

E D G A R S

Planning, Design & Access Statement

2-6 Waterperry Court, Banbury, OX16 4QG

Prepared for: Waterperry Court Developments Ltd

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Executive Summary

This Planning, Design & Access Statement has been prepared by Edgars on behalf of Waterperry Court Development Ltd and Travelodge (henceforth known as the applicant) to accompany a planning application for the *conversion of 2-6 Waterperry Court to a hotel (use class C1), including eastern extension, associated car parking, landscaping and ancillary works*, at Waterperry Court, Middleton Road, Banbury.

The proposals comprise the redevelopment of the existing Waterperry Court offices, which occupy a prominent position at the junction of Bridge Street, Middleton Road and Merton Street. The existing building – which contains five separate office blocks – will be redeveloped to create an 87-bedroom hotel, including a bar/restaurant on the ground floor. A modest eastern extension is proposed as part of the building's wider renovation which also includes replacement of the existing pitched roof with a flat roof and improvements and refurbishment of the existing rather dated building façade.

The application has been worked up in close consultation with officers at Cherwell District Council, who have provided advice both in connection to the principle of the building's conversion to a hotel and the design and appearance of the building itself. Technical advice from highways, the LLFA, the Council's economic services, environmental health and conservation officers has also been incorporated into the proposals.

The offices have been vacant since early 2020 and failed to be purchased by another office occupier during their comprehensive marketing over the period January to December 2020. In line with Local Plan policy SLE1, a viability assessment has been undertaken which demonstrates that the offices no longer represent a viable commercial enterprise owing to their present condition and the time it would take to find occupiers for all five units. The building's conversion to a hotel is considered to be a commercially viable alternative that will maintain some commercial and employment use of the building while providing a suitable alternative use that requires modest intervention and makes efficient use of the existing land and buildings.

Located on the edge of the town centre, the hotel is expected to contribute to the wider aims of the Banbury town centre masterplan which seeks to promote Banbury as a regional service centre, establish a strong economy and create a vibrant town centre that promotes opportunities for local people. The accompanying Economic Impact Study demonstrates that the proposed hotel will deliver in the region of 22 FTE jobs and £1.2 million visitor spend, much of which will be with local businesses.

The site itself is relatively free of physical development constraints, which have been comprehensively addressed as part of the technical reports which accompany this application. Although not within the Grimsbury Conservation Area itself, consideration has also been given to the impact of the proposals on the setting of Conservation Area and grade II listed Elephant and Castle Public House, opposite. The proposals successfully avoid any significant changes in the scale and height of the development while achieving the necessary number of bedrooms to ensure the commercial viability of the hotel. The proposed finish of the building – a combination of red & buff brick, dark grey cladding and off-white render – is reflective of the wide range of architectural styles in the immediate vicinity of the site. Overall the proposals are considered to deliver an improvement to the appearance of the existing building that will make a positive contribution to the local area's character in accordance with Local Plan policy ESD15.

A full Heritage Impact Assessment has been submitted with the application, which concludes in accordance with local policies ESD15 and C18 that the proposals will not affect the significance of the Grimsbury Conservation Area or the grade II listed former Elephant and Castle Public House (grade II).

In accordance with Local Plan policy ESD6, a site specific Flood Risk Assessment has been undertaken which concluded that the proposals will not result in any increase in flood risk at the site, either from fluvial or surface water. As required by NPPF para 167, safe and dry access and egress is immediately available, the development is considered to be safe and can remain operational under flood conditions and measures have been proposed to manage residual risks. A comprehensive Surface and Foul Water Drainage Strategy has also



been provided in accordance with Local Plan policy ESD7 requirements, NPPF para 169 and further guidance contained in CIRIA C753 *The SuDS Manual*.

The site's location on the edge of the town centre and within walking distance of bus and rail services represents a particularly sustainable location which satisfies the expectations of Local Plan policy SLE4 which seeks to promote the best use of sustainable modes of transport in new development. The provision of 41 car parking spaces on site (including ten EV charge points) in combination with the plentiful nearby long stay car parks have been considered as part of the accompanying Transport Assessment which found this to be adequate. The accompanying Travel Plan puts forward proposals to maximise the use of sustainable modes of transport to and from the hotel.

In accordance with local policies ENV1, C31 and ESD15 consideration has also been given to the amenity of nearby residential properties and the amenity of future guests at the hotel itself. A Noise Impact Assessment (NIA) has been submitted with this application which demonstrates that the desired noise levels within the building can be achieved through appropriate mitigation measures. The proposed use itself is considered to be compatible with the surrounding land uses and unlikely to have any adverse impact on the residential amenity of nearby properties.

Para 11(c) and 47 of the NPPF directs that planning proposals that accord with the Development Plan should be approved without delay unless material considerations indicate otherwise. Our assessment of the proposals concludes that they are in accordance with the principles and exemptions of policies SLE1 and SLE2, while the accompanying technical assessments indicate that there are no material considerations which should prevent the swift approval of this application. On that basis it is respectfully requested that this application is granted without delay.



1 Introduction

- 1.1 This Planning, Design & Access Statement has been prepared by Edgars on behalf of Waterperry Court Development Ltd (henceforth known as the applicant) to accompany a planning application for the *conversion of 2-6 Waterperry Court to a hotel (use class C1), including eastern extension, associated car parking, landscaping and ancillary works.*
- 1.2 This Statement provides a description of the site and its surroundings, a summary of the planning history and pre-application advice, a description of the proposed development (including design rationale), the planning policy context, and an assessment of the main planning considerations.
- 1.3 The following documents have also been provided as part of this application:
- Application forms
 - Drawings pack, comprising
 - Site location plan
 - Block plan
 - Existing floorplans, roof plans, elevations and sections
 - Proposed floorplans, roof plans, elevations and sections
 - Economic Impact Study (prepared by Pegasus)
 - Flood Risk Assessment (prepared by Innervision Design)
 - Heritage Impact Assessment (prepared by Heritage Collective)
 - Marketing Summary Report (Jan 2021) & Commercial Report (both by White Commercial);
 - Noise Impact Assessment (prepared by Venta Acoustics)
 - Planning, Design & Access Statement (this document)
 - Surface and Foul Water Drainage Strategy (prepared by Cole Easdon)
 - Transport Statement and Travel Plan (prepared by Paul Mew Associates); and
 - Viability Appraisal Report (prepared by James Lockhart) & Cost estimates (PSP construction consultants).
- 1.4 Para 11(c) and 47 of the NPPF directs that planning proposals that accord with the Development Plan should be approved without delay unless material considerations indicate otherwise. Our assessment of the proposals concludes that they are in accordance with the principles and exemptions of Local Plan policies SLE1 and SLE2, while the accompanying technical assessments indicate that there are no material considerations which should prevent the swift approval of this application. On that basis it is respectfully requested that this application is granted without delay.



2 Site and Surrounding Area

- 2.1 Waterperry Court is located on the junction of Bridge Street, Middleton Road and Merton Street, Banbury (Figure 1). The building was constructed in 1989, and originally comprised five terraced self-contained office buildings. In the intervening years, four of the five units (with the exception of Chiltern House) were gradually occupied by Brethertons Solicitors who vacated the property in early 2020 following a review of their office practices which found that the offices at Waterperry no longer suited their working requirements, both in terms of floorspace (too much) and a number of shortcomings associated with their condition and internal layout. Waterperry Court Developments Ltd purchased the property in December 2020, having already acquired Chiltern House a short time earlier. The building has been vacant since the sale.



Figure 1: Site location (Source: Google Earth, April 2021)

- 2.2 The offices and associated parking occupy a site of circa .64 acres. The site is accessed from Merton Street and benefits from 52 car parking spaces (of which 18 undercroft) which are located to the rear of the property, separated from the adjacent railway line which borders the west of the site by a mature leylandii hedge. To the south of the property is the Royal Mail Group Sorting office. To the north and east there are a range of residential properties and some local shops/services, although these are separated from the site by the intervening roads.
- 2.3 The site occupies a prominent corner position at the busy junction of Bridge Street, Middleton Road and Merton Street. There is direct pedestrian access to the building from Merton Street, which is set back from the pavement by a narrow concrete apron and some low-level planting. The building itself comprises three and four storeys at the front (Figure 2) and four/five to the rear, with the eastern and western-most blocks stepping down a storey to break up the façade and accommodate the site's topography which slopes down from north-west to south-east. The existing building is finished in contrasting buff/red brick with distinctive red window frames/doors and pitched tile roof.



Figure 2: Front and rear elevations of Waterperry Court (bottom row shows with Brethertons signage recently removed)

- 2.4 Built form in the surrounding area comprises a range of styles, from the grade II listed Elephant and Castle pub opposite (currently vacant with consent for conversion to apartments) to more recently constructed red brick three-storey buildings and the functional Royal Mail sorting office, adjacent (Figure 3).



Figure 3: Buildings in the vicinity of the site (from the top: towards the Causeway; east along Merton Street; nearest residential properties on Middleton Road)

2.5 The site adjoins the Grimsbury Conservation Area (Figure 4) and is partially located within Flood Zones 2 & 3 (Figure 5).

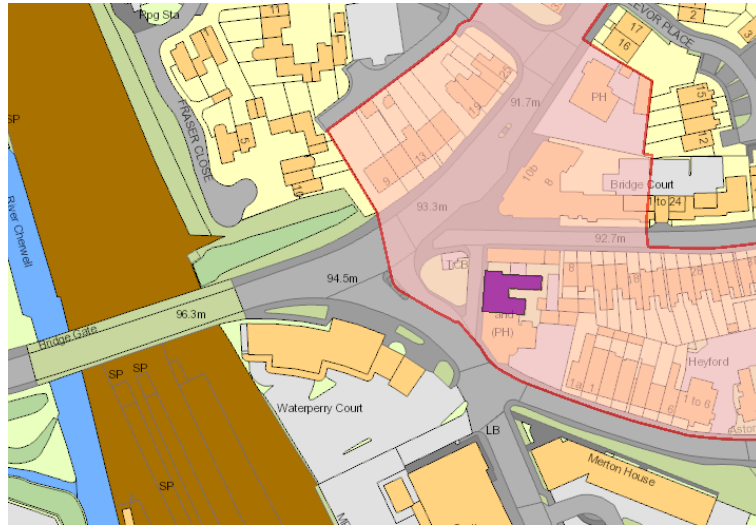


Figure 4: Grimsby Conservation Area

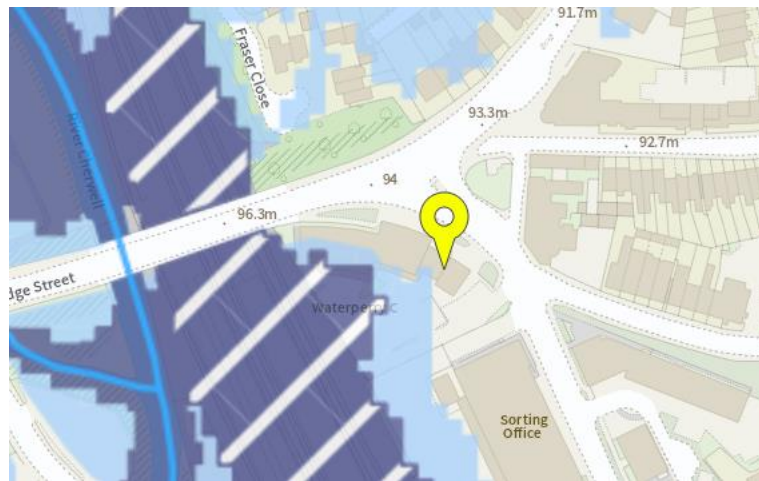


Figure 5: Flood risk



3 Planning History

3.1 The relevant planning history for the site is listed in the table below.

Reference	Description	Decision	Date
21/00303/F	2-4 Waterperry Court Removal of Condition 11 (use of building) of 89/00546/N	Withdrawn	17/03/2021
20/03558/O56	2-4 Waterperry Court Prior Approval for the change of use from office (Use Class B1a) to residential (Use Class C3) to create 30 self-contained flats	Refused	05/02/2021
20/02817/O56	2-4 Waterperry Court Prior Approval for the Change of Use from office (B1a) to residential (C3) to create 30 self-contained flats	Withdrawn	03/12/2020
18/01785/F	5-6 Waterperry Court (Chiltern House) Change of use from office use (B1) to driving centre (sui generis)	Withdrawn	
04/02191/F	Unit 4 Waterperry Court Change of use of ground floor and part first floor to recruitment agency class A2 use (Unit 4)	Approved	24/11/2004
CHN.546/89	Six office units in terrace formation with undercroft and surface parking to provide a total 59 car spaces. New access.	Approved	10/08/1989

3.2 Change of use of the site from offices to other uses that would now be permitted under the new Use Class E is restricted by condition 11 of planning consent 89/00546/N which limits the building's use to former class B1 for reasons relating to maintaining the character of the area and safeguarding the amenity of nearby residential properties. A S73 application to remove the condition was withdrawn earlier in the year following dialogue with officers.

3.3 Notwithstanding restrictions on the building's change of use, an application for prior approval to convert the building to residential was also refused in February 2021.

3.4 In response to both applications the Council's Economic Development Services department resisted the loss of the offices on the grounds of perceived weaknesses in the marketing exercise, lack of evidence of non-viability, the need to protect office stock in Banbury and the contribution that Waterperry Court made to office supply in the town. These concerns have been comprehensively addressed as part of this application (see Section 6) and formed the basis for a positive pre-application process with officers at Cherwell District Council during September 2021 when the potential for the site's conversion to a hotel was discussed.

Pre-application Advice

3.5 A request for pre-application advice was submitted to Cherwell District Council (CDC) in August 2021. This included a site visit in September 2021 and a further meeting with Wayne Campbell (Principal Planning Officer at CDC) on 14th October 2021. As part of the process, written advice was also received from a number of other



council departments. This advice, together with a summary of how this application has responded to it, is detailed in Appendix 1.

- 3.6 In summary, both the Planning Officer and Economic Growth Officer were supportive of the application in principle. They agreed that the building's conversion to a hotel represented a viable and appropriate commercial use that would continue to offer local employment opportunities while making a contribution to the economic vitality of Banbury town centre and the Council's own economic development strategy. In response to the Economic Growth Officer's comments, an Economic Impact Study has been submitted with this application which outlines how the proposed hotel will benefit the local economy and ongoing vitality of Banbury town centre.
- 3.7 During the pre-application phase the Conservation Officer expressed some concerns over the size and scale of the originally proposed eastern extension and its impact on the neighbouring grade II listed Elephant and Castle pub, located opposite. In response to these comments the height and scale of the extension has been significantly reduced. The introduction of a flat roof across the whole building and general improvements to the building's outward appearance provide a further opportunity to enhance the appearance of the building, thereby avoiding any impact on the setting of the nearby listed pub and Conservation Area. A full Heritage Impact Assessment which considers the impact of the proposals on these heritage assets has also been submitted with this application.
- 3.8 Other technical observations provided by county highways and the LLFA at pre-application stage have been addressed in the accompanying technical reports. In particular, the provision of on-site car parking in combination with access to nearby long-stay car parks in the immediate vicinity of the site has been addressed as part of the Transport Statement, and opportunities to promote sustainable transport choices among the hotel's visitors are set out in the accompanying Travel Plan.



4 Proposed Development

- 4.1 This application seeks planning permission for the *conversion of 2-6 Waterperry Court to a hotel (use class C1), including eastern extension, associated car parking, landscaping and ancillary works.*

Use

- 4.2 The existing office buildings at Waterperry Court have been vacant since December 2020. Despite 12 months' marketing, no market interest in their use as offices was expressed. The building's conversion to a hotel therefore represents a commercially viable alternative that will retain the existing building in a form of commercial use while making a positive contribution to Banbury's local economy.

Amount

- 4.3 The existing office buildings total 2,200 sqm. It is proposed to demolish 206 sqm GIA comprising the easternmost office block (Chiltern House) and convert 122 sqm basement to external parking. The total floorspace of the hotel will be 3,050 sqm GIA, of which 1,030 sqm is new build, comprising a two/three storey (three/four storeys from rear car park level) stepped extension (7m beyond existing footprint) on the eastern side of the building (replacing Chiltern House). Some modifications are also proposed on the western side of the building to facilitate a fire escape from the upper floors.
- 4.4 The existing pitched roof will be replaced with a flat roof across the whole building, facilitating creation of an additional floor across the largest two central buildings. The basement area on the western side of the rear of the building will also be opened up and the roller shutter doors removed to make provision for undercroft parking. The remaining roller shutter sections at lower ground floor level of the middle section of the building will be converted into a linen intake and pedestrian entrance (including lift) from the car park.
- 4.5 Once constructed, the building will have capacity for 87 bedrooms and a bar/restaurant on the ground floor, which would be open to hotel guest and the general public. The proposals also include 41 car parking spaces, of which 10 will provide EV charging points. Provision has also been made for 22 covered cycle parking spaces (11 stands).

Design: Layout, Scale and Appearance

- 4.6 The layout of the site is defined by the existing buildings, the majority of which will be retained and which provide a strong building frontage onto the street while accommodating the site's change in levels. The overall mass of the building is broken up by a combination of two, three and four storey blocks (when viewed from the front).
- 4.7 The modest eastern extension provides a continuation of the existing built form, stepping down in height to respect the setting of the listed pub opposite. The extension (7m beyond existing built footprint) will make effective use of available space between the existing building and site entrance while avoiding physical encroachment into the rear part of the site where topography, flood risk and proximity to the railway would prohibit further development. The new eastern wing will also retain the void at car park/ground level to avoid any impact on the existing 600mm drain beneath it.
- 4.8 The existing pitched roof will be removed across the whole building and replaced with a flat roof which is in keeping with other larger buildings in the vicinity. The new roof will also facilitate the creation of a further (third, if viewing the building from the front) floor across the middle sections of the building which will achieve the minimum number of commercially viable bedrooms while ensuring that the new roofline remains almost entirely at/below the existing roof height (with the exception of a modest and structurally necessary increase in height on the rear elevation of the westernmost part of the building). The flat roof on the eastern section will actually achieve a reduction in building height where it faces the listed pub opposite, thereby avoiding any impression of overbearing.



- 4.9 The building will be finished in a combination of red and buff brick to match existing, accented with off-white colour render and basalt grey trespa cladding panels. This combined approach will help to break up the appearance of the building's façade and create an impression of separation which is reflective of the pattern of separate terraces etc. found on surrounding streets.
- 4.10 Existing red-frame windows will be replaced with an aluminium window system with frames/spandrel panels finished in basalt grey to match the building fabric. The new roof will also be finished in basalt grey. The location of the main pedestrian entrance into the building from Merton Street will remain in the roughly the same location, but be replaced with glazed automatic sliding doors. A modest and simple pantone blue canopy will frame the entrance. A further glazed pedestrian entrance is provided at the rear of the building from the car park. Other metal security doors to the rear of the building and those for deliveries will be finished in basalt grey, as will the replacement railings bordering walkways and external steps. Signage will be the subject of a separate application for advertisement consent.
- 4.11 The existing area of car parking will be reconfigured to provide 41 car parking spaces, as well as incorporating the proposed EV charging points and three accessible parking bays. Covered, secure cycle parking for staff and guests and a bin store and recycling point have been provided in the void underneath the eastern wing.

Access

- 4.12 The existing vehicular access into the site from Merton Street will be retained. The main pedestrian access into the building will be directly from Merton Street, with a further guest and services entrance from the car park.

Landscaping & Sustainability

- 4.13 The adaptive reuse of much of the existing building represents a very sustainable approach to the site's redevelopment which will minimise waste, demand for new materials and associated construction energy. Other building modifications will also improve the efficiency of the building, including a new flat roof to latest U-value requirements; new energy efficient plant, heating & hot water; and new LED lighting throughout.
- 4.14 The curtilage of the site offers limited opportunities for additional soft landscaping which will be largely retained as existing with some modifications to areas of soft planting around the eastern extension.



5 Planning Policy

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise. This is echoed in paragraph 2 of the National Planning Policy Framework (NPPF), published in February 2021, which is itself a material consideration.
- 5.2 The Development Plan comprises Cherwell Local Plan 2011-2031 (Part 1) and the saved policies of Cherwell Local Plan 1996. Also of relevance is the Banbury Vision and Masterplan SPD, which was adopted in 2016.

National Planning Policy Framework

- 5.3 The relevant chapters and paragraph numbers are listed in Table 1 below. Appendix 2 contains the full wording of the policies.

Table 1: NPPF policies	
Chapter	Paragraph Numbers
2. Achieving sustainable development	7, 8 & 11
4. Decision-making	38
6. Building a strong, competitive economy	81 & 83
7. Ensuring the vitality of town centres	86 & 87
9. Promoting sustainable transport	110, 111 & 112
11 Making effective use of land	119, 120, 121, 122 & 123
14. Meeting the challenge of climate change, flooding and coastal change	167, 168 & 169

Cherwell Local Plan

- 5.4 The Local Plan policies relevant to this application are listed in Table 2 below. Appendix 2 contains the full wording of the policies.

Table 2: Relevant Local Plan policies	
Policy Number	Policy Title
<i>Cherwell Local Plan 2011-2036</i>	
PSD1	Presumption in Favour of Sustainable Development
SLE1	Employment Development
SLE2	Securing Dynamic Town Centres
SLE3	Supporting Tourism Growth
SLE4	Improved Transport and Connections
ESD6	Sustainable Flood Risk Management
ESD7	Sustainable Drainage Systems (SuDS)
ESD15	Character of Built and Historic Environment



Saved policies of Cherwell Local Plan 1996	
T2	Proposals for hotels, motels, guest houses and restaurants within settlements
C28	Layout design and external appearance of new development
C31	Compatibility of proposals in residential areas
ENV1	Pollution control

Other relevant planning policy and guidance is contained in:

- Oxfordshire Electric Vehicle Infrastructure Strategy (2021)
- Oxfordshire parking standards (2011)
- Banbury Vision and Masterplan SPD (2016)



6 Planning Considerations

6.1 Having regard to the proposed development, together with the site context, relevant planning history and planning policy, the key planning considerations for this proposal are:

- Principle of development
 - Protecting employment land
 - Protecting the town centre
 - Promoting tourism
 - Making effective use of land
- Design
- Heritage
- Transport
- Flood Risk and drainage
- Amenity

6.2 These matters are considered in turn below.

Principle of Development

Protecting employment land

6.3 Local Plan policy SLE1 states that employment uses should be retained except where the applicant can demonstrate that:

- an employment use should not be retained, including showing the site has been marketed and has been vacant in the long term;
- there are valid reasons why the use of the site for the existing or another employment use is not economically viable;
- the proposal would not have the effect of limiting the amount of land available for employment.

6.4 These are addressed in turn below.

Marketing and vacancy

6.5 White Commercial have prepared a Marketing Report which was submitted with the previous S73 application and has been reprovided with this planning application. The report outlines how the site was marketed from January to December 2020. In their response to the S73 application, the Council made some comments in connection to the marketing that had been undertaken. These are fully addressed in the Commercial Report which has been submitted with this application and which was also shared with CDC as part of the pre-application consultation on this application.



6.6 In summary:

Table 3: Response to previous comments from Economic Growth Services in respect of S73 application	
Council comment	Response
The units should have been marketed more explicitly as individual units	<p>Attention is drawn to Chiltern House (arguably the most usable of the units, with the majority of office space on one floor), which took four years to sell to an investor (not occupier); as such the potential for leasing single units was considered to be limited.</p> <p>Furthermore, Brethertons, who had occupied the other four units, would not have wanted to be in a position – nor is it reasonable to expect them to be – whereby they might have sold/leased one or two units with the rest remaining vacant. This would have had considerable financial consequences for them and limited their ability to lease or purchase new premises.</p> <p>The Viability Appraisal prepared for the site also notes that it might take up to eight years to achieve full occupancy if the building were let as multiple suites, with associated uncertainty over whether the whole building might be fully let at any one time and corresponding rental income.</p>
Residential potential inflated the purchase price; marketing exercise was potentially misleading	White Commercial's experience in the local area suggests that the value for office buildings and those with residential potential is very similar. Other offers received for the site (not including Chiltern House) were in the region of £1.8 million, all of which were from developers considering alternative uses.
What evidence was there for why active enquiries did not submit bids	<p>There were no enquiries or expressions of interest from any office occupiers during the marketing period. This was despite an extensive marketing exercise that included a direct mailing to 1,500 office occupiers in the region as well as publicity on several other marketing platforms.</p> <p>Of note also are the vacancy periods identified for other office accommodation in Banbury which is also providing difficult to let – including Blenheim Court and Somerville Court.</p>
Marketing was undertaken during Covid-19	<p>Undoubtedly the Covid-19 pandemic has had an impact on businesses' willingness to invest. However, given how long the pandemic has continued to last and its corresponding impact on working patterns, it is unreasonable to expect that the owners of the site should wait until the pandemic has subsided before (re)marketing the property. Brethertons had identified a business need to relocate and it was necessary to dispose of the site in order to do so.</p> <p>While the pandemic is not yet over, evidence suggests that it has in actual fact led to a decline in the demand/enquiries for office space which is likely to continue for some time to come. Beyond that time it remains unclear how working patterns and the need for office space will settle down in the future. As noted above, other more suitable premises in Banbury have been marketed without interest for more than one year, including pre-Covid.</p>
Changing nature of demand/ commuting patterns post-Covid may increase demand for smaller work hubs, start-up, flexible space in locations such as Banbury	<p>There is as yet no hard evidence for how working patterns may change post-COVID, or how quickly. There has not yet been an increase in demand for office space (or a return to pre-Covid levels), which may well be suppressed in the long term by changes in working patterns (e.g. home working & hot-desking) that will effectively reduce requirements for office accommodation amongst existing occupiers.</p> <p>Initial estimates from White Commercial suggest that occupiers will require 10-20% less accommodation when things return to 'normal'. There is also an expectation that floorspace per workspace/employee will increase, which may exacerbate existing issues with the relatively small floorplates at Waterperry Court.</p>



Table 3: Response to previous comments from Economic Growth Services in respect of S73 application	
Council comment	Response
	Patterns of demand for office space in the wider Oxfordshire area do not suggest that Banbury is – or will be – a popular choice for office occupiers. 28% office enquiries are for accommodation in Banbury (vs. Bicester or Brackley), while demand is generally much stronger in locations closer to Oxford, Bicester and South Oxfordshire.



6.7 On the basis of the original marketing exercise and clarifications provided in response to officer’s comments in the accompanying Commercial Report, it is considered that there is sufficient evidence from a marketing point of view to confirm that the site should not be retained for an employment use.

Viability

6.8 A viability assessment has been undertaken by James Lockhart – partner of Whitmarsh Lockhart LLP, and accompanies this planning application. Taking into account the Economic Development Services’ original comments regarding the potential uses of the building in the future the report considers a number of scenarios including single and multiple occupancy and a basic vs. more comprehensive overhaul of the premises to meet modern day office requirements. To note, there are some more comprehensive aspects of the property’s refurbishment – such as the provision of lifts in each unit to facilitate DDA compliance for multi lets, that it was simply not possible to provide within the physical limits of the existing building.

6.9 In summary:

- Given the layout of the units and property as a whole, it would be very difficult to find a single occupier to take the entirety – indeed the viability report describes this as an ‘unrealistic scenario’.
- Given White Commercial’s current portfolio of available office space and the time it has/is taking to lease those premises, it could realistically take up to eight years to let the building to a single occupier; and a similar amount of time to achieve full occupancy if the building were let as multiple suites (with no guarantee of full occupancy at any one time due to various lease lengths and occupants occupying and leaving at different times).
- Neither scenario offering 100% office use creates a profit for the developer.
- Major refurbishment carries high cost with very little gain while a basic refurbishment is not seen as a sustainable solution as the building will continue to deteriorate while rental values will fall.

6.10 Table 4 summarises the findings of the viability assessment, which demonstrates that in all scenarios, the site would generate a loss. Notwithstanding White Commercial’s view that the price of the property was not inflated by its ‘residential potential’, the scale of financial loss demonstrates that even if the building sale price had been lowered substantially to less than £1 million (notional land value figure used in the viability appraisal under this hypothetical scenario was ~£920,000) it would still fail to be economically viable, making just over £6,000 profit under the basic refurbishment multi-let scenario.

Table 4: Summary of Viability Report findings			
Scenario	Revenue from sale as an investment	Outlay	Profit/loss
<i>Actual figure for land acquisition</i>			
Grade B ‘plus’ refurb, single let	£2,681,207	£5,612,154	-£2,930,947
Grade B ‘plus’ refurb, multi let	£2,673,545	£5,186,540	-£2,512,996
Grade B ‘basic’ refurb, single let	£2,321,756	£4,353,990	-£2,032,234
Grade B ‘basic’ refurb, multi let	£2,307,887	£3,960,729	-£1,652,842
<i>Notional land value of £920,000</i>			
Grade B ‘plus’ refurb, single let	£2,681,207	£3,953,187	-£1,271,981
Grade B ‘plus’ refurb, multi let	£2,673,545	£3,528,627	-£854,029
Grade B ‘basic’ refurb, single let	£2,321,756	£2,695,023	-£373,267
Grade B ‘basic’ refurb, multi let	£2,307,887	£2,301,762	£6,125



6.11 The scenarios are based on what is believed to be a realistic letting period of eight years for the property, based on the vacancy periods and availability of other office premises in Banbury. If this were to be compressed to one year, potential savings amount to £1.5 million. If this is deducted using the actual figure for land acquisition the situation remains that there is no profit.

6.12 As such, the assessment provides robust evidence to demonstrate that the continuing use of the site for offices is not economically viable.

Land available for employment

6.13 The Commercial Report provided by White Commercial provides details of current office supply and demand in Banbury.

6.14 Total office stock in Banbury compiled from Valuation Office Agency site totals circa 90,220 sqm (971,100 sqft). At time of writing (November 2021) and based on White Commercial's demand statistics from occupiers with office requirements (White Commercial deal with 80% office instructions in Banbury, North Oxfordshire and South Northamptonshire), Banbury had total office space requirements totalling 2,230 sqm (24,000 sqft). Of these requirements two companies are looking for a total 1,579 sqm (17,000 sqft) – leaving only 650 sqm (7,000 sqft) of other office requirements for the whole of Banbury.

6.15 In contrast, there is in the region of 6,705 sqm (72,171 sqft) of total office space available in the town (not including Waterperry Court), rising to 7,845 sqm (84,443 sqft) of office space of comparable or better quality to Waterperry Court across the Banbury, Bicester and Brackley property market region. Requirements for office space across the whole of Cherwell total 6,132 sqm (66,000 sqft) with Banbury typically accounting for 28% overall demand.

6.16 As such, there is a demonstrable over-supply of office space in the town and wider area when compared to demand. Of note are the specific requirements of those potential occupiers in the Banbury region (see Section 2 of the Commercial Report) in terms of location and the type of office space, which do not correspond with what Waterperry Court would offer; existing active office enquiries are looking for more modern open plan office space over only one or two floors either in the town centre or with sufficient flexibility to be looking across the Banbury region for the right property.

6.17 In preparing this application, the District's Annual Monitoring Report (AMR) 2020 has also been reviewed. Findings from the AMR indicate that the district saw a considerable gain in employment floorspace with 80,599 sqm completed over 2019/20, following an increase of 100,523 sqm in 2018/19. The AMR also reports that there was planning permission in place for 167ha of land on allocations, with a further 81ha of remaining allocated employment land yet to receive planning permission. In contrast, only 0.82ha of employment land was lost to non-employment use during 2019/20. In Banbury specifically, four employment units totalling 37,556sqm B8 use, 7,548 B2 use and 1,905 B1(a) use were completed in 2019/20. Employment commitments in the town at 31/03/2020 totalled a further 24,480 sqm, with a further 25ha remaining allocated employment land yet to receive planning permission. As such, the redevelopment of Waterperry Court as a hotel is not expected to limit the amount of land available for employment. Furthermore, while the redevelopment of the site as a hotel would not specifically be regarded as a traditional 'employment' use, the proposed use is still commercial in nature and will generate in the region of 22 FTE jobs.

Conclusions

6.18 On the basis of these findings and the commercial and viability information submitted in support of this application, the proposals are considered to comply with the expectations of policy SLE1:

- The site has been marketed and has been vacant in the long term (January – December 2020);



- Evidence has been submitted to demonstrate that its ongoing use for offices is not economically viable;
- Findings from White Commercial and the district’s own AMR 2020 provide evidence that the proposal would not have the effect of limiting the amount of land available for employment.

Protecting the town centre

6.19 Local Plan policy SLE2 states that main town centre uses that are not in town centres should be in ‘edge of centre locations’. When considering edge of centre proposals, preference will be given to accessible sites that are well connected to the town centre, as per NPPF para 88.

6.20 Waterperry Court is considered to be an ‘edge of centre’ location that is very well connected to the town centre, as illustrated in Figure 6. It is less than 150m walking distance from the Town Centre Extension Area, and 200m from the Town Centre Shopping Area, as defined by the Local Plan proposals map. As such, it is considered to satisfy the expectations of the sequential test.

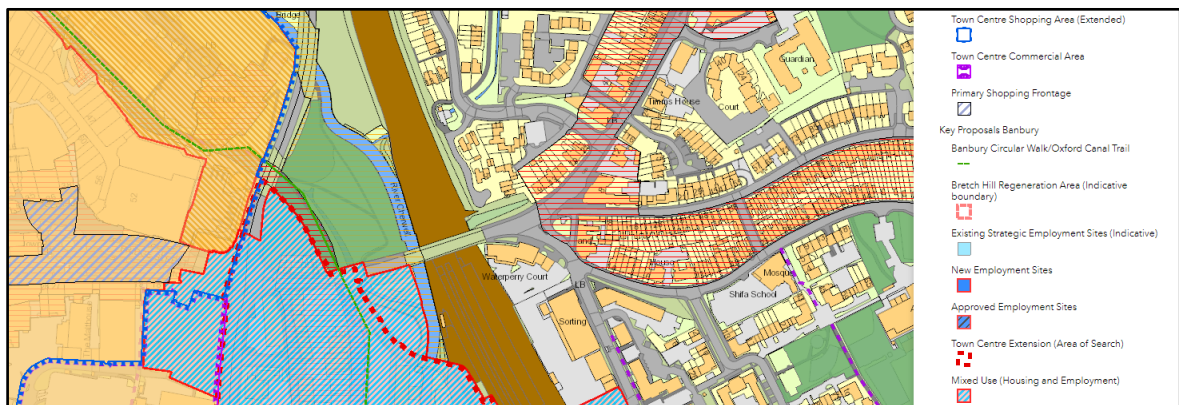


Figure 6: Relationship to town centre areas

6.21 The Banbury Vision and Masterplan SPD sets out its vision for a vibrant town centre, underpinned by a strong local economy that promotes opportunities for local people. The proposals for Waterperry Court are expected to make a positive contribution to several of the objectives for the town centre, including:

- Promoting local employment opportunities; job satisfaction and retention is typically higher when employees work close to where they live and can access their job on foot/ via public transport.
- Creating opportunities for education and training. Travelodge will work with Job Centre Plus, and will offer training as a matter of routine with opportunities to achieve a level two national vocational qualification, fast-track into hotel management and join the company’s internal management development programme, ASPIRE (further details of Travelodge’s employment policies can be found in Appendix 3).
- Promoting tourism and the town centre as somewhere to visit and stay by providing good quality, affordable and highly accessible accommodation.
- Providing accommodation to support the aspiration to host more festivals and events in the town centre.

6.22 As requested by the Economic Growth Officer, an Economic Impact Study has been prepared in support of this application which found that:

- Additional GVA attributable to the scheme once operational and fully occupied is estimated to be £729,000 per annum.



- Visitors staying at the hotel are estimated to spend around £1.2 million per annum on food & drink, entertainment etc., much of which will be in local businesses. As a limited services hotel (the primary purpose of the bar/café being for breakfast), information held by Travelodge suggests that the majority of hotel guests will visit local food and drink establishments, as well as utilising other local and recreational facilities.

Promoting tourism

- 6.23 Local Plan policy SLE3 supports proposals for new and improved tourist facilities in sustainable locations, provided that they accord with other policies in the plan. Likewise, saved policy T2 specifically supports proposals for hotels within the built up limits of settlements.
- 6.24 The application site is considered to occupy a very sustainable location, just three minutes' walk from Banbury rail station and within walking distance of the bus station and town centre (both under ten minutes); the accompanying Travel Plan sets out further measures to maximise the use of sustainable transport to and from the hotel. As such, the proposals are considered to be in accordance with policy SLE3.

Making effective use of land

- 6.25 The NPPF (para 119) promotes the effective use of land in meeting the need for housing and other uses, in particular the development of under-utilised land and buildings (para 120(d)). Para 122 expects decisions made by local planning authorities to reflect changes in the demand for land while para 123 directs authorities to take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans where it would meet identified needs. Evidence submitted with this application demonstrates that there is no demand for the historic employment use of the site as offices, but that there is a confirmed interest in redeveloping it as a hotel. As such, its redevelopment would be in accordance with the principles set out in Chapter 11 of the NPPF and Local Plan policy ESD15 which support the efficient use of land.

Conclusions

- 6.26 Evidence submitted in support of this application demonstrates that the expectations of policy SLE1 have been met in connection to the circumstances in which employment land will be released. The site's redevelopment as a hotel represents a suitable edge of town centre use that satisfies the expectations of the sequential test and local policy SLE2 by virtue of its sustainable location and proximity to the town centre. The proposals are also in accordance policy objectives that seek to promote tourism in the district (Local Plan policy SLE3) and will make a positive contribution to the vitality and long-term vision for Banbury town centre. The proposed redevelopment represents an effective reuse of land and buildings that reflects the changing demand for land in Banbury while retaining a form of commercial and employment use on the site. As such, the principle of development is considered to be in accordance with both national and local planning policy.

Design

- 6.27 Local Plan policy ESD15 and saved policy C28 set out the Council's expectations in relation to the design of new development. New development should:
- Improve the quality and appearance of the local area, making a positive contribution to the area's character and identity and reflecting local distinctiveness;
 - Conserve, sustain and enhance designated and non-designated heritage assets, ensuring that new development is sensitively sited and integrated;
 - Respect the form, scale and massing of buildings, integrating into the existing pattern of streets and buildings.



6.28 An analysis of the surrounding area and design rationale for the proposals is provided in Chapters 2 and 4. In summary:

- Careful consideration has been given to the setting of the grade II listed former Elephant and Castle Public House opposite the site, which has planning consent for redevelopment as apartments, including introduction of new built form on the site. The approved proposals detail a red brick finish, including a new three-storey building to the south of the existing building. The setting of the pub itself has notably changed considerably since the building was first constructed in the late 17th century; it is now heavily developed with a mixed and varied character, including modern residential development and commercial buildings which notably do not better reveal the significance of the listed building.
- The character of the adjoining Grimsbury Conservation Area has also been taken into consideration. The Conservation Area Appraisal (2007) notes that “The importance of the Grimsbury estate is not so much what it is but what it stands for and the historic context of the site...As such, while the area is primarily designated due to its historic interest relating to the political process that supported its development in the latter half of the 19th century, it is also of interest due to it being representative of the spectrum in working class and artisan housing constructed in the period”. The Appraisal also notes that “there are no panoramic views into or out of the area...with buildings enclosing all views out”; such views would not therefore contribute to the significance of the area. Key features outside the conservation area that contribute to its setting are the railway station, river Cherwell and historic town centre; modern built form – such as Waterperry Court – does not contribute to its significance in any way.
- The built form of the surrounding area is characterised by a wide variety of building styles and types that notably lack a coherent design character or distinctive visual appearance. Recurrent design features include red brick (with render/panelling to break up larger facades), incidence of flat rooves on larger buildings and the presence of some larger three and four storey buildings to the south, east and north of the site (Figure 7).
- The immediate setting of the site is dominated by the junction of Middleton Road, Bridge Street and Merton Street. The existing Waterperry Court building creates a significant visual impression by virtue of its size, position, red brick finish and distinctive red paintwork. The condition and appearance of the building have however deteriorated in recent years and its exterior is in need of maintenance and refurbishment.



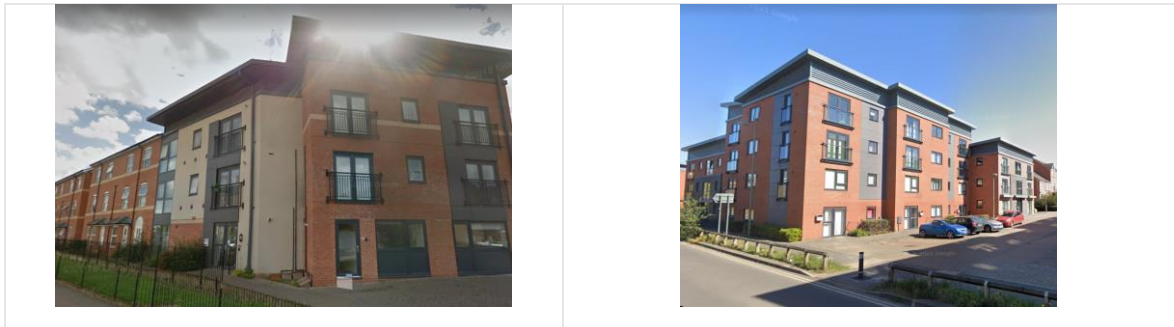


Figure 7a: Examples of local building character in the vicinity of the site, including red brick, off-white render, dark grey render/panelling, flat rooves, three and four storeys (source: Googlemaps, Oct 2021)



Figure 7b: The existing Waterperry Court building still carries the Brethertons branding and is in need of maintenance

6.29 Proposals for the redevelopment and refurbishment of Waterperry Court have also taken into account pre-application advice from Cherwell’s Conservation Officer which concluded that *“the existing building is considered to be harmful to the character of the area and therefore detrimentally affects the entrance to the conservation area and the Listed Building. Therefore any proposals here should aim to mitigate and reduce this harm and to enhance the character of the area.”*

6.30 Although much of the existing building fabric will be retained as part of the proposals, significant changes to the exterior of the building – both in terms of built form and material finish – are expected to deliver an overall improvement to the appearance of the building that will make a positive contribution to the character of its immediate setting. Key design features include:

- Replacement of the existing pitched roof with a flat roof. As well as giving the rather dated building a more contemporary appearance, the flat roof is also reflective of other larger buildings in the area and will effectively reduce the scale and visual impact of the building.
- The provision of a flat roof will also allow the building (including its extension) to provide the minimum number of bedrooms required to make it commercially viable while minimising any necessary increase in the height and size of the existing building.
- Introduction of a modest eastern extension which provides a continuation to the existing built form while stepping down in height to protect the setting of the listed pub, opposite.
- The existing building façade will be finished in a combination of red and buff brick to match existing, off-white render and dark grey trespa panels. This will help to break up the overall massing of the building while reflecting the finish of other larger buildings in the vicinity.

6.31 Overall the sensitive redevelopment and external improvements to the appearance of a currently redundant and physically deteriorating building that occupies a prominent position within the local area on the edge of the conservation area is expected to make a positive contribution to the area’s character while enhancing the setting



of adjacent heritage assets. The proposed scale, massing and final appearance of the building is considered to reflect and integrate with the existing pattern of streets and local building character. The proposals are therefore considered to be in accordance with the principles of local policies C28 and ESD15.

Heritage

- 6.32 Local Plan policy ESD15 seeks to conserve, sustain and enhance designated heritage assets, including listed buildings, conservation areas and their settings. New development should be sensitively sited and integrated in accordance with advice in the NPPF. In line with NPPF para 194, applications should include information on heritage assets sufficient to assess the potential impact of the proposal on their significance.
- 6.33 The application site is located opposite the grade II listed former Elephant and Castle Public House, and adjacent to the Grimsby Conservation Area. During pre-application consultation, the district's conservation officer identified the opportunity to improve the setting of these heritage assets. Particular concern was expressed about the impact of the proposed eastern extension on the listed pub, due to its scale and massing which included the introduction of a third storey. The revised proposals have significantly reduced the scale of the extension which now steps down below the height of the existing eastern-most office unit. The provision of a canopy has also been reconsidered and simplified, in line with the conservation officer's comments.
- 6.34 A full Heritage Impact Assessment has been submitted with this application which considers the impact of the proposals on the significance of the nearby heritage assets. The assessment makes the following observations:
- The application site has no heritage value in its own right and does not share any historic links or associations with the nearby heritage assets that would elevate its value or contribution to their significance;
 - The application site does not feature in any key views of either the listed building or conservation area;
 - Overall, the modern commercial building on the application site does not contribute to or better reveal the significance of the identified heritage asset in any way. Instead, the building forms a neutral element of the setting of the listed building and Conservation Area.
- 6.35 The Heritage Impact Assessment also makes the following conclusions with regard to the impact of the proposed development on the significance of nearby heritage assets:

Overall, while the proposed development would result in a change within the setting of the listed building and conservation area, this would only amount to a minor change to its built surroundings in an already heavily altered and modern part of the setting of these assets. The modest increase of scale on the application site and aesthetic enhancements to improve the quality and character of the building would not result in any change to the general character of the setting of the listed building or conservation area.

For the reasons identified above, the proposed development would not affect the significance, or ability to appreciate the significance, of the Grimsbury Conservation Area or the former Elephant and Castle Public House (grade II). These assets are sufficiently robust in their architectural character and historic interest to accommodate a minor degree of change as proposed within their setting. The strong heritage values of the conservation area and the distinctiveness and unique contribution that the listed building makes to its surroundings would be unaffected by the proposed development.

As such, the proposals would fall outside the remit of paragraphs 201-202 of the NPPF insofar as there would be no harm to significance. There would be preservation for the purposes of the decision maker's duty under Sections 66 and 72 of the 1990 Planning (Listed Building and Conservation Area) Act 1990.

- 6.36 On that basis, the proposed are considered to accord with Local Plan policy ESD15 insofar as the development would complement and enhance the character of its context through sensitive design and would conserve and sustain the significance of the conservation area and listed building; and Saved Policy C18 whereby the significance and setting of the listed building would be preserved.



- 6.37 Notwithstanding the conclusion of the assessment that the proposals would not result in any harm to the listed building and conservation area, the proposals are considered to deliver a number of public benefits, including:
- Provision of local employment opportunities, both during construction (estimated 36 temporary roles on-site and in the wider economy over 18-month build) and permanently (22 FT), including opportunities for local training and career development;
 - Contribution to strategic objectives of promoting tourism across the district;
 - Wider contribution to the local economy and vitality of Banbury town centre, with associated long-term benefits for local residents; and
 - Effective reuse of previously developed land & vacant buildings.

Transport

- 6.38 In line with the principles of NPPF para 110, Local Plan policy SLE4 requires new to facilitate the use of sustainable modes of transport, making the fullest possible use of public transport, walking and cycling. Support is also given to solutions which support reductions in greenhouse gas emissions. Para 110 of the NPPF also expects new development to provide safe and suitable access, and that any significant impacts from the development on the transport network are effectively mitigated. In accordance with para 112, applications for development are also expected to give priority to cycle and pedestrian movements; address the needs of those with disabilities; create safe and secure places; provide access for deliveries; services & emergency vehicles; and enable charging for low emission vehicles.
- 6.39 A full Transport Assessment and Travel Plan have been submitted with this application. The Transport Assessment identifies that the development site benefits from very good public transport accessibility with a wide range of local rail and bus connections. In addition, the local pedestrian environment is good with level footways to aid movement between the site and local public transport access points.
- 6.40 In response to specific pre-application comments from OCC Highways, a parking assessment has been undertaken (see Chapter 5 of the Transport Assessment) which concludes that on-site parking provision (41 spaces) is expected to provide enough parking at most times for the hotel. At peak times the Station East multi storey car park in very close proximity to the site has ample capacity for the expected number of additional cars parking.
- 6.41 In line Oxfordshire's recently adopted Electric Vehicle Infrastructure Strategy policy EVI 8 which requires a minimum of 25% spaces in non-residential developments to provide EV charging points, ten EV charging points have been provided on the site. The amount of on-site cycle parking provision has also been agreed with OCC Highways and includes 11 covered cycle parking stands (each stand providing 2 spaces) which will further help to support local policy objectives of reducing greenhouse gas emissions and promoting sustainable travel to and from the site. The accompanying Travel Plan details further measures proposed to encourage sustainable travel to and from the site.
- 6.42 In terms of access for those with limited mobility, three disabled parking spaces have been provided at the rear of the building, with suitable ramp and lift access into the building itself. The Transport Assessment also includes a delivery and servicing strategy at Chapter 6.

Flood Risk and Drainage

- 6.43 In accordance with Local Plan policies ESD6 and ESD7 and NPPF paras 167-169, a site specific Flood Risk Assessment and Surface and Foul Water Drainage Strategy have been prepared in support of this application



which take into account the impacts of climate change. The proposals comprise the redevelopment of an existing building, part of which is located in flood zones 2 and 3. The new eastern extension is located in an area of lowest risk (zone 1). The FRA demonstrates that the building benefits from existing defences sufficient to defend against a 1 in 200 year flood. In accordance with NPPF para 167, safe and dry access and egress is immediately available, the development is considered to be safe and can remain operational under flood conditions and measures have been proposed to manage residual risks.

- 6.44 In line with the expectations on of local policy ESD7, the Surface and Foul Water Drainage Strategy builds on the FRA and provides a strategy to ensure that the development proposals can be accommodated without increasing flood risk in the locality. The strategy has also been worked up on the basis of pre-application advice from the LLFA (see Appendix 1), as encouraged by NPPF para 169(a). Given that the proposals comprise the conversion of an existing building and impermeable car park area, opportunities for surface water drainage features such as a pond or swale are limited. The strategy nevertheless follows the drainage hierarchy as set out in the CIRIA C753 *The SuDS Manual* and includes measures for water quality treatment prior to discharge. The proposed drainage strategy is also expected to deliver some betterment with regards to existing surface water runoff rates at the site. In accordance with NPPF para 169(c) the strategy also sets out maintenance arrangements to ensure an acceptable standard of operation during the lifetime of the development.
- 6.45 With regards to foul drainage, foul flows from the existing building are currently discharged into the existing public foul sewer within the site. It is proposed that this arrangement is maintained, and that additional flows from the proposed development is also discharged into this sewer which previous capacity checks confirmed was available.

Amenity

Noise

- 6.46 Local Plan policy ESD15 and saved policy ENV1 set out expectations with regards to providing sufficient ventilation and avoiding detrimental levels of noise. Key sources of noise in proximity to the site include the rail station and adjacent Royal Mail sorting office. A Noise Impact Assessment (NIA) has been submitted with this application which demonstrates that the desired noise levels within the building can be achieved through appropriate mitigation measures, including proprietary thermal double-glazing, attenuated ventilators and where necessary, mechanical ventilation.

Impact on amenity of nearby residential properties

- 6.47 Saved policy C31 states that in existing residential areas any development which is not compatible with the residential character of the area, or would cause an unacceptable level of nuisance or visual intrusion will not normally be permitted. Likewise previous consents at the site sought to control any change of use in order to safeguard the amenities of the occupants of nearby [residential] premises. It is not considered that the redevelopment of the site as a hotel will have any adverse impact on the amenity of nearby residential properties and is certainly compatible with the existing uses that adjoin it.



7 Summary and Conclusion

- 7.1 This Planning Statement is submitted on behalf of Waterperry Court Developments Ltd and Travelodge in support of a planning application for the conversion of 2-6 Waterperry Court to a hotel (use class C1), including eastern extension, associated car parking, landscaping and ancillary works, at Waterperry Court, Middleton Road, Banbury.
- 7.2 The existing building – which contains five separate office blocks – will be redeveloped to create an 87-bedroom hotel, including a bar/restaurant on the ground floor. A modest eastern extension is proposed as part of the building's wider renovation which includes replacement of the existing pitched roof with a flat roof and improvements and refurbishment of the existing building façade. Existing vehicular access into the site will be retained and a total of 41 parking spaces (including 3 accessible spaces and 10 EV charging points) provided, together with cycle parking.
- 7.3 The offices have been vacant since early 2020 and failed to be purchased by another office occupier during their comprehensive marketing over the period January to December 2020. Evidence has been submitted with this planning application which satisfies the expectations of Local Plan policy SLE1 in connection to marketing, the non-viability of the building's continued use as offices and the wider supply of land available for development.
- 7.4 The proposals also satisfy the expectations of Local Plan policy SLE2 in connection to town centre development and the accompanying Economic Impact Study and details of Travelodge's employment policies provide evidence of how the proposals will support the economic growth and vitality of the town centre. Policy support for the scheme is also contained in local policy SLE3 which supports proposals for new and improved tourist facilities in sustainable locations, such as the application site.
- 7.5 The building occupies a prominent position at a busy road junction, and its dated appearance and need of refurbishment is evident. The proposals successfully avoid any significant changes in the scale and height of the development while achieving the necessary number of bedrooms to ensure the commercial viability of the hotel. The proposed finish of the building – a combination of red & buff brick, dark grey cladding and off-white render – is reflective of the wide range of architectural styles in the immediate vicinity of the site. Overall the proposals are considered to deliver an improvement to the appearance of the existing building that will make a positive contribution to the local area's character in accordance with Local Plan policy ESD15.
- 7.6 A full Heritage Impact Assessment has been submitted with the application, which concludes in accordance with local policies ESD15 and C18 that the proposals will not affect the significance of the Grimsbury Conservation Area or the grade II listed former Elephant and Castle Public House (grade II).
- 7.7 In accordance with Local Plan policy ESD6, a site specific Flood Risk Assessment has been undertaken which concluded that the proposals will not result in any increase in flood risk at the site, either from fluvial or surface water. As required by NPPF para 167, safe and dry access and egress is immediately available, the development is considered to be safe and can remain operational under flood conditions and measures have been proposed to manage residual risks. In accordance with Local Plan policy ESD7 and NPPF para 169, a comprehensive Surface and Foul Water Drainage Strategy has also been provided which takes into account pre-application advice from the LLFA, follows best practice with regards to the drainage hierarchy and water quality and sets out a suitable maintenance regime to ensure an acceptable standard of operation during the lifetime of the development.
- 7.8 The site's location on the edge of the town centre and within walking distance of bus and rail services represents a particularly sustainable location which satisfies the expectations of Local Plan policy SLE4. The provision of 41 car parking spaces on site in combination with the plentiful nearby long stay car parks have been considered as part of the accompanying Transport Assessment which found this to be adequate. In addition to the provision of on-site EV charging points and cycle parking, the accompanying Travel Plan puts forward further proposals to maximise the use of sustainable modes of transport to and from the hotel.



- 7.9 In accordance with local policies ENV1, C31 and ESD15 consideration has also been given to the amenity of nearby residential properties and the amenity of future guests at the hotel itself. A Noise Impact Assessment (NIA) has been submitted with this application which demonstrates that the desired noise levels within the building can be achieved through appropriate mitigation measures. The proposed use itself is considered to be compatible with the surrounding land uses and unlikely to have any adverse impact on the residential amenity of nearby properties.
- 7.10 Para 11(c) and 47 of the NPPF directs that planning proposals that accord with the Development Plan should be approved without delay unless material considerations indicate otherwise. Our assessment of the proposals concludes that they are in accordance with the principles and exemptions of Local Plan policies, while the accompanying technical assessments indicate that there are no material considerations which should prevent the swift approval of this application. On that basis it is respectfully requested that this application is granted without delay.

Appendices





Appendix 1. Pre-application Advice Summary

The following disciplines commented on the pre-application submission:

- Conservation
- Economic
- Environmental Health
- Flood & drainage
- Highways

Their comments, and the applicant’s response are provided in the table below.

Conservation Comments	Applicant’s response
<p>No objections to the change of use of the site to a hotel from a heritage perspective. Significance associated with location of the site, on the edge and at the entrance to the conservation area and opposite a Grade II Listed Building. The building contributes to the setting of these Heritage Assets.</p> <p>Noted that there is a currently approved scheme to develop the site of the former public house including the Listed Building for residential. Opportunity to enhance the site and therefore reduce the impact on the listed building and conservation area through development within their setting.</p> <p>The building is already large and dominates due to its prominent corner position. Increase in height to the existing two storey western section could probably be accommodated without an increase in harm.</p> <p>Demolition of existing and large extension to the east end causes some concern. Setting of the listed building will be further detrimentally altered by the development here as the building is in danger of becoming overbearing.</p> <p>Suggested that this extension is reduced in height and the design reconsidered so that the building steps down as it progresses around the corner as per existing.</p>	<p>Approved plans for the conversion of the listed pub to residential have been taken into account when developing the scheme, with reference to proposed red brick finish of the apartments, retained flat roof on part of the pub and new building height (three storeys).</p> <p>The scale of the proposals has been significantly reduced since pre-application stage, most notably with the introduction of a flat roof and a reduction in height and scale of the eastern extension, which is no higher than the existing (in fact achieving a reduction in height) and steps down to two storeys (as recommended) to avoid any impact on the listed pub.</p> <p>The entrance canopy has also been simplified and gable roof detailing removed as part of flat roof design.</p> <p>General refurbishment of the exterior of the building and bringing it back into active use are expected to deliver the anticipated enhancements to the character of the area.</p>



<p>Also suggested that the design of the canopy is rethought, to something simpler and that the existing gable roof detail is not replicated in the western part of the building as appears to be proposed in the 3D visuals submitted.</p> <p>Overall conclusion:</p> <p>The existing building is considered to be harmful to the character of the area and therefore detrimentally affects the entrance to the conservation area and the Listed Building. Therefore any proposals here should aim to mitigate and reduce this harm and to enhance the character of the area.</p>	
<p>Economic Growth Services</p>	<p>Applicant's response</p>
<p>Welcomes the change from proposed residential to proposed hotel.</p> <p>Would like to see any other information that might have arisen encouraging this approach in so far that it would contribute to the aims of the Council's extant economic development strategy. This could in particular enhance the number of overnight stays, expenditure locally and therefore enhance prosperity and vitality whilst adding a level of choice for the visitors.</p> <p>Proposals respond to market demand (of Travelodge). Accepts that the market for such 'budget' hotels is stronger than the office market and, indeed, that hotels play an important role in supporting and serving other enterprises locally. This would hopefully mean that the development's viability would be enhanced, meaning that the premises can be more readily be returned to a productive service and employment use.</p> <p>Acknowledged that whilst the roads and other excellent transport links are an advantage, they also are an issue for the originally-proposed long term residential uses of the premises. There could be health concerns (around localised pollution and also lack of open space) which would be detrimental for the long-term residency of the premises but would be acceptable for short term residency in a town centre hotel.</p> <p>The provision of a café, on-site parking (with e-chargers) are welcome, as are the jobs to be created – ideally with a skills and employment plan to indicate how the hotel operator would work with e.g. the college, Job Centre and economic growth team to ensure in advance the successful refurbishment of the building and, in particular, the recruitment and development of the skills of the workforce.</p> <p>Encourage an economic impact study to be prepared – to explain how the hotel would support other businesses, the town centre and therefore generate sustained benefits over the years to come.</p>	<p>Proposals for the building's conversion to a hotel respond to market demand of Travelodge, who are the joint applicant for this proposal.</p> <p>An Economic Impact Study has been provided with the application, together with details of Travelodge's employment & skills 'plan' in relation to creating local jobs and training opportunities for staff.</p> <p>A Travel Plan has also been provided with the application which identifies measures to maximise the use of sustainable transport to and from the site.</p>



<p>Would like to see consideration of plans to maximise the number of guests arriving by rail, potentially through collaboration with Chiltern Rail, maximising the use of sustainable transport and minimising any local impact.</p> <p>Overall, the remodelling and reuse of this relatively modern building is acceptable in principle.</p>	
<p>Environmental Health</p>	<p>Applicant's response</p>
<p>Noise, contaminated land, odour or light: No comment.</p> <p>Air quality: Measures should be in place to encourage the uptake of low emission transport including the provision of Electric Vehicle (EV) charging infrastructure. Ideally would like to see EV charging points in place to allow for the uptake of EVs by visitors and residents to maximise opportunities for sustainable transport .</p> <p>Suggested pre-commencement condition requiring Construction Environment Management Plan to avoid adverse impacts on residential properties.</p>	<p>Ten EV charging points are proposed as part of the development, which is in accordance with Oxfordshire's recently adopted Electric Vehicle Infrastructure Strategy.</p>
<p>Flood and drainage</p>	<p>Applicant's response</p>
<p>Parts of the proposed site lie within Flood Zone 3. Site is also subject to low levels of flooding from rivers or sea. Patches of surface water flood risk and majority of the site is submerged in area of flooding from reservoirs. Site lies within Drinking Water Protected Areas (surface water) and Drinking Water Safeguard Zones (Surface Water). Also situated in a medium risk area of Groundwater Vulnerability.</p> <p>Where car parking spaces are included in the proposal, water quality standards must be met. Proposed development needs a water quality assessment in accordance with Section 4 and Section 26 of SuDS Manual.</p> <p>The proposed development must meet local standards, L19, "At least one surface feature should be deployed within the drainage system for water quality purposes, or more features for runoff which may contain higher levels of pollutants in accordance with the CIRIA SuDS Manual C753. Only if surface features are demonstrated as not viable, then approved proprietary engineered pollution control features such as vortex separators, serviceable/ replaceable filter screens, or pollution interceptors may be used".</p> <p>Would like to see how the applicant has addressed water quality issues as part of the proposal. Also noted proposals include an alteration to the property size which will result in an increase to impermeable</p>	<p>An FRA and separate detailed Surface and Foul Water Drainage Strategy have been submitted with the application and prepared in accordance with relevant guidance.</p> <p>The external areas at the site comprise a car park and access which will be retained, with small areas of planting. There is no space for an open SuDS feature such as a pond or swale.</p> <p>The proposal is for extension of the existing building, with no additional trafficked areas which could generate contaminated surface water runoff. Complex water quality treatment systems such as oil separators are therefore not required, however a filter drain is proposed upstream of the proposed attenuation tank. This will provide adequate treatment for roof runoff, which is relatively clean, in accordance with the Simple Index approach from Chapter 26 of CIRIA C753 <i>The SuDS Manual</i>.</p>



<p>area and associated greater run off from the site. This must be assessed thoroughly to ensure there's no flood risk.</p> <p>Detailed surface water management strategy should be submitted in accordance with the relevant guidance.</p>	<p>There will be no increase in the impermeable area at the site as a result of the proposed development. The existing surface water drainage system at the site does not include flow controls or attenuation systems. Surface water runoff from the site is therefore discharged at an uncontrolled rate. An existing 1 in 100-year surface water runoff rate of 4.8l/s has been calculated for the existing impermeable area (0.02ha) within the footprint of the proposed extension. The proposed discharge rate of 0.5 l/s will provide betterment in flows of 4.3l/s or 90% for the 1 in 100-year event, reducing flood risk to the site and locality.</p>
<p>Highways</p>	<p>Applicant's response</p>
<p>Site is located in a highly accessible location, close to the train station, bus station and town centre. By virtue of its location so close to the train station it is considered likely that many guests who would stay at the proposed hotel would use sustainable transport, the hotel would be likely to largely serve train passengers.</p> <p>Concerns regarding provision of 29 car parking spaces for an c.82 bed. Evidence should be provided to demonstrate that the proposed provision would accommodate all parking demand from guests and staff. If it does not, then evidence should be provided that the nearby long-stay car parks have a surplus spare capacity to accommodate the demand from the hotel without creating a shortfall for other users.</p> <p>EV charging points must be provided in line with standards set out in the recently adopted Oxfordshire Electric Vehicle Infrastructure Strategy. Cycle parking for both staff and visitors must be provided in line with standards and must be secure, covered, conveniently located and easily accessible from the street.</p> <p>Any forthcoming application would require a Transport Statement which sets out the likely traffic and transport impacts and implications of the proposed development. The hotel would also require a Travel Plan Statement in line with OCC thresholds.</p>	<p>A full Transport Statement and Travel Plan have been submitted with the application.</p> <p>Onsite parking provision has increased from 29 (pre-application scheme) to 41 spaces. Findings from the Transport Assessment suggest that....[car parking vs. off-site capacity for shortfall]</p> <p>Ten EV charge points have been provided on site which is in line with the Oxfordshire EV Infrastructure Strategy standard of a minimum of 25% of all parking spaces.</p> <p>Secure, covered and accessible cycle parking has been provided adjacent to the car park in accordance with requirements specified in correspondence from OCC (11 stands (2 for staff, 9 for visitor) total 22 spaces).</p>



Appendix 2. Planning Policies – Full Text

- 8.1 Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise. This is echoed in paragraph 2 of the National Planning Policy Framework (NPPF), published in February 2021, which is itself a material consideration.
- 8.2 The Development Plan comprises Cherwell Local Plan 2011-2031 (Part 1) and the saved policies of Cherwell Local Plan 1996. Also of relevance is the Banbury Vision and Masterplan SPD, which was adopted in 2016.

National Planning Policy Framework

- 8.3 The National Planning Policy Framework (NPPF), originally published in March 2012 and most recently revised in July 2021, sets out the Government's planning policies for England and how they should be applied.
- 8.4 Chapter 2 (Achieving Sustainable Development) states in paragraph 7 that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs. At a similarly high level, members of the United Nations – including the United Kingdom – have agreed to pursue the 17 Global Goals for Sustainable Development in the period to 2030. These address social progress, economic well-being and environmental protection.
- 8.5 Paragraph 8 states that achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):
- a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
 - b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
 - c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
- 8.6 Paragraph 11 outlines that plans and decisions should apply a presumption in favour of sustainable development. For plan-making this means that:
- a) all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects;
 - b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:



- i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

For decision-taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
 - d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 8.7 Chapter 4 (Decision-making) outlines in paragraph 38 that the local planning authority should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
- 8.8 Chapter 6 (Building a strong, competitive economy) states in paragraph 81 that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.
- 8.9 Paragraph 83 states that planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative or high technology industries; and for storage and distribution operations at a variety of scales and in suitably accessible locations.
- 8.10 Chapter 7 (Ensuring the vitality of town centres) states in paragraph 86 that planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation. Planning policies should:
- a) define a network and hierarchy of town centres and promote their long-term vitality and viability – by allowing them to grow and diversify in a way that can respond to rapid changes in the retail and leisure industries, allows a suitable mix of uses (including housing) and reflects their distinctive characters;
 - b) define the extent of town centres and primary shopping areas, and make clear the range of uses permitted in such locations, as part of a positive strategy for the future of each centre;
 - c) retain and enhance existing markets and, where appropriate, re-introduce or create new ones;



- d) allocate a range of suitable sites in town centres to meet the scale and type of development likely to be needed, looking at least ten years ahead. Meeting anticipated needs for retail, leisure, office and other main town centre uses over this period should not be compromised by limited site availability, so town centre boundaries should be kept under review where necessary;
 - e) where suitable and viable town centre sites are not available for main town centre uses, allocate appropriate edge of centre sites that are well connected to the town centre. If sufficient edge of centre sites cannot be identified, policies should explain how identified needs can be met in other accessible locations that are well connected to the town centre; and
 - f) recognise that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites.
- 8.11 Paragraph 87 states that the local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.
- 8.12 Chapter 9 (Promoting sustainable transport) outlines that transport issues should be considered from the earliest stages of plan-making and development proposals.
- 8.13 Paragraph 110 states that in assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:
- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
 - b) safe and suitable access to the site can be achieved for all users;
 - c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and
 - d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
- 8.14 Paragraph 111 states that 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.
- 8.15 Paragraph 112 states that within this context, applications for development should:
- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
 - b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
 - c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;



- d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and
 - e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.
- 8.16 Chapter 11 (Making effective use of land) outlines in paragraph 119 that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.
- 8.17 Paragraph 120 outlines that planning policies and decisions should:
- a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside;
 - b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production;
 - c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;
 - d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure); and
 - e) support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well-designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers.
- 8.18 Paragraph 121 states that local planning authorities, and other plan-making bodies, should take a proactive role in identifying and helping to bring forward land that may be suitable for meeting development needs, including suitable sites on brownfield registers or held in public ownership, using the full range of powers available to them. This should include identifying opportunities to facilitate land assembly, supported where necessary by compulsory purchase powers, where this can help to bring more land forward for meeting development needs and/or secure better development outcomes.
- 8.19 Paragraph 122 states that planning policies and decisions need to reflect changes in the demand for land. They should be informed by regular reviews of both the land allocated for development in plans, and of land availability. Where the local planning authority considers there to be no reasonable prospect of an application coming forward for the use allocated in a plan:
- a) it should, as part of plan updates, reallocate the land for a more deliverable use that can help to address identified needs (or, if appropriate, deallocate a site which is undeveloped); and
 - b) in the interim, prior to updating the plan, applications for alternative uses on the land should be supported, where the proposed use would contribute to meeting an unmet need for development in the area.



- 8.20 Paragraph 123 states that local planning authorities should also take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs. In particular, they should support proposals to:
- a) use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites or the vitality and viability of town centres, and would be compatible with other policies in this Framework; and
 - b) make more effective use of sites that provide community services such as schools and hospitals, provided this maintains or improves the quality of service provision and access to open space.
- 8.21 Chapter 14 (Meeting the challenge of climate change, flooding and coastal change) outlines that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change.
- 8.22 Paragraph 167 states that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:
- a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;
 - b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;
 - c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
 - d) any residual risk can be safely managed; and
 - e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.
- 8.23 Paragraph 168 states that applications for some minor development and changes of use should not be subject to the sequential or exception tests but should still meet the requirements for site-specific flood risk assessments.
- 8.24 Paragraph 169 states that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:
- a) take account of advice from the lead local flood authority;
 - b) have appropriate proposed minimum operational standards;
 - c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and
 - d) where possible, provide multifunctional benefits.

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8.25 **Policy PSD1 (Presumption in Favour of Sustainable Development)** states that when considering development proposals the Council will take a proactive approach to reflect the presumption in favour of sustainable development contained in the National Planning Policy Framework. The Council will always work proactively with applicants to jointly find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Planning applications that accord with the policies in this Local Plan (or other part of the statutory Development Plan) will be approved without delay unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

- any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or
- specific policies in the Framework indicate that development should be restricted.

8.26 **Policy SLE 1 (Employment Development)** states that employment development on new sites allocated in this Plan will be the type of employment development specified within each site policy in Section C 'Policies for Cherwell's Places'. Other types of employment development (B Use class) will be considered in conjunction with the use(s) set out if it makes the site viable.

In cases where planning permission is required existing employment sites should be retained for employment use unless the following criteria are met:

- the applicant can demonstrate that an employment use should not be retained, including showing the site has been marketed and has been vacant in the long term.
- the applicant can demonstrate that there are valid reasons why the use of the site for the existing or another employment use is not economically viable.
- the applicant can demonstrate that the proposal would not have the effect of limiting the amount of land available for employment.

Regard will be had to whether the location and nature of the present employment activity has an unacceptable adverse impact upon adjacent residential uses.

Regard will be had to whether the applicant can demonstrate that there are other planning objectives that would outweigh the value of retaining the site in an employment use.

Employment development will be focused on existing employment sites. On existing operational or vacant employment sites at Banbury, Bicester, Kidlington and in the rural areas employment development, including intensification, will be permitted subject to compliance with other policies in the Plan and other material considerations. New dwellings will not be permitted within employment sites except where this is in accordance with specific site proposals set out in this Local Plan.

Employment proposals at Banbury, Bicester and Kidlington will be supported if they meet the following criteria:

- Are within the built up limits of the settlement unless on an allocated site
- They will be outside of the Green Belt, unless very special circumstances can be demonstrated



- Make efficient use of previously-developed land wherever possible
- Make efficient use of existing and underused sites and premises increasing the intensity of use on sites
- Have good access, or can be made to have good access, by public transport and other sustainable modes
- Meet high design standards, using sustainable construction, are of an appropriate scale and respect the character of its surroundings
- Do not have an adverse effect on surrounding land uses, residents and the historic and natural environment.

Unless exceptional circumstances are demonstrated, employment development in the rural areas should be located within or on the edge of those villages in Category A (see Policy Villages 1).

New employment proposals within rural areas on non-allocated sites will be supported if they meet the following criteria:

- They will be outside of the Green Belt, unless very special circumstances can be demonstrated.
- Sufficient justification is provided to demonstrate why the development should be located in the rural area on a non-allocated site.
- They will be designed to very high standards using sustainable construction, and be of an appropriate scale and respect the character of villages and the surroundings.
- They will be small scale unless it can be demonstrated that there will be no significant adverse impacts on the character of a village or surrounding environment.
- The proposal and any associated employment activities can be carried out without undue detriment to residential amenity, the highway network, village character and its setting, the appearance and character of the landscape and the environment generally including on any designated buildings or features (or on any non-designated buildings or features of local importance).
- The proposal will not give rise to excessive or inappropriate traffic and will wherever possible contribute to the general aim of reducing the need to travel by private car.
- There are no suitable available plots or premises within existing nearby employment sites in the rural areas.

The Local Plan has an urban focus. With the potential for increased travel by private car by workers and other environmental impacts, justification for employment development on new sites in the rural areas will need to be provided. This should include an applicant demonstrating a need for and benefits of employment in the particular location proposed and explaining why the proposed development should not be located at the towns, close to the proposed labour supply.

Monitoring and review will be undertaken regularly.

Extensions to existing employment sites will be considered in the Local Plan Part 2.



8.27 **Policy SLE 2 (Securing Dynamic Town Centres)** states that retail and other 'Main Town Centre Uses' will be directed towards the town centres of Banbury and Bicester and the village centre of Kidlington in accordance with Policies Bicester 5, Banbury 7 and Kidlington 2. The Council will apply the sequential test as set out in the NPPF as follows:

- Proposals for retail and other Main Town Centre Uses not in these town centres should be in 'edge of centre' locations. Only if suitable sites are not available in edge of centre locations should out of centre sites be considered.
- When considering edge of centre and out of centre proposals, preference will be given to accessible sites that are well connected to the town centre.

The Council will consider if the proposals satisfy the sequential test and if they are likely to have a significant adverse impact on one or more of the factors in the NPPF.

All proposals should comply with Policy SLE 4.

An impact assessment will also be required in accordance with requirements in the NPPF. The Council will require an impact assessment if the proposal is over 2000 sq. metres (gross) in Banbury, 1500sq. metres (gross) in Bicester and 350 sq. metres (gross) elsewhere.

Evidence in the Council's Retail Study will also be considered in determining applications if information is not provided by the applicant which is considered to supersede this evidence.

Proposals should comply with Policy ESD15.

The Council will support the provision of new local centres containing a small number of shops of a limited size within the strategic housing allocations on strategic sites set out in this Local Plan.

8.28 **Policy SLE 3 (Supporting Tourism Growth)** states that the Council will support proposals for new or improved tourist facilities in sustainable locations, where they accord with other policies in the plan, to increase overnight stays and visitor numbers within the District.

8.29 Policy SLE 4 (Improved Transport and Connections) states that the Council will support the implementation of the proposals in the Movement Strategies and the Local Transport Plan to deliver key connections, to support modal shift and to support more sustainable locations for employment and housing growth.

We will support key transport proposals including:

- Transport Improvements at Banbury, Bicester and at the Former RAF Upper Heyford in accordance with the County Council's Local Transport Plan and Movement Strategies
- Projects associated with East-West rail including new stations at Bicester Town and Water Eaton
- Rail freight associated development at Graven Hill, Bicester
- Improvements to M40 junctions.

Consultation on options for new link and relief roads at Bicester and Banbury will be undertaken through the Local Transport Plan (LTP) review process. Routes identified following strategic options appraisal work for LTP4 will be confirmed by the County Council and will be incorporated in Local Plan Part 2.

New development in the District will be required to provide financial and/or in-kind contributions to mitigate the transport impacts of development.



All development where reasonable to do so, should facilitate the use of sustainable modes of transport to make the fullest possible use of public transport, walking and cycling. Encouragement will be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. Development which is not suitable for the roads that serve the development and which have a severe traffic impact will not be supported.

- 8.30 **Policy ESD 6 (Sustainable Flood Risk Management)** states that the Council will manage and reduce flood risk in the District through using a sequential approach to development; locating vulnerable developments in areas at lower risk of flooding. Development proposals will be assessed according to the sequential approach and where necessary the exceptions test as set out in the NPPF and NPPG. Development will only be permitted in areas of flood risk when there are no reasonably available sites in areas of lower flood risk and the benefits of the development outweigh the risks from flooding.

In addition to safeguarding floodplains from development, opportunities will be sought to restore natural river flows and floodplains, increasing their amenity and biodiversity value. Building over or culverting of watercourses should be avoided and the removal of existing culverts will be encouraged.

Existing flood defences will be protected from damaging development and where development is considered appropriate in areas protected by such defences it must allow for the maintenance and management of the defences and be designed to be resilient to flooding.

Site specific flood risk assessments will be required to accompany development proposals in the following situations:

- All development proposals located in flood zones 2 or 3
- Development proposals of 1 hectare or more located in flood zone 1
- Development sites located in an area known to have experienced flooding problems
- Development sites located within 9m of any watercourses.

Flood risk assessments should assess all sources of flood risk and demonstrate that:

- There will be no increase in surface water discharge rates or volumes during storm events up to and including the 1 in 100 year storm event with an allowance for climate change (the design storm event)
- Developments will not flood from surface water up to and including the design storm event or any surface water flooding beyond the 1 in 30 year storm event, up to and including the design storm event will be safely contained on site.

Development should be safe and remain operational (where necessary) and proposals should demonstrate that surface water will be managed effectively on site and that the development will not increase flood risk elsewhere, including sewer flooding.

- 8.31 **Policy ESD 7 (Sustainable Drainage Systems (SuDS))** states that all development will be required to use sustainable drainage systems (SuDS) for the management of surface water run-off.

Where site specific Flood Risk Assessments are required in association with development proposals, they should be used to determine how SuDS can be used on particular sites and to design appropriate systems.



In considering SuDS solutions, the need to protect ground water quality must be taken into account, especially where infiltration techniques are proposed. Where possible, SuDS should seek to reduce flood risk, reduce pollution and provide landscape and wildlife benefits. SuDS will require the approval of Oxfordshire County Council as LLFA and SuDS Approval Body, and proposals must include an agreement on the future management, maintenance and replacement of the SuDS features.

8.32 **Policy ESD 15 (The Character of the Built and Historic Environment)** states that successful design is founded upon an understanding and respect for an area's unique built, natural and cultural context. New development will be expected to complement and enhance the character of its context through sensitive siting, layout and high quality design. All new development will be required to meet high design standards. Where development is in the vicinity of any of the District's distinctive natural or historic assets, delivering high quality design that complements the asset will be essential.

New development proposals should:

- Be designed to deliver high quality safe, attractive, durable and healthy places to live and work in.
- Development of all scales should be designed to improve the quality and appearance of an area and the way it functions
- Deliver buildings, places and spaces that can adapt to changing social, technological, economic and environmental conditions
- Support the efficient use of land and infrastructure, through appropriate land uses, mix and density/development intensity
- Contribute positively to an area's character and identity by creating or reinforcing local distinctiveness and respecting local topography and landscape features, including skylines, valley floors, significant trees, historic boundaries, landmarks, features or views, in particular within designated landscapes, within the Cherwell Valley and within conservation areas and their setting
- Conserve, sustain and enhance designated and non designated 'heritage assets' (as defined in the NPPF) including buildings, features, archaeology, conservation areas and their settings, and ensure new development is sensitively sited and integrated in accordance with advice in the NPPF and NPPG. Proposals for development that affect non-designated heritage assets will be considered taking account of the scale of any harm or loss and the significance of the heritage asset as set out in the NPPF and NPPG. Regeneration proposals that make sensitive use of heritage assets, particularly where these bring redundant or under used buildings or areas, especially any on English Heritage's At Risk Register, into appropriate use will be encouraged
- Include information on heritage assets sufficient to assess the potential impact of the proposal on their significance. Where archaeological potential is identified this should include an appropriate desk based assessment and, where necessary, a field evaluation.
- Respect the traditional pattern of routes, spaces, blocks, plots, enclosures and the form, scale and massing of buildings. Development should be designed to integrate with existing streets and public spaces, and buildings configured to create clearly defined active public frontages
- Reflect or, in a contemporary design response, re-interpret local distinctiveness, including elements of construction, elevational detailing, windows and doors, building and surfacing materials, mass, scale and colour palette
- Promote permeable, accessible and easily understandable places by creating spaces that connect with each other, are easy to move through and have recognisable landmark features



- Demonstrate a holistic approach to the design of the public realm to create high quality and multi-functional streets and places that promotes pedestrian movement and integrates different modes of transport, parking and servicing. The principles set out in The Manual for Streets should be followed
- Consider the amenity of both existing and future development, including matters of privacy, outlook, natural lighting, ventilation, and indoor and outdoor space
- Limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation
- Be compatible with up to date urban design principles, including Building for Life, and achieve Secured by Design accreditation
- Consider sustainable design and layout at the masterplanning stage of design, where building orientation and the impact of microclimate can be considered within the layout
- Incorporate energy efficient design and sustainable construction techniques, whilst ensuring that the aesthetic implications of green technology are appropriate to the context (also see Policies ESD 1 - 5 on climate change and renewable energy)
- Integrate and enhance green infrastructure and incorporate biodiversity enhancement features where possible (see Policy ESD 10: Protection and Enhancement of Biodiversity and the Natural Environment and Policy ESD 17 Green Infrastructure). Well designed landscape schemes should be an integral part of development proposals to support improvements to biodiversity, the micro climate, and air pollution and provide attractive places that improve people's health and sense of vitality
- Use locally sourced sustainable materials where possible.

The Council will provide more detailed design and historic environment policies in the Local Plan Part 2.

The design of all new development will need to be informed by an analysis of the context, together with an explanation and justification of the principles that have informed the design rationale. This should be demonstrated in the Design and Access Statement that accompanies the planning application. The Council expects all the issues within this policy to be positively addressed through the explanation and justification in the Design & Access Statement. Further guidance can be found on the Council's website.

The Council will require design to be addressed in the pre-application process on major developments and in connection with all heritage sites. For major sites/strategic sites and complex developments, Design Codes will need to be prepared in conjunction with the Council and local stakeholders to ensure appropriate character and high quality design is delivered throughout. Design Codes will usually be prepared between outline and reserved matters stage to set out design principles for the development of the site. The level of prescription will vary according to the nature of the site.

Saved policies of Cherwell Local Plan 1996

- 8.33 **Policy T2 (Proposals for hotels, motels, guest houses and restaurants within settlements)** states that within the built-up limits of a settlement the provision of new hotels, motels, guest houses and restaurants will generally be approved subject to the other policies in the plan.



- 8.34 **Policy C28 (Layout design and external appearance of new development)** states that control will be exercised over all new development, including conversions and extensions, to ensure that the standards of layout, design and external appearance, including the choice of external-finish materials, are sympathetic to the character of the urban or rural context of that development. In sensitive areas such as conservation areas, the area of outstanding natural beauty and areas of high landscape value, development will be required to be of a high standard and the use of traditional local building materials will normally be required.
- 8.35 **Policy C31 (Compatibility of proposals in residential areas)** states that in existing and proposed residential areas any development which is not compatible with the residential character of the area, or would cause an unacceptable level of nuisance or visual intrusion will not normally be permitted.
- 8.36 **Policy ENV1 (Pollution control)** states that development which is likely to cause materially detrimental levels of noise, vibration, smell, smoke, fumes or other type of environmental pollution will not normally be permitted.

Oxfordshire Electric Vehicle Infrastructure Strategy (2021)

- 8.37 Policy EVI 8 states that the Council will benchmark nationally, and between themselves, each seeking to set minimum standards for the quantity of EV charging to be provided in developments in their planning requirements.

The standards set will seek to meet or exceed those set in the Oxford City Council Local Plan (2016-2036) which state that;

- Where parking is to be provided, planning permission will only be granted for developments if:
 - Provision is made for EV charging points for each residential unit with an allocated parking space; and
 - Non-allocated spaces are provided with at least 25% (with a minimum of 2) having electric charging points installed.
- Planning permission will only be granted for non-residential development that includes parking spaces if a minimum of 25% of the spaces are provided with electric charging points.

Banbury Vision and Masterplan SPD

- 8.38 The vision for Banbury is a premier regional centre with a fast growing economy developed from the strengths of the area; and at its heart, a vibrant and attractive town centre, set in a high quality and distinctive environment with greater housing choice, improved accessibility and a reduction in traffic congestion. This vision is formed from six inter-connecting strategic objectives that will:
- Promote Banbury as the regional service centre of choice for the wider region;
 - **Establish a strong economy;**
 - Reduce congestion and improve accessibility;
 - **Create a vibrant and attractive town centre;**
 - Create a high quality environment and distinctive place to live and work; and,
 - **Promote opportunities for local people.**



- 8.39 Tourism is acknowledged as being an important part of the local economy providing employment, supporting local services and facilities, promoting regeneration and helping to preserve the natural and historic environment. It has a growing role to play in the local economy and the masterplan sets out a number of projects and initiatives that will help to support the tourism sector, including enhancement of the canalside area and regeneration of the historic centre to promote it as somewhere to visit and stay.
- 8.40 The masterplan also acknowledges the competition that the town centre faces from outside retail centres. Within this context the masterplan sets out a vision for the town centre that delivers an entertainment, cultural and leisure quarter, quality food retailing and new niche and speciality shops together with festivals and events.

As Banbury grows, the masterplan also acknowledges the need to provide more employment opportunities for local people, with an emphasis on the creation of new jobs in the most sustainable locations to reduce the need to travel. The masterplan also identifies the need to deliver opportunities for education and training, including access to apprenticeships.



Appendix 3. Travelodge Employment Policies

An 87 bedroom hotel is expected to have in the region of 30 employees, with a ratio of 40:60 full vs. part-time employees (22 FTE). Employees would be on a minimum of 8 contracted hours a week. Travelodge directly employs all its staff and is a National Living Wage employer.

Travelodge will always promote local employment. Proximity to work is seen as a key contributor in employee satisfaction and retention and so we would seek to attract those who are within walking distance or who can easily travel to work by public transport. Our careers website enables candidates to search based on radius from their postcode so that minimum commuting distances can be achieved.

Travelodge will work in partnership with JobCentre Plus and use the Universal Job Match platform to advertise hotel vacancies for both new positions before opening and also subsequent vacancies once the hotel is a going concern.

Travelodge will work with the local JobCentre Plus to arrange candidates from sector based work academies to be considered for positions at the hotel in the lead up to the new opening

Travelodge is also committed to actively working with the priorities of individual Councils, so is able to engage with any specific employment programmes of Cherwell Council if required.

Overall, those who join Travelodge are given training as a matter of routine, with the aim of achieving at least a level two national vocational qualification. Those who show promise can be fast-tracked to a management development scheme that can lead to promotion to assistant or hotel manager. Each new team member will have their own structured training plan based on their new role. This will include Health and Safety training (including food hygiene) and relevant customer services skills.

Travelodge welcomes applications from students in full or part time education and also students to join our business for the duration of their placement year and flex hours up or down as their studies allow. Graduates who join Travelodge would have the opportunity to join to the various levels of the Aspire Development Programme detailed below.

Travelodge have a variety of hours and flexibility in team member roles to accommodate commitments outside of work, such as childcare and study. Candidates will be recruited for specific roles in reception, housekeeping, and catering. Some employees will have opportunities to train across multiple roles. Each new team member will have their own structured training plan based on their new role.

Travelodge runs an internal management development programme, known as ASPIRE. All team members have the opportunity to apply to join ASPIRE after they have completed three months in the company. ASPIRE - Traveller is a six to nine month structured programme which supports team member development of all the knowledge, skills and behaviours required to progress into a Hotel Management Role.