

<b>APPLICATION NO.</b>	<a href="#">P17/V2268/FUL</a>
<b>APPLICATION TYPE</b>	FULL APPLICATION
<b>REGISTERED</b>	23.8.2017
<b>PARISH</b>	KINGSTON BAGPUIZE
<b>WARD MEMBER(S)</b>	Eric Batts
<b>APPLICANT</b>	A J & P S Lloyd & Terra Strategic
<b>SITE</b>	Land at Fallowfields Hotel Faringdon Road Southmoor ABINGDON, OX13 5BH
<b>PROPOSAL</b>	Demolition of the former Fallowfields Hotel and all ancillary buildings, the erection of 31 residential dwellings and all associated infrastructure.
<b>OFFICER</b>	Adrian Butler

## **RECOMMENDATION**

It is recommended that planning permission is granted subject to:

- I. A section 106 legal agreement being entered into with the district council to secure financial contributions towards infrastructure improvements, to secure 7 affordable dwellings and a financial contribution for a part affordable dwelling uplift, and for the open spaces to be controlled by a management company; and
- II. Conditions as summarised below:

### Compliance

1. Development to commence within three years.
2. Approved plans.

### Prior to Commencement

3. Tree protection to be agreed.
4. Surface water drainage scheme to be agreed and implemented.
5. Construction management plan.
6. Slab levels to be agreed.
7. Garage details.
8. Bat licence to be obtained.

### Prior to Occupation

9. Landscaping implementation and retention.
10. Bat mitigation.
11. Access road provision.
12. Footway provision on Faringdon Road.
13. Sight lines.
14. Parking provision.
15. Bin stores to be provided.
16. Removal of permitted development rights – plots 23-25 – roof alterations.

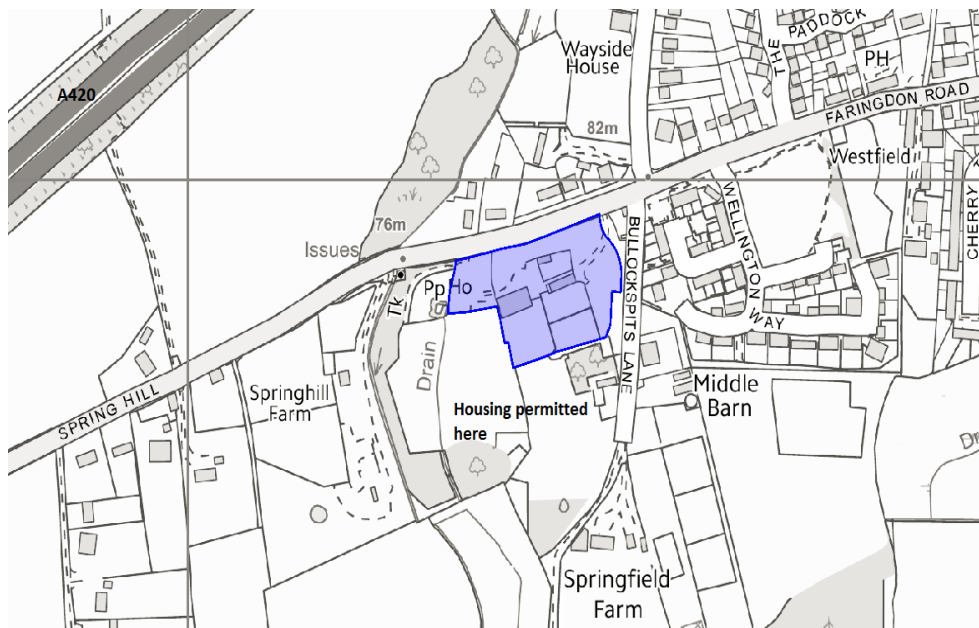
## **1. PROPOSAL**

- 1.1 This application is presented to planning committee as it is a major application with an objection from the Parish Council.

1.2 This is a detailed planning application. The proposal has been amended and now includes the demolition of existing buildings on site including the Fallowfields Hotel and the erection of 31 dwellings. This is a reduction from the 35 dwellings originally proposed. One three-storey building has been deleted. Affordable housing is no longer wholly grouped in the western part of the site. Additional trees are now shown as retained. Two points of access are proposed as follows:

- An access towards the eastern edge of the site. This will be the same access that serves a 43 dwelling scheme on land immediately south of the site and permitted under application no's P15/V0251/O and P17/V1049/RM
- An access at the western edge of the site. This is an existing access which presently serves the hotel car park

1.3 The site is located on the southern side of Faringdon Road towards the western edge of the village. The site currently accommodates the Fallowfields Hotel and its grounds. The hotel is 2½ storeys in views from the front (north) with a large two storeys extension. There are various outbuildings including a building in residential use. The site location plan is below and the proposed layout plan is **attached** as Appendix 1.



## 2. SUMMARY OF CONSULTATIONS AND REPRESENTATIONS ON CURRENT SUBMISSION

2.1 A summary of the responses received to the current proposal is below. A full copy of all the comments made can be seen online at [www.whitehorsedc.gov.uk](http://www.whitehorsedc.gov.uk)

<p>Parish Council</p>	<p><u>Original Plans</u> Object</p> <ul style="list-style-type: none"> <li>• The blocks of flats are out of keeping with the village housing stock. They lack gardens and garages; unsuited to families and flats above ground level are unsuited to the elderly</li> <li>• Parking areas are incongruous, out of character, unattractive in views for local residents and result in an urbanised frontage</li> <li>• Lack of visitor parking</li> <li>• Garages for plots 5 and 7 are disconnected from the dwellings and impact on the privacy of neighbours</li> <li>• More housing stock for the elderly is needed e.g. bungalows</li> <li>• Tree and hedges on Springhill/Faringdon Road need to be retained</li> <li>• Affordable housing is disconnected from the private housing</li> <li>• Additional traffic generation which will be dangerous at the A420 junction</li> <li>• Impact on bats</li> <li>• Lack of school places</li> <li>• Loss of jobs with the closure of the hotel</li> <li>• Impact on tourism</li> <li>• Not demonstrated the hotel is unviable</li> <li>• Seeking to have the hotel building listed</li> </ul> <p>Should permission be granted the Parish Council seek financial contributions towards:</p> <ul style="list-style-type: none"> <li>• A community building and youth provision (£50,000)</li> <li>• A burial ground in the Parish (£20,000)</li> <li>• Additional traffic calming (£10,000)</li> </ul> <p><i>(Officer comment: these will be the subject of the Community Infrastructure Levy).</i></p>
<p>Local residents</p>	<p><u>Original Plans</u></p> <p>13 letters of objection including a petition signed by the occupants of four local dwellings have been received. The objections may be summarised as follows:</p> <ul style="list-style-type: none"> <li>• The council has met its housing need and the site is not allocated for development. The proposal is contrary to policy</li> <li>• Enough housing permitted in the village</li> <li>• Loss of a valuable and viable community asset contrary to national planning guidance</li> <li>• No evidence to support the applicant case that there is no reasonable prospect of the hotel use</li> </ul>

	<p>continuing. The council's economic development officer suggests there is a shortage of hotels in the district</p> <ul style="list-style-type: none"><li>• The hotel provides potential employment opportunities</li><li>• The hotel is a significant local landmark that should warrant listed status</li><li>• Out of character being an isolated development, inappropriate high density in an area of low housing density, and intrusive design</li><li>• Two-bedroom houses are out of keeping with the large houses in the area</li><li>• Three-storeys flats are out of keeping</li><li>• Central parking area is extremely visible and out of keeping</li><li>• Demolition of a late Victorian and Edwardian building sets a dangerous precedent losing the connection with the historic and architectural past</li><li>• Overshadowing and loss of privacy of Windrush Cottage</li><li>• Traffic will increase and be an increased hazard on Faringdon Road and detrimental to safety</li><li>• Village roads cannot cope with the increased traffic</li><li>• Increase traffic at a five-way junction (Faringdon Road East &amp; West, Bullockspit Lane, Beggars Lane and a new road), which is not safe</li><li>• Inadequate vision from the access due to a bend in the road which was the site of a fatal traffic accident</li><li>• Increased traffic on to the A420 junction which is very dangerous already</li><li>• Add to noise pollution</li><li>• Increase flood risks</li><li>• Exacerbate problems of low water pressure</li><li>• The additional housing permitted in the village makes it impossible to assess the additional impact on infrastructure e.g. doctors, schools, emergency services, utilities, highway safety, traffic, council services and village shop</li><li>• Insufficient capacity at local schools</li><li>• Loss of trees will be harmful to the character of the area</li><li>• Lack of amenity space for some dwellings</li><li>• Bats roost in the hotel and this needs to be considered</li></ul>
--	---

	<p><u>Amended Plans</u>  Three letters of objection have been received in response to the amended plans. The new objections may be summarised as follows:</p> <ul style="list-style-type: none"> <li>• Amendments do not address or overcome previous objections</li> <li>• Apartment block remains out of keeping</li> <li>• Non-local species landscaping is proposed and is out of keeping</li> <li>• Better sites identified in the Part 2 Local Plan for housing</li> <li>• The council’s economic development team point out the lack of hotels in the area</li> <li>• Cumulative effects of development in the village have not been considered</li> </ul>
<p>Oxfordshire County Council</p>	<p><u>Original Plans</u>  <u>Highways</u>  Object:</p> <ul style="list-style-type: none"> <li>• Proposal does not demonstrate access to the highway (<i>Officer note: the amended plans include the access road to the east.</i>)</li> <li>• Application site does not include access to serve all properties (<i>Officer note: the amended plans now include access to all proposed dwellings within the site area.</i>)</li> <li>• Proposal must include footways linking the site to bus stops in Faringdon Road (<i>Officer note: The plans indicate the footway (which will be provided by the scheme permitted under application no. P17/V1049/RM which has been commenced). I also note the highway officer advises this footway can be secured by condition</i>)</li> </ul> <p>No objection in respect of traffic generation and car parking provision.  Seek a financial contribution of £39,568.90 towards public transport improvements.</p> <p><u>Conditions</u></p> <ul style="list-style-type: none"> <li>• Construction traffic management plan</li> <li>• Vision splays (2m x 90m)</li> <li>• Accesses to be laid out in accordance with OCC specifications</li> <li>• Surface water drainage details to be agreed</li> <li>• Residential travel information pack</li> <li>• Site access and access roads to be formed prior to first occupation</li> <li>• Footways along Faringdon Road to be formed</li> </ul>

	<p><u>Archaeology</u> No objection. There are no archaeological constraints.</p> <p><u>Education and Property</u> No objection No financial contributions are requested due to CIL.</p>
Thames Water	<p>Sewerage infrastructure Capacity – no objection Water infrastructure capacity – no objection Surface water drainage – the developer should make proper provision for drainage to ground, water courses or a suitable sewer.</p>
Drainage engineer	<p>Comments:</p> <ul style="list-style-type: none"> <li>• Surface water drainage outfall will be across third party land outside the application site. Need confirmation that permission will be forthcoming to use the land (<i>Officer note: The adjacent land owner has confirmed access over their land is acceptable</i>).</li> <li>• Permeability tests will be required to determine soakage rates and potential groundwater levels should be confirmed.</li> <li>• Thames Water will not require off-site improvements</li> </ul> <p><u>Conditions:</u></p> <ol style="list-style-type: none"> <li>1. Sustainable drainage scheme to be approved including permeability tests and ground water information</li> <li>2. On site foul drainage works to be approved.</li> </ol>
Countryside officer	<p><u>Original Plans</u> Holding objection The hotel contains a maternity roost for brown-long eared bats and roosting sites for common pipistrelle bats. The bat report accompanying the application needs to be updated with the results of the full bat survey. Applicant needs to give consideration to avoiding impacts on bats and provide mitigation. The applicant needs to demonstrate as a minimum no net loss of biodiversity interest in the site.</p> <p><u>Amended Plans</u> No objection. The bat mitigation strategy should ensure the status of the local bat population is protected. The applicant has provided details of a biodiversity accounting exercise which demonstrate that the proposals have the potential</p>

	<p>to ensure a no net loss for biodiversity in accordance with policy CP46.                  Recommend conditions:</p> <ol style="list-style-type: none"> <li>1. Implement bat mitigation strategy</li> <li>2. No development until bat licence obtained</li> </ol>
<p>Forestry officer</p>	<p><u>Original Plans</u>                  Comments:</p> <p>The submitted tree survey records 52 individual trees across the site, two groups and five hedges. Of these, 39 individual trees, one group and two hedges are proposed to be removed. Ten trees are of such poor condition that their long term retention would not be expected, regardless of the intention to develop the site.</p> <p>The applicant has sought to accommodate the most significant trees on the site and, with the intended retention of the front boundary hedge, many of the other trees to be removed are not visible from outside the site. The Yew (T47), the group of three Robinia (TG1) and the Willow (T32) contribute to the character of the site and their removal will diminish visual amenity. The retention of the Robinia and the Yew should be a priority and, in doing so, the impact of the development and its assimilation into the existing street scene would be better mitigated.</p> <p>These trees ought to be retained as they will assist in breaking up the wide expanses of car parking that would otherwise detract from the street scene.</p> <p>It is not clear how plots 28 to 35 will relate to any privately owned recreational space. It looks as though the area to the south and east of these plots will be communally shared rather than specific garden space but clarification is sought as to how the trees will be managed in the future and who will be responsible for them.</p> <p>Disagree with the statement in the design and access statement at 11.5 that the proposed tree removals will not have a significant impact on the tree resource within the locality or on the character or appearance of the area. The number of trees to be removed from the site is greater than 75% and, as there are less replacement trees proposed than there are being removed. Retaining the central trees will make a significant difference to the retention of some of the existing character.</p> <p>Refute the conclusion within the arboricultural report that impact of the proposed tree removals within the wider area is considered to be negligible.</p> <p>Trees are important to the character of this site and the loss of such a large proportion will adversely affect it. Better use of replacement trees will go some way to</p>

	<p>mitigate the loss but the loss itself should be reduced so that more of the character of the site is retained.</p> <p><u>Amended Plans</u> Written comments awaited but from discussion I understand there are no objections to the revised plans.</p>
<p>Economic Development team</p>	<p><b>Object:</b> Concerned with the loss of a prominent hotel. A 2014 Hotel Needs Assessment of the district recognises the demand for additional hotel rooms and for existing hotels to be upgraded and expanded. The report highlights Abingdon as the strongest performing location in terms of occupancy and demand. No evidence presented to justify the loss of the hotel; it does not appear to have been marketed.</p>
<p>Housing team</p>	<p><u>Original Plans</u> The affordable housing proposed would deliver 75% as flats (6 units) – all of which would be for rent, and 2 x 3 bed houses for shared ownership. Kingston Bagpuize with Southmoor is a rural location and relatively well served with one-bedroom accommodation for affordable rent. The greater need is for two bedroom accommodation and, whilst 3 x 2 bedroom flats are proposed for rent, at 62.7 sqm their capacity is restricted to 3 persons whereas there is a need for all two-bedroom rented units to have clear capacity for 4 bedspaces. The affordable rented accommodation should preferably comprise 6 x 2 bedroom houses at 76 sqm each. If any flats are provided these should have their own street entrance (avoiding the need for communal hallways) and be a minimum of 72 sqm. Whilst there is a proposed block of flats for open market sale these will clearly be different in design. Also the 8 affordable plots are showing as having a separate entrance from the market units which is not in line with Vale policy for units to be evenly distributed and to ensure affordable housing is indistinguishable.</p> <p><u>Amended Plans</u> Note the letter from Arcadis explaining that they have experienced difficulties in gaining Registered Provider (RP) interest for the affordable units on the adjacent site and that locating them in one part of the site could be a more acceptable arrangement for RP's. It is possible that there are a couple of RPs relatively new to the district who would be interested.</p>



	<p>The lower total no. of units now provides 7 affordable as:</p> <p>2 x 2 bed maisonettes 3 x 2 bed houses 2 x 3 bed houses</p> <p>Do not expect these units to be ‘pepper potted’ throughout the development. The AH units can still be in one ‘block’ – perhaps with gardens back-to-back with housing facing onto different parts of the site.</p> <p>I appreciate that the two maisonettes are shown with their own entrances and with good garden space (this was as per earlier comments). From recent discussions, the provision of houses in rural areas for rent is more sustainable than flatted accommodation and this could be a reason for a level of low RP interest. Also there is a terrace of 4 houses (2 x 2 beds and 2 x 3 beds) which would be less attractive to an RP if a couple of these units are to be for shared ownership.</p> <p>Suggest that the two houses for shared ownership are provided as a pair of semi-detached houses and that all the rented units are provided as 2 bedroom houses.</p>
<p>Waste management team</p>	<p><u>Original Plans</u> Comments:</p> <ul style="list-style-type: none"> <li>• Need to show where bins can be stored for the flats and plots 18 to 21 and 28 to 35 and indicate waste collection points</li> <li>• Require a plan showing the tracking for a council refuse vehicle</li> <li>• Request a financial contribution of £170 per dwelling towards providing new bins for the dwellings.</li> </ul> <p><u>Amended Plans</u></p> <ul style="list-style-type: none"> <li>• Need clarification for bin storage and collection point for plots 26 – 31</li> <li>• Bin stores are required for plots 10 – 25</li> <li>• The swept path plan for a refuse vehicle needs to be based on this council’s vehicles. That used is too small</li> </ul>

### 3. RELEVANT PLANNING HISTORY

- 3.1 PP17/V1049/RM - Approved (10/08/2017)  
Reserved Matters application following Outline Approval (P15/V0251/O as amended by P17/V0431/FUL) for the erection of 43 dwellings and

creation of a new access off Faringdon Road, together with open space and landscaping and ancillary works (amended layout, house types and swept path analysis received 14 July 2014).

- 3.2 P17/V0100/PEJ - Other Outcome (22/02/2017)  
Residential development
- 3.3 P16/V2463/PEM - Other Outcome (21/10/2016)  
Extensions and change of use of hotel to create 8 Flats
- 3.4 P15/V0251/O - Approved (19/02/2016)  
Outline application (for access only) for the erection of 43 dwellings and creation of a new access off Faringdon Road, together with open space and landscaping and all enabling and ancillary works
- 3.5 P15/V0252/FUL - Approved (23/07/2015)  
Proposed two storey extension to the east, single storey link extension to the existing barn, conversion of existing bath to eight ensuite bedrooms, extension of existing conservatory and erection of new garage/store to west of the hotel.
- 3.6 P06/V1113/COU - Approved (22/08/2006)  
Change of use of existing barn to single staff accommodation unit.
- 3.7 P05/V0027/EX - Approved (24/02/2005)  
Renewal of planning permission for extensions and alterations (LWO/1533/6).
- 3.8 P01/V1040 - Approved (06/09/2001)  
Erection of a conservatory.
- 3.9 P00/V0968 - Approved (24/08/2000)  
Extensions and alterations.
- 3.10 P97/V0571 - Refused (22/09/1997) - Appeal dismissed (11/06/1998)  
Demolish and rebuild to match existing, stone barn with extension to provide managers accommodation.
- 3.11 P96/V1269 - Approved (20/11/1996)  
Extension to form five additional bedrooms, new dining room and ancillary accommodation.
- 3.12 P92/V0185 - Approved (09/03/1992)  
Change of use of house and outbuildings to form hotel.

#### **4. ENVIRONMENTAL IMPACT ASSESSMENT (EIA)**

- 4.1 The site area is less than 5ha, fewer than 150 dwellings are proposed and the site is not in a 'sensitive area'. The proposal is not therefore, EIA development.

## 5. MAIN ISSUES

5.1 The main issues to be considered are:

- Principle of development
- Loss of the hotel
- Affordable housing and housing mix
- Design and layout
- Residential amenity
- Flood risk and drainage
- Traffic, parking and highway safety
- Historic environment
- Biodiversity
- Financial contributions

### **Principle of Development**

5.2 The NPPF defines previously developed land as:

*“Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time”. (Annex 2: Glossary of the NPPF).*

5.3 The site comprises a permanent structure (former hotel and ancillary buildings), and its curtilage comprising hotel gardens, access and parking areas. The site can be described as previously developed land (brownfield land).

5.4 Core policies 4 and 8 of the Local Plan 2031 Part 1 presume in favour of development within the built up areas of the larger villages such as Kingston Bagpuize with Southmoor and will resist development outside the existing built up area of the settlement. In this case the site is considered to be within the built up area of Kingston Bagpuize with Southmoor. This is because the site has development either built or permitted around it making the site continuous with the built up settlement. For example there are dwellings opposite the site on the northern side of Faringdon Road, housing to the east in Wellington Way, dwellings permitted and under construction at Middle Barn, Bullockspit Lane (P17/V0940/RM), and housing permitted and under construction to the immediate south and west of the site (P17/V1049/RM and P16/V2925/RM). The site will be surrounded by housing development. The plan below seeks to put the site in the context of existing and planned development.



- 5.5 The proposal is therefore, considered to comprise housing development on previously developed (brownfield) land within the built up area of Kingston Bagpuize with Southmoor. It is also a windfall housing site that will form part of the 840 dwellings needed from windfall sites to meet the council's minimum housing target. The proposal in principle complies with core policies 4 and 8 of the Local Plan 2031 Part 1.

#### **Loss of the Hotel**

- 5.6 The council does not have an adopted or emerging planning policy that seeks to retain hotels. I have considered core policy 29 of the Local Plan 2031 Part 1 which seeks to retain employment uses. I am not convinced it is applicable as the pre-amble to the policy refers to strategic employment sites, Milton Park and rural multi-user sites and large campus style sites. The hotel and this site could not be defined in this way. The hotel is not a listed building, a locally designated heritage asset or in a conservation area. Its demolition would comprise permitted development. The applicant has submitted a confidential viability report that shows the business was running at a loss for four years up to the hotel closure in 2016. I'm also aware that an events company that took on the venue did not succeed. The loss of the hotel does not conflict with any planning policy and is acceptable in principle.

#### **Affordable Housing and Housing Mix**

- 5.7 Core policy 24 of the Local Plan 2031 Part 1 requires 35% of the dwellings to be affordable with a 75%/25% split in favour of affordable rented dwellings. However, the PPG provides an incentive for development on sites containing vacant buildings. In such cases the developer should be offered a financial credit equivalent to the existing

gross floorspace of the relevant vacant building when calculating the affordable housing contribution (paragraph 21 reference ID 23b-021-20160519 of the PPG).

- 5.8 The vacant building credit applies where the building has not been abandoned. The hotel building is not considered to have been abandoned; part of it is lived in occasionally and the hotel use could recommence without the need for planning permission.
- 5.9 In considering how the vacant building credit should apply regard should be given to the intention of national policy and it is appropriate for authorities to consider:
- Whether the building has been made vacant for the sole purposes of re-development
  - Whether the building is covered by an extant or recently expired planning permission for the same or substantially the same development
- 5.10 In this case the hotel has been vacant for some 18 months. There is no evidence that the hotel use has been ceased for the purpose of obtaining a redevelopment (the viability report clearly shows the hotel was running at a loss for four years). There are no extant or recently expired permissions for the same or substantially the same development.
- 5.11 Paragraph 022 of the PPG (reference ID:23b-022-20160519) sets out the Vacant Building Credit as follows:
- “Where there is an overall increase in floorspace in the proposed development, the local planning authority should calculate the amount of affordable housing contributions required from the development as set out in their Local Plan. A ‘credit’ should then be applied which is the equivalent of the gross floorspace of any relevant vacant buildings being brought back into use or demolished as part of the scheme and deducted from the overall affordable housing contribution calculation. This will apply in calculating either the number of affordable housing units to be provided within the development or where an equivalent financial contribution is being provided.*
- The existing floorspace of a vacant building should be credited against the floorspace of the new development. For example, where a building with a gross floorspace of 8,000 square metre building is demolished as part of a proposed development with a gross floorspace of 10,000 square metres, any affordable housing contribution should be a fifth of what would normally be sought”.*
- 5.12 The hotel is mostly vacant and an outbuilding is vacant and consequently the Vacant Building Credit applies. To calculate the

affordable housing contribution the following have been taken into account:

- Existing Gross Floor Space = 10,349 sq.ft.
- Existing Applicable Vacant Gross Floor Space = 9,824 sq.ft. (a deduction has been made as part of the hotel is lived in)
- Existing ground floor space of an existing barn = 1,658 sq ft
- Proposed Gross Floor Space = 34,486 sq.ft.
- Core policy 24 Affordable Housing Requirement = 35%
- Total No. of Units Proposed = 31

- 5.13 Based upon the above figures, a 33.29% reduction should be applied to core policy 24 requirement for the on-site provision of 35% affordable housing. This equates to 66.71% of the 35% on-site affordable housing provision. As a result of this, a 23.35% on-site affordable housing provision is proposed, which equates to an on-site provision of 7.2 units. The proposal provides 7 affordable dwellings. A financial contribution will be expected for the 0.2 uplift.
- 5.14 Core policy 22 expects the housing mix to accord with the current Strategic Housing Market Assessment (SHMA) unless an alternative approach can be demonstrated to be more appropriate through the Housing Register or where proven to be necessary due to viability constraints.
- 5.15 The affordable housing mix proposed and shown below is acceptable. The affordable housing is no longer grouped on site and is now core policy 24 compliant. The applicant proposes retaining the maisonettes which accords with earlier advice provided by the housing team on this application.

Affordable Housing Mix

No of beds.	1	2	3 (5 person)	Total
	0	5	2	7

- 5.16 The market housing mix compared to the SHMA expectation is shown in the table below:

Market Housing Mix

No of bed.	1-bed	2-bed	3-bed	4+ bed	Total
<b>Proposed</b>	0	14	7	3	<b>24</b>
<b>SHMA</b>	1.4	5.2	10.2	7.2	<b>24</b>

- 5.17 This is not an exact SHMA compliant scheme and the proposal is weighed in favour of two-bedroom dwellings. The SHMA is an estimate and therefore, does not need to be an exact match. The provision of more two-bedroom units can provide housing at lower cost compared to larger dwellings and these may be more affordable to some people

and allow some people to down size. The variation from the SHMA needs to be considered in the planning balance.

### **Design and Layout**

- 5.18 There is no distinctive house design to follow in the village; house types are an eclectic mix. Likewise this is the case within the vicinity of this site. The house types are simply designed with rectangular floor elements under pitched roofs. Elevations are balanced with some units having feature porches or gables included. Likewise the two-storey maisonettes have a rectangular floor plan under pitched roofs. The designs are reasonably simple and similar to house designs being built adjacent to the site.
- 5.19 Some concern has been expressed by local residents and the Parish Council about the proposed large building containing flats. I consider this building to be reasonable because the site already accommodates a large up to 2½ storey building in the form of the existing hotel. The hotel is up to 10.9m high to ridge. The proposed building has a ridge height of some 10.5m with three floors primarily with the upper floor in the roof, and dropping to two-storeys. In this context and located in a similar position to the hotel (although turned by 90°), the proposed flats are acceptable and compliant with core policy 37 of the Local Plan 2031 Part 1.
- 5.20 The density of development is some 28 dwellings per hectare. This density is less than the 30dph expected by core policy 23 of the Local Plan 2031 Part 1. However, it responds to the verdant and spacious character of the current site and site constraints such as retaining mature trees. The density responds appropriately to the spacious and verdant character and appearance of this part of the village.
- 5.21 The forestry officer is correct in stating that trees on site contribute to the character and appearance of the street scene. In response to the forestry officer comments the applicant has provided an amended arboricultural report that clarifies the trees to be retained. In addition, an amended layout and landscaping plan have been provided which confirm the retention of the willow, yew and robinia trees mentioned by the forestry officer. In discussions with the forestry officer I understand he has no objection to the revised proposals. The hedge along the Faringdon Road frontage is retained (except for access) and proposed to be supplemented by new hedge planting. The tree retention and new planting seeks to maintain the verdant appearance this site contributes to the street scene.
- 5.22 All dwellings are now provided with gardens with the flats having communal spaces and use of the wider public open spaces. The proposal connects to the public open space on the housing site under construction to the south. Space is retained either side of the access retaining a park land type entrance to the site. Dwellings, tree and hedge planting front the roads.

- 5.23 The openness of the central part of the site is a deliberate attempt by the applicant to open views to a specimen Wellingtonia tree close to the southern boundary of the site. A car parking area for some houses and flats is provided through the centre of the site with this area reduced in size compared to the original submission and broken by tree planting including retention of the three robinia trees. I do not consider the parking will be unreasonably intrusive in the Faringdon Road street scene or dominate the proposed development.
- 5.24 Hedges are proposed to define the street frontages. Dwellings turn corners by providing windows on the two street elevations. Other dwellings and the flats create focal points and visual stops. This provides continuity, enclosure, legibility and landmarks. The proposal accords with principles DG27, 28, 29, 31, 33 and 39 of the Design Guide.
- 5.25 Two bin stores are provided and these are shown on the layout plan. Hedges are to be planted around the stores to provide screening. Moreover, they are simply designed buildings. A revised plan has been provided to show this council's refuse vehicle can manoeuvre within the site.
- 5.26 The proposal is considered compliant with the Design Guide and core policy 37 of the Local Plan 2031 Part 1.

#### **Residential Amenity**

- 5.27 To minimise overlooking the council's Design Guide 2015 expects a minimum distance of 21m between habitable windows. All distances between proposed habitable windows and those in existing dwellings are in excess of 21m. All distances between habitable room windows and blank gable facades are more than the 12m guidance recommended in the Design Guide. No unreasonable overlooking would result and the proposal is saved policy DC9 compliant.

#### **Flood Risk and Drainage**

- 5.28 The site is in flood zone 1 which is the zone least susceptible to flooding and preferred in flood risk terms for housing development. The Environment Agency maps advise the site is of low to medium risk of surface water flooding.
- 5.29 A flood risk assessment submitted with the application confirms infiltration is not a suitable means for disposing of surface water from the site. It considers discharging surface water drainage to a watercourse to the west of the site is preferred. It may be necessary to attenuate surface water on site to cater for storm events. The drainage strategy plan indicates storage tanking beneath proposed parking areas with a control chamber attenuating flows to 20l per second (existing run-off rate is calculated in the flood risk assessment as 30l



per second). A detailed drainage scheme can be required by planning condition.

- 5.30 I note that Thames Water has no objection in respect of the capacity of the sewerage system for accepting flows from this proposal.

**Traffic, Parking and Highway Safety**

- 5.31 Traffic generation from the 31 dwellings is calculated by the applicant's traffic consultant as:

- 15 arrivals and departures in the AM peak (one movement every 4 minutes)
- 14 arrivals and departures during the PM peak (one movement every 4 minutes)
- 137 two-way movements between 7am and 7pm (one movement every 5 minutes)

- 5.32 This traffic generation is not severe. The highway authority does not object of traffic generation grounds and the proposal is considered compliant with saved policy DC5 and paragraph 32 of the NPPF.

- 5.33 Car parking within the site has been shown to be partly on plot and partly within parking courts. The highway authority advised that the 35 dwelling proposal should provide 65 parking spaces to comply with parking standards. The 31 dwelling proposal provides 73 parking spaces including garages (9 garage spaces) and driveways for plots 1 to 4 have space for more parking than I have counted. Sufficient car parking is provided.

- 5.34 The highway authority has requested vision splays measuring 2m x 90m from both access points. This can be achieved from the eastern access (this access already has approval under application no's P15/V0251/O and P17/V1049/RM). From the existing hotel access to the west the vision splay to the west falls short at 2m x 87m. Vision to the east meets the highway authority recommendation. The site is within a 30mph zone. The central Government publication Manual for Streets would expect a 2m x 43m vision splay for traffic speeds at 30mph. The central Government publication Design Manual for Roads and Bridges recommends 70m for a 30mph speed limit and 90m for traffic travelling at 37mph. I'm aware that some traffic does appear to travel above the 30mph speed limit. The vision available and proposed is considered reasonable being greater than required for a 30mph area and considering the access has been used by the hotel to access its car park, and there is no record of accidents at this access.

- 5.35 An amended swept path analysis demonstrates this council's refuse vehicle can enter and leave the main body of the site in a forward gear. The refuse vehicle does not need to enter the western part of the site.

### **Historic Environment**

- 5.36 The site is not within a conservation area and there are no listed buildings on site. The Parish Council and some local residents suggest the hotel building is worthy of listing and I understand the Parish Council has approached English Heritage with a request for listing. In meeting with the Parish Council, I understand such a request has previously been made without success. The building has not been listed and it must be treated as unlisted.
- 5.37 Due to distance and visual separation from the Kingston Bagpuize conservation area (over 1.2km away) and the nearest listed buildings (265m to the Wagon and Horse public house and a dwelling called Westfield (both to the east)), there is no impact on their settings. The County Council archaeologist confirms there are no archaeological constraints. The proposal complies with core policy 39 of the adopted Local Plan 2031 Part 1.

### **Biodiversity**

- 5.38 The hotel contains a maternity roost for brown long-eared bats and a roost for common pipistrelle. To mitigate for the loss of the roosts in demolishing the hotel the applicant proposes providing alternative roosting opportunities prior to demolishing the hotel. The alternative roost provision are the roof spaces in the two bins stores. A further roost opportunity would be provided in the roof space of plots 24 and 25. In addition, six bat boxes would be provided. Your countryside officer is supportive of this mitigation. It will be necessary for the developer to secure a licence from Natural England for the loss of the bat roosts in the hotel.
- 5.39 There are no other impacts for biodiversity or designated nature conservation sites. The proposal is considered to demonstrate no net loss of biodiversity and therefore, accords with core policy 46 of the Local Plan 2031.

### **Financial Contribution Requests**

- 5.40 This application will be subject to the Community Infrastructure Levy (CIL) equating to £185,577.60 for this development. The money collected through CIL can be pooled with contributions from other development sites to fund a wide range of off-site infrastructure to support growth, including schools, community, leisure, recreation, sport and health facilities.
- 5.41 The NPPF advises that planning obligations should only be sought where they meet all of the following tests in paragraph 204:
- I. Necessary to make the development acceptable in planning terms;
  - II. Directly related to the development; and
  - III. Fairly and reasonably related in scale and kind to the development.

- 5.42 Core policy 7 of the Local Plan 2031 Part 1 expects new development to provide the necessary on-site and, where appropriate, off-site infrastructure requirements arising from the proposal with them delivered directly by the developer and/or through an appropriate financial contribution.

*TRANSPORT*

- 5.43 The County Council is seeking to improve bus services through the village and this will make the site more accessible providing improved links to Oxford and Swindon, and Abingdon and Witney. The County Council seek a contribution of £39,568.90 towards improved bus services in the village. This contribution is excluded from CIL and considered justified and proportionate to the development.

*OTHER CONTRIBUTIONS*

- 5.44 The Saved policy DC3 of the Local Plan and the SPG on Planning and Public Art expects the provision of public art which makes a significant contribution to the appearance of the scheme or the character of the area. A financial contribution of £300 per dwelling is expected from this development.
- 5.45 The proposed dwellings will need waste bins in which refuse can be placed and collected by the council's waste service teams. A contribution of £170 per dwelling is expected towards providing waste bins for the dwellings on the site. The amount requested is justified and based on the costs to this council in purchasing the bins.
- 5.46 The streets will need to be named and signage provided by this authority. This is a direct result of the development and a contribution towards these costs is justified and the amount sought is proportionate.
- 5.47 Public art, waste bins and street naming are specifically excluded from CIL.
- 5.48 The following developer contributions are considered fair and proportionate and should be secured through a section 106 agreement:

<b>District Council</b>	<b>Amount (£)</b>
Bin provision on this site	£5,270
Public art	£9,300
Street naming	£402
Monitoring this s106	£856

<b>Oxfordshire County Council</b>	<b>Amount (£)</b>
Public transport improvements in Kingston Bagpuize with Southmoor	£39,568.90
Monitoring	TBC

## 6. CONCLUSION

- 6.1 This application has been considered in accordance with the development plan unless material considerations indicate otherwise.
- 6.2 This site comprises previously developed land within the village. The principle of housing on the site accords with core policies 4 and 8 of the Local Plan 2031 Part 1 and is acceptable.
- 6.3 The council does not have any planning policy that seeks to prevent the loss of hotels in the district. The applicant has shown that the hotel has been running at a loss and the hotel has now closed. The hotel is not a listed building and it is not in a conservation area. Its demolition is permitted development.
- 6.4 The amended layout and design of buildings are considered acceptable. The building containing flats is similar in height, and in a similar position to the hotel. Tree retention and new tree planting can maintain the verdant character and appearance of the site. There are no unreasonable implications for traffic, highway safety, neighbours, biodiversity or neighbours.
- 6.5 I have identified some limited harm in that the housing mix is balanced in favour of smaller house types rather than being a close match for the SHMA estimate. This harm has to be balanced against the economic, social and environmental benefits of the scheme. These include providing housing within the village to meet the needs of the district including affordable housing in a reasonably accessible location. Construction work can generate employment opportunities and additional residents can provide new customers for local services. Finance will be provided through the new homes bonus. I also give some weight to the provision of smaller house types in the village which will go some way to balancing the provision of many larger dwellings permitted in relatively recent schemes in the village. In this case I consider the benefits of this scheme outweigh the harm identified.

The following planning policies have been taken into account:

VALE OF WHITE HORSE LOCAL PLAN 2031: PART 1:

CORE POLICIES 1, 2, 3, 4, 7, 8, 22, 23, 24, 33, 35, 36, 37, 39, 40, 42, 43, 44, 45, 46, 47.

VALE OF WHITE HORSE LOCAL PLAN 2011:

SAVED POLICIES DC3, DC4, DC5, DC6, DC7, DC9, DC12, H23, HE9, HE10, HE11, NE9.

DRAFT VALE OF WHITE HORSE LOCAL PLAN 2031 PART 2:

A publication draft of this Local Plan has been produced and is presently subject to consultation (the consultation period expired on 22 November 2017). Following consultation it is intended to submit the Local Plan Part 2 for

Examination early in 2018. Relevant policies in the Local Plan Part 2 include: CP4a, DP16, DP20, DP23, DP28, DP33, DP36, DP37, DP38.

UPDATED INFRASTRUCTURE DELIVERY PLAN (DECEMBER 2016), CIL CHARGING SCHEDULE, CIL REGULATION 123 LIST, and DEVELOPER CONTRIBUTIONS SUPPLEMENTARY PLANNING DOCUMENT (JUNE 2017)

VALE OF WHITE HORSE DESIGN GUIDE 2015

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

PLANNING PRACTICE GUIDANCE (PPG)

**Case Officer:** Adrian Butler

**Email:** [adrian.butler@southandvale.gov.uk](mailto:adrian.butler@southandvale.gov.uk)

**Tel No:** (01235) 422600