

APPLICATION NO.	P23/V0508/FUL
SITE	Chilswell, Carmelite Priory Boars Hill Oxford, OX1 5HB
PARISH	CUMNOR
PROPOSAL	Demolition of structures; erection of newbuild structures including central water feature and extensions to existing buildings; external alterations to existing buildings including new and replacement glazing / doors, thermal improvements, roof alterations installation of roof-mounted PV panels and new timber gates; introduction of external store; installation of PV solar array in south meadow; informal overflow parking area with new walkway; new guest parking area; drop-off & disabled parking area with driveway access; new service access to bin store and service area; and hard and soft landscaping works, including new pond, ground alterations associated tree works and boundary treatment (as amended by plans and information received 26 July 2023 and as amended & amplified by information received 07 November 2023 and as amended & amplified by information received 09 November 2023.).
WARD MEMBER(S)	Scott Houghton Judy Roberts Val Shaw
APPLICANT OFFICER	Carmelite Priory, Oxford Nathaniel Bamsey

RECOMMENDATION

That planning permission is granted subject to the following conditions:

Standard

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

Prior to commencement

- 3. Tree protection details**
- 4. Archaeology (Submission and implementation of WSI)**
- 5. Bat protection and mitigation**
- 6. Construction traffic management (implementation)**
- 7. Construction Environmental Management Plan (CEMP)**
- 8. Landscaping scheme**
- 9. Surface water drainage scheme**
- 10. Foul water drainage scheme**

11. Surface water drainage during construction

Prior to development over slab level

12. Samples of materials

Prior to first use

13. Details of electric vehicle charging points

14. Great Crested Newt (GCN) mitigation strategy

15. Foul water drainage compliance report

16. Ecological Enhancement Plan (EEP)

17. Details of cycle parking

18. Implementation of sustainable design features

19. Surface water drainage compliance report

Compliance

20. Landscape & Ecological Management Plan (LEMP)

21. External lighting in accordance with submitted details

Informatives

22. EPS Licence Informative

23. Wild Bird Informative

24. Surface water drainage informative

25. Foul water drainage informative

26. Cumnor Neighbourhood Plan Policies

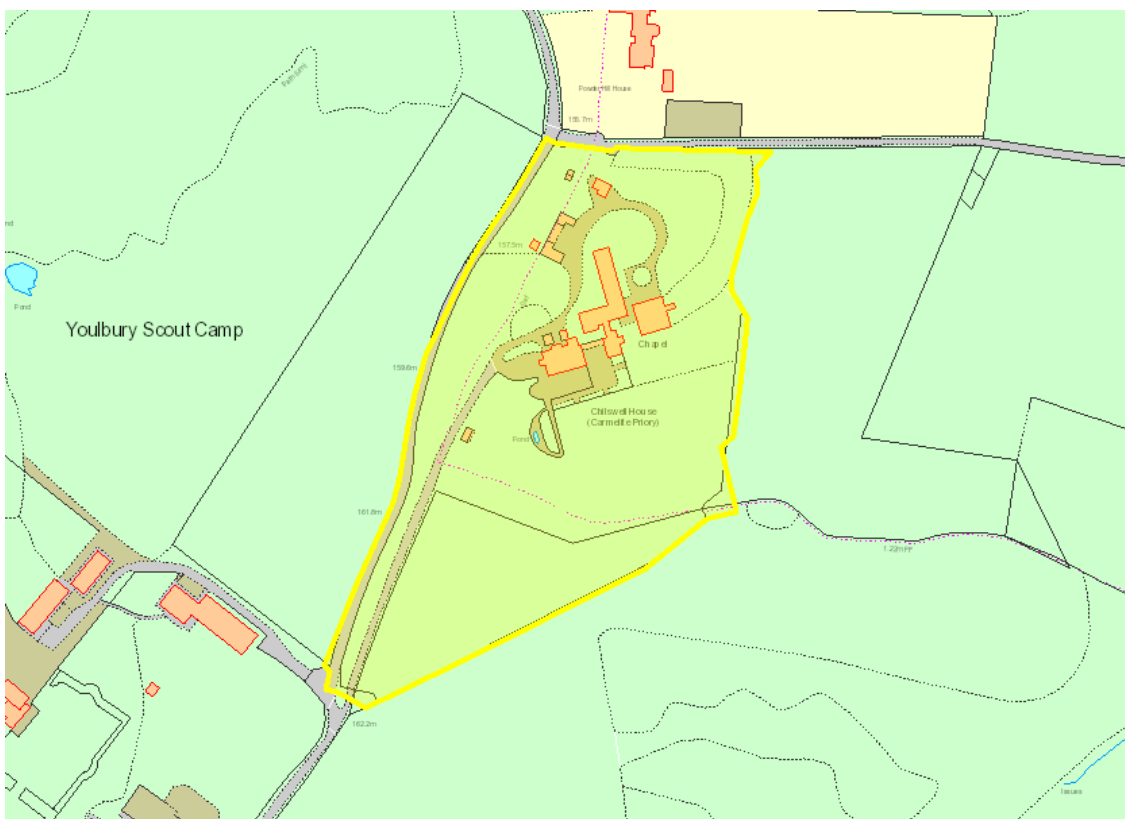
27. Wootton and St Helen Without Neighbourhood Plan Policies

The full wording of these conditions is **attached** as Appendix 1.

1.0 INTRODUCTION AND PROPOSAL

- 1.1 This application is referred to planning committee at the request of the local member, Councillor Judy Roberts. Due to the site area exceeding 1ha the application is also classified as a major application and as the officer recommendation conflicts with the views of the parish council this also requires referral to planning committee in accordance with the council's constitution.
- 1.2 The application site is the Carmelite Priory at Chilswell House in Boars Hill. The whole site area is approximately 3.5ha. The site is within two parishes, Cumnor and Wootton with the majority of the site and the existing buildings being within Cumnor parish.
- 1.3 Chilswell House and its grounds have been occupied by the priory for over 60 years. Within the site there is Chilswell House itself, the chapel, the Mount Carmel Centre, the Pyramid Building and the Annexe. These buildings allow the hosting of mass, courses and retreats for followers of Carmelite spirituality with 32 bedrooms providing overnight accommodation.
- 1.4 The site is wholly within the Oxford Green Belt, there are several trees within the site protected by a tree preservation order (TPO), there is an area of ancient woodland to the west of the site and public rights of way form the northern and western boundaries.

- 1.5 The proposed development is the demolition of the Mount Carmel Centre, the Annexe and other structures followed by extensions and alterations of Chilswell House, the erection of a two-storey extension linking Chilswell House, the chapel and the Pyramid Building, and the erection of three two-storey buildings comprising a reception building, a meeting room building and a refectory. All the new build structures will be connected by a covered walkway in a quad formation creating a new courtyard. Hard and soft landscaping of the site is also proposed including the creation of a new pond/lake and reorganisation of car parking. A ground mounted solar array is also proposed to the south of buildings beside an area of new car parking.
- 1.6 A site location plan is provided below and extracts from the application plans are **attached** at Appendix 2.



2.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

2.1 Full versions of the representations can be found on the planning application pages on the council's website www.whitehorsedc.gov.uk

Cumnor Parish Council	Objection <ul style="list-style-type: none">• Inappropriate development in the Green Belt and the potential harm to its openness• Inadequate mitigation of impacts on protected species (e.g. bats) and habitats (e.g. ancient woodland)
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Vale of White Horse District Council – Committee Report - 24 January 2024

	<ul style="list-style-type: none"> • Inadequate mitigation of construction and usage impacts on adjacent PROW required for access
<p>Wootton Parish Council</p>	<p>Support</p>
<p>Countryside Officer (South and Vale)</p>	<p>No objection, subject to condition <i>'Due to the confirmed presence of great crested newt onsite, the development should enter the NatureSpace District Licensing Scheme, and the certificate must be submitted to the LPA prior to any approvals being granted. Alternatively, a GCN Mitigation Strategy should be produced for prior LPA approval, and all associated surveys and mitigation completed. (officer note: the countryside officer has subsequently confirmed the submitted mitigation strategy is acceptable. [...]</i></p> <p><i>A CEMP could be submitted to the LPA for prior approval, or secured as a pre-commencement planning condition. [...]</i></p> <p><i>The Mitigation Measures within Section 6.1.1 of the Bat Survey Report must be strictly adhered to, and this should be secured as a planning condition. [...]</i></p> <p><i>To mitigate for temporary loss of roosting provision during construction, five Kent style timber bat boxes should be installed on retained trees at the boundary of the site (to provide temporary roost provision during construction). [...]</i></p> <p><i>Additionally, to compensate for the loss of seven Pipistrelle species (Common, Soprano, unknown) day roosts from buildings, a minimum of seven masonry bat boxes to be provided. [...]</i></p> <p><i>The development should be undertaken in adherence with the approved Landscape and Ecological Management Plan (LEMP) [...]</i></p>

Vale of White Horse District Council – Committee Report - 24 January 2024

	<p><i>The installation of bird nest boxes and hibernacula (as per the Ecological Enhancement Plan (EEP) detailed within the LEMP) should be secured separately as a planning condition.'</i></p>
<p>Drainage Engineer (South and Vale)</p>	<p>No objection, subject to condition <i>'[I]n accordance with document Flood Risk Assessment & Drainage Report 4.pdf, I would have no objections to planning permission being granted subject to the inclusion of the following conditions being included upon any permission that you may be minded to grant'</i></p>
<p>Forestry Officer (South and Vale)</p>	<p>No objection, subject to condition <i>'The revised plans have now removed the proposed building from within the root protection area of T99, the high quality TPO Oak tree. This is a welcome change, bringing the proposal in line with both local and national policy and industry standards.</i></p> <p><i>Subject to a revised Arboricultural Method Statement being submitted that addresses all the tree protection measures for the amended building design, as well as the associated upgraded service infrastructure, I would have no further objections.'</i></p>
<p>Environmental Protection Team (South and Vale)</p>	<p>No objection, subject to condition <i>'The close proximity to neighbouring properties gives rise to potential nuisance issues for their occupiers should this application be granted. I would therefore recommend the following conditions: [...]</i></p> <p><i>The developer shall ensure that appropriate provision is made for the control of noise emanating from the site, so as not to cause undue disturbance to the occupants of nearby residential properties [...]</i></p> <p><i>The hours of operation for construction and demolition works shall be restricted</i></p>

Vale of White Horse District Council – Committee Report - 24 January 2024

	<p><i>to 08:00-18:00 Monday to Friday and 08:00-13:00 on a Saturday. No work is permitted to take place on Sundays or Public Holidays without the prior written authority of the Local Planning Authority [...]</i></p> <p><i>The developers shall ensure that there are appropriate provisions made for the control of dust emanating from the site, so as not to cause undue disturbance to the occupants of nearby residential properties.'</i></p>
<p>Landscape Architect (South and Vale)</p>	<p>No objection, subject to condition <i>'A Landscape and Visual Appraisal (LVA) has been submitted with the application to assess the impact of the development on landscape character and views. I am overall satisfied with the appraisal and have assessed that the development would not result in landscape and visual effects significant enough to warrant refusal.'</i></p>
<p>Oxford Green Belt Network</p>	<p>No objection <i>'The Carmelite Priory on Boars Hill Oxford is a positive asset for Oxford, and is highly regarded as an important religious institution in England and throughout the English-speaking parts of the world, and on the basis of examining all the submitted Plans and Documents associated with this Application VoWHDC Ref. No. P23/V0508/FUL, the OGBN Committee sees no grounds for objection to the proposed development on the basis of any potentially permanent damage to the Green Belt, and recognises that great attention has been given in the Plans to avoid this.'</i></p>
<p>Oxfordshire County Council - Single Response</p>	<p>Highways No objection <i>'Consistent with a meditative and ecclesiastical nature of the extant function of the Priory there is a relative isolation to the location. In terms of trip generation, the proposals involve mainly</i></p>

Vale of White Horse District Council – Committee Report - 24 January 2024

	<p><i>rationalisation of the existing infrastructure, a slight reduction in accommodation and are negligible, therefore, for arrivals and departures numbers.'</i></p> <p>Lead Local Flood Authority (LLFA) Holding objection (officer note: No response to latest set of amended plans)</p> <p>Archaeology No objection, subject to condition <i>['.] We would, therefore, recommend that, should planning permission be granted, the applicant should be responsible for ensuring the implementation of an archaeological monitoring and recording action (watching brief) to be maintained during the period of construction.'</i></p>
Waste Management Officer (South and Vale)	No comments
CPRE Vale of the White Horse District	No response received
Oxford Preservation Trust	<p>No objection <i>'The Trust does not object to the principle of the proposals, but would ask Officers to fully assess the application supporting documents against the relevant Green Belt policy and that within these documents the applicants have provided special justifying circumstances in support of the redevelopment of the site.'</i></p>
Thames Water Development Control	No objection
Neighbours	<p>Objection (1 household)</p> <ul style="list-style-type: none"> • Inappropriate development in the Green Belt • Negative impact upon the character and amenity of a semi-rural location • Change of use resulting in high levels of visitor activity which will irreparably harm a Green Belt site of international renown.

	<ul style="list-style-type: none">• Use of solar PV panels is old technology impacting on flora and fauna in an area of outstanding natural amenity. Other less obtrusive methods of green energy production are available <p>Support (1 household)</p>
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3.0 **RELEVANT PLANNING HISTORY**

3.1 [P89/V1776](#) - Approved (06/12/1989)

New 2nd floor over existing flat roof ('Chilswell', Boars Hill, Oxford)

[P88/V2279](#) - Approved (09/03/1988)

Amendment to design of new building for priory and retreat centre approved under consent WTT/CUM/9555 dated 28.05.1987.

[P87/V1784](#) - Approved (28/05/1987)

Demolition of redundant and unsightly structures. Erection of a new priory and enlargement, alterations of existing building for Retreat Centre. Planning Application History

3.2 **Pre-application History**

[P22/V1227/PEM](#) - Advice provided (11/08/2022)

Demolition of the annex and Mt Carmel Centre buildings, internal re-organisation and rationalisation of the existing space, together with the erection of new buildings including linking structures to provide a range of improved facilities.

4.0 **ENVIRONMENTAL IMPACT ASSESSMENT**

4.1 The proposed development is not Schedule 1 or 2 development as defined by the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, so an Environmental Impact Assessment is not required.

5.0 **MAIN ISSUES**

5.1 **The main material planning considerations are the following:**

- **Principle of development/Green Belt**
- **Design and character**
- **Ecology**
- **Trees/landscape**
- **Traffic, parking and highway safety**
- **Flood risk/drainage**
- **Residential amenity**
- **Archaeology**
- **Sustainability**
- **Public rights of way**

5.2 **Principle of development/Green Belt**

The proposed extensions and alterations will improve the priory facilities but there will be a net decrease in bedrooms and the current level of activity generated is not proposed to be increased. Therefore, given the extensions represent an improvement to the existing facilities, no change of use is proposed and the existing lawful use of the site has no conditions restricting the intensity of use, Officers consider that the principle of the extensions and alterations accords with the spatial strategy of the development plan.

5.3 As well as the alterations and extensions to the buildings there is also development proposed within the site such as hard and soft landscaping and consolidation of car parking. This development is ancillary to the extensions and alterations and hence in accordance with the spatial strategy of the development plan. A ground mounted solar array is proposed to the south of the priory. This development is of sufficient scale such that its principle must be separately assessed against the policies of the development plan.

5.4 The provision of renewable energy generation such as the solar PVs is supported by policy CP41 of LPP1. However, this support is caveated with there being no harm to:

- i) Landscape
- ii) Biodiversity
- iii) The historic environment
- iv) Visual amenity and openness of the Green Belt
- v) Local residential amenity, and
- vi) The safe movement of traffic and pedestrians

It is considered that no designated nor undesignated heritage assets will be affected by the proposed solar panels, but the other criteria will be assessed elsewhere in this report. Subject to these being satisfied the principle of providing the solar panels would accord with the development plan.

5.5 Aside from the spatial strategy of the development plan, given the location of the site within the Oxford Green Belt it is also necessary to assess the proposals against Green Belt policy of the development plan and the NPPF.

5.6 Policy CP13 states that the construction of new buildings in the Green Belt will be considered inappropriate development unless it meets one of the exceptions listed. Inappropriate development will not be approved except in very special circumstances, and very special circumstances will not exist unless the potential harm is clearly outweighed by other considerations.

5.7 Neighbourhood Plan policies DBC4 & SS1 relate to development in the Green Belt. Both policies state that development in the Green Belt will be determined in accordance with policy CP13.

5.8 **Is the proposed development inappropriate development?**

The proposals involve several elements and as such they each need to be considered individually. The main proposals are:

- Extensions and alterations to Chilwell House

- Solar array
- New car parking
- New pond/lake

5.9 **Extensions and alterations to Chilwell House**

The extension or alteration of a building is not inappropriate development in the Green Belt provided that it does not result in disproportionate additions over and above the size of the **original** building. The proposed extensions and alterations will result a volume increase of approximately 56% and a floor area increase of approximately 52% from the **existing** buildings. Therefore, as the existing buildings already represented an increase from the original building(s) on the site this further increase can only result in the extensions and alterations resulting in disproportionate additions to the original building. As such, this element of the proposals **is inappropriate development in the Green Belt.**

5.10 **Solar array**

The NPPF does not list renewable energy generation as exempt from the meaning of inappropriate development and paragraph 151 states that ‘elements of many renewable energy projects will comprise inappropriate development’. Therefore, as the solar array does not meet any exemption to inappropriate development officers consider that the installation of solar panels **is inappropriate development in the Green Belt.**

5.11 **New car parking & pond/lake**

The landscaping proposals show a new pond/lake to the east of the new extension and car parking to the south west. These would be considered engineering operations for the purposes of Green Belt and would not be inappropriate development provided there is no harm to the openness of the Green Belt nor conflict with the purposes of including the land within it.

5.12 **What is the impact on openness?**

As elements of the development will be inappropriate development it is necessary to assess the impact on openness and whether there is a conflict with the purposes of including land within the Green Belt in order to quantify the potential level of harm to the Green Belt. This assessment will also aid in determining whether the car parking and pond are likely to be inappropriate development.

5.13 Openness of the Green Belt is capable of having both spatial and visual aspects so the visual impact of the proposal may be relevant, as could its volume. The duration of the development, and its reversibility may also be relevant as could the degree of activity likely to be generated, such as traffic generation.

5.14 **Extensions and alterations**

The increase in volume arising from the extensions is significant with approximately 4000 additional cubic metres in volume. This means there will inevitably be a loss of spatial openness through increased built form in the Green Belt.

Vale of White Horse District Council – Committee Report - 24 January 2024

- 5.15 Whilst the development will result in a loss of spatial openness, the fact the new extensions are well related to existing built form on the site reduces the visual impact on openness as does the screening provided by existing and proposed vegetation and the topology of the surrounding landscape which means the site is not eminently visible from public vantage points other than the bridleway immediately to the west.
- 5.16 The statement submitted with this application states that the development will not intensify the use of the site as fewer rooms of accommodation will be available and the site will continue to be used as currently. Given this, it is unlikely that the activity generated by the development would be harmful to the openness of the Green Belt as there is no intensification.
- 5.17 Overall, it is considered that there will be a loss of openness from the extensions and alterations to the priory buildings due to the significant increase in volume and resultant loss of spatial openness. However, the impact on visual openness is limited by the lack of visibility of the site from most public vantage points and the fact the increased built form is well related to existing buildings. Therefore, officers consider that there will be **moderate** loss of openness from this aspect of the development.
- 5.18 **Solar array**
The proposed ground-mounted solar array will be installed on land which is currently open. The panels will have a low profile but their presence on land which is currently free from built development will cause a loss of both spatial and visual openness. The loss of openness is localised to the views possible from the bridleway to the west of the site which reduces the harm as does its reversibility and potentially temporary nature. Taken together, it is considered that the solar array will result in a **moderate** loss of openness given its localised nature.
- 5.19 **Car parking & pond/lake**
The new pond is by its very nature subterranean and therefore unarmful to openness. This element of the proposals is therefore not inappropriate development provided the pond/lake does not conflict with the purposes of including the land within the Green Belt.
- 5.20 The operational development to create the new car parking is not harmful to openness given there is no additional volume. However, the presence of cars parked in land which was previously open has the potential to harm openness through urbanisation. Car parking currently takes place across the whole site in an informal arrangement. Rationalising the car parking and removing cars from much of the site together with the landscaping proposed which will screen the parking areas are considered to mean there is no net loss of openness from the proposed car parking. Therefore, this element of the proposals is also not inappropriate development provided there is no conflict with the purposes of including the land within the Green Belt.

5.21 **Is there conflict with the purposes of including the land within the Green Belt?**

Conflict with the purposes of including land within the Green Belt must also be considered when assessing the impact on the Green Belt both in terms of quantifying harm and determining whether the development is inappropriate.

5.22 Aside from openness and permanence, the NPPF gives five purposes of including land within the Green Belt. They are:

- (a) to check the unrestricted sprawl of large built-up areas;
- (b) to prevent neighbouring towns merging into one another;
- (c) to assist in safeguarding the countryside from encroachment;
- (d) to preserve the setting and special character of historic towns; and
- (e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land

Each element of the proposals will be assessed against these purposes in turn.

5.23 **Extensions and alterations**

- (a) As the extensions are to existing buildings, they will not result in sprawl
- (b) The extension will not result in neighbouring towns merging.
- (c) The extensions would be seen within the context of the existing built form on the site and as additional activity is not generated it is unlikely that the extensions would encroach into the countryside.
- (d) The site is within the setting of Oxford, but the surrounding topology and tree cover is likely to prevent harm to this setting.
- (e) There will be no impact in terms of urban regeneration

Therefore, it is considered that the extensions and alterations to the priory buildings **will not** conflict with the purposes of Green Belt.

5.24 **Solar array**

- (a) The solar panels will not result in sprawl
- (b) The solar panels will not cause neighbouring towns to merge
- (c) The panels will result in encroachment into the countryside as whilst solar panels are increasingly seen in the countryside, they are still a somewhat alien feature in the landscape.
- (d) The low profile of the panels and lack of visibility in the wider landscape prevents harm to the setting of Oxford
- (e) There is no impact in terms of urban regeneration

Therefore, it is considered the solar array **will** conflict with the purposes of Green Belt as it will encroach into the countryside.

5.25 **Car parking**

- (a) The proposed car parking will not result in sprawl
- (b) The car parking will not result in neighbouring towns merging
- (c) The introduction of car parking could encroach into the countryside by having an urbanising effect. However, the proposed planting and the fact the parking is rationalised from the existing situation is considered to prevent a net encroachment into the countryside.

- (d) The proposed car parking will not harm the setting of Oxford
- (e) There will be no impact in terms of urban regeneration

Therefore, it is considered that the proposed car parking **will not** conflict with the purposes of Green Belt. This means this element of the proposals **is not inappropriate development**.

5.26 **Pond/lake**

- (a) The new pond/lake will not result in sprawl
- (b) There will be no merging of neighbouring towns caused
- (c) Bodies of water are a feature of the countryside, and its subterranean nature will mean it does not encroach into the countryside
- (d) The nature of this part of the development will prevent harm to the setting of Oxford
- (e) There will be no impact in terms of urban regeneration

Therefore, it is considered that the proposed pond/lake **will not** conflict with the purposes of Green Belt. This means this element of the proposals **is not inappropriate development**.

5.27 **Overall Green Belt impact**

As outlined above, officers consider that the extensions and alterations to the priory buildings are inappropriate development which will result in a moderate loss of openness and no conflict with the purposes of Green Belt. The new solar array is also inappropriate development which will cause a moderate loss of openness and additionally conflict with the purposes of Green Belt through encroachment into the countryside. The creation of a new pond/lake and the new car parking are not considered to be inappropriate development as they both represent engineering operations which do not harm openness nor conflict with the purposes of Green Belt.

5.28 For the development to comply with policies CP13, DBC4 & SS1 the harm to the Green Belt from those elements deemed to be inappropriate development, together with any other harm, must clearly be outweighed by other considerations. To determine whether these other considerations outweigh the harm and therefore very special circumstances exist, the other impacts of the proposals must be assessed before the benefits and harms are weighed against one another.

5.29 **Design and character**

Policy CP37 of LPP1 requires development to be of high quality, visually attractive design that responds positively to the site and its surroundings with appropriate scale, height, details and materials.

5.30 Policy DBC1 of the Cumnor Neighbourhood Plan states that development proposals should have regard to the provisions of the Vale of White Horse Design Guide and to the essential character of their local area as defined by the Cumnor Parish Character Assessment. The policy also gives general design principles including maintaining the common one and two-storey

Vale of White Horse District Council – Committee Report - 24 January 2024

character, providing active frontages, including doors and windows, to streets, and retaining mature trees and hedgerows where possible.

- 5.31 Policy DG1 of the Wootton Neighbourhood Plan requires development proposals to respect local character and provide for the integration of environmental or landscape context and built form. Development is also expected to respect heritage and local distinctiveness and be in keeping with the style, design and nomenclature of surrounding buildings, streets and public spaces.
- 5.32 The buildings which are proposed to be demolished are considered to have little architectural merit and hence their loss is not considered to be objectionable.
- 5.33 The proposed extensions/alterations to the existing buildings on the site involve increasing the size of the second floor of Chilswell House, the erection of a two-storey extension to link Chilswell House with the chapel and the pyramid building and the erection of new two-storey buildings arranged in a quad linked with covered walkways. The new two-storey buildings comprise a new reception building, a refectory and a meeting room building.
- 5.34 The extension to Chilswell House will result in this building having a small section of flat roof and greater volume to its roof. However, this is not considered to result in harm as the flat roof will not be perceivable from the ground and the additional volume is not considered to result in the building appearing overly bulky.
- 5.35 The overall scale and footprint of the proposed new buildings are significant. However, the ridge height of the buildings is lower than Chilswell House and this helps to give subservience to the new buildings despite their significant footprint.
- 5.36 The new buildings will be constructed with red brick and clay tiles which are in keeping with the existing pyramid building. To ensure these materials are of high quality a condition is recommended requiring details of these materials are submitted for approval. The design, materials and detailing seek to reflect the arts & crafts style which is common in Boars Hill. The courtyard with its symmetrical arrangement will give the development a coherent appearance which represents an improvement over the existing which has a somewhat haphazard layout and appearance.
- 5.37 The creation of car parking within the site will be achieved using natural materials for those areas away from the buildings and screen planting is proposed on the boundaries. This will help to soften the appearance of the car parking and reduce its urbanising effect. Similarly, the proposed screen planting will help to reduce the prominence of the solar array as will its low profile. Conditions are recommended requiring the submission and implementation of hard and soft landscaping to secure this planting and the car parking materials.

Vale of White Horse District Council – Committee Report - 24 January 2024

- 5.38 Overall, it is considered that the scale, design and materials of the extensions and alterations are high-quality and responsive to the site's context and the ancillary development within the curtilage will be similarly unharmed. Therefore, Officers consider the application accords with policies CP37, DBC1 and DG1.
- 5.39 The removal of the existing buildings, particularly the portacabin style annex and their replacement with coherent buildings of significantly greater architectural quality is considered to represent a visual enhancement. The magnitude of the benefit is limited to a degree by the greater size and therefore prominence of the buildings. However, on balance, the design quality of the new buildings is considered to attract **moderate** weight in favour of the proposals.
- 5.40 **Ecology**
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.
- 5.41 Policy RNE1 of the Cumnor Neighbourhood Plan states that development proposals should protect, and where practicable enhance, valued landscapes, sites of biodiversity or geological value and soils. Proposals should also minimise impacts on, and providing net gains for, biodiversity where it is practicable to do so.
- 5.42 The distance to the Oxford Meadows and Cothill Fen SACs and the Hurst Hill and Iffley Meadows SSSIs is sufficient to prevent harm to these designated sites. However, there are priority habitats and protected species within the site and ancient woodland immediately to the west. Therefore, the site is ecologically sensitive.
- 5.43 The application is supported by an ecological appraisal which assesses the impact on species and habitats and outlines how a net gain in biodiversity will be achieved. Supporting this are a bat survey, a great crested newt (GCN) mitigation strategy and a landscape & ecological management plan (LEMP). It is considered that the proposed mitigation and enhancements and their future management as outlined in these reports will avoid harm to protected species and habitats and secure a net gain in biodiversity. Several conditions are recommended to secure these measures and an additional condition requiring the agreement of a construction environmental management plan (CEMP) as requested by the ecology officer is also recommended.
- 5.44 Subject to the recommended conditions, it is held that the application accords with policies CP46 & RNE1 and criterion ii of policy CP41, and a net gain of 15% in habitat units and 41% in hedgerow units will be secured. The incoming

biodiversity net gain requirements under the Environment Act 2021 do not apply to this application so weight must be given to **all** of the net gain rather than just that above the 10% as will be required. Therefore, officers consider that these net gains attract **significant** weight in favour of the proposals.

5.45 Trees/landscape

The impact of development on the landscape is assessed against policy CP44. This policy requires key features of the landscape to be protected or enhanced including (but not limited to) trees, hedgerows, landscape settings of settlements, important views and sensitive skylines. Development is also required to incorporate appropriate landscape proposals that reflect the character of the area.

- 5.46 Policy DBC7 of the Cumnor Neighbourhood Plan requires development proposals to preserve, or where practicable enhance, the local character of the landscape in general and should take account of important views identified by the Plan. Development proposals which would have an unacceptable impact on the local character of the landscape and/or on an identified important view will not be supported.
- 5.47 Policy DG3 of the Wootton Neighbourhood Plan states that development proposals should be landscaped to be in keeping with the surrounding landscape, and existing natural features, such as mature trees, streams etc, should be retained wherever practicable.
- 5.48 The application is supported by a landscape and visual impact assessment (LVIA). The outlines the existing landscape character and assesses the potential impact of the development on this landscape and important views within it.
- 5.49 The VoWH Landscape Character Assessment (LCA) identifies the site to be part of the Landscape Character Area 'Wooden Corallian Limestone Ridge and more specifically the 'Powder Hill to Boars Hill Wooded Corallian Limestone Ridge (LW3) area. The LCA recognises the influence of intensive human intervention on the locality with significant areas of low density dwellings. The site is located at the edge of the Hirst Hill and Chilswell Farm (LCA 14) Landscape Character Area in Cumnor Neighbourhood Plan Landscape Character Assessment. Recommendations for the management of the CA include managing the ancient woodlands, maintaining the tranquil character, preventing the introduction of structures that would be visually intrusive and detract from the expansive views and conserve the important panoramic views towards Oxford.
- 5.50 The council's landscape officer was consulted on this application and whilst they accept that there will be some changes to the mass and appearance of the buildings on the site, they are of the opinion that these changes are slight at the landscape scale and the site is visually self-contained, reducing its impact. They consider that the greatest impact will be from glimpsed views from the bridleway to the west, predominantly of the solar panels .These panels are located in a glade area and they consider that they would not restrict nor impact

Vale of White Horse District Council – Committee Report - 24 January 2024

on any existing long-distance views and the proposed boundary planting would further restrict views available towards the site from the bridleway. Therefore, they have no objection to development subject to hard and soft landscape details being submitted and the external lighting being in accordance with the submitted details. These conditions are recommended.

- 5.51 There are several trees within the site which are protected by a TPO, there is an area of ancient woodland immediately to the west and the site is heavily wooded in parts. The council's forestry officer was consulted on this application and initially objected due to the development due to the potential for harm to TPO trees. Two sets of amendments were submitted which sought to overcome this objection. Following the submission of these amendments the forestry officer is satisfied that subject to a condition requiring the submission of tree protection measures and a landscaping scheme to secure planting to assimilate the development the impact on trees is acceptable.
- 5.52 Subject to the recommended conditions the forestry and landscape officer have no objection to the development, so it is held that there will be no harm to the landscape nor to protected trees and the application accords with policies CP44, DBC7 & DG3 and criterion i of policy CP41.
- 5.53 The LVIA concludes that the proposed landscaping proposals will enhance the landscape quality of the site and its contribution to the landscape character of the wider area. Whilst the proposed planting is welcomed, in Officer's opinion, this largely mitigates the impact of the development and as such this benefit is considered to attract only **limited** weight.
- 5.54 **Traffic, parking and highway safety**
Policies CP33, CP35, CP37 & DP16 of LPP1 & LPP2 require development to provide safe and convenient access, sufficient car and cycle parking in line with Oxfordshire County Council standards and adequate provision for loading, unloading, circulation, servicing and vehicle turning. Development must also minimise the impact on the highway network and promote more sustainable modes of transport where appropriate.
- 5.55 Policy TI1 of the Cumnor Neighbourhood Plan states that new development should incorporate, as appropriate to its scale, nature and location a balanced and sustainable transport provision including facilities for cycling, off-street parking provision, convenient pedestrian links to public transport facilities and electric charging points for vehicles. New development should also not have an unacceptable impact on the free and safe flow of traffic in general, and at the certain locations in the parish including Swinford Toll Bridge.
- 5.56 The application is supported by a transport statement and travel plan which outlines the transport impacts of the development and measures to promote more sustainable modes of travel. The application also includes a construction traffic management plan (CTMP) which seeks to outline how the impact on the local highway network will be managed during construction. The local highway authority has been consulted on this application and they have no objection.

Vale of White Horse District Council – Committee Report - 24 January 2024

- 5.57 The transport statement concludes that as there is no increase in the size or frequency of mass, retreats and courses and the number of bedrooms is reduced there will be no harm to the local highway network. This is accepted. The lack of intensification is also considered to prevent the development increasing unsustainable travel despite the open countryside location some distance from other settlements and public transport links. However, it is still important for sustainable modes of travel to be encouraged.
- 5.58 A new service access is proposed to the west whilst the existing vehicular access to south will continue to be the main access to the site. As this is existing and given the intensity of use is not proposed to be increased this will continue to provide adequate and safe access into the site. The new access will not be detrimental to highway safety given the lightly trafficked nature of the lane and the occasional use of the access.
- 5.59 A total of 31 car parking spaces are provided. This level of car parking is considered sufficient to accommodate the development in accordance with adopted standards. There is also adequate turning space within the site to allow vehicles to enter and leave in forward gear. The transport statement says that 25% of the car parking spaces will have an electric vehicle charging point but no details have been provided of this and hence a condition is recommended requiring these details to be agreed and implemented to ensure more sustainable modes of travel are encouraged.
- 5.60 The travel plan includes the provision of cycle parking as a means of promoting sustainable travel. As with electric vehicle charging points, no details have been provided of this, so a further condition is recommended requiring the submission and implementation of cycle parking to promote active and sustainable travel. Given there is no intensification of use of the site it is not considered reasonable to condition the ongoing implementation or monitoring of the other provisions of the travel plan.
- 5.61 The county council do not consider that a condition requiring the implementation of the CTMP would be reasonable. However, given the scale of the development and the sensitivity of the local highway network to larger vehicles and increased traffic officers disagree and consider that it is necessary and reasonable to condition the implementation of the CTMP and hence this is recommended.
- 5.62 Criterion vi of policy CP41 requires renewable energy projects to have no harm to the safe movement of pedestrians and vehicles. It is considered that the proposed solar array will not cause any harm to pedestrians and vehicles as their siting will prevent any potential harm from glare or obstruction.
- 5.63 Subject to the recommended conditions requiring details of electric vehicle charging points, cycle storage and the implementation of the CTMP it is held that the development will not harm the local highway network nor highway safety and sustainable modes of travel will be encouraged in accordance with policies CP33, CP35, CP37, CP41, DP16 & TI1.

5.64 **Flood risk/drainage**

Policy CP42 of LPP1 seeks to minimise the risk and impact of flooding by directing new development to areas with the lowest probability of flooding, ensuring that all new development addresses the effective management of all sources of flood risk and does not increase the risk of flooding elsewhere.

5.65 Policy RNE2 of the Cumnor Neighbourhood Plan states that development proposals should be located and designed to take account of flood risk and ensure impacts are mitigated to ensure that there is no unacceptable increase in surface water discharge off site using Sustainable Drainage Systems where possible.

5.66 The site is within Flood Zone 1 and it is not identified as being at risk from ground or surface water flooding. Therefore, the development is unlikely to be at risk from flooding. Nevertheless, it must be ensured that the risk of flooding is not increased elsewhere.

5.67 The council's drainage engineer requested more information, and the Lead Local Flood Authority (LLFA) (the county council) made a holding objection in response to the proposed drainage strategy. Amendments have subsequently been submitted which sought to overcome the technical consultee concerns. Following the submission of this, the council's drainage engineer is satisfied that subject to several requested conditions the proposed development will not increase the risk of flooding elsewhere. The LLFA has not responded to the most recent set of amendments but as the council's drainage engineer is content and subject to the recommended conditions officers consider the application accords with policies CP42 & RNE2.

5.68 **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.

5.69 The distance to neighbouring properties is such that there will be no harm to their amenity through overshadowing, overdominance, visual intrusion or a loss of privacy from the operational development. The siting of the solar array relative to neighbouring properties and the surrounding topology and vegetation are also considered to prevent harm to neighbours from glare from the panels.

5.70 Whilst the operational development is unlikely to harm the amenity of neighbouring properties the scale, nature and intensity of the use also has the potential to harm neighbours. In this instance, whilst the floorspace available for the priory will significantly increase, the overall numbers of bedrooms are reduced and the number and frequency of retreats and events held by the priory is not proposed to change. Therefore, it is unlikely that the development will significantly harm neighbours through noise and disturbance from the use

Vale of White Horse District Council – Committee Report - 24 January 2024

of the development. It should also be noted that the current lawful use of the site has no conditions restricting the size and frequency of events held.

- 5.71 As neighbours will not be harmed by the proposed development, officers consider that the application accords with policy DP23 and criterion v of policy CP41.
- 5.72 The environmental protection team has requested conditions to control noise, dust and operation hours during construction. The distance to neighbouring properties is such that this is not considered to meet the tests for conditions as it would not be necessary nor reasonable. Moreover, environmental health have enforcement powers to control this under legislation separate from planning.
- 5.73 **Archaeology**
Policy DP39 states that development will be permitted where it can be shown that it would not be detrimental to the site or setting of Scheduled Monuments or nationally important designated or non-designated archaeological remains.
- 5.74 The application site is situated in an area of some archaeological interest and potential with several finds within the vicinity of the site from differing periods and the projected course of the Roman road between Oxford and Wantage being identified as approximately 585m to the north-west. It is therefore possible that archaeological deposits related to noted activity of these periods could survive within the site and could be disturbed by this development.
- 5.75 In order for the potential remains to be properly protected and recorded the county archaeologist has requested an archaeological watching brief be submitted and approved prior to works commencing and for its findings to be reported to the council following the completion of development. This condition is recommended and it will ensure the application accords with policy DP39.
- 5.76 **Sustainability**
Policy CP40 encourages the incorporation of climate change adaptation design measures in new developments. This includes reducing solar gain and flood resilience measures. Policy CP43 encourages the effective use of natural resources including though reducing waste, the utilisation of sustainable and low energy building materials, and high energy, thermal and water efficiency.
- 5.77 Policy DG3 of the Wootton Neighbourhood Plan supports development proposals which incorporate and provide for technological advances in the future. In particular, new development will be supported where it incorporates provision for the charging of electric vehicles and utilisation of alternative heating sources.
- 5.78 The proposed development includes several measures which seek to reduce energy consumption and carbon emissions associated with running the site. This is through improvements to the existing buildings, high performance of the newly built elements, replacement of the existing oil and LPG heating system

Vale of White Horse District Council – Committee Report - 24 January 2024

with a biomass boiler for the refurbished buildings, a ground source heat pump for the new buildings and renewable energy generation with solar panels on the roofs. These measures will result in a 53% reduction in carbon emissions from the baseline.

- 5.79 This assessment of carbon reductions is based on a 31.2kWp array on the roofs. The plans show an alternative 75.6kWp ground mounted array to the south of the priory. The additional generation this would provide would result in an even greater reduction in carbon emissions and would bring the development close to net zero.
- 5.80 The council has declared a climate emergency and its corporate plan includes an ambition to reduce all emissions across the Vale by 75% by 2030 and the aspiration for the district to carbon neutral by 2045. Whilst the development's contribution to this goal would be modest, the NPPF states that local planning authorities should 'recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions'. Moreover, the revised NPPF (2023) has increased the weight that should be given to energy efficiency improvements, stating 'local planning authorities should give significant weight to the need to support energy efficiency and low carbon heating improvements to existing buildings, both domestic and non-domestic'. Therefore, whilst the contribution to reducing greenhouse gas emissions would be modest, in accordance with the council's corporate plan and the revised NPPF, this still attracts **significant** weight in favour of the proposals.
- 5.81 In order for these benefits to be secured, a condition is recommended requiring the implementation of the sustainability measures outlined in the Energy Strategy.
- 5.82 **Public rights of way**
Policy DP31 states that "development on and / or over public rights of way will be permitted where the development can be designed to accommodate satisfactorily the existing route, or where the right of way is incorporated into the development site as an attractive, safe and continuous route".
- 5.83 Policy TI3 of the Cumnor Neighbourhood Plan requires new development proposals to take into account the safety, accessibility and visual amenity of Cumnor's network of footpaths and bridleways. Development proposals which would have an unacceptable impact on their accessibility and recreational amenity value will not be supported.
- 5.84 There are several public rights of way in the vicinity of the site. A bridleway runs along the western boundary of the site, a footpath lines the northern boundary and further to the east is the Oxford Green Belt Way. As outlined previously whilst the development will be seen from the public rights of way which immediately border the site these views are screened or filtered by existing and proposed vegetation and the set off from these routes will prevent their amenity value being diminished. The topology of the land together with the screening provided by vegetation will also prevent harm to the enjoyment of the Oxford

Green Belt Way. Therefore, it is considered that the application accords with policies DP31 & TI3.

5.85 **Community Infrastructure Levy (CIL)**

The development is not liable to pay CIL.

5.86 **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.

Pre-commencement conditions are recommended. The conditions have been sent to the agent for agreement.

6.0 **CONCLUSION AND PLANNING BALANCE**

6.1 The proposed development accords with the spatial strategy of the development but it is inappropriate development in the Green Belt which will cause a moderate loss of openness and the proposed ground-mounted solar array will conflict with the purposes of Green Belt through encroachment into the countryside. Policy CP13 and the NPPF states that inappropriate development in the Green Belt should not be approved except in very special circumstances. **Significant** must weight to be given to any harm to the Green Belt and very special circumstances will not exist unless the harm is clearly outweighed by other considerations.

6.2 This report sets out officers' opinion that, subject to the recommended conditions, the proposals will bring benefits in terms of high-quality design, biodiversity net gains, landscape improvements, and carbon emission reductions. The biodiversity net gains and carbon reduction are considered to attract **significant** weight, the high-quality design **moderate** weight and the landscape enhancements **limited** weight. The lack of harm to other material factors are neutral factors which attract **no** weight.

6.3 The planning statement submitted with the planning application also outlines other considerations which the applicant considers weigh in favour of the proposals. These can be summarised as follows:

- The need for the improvements to the priory and its importance to Carmelite spirituality
- Economic benefits from the construction of the development and job creation from its ongoing use
- The need for the priory to be near Oxford
- The lack of alternative locations or designs

6.4 The NPPF requires planning decisions to 'plan positively for the provision and use of shared spaces, community facilities' including places of worship. Therefore, weight should be given to the improvements to the priory and its role in Carmelite spirituality. However, Officers consider this attracts only **moderate** weight in favour of the proposals given the relatively small number of people

Vale of White Horse District Council – Committee Report - 24 January 2024

who are likely to benefit from this albeit this is not to diminish the importance of the centre to these people.

- 6.5 The economic benefits do weigh in favour of the proposals but given these relate mostly to the construction phase of the development, again this economic benefit attracts only **moderate** weight.
- 6.6 The need for the priory to be near Oxford and the lack of reasonable or viable alternative sites or designs which would achieve the same improvement in facilities without harm to the Green Belt is accepted again this is considered to attract **moderate** weight.
- 6.7 To conclude, this application is finely balanced with clear harm and clear benefits. The harm to the Green Belt attracts significant weight against the proposals which must be clearly outweighed by other considerations for the development to be acceptable. In this instance, Officers consider that the benefits outlined above, particularly the biodiversity net gains, the sustainability improvements together with the less weighty but not insignificant benefits from its high-quality design and the cultural and economic benefits from the improvement to the priory and the lack of alternatives **do** clearly outweigh the harm to the Green Belt and therefore very special circumstances exist.
- 6.8 As such, in Officers' opinion, the harm to the Green Belt is outweighed in this instance it is considered that the development accords with the policies of the development plan and the NPPF. Officers therefore recommend that planning permission is granted subject to the recommended conditions which seek to secure the benefits outlined in this report.

The following planning policies have been taken into account:

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

- CP01 - Presumption in Favour of Sustainable Development
- CP03 - Settlement Hierarchy
- CP13 - The Oxford Green Belt
- CP31 - Development to Support the Visitor Economy
- CP33 - Promoting Sustainable Transport and Accessibility
- CP35 - Promoting Public Transport, Cycling and Walking
- CP37 - Design and Local Distinctiveness
- CP40 - Sustainable Design and Construction
- CP41 - Renewable Energy
- CP42 - Flood Risk
- CP43 - Natural Resources
- CP44 - Landscape
- CP46 - Conservation and Improvement of Biodiversity

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

- DP08 - Community Services and Facilities
- DP16 - Access
- DP17 - Transport Assessments and Travel Plans
- DP21 - External Lighting

Vale of White Horse District Council – Committee Report - 24 January 2024

- DP23 - Impact of Development on Amenity
- DP28 - Waste Collection and Recycling
- DP31 - Protection of Public Rights of Way, National Trails and Open Access Areas
- DP39 - Archaeology and Scheduled Monuments

Cumnor Neighbourhood Plan

- DBC1 - General Design Principles in the Parish
- DBC4 - Development in the Green Belt
- DBC7 - Important Views
- RNE1 - Green Infrastructure
- RNE2 - Flood Risk
- TI1 - Sustainable Transport
- TI3 - Footpaths and Bridleways

Wootton and St Helen Without Neighbourhood Plan

- SS1 - Green Belt
- SS4 - Locally important vistas
- IN4 - Transport Opportunities
- DG1 - Design for the Area
- DG3 - Design Requirements

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

Joint Design Guide SPD (2022)

Equalities Act 2010

The proposal has been assessed against section 149 of the Equalities Act. It is considered that no identified group will suffer discrimination as a result of this proposal.

Human Rights Act, 1998

The application has been assessed against Schedule 1, Part 1, Article 8, and against Schedule 1, Part 2, Article 1 of the Human Rights Act, 1998. The harm to individuals has been balanced against the public interest and the officer recommendation is considered to be proportionate.

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