

APPLICATION NO.	P19/S0820/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	18.3.2019
PARISH	WALLINGFORD
WARD MEMBER(S)	George Levy Sue Roberts
APPLICANT	Winslade Investments (Wallingford)
SITE	Wallingford Portcullis Social Club (28) & 29 & frontage of M Goldsmiths Lane Wallingford, OX10 0DU
PROPOSAL	Demolition of all buildings at Portcullis Club and No29. Construction of fourteen apartments, with vehicular access and parking and associated works. Demolition of and re-construction of frontage wall to Masonic Centre.
OFFICER	Sharon Crawford

1.0 **INTRODUCTION**

- 1.1 The application has been referred to the Planning Committee at the discretion of the Planning Manager given the history of the site, the current appeal being held in abeyance.
- 1.2 The site lies in a prominent location fronting onto Goldsmith's Lane and The Kine Croft between the Masonic Hall and the community centre. The Mint on the opposite side of Goldsmiths Lane is a terrace of residential properties and also a Grade II listed building. The site lies in the Wallingford Conservation area and is an area of archaeological interest. In addition, the Kine Croft is a Scheduled Monument.
- 1.3 The buildings on the site have been vacant since 2015. Prior to that they were last used for the Portcullis Social Club but were originally part of the former Wallingford Brewery dating from the C18/C19. Much of the site is covered in buildings of differing ages. There is very little open space on the site other than a small courtyard.
- 1.4 The site is identified on the Ordnance Survey Extract **attached** at Appendix 1.
- 1.5 A scheme involving the conversion of the buildings worthy of retention for 14 residential units was refused at planning committee on 18 June 2018 (ref P18/S0003/FUL). The application was refused for the following reason;
1. Having regard to the density of development and the location of the site, the proposal would represent an overdevelopment of the site that would increase pedestrian and vehicular activity and would be harmful to the safety and convenience of users of the public highway. As such the proposal would be contrary to Policy CSWAL1 of the South Oxfordshire Core Strategy and saved Policies G2, D2, H4, T1 and T2 of the South Oxfordshire Local Plan 2011.

An appeal against the refusal of planning permission has been lodged with the Planning Inspectorate (PINS). This appeal is being held in abeyance pending the

result of the this planning application. If planning permission is refused, the appeal will be re-activated.

1.6 A scheme involving the conversion of the existing building on the site for 15 residential units was considered at planning committee on 26 July 2017 - ref P16/S4208/FUL (this application did not include 29 Goldsmiths Lane). The application was refused for the following reasons;

1. Having regard to the density of development and the location of the site (where vehicular and pedestrian access is limited by the access into the site and the limited width and lack of pavement on Goldsmiths Lane), the proposal would represent an overdevelopment of the site that would increase pedestrian and vehicular activity and would be harmful to the safety and convenience of users of the public highway. As such the proposal would be contrary to Policy CSWAL1 of the South Oxfordshire Core Strategy and saved Policies G2, D2, H4, T1 and T2 of the South Oxfordshire Local Plan 2011.
2. The proposal would fail to provide affordable housing to meet the needs of the District contrary to Policy CSH3 of the South Oxfordshire Core Strategy and wider guidance contained within the National Planning Policy Framework.

2.0 PROPOSAL

2.1 The application seeks full planning permission for;

- Demolition of all buildings on the site save for the boundary wall to Kinecroft.
- Demolition of No29 Goldsmiths Lane.
- Demolition of the frontage wall forming the access to the Masonic Hall.
- Reconstruction of the frontage wall to the Masonic Hall- setback for better vision. (This has a separate planning permission P18/S0290/FUL)
- Construction of new buildings on the Portcullis site providing a total of 14 dwellings, in a mix of one- and two-bedroom apartments; the buildings being across two- and three-storeys.
- There will be 15 parking spaces on site.
- Access to the site will be via Goldsmiths Lane via a newly created open vehicular access with side pavements for pedestrian access
- No access is shown directly to Kinecroft notwithstanding retention of the gates in the boundary wall, these are to be blocked up internally.

2.2 Reduced copies of the plans and documents accompanying the application 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

Full responses can be found on the Council's website

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|-----|--------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3.1 | Wallingford Town Council | Members of Wallingford Town Council's planning committee on Monday the 25th March following a vote resolved that they had no objections to this planning application. |
| 3.2 | OCC (Highways) | No objection subject to conditions and a S278 and S38 agreement |
| 3.3 | OCC (Archaeology) | No objection subject to conditions. |

- 3.4 Historic England
Objection. Detailed comments summary only.
Historic England objects to the application on heritage grounds. We consider that the application does not meet the requirements of the NPPF, in particular paragraph numbers 130, 184, 193, 194 and 196. In determining this application, you should bear in mind the statutory duty of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.
- 3.5 Conservation Officer
I cannot support this application.
I do not consider that the demolition of the existing structures is well justified. Previous applications for development here have made provision for the retention of the historic buildings. The justification for their removal within this application rests on 'making use of the floorspace effectively' which a lower density would not do. However, in maintaining a high density the conclusion is that a car-free development wouldn't be accepted and therefore the desire for on-site car parking and vision splays have led to the conclusion that 'the older buildings cannot be retained' as they form 'too significant a constraint to development'.

There have been no alternative solutions provided with this application that have attempted to explore possible compromises between the previous proposal and this one that would retain the historic buildings.

I consider that the demolition of the existing buildings would result in the loss of an important group of non-designated heritage assets within the Wallingford Conservation Area. This would result in harm to the significance of the conservation area as a designated heritage asset and thus the application is contrary to Core Strategy Policy CSEN3 and Local Plan Policies CON6 and CON7 and Paragraphs 193, 196 and 197 of the NPPF. If you are minded to approve the application, you should be satisfied that the harm is justified and demonstrably outweighed by public benefits.

In my opinion, the design of the development scheme would not enhance or better reveal the significance of the conservation area in line with paragraph 200 of the NPPF.
- 3.6 Countryside Officer
No objection subject to a condition.
- 3.7 Contaminated Land Officer
The garden soils are unsuitable for the proposed residential use and that remedial works are required. To ensure that all remedial works are undertaken satisfactorily I would recommend that any planning permission is subject condition.
- 3.8 Air Quality Officer
No objection regarding adverse impacts on local air quality.
- 3.9 Waste Management Officer
No objection – standing advice re bins.

- 3.10 Crime Prevention Design Advisor I do not wish to object to the proposals. However, I consider some aspects of the design and layout to be problematic in crime prevention design terms and therefore feel that the development may not meet the requirements of; · The National Planning Policy Framework 2018, Section 12 ‘Achieving well-designed places’ , point 127 (part f), which states that; ‘Planning policies and decisions should ensure that developments... create places that are safe, inclusive and accessible... and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience’ . And; · HMCLG’s Planning Practice Guidance on ‘Design’ , which states that; ‘Although design is only part of the planning process it can affect a range of objectives... Planning policies and decisions should seek to ensure the physical environment supports these objectives. The following issues should be considered: safe, connected and efficient streets... crime prevention... security measures... cohesive & vibrant neighbourhoods.’
- 3.11 Wallingford Historical and Archaeological society Objection. If the proposed development goes ahead, the road widening, increased traffic and three-storey buildings will totally destroy the character and scale of this part of the town’s Conservation Area, including not only Goldsmith’s Lane, but also the visual landscape of the Kinecroft, a very precious survival of the Saxon *burh*. The materials proposed are starkly modern and totally out of keeping with the attractive local brick-built environment of most of the rest of the town.
It is vital for the survival of our much-loved town, that **all** aspects of its heritage are treasured, not just because of their age, but because they present the town with its most viable asset for economic survival. Tourism, as SODC so often tells us, brings people and money to the town and district.
- 3.12 Neighbours Objecting (111) Detailed comments received – summary only
Object to the unnecessary demolition of historic buildings which significantly contribute to the character of Wallingford.
This scheme would disastrously erode the character of the Conservation Area and have a huge impact on the Kinecroft.
Wallingford Town Council have been working on this scheme with the developer without consulting the town. This major scheme would mean demolishing the Locally Listed brewery buildings in the Wallingford Conservation Area. These buildings are important both historically and to the character of the Conservation Area. The bulky, high new buildings would loom over the Kinecroft and Goldsmiths Lane. The style of the proposed scheme is cod-industrial and zinc-clad, all quite alien to Wallingford. The old line of this atmospheric street will be opened up with a large splayed entrance for 15 vehicles, putting an unacceptable strain on the traffic flow and increasing the already high air pollution. Congestion and danger to pedestrians crossing Goldsmiths Lane would result. There is no valid reason for this demolition and inappropriate rebuilt. A conservation-led car-free development, approved by SODC officers but turned down by members, is still awaiting appeal. This scheme under appeal would allow a viable and sustainable development, retain and reuse the historic buildings, have a

negative traffic impact and provide a scheme that does little significant damage to the Conservation Area.

3.13 Neighbours approve (4)

This plan is very much better than the previous ones for this site which the Council has rejected. The entrance off Goldsmiths' Lane has been widened and parking places for all residents are provided within the site.

We are supportive of the application for the former Wallingford Portcullis Social Club (the Club) and of course for our entrance improvements. We have been consulted throughout by the developer as the revised plans have evolved. Worsening disrepair of the site is affecting the Masonic Centre threatening our buildings infrastructure and increasing our costs. We have also had problems with rats which have been coming from the Club. The Club has been vacant for about 4 years and the overall ambience of the area continues to deteriorate. The new wholesale redevelopment scheme is welcomed and will bring many public benefits. The design is very thoughtful and the revised pedestrian and vehicular access is a significant benefit particularly relating to safety. It will open up the lane, give a far lighter environment and may also help with the town's air pollution issues. The new scheme has a modern design that reflects the industrial / brewery heritage of the site and I believe it will enhance the conservation area. The new scheme has car parking unlike the Club or the previous schemes - this may help pressure on the car parks. Also the construction of new build scheme will be much efficient and less disruptive than converting some of the old buildings - this will assist in our operations. Given the condition of the existing buildings, their location in a Conservation Area and the difficulty of finding a viable alternative use for the site, this project is a challenging one and compromises may have to be made. This scheme is an improvement on the first submission in that it largely overcomes the 'canyon' effect of its predecessor - reducing the negative effects of both noise and exhaust emissions pollution.

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P18/S0003/FUL](#) - Refused (20/06/2018)

Demolition, Part demolition, redevelopment and Change of Use of the Portcullis Club building & No29 to provide 14 residential units. Eight two-bedroom houses, three two-bedroom flats and three one-bedroom flats.

[P16/S4208/FUL](#) - Refused (28/07/2017)

Part demolition, redevelopment and Change of Use of the Portcullis Club building to provide 15 residential units comprising six two-bedroom houses, three two-bedroom flats and six one-bedroom flats. (As amended by drawings accompanying e-mail from agent received 3 April 2017 and as clarified by drawing no 8161042_6101_B showing virtual footway designation).

[P16/S1106/PEJ](#) – Response (06/06/2016)

Redevelopment including part demolition of former Portcullis Club and change of use to C3 to provide 14 residential units. **Office meeting**

[P15/S3212/PEM](#) – Response (22/10/2015)

Conversion of main buildings and alterations (including removal of some extensions) to provide dwellings in place of existing social club use.

5.0 **POLICY & GUIDANCE**

5.1 South Oxfordshire Core Strategy (SOCS) Policies

- CS1 - Presumption in favour of sustainable development
- CSQ2 - Sustainable design and construction
- CSQ3 - Design
- CSS1 - The Overall Strategy
- CSWAL1 - The Strategy for Wallingford
- CSEN3 - Historic environment
- CSH4 - Meeting housing needs
- CSB1 - Conservation and improvement of biodiversity
- CSM2 - Transport Assessments and Travel Plans

5.2 South Oxfordshire Local Plan 2011 (SOLP 2011) policies;

- CON5 - Setting of listed building
- CON6 - Demolition in conservation area
- CON7 - Proposals in a conservation area
- CON11 - Protection of archaeological remains
- CON12 - Archaeological field evaluation
- CON13 - Archaeological investigation recording & publication
- EP1 - Adverse affect on people and environment
- EP3 - Adverse affect by external lighting
- EP6 - Sustainable drainage
- EP8 - Contaminated land
- T1 - Safe, convenient and adequate highway network for all users
- T2 - Unloading, turning and parking for all highway users
- D2 - Safe and secure parking for vehicles and cycles
- D3 - Outdoor amenity area
- D4 - Reasonable level of privacy for occupiers
- G2 - Protect district from adverse development
- H4 - Housing sites in towns and larger villages outside Green Belt
- C8 - Adverse affect on protected species

5.3 **Neighbourhood Plan policies;**

Paragraph 48 of the NPPF allows for weight to be given to relevant policies in emerging plans, unless other material considerations indicate otherwise, and only subject to the stage of preparation of the plan, the extent of unresolved objections and the degree of consistency of the relevant emerging policies with the NPPF.

Wallingford Town Council are working towards the adoption of a neighbourhood plan. The Neighbourhood Plan has limited weight at this stage.

5.4 **Emerging South Oxfordshire Local Plan 2011-2033 (ESOLP)**

The Council is preparing a new Local Plan, which will set out how development will be planned and delivered across South Oxfordshire to 2034.

This plan is not yet an adopted part of the development plan of the Council and as such can only be given limited weight.

5.5 **Supplementary Planning Guidance/Documents**

Wallingford Conservation Area Appraisal adopted 2018

South Oxfordshire Design Guide 2016 (SODG 2016)

5.6 National Planning Policy Framework (NPPF)

National Planning Policy Framework Planning Practice Guidance (NPPG)

5.7 **Other Relevant Legislation**

- Planning (Listed Buildings and Conservation Areas Act) 1990

6.0 **PLANNING CONSIDERATIONS**

6.1 The Development Plan Section 70 (2) of the Town and Country Planning Act 1990 Requires 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. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires where regard is to be had to the Development Plan, applications for planning permission must be determined in accordance with the Plan unless material considerations indicate otherwise.

In the case of this proposal, 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

The main issues in this case are;

- Whether the principle of development is acceptable
- Loss of community facilities
- Highways issues
- Impact on the Heritage assets
 - Significance of the Portcullis buildings
 - Character of the conservation area
 - Setting of Scheduled Monument
- Provision of gardens
- Provision of affordable housing
- Mix of units
- Neighbour impact
- CIL

6.2 **The principle of the development.** The NPPF establishes that the purpose of the planning system is to contribute to the achievement of sustainable development. In order to assess whether a proposal constitutes sustainable development it must satisfy the three dimensions, which include the economic, social and environmental planning roles. It makes it clear these three roles are mutually dependent and should not be taken in isolation.

Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development.

For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably

outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

6.3 The NPPF presumption in favour of sustainable development 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 (criterion x) is to achieve housing on suitable infill and redevelopment sites within the town, which this would do. However, the policy also seeks to enhance the town's environment (criterion vi) and for the reasons identified below, there is conflict with this element of CSWAL1. Whilst the principle of redevelopment is acceptable, the site would have to be developed with a scheme that enhanced the environment to accord fully with policy CSWAL1.

6.4 **Loss of community facilities.** Saved policy CF1 of the SOLP aims to protect essential community facilities as follows:

Policy CF1

Proposals that result in the loss of a recreation facility or an essential community facility or service, through change of use or redevelopment, will not be permitted unless:

- (i) **suitable alternative provision is made for the facility (or similar facilities of equivalent community value) on a site elsewhere in the locality, or**
- (ii) **in the case of recreational facilities, it is not needed, or**
- (iii) **in the case of commercial services, it is not economically viable.**

6.5 The proposal involves the loss of the social club which has been closed for a considerable period of time. The loss of the community facility was not included in the previous refusal reasons as the council were satisfied that there are suitable alternative facilities in the immediate vicinity and there is no objection to the loss of the social club.

6.6 **Highways issues.**

With respect to highway safety matters the advice from Central Government set out in the National Planning Policy Framework (NPPF) is as follows:

Development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe.

The term severe is locally interpreted as situations, which have a high impact, likely to result in loss of life, or a higher possibility of occurrence with a lower impact.

6.7 Previous schemes on the site have been car free as the existing access does not meet current standards for visibility. Although there has been no objection to the previous schemes from OCC highways, the council have refused planning permission on the grounds that there would have been an increase in pedestrian and vehicular activity due to the car free nature of the development that would be harmful to the safety and convenience of users of the public highway.

The proposals now include the demolition of the existing Social Club and adjacent dwelling and the construction of 14 No. apartments. As part of the development, 15 No. car and 31 No. cycle parking spaces will be provided within the site for the use of residents and visitors.

Access to the site will be maintained in its current position, albeit widened, to allow vehicles to enter/exit the site at the same time. In addition, the existing footway along the western side of Goldsmiths Lane will be extended to just past the site access and an additional drainage gully provided within the carriageway.

It is considered that the proposals would not increase the daily traffic generation above that of the existing Social Club. In addition, the requirements for HGV's to visit the site for servicing purposes would be significantly reduced.

In terms of the proposed car parking provision, based on the location of the site (adjacent to all local amenities, including public transport facilities), the provision of 1 No. space per apartment together with a single visitor space is in accordance with the Council's adopted standards. In addition, the number of cycle parking spaces (31 No.) are acceptable.

It is noted that the access will be widened to allow two cars to pass side by side at the same time when entering and exiting the site. However, while the increased width is appropriate to accommodate small cars, larger cars would be required to wait along the adjacent highway, leading to congestion. Nevertheless, it is considered that the access could be further widened, which could be achieved by way of a suitable planning condition.

The Highway Engineer has no objection to the scheme subject to a number of conditions in relation to the travel information packs, a construction traffic management plan and drainage.

- 6.8 **Impact on the Heritage assets.** Paragraph 184 makes it clear that heritage assets, such as these buildings, are an irreplaceable resource that should be conserved in a manner appropriate to their significance so that they can be enjoyed for the contribution to the quality of life of existing and future generations.

Paragraph 193 of the NPPF requires that 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. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Paragraph 194 requires that any harm to or loss of a heritage asset should require a clear and convincing justification.

Paragraph 195 makes clear that where a development proposal will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits, including securing its optimum viable use.

Paragraph 200 encourages LPAs to look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

Paragraph 201 recognises not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance. Loss of a building (or other element)

which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 195 or less than substantial harm under paragraph 196, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.

- 6.9 **The historic significance of the buildings that make up the Portculis club.** The buildings that make up the Portcullis Club include three buildings, now known as the Long Barn, Goldsmith's Bar and the Corner Room which are associated with the former brewery on this site and are of historical and architectural interest. These are numbered 1, 2 and 3 in the Built Heritage Assessment submitted in support of this application.

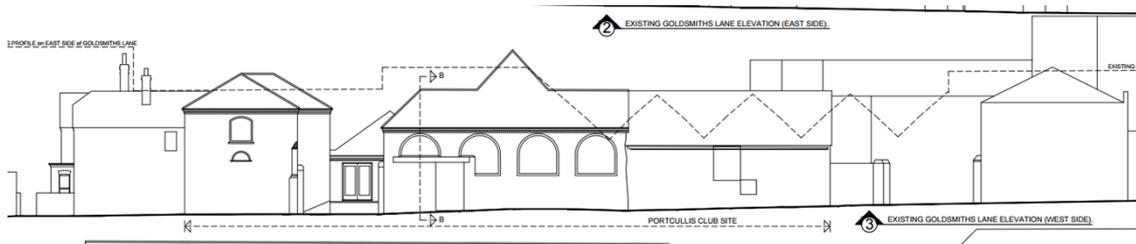
The Long Barn (building 1) and Goldsmith's Bar (building 2) are both of similar construction, built of dark red brick in a Flemish bond with glazed headers and a dentil cornice under low-pitched roofs. The Long barn has distinctive semi-circular windows and Goldsmith's Bar semi-circular headed blind arches on the road side. A cart entrance stands between them and both buildings have rounded corners facing this entrance, a common feature in early industrial buildings to prevent damage from vehicles. Their style and construction is typical of the later part of the 18th or early 19th centuries. The Corner Room is a simpler stone-built building with a steeply pitched roof. It is difficult to date such a simple structure but the use of clunch walling suggests that it is earlier than the other buildings on the site.

- 6.10 These buildings are of historical interest in their own right as good examples of early industrial buildings and of architectural interest as handsome examples of building in the local vernacular style. They also make an important contribution to the character and significance of the conservation area as a whole. They help tell the story of Wallingford's industrial past, and the particular importance of brewing and the Wells Brewery to the town from the late-18th to mid-20th centuries. While part of the brewery complex has been demolished what remains has a clear industrial character and the survival of further brewery buildings as part of the Masonic Lodge and the Mint (listed grade II) give a clear indication of the extent and character of the site in its heyday. The historic buildings on the proposed development site also make an important architectural contribution to the streetscape of Goldsmith's Lane. The combination of buildings 1, 2 and 3, similar buildings to the north and The Mint on the other side of the road give the lane a very distinctive and attractive character with a very strong industrial feel.

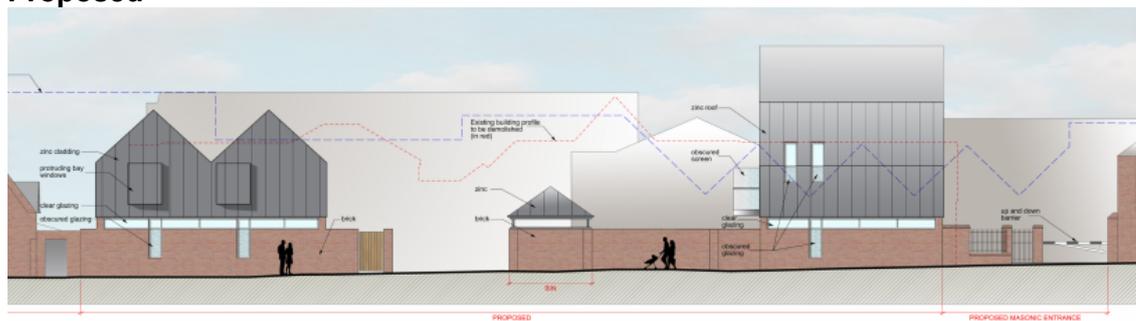
The other buildings on the site appear to post-date the cessation of brewing on this site in the 1920s and are not considered to be of heritage interest.

- 6.11 There is a strong presumption in favour of retaining buildings 1-3 given their strong contribution to the character of the conservation area. Taking these buildings down and replacing them with something different cannot be regarded as sustaining the significance of the site, even if the new building has some similar characteristics. While it is clear that this site needs a new and sustainable use, buildings 1-3 are capable of conversion in order to facilitate this as the previous applications on the site indicate. Whilst vehicular access is problematic, this does not necessitate the demolition of every historic building on the site and the loss of all the buildings on the site has not been clearly and convincingly justified as is required by the NPPF. The balancing exercise should only take place if it has been established that the harm is justified. Without adequate justification para 11 d i) of the NPPF makes it clear that planning permission should be refused.

6.12 **Elevation to Goldsmiths Lane Existing**



6.13 **Elevation to Goldsmiths Lane Proposed**



6.14 **Character of the conservation area.**

The Wallingford Conservation Area appraisal was adopted in 2018 and the proposed scheme has been considered with regard to the significance of the conservation area, and in line with Historic England’s Conservation Area Designation, Appraisal and Management: Historic England Advice Note 1 (2016). In accordance with paragraph 129 of the NPPF, the significance of the designated conservation area and other assets have been assessed and the potential impact of the application scheme on the heritage assets has been duly considered.

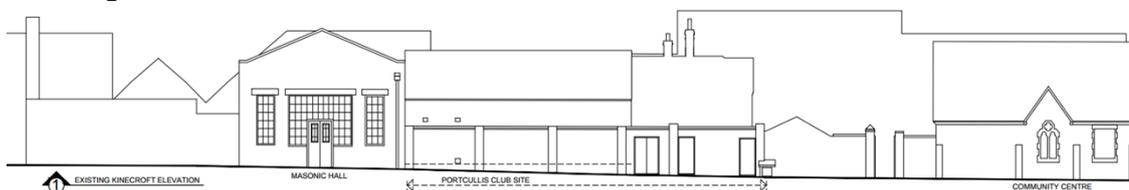
6.15 The proposals would involve the clearance of the entire site, including the demolition and replacement of buildings 1-3. Given the architectural and historical interest of these buildings and the contribution that they make to the conservation area outlined above, I conclude that their loss would entail a high level of harm to the significance of the conservation area. In addition, the increase in height and the bulky nature of the proposed new buildings in the centre and west of the site, particularly the boxy third storey, would introduce a jarring element into the street scene of the Kinecroft, further harming the significance of the conservation area.

In addition, the narrow and industrial character of Goldsmiths Lane remains characteristic of the late C18 influence of this commercial industry on the town. It is distinctly different to other routes through the conservation area. Although the physical road is not to be widened, the position of the new built form will have a considerable effect on the nature of the street scene and the experience of moving along it. Opening up the Goldsmiths Lane frontage by demolishing the buildings and setting back new buildings further into the site would also have a dramatic and harmful impact on the character of the conservation area and the setting of the Grade II listed buildings at The Mint.

6.16 **Setting of Scheduled Monument.** The site borders directly onto the Scheduled Monument known as Wallingford Saxon Town. The visible element of this monument is the earthen rampart of the town walls, the setting of which benefits from the fact that the surrounding houses are all relatively low, replicating the likely relationship between

the ramparts and the buildings they were erected to protect. The increase in height proposed would make the ramparts appear slightly smaller in relation to the town, diminishing their apparent scale and therefore harm the significance of the monument through harm to its setting, albeit to a limited degree.

6.17 **Elevation to Kine Croft Existing**



6.18 **Elevation to Kine Croft Proposed**



6.19 **Amenity/ Provision of gardens.** Minimum standards for garden areas for new residential development are recommended in the South Oxfordshire Design Guide and in Policy D3 of the Local Plan. In this case a minimum of 50 square metres of private garden area would be required for each 2 bedroom units and 35 square metres for one bed units. The lowercase text to policy D3 does however make it clear that schemes involving the conversion of existing buildings to residential in town centres, conservation areas or affecting listed buildings may be exempted from the recommended standards if all other relevant policy criteria are met. With the need to provide on site car parking there is very little amenity space proposed and all units would be below the required standard. However, there is easy access to the adjacent Kine Croft and Bull Croft park and other town centre amenities which more than makes up for any lack of private space. The previous schemes on the site were also substandard in terms of private amenity area but this reason was not included as refusal reasons because of the need to balance other issues.

6.20 **Affordable Housing.** Policy CSH3 of the SOCS requires that in housing developments of 3 or more units, a 40% provision of affordable housing should be made. However, in May 2016 the Court of Appeal effectively re-instated the Government’s ministerial statement on affordable housing from November 2014. This means that developments of no more than 10 homes or with a gross floorspace not exceeding 1,000 sq m would be exempted from levies for affordable housing and tariff-based contributions. In this case the scheme proposes a net gain of 14 units and the requirement to provide affordable housing is triggered.

6.21 The P16/S4208/FUL scheme was refused on the grounds that no affordable housing was included. However, when refusing that scheme government guidance about the application of the Vacant Building Credit (VBC) was not taken into account. The VBC is designed to encourage and speed up the redevelopment of previously developed land which is more costly to develop than greenfield land. National policy

on this is expressed in the PPG. At Paragraph: 021 Reference ID: 23b-021- 20160519 it states that where a vacant building is brought back into any lawful use, or is demolished to be replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross floorspace of relevant vacant buildings when the local planning authority calculates any affordable housing contribution which will be sought. Affordable housing contributions will therefore only be payable for any increase in floorspace.

- 6.22 Thus, although policy would appear to require 40% of the gain in dwellings (13 times 0.4= 5 units) affordable housing can only be considered on the gain in residential floor space. The existing total floorspace is 1,142sqm (No28 + No29) and thus contributions could legitimately be sought only on the gain which seems to be only 2-3 sqm. Given the negligible increase of the proposed floorspace this would amount to a tiny proportion of an affordable unit. The costs of securing such a small contribution make the contribution not worth pursuing.
- 6.23 However, in addition to VBC, the applicants have made a viability argument on both the last refusal and this application that affordable housing should not be pursued. Policy CSH3 allows for no delivery of affordable housing if this would render the development unviable. There are considerable additional costs when developing a restricted urban site, including demolitions and site clearance. The submitted viability study demonstrates that the scheme is only just viable for the scheme at 100% private housing and if any affordable housing was provided the scheme would not be viable. Where viability is an issue Policy CSH3 provides for a reduced or no provision of affordable housing which is the case with this scheme and this argument was also accepted on the most recent refusal where the lack of affordable housing did not form part of the refusal of planning permission. In this case it is reasonable to follow the same line as the VBC and viability factors have not changed.
- 6.24 **Housing mix.** Policy CSH4 of the SOCS seeks an appropriate mix of dwelling types and sizes and on schemes of over 10 dwellings, 10% should be designed to meet current lifetime home standards. This scheme would be made up of 1 and two bedroom units, which does not strictly meet the requirements of policy CSH4. However, as this accommodation will provide small units in a highly sustainable location and given the range of property sizes in the area and the need for small units there is no objection in this case.
- 6.25 **Neighbour impact.** The main residential neighbours affected by this proposal are the properties in The Mint on the opposite side of Goldsmiths Lane. The windows on the existing elevation to Goldsmiths Lane have been previously blocked and do not offer views onto the properties opposite. The Mint properties have a number of windows at varying levels and of varying sizes looking onto Goldsmiths Lane. In the past Residents of the Mint have expressed concerns about potential direct overlooking between windows at a distance of some 4.5 metres. The applicant has taken on board the concerns of The Mint residents in the design of the new scheme and the aspect to The Mint is much more open onto Goldsmiths Lane. All windows on this elevation are either high level or are obscured glazed and the neighbour impact on The Mint residents is considered acceptable in my view.
- 6.26 **Community Infrastructure Levy (CIL).** The council's CIL charging schedule has been adopted and applies to relevant proposals from 1 April 2016. 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. In this case CIL is liable for the new areas of floor space.

6.27 **Oxfordshire County Council Infrastructure contributions.** The County Council require a S278 and S38 agreement for the road improvements should planning permission be granted.

7.0 **CONCLUSION**

7.1 In this case the balancing exercise is not engaged because adequate justification for the removal of the buildings has not been given. It is considered that the harm identified by the loss of the heritage buildings is significant and the scheme does not represent sustainable development in the context of the NPPF. For these reasons, it is recommended that planning permission is refused.

8.0 **RECOMMENDATION**

8.1 **Refuse Planning Permission for the following reasons;**

1. **The proposal involves the demolition of the existing buildings on the site resulting in the loss of an important group of non-designated heritage assets within the Wallingford Conservation Area. This would result in harm to the significance of the conservation area as a designated heritage asset where there is no clear and convincing justification for this harm. As such, the application is contrary to Policy CSEN3 of the adopted South Oxfordshire Core Strategy and Policies CON6 and CON7 of the adopted South Oxfordshire Local Plan and Paragraphs 193, 194, 196 and 197 of the NPPF.**
2. **The design, height and bulky nature of the proposed new buildings in the centre and west of the site, particularly the boxy third storey, and the change of layout on Goldsmiths Lane would neither enhance or better reveal the significance of the conservation area. These changes would harm the significance, character and appearance of the conservation area and the setting of the adjacent Scheduled Monument of the Wallingford Saxon Town and the Grade II listed buildings in The Mint. The application is contrary to Policy CSEN3 of the adopted South Oxfordshire Core Strategy, Policies CON5, CON7 and CON11 of the adopted South Oxfordshire Local Plan and advice in section 16 of the NPPF.**

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