

APPLICATION NO.	P18/S3624/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	5.11.2018
PARISH	DIDCOT
WARD MEMBER(S)	Steve Connel Tony Harbour Bill Service
APPLICANT	Mr Rob Green
SITE	186 Abingdon Road Didcot, OX11 9BP
PROPOSAL	Demolition of existing dwelling and replacement with pair of two storey houses with associated garages and parking. Improvements to existing access and private road. (As amplified by Contaminated Land Questionnaire received 15 January 2019).
OFFICER	Paul Bowers

1.0 **INTRODUCTION**

1.1 The application has been referred to planning committee as the views of the Didcot Town Council conflict with the officer’s recommendation to grant planning permission.

1.2 The application site comprises a single mobile home and includes a variety of outbuildings including a garage. It is located to the north east of the town and is the northern most dwelling of ribbon of development separated by a gap to the housing development to the south. It is in effect the last/first property in Didcot as one approaches from the Ladygrove Road leading toward Appleford and Long Wittenham Road.

1.3 A plan identifying the site is **attached** as Appendix 1.

2.0 **PROPOSAL**

2.1 The application seeks planning permission from the council to replace the existing dwelling with a pair of semi detached two storey dwellings with associated parking and garden space.

2.2 Reduced copies of the plans accompanying the application is **attached** as 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 **Didcot Town Council** – Object for the following reasons;

- Inadequate foul drainage provision.
- Lack of information from SUDS in light of local flooding events
- The track is substandard for multiple dwellings of this size.

3.2 **Neighbour Response** – 3 x letters of objection covering the following issues;

- Concern about the shared access being kept clear and available during and after works taking place.
- Concern that the site is not connected to mains drainage.
- Flooding has occurred locally in July 2007. A flood report should be produced to assess the impact to neighbours from the development.
- Possibility of land contamination.

- No details have been submitted in connection with SUDS.
- Concern over the impact of the hedge running along the southern boundary.
- Concern about highway safety of an increase number of vehicles coming out on to a busy straight road.
- The 30mph limits needs ot be moved.

3.3 **SGN Plant Protection Team** - No objection.

3.4 **Countryside Officer** - No objection.

3.5 **Highways Liaison Officer** - No objection subject to conditions.

3.6 **Drainage** – No objection subject to conditions relating to foul drainage and surface water drainage.

Contaminated Land Officer – No objection.

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P18/S2601/PEM](#) – Response (03/09/2018)
Proposed 2 new dwellinghouses at 186 Abingdon Road.

5.0 **POLICY & GUIDANCE**

5.1 **National Planning Policy Framework (NPPF)**
National Planning Policy Framework Planning Practice Guidance (NPPG)

South Oxfordshire Core Strategy 2028 (SOCS) Policies

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

South Oxfordshire Local Plan 2011 (SOLP 2011) policies;

C8 - Adverse affect on protected species
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
EP1 - Adverse affect on people and environment
EP4 - Impact on water resources
EP6 - Sustainable drainage
EP8 – Contaminated Land
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

South Oxfordshire Design Guide 2016 (SODG 2016)

6.0 **PLANNING CONSIDERATIONS**

6.1 The issues to consider in relation to this proposal are;

- **The principle of development.**
- **Whether the proposal accords with the criteria of Policy H4.**
- **Plot coverage and garden size.**
- **Impact on the amenities of the occupants of nearby properties.**

- **Impact on highway safety.**
- **Drainage.**
- **Contamination**
- **Community Infrastructure Levy.**
- **Other issues.**

The principle of development.

- 6.2 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 6.3 Section 70 (2) of the Town and Country Planning Act 1990 provides 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.
- 6.4 In the case of this application, the most relevant parts of the Development Plan are the South Oxfordshire Core Strategy 2027 (SOCS) which was adopted in December 2012 and the saved policies of the South Oxfordshire Local Plan 2011 (SOLP).
- 6.5 Policy CSDID3 of the South Oxfordshire Core Strategy 2027 (SOCS) permits infill development within Didcot.
- 6.6 Infill development is defined in the Appendix 1 of SOCS as; *'The filling of a small gap in an otherwise built up frontage or on other sites within settlements where the site is closely surrounded by buildings'*
- 6.7 The first question is whether this site is within the town or beyond the existing built core of the town. This site is the northern most property for this extent of Didcot. There is a gap between the line of properties extending northward from the south. In my view this could arguably place this property and those beyond the gap outside of the settlement.
- 6.8 However, this is still a sustainable location and although outside of the settlement at this present time, outline planning permission has been granted on what is an allocated site for a large-scale housing development to the west and north west whereby this site once this strategic allocation site is built out, would certainly be considered within the settlement. On that basis, I believe the development accords with the objectives of Policy CSDID3 and the principle of the development is acceptable.

Whether the proposal accords with the criteria of Policy H4 of SOLP.

- 6.9 If a proposed housing development is acceptable in principle, then the detail of the proposal must be assessed against the criteria of Policy H4 which deals with new housing.
- 6.10 Provision (i) of Policy H4 *states 'an important open space of public, environmental or ecological value is not lost, nor an important view spoilt.'*
The site is part of an established residential site. It does not comprise an important public open space. As such, the development will not spoil or harm any important views beyond the site.
- 6.11 The site has no ecological value. The existing structure is unlikely to support roosting bats due to its size, the buildings at the rear are also considered to be unsuitable. The Council's Ecologist has suggested that any forthcoming decision include an informative about bats and wild birds.

- 6.12 Provision (ii) **states ‘the design, height, scale and materials of the proposed development are in keeping with its surroundings.’** whilst Provision (iii) **states that the ‘character of the area is not adversely affected.’**
- 6.13 The proposal seeks to replace the existing single storey structure and replace it with a two-storey pair of semi - detached dwellings.
- 6.14 The properties to the south are single storey and this pair would be at odds with this character. However, this is the first/last property before the open countryside begins on this side of the road and therefore I feel that there will be limited harm in either the first or last building of this part of Didcot being a traditional style pair of semis which are indicative of parts of the town.
- 6.15 Overall the impact to the character of the building and the area is limited and is not in my view harmful.
- 6.16 *Provision iv) of Policy H4 states **that there should be no overriding amenity or environmental or highway objections.***

In terms of amenity this refers to both the amenity space being provided for the occupants of the existing and new property and the amenity of occupants of nearby properties. These issues are also covered by other policies within SOLP such as Policy D3 and T1 and they are considered separately as they are fundamental issues to this proposal.

- 6.17 Provision v) relates to back land development and seeks to ensure that it would not **create problems of privacy and access and would not extend the built up limits of the settlement.** This is looked at in detail in terms of the overall neighbourly impact of the development at paragraph 6.14.

Plot coverage and garden size.

- 6.18 Policy D3 of SOCS seeks to ensure that new dwellings should provide adequate private outdoor space. The amount of land to be used for garden or amenity space will be determined by the size of the dwelling and the character of surrounding development.
- 6.19 The South Oxfordshire Design Guide sets out the minimum amount of private amenity space for 3 bedroom units and above at 100 square metres. Both dwellings have garden areas well in excess of the 100 square metres advised.
- 6.20 When considered in the context of the adjacent properties I conclude that what is proposed does not constitute overdevelopment of the site.

Neighbour impact.

- 6.21 Impact on nearby properties is normally through overlooking, loss of light, overshadowing or being so large and close that a development is considered oppressive.
- 6.22 The existing building is single storey and modest in proportions. The proposed replacement with a pair of dwellings of two storey height will increase the impact to neighbouring properties. The most affected is number 184 to the immediate south. The position of the proposed semi- detached pair and their position to the north, aligned in a typical street scene side by side relationship means that there will be no loss of direct sunlight and it will not in my view cause an overbearing or oppressive impact to that

property. The first-floor rear windows will have oblique views across the rear garden of number 184 but this is a typical level of overlooking in an average street setup. There is a first-floor window in the side of the southern unit shown as Plot 2. This serves a bathroom. I have proposed a condition which seeks to ensure that it is obscure glazed with on a top opening vent.

- 6.23 The distance to the property at the rear/east of the site is so great that in my view that it won't cause any material harm.
- 6.24 Overall, I am of the view that the development is not unneighbourly.

Highway safety.

- 6.25 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.

The proposed development is accessed via the existing junction on to the Abingdon Road and includes four spaces on the frontage of the property and two at the rear with individual garages.

- 6.26 The existing dwelling is served off a shared access with the property at the rear. Parking is located at the front and rear of the site. The proposed arrangements involve the retention of parking at the rear and on the frontage via a new entrance off the shared access within the existing front garden.
- 6.27 Whilst there is local concern about additional movements on to the highway this is limited to a net gain of one dwelling given that there is a dwelling there at the moment. The Highway Authority are satisfied that the in conjunction with the proposed conditions will not give rise to a severe impact to highway safety and is acceptable.

Drainage.

- 6.28 Policy EP6 of SOCS states that developers will be required wherever practicable to demonstrate that the surface water management systems on any development accords with sustainable drainage principles and should effectively mitigate any adverse effects from surface water runoff.
- 6.29 The Council's Drainage Engineer has considered this development and acknowledged that for the geology layers for the post code, infiltration techniques may not be feasible. This will however be confirmed during soakage testing. If it transpires, that deep infiltration techniques are not feasible, then shallow infiltration techniques must be considered.
- 6.30 If all infiltration techniques are proven exhausted, then attenuation to the 1 in 100 year storm event + 40%, with a positive outflow controlled to the adjacent watercourse must be investigated. This is captured within the proposed surface water condition and will be required prior to the commencement of development.

- 6.31 In terms of foul water the site is not within an adopted sewerage area and therefore in accordance with the foul drainage hierarchy set out in Part H of the Building Regulations a feasible means of discharge must be evidenced.
- 6.32 The suggested condition by the council's Drainage Engineer will require that prior to the commencement of development a full foul water drainage scheme must be submitted for the council's approval and must include the full details of the size, position and construction of the drainage scheme and coupled with calculations to evidence this.
- 6.33 The proposed conditions will ensure that the proposed development will be carried out in such a way that the impact to people the environment or ecology is not harmful.

Contamination.

- 6.34 Policy EP8 of SOLP states that development will not be permitted unless contamination is effectively treated by the developer.
- 6.35 The Council's Contaminated Land Officer considered the application as it was originally submitted and the representations made by the neighbours. They requested that the applicants submit a contaminated land questionnaire.
- 6.36 I have appraised the planning application and Environmental Protection Team records and there does not appear to be any history of industrial or other use that could present a potential risk to the application site with respect to contaminated land. The contaminated land questionnaire confirms this, and it is understood the 'workshop' referred to in the planning consultation comments is purely a residential garage and not any commercial vehicle maintenance type operation.
- 6.37 There are local concerns that the garage had previously been used for vehicle maintenance and storage of building materials. In light of this and in consultation with the Contaminated Land Officer, and as a precautionary approach, a condition is proposed that deals with the potential for any unsuspected contamination to be found and/or water being encountered, no development shall continue until a programme of investigation and/or remedial works undertaken has been submitted to and approved in writing by the local planning authority.

Community Infrastructure Levy.

- 6.38 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.

The proposal is CIL liable and it is payable on commencement of development.

7.0 CONCLUSION

- 7.1 The principle of development is acceptable in this sustainable location. The design and overall appearance of the development will not cause significant harm because it is the last/first property coming in to the town. It provides for adequate levels of parking and garden space. Details of materials, foul and surface water drainage and ensuring the provision of the parking space and vision splays all ensured through conditions and thereby ensure that the proposal accords with development plan policies.

8.0 RECOMMENDATION

8.1 That planning permission is granted subject to the following conditions:

- 8.2**
- 1. Commencement three years - full planning permission.**
 - 2. Approved plans.**
 - 3. Schedule of materials to be submitted for approval.**
 - 4. Obscure glazing to first floor bathroom on the south elevation.**
 - 5. Existing vehicular access improved.**
 - 6. Vision splay protection.**
 - 7. Parking and manoeuvring areas retained.**
 - 8. Surface water drainage works (details required).**
 - 9. Foul drainage works (details required).**
 - 10. Contamination (unsuspected contaminated land).**

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