

APPLICATION NO.	P18/S2125/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	20.6.2018
PARISH	CHOLSEY
WARD MEMBER(S)	Pat Dawe Jane Murphy
APPLICANT	Messrs. C.W.D and T Boshier
SITE	6 Reading Road, Cholsey, OX10 9HN
PROPOSAL	The redevelopment of a redundant builders' yard including the demolition of storage and workshop buildings and the change of use of a former office building in order to create one 4-bed, seven 3-bed, three 2-bed and four 1-bed residential units. (As clarified by additional marketing information received on 29 August 2018).
OFFICER	Sharon Crawford

1.0 INTRODUCTION

- 1.1 The application has been referred to the Planning Committee because the recommendation conflicts with the views of the Cholsey Parish Council who object to the application.
- 1.2 The site was last used as Boshers builder's yard. Boshers ceased trading in January 2017 when they went into administration. The site is some 0.4 hectares in size and, except for 6 Reading Road, occupies a backland location behind residential properties on Reading Road, Boshers Close and Abbots Mead. There are currently 8 buildings on the site, the majority of which are uninsulated barns previously used for storage of building materials. 6 Reading Road is a Victorian house most recently used as an office. The site lies within flood zone 1 and is within the North Wessex Downs Area of Outstanding Natural Beauty.
- 1.3 The site is identified on the Ordnance Survey Extract **attached** at Appendix 1.

2.0 PROPOSAL

- 2.1 The application seeks full planning permission for the demolition of 7 of the buildings on the site and their replacement with 14 new dwellings. The application also includes the conversion of 6 Reading Road back into a four bedroom house. The new units are a mix of two and three bedroom houses and one bedroom flats (7no. 3-bed, 3no. 2-bed and 4no. 1-bed). On-site parking for two cars and private gardens are provided for all the dwellings. Forecourt parking of one space per flat and a communal garden is provided for the 4no. 1 bed flats; four visitor parking spaces are also provided. Access would be from a new access onto Reading Road and the existing access onto Papist Way, a road through the site would link the two access points. The existing access onto Reading Road would become the access to serve 6 Reading Road only.
- 2.2 These units are all designed to meet the Nationally Described Space Standards 2015. All affordable housing (and 15% of market housing) will comply with Building Regulations Approved Document M4 (Category 2) accessible standards (Category 3). In addition each unit will include solar panels and an electricity charging point for cars.

2.3 Reduced copies of the plans accompanying the application are **attached** at Appendix 2. Full copies of the plans and consultation responses are available for inspection on the Council's website at www.southoxon.gov.uk

3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

Full responses can be found on the Council's website

- 3.1 Cholsey Parish Council Objection. The Parish Council would be minded to approve a scheme for 10 houses plus the existing building as per the emerging Cholsey Neighbourhood Plan but consider the current proposal to be over development The Parish Council would prefer the road through the site to be one way for reasons of safety.
- 3.2 Neighbourhood Plan Steering Group This site has been identified for around 10 new homes in the emerging Cholsey Neighbourhood Plan which is at examination. The site is brownfield land enclosed within a residential area. Overall the proposal has been neatly designed and fits well within the local neighbourhood without causing loss of amenity or privacy to neighbouring residents.
Concerns in relation to;
- Access.
 - Housing mix and density
 - Car parking
 - Distances to neighbouring houses
 - Landscape impact.
- 3.3 Countryside Officer Bat surveys have identified two roosting sites for common pipistrelle bats within buildings on the site. The roosts are for low numbers of bats and are of low conservation significance. As a result of the presence of the roosts the works would have to be conducted under an appropriate form of European Protected Species Licence. The mitigation proposals in the report are proportionate and appropriate and should ensure that bats can continue to use the site post development. No objection subject to condition.
- 3.4 OCC (single response) **Highways** – No objection subject to conditions and contributions to public transport services and infrastructure.

Education - To mitigate the impact of the development funding from Community Infrastructure Levy receipts will be required.
- 3.5 Economic Development The development will result in a loss of 4370 sqm of business space.
Policy E6 of the South Oxfordshire's Local Plan 2011, and Policy EMP3 of the Emerging Local Plan 2011-2033 indicate that proposals for the redevelopment or change of use of employment land to non-employment uses will only be permitted if;
- i) The site is less than 0.25 ha and the buildings under 500 sqm and in the towns of Didcot, Henley, Thame or Wallingford; or
 - ii) The existing use is no longer economically viable, and the site has been marketed at a reasonable price for at least a year for that and any other suitable employment or service trade uses.

Having read the supporting documentation, the applicant has provided the required evidence to satisfy the policy requirement, although the property has only been marketed for 9 months. I would be concerned that by allowing a reduction in the requirements, this could leave us open to similar applications wishing to carry out a reduced period of marketing.

Cholsey’s Neighbourhood Plan has identified Boshers’ Yard as a potential site for residential redevelopment (Policy CHOL9), stating that, “The site meets our plan objectives well and is supported”. The plan also goes on to state, “Of real importance to the community are the shops and services provided at the village” with no detail regarding the preservation of this type of employment land.

3.6 Housing

For a site of 15 units this would equate to 6 affordable homes of which 75% (4) should be for rent and 25% (2) should be for shared ownership.

The application submitted has taken into consideration the advice given during the pre- app stages regarding the mix for the affordable housing units. The table below confirms the mix for 6 affordable housing units across both Affordable Rent and Shared Ownership;

	1 bed	2 bed	3 bed (5 person)
Affordable rented	2	1	1
Shared ownership	0	1	1

3.7 Environmental Protection

No objection subject to conditions in respect of noise from plant and machinery during construction, hours of operation and dust mitigation.

3.8 Contaminated land

Potential sources for land contamination have been identified in the Environment Phase 1 Desktop Study and Preliminary Risk Assessment Report. This report then makes recommendations for intrusive investigation to quantify any contamination risks to the development. To ensure that the risk from any land contamination is addressed I would recommend that any planning permission is subject to the suggested conditions and informative.

3.9 SGN – Gass supplier

No objection. Informatives about gas infrastructure.

3.10 Neighbour Object (6)

1. The proximity of the Papist Way / Ferry Lane junctions which already create unreasonable congestion during school and rush hour traffic times, making it difficult and extremely dangerous for commuters, mothers and children to cross the Reading Road on the way to and from school and work.
 2. The Cholsey Meadows development has already put a strain on the ability of the road network to be able to contain the amount of traffic entering and leaving the Reading Road during peak times. Traffic backs up for some considerable distance in both directions where traffic attempts to exit the Reading Road.

3. The proximity of the traffic quietening narrowing of the Reading Road on the Moulsoford side of the proposed development is proving to be ineffective in slowing down speeding traffic and is already causing congestion when the traffic does come to a halt. The introduction of a new entry and exit onto the Reading Road at this point, will prove to be extremely hazardous and further disruption to the accessibility of the Reading Road from the Papist Way/ Ferry Lane junction.

4. Current further developments in Celsea Place will put extra strain onto Papist Way and it's exit onto the Reading Road.

Overdevelopment. We are also concerned that there won't be enough parking in the new development for residents and any additional guests.

A strip of land to the rear of our properties (8,10,12 & 14) has not been included on the site plans. (Shown as a white rectangle shape in the bottom left of the coloured site plan). It looks as though this piece of land will become land locked/ a no mans land and potentially become overgrown and forgotten.

Having a through route would create a rat-run for drivers that want to avoid the congestion at the A329 Reading Road/Papist Way junction. This junction is congested in both the AM and PM peaks and the provision of a through route would be too appealing for drivers.

Access is unworkable and dangerous. The proposed accessway would lead to more traffic and even more congestion, especially at peak times.

The infrastructure and amenities of the village are surely now beyond breaking point.

The current proposal for the dwellings at the redundant builders yard appears excessive. As mentioned above this land plainly lends itself to residential development in some form however first impressions appear that the proposal is that of a greedy developer trying to make as much money out of the site as possible without forethought for the village itself or neighbouring property owners.

3.11 Neighbour
comments (3)

It is important that adequate on-site parking is provided. Yellow lines will be needed in Papist Way and junction of Abbots Mead. Whilst I am broadly not opposed to the development, I have huge safety concerns regarding the access road junction with Papist Way.

Our property at 8 Reading Road is arguably going to be the one most significantly affected by this change; the new development affects the whole length of our property, running down the side of our house and garden. It means that our property will be overlooked for the first time, principally by the five new three bedroom houses, that will face directly out onto our garden. There will also be considerably more noise coming from the significant increase in people living in close proximity to our house, especially following the use as a builder's yard which was always a very respectful and quiet neighbour even when operating. However, while this proposition isn't ideal for us, we recognise that it is better to have a redeveloped site next door rather than an abandoned builder's yard and we acknowledge that the plans that have been put forward are fair and proportionate to the size of the site and therefore we do not

want to object to the overall scheme. We also know that Cholsey has an obligation to have a number of new build homes and it is better for these to be built on this site than to build on green fields. Our main comment that we wish for the committee and applicant to consider is that we currently have a lovely 2.5m to 3m high brick wall that runs the full length of our garden; at points comprising of the sides of existing structures and in other places a dedicated boundary wall. Many plants grow up this wall. To change this to a 1.8m wooden fence would significantly alter the nature and feel of our garden and negatively impact our enjoyment of this space and the value of our property, both because of the feel of the wall and the extent to which the garden would be overlooked. We would therefore like to propose that the brick wall is maintained for this boundary - either the current wall where possible or rebuilt where required. We feel that this change to the plans would also benefit the occupants of the new houses as it would also offer an additional feature to their gardens and reduce the amount that they are overlooked by the existing Reading Road houses. If this change could be agreed, we would be content to not oppose the plans any further.

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P17/S4073/PEJ](#) – Pre-application response (03/01/2018)

Change of use former builders' yard to residential, comprising the conversion of former offices to provide 15 dwellings

[P16/S4081/FUL](#) – Withdrawn (06/01/2017)

Demolish existing joinery workshop and erect 3 no three bedroom dwellings, 3 no two bedroom dwellings, 2 no one bedroom dwellings together with roadworks, parking etc

[P11/S0023/NM](#) - Approved (27/06/2012)

Non-Material Amendment to P07/W0875 (Change of use of former builders storage yard to residential with the erection of 4 no.2 bed dwellings 4 no.3 bed dwellings, 2 no.2 bed flats and 3 no.1 bed flats. New access).

[P11/W1877/DIS](#) - Approved (26/01/2012)

Change of use of former builders storage yard to residential with the erection of 4 no.2 bed dwellings 4 no.3 bed dwellings, 2 no.2 bed flats and 3 no.1 bed flats. New access.

Discharge of condition 8 on application P07/W0875.

[P10/W1874/PEJ](#) – Response (27/06/2011)

Erection of 12 dwellings and construction of access road.

5.0 **POLICY & GUIDANCE**

5.1 South Oxfordshire Core Strategy (SOCS) Policies

CS1 - Presumption in favour of sustainable development
CSB1 - Conservation and improvement of biodiversity
CSH1 - Amount and distribution of housing
CSH2 - Housing density
CSH3 - Affordable housing
CSH4 - Meeting housing needs
CSI1 - Infrastructure provision
CSQ2 - Sustainable design and construction

CSQ3 - Design
CSR1 - Housing in villages

5.2 South Oxfordshire Local Plan 2011 (SOLP 2011) policies;

C6 - Maintain & enhance biodiversity
D1 - Principles of good design
D12 - Public art
D2 - Safe and secure parking for vehicles and cycles
D3 - Outdoor amenity area
D4 - Reasonable level of privacy for occupiers
D7 - Access for all
E6 - Loss of employment uses
EP1 - Adverse affect on people and environment
EP2 - Adverse affect by noise or vibration
EP3 - Adverse affect by external lighting
G2 - Protect district from adverse development
T1 - Safe, convenient and adequate highway network for all users
T2 - Unloading, turning and parking for all highway users

5.3 Supplementary Planning Guidance/Documents

South Oxfordshire Design Guide 2016 (SODG 2016)

5.4 Neighbourhood Plan Policies:

The Cholsey Neighbourhood Plan is nearing completion. Andrew Ashcroft has been appointed by the district and parish council to carry out the examination. The examiner's role is to make recommendations on the draft plan, and ultimately if the plan should proceed to referendum.

The relevant policies are:

Map 4 – Cholsey Built Up Area Boundary shows the site located within the built-up limits of the village.

Policy CNP H1 – Housing allocations in Cholsey

Policy CNP H1b – Density on development more than 10 shall be 25dph

Policy CNP H3 seeks a range and mix of new homes.

Policy CNP H4 required Affordable Housing and Starter Homes.

Policy CNP H5 requires an appropriate scale and context of development.

Policy CNP H7 sets out parking requirements.

Policy CNP E1 sets out landscape impact considerations.

Policy CNP I1 refers to the provision of facilities.

Policy CNP I3 requires water and waste water impact assessments.

Policy CNP I1 refers to surface and groundwater drainage.

Policy CNP T1 requires new development to connect to walking and cycling networks.

5.5 Emerging South Oxfordshire Local Plan 2033:

The Council is preparing a new Local Plan, which will set out how development will be planned and delivered across South Oxfordshire to 2033. The overall strategy in draft policy STRAT1 is to focus major new development in the Science Vale, including Didcot Garden Town and Culham; provide for major development at Chalgrove and Berinsfield; support and enhance the economic and social dependencies between towns and villages; support the roles of Henley-on Thames, Thame and Wallingford; support and enhance the roles of the larger villages (including Cholsey); allow limited housing and employment development at smaller and other villages; protect and

enhance the countryside by ensuring that any change relates to very specific needs; and support and enhance the historic environment.

Policy H4 refers to Housing in the Larger Villages and indicates that 175 homes will be delivered in Cholsey through a Neighbourhood Plan or through Local Plan site allocations.

The Emerging Plan carries limited weight at this stage.

5.6 National Planning Policy Framework (NPPF)

National Planning Policy Framework Planning Practice Guidance (NPPG)

Paragraph 11	Presumption in favour of sustainable development
Section 4	Decision making
Paragraphs 54 - 57	Planning conditions
Section 5 Paragraphs 59 to 66	Delivering a sufficient supply of homes
Section 6	Building a strong and competitive economy
Section 9	Promoting sustainable transport
Section 11	Making efficient use of land
Section 12	Achieving well designed places
Section 15 paragraph 172 (AONBs)	Conserving and enhancing the natural environment

5.7 Environmental Impact.

Given the AONB location of the site there is a need to screen the application to assess whether an Environmental Statement is required. The proposal is below the indicative thresholds of 150 dwellings and 5 hectare site area set out in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (Amendment) Regulations 2015. The main issues to be considered are highway safety, landscape, neighbour and ecology impacts and drainage. The application has been supported by sufficient documents for these aspects of the scheme to be considered in full. Thus, it is considered an Environmental Statement is not required for this proposal and the development is not EIA development. This recommendation holds when considering the impact of this development cumulatively with the permitted sites in the village and area. A formal screening opinion has been issued.

Other Relevant Legislation

- The NWD AONB Management Plan 2014-2019
- Environmental Impact Regulations, as amended 2015

6.0 PLANNING CONSIDERATIONS

6.1 The main planning considerations are;

- The principle of the development
 - The housing Strategy for Cholsey – core strategy
 - Neighbourhood plan
 - Loss of business use
- H4 criteria
- Provision of gardens
- Mix of units
- Affordable housing
- Impact on AONB
- Drainage
- Pre-commencement conditions

- CIL
- Infrastructure requirements, including:
 - on-site infrastructure to be secured under a legal agreement,
 - off-site contributions pooled under the Community Infrastructure Levy

6.2 The principle of the development

The Development Plan Section 70 (2) of the Town and Country Planning Act 1990 Requires that the local planning authority shall have regard to the provisions of the Development Plan, so far as material to the application, and to any other material considerations. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires where regard is to be had to the Development Plan, applications for planning permission must be determined in accordance with the Plan unless material considerations indicate otherwise.

6.3 In the case of this proposal, the most relevant parts of the Development Plan are the Core Strategy which was adopted in December 2012 and the saved policies of the South Oxfordshire Local Plan 2011. The site is located within Cholsey. The Cholsey Neighbourhood Plan is nearing completion. An examiner has been appointed by the District and Parish Council to carry out the examination. The examiner's role is to make recommendations on the draft plan, and ultimately if the plan should proceed to referendum. The plan has some weight at this stage but it is limited.

6.4 It is noted the revised National Planning Policy Framework (NPPF) was issued on 24th July 2018, thus now superseding the previous 2012 Framework. This is not part of statutory Development Plan, but a material consideration when making planning decisions. As in previous guidance, the planning system seeks to achieve sustainable development.

6.5 The NPPF sets out that '*achieving sustainable development means that the planning system has three overarching objectives (economic, social and environmental), which are interdependent and need to be pursued in mutually supportive ways*'. It does however, note whilst these objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

6.6 Like previous guidance, a presumption in favour of sustainable development is at the heart of the Framework.

Paragraph 11 states; Plans and decisions should apply a presumption in favour of sustainable development.

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.

Paragraph 213 notes in context of existing Development Plans, *'existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given'*.

- 6.7 There are two issues of principle to consider with this application
- Whether the site is suitable for housing; and
 - The loss of the business use

6.8 **The housing strategy for Cholsey**

SOCS Policy CS1 reflects the presumption in favour of sustainable development in the NPPF. The spatial strategy in Policy CSS1 establishes a settlement hierarchy where the amount and location of new housing is related to the availability of facilities and services in order to achieve a sustainable pattern of development.

Policy CSS1 also notes that outside the towns and villages, and other major developed sites, any change will need to relate to very specific needs such as those of the agricultural industry or enhancement of the environment.

- 6.9 SOCS policy CSR1 relates to housing strategy in the district's villages. Cholsey is designated a 'larger' village, and CSR1 allows additional housing via allocated sites, 'infill' plots, redevelopment and rural exception sites. In this case the site is within the built up limits of the village and is previously developed land. A redevelopment of the site is acceptable in principle in terms of the core strategy.

6.10 **Emerging Neighbourhood Plan.**

Paragraph 48 of the NPPF allows for weight to be given to relevant policies in emerging plans, unless other material considerations indicate otherwise, and only subject to the stage of preparation of the plan, the extent of unresolved objections and the degree of consistency of the relevant emerging policies with the NPPF.

The Cholsey Neighbourhood Plan is nearing completion. An examiner has been appointed by the district and parish council to carry out the examination. The examiner's role is to make recommendations on the draft plan, and ultimately if the plan should proceed to referendum. The plan has some weight at this stage but it is limited.



Map 7 - Site plan CHOL9

Policy CNP H1

93. Land is allocated to provide around 189 new homes on sites shown on the Proposals Map on the following three sites:

- East End Farm (CHOL1 together with land west of Wallingford Road (part of CHOL7) around 165 homes
- Boshers Yard corner of A329 and Papist Way (CHOL9) around 10 homes
- Fairmile (CHOL10) 14 homes

Extract from Submission version Cholsey Neighbourhood Plan 2018v2.32

This site has been identified for around 10 new homes in the emerging Cholsey Neighbourhood Plan which is at examination. A residential redevelopment of this site would not only accord with the Council's spatial strategy but it also generally accords with the draft CNP. However, the Parish Council object to the scheme and the NP group have some concerns in relation to the density of development and highway issues.

6.11 Loss of business use.

The development will result in a loss of 4370 sqm of business space. Saved Policy E6 (SOLP) and Policy EMP3 of the Emerging Local Plan 2011-2033 aim to protect employment sites and retain job opportunities within the district particularly for uses where alternative sites may be difficult to find. There are, however, some circumstances outlined in policy E6 where the redevelopment of such sites may be acceptable. Redevelopment of such sites will be allowed where;

- i) The site is less than 0.25 ha and the buildings under 500 sqm and in the towns of Didcot, Henley, Thame or Wallingford; or

- ii) The existing use is no longer economically viable, and the site has been marketed at a reasonable price for at least a year for that and any other suitable employment or service trade uses.

Any application for the redevelopment of a business use must provide the sufficient information to justify the loss consisting of:

- evidence that the property has been marketed at an appropriate price.
- a record of all enquiries and inspections with reasons for lack of progress identified
- copy of the sales particulars and adverts, including photos of a signboard erected on the site (if relevant).
- evidence that the property has not been marketed on the basis of a too narrow range of potential end uses.
- evidence that a reasonable attempt has been made, without success, to continue the present use or (where appropriate) to find suitable new or mixed uses that are compatible with the building(s) or land.

In this case the application includes the marketing information, a record of inquiries and the reasons for the lack of take up. The applicant has therefore provided the required evidence to satisfy the requirements of E6, although, at the time the application was submitted (June 2018) the property had only been marketed for 9 months. However, marketing of the site has been ongoing and has now occurred for a period of 14 months. An update of a further two months of the marketing exercise was provided at the end of August 2018.

It should also be noted that the current access arrangements onto Papist Way are inadequate for any significant level of commercial activity and the relationship with surrounding residential properties may mean that other employment uses may no longer be appropriate. Given the above, there is no objection to the loss of the employment uses

- 6.12 **H4. Criteria.** If a proposed housing development is acceptable in principle, then the detail of the proposal must be assessed against the criteria of saved Policy H4 of the SOLP.

H4 criteria issues.

- i **That an important open space of public, environmental or ecological value is not lost;**

Open space. I do not consider the site to be an important open space given the backland position and enclosed nature of the site. Much of the site is screened from any public vantage point.

Ecology. Bat surveys have identified two roosting sites for common pipistrelle bats within buildings on the site. The roosts are for low numbers of bats and are of low conservation significance. As a result of the presence of the roosts the works would have to be conducted under an appropriate form of European Protected Species Licence. The application documents include an ecology report and the mitigation proposals in the report are proportionate and appropriate and should ensure that bats can continue to use the site post development. There is no objection to the proposal on ecology grounds subject to the recommended condition.

- 6.13 ii **Design, height and bulk in keeping with the surroundings;**

The site is surrounded by residential development. All surrounding houses are two storey and there are examples of terraced, semi-detached and detached dwellings. There is a range of materials either brick and render for walls and plain clay tiles or slate for roofs. The scheme proposes 5 detached houses, three pairs of semidetached houses and a block of four flats. The design and scale of the proposed units reflects the

local context well and will use a palette of quality traditional materials typical of the area. The form and design of the buildings proposed is in keeping with the local vernacular and follows Design Guide advice and is acceptable in my view.



Street elevation from plans

6.14 iii **That the character of the area is not adversely affected;**

Most of the site is enclosed as it occupies a backland location. The character of 6 Reading Road, the only building with a road frontage will be largely unchanged as it will revert back from an office use to its original use as a dwelling. The visual impact of the new dwellings is likely to be fairly low and will only be seen from surrounding residential properties or in glimpsed views from the access roads.

6.15 iv **Amenity, environmental or highway/ parking objections;**

Highway issues.

With respect to highway safety matters the advice from Central Government set out in the National Planning Policy Framework (NPPF) is as follows:

Development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe.

The term severe is locally interpreted as situations, which have a high impact, likely to result in loss of life, or a higher possibility of occurrence with a lower impact.

Policies T1 and T2 require that all new development provides safe and convenient access to the highway and sufficient turning and parking areas where required.

6.16 The site benefits from access to public transport and a range of local amenities. Further services, schools, employment opportunities and shops are available via public transport within an hour's travel at locations such as Wallingford, Didcot, Oxford and Reading. On this basis I am satisfied the site is accessible without undue dependency on car travel.

The level of traffic generation of the site would not be dissimilar to the existing use but the travel demands of residents will differ from the travel patterns exhibited by the builders' yard. However given the relatively modest number of trips and the accessibility of the site, I am satisfied the traffic impact of the development would not be significant.

Access arrangements are acceptable and in general accordance with recognised guidance. Visibility splays, commensurate to the speed of passing traffic, have been demonstrated on the submitted.

The Parish Council and neighbours have made reference to concerns about existing traffic and parking problems on Papist Way and have suggested that the road through the site should be one way only. The OCC highway engineer has noted there is on-street parking pressure in the vicinity and, therefore, potential for cars to park on and around

the access to Papist Way. Vehicles parked in this manner can cause a temporary obstruction to visibility but vehicles entering or leaving the site are generally able to manoeuvre around them with caution. It should be noted there are enforcement measures available to the local constabulary and this is an existing situation that would have occurred when the yard was in use. In addition, I do not foresee any overspill of parking from the development adding to existing pressures as the parking provision on site includes 4 visitor spaces in addition to meeting standards for each dwelling.

At peak times there is considerable queueing at the junction of Papist Way, Reading Road and Ferry Lane. Vehicles manoeuvring to or from the site at such times would interact with the queue but this is very unlikely to cause any significant harm to highway safety and again is an existing situation. Whilst these circumstances are not necessarily desirable, the highway engineer does not consider they provide any reasonable grounds for refusal, nor would they justify a one way route only through the site.

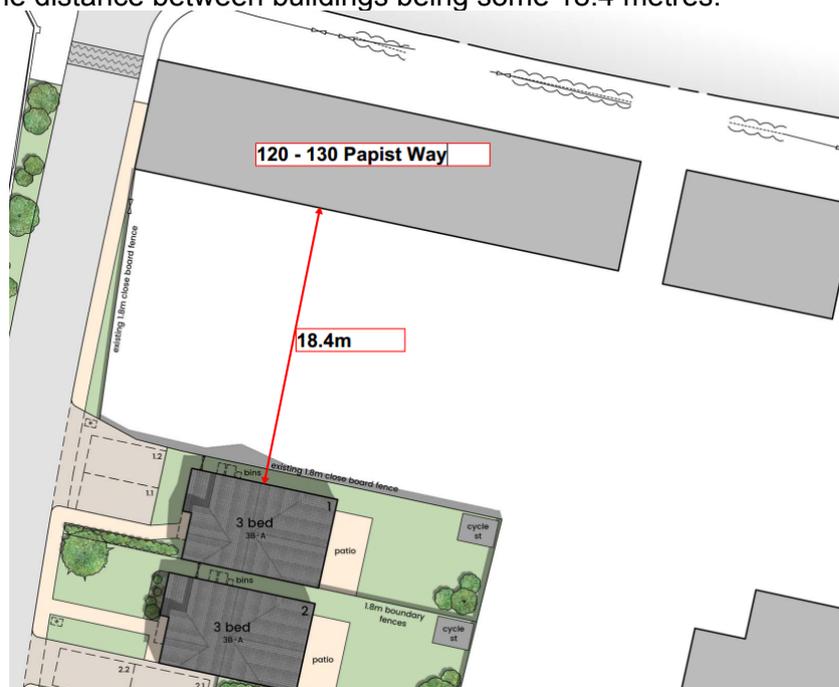
The proposed layout of the site is not one the Local Highway Authority would wish to adopt due to the narrow nature of the carriageway and potential for future maintenance; however, that does not necessarily render the layout unacceptable from a planning perspective. There is some merit in the relatively 'tight' layout, the narrow carriageway, rumble strips and sharp bend all help to restrain speed and dissuade rat-running. Whilst the carriageway is narrow two cars are able to pass reasonably comfortably, and a car and typical goods vehicle may pass with care. Appropriate provision is made for off-street car parking along with associated manoeuvring and turning space.

6.17 Neighbour impact

The most affected neighbours are the terrace at 120-128 Papist Way, 12 and 14 Boshers Close, 2 and 4 Reading Road, 8 Reading Road and 3, 4, 5 and 6 Abbots Mead. There are no significant changes of levels across the site and levels are consistent with surrounding sites.

6.18 120-128 Papist Way

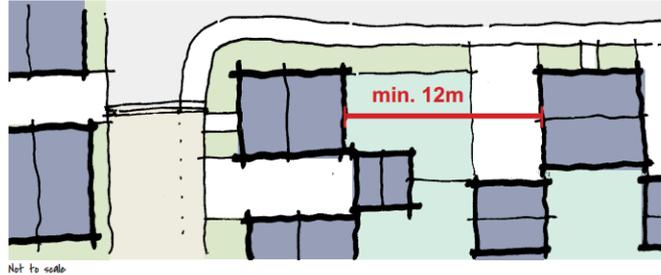
The proposed dwelling on plot 1 has a side to rear relationship with the terrace on Papist Way with the distance between buildings being some 18.4 metres.



Extract from proposed site plan A-003A

There is one window proposed at first floor on the side elevation facing the terrace and this serves an en-suite bathroom; the plans stipulate that the window will be obscure glazed. This distance between the plot 1 dwelling and the terrace is in excess of the minimum back to side distance specified in the Design Guide and the neighbour impact in this respect is acceptable in my view

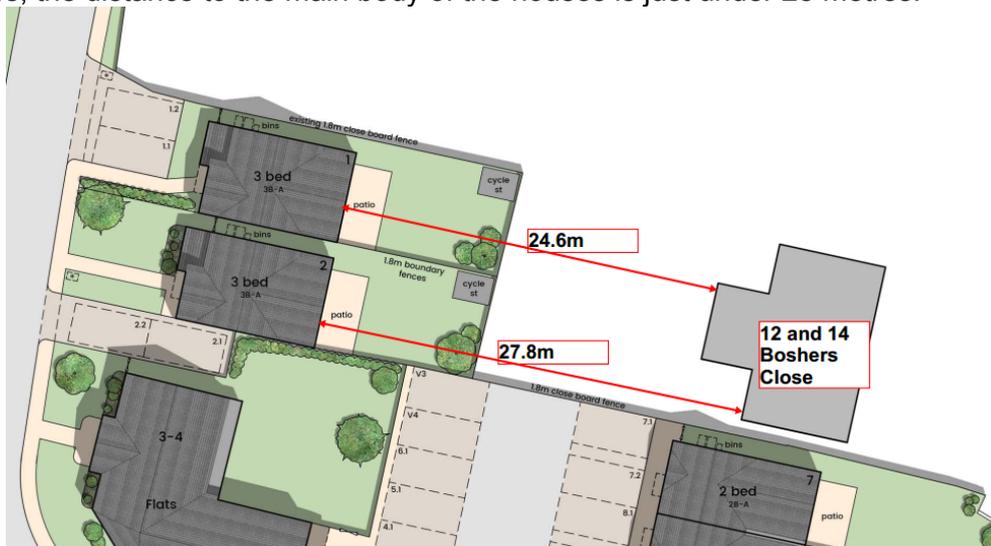
BACK TO SIDE
min. 12m
 between habitable rooms and side gable of adjacent property



Extract from Design Guide Part 2, Pg 46

6.19 12 and 14 Boshers Close

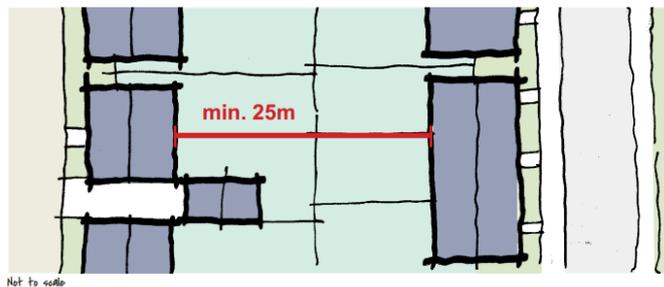
The proposed dwellings on plots 1 and 2 have a back to back relationship with 12 and 14 Boshers Close. 12 and 14 are two-storey properties with a two storey rear wing. The distance from the two storey rear wing to the plot 1 and 2 dwellings is just under 25 metres, the distance to the main body of the houses is just under 28 metres.



Extract from proposed site plan A-003A

There are bedroom windows at first on the rear of all dwellings in this relationship. Whilst the distance is slightly below the recommended distance of 25 metres the relationship would not be so harmful to neighbour amenity to warrant a refusal of planning permission in my view.

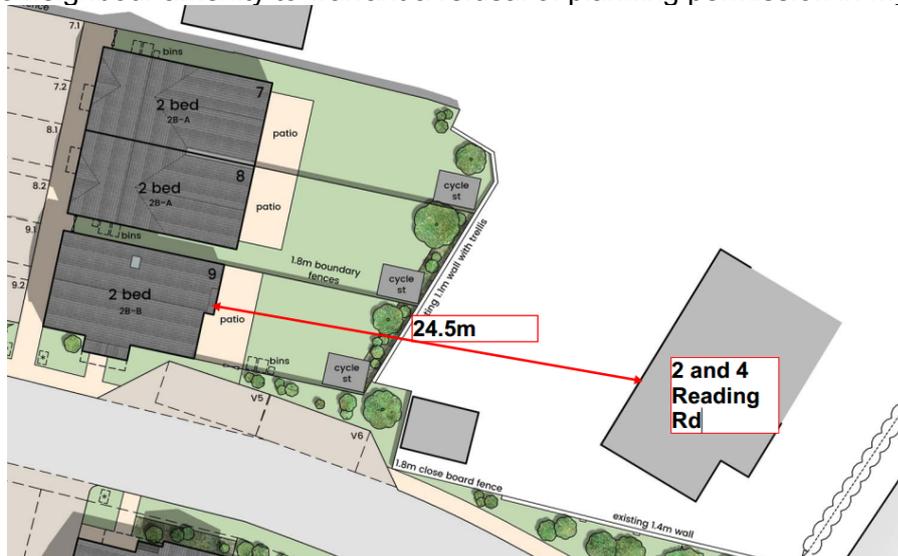
BACK TO BACK
min. 25m
 between habitable rooms of properties, also to existing buildings



Extract from Design Guide Part 2, Pg 46

6.20 **2 and 4 Reading Road**

The new dwellings on plots 7, 8 and 9 have a back to back relationship with 2 and 4 Reading Road with rear first floor windows serving bedrooms. Whilst the distance is slightly below the recommended distance of 25 metres the relationship would not be so harmful to neighbour amenity to warrant a refusal of planning permission in my view.



Extract from proposed site plan A-003A

6.21 **8 Reading Road**

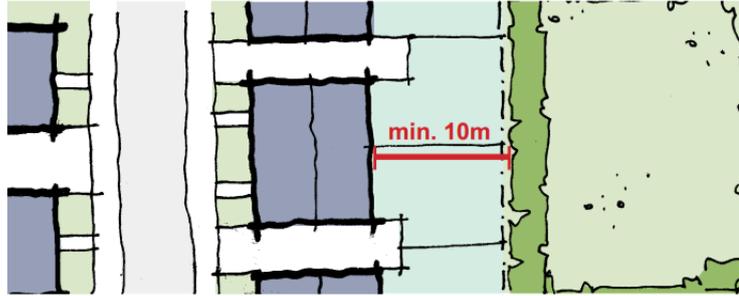
There are a number of large barn type buildings immediately on the boundary with 8 Reading Road and these will be removed. The new dwellings on plots 10 -14 would look onto the garden of 8 Reading Rd.



Extract from proposed site plan A-003A

The size of these plots meets the minimum back to boundary distance recommended in the design guide

BACK TO BOUNDARY
min. 10m
between habitable rooms
and site boundary to
existing landscape



Extract from Design Guide Part 2, Pg 46

The neighbours at no 8 have made some very fair comments. They feel that the overlooking from the dwellings isn't ideal but they recognise that it is better to have a redeveloped site next door rather than an abandoned builder's yard and they comment that the plans that have been put forward are fair and proportionate to the size of the site and do not want to object to the overall scheme. Their main request is that the boundary along the side of their property could be maintained as it is at the moment as a wall rather than a 1.8m fence.

At present the boundary to no 8 comprises various elements including a 1.6m brick wall alongside the existing access to the site from Reading Road and a further length of wall 1.9m high between buildings and to the rear of the joinery workshop which lies to the west. A substantial proportion is part of the buildings which are to be demolished - they are in poor condition and it is probable that the wall will be unstable once those buildings have been taken down. The agent has confirmed that demolition will be carefully controlled as safety is paramount. They have conceded that it might be possible to retain some walls where it is practical to do so but this is a judgement which the structural engineer will have to make on site; elsewhere good quality 1.8m high close boarded fences are proposed. The boundary details will be covered under the landscaping condition.

6.22 3, 4, 5 and 6 Abbots Mead.

3, 4, 5 and 6 Abbots Mead back onto the proposed site and there will be a front to back relationship from plots 1 and 2 and the block of 4 flats for 3, 4 and 5 where the distance between buildings will be some 24 metres. Overlooking at first floor will be between bedroom windows. Any overlooking at ground floor will be blocked by boundary screening. I consider this relationship to be acceptable and there has been no objection from neighbours in respect of overlooking.

There will be a rear to side relationship with 6 Abbots Mead and plot 10 where the distance between buildings is some 12.6 metres. There is a first floor window serving an en-suite bathroom in the new dwelling; the plans stipulate that the window will be obscure glazed. This distance between the plot 10 dwelling is just over the minimum back to side distance specified in the Design Guide and the neighbour impact in this respect is acceptable in my view.



- 6.23 v) if the proposal constitutes backland development, it would not create problems of privacy and access and would not extend the built limits of the settlement.

The site occupies a backland location. Privacy is dealt with in the neighbour impact paragraphs above and access is dealt with in paras 6.15 and 6.16. Both privacy and access are acceptable in my view for the reasons set out above.

- 6.24 **Provision of gardens.** Minimum standards for new residential development are recommended in the South Oxfordshire Design Guide and in Policy D3 of the Local Plan. In this case a minimum of 100 square metres of private garden area would be required for 3, 4 or 5 bed dwellings; 2 and 1 bed units would need a garden area of 50 and 35 square metres respectively.

The 2 bed units on plots 7, 8 and 9 provide for gardens in the region of 65 sqm and comply with policy. The 3 bed units on plots 10 – 14 and the 4 bed unit on plot 15 all provide for garden areas in excess of 100 sqm and comply with policy. The 1 bed units in a block of floor provide for a communal amenity area of some 155 sqm including the cycle store and this complies with policy. The 3 bed units on plots 1 and 2 provide for garden areas in the region of 80sqm and are substandard. However, given the position of the dwellings within walking distance of village amenities and the river, the slight under

provision of garden areas on two of the plots is not reason to refuse planning permission in my view.

- 6.25 **Housing mix.** Policy CSH4 of the SOCS seeks an appropriate mix of dwelling types and sizes and on schemes of over 10 dwellings. The housing Needs Assessment 2012 advises that 50% of housing should be provided as 1 or 2 bedroom units whilst the remaining 50% should be larger 3 bedroom units and above. The new units are a mix of two and three bedroom houses and one bedroom flats (7no. 3-bed, 3no. 2-bed and 4no. 1-bed) and is in accordance with policy CSH4.

6.26 **Affordable housing.**

Policy CSH3 of the Core Strategy seeks to achieve 40% of affordable housing on sites where there is a net gain of 3 houses. The application proposes 15 units and this would equate to 6 affordable homes of which 75% (4) should be for rent and 25% (2) should be for shared ownership.

The application proposes 40 % (6) affordable units with the following break down and this meets the policy requirements.

	1 bed	2 bed	3 bed (5 person)
Affordable rented	2	1	1
Shared ownership	0	1	1

The affordable units will be secured via a S106 agreement.

- 6.27 **Impact on the AONB.** Paragraph 172 of the NPPF (2018) confirms that "great weight" should be given to conserving and enhancing the character and qualities of the AONB "*which have the highest status of protection*". This reinforces the statutory duty placed on the council under S85 of the Countryside Rights of Way Act 2000.

An over-riding principle of the NPPF is that any development within the Chilterns or North Wessex Downs should conserve and enhance the natural beauty of the AONB and in so doing not result in harm to the special qualities of the AONB (para 11, 171, 172). Major development should not take place in the AONB, except in exceptional circumstances (para 172).

In this case the proposal is for major development because it is for more than 10 dwellings. In this context, the NPPF definition of "major" development is not the same as the "ten houses or more" definition used for classifying application types in the Development Management Procedure Order. The use of the word "major" in the NPPF is a more relative term and it is through case law that the quantum of what constitutes major development in the AONB has been determined. Footnote 55 of the NPPF makes it clear that for the purposes of paragraph 172, whether a proposal is 'major development' is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined.

In this case, the site is previously developed land and because the site is entirely enclosed within the built up limits of Cholsey and there is limited public visibility, the impact on the AONB will be very limited. As such, I do not consider that the proposal represents major development in the AONB for the purposes of paragraph 172 of the NPPF.

- 6.28 **Drainage.** The Council's drainage officer submitted a holding objection in relation to the proposal and has asked for a drainage strategy to demonstrate that infiltration SUDS mechanisms will work. The applicant's agent has objected to the request for a drainage

strategy at this stage in the application and considers the request as wholly unnecessary because it is entirely possible to grant consent and impose an appropriate condition. In this case the site is in flood zone 1 (an area with the lowest risk of flooding) and it is not an area that is susceptible to surface water flooding; there is no reason to suggest that infiltration SUDS mechanisms will not work in this location. As such it is my view that surface water drainage issues can be covered adequately with a pre-commencement condition.

6.29 **Other matters**

Pre-commencement conditions. In accordance with S.100ZA of the TCPA 1990, agreement with the applicant has been sought for all pre-commencement conditions (6 conditions). These have been all agreed in writing. The full wording of the conditions is **attached** at Appendix 3.

6.30 **Infrastructure requirements**

On-site infrastructure should be secured under a legal agreement. In accordance with the council's S106 Planning Obligations Supplementary Planning Document, the following additional financial contributions would also be required towards on-site infrastructure:

- affordable housing
- Street naming and numbering
- Provision of recycle bins
- Monitoring fee

6.31 As advised by the County highways officer, the following site specific highways contributions would also need to be secured under a S106:

Public transport services	£14000	RPIX June 2018	Local bus service improvements
Public transport infrastructure	£1090	Baxter June 2018	Local bus stop improvements

6.32 I consider that these contributions / obligations would accord with policy CSI1 of the SOCS, which requires new development to be supported by appropriate on and off-site infrastructure and services. They would also accord with the relevant tests in the NPPF as they are necessary to make the development acceptable in planning terms, are directly related to the development and are fair and reasonably related in scale and kind to the development. In the absence of a completed S106 legal agreement, any refusal of planning permission should include an additional reason for refusal because necessary contributions / obligations have not been secured.

6.33 **Community Infrastructure Levy (CIL).** The council's CIL charging schedule has been adopted and applies to relevant proposals from 1 April 2016. 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 is liable for the market housing (affordable housing is exempt from CIL) because it involves the creation of new dwellings. The CIL charge applied to new residential development in this case is £150 per square metre of additional floorspace (adjusted to £170.73 as per indexing figure January 2018). 15% of the CIL payment will go directly to Cholsey Parish Council (in the absence of an adopted Neighbourhood Plan) for spending towards local projects.

7.0 **CONCLUSION**

7.1 I recommend that planning permission is granted because the proposed scheme is a sustainable form of development, meeting the environmental, social and economic dimensions identified in the Framework, the council's spatial strategy and the emerging Cholsey Neighbourhood Plan. The development is sensitively designed to fit in with the local vernacular. Neighbour impact is likely to be limited and no adverse highways or environmental impact has been identified. As such, subject to the recommended conditions, the proposal accords with Development Plan policy and is recommended for approval.

8.0 **RECOMMENDATION**

8.1 **Delegate to the head of planning to grant outline planning permission subject to the prior completion of the Section 106 agreement and the following conditions:**

1. Commencement three years - full planning permission.
2. Approved plans.
3. **Sample materials required (all).**
4. **Dust mitigation.**
5. **Landcaping.**
6. **Surface water drainage works – details required.**
7. **Construction traffic management plan.**
8. **Contaminated land (preliminary risk assessment).**
9. Contaminated land remediation strategy.
10. Wildlife protection.
11. Hours of operation for construction.
12. Noise – restriction on construction hours.
13. Provide solar panels and energy performance certificates for market housing.
14. New vehicular access.
15. Vision splay protection.
16. Roads and footpaths prior to occupation.
17. Provide parking and manoeuvring areas.

*****Pre-commencement conditions in bold*****

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