

APPLICATION NO.	P18/S0557/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	26.2.2018
PARISH	DIDCOT
WARD MEMBER(S)	Steve Connel Tony Harbour Bill Service
APPLICANT	Mr Steven Webb
SITE	18 Venners Water, Didcot, OX11 7PT
PROPOSAL	Construct a new 1 Bedroom House at the side of Venners Water, with off-street parking at the front
OFFICER	Tom Rice

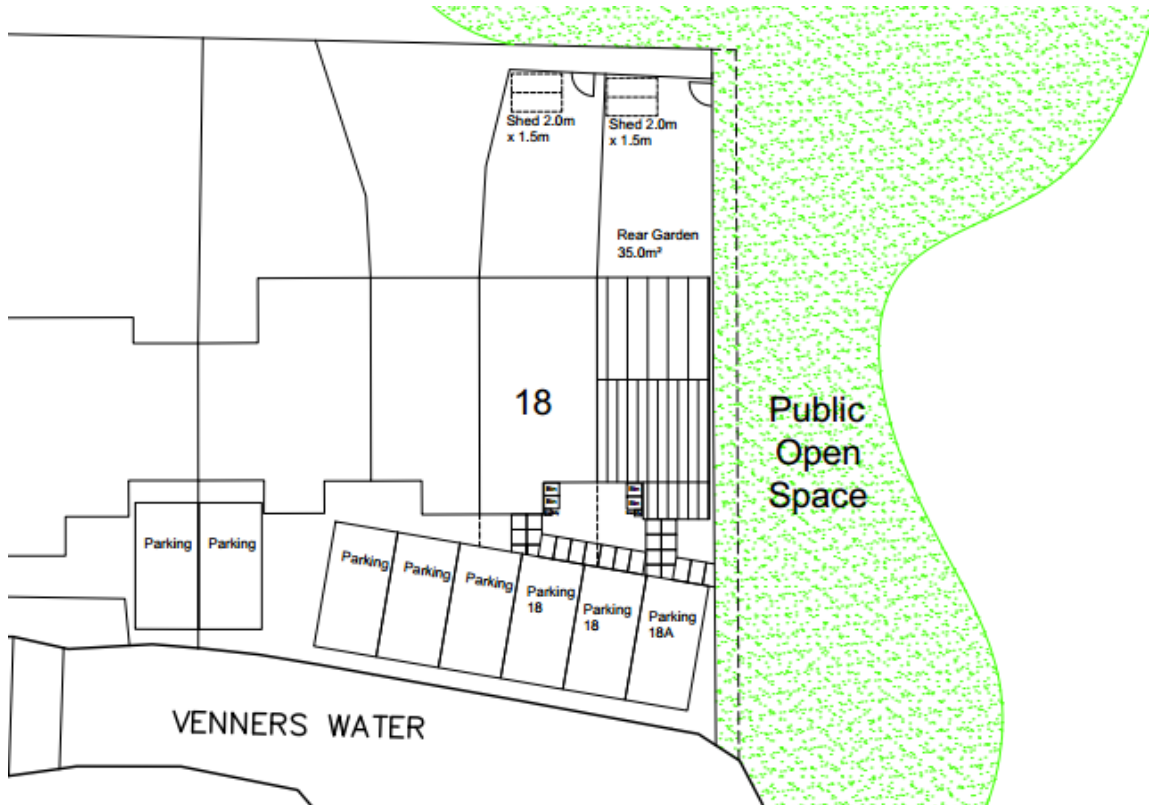
1.0 **INTRODUCTION**

1.1 The application site is on Ladygrove in Didcot. It forms part of a row of terraced houses. The application site is not affected by any planning designations, although it sits on the edge of an area of public open space. A plan identifying the site can be found at **Appendix 1** to this report.

1.2 I am recommending the application is approved.

2.0 **PROPOSAL**

2.1 The applicant is proposing to construct a new one-bedroom dwelling on the end of the terrace. Reduced copies of the plans accompanying the application can be found at **Appendix 2** to this report. All the plans and representations can be viewed on the Council's website www.southoxon.gov.uk under the planning application reference number.



3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1 Consultee	Summary of response
Didcot Town Council	Object to the development for the following reasons: <ol style="list-style-type: none"> 1. A lack of amenity space 2. Overdevelopment 3. Unneighbourly 4. Unsatisfactory access to the rear garden across Didcot Town Council owned park land.
Oxfordshire County Council (Highways)	No objections, subject to a condition requiring parking and manoeuvring areas to be retained.
Contaminated Land Officer (SODC)	The applicant should submit a contaminated land questionnaire.

4.0 **RELEVANT PLANNING HISTORY**

4.1 P17/S4046/FUL	Planning application refusal – one bedroom home Refused January 2018
<p>The Council refused planning permission for a one-bedroom home for the following reason. The plans for this refused development are given at Appendix 3.</p> <p><i>That having regard to its cramped nature, and over-intensive layout arrangements the proposed development would fail to provide adequate standards of residential amenity for the occupants of the proposed dwelling and of Number 18 Venners Water. The proposed</i></p>	

development would be contrary to saved Policies D3 and H4 of the South Oxfordshire Local Plan 2011.

[P17/S3628/PEM](#)

Pre-application advice – one bedroom home
Issued October 2017

Pre-application advice issued by the council which raised concerns about the scale of the development, the impact on amenity space, parking provision, and access to the rear garden area.

5.0 POLICY & GUIDANCE

5.1 South Oxfordshire Core Strategy Policies

- **CS1:** Presumption in favour of sustainable development
- **CSQ3:** Design
- **CSDID3:** New housing at Didcot
- **CSS1:** The Overall Strategy

5.2 Saved Policies from the South Oxfordshire Local Plan 2011

- **D1:** Principles of good design
- **D2:** Safe and secure parking for vehicles and cycles
- **D3:** Outdoor amenity area
- **D4:** Reasonable level of privacy for occupiers
- **D10:** Waste Management
- **G2:** Protect district from adverse development
- **H4:** Housing sites in towns and larger villages outside Green Belt
- **T1:** Safe, convenient and adequate highway network for all users
- **T2:** Unloading, turning and parking for all highway users

5.3 South Oxfordshire Design Guide 2016

- **Section 6:** Parking
- **Section 7:** Plots and buildings
- **Section 8:** Ensuring quality

5.4 Relevant paragraphs from the National Planning Policy Framework

- **14:** The presumption in favour of sustainable development
- **49:** Meeting housing needs
- **60 to 66:** Requiring good design
- **186 and 187:** Decision making
- **206:** Use of planning conditions

5.5 National Planning Practice Guidance

- Design
- Use of planning conditions

6.0 PLANNING CONSIDERATIONS

6.1 The main issues in this case are:

1. The principle of development
2. Impact on open space and public views
3. Design, scale, and impact on character

4. Amenity
5. Highways
6. Contamination

Matter one: Principle of development

- 6.2 Policy CSS1 (the overall strategy) of the Core Strategy focuses major new development at Didcot so that the town can play an enhanced role in providing homes with improved services and connectivity. This is reinforced through policy CSDID3 (new housing at Didcot) which supports new residential development on suitable infill or redevelopment sites. Although this site is not the filling of a small gap within a built up frontage, nor is it closely surrounded by buildings, it is located within a residential estate and in a highly sustainable location. To determine whether a plot is a suitable site, I must therefore assess the proposal against the detailed criteria of saved Policy H4 of the Local Plan 2011, which I do so through this report. I believe the proposed development can satisfactorily address these criteria, and consequently the proposed development is acceptable in principle.

Matter two: Impact on open space and public views

- 6.3 The application site is immediately adjacent an area of public open space on Ladygrove. The area proposed for development falls within the curtilage of a private dwelling house. I therefore believe it has no public, environmental or ecological value. However, access to the rear garden for the new dwelling will be dependent on crossing the public park. Didcot Town Council, custodians of this land, have expressed their concern with the access over this land to the rear garden for both 18 and 18a Venners Water. I have explored this further under matter four – amenity.

Matter three: Design, scale, and impact on character

- 6.4 The proposed development would extend the terraced row of houses at Venners Water, would mimic the existing building form and be comprised of matching materials. The form and scale of the development (in terms of built form; not amenity space which I deal with below) would be in keeping with the prevailing character of Ladygrove. Consequently, I consider that the proposed development would satisfy criteria two and three of saved policy H4 of the Local Plan 2011.

Matter four: Amenity

- 6.5 The proposed development would share a boundary on its southern edge with 18 Venners Water. To its northern and western edges there would be an area of open space, while the front of the property would face on to the street. In terms of amenity impact, the proposed development is therefore only likely to have an impact on Number 18.
- 6.6 The plans do not show any opportunities for any side facing windows overlooking No.18's private amenity space. Furthermore, the extension would not extend beyond the rear of the existing property line of Number 18 and so there are limited opportunities for loss of light.
- 6.7 Policy D3 of the Local Plan 2011 states that proposals should provide an appropriate amount of outdoor amenity space. The proposed development would result in the erosion of the private amenity space of Number 18 Venners Water to 35m², dropping below the 50m² standard for a two-bedroom property as set out in the design guide. This was a concern I identified in my pre-application advice and was a reason for refusal of

the previous application on this site. Furthermore, the plans show a shed in the rear garden of Number 18 of 3m², which is required to provide the minimum amount of cycle parking spaces in accordance with the standards in the Local Plan 2011 (Appendix 4). This would result in a useable rear garden space of 32m² for 18 Venners Water. However, the application site is adjacent to a large area of public open space which will provide the occupiers of this property with an additional area for outdoor amenity.

- 6.8 The new dwelling would have a rear garden space of 35m², meeting the standard for a one bedroom home. Compared to the previous application on this site, the internal configuration of the upstairs area makes it much harder for the building to be used as a two-bedroom home by default. The installation of an additional bedroom would require substantial internal alterations, including moving of the upstairs bathroom. Having said that, it would still be possible for an occupier to undertake these internal configurations without planning permission, and intensify the use of the site to a two-bedroom dwelling.
- 6.9 If permitted, the proposed development would result in the gardens of both dwellings requiring access across the public open space. I have appended the legal agreement signed between the developers of Ladygrove and South Oxfordshire District Council (**Appendix 4**). It states that the owners / successors in title:

shall not use the land transferred for any purpose other than as pleasure grounds or public open space or for recreation or other non-commercial community purposes with provisos that:

- 1. the benefit of such covenant shall remain vested personally in the Developers unless expressly assigned by them and*
- 2. such covenant shall not prevent the Council or another Local Authority to whom the land has been sold or otherwise disposed of or a non-profit making organisation to whom a lease or licence of such land for social community or recreational purposes has been granted from charging for the use of facilities provided by them or the supply of services ancillary to such facilities or from complying with statutory requirements.*

- 6.10 I have sought the advice of the Council's legal team, and will provide a verbal update to planning committee on this matter once they have responded. However, private access and legal covenants are not material planning considerations. Therefore, even if the legal agreement were to prohibit access to these gardens, I do not believe it warrants the refusal of planning permission.
- 6.11 In conclusion, the proposed development conflicts with the amenity standards set out in the Design Guide. Saved Policy D3 of the Local Plan 2011 sets out our approach to open space provision, and does not contain any set standards. On balance, I feel that the area of public open space adjacent to the site is an important one material consideration that outweighs the development dropping below the standards in the design guide.

Matter five: Highways

- 6.12 The maximum parking standards for a two bedroom property, as set out in the Local Plan 2011, is 2 parking spaces. The proposed development only provides one parking space for the new dwelling, while the maximum standard is two. The level of allocated parking provision is therefore acceptable, especially given the site's proximity to nearby shops on Ladygrove, Didcot Town Centre, and Didcot Railway Station.

- 6.13 The Local Highway Authority has not raised any objections. I consider that the proposed development would be in conformity with saved policies T1 and T2 of the Local Plan 2011.
- 6.14 Turning then to cycle parking, the applicant has shown two 3m² sheds in each garden of 18 and 18a. The minimum parking standard for cycle spaces is two for a two bedroom development (Appendix 4 Local Plan 2011). The proposed sheds have enough space to accommodate two cycles and therefore provides sufficient cycle parking.

Matter six: Land contamination

- 6.15 The council's environmental protection team has reviewed the contaminated land questionnaire provided by the applicant and has no objection to the proposed development.

Community Infrastructure Levy

- 6.16 The council's CIL charging schedule has been adopted. CIL is a planning charge that local authorities can implement to help deliver infrastructure and to support the development of their area, and is primarily calculated on the increase in footprint created as a result of the development.

In this case CIL would not be levied, as the applicant has claimed for self-build relief. This means that the applicant will need to occupy the premises as their sole or main residence for a period of 3 years from completion of the property, or be liable for paying the full CIL amount.

7.0 CONCLUSION

- 7.1 This decision will be a finely balanced one. There are compelling arguments for both approving, and refusing this development; made evident by the recent refusal of permission of a very similar proposal. However, on balance, I believe that the proposals comply with the development plan and as such permission should be granted.

8.0 RECOMMENDATION

- 8.1 **To grant planning permission subject to the following conditions:**

- 1. Commencement three years – full planning permission.**
- 2. Approved plans.**
- 3. Materials as on plan.**
- 4. Parking and manoeuvring areas maintained.**

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