

APPLICATION NO.	P18/V0492/FUL
SITE	The Old Gaol, Bridge Street, Abingdon Oxfordshire, OX14 3HE
PARISH	ABINGDON
PROPOSAL	Proposed change of use of section of ground floor space to form 3 no. apartments. Retrospective consent for erection of blockwork partitions to same space. (Additional information regarding marketing and sound insulation submitted 10/7/2018).
WARD MEMBER(S)	Katie Finch Helen Pighills
APPLICANT OFFICER	Cranbourne Homes Ltd Penny Silverwood

RECOMMENDATION

It is recommended that authority to grant planning permission is delegated to the head of planning subject to:

- **Completion of a unilateral undertaking between the applicant and Oxfordshire County Council to secure the removal of the residential units from eligibility for parking permits in the adjacent controlled parking zone.**
- **The following planning conditions:**

Standard

- 1. Approved plans.**

Within two months of permission

- 2. Details of grate covering courtyard of unit 3.**

Compliance

- 3. Sound insulation mitigation measures.**
- 4. Obscure glazing.**

1.0 INTRODUCTION AND PROPOSAL

1.1 This application is referred to committee as it was called in by Councillor S. Lovatt and Councillor Pighills.

1.2 The application concerns part of the ground floor of The Old Gaol, Abingdon. It is located to the south west of the River Thames within the town centre of Abingdon. Vehicular access to The Old Gaol is obtained via Bridge Street to the north east.

1.3 The Old Gaol is Grade II listed and situated with the Abingdon Town Centre Conservation Area.

1.4 This application seeks planning permission for the change of use of part of the ground floor of the original building from restaurant space to form three

residential apartments. External works are limited to the insertion of a grate across the top of the courtyard to one of the flats. The proposed development would consist of two 1-bedroom and one 2-bedroom units. This application is partly retrospective as works to construct blockwork partitions to form the dividing walls of the flats have already been carried out. Officers are aware that works have ceased on site to await the outcome of this application.

- 1.5 Additional information has been provided and re-consulted on during the course of the application including details of the previous marketing of the restaurant unit and a sound insulation assessment.
- 1.6 An associated listed building consent application relating to the internal works has been submitted and will also be considered by this committee. The application reference is: P18/V0493/LB.
- 1.7 A site location plan is below:



- 1.8 Extracts of the application plans are **attached** at Appendix 1.

2.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

2.1 Below is a summary of the responses received to the submission. A full copy of all comments made can be viewed online at www.whitehorsedc.gov.uk.

Abingdon Town Council	<p>Objection. Comments can be summarised as:</p> <ul style="list-style-type: none"> • The original planning permission was granted on the condition that there would still be public open space. That condition should be upheld. • If restaurant use is not possible alternative uses which would ensure public access, other than a change of use to residential should be sought • The size of the apartments is too small. • Continued concerns with the implementation of the original development with regards to affordable housing and access
Conservation Officer	No objection, recommended conditions.
County Archaeologist	No objection.
Vale - Highways Liaison Officer (Oxfordshire County Council)	<p>No objection. Comments can be summarised as:</p> <ul style="list-style-type: none"> • Site is located in a town centre location with all of the associated facilities, including public transport opportunity in the vicinity • The adjacent Controlled Parking Zone (CPZ) is oversubscribed for permits and therefore it is reasonable that the new residential units do not add additional on-street pressure in this sustainable location • The units will need to be removed from eligibility for permits within the CPZ via a Unilateral Undertaking with Oxfordshire County Council.
Housing Development	<ul style="list-style-type: none"> • The application should be considered in the context of the previously implemented development which provided 61 apartments • An affordable housing contribution of 35% is required, equating to a single dwelling • A financial contribution should be payable in lieu of the affordable unit.
Waste Management Officer (DC)	No objection.
Economic Development	<p>Support. Comments can be summarised as:</p> <ul style="list-style-type: none"> • The issues identified by the applicant in letting the units are consistent with the findings of the council's Business and Innovation Strategy Action Plan 2017 to 2020 – businesses need affordable and quality space in the right location.

	<ul style="list-style-type: none"> • It is unfortunate that the high fit out costs were an issue in marketing • The Old Gaol could be a prime evening and leisure location in Abingdon if the available space was both affordable and of high quality. • Due to the need to improve Abingdon’s evening economy, minded to support the creation of a café/wine bar. • Would not look to support an application in the near future to convert the café/ wine bar into apartments after these three units are sold and occupied.
Air Quality	No objection, recommended condition.
Env. Protection Team	No objection, recommended condition
The Friends of Abingdon Civic Society	No objection.
Councillor Pighills	Object. Comments can be summarised as: <ul style="list-style-type: none"> • Share the concerns of Abingdon Town Council and the Friends of Abingdon Civic Society
Local residents	<p>Responses from local residents in support of the application can be summarised as:</p> <ul style="list-style-type: none"> • Old Gaol Serviced Apartments (serviced apartment business running from the site) support the additional unit to allow the developer to fund and open a wine and café bar which will compliment and enhance the services available to the residents and guests and encourage the public to visit the riverside garden. • Abingdon has missed its chance for further town centre development • This planning application addresses the need for a mixture of uses that will promote vibrancy and vitality in the town centre • The units will remain empty and sad looking if left as is. • The wider implication of using the space in this way will be of significant benefit to the overall development and its residents. • The inclusion of a café/wine bar is exciting and will certainly add to the appeal of The Old Gaol and this corner of Abingdon. • The addition of the residential units will have no adverse impact on the quality of life for the current residents • Fully compatible with the originally approved residential scheme

	<ul style="list-style-type: none"> • The openings for windows and doors would remain unchanged and aesthetically the apartments present no challenge to the form of the buildings. • Cranbourne Homes have been proactive in working with specialist restaurant agents to try and find either independent or national restaurants to lease the three commercial units over the last three years • Cranbourne’s agreement to fund a wine and tapas bar in lieu of converting part of the commercial space into residential use is a positive initiative towards improving the amenities for residents and the public and will encourage the use of the public garden. <p>Responses objecting to the application can be summarised as:</p> <ul style="list-style-type: none"> • Where are the extra three parking spaces for the three new apartments? Parking is at a premium on all new developments and three extra spaces should be provided as a minimum • This is a prime location to meet demand for local community groups to meet, combined with an eating establishment. • Other businesses; Costa and Annie’s Boathouse have been successful in proving the commercial viability of the location. • Cranbourne Homes never wanted tenants so deliberately obstructed viable proposals to have the whole site for high priced housing. • There is no evidence that Cranbourne Homes made any viable attempts to make the ground floor open to the public and provide public benefit. • Object strongly to this application being considered until all monies due from Cranbourne Homes in respect of affordable housing payment have been paid. • There should be a guarantee of a replacement Willow tree to replace the removed tree.
<p>Petition from residents of The Old Gaol</p>	<p>A petition with responses from 57 residents of The Old Gaol has been submitted in support of the proposed development.</p>
<p>The Old Gaol Manager</p>	<p>The management company of The Old Gaol development has provided a copy of a letter sent to the Friends of Abingdon Civic Society clarifying concerns raised in their original response including the public access to the riverside garden. The letter states that it is aware of the S106 obligations with regards to public access and refers to times in which the decision was made to not open a gate (Route 2 in the legal agreement) due to risks to young children playing unattended close to the river. The letter confirms that this route has now been opened.</p>

3.0 **RELEVANT PLANNING HISTORY**

3.1 Planning permission was granted in 2009 for the redevelopment of The Old Gaol site to provide a total of 61 residential units both within the original buildings and construction of a new building, as well as the provision of restaurant space, café space and the provision of public access. Officers are aware that construction works on all residential units are completed. The approved restaurant space on the ground floor of The Old Gaol remains vacant and internal work are not complete. The restaurant and café space at 1 Bridge street remains vacant and internal works are incomplete. Costa Coffee is operating from 2 Bridge Street. Key applications relating to this permission are below:

[P09/V1462/DIS](#) - Approved (03/02/2010)

Request for compliance with conditions for Application No: ABG/20698, Conditions 7, 8, 9, 11, 13, 14, 16, 17, 18, 23, 24, 32 and 34 and Application No: ABG/20698/1-LB, Conditions 4, 5, 6, 7, 8 and 9.

[P09/V1660/DIS](#) - Approved (30/11/2009)

Request for compliance with conditions for Application No: ABG/20698, Conditions 5, 15, 22, 26, 27 & 29.

[P08/V1238/LB](#) - Approved (19/03/2009)

Demolition of Sports Hall, Swimming Pool, No 4 Turn Again Lane, part of Police Station and garage block. Construction of new building containing 43 apartments. Conversion of Old Gaol to restaurant and 10 apartments. Conversion of Police Station to communal use and 3 dwellings. Conversion and extension of 25 & 27 and 1& 2 Bridge View to 2 restaurants, a cafe take away and 5 apartments. New vehicular access onto Bridge Street. Pedestrian link to East St Helens Street via Twickenham House. Underground parking for 68 cars and 132 cycles.

[P08/V1237](#) - Approved (19/03/2009)

Demolition of Sports Hall, Swimming Pool, No 4 Turn Again Lane, part of Police Station and garage block. Construction of new building containing 43 apartments. Conversion of Old Gaol to restaurant and 10 apartments. Conversion of Police Station to communal use and 3 dwellings. Conversion and extension of 25 & 27 and 1& 2 Bridge View to 2 restaurants, a cafe take away and 5 apartments. New vehicular access onto Bridge Street. Pedestrian link to East St Helens Street via Twickenham House. Underground parking for 68 cars and 132 cycles.

3.2 **Pre-application History**

There is no relevant pre-application history associated with this development.

4.0 **ENVIRONMENTAL IMPACT ASSESSMENT**

4.1 The proposal is not EIA development.

5.0 **MAIN ISSUES**

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

1. The principle of development
2. Affordable housing
3. Visual impact and impact upon setting of Listed Buildings and the Conservation Area
4. Residential amenity
5. Public access
6. Traffic, parking and highway safety
7. Enforcement matters
8. Community Infrastructure Levy
9. Other considerations

5.2 **The principle of development**

The site is located within the main town centre of Abingdon, therefore policies CP3 and CP4 of the adopted Local Plan 2031 Part 1 confirm that there is a presumption in favour of sustainable development in this location.

The ground floor of The Old Gaol building has planning consent for use as a restaurant with associated toilets and back of house facilities from the planning permission granted in 2009 for the redevelopment of the entire site (application ref. P08/V1237). Whilst the restaurant space has never been used as such the planning permission was implemented and the majority of works are complete except for internal works to fit out this restaurant space in question and the restaurant and café space at 1 Bridge Street.

- 5.3 This application seeks consent to the change the use of part of the ground floor into three residential units. The remaining floorspace (approximately 415 square metres) will be retained to be used as a restaurant/ café/ bar.
- 5.4 The Development Brief for the previous redevelopment of The Old Gaol specified the main aims including 'To ensure a mixture of uses on the site that will promote vibrancy and vitality in this part of the town centre'.
- 5.5 One of the strategic objectives of the Local Plan 2031 is to maintain and enhance the vitality and viability of existing town centres, ensuring they remain active and vibrant in light of changing trends. This is also emphasised within paragraph 85 of the NPPF.
- 5.6 The site is not located within either the primary or secondary shopping frontages where saved policies from the Local Plan 2011 seek to restrict some changes of use from retail uses.
- 5.7 Policy S4 saved from Local Plan 2011 confirms that change of use to residential accommodation will be permitted provided that there would be no demonstrable harm caused to the living conditions of neighbouring residents in terms of noise, cooking smells or general disturbance.
- 5.8 The Old Gaol is a Grade II listed building. The NPPF confirms at paragraphs 193-196 that where there is any identified harm to the significance of a heritage asset, where this harm is less than substantial, it should be weighed against the public benefits including securing its optimum viable use.

- 5.9 The applicant has submitted information to demonstrate the marketing effort undergone in an attempt to secure tenants for the three restaurant units. The report by Fleurets (a leisure property specialist company) indicates that marketing efforts started in June 2015 and included the erection of property to let boards at the site, full details on Fleurets website, advertisements in the Caterer (a specialist hospitality magazine) targeted mailshots to local, regional and national operators and direct contact with identified potential operators. A flexible approach was adopted; rental offers were encouraged, rent concessions were available and negotiations on fitting out works were offered. In total the marketing of all three units generated in excess of 1,000 requests for details from prospective tenants and circa. 10,000 sets of details were forwarded via mailshots to prospective lessees.
- 5.10 The report identifies that the two smaller units along Bridge Street (one is now occupied by Costa Coffee) generated more interest than the larger unit within the ground floor of The Old Gaol. The report identifies the following issues in attempting to let the larger restaurant unit:
1. The viability of Abingdon for large restaurant premises
 2. The location i.e. out of the prime town centre, with no main high street visibility
 3. The anticipated fit out costs approximately £750,000
 4. Competition from nearby schemes including the Westgate in Oxford and the Orchard Centre in Didcot.
- The District Council's Economic Development team have commented on the application and confirm that the above issues are consistent with the findings of the Business and Innovation Strategy Action Plan 2017 to 2020.
- 5.11 The report continues that after failure to let this unit, the marketing campaign was revised with the option of subdivision of the larger unit into smaller units, concessionary rent and the offer of a joint venture with the developers.
- 5.12 The report summarises the general climate for the restaurant market, identifying a number of national operators experiencing difficulties.
- 5.13 Officers consider that the principle of residential use in this location is acceptable. It is within the built area of Abingdon but is not located on a primary or secondary frontage. The information submitted with the application confirms that despite concentrated marketing efforts over a period of more than three years, there has been no confirmed buyer or leaser of the main restaurant unit and it remains vacant. Whilst the majority of the redevelopment of the site has been completed and therefore the future of the heritage asset can be considered secure, officers are mindful of the optimum viable use of the entirety of the asset. It has been demonstrated that marketing efforts have failed to secure the current consented use of the large restaurant space and officers are aware that the unit being vacant, along with the display of marketing boards over a sustained period may in itself be harmful to the vitality and viability of the town centre.
- 5.14 The applicant has noted that the income generated from the proposed three residential units will fund the fit out and setting up on a café/ bar to be operated

from the remaining restaurant space by the applicants themselves. The Economic Development team has commented that the opening of the café/ bar would contribute to improving Abingdon's evening economy. Officers acknowledge that the opening and use of the remainder of this unit could improve the vitality and viability of the town centre and may also stimulate interest in the other remaining vacant unit along Bridge Street.

5.15 **Affordable Housing**

Core Policy 24 of the adopted Local Plan 2031 Part 1 states that the Council will seek 35% affordable housing on all sites capable of a net gain of eleven or more dwellings. It continues in stating that planning permission will be refused for development proposals where it appears that a larger site has been sub-divided into smaller development parcels in order to avoid the requirements of the affordable housing policy.

5.16 Comments received from the Housing team have noted that this application should be considered in the context of the previously implemented development which provided 61 apartments. The comments confirm therefore that an affordable housing contribution of 35% is required but that a financial contribution in lieu of on-site delivery would be acceptable.

5.17 The previous application for the redevelopment of the entire site was first submitted in October 2008 and received planning permission in March 2009; over 9 years ago. The majority of the application has been completed except for internal works associated with the restaurant units. The legal agreement associated with this permission set out provisions for the delivery of off-site affordable housing by way of financial contributions.

5.18 This application seeks planning permission for the change of use of part of one of the restaurant units to accommodate three residential units. The applicant has submitted marketing information from a period of over four years which demonstrates the extent of the marketing efforts to secure tenants for the restaurant units.

5.19 Each planning application should be considered on its own merits. This is an application that will create three residential units and therefore does not trigger an affordable housing contribution under Core Policy 24. A significant period of time has passed since the granting of the original planning permission for the redevelopment of that site. The applicant has submitted marketing evidence which accounts for the vacant restaurant units that remain at the site and during the period since the majority of the development has been complete.

5.20 Officers do not consider that a larger site has been sub-divided to avoid the requirements of the affordable housing policy, in addition marketing information has been submitted which supports the applicant's change in intentions for this area of the site. Officers are of the view that this application should be considered on its own merits and not in the context of the previous permission. Therefore, officers do not consider that the requested contribution meets the three tests set out in Paragraph 56 of the NPPF:

- a) Necessary to make the development acceptable in planning terms

- b) Directly related to the development, and
- c) Fairly and reasonably related in scale and kind to the development.

5.21 Officers are aware that there are outstanding affordable housing contributions from the legal agreement associated with the previous permission (application ref. P08/V1237) that have not been paid within the timescales set out in that agreement. Officers are aware that communication with the developer is continuing in order to secure the outstanding payments.

5.22 As noted above, this application should be considered on its own merits. The legal matters associated with a previous application are not a material planning consideration relevant to this case.

5.23 **Visual impact and impact upon setting of Listed Buildings and the Conservation Area.**

The only external works proposed with this application is the insertion of a grate over the proposed courtyard to serve unit 3. Details of this feature are recommended to be provided by condition.

5.24 Internal works include the erection of dividing walls between the units and between unit 3 and the remaining café/ bar space. The walls between unit 3 and the café/ bar have already been constructed and therefore this application is seeking retrospective consent.

5.25 Officers, in consultation with the Conservation Officer, are satisfied that the dividing walls will not result in any harm to the significance of the listed building. It has been confirmed that the ground floor of The Old Gaol was originally divided up, only being opened up during works carried out in the 1970s.

5.26 The openings approved under the previous application are to be retained. Officers consider that there will be no significant impact upon the setting of the listed building or adjacent listed buildings or upon the setting of the Conservation Area.

5.27 **Residential Amenity**

The proposed residential units will have the following internal floorspace:

Unit 1 (2-bedroom) = 64.55 square metres

Unit 2 (1-bedroom) = 41.0 square metres

Unit 3 (1-bedroom) = 64.5 square metres.

5.28 Policy DP2 of the emerging Local Plan 2031 Part 2 specifies space standards for new build one- and two-bedroom dwellings. This policy is emerging and not yet adopted, therefore has very limited weight in the planning balance. In addition, this policy does not make reference to the creation of units via a change of use. There is currently no adopted policy to require certain dimensions for residential units. Officers are satisfied that the size of the units being created are adequate in that they will not result in unacceptable living conditions that would be detrimental to the amenities of future occupiers.

- 5.29 The bedrooms of units 1 and 2 will be served by existing high level windows in the north-west elevation of the building. Due to the change in levels across the site the windows are at ground level onto an access walkway leading to other residential properties and amenity areas within the complex. To protect the amenities of future occupiers of these units officers consider it necessary to require these windows to be obscure glazed by way of condition. Whilst a lack of outlook from a habitable room is not favourable, officers are mindful of the constraints of the building and wider site, and the harmful impact upon the significance of the listed building if additional openings to provide outlook from all habitable rooms in the proposed units were to be required. Officers consider that the minimal harmful impact upon the amenities of future occupiers is not significant enough to warrant refusal of the application.
- 5.30 The bedroom of Unit 3 will be served by a courtyard with an opening to the ground floor level above. As stated above, details of the proposed grate, to ensure this space is usable are recommended to be submitted by condition.
- 5.31 The proposed residential units are not provided with any private amenity space. The occupiers will be able to access the shared private amenity space within the wider Old Gaol complex. Given the constrained nature of the site, its position within the town centre with access to public amenity areas as well as access to high quality shared amenity space within the complex officers are satisfied that an adequate provision of amenity space will be available to future residents.
- 5.32 The applicant has provided a sound insulation assessment to demonstrate that adequate soundproofing between the residential units themselves and to the café/bar area can be provided. The environmental health officer has been consulted and is satisfied that the proposed development is acceptable so long as the mitigation measures set out in the assessment are adhered to.

5.33 **Public Access**

The legal agreement associated with the previous planning consent for the redevelopment of the site (application ref. P08/V1237) included clauses to ensure that specific public access routes are maintained across the site. A plan showing these access routes is included in Appendix 1. The routes are:

Route 1 – access via a gate south of Bridge Street to the public riverside garden. This route is to be open to members of the public every day of the year between 9am and sunset.

Route 2 – access from Bridge Street, round the back of the unit now occupied by Costa Coffee, through the covered alleyway between The Old Gaol and the rear of 1 & 2 Bridge Street to the public riverside garden. This route is to be open to members of the public every day of the year between 9am and sunset.

Route 3 – access from Bridge Street, round the north west elevation of The Old Gaol, down the walkway between the south west elevation of The Old Gaol and the new residential building to the public riverside garden. This route is to be open to members of the public every day of the year (excluding Sundays and public holidays) between the hours of

9am to 5pm once any restaurant/ café/ bar or similar establishment operating from the ground floor of The Old Gaol (indicated in red on the plan) is open for business.

Route 4 – access from Bridge Street, running north through the site to an access gate to the north of Twickenham House onto East St Helen Street. This route is to be open to members of the public every day of the year (excluding Sundays and public holidays) between 9am and 8pm or sunset (whichever is earlier).

- 5.34 Whilst part of the ground floor restaurant space is proposed to be converted into residential accommodation the remainder will be retained for a restaurant/ café/ bar use. As part of the restaurant is being retained there will be no impact on public access route 3 coming forward at the point at which such a business is opened. Officers have sought legal advice and as not all of the restaurant space is being removed, the legal agreement does not need to be altered as a result of this proposed development and therefore the provisions within the agreement, as stated above, still stand.
- 5.35 Officers are aware that concerns have been raised as to the compliance with the provisions within the legal agreement for the opening of the other public access points which are not reliant upon the restaurant unit being opened and comment has been provided by The Old Gaol Management Company to explain a decision earlier this year to temporarily close access route 2. The compliance with the legal agreement associated with the previous planning consent is not a material planning consideration in the assessment of this application. Officers are aware that concerns have been raised previously to enforcement officers which are continuing to be investigated. Officers are satisfied that the provision of public access routes secured through the previous legal agreement are not restricted by the implementation of this planning permission.
- 5.36 **Traffic, parking and highway safety**
The proposed development will create three additional residential units on site. The amended design and access statement submitted in support of the application confirms that no on-site parking will be provided to serve the proposed residential units.
- 5.37 The site is within a highly sustainable location within the town centre with excellent access to shops, facilities and public transport links.
- 5.38 The Highways liaison officer from Oxfordshire County Council has been consulted on the application and has advised that the adjacent controlled parking zone is oversubscribed and there is the potential that the proposed additional residential units could add additional on-street parking pressure in this already oversubscribed area. The highways officer confirms therefore that the proposed residential units will need to be removed from eligibility for permits within the controlled parking zone via a unilateral undertaking between the applicant and Oxfordshire County Council.

5.39 The highways liaison officer has recommended that additional cycle parking provision be provided on site, which has also been recommended by the Air Quality Officer with regards to providing facilities for alternative means of transport to reduce the impact of the development upon air quality. Whilst visiting the application site the officer was made aware that a significant number of additional cycle stands were provided within the redevelopment of the site above the provision required under the previous planning consent. Officers therefore consider that there is adequate provision for cycle parking within the site to accommodate the additional residential units.

5.40 **Enforcement matters**

As noted above officers are aware of concerns regarding the public access routed being open in accordance with the provisions set out in the legal agreement associated with the previous permission. The enforcement team are aware and are continuing to investigate.

5.41 Concerns have also been raised with regards to the loss of a Willow tree from the river frontage during the course of redevelopment works. Enforcement officers are continuing to investigate and consider a replacement tree in consultation with the Forestry officer. Officers do not consider that this separate enforcement matter relating to a previous permission has any material consideration in the assessment of this application.

5.42 **Community Infrastructure Levy**

The proposed development involves the change of use of 170 square metres of floorspace to residential accommodation. The council's CIL charging schedule was adopted in September 2017 and implemented in November 2017. This application is therefore liable for CIL.

5.43 **Other considerations**

Concerns have been raised as to future applications being submitted to change the use of the remaining part of the restaurant space into residential use. Each application is considered on its own merits and any future proposals should not be considered in the assessment of this case. Future applications would be considered on their own merits.

6.0 **CONCLUSION**

6.1 The development will provide three additional residential units within the built area of Abingdon. Marketing information has been submitted which demonstrates that whilst there has been sustained marketing efforts, the restaurant unit has failed to be sold or leased for over four years. Officers are satisfied that the proposed development will not have a significantly harmful impact upon the vitality and viability of the town centre. The development will not harm the setting or historic fabric of the listed building and the amenities of nearby residents and future occupiers have been adequately protected. Officers are of the view that the application complies with the development plan and the provisions of the NPPF and should be supported.

The following planning policies have been taken into account:

Vale of White Horse Local Plan 2031 Part 1 policies;

- CP01 - Presumption in Favour of Sustainable Development
- CP03 - Settlement Hierarchy
- CP04 - Meeting Our Housing Needs
- CP24 - Affordable Housing
- CP32 - Retail Development and other Main Town Centre Uses
- CP35 - Promoting Public Transport, Cycling and Walking
- CP37 - Design and Local Distinctiveness
- CP39 - The Historic Environment

Vale of White Horse Local Plan 2011 saved policies:

- DC5 - Access
- DC7 - Waste Collection and Recycling
- DC9 - The Impact of Development on Neighbouring Uses
- HE1 - Preservation and Enhancement: Implications for Development
- HE4 - Development within setting of listed building
- HE5 - Development involving alterations to a listed building
- HE7 - Change of use of listed building

Emerging Local Plan 2031 Part 2

The draft local plan part 2 is not currently adopted policy. Examination of the plan has been completed and the Inspector's interim report is awaited. Therefore it is officers' opinion that the emerging Local Plan and its policies carry limited weight for decision making at this time. The relevant policies of this emerging policy are as follows:

- DP2 – Space Standards
- DP13 – Change of Use of Retail Units to Other Uses
- DP16 – Access
- DP23 – Impact of Development on Amenity
- DP36 – Heritage Assets
- DP37 – Conservation Areas
- DP38 – Listed Buildings

Neighbourhood Plan

Abingdon does not currently have an adopted neighbourhood plan.

Supplementary Planning Guidance

- Design Guide (March 2015)

National Planning Policy Framework 2018 (NPPF)

Planning Practice Guidance (PPG)

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.

Equalities

In determining this application the Council has had regard to its equalities obligations including under Section 149 of the Equalities Act 2010.

Author: Penny Silverwood

Email: penny.silverwood@southandvale.gov.uk

Telephone: 01235 422600