

APPLICATION NO.	P20/S0782/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	9.3.2020
PARISH	ROTHERFIELD GREYS
WARD MEMBERS	Jo Robb Lorraine Hillier
APPLICANT	Cass Holdings Ltd
SITE	Garden Cottage Badgemore Park Gravel Hill Henley-On-Thames, RG9 4NR
PROPOSAL	Reconfiguration of Garden Cottage to provide additional office accommodation; enlargements to provide twenty units of overnight accommodation (net increase of twelve), treatment rooms and staff accommodation (as amended to clarify extent of hardstanding)
OFFICER	Tom Wyatt

1.0 **INTRODUCTION AND PROPOSAL**

- 1.1 This application is referred to Planning Committee at the Planning Manager’s discretion because the Officers’ recommendation for approval conflicts with the Parish Council’s views.
- 1.2 The application site, which is shown on the copy of the OS plan attached as **Appendix A**, forms part of Badgemore Park, located approximately 1 km beyond the western edge of Henley. Badgemore Park is primarily a golf course but also comprises a variety of other uses, including a gym, conference facilities, a wedding venue and guest accommodation. Five new dwellings have recently been constructed within a former walled garden to Badgemore House immediately to the east of the current application site. The site is set within the Chilterns Area of Outstanding Natural Beauty.
- 1.3 The site comprises a walled enclosure with vehicular access in its north east corner opposite the golf club house. The building on site currently provides 8 guest bedrooms and offices. There is an extant planning permission under application P15/S4001/FUL to provide an extension to the existing building, including the provision of seven bedrooms, therefore, 15 guest bedrooms could already be provided under the current permissions.
- 1.4 The proposal would provide a total of 20 guest bedrooms within three separate blocks to be constructed in place of the development approved under application P15/S4001/FUL and within the existing lawned area of the site. The existing building would be fully converted to offices and a further new block would provide staff accommodation and spa facilities and treatment rooms.
- 1.5 A copy of the plans associated with the application are attached as **Appendix B**, whilst other documentation associated with the application can be viewed on the council’s website, www.southoxon.gov.uk.

2.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

2.1 **Rotherfield Greys Parish Council** – Objects due to being a ‘gross overdevelopment’ of the site.

Highways Liaison Officer (Oxfordshire County Council) – No objections subject to conditions.

The Chilterns Conservation Board - The impact on the special qualities of the AONB are relatively modest, however in light of the fact that the site is wholly within the AONB we would promote detailed consideration to (a) materials (b) lighting and (c) the avoidance of any incremental knock-on impacts on car parking and transport infrastructure.

Economic Development Team (SODC) – The development supports tourism and the supply chain through overnight stays, there'll be jobs created by the construction, and it allows the site to diversify and become more economically sustainable. South Oxfordshire District Council's strategic objectives to, “create the right conditions for economic growth, so that businesses, residents and workers can prosper” and the corporate priorities to “support the market towns as places to visit and places to live” are met through this development.

Countryside Officer – No objections subject to condition.

Forestry Officer - No objections subject to conditions

Contaminated Land – No objections

Thames Water Development Control – No objections

Drainage Engineer – No objections subject to condition

3.0 **RELEVANT PLANNING HISTORY**

3.1 [P19/S3266/PEM](#) – Pre-application advice (02/12/2019)
20 Units of overnight guest accommodation and ancillary facilities

[P17/S3853/FUL](#) - Approved (18/12/2017)

Removal of existing buildings and erection of five dwelling houses (two 3-bed dwellings, a 4-bed dwelling and two 5-bed dwellings) within existing walled garden; provision of private amenity space, car parking, bin and cycle storage (alternative to scheme approved under permission P17/S0709/FUL). (As amended to insert a ground floor window to Unit 4) related to P16/S2039/FUL

[P17/S0709/FUL](#) - Approved (05/05/2017)

Removal of existing buildings and erection of 5no dwelling houses (2 x 2-bed dwellings, 1 x 3-bed dwelling and 2 x 5-bed dwellings) within existing walled garden; provision of private amenity space, car parking, bin and cycle storage related to:

P16/S2039/FUL

P17/S3853/FUL

[P15/S4001/FUL](#) - Approved (18/01/2016)

Proposed alterations and extension to provide additional accommodation for management and training centre, including 7 bedrooms. (Renewal of expired application P09/E1372)

4.0 **ENVIRONMENTAL IMPACT ASSESSMENT**

- 4.1 The site lies within a sensitive area (AONB) but the scale of the development is not such to require an Environmental Statement.

5.0 **POLICY & GUIDANCE**

5.1 **Development Plan Policies**

South Oxfordshire Core Strategy (SOCS) Policies:

- CS1 - Presumption in favour of sustainable development
- CSHEN1 - The Strategy for Henley-on-Thames
- CSM1 - Transport
- CSM2 - Transport Assessments and Travel Plans
- CSB1 - Conservation and improvement of biodiversity
- CSEM1 - Supporting a successful economy
- CSEM4 - Supporting economic development
- CSEN1 - Landscape protection
- CSQ2 - Sustainable design and construction
- CSQ3 - Design
- CSR2 - Employment in rural areas
- CSS1 - The Overall Strategy

South Oxfordshire Local Plan 2011 (SOLP 2011) Policies:

- C6 - Maintain & enhance biodiversity
- C8 - Adverse affect on protected species
- C9 - Loss of landscape features
- D1 - Principles of good design
- D10 - Waste Management
- D2 - Safe and secure parking for vehicles and cycles
- D7 - Access for all
- EP2 - Adverse affect by noise or vibration
- EP3 - Adverse affect by external lighting
- EP4 - Impact on water resources
- EP6 - Sustainable drainage
- EP8 - Contaminated land
- G2 - Protect district from adverse development
- G3 - Development well served by facilities and transport
- G4 - Protection of Countryside
- R5 - Golf courses
- T1 - Safe, convenient and adequate highway network for all users
- T2 - Unloading, turning and parking for all highway users
- TSM1 - Tourist industry
- TSM2 - New and improved tourist attraction in the area
- TSM4 - New hotels, pubs and restaurants in the built up area
- TSM5 - Self-catering accommodation

South Oxfordshire Emerging Local Plan 2034 Policies

The council is currently progressing the emerging local plan through the examination stage. The plan currently carries limited weight. Relevant policies include;

- DES1 - Delivering high quality development
- DES2 - Enhancing local character
- DES3 - Design and Access Statements
- DES9 - Promoting sustainable design
- EMP11 - Development in the countryside and rural areas
- EMP12 - Tourism
- ENV1 - Landscape and countryside

ENV3 - Biodiversity Non designated sites, habitats and species
STRAT1 - The overall strategy

5.2 **Neighbourhood Plan**

Not applicable

5.3 **Supplementary Planning Guidance/Documents**

South Oxfordshire Design Guide 2016 (SODG 2016)
Developer Contributions SPD

5.4 **National Planning Policy Framework and Planning Practice Guidance**

5.5 **Other Relevant Legislation and Guidance**

Human Rights Act 1998

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

Equality Act 2010

In determining this planning application the Council has regard to its equalities obligations including its obligations under Section 149 of the Equality Act 2010.

Chilterns Buildings Design Guide
Chilterns AONB Management Plan

6.0 **PLANNING CONSIDERATIONS**

6.1 **The relevant planning considerations are the following:**

- **Principle of the proposal development**
- **Design and character**
- **Residential amenity**
- **Access and Parking**
- **Trees and Ecology**
- **Drainage**

Principle of the Proposed Development

6.2 The starting point for the assessment of the proposal is the development plan, and in this regard Policy TSM4 of the SOLP would not normally permit serviced accommodation outside of the district's settlements. However, this policy is not entirely consistent with the later government guidance contained within the NPPF, which is more permissive of the needs of rural businesses. Para. 83 of the NPPF states:

Planning policies and decisions should enable:

- (a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;*
- (b) the development and diversification of agricultural and other land-based rural businesses;*
- (c) sustainable rural tourism and leisure developments which respect the character of the countryside; and*
- (d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.*

Whilst Para. 84 states:

Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport.

- 6.3 Although Policy TSM4 of the SOLP is somewhat inconsistent with the NPPF, this is not the case in respect of Policy CSEM1 of the SOCS, which seeks to support a successful economy and states that, 'we will work with our business and education partners to provide an environment that positively and proactively encourages sustainable economic growth, 'by, amongst other matters, 'supporting the prosperity of the area's tourism industry and recreation-based rural diversification where proposals are of a scale and type appropriate to their location'.
- 6.4 The golf club has been in existence for almost 50 years and, like many such venues, has developed and evolved over time to include provision of other community and commercial operations such as being a wedding venue, and the provision of guest accommodation, and gym and conference facilities. The current proposal for additional guest bedrooms, the expansion of the office accommodation and spa facilities would expand upon the existing uses of the site, rather than creating new uses, and would represent the sustainable expansion and growth of this rural business. The proposed extension of the hotel function would be clearly related to the existing use and the buildings would be joined to and would function as part of an overall leisure and business facility. It represents a logical extension of the existing activities attracting visitors to the golf course.
- 6.5 The provision of serviced accommodation linked to the existing golf club and its use as a wedding venue would be consistent with the findings of the council's Hotel Needs Assessment dated July 2014. For the Henley area this assessment advises at Para. 8.1.17 that, 'the current performance of hotels in Henley-on-Thames, the appeal of the town as a leisure break destination, and the potential for hotels in the town to attract residential conference business from London and the Thames Valley, suggest that Henley-on-Thames can support the development of further boutique hotels'. The assessment also advises at Para. 8.1.20 that 'there could be market potential for 'the expansion and development of existing destination country house, boutique and golf hotels e.g. in terms of additional bedrooms; alternative forms of accommodation e.g. serviced apartments, self-catering lodges; hotel spas; leisure facilities; and function rooms'
- 6.6 Para. 8.3.5 of the Hotel Needs Assessment advocates a flexible approach to hotel development in the countryside. It states that, 'whilst we fully recognise the importance of protecting the rural landscapes of the two districts, and in particular the AONBs and Green Belt areas, the Hotel Needs Assessment shows potential for hotel development in the rural areas of the two districts in terms of country house hotels (given suitable properties for conversion), hotels on golf courses, a major golf resort (should a suitable site come forward), bedrooms added to wedding venues, and the conversion of residential conference centres to hotels. The development of such hotels would make a significant contribution to rural economic development. New hotel schemes have been granted planning permission in rural locations in other parts of the country, including AONBs and Green Belt locations, and such hotel proposals can be successfully accommodated in rural settings. We would suggest therefore that there is a case for more positively worded policies that would allow the consideration of hotel development in the countryside, subject to meeting other planning policy objectives for the protection of the rural parts of the two districts.'

- 6.7 In light of the above I consider that the principle of the development is broadly acceptable in relation to the benefits to the local economy.

Impact on the Character and Appearance of the Site and Surrounding Area

- 6.8 The site is contained within an existing walled garden set between the new housing development to the west and the club house and associated facilities to the east. There are several protected trees within the site or close to the north, east and south boundaries of the site, which along with the surrounding buildings provide effective screening of the site in views from surrounding land.
- 6.9 The site lies within the AONB, and the NPPF (Para. 172) states that ‘great weight’ should be given to the conservation and enhancement of the landscape and scenic beauty of these areas. This requirement is echoed within Policy CSEN1 of the SOCS. Although the application site is within the AONB it represents previously developed land in close proximity to existing buildings and is within a man-made golf course setting. The main issue in terms of the impact on the character and appearance of the wider surrounding area and AONB setting is with regard to the impact on the landscape as seen from the public footpath crossing the golf course some 200 metres north of the application site. In views from this footpath, the site is well screened by the existing vegetation, which is to be retained, and where it would be noticeable the development would be viewed in context with the surrounding buildings. In light of this I consider that the development would conserve the landscape qualities of this part of the AONB.
- 6.10 The existing building on the site has a traditional form and appearance and benefits from an attractive landscape setting within the walled enclosure in which it is situated. The proposed development would erode the majority of the open space within the site, and would diminish the immediate landscape setting of the existing building. However, as the site is well contained and well screened from wider views I consider that harm caused by this would be limited and largely contained to within the site. The proposed development is simple and functional in terms of its design, form and layout and would reflect the general form and scale of the existing adjacent buildings.
- 6.11 The creation of separate buildings arranged around a central courtyard allows for the overall massing of the development to be broken up and for greater visual interest in relation to the varied ridge heights and footprints of the individual blocks. The development allows the original building on the site to remain as a separate identifiable part of the development in order to retain its architectural and historic integrity. The breaking up of the massing of the development and the relatively low ridge heights of the development also ensure that the new development does not overwhelm the scale and height of nearby Badgemore House, allowing this building to retain its status as the principle building on the site, around which the estate has developed. I consider that the proposal complies with the requirements of development plan policies, including Policy D1 of the SOLP and CSQ3 of the SOCS, and the expectations of the NPPF, including at Paragraph 127, which states in part that:

Planning policies and decisions should ensure that developments:

(a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

(b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

(c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

(d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.

Residential Amenity

- 6.12 Policy D4 of the SOLP states, 'Development will not be permitted if it would unacceptably harm the amenities of neighbouring properties through loss of privacy, daylight or sunlight'. The recently constructed dwellings lie to the west of the site, and are separated from the site by the existing high boundary wall. Block E would run parallel with the majority of the shared boundary and would be approximately 2.5 metres from the boundary with a further separation of approximately 10 metres to the rear elevations of the adjacent dwellings. Block E would have a height of approximately 8 metres with the eaves height being approximately 1.5 metres above the height of the shared boundary wall. This would be similar in height to the dwellings.
- 6.13 Block E would clearly impact on the outlook from the rear elevations and garden areas of the adjoining dwellings, but in my view would have a lesser impact than the extant scheme for the extension to the existing building on the application site, which involves a two storey extension of slightly lesser height but of a similar depth and sited immediately on the shared boundary. This plan is shown as **Appendix C**. In any case I am satisfied that the distance between Block E and the rear elevations of the adjacent housing would comply with the minimum 12 metre standard set out within the SODG, which is applicable to this relationship. The proposed rooflights in the west elevation of Block E facing towards the adjacent housing serve a first floor corridor and it will be necessary by condition to ensure that they do not result in loss of privacy to the neighbouring occupiers.

Access and Parking

- 6.14 The site is not well served by public transport but is located within easy reach of Henley, and cannot be considered an isolated location in the context of the NPPF. The proposed guest accommodation, and spa facilities should be viewed as an adjunct to the existing golf club and its facilities. In this regard the proposed accommodation would allow visitors already travelling to the site for golfing breaks, weddings, or other leisure or business purposes greater opportunity to stay at the site therefore limiting journeys from the site to other accommodation in the local area.
- 6.15 The proposal would retain the existing access arrangements and the existing level of parking within the site (11 spaces) whilst there is sufficient parking elsewhere within the site to accommodate an increased number of visitors. The Highway Authority has raised no objections to the proposal subject to conditions.

Trees and Ecology

- 6.16 Policy C9 of the SOLP seeks to retain important landscape features where they make a positive contribution to the appearance of the area. In this regard the existing protected trees within the site are certainly an important landscape feature that help to soften the visual impact of the development within the site, and help to integrate the built form into the surrounding open amenity landscape. The proposal allows for the retention of the

trees, and the Forestry Officer has raised no objections subject to details of tree protection and landscaping being agreed as part of the development.

- 6.17 There is no evidence of bats roosting in the parts of the existing building affected by the proposed development. As such there is no conflict with Policy C8 of the SOLP or CSB1 of the SOCS, which seek to avoid an adverse impact on a site supporting a protected wildlife species. The Countryside Officer has raised no objections to the proposal subject to a condition requiring biodiversity enhancements to be agreed.

Drainage

- 6.18 Policy EP6 of the SOLP seeks to ensure that drainage systems associated with new development accords with sustainable drainage principles. The Drainage Engineer is satisfied that the development is acceptable subject to a condition requiring surface water drainage to be agreed prior to the commencement of development.

Community Infrastructure Levy

- 6.19 The development is CIL liable in respect of the proposed staff accommodation at first floor level in Block B. 15% of the CIL receipts would go to the Parish Council in the absence of a Neighbourhood Plan.

Pre-commencement conditions

- 6.20 In the event that the Committee resolve to approve the application, pre-commencement conditions as marked with an asterisk within the recommendation below will be agreed with the applicant.

7.0 CONCLUSION

- 7.1 The proposed development would provide additional visitor accommodation to the benefit of the local economy and would broadly be in accordance with the relevant development plan policies and national planning policy. Subject to conditions, the proposal would be in keeping with the character and appearance of the site and surrounding area, would conserve the landscape and scenic beauty of the Chilterns AONB, and would not materially harm the amenity of neighbouring occupiers or be prejudicial to highway safety.

8.0 RECOMMENDATION

- 8.1 **To grant planning permission subject to the following conditions:**

- 1. Commencement of development within 3 years**
- 2. Development to be in accordance with the approved plans**
- 3. Schedule of materials to be agreed prior to the commencement of development**
- 4. Tree protection details to be agreed prior to the commencement of development**
- 5. Hard and soft landscaping scheme to be agreed prior to the commencement of development**
- 6. Surface water drainage details to be agreed prior to the commencement of development**
- 7. A biodiversity enhancement scheme shall be agreed prior to the commencement of development**
- 8. A construction traffic management plan to be agreed prior to the commencement of development**
- 9. External lighting details to be agreed prior to installation**

10. Parking and turning area to be provided and retained in accordance with the approved plans
11. Travel Plan to be agreed prior to occupation of development
12. Cycle parking to be provided in accordance with details to be agreed prior to occupation of the development
13. Staff accommodation in Block B to be used only in connection with staff employed at the site
14. Rooflights in west elevation of Block E to be 1.7m above internal floor level or obscure glazed and fixed shut.

Author: Tom Wyatt

Email: Planning@southoxon.gov.uk

Tel: 01235 422600

Delegated Authority Sign-Off Officer

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