

17/00584/FUL Cotuit Hall – Update Report on Headington Neighbourhood Plan

The application site falls within the Headington Neighbourhood Plan Area. As such, the Headington Neighbourhood Plan (HNP) is a material consideration of equal weight to the other existing Development Plan documents. Where there is a conflict between the Development Plan documents, the most recently adopted plan takes precedence, in this case the Headington Neighbourhood Plan.

The HNP has been considered in the assessment of this application. The table below sets out where the relevant policies and issues have been considered.

Policy Name	Where addressed
GSP2 Provision of Green Space within Developments	Para 10.51 and condition 17 address point 2 of the policy in relation to biodiversity. See note below in relation to part 3 of policy
GSP3 Conserving and Enhancing Biodiversity	Para 10.51 and condition 17 address point 2 of the policy in relation to biodiversity.
GSP4 Protection of Setting of the Site	Paras 10.15-10.25, in particular para 10.23 address character and setting of area
CIP1 Development to Respect Existing Local Character	Paras 10.15-10.25, address character of area, paras 10.30-10.34 and 10.38-10.47 address intensity of activity
CIP3 Innovative Design	Paras 10.15 – 10.29 address design
CIP4 Protecting Important Assets	Paras 10.15 – 10.29 address impact on heritage assets
TRP3 Travel Plans	Paras 10.38-10.47 address travel to and from site; condition 21 requires travel plan
TRP4 Provision for people with disabilities to use active forms of transport	Accessible parking is provided within the site and the supporting documents set out how the development would ensure accessibility
TRP5 Promotion of Cycling	Paras 10.41-10.42; condition 23

The following amendments are therefore made to the report:

Paragraph	Amended Text
10.25	The scheme complies with the requirements of Local Plan policies HE2, HE7, HE8, CP6, CP8, CP10, CP11 and CS18. The scheme also complies with Headington Neighbourhood Plan Policies GSP4, CIP1, CIP3 and CIP4.
10.37	For the reasons set out above, overall

	the proposal would reduce existing issues for local residents and would not result in any harmful impacts on their living conditions. The proposals comply with Local Plan policies HP14, CP19 and CP21. The scheme also complies with Headington Neighbourhood Plan Policy CIP1.
10.47	Overall, the proposals are considered acceptable in terms of their impact on the local road network and highway safety. The proposals would comply with policies TR1 and TR2. The scheme also complies with Headington Neighbourhood Plan Policies TRP3, TRP4 and TRP5.
10.52	Subject to the recommended conditions, the proposals are considered acceptable in relation to their impact on trees and biodiversity. The proposals would comply with policies NE15, NE16 and CS12. The scheme also complies with Headington Neighbourhood Plan Policies GSP2 and GSP3.
11.1	... All other matters are considered acceptable and could be addressed through conditions. The proposals comply with the Council's policies, in particular HE2, HE7, HE8, CP6, CP8, CP10, CP11 and CS18; HP14, CP19 and CP21; NE15, NE16 and CS12; and the guidance set out in the NPPF. The scheme also complies with Headington Neighbourhood Plan Policies GSP2, GSP3, TRP3, TRP4, TRP5, CIP1, GSP4, CIP3 and CIP4.

GSP2 – additional note

GSP2 part 3 states

"The Plan favours the provision of public access green space on site. However, where it can be demonstrated that public access green space cannot be provided on site as part of significant developments, then alternative public access green space must be provided within, or adjacent to,

the HNP. This can be in the form of an extension or enhancement of existing public access green space within, or adjacent to, the HNP.

Officers do not consider that it would be possible to create public access green space on site given the nature of the proposed use. Any enhancements to local areas of public access green space could be made using the CIL contribution which this proposal would provide.

NPPF Guidance

The following paragraphs from the NPPF, which have been considered as part of the assessment of the impact on the designated heritage assets, are set out here for members:

128. *In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.*

129. *Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.*

130. *Where there is evidence of deliberate neglect of or damage to a heritage asset the deteriorated state of the heritage asset should not be taken into account in any decision.*

131. *In determining planning applications, local planning authorities should take account of:*

- *the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- *the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- *the desirability of new development making a positive contribution to local character and distinctiveness.*

132. *When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*

133. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- the nature of the heritage asset prevents all reasonable uses of the site; and
- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- the harm or loss is outweighed by the benefit of bringing the site back into use.

134. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.