

**Former SAPA Profiles Office  
Southam Road  
Banbury  
OX16 2SN**

**17/02374/F**

**Applicant:** Honeydew Developments Ltd

**Proposal:** Extension and conversion of former SAPA office building into a new destination hotel together with supporting facilities

**Ward:** Banbury Hardwick

**Councillors:** Cllr Anthony Ilott  
Cllr J A Donaldson  
Cllr Nicholas Turner

**Reason for Referral:** **Major**

**Expiry Date:** 6 March 2018      **Committee Date:** 19 July 2018

**Recommendation:** Approve

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### **EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION**

The application is reported to the Planning Committee as it is a major application

#### **Proposal**

Planning permission is sought for the extension and conversion of former SAPA office building on Southam Road Banbury into a new destination hotel together with supporting facilities

#### **Consultations**

The only statutory consultee to raise objections to the application are the Environment Agency

No non-statutory consultees have raised objections to the application

No third party letters have been received

#### **Planning Policy**

The application site is located within the built up area of Banbury at the northern edge of the town and consists of a Grade II listed building. To the south of the site is the canal and a Grade II\* listed farmhouse to the north. Three large B8 warehouses are to the rear of the site.

The application has been assessed against the relevant policies in the NPPF, the adopted Local Plan and other relevant guidance.

#### **Conclusion**

The key issues arising from the amended application details are:

- Principle of development
- Heritage Assets
- Loss of Employment
- Design and Layout
- Access and Parking
- Landscape and Visual Impact

- Biodiversity
- Flooding and Drainage

The report looks into the key planning issues in detail, and officers conclude that the proposal is acceptable against the relevant policies, subject to the removal of the objection by the Environment Agency and receipt of satisfactory amended plans in relation to proposed internal columns

**RECOMMENDATION – APPROVE, SUBJECT TO ENVIRONMENT AGENCY REMOVING THEIR OBJECTION, RECEIPT OF SATISFACTORY AMENDED PLANS AND SUBJECT TO CONDITIONS**

**Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.**

**MAIN REPORT**

**1. APPLICATION SITE AND LOCALITY**

- 1.1. The application site is located approximately 2.5km from Banbury town centre on the northern edge of the town. The site was previously occupied by SAPA profiles and was originally the home of the Northern Aluminium Company. The original rolling mill buildings have been removed and the remainder of the site has now been re-developed with 3 large B8 units which are occupied by 'The Entertainer' and 'Amazon'.
- 1.2. The site is bounded by employment uses to the east, the Oxford canal to the south, Southam Road to the west and Noral Way to the north with the Hardwick Business Park and the new strategic residential development currently under construction by Bellway beyond.
- 1.3. There are three residential cottages to the south west of the site adjacent to the canal and Southam Road, and Hardwick Farmhouse, a Grade II\* Listed Building to the north.
- 1.4. The application site is accessed off the Southam Road via a dedicated service road which also provides access to the cottages to the south of the application site. The offices have been empty since 2008 when the last occupier Alcan moved out.

**2. DESCRIPTION OF PROPOSED DEVELOPMENT**

- 2.1. This application relates to the retained Grade II Listed office building which was constructed in 1936-37 in Art Deco Style. It still retains many of the original features. This proposal seeks consent to convert and extend the existing office building to a hotel with associated facilities including a spa, swimming pool and restaurant. The offices are proposed to be extended by the construction of a two storey structure above the existing offices and the erection of two free standing buildings to accommodate the spa and pool and restaurant, linked to the building by walkways.
- 2.2. The roof extension has been designed as a lightweight flat roofed structure and the restaurant and spa facilities will be constructed in a red brick to match the existing office building. The proposal also includes internal alterations to secure the future use of the building as proposed. This includes the removal of some partition walls,

erection of new internal walls, new staircase to the new floors, renewal of toilet facilities and insertion of customer and service lifts. External alterations include the provision of access ramps to the front and rear, works of general repair, decluttering and reinstatement. All rooms and spaces identified as being of significance within the building are to be retained. These include the entrance foyer, front and rear staircases, panelled room at first floor, central rooflight above the main stairs, central spine corridor to the ground floor and first floors and the board room and director's office.

- 2.3. An application for listed building consent is also for consideration on this agenda (17/02375/LB) refers.

### **3. RELEVANT PLANNING HISTORY**

- 3.1. The following planning history is considered relevant to the current proposal:

<u>Application Ref.</u>	<u>Proposal</u>	<u>Decision</u>
15/01685/F	Installation of a Peak Power Generation Plant and associated development	Application Refused and dismissed at appeal
16/00645/F	Installation of a Peak Power Generation Plant and associated development	Application Refused
17/02375/LB	Extension and conversion of former SAPA office building into a new destination hotel together with supporting facilities.	Pending Consideration
17/00088/SO	Screening opinion to 17/02374/F - proposed conversion and extension of former SAPA office building into a new destination hotel together with supporting facilities	EIA Not Required
10/01575/OUT	Re-development of former factory site for employment uses (Use classes B1, B2 and B8) with associated car parking, servicing and landscaping	Application Permitted
11/01527/F	Works of repair, refurbishment and alteration to Grade II listed office building, relocation of gates and refurbishment of lodge house	Application Permitted
11/01528/LB	Works of repair, refurbishment and alteration to Grade II listed office building, relocation of gates and refurbishment of lodge house	Application Permitted

#### 4. PRE-APPLICATION DISCUSSIONS

- 4.1. The following pre-application discussions have taken place with regard to this proposal:

<u>Application Ref.</u>	<u>Proposal</u>
17/00121/PREAPP	Proposed Extension and Conversion of former SAPA office building into a new destination hotel together with supporting facilities.

- 4.2. The principle of the use of the building as a hotel with associated facilities was considered acceptable in that it will ensure that this historic building is returned to beneficial economic use. However, this will be dependent upon the completion of the necessary sequential tests and the submission of appropriate assessments regarding the impact upon the historical integrity of the listed building and its preservation. The roof extension, whilst acceptable in principle was considered to be too big.

#### 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 11.05.2018, although comments received after this date and before finalising this report have also been taken into account.
- 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 AND NEIGHBOURHOOD FORUMS

- 6.2. **Banbury Town Council** – No objection

##### STATUTORY CONSULTEES

- 6.3. **Environment Agency** – object as the proposed development falls into a flood risk vulnerability category that is inappropriate to the Flood Zone in which it is located. Following discussions with the applicant's agent and the submission of additional information, revised comments are awaited.
- 6.4. **Thames Water** – No objection but suggest a condition regarding piling on the site and two informatives in respect of water pressure and water main crossing the site.
- 6.5. **Canal and River Trust** – advise that the issues relevant to this proposal are as follows:
- Impact on the character, appearance and heritage of the waterway corridor
  - Increased use of the towpath

- Impact on the structural integrity and water quality of the canal due to the drainage proposals
- Impact on the biodiversity of the waterway corridor

On the basis of the information available, they advise that suitable worded conditions and a legal agreement are necessary to address these matters. The comments can be read in detail in the application documentation and are discussed in more detail in the appraisal below.

#### NON-STATUTORY CONSULTTEES

- 6.6. **Arboriculture** – no comments received
- 6.7. **Banbury Civic Society** – no comments received
- 6.8. **Banbury Historical Association** – no comments received
- 6.9. **Building Control** – no adverse comments
- 6.10. **Business Support Unit** – no comments received
- 6.11. **Conservation Officer** – in respect of the initial submission raises concerns which are summarised as follows:
  - Principle of change of use is a good use for the building, however there are concerns about the inefficient use of space and therefore the need for such a large extension
  - Works to the building must ensure that its historical integrity are retained
  - No objections to the glazing over of the courtyards
  - Decorative skylight above staircase must be retained in situ
  - Decorative mouldings to first floor offices must be preserved
  - Details of works to windows and doors are required
  - Significant concerns with the size of the roof extension
  - No adequate financial justification for the level of accommodation required
  - No structural survey to demonstrate that the building is capable of taking the roof extension
  - No objections to the health spa and café buildings

Further comments received on 5<sup>th</sup> July 2018 in respect of the amended plans and additional documentation are summarised below:

- Whilst the size of the roof extension has been reduced, remain concerned about its size
- The group business model has been imposed on the building rather than working with the constraints and opportunities of this building and the size of the roof extension has not been properly justified

- Proposed extensions and in particular the roof extension have a negative impact on the setting of the listed building
- Little detail within the application about the proposed repair and retention of historic fabric, but these can be dealt with by condition
- Concerns with the location of some of the supporting columns within the areas of significance, in particular where they will damage ceiling cornices as well as disrupting the sense of space
- Concerned about how the fabric of the building will be preserved during construction and the lack of detail submitted
- In terms of harm versus public benefit the additional harm to the setting is considered to be less than substantial
- Level of harm during construction is not yet clear and a full detailed method statement will be necessary

6.12. **Landscape Services** – no objection. The landscape scheme has a strong, bold, simple framework which is very suitable for this development. Polished Aluminium bollards and seats should be proposed rather than timber.

6.13. **Planning Policy** – proposals will be in general accordance with planning policy subject to the views of the Conservation Team, the receipt of a satisfactory sequential test and the applicant satisfactorily demonstrating that the requirements of Policy SLE1 and C21 have been met. On this basis there would be no planning policy objection. The comments can be read in full on the application file and are discussed in more detail in the appraisal below.

6.14. **Ecology Officer** – no objections subject to recommended conditions regarding a mitigation strategy for bats, protection of nesting birds and Construction Environmental management Plan. The comments can be read in detail on the application file and are discussed in more detail in the appraisal below.

6.15. **OCC – Transport** – no objection subject to the imposition of a number of conditions. The comments can be read in full in the application documentation.

6.16. **OCC – Drainage** – objected to the original submission on the ground that the applicant had not provided a full surface water drainage strategy in accordance with the NPPF. Following the submission of a draft drainage strategy and supporting documents, the objection has been removed. A condition is recommended regarding drainage should the application be approved.

6.17. **OCC – Economy and Skills** – recommend a condition requiring the applicant to prepare and implement a Community Employment Plan (CEP).

## 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
- SLE1 – Employment development
- SLE2 – Securing dynamic town centres
- SLE3 – Supporting tourism growth
- SLE4 – Improved transport and connections
- ESD6 – Sustainable flood risk management
- ESD7 – Sustainable drainage systems
- ESD10 – Protection and enhancement of biodiversity and the natural environment
- ESD15 – Character of the built and historic environment
- ESD16 – The Oxford Canal

#### CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- TR1 – Transportation funding
- T2 – Proposals for hotels in settlements
- C18 – Development proposals affecting a listed building
- C21 – Re-use of listed buildings
- C28 – Layout, design and external appearance of new development
- C29 – Appearance of development adjacent to the Oxford canal
- C32 – Provision of facilities for disabled people

#### 7.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Banbury Master Plan SPD

### **8. APPRAISAL**

#### 8.1. The key issues for consideration in this case are:

- Principle of development
- Heritage Assets
- Loss of Employment
- Design and Layout
- Access and Parking
- Landscape and Visual Impact
- Biodiversity
- Flooding and Drainage

#### 8.2. Principle of Development

#### 8.3. The purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF sets out the economic, social and environmental roles of planning in seeking to achieve sustainable development;

contributing to building a strong, responsive and competitive economy; supporting strong, vibrant and healthy communities; and contributing to protecting and enhancing our natural, built and historic environment.

- 8.4. The site is an existing employment site which has been used for such purposes since the 1930s, being occupied until 2008 by the Northern Aluminium Company, later known as SAPA. The original Northern Aluminium Grade II Listed offices remain on site although the old rolling mills were demolished in 2009. This application relates to the original offices. The remainder of the site has already been re-developed for B8 purposes. These 3 large buildings are now occupied. It was hoped that the offices would be occupied in conjunction with one of the B8 buildings but this did not happen and they remain vacant.
- 8.5. The NPPF further advises that a sequential test should be applied for main town uses such as leisure and tourism uses and only if suitable sites are not available should out of centre sites be considered, and preference should be given to accessible sites that are well connected to the town centre. The Planning Practice guidance also advises on the sequential test.
- 8.6. The Local Plan is consistent with the NPPF in that it requires a town centre first approach that directs retail and other town centre uses, as defined by the NPPF, towards town centres and encourages the growth of such centres and aims to support Banbury town centre's viability and vitality. Where this is not possible the Council will apply a sequential test. The NPPF defines hotels as a 'main town centre' use.
- 8.7. Policy SLE2 of the adopted Cherwell Local Plan 2011-2031 'Securing Dynamic Town Centres' seeks to ensure that Banbury's role is strengthened in terms of achieving economic growth, as a destination for visitors and serving its rural hinterlands. This policy further requires a sequential test. Policy Banbury 7 is also of relevance in seeking to strengthen Banbury town centre.
- 8.8. As this is outside the town centre, a sequential test is necessary, but one did not initially accompany the application submission. A sequential test has subsequently been received which has assessed Banbury town centre and the surrounding area, identifying that there are currently no similar potential sites for a hotel development of this nature available at this time.
- 8.9. Policy SLE3 of the adopted Cherwell Local Plan 2011-2031 seeks to support tourism growth and advises that new or improved tourist facilities in sustainable locations, where they accord with other policies in the plan, will be supported. The council will support new tourism and high quality accommodation provision that can demonstrate direct benefit for the local 'visitor' economy. Tourism can also support local services and facilities, provide employment, provide regeneration and help preserve the natural and historic environment.
- 8.10. The application is accompanied by a statement written by the applicant advising that the new hotel will offer rooms, suites, health spa facilities and banqueting rooms that are currently not available in and around Banbury. The banqueting suites will provide capacity for up to 500 persons and venues for weddings and other events. The restaurant facility will also be available to non-residents. Furthermore the submission identifies that the district is lacking in terms of high end hotels with these facilities available and that this proposal will therefore meet that need.
- 8.11. The development plan for Cherwell District comprises the saved policies in the adopted Cherwell Local Plan 1996 and adopted Cherwell Local Plan Part 1 2011-2031. Section 72(2) of the Town and Country Planning Act provides that in dealing



with applications for planning permission, the local planning authority shall have regards to the provisions of the development plan so far as is material to the application and to any other material considerations. Section 38 of the Planning and Compulsory Purchase Act requires that if regard is to be had under the planning acts, the determination must be made in accordance with the development plan unless material considerations indicate otherwise. This is also reflected in the NPPF.

#### **8.12. Heritage Assets**

- 8.13. The SAPA premises were originally occupied by the Northern Aluminium Company which produced the majority of the aviation grade aluminium during WWII. The original rolling mills were constructed in 1931. The site is therefore considered to be of great importance in respect of Banbury's historic heritage. The office building was constructed in 1936-7 in Art Deco style, using aluminium as one of the main materials for the windows, doors, internal staircase, skirting boards and other internal features and still contains many of the original features. The quality of the design and the extensive use of aluminium in both internal and external decorative detail are integral to the overall design and function of the building. The main building is constructed in red brick, faced in part with stone. The original aluminium double front doors, flanked by aluminium lanterns are glazed with art Deco decoration in aluminium, while the glazed panels above the doors also contain a design in aluminium that incorporates the company logo. These are considered to be of historic significance and it is important that these features are protected, renovated and retained as part of the conversion.
- 8.14. The original site gates and gatehouse are also of historic interest and the memorial garden commemorates those members of staff who lost their lives during WWII. The office building was designed by the noted Oxford Architect Gilbert Gardner and was built in two phases. It became a Grade II Listed Building along with the gates, gatehouse and memorial garden in 2008. There have been few significant changes to the office building and its external appearance remains much as it was on completion in 1937.
- 8.15. The original gatehouse building and Site Gates were recently renovated as part of the proposals to re-develop the site for B8 purposes and are also important heritage assets being Grade II Listed. The memorial garden, just to the north-west of the site is also Grade II Listed and commemorates those members of staff lost during WWII. It remains extremely important to Banbury residents and ex-employees of the site who still visit the memorial garden, including Remembrance Day. The Oxford Canal Conservation Area runs alongside the site. Whilst these assets are not within the application site, the proposal must be assessed having regard to these important Heritage Assets.
- 8.16. In terms of the interior of the office building, immediately inside the double front doors is an aluminium revolving door. A double staircase in aluminium, with tubular handrail and vertical balusters separated at intervals by horizontals, rises to the first floor and is lit from above by a skylight with an Art Deco cube pattern in aluminium. The same balustrade continues around the landing. These are considered to be of significant historical importance and will be retained in situ within the proposed conversion. Internally there have been some modifications to the original plan form where changes in function and fashion have resulted in the removal of partitions to create open-plan offices on the north side of the building. This large open plan space will be utilised as a function room for the hotel, linking to the proposed new café building. It is proposed to glaze over an internal courtyard to create additional space adjacent to the function room. This is considered acceptable as it will not adversely impact on the historical integrity of the listed building.

- 8.17. Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that: *'In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'*. Further, under Section 72(1) of the same Act, the Local Planning Authority has a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
- 8.18. Section 12 of the NPPF – 'Conserving and enhancing the historic environment' sets out the planning guidance regarding heritage assets and advises that in determining planning applications, local planning authorities should require an applicant to describe the significance of any heritage asset affected, including the contribution made to their setting (paragraph 128). The application is accompanied by a Historic Building Survey and Heritage assessment produced by Prospect Archaeology on behalf of the applicant. The Heritage Assessment considered the historic significance of the surviving building and considers and evaluates the impacts of the proposed development on heritage assets; in particular the office building, entrance gates and memorial garden as well as the Oxford Canal Conservation Area. The report identifies the core areas of significance at ground floor and first floor levels. This has been assessed by the Conservation Officer who agrees that the areas identified are correct. These areas will be retained as part of the proposal.
- 8.19. In terms of its historic significance, the Northern Aluminium Company was the first modern industrial company to be based in Banbury and made a considerable contribution to the development of the town. Its significance lies in the special role it played during the Second World War, as well as in its intrinsic architectural qualities.
- 8.20. Paragraph 126 emphasises the need for local planning authorities to set out a clear strategy for the conservation and enjoyment of the historic environment, where heritage assets are recognised as an irreplaceable resource which should be preserved in a manner appropriate to their significance.
- 8.21. Paragraph 129 states that: *'Local planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and necessary expertise'*.
- 8.22. Paragraph 131 advises that in determining applications that local planning authorities should take account of:
- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation
  - The positive contribution that conservation heritage assets can make to sustainable communities, including their economic viability
  - The desirability of new development making a positive contribution to local character and distinctiveness
- 8.23. Paragraph 132 states: 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Substantial harm to or loss of a Grade II Listed building should be exceptional.'

- 8.24. The NPPF at paragraphs 133 and 134 go on to say that where a development will lead to substantial harm, this harm should be outweighed against the public benefits of the proposal.
- 8.25. The setting of a listed building can often form an essential part of its character and due regard must therefore be given to the desirability of preserving the setting of such buildings, resisting development that would adversely affect it. It is acknowledged that the setting of the existing offices is against large B8 buildings, however, this site has been historically an employment site with associated rolling mills and it was therefore considered that the redevelopment of the site for B8 purposes would not cause significant harm to the setting of the listed offices. It is important however that any additions or extensions do not detract from or dominate the office building. Whilst it is acknowledged that the new health spa and café buildings are quite significant additions, and will have an impact on the character and setting of this designated heritage asset, it is considered that the approach taken in terms of erecting new linked buildings set away from the office building; is the correct one and are therefore on balance acceptable in terms of the setting of the building.
- 8.26. Saved Policy C21 of the adopted Cherwell Local Plan 1996 advises that consideration will be given to proposals for the re-use of an unused listed building provided the use is compatible with its character, architectural integrity and setting. It further advises however, that this would only apply where the change of use would not involve substantial alterations to the fabric or the setting of the listed building and that the structural limitations of the building should be respected.
- 8.27. The proposal must therefore be assessed in terms of its impact upon the fabric of the Grade II listed offices. The application is accompanied by a Listed Building Structural Report and accompanying structural information which seek to demonstrate that the existing building is capable of taking the additional load of the two storey roof extension which will be supported by constructing new columns which will be placed internally within the building. It is vital that these new columns are placed where they will not adversely impact on the areas of significance and important historic fabric. Following discussions with the Conservation Officer, a revised submission is awaited in respect of a number of columns which need to be re-positioned. The areas of significance and historic fabric identified will be retained as part of the proposals. Conditions are also recommended in this respect.
- 8.28. The Conservation Officer has assessed the proposal and considers the general principle of a hotel use and proposed extensions to be acceptable but raises concerns about the inefficient use of space within the building and therefore the corresponding requirement for the two story roof extension. The key concern relates to the visual impact of the two storey addition which she considers fundamentally alters the proportions of the building and unbalances the architectural form of the Art Deco structure and in the absence of any real justification for this level of accommodation considers it to be unacceptable.
- 8.29. The applicant's agent has sought to address these concerns. The latest plans indicate a structure constructed of a lightweight material and a reduction in the height of the two storey roof extension by 0.5m. A written statement submitted by the applicant also seeks to demonstrate why the extensions and proposed floorspace are required in terms of ensuring that the hotel is viable. As mentioned above, Saved Policy C21 and the NPPF consider the re-use of listed buildings. As previously advised, this Grade II listed building is of significance to Banbury's history and has been vacant since 2008, as a result of which the building is slowly deteriorating. It is therefore important that a new use is found for the building before it deteriorates further. It is accepted that this extension is large, however, in

accordance with the NPPF, the harm in this case is considered on balance, to be outweighed by the benefit of bringing the building back into economic beneficial use.

- 8.30. An assessment of the whole of the extensions proposed, that is, the roof, café and health spa buildings, indicate that the original office building will be more than double in size. This is a large increase and will have a significant impact on the character of this designated heritage asset. Saved Policy C18 of the adopted Cherwell Local Plan 1996 seeks to preserve listed buildings and their settings and advises that consent will normally only be granted for alterations or extensions to listed buildings which are minor and sympathetic to the architectural and historic character of the building. The proposal, due to its scale of change is contrary to that policy. As previously discussed however, the level of harm to the building must be considered against the public benefit of securing a future for the building. In this case, on balance, it is considered that the level of harm to the listed building and its setting will be less than substantial and is therefore acceptable.
- 8.31. It should also be noted that the character of a listed building is determined by the detail of its structure as well as its appearance. The building is a showcase to the use of aluminium and the applicant was advised during pre-application discussions that the external and historic fabric must be protected during construction and preserved as part of the proposals and that this must also be expressed in terms of the proposed extensions. The roof extension has been designed as a lightweight structure, similar to that on the Tate Modern in London and in this respect is considered to an appropriate approach. The application submission is currently not clear about the level of harm to the historic fixtures and fittings, (including door panels, skirting, panelling, light fittings, door furniture etc) but it is considered that this can be minimized and mitigated through conditions. A full detailed method statement will also be required detailing how the historic fabric will be protected during the works.
- 8.32. Policy ESD13 of the adopted Cherwell Local Plan 2011-2031 states that proposals will not be permitted if they would harm the setting of settlements, buildings, structure or other landmark features, or harm the historic value of a landscape and policy ESD15 of that plan states that proposals should conserve, sustain and enhance designated and non-designated heritage assets, including buildings, features, archaeology, conservation areas and their settings, and to ensure that new development is sensitively sited and integrated and include information on heritage assets sufficient to assess the potential impact of the proposal on their significance.
- 8.33. The site is located to the north of the Oxford Canal, which is a designated conservation area. The proposals must therefore be assessed in terms of their impact upon the setting of this adjacent conservation area. The office building and the proposed extensions are situated some distance from the canal corridor and it is therefore considered that, whilst the proposals will be visible, in particular the proposed roof extension, the visual impact from the canal will be limited and therefore it is not considered that the proposals will cause harm to the setting of the adjacent Oxford canal conservation area. The Canal and River Trust have raised some concerns regarding the proposed Spa building and the blank elevation proposed, which might be visible from the canal, and advise that if visible it would benefit from added interest to this elevation.
- 8.34. The Canal and River Trust also consider that the proposal is likely to result in increased use of the towpath by visitors to the hotel and employees who might use it as a means of travel to work, either on foot or by cycle from the surrounding areas. A request for section 106 contributions has been requested for upgrading works to the section of towpath between the town centre and the site. The towpath is not lit and it is considered that significant increased usage for access to the site by

employees is unlikely to occur as there is no direct access to the canal towpath from the site, and therefore that section 106 contributions cannot be justified in this instance.

- 8.35. Having regard to the above, it is acknowledged that the proposed extensions and alterations to the building are significant, however, they will ensure that this currently vacant designated heritage asset is returned to an economic beneficial use. The proposal is therefore on balance acceptable and considered to be in accordance with the policies in the development plan and the advice within the NPPF.

#### **8.36. Loss of Employment**

- 8.37. Policy SLE1 of the adopted Cherwell Local Plan seeks to protect and retain existing employment sites, such as the application site. Policy SLE1 advises that existing employment sites should be retained for employment use (normally a use within a B use class) unless the following criteria are met:

- The applicant can demonstrate that an employment use should not be retained, including showing the site has been marketed and has been vacant in the long term
- The applicant can demonstrate that there are valid reasons why the use of the site for the existing or other employment use is not economically viable
- The applicant can demonstrate that the proposal would not have the effect of limiting the amount of land available for employment

- 8.38. When assessing any proposal, regard must also be had to whether the applicant can demonstrate that there are planning objectives that would outweigh the value of retaining the site in employment use. In this case, the offices have been vacant since 2008 with little interest in taking them for offices, this has been as a result of the amount of work required to bring the office building up to modern day standards and the layout which is not so suited to modern day working. It is considered that as the building has been vacant for some time, and the fact that the remainder of the site has already been re-developed for employment purposes, that the loss of this building as offices would not have the effect of limiting employment land. Furthermore, the use of the site as a hotel and associated uses will generate a number of jobs in its own right.

- 8.39. Having regard to the above therefore, it is considered that the requirements of Policy SLE1 have been met.

#### **8.40. Design and Layout**

- 8.41. Section 7 of the NPPF – Requiring good design attaches great importance to the design of the built environment and advises at paragraph 56 that ‘good design is a key aspect of sustainable development, is indivisible from good planning and should contribute to making places better for people’.

- 8.42. The NPPF advises at paragraph 58 that planning policies should aim to ensure that developments achieve a number of results including the establishment of a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit and that developments should respond to local character and history and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation. It is considered that the proposed scheme as discussed below has been designed in accordance with the requirements of the NPPF in this respect.

- 8.43. The original office building is of two storeys with a flat roof. The original plan appears to have been H-shaped, with two linked blocks. The infill to the north side is in the same style as the rest of the building. The building is in a key location at the front of this employment site and is clearly visible from the Southam Road. It is therefore important that the proposed development is appropriately and well-designed both in terms of its design, scale, parking and servicing and choice of materials.
- 8.44. Policy ESD15 of the adopted Cherwell local Plan 2011-2031 advises that design standards for new development, whether housing or commercial development are equally important, and seeks to provide a framework for considering the quality of the development. The adopted Cherwell Local Plan 1996 contains saved policy C28 which states that 'control will be exercised over all new development to ensure that the standard of layout, design and external appearance, including choice of materials are sympathetic to the urban or rural context of the development'. Policy ESD15 also advises that the design of all new developments will need to be informed by an analysis of the context, together with an explanation and justification of the design principles that have informed the design rationale which should be demonstrated in the Design and Access Statement. A Design and Access Statement has been included in the application documentation.
- 8.45. The existing building is of insufficient size in its own right to accommodate all of the facilities required by this development. The existing listed building will be at the heart of the development containing all of the bedroom suites and the proposed restaurant and health spa facilities are to be located in adjacent new buildings which will be linked by single storey walkways. The existing building as stated above is proposed to be extended by the erection of a two storey roof extension.
- 8.46. The two storey roof extension will be set in and back from the main facades to help reduce its impact on the listed building. The original extension has also been reduced in height by 0.5m in response to concerns about its size and massing and therefore impact on the character and appearance of this listed building. At pre-application discussions the applicant was asked to consider a single storey roof extension only, but they advise that this would make the hotel unviable as the quantum of required accommodation would not be met in respect of the business model put forward. The applicant owns the property. The roof extension is proposed to be constructed using a lightweight silicon glazed wall material which will reduce the load on the existing structure and also reduce its visual impact in respect of the listed building. The extension is similar to other proposals on buildings such as the Tate Modern and is considered to be an appropriate design solution here.
- 8.47. The proposed restaurant and health spa extensions have been designed as a pair of wings set away from the building to ensure that the form of the listed building can still be seen as a single unit. These buildings are attached to the office building by pedestrian walkways. In light of the history of the site and the extensive use of aluminium, the proposed extensions have been designed to follow this tradition, but utilising aluminium more innovatively, with areas of cladding on the restaurant building although the spa building will be constructed wholly in brick.
- 8.48. An existing enclosed and overgrown courtyard located centrally within the building is proposed to be enclosed by the erection of a glazed roof. The courtyard is not considered to be of any particular historic significance and this is considered acceptable. This new enclosed area will be linked to the main building through the proposed banqueting suite.
- 8.49. Having regard to the above, the proposals are considered on balance to be in accordance with the requirements of the NPPF, Policy ESD15 of the adopted

Cherwell Local Plan 2011-2031 and saved policies C18, C21 and C28 of the adopted Cherwell Local Plan 1996 in terms of design and layout.

#### **8.50. Access and Parking**

- 8.51. Strategic Objective 13 of the adopted Cherwell Local Plan 2011-2031 aims to reduce the dependency on the private car as a mode of travel and increase opportunities for travelling by other modes. Policy ESD1 sets out an aim to mitigate the impact of the development on climate change by delivering development that seeks to reduce the need to travel and which encourages sustainable travel options including walking, cycling and public transport to reduce the dependence on private cars. Policy SLE4 also has similar objectives. The transport impacts of the development must be considered against these policies and requirements in Section 4 of the NPPF.
- 8.52. It is proposed to create a new vehicular entrance point to the southern part of the site from the existing access road that serves current commercial premises adjacent, and also provides to provide an exit from the site using the existing access in the north-western corner of the site. This access road is not a highway, but can be accessed from the existing priority junction to the east of and serving the A423 Southam Road. This junction is already equipped with a north-bound ghost island right-turn lane, a splitter island, and a south-bound deceleration lane on the eastern side of the A423 Southam Road. The existing private road has a footway on its eastern side with a width of 2m which can be accessed directly from the A423 Southam Road.
- 8.53. In terms of access for non-motorised users, on its western side, the A423 Southam Road has a shared use pedestrian and cycling facility from its roundabout junction with the A422 Hennef Way and Ruscote Avenue, to its roundabout junction with Noral way and Dukes Meadow Drive. On its eastern side, there is a continuous footway of 1.8m in width which connects to the existing footway on the private access road which leads directly to the site. There is therefore a continuous walking and cycling route from Banbury town centre to the site. The site is served by existing bus stops and a bus that provides 5 journeys per day Monday to Friday.
- 8.54. The application is accompanied by a Transport Assessment which has been assessed by OCC as the Highway Authority and is satisfactory. The proposed change from B1 to C1 hotel and support services will result in a reduction in single occupancy journeys at the AM and PM peaks in comparison. The residual cumulative traffic impacts of the site therefore will not be severe.
- 8.55. In terms of parking provision, OCC's current parking standards stipulate that 1 car parking space should be provided per bedroom. A total of 95 spaces are shown which is therefore acceptable. In terms of cycle parking, the Homes and Communities Agency's (HCA) Employment Density Guide of 2015 advises that practitioners should assume a level of employment of 1 person per bedroom for a luxury hotel. OCC's current cycle parking standards, which are minimum standards, stipulate that 1 cycle parking space should be provided for every 12 employees at a hotel site plus 1 stand for every 10 bedrooms for visitors. The applicant has provided 4 Sheffield Stands which are acceptable in this location as it is likely that given its proximity to the M40 and the likely market for the hotel that the majority of guests will access the hotel by car. To encourage employees to cycle to work, OCC recommend that the cycle parking is sheltered and placed in a secure location.
- 8.56. Having regard to the above, it is considered that the proposal accords with the policies in the development plan and the NPPF in respect of traffic generation, access, car parking provision and highway safety.

## **8.57. Landscape and Visual Impact**

- 8.58. Policy ESD13 of the adopted Cherwell Local Plan 2011-2031 relates to local landscape protection and enhancement and therefore seeks to conserve and enhance the distinctive and highly valued local character of the entire District. The policy also goes on to state that proposals will not be permitted that cause undue harm to important natural landscape features, are inconsistent with local character, or harm the setting of settlements, buildings, structures or other landmark features.
- 8.59. Policy ESD15 of the adopted Cherwell local Plan 2011-2031 states that new development proposals, amongst other things, should contribute positively to an areas character and identity by reinforcing local distinctiveness and respecting the character of conservation areas and their setting; conserve, sustain and enhance designated and non-designated heritage assets (as defined in the NPPF).
- 8.60. The application is accompanied by a Landscape and Visual Impact Assessment which has considered the potential impacts on the locality. The assessment concludes that there will be no significant adverse impact of the proposals on the adjacent Oxford Canal Conservation area or the locality in general.
- 8.61. The submission includes a landscaping proposal. The existing tree and hedge screen to the Southam Road will be retained. There are currently a number of fruit trees adjacent to the office building but these will be removed to accommodate the restaurant building. An existing mature beech tree was originally proposed to be removed but this will now be retained. A new area will be landscaped between the existing office building and the proposed restaurant. The landscaping scheme has been assessed by the Council's Landscape Officer who considers it to be acceptable.
- 8.62. Having regard to the location of the site and its relationship with the existing built form, it is considered that the development proposed is unlikely to cause harm to the character and appearance of the open countryside or the immediate locality and is therefore acceptable, in accordance with the development plan and Government guidance within the NPPF.

## **8.63. Biodiversity**

- 8.64. The NPPF – Conserving and Enhancing the Natural Environment, requires at paragraph 109, 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 wherever possible, contributing to the overall decline in biodiversity, including establishing coherent ecological works that are more resilient to current and future pressures'.
- 8.65. Section 40 of the Natural Environment and Communities Act 2006 (NERC 2006) states that 'every public authority must in exercising its functions, have regard to the purpose of conserving (including restoring/enhancing) biodiversity. Local Planning Authorities must also have regard to the requirements of the EC Habitats Directive when determining an application where European Protected Species are affected, as prescribed in regulation 9(5) of the Conservation Regulations 2010, which states that a 'competent authority' in exercising their functions, must have regard to the requirement of the Habitats directive within the whole territory of the member states to prohibit the deterioration or destruction of their breeding sites or resting places.
- 8.66. Paragraphs 192 and 193 of the NPPF advise that the right information is crucial to good decision-taking, particularly where formal assessments are required (such as Habitats Regulations Assessment) and that Local Planning authorities should



publish a list of their information requirement which should be proportionate to the nature and scale of the development proposals. One of these requirements is the submission of appropriate protected surveys. The presence of protected species is a material consideration.

- 8.67. The Council's Ecologist has assessed the submission, including the Bat assessment Report dated November 2017. Evidence of bats was present within the disused building during the initial inspection including a dead pipistrelle in the sink on the ground floor, and a small number of droppings in various locations within the building. The emergence surveys were undertaken at the appropriate time of year and found a common pipistrelle roost under a window sill. However, there are many other potential roosting features on the existing building, including gaps in the brickwork, under lead flashing and internally within the space above the ceiling.
- 8.68. Given that the activity surveys only provide a snapshot of information during the summer roosting period, it is possible that further roosts are present in the building which are being used at other times of the year and which may not be recorded. It is therefore recommended that a bat mitigation strategy is provided which should also include precautionary checks by a licensed ecologist prior to works commencing. As stated in the report a derogation licence will be required from Natural England. The outline mitigation strategy submitted is largely acceptable but will need to include timings of works to avoid periods when bats are most likely to be present included. Updated bat surveys may also be required depending on when the works would take place.
- 8.69. The application proposes 5 x Schwegler 1FE bat boxes inbuilt into the proposed health spa building which is welcome, however, the lighting scheme will need to be appropriately designed not to have any adverse impact on the bat boxes and to ensure that their flight lines are not impacted along the western and southern site boundaries.
- 8.70. Bats were recorded commuting and foraging along the western boundary of the site, as such the western boundary tree line should be retained and remain as a suitably dark corridor for bats in order to retain this route and foraging habitat. A greater diversity of native species should be proposed to replace some of the non-native varieties and to ensure no net loss of biodiversity within the development. The proposed green sedum roofs proposed on the spa and café buildings are welcomed as biodiversity enhancement.
- 8.71. The original application proposed the removal of the fruit trees, Western red Cedar and Copper Beech. The Copper Beech is a mature tree of amenity value as well as ecological value, and the revised proposals now show this to be retained.
- 8.72. The waterways have a rich biodiversity, with many areas benefitting from SSSI, SAC, SLINC or CWS designations. Developments can have an adverse impact on the ecology of the waterways.
- 8.73. Potential contamination of the waterway and ground water from wind blow, seepage or spillage at the site should be avoided and details of pollution preventions measures should be provided. Works must also be carried out at appropriate times to avoid adverse impacts on habitats. A Construction and Environmental Management Plan will be necessary.
- 8.74. It is thus considered that the requirements of the Habitats Directive, the NPPF and Policy ESD10 of the adopted Cherwell Local Plan 2011-2031 have been duly considered and are in accordance with the advice therein.

## 8.75. Flooding and Drainage

- 8.76. The application site is located within Flood Zones 2 and 3. The Flood Risk Assessment and drainage information has been assessed by the Environment Agency who has objected to the proposal. The Planning practice Guidance classifies development types according to their vulnerability to flood risk and gives guidance on which developments are appropriate in each Flood Zone. In this case the application falls within Flood Zone 3b (functional floodplain) in accordance with the Environment Agency flood risk mapping where water has to flow or be stored in times of flood. The conclusions of the applicant's flood risk assessment also show the site to lie within the functional flood plain. The development type proposed is classified as 'more vulnerable' and advice in the PPG advises that this type of development is not compatible with this Flood Zone.
- 8.77. In order to overcome their objection the Environment Agency advise that where possible the applicant should propose an alternative location for this development outside Flood Zone 3b, or alternatively provide their own modelling and or site specific details such as a topographical survey which show that the development does not fall within Flood Zone 3b.
- 8.78. The NPPF – Meeting the challenge of climate change, flooding and coastal change, advises at paragraph 100 that *'inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere'*. It goes on to advise also that a sequential, risk-based approach should be taken to the location of development to avoid where possible flood risk to people and property. The aim of the sequential test is to steer new development to areas with the lowest probability of flooding and therefore development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. Paragraph 104 of the NPPF advises however that, applications for minor development or changes of use should not be subject to the Sequential or Exception Tests but should still meet the requirements for site-specific flood risk assessments.
- 8.79. Policy ESD6 of the adopted Cherwell local Plan requires that flood risk assessments are included with development proposals such as the application site which should assess all sources of flood risk and demonstrate that there will be no flood risk as a result of the development. The FRA and drainage strategy have also been assessed by OCC as Lead Flood Authority. OCC originally objected on drainage grounds because the applicant had not provided a full surface water drainage strategy that demonstrated that the surface water run-off volumes and rates that could arise because of the proposed change of land use to that of a hotel and spa, could be accommodated on site. The draft surface water drainage strategy and accompanying suite of documents, submitted on 19<sup>th</sup> March 2018 to support it have enabled the objection to be removed.
- 8.80. The applicant's agents have met with the Environment Agency to understand the issues and to clarify what might be necessary to support the proposed development in this location. Work in terms of flood risk on the site was previously undertaken in respect of the B8 redevelopment of the site and a flood corridor created south of the site adjacent to the canal. As this is a listed building, the floor levels within the office building cannot be raised, but flood risk had been considered within the design; all sleeping accommodation is located at first floor level or above.

## 9. PLANNING BALANCE AND CONCLUSION

- 9.1. The purpose of the planning system is to contribute to the achievement of sustainable development and the NPPF defines this as having 3 dimensions: economic, social and environmental. At the heart of the NPPF is a presumption in favour of sustainable development and in the context of this application this would include bringing this building which is in a sustainable location back into beneficial economic use.
- 9.2. In reaching an informed decision on planning applications there is a need for the Local Planning Authority to undertake a balancing exercise to examine whether the adverse impacts of a development would be outweighed by the benefits such that, notwithstanding the harm, it could be considered sustainable development within the meaning given in the NPPF. In carrying out the balancing exercise it is, therefore, necessary to take into account the policies in the development plan as well as those in the NPPF. It is also necessary to recognise that Section 38 of the 1990 Act continues to require decisions to be made in accordance with the development plan.
- 9.3. As stated above, this building has been vacant since 2008 and is slowly deteriorating. On balance, it is concluded that the proposed extensions and alterations will cause less than substantial harm to the historic fabric and the character and setting of the listed building and will enable the building to be brought back into beneficial use. The proposals are thus considered to be sustainable development in accordance with the above mentioned policies and the advice given within the NPPF.

## **10. RECOMMENDATION**

Delegate to the Assistant Director of Planning Policy and Development to grant permission, subject to:

- (a) the removal of the objection by the Environment Agency;
- (b) receipt of satisfactory amended plans in relation to proposed internal columns, and;
- (c) the conditions set out below (and any amendments to those conditions as deemed necessary)

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason - To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents: XXXXXXXXXX to be inserted XXXXXXXXXX

Reason – For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and comply with Government guidance contained within the National Planning Policy Framework.

3. No development shall take place until samples of the materials to be used in the construction of the roof of the development have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the samples so approved.

Reason - To ensure the satisfactory appearance of the completed development

and to comply with Policy ESD 15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

- 4 No development shall take place until a brick sample panel, to demonstrate brick type, colour, texture, face bond and pointing (minimum 1m<sup>2</sup> in size) has been constructed on site, inspected and approved in writing by the Local Planning Authority. Thereafter, the external walls of the development shall be constructed in strict accordance with the approved brick sample panel.

Reason - To ensure that the development is constructed and finished in materials which are in harmony with the building materials on the existing office building and to comply with Policy ESD 15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

- 5 Prior to the commencement of the development, full details of the doors and windows hereby approved, at a scale of 1:20 including a cross section, cill, lintel and recess detail and colour/finish, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the doors and windows shall be installed within the building in accordance with the approved details.

Reason - To ensure the satisfactory appearance of the completed development and to comply with Policy ESD 15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

- 6 Prior to the commencement of the development hereby approved, full details of the external lighting which shall include measures to ensure that all bat habitats and boxes are protected and that flight lines along the western and southern boundaries of the site are not adversely impacted, shall be submitted to and approved in writing by the Local planning Authority. Thereafter, the lighting shall be carried out and retained in accordance with the approved details.

Reason - To ensure the satisfactory appearance of the completed development to protect habitats of importance to biodiversity and to comply with Policies ESD10 and ESD 15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

- 7 Prior to the commencement of the development hereby approved, full details of the enclosures along all boundaries of the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved means of enclosure, shall be erected, in accordance with the approved details, prior to the hotel being first brought into use.

Reason - To ensure the satisfactory appearance of the completed development and to comply with Policy ESD 15 of the Cherwell Local Plan 2011-2031, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

- 8 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with BS 4428:1989 Code of Practice for general landscape operations (excluding hard surfaces), or the most up to date and current British Standard, in the first planting and seeding seasons following the occupation of the building(s) or on the completion of the development, whichever is the sooner. Any trees, herbaceous planting and shrubs which, within a period of five

years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the current/next planting season with others of similar size and species.

Reason - In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

- 9 Prior to the commencement of the development hereby approved, an Arboricultural Method Statement (AMS), undertaken in accordance with BS:5837:2012 and all subsequent amendments and revisions shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, all works on site shall be carried out in accordance with the approved AMS.

Reason - To ensure the continued health of retained trees/hedges and to ensure that they are not adversely affected by the construction works, in the interests of the visual amenity of the area, to ensure the integration of the development into the existing landscape and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

- 10 Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:
- o Discharge Rates
  - o Discharge Volumes
  - o Maintenance and management of SUDS features (this maybe secured by a Section 106 Agreement)
  - o Sizing of features - attenuation volume
  - o Infiltration in accordance with BRE365
  - o Detailed drainage layout with pipe numbers
  - o SUDS (list the suds features mentioned within the FRA to ensure they are carried forward into the detailed drainage strategy)
  - o Network drainage calculations
  - o Phasing
  - o No private drainage into the public highway drainage system.

Reason - In the interests of highway safety in accordance with the National Planning Policy Framework.

- 11 Prior to the commencement of development, a full construction traffic management plan (CTMP) will be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the development, construction shall only commence in accordance with the approved details.

Reason - In the interests of highway safety in accordance with the National Planning Policy Framework.

- 12 Prior to the commencement of development, a travel plan statement will be submitted to and approved in writing by the Local Planning Authority. Thereafter,

	<p>and prior to the first occupation of the development, construction shall only commence in accordance with the approved details.</p> <p>Reason - In the interests of maximising the opportunities for travel by sustainable modes of transport in accordance with the National Planning Policy Framework.</p>
13	<p>Prior to the commencement of development, a plan showing the proposed cycle parking facilities for the site should be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the site, construction shall only commence in accordance with the approved details.</p> <p>Reason - In the interests of maximising the opportunities for travel by sustainable modes of transport in accordance with the National Planning Policy Framework.</p>
14	<p>That prior to the commencement of any development full design details of doors, windows, lintels, rainwater goods, mortar, replacement lintels, and heating pipe runs shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.</p> <p>Reason - To ensure that the completed development is in keeping with and conserves the special character of the existing historic building and to comply with Policy C18 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.</p>
15	<p>All works of making good shall be carried out in materials and detailed to match the adjoining existing fabric except where shown otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason - To ensure that the completed development is in keeping with and conserves the special character of the existing historic building and to comply with Policy C18 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.</p> <p>Note: Condition F4 must be used with caution as 'adjoining' may not be historic (e.g. gypsum plaster) and you may therefore be encouraging the use of non-historic materials. Plans should set out what materials exist and what are to be used and then an assessment made by the officer as to whether the proposals are acceptable.</p>
16	<p>Prior to the commencement of the development hereby approved, full details of the method of any mechanical ventilation the proposed within the main hotel building; shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the hotel, the mechanical ventilation shall be installed, brought into use and retained in accordance with the approved details.</p> <p>Reason - In order to safeguard the historic fabric of the listed building in accordance with Policy ESD15 of the adopted Cherwell Local Plan 2011-2031 and Policy C18 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.</p>
17	<p>Prior to the commencement of the development hereby approved, including any demolition and any works of site clearance, a mitigation strategy for bats, which shall include timing of works, and the location, design and timing of any alternative</p>

roosts to be provided, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the mitigation works shall be carried out in accordance with the approved details.

Reason - To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 and Government guidance contained within the National Planning Policy Framework.

- 18 No removal of hedgerows, trees or shrubs [nor works to, or demolition of buildings or structures that may be used by breeding birds, shall take place between the 1st March and 31st August inclusive, unless the Local Planning Authority has confirmed in writing that such works can proceed, based on health and safety reasons in the case of a dangerous tree, or the submission of a recent survey (no older than one month) that has been undertaken by a competent ecologist to assess the nesting bird activity on site, together with details of measures to protect the nesting bird interest on the site.

Reason - To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 and Government guidance contained within the National Planning Policy Framework.

- 19 No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP: Biodiversity shall include as a minimum:
- a) Risk assessment of potentially damaging construction activities;
  - b) Identification of 'Biodiversity Protection Zones';
  - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
  - d) The location and timing of sensitive works to avoid harm to biodiversity features;
  - e) The times during construction when specialist ecologists need to be present on site to oversee works;
  - f) Responsible persons and lines of communication;
  - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;
  - h) Use of protective fences, exclusion barriers and warning signs

The approved CEMP: Biodiversity shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason -To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 and Government guidance contained within the National Planning Policy Framework.

- 20 All species used in the planting proposals associated with the development shall be native species of UK provenance.

Reason - To conserve and enhance biodiversity and prevent the spread of non-native species in accordance with Government guidance contained within the National Planning Policy Framework.

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