

## WEST AREA PLANNING COMMITTEE

11<sup>th</sup> June 2013

**Application Number:** 12/03100/FUL

**Decision Due by:** 24th June 2013

**Proposal:** Erection of new accommodation block for 57 additional bedrooms, new entrance, extension to dining room, covered delivery area, additional 20 car parking spaces and amended access drive.

**Site Address:** Oxford Spires Four Pillars Hotel, Abingdon Road –  
**Appendix 1**

**Ward:** Hinksey Park

**Agent:** John Hallam Associates

**Applicant:** Oxford Spires Four Pillars  
Hotel

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**Recommendation:** Refuse planning permission.

### Reasons for Refusal

- 1 As a result of the significant size and scale of the extensions proposed and their consequent prominence within the landscape, the proposals represent an inappropriate form of development within the Green Belt to the detriment of its long term openness which would only be exacerbated by the loss of existing boundary vegetation. The proposals are therefore unacceptable and fail to comply with the requirements of policy CS4 of the Oxford Core Strategy 2026 as well as policies CP1 and CP8 of the Oxford Local Plan 2001-2016 and Government guidance set out in the National Planning Policy Framework.
- 2 The proposed development would take place within Flood Zone 3a as designated by the Environment Agency. The proposals have not been supported by an adequate Flood Risk Assessment and fails to satisfactorily demonstrate that the proposals would not result in an increased risk of flooding locally or elsewhere. The proposals therefore fail to comply with the requirements of policy CS11 of the Oxford Core Strategy 2026 as well as Government guidance set out in the National Planning Policy Framework.
- 3 The proposed development would result in the direct loss of a mature Goat Willow tree and construction within the root protection areas of a number of other trees along the north-eastern boundary of the site. Whilst the proposals have not been accompanied by an adequate assessment of the arboricultural implications of the development it is clear that existing boundary vegetation along the drainage channel will be significantly harmed with the consequence that the extended hotel complex would be noticeably more prominent within

the surrounding landscape. The proposals are therefore considered to be contrary to the requirements of policies CP1, CP11 and NE15 of the Oxford Local Plan 2001-2016 as well as policy CS4 of the Oxford Core Strategy 2016.

- 4 The hotel is located along a main vehicular route into the centre of Oxford relatively close to trunk routes and the bypass of the city. Consequently the majority of guests staying at the hotel arrive by car with the level of car travel considered to be likely to be greater than that expected of a typical hotel within the city and more similar to that to be associated with a hotel or motel at a peripheral location. Consequently, and in the absence of a robust transport assessment to demonstrate otherwise, the level of car parking proposed to serve the extended hotel is considered to be inadequate contrary to policies CP1 and TR3 of the Oxford Local Plan 2001-2016.
5. In the absence of a comprehensive assessment of the impact of the proposals on the highway network and the free-flow of traffic in local roads which already suffer from severe parking pressure, the development proposals are considered to fail to accord with the requirements of policies CP1, TR1 and TR3 of the Oxford Local Plan 2001-2016.

#### **Main Planning Policies:**

##### Oxford Local Plan 2001-2016

- CP1 - Development Proposals
- CP6 - Efficient Use of Land & Density
- CP8 - Design Development to Relate to its Context
- CP9 - Creating Successful New Places
- CP10 - Siting Development to Meet Functional Needs
- NE15 - Loss of Trees and Hedgerows
- TR3 - Car Parking Standards
- TR4 - Pedestrian & Cycle Facilities
- TA4 - Tourist Accommodation
- NE21 - Species Protection

##### Oxford Core Strategy 2016

- CS4 - Green Belt
- CS2 - Previously developed and greenfield land
- CS14 - Supporting city-wide movement
- CS17 - Infrastructure and developer contributions
- CS18 - Urban design, town character, historic env
- CS11 - Flooding
- CS12 - Biodiversity
- CS9 - Energy and natural resources
- CS2 - Previously developed and greenfield land

#### **Other Material Considerations:**

- National Planning Policy Framework
- Natural Resource Impact Analysis SPD
- Parking Standards, Transport Assessments and Travel Plans SPD

## Relevant Site History:

- A674/82 – Change of use from agriculture to garden centre, construction of garden centre greenhouse, new access road and customer car parking area – Permitted 15<sup>th</sup> September 1983.
- 98/00072/NF - Demolition of buildings (excluding adjacent farmhouse). Mixed building up to 3 storeys for hotel & ancillary (75 guest beds) & 40x1 bed serviced apartments for rent. Access closed. 115 car spaces with rear access off Abingdon Road – Withdrawn 18th May 1998.
- 98/00778/NF - Demolition excluding adjacent farmhouse. Buildings up to 3 storeys for hotel (75 guest bedrooms) & 40x1 bed serviced apartments for rent. 95 car spaces & cycle parking using access off Abingdon Road. Restored barge on rear terrace - Permitted 7th August 1998.
- 00/00245/NF - Construct walls and piers either side of access onto Abingdon Road - Permitted 23rd August 2000.
- 00/01290/NF - 1) Single storey rear extension to dining room. 2) Retention and extension of footpath from Abingdon Road. Amended plans - Permitted 31st August 2000.
- 08/00994/FUL - Erection of single storey rear extension to provide new lounge bar and function/meeting room areas. New double gates to yard area and erection of new double pitched roof over rear entrance pagoda canopy to rear entrance - Permitted 9th July 2008.
- 11/00630/FUL - Extension to the breakfast room - Permitted 15th April 2011.

## Public Consultation.

### Statutory and Other Consultees:

- Environmental Development - The site has since been redeveloped and the risk of any significant contamination being present on the site is, therefore, low. No objection is raised though an informative should be added setting out the required procedure in the event that contamination is found on the site during construction works.
- Environment Agency – Objection. The proposals are likely to give rise to an increased risk of flooding by locally and elsewhere. In particular the Flood Risk Assessment submitted does not comply with the requirements of the NPPF and therefore does not provide a suitable basis of assessment to be made of the flood risks arising from the development.
- Highway Authority – The impact of the proposals on the highway network has not been adequately assessed. To mitigate the impact of potential increased parking a contribution of £30,000 should be paid to the LHA to cover the introduction of a CPZ or other enforcement measures. Financial contribution should also be paid to the LHA to fund highway improvements given the increase in peak time traffic that would be travelling into and around the city centre. The LHA would also seek a financial contribution of £10,000 to fund the erection of a bus shelter outside the site on Abingdon Road to encourage guests to use alternative modes of transport.
- Thames Water – No objection.
- Oxfordshire County Council Drainage Officers – Object to the proposed

development as it is likely to give rise to increased risk of flooding in the locality without proper assessment of the effects or sufficient mitigation measures proposed.

- Thames Valley Police – The proposals should have regard to designing to the principles of Secure by Design where appropriate.

### **Individual Representations Received:**

Five third party representations have been received all objecting to the proposals. The following concerns have been raised:

- The site is in the floor plain and neighbouring properties regularly flood. When the hotel was originally approved it was accepted that it should be built only on the footprint of existing built development to prevent additional flood risk. Since then there have been extensions and additional hard surface parking exacerbating the problem;
- The green space between the river and Abingdon Road is part of that juxtaposition of town and countryside which makes Oxford special and deserves protection;
- The area has already suffered two flood episodes in the last winter and the development will only make matters worse;
- The number of parking spaces per bedroom is too low particularly as there seems to be under-provision for the existing conference facilities given that it is the hotel's intention to boost leisure business;
- The proposed 33 bedroom new block brings the hotel building closer to Abingdon Road with the original Eastwyke Farm becoming less significant and the rural aspect of the site will be further diminished;
- No attempt has been made to mitigate the loss of flood storage space that the proposed buildings will cause;
- An additional 20 parking spaces is inadequate compared with the proposed accommodation. In the last few years parking has increased to the extent that hotel guests frequently use the grass area that is now proposed as "additional parking". Previously there has been no attempt to screen and landscape the "existing overflow parking" so that when the hotel is busy the view from Abingdon Road is not in keeping with the surrounding green fields and there is the appearance of a parking lot.

### **Officers' Assessment:**

#### **Site Description.**

1. The application site relates to the Oxford Spires Four Pillars Hotel on Abingdon Road. The hotel is set back from Abingdon Road and separated from it by an area of undeveloped paddock land and partially screened by tree coverage. The hotel was constructed on the site of a former farm and farm supermarket in the late 1990s within a finger of Green Belt that extends towards the city centre from the south. The original listed Eastwyke farmhouse was retained as part of the original approved proposals and has more recently been converted to provide additional guest accommodation as part of the hotel site. A number of smaller extensions have also been added to the hotel in recent years to provide improved catering/conferencing facilities and the

hotel now provides 174 bedrooms as well as comprehensive conference and banqueting facilities.

### **Description of Proposed Development.**

2. The application seeks consent for two large 2 ½ storey extensions to the hotel that would project off the existing building complex to match the height, width and general design features of the existing development. These extensions would create a further 57 guest bedrooms. One extension is proposed to the southwest towards Abingdon Road and the other at the rear of the site towards its boundary with the adjacent public footpath that leads down to the River Thames and the University boat house. A number of small additions are also proposed including a single storey extension to the existing dining facility at the rear as well as a covered delivery area, front entrance porch, extended parking area and a re-arrangement of the access driveway.
3. Officers' consider the principal determining issues in this case to be:
  - Principle of increased tourist accommodation;
  - Impact on the Green Belt;
  - Design;
  - Highway implications;
  - Flooding;
  - Trees/Landscape;
  - Energy Efficiency; and
  - Archaeology.

### **Principle of Increased Tourist Accommodation.**

4. Policy TA4 of the Local Plan states that development that maintains, strengthens and diversifies the range of short-stay accommodation within the City will be granted along main thoroughfares (including Abingdon Road) providing the proposals are otherwise acceptable with respect to access, parking and highway safety as well as impact on nearby residents. The proposed development is separated from residential properties by a significant distance across an existing paddock as well as Abingdon Road itself. In this respect the proposal would be unlikely to give rise to any real disturbance for nearby residents and indeed has not been found to do so since its construction. Officers have some concerns about the proposals in highway terms however (which will be discussed later in this report) but, in principle, planning policy is generally supportive of new tourist accommodation in the City along main thoroughfares such as Abingdon Road.

### **Impact on the Green Belt.**

5. Government guidance in the NPPF as well as policy CS4 of the Core Strategy make it clear that the only appropriate forms of development within the Green Belt are: small extensions that do not significantly increase the size of an original building, small scale development to improve access to outdoor recreation and buildings for agricultural/forestry purposes. All other forms of development are generally considered to be inappropriate development and by definition harmful to the long term openness of the Green Belt, its key

characteristic in order to prevent urban sprawl. Government guidance states that harm to the Green Belt should be given very substantial weight in the determination of planning applications and only in very exceptional circumstances should normally inappropriate development be permitted in the Green Belt.

6. The extensions are, both in isolation and in the context of the existing development, significant in scale and would project out from the main building complex. The hotel was approved in 1998 despite being in the Green Belt on the basis that its overall footprint was similar to that of the existing farm buildings as well as that of the footprint of an approved garden centre which had been commenced with preliminary works having been undertaken in 1986/7. These pre-existing buildings were unsightly and in a poor state of repair such that they were detracting from the appearance surrounding landscape within the Green Belt. Consequently, the proposals were considered to result in an improvement to the appearance of the Green Belt as a result of the demolition of the unsightly buildings despite the overall reduction in its openness as the hotel was greater in height and bulk than the former farm buildings. The two main extensions now proposed however would significantly increase the footprint of the hotel well above that of the buildings that it replaced and, in the case of the extension to the south-west and the extended car park, would project into currently undeveloped land and become far more prominent from Abingdon Road to the detriment of the openness of the Green Belt.
7. To the north and east of the site lies a number of University sports grounds and open fields that extend out to the River Thames with the recently constructed replacement University College boat house approximately 200m to the east. A public footway runs along the northern side of the hotel site that leads from Abingdon Road down to the River Thames. These all form part of the character of the Green Belt and the extension to the rear of the application site close to its northern and eastern boundaries would result in the hotel complex being far more conspicuous within the landscape than the existing hardstanding which it is proposed to be built upon. To exacerbate matters the close proximity of this extension to the rear boundary of the site will result in existing boundary vegetation having to be removed, (previously required by condition as part of the approval for the hotel in 1998), or at least being significantly lopped and pruned as well as suffering probable root damage as part of the construction process harming their long term ability to screen the hotel. Further, there would be little space left for effective compensatory soft landscaping and, as such, the building complex would have a materially greater impact on the openness of the Green Belt than the present development.
8. Whilst the scale of the extended dining room and front porch are considered to be minor and of little significance within the landscape, the proposed 2 1/2 storey extensions to the main complex as well as the extended car park would materially increase the scale of the building complex into undeveloped land making the hotel materially more prominent in the landscape and from Abingdon Road. As a consequence the proposals fail to preserve the

openness of the Green Belt, a consideration which is required to be given very substantial weight by Government guidance. This harm to the Green Belt would, in officers' view, significantly outweigh any benefit from additional short stay tourist accommodation within the City. Consequently the proposals are considered to fail to accord with policy CS4 of the Core Strategy or Government guidance in the NPPF and should be refused for this reason accordingly.

## **Design.**

9. Policies CP1 and CP8 of the Local Plan require development proposals to reflect and respond to the form, scale, pattern and general characteristics of a site's context in order to be considered to be acceptable.
10. The application proposes two 2 1/2 storey extensions to the existing hotel complex, one projecting towards Abingdon Road and the other towards the public footpath at the rear of the site. These extensions match the height and width of the existing development utilising similar materials and design detailing. Whilst the design itself is not necessarily objectionable in the context of that approved they do rather add to the overall mass of the hotel building which is taking it further away from the Council's original intentions for the site which was to create a series of buildings of more rustic appearance. The increased building mass of the hotel will, in officers' minds, make it very significant within the landscape particularly during winter time when much of the boundary vegetation and tree planting is no longer in leaf. Whilst in overall design and layout terms the proposal is, in isolation, not considered to be sufficiently out of keeping with their context to justify refusal, the scale of the extensions proposed in combination with the hotel's sensitive location within the landscape contribute towards the proposed development being unacceptable.
11. The proposed front entrance porch, dining room extension and covered delivery area are however considered to be more minor in scale such that they would not have an appreciable impact on the overall appearance of the hotel complex or its perception within the landscape. Officers therefore raise no objection to these elements.

## **Highway Implications.**

12. When approved in 1998 the hotel was considered, for planning policy purposes, to be likely to give rise to a need for on-site parking provision somewhere between that normally expected of a hotel and that expected for a motel. Appendix 2 of the Local Plan sets out the parking standards typically expected for hotels which corresponds to 1 space per two guest bedrooms. In comparison a motel requires provision on a 1:1 basis as greater guest travel is expected by car given the location and nature of the accommodation.
13. When originally approved the hotel provided 75 guest bedrooms and 40 serviced apartments making a total of 115 bedrooms served by 115 parking spaces, with the potential secured by condition to increase that number by 20

if it could be demonstrated that they were required. Since that time 10 additional rooms have been added following the conversion of the Eastwyke farmhouse building to tourist accommodation which was approved by the Council in 2010. However the hotel currently provides 174 bedrooms and officers can only conclude that this figure has been attained through the subsequent subdivision of. Consequently the hotel currently comprises 174 guest bedroom and an additional 57 rooms are now proposed making a total of 231 proposed guest bedrooms. This number of bedrooms is proposed to be served by 115 car parking spaces which includes parking requirements for staff which, according to the submitted Travel Plan, could number as much as 100 employees on certain occasions.

14. Such a level of car parking might be considered to be acceptable for a hotel at many locations, even where there were day visitors making use of the conference and other facilities. Officer knowledge of the site as well as anecdotal reports from local residents suggests that in this case even with the current more generous level of parking provision there are times when there are too many cars for the spaces available with the result that overspill parking occurs on grassed areas around the hotel. Such a situation is considered to be inappropriate whilst failing to preserve the important open, undeveloped space between Abingdon Road and the hotel that helps to reinforce the open qualities of the Green Belt.
15. A reduced level of car parking provision would only exacerbate this undesirable situation as well as put pressure on guests to park in nearby residential side roads which are already subject to severe parking pressure. Officer concerns about the inadequate level of parking are only compounded by the lack of an adequate transport assessment which has not properly considered the impact of the development on peak time traffic flows in surrounding roads. Consequently officers consider the level of parking provision in this case to be insufficient to serve an extended hotel/conference facility of this nature, contrary to the requirements of policy CP1 of the Local Plan. In the event that Committee are minded to approve the application officers would however recommend that the issuing of a decision notice is delegated to officers to allow completion of legal agreements with the County Council to secure funding towards highway improvements to help offset impact on the local highway network.

## **Flooding.**

16. The application site lies within flood zone 3a as defined by the Environment Agency (EA) which indicates that it suffers a greater than 1 in 100 year risk of fluvial flooding. A number of properties in the area have been flooded in recent years though, as of yet, the hotel itself has not yet flooded since its construction though its immediate surroundings and gardens have been subject to flooding on a number of occasions. Given that the site is located within flood zone 3a and the development proposed is of a more vulnerable category as classified by Government guidance, the proposals should be accompanied by a comprehensive flood risk assessment (FRA) which assesses the implications of the development on flood risk. Policy CS11 of the



Core Strategy states that development will not be permitted where it increases the risk of flooding locally or elsewhere and where possible development should seek to reduce the risk of flooding. Unfortunately for a number of reasons the submitted FRA is inadequate as, inter alia, it fails to correctly identify the flood risk zone that the site is located within, does not make allowances for climate change in the assessment and does not set out adequate mitigation measures. Consequently both the EA and the County Council's Drainage Officers have recommended refusal and officers concur with their views in this regard.

### **Trees and Landscape.**

17. The hotel is set within an otherwise green finger of open landscape that extends towards the city centre. To soften the appearance of the hotel within the landscape (and therefore Green Belt) a comprehensive landscaping scheme was agreed when the hotel development was approved by the Council in 1998. This featured a number of trees along the north-eastern boundary adjacent to a drainage ditch some of which are now more mature having been planted approximately 15 years ago. The existing tree coverage helps screen the hotel from the surrounding landscape and soften its appearance from the public footway and fields that runs to the north and east of the site. The extension proposed to the rear of the site would result in the removal of a mature goat willow tree and construction works would take place within the root protection areas of other trees along the north-eastern boundary including two sycamores and two mature field maples. This would prejudice their long term health and survival making it likely that they will in time no longer make a meaningful contribution towards screening the development from the landscape. Consequently the proposals are considered to make the hotel significantly more prominent within the landscape without any attempt at adequate compensatory soft landscaping measures contrary to policies CP1, CP11 and NE15 of the Local Plan.

### **Energy Efficiency.**

18. A development of the scale and nature of that proposed as part of this application should ensure energy efficiency and sustainability measures are incorporated into the scheme with reference made to the Council's Natural Resource Impact Analysis SPD. The proposed development performs well against the NRA checklist and comfortably meets the minimum requirements expected of a development of this nature scoring XX out of a possible 11. The measures to be incorporated include.....Despite officers' recommendation, in the event that Committee were to grant planning permission it is recommended that a condition is imposed requiring the development to be carried out in accordance with the specifications in the submitted Energy Statement.

### **Archaeology.**

19. The site is located in the vicinity of the medieval settlement of Eastwyke and in the vicinity of earthworks that may relate to the Royalist defence of Oxford

during the Civil War or earlier drainage channels that were perhaps reworked by the Royalists. The current farm sits within a rectilinear pattern of ditches, perhaps a moat or drainage system that are poorly understood. No buildings are mentioned when half the manor was conveyed to the Master of University College in 1528 and it remains possible that implied earlier manor buildings were located within the other half of the holding, located on the opposite side of the road, presumably the site known as West Wyke. An earthwork survey has been undertaken archaeological investigation that concludes that the proposed extensions may impact on buried heritage assets. If permission is granted it should include a condition requiring a written scheme of investigation to take place prior to development through archaeological trial trenching followed by further work if required. The work should be undertaken by a professionally qualified archaeologist working to a brief by the City Council.

### **Conclusion.**

20. The proposals are considered to be contrary to the requirements of a number of policies of the development plan as well as national guidance as indicated in this report. Officers are therefore unable to support the proposals.
21. Committee is therefore recommended to refuse the application for the reasons set out at the head of this report.

### **Human Rights Act 1998**

Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to refuse this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection of the rights and freedom of others or the control of his/her property in this way is in accordance with the general interest.

### **Section 17 of the Crime and Disorder Act 1998**

Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to refuse, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

**Background Papers:** A674/82, 98/00072/NF & 98/00778/NF

**Contact Officer:** Matthew Parry

**Extension:** 2160

**Date:** 31st May 2013