

**The Oxfordshire Inn
Meadow Walk
Heathfield
Kidlington
OX5 3FG**

18/00302/F

Applicant: Investfront Ltd

Proposal: Conversion of existing building to provide 15no. serviced apartments (use class C1)

Ward: Launton And Otmoor

Councillors: Cllr Tim Hallchurch
Cllr Simon Holland
Cllr David Hughes

Reason for Referral: Major planning application

Expiry Date: 6 June 2018

Committee Date: 24 May 2018

Recommendation: Refusal

1. APPLICATION SITE AND LOCALITY

- 1.1. The application site is located in Heathfield, which is located approximately 2km to the south east of Bletchington. The A34 dual carriageway exists approximately 0.6 km to the east of the site. Heathfield comprises of a number of residential properties and recreational uses in a loose knit settlement structure with clusters of buildings beyond which there is no strong pattern of development to the area. The road serving Heathfield is a loop road but is not part of the adopted highway.
- 1.2. The application site itself is occupied by the former Oxfordshire Inn. This is now closed but formerly contained a bar, restaurant facilities, a conference suite (Blenheim Suite) and ancillary hotel facilities including a hotel reception and office. The hotel accommodation associated with the building is currently undergoing conversion to residential dwellings.
- 1.3. The existing building has a functional appearance and is not of any significant architectural merit. The building consists of a number of single storey buildings of varying height with pitched roofs. The building fronts onto a large expanse of hardstanding which previously provided communal unmarked parking for guests, visitors and employees of the hotel.
- 1.4. A horse livery exists to the north and north-west of the site (Heathfield Park) and residential development exists to the west and south of the site.
- 1.5. The site and surrounding area is located within the Oxford Green Belt.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1. The current application seeks permission to convert the existing building into 15 serviced apartments. The application states that it would provide short term self-

contained accommodation with a maximum occupancy period of up to 3 months to serve a business and leisure market.

- 2.2. This would be undertaken within the envelope of the existing building. A number of new windows would be added to the external elevations of the building along with a number of roof lights. It would include the creation of a first floor of accommodation in the taller part of the building and the replacement of the roof on the single storey rear element of the building albeit there would be no increase in ridge or eaves height.
- 2.3. A parking area would be created in the existing parking area to the front of the building. Cycle stores would be provided to the north-west and west of the building and a new bin store would be provided to the south west of the site adjacent to the road. These would be provided in timber clad pitched roofed buildings. It is also proposed to change the use of part of the land to the south west of the building to amenity gardens to provide some outdoor space for the occupants of the serviced apartments.

3. RELEVANT PLANNING HISTORY

- 3.1. The site has a long and very complicated history with various planning decisions relating to different parts of the Heathfield Village complex. It is understood that many of the historic documents including plans have been lost and therefore the history of the site is difficult to outline with a high degree of certainty.
- 3.2. In the 1980's 4 applications relating to the application site and surrounding land, were called in by the Secretary of State and were subsequently approved. These sought to create a number of rural leisure uses. These were:

87/00131/S – Use of agricultural land for leisure purposes and erection of ancillary buildings – Approved

88/00503/S – Change of use of dairy to function room with bar, toilets and restaurant facilities - Approved

89/00518/S – 60 bedroom house (outline) – Approved

89/00397/S– Change of use of existing farm buildings in connection with leisure uses – Approved

- 3.3. It is understood that the permission relating to the current application site, The Oxforshire Inn, is 88/00503/S. This allowed the building to be used as a function room with bar, toilets and restaurant. It is understood that many of the uses originally permitted for the Heathfield Village complex were not implemented and the timeframe to submit reserved matters has now lapsed.

- 3.4. The other applications most relevant to the current application site are:

01/00378/F - Redevelopment of existing A3 use incorporating external alterations to adjoining ancillary accommodation and the addition of an entrance porch, staff room and wet room - Approved 06.06.01.

04/00776/F - Change of use of building to casino in association with the licensed premises, including additional parking area - Refused 04.06.04.

05/00383/F - Retrospective - Reconstruction of function room roof - Approved 20.04.05.

16/01109/F - Redevelopment of site (hotel function room) to provide for 8No. two bedroom dwellings. This was refused for the following reasons:

1. The proposal constitutes additional residential development within the countryside, outside of the built limits, where national and local planning policies seek to limit new residential development in the interests of sustainability. The proposal is therefore contrary to ESD1 and Policy Villages 1 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy H18 of the Cherwell Local Plan 1996, and government guidance contained within the national Planning Policy Framework.

2. The proposal would lead to the loss of an existing local facility which provides a service to the surrounding rural communities. The applicant has failed to adequately justify the loss of the existing local facility, the Oxfordshire Inn, or demonstrate it is no longer a viable business in the long term. The proposal is therefore contrary to Saved Policy S29 of the Cherwell Local Plan 1996 and advice in chapters 3 and 8 of the National Planning Policy Framework.

3. The proposed development is considered to be inappropriate development in the Oxford Green Belt and would be harmful to the openness and visual amenities of the Oxford Green Belt, contrary to Policy ESD14 of the Cherwell Local Plan 2011-2031 and Government guidance contained within the National Planning Policy Framework.

4. The proposed development by reason of the high density, urban layout, form, scale, detailing, appearance and inadequate parking provision is considered to represent poor design that fails to integrate well with the rural character, qualities and setting of the site or create a locally distinctive development, contrary to Policy ESD15 of the Cherwell Local Plan 2011-2031, Policies C28 and C30 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

5. The proposed dwellings, particularly those on plots 5, 7 and 8, would fail to have adequate levels of outdoor space to provide a good standard of amenity for future residents. The proposal would therefore be contrary to Policy ESD15 of the Cherwell Local Plan (2011-2031 Part 1), Saved Policy C30 of the Cherwell Local Plan (1996) and advice within National Planning Policy Framework.

- 3.5. The subsequently appeal was dismissed. The inspector agreed with all the above reasons forwarded by the Council.
- 3.6. There are also a number of planning applications for a new leisure building on the area of land proposed to be used for amenity space, the latest being refused planning consent in 2008 as it constituted inappropriate development in the Green Belt (08/01736/OUT refers).
- 3.7. Numerous other applications have been submitted for the adjoining uses and land around the application site including renewals of the outline consent for the 60 bedroom hotel. It is agreed that the large scale application proposals for hotel development at the site were never fully implemented and have now lapsed. The buildings that form the hotel rooms which are located to the north-east of the application site appear to have developed on an incremental basis and include the following permissions. Following these consents, the owner submitted an application in 2008 to provide an additional 50 bedrooms (08/01343/F). This was on the basis that the hotel was not large enough to be viable and to make full use of the large function room, bar and restaurant. The applicant considered that the rooms were essential to ensure the viability of the business which had lost money over the 3 previous financial years. The application went to appeal and was dismissed on 4th

January 2011. The Inspector concluded that the new buildings would harm the Green Belt and whilst giving 'some weight' to the viability arguments forwarded by the appellant the appeal was dismissed as it was not considered to amount to very special circumstances which would outweigh the harm to the Green Belt.

- 3.8. Subsequently the hotel accommodation immediately to the north east of the site was granted permission for a change of use to residential dwellings on two occasions. 15/02077/F is currently in the process of being implemented.
- 3.9. The area of land which is currently proposed for amenity gardens to the west of the application site has also been subject to a number of applications. 02/00282/OUT and 05/00789/OUT allowed for erection of a replacement building on this site for leisure purposes. These were never implemented and the existing building was demolished and the wider permission for wider site for leisure purposes expired. The same building was then subsequently refused planning permission under 08/01736/OUT due to the change in circumstances and the fact that the development constituted inappropriate development in the Green Belt.

4. PRE-APPLICATION DISCUSSIONS

- 4.1. No pre-application discussions have taken place with regard to this proposal

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. The final date for comments was 19.04.2018, although comments received after this date and before finalising this report have also been taken into account.
- 5.2. The comments raised by third parties are summarised as:
 - The submitted parking layout conflicts with the parking and access arrangements for the adjacent hotel accommodation conversion.
 - Drainage details appear incorrect as there is no mains drainage to the site.
 - Impact on operation and overlooking to equestrian use to the north of the site
 - The new parking layout and bin store blocks some access to the adjacent equestrian use.
- 5.3. The comments received can be viewed in full on the Council's website, via the online Planning Register.

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.

STATUTORY CONSULTEES

- 6.2. OCC HIGHWAYS: **No objections.** The County has offered no objection to the previous planning applications for the conversion of this site to residential use and does not therefore object to this scheme. However, the County would draw attention to the unsustainable location, its lack of alternative travel opportunities and the

hostile walking and cycling environment. The development site is in a very unsustainable location. The site is remote from services being some 2km from Bletchingdon Village, where a school and bus stops are available. Local retail facilities and other amenities are available further afield in Kidlington. The road to Bletchingdon has no footpath and carries fast moving motorised traffic with poor forward sightlines. This is not a good environment for walking or cycling. Occupiers of this development would therefore be largely dependent on car transport for their travel needs. The proposal is contrary to National Planning Policy Framework standards in that it fails to reduce the need to travel and maximise trips by sustainable modes.

- 6.3. The proposals would also be contrary to Local Transport Plan 4 Policy 17, which states:

“Oxfordshire County Council will seek to ensure through cooperation with the districts and city councils, that the location of development makes the best use of existing and planned infrastructure, provides new or improved infrastructure and reduces the need to travel and supports walking, cycling and public transport”

- 6.4. The planning application documents do not present any quantification of the likely level of trip making associated with the existing permitted or proposed use. It is not therefore possible to accurately assess the impact of these development proposals on the surrounding road network. The application form indicates an increase in gross internal floorspace as a result of the development, which implies an intensification of use. However, trip generation is likely to be low and unlikely to have an adverse effect on the surrounding road network.
- 6.5. Bletchingdon Footpath 134/13 appears to connect to the development at its southwestern extremity. Although the proposed conversion of the building will not affect the path, care should be taken to ensure that the amenity garden area and associated fencing and planting has provision for the path to start in the corner. A gate and sign should be installed if there is not one there already. A site assessment may be needed to confirm the exact position of the path.
- 6.6. Drainage - These proposals involve conversion of an existing building into flats and will not increase the amount of hardstanding at the site.
- 6.7. THAMES WATER: **No objections.** The existing waste and water infrastructure have capacity to accommodate this development.

NON-STATUTORY CONSULTEES

- 6.8. CDC ECOLOGY: **No objection** but recommends bio-diversity enhancement conditions.

7. RELEVANT 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:

CHERWELL LOCAL PLAN 2011 - 2031 PART 1 (CLP 2031 Part 1)

PSD1: Presumption in Favour of Sustainable Development

Villages 1: Village Categorisation

SLE2: Main Town Centre Uses

SLE 3: Supporting Tourism Growth

BSC 2: The Effective and Efficient Use of Land

ESD 1: Mitigating and Adapting to Climate Change

ESD 3: Sustainable Construction

ESD 7: Sustainable Drainage Systems (SuDS)

ESD10: Protection and Enhancement of Biodiversity and the Natural Environment

ESD 13: Local Landscape Protection and Enhancement

ESD 14: Oxford Green Belt

ESD 15: The Character of the built and historic environment

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

S29: Local Services

T5: Proposals for new hotels, motels, guesthouses and restaurants in the countryside

T7: Conversion of buildings beyond retained settlements to self-catering holiday accommodation

C8: Sporadic development in the open countryside

C28: Layout, design and external appearance of new development

C30: Design of new residential development

7.3. 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
- Loss of community use
- Green Belt
- Design, and impact on the character of the area
- Residential amenity
- Highways
- Other matters

Principle

- 8.2. The current application seeks permission to convert the building to 15no serviced apartments. The applicant states that they would be rented out for short term lets to serve the business and leisure markets in the area. They would provide self-contained and self-catering accommodation and, according to the submitted statements, would be rented for periods of time ranging from a single night to up to 3 months in length. There would appear to be very limited shared services/facilities available to residents with the only areas of shared accommodation being a small reception area with vending machines and a disabled toilet.

- 8.3. The applicant states that the proposal is a Class C1 use, which is described in the use classes order as, *'use as a hotel or as a boarding or guest house where, in each case, no significant element of care is provided'*.
- 8.4. However, the difference between the use forming a Class C1 use (hotel), a Class C3 use (dwellinghouse) and a sui generis use (outside of a use class – in effect a use class of its own) is very finely balanced. Ultimately the use class within which the development falls would be determined by the management of the units and would be a matter of fact and degree depending on a number of factors including (i) how the development is used, (ii) the level of services provided to occupants and (iii) the length and stability of the occupation of the units. Based on the information provided officers consider it is more likely to be a Class C3 or sui generis use given they appear to be self-contained with little in the way of services.
- 8.5. Notwithstanding officers' uncertainty regarding the use class of the development it is clear that the building would provide self-contained accommodation and essentially provide all the facilities to provide day to day living and operate independently from one another. Therefore it is considered each unit would form its own planning unit and would essentially have a very similar character and use to a dwelling house.
- 8.6. The NPPF requires that the sequential approach is applied to new tourism development including hotels. This is echoed in Policy SLE2 of the Local Plan 2015. This means that development should be located within town centres and only situated in edge of centre or out of town locations if more accessible and centrally located site are not available.
- 8.7. While the proposed development would not form a traditional hotel model it is likely to serve a transient business and leisure demand and therefore would be similar in terms of its locational requirements. Furthermore the scale of development is substantial in its rural context with 15 self-contained units consisting of 4 x studio units, 8 x 1 bed units and 3 x 2 bed units.
- 8.8. The applicant has not provided a sequential analysis of other more geographically sustainable sites within the application documents to demonstrate whether more centrally located or accessible locations have been considered to provide a similar form of development. However, given the site's isolated location, away from any services or facilities, other more accessible sites are likely to be more suitable for the development.
- 8.9. Policy ESD1 of the Cherwell Local Plan 2015 state that measures will be taken to mitigate the impact of development within the district on climate change including distributing growth to the most sustainable locations and delivering development which reduces the need to travel. Policy SLE3 states that the Council will support proposals for new tourist facilities in sustainable locations to increase overnight stays and visitor numbers within the district (my emphasis).
- 8.10. The sustainability credentials of Heathfield are very poor and other than the existing application property, The Oxfordshire Inn, there are no services or facilities to meet the day to day needs of future occupants of the proposed development. There is no public transport serving Heathfield and in the recently determined appeal on the site for 8 new dwellings the inspector stated that that the dwellings would be isolated from services and not in a sustainable location (16/01109/F refers). Given the scale of the proposed conversion and the type of use proposed (i.e. self-contained units), they are likely to operate in a similar manner to a traditional dwelling other than the duration of tenure and similar geographical sustainability concerns exist regarding the current development particularly given the scale of the development proposed.

- 8.11. While the development proposed would have some economic benefits associated with ongoing employment opportunities associated with the day to day operation of the proposed use, this is not considered to outweigh the harm deriving from the poor geographical sustainability credentials of the site.
- 8.12. The applicant also seeks to argue that the proposed use would generate less vehicle movements than the existing authorised use of the development. This was an argument forwarded by the applicant in the recent appeal and the Inspector considered this did not outweigh the harm caused by the unsustainable location of the development. The same is considered to be the case in the current case and furthermore it is considered that such claimed benefits contradict the applicants' case, which argues the existing use of the building is no longer viable (discussed further below). If this argument were to be accepted then the use would no longer operate and there would no trips associated with the existing use. This argument is therefore considered to hold little weight in the planning balance.
- 8.13. Saved Policy T5 and T7 of the 1996 Local Plan are also of relevance. Policy T5 states beyond the built up limits of settlements new hotels and guest houses will only be approved when such proposals are largely accommodated within existing buildings which are suitable for conversions or totally replace an existing commercial use on an existing acceptable commercial site. While the proposal can be regarded to gain some support from this policy the policy is now dated. Officers consider it is only capable of carrying limited weight in decision making as the policy is not considered to fully comply with the NPPF which requires that new tourist development including hotels are subject to the sequential test in the interest of reducing the need to travel and maintaining strong and vibrant town centres.
- 8.14. In addition the proposal is not considered to gain support from Policy T7. This policy allows for the conversion of buildings to self-contained holiday accommodation however as the existing building is not considered to be worthy of retention for its inherent design quality or contribution to the character and appearance of the countryside so would not gain support from this policy.
- 8.15. Overall given the scale and nature of development proposed it is considered that the principle of changing the use of the building to 15 self-contained apartments would not be acceptable. The development would conflict with Policy ESD1, Policy SLE2 and SLE3 of the Cherwell Local Plan 2015 and advice in the NPPF in that it has not followed the sequential approach to site selection and the proposed development would be a scale and nature which would not encourage sustainable forms of growth which reduces the need to travel.

Loss of Facility

- 8.16. In the recent appeal on the site the Planning Inspector agreed with the Council that the existing use of the building can be regarded as a local community facility for the purposes of the Development Plan and NPPF given its planning history and the fact it includes a bar and restaurant. As such Policy S29 of the 1996 Plan is relevant and states that the loss of existing village services, such as pubs and shops, which serve the basic needs of the local community will not normally be permitted. The supporting text recognises that if the facility has been proven to be not financially viable in the long term then it would be difficult to resist such a loss of a facility. The NPPF has similar underlying aims but with the emphasis on promoting a strong rural economy including the retention of local services including public houses. It also seeks to guard against the loss of valued facilities and services.
- 8.17. The Inspector considered that there was a lack of information to demonstrate that the loss of the facility was justified and found that it had not been demonstrated that the Sunday lunch trade alongside other initiatives could not make a viable business.

- 8.18. The current application has been supported by a Viability Study of the Oxfordshire Inn prepared by a surveyor who specialises in licenced premises. This argues that the property is not particularly attractive or in an attractive setting. It also lacks outdoor space and alongside these factors the layout of the building neither suits the public house trade or alternative uses such as a wedding venue well. The building is not in good condition and requires significant investment to provide an attractive venue. The loss of the hotels rooms has removed a principal source of trade and there are high levels of competition in the area. Furthermore given the location of the site it lacks passing trade. Overall the report concludes the site would be commercially unviable to continue in its authorised use.
- 8.19. Officers continue to have some reservations regarding the robustness of this information and note that the existing use and building have never been marketed to see if there was a business willing to take the enterprise. However, this information has been provided by an appropriately qualified person and therefore does weigh in favour of the proposal.
- 8.20. Furthermore it is noted that the NPPF refers to 'valued facilities' and in this case there have been no objections received from the local community in relation to the loss of the facility.
- 8.21. On balance, given this additional information and the lack of objection to the loss of the facility, it is considered that the loss of the community facility has now been adequately demonstrated given the specific circumstances of the case.

Green Belt

- 8.22. The site is located in the Oxford Green Belt and therefore development is heavily restricted. Both national policy and Local Plan Policy ESD14 seeks to protect the essential characteristics of the Green Belt which are their openness and their permanence.
- 8.23. Paragraph 87 of the NPPF advises that 'inappropriate development' in the Green Belt is by definition harmful and should not be approved except in 'very special circumstances'. Paragraph 88 of the NPPF goes on to state that any harm to the Green Belt should be given substantial weight in determining applications. It goes on to state that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
- 8.24. Paragraph 89 and 90 of the NPPF states local planning authorities should regard the development in the Green Belt as 'inappropriate development' apart from in a number of exceptions. The most relevant exceptions the current application can be considered under are discussed below:

The reuse of building providing the buildings are of permanent and substantial construction and preserve openness and do not conflict with the purposes of including the land in the Green Belt

- 8.25. The proposed development would reuse the existing building which is of permanent and substantial construction. The proposed works would largely be internal works to subdivide the existing space and the provision of the new windows, doors and roof lights would preserve the openness of the Green Belt. It is therefore considered that the conversion of the building itself would not amount to inappropriate development in the Green Belt. The works to the parts of the site such as the creation of revised parking area and bin and cycle store and provision of amenity space are considered below.

'limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use, which would not have a greater impact on the openness of the Green Belt and the purposes of including land within it than the existing development'.

- 8.26. The parking area around the building is already laid to hard standing and given its close and associational connection would the main building it is considered to lie within the curtilage of the building and can therefore be considered to constitute previously developed land. The proposed use would utilise the existing area of hard standing for parking and therefore the impact of this element on development is considered to perverse the openness of the Green Belt.
- 8.27. The two bike stores are situated within this area of hard standing area. The bike store located close to the building would have a limited impact on openness given its size and visual relationship with the existing building. However, the other cycle store would be more detached from the existing built form and would result in the spread of built development across the site.
- 8.28. The land proposed for the new amenity space and bin store is more complex. It does not appear to have an historical connected use with the Oxfordshire Inn and the planning history for this area of land appears to suggest that it was last use for an agricultural building (see paragraph 3.9). Therefore this area of land would not constitute previously developed land (PDL) as land and buildings in agricultural use are excluded from the definition of PDL in the NPPF. As such the change of use of this land to amenity space to serve the flats and the bin store is considered to constitute inappropriate development as it would not fall under any exceptions in the NPPF. The proposed use of the land for amenity land would result in the domestication of this land with the likely inclusion of tables, chair, clothes drying lines and play equipment associated with the use which would also detrimentally impact on the openness of the Green Belt. The provision of a bin store in this location would also harm the openness of the Green Belt given its size, the fact that it would extend the visual extent of built development on the site and be detached from the main building.
- 8.29. Therefore, overall, when taken as a whole the proposal is considered to constitute inappropriate development in the Green Belt and would also be harmful the openness of the Green Belt. The NPPF required substantial weight to this harm and it should not be approved except in 'very special circumstances'.
- 8.30. The applicant has not forwarded any very special circumstances in this case however the following benefits are considered to weigh in favour of the application:

- Reuse of an existing building.
- Reuse of brownfield land
- Economic benefits from development including construction, operation and expenditure from occupants in the local economy.

- 8.31. While these matters do weigh in favour of the development they are not considered to constitute 'very special circumstances' which clearly outweigh the harm to the Green Belt. This matter therefore weighs heavily against the development in considering the planning balance.

Design and impact on locality

- 8.32. Policy ESD15 of the Cherwell Local Plan states that new development will be expected to complement and enhance the character of its context through sensitive

siting, layout and high quality design. This includes a requirement for new development to respect the traditional pattern of plots and the form, scale and massing of buildings. It also states development should contribute positively to an area's character and identity by creating or reinforcing local distinctiveness and integrating development into existing streets and spaces and configuring buildings to create clearly defined active frontages.

- 8.33. Saved Policy C28 and C30 of the 1996 Local Plan seek to ensure the layout, scale and design of development is of a high standard. The NPPF advises that the Government attaches great importance to the design of the built environment and that good design is a key aspect of sustainable development. It goes on to state that good design should contribute positively to making places better for people. Paragraph 17 states planning should seek to secure high quality development which takes account of the different roles and character of different areas.
- 8.34. The surrounding area has a strong rural character and appearance. The area is characterised by small isolated groups of buildings, many with a rural appearance and form, in a very loose knit settlement arrangement, set within a wider open countryside setting. No one building form or style dominates; however, generally buildings are located on generous plots which provide a distinctive character to the area. While the buildings in the locality do not have a strong unifying appearance they retain a strong and organic rural character and appearance.
- 8.35. The alterations to the building itself are considered to be acceptable and would be in keeping with the existing form and style of the building. Details of the new roof material could be secured by condition. The alterations to the parking area, provision of amenity area and provision of bin and cycle stores are also largely considered to be acceptable in terms of the impact on the character and appearance of the locality. The area where officers do have concerns is the provision of the bin store to the front of the site adjacent to the amenity area. This would accommodate 30 wheeled bins and would be approximately 3.8 metres by 6.5 metres and clad in timber. This would be forward of the remainder of the development in the locality and it is given its siting, size and design is considered it would appear isolated, incongruous and out of keeping with the character and appearance of the area.

Residential amenity

- 8.36. Both the core planning principles of the NPPF and Policy ESD15 of the Local Plan Part 1 seek to ensure development proposals provide a good standard of amenity for both existing and proposed occupants of land and buildings.
- 8.37. The main issue in this case is considered to be the relationship of the proposed use with Heathfield Park to the north of the site. This is a large equestrian facility which includes stabling, indoor arena, paddocks, polo field, paddocking and grooms accommodation. The owner of this site has stated that the site can accommodate 50 plus horses at any one time. It exists immediately to the north of the application site and a number of the windows in the application property exist immediately on the boundary and face directly towards the stabling and grooms accommodation.
- 8.38. The existing windows facing on to this neighbouring site serve a former events room, main restaurant and toilets. However, many of these appear to be obscurely glazed. The current application would result in a further four ground floor windows in this elevation facing directly onto the neighbouring land. The nature and sensitivity of the use in the application building would change from a commercial use to essentially a residential use as part of the application. The windows facing over the neighbouring property would serve main living spaces and bedrooms in the apartments. Given the transient nature of the users of the proposed use it is

considered that they would be likely to accept a lesser degree of amenity than a conventional dwelling house (use class C3). However, given that they would serve be self-contained accommodation where people may spend a significant amount of time it is still considered important to provide a good standard of amenity for future residents.

- 8.39. Officers have concerns that, given that the above relationship and the fact the windows serving the accommodation would be immediately on boundary of this property, there is significant potential for future disturbance between the uses. It is also considered that the level of overlooking between the proposed uses would result in unacceptable levels of amenity. It is therefore considered that the proposal would conflict with Policy ESD15 in this regard.
- 8.40. The use of the small outdoor amenity space to the west of the site is considered to be acceptable to serve the development in light of the nature of use proposed.

Highways

- 8.41. The highway authority (LHA) has been consulted and, while raising no objections to the application, notes the site is located in an unsustainable location and that there is a lack of alternative travel opportunities and poor walking and cycle connections. These concerns are discussed in the principle section of this report.
- 8.42. The LHA has raised no objection to the application in relation to the use of the access and does not consider the proposal would have a significant impact on the highway network. It is proposed development would provide 26 parking spaces which is considered to be sufficient to serve the development. Officers agree with this assessment.
- 8.43. A public right of way exists to the west of the site however this appears to be outside of the application site and would not be impacted upon by the development.

Other matters

- 8.44. The application form states that the use will dispose of foul sewage to the main sewer. Thames Water has confirmed that the existing facilities have capacity for this.

9. PLANNING BALANCE AND CONCLUSION

- 9.1. The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 requires that the three dimensions to sustainable development (economic, social and environmental) are not undertaken in isolation, but are sought jointly and simultaneously.
- 9.2. The application site is located in a geographically unsustainable location where access to services and facilities is limited and opportunities to travel other than by private car are limited. The scale of the development is considerable for its rural context and these matters would lead to environmental harm contrary to Policy ESD1 of the Local Plan and advice in the NPPF which seek to guide development which reduces the need to travel. The use is considered to be closely related to a hotel use and a sequential approach to site selection has not been taken as required by Policy SLE2 and the NPPF. In addition the proposal, when assessed as a whole, would represent inappropriate development in the Green Belt which is by definition harmful and also harm to the openness of the Green Belt. The NPPF requires that significant weight be attached to this harm and it should only be granted in very special circumstances. The proposed development would lead to future

environmental harm through leading to poor living environments for future occupants of the proposal and existing users of the adjacent equestrian site.

- 9.3. In terms of the benefits of the scheme the proposal would include the re-use of building and use of partially previously developed land. The proposal would also result in some economic benefits associated with conversion, operation of use and tourism.
- 9.4. Overall it is considered that the environmental harm stemming from the proposal clearly and significantly outweighs the benefits of the scheme. It is therefore recommended that planning permission be refused

10. RECOMMENDATION

That permission is refused, for the following reason(s):

1. The proposed development, by virtue of its use and scale, would lead to the creation of serviced apartments in a geographically and environmentally unsustainable location which is poorly located in related to services, facilities and public transport connections. The proposal would not result in development which seeks to reduce the need to travel and fails to demonstrate a sequential approach to site selection. The development is therefore contrary to Policy ESD1, SLE2 and SLE3 of the Cherwell Local Plan Part 1 (2015) and government guidance in the National Planning Policy Framework which seeks to manage growth in a sustainable manner and reduce the need to travel.
2. The proposed development, by virtue of the creation of the new amenity space and bin and cycle stores, would constitute 'inappropriate development' in the Oxford Green Belt which is by definition harmful. It would also result in harm to the openness of the Green Belt. No very special circumstances exists which clearly outweigh this harm. The development is therefore contrary to Policy ESD14 of the Cherwell Local Plan Part 1 (2015) and government guidance in the National Planning Policy Framework.
3. The proposed development, by virtue of the siting, design and prominent position of the proposed bin store, would detrimentally impact on the rural character and appearance of the area. The development is therefore contrary to Policy ESD15 of the Cherwell Local Plan Part 1 (2015) and government guidance in the National Planning Policy Framework.
4. The proposed development, by virtue of the proposed use of the building and relationship with the adjacent equestrian use to the north of the site, would result in unacceptable levels of amenity for future occupants of the serviced apartments and occupants/users of the adjacent equestrian use. The proposal is therefore contrary to Policy ESD15 of the Cherwell Local Plan Part 1 (2015) and government guidance in the National Planning Policy Framework.