

<b>APPLICATION NO.</b>	<a href="#">P20/V0200/FUL</a>
<b>SITE</b>	Kingston Bagpuize Business Park, Kingston Bagpuize, Abingdon, OX13 5AS
<b>PARISH</b>	KINGSTON BAGPUIZE
<b>PROPOSAL</b>	Demolition of existing buildings, erection of buildings for flexible employment uses (Use Classes E(g)(iii) and/or B2 and/or B8), associated landscaping, access and facilities.
<b>WARD MEMBER(S)</b>	Eric Batts
<b>APPLICANT</b>	Mr Pearce
<b>OFFICER</b>	Adrian Butler

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## **RECOMMENDATION**

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

1. An agreement between the applicant and Oxfordshire County Council being secured for a financial contribution towards travel plan monitoring; and
2. Conditions:
  1. Development to commence within three years
  2. Approved plans

### **Pre Commencement Conditions**

3. Surface water drainage scheme
4. Construction traffic management plan
5. Phased risk assessment for potential contamination

### **Pre-Occupancy or Other Stage Conditions**

6. Foul water drainage scheme
7. Implementation of any contamination remediation
8. Biodiversity mitigation and enhancement strategy
9. Noise, dust, emissions, odour mitigation prior to commencement of any Class B2 use
10. Travel Plan
11. Car parking provision in accordance with approved plans
12. Electric charging points – scheme to be approved
13. Cycle parking provision in accordance with approved plans
14. Footway and lighting provision to A415 bus stops before first occupation
15. Community Employment Plan to be agreed

### **Post Occupancy Monitoring and Management Conditions**

16. Landscaping implementation in accordance with the approved plans
17. Construction hours – 8.00 to 18.00 Monday to Friday 8.00 to 13.00 Saturday no works on Sunday or bank holidays
18. Permitted development rights removal – extensions to industrial and warehouses, industrial processes and hard standings (Classes H, I and J of Part 7, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015
19. Use restriction to E(g)(iii) (industrial processes), B2 (general industry) and B8 (distribution and warehousing)

### **Informative**

1. Thames Water will aim to provide a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Water pipes. This should be taken into account by the developer in the design of the development

## **1.0 INTRODUCTION AND PROPOSAL**

### **1.1 *Introduction***

The application is presented to planning committee as the Parish Council objects and Councillor Batts asks that the application is determined by planning committee for the following reasons:

- Height and density of the buildings
- Proximity to properties in Rectory Lane and new housing to the east
- Impact for the conservation area and Kingston Bagpuize House
- Increased traffic at the A415 junction
- Possible loss of local employment during construction and afterwards

### ***Site Location***

- 1.2 The site is located at the south eastern edge of Kingston Bagpuize and forms the northern part of the existing Kingston Bagpuize Business Park. The site currently contains commercial buildings including Romney huts, remnants from the former airfield use of the site and now in commercial use, open storage yards and associated parking. A site location plan is **attached** as Appendix 1.
- 1.3 To the north of the site is an existing builders merchants including a building and yard. There is also a residential bungalow (Whispering Trees). Beyond these is parkland associated with Kingston Bagpuize House (grade II\* listed building). The Kingston Bagpuize conservation area boundary is approximately 115m north and 130m west of the site.
- 1.4 To the east is housing at Edward Strauss Park. The vehicular access to the application site passes to the south of Edward Strauss Park to join the A415. To the south are other commercial units on the business park. West of the site is Rectory Lane which is at a lower level to the site as it passes beside it. On

the west side of Rectory Lane are two dwellings (Crow’s Nest Cottage and Little Pelham both grade II listed buildings).

*The Proposal*

1.5 The proposal includes removing the existing buildings and replacing them with seven buildings providing 24 new units varying in floorspace from 258 sqm to 541 sqm. The floorspace provided will increase from the existing 4,050.5 sqm to 8,539 sqm. The development is to be phased with building in the south and east constructed first followed by those in the west and north.

1.6 Proposed buildings in the south and east parts of the site will be up to 10.6m high under pitched roofs. Units in the north and west (proposed units 18 to 24) have been amended to reduce their heights from 10.6m to 8.91m to ridge.

1.7 The existing access road from the A415 is to be used. A footway is proposed alongside the southern edge of this road providing pedestrian access to bus stops on the A415. 180 car parking spaces are proposed and 58 covered and secure cycle parking spaces. A parking area in the north of the site immediately east of the bungalow called Whispering Trees is to be removed and replaced with landscaping.

1.8 Other amendments to the scheme include increasing car parking space sizes, increased cycle parking, submission of a heritage statement addendum, air quality assessment and responses to the air quality officer’s concerns, a swept path analysis for 12.5m long vehicles, amended landscaping details (including additional space for tree planting) and a traffic generation technical note.

1.9 The latest layout plan is **attached** as Appendix 2.

**2.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

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>Kingston Bagpuize with Southmoor Parish Council</p>	<p><u>Current Plans</u>                  Objection raising the following concerns:</p> <ul style="list-style-type: none"> <li>• Usage mix is still undefined and therefore accepted forms of traffic estimation cannot be relied on to give an accurate picture. There is a big difference between a two-man workshop and a delivery depot in this regard.</li> <li>• Submitted landscape views show trees in the East Park of Kingston Bagpuize House (KBH) on KBH land but are not shown on the application plans.</li> <li>• The density of development is still a concern. The denser the development the greater the traffic generation.</li> </ul>
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- The height of the buildings is still excessive. Existing units J1-4 and K1-4 are 5.5m to the internal eaves whereas this application shows new units at 6.5m at the same position. What is the requirement for scale of the development to be in excess of blocks J and K?
- Item 19 in the application states the hours of opening are not relevant. The PC asserts they are relevant in terms of access to the site and would want restrictions placed on hours of use at night in particular and also at weekends, at present business hours on Saturdays are 8am - 1pm with NO trading on Sundays. An increase in opening hours will additionally affect traffic flows.

Original Plans

Objection.

- 1 Class uses B1c, B2, B8 are not defined on the layout with particular reference to B2 which could generate considerable noise in an increasingly residential area. The PC objects to the potential increase in noise nuisance particularly since residential development has crept nearer to this site in recent years
- 2 The accumulated floor space is over double the existing. The PC believes the site is over-developed and consideration should be given to reduce this.
- 3 The new buildings exceed the height of existing buildings by 3m in some instances. New units along the west side of the site (6m to eaves 7m to ridge), new office blocks A1 and A2 (7.8m to eaves 8.8m to ridge). Existing Nissen huts (5m to ridge). The PC objects to the scale of these new buildings.
- 4 The applicant's traffic survey is not the subject of a physical count. It estimates movements increasing from 232 to 472 per day. This presents a real and present danger at the A415 junction particularly for right hand turns across this busy road. The PC objects to this and also the impact on northbound traffic flow through the village.
- 5 The conservation area comes to within 100m of the northern boundary of the site and the proposed development presents a significant alteration, whether built or landscaped, to the southern horizon. The PC reiterates its objection to the scale of the development which is not in

	<p>keeping with the setting of the listed building (Kingston Bagpuize House) or its park.</p> <p>The Parish Council can see the merit in improving and developing this site. It is however very concerned about the way the proposal goes about that objective. They urge the District Council to take note of the objections and encourage the developer to engage in reducing these problems. It is a pity that no pre-application advice has been sought by the applicant. There is no doubt that these objections would have been raised and advice given as to how to mitigate them.</p>
<p>Fyfield and Tubney Parish Council</p>	<p>Comments:</p> <ul style="list-style-type: none"> <li>• Has concerns over the visibility of the higher buildings from the recent housing development</li> <li>• Also concerned additional traffic will impact on the Marcham air quality management area (AQMA).</li> </ul>
<p>Residents</p>	<p><u>Current Plans:</u></p> <p>One letter of objection has been received:</p> <ul style="list-style-type: none"> <li>• The reduction in height of 1.6m is inadequate to protect views from Kingston Bagpuize House parkland</li> <li>• As mezzanine floors appears to exist in an existing building with height of 6.5m question why taller buildings are needed to accommodate mezzanine floors?</li> <li>• Previous objections remain valid (these are summarised below)</li> <li>• 3D visualisations are inaccurate and misleading. They show landscaping outside the site. To present a landscape view for 25 years hence is both unrealistic and misleading. This is poor quality soil and in the current climatic conditions trees which have previously grown well may, with hotter summers and wetter winters, thrive less well</li> <li>• The Heritage Impact Assessment (HIA) Addendum shows a view from the East Park that the public rarely see</li> <li>• The HIA Addendum also down played the role of the site in WW2</li> <li>• Development of the Kingston Business Park site is inevitable but it should be sympathetic to the local community and not be allowed to detract from local amenities and buildings including the Grade II* Heritage Building of Kingston Bagpuize</li> </ul>

House together with the Conservation Area which are all in such close proximity.

Original Plans:

Two letters have been received advising of no objection but making the comments summarised below:

- Existing businesses will be affected some of whom have been there many years. These businesses will have to relocate whilst the site is demolished which may result in loss of trade
- Presumably the rental of the new units will exceed the existing rent which may mean the loss of some businesses
- The footway from the A415 bus stop towards the site terminates before reaching the site and it should be extended to the site. This will provide better pedestrian access to and from the bus stop
- Lighting should be controlled to ensure it does not stay on all night as this currently causes disturbance to local residents

One letter of objection has been received which may be summarised as follows:

- Harmful impact on the conservation area, Kingston Bagpuize House which is grade II\* together with grade II listed buildings in the curtilage and the historic East and West Parks
- Detrimental visual impact for people walking in the Garden Park to Kingston Bagpuize House and Rectory Lane with the increased height of the proposed units some of which are 5.5m taller compared to the existing Nissan Hut buildings
- The visual impact will be significant with a hard-horizontal roof line in contrast to the curved roofs of the Nissan huts which prevent there being a hard-horizontal roof line when seen from the Conservation Area
- Proposed landscaping is inadequate to protect views from the conservation area
- Overdevelopment with the more than doubling of floor space and excessive heights
- Increased noise and disturbance for local residents including noise from vehicles night and day
- Increased traffic and pressure on the A415 will be detrimental both to the west through Kingston Bagpuize and also east to Frilford

	<ul style="list-style-type: none"> <li>• Additional traffic would impact negatively on residents at Latton Place</li> </ul>
<p>Oxfordshire County Council</p>	<p><u>Current Plans:</u> <u>Highways</u> No objection:</p> <ul style="list-style-type: none"> <li>• A traffic technical note (TN) has been based on the trip rates within the original Transport Assessment (TA) submitted in support of the proposals and now includes the yard areas within the existing site, which were previously omitted.</li> <li>• The TN undertakes a comparative assessment of HGV trips associated with the existing use at the site and those of the proposed development, assuming that this would operate as either Use Classes B1(c)/B2 or B8 and concludes that the proposals would result in a net reduction in HGV traffic.</li> <li>• Notwithstanding the assessment within the TN and noting that the methodology used to establish the traffic generation within the original TA was not accepted, from further assessment it is considered that based on the existing use at the site, there would not be a material increase in HGV trips along the highway network as a result of the development.</li> </ul> <p><u>Previous Comments:</u></p> <ul style="list-style-type: none"> <li>• The Transport Assessment (TA) submitted in support of the development has undertaken a review of the traffic generation associated with the existing and proposed use(s) at the site, based on similar sample sites contained within the TRICS Database. However, it is noted that the assessment only considers the gross floor area of individual buildings and excludes associated yard areas. As a result, in order to provide a robust and representative assessment, the site is required to be reviewed as an industrial estate, taking account of all yard area etc. <i>(Officer note; this has now been provided and is subject to the 'current plans' comments from OCC above)</i></li> <li>• From further assessment of similar sample sites contained within the TRICS Database and while mindful of the extant planning permission at the site (P00/V1312/FUL), it is considered that the net increase in traffic associated with the</li> </ul>

	<p>development, would not have a material impact along the highway network</p> <ul style="list-style-type: none"> <li>• Street lighting is needed along the complete length of the footway to the A415</li> <li>• Adequate car and cycle parking is proposed</li> <li>• Visibility splays are acceptable</li> <li>• The submitted swept path analysis is acceptable</li> <li>• Based on additional information provided and the likely net increase in trips associated with the development, the previously requested financial contribution towards public transport improvements, is no longer required</li> </ul> <p><u>Suggested conditions</u></p> <ul style="list-style-type: none"> <li>• Restriction to use classes B1c, B2 and B8</li> <li>• Travel Plan to be agreed</li> <li>• Car parking to be provided</li> <li>• Secure and covered cycle parking to be provided</li> <li>• Footway and street lighting details to be agreed</li> <li>• Construction Traffic Management Plan to be agreed</li> </ul> <p><u>Original Plans:</u></p> <p><u>Strategic Comments</u></p> <ul style="list-style-type: none"> <li>• From a strategic point of view, as the vehicular trips generated by this proposal are broadly similar to the extant use, there is no significant additional impact on the highway network. If further assessment identifies that there is an increase in trips resulting from this proposal, then junction capacity assessments may need to be undertaken in the vicinity particularly where there are existing congestion issues at the A420/A415 roundabout, Frilford junction (A338/A415), and air quality concerns through the Marcham AQMA.</li> </ul> <p><u>Lead Local Flood Authority</u> No comment</p> <p><u>Archaeology</u> No objection</p> <ul style="list-style-type: none"> <li>• There are no archaeological constraints</li> </ul>
Thames Water	<p><u>Foul Water Drainage:</u></p> <ul style="list-style-type: none"> <li>• Unable to identify the waste water infrastructure needs of this proposal. Recommend a condition to deal with this.</li> </ul>

	<p><u>Surface Water Drainage:</u> No objection</p> <p><u>Water supply:</u> No objection</p> <p><u>Other comments:</u></p> <ul style="list-style-type: none"> <li>• If the site’s drainage is to be connected into public sewers a drainage strategy should be provided with details of the points of connection as well as the size of the proposed sewer connection</li> </ul> <p><u>Suggested condition</u></p> <ul style="list-style-type: none"> <li>• No building shall be occupied until confirmation of capacity to serve the development is given or a phasing plan has been agreed or all wastewater network upgrades are completed.</li> </ul> <p><u>Suggested informative</u></p> <ul style="list-style-type: none"> <li>• Thames Water will aim to provide a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9litres/minute at the point where it leaves Thames Water pipes. This should be taken into account by the developer in the design of the development</li> </ul>
<p>Drainage Engineer</p>	<p>No objections subject to conditions:</p> <p><u>Suggested conditions</u></p> <ul style="list-style-type: none"> <li>• Surface water drainage scheme to be approved</li> <li>• Foul water drainage scheme to be approved</li> </ul>
<p>Landscape Officer</p>	<p><u>Current Plans:</u> No objection:</p> <ul style="list-style-type: none"> <li>• The amended planting plans have addressed my concerns with regards for sufficient rooting volumes for the longer term growth and survival of the trees. There are no outstanding landscape issues.</li> </ul> <p>Previous Comments:</p> <ul style="list-style-type: none"> <li>• Accept the quality of the current site is poor but the replacement scheme contains no softening within the site layout, making the areas adjacent to the units very hard, dominated by internal roads and parking and limited incorporation for climate change adaptation and design measures</li> </ul>

	<p>such as the use of trees to reduce solar heat gain during the summer</p> <ul style="list-style-type: none"> <li>• The reduced heights bring the built form more in line with the current development on site</li> <li>• Fencing will have a visual impact on the character of the development</li> <li>• The proposed rooting volume for the line of <i>Pyrus calleryana</i> Clanticleer is substandard. The rooting volume should be 9.6m<sup>3</sup> whereas that proposed is approximately 8.5m<sup>3</sup> and does not take into account in any reduction of rooting volume due to haunching of pavement or road edges. The proposed rooting depth of these areas is less than 1m depth therefore indicating that the proposed rooting volume is below the recommended amount. Crating under the parking spaces could be used to increase the rooting volume of these trees</li> <li>• The lighting scheme is to be conditioned but the placement of lighting columns and service runs also has an impact on the ability to implement the submitted landscape scheme especially in relation to tree locations. It would not be acceptable to remove trees from an approved landscape scheme to accommodate lighting. The lighting scheme should reflect the site's relatively rural location</li> <li>• The hardness of the internal design of the site has an impact on its design and its amenity to the users rather than an impact on the wider landscape, due to this being a redevelopment of existing units within the centre of an existing business site. In this case I will defer to the Planning Officer with regards to the planning balance in terms of the impact with regards to Local Plan Core Policies 37, 38, 40 and 44.</li> </ul> <p><u>Original Plans:</u> Holding Objection</p> <ul style="list-style-type: none"> <li>• Further information and revisions requested.</li> </ul>
<p>Countryside Officer</p>	<p>No objection</p> <ul style="list-style-type: none"> <li>• The habitats on site are not of any significant ecological value</li> <li>• The landscaping proposal which includes an area of tree planting are adequate to comply with core policy 46 of the Local Plan</li> <li>• Three buildings on site are considered to have low suitability to support roosting bats. The supporting ecological information recommends</li> </ul>

	<p>further bat surveys. Having regard for the likely use of the site by bats, assuming a reasonable worst-case scenario, it is considered that the proposed development has ample scope to provide mitigation and compensation to meet the favourable conservation test.</p> <ul style="list-style-type: none"> <li>• Case law has determined that permission can be granted lawfully, subject to conditions, when the proposed development has ample scope to mitigate and compensate against a worst-case scenario.</li> <li>• Whilst there are records of great crested newts (GCN) nearby, it is not considered reasonably likely that GCN are present in the business park having regard for the absence of suitable habitat. It is recommended that a precautionary working method statement is used to minimise any risks.</li> </ul> <p><u>Suggested condition</u></p> <ul style="list-style-type: none"> <li>• A detailed and specific biodiversity mitigation and enhancement strategy (BMES), containing the findings of the bat activity surveys be submitted and approved.</li> </ul>
Historic England	<p>No comments:</p> <ul style="list-style-type: none"> <li>• Do not wish to offer any comments and suggest that the views of this council’s specialist conservation and archaeological advisers are sought.</li> </ul>
Conservation Officer	<p><u>Current Plans:</u> Support:</p> <ul style="list-style-type: none"> <li>• The reduction in height of the industrial units closest to the heritage assets identified is welcomed and I consider significantly reduces the level of harm previously identified from 'less than substantial harm - low' to a 'negligible level' which I consider in line with supporting heritage evidence and which no longer triggers paragraph 196 of the NPPF</li> <li>• The negligible level of harm now imposed is mitigated by the tree planting proposed and whilst the tree planting will take some time to mature I consider this is supportable in conservation and design terms in this particular location.</li> </ul> <p><u>Original Plans:</u> Objection:</p>

	<ul style="list-style-type: none"> <li>• The proposal causes ‘less than substantial harm – low’ to the settings of both neighbouring listed buildings and the setting of the Kingston Bagpuize Conservation Area and lacks adequate mitigation to reduce harm</li> <li>• Do not consider the definition and understanding of setting as set out in NPPF and PPG has been fully understood or assessed and falls short of assessing the impacts imposed by the proposals</li> <li>• Amendments be sought reducing the level of harm to heritage assets.</li> </ul>
<p>Crime Prevention Officer – Thames Valley Police</p>	<p>No objection</p> <p><u>Suggested condition</u></p> <ul style="list-style-type: none"> <li>• Measures to be incorporated into the proposals demonstrating how Secured by Design (SBD) principles &amp; standards on physical security are to be achieved</li> </ul>
<p>Environmental Protection Team</p>	<p>Comments:</p> <ul style="list-style-type: none"> <li>• The proximity to neighbouring properties gives rise to potential nuisance issues for their occupiers should this application be granted. Recommend conditions to address this.</li> </ul> <p><u>Suggested conditions</u></p> <ul style="list-style-type: none"> <li>• Control of noise emanating from the site</li> <li>• Demolition and construction hours restriction - 08.00 – 18.00 Monday to Friday, 08.00 – 13.00 on Saturdays and no working on Sundays or Public Holidays</li> <li>• Control of dust emissions</li> </ul>
<p>Air Quality Officer</p>	<p><u>Current Plans:</u> No objection:</p> <ul style="list-style-type: none"> <li>• If the predicted traffic movements (HGV and general traffic) from the site are predicted to be lower than with the current development, and OCC agree that this assessment is correct, then there should be no additional negative impact on air quality in Marcham and I would have no objection.</li> </ul> <p><u>Previous Comments:</u> Objection:</p> <ul style="list-style-type: none"> <li>• Has particular concern relating to NO<sup>2</sup>. The Marcham AQMA was declared because of exceedance of the NO<sup>2</sup> annual mean AQO. The</li> </ul>

	<p>updated modelling indicates that with the increased traffic from the proposed development, that at most modelled locations there will be a negligible impact on NO<sup>2</sup> levels. However at the location which currently suffers the worst air quality in the AQMA an impact of 2-5% of the AQO is predicted and this is characterised as a substantial impact. Such an impact is likely to exacerbate the existing exceedence of the AQO in the part of the AQMA which already suffers the worst air quality and where the AQO is regularly exceeded.</p> <ul style="list-style-type: none"> <li>• Possible mitigation of the impacts has been considered with the County Highways Authority and at this location it is considered that the only feasible mitigation would be a by-pass. This would be a much needed but expensive option, and whilst consideration is being given to this, there is no current scheme and it is not currently funded or likely to be implemented in the short to medium term.</li> </ul> <p>The air quality assessment includes predictions of modelled impacts on air quality in the Marcham AQMA and the wider area. It follows a sound general approach and is well structured. However, some of the assumptions used in the modelling and some of the modelled locations are not satisfactory:-</p> <ol style="list-style-type: none"> <li>1. Defra predicted background data is used rather than monitored background levels which are higher.</li> <li>2. The street canyon along Packhorse Lane in the Marcham AQMA is not modelled.</li> <li>3. The predicted air quality at the worst locations in Marcham are not modelled.</li> </ol> <ul style="list-style-type: none"> <li>• In view of this the air quality assessment is not acceptable and needs to be updated to reflect the concerns raised, and to better reflect the impacts at the most polluted part of the Marcham AQMA.</li> </ul>
Contaminated Land Officer	<p>No objection</p> <ul style="list-style-type: none"> <li>• The content of the submitted reports satisfactorily address the requirements for submission of a Phase 1 contaminated land preliminary investigation.</li> <li>• In respect of the Phase 2 comprehensive intrusive investigation, whilst no significant contamination has been identified that would preclude the development, the investigation is</li> </ul>

	<p>currently incomplete and further work is required in this respect.</p> <ul style="list-style-type: none"> <li>• To ensure that any risk to the development from inaccessible areas that were previously not investigated in the reports, it is recommended that any planning permission is subject to the following conditions.</li> </ul> <p><u>Suggested conditions</u></p> <ul style="list-style-type: none"> <li>• Phased risk assessment to be carried out</li> <li>• Implementation of any remediation</li> </ul>
<p>Economic Development Team</p>	<p>Strongly Support</p> <ul style="list-style-type: none"> <li>• The council's Business and Innovation Strategy Plan 2017 to 2020 highlights the difficulties businesses face when looking for new sites within the district. The priority is to address business concerns with lack of available, good quality and affordable workspace and identify and promote opportunities for flexible business space provision and advocate the retention of business space to ensure appropriate employment land. This proposal will help achieve these objectives and priorities and contribute several benefits to the local economy including increasing the long-term viability of the site and the amount of floorspace available to growing businesses.</li> <li>• The proposed units offer flexibility that will attract a range of businesses and should help to meet demand locally.</li> <li>• The redevelopment and modernisation of the site will provide investment in the local economy, both in terms of the construction of the proposal itself and in terms of the opportunities for job creation by businesses based on site. There is also potential that spend will increase within the local supply chain.</li> <li>• Whilst there are concerns about the potential of displacement for existing tenants on site, it is noted that the redevelopment offers several benefits to tenants looking to stay on site, including safer, more energy efficient buildings and creation of a landscape that will be more conducive to business growth.</li> <li>• A community employment plan should be provided for a development of this scale.</li> </ul>

### 3.0 RELEVANT PLANNING HISTORY

P07/V1277 - Approved (06/09/2007)

Erection of single unit for B1 and B8 use along with yard, parking and landscaping.

P06/V1773 - Approved (04/01/2007)

Amendment to KBA/FYF/594/44. Revised application to develop 3 blocks of 2 storey B1 business units providing 8 self-contained units. Area 0.43 hectares. (Plot B)

P03/V1546 - Approved (20/11/2003)

Erection of 5 units.

P99/V0309/LDE - Other Outcome (07/10/2002)

Application for a Certificate of Lawfulness for an existing use as an Industrial Trading Estate.

P02/V0605 - Approved (16/05/2002)

Erection of single storey building. (Unit G).

P01/V1025 - Approved (11/10/2001)

Amendment to application KBA/594/43 to alter road layout. Design of buildings to plots H & G. Provide a temporary cafe building. Landscaping Modifications to plots A, B & C.

P00/V1312 - Approved (01/03/2001)

Construction of new estate road from A415 & closing of Rectory Lane vehicular access. Construction of estate roads, turning areas, 5 x B1 office buildings (Units A1, A2, B1, B2 & C), 2 x B2/B8 buildings (Units D & E), parking & landscaping

## **4.0 ENVIRONMENTAL IMPACT ASSESSMENT**

4.1 The site area exceeds 0.5ha and therefore, the proposal falls within the thresholds set at Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. Consequently a screening opinion has been undertaken and it is concluded that the proposal is not EIA development.

## **5.0 MAIN ISSUES**

The main issues are:

1. The principle of development
2. Design
3. The Historic Environment
4. Landscape and visual impact
5. Highway safety, traffic and parking
6. Air quality impacts
7. Residential amenity
8. Other material considerations
9. Financial contributions/CIL

### **Principle of Development**

5.1

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. Section 70(2) of the Town and Country Planning Act 1990 provides that the local planning authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations. The development plan for this proposal currently comprises the adopted Local Plan 2031 Part 1 (the LPP1) and the Local Plan 2031 Part 2 (the LPP2). Kingston Bagpuize with Southmoor is not currently preparing a Neighbourhood Plan.

5.2

The proposal comprises new employment development on part of the existing business park (previously developed land) at the edge of Kingston Bagpuize and in principle the proposal accords with core policy 28 of the LPP1.

### **Design**

5.3

The proposals in part replace existing buildings including the Romney huts which are semi-circular shaped buildings with corrugated roofs. The proposed buildings are rectangular in form with external walls described in the submitted design and access statement as “*a mixture of micro rib top sheet built up cladding panels and trapezoidal built-up cladding along with curtain walling and windows*”. In appearance and through the use of materials with grey colours, proposed buildings complement existing commercial units adjacent. The buildings are designed to achieve BREEAM ‘very good’ standards which can assist in reducing carbon emissions during operation of the buildings.

5.4

The layout of the development makes use of the existing roads circling the site, provide frontage parking and landscaping on the site. The layout approach is satisfactory reflecting the layout of existing commercial units on adjacent land and overall, the design of the scheme is acceptable according with core policy 37 of the LPP1 and the adopted Design Guide 2015.

### **The Historic Environment**

5.5

The Kingston Bagpuize conservation area boundary is approximately 115m north and 130m west of the site. There are numerous listed buildings in the locality including:

- Kingston Bagpuize House - Grade II\*
- Gazebo, Terrace Walls, Gates, Gatepiers and Wall, approx. 74 metres north west of Kingston Bagpuize House - Grade II\*
- The Malt House and Stables, approx. 40 metres south of Kingston Bagpuize Park - Grade II
- Granary approx. 65 metres south east of Kingston Bagpuize House – Grade II
- Gatepiers and Garden Walls, approx. 110 metres south of Kingston Bagpuize Park – Grade II
- Gatepier, approx. 63 metres north of Kingston Bagpuize House – Grade II
- Gates and Gate piers, approx. 400 metres south east of Race Farm Lane – Grade II

- Garden Cottage, Kingston Bagpuize Park - Grade II
  - and 6, Race Farm Lane - Grade II
  - Orchard Cottage, Race Farm Lane - Grade II
  - Little Pelham, Rectory Lane - Grade II
  - Race Farmhouse, Race Farm Lane – Grade II
  - Crow’s Nest, Rectory Lane – Grade II
- 5.6 There are no direct impacts for these listed buildings. Units 1 to 17 are well screened from them and the conservation area. Impacts for the settings of these heritage assets therefore are considered negligible.
- 5.7 Units 18 to 24 replace the Romney huts which have a height of approximately 5.5m. The new units have been reduced in height from the initial proposal of 10.6m to 8.91m, with the height reduction aimed at reducing their impact on the setting of heritage assets perceived by your officers.
- 5.8 Paragraph 196 of the NPPF states *“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use”*.
- 5.9 The council’s conservation officer considers the revisions reduce the level of harm to the settings of heritage assets to negligible and that this is further mitigated by the landscaping proposed. Consequently he considers paragraph 196 of the NPPF is not triggered. The applicant’s heritage consultant considers where impacts for the settings of heritage assets occur, it is at the lower end of the spectrum of less than substantial harm.
- 5.10 Officers consider the proposals have no impact on the settings of Garden Cottage, 5 and 6, Race Farm Lane, Orchard Cottage, Little Pelham, or Race Farmhouse, as the business park and proposals are unlikely to be perceived in their rural settings due to existing intervening screening.
- 5.11 The ridge of the roof of Crow’s Nest Cottage can be seen from the business park. This cottage draws its setting from its grounds into which it faces and the spacious but semi-wooded appearance of this part of Rectory Lane. The business park has little influence on its setting visually, being well screened from Rectory Lane, although there is some impact through activity on the business park. The proposed taller buildings will be perceptible but are screened by vegetation, even in the winter months. Activity levels may increase with the additional floorspace. Overall, the harm for the setting of Crow’s Nest Cottage is considered less than substantial.
- 5.12 Kingston Bagpuize House and the various listed buildings within its grounds draw their settings from one another and their parkland location. The southern boundary of the parkland is well screened at present and the business park is not clearly perceived from the parkland. Some of the Romney huts are glimpsed from the parkland and part of Rectory Lane through a gap immediately east of the bungalow called Whispering Trees. This gap which is part of the application site is to be landscaped which will break the outline of

the proposals in the medium to long term as will a further line of tree planting beside the access road past proposed units 18 to 24. Officers also note that whilst taller than the existing Romney huts, units 18 to 24 will be located further to the south by approximately 22m. In the short term officers conclude that the proposals will cause less than substantial harm to the settings of the listed gates and gate piers approximately 400m south east of Race Farm Lane and the parkland setting of Kingston Bagpuize House, reducing to negligible harm as the landscaping becomes established and grows taller.

- 5.13 The setting of the conservation area closest to the site is largely derived from the parkland of Kingston Bagpuize House and as above, it is considered the impact will be less than substantial in the short term reducing to negligible as proposed landscaping becomes established.
- 5.14 Great weight is given to the desirability of preserving the settings of listed buildings and preserving or enhancing the character or appearance of the conservation area. In accordance with paragraph 196 of the NPPF the less than substantial harm identified needs to be weighed against the public benefits of the proposal. This is summarised in the conclusion section of this report
- 5.15 The Romney huts are not listed buildings and are not designated heritage assets. Whilst having links to former airfield use, including association with WWII, they have been modified including some extensions. Their merit is limited and their removal is acceptable.

### **Landscape and visual impact**

- 5.16 In redeveloping an existing part of the business park which has buildings existing or permitted and ranging in height from 4.8m to 9.2m, and with a similar appearance and design to other buildings on this business park, the proposal has no unacceptable impact on landscape character.
- 5.17 With intervening screening which includes conifer trees, the proposals are not readily visible from public rights of way to the north, east and south of the site. The proposals will be seen from Edward Strauss Park and the access road leading to the site but seen in the context of an existing developed commercial site.
- 5.18 Revisions to the scheme allow sufficient rooting areas for trees and the proposed landscaping will enhance the current appearance of the business park which has limited planting within its confines.
- 5.19 It is concluded that the proposal is compliant with core policies 28, 37 and 44 of the LPP1.

### **Highway safety, traffic and parking**

- 5.20 Vision splays within the proposals and connections to the existing business park road are acceptable. The junction of the business park road with the A415 is lit and has good vision in both directions plus a right hand turn lane from the A415. The highways officer has no objections to its use for this proposal.

- 5.21 Traffic movements from existing employment uses of the buildings and open storage yards on the site could amount to 715 daily traffic movements. Traffic movements from the proposals are predicted to be significantly less at a maximum of 472 daily movements based on a worse case of all the buildings being used for E(g) and B2 uses with the reduction largely due to the removal of the current open storage yards. Traffic movements are therefore, acceptable and will not result in severe impacts on the road network or worsen the current situation. The highways authority has no objection regarding traffic generation
- 5.22 Adequate car parking is proposed in accordance with parking standards. These require 171 parking spaces. 180 parking spaces are proposed which meets the required parking provision plus replacing 9 of the 10 existing spaces that will be lost to landscaping.
- 5.23 A new footway beside the road leading from the A415 into the business park will provide pedestrian access to bus stops. There is an existing pedestrian link to Rectory Lane which is retained and is well used in accessing the village.
- 5.24 The proposal is considered to accord with core policies 28 and 35 of the LPP1 and development policy 16 of the LPP2.

### **Air quality**

- 5.25 An air quality management area exists in Marcham which is susceptible to high levels of pollution from traffic and in turn impacts Marcham residents. Following an initial objection from the air quality officer, a revised air quality assessment has been submitted together with a traffic technical note which now includes an assessment of the existing traffic generation situation (including open storage yards on site as originally requested by the highways authority). The technical note predicts a significant reduction in daily traffic movements from the site and consequently this would not worsen air quality but could lead to an improvement. On review of this information and noting that the highways authority is satisfied with the latest traffic data, the council's air quality officer has removed the previous objections and no objection is raised. Electric vehicle charging points can be provided and a travel plan secured. These can assist in seeking to encourage more sustainable modes of travel which can improve air quality. The proposal is therefore considered to accord with development policy 26 of the LPP2.

### **Residential amenity**

- 5.26 The proposed buildings are located some 18m further away from the bungalow called Whispering Trees than existing buildings and will be approximately 39m away from its nearest windows. The height of the new buildings and provision of windows including those at first floor will not result in unreasonable overshadowing, overbearing impact or overlooking of the bungalow. The southern boundary of the bungalow's garden is well screened. New landscaping in place of the parking immediately east of Whispering Trees will enhance its relationship to the site.

- 5.27 Crow's Nest Cottage is a thatched dwelling located on the west side of Rectory Lane. The side of the nearest proposed building will be approximately 41m from the cottage which is some 13m closer compared to the current situation. Crow's Nest Cottage is well screened from the application site by a fence and vegetation on the eastern side of Rectory Lane. In addition, there is a marked drop in levels from the application site to Rectory Lane at this point. There will be no direct overlooking and existing screening is adequate to ensure there is no unreasonable or overbearing impact.
- 5.28 No other dwellings, (including the dwellings in the Edward Strauss Park development which are over 100m from the nearest proposed building) are adversely impacted by the proposal.
- 5.29 The Class E(g)(iii) (industrial processes) uses would have no detriment for local residents being uses suitable in residential areas without detriment to its amenity. The Class B8 (distribution and warehousing) uses may cause some disturbance through traffic movements. The Class B2 uses (general industry) have potential to cause disturbance to local residents through traffic movements and emissions such as noise and odour. Officers are mindful that similar uses exist on this site at present without seemingly being harmful to residents. Nevertheless, a condition is necessary to control the noise, emission of dust, fumes or odours. Daily traffic movements from the site are predicted to be much lower than those that could take place with existing uses. Such activity including traffic passing the Edward Strauss Park homes is not considered to result in unacceptable impacts and should be an improvement with fewer traffic movements.
- 5.30 With the addition of the condition mentioned the proposal is considered to accord with core policy 28 of the LPP1 and development policy 23 of the LPP2.

### **Other material considerations**

#### *Drainage*

- 5.31 The site is wholly within flood zone 1 which is least susceptible to fluvial flooding and preferred in flood risk terms for this type of development.
- 5.32 A drainage scheme based on geocellular storage beneath parking areas is proposed. This will store surface water run-off and release it gradually into the ground. This is possible given the low water table which will allow this type of soakaway system. The drainage engineer and Lead Local Flood Authority have no objection. A planning condition can secure the implementation of a suitable sustainable drainage scheme.
- 5.33 Thames Water has no objection in regard to foul water drainage subject to the imposition of a condition. Likewise they advise that there are no objections with regard to water provision and they will seek to provide adequate water connections and water pressure.
- 5.34 It is concluded the proposal complies with core policy 42 of the LPP1 subject to the recommended conditions.

*Proposed use restrictions*

- 5.35 To control change of use of Class B8 uses to dwellinghouses, change of use to Class E(g)(i) (offices) and state funded schools or a registered nursery, permitted development rights should be restricted. This will ensure the council can fully consider and decide on the implications of such proposals including compliance with planning policies and guidance. Likewise, it is recommended that permitted development rights for extensions, hard surfaces and plant are removed by condition to allow further consideration to be given to car parking need, potential impacts for local residents and visual impacts including heritage impacts.

*Community Employment Plan*

- 5.36 Development policy 11 of the LPP2 requires all new development proposals to demonstrate how opportunities for local employment, apprenticeships and training can be created and seek to maximise the opportunities for sourcing local produce, suppliers and services, during both construction and operation.
- 5.37 As this is a large scale commercial development and in the interests of sustainable development, a community employment plan should be secured by condition to accord with development policy 11 of the LPP2.

*Contaminated land*

- 5.38 The proposal is acceptable in respect of land contamination. The contaminated land officer raises no objection, subject to verification on remediation. This can be secured by condition and the proposal is compliant with policy DP27.

*Ecology and biodiversity*

- 5.39 The countryside officer raises no objection to the proposal subject to a condition seeking the implementation of onsite biodiversity enhancements. This condition meets the relevant tests and is required to ensure the proposal is compliant with policy CP46.

*Archaeology*

- 5.40 There are no archaeological constraints to the proposed scheme.

*Secured by design*

- 5.41 Whilst the Crime Prevention Officer seeks a condition requiring the proposal to be designed to secure by design standards, the condition would not be appropriate, as elements relate to non-planning matters e.g. security measures for the actual buildings e.g. locks. The layout responds positively to secured by design requirements whilst providing acceptable visual design.

**Financial contributions/CIL**

- 5.42 CIL does not apply to this employment proposal.
- 5.43 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.

5.44 Core policy 7 of the LPP1 will only permit development where the necessary physical infrastructure and service requirements to support the development can be secured.

5.45 Based on additional information provided by the applicant in a transport note and the likely decrease in trips associated with the development, the previously requested financial contribution towards public transport improvements, is no longer required by Oxfordshire County Council (OCC).

5.46 OCC request a travel plan which can be secured by condition. A travel plan can encourage journeys other than by the private motor car and improve the health and well-being of employees and reduce emissions from those travelling to the site. A travel plan monitoring fee (£2,040) is justified in encouraging journeys by more sustainable modes of travel in accordance with core policy 35 of the LPP1.

5.47 The travel monitoring fee can be secured through OCC's standard prepared unilateral undertaking route.

#### *Public Art*

5.48 Development policy 20 of the LPP2 seeks all proposals for major development to provide public art. A public art contribution however is not considered necessary in this instance. The Developer Contributions SPD advises that such contributions will be secured where appropriate and be negotiated based on public impact, visibility and profile of the development. In this case the public impact, visibility and profile of the proposals is negligible and a public art contribution is not justified or needed to mitigate for impacts.

## **6.0 CONCLUSION**

6.1 This application has been determined in accordance with the development plan unless material considerations indicate otherwise.

6.2 The principle of development is acceptable according with the economic strategy of the Local Plan. Less than substantial harm for some heritage assets has been identified. This needs to be weighed against the public benefits of the proposal.

6.3 Public benefits of the proposal include increased employment floorspace that can generate additional jobs in an accessible location and on previously developed land. Between 130 and 240 (full time equivalent) jobs are anticipated as being created. Employment generation can increase spending in the local area and the district as a whole. Business rates can provide public finance which can be used to maintain and potentially improve services in the district. The units can provide flexible and adaptable accommodation allowing

businesses to grow. There are environmental improvements with improvements to the existing site in design and landscaping. The proposal provides landscaping that can benefit biodiversity and together with providing small open spaces could benefit the well-being of employees. The buildings are to be designed to BREEAM 'very good' standards which can assist in reducing carbon emissions during operation of the buildings and the development is well-designed. Fewer traffic movements could benefit living conditions of local residents, reduce congestion and improve air quality. Together these benefits can be given significant weight.

- 6.4 The less than substantial harm to heritage assets is considered limited and short term. In the long term harm will be reduced to negligible through landscaping becoming established. Whilst giving great weight to the desirability of protecting, preserving or enhancing heritage assets, officers consider the public benefits outweigh the limited harm.
- 6.5 In conclusion, the proposal is considered acceptable and is sustainable development

The following planning policies have been taken into account:

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

- CP1 - Presumption in favour of sustainable development
- CP3 - Settlement hierarchy
- CP6 - Meeting Business and Employment Needs
- CP7 – Providing supporting infrastructure and services
- CP8 - Spatial Strategy for Abingdon-on-Thames and Oxford Fringe Sub-Area
- CP28 - New Employment Development on Unallocated Sites
- CP33 – Promoting sustainable transport and accessibility
- CP35 – Promoting public transport, cycling and walking
- CP36 – Electronic communications
- CP37 – Design and local distinctiveness
- CP38 – Design strategies for strategic and major development sites
- CP39 – The historic environment
- CP40 – Sustainable design and construction
- CP42 – Flood risk
- CP43 – Natural resources
- CP44 - Landscape
- CP45 – Green infrastructure
- CP46 – Conservation and improvement
- CP47 – Delivery and contingency

**Vale of White Horse Local Plan 2031: Part 2**

- DP11 – Community Employment Plans
- DP16 – Access
- DP17 - Transport assessments and travel plans
- DP20 – Public art
- DP21 – External lighting
- DP23 – Impact of development on amenity

DP25 – Noise pollution  
DP26 – Air quality  
DP27 – Land affected by contamination  
DP28 – Waste collection and recycling  
DP36 – Heritage assets  
DP37 – Conservation Areas  
DP38 – Listed Buildings  
DP39 – Archaeology and scheduled monuments  
CP47a – Delivery and contingency

**Neighbourhood Plan**

Kingston Bagpuize with Southmoor is not currently preparing a Neighbourhood Plan.

**Adopted Guidance**

Vale of White Horse Design Guide 2015  
Developer Contributions – Delivering Infrastructure to Support Development  
SPD – June 2017

**Other Relevant Legislation and Guidance**

National Planning Policy Framework (NPPF)  
National Planning Practice Guidance (PPG)  
Community & Infrastructure Levy Legislation  
Planning (Listed Buildings and Conservation Areas Act) 1990  
Human Rights Act 1998  
Section 149 of the Equality Act 2010  
Section 17 of the Crime and Disorder Act 1998

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