

<b>APPLICATION NO.</b>	<a href="#">P21/V3520/FUL</a>
<b>SITE</b>	3-7 Marlborough Street Faringdon, SN7 7JE
<b>PARISH</b>	GREAT FARINGDON
<b>PROPOSAL</b>	Application for the redevelopment of an existing redundant site for mixed-use residential and retail development, including the provision of parking, refuse and cycle storage and associated works following partial demolition of the existing retail unit. As amended by: (Additional and amended information received 28 February 2022). (Additional and amended information received 22 November 2022 to revise site layout in respect of bins, cycle parking, pedestrian access and turning provision and provide PRA ) (Amended elevation plan rec 5 Dec 2022) (Amended plans rec 19 Dec 2022 revising car and cycle parking and providing bin presentation point). (Additional bat surveys received 16 June 2023)
<b>WARD MEMBER(S)</b>	Lucy Edwards Bethia Thomas
<b>APPLICANT OFFICER</b>	Swanee River Ltd Abbie Barnes

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## **RECOMMENDATION**

**Planning permission is granted subject to the following conditions:**

### **Standard**

- 1. Commencement within three years**
- 2. Approved plans list**

### **Pre-commencement:**

- 3. Sample materials to be submitted**
- 4. Schedule of external repairs and alterations to retained building to be submitted**
- 5. Surface water drainage scheme to be submitted**
- 6. Foul water drainage scheme to be submitted**
- 7. Construction Traffic Management Plan to be submitted**
- 8. Archaeological Watching Brief and Written Scheme of Investigation to be submitted**
- 9. Refuse and recycling details to be submitted**
- 10. Landscaping scheme to be submitted (and implemented)**
- 11. Contamination land phased risk assessment to be submitted**
- 12. Biodiversity strategy to be submitted**
- 13. Details of balcony screening to be submitted**

### **Pre-occupation**

- 14. Access and visibility splays provided in accordance with plans**

- 15. Turning area provided in accordance with plans**
- 16. Car parking provided in accordance with plans**
- 17. Cycle parking provided in accordance with plans**
- 18. Contamination validation report to be submitted**

**Compliance**

- 19. No gates to be erected at the site access/within 10m of highway**
- 20. Implementation of programme of archaeological works**

**1.0 INTRODUCTION AND PROPOSAL**

- 1.1 The application is being heard at planning committee due to the presence of Council owned land at the rear of the site (Southampton Street car park).
- 1.2 The application site comprises a large redundant commercial retail unit (former Budgens) and a coffee shop (Costa Coffee) with two vacant residential flats above. The site has an area of 0.225 hectares.
- 1.3 The site is located south-east of Marlborough Street, which is a busy road within Faringdon Town Centre and includes access via the Southampton Street public carpark to the south and east of the site. The car park is under the ownership of Vale of White Horse District Council. The site sits within the Faringdon Conservation Area and there are listed buildings nearby, including the Roman Catholic Church of Blessed Hugh and St Thomas which is grade II listed and adjoins the site to the south-west. The Corn Exchange and Former Savings Bank is also grade II listed and is located across Marlborough Street to the north. Adjoining the site to the north-east is the grade II listed Red Lion, formerly a public house.
- 1.4 On site are a pair of detached early 19th Century townhouses with a single storey link between and gates servicing a yard to the north-east of the frontage. The area to the rear of the former townhouses has been enclosed and developed with vacant retail space, mostly flat roofed.
- 1.5 The site is within Flood Zone 1 but in an area where there is a risk of surface water flooding of 3.3% in any year.
- 1.6 It is proposed to redevelop the existing brownfield site for mixed uses. The proposals seek to redevelop the site to include the following:
  - Refurbishment of the existing redundant retail store located on Marlborough Street at the ground floor into flexible retail floor space, with provisions of an external yard.
  - Conversion and refurbishment of the existing building and office space at first floor into two residential units (Plots 8 and 9).
  - New access and external deck space provided to existing 2no. apartments.

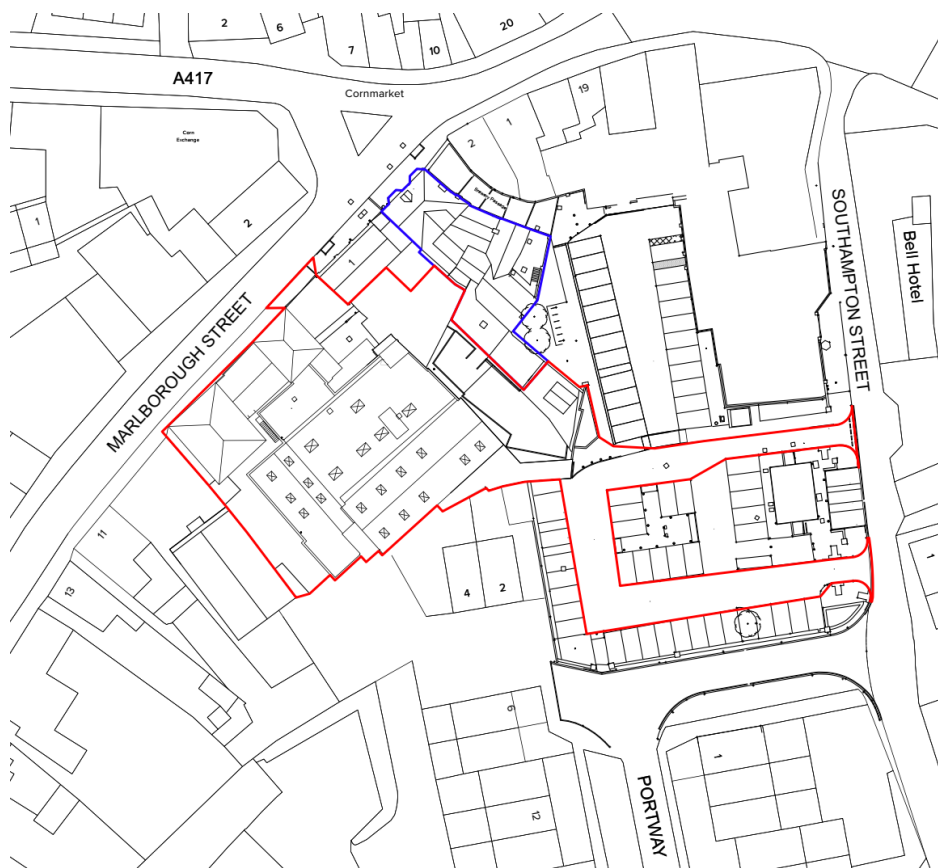
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- Provision of parking spaces, bins and bicycle storage.
- 7no new flats to rear of site with communal garden access and balcony space.

1.7 The new build units would each benefit from individual balconies. A shared residents garden would also be provided, which extends to 218m<sup>2</sup>. Access would be via two points, first via an existing vehicle crossover on Marlborough Street (historically a delivery bay), which will provide access to 8 car parking spaces. The second access via the Southampton Street car park would facilitate access to 7 parking spaces. No parking provision would be associated with the retail units. Cycle parking provision would be provided on site for residents and visitors. Refuse collection would be from Marlborough Street.

1.8 Planning permission was granted in 2020 for the redevelopment of this site, this scheme representing a redesign. The previously approved planning application P20/V0013/FUL granted on 8th September 2020 accepted the principle of the development on the grounds that the proposed development with reduced retail floor space, will provide a smaller retail unit which would be more viable in the current climate and will on balance benefit the vitality and viability of the Faringdon town centre.

1.9 The location plan is below, and the application plans are **attached** at Appendix 1.



1.10 The application has been subject to re-consultation. Amended plans for the site layout in respect of bins, cycle parking, pedestrian access and turning provision have been received. Plans proposing solar panels and gas free heating and water have also been provided. Additional bat surveys have also been received and a further re-consultation carried out.

2.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

2.2 Full versions of the representations can be found on the planning application pages on the council’s website [www.whitehorsedc.gov.uk](http://www.whitehorsedc.gov.uk)

2.2

<b>Great Faringdon Town Council</b>	Faringdon Town Council FULLY SUPPORTS and is very keen for this development to go ahead as planned. It is asked that the developer considers the following: FTC declared a Climate Emergency in September 2019 and is committed to achieving carbon neutrality as soon as possible, no later than 2050. The following set of measures are part of this strategy, and we ask that they should be applied to any proposed planning applications: Re-use existing on-site materials, and source materials locally Utilise renewable or low-carbon energy sources Ensure the building design and layout optimise energy efficiency Reduce potential impacts of flooding Reduce associated stress on water resources Provide biodiversity net gains Reduce air pollution
<b>Conservation Officer</b>	No objections; will preserve the special interest of the Conservation Area. Recommends conditions relating to materials and external alterations/repairs.
<b>Countryside Officer</b>	No objections, ecological surveys have not identified any constraints to development. Scheme could include bird or bat boxes for biodiversity enhancements.
<b>Drainage</b>	No objection, subject to conditions for surface and foul water drainage schemes.
<b>Oxfordshire County Council – Highways</b>	Initial objection. Revised comments: No objection subject to conditions regarding access and visibility, provision of car parking spaces, provision of turning space, provision of cycle parking, no gates within 10m of highway, pre-commencement CTMP
<b>Oxfordshire County Council - Lead local flood authority</b>	No objection subject to pre-commencement surface water and foul water drainage schemes
<b>Oxfordshire County Council – Archaeology</b>	No objection subject to conditions

<b>Waste Management Officer</b>	No objections raises, recommends various requirements regarding waste management provision.
<b>Strategic Property Team</b>	Observations: Amended plan (Access layout 939 WW 00 00 DR A 0013B) has corrected the previous error on the layout plan.
<b>Community Infrastructure Officer &amp; 106 Officer</b>	Development is CIL liable.
<b>Neighbours (2 comments received)</b>	Observations: Site in need of re-development. Suggest incorporation of sustainability measures and ATM.  Pleased to see regeneration of the site. Note church is in a vulnerable location as adjoins site and is under investigation for subsidence.

### 3.0 **RELEVANT PLANNING HISTORY**

#### 3.1 [P20/V0013/FUL](#) - Approved (08/09/2020)

Redevelopment of an existing redundant site for mixed-use residential and retail development including the provision of parking, refuse and cycle storage and associated works following partial demolition of the existing retail unit. (Drainage information received 4 February 2020: drainage calculations, drainage existing layout, drainage proposed layout and topographical survey and amended plans and information received 17 March 2020) (FRA and Ecology information received 1 July 2020) (Additional information and amended plans to address access, bin and cycle storage rec 27 July 2020)

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

[P19/V1803/PEM](#) - Advice provided (04/09/2019)

Re-development of the above site to provide a mixed-use development  
\*\* Advice Letter Only\*\*

[P18/V3154/PEM](#) - Advice provided (19/02/2019)

Re-development of the above site to provide a mixed-use development.  
\*\*SITE MEETING\*\*

### 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**

5.1 **The relevant planning considerations are:**

- **Principle of the proposal**
- **Design, character and heritage**
- **Residential amenity**
- **Landscaping**
- **Flood risk and drainage**
- **Traffic, parking and highway safety**
- **Archaeology**
- **Biodiversity**
- **Contamination**
- **Waste Management**
- **Community Infrastructure Levy (CIL)**

5.2 **Principle of the Proposal**

The site lies within the established built limits of Faringdon, which is defined as a Market Town under policy CP3 of LPP1. Faringdon has relatively good access to services, facilities and public transport links and in accordance with policy CP4 of LPP1, there is a presumption in favour of sustainable development within the existing built-up areas of the Market Towns unless material considerations indicate otherwise. Paragraph 86 of the NPPF recognises the contribution that residential development can play in ensuring the vitality of town centres.

5.3 The proposed mixed scheme for two commercial units at ground floor, two residential units above and a new block of seven apartments, accords with principles for new housing.

5.4 **Retail**

Policy DP13 states that proposals within Faringdon Town Centre involving a change of use from retail will not be permitted unless they retain active frontages. Policy 4.4A of the Neighbourhood Plan seeks to minimise the loss of retail space unless the site is not viable, or the loss of retail space allows the implementation of other plan policies. Policy CP6 supports proposals for employment related to development on unallocated sites, and policy CP20 seeks to deliver a balance of housing and employment to improve the self-sufficiency of the area and to protect the area's vitality.

5.5 The site is within the town centre and currently contains a large retail unit which is vacant. In line with the previous approved application on this site, the unit is not viable due to multiple competing supermarket and grocery shops in the locality including out-of-town provision. Due to its size, there has been no interest in leasing the building. It is proposed to retain the Costa Coffee unit and to provide a smaller retail unit on the existing frontage to Marlborough Street, which would be a more attractive proposition. This would then generate employment and retail opportunities. Officers consider it is reasonable to support the proposal despite the net loss of retail space.

**5.6 Design, character and heritage**

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.

- 5.7 Policy CP39 of LPP1 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.
- 5.8 Policy 4.7E of the Neighbourhood Plan states that new-build of or alterations to new commercial buildings should be of a scale and form appropriate to their location and landscape setting. Policy 4.7A and 4.7C of the Neighbourhood Plan requires new buildings to be constructed using sympathetic building materials in keeping with the local character and styles of the town and parish.
- 5.9 Paragraph 197 of the NPPF advises account should be taken of the desirability of putting heritage assets to viable use, consistent with their conservation and the positive contribution they can make to the community and its vitality.
- 5.10 The proposed demolition of the vacant and unattractive retail unit will benefit the site and wider area which is within the Conservation Area. The proposed demolition of the single-storey link and erection of a three-storey building would harmonise the site better and integrate it in line with the prevailing scale, form and height of the surrounding development. The scale, materials and detailing of the proposed development are broadly in-keeping with the local character and the Conservation Officer does not have any concerns that the proposal would be harmful to any heritage assets including the adjoining Catholic Church.
- 5.11 Planning conditions should be imposed to ensure the materials used in the development are appropriate. A further condition will be imposed to request a schedule of any external repairs or alterations to the retained buildings on the site.
- 5.12 Overall, it is considered that the scale, form and massing of the proposal is acceptable in design terms. The proposal will not appear out of place within the street scene or harm the visual amenity of the Conservation Area.

5.13 **Residential amenity**

The impact of development on neighbouring properties is controlled by policy DP23 of LPP2. This policy requires development proposals to demonstrate that they will not result in significant adverse impacts on the amenity of neighbouring uses arising through loss of privacy, daylight or sunlight, from dominance or visual intrusion, noise or vibration, dust, heat, odour, gases or other emissions, pollution, contamination or the use of / or storage of hazardous substances and external lighting.

5.14 Design Principles at section 4.11 in the Council's Joint Design Guide, states that- "development should have private open space. For apartment buildings- 40 sqm of communal shared space. This can be achieved through a mixture of balcony where a private balcony achieves 5 sqm minimum (which can be subtracted from the communal space requirement above).

5.15 Each of the proposed new dwellings has between 50m<sup>2</sup> and 63sqm<sup>2</sup> of amenity space, either as garden, terrace or combination. The site is within the main town centre and there are a number of public recreation spaces available within walking distance.

5.16 There will be an overall reduction in built form on the site with the demolition of the existing rear retail space. With regards to the impact of the proposed development on neighbour amenity, officers are satisfied that there will not be any unacceptable privacy impacts or light loss impacts for residential units within the site or on properties located within the wider vicinity.

5.17 The proposal includes rear balconies to the southern elevation of the new building. The balconies will directly over-look the existing car parking area to the rear. However, there may be some angled views from the eastern side of the balconies into the rear amenity space of no.4 and no.6 Portway. Given the close proximity, a condition should be imposed to request details of screening to the eastern sides of the proposed balconies.

5.18 Policy DP25 states that noise-generating development that would have an impact on environmental amenity will be expected to provide an appropriate scheme of mitigation that should take account of the location, design and layout of the proposed development, existing levels of background noise, measures to reduce or contain generated noise, and hours of operation and servicing. Development will not be permitted if mitigation cannot be provided within an appropriate design or standards.

5.19 The previously approved scheme imposed conditions requesting noise mitigation measures as the site is next to a public House (The Red Lion) Planning permission has now been granted for the redevelopment of the public House into a mixed use development including housing. Therefore, this application in relation to potential noise impacts is now acceptable and no further mitigation measures are required.



**5.20 Landscaping**

Policy CP44 of LPP1 aims to ensure that important landscape features including trees are retained as part of any proposal. The site does not currently benefit from any trees. Officers consider the scheme provides general enhancements to the quality of the surroundings by rationalising and improving the available space.

5.21 There are currently no trees present on site. With regards to the proposed trees and landscaping to form part of the new scheme, the Council's Forestry Officer has recommended a comprehensive landscaping scheme be submitted for approval prior to implementation.

**5.22 Flood risk and drainage**

Policy CP42 of LPP1 aims to minimise flood risk from new developments. The site lies within Flood Zone 1, at the lowest risk of flooding. The Drainage Officer has been consulted and had no objection to the proposal.

5.23 The site is within an area at risk of surface water flooding and a flood risk assessment was therefore provided in association with the proposal. The Council's drainage engineer is satisfied that a suitable scheme for surface and foul water drainage can be achieved which significantly reduces surface water drainage to public sewers, surrounding areas and rivers. These details are able to be submitted and assessed by way of pre-commencement planning conditions.

**5.24 Traffic, parking and highway safety**

Policies CP35 and CP37 of LPP1 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 Oxfordshire County Council (OCC) 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. Policy DP16 states proposals for development will need to provide evidence to demonstrate that adequate provision will be made for loading, unloading, circulation, servicing and vehicle turning.

5.25 The site will be accessed via two access points. The first point of access will be via an existing vehicle crossover, off Marlborough Street providing car parking at the front part of the site. The second point from Southampton Street car park which will facilitate access to the proposed parking spaces located towards the rear of the site. The existing access is to be retained and the upgraded access is acceptable in highway terms.

5.26 Regarding parking provision, it is proposed that 15 unallocated car parking spaces be provided to serve the residential units. No parking will be provided for the commercial units as currently none is provided at present. There are no spaces for visitor parking, but the site is in a highly sustainable town centre location and so it is possible for nearby public car parks to be used.

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5.27 The OCC Highways Officer is satisfied with the amended details subject to conditions. With regards to cycle parking this is proposed to be provided and a planning condition with details of the proposed cycle parking will be imposed. Further conditions to require the submission for approval of a Construction Traffic Management Plan will also be imposed.

### 5.28 **Archaeology**

An archaeological desk-based assessment (DBA) was undertaken and submitted with the application. The County Council's Archaeologist has considered this and raises no objections to the application subject to planning conditions being imposed to ensure that any archaeological finds are recorded. A Written Scheme of Investigation (WSI) should be required, and the development undertaken in accordant with the WSI.

### 5.29 **Biodiversity**

Policy CP46 of LPP1 states that development that conserves, restores and enhances biodiversity will be permitted whilst net loss of biodiversity will be avoided. The highest level of protection is given to sites and species of international nature conservation importance (Special Areas of Conservation and European Protected Species). Development that harms habitats and species will not be permitted unless the need for the development outweighs the harm, it can be demonstrated that the development could not reasonably be located elsewhere or measures to prevent, mitigate or compensate for the harm are agreed.

5.30 The provision of small areas of landscaping on site will likely deliver a small biodiversity benefit compared to the existing site conditions. Bat boxes and bird boxes could be erected on site and integrated into the fabric of buildings to provide a biodiversity net gain. The council's ecology officer was consulted on this application and they have no objection subject to the submission of measures to secure a net gain in biodiversity by condition. This is recommended and subject to this condition it is held that the application accords with policy CP46.

5.31 The submitted preliminary roosting assessment identified that the structures subject to this planning application are suitable to support roosting bats. The project ecologist recommended further surveys, in line with industry standard guidance. Further surveys have been carried out and submitted. A further consultation has been carried out with the Council's Countryside Officer. It is concluded that the ecological surveys have not identified any constraints to development. As a result of the submitted surveys the Countryside Officer has not recommended any further conditions to be imposed.

### 5.32 **Contamination**

A Phase 1 Contamination Risk Assessment was undertaken which found a low to moderate risk level from potential contamination and states that there is no threat of 'immediate harm'. On the previous planning application, the Council's environmental contamination officer had requested a pre-commencement phased risk assessment and a further condition that the development shall not

occupied until any remediation strategy has been carried out and validated. They also suggested imposition of an informative to advise that a building control body are consulted if contamination is identified. It is recommended that these conditions are imposed on this amended application.

**5.33 Waste management**

Policy DP28 of LPP2 requires acceptable measures are provided for waste management. The development also proposes bin and recycling storage for the proposed dwellings. The proposed bin storage will be located within the accessible areas as required by policy DP28. The agent has indicated that the collection of waste will be undertaken from the public highway and a planning condition is proposed to require the submission of refuse and recycling storage and collection arrangements.

**5.34 Community Infrastructure Levy (CIL)**

The Council has adopted the Community Infrastructure Levy Charging Schedule which took effect on 1 November 2017 and the proposal will be liable for to pay CIL.

**5.35 Pre-commencement conditions**

The Town and Country Planning (Pre-commencement Conditions) Regulations 2018 made under the provision of section 100ZA of the Act as inserted by the Neighbourhood Planning Act 2017 requires agreement of applicants/agents to pre-commencement conditions. Prior to commencement conditions are recommended. Agreement to these conditions from the agent for the application was received on 3 August 2023.

**6.0 CONCLUSION**

6.1 The development will provide additional residential accommodation within Faringdon Town Centre which is a sustainable location and will utilise a brownfield site. The proposed development, which includes new build accommodation and refurbishment of existing accommodation, whilst reducing the floor area of retail space, will provide a smaller retail unit which would be more viable in the current town centre and economic climate, and will, on balance benefit the vitality and viability of the town centre. The proposed development will preserve the character and appearance of the Faringdon Conservation Area and has an acceptable impact on the adjoining listed building and non-designated heritage assets. The proposed development will achieve a programme of archaeological investigation, evaluation and mitigation and does not give rise to concerns regarding the impact on any protected species or the amenity of nearby residents.

There would be no harmful impact on biodiversity or to highway safety and the quality of the surroundings would be improved by increased landscaping. Adequate waste storage provision would be made and there is no drainage or flooding implications.

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- 6.2 Officers are of the view that the application complies with the development plan, the neighbourhood plan and the provisions of the National Planning Policy Framework. Therefore, the proposal is recommended for approval.

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

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

- CP01 - Presumption in Favour of Sustainable Development
- CP03 - Settlement Hierarchy
- CP04 - Meeting Our Housing Needs
- CP06 - Meeting Business and Employment Needs
- CP20 - Spatial Strategy for Western Vale Sub-Area
- CP23 - Housing Density
- CP32 - Retail Development and other Main Town Centre Uses
- CP33 - Promoting Sustainable Transport and Accessibility
- CP35 - Promoting Public Transport, Cycling and Walking
- CP37 - Design and Local Distinctiveness
- CP39 - The Historic Environment
- CP40 - Sustainable Design and Construction
- CP42 - Flood Risk
- CP44 - Landscape
- CP46 - Conservation and Improvement of Biodiversity

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

- DP02 - Space Standards
- DP16 - Access
- DP21 - External Lighting
- DP23 - Impact of Development on Amenity
- DP28 - Waste Collection and Recycling
- DP36 - Heritage Assets
- DP37 - Conservation Areas
- DP38 - Listed Buildings
- DP39 - Archaeology and Scheduled Monuments

#### **Faringdon Neighbourhood Plan 2016**

- 4.4B Extending the Town Centre Retail Offer
- 4.6A Housing Balance
- 4.7A Materials and Roofscape
- 4.7B Resource Consumption
- 4.7C Housing Design
- 4.7D Secured by Design
- 4.7E Visual Impact

#### **Joint South Oxfordshire and Vale of White Horse Design Guide 2022**

#### **The Planning (Listed Building and Conservation Areas) Act 1990**

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Section 66: The local planning authority has a duty to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72: The Local Authority has a duty to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

### **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.

Author: Abbie Barnes

Contact No: 01235 422600

Email: [planning@whitehorsedc.gov.uk](mailto:planning@whitehorsedc.gov.uk)