

APPLICATION NO.	P16/S0171/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	19.1.2016
PARISH	GORING
WARD MEMBER(S)	Kevin Bulmer
APPLICANT	Tesco Stores Ltd
SITE	Queens Arms Reading Road Goring, RG8 0ER
PROPOSAL	Change of use of premises from Class A4 (public house) use to Class A1 (retail) use along with 80 sq.m rear extension. (As amplified by letter from Transport Planning Associates dated 21 March 2016 accompanying letter dated 24 March 2016 and Environmental Acoustic Assessment dated September 2014 by KR Associates accompanying e-mail from agent received 9 May 2016)
AMENDMENTS	None
GRID REFERENCE	460271/180707
OFFICER	Paul Bowers

1.0 INTRODUCTION

- 1.1 The application is referred to planning committee because the views of the Goring Parish Council differ from the officer's recommendation.
- 1.2 The application site comprises the Queens Arms Public House located on the corner of Reading Road and Gatehampton Road. The site is accessed from the Reading Road and includes an existing car park to the east of the building extending to the southern boundary with Railway Cottages to the south. To the south west of the site is the Goring on Thames Railway station and footbridge. To the north west is the main bridge across the railway line and the centre of the village.
- 1.3 The existing building has not been operated as a public for house for over two years. The main core of the building fronting on to Reading Road includes a hipped roof with rendered walls finished in a cream colour. A two storey gable wing projects southward and the main rear roof slope is a cat slide with a single pitched roof dormer window. The site has been bounded by 2 metre high solid hoarding for over a year.
- 1.4 The Goring on Thames Conservation Area extends along the western and northern boundary of the site but excludes the application site. The site as a whole is washed over by the landscape designation of the Chilterns Area of Outstanding Natural Beauty.
- 1.5 A plan identifying the site can be found at **Appendix 1** to this report.

2.0 BACKGROUND

- 2.1 Whilst still in active use as a public house planning permission was granted in 2013 under application reference P13/S0912/FUL for a single storey rear extension to provide for a kitchen and enlarged bar/dining area.
- 2.2 In 2014 four applications were submitted to the council for works to the building. These are detailed in full in section 4 of this report. Three applications related to changes to the external appearance of the building to reflect a shop frontage, installation of plant

and equipment, free standing cold storage rooms and an advertisement application in relation to signage which included fascia signage depicting the TESCO logo.

- 2.3 These applications did not include the change of use of the building as the applicants contended that to change the use of the building to A1 (Retail) from A4 (public house) could be undertaken through permitted development rights set out in the Town and Country Planning General Permitted Development Order 1995 (as amended). However the applications were accompanied by plans depicting the single storey rear extension that was the subject of the 2013 planning permission for the kitchen and dining room extension to the public house. The council contended that because the extension was not going to be built or used in accordance with the plans that it had approved, the extension could not be built without a new planning permission reflecting these changes. This was a subject of contention and debate between the council and the applicants and the applicants exercised their right of appeal against the non-determination of the four applications by the council within the specified eight week period.
- 2.4 Whilst the Planning Inspectorate considered the appeals the applicants re-submitted the same four applications but on this occasion omitted the extension on the accompanying plans. These applications are detailed in section 4 of this report.
- 2.5 The Planning Inspector approved the four applications but was not drawn on the key issue of whether or not the applicants could implement the 2013 planning permission for the single storey rear extension. A copy of the appeal decision can be found at **Appendix 2** to this report.
- 2.6 In April of 2015 Central Government changed permitted development rights in such a way as to add provisions to the previous General Permitted Development Order with respect to the change of use of public houses. The added restrictions were such that if the subject building was either registered as an Asset of Community Value (ACV) or had been nominated, but not yet confirmed as an ACV the automatic right to change use from a public house was removed. Later in 2015 the council received a nomination for the consideration of the Queens Arms to be become an ACV. During that period of nomination the permitted change of use could not happen. The council subsequently rejected the request to register the building as an ACV and therefore the permitted development right to change the use of the Queens Arms to a shop was restored.
- 2.7 In November 2015 the four applications which did not depict the previously approved extension were withdrawn by the applicant.
- 3.0 **PROPOSAL**
- 3.1 This application seeks full planning permission from the council to change the use of the public house to a shop, along with external alterations reflecting the approved appearance of the building as per the applications approved by the Planning Inspector and to erect a single storey rear extension.
- 3.2 Reduced copies of the plans accompanying the application can be found at **Appendix 3** 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.

4.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

4.1 **Goring Parish Council** – Recommend refusal of planning permission for the following reasons;

- The pavement is too narrow from the railway bridge extending south to the railway station.
- The pedestrian route from the station to the Reading Road will be dangerous with 14 spaces in the car park and delivery vehicles entering and exiting the site.
- Insufficient amount of parking spaces.
- Concern over the size of the delivery lorries.
- Concern over the proposed conditions put forward by Oxfordshire County Council.

4.2 **Streatly Parish Council** (Adjoining Parish) –

The objections cover the following issues;

- The close proximity of the site to the station.
- The narrow road in the High Street.
- Inadequate pavement between the bridge and junction.
- Insufficient turning space for goods vehicles.
- Impact on the existing retail businesses in Goring.
- Access of delivery vehicles going through Steatley.

4.3 **South Stoke Parish Council** (Adjoining Parish) -

The objections cover the following issues;

- Substantially increase heavy lorries through the village.

4.4 **Neighbour/Members of the public/Local businesses objections** – 151 - Objections including the **Stop Tesco in Goring Group** (STIG). A number have written on multiple occasions –

The objections cover the following issues.

- Insufficient car parking provision.
- Proximity of the junction with Gatehampton Road to the access is dangerous.
- Limited width pavement from the village extending southward toward the station and the site is dangerous for pedestrians and users with mobility scooters and push chairs.
- The number of deliveries per day and their frequency will cause a dangerous situation on the road and junction.
- The number of spaces required to be occupied by delivery vehicles when offloading goods will mean the displacement of parked cars elsewhere in the locality.
- Delivery vehicles cannot be controlled any may end up parking on the highway.
- Delivery vehicles will come through the centre of the village and create issues due the narrowness of the carriageway at the bridge and in the village centre.
- The provision of a convenience store away from the centre of the village will undermine and damage existing business.
- The site should be used for housing and not for a retail use.

Neighbour Representations Members of the public/Local businesses writing in

4.5 **support. – 38 responses** - A number have written on multiple occasions

The support for the proposal covers the following issues.

- The addition of a convenience store would provide local people with competitive choice.
- The shop will cater for a section of the community such as the elderly and low income families.
- The addition of the shop will reduce out of village car journeys to bigger name retailers.
- A good location for a convenience store relative to the existing housing estates.

4.6 **Highways Liaison Officer** – No objection subject to conditions relating to new vehicle access, closing an existing, footways should be constructed prior to occupation, provision of the turning and car parking area, provision of cycle parking facilities, construction traffic management plan and that no surface water shall drain to the highway.

4.7 **Conservation Officer** – No objection.

4.8 **Health - Food Safety** – No observations.

4.9 **Health – Environmental Protection** – Request conditions relating to noise generated by the equipment and restricting opening hours.

5.0 **RELEVANT PLANNING HISTORY**

5.1 [P14/S3506/FUL](#) – Withdrawn prior to determination (16/10/2015)

Alterations to building including removal of existing front entrance canopy, installation of new entrance doors and adjacent glazing and new ground floor window in the Reading Road elevation. Replacement of existing upvc windows with aluminium windows. Installation of new steel escape door in Gatehampton Road elevation and development ancillary thereto

[P14/S3514/A](#) - Withdrawn prior to determination (16/10/2015)

Proposed new fascia signage, hanging sign, gantry sign and various car park signage.

[P14/S3513/FUL](#) - Withdrawn prior to determination (16/10/2015)

Installation of 2 no. freestanding cold storage rooms adjoining existing outbuilding on Gatehampton Road boundary, with associated timber screening around to match height of rooms, and ancillary development. Erection of freestanding dark brown canopy adjacent to storage rooms, all to be located behind 2m high timber fence separating the car park from rear yard

[P14/S3507/FUL](#) - Withdrawn prior to determination (16/10/2015)

Installation of plant, timber compound and ancillary development

[P14/S1423/A](#) - Approved (14/05/2015) - Approved on appeal (14/05/2015)

Proposed new fascia signage, hanging sign, gantry sign and various car park signage.

[P14/S1427/FUL](#) - Approved (14/05/2015) - Approved on appeal (14/05/2015)

Installation of plant, timber compound and ancillary development

[P14/S1428/FUL](#) - Approved (14/05/2015) - Approved on appeal (14/05/2015)

Alterations to building including removal of existing front entrance canopy, installation of

new shopfront and entrance doors and new window in Reading Road elevation and replacement of existing uPVC windows. Installation of new escape door in Gatehampton road elevation and development ancillary thereto.

[P14/S1425/FUL](#) - Approved (14/05/2015) - Approved on appeal (14/05/2015)

Installation of 2 no. freestanding cold storage rooms adjacent to existing outbuilding, with associated timber screening around to match height, with ancillary development. Erection of dark brown coloured canopy to rear, all to be located behind 2m high timber fence separating car park from rear yard area.

[P13/S0912/FUL](#) - Approved (14/05/2013)

Erection of extension, external alterations and associated works.

6.0 **POLICY & GUIDANCE**

6.1 **South Oxfordshire Core Strategy 2027 policies;**

CSS1 – Presumption in favour of sustainable development
CST1 – Town centres and shopping
CSQ3 – Design
CSEN1 - Landscape protection

South Oxfordshire Local Plan 2011 policies;

D1 – Principles of good design
D2 – Safe and secure parking for vehicles and cycles
G2 – Protect district from adverse development
EP2 – Adverse effect by noise or vibration
CON7 – Proposals in a conservation area
T1 – Safe, convenient and adequate highway network for all users
T2 - Unloading, turning and parking for all highway users

South Oxfordshire Design Guide 2008

National Planning Policy Framework

National Planning Policy Framework Planning Practice Guidance

The Retail and Leisure Needs Assessment

Paragraph 216 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.

Goring Neighbourhood Plan - Public consultation amongst the Goring Community began in January 2016, and the Plan is currently scheduled to be finalised and ready to undergo the approvals and ratification programme by no later than June 2016. It is therefore of limited weight at this stage

7.0 **PLANNING CONSIDERATIONS**

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

- **The principle of the change of use.**
- **The impact on the village centre.**
- **The impact on highway safety.**
- **The impact on the amenities of nearby properties.**
- **The impact on the setting of the Goring on Thames Conservation Area.**

- **The impact on the special landscape of the Area of Outstanding Natural Beauty.**

The principle of the change of use.

- 7.2 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 this application, 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.

South Oxfordshire Core Strategy policy CST1 classifies Goring in the hierarchy of centres as a local centre serving its immediate rural area. The policy supports proposals which provide further retail and leisure uses within the town and larger village centres through infill development and small scale redevelopment.

- 7.3 The first issue to consider is whether the site is within the larger village centre. There are no boundaries defined in the 'larger villages' in the same way as town centre boundaries are in our four towns, so a judgement needs to be made about the location. In this case the site is fairly close to the heart of the village (around 300 - 400 metres from McColls Convenience store, The Arcade, Catherine Wheel Public House), albeit these are the other side of the railway.
- 7.4 What must also be weighed in the balance is whether there is a permitted development fall-back position that the applicant can rely upon to gain a similar level of development to that which they are seeking through this planning application.
- 7.5 Under Class A of Part 3 of the Town and Country Planning Act (General Permitted Development) Order 2015 the developer must write to the council and request confirmation as to whether the building has been nominated as an asset of community value (ACV). Following 56 days of that request and providing that the council has not confirmed that the building has not been nominated, the change of use of a pub to become a shop is permitted development and does not require planning permission from the council.
- 7.6 In this case the building has already been nominated as an ACV and the council has rejected the nomination. Therefore the Queens Arms retains its permitted development right to become a shop and the owner does not require planning permission from the council to carry out the change of use.
- 7.7 Also of relevance are the permitted development rights afforded to shops by virtue of Class A of Part 7 of the Town and Country Planning Act (General Permitted Development) Order 2015 which allow for extensions to shops. This is limited to 50 square metres and from being within 2 metres of the boundary due to the site being located in an Area of Outstanding Natural Beauty.
- 7.8 Therefore a key consideration that carries significant weight in the determination of this application is that, through a two stage approach, the building could become a shop and then extend in the same location with a single storey extension of 30 square metres less the addition they are seeking permission for in the current application. In proportioning weight to this argument the council has to consider whether this is a likely

possibility. Given the clear indication from the applicant in terms of the number of applications previously made and similarity between what can be achieved through a combination of staged works, what is being put forward as a fall-back position appear to have a realistic likelihood of being implemented; particularly as the external change to the building including signage have already been granted consent by an appeal inspector.

The impact on the village centre.

7.9 Policy CST1 does not mention change of use but it is of relevance because it would be a reasonable equivalent to small scale redevelopment. The lower case text at paragraph 8.9 of the Core Strategy explains that the Retail and Leisure Needs Assessment recommended that while sites in villages should not be identified, we should encourage small scale retail development if it contributes to the vitality and viability of the villages. It is considered that a new convenience store in a larger village would be in line with policy, and by offering a new facility it would add vitality and viability. It is however recognised it is likely to have some impact on the existing stores (in terms of existing convenience goods retailers McColls store in the High Street and the Londis on Wallingford Road).

7.10 The Retail and Leisure Needs Assessment (RLNA) prepared for the Council in 2008-9 shows a number of other convenience retailers;

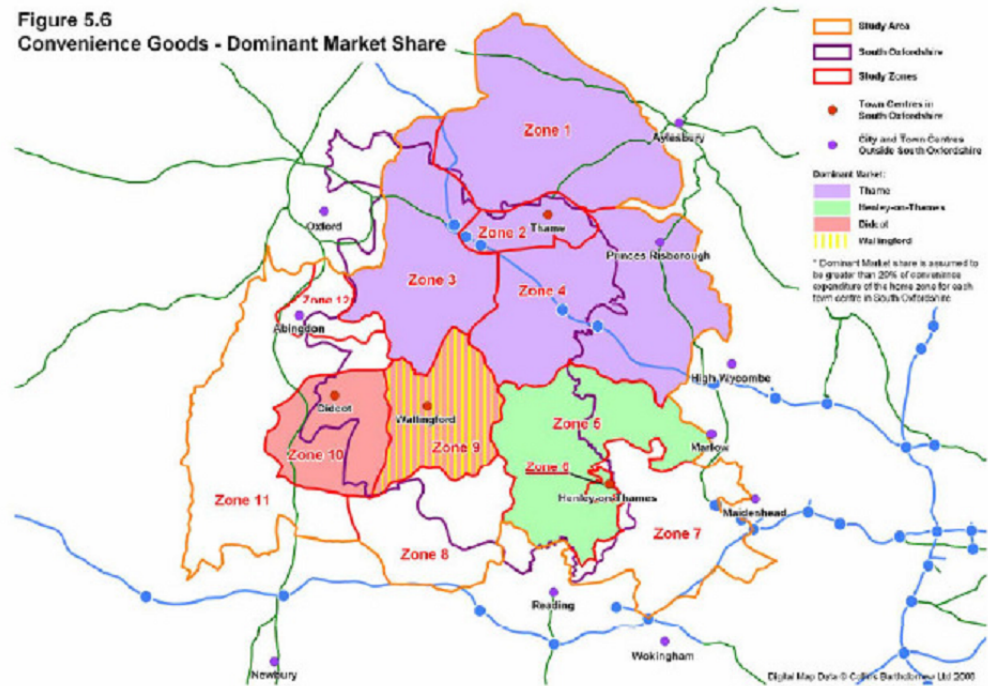
Goring	Art @ Goring	Art Gallery/Framing	D1	A1 Conv	6	17%
Goring	Barbara's	Antiques/Bric a brac	A1 Comp	A1 Comp	9	26%
Goring	Chef King	Restaurant/Food Takeaway	A3	A1 Serv	4	11%
Goring	Davis Tate	Estate Agent	A2	A2	5	14%
Goring	Ferry Lane Florist	Florist	A1 Comp	A3	3	9%
Goring	Goring Hair Studio	Hair and Beauty	A1 Serv	A4	4	11%
Goring	Goring Hardware	Hardware	A1 Serv	A5	1	3%
Goring	Goring Veterinary Centre	Veterinary	sui generis	B1	1	3%
Goring	Green House of Scandinavia	Clothes/Fashion	A1 Comp	D1	1	3%
Goring	HSBC	Bank	A2	sui generis	1	3%
Goring	Inspirations	Gift shop	A1 Comp	Total	35	100%
Goring	J R Butler	Pharmacy	A1 Comp			
Goring	Jan-Marie	Bakery/Cafe	A1 Conv			
Goring	Little Jolly Good Food Company	Food Takeaway	A5			
Goring	Lloyds Bank	Bank	A2			
Goring	Mary's Interior Designs	Gifts/Interior Design	A1 Comp			
Goring	Masoom's	Restaurant/Food Takeaway	A3			
Goring	McColls	Convenience Store/Post Office	A1 Conv			
Goring	Mela	Restaurant/Food Takeaway	A3			
Goring	Miller of Mansfield	Pub	A4			
Goring	Nappers	Groceries	A1 Conv			
Goring	Olivers	Hair and Beauty	A1 Comp			
Goring	Richard Wilson & Co	Solicitors	B1			
Goring	Simmons	Butchers	A1 Conv			
Goring	Swift Ink	Computer supplies/Stationery supplies	A1 Comp			
Goring	Tara Beauty	Hair and Beauty	A1 Serv			
Goring	Taylor's Teddys	Hand-made teddy bears	A1 Comp			
Goring	Thames Valet	Dry Cleaning/Laundry	A1 Serv			
Goring	The Catherine Wheel	Pub	A4			
Goring	The John Barleycorn	Pub	A4			
Goring	The Queens Arms	Pub	A4			
Goring	The Queens Arms	Off Licence	A1 Conv			
Goring	Warminghams	Estate Agent	A2			
Goring	Westholme Stores	Convenience Store	A1 Conv			
Goring	Winser Financial Services	Financial Services	A2			

Source: Retail and Leisure Needs Assessment 2009, appendix 8

<http://www.southoxon.gov.uk/sites/default/files/assets/Appendices%20Feb%2009.pdf>

The RLNA also provides evidence about where residents shop. Goring falls within a wider area of the district numbered zone 8:

Figure 5.6
Convenience Goods - Dominant Market Share



Roger Tym & Partners
February 2009

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(Source RLNA main report <http://www.southoxon.gov.uk/services-and-advice/planning-andbuilding/planning-policy/evidence-studies/retail-and-leisure-study>).

- 7.11 Appendix 10.3 of the RLNA shows that Zone 8 residents shop for convenience goods in a variety of locations, not more than 20% in any of the nearby South Oxfordshire towns (Wallingford, Henley or Didcot). Therefore none of these towns have a dominant market share in Zone 8. In answer to the question 'In which shop does your household spend most money on food and groceries?' zone 8 respondents cited Waitrose Reading (17.8%), Waitrose Wallingford (14.9%), Sainsbury's Savacentre Reading (12.9%) Internet/ delivered (7.9%), Tesco Extra Reading (6.9%) and Waitrose Caversham (5%). The Londis Westholme Stores in Goring accounted for 4% of shoppers and the McColls in Goring only 1%. This indicates that these two local Goring stores are not main food destinations for many local residents and they probably serve a top-up function. Most expenditure is leaving the district and taking place in Reading, so a new supermarket in Goring could help claw back some of this leakage, enhance choice and reduce the need to travel.
- 7.12 Turning to the fall-back position which is a retail store in this location of 30 square metres less than the current proposal the impact on the village centre would, in your officer's view, very similar. As discussed above the new facility would claw back some of the expenditure that is currently going outside of the village and the district.

Looking at the likely impact on local existing businesses in terms of either the fall-back position or undertaking the development as proposed in this application, in conjunction with the aims of Policy CST1, the impact on the vitality of the village is, on balance, acceptable.

The impact on highway safety.

7.13 The issue of highway safety is of most concern to local residents as evidenced in the number of representations made to the council. The main thrust of these concerns relate to the following;

- The proximity of the access to the junction of Reading Road and Gatehampton Road.
- The number of and times of deliveries to the store.
- The size of the vehicle making the deliveries.
- The route taken by the delivery vehicles to get to the store.
- The number of parking spaces available.
- The reduction in parking spaces when the deliveries take place.
- The width of the pavement from the bridge to the junction of Gatehampton Road and Reading Road.

7.14 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.

7.15 The starting point for the consideration of the proposal in the context of highway safety is that of the existing authorised use. There is currently an access on to the highway which serves a car park in connection with the public house. In addition the fall-back position provides the applicant with the use of the site as a shop and an extension. However, the extension would be smaller than the one that could be achieved through permitted development. It should be noted however, that if the applicant were to exercise their right and undertake this two staged approach the council would not be able to exercise any control in terms of highway related planning conditions. Through this application and subsequent consent conditions can be applied.

7.16 The Oxfordshire County Council Highways Liaison Officer has considered the development and not objected on highway grounds but has recommended a number of conditions that can be found at section 9.2 of this report. Given that highway issues are important to the consideration of this application I have included at **Appendix 3** to this report the representation received from OCC Highways and a follow up response that relates to the issues identified by the Goring Parish Council, members of the public and the Stop Tesco in Goring Group (STIG).

7.17 Access to the site by foot will come from the residential properties to the east. From the north pedestrians will come via the footpath on the western side of the carriageway. From the west people will come via the bridge or the lift provided at the Railway Station and travel northward. The width of the pavement is understandably a concern for all users. However there is no available room to widen the pavement within highway land.

7.18 There is an existing situation within the village of large vehicles coming through the narrow village centre. There is understandably concern that this development would exacerbate the situation. However through conditions this can be controlled by requiring a Servicing Management Plan which details delivery times and routing of

vehicles.

- 7.19 When deliveries are undertaken it will involve the temporary loss of parking spaces. However through the management plan the delivery times can be ensured so as not to take place during peak times where the loss of space is unlikely to result in pressure for vehicles to park elsewhere. In addition the size of the vehicles being used can be controlled. The application sets out that the vehicles would be 8.4 metres in length and this is acceptable to the Highway Authority.
- 7.20 The internal layout of the parking spaces, their arrangement and size are also acceptable.
- 7.21 In its authorised use as a public house the site would have had deliveries and vehicles using the access. Officers have considered this issue carefully and weighing in the balance the existing use, the permitted development fall-back position of having a retail store with an extension of 30 square metre less than what is actually being proposed, in addition to the benefits that can be secured through planning conditions, this development would be unlikely to result in 'severe harm' to highway safety that the NPPF refers to and in your officers opinion it is acceptable.

The impact on the amenities of nearby properties.

- 7.22 Policy EP2 of the South Oxfordshire Local Plan indicates that proposals that would, by reason of noise or vibrations, have an adverse effect on occupiers of surrounding properties will not be permitted unless effective mitigation measures are implemented.
- 7.23 The impact of the development to nearby properties will come from two main sources –
1. The refrigeration and air condition equipment.
 2. Noise and disturbance generated by the use of the site.
- 7.24 In respect of the mechanical equipment this was an issue considered by the appeal Inspector who recognised that there is a potential for noise to arise from the proposed refrigeration and air conditioning plant. This matter has already been addressed and is covered by condition 3 of the schedule of conditions for Appeal C: APP/Q3115/A/14/2227648, relating to planning application ref. P14/S1427/FUL.
- The condition requires that 'The development hereby approved shall be carried out in accordance with the recommendations contained in the Environmental Acoustic Assessment ref KR04040 v1.1(Full) dated September 2014 by KR Associates.
- 7.25 Although it did not form part of the original application the acoustic assessment has been submitted as additional information to this application and therefore the council are able to attach the Inspector's condition to this recommendation. This would therefore protect the amenities of the occupants of nearby properties from adverse noise and disturbance generated by the equipment.
- 7.26 In terms of the built form of the extension this is sufficiently far enough away from the boundaries of the site with the nearest property in Railway Cottages so as not to have an oppressive or overbearing impact.
- 7.27 In terms of general noise from activities associated with the new use in respect of delivery vehicles and movements within the site this has to be looked at in terms of the authorised use as a public house. This would have been generally from lunchtime

onwards in to the evening with the summer months likely being noisier, due to outdoor activities within the pub garden. The new use however will spread activity across a wider timescale in the day with deliveries outside of peak times in terms of traffic but at more sensitive times in terms of residential amenity. Equally it must also be considered that the use can take place and an extension erected without any control by the council. However, conditions can be used to help mitigate the impact of the development as planning permission is being sought.

- 7.28 The Environmental Health Officer, in addition to recommending that any new permission included the appeal Inspectors condition relating to the acoustic report, have also requested a condition relating to opening hours. It is therefore proposed to restrict the hours of opening between 7.00 hours to 23.00 hours daily. They have also requested a condition that seeks to ensure that delivery times are limited to between 9am and 4pm Monday to Friday and 10am and 3pm on Saturdays, Sundays and Bank Holidays. These restrictions relate purely to neighbour impact but they also sit alongside the hours that are likely to be acceptable to the Highway Authority in terms of Highway Safety as set out in their comments found at **Appendix 3**.
- 7.29 The conditions are necessary and reasonable and having regard to the impact accepted by the appeal inspector the proposed development would not materially harm the amenities of the occupants of nearby properties.

The impact on the setting of the Goring on Thames Conservation Area.

- 7.30 Policy CSEN3 of the South Oxfordshire Core Strategy seeks to conserve and enhance designated historic assets such as conservation areas. Policy CON7 of the South Oxfordshire Local Plan 2011 relates specifically to conservation areas and states that planning permission will not be granted for development which would harm the character or appearance of the conservation area. Development within the conservation area is required to be of a design and scale that is in sympathy with the established character of the area and that traditional materials should be used whenever it is appropriate to the character of the area.
- 7.31 The boundary of the conservation area is located to the north of the site and runs along the northern and western boundaries. The development will not therefore impact the conservation area by being within its confines but could affect its setting by being adjacent to it.
- 7.32 The external appearance of the development will be identical to the scheme considered by the planning inspector in 2015. In each of the cases for the various elements of the works he concluded that the changes would, in combination, provide a coherent and constant level of design and detail that would be sympathetic to the existing building. In addition the external appearance of the extension matches that of the extension previously approved for the public house.
- 7.33 Consequently the alterations and additions would not cause harm to the setting and views in to and out of the conservation area preserving the setting of the conservation area. The development accords with the objectives of Policies CSEN3 and CON7.

The impact on the special landscape of the Area of Outstanding Natural Beauty.

- 7.34 Policy CSEN1 of the South Oxfordshire Core Strategy seeks to protect the districts distinct landscape character and high priority will be given to conserving and enhancing the Areas of Outstanding Natural Beauty (AONB).

- 7.35 The appeal inspector noted that the site is located within the built up area of Goring and that the limited alterations, additions and advertisements would not add significantly to the impact of the building and site in the context of the AONB.
- 7.36 In terms of how the change of use of the building will affect the appearance and general ambience of the AONB regard must be had to the current authorised use as a public house on a built up site and that the change of use to become a shop can be undertaken without permission from the council. Taking the impact of activities associated with both uses in to account the main difference is 30 square metres of extension the impact to the AONB is not considered to be materially harmful. The development is therefore in accordance with Policy CSEN1.

8.0 CONCLUSION

- 8.1 The change of use of the public house to a shop and its extension can be undertaken at any point without needing planning permission and outside of the control of the council as the local planning authority. That extension would be 30 square metres smaller than the one that is the subject of this application. In addition the external changes to the building have already been approved at appeal.

The highway impacts are not considered to be significantly greater than the authorised use or the fall-back position presented by exercising permitted development options. The application provides the benefit of exercising control of the development through conditions.

The development provides an additional facility for the village. The main food spending is outside of the village and this development will claw back some of that spending and reduce car borne trips out. The likely impact on existing businesses is recognised but this is not considered to be significantly harmful particularly when a retail store can be created here with a 30 square metre smaller floor space.

9.0 RECOMMENDATION

- 9.1 **That planning permission is granted subject to the following conditions:**

- 9.2
1. **Commencement three years - full planning permission.**
 2. **Approved plans.**
 3. **New vehicular access.**
 4. **Close existing access (b).**
 5. **Roads and footpaths prior to occupation.**
 6. **Turning area and car parking.**
 7. **Cycle parking facilities.**
 8. **Construction traffic management.**
 9. **Servicing management plan.**
 10. **No surface water drainage to highway.**
 11. **Noise mitigation.**
 12. **Restrict opening hours.**
 13. **Restrict delivery times.**

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