
APPLICATION NO.	P18/S3443/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	15.10.2018
PARISH	DIDCOT
WARD MEMBER(S)	Anthony Dearlove Vacant position for Didcot South ward Mocky Khan
APPLICANT	Total Land & Property Developments Ltd
SITE	35 Park Road Didcot, OX11 8QL
PROPOSAL	Variation of conditions 2- approved plans and 11-protected species survey report on application ref P18/S0995/FUL. Two semi-detached houses replacing existing chalet bungalow (As amended by drawing PRD.11 Rev A received 4 July 2018 showing a shared access and amplified by Protected Species Survey Report dated July 2018 received 9 July 2018)
OFFICER	David Millinship

1.0 **INTRODUCTION**

- 1.1 The application has been referred to planning committee as the applicant is related to the Leader of South Oxfordshire District Council – Councillor Jane Murphy.
- 1.2 The application site comprises a detached one and half storey dwelling on Park Road, Didcot. The ridge line runs north to south making the gable ends the sides of the building. The building is not listed and not located within a designated area. Number 37 Park Road to the south is a two-storey dwelling with number 33 to the north also a one and half storey dwelling but, of a different design to the application property.
- 1.3 Planning permission for the demolition of the existing house and construction of two semi-detached houses was granted by planning committee on 17 August 2018. The existing house has been demolished and work commenced on the foundations of the two permitted dwellings.
- 1.4 The site is identified on the Ordnance Survey Extract attached at **Appendix 1**.

2.0 **PROPOSAL**

- 2.1 This application seeks a variation to condition 2 of planning permission P18/S0995/FUL to allow an increased depth to single storey rear projections of the two dwellings. Information to discharge condition 11 (protected species survey) has also been submitted.
- 2.2 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 **Didcot Town Council – Objection (01/11/2018)** – An initial objection was made on grounds of overdevelopment but, this was due to incorrect information contained within the Design and Access Statement.

No objection (13/12/2018) - After submission of a corrected DAS the objection was withdrawn.

Countryside Officer - No objection – the alteration to condition 11 wording is agreed.

Forestry Officer - No objection - subject to securing the proposed tree protection by condition.

Highways Liaison Officer - No objection – subject to conditions to secure safe access and parking/turning areas.

Contaminated Land - No objection – the submitted questionnaire has been reviewed and the land does not appear to be (or have the potential to be) contaminated.

3.2 **Neighbour Responses**

One letter received stating that the existing boundary fence is in a poor state of repair and will need replacing to maintain security, privacy and integrity during build and afterwards.

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P18/S0995/FUL](#) - Approved (17/08/2018)

Two new semi-detached houses replacing existing chalet bungalow (As amended by drawing PRD.11 Rev A received 4 July 2018 showing a shared access and amplified by Protected Species Survey Report dated July 2018 received 9 July 2018).

[P18/S0135/PEM](#) - Other Outcome (05/02/2018)

Demolish existing bungalow. Build new two storey block of flats, comprising 2 x 2 bed and 4 x 1 bed, courtyard parking, bin and cycle stores, landscaped garden.

5.0 **POLICY & GUIDANCE**

5.1 **South Oxfordshire Core Strategy (SOCS) Policies:**

CS1 - Presumption in favour of sustainable development;
CSDID3 - New housing at Didcot;
CSB1 - Conservation and improvement of biodiversity;
CSQ3 - Design.

5.2 **South Oxfordshire Local Plan (SOLP) Policies:**

C8 - Adverse affect on protected species;
CSS1 - The Overall Strategy;
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;
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 **Supplementary Planning Guidance/Documents:**

South Oxfordshire Design Guide 2016 (SODG 2016)

5.4 **National Planning Policy & Guidance:**

National Planning Policy Framework (NPPF)

National Planning Policy Framework Planning Practice Guidance (NPPG)

6.0 **PLANNING CONSIDERATIONS**

6.1 When considering applications to vary or remove planning conditions local planning authorities shall consider only the question of the conditions subject to which planning permission should be granted, and—

- a) *if they decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, they shall grant planning permission accordingly, and*
- b) *if they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application.*

The main issues to be considered are whether the proposed amendments to the scheme:

- Impact on the character and appearance of the site and surrounding area;
- Impact on neighbouring amenities;
- Impact on protected species;
- Effect on any other matters (trees and parking); and
- Whether any other planning conditions attached to the original planning permission should be reapplied or require amendment.

Character and appearance

6.2 The approved scheme for the construction of a semi-detached pair was considered to be acceptable in terms of its visual impact as there is little uniformity between existing buildings within the wider street scene, particularly along the eastern side of Park Road. The western side of Park Road is predominantly lined by semi-detached dwellings so they are characteristic of the wider area.

6.3 The proposed variation to the design of the semi-detached pair would exclusively relate to the single storey rear kitchen/family room sections of the dwellings. It is proposed to increase the depth of the rear sections of both dwellings by approximately 2 metres. The rear projection would remain as a small-scale single storey flat roof structure and the increased depth would not cause harm to the visual impact of the development over and above that previously assessed.

6.4 Additional information relating to the proposed external materials and finishes has also been provided. The palette of materials proposed uses materials common to the street scene and given the traditional form of the proposed dwellings I view this as acceptable. The development would remain in accordance with SOCS policy CSQ3 and SOLP policies D1 and G2.

Impact on neighbours

6.5 The additional 2 metre depth of the rear projections would not have the potential to impact on neighbouring access to daylight or privacy. The rear projections are set away from the intervening boundaries shared with neighbouring properties so even with an increased depth they would have a marginal impact on neighbouring residential amenities over and above the larger two-storey section of the semi-detached pair.

- 6.6 I am satisfied the development would remain in accordance with the aims of SOCS policy CSQ3 and SOLP policies D3 and D4.

Biodiversity

- 6.7 Condition 11 of the original planning permission sought to secure the following:

“The development hereby permitted shall be implemented in accordance with the recommendations of Section 6 of the supporting Protected Species Survey Report (Windrush Ecology Ltd, July 2018, Ref: W2904_rep_35 Park Road, Didcot_09-07-18). Any variation shall be agreed in writing by the Local Planning Authority before such change is made.”

- 6.8 The applicant has confirmed that a bat box has been installed at the site in accordance with the recommendations of the previous ecology report. The Countryside Officer is satisfied that the wording of condition 11 can be amended to read as follows:

A single Schwegeler 1WQ bat box shall be erected on the development hereby approved in an appropriate location. This condition shall be discharged through the submission of evidence to the local planning authority to demonstrate that the bat box has been installed in accordance with this condition.

Reason: To enhance the biodiversity resource of the site, in accordance with Policy CSB1 of the SOCS, Policies C6 and C8 of the SOLP and paragraph 170 of the NPPF.

- 6.9 Subject to the revised condition wording the development is considered to remain in accordance with SOCS policy CSB1 and policies C6 and C8 of the SOLP.

Other matters

- 6.10 No objections have been received from the council’s Contaminated Land Officer. The land contamination questionnaire submitted with the application demonstrates that the site is not at risk from contamination and as such no further planning control is required.
- 6.11 OCC Highways have asked for planning conditions to secure provision of off-road parking and turning areas as well as improvements to the site access. I consider these conditions remain reasonable and necessary to ensure the development is in compliance with the aims of SOLP policies D2 and T1.
- 6.12 SODC’s Forestry Officer has also offered no objection to the revised scheme providing a condition is attached requiring the implementation of the tree protection measures set out on the submitted shed and fencing plan (PRD.11 REV.D). It is advised that a condition should be attached requiring the implementation of the landscaping shown on the same plan. Both conditions are considered to be reasonable and necessary.

Planning conditions

- 6.13 When a local planning authority approve a variation or removal of condition application it is effectively issuing a new planning permission. As such, conditions attached to the original permission can be altered (if necessary) to reflect a discharge of condition details or in some cases that the conditions are no longer relevant (due to a change in policy or site circumstances for example).
- 6.14 In this case, details to discharge several planning conditions have been submitted but, appear yet to be agreed by the LPA. It is, however, considered the original planning permission has commenced. As such, it is pertinent to review the conditions of the

original planning permission and to assess whether they are still reasonable and necessary.

Condition 1 – Three Year Time limit, no longer relevant as the development has commenced. Can be varied to remain as per the original three year date;

Condition 2 – Approved plans, to be varied as per the currently submitted plan numbers;

Condition 3 – Schedule of materials, varied to a directive condition as per details provided on plan no PRD.11 Rev.D;

Condition 4 – Varied to a directive condition as per details provided on plan no PRD.11 Rev.D;

Condition 5 – PD removal (householder Class A) remain as original wording;

Condition 6 – Access provision as per original condition;

Condition 7 – Visibility as per original condition;

Condition 8 – Parking and turning areas as per original condition;

Condition 9 – Varied to a directive condition as per details provided on plan no PRD.11 Rev.D;

Condition 10 – Varied to a directive condition as per details provided on plan no PRD.11 Rev.D;

Condition 11 – Varied to Countryside Officer's agreed wording;

7.0 **CONCLUSION**

7.1 Officers recommend that planning permission is granted because the proposed variation of conditions and resulting minor-material changes to the previously approved scheme are not considered to generate any adverse impacts that would cause harm to the character and appearance of the site and street scene in the locality or the amenities of the area over and above that previously assessed. The habitat value of the site for protected species would also be preserved.

7.2 The revised scheme therefore remains in accordance with the relevant development plan policies and subject to the above-mentioned conditions it would remain a sustainable form of development in line with policy CS1 of the *South Oxfordshire Core Strategy*.

8.0 **RECOMMENDATION**

8.1 **To delegate authority to the head of planning to grant planning permission subject to the following conditions:**

1. **Approved plans.**
2. **External materials.**
3. **Obscure glazing.**
4. **Permitted development removal (Householder – Class A).**
5. **Access provision.**
6. **Visibility splays.**
7. **Parking and turning areas.**

- 8. Landscaping scheme.**
- 9. Tree protection.**
- 10. Protected species mitigation.**

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