

APPLICATION NO.	P18/S3868/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	3.12.2018
PARISH	WALLINGFORD
WARD MEMBERS	Elaine Hornsby Imran Lokhon
APPLICANT	Beechcroft
SITE	11 St Martins Street Wallingford, OX10 0AL
PROPOSAL	Demolition of existing retail units and construction of new retail space with 8 retirement apartments above and associated parking.
OFFICER	Joan Desmond

1.0 **INTRODUCTION**

- 1.1 The application is referred to the Planning Committee because the officer's recommendation conflicts with the view of the Town Council.
- 1.2 The site is located within Wallingford town centre and is bounded by St Martin's Street to the east, an existing car park to the west with Goldsmiths Lane beyond, and existing retail units to the north and south. A redevelopment scheme comprising a mixed use development (retail and retirement apartments) immediately adjoins the site to the south (OS extract **attached** as Appendix 1). The total site area is 0.075ha and the site lies within the Wallingford Conservation Area and lies within the setting of several listed buildings located within the historic centre of the town. The existing building is a cycle shop ('Rides on Air').

2.0 **PROPOSAL**

- 2.1 The proposal involves the redevelopment of the current retail unit to create 8 retirement apartments, a ground floor retail unit and associated parking. The apartments comprise a mix of one and two bed units. Amended Plans have been submitted to improve the detailed design of the front elevation.
- 2.2 Reduced copies of some of the submitted plans are **attached** at Appendix 2. Full copies of the plans and consultation responses are available for inspection on the council's website at www.southoxon.gov.uk

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

- 3.1 **Wallingford Town Council** – Wishes to submit a holding objection on the grounds of:
- Loss of public parking;
 - Inadequate parking allocated to the development;
 - No further need for more retirement homes in the town centre of Wallingford;
 - Impact on the Town Council's property The Regal (Agent for Change).

County Archaeological Services – Recommend condition to ensure the implementation of a staged programme of archaeological investigation is maintained during the period of construction.

Conservation Officer – Overall, I have no in principle objection to this application. The amended plans address the concerns raised in respect of the front elevation.

Highways Liaison Officer (Oxfordshire County Council) – Following the receipt of additional information holding objection has been lifted. The parking and turning arrangements are acceptable. Conditions recommended to require the parking and turning to be provided in accordance with the amended plans.

Air Quality – Recommend conditions.

Environmental Protection Team – Recommend conditions to address potential nuisance issues.

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P12/S2200/FUL](#) - Approved (20/11/2012)

Refurbishment and part change of use of former Waitrose unit to provide a mixed-use development (Class A1, A3 and C3) including 7no. residential units at first floor, demolition and replacement of facades on south and east elevations, revised car parking arrangements, hard and soft landscaping and associated works to existing building and site layout. Additional information received from the Agent dated 11th October 2012.

[P18/S1276/PEJ](#) – Pre-application advice provided on creation of 10 retirement apartments and 150 square metres of commercial floor-space.

5.0 **POLICY & GUIDANCE**

5.1 **National Planning Policy Framework (NPPF)**

5.2 **National Planning Practice Guidance (NPPG)**

5.3 **South Oxfordshire Core Strategy (SOCS) Policies**

CSS1 - The Overall Strategy

CS1 - Presumption in favour of sustainable development

CSC1 - Delivery and contingency

CSEN3 - Historic environment

CSH1 - Amount and distribution of housing

CSH2 - Housing density

CSH4 - Meeting housing needs

CSI1 - Infrastructure provision

CSM1 - Transport

CSQ3 - Design

CST1 - Town centres and shopping

CSWAL1 - The Strategy for Wallingford

5.4 **South Oxfordshire Local Plan 2011 (SOLP 2011) policies;**

TC2 - Development in town centres

H4 - Housing sites in towns and larger villages outside Green Belt

CON11 - Protection of archaeological remains

CON13 - Archaeological investigation recording & publication

CON14 - Building record survey

CON5 - Setting of listed building

CON6 - Demolition in conservation area

CON7 - Proposals in a conservation area

D1 - Principles of good design

D10 - Waste Management

D2 - Safe and secure parking for vehicles and cycles

D3 - Outdoor amenity area

D4 - Reasonable level of privacy for occupiers

- D6 - Community safety
- D7 - Access for all
- EP1 - Adverse affect on people and environment
- EP2 - Adverse affect by noise or vibration
- EP6 - Sustainable drainage
- G2 - Protect district from adverse development
- T1 - Safe, convenient and adequate highway network for all users
- T2 - Unloading, turning and parking for all highway users

5.5 Wallingford Neighbourhood Plan (WNP)

Wallingford Town Council are working towards the adoption of a Neighbourhood Plan and as such the Neighbourhood Plan has limited weight at this stage

5.6 Emerging South Oxfordshire Local Plan 2034

The Council is preparing a new Local Plan, which will set out how development will be planned and delivered across South Oxfordshire to 2034. The overall strategy in draft policy STRAT1 is to focus major new development in the Science Vale and other strategic allocations; support and enhance the economic and social dependencies between towns and villages; support the roles of Henley-on Thames, Thame and Wallingford; support and enhance the roles of the larger villages; allow limited housing and employment development at smaller and other villages; protect and enhance the countryside by ensuring that any change relates to very specific needs; and support and enhance the historic environment.

5.7 South Oxfordshire Design Guide 2016 (SODG 2016)

5.8 Other relevant legislation

Planning (listed Building and Conservation Areas Act) 1990
Human Rights Act 1998 - Article 8 (Right to Respect for Private and Family Life)
The First Protocol, Article 1 (Protection of Property)

6.0 PLANNING CONSIDERATIONS

6.1 The relevant planning considerations in the determination of this application are:

- The principle of the development
- Matters of detail / technical issues, including:
 - the impact of the scale, design and layout on heritage assets,
 - highway safety and traffic impact,
 - neighbour amenity and amenity of future residents,
 - environmental matters (air quality, contamination and noise).
- Infrastructure requirements, including:
 - on-site infrastructure,
 - contributions pooled under the Community Infrastructure Levy.

The principle of the development

6.2 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise. Section 70 (2) of the Town and Country Planning Act 1990 provides that the local planning authority shall have regard to the provisions of the Development Plan, so far as material to the application, and to any other material considerations. In the case of South Oxfordshire, the most relevant parts of the Development Plan are the Core Strategy which was adopted in December 2012 and the saved policies of the South Oxfordshire Local Plan

2011. Development which is not in accordance with an up-to date Development Plan should be refused unless material considerations indicate otherwise.

- 6.3 The National Planning Policy Framework (2018) advises that there is a presumption in favour of sustainable development. This is echoed within policy CS1 of the South Oxfordshire Core Strategy. The site lies in the centre of Wallingford, one of the towns in the district. It is a sustainable location and Policy CSWAL1 of SOCS sets out the overall strategy for the town. One of the aims of CSWAL1 is to achieve housing on suitable infill and redevelopment sites within the town. As this site lies within the town centre, Policy TC2 of the Local Plan is also relevant which allows for the small-scale redevelopment of existing premises in street frontages to accommodate a mix of uses including shops and residential use subject to no overriding amenity, design, environmental or traffic problems or conflict with other Development Plan policies.
- 6.4 The scheme involves the redevelopment of a brownfield site which would accord with the overall strategy for Wallingford and as such the redevelopment of the site for housing/commercial use is acceptable in principle. The details of the any proposal as assessed against policy H4 of the Local Plan which deals with new housing is considered below.

Impact on Heritage Assets

- 6.5 The site is within the Wallingford Conservation Area and, as set out in paragraph 1.2, there are a number of nearby listed buildings nearby. The Planning (Listed Buildings & Conservation Areas) Act 1990 Section 66(1) requires special regard to the desirability of preserving the setting of listed buildings while section 72(1) requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.
- 6.6 Core Strategy Policy CSEN3 provides that designated heritage assets will be conserved and enhanced and adopted Local Plan policies CON5 (setting of listed buildings) and CON7 (conservation areas) echo these requirements. Core Strategy Policy CSQ3 requires that development respond positively to and respects the historic significance and heritage values of the historic environment.
- 6.7 Paragraph 193 of the NPPF provides when considering the impact of a proposal on a designated heritage asset, great weight should be given to the asset's conservation. Where a proposal results in less than substantial harm to a designated heritage asset, this harm should be weighed against the public benefits of the proposal (paragraph 196 of the NPPF).
- 6.8 The existing site consists of a single storey building, currently the *Rides on Air* cycle shop. Immediately adjoining the site is The Regal Centre, which is a prominent building in the street scene and is visible from the Market Place to the north. Opposite the site, the buildings are a mix of 2 and 2 and a half storeys of late C20 development along with the Victorian era St Mary's shopping arcade and the grade II listed Pettits building. The adjoining site to the south is in the process of being redeveloped for retirement and commercial use.
- 6.9 A Heritage Impact Assessment has been submitted which concludes that the proposed development would preserve the character and appearance of the Conservation Area through a sympathetically designed scheme that incorporates a traditional facade that complements other recent developments on St Martin's Street. The proposed development would be subservient to adjacent buildings and would maintain the existing commercial character of the street. Consequently, the significance of surrounding designated and non-designated heritage assets would not

be harmed.

6.10 The scheme submitted with this application is informed by the design rationale that was eventually approved for the adjoining site. Following on from pre-application advice, the massing of the building has been reduced and is more suited to this part of the street scene. Overall, the Conservation Officer (CO) has no objection about the proposed design or material detailing. The detailed design was however of concern, in particular the proposed dormers with fully glazed cheeks and street elevation balconies. Revised plans have been submitted to address these concerns with the removal of the projecting balconies for Juliet balconies and the removal of the fully glazed cheeks to the dormers. The CO is satisfied with the amendments and a condition is recommended to agree a schedule of external materials.

6.11 The site is located in an area of considerable archaeological potential, lying in the centre of the Saxon Burh and the medieval town and therefore this application has the potential to encounter significant deposits relating to the early development of the settlement. The County Archaeological Officer has recommended a condition to the implementation of a staged programme of archaeological investigation is maintained during the period of construction. This can be ensured through the attachment of a suitable condition.

Highway safety and traffic impact

6.12 The NPPF states that development proposals should that appropriate opportunities to promote sustainable transport modes can be-or have been- taken up; safe and suitable access can be achieved for all users and any significant impacts on the transport network, or on highway safety, can be cost effectively mitigated to an acceptable degree. It advises that 'Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.' Policy CSM1 of the Core Strategy and Policy T1 of the South Oxfordshire Local Plan (SOLP) also require that there would be no adverse impact on highway safety.

6.13 The proposed development is to be accessed from the public car park to the rear of the site. Pedestrian access would be achieved via dedicated pedestrian entrances from the public car park or St Martin's Street. The ground floor would also provide covered car parking and storage for bicycles, as well as refuse storage. A total of 10 spaces would be provided with the overall number of public parking spaces (137) remaining as existing. The Transport Statement submitted with the application concludes that the additional traffic resulting from the development would be negligible. The site occupies a sustainable location within the town centre.

6.14 Initially the County Highway Liaison Officer raised concerns relating to the dimensions of the parking spaces and lack of vehicle tracking information. However extensive discussions have been held with the Highway Consultant to resolve matters relating to the required size of the parking spaces. Following receipt of amended plans the Highways Officer has confirmed that the parking and turning arrangements are satisfactory and the swept path analysis confirms that all spaces can be accessed.

Neighbour amenity and amenity of future residents

6.15 Section 12 of the NPPF seeks to achieve well-designed places and paragraph 127 sets out that places should promote health and well-being, providing a high standard of amenity for existing and future users. Policy D3 of the adopted Local Plan provides that private outdoor sitting areas should not be overlooked by adjacent outdoor sitting areas, living/dining rooms or kitchens. Policy D4 requires new development to secure

an appropriate level of privacy for occupiers and to not unacceptably harm the amenities of neighbouring properties through loss of privacy, daylight or sunlight.

- 6.16 Section 7 of the South Oxfordshire Design Guide 2016 provides guidance on adequate amenity space and distances between habitable rooms of properties.
- 6.17 A Daylight and Sunlight report has been submitted in support of the application which recognises that in a dense urban location such as this site, including the number, height and proximity of other neighbouring buildings means that windows and rooms will often fall short of the guidance regime. Despite this, of the 103 windows tested, just 3 fall short of the guidance relating to Vertical Sky Component (VSC). Two of the windows serve the same room and when considered together are likely to provide an adequate level of sunlight. The third is considered to be marginal, only just falling short of the guidance. All of the assessed windows comfortably meet the guidance for available sunlight hours. In respect of Daylight Distribution (DD), of the 66 rooms assessed, just 5 fall short of the guidance, but it is unclear whether these are all habitable rooms. This would be regarded as a high level of compliance in a dense urban environment such as this. The report concludes that the proposal accords with the intent and context of the planning guidance in this case. It is also noted that no letters have been received objecting to the application on amenity grounds from neighbouring properties.
- 6.18 The proposed layout would provide some balcony space and will provide a roof top patio garden with additional roof top landscaping for the residents of the apartments and given the town centre location of the site, I consider that this is a positive response to the site constraints and would provide an appropriate living environment for future residents

Environmental matters (air quality, contamination and noise)

- 6.19 Policy EP1 of the SOLP seeks to secure mitigation measures to ensure that developments do not have an adverse effect on the health and amenity of both existing and future occupiers. Based on the size of the proposed development, basic good practice design should be applied to this site in order to help mitigate against the air quality impacts and the potential cumulative effects of piecemeal developments, and to enable future proofing of the development.
- 6.20 The Environmental Protection Team have recommended conditions to protect the amenity of nearby residential properties from noise and dust nuisance during the construction phase and conditions are recommended to address potential air quality issues.
- 6.21 The Town Council has raised concerns relating to the impact of the development on The Regal (Sports and Social centre) which is owned by them. In response to these concerns, the agent has highlighted the advantages of the proposal which it is considered will enhance the setting of The Regal. The former cinema is a non-residential, largely imperforate building and it is argued that the orientation of buildings is not problematic, and that the former cinema projects well beyond the western face of the proposal and enjoys substantial sunlight daylight, albeit onto largely blind facades. The introduction of residential activity afforded by the proposal will increase footfall and activation and provide valuable passive surveillance over the former cinema, and the public footpath between it and the Regal Centre. The impact of the proposed redevelopment is, it is argued, entirely beneficial to the former cinema. It should also be noted that such a mixture of uses would also not be uncommon in such a town centre location, which is positively encouraged in both national and local planning policies.

Infrastructure requirements

Community Infrastructure Levy

6.22 The council adopted a Community Infrastructure Levy (CIL) in 2016. The retirement apartments and retail element of the scheme would not be CIL liable.

6.23 *On-site infrastructure to be secured under a legal agreement*

On-site infrastructure can be secured through a legal agreement under S106 of the Town and Country Planning Act 1990 (as amended). The S106 would secure the following:

- provision of retirement housing
- a contribution towards street naming and numbering - £1,072
- a contribution towards the Council's S106 monitoring fee - £265

7.0 CONCLUSION

7.1 The redevelopment of this site is supported through the strategy for Wallingford in the South Oxfordshire Core Strategy. The proposal would include the provision of a retail unit of the ground floor, which would support the vibrancy and vitality of the southern part of Wallingford town centre. The development would reuse a brownfield site and improve the built and historic environment through a high quality design that is reflective of local vernacular. The provision of 8 retirement apartments would contribute towards the need for housing for older people. Subject to conditions, this development would have no adverse impacts that would outweigh the benefits of the development and would represent a sustainable form of development.

8.0 RECOMMENDATION

8.1 **To delegate authority to grant planning permission to the Head of Planning subject to:**

i) The prior completion of a Section 106 agreement to secure the provision of retirement housing and financial contributions stated above, and

ii) The following conditions:

- 1 : Commencement 3 yrs - Full Planning Permission**
- 2 : Approved plans**
- 3 : Sample materials required (all)**
- 4 : Parking & Manoeuvring to be provided and retained**
- 5 : Cycle Parking Facilities**
- 6 : Noise attenuation (external noise & plant equipment)**
- 7 : Hours of operation**
- 8 : EV Charging Point**
- 9 : Bin store enclosure details**
- 10 : Archaeology (Submission and implementation of WSI)**
- 11 : Air Quality**

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