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<b>APPLICATION NO.</b>	<a href="#">P17/S3619/FUL</a>
<b>APPLICATION TYPE</b>	FULL APPLICATION
<b>REGISTERED</b>	13.10.2017
<b>PARISH</b>	TIDDINGTON
<b>WARD MEMBER(S)</b>	John Walsh Caroline Newton
<b>APPLICANT</b>	Oxford Belfry Hotel
<b>SITE</b>	The Oxford Belfry Hotel London Road Milton Common, OX9 2JW
<b>PROPOSAL</b>	Retention of Staff Accommodation Static Caravans
<b>OFFICER</b>	Tom Rice

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**1.0 INTRODUCTION**

- 1.1 The application site is immediately adjacent to the northwest of the Oxford Belfry Hotel. The site forms part of the grounds of the Hotel, but aside from the current caravans, is currently undeveloped.
- 1.2 The site is not affected by any planning constraints or designations.
- 1.3 A site location plan is shown at **Appendix 1**. The need to provide worker accommodation on site has been an issue for the last ten years. I have illustrated the various schemes / proposals at the hotel at **Appendix 2**. Site photos of the caravans are shown in **Appendix 3**.

**2.0 PROPOSAL**

- 2.1 The applicant is proposing to retain the existing eight caravans on site for a period of three years. The council granted a temporary permission for eight caravans on 21 October 2015, expiring after a period of two years (21 October 2017). This application is seeking to renew that temporary permission.

**3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1

Consultee	Summary of response
Great Milton Parish Council	Recommends refusal. The original application was granted for a two year period while this application seeks renewal for three years. This is excessive given that the caravans are unsightly and close to residential houses. We would support a renewal for two years from the date the caravans were first installed (July 2017).
Tiddington with Albury Parish Council	Recommends refusal. The original permission for two years should not be extended. The caravans are highly visible, are an eyesore, and should not be sited adjacent to residences.
Countryside Access (Oxfordshire County Council)	The proposed development does not appear to affect the alignment of the Tiddington Footpath 13 Public Right of Way.
Scotia Gas Network	No strong views. They identified a medium pressure gas main on the edge of the site.

Environmental Health Officer	No objection, but reminds the applicant that they will need to reapply for an extension to their site licence as well as the planning permission.
Neighbour comments	We have received several comments from neighbouring properties and local residents regarding this application, including detailed letters of objections. I have summarised the key points of these objections below, but would encourage Members to review these in detail on the council's website.
Neighbour matter one: The need for the development	Responders have pointed to the permission P16/S3603/FUL granted on 21 February 2017. They believe that this application was for the erection of four permanent homes to help address worker's housing needs for the hotel. Another comment has identified the permission P16/S4268/HH issued on 14 February 2017, which displaced six worker's caravans to facilitate the redevelopment of Cramner Rise as a family home. Most comments are concerned that the intention is for the caravans to be a permanent fixture, and that this is a location where housing development should be refused in accordance with Policy CSR1. Responders claim that the operational needs and business requirements of the applicant are not a material consideration and are irrelevant to this application, and question whether this would justify the 'exceptional circumstances' for caravan accommodation set out in policy H15 of the Local Plan.
Neighbour matter two: Impact on the public right of way	Several residents identified a potential impact on the footpath / right of way to Tiddington, including potential obstructions, but also disturbance to it from litter and noise from the caravans. I will note here though that the Countryside Rights of Way Officer at the County Council has not raised an objection to this application.
Neighbour matter three: Landscape impact	The caravans are incongruous and are an eyesore from the public footpath, and represent an intrusive form of development in the countryside.

#### 4.0 RELEVANT PLANNING HISTORY

4.1 To assist Members in understanding the various applications on, nearby, and relating to this application I have grouped and summarised them as follows (see **Appendix 2** for site plan):

Applications for temporary / caravan staff accommodation	
<a href="#">P15/S1544/FUL</a> Approved 21/10/2015  Change of use of land and erection of eight caravans	The council granted temporary permission for eight caravans expiring on 21 October 2017. Planning conditions required the implementation of a landscaping plan, the protection of existing trees and hedges on site, and the restriction of use as worker accommodation only. The officer's report to the planning committee supported the need for staff accommodation, but acknowledged that caravan accommodation is not an acceptable permanent

	solution, and that the consent was granted to allow time for the hotel to find a permanent solution.
<a href="#">P17/S0936/NM</a> Approved 23/03/2017  Non-material amendment to revise the location of the car park.	The council agreed this was a non-material amendment to the above permission and a new consent was not needed to alter the car park location.

#### Applications for permanent staff accommodation

<a href="#">P11/W0510/EX</a> Approved 27/05/2011 Extension to hotel to provide storage and staff accommodation, original application reference: <a href="#">P07/W1416</a>	The council granted an extension of time for the previous application to construct a two storey staff accommodation building. This was on the opposite side of the hotel to the proposed caravans (eastern edge / see site 2 / <b>Appendix 2</b> ). As opposed to the above two permissions, this related to an extension to the hotel itself, rather than the erection of separate buildings.
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#### Other applications

<a href="#">P16/S3603/FUL</a> Approved 21/02/2017  Erection of four houses	Planning permission for four dwellings on the front of the site along the London Road (see site 3 on <b>Appendix 2</b> ).
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## 5.0 POLICY & GUIDANCE

### 5.1 South Oxfordshire Core Strategy Policies

- CSS1 - The Overall Strategy
- CS1 - Presumption in favour of sustainable development
- CSEM1 - Supporting a successful economy
- CSEM4 - Supporting economic development
- CSQ3 - Design

### 5.2 Saved policies of the South Oxfordshire Local Plan 2011

- D1 - Principles of good design
- D10 - Waste Management
- EP2 - Adverse affect by noise or vibration
- G2 - Protect district from adverse development
- H15 - New residential caravans and mobile homes
- R8 - Protection of existing public right of way
- T1 - Safe, convenient and adequate highway network for all users
- T2 - Unloading, turning and parking for all highway users
- TSM2 - New and improved tourist attraction in the area

5.3 Tiddington Neighbourhood Plan

The application site is within Tiddington parish. The parish council has started work on a neighbourhood plan, but no draft policies have been prepared and a plan is not in place.

5.4 South Oxfordshire Design Guide 2016

The design guide contains a wealth of information for applicants. Where relevant I have referenced this in the planning considerations section of my report below.

5.5 National Planning Policy Framework

- Paragraph 14 – the presumption in favour of sustainable development
- Paragraph 17 – core planning principles
- Paragraph 20 – meeting development needs of business
- Paragraph 28 – supporting a prosperous rural economy
- Paragraph 37 – sustainable transport
- Paragraphs 47, 49 and 55 – delivering a wide choice of high quality homes
- Paragraphs 56 to 68 – requiring good design
- Paragraphs 109 to 125 – the natural environment
- Paragraphs 186 to 187 – determining planning applications

5.6 National Planning Practice Guidance

- Determining a planning application
- Natural environment
- Planning conditions

6.0 **PLANNING CONSIDERATIONS**

6.1 After reviewing the relevant planning history, planning policies, and consultee comments, I believe that the following matters are central to determining this application:

- The principle of the development
- Impact on neighbour amenity
- Landscape impact
- Impact on public footpath
- Highway impact
- The length of any permission granted and the future of the staff accommodation at the hotel.
- Other matters

6.2 Many of the matters above were considered by the planning committee in October 2015 and are detailed in the officer's report to that committee. Some of the matters, for example, Highways Safety, remain largely unchanged since the previous decision. Where there has been no change in position, I have noted this below.

**THE PRINCIPLE OF THE DEVELOPMENT**

6.3 The council has accepted the principle of the need for staff accommodation to support the Oxford Belfry Hotel in the granting of temporary consent for eight caravans in 2015 (P15/ S1544/FUL). This was however, on the basis that the caravans would only be in situ for a period of two years while a permanent solution was reached.

- 6.4 The applicant claims in their covering letter to the application, that the hotel still intends to provide permanent staff accommodation in the form of an extension to the hotel on the eastern flank (as per P07/W1416). They claim that they have been unable to develop a permanent arrangement as the hotel has recently changed ownership, and the new owners are reviewing the strategic plan for the hotel (although no plan has been provided to the council). This has also meant that the temporary caravans granted consent in October 2015 were only implemented in April 2017.
- 6.5 Saved policy H15 of the Local Plan 2011 states that applications for caravan sites will be assessed against the housing policies in the development plan. I consider that this is an application for a residential caravan site (albeit one tied to an employment site) and so this policy is relevant. H15 then directs us to other policies in the plan that we would assess housing against. For the principle of development this is Policy CSR1 of the Core Strategy.
- 6.6 Policy CSR1 identifies Milton Common as an 'other village', meaning that infill development of around 2 to 3 houses will be supported. I do not consider that the caravans represent infill development since they do not fill a gap in a built up frontage, nor are they in an area closely surrounded by existing buildings (see infill definition in Core Strategy, paragraph 13.10).
- 6.7 The proposed number of caravans (eight) exceeds the amount of development (two to three houses) set out in Policy CSR1.
- 6.8 The proposed development therefore conflicts in principle with the development plan, which indicates that development should be restricted. However, the planning committee must also take into account 'material considerations' when reaching a decision as set out in Section 38(6) of the Planning and Compulsory Purchase Act (2004). I believe there are two significant material considerations that the committee should take account of when making a decision.
- 6.9 The first of these material considerations is that the council has already granted planning permission for this development in October 2015 for a period of two years. The caravans were only occupied in April 2017, meaning that around 75% of the two year consent was not utilised. The implementation of the consent is not the council's responsibility and the failure of the applicant to address this is not reason to extend the consent. However, in the past the council has seen it appropriate to approve permission where the development plan indicated it should be restricted on the basis that the need for staff accommodation was a material consideration. This need still exists and if the consent is not granted, these workers will be at risk of losing their accommodation.
- 6.10 As I will discuss below, the caravans introduce harm and are contrary to the development plan, and would only be acceptable in my opinion as a temporary permission while a permanent solution is implemented. The risk of workers losing their accommodation is not something that the council should be held to ransom over for an indefinite period.
- 6.11 The second material consideration is that the council cannot currently demonstrate a five year housing land supply. As I have referenced above, policy H15 states that applications for caravan sites should be treated as if they are a housing application. The application provides, on a temporary basis, eight dwellings and would make a contribution to the housing land supply, and would be for workers in the district (which will be secured through condition). This is, in my view, a material consideration weighing in favour of the development.

- 6.12 Overall, I consider there to be a conflict with policies H15 and CSR1 regarding the principle of the development. The application site is not an infill site and is for a level of housing higher than identified in CSR1. Consequently, the development plan suggests permission should be refused. However, the fact that the council has granted permission for this type of development on the site before, that the aforementioned permission was only implemented for around 25% of its lifespan, and the lack of a five year housing land supply in the district are material considerations that weigh in favour of development. On balance, and subject to conditions, I consider that the principle of the development in this instance is acceptable.

#### **IMPACT ON NEIGHBOUR AMENITY**

- 6.13 Saved policies H4 and D4 of the Local Plan 2011 state that new dwellings will be permitted where they do not have any overriding amenity objections. This can be caused by intruding upon privacy, or by an oppressive or overbearing impact.
- 6.14 Previously, officers did not consider the caravans would cause any harm to the amenity of neighbours. I agree with this conclusion. There is a significant evergreen tree belt providing sufficient visual and audible screening to the residential properties to the west. These properties are also some 60m away from the caravans. Some neighbours have identified that noise from the caravans has been causing a disturbance. However, if this is an issue, this would likely be a result of the occupiers of the caravans, rather than the principle of the residential use itself and would be a civil matter outside of the planning system. The distance between the properties and the presence of the tree belt, is in my view, sufficient mitigation between two identical use classes.

#### **LANDSCAPE IMPACT**

- 6.15 The application site is not affected by any landscape designations, nor the Oxford Green Belt. On the northern edge of the site, the landscape begins to drop off and long distance views can be glimpsed through the deciduous tree belt on this boundary. The footpath to Tiddington extends through the site to the north, and therefore provides a public right of way through the site and to the countryside beyond. There is therefore an impact on a public viewpoint, and, in my view the caravans introduce a degree of harm to the landscape due to their functional and temporary design. This has, to some extent, been mitigated through a planting plan, although this may take some more time to fully mature. I have recommended that the planting plan associated with the previous permission is carried over as a condition for this permission if granted.

#### **IMPACT ON THE PUBLIC RIGHT OF WAY**

- 6.16 The Tiddington and Albury Footpath 13 runs directly through the site. Saved policy R8 of the Local Plan seeks to retain and protect the existing public rights-of-way network. When determining applications for development the Council will ensure that existing rights-of-way are protected. The County Council's countryside access team, who are responsible for administering public rights of way, raised no objections to the application. I do not therefore believe the impact on the public right of way to be a reason for refusal.

#### **HIGHWAY IMPACT**

- 6.17 The proposed caravans would be accessed from the existing private car park which currently serves the Oxford Belfry and 10 additional car parking spaces for staff would be provided. For the original application for the caravans in 2015, the County Council's

Highway Liaison Officer raised no objection to the proposed development subject to the parking area being constructed in compliance with SUDs.

- 6.18 I consider that the proposed development would allow for sufficient parking space in accordance with the Local Plan's parking standards and would provide safe and convenient access to the highway network from the existing car park. As such the development is considered to comply with Policy T1 and T2 of the Local Plan 2011.

#### **THE LENGTH OF PERMISSION**

- 6.19 I am sensitive to local concerns about extending the temporary consent resulting in a continued renewal cycle whereby the caravans become a permanent fixture. These concerns are exacerbated by the fact that the issue of staff accommodation has remained unanswered since the first permission for an extension to the hotel in 2007.
- 6.20 Some have suggested that a consent is granted for two years from the date when the caravans were installed (circa April 2017), meaning that the caravans would need to be removed in April 2019. I am concerned that this 15/16 month period would not be sufficient to address the hotel's accommodation needs. I do not believe it would be possible for the hotel to complete its strategic plan, secure investment, secure planning consent, and construct an extension to its building to provide worker accommodation in this period. Consequently, it is likely we would be back at this position in around one year's time.
- 6.21 The applicant has suggested that a three-year permission would provide them with sufficient time to complete their plan and develop a permanent accommodation solution. This would mean the caravans could be in situ from April 2017 up to January 2021, a period of nearly four years. I am mindful that this is a substantial length of time. However, the hotel has some substantial steps ahead of it before a permanent building / extension for its staff can be provided. I believe three years from the date of this decision would give the hotel sufficient time to prepare its strategic plan, arrange investment, secure planning permission, and develop and occupy new worker accommodation.
- 6.22 If the hotel has not secured this accommodation in this period then they would be able to apply for a new permission to extend the use of this land for the caravans. However, as I have stated throughout this report, this is a location where new homes on this scale would not normally be permitted. Furthermore, the visual appearance of the caravans is somewhat harmful to the landscape in my opinion. For this harm to exist in perpetuity would not be acceptable.

#### **COMMUNITY INFRASTRUCTURE LEVY**

- 6.23 The council's CIL charging schedule has been adopted. CIL is a planning charge that local authorities can implement to help deliver infrastructure and to support the development of their area, and is primarily calculated on the increase in footprint created as a result of the development. This development is exempt from paying CIL as it is a temporary permission.

#### **7.0 CONCLUSION**

- 7.1 The proposed development is contrary to Policy CSR1 of the Core Strategy and saved Policy H15 of the Local Plan 2011. However, in my opinion there are sufficient material considerations to justify reaching a decision that is contrary to the development plan at this time. I acknowledge that the caravans will give rise to some harm (conflict with the development plan / landscape) but this harm is mitigated by the economic benefits of

supporting a local business, the social benefits of providing worker housing, and the temporary nature of the proposals.

**8.0 RECOMMENDATION**

**8.1 That planning permission is granted, subject to the following conditions:**

- 1. Temporary permission (three years).**
- 2. Approved plans.**
- 3. Specified use (staff accommodation).**
- 4. Landscaping scheme (maintaining existing).**

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