

APPLICATION NO.	P23/S1067/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	23.3.2023
PARISH	TIDDINGTON
WARD MEMBER(S)	Tim Bearder Georgina Heritage
APPLICANT	Allan Starkey
SITE	Delta Tree by Hilton Oxford Belfry Milton Common, OX9 2JW
PROPOSAL	A temporary fixed period retention of the existing eight staff accommodation caravans in the same location within the hotel grounds. (As amplified by information received 18 May 2023).
OFFICER	Paul Bowers

1.0 INTRODUCTION AND PROPOSAL

1.1 This application has been referred to the Planning Committee at the discretion of the Planning Manager because the recommendation that planning permission is granted conflicts with the Parish Council's views. This report sets out the material planning considerations relevant to the development and how the officer's recommendation to grant planning permission has been reached.

1.2 The application site is immediately adjacent to the Oxford Belfry Hotel which lies to the southwest. A public footpath (TIDFP13) runs through the site. The site forms part of the grounds of the Hotel. Planning permission has been granted for four dwellings to the south along the boundary with the London Road.

A location plan identifying the site can be found at **Appendix 1** to this report.

1.3 Planning permission was granted in 2015 under application reference P15/S1544/FUL for the stationing of eight caravans on this land for staff associated with the hotel. The permission was temporary for a period of 2 years.

1.4 A second application was made under application reference P17/S3619/FUL for the retention of the eight caravans. This application was granted allowing for the retention of the caravans until the end of April 2019. The applicant chose to appeal the condition relating to the timescale and the Planning Inspector allowed the appeal granting permission for additional time to 26 September 2020. The permission was subject to two conditions set out below;

1) The use of the static caravans for residential staff accommodation shall be limited to a period of 2 years from the date of this decision. At the end of this period, all static caravans and any other structures, materials and equipment brought onto, or erected on the land, or works undertaken to it in connection

with the static caravans shall be removed, and the land restored to its condition before the development took place.

2) The site shall only be used for the stationing of eight caravans, the occupation of which shall be limited to persons solely or mainly employed by the Oxford Belfry Hotel at London Road, Milton Common, Thame, OX9 2JW.

1.5 A third application was made under application reference P20/S2189/FUL for the retention of the eight caravans for a further period of two years. That permission expired on the 16 October 2022.

1.6 This application seeks planning permission to retain the caravans for a further two years.

1.7 Reduced copies of the plans accompanying the application are attached as **Appendix 2** to this report. All the plans and representations can be viewed on the council's website www.southoxon.gov.uk under the planning application reference number.

2.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

2.1 **Tiddington Parish Council** – Object to the development for the following reasons;

- Allowing the effective renewal of the permission for another period reduces the temporary nature of the development.
- How long should the temporary period be allowed to continue?
- Impact on the landscape and character of the open area.

Neighbour Responses – 2 x letters of objection covering the following issues;

- Concern that the length of time and reference to a temporary period is disingenuous.
- The situation has gone on far longer than is reasonable.
- Not appropriate accommodation for those who have to live there permanently.
- No benefit to the locality from caravans.
- No visible permanent solution.
- The plot of land has been blighted by the caravans.
- The land should be returned to its original state.

Great Milton Parish Council (Adjoining parish) – No comments received.

Oxfordshire Public Rights of Way – Concern that the plans do not show the position of the right of way that they have on record.

SGN Plant Protection Team – No objection.

3.0 **RELEVANT PLANNING HISTORY**

3.1 [P23/S0811/PEM](#) - Advice provided (25/04/2023)

A proposed 2 storey staff accommodation block, set within the hotel grounds, comprising 20 staff bedrooms, together with communal facilities, parking, bin/recycling store, bike store and additional landscaping.

[P20/S2189/FUL](#) - Approved (16/10/2020)

Retention of Ancillary Staff Accommodation Caravans.

[P17/S3619/FUL](#) - Approved (16/01/2018) - Appeal allowed (26/09/2018)

Retention of Staff Accommodation Static Caravans.

[P15/S1544/FUL](#) - Approved (21/10/2015)

Change of Use of Land for Stationing of Eight Static Caravans for Staff Accommodation Purposes (As amended by plans received 2015_06_16 to alter the positioning of the caravans away from the public footpath) (Further amended by plan 2015_07_23 to increase distances between caravans).

4.0 **ENVIRONMENTAL IMPACT ASSESSMENT**

4.1 N/A

5.0 **POLICY & GUIDANCE**

5.1 **Development Plan Policies**

South Oxfordshire Local Plan 2035 (SOLP) Policies:

DES2 - Enhancing Local Character

DES6 - Residential Amenity

EMP10 - Development in Rural Areas

EMP11 - Tourism

ENV1 - Landscape and Countryside

ENV3 - Biodiversity

H1 - Delivering New Homes

INF4 - Water Resources

STRAT1 - The Overall Strategy

TRANS5 - Consideration of Development Proposals

5.2 **Neighbourhood Plan**

Tiddington with Albury Neighbourhood Plan (TANP) policies;

TwA2 – Village boundaries and infill development

TwA9 – Commercial, business and service uses

5.3 **Supplementary Planning Guidance/Documents**

South Oxfordshire and Vale of White Horse Joint Design Guide 2022

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

5.5 **Other Relevant Legislation**

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.

6.0 PLANNING CONSIDERATIONS

6.1 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 this application, the most relevant parts of the Development Plan are the South Oxfordshire Local Plan 2035 (SOLP) and The Tiddington with Albury Neighbourhood Plan (TANP).

6.2 The main issues to consider in relation to this proposal are as follows;

- **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.**

6.3 The principle of the development

Policy EMP3 of the SOLP relates to the retention of employment land and among other issues states that schemes that improve the stock of existing employment land, employment premises, commercial buildings and the environment of existing employment areas will be supported

Policy EMP10 of the SOLP states that proposals for sustainable economic growth in rural areas will be supported subject to certain provisions. This includes supporting sustainable rural tourism and leisure developments that benefit businesses, communities and visitors in rural areas and which respect the character of the countryside. This will include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres.

6.4 Policy EMP11 relates specifically to tourism. It encourages new development to advance the visitor economy for leisure and business purposes. The policy includes a sliding scale of development depending on the sustainability of the location, supporting development that is;

i) within the built-up areas of the towns - larger scale developments including conference facilities, museums, heritage centres, hotels, guest houses and associated facilities for visitors;

- ii) within the built-up areas of the larger and smaller villages – smaller and proportionately scaled developments that are in keeping with the character of the settlement, including museums, heritage centres, hotels, guest houses, self-catering accommodation and associated facilities for visitors; and
- iii) at service areas on the main transport corridors – hotel accommodation.

It goes on to state that outside the above locations, small-scale development to support the visitor economy, including farm diversification and equine development, will be supported provided that proposals are in keeping with the scale and character of the locality and would not adversely affect heritage assets or their setting. Larger developments will only be supported in exceptional circumstances, for example to sensitively re-use a historic building, or to proportionally support or enhance enjoyment of a significant and established visitor attraction where this cannot reasonably be achieved from a town or village location

- 6.5 In terms of the neighbourhood plan Policy TwA9 relates to commercial, business and services uses within the parish. It states that proposals to retain and improve the commercial businesses and services which specifically refers to the Double Tree by Hilton Oxford Belfry, will be supported, provided that they do not harm residential amenity and that they accord with other design and development policies of the Development Plan.

- 6.6 The development proposes residential accommodation and therefore I consider it necessary to have regard to housing policy.

Policy H1 of the SOLP 2035 relates to the delivery of new homes. Section 6 of the policy states that planning permission for single residential caravans or mobile homes will only be given in exceptional circumstances and on a temporary and personal basis.

- 6.7 Policy TwA2 of the neighbourhood plan defines the village boundary. It states that infill development within the boundaries and outside of the Green Belt will be supported provided they accord with other policies within the plan.

Proposals for development outside the village boundaries and outside the Green Belt will only be supported if they are consistent with Development Plan policies for the countryside.

The supporting map to the policy shows the application site outside of the defined settlement boundary for Milton Common.

- 6.8 The policies within the local plan and the neighbourhood plan show support for rural businesses, employment and the tourism sector and acknowledges the contribution such businesses make to the rural economy. However residential development would be restricted due to being outside of the defined settlement in the neighbourhood plan.

- 6.9 The main material planning consideration, which is afforded significant weight in my view, is that the council has accepted 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).

The principle was again accepted under application reference P17/S3619/FUL, on the basis that the permission would be temporary until the end of April 2019 which would have been a two year extension as opposed to the three years the applicant was seeking. The applicant chose to appeal against the two year time period condition and this was accepted by the Appeal Inspector who granted a temporary permission for a further two years until the end of September 2020.

- 6.10 The Appeal Inspector identified harm to the character of the area by the siting and retention of the caravans, however he went on to say;

In light of the above potential harm to the business, and the forthcoming departure of the UK from the European Union, it is my view that the new owner should be given an opportunity to take stock of the hotel and undertake an appropriate review of its staff accommodation needs. In the event that a decision is made to construct new permanent accommodation, it will take some time to appoint an architect, submit a new application and appoint a contractor. If this solution is not chosen, it will still nonetheless take some time to source alternative staff accommodation. As a consequence, I consider it reasonable for the temporary time period to be extended to 2 years from the date of this decision letter.

- 6.11 At the time of the last application for a temporary permission under application reference P20/S2189/FUL the uncertainty in respect of leaving the European Union had not yet been resolved. As such, the Inspector's reasoning for allowing the siting of the caravans for a longer period had not changed.

- 6.12 The applicants argue in the current application that the recruitment situation in the hospitality sector in the United Kingdom has become increasingly challenging in the last 3 years. The two main factors influencing recruitment are;
- I. The restrictions in labour movement and permissions in relation to movements in Europe because of Brexit, and
 - II. during Covid over 40% of hospitality employees left the sector, finding jobs in alternative sectors such as retail, parcel delivery and warehousing.

Recruitment of the following roles, Spa Therapist, Food and Beverage, and housekeeping are at a critical point for the applicant's business. Since 2021 there has been consistent inability to recruit successfully into these roles due to the non-urban location of the hotel and the surrounding candidate availability.

The applicants go on to explain that they are currently limited in their ability to be able to offer accommodation and this severely impacts on their ability to recruit and retain employees at this property. In the past 12 months there have been 65 open vacancies (hotel FTE headcount 112 employees) of which 35 vacancies remain live today due to the lack of applicants in the local area. Workers who are prepared to move to the area are faced with high rental and property prices.

- 6.13 In your officers view the impact of leaving the European Union and the aftermath of the Covid pandemic have clearly had an impact on the industry. Officers are also satisfied that in line with the previous permission for the caravans that there is a need to provide accommodation for staff on the site.
- 6.14 The previous two-year permission (expiring on 16 October 2022) did not give enough time to overcome these issues and also achieve a permanent solution. The temporary nature of a new permission balances out the competing policy position of supporting the business and economy and the housing policies within the development plan that would not ordinarily look to permit residential development on the site.
- 6.15 There is a clear need to find a permanent solution for staff accommodation. The applicants have approached the council for pre-application advice on such a scheme but this has not yet resulted in a formal application or planning permission. As things currently stand there is no permanent solution available to provide staff with accommodation. The result of refusing this application would mean that the caravans would need to be removed from the site as they would not benefit from a planning permission. This would result in no staff accommodation on the site and would potentially have an impact on the ability of the hotel to operate.
- 6.16 The policies within the development plan including Policy TwA9 of the neighbourhood plan which specifically refers to this site state that proposals to retain and improve the business will be supported, provided that they do not harm residential amenity and that they accord with other design and development policies.
- 6.17 On the basis that this permission would again be temporary this would limit the visual harm from the development. However, at the same time providing accommodation for staff to facilitate the continuation of the business whilst acting as an incentive to the applicant to achieve a permanent solution.

6.18 Impact on neighbour amenity

Policy DES6 of the SOLP relates to residential amenity and requires that development proposals should demonstrate that they will not result in significant adverse impacts on the amenity of neighbouring uses, when considering both individual and cumulative impacts in relation to loss of privacy, day light and sunlight, dominance or visual intrusion, noise or vibration, smell dust, heat, odour or other emissions, pollution and external lighting.

- 6.19 Previously, officers did not consider that the caravans would cause any harm to the amenity of neighbours. This assessment has not changed with this application. There is a significant evergreen tree belt providing sufficient visual screening and noise buffer 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 and ensure compliance with Policy DES6 of SOLP.

6.20 Landscape impact

Policy ENV1 of the SOLP aims to protect South Oxfordshire's landscape, countryside and rural areas against harmful development. Development will only be permitted where it protects and, where possible enhances, features that contribute to the nature and quality of South Oxfordshire's landscapes.

- 6.21 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. However on the basis that the harm is temporary and that a condition is proposed that would require the land to be restored to its former state, the benefit of the development in supporting a local employer and in turn the local economy outweighs the harm that would occur for a further two years.

6.22 Impact on public footpath

The Tiddington and Albury Footpath 13 runs directly through the site.

Policy CF1 of SOLP seeks to protect community facilities and this includes public rights of way.

The County Council Rights of Way Officer has expressed concern that the plans accompanying the application do not show the alignment of the right of way shown on their records.

- 6.23 In your officers view the lack of provision of a plan that shows the footpath correlating with the County Council's records is not a reason in isolation to recommend the application for refusal of planning permission.

This application does not propose to change the number or the positions of the caravans but rather continue their presence on the site. The previous applications had not been resisted on the impact to the footpath and in my view the grant of permission does not increase the impact on the footpath over and above what has been found to be acceptable for a number of years and which in any event is for a temporary period.

6.24 **Highway impact**

With respect to highway safety matters the advice from Central Government set out in paragraph 111 of the National Planning Policy Framework (NPPF) is as follows:

“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”.

Policy TRANS5 of the SOLP requires that proposals for all types of development will, where appropriate amongst other things provide for a safe and convenient access for all users to the highway network and provide for the parking of vehicles in accordance Oxfordshire County Council parking standards, unless specific evidence is provided to justify otherwise.

6.25 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 are provided. For the original application for the caravans in 2015, the County Council’s Highway Liaison Officer raised no objection.

6.26 I consider that the proposed development would allow for sufficient parking space 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 TRANS5 of SOLP.

6.27 **The length of any permission granted and the future of the staff accommodation at the hotel.**

I acknowledge 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. However, in my view there are extenuating circumstances in this case.

6.28 COVID19 has had an effect on all aspects of life including the economy and it is self-evident that the hotel industry is one of those areas hardest hit.

As a council, it is my view, that in line with our economic policies we need to be supportive of the local economy especially in current times. If anything, there is a greater need to allow the applicant time to come forward with a permanent solution in light of their clear indication of securing permanent accommodation through engaging in the pre-application process with the council.

7.0 **CONCLUSION**

7.1 Officers recommend that temporary planning permission is granted because, whilst the proposed development conflicts with the development plan in relation

to residential development on the site, there are sufficient material considerations to justify reaching a decision that conflicts with parts of 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;

8.2 1 : Temporary use for 2 years

2 : Limit nos of caravans to 8

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