

APPLICATION NO.	P23/S2135/FUL
SITE	Horse & Harrow Main Street West Hagbourne, OX11 0NB
PROPOSAL	Change of use of existing public house (Sui Generis) to provide a three-bed dwelling and a four-bed dwelling (Use C3), erection of two four-bed dwellings and a five-bed dwelling (Use C3) on land adjacent to the public house accessed from Main Street, with associated parking and landscaping, along with the demolition of existing outbuilding. (Amended site plan and highways technical note received 15 September 2023 to amend car parking and access and amended red line plan received 10 November 2023 and as amended by plans received 20 November 2023).
APPLICANT	Cordage 7 Ltd
APPLICATION TYPE	FULL APPLICATION
REGISTERED	18.7.2023
TARGET DECISION DATE	15.3.2024
PARISH	WEST HAGBOURNE
WARD MEMBER(S)	Ben Manning Anne-Marie Simpson
OFFICER	Andy Heron

1.0 PLANNING COMMITTEE ADDENDUM REPORT

- 1.1 This application was unanimously refused at the planning committee meeting on the 13 March for the following reason:

The Horse and Harrow public house is considered to be essential to the village, being the only community facility in West Hagbourne and one which fosters the engagement and involvement of the local community, as well as providing jobs for local people and local suppliers. The applicant has failed to explore other alternative uses which could run alongside the pub such as a village shop, nor has there been an attempt to market the premises. The Horse and Harrow has suffered from an historic lack of investment which, in turn, has deterred people from visiting the premises. With investment the public house could be economically viable in the future.

As such the proposed change of use of the public house would be contrary to policy CF1 of the South Oxfordshire Local Plan 2035 which seeks to safeguard existing community facilities and paragraphs 88 (d) and 93 (c) and (d) of the NPPF.

- 1.2 The day after committee (14 March) a planning appeal decision was received for a similar application at the site which was referred to planning committee in April 2023 (P22/S3609/FUL). This application was refused as members

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considered the pub remained a viable and essential community facility. The planning committee refusal reasons for both planning applications are very similar.

- 1.3 The appeal decision is attached at **appendix 1**. Officers place great weight on the appeal decision. In the light of the appeal decision, our principal planning appeals officer has advised that officers would not be able to defend at appeal the planning committee's resolution from the meeting on 13 March 2024, to refuse planning permission. This application is therefore referred back to committee for members to reconsider the previous resolution to refuse planning permission.
- 1.4 The original committee report is attached at **Appendix 2**.
The location plan is attached at **Appendix 3**.
The Plans are attached at **Appendix 4**.
The full conditions are attached at **Appendix 5**.

2.0 RECOMMENDATION

To grant Planning Permission subject to the following conditions. The full wording for conditions can be found in Appendix 5.

- 1 : Commencement 3 years - Full Planning Permission**
- 2 : Approved plans**
- 3 : Sample materials required**
- 4 : Boundary details**
- 5 : Biodiversity management plan**
- 6 : Ecological pre works check**
- 7 : Tree protection**
- 8 : Surface water drainage**
- 9 : Surface water**
- 10 : Landscaping Scheme (trees and shrubs only)**
- 11 : External lighting**
- 12 : Glazing**
- 13 : SUDs compliance**
- 14 : Access**
- 15 : Biodiversity enhancements**
- 16 : Cycle parking**
- 17 : Parking and manoeuvring areas**
- 18 : Energy statement verification**
- 19 : Vision splays**
- 20 : Trees and hedges**

Informatives

- 21 : CIL- informative**
- 22 : APC - informative**
- 23 : S137 of the Highways Act - informative**
- 24 : S151 of the Highways Act - informative**

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Appendix 2

Recommended Conditions (full text):

Sequence	Description	Details
1	Commencement 3 yrs - Full Planning Permission	<p>The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.</p> <p>Reason: By virtue of Sections 91 to 95 of the Town and Country Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.</p>
2	Approved plans *	<p>That the development hereby approved shall be carried out in accordance with the details shown on the following approved plans, 22.3359.001_P1, 22.3359.002_P2, 22.3359.101_P2, 22.3359.102_P2, 22.3359.103_P2, 22.3359.104_P2, 22.3359.105_P5, 22.3359.106_P5, 22.3359.107_P6, 22.3359.108_P7, 22.3359.109_P10, 22.3359.100 P28 and 22.3359.000_P5, except as controlled or modified by conditions of this permission.</p> <p>Reason: To secure the proper planning of the area in accordance with Development Plan policies.</p>
3	Sample materials required	<p>No development shall commence until samples of all materials to be used in the external works and finishes of the development have been submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: In the interests of the visual appearance of the development in accordance with Policies DES1 and DES2 of the South Oxfordshire Local Plan 2035.</p>
4	Boundary details	<p>No development shall commence until details of all boundary walls and any other means of</p>

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		<p>enclosure have been submitted to and approved in writing by the Local Planning Authority. All such approved means of enclosure shall be erected prior to the first occupation of the development.</p> <p>Reason: To preserve the character and appearance of the conservation area in accordance with policy ENV8 of the South Oxfordshire Local Plan 2035.</p>
5	Biodiversity management plan	<p>No development shall commence until a Biodiversity Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Biodiversity Management Plan shall assess biodiversity using an appropriate accounting metric to meet the minimum of no net biodiversity loss. The Biodiversity Management Plan shall explain how biodiversity will be implemented, managed and monitored. The enhancement recommendations in Section 5.6 of the PEA report (Hampshire Ecological Services, October 2022) should be incorporated into the biodiversity assessment. Thereafter, the approved methods contained within the Biodiversity Management Plan shall be implemented and habitats maintained in accordance with the approved details.</p> <p>Reason: To secure a net gain for biodiversity, in accordance with policy ENV2 and ENV3 of the South Oxfordshire Local Plan 2035.</p>
5	Biodiversity management plan	<p>No development shall commence until a Biodiversity Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Biodiversity Management Plan shall assess biodiversity using an appropriate accounting metric to meet the minimum of no net biodiversity loss. The Biodiversity Management Plan shall explain how biodiversity will be implemented, managed and monitored. The enhancement recommendations in Section 5.6 of the PEA report (Hampshire Ecological Services, October 2022) should be incorporated into the biodiversity assessment. Thereafter, the approved methods contained within the Biodiversity Management Plan shall be implemented and habitats maintained in accordance with the approved details.</p>

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		Reason: To secure a net gain for biodiversity, in accordance with policy ENV2 and ENV3 of the South Oxfordshire Local Plan 2035.
6	Ecological pre works check	<p>Prior to commencement of development a pre-works check for bats and badger sett building activity and an ecological supervision of works to the building should be carried out as per Section 5.5 of the PEA report by a suitably licensed ecologist. No development shall commence until a report on the findings of the pre-works check for badger sett building activity and ecological supervision of works to the building has been submitted to and approved by the local planning authority. Thereafter, the development shall be carried out in accordance with the approved details.</p> <p>Reason: To minimise the ecological impacts of development and provide biodiversity enhancements onsite, in accordance with policies ENV2 and ENV3 of the South Oxfordshire Local Plan 2035.</p>
6	Ecological pre works check	<p>Prior to commencement of development a pre-works check for bats and badger sett building activity and an ecological supervision of works to the building should be carried out as per Section 5.5 of the PEA report by a suitably licensed ecologist. No development shall commence until a report on the findings of the pre-works check for badger sett building activity and ecological supervision of works to the building has been submitted to and approved by the local planning authority. Thereafter, the development shall be carried out in accordance with the approved details.</p> <p>Reason: To minimise the ecological impacts of development and provide biodiversity enhancements onsite, in accordance with policies ENV2 and ENV3 of the South Oxfordshire Local Plan 2035.</p>
5	Tree protection	Prior to the commencement of any site works or operations, including demolition and site clearance relating to the development hereby permitted, an Arboricultural Method Statement and accompanying Tree Protection Plan shall be submitted to and approved in writing by the Local Planning Authority.

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		<p>The Arboricultural Method Statement must include the following:</p> <p>(1) A specification of any pruning or tree surgery works to any trees to be retained, to prevent accidental damage by construction or demolition activities;</p> <p>(2) The specification and location of temporary tree protective fencing and any ground protection required to protect all retained trees in accordance with the current edition of BS 5837 "Trees in relation to design, demolition and construction", and details of the timing and duration of its erection;</p> <p>(3) The definition of areas for the storage or stockpiling of materials, temporary on-site parking, site offices and huts, mixing of cement or concrete, and fuel storage;</p> <p>(4) The details and method of construction of any other structures such as boundary walls in the RPA of retained trees and how these relate to existing ground levels;</p> <p>Thereafter the development shall be carried out in accordance with the approved details with the agreed measures being kept in place during the entire course of development.</p> <p>Reason: To safeguard trees which are visually important in accordance with Policies ENV1, DES1, and DES2 of the South Oxfordshire Local Plan 2035.</p>
6	Surface water drainage	<p>No development shall commence until a full surface water drainage scheme has been submitted to and approved by the local planning authority. The surface water drainage scheme shall follow the surface water drainage hierarchy set out in Ciria C753 and shall provide infiltration testing undertaken in accordance with BRE 365. The surface water drainage system shall accord with the non-statutory technical standards for sustainable drainage systems, and include details of the levels, size, position and construction of drainage works. The drainage scheme shall be sized to accommodate a minimum of the worst case 1 in 30 year storm with evidence to demonstrate that the site can accommodate the worst case 1:100 year storm + 40% Climate Change storm, without any flows exiting up to this storm event and any storage on site not causing a nuisance or flooding to</p>

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		<p>property. Thereafter, the development shall be implemented in accordance with the approved details prior to occupation of the development.</p> <p>Reason: To ensure the proper provision of surface water drainage and to ensure flooding is not exacerbated in the locality in accordance with policy EP4 of the South Oxfordshire Local Plan 2035.</p>
7	Surface water	<p>No development shall commence until a surface water management strategy has been submitted to and approved by the local planning authority. The surface water management strategy shall include details for managing surface water during construction, including details of the levels, size, position and construction of drainage works. Thereafter, the approved strategy shall be implemented in accordance with the approved details</p> <p>Reason: To ensure the proper provision of surface water drainage and to ensure flooding is not exacerbated in the locality in accordance with policy EP4 of the South Oxfordshire Local Plan 2035.</p>
8	Landscaping Scheme (trees and shrubs only)	<p>No development above slab level shall commence until a scheme for the landscaping of the site, including the planting of live trees and shrubs, has been submitted to and approved in writing by the Local Planning Authority. These details shall include schedules of new trees and shrubs to be planted (noting species, plant sizes and numbers/densities), the identification of the existing trees and shrubs on the site to be retained (noting species, location and spread), any earth moving operations and finished levels/contours, and an implementation programme. The scheme shall be implemented prior to the first occupation or use of the development hereby approved and thereafter be maintained in accordance with the approved scheme. In the event of any of the trees or shrubs so planted dying or being seriously damaged or destroyed within 5 years of the completion of the development, a new tree or shrub or equivalent number of trees or shrubs, as the case may be, of a species first approved by the Local Planning Authority, shall be planted and properly maintained in a</p>

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		<p>position or positions first approved in writing by the Local Planning Authority.</p> <p>Reason: To help to assimilate the development into its surroundings in accordance with Policies ENV1, DES1 and DES2 of the South Oxfordshire Local Plan 2035.</p>
9	External lighting	<p>No development above slab level shall commence until a report detailing the external lighting scheme, and how this will not adversely impact upon wildlife has been submitted to and approved in writing by the local planning authority. The report (if external lighting is proposed) shall include the following figures and appendices:</p> <ul style="list-style-type: none"> · A layout plan with beam orientation · A schedule of equipment · Measures to avoid glare · An isolux contour map showing light spillage to 1 lux both vertically and horizontally, areas identified as being of importance for commuting and foraging bats, and positions of bird and bat boxes. <p>The approved lighting plan shall thereafter be implemented as agreed.</p> <p>Reason: To protect the appearance of the area, the environment and wildlife, and local residents from light pollution in accordance with policy ENV1 of the South Oxfordshire Local Plan 2035 and paragraph 180 of the NPPF.</p>
10	Glazing	<p>No windows shall be installed until details of the specification of the external glazing for all windows on each dwelling have been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, this condition requires the provision of a scheme to minimise visible light transmittance from inside to out. Thereafter, the glazing approved shall be installed and maintained in perpetuity in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.</p>

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		Reason: To protect the appearance of the area, the environment and wildlife, and local residents from light pollution in accordance with policy ENV1 of the South Oxfordshire Local Plan 2035.
11	SUDs compliance	<p>No more than 75% of dwellings shall be occupied until a SUDS Compliance report prepared by an appropriately qualified engineer has been submitted to and approved by the local planning authority. The SUDS compliance report must suitably demonstrate that the sustainable drainage system has been installed and completed in accordance with the approved scheme (or detail any minor variations). This report should cover the following;</p> <ol style="list-style-type: none"> 1) Inclusion of as-built drawings, 2) Inspection details of key SUDS features such as flow controls, storage features and volumes and critical linking features or pipework undertaken, with appropriate photographs and evidence of inspections incorporated, 3) Details of any remediation works required following the initial inspection, 4) Evidence that that remedial works have been completed. 5) Confirm details of any management company set up to maintain the system. <p>Reason: To ensure the proper provision of surface water drainage and to ensure flooding is not exacerbated in the locality in accordance with policy EP4 of the South Oxfordshire Local Plan 2035.</p>
12	Access	<p>No dwelling shall be occupied until the proposed accesses onto Main Street have been formed, laid out and constructed in accordance with Local Highway Authority specifications, and all ancillary works specified have been undertaken.</p> <p>Reason: In the interest of highway safety in accordance with Policy TRANS5 of the South Oxfordshire Local Plan 2035</p>
13	Biodiversity enhancements	No dwelling shall be occupied until details of biodiversity enhancements, including integral

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		<p>bird and bat boxes, tiles or bricks on the new buildings and native and wildlife friendly landscaping (including gaps at the bases of fences to allow hedgehogs to traverse through the gardens), have been submitted to and approved in writing by the local planning authority. The biodiversity enhancements shall thereafter be installed as approved.</p> <p>Reason: To incorporate biodiversity in and around developments in accordance with policy ENV2 of the South Oxfordshire Local Plan.</p>
14	Cycle parking	<p>No dwelling shall be occupied until cycle parking facilities have been provided in accordance with the details shown on drawing 22.3359.100, Rev P27. Thereafter, the cycle parking shall be retained as approved.</p> <p>Reason: To encourage the use of cycles as a means of transport in accordance with policy TRANS5 of the South Oxfordshire Local Plan 2035.</p>
15	Parking and manoeuvring areas	<p>No dwelling shall be occupied until the parking and turning areas have been provided in accordance with drawing no. 22.3359.100, Rev P27. The parking and turning areas shall be constructed, laid out, surfaced, drained and completed to be compliant with sustainable drainage (SuDS) principles, and shall be retained unobstructed except for the parking of vehicles associated with the development at all times.</p> <p>Reason: In the interests of highway safety and in accordance with policy TRANS5 of the South Oxfordshire Local Plan 2035.</p>
16	Energy Statement Verification	<p>No dwelling shall be occupied until all carbon reduction energy efficiency measures associated with the dwelling have been implemented in accordance with the energy statement and SAP calculations (dated June 2023) hereby approved and a verification report shall be submitted to the local planning authority and approved in writing. The verification report shall demonstrate (with photographic evidence) that the energy efficiency measures have been implemented. These measures shall be retained and maintained as such thereafter in accordance</p>

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		<p>with the energy statement and verification report.</p> <p>Reason: To ensure high standards of sustainable design and construction in accordance with policy DES10 of the South Oxfordshire Local Plan 2035.</p>
17	Vision splays	<p>The vision splays shown on the approved plan VS03 REV B shall not be obstructed by any object, structure, planting or other material with a height exceeding or growing above 0.9 metres as measured from carriageway level.</p> <p>Reason: In the interest of highway safety in accordance with Policy TRANS5 of the South Oxfordshire Local Plan 2035.</p>
18	Trees and hedges	<p>All trees, hedges and shrubs or similar vegetation where birds may nest which are to be removed as part of the development, are to be cleared outside the bird-nesting season (March - August inclusive) or if clearance during the bird-nesting season cannot reasonably be avoided, a suitably qualified ecologist will check the areas to be removed immediately prior to clearance and advise whether nesting birds are present. If active nests are recorded, no vegetation clearance or other works that may disturb active nests shall proceed until all young have fledged the nest.</p> <p>Reason: To ensure that wildlife is not adversely affected by the proposed development in line with and wildlife legislation and Policies ENV1, ENV2 and ENV3 of the South Oxfordshire Local Plan 2035.</p>
19	CIL- informative	<p>The development to which this permission relates is liable to pay the Community Infrastructure Levy (CIL) as set out in the South Oxfordshire District Charging Schedule. Upon planning permission, a Liability Notice will be issued to the nominated person/company liable for CIL. The person/company liable for CIL must submit a commencement notice to the Local Planning Authority BEFORE development commences (CIL Form 6). The Local Planning Authority will send a Demand Notice to the person/company liable for CIL when the Commencement Notice is received. FAILURE TO FOLLOW THE CIL PROCEDURES COULD RESULT IN</p>

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		<p>SURCHARGES AND THE LOSS OF ANY EXEMPTION RELIEF IF ENTITLED. Guidance on CIL is available on the planning portal website http://www.planningportal.co.uk/cil or the council's website http://www.southoxon.gov.uk/cil together with the process for paying CIL.</p>
24	S151 of the Highways Act - informative	<p>It is an offence under Section 151 of the Highways Act 1980 for vehicles leaving the development site to carry mud onto the public highway. Facilities should therefore be provided and used on the development site for cleaning the wheels of vehicles before they leave the site.</p>