

<b>APPLICATION NO.</b>	<a href="#">P21/V1498/FUL</a>
<b>SITE</b>	Old Abbey House, Abbey Close, Abingdon, OX14 3JD
<b>PARISH</b>	ABINGDON
<b>PROPOSAL</b>	Extension and change of use to create a hotel. (As amended by plans received 9 July 2021, information and plan received 9 September 2021, and plans received 15 February 2022)
<b>WARD MEMBER(S)</b>	Cheryl Briggs Helen Pighills
<b>APPLICANT OFFICER</b>	Mr Daniel Ede Martin Deans

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## **RECOMMENDATION**

**Planning Permission subject to the following conditions:**

### **Standard**

1. Commencement three years - Full Planning Permission
2. Approved plans

### **Compliance**

3. HY7 - Car Parking (Full)
4. LS4 - Tree Protection (Full)
5. The development shall be implemented in accordance with the Bat Survey Report

### **Prior to First Use**

6. EV charging point installed
7. External lighting only in accordance with approved details

## **1.0 INTRODUCTION AND PROPOSAL**

- 1.1 This application has been called to committee by ward councillor, Helen Pighills. The site of this application is Old Abbey House, a grade II listed building that lies in Abbey Close, Abingdon. The building lies within the Abingdon Town Centre Conservation Area, at the west end of Abbey Gardens. The application site contains no part of Abbey Gardens but does include the car park in front of the building, together with the existing cycle/bin stores, the stone walls and the lawn to the north-west of the building.
- 1.2 The site lies within the historic core of Abingdon, within the precinct of the former Abbey of Abingdon. There are a number of other listed buildings in the vicinity, the most notable of which are The Abbey Gate and St Nicholas Church, both grade I listed, and which lie to the west of the site. To the south are nos 7 and 9 Abbey Close, which are grade II listed. The Abbey Gate and

the remains of the Abbey of Abingdon, within Abbey Gardens, are both Scheduled Monuments. To the north of the site is Abbey House, the Vale of White Horse District Council offices.

- 1.3 The application site contains six trees of varied species, and there are a further five trees close to the application site. All of the trees are either Category A or B, with between 20 and 40-plus years of expected life remaining.
- 1.4 Old Abbey House was most recently used as offices and meeting rooms for Abingdon Town Council. It is currently vacant. This application seeks planning permission for change of use of the building to a hotel. The proposal involves a first floor extension on the north-east side and external and internal alterations. The building was listed on 12 October 2021, after which a listed building application was submitted to run in parallel with the planning application. The listed building application reference is P21/V3388/LB. A location plan is below, and the application plans are **attached** at Appendix 1.



- 1.5 The planning application has been amended three times. The stages of the application and its amendments can be summarised as follows.

#### **Original Proposal**

- Change of use to a 26-bedroom hotel with 14 parking spaces
- A first floor extension and internal alterations to Old Abbey House
- A separate one-and-a-half storey café building is proposed on the lawn to the north-west of the main building

**First Amendment**

- The number of bedrooms is increased to 30 with the addition of four bedrooms in the roofspace of Old Abbey House

**Second Amendment**

- The separate café building is removed from the proposal
- Car parking is amended to address the concerns of the County Highways Officer over manoeuvring space - 11 parking spaces are now proposed
- A second bat survey is submitted

**Third Amendment**

- The first floor extension is reduced in size and the number of internal alterations substantially reduced to preserve more of the historic structure
- The detail of proposed external and internal works is annotated on the drawings
- The number of bedrooms is reduced to 27
- Tree protection details are submitted

1.6 The third set of amendments were subject to re-consultation on 15 February 2022, and any responses received after the completion of the report will be reported to the committee meeting.

2.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

The full version of all comments received is on the planning application pages of the council’s website, [www.whitehorsedc.gov.uk](http://www.whitehorsedc.gov.uk)

2.1

<p><b>Abingdon Town Council</b></p>	<p><b>Original</b> – no objections  <b>First</b> – no further comments  <b>Second</b> – no further comments  <b>Third</b> – any comments received to be reported to the meeting</p>
<p><b>Local Residents and Local Groups</b></p>	<p><b>Original</b> – three submissions were received making the following points:</p> <ul style="list-style-type: none"> <li>• The impact of the proposal on the heritage interest of Old Abbey House has been underestimated</li> <li>• The proposal is likely to affect significant archaeological remains</li> <li>• The café building is likely to harm nearby trees</li> </ul> <p><b>First</b> – no further comments have been received  <b>Second</b> – no further comments have been received  <b>Third</b> - any comments received to be reported to the meeting</p>
<p><b>Conservation Officer</b></p>	<p><b>Original</b> – no objection to the principle of change of use, but more information on the heritage impact is required.</p>

	<p><b>First</b> – as above  <b>Second</b> – no objection subject to pre-commencement conditions  <b>Third</b> – no objection subject to details shown on the plans</p>
<b>Historic England</b>	<p><b>Original</b> – no comments  <b>First</b> – no comments  <b>Second</b> – no comments  <b>Third</b> - any comments received to be reported to the meeting</p>
<b>County Archaeologist</b>	<p><b>Original</b> – no objection subject to conditions  <b>First</b> – as above  <b>Second</b> – as above  <b>Third</b> – no objections as there will be no invasive ground works</p>
<b>The Gardens Trust</b>	<p><b>Original</b> – no comments received  <b>First</b> – no comments received  <b>Second</b> – no objection in principle but request more information on impacts of the proposal  <b>Third</b> - any comments received to be reported to the meeting</p>
<b>County Highways Officer</b>	<p><b>Original</b> – no objection in principle but requests more information  <b>First</b> – as above  <b>Second</b> – no objection subject to condition to secure the amended parking layout  <b>Third</b> – not re-consulted</p>
<b>Drainage Officer</b>	<p><b>Original</b> – the proposed café will require a surface water drainage condition  <b>First</b> – as above  <b>Second</b> – the café has been removed, so no objections  <b>Third</b> – not re-consulted</p>
<b>Forestry Officer</b>	<p><b>Original</b> – holding objection to request more information  <b>First</b> – as above  <b>Second</b> – no objection subject to tree protection details being submitted  <b>Third</b> - any comments received to be reported to the meeting</p>
<b>Air Quality Officer</b>	<p><b>Original</b> – no objection subject to condition to secure an EV charging point  <b>First</b> – as above  <b>Second</b> – as above  <b>Third</b> – not re-consulted</p>

<b>Countryside Officer</b>	<b>Original</b> – a further bat survey is required <b>First</b> – as above <b>Second</b> – no objection subject to condition regarding the submitted bat survey report <b>Third</b> – not re-consulted
<b>Contaminated Land Officer</b>	<b>Original</b> - No comments Not re-consulted further
<b>Waste Management</b>	<b>Original</b> - No comments as it is a commercial site Not re-consulted further
<b>Thames Water</b>	<b>Original</b> - No objections Not re-consulted further

### 3.0 **RELEVANT PLANNING HISTORY**

3.1 [P04/V1815/DA](#) - Approved (16/02/2005)

Resurfacing of roads and pavements on land at Abbey Gateway between Guildhall and St.Nicholas Church, High Street and Abbey Close car park and front of Old Abbey House including new access ramp.

[P97/V1313/DA](#) - Approved (16/02/1998)

Erection of new cycle shelter.

[P90/V1756/CA](#) - Approved (15/03/1991)

Demolition of part of boundary wall fronting Abbey House.

[P91/V1704](#) - Approved (07/03/1991)

Construction of new road and new boundary walls. Complementary hard and soft landscaping. Erection of bollards to close Abbey Archway to regular vehicular traffic.

[P89/V0081/DA](#) - Approved (19/04/1989)

Construction of new district council offices including alterations to Abbey House, Abingdon.

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

There is no pre-application history

### 4.0 **ENVIRONMENTAL IMPACT ASSESSMENT**

4.1 The development is neither of sufficient scale, nor on the type of site, that would require an EIA

### 5.0 **MAIN ISSUES**

The main issues in the consideration of this application are:

- **The principle**
- **Design and impact on heritage assets**

- **Trees**
- **Archaeology and scheduled monuments**
- **Residential amenity**
- **Traffic, parking and highway safety**
- **Air quality**
- **Biodiversity**
- **Drainage**
- **Contaminated land**
- **Water supply and foul water drainage**
- **Waste management**

#### 5.1 **The Principle**

Policy CP31 of LPP1 (Reviewed) supports new development to underpin and expand the visitor economy, including new hotels within the built-up areas of the Market Towns, which includes Abingdon. The policy draws on the council's Hotel Needs Assessment of 2014 which concluded that, for Abingdon, demands from Culham Science Centre, Milton Park and Harwell Oxford, together with growth in the town's economy, could support new hotels in the town. This includes a predicted demand for small boutique hotels in the town centre. The proposal meets this identified demand. In consequence officers consider there is no objection in principle to the proposal, subject to the details being acceptable. These details will now be assessed.

#### 5.2 **Design and Impact on Heritage Assets**

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires a local planning authority to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. Section 72(1) states that special attention should be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.

5.3 Policy CP39 of LPP1 (Reviewed) requires new development to preserve and where possible enhance designated heritage assets and their setting in accordance with national guidance and legislation. This includes ensuring that vacant historic buildings are re-used as soon as possible to prevent deterioration. Policy DP37 of LPP2 requires that development within a conservation area must demonstrate that it will conserve or enhance its special interest, character, setting and appearance. Policy DP38 requires that development which alters or extends a listed building must preserve or enhance its special architectural or historic interest and significance. Policy DP39 requires an application to demonstrate it will not be detrimental to the site or setting of Scheduled Monuments or to nationally important archaeological remains.

5.4 The National Planning Policy Framework (NPPF) contains advice on decision-making involving heritage assets in paragraphs 194 – 208. Paragraph 200 states that any harm to the significance of a designated heritage asset should require clear and convincing justification. Paragraph 202 states that where a proposed development will lead to less than substantial harm to significance,

the harm should be weighed against the public benefits of the proposal including securing its optimal viable use.

5.5 Listed Building Issues

Old Abbey House became a grade II listed building on 12 October 2021. The listing was made for three reasons:

- The architectural interest of the surviving elements of the early- and late-C18<sup>th</sup> phases of construction of the principal west front of the building, integrating earlier fabric of possible C16<sup>th</sup> origin, as well as the rich and varied range of high-quality decorative features throughout the building acquired from the C18<sup>th</sup> through to the early C20<sup>th</sup>.
- The historic interest of an important and prominent building within the historic precinct of the Abbey which includes within its structure and its associated walls salvaged masonry from the demolished Abbey
- The group interest associated with other listed buildings in the Abbey precinct.

5.6 There has been a considerable amount of discussion between officers and the applicant regarding the impact of the proposal on the historic fabric of the building. Officers appreciate the need to find a use for the building to secure its future, particularly in light of the concern that exists regarding rainwater ingress into the building and the potential for damage to occur.

5.7 The listing of 12 October 2021 brought the heritage issues concerning the building itself into sharper focus and led to the latest set of amended plans. These have reduced the size of the proposed extension to the first floor, and considerably reduced the amount of internal alteration on both floors to preserve far more of the historic fabric. The number of proposed bedrooms has been reduced from 30 to 27 to allow for these beneficial amendments.

5.8 The amended plans have also provided considerable detail by way of annotation regarding the repairs, alterations, and finishes that are proposed, as the applicant wishes to avoid pre-commencement conditions to allow the project to proceed more quickly. The Conservation Officer has carefully assessed the latest plans and is content that they show sufficient detail to avoid the need for pre-commencement conditions.

5.9 The amendments that have been made mean that the level of harm to the significance of Old Abbey House as a listed building is considered to be at the lower end of less than substantial. This needs to be weighed against any public benefits of the proposal. Crucially, the proposal will bring about an optimum viable use for the currently vacant building. Officers consider this public benefit is sufficient to outweigh the degree of less than substantial harm that will be caused. Other public benefits will be considered below.

5.10 Therefore, there is no objection to the proposal on listed building grounds subject to the detail on the plans being executed. As in law a planning permission has to be implemented in accordance with the approved plans,

officers consider the plans themselves provide sufficient control over the approved works to ensure they are carried out.

5.11 Impact on the Conservation Area

Old Abbey House lies within the Abingdon Town Centre Conservation Area. The original proposal included a separate one-and-a-half storey café building on the lawn to the north-west of the building, adjacent to Abbey Close. This element was removed due to concern about its impact on the open lawn, and on the character and appearance of this part of the conservation area. Consequently, the lawn to the north-west of Old Abbey House will be kept open.

5.12 The amended plans show relatively limited external change to the building. The main external changes are:

- A first floor rear extension in the north-east part of the building with a modified roof structure and two new windows facing north
- Eight small rooflights added to the main roof to light the proposed bedrooms in the roof

These changes are relatively modest and, subject to the use of appropriate materials and detailing, which the plans show, officers consider there will be no harm to the character or appearance of the conservation area from the proposed changes.

5.13 The use of the building will change to a hotel. The types of activity associated with a hotel, including the comings and goings of visitors and staff, will contribute to this already vibrant part of the town, which includes the entrance to the Abbey Cinema, and the main vehicular and pedestrian route from the town centre to Abbey Gardens and Abbey Meadows. In this context, the activity associated with the proposal will not harm the character of this part of the conservation area.

5.14 Trees

Policy CP44 of LPP1 (Reviewed) aims to ensure that important trees are retained as part of any proposal. There are six trees within the site and a further five nearby that could be affected by the development. The trees are of different species and size, but all are of good quality, and all make an important contribution to the character and appearance of the conservation area. An Arboricultural Report was submitted with the application. The Forestry Officer has assessed the scheme and considers that none of the trees are likely to suffer harm, and those that are potentially most affected can be adequately protected by standard protection measures adopted during construction. A detailed tree protection plan has been submitted for the Forestry Officer to consider. Officers are confident that the proposal will not cause harm to any of the trees on the site or in the vicinity of the site.

5.15 **Archaeology and Scheduled Monuments**

The locality has a high potential for important archaeological remains. The original plans indicated some potential for invasive ground works and the



County Archaeologist recommended appropriate pre-commencement conditions. The amended plans have scaled back the proposed changes to the building and made clear that there will be no invasive ground works. As a result, the County Archaeologist has withdrawn his request for conditions. Therefore, the scheme has no potential impact on archaeological remains.

5.16 There are Scheduled Monuments nearby, namely Abby Gate and the remains of the Abbey of Abingdon. The proposal will have no effect on these Scheduled Monuments, so there are no objections in this regard.

5.17 **Residential Amenity**

Policy DP23 of LPP2 seeks to ensure that the impact of any development proposal on the amenities of neighbours is acceptable. The locality of the site has a mixture of uses. There are two storey residences immediately to the south, at nos.7 and 9 Abbey Close. These dwellings face towards the southern end wall of Old Abbey House at an angle, and at a distance of 15 – 20m. There is a 3m high stone boundary wall in between which screens much of the building from these neighbours. There are three, narrow windows on the first floor, south wall of Old Abbey House, and the proposal is that these will serve a corridor, a bathroom, and a bedroom. In view of the distance, the size of the windows, and the weight attached to finding an optimum viable use for the listed building, officers consider the relationship will not cause harm to neighbours through loss of privacy.

5.18 There are also dwellings above and to the rear of some of the shops on Stert Street, to the west of the site. These dwellings lie at least 40m from Old Abbey House, a distance that is well in excess of the minimum adopted standard for privacy, which is 21m. No harm from loss of privacy should occur to the occupants of these dwellings.

5.19 The main physical changes to the building will be on the north-east side, furthest from these neighbours, so there will be no harm to neighbours from loss of light or dominance. Given the established character of the area, a busy part of the town with activity throughout the day, officers consider the impact of the hotel use on the amenities of nearby residents will also be acceptable.

5.20 Overall, officers consider that the impact of the proposal on the amenities of neighbours is acceptable, and the proposal accords with policy DP23 of LPP2.

5.21 **Traffic, Parking and Highway Safety**

Policies CP35 and CP37 of LPP1 (Reviewed) and policy DP16 of LPP2 require development to cause no harm to highway safety. Paragraphs 110 – 113 of the NPPF provide national guidance on the traffic implications of development. The County Highways Officer has carefully assessed the proposal. The site is in a highly sustainable location, within walking distance of public transport options and local car parks. There are parking controls in place, in the form of yellow lines, for some distance around the site. In light of this, the County Highways Officer has no objections to the traffic implications of the proposal, subject to a safe parking layout for the car park in front of the building.

5.22 The original parking plan was amended at his request to allow for safe manoeuvring of vehicles. The result is 11 parking spaces, including one for the less mobile. With this amended plan, the County Highways Officer has no objections to the proposal, which is considered to comply with relevant development plan policies.

5.23 **Air Quality**

Policy DP26 of LPP2 deals with development within, or close to, an Air Quality Management Area (AQMA). The site lies close to, but outside, the Stert Street part of the Abingdon AQMA. The Air Quality Officer has examined the application. When compared to the lawful use of the building, it is not considered that the proposal will cause any material deterioration of air quality. The Air Quality Officer does not object, but has requested that one EV charging point be included in the scheme, as a measure to improve air quality, using the ratio of one charging point per 1,000sq.m floor area – the proposal is slightly over 1,000sq.m in floor area. The applicant has agreed to this request and the charging point can be secured via condition. On this basis, the proposal is considered to comply with policy DP26.

5.24 **Biodiversity**

Policy CP46 of LPP1 (Reviewed) covers biodiversity, including protected species and biodiversity gain. Biodiversity interest in Old Abbey House has focussed on its potential to host bats. Bat surveys of the inside and the outside of the building, including emergence surveys, have been undertaken. The conclusions are that there is no evidence of bat colonisation of the building, and that the loft spaces are not suitable for bat roosting. There is evidence of pigeon nesting. The Countryside Officer has carefully assessed the surveys and agrees with the conclusions and recommendations, including the installation of one bat box and one bird box to enhance biodiversity, and the control of external lighting to avoid harm to bats using the installed box. These measures can be secured by conditions, and on this basis the proposal does comply with policy CP46.

5.25 **Drainage**

Policy CP42 of LPP1 (Reviewed) aims to minimise flood risk from new developments. The site lies within Flood Zone 1, which is the lowest risk of flooding. The Drainage Officer has been consulted and initially recommended a condition to control surface water from the proposed café. With the removal of the café from the scheme, the proposal concerns only the re-use of the existing building, for which there are considered to be no drainage issues. Therefore, there are no objections on drainage grounds.

5.26 **Contaminated Land**

Policy DP37 of LPP2 aims to mitigate risk from land contamination. The application has been assessed for the potential to affect contaminated land. No potential has been identified, so there are no objections.

5.27 **Water Supply and Foul Water Drainage**

Policies CP42 and CP43 of LPP1 (Reviewed) looks to ensure new developments have an acceptable impact on natural resources and drainage.

Thames Water has confirmed there are no objections on the ground of water supply or foul drainage.

**5.28 Waste Management**

Policy DP28 of LPP2 requires acceptable measures for waste management. The council's Waste Management Officer has confirmed that, as the proposal is commercial in nature, it will be served by a private waste contractor.

**5.29 Community Infrastructure Levy**

The proposal does not qualify for CIL under the council's CIL Charging Schedule.

**6.0 CONCLUSION AND PLANNING BALANCE**

Old Abbey House is a grade II listed building that lies within the Abingdon Town Centre Conservation Area. The proposal involves an extension to the building, and external and internal alterations. The proposals are considered to cause harm to the significance of the building, and the harm is considered to be at the lower end of less than substantial. No harm is considered to arise to the character or appearance of the conservation area, or to nearby scheduled monuments. All existing trees can be retained.

6.1 There will be no harm to neighbours' amenities, and no harm to highway safety. The site lies close to the Abingdon AQMA, but no material harm to air quality will occur. An EV charging point can be secured as a measure to improve air quality. There are no drainage implications, and a biodiversity enhancement can be secured.

6.2 The proposed change of use is supported by evidence regarding the need for new hotel accommodation in Abingdon. The sole harm that has been identified is to the significance of the listed building. Great weight is attached to this harm, as required by national policy, but the harm is categorised as less than substantial. The proposal will provide an optimum viable use for the currently empty listed building. It will also provide support for the local visitor economy, including spending to support local businesses. Together, these factors are considered to amount to a significant public benefit that is sufficient to outweigh the less than substantial harm to the designated heritage asset. Consequently, the recommendation is for approval.

**The following planning policies have been taken into account:**

**Vale of White Horse Local Plan 2031 Part 1 (LPP1) (Reviewed)**

CP08 - Spatial Strategy for Abingdon-on-Thames and Oxford Fringe Sub-Area

CP31 - Development to Support the Visitor Economy

CP35 - Promoting Public Transport, Cycling and Walking

CP37 - Design and Local Distinctiveness

CP39 - The Historic Environment

CP44 - Landscape

CP46 - Conservation and Improvement of Biodiversity

**Vale of White Horse Local Plan 2031 Part 2 (LPP2)**

DP16 - Access

DP23 - Impact of Development on Amenity

DP36 - Heritage Assets

DP37 - Conservation Areas

DP38 - Listed Buildings

DP39 - Archaeology and Scheduled Monuments

**Vale of White Horse Design Guide (SPD 2015)**

**Neighbourhood Plan**

A neighbourhood plan has commenced preparation but is at an early stage and has little weight at this time.

**National Planning Policy Framework, 2021**

**Equality Act, 2010**

The application has been assessed under Section 149 of the Equality Act. It is considered that no identified group will suffer discrimination as a result of the proposal.

**Human Rights Act, 1998**

The application has been assessed under the Human Rights Act, particularly Schedule 1, Part 1, Article 8 and Schedule 1, Part 2, Article 1. The objections of individuals have been weighed against the public interest and the recommendation made by officers is considered to be proportionate.

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