

Wroxton House Hotel
Stratford Road A422 Wroxton

16/01640/F

Case Officer: Bob Neville **Contact:** 01295 221875

Applicant: Best Western Plus Wroxton House Hotel

Proposal: Two-storey extension to rear of hotel to provide 8 no. additional bedrooms, reconfiguration of car park and associated works

Expiry Date: 07/10/2016 (Extension of time agreed until 16/12/2016)

Ward: Cropredy, Sibfords And Wroxton **Committee Date:** 15/12/2016

Cllr Ken Atack

Ward Councillors: Cllr George Reynolds

Cllr Douglas Webb

Reason for Referral: Member call-in in light of public interest indicated by the Parish Council

Recommendation: Refusal

1 APPLICATION SITE AND LOCALITY

- 1.1 The site is an established hotel complex located in the rural village of Wroxton. The hotel buildings are largely of stone construction, with a mixture of roofing materials (including thatch, clay tiles and slate) being employed on various buildings within the site. The site is accessed off the Stratford Road (A422) and has an existing parking area. The site is bounded by the Stratford Road to the south and east, residential properties to the west and a sports pitch and further residential properties to the north. The site has been the subject of significant development over the years with numerous extensions and alterations being approved by Cherwell Council.
- 1.2 In terms of site constraints, the site sits within the Wroxton Conservation Area and the historic village core which is considered of archaeological interest. The original main buildings are grade II listed and further grade II listed properties sit adjacent the site to the north and along Church Street to the south. The grounds of grade II* Wroxton Abbey lie some 130m east of the site.
- 1.3 There are records of notable and protected species (Pipistrelle Bats and Common Swifts) within the vicinity of the site; but given the nature of the proposed development it is considered that these species would not affect or be affected by the proposed development. The geology in the area is also known to contain naturally occurring elevated levels of Arsenic, Chromium and Nickel as seen across much of the district. There are three trees on site which are protected under TPO 6/2004; 2 Lawson Cypress trees and one Yew tree.

2 DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1 The application seeks permission for a link detached two storey extension to the rear of the hotel to provide 8 no. additional bedrooms (25% increase in overall

bedroom capacity of the existing hotel) with the reconfiguration of the car park and associated works including landscaping. The proposed extension would be located to the north-west of an existing previously extended accommodation block, and would have a footprint of some 113m², with accommodation on two floors with an overall height ridge of ~7.85m. The building is proposed to be of predominantly stone construction, with elements of hung tile under a twin-ridged pitched tiled roof to match the existing roofing materials on the adjacent building. The proposed extension would be linked to the existing accommodation via a two storey glazed link.

- 2.2 The proposals would also include landscaping works, including the removal of two protected Cypress Trees, a tree replanting scheme and the reconfiguration of the car park area to provide 46 no. parking spaces.
- 2.3 The determination period for the application has been agreed to be extended with the applicant's agent, to allow for consideration of revised and additional information submitted in response to case officer and consultee comments and to allow for the application to be presented to Planning Committee.

3 RELEVANT PLANNING HISTORY

- 3.1 CHN.LB.CA.763/86 - Main entrance alterations, additions of bedroom block and demolition of existing store room to existing hotel. Alterations to existing bungalow into staff quarters and formation of car park. Permitted 04.12.1987.

CHN.LB.871/87 - Extension and re-modernising of existing hotel. Permitted 17.04.1988.

CHN.91/589 - Conversion of staff house to hotel bedroom accommodation. Permitted 03.12.1991.

CHN.LB.810/90 - Change of use, conversion and refurbishment and extension to form 5 hotel bedrooms and bathrooms. Permitted 21.01.1991.

09/01108/F & 09/01109/LB - Proposed alterations and single storey extension. Permitted 22.10.2009.

09/01636/F - Proposed single storey servery extension and alterations (Modification of Planning Consent 09/01108/F dated 22 October 2009). Permitted 18.03.2010.

15/00736/F & 15/00579/LB - Alterations and erection of two storey extension to rear of hotel. Withdrawn 31.08.2015.

16/01388/F & 16/01389/LB - Replacement timber orangery and lantern rooflight to entrance and lobby. Permitted 01.09.2016

(Please note that this is not a complete summary of the planning history at the site and that there have been further applications at the site)

4 PRE-APPLICATION DISCUSSIONS

- 4.1 The following pre-application discussions have taken place with regard to this proposal:
 - 16/00110/PREAPP-Proposed two storey rear extension to Hotel to form 8 additional guest bedrooms and associated works: Advice was given that there may be potential for a further extension of hotel facilities at the site, but that support would not be given for the design as submitted with the enquiry. The proposals were considered to detrimentally impact on the setting and significance of Wroxtton House Hotel and adjacent grade II listed buildings, and that this harm would not be outweighed by the public benefit, with regard to

tourism and the local economy in this instance. The proposals were considered to be contrary to Saved Policies C18 and C28 of the Cherwell Local Plan 1996, Policy ESD 15 of the Cherwell Local Plan 2011-2031 and Government guidance within the NPPF. Officers provided indicative sketches of a possible alternative scheme with the report which was issued to the applicant's agent on the 11/05/2016.

5 RESPONSE TO PUBLICITY

- 5.1 This application has been publicised by way of a site notice displayed near the site, by advertisement in the local newspaper, and by letters sent to all properties immediately adjoining the application site that the Council has been able to identify from its records.
- 5.2 No comments have been raised by third parties.

6 RESPONSE TO CONSULTATION

- 6.1 Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.

PARISH/TOWN COUNCIL

- 6.2 WROXTON PARISH COUNCIL: **No objections.** Making the following comments:

'The owners of the hotel have been attempting to add capacity to a very successful business to avoid the necessity of turning trade away, as is happening all too regularly at the moment. The extension would fit neatly behind and at a right angle to an existing modern extension and would be almost entirely invisible to passing traffic. This is because it would be set well back from the road, occupying part of the existing parking area. In addition, it would not be in the sightlines of the neighbouring properties.'

It seems to us that, in the difficult economic conditions in which North Oxfordshire finds itself, CDC should be bending over backwards to encourage any business which brings trade, employment and tourism to the area. Wroxton House Hotel is highly respected as a place to stay and to entertain and employs 35 staff, which surely puts it into the category of businesses to be encouraged rather than obstructed by the planning system'.

STATUTORY CONSULTEES

- 6.3 HIGHWAYS AUTHORITY: **No objections subject to conditions.** Originally raised an objection on the grounds of insufficient details of parking layouts and vehicle tracking, but following the submission of revised and further information, withdrew their objection.
- 6.4 HISTORIC ENGLAND: **No objection.** Commenting that the application should be determined in accordance with national and local policy guidance and on the basis of the Council's specialist conservation advice.

NON-STATUTORY CONSULTEES

- 6.5 CDC ARBORICULTURE: **No comments received.**
- 6.6 CDC CONSERVATION: **Objects.** Commenting: *'We are not opposed to the extension of this successful hotel subject to a good design which respects the listed buildings and their setting. The Grade II listed hotel has been extended by a high percentage of its original footprint and it is strongly recommended that any extension should be compact to ensure minimum impact on the character and significance of*

the listed building. The views from the conservation area are also important. We previously advised the Applicant that the extension should aim to extend in the style of the existing extensions and look to be an integral part of the building's evolution. We recognised the roof was complicated with a wide valley gutter between two pitched roofs. The proposal shows a separate building with a boxy-glazed link. The form, the heavy horizontal bands and eaves and fenestration are all too heavy and the juxtaposition with the existing building is crude. It would not be a positive enhancement to the listed building, it would not be a neutral addition. It would have a negative effect on the character and significance of the listed building and causes less than substantial harm. We do not recommend approval of the scheme as submitted'.

- 6.7 OCC ARCHAEOLOGY: **No objections.** There are no archaeological constraints to this scheme.

7 RELEVANT NATIONAL AND LOCAL PLANNING POLICY AND GUIDANCE

- 7.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

- 7.2 The Cherwell Local Plan 2011-2031 - Part 1 was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The Local Plan 2011-2031 – Part 1 replaced a number of the 'saved' policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the development plan. The relevant planning policies of Cherwell District's statutory Development Plan are set out below:

- 7.3 Cherwell Local Plan 2011 - 2031 Part 1 (CLP 2031)

PSD1: Presumption in Favour of Sustainable Development

Villages 1: Village Categorisation

SLE 3: Supporting Tourism Growth

ESD 1: Mitigating and Adapting to Climate Change

ESD 10: Protection and Enhancement of Biodiversity and the Natural Environment

ESD 15: The Character of the built and historic environment

- 7.4 Cherwell Local Plan 1996 (Saved Policies) (CLP 1996)

T2: New hotels, motels, guest houses and restaurants within settlements

C28: Layout, design and external appearance of new development

C30: Design Control

C31: Compatibility of proposals in residential areas

- 7.5 Other Material Planning Considerations

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

8 APPRAISAL

- 8.1 The key issues for consideration in this case are:

- Principle of development
- Design and impact on the historic environment and character of the area

- Residential amenity
- Highway safety
- Ecology

The property is a listed building and issues relating to the direct impact on the listed building are to be dealt with under an associated listed building consent application ref. 16/01641/LB.

Principle of development

- 8.2 Government guidance contained within the NPPF explains that the purpose of the planning system is to contribute to the achievement of sustainable development. This is defined as meeting the needs of the present without compromising the ability of future generations to meet their own needs.
- 8.3 Paragraph 6 of the NPPF sets out the Government's view of what sustainable development means in practice for the planning system. It is clear from this that sustainability concerns more than just proximity to facilities, it clearly also relates to ensuring the physical and natural environment is conserved and enhanced as well as contributing to building a strong economy, and in the context of these proposals this would include the preservation and enhancement of the historic environment.
- 8.4 Policy PSD1 contained within the CLP 2031 echoes the NPPF's requirements for 'sustainable development' and that planning applications that accord with the policies in the Local Plan (or other part of the statutory Development Plan) will be approved without delay unless material considerations indicate otherwise.
- 8.5 Policy Villages 1 of the CLP 2031 groups villages into three separate categories (A, B and C). Wroxton is considered a Category A village. Category A villages are considered to be the most sustainable settlements in the District's rural areas given the level of services, community facilities, relative transport links that they have to offer and in this instance the proximity of the village to the urban centre of Banbury. Policy Villages 1 is considered relevant in so far as identifying that the site is considered to be in a sustainable location.
- 8.6 The NPPF places substantial weight on supporting a prosperous rural economy. It sees sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside as key opportunities for support. Policy SLE 3 of the CLP 2031 is consistent with the NPPF and supports tourism in sustainable locations.
- 8.7 Saved Policy T2 of the CLP 1996 further indicates that within the built up limits of a settlement the provision of new hotels, motels, guest houses and restaurants will generally be approved subject to the other policies in the plan. The supporting text of this policy further states that: *'The Council considers that the provision of new hotel, motel, guest houses and restaurants within settlements is acceptable provided that the nature of the proposed development is compatible with the size and character of the settlement and there are no adverse environmental or transportation affects resulting from the proposal'*.
- 8.8 The Council is generally supportive of sustainable development which benefits tourism within the district, which is reflected both in the policies of the Development Plan and historic permissions at the site. Whilst the site is in a sustainable location, and in this respect could be considered in accordance with the provisions of Policy SLE 3 of the CLP 2031, this policy and Saved Policy T2 of the CLP also require that proposals are broadly consistent with the provisions and aims of other policies within the Development Plan.
- 8.9 In this instance it is considered that there are adverse impacts in relation to the effects on the historic environment, in terms of the siting and design of the proposed

structures, discussed further below, resulting in the proposals being in conflict with the policies of the Development Plan and therefore unacceptable and further that the presumption in favour of sustainable development contained within the NPPF should not apply.

Design and impact on the historic environment and character of the area

- 8.10 The Government attaches great importance to the design of the built environment within the NPPF. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. These aims are also echoed within Policy ESD15 of the CLP 2031 which looks to promote and support development of a high standard which contributes positively to an area's character and identity by creating or reinforcing local distinctiveness.
- 8.11 Saved Policy C28 of the CLP 1996 states that control will be exercised over all new development to ensure that standards of layout, design and external appearance are sympathetic to the character of the rural or urban context of that development.
- 8.12 The site is within the Wroxton Conservation Area, which was first designated as such in 1977, reviewed in 1996 and is again currently under review. Conservation areas are designated by the Council under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990; with the aim being to manage new development within such areas to ensure that the character or appearance of the Conservation Area, and the special architectural or historic interest which it may possess, is preserved and where possible enhanced.
- 8.13 Furthermore Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention is paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area. Policy ESD 15 of the CLP 2031 further echoes this aim and advice.
- 8.14 As noted above, the site is within the Wroxton Conservation Area, a Designated Heritage Asset. The NPPF (Para. 126) advises that Local Planning Authorities should positively set out strategies for the conservation and enjoyment of the historic environment, and should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance. It further states that in developing this strategy, local planning authorities should take into account:
- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
 - the desirability of new development making a positive contribution to local character and distinctiveness; and
 - opportunities to draw on the contribution made by the historic environment to the character of a place.
- 8.15 Policy ESD 15 of the CLP is consistent with the advice and guidance within the NPPF with regard to the conservation of the historic environment and looks for development to:
- Contribute positively to an area's character and identity by creating or reinforcing local distinctiveness;
 - Conserve, sustain and enhance designated and non-designated Heritage Assets, including their settings, ensuring that new development is sensitively sited and integrated;

- Respect the traditional pattern of routes, spaces, blocks, plots, enclosures and the form, scale and massing of buildings.
- 8.16 The Council's Conservation Officer objects to the proposals, commenting: *'The proposal shows a separate building with a boxy-glazed link. The form, the heavy horizontal bands and eaves and fenestration are all too heavy and the juxtaposition with the existing building is crude. It would not be a positive enhancement to the listed building, it would not be a neutral addition. It would have a negative effect on the character and significance of the listed building and causes less than substantial harm'*.
- 8.17 The applicant contends that any views of the proposals would be limited, and that as the proposed building would not be directly connected to the more historic structures at the site there would be little impact on the existing listed buildings or the character and appearance of the surrounding Conservation Area.
- 8.18 Whilst in many respects officers acknowledge that views of the proposals will be fairly localised, there would be opportunities for views from surrounding properties, the sports field and into the site from the highway to the east and south. Further, that it is not just these views that need to be considered, but also the experience that is had within the site, with regard to the character, appearance and setting of the listed buildings and the surrounding Conservation Area. Officers consider that the proposed building does not relate well to either the existing historic building or the later additions to the site; other than being of similar construction and finished materials. The two storey proposal with its glazed two storey link extension would appear somewhat as a separate building which, in officer's opinion, albeit seen in the context of the more modern additions to the hotel, would further compound the harm that has been caused to the significance of the original grade II listed property through the numerous additions that have been permitted at the site.
- 8.19 Given the somewhat divorced siting of the main structure and incongruous design of the glazed link, the proposals are not considered to be sympathetic or respectful of the setting of not only the listed hotel buildings, but also the setting of the row of listed cottages which sit along Silver Street on the eastern boundary of the site.
- 8.20 Specific details with regards to the glazed link are considered to be somewhat lacking from the application's supporting information. Given the comments of the Conservation Officer and in order to ensure the satisfactory appearance of such development, it is considered that appropriate design details would need to be secured through appropriate conditions, should the Committee be minded to grant approval. Further conditions would also be required in terms of construction methods and materials.
- 8.21 The proposals as currently submitted are considered to cause 'less than substantial' harm to the character, appearance and setting of the listed building and the designated Conservation Area, and the setting of adjacent listed buildings.
- 8.22 The NPPF (Para. 134) advises that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
- 8.23 The applicant has provided viability information with regard to the current business and the proposed development going forward. The applicant considers the relevant viability points to be:
- *Hotel occupancy for the last 6 months has been over 87%, which is very healthy but raises issues of room availability and lost revenue at certain times of the year*

- *The proposal will release an extra 2920 rooms capable of accommodating 3635 extra guests (1.5 x rooms sold), which is significant in terms of the guest, tourism and business accommodation offer at the Hotel and the wider area*
- *Additional room revenue is estimated at some £293,000 pa (NB this is £70,000 pa more than for 6 bedrooms), which with a projected occupancy of 80% + justifies the investment*
- *The proposal will cost some £632,000 to construct and fit out including fees but excluding finance, which adds some £44,000*
- *The return on capital would be about £75,000 pa or in the region of 11.8% (just 6% for the smaller extension)*
- *The proposal is significantly more commercially viable with 8 bedrooms than 6 bedrooms*
- *This is a significant commitment and investment by our clients into a well-run, successful business and Hotel that supports the local community and economy*

- 8.24 Discussions have taken place with the applicant with regard to the design of the proposals; however, the design has not evolved from the scheme considered at the pre-application stage. The applicant argues that the design solution showing a standalone building, albeit link detached, was considered the preferred option given that it would have less of an impact on the hotel business during the construction phase and that it would simplify the connection to the existing accommodation block, which has a somewhat complicated roof structure. The Council's Conservation Officer has put forward design solutions which offer a more integrated style of development, both at the pre-application stage and during the application; however, these options do not appear to have been explored by the applicant. Officers further consider that any impact on the existing hotel operations could potentially be managed so that there would only be short-term disruptions, and that a more long-term view of the proposed development needs to be had.
- 8.25 The applicants contend that other options have been explored including the previous withdrawn scheme 15/00736/F & 15/00579/LB, however these other schemes and their associated viability have not been expanded upon within the supporting information with this current application. A breakdown of construction costs has been submitted with the application; including a comparison of two alternative schemes for 6 and 8 bedroom developments. A request was made as to how these figures have been calculated, however it remains unclear as to what these figures were based on i.e. a comparable scheme or standard construction costing.
- 8.26 Whilst officers acknowledge that there would be a benefit to the business going forward, and by association a benefit to local tourism opportunities and rural economy, they remain of the opinion that a more appropriate design solution could be progressed that would meet the needs of the applicants whilst being considered more appropriate within the context and therefore likely to be acceptable to the Authority in terms of the impact on the historic environment.
- 8.27 As can be seen from the details submitted in support of the application the existing hotel business is very successful and in officer's opinion, this would still be the case should this development not be permitted. Whilst the proposals would result in 8 no. additional bedrooms at the hotel supporting tourism and the rural economy, on balance, given the above assessment it is considered the public benefit gained would not be so significant that it would outweigh the harm to the historic environment that would be caused in this instance.
- 8.28 The proposals also include revised parking arrangements (discussed below) and landscaping of the site including the removal of two Cypress trees protected by Tree Preservation Order No. 6/2004. Whilst no comments have been received from the

Council's Arboricultural Officer (A.O.) at the time of the preparation of this report, at the pre-application stage no objections were raised with the following comments being made:

"There are three trees on site which are protected under TPO 6/2004; 2 Lawson Cypress trees and one Yew tree. It is proposed that the two Cypress trees are removed and the Yew tree is retained. The two Cypress trees are not prominent specimens. It is only possible to see the top of these trees from the main road between the buildings. They do not make a significant contribution to the character of the conservation area. The Ash tree to the front of the hotel is much more prominent and contributes more to the Conservation Area. On balance, due to their limited public amenity value and the fact that the cypress trees are going to be replaced I will concede their removal. The Yew tree can be safely retained as long as the submitted tree protection plan is adhered to. There is also a small Holly tree which is going to be removed. It is a small specimen which contributes very little to the Conservation Area. I am happy with the proposals for replacement planting. I have no objections subject to appropriate conditions being attached".

- 8.29 The application is supported by a 'Tree Report' which sets out the scope of tree related works, tree retention and protection during construction and a replanting scheme. Given the advice previously received from the Council's A.O. (above) it considered unlikely that an objection would be received from the A.O. in respect of the works now proposed, given that little has changed since the assessment at pre-application stage.
- 8.30 The proposed landscaping and replacement tree planting is considered acceptable and compliance with the details submitted could be secured through appropriate conditions should permission be granted, and the proposals are therefore considered acceptable in this regard.

Residential amenity

- 8.31 Saved Policy C30 of the CLP 1996 requires that a development must provide standards of amenity and privacy acceptable to the Local Planning Authority. Saved Policy C31 of the CLP 1996 further requires that in existing residential areas any development which is not compatible with the residential character of the area, should not cause an unacceptable level of nuisance or visual intrusion. These provisions are echoed in Policy ESD15 of the CLP 2031 which states that: 'new development proposals should consider amenity of both existing and future development, including matters of privacy, outlook, natural lighting, ventilation and indoor and outdoor space'.
- 8.32 No objections have been received from local residents in respect of the proposals. The proposed new building would be sited in excess of 25m from adjacent residential buildings and the use of the site would not change as a result of the proposed development. Given the context of the site, nature of the proposals, existing boundary treatments and the relationship with surrounding neighbouring properties, the proposals are considered to be at a scale and of a design that they would not detrimentally impact on the amenity of neighbouring residential properties in terms of loss of light, privacy or over-dominance and are therefore acceptable in this regard.

Highway safety

- 8.33 The Highways Authority (H.A.) raises no objection to the proposals, following the submission of revised plans, subject to full details of the proposed parking area being submitted and approved. Officers see no reason to disagree with this opinion.
- 8.34 Initial concerns were raised by the H.A. based upon grounds of insufficient detail of parking layouts and vehicle tracking being submitted with the application to

demonstrate that there would be sufficient parking provision within the site for the level of accommodation proposed. Revised details were submitted during the course of the application which shows 46 spaces being retained within the scheme which was considered consistent with the County Council's parking standards.

- 8.35 The proposals would utilise the existing access and would unlikely result in a significant increase in the number of vehicles travelling to and from the site. The requirements of the H.A., in terms of approval of the parking layout, construction and drainage, could be secured through appropriate conditions, should the application be approved.
- 8.36 As such it is considered that the proposals would not significantly impact on the safety and convenience of other highway users and are therefore considered by officers to be acceptable in terms of highway safety.

Ecology

- 8.37 Conserving and enhancing the natural environment requires that "the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures" (NPPF, Para. 109). These provisions are echoed within Policy ESD 10 of the CLP 2031.
- 8.38 There are records of Swifts nesting in the vicinity and at the hotel itself, and the applicant acknowledges this site constraint within their planning statement. As with all birds, Swifts are protected whilst at the nest and rearing young until the last young have fledged, under the Wildlife and Countryside Act 1981 (as amended). At the pre-application stage it was recommended that any full application should include submission of a Swift mitigation scheme to include - how current swift nesting sites will be impacted, the intended seasonal timing of works and the location of any alternative or enhanced nesting provision within the new extensions to be provided for Swifts.
- 8.39 The applicants have not included any such assessment or mitigation strategy within the current application's supporting documentation; referring to previous recommendations made by the Council's Ecologist on the withdrawn scheme 15/00736/F, in which it is suggested that this matter could be dealt with through the addition of appropriate conditions.
- 8.40 It is considered that should permission be granted, appropriate conditions would need to be attached to any such permission to ensure that the proposed development is brought forward in accordance with a robust Swift Mitigation Strategy, which should assess any potential impacts and detail proposed mitigation measures, to ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy ESD10 of the CLP 2031 and Government guidance contained within the NPPF.

9 CONCLUSION AND PLANNING BALANCE

- 9.1 Paragraph 14 of the National Planning Policy Framework (NPPF) states that a presumption of sustainable development should be seen as a golden thread running through decision taking. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 9.2 There is a need to undertake a balancing exercise to examine whether any benefits of a development would outweigh the adverse impacts such that it would be justified to grant permission. In carrying out the balancing exercise it is, therefore, necessary to take into account policies in the development plan as well as those in the NPPF. It is also necessary to recognise that Section 38 of the Act continues to require

decisions to be made in accordance with the development plan and the NPPF highlights the importance of the plan led system as a whole.

- 9.3 The principle of a further extension at the site could be considered acceptable in terms of it being in a generally sustainable location, and Officers acknowledge that the application is very finely balanced and that there are benefits in terms of the proposals supporting the expansion of the existing successful hotel business. However, by virtue of its siting, form and design it is considered that the proposed development would likely result in detrimental impacts on the character and appearance of the site, the setting of the adjacent listed buildings and surrounding Conservation Area. In this instance, and given the weight placed by the NPPF and planning legislation on preserving designated heritage assets, it is considered that it has not been demonstrated the benefits clearly outweigh the harm that would be caused to the historic environment.
- 9.4 The proposals are therefore considered contrary to the above mentioned policies and as such the application is therefore recommended for refusal for the reason set out below.

10 Recommendation

10.1 That permission is refused, for the following reason:

Reason:

1. The proposed extension, by virtue of its linked detached form, divorced siting and incongruous design, in particular the glazed link, fails to integrate with the existing building and do not preserve or enhance the historic character or setting of the grade II listed hotel building or adjacent listed buildings to the south, causing 'less than substantial' harm to these designated Heritage Assets and to the character and appearance of the Conservation Area. It has not been demonstrated that the benefits of the proposals clearly outweigh the harm caused. The proposed development therefore fails to accord with Saved Policies C28 and C30 of the Cherwell Local Plan 1996, Policy ESD 15 of the Cherwell Local Plan 2011-2031 Part 1 and paragraphs 14, 17, 132 and 134 of the National Planning Policy Framework.

PLANNING NOTES

1. For the avoidance of doubt, the plans and documents considered by the Council in reaching its decision on this application are: Application forms, 'David Lock Associates' Planning Statement (August 2016), Design and Heritage Statement (Rev. B July 2016), 'Sacha Barnes Ltd' Tree Report (Updated July 2016) and drawings numbered: W.4122.SU01, W.4122 SK21 Rev. A, W.4122 SK22 Rev. B, W.4122 SK23 Rev. B, W.4122 SU02 Rev. C, S7283/FA S01, S7283/FA S02 and S7283/FA S03 Rev. B; submitted with the application and W.4122-Revised Site Layout Plan and Refuse Vehicle Tracking Plan; received with agent's email dated 15/11/2016.