readily be sought by conditions, as in the previous proposal, to ensure that any units installed are appropriate in terms of any potential noise. Again the fact that such stores are typically located in residential areas indicates they can be accommodated without undue nuisance.
- 5.20 In terms of the advertisement and signage lighting, this would be covered under a separate advertisement consent process.
- 5.21 In terms of the existing garage use, it is not considered there would be any change to neighbour amenity from the continuation of this use.

**5.22 Highway matters**

Local plan policies CP33 and DC5 requires safe access for developments and that the road network can accommodate the traffic arising from the development safely. Policy CP35 seeks adequate parking is delivered on new developments. Paragraph 32 of the NPPF states that applications should only be refused on transport grounds if the resultant impact is “severe”.

5.23 The development would utilise the existing access to the site from Faringdon Road to serve the parking area for the shop. The residential parking would be accessed from Draycott Road where there is already a dropped kerb. The garage would continue to use its existing access and a new one from Draycott Road.

5.24 A total of 17 spaces will be provided for the shop, the same as in the previous proposal. Four spaces are to be provided for the residential flats, one for each and a visitor space. The site is within walking distance of a number of residents within the village and the bus stops are adjacent to the site where the 66 bus stops every half-hour. A lay-by will be created along Faringdon Road to allow delivery lorries to pull off the carriageway.

5.25 The previous application was accompanied with a Transport Statement. The county highways officer has considered that whilst this application is not identical to the previous application, the proposed uses, scale and site layout are sufficiently similar for the transport statement to be considered valid for this application.

5.26 He has carefully considered the proposal in light of the NPPF threshold of “severe” harm and considers that the number of traffic movements from the development would not have a severe impact on the local highway network. On-site car and cycle parking will be adequate.

5.27 Many of the local objections relate to the potential for on-street parking being created by the development. The relevant consideration is however whether such an event is likely to cause “severe” harm to the highway network. Officers are mindful of recent appeal experience, for example the expansion of a bed-and-breakfast business in Kennington where the inspector accepted that the proposal would cause on-street parking but considered that this was insufficient in itself to outweigh the significant economic benefits of commercial development. It is therefore considered that any objection on this ground is unlikely to be supported at appeal. It is also noted that members did not refuse the previous proposal on highway grounds.

5.28 Objections have been raised by residents about the visibility at the junction of Draycott Road and Faringdon Road, and that the development, and the proposed lay-by, will make it difficult to exit the junction and cross the road. The new building will be set back from Faringdon Road by around 6.5metres which is behind the line of the existing hedge along the frontage and further than the previous proposal. The side elevation has also been set in further from Draycott Road, creating more space on the corner. Officers are satisfied that the new building will not interrupt the visibility splays from Draycott Road.



- 5.29 Having a lay-by will enable a delivery vehicle to park off the road instead of within the carriageway and it would be there for relatively short periods. The highways officer does not object to this arrangement. He does note that the lay-by could potentially be compromised by the casual parking of cars which could lead to the displacement of delivery vehicles. He advises that active management of the lay-by by shop staff in advance of known delivery times would mitigate this. A condition requiring a delivery management plan to be submitted and agreed is suggested. Officers are aware of a similar arrangement at the Co-op in West St Helens Street in Abingdon.
- 5.30 Overall there is no highway objection to this proposal, which will have essentially the same impact upon the highway as the previous proposal.
- 5.31 **Drainage**  
Both the council's drainage engineer and Thames Water have been consulted on the application and neither have any objection to the proposal. Conditions relating to drainage are suggested and details will require approval by the council's drainage engineer.
- 5.32 **Contaminated land**  
The site investigation carried out to date identified some localised petroleum contamination in the soil and groundwater associated with the former underground tanks. In addition, to the contamination identified there is the potential for further contamination to be identified during the course of the development. The underground fuel tanks have already been removed and some voluntary remedial works have been undertaken. A copy of the Remediation Strategy was provided to the contaminated land officer and forms part of the documents for this application.
- 5.33 The Remediation Strategy documents the works already commenced as part of the voluntary remediation works as well as recommending that a vapour resistant membrane is incorporated into the building slab and that further investigation of the site is carried out once the buildings have been demolished to confirm the absence of any significant contamination in these areas. The contaminated land officer is satisfied that this can be addressed by a suitable condition.
- 5.34 **Contributions**  
No contributions are sought by either the county or district councils due to the relative small scale of the scheme. The parish council has requested various contributions for bus services, bus shelters and pedestrian crossing facilities as well as for parking restrictions and signage. The proposed layout of the scheme separates the parking for the residents and the retail unit. 'Stop' signs have not been requested by the highways officer on the arms on the junction, although it is noted that the Hanney Road arm already benefits from such a sign.
- 5.35 Officers consider the requested financial contributions do not meet relevant legal tests, particularly related to the scale of the proposal and its proportionate impact. Therefore the requests cannot be supported.

6.0 **CONCLUSION**

- 6.1 Paragraph 7 of NPPF identifies three mutually dependant dimensions to sustainable development; it should fulfil an economic role, a social role and an environmental role.
- 6.2 The proposed development would perform an economic role, in that it would provide employment during the construction phase. It would also retain existing employment on the site and create new employment. The scheme would also provide 3 additional small units and add to the local housing mix.
- 6.3 The proposal will result in some environmental change resulting from localised changes to the character of the area. The NPPF places great weight on supporting sustainable economic development and also to boost the supply of housing. This development would contribute towards both of these aims. In view of this it is considered that the proposal is acceptable and therefore it is recommended for approval.

The following planning policies have been taken into account:

**Vale of White Horse Local Plan 2031 Part 1** policies:

- CF2 - Provision of New Community Services and Facilities
- CP01 - Presumption in Favour of Sustainable Development
- CP03 - Settlement Hierarchy
- CP04 - Meeting Our Housing Needs
- CP33 - Promoting Sustainable Transport and Accessibility
- CP35 - Promoting Public Transport, Cycling and Walking
- CP37 - Design and Local Distinctiveness
- CP42 - Flood Risk
- CP44 - Landscape

**Vale of White Horse Local Plan 2011** policies:

- DC20 - External Lighting
- DC5 - Access
- DC6 - Landscaping
- DC7 - Waste Collection and Recycling
- DC9 - The Impact of Development on Neighbouring Uses
- S13 - Development of Village Shops

**National Planning Policy Framework, 2012**

**Planning Practise Guidance, 2014**

**Design Guide (SPD adopted March 2015)**

**Equalities Act, 2010**

The proposal has been assessed against the public sector equality duty in

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section 149 of the Equalities Act. It is considered that no recognised group will be disadvantaged by the proposal.

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