
APPLICATION NO.	P16/S0247/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	26.1.2016
PARISH	DIDCOT
WARD MEMBER(S)	Margaret Davies Anthony Dearlove Anthony Nash
APPLICANT	Mr & Mrs P Little
SITE	10 King Alfred Drive, Didcot, OX11 7NU
PROPOSAL	New one bedroom house at the side of 10 King Alfred Drive (as amended by revised arboricultural report received 8 March 2016)
AMENDMENTS	(As amended by revised arboricultural report received 8 March 2016)
GRID REFERENCE	452544/190110
OFFICER	Kim Gould

1.0 INTRODUCTION

- 1.1 This application has come to Planning Committee as the officers' recommendation conflicts with that of Didcot Town Council.
- 1.2 The site lies within the built up limits of Didcot within an established residential area outside any area of restraint. There are 3 trees at the rear of the site which are covered by a Tree Protection Order TPO 52/2008 group G2.
- 1.3 A full planning application for the erection of a 1 bed dwelling was refused under planning ref P15/S2517/FUL due to the adverse impact the proposed dwelling would have on the trees on the southern boundary of the site. This current application follows pre application advice which was sought last year under ref P15/S0419/PEM which concluded that the principle of a single dwelling on this site was acceptable given the site's location within the built up limits of Didcot.
- 1.4 An OS extract showing the location of the site is **attached**.

2.0 PROPOSAL

- 2.1 This application seeks to erect a new 1 bedroom house attached to the side of nos 8/10 King Alfred Drive. The property would comprise an open plan living room/kitchen area at ground floor with a bedroom and bathroom at first floor.
- 2.2 The external materials are proposed to be facing brickwork with artificial slate roof to be in keeping with the existing development at Bosleys Orchard. The house will have a garden of just under 40 sq.m. Given the highly sustainable location of the site within walking distance of the railway station and town centre, no parking is proposed.
- 2.3 A copy of the submitted plans as proposed are **attached**. A copy of the full application including the Design and Access statement and arboricultural report can be viewed on the council's website at www.southoxon.gov.uk

3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

- 3.1 **Didcot Town Council** – Object. Concern regarding arrangements of parking. Lack of clarity of amenity matters in particular relating to the boundary with Penda House.

Forestry Officer – Objection to original arboricultural statement – Negative impact on

the protected trees due to close proximity of the dwelling to the trees.

No objection to amended arboricultural statement – With sound arboricultural management the trees can be retained satisfactorily with the development in the future.

Waste Management Officer - No objection – bins to be presented for collection on the nearest adopted highway.

OCC (highways) - No objection to this application on highway safety grounds. Sustainable nature of the site allows it to be a car free development. Will not have a significant adverse impact on highway safety.

Neighbour Object (1) – Insufficient space for this dwelling. Driveway already blocked by parked cars. Community centre to the side of the site is used most evenings and generates traffic and causes parking problems. Site located on a dangerous blind corner. No space for building works to be carried out – road will be completely blocked.

4.0 **RELEVANT PLANNING HISTORY**

- 4.1 [P15/S2517/FUL](#) - Refused (18/09/2015)
Erection of new one bedroom attached dwelling.

[P15/S1141/FUL](#) - (04/06/2015)
Erection of a one-bedroom attached dwelling with off-street parking and new highway cross-over.

[P15/S0419/PEM](#) - (18/03/2015)
Proposed one bedroom cottage to the side of 8/10 King Alfred Drive, with off street parking and amenity space.

5.0 **POLICY & GUIDANCE**

- 5.1 South Oxfordshire Core Strategy policies

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

- 5.2 South Oxfordshire Local Plan 2011 policies;

C9 - Loss of landscape features
D1 - Principles of good design
D10 – Waste management
D12 - Public art
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 2008

- 5.3 National Planning Policy Framework

National Planning Policy Framework Planning Practice Guidance

6.0 **PLANNING CONSIDERATIONS**

6.1 The main issues to be considered in the determination of this planning application are;

- Principle of residential development
- Policy H4 criteria
- Trees
- Other issues

6.2 **Principle**

The National Planning Policy Framework advises that there is a presumption in favour of sustainable development. This is echoed within policy CS1 of the South Oxfordshire Core Strategy. Policy CSDID3 of the SOCS allows for new residential development within Didcot provided that the criteria listed in saved policy H4 are met. The application site lies within the built up limits of Didcot and the principle of residential development is therefore acceptable.

6.3 **Policy H4 criteria**

Policy H4 allows for residential development within the towns and villages providing the following criteria are met:

1. **An important open space of public, environmental or ecological value is not lost, nor an important public view spoilt.** The site is not an important public or ecological space. There are some trees which are protected by a TPO to the rear of the site which have a high visual value. It is your officers' opinion that the revised arboricultural report has secured the future wellbeing of these trees which is discussed in paragraph 6.4 of this report.
2. **The design, height, scale and materials of the proposed development are in keeping with its surroundings.** The proposed dwelling has been designed to be in keeping with the established character of the area. The proposed finishing materials would match those on nos 8 and 10 King Alfred Drive and the height of the proposed dwelling would reflect the change in levels within the site. The proposed new dwelling has been designed with similar proportions and massing to some of the development in the immediate vicinity.
3. **The character of the area is not adversely affected.** The established character of the area is residential. The proposal is for a modest one bedroom dwelling which would not materially affect the character of the area. The proposed scheme has been designed with similar proportions and massing to some of the development in the immediate vicinity.
4. **There are no overriding amenity, environmental or highway objections.**
Garden areas and bins. The scheme has been designed to enable the two existing flats(1 no 1 bed and 1 no 2 bed) and the proposed 1 bed dwelling to have their own individual gardens with an enclosed bin storage for recycling and refuse bins. The South Oxfordshire Design Guide advises that 1 bed dwellings should have a minimum of 35 sq.m of private amenity space with 2 bed dwellings having an amenity space of 50sqm. In this case, a total area of 102sqm is to be divided between the 3 dwellings. Although there is a slight shortfall of amenity space (approximately 20sqm), the properties are within a town centre location and are close to public recreational areas. A refusal on insufficient garden space is not, in your officers' opinion, a reason to refuse this planning application given the lack of a 5 year housing supply for Didcot.

Parking. There are 2 existing off street parking spaces. These are currently unallocated spaces. A condition is recommended however, which would allocate

one space per flat. No parking provision has been made for the new dwelling. Given the sustainable nature of the site in terms of walking, cycling and public transport, and in its proximity to the town centre, it is considered by the Highway Authority as being ideal for a “car free” development. The proposal is unlikely to have a significant adverse impact on the highway network. The Highway Authority has no reason to object to the proposal on highway safety grounds.

- 5. 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 proposal does not constitute backland development.

6.4 Trees

The trees growing along the southern boundary of the site are protected by a TPO. They have significant amenity and arboricultural value being a dominant feature in the landscape from both the car park and King Alfred Drive. They are category A and B trees when assessed against the criteria stated in BS 5837 and therefore are to be considered a restraint to development. The planning application last year for a dwelling on this site was refused on tree grounds only for the following reason:

“The trees growing along the southern boundary of the site are protected by a Tree Preservation Order and are category A and B trees when assessed against the criteria stated in BS5837 Trees in Relation to Design, Demolition and Construction. The proposed footprint of the new dwelling extends into the foreseeable rooting area of the protected trees and the pedestrian and new access is likely to cause foreseeable root damage due to existing and required site levels. As such, the proposed development is likely to lead to the loss or damage of these trees which have significant amenity and arboricultural value. The proposal is contrary to policy CSEN1 of the South Oxfordshire Core Strategy, saved policy C9 of the adopted South Oxfordshire Local Plan, and advice set out in BS 5837 2012 and section 3.4 of the South Oxfordshire Design Guide and the supporting Trees and Development Best Practice Guide”

The original arboricultural method statement (AMS) which accompanied this current application did not address this reason for as the proposal still presented a potential negative impact on the protected trees due to close proximity of the dwelling to the trees. In the revised AMS, no objection is being raised on tree grounds since it demonstrates that with sound arboricultural management the trees can be retained satisfactorily with the development in future. This has been achieved by modifying the root protection areas and extending them within an area of the proposed path. The path however is proposed to be constructed using a no dig design as set out in the AMS and therefore is unlikely to have an adverse impact on the adjacent trees. No objection is being raised by the council's forestry officer subject to a condition being attached to any planning permission which requires the tree protection as set out in the AMS (as amended) to be implemented. As such, there is no longer an objection or reason to refuse this application on tree grounds. A condition to remove permitted development rights for extensions and outbuildings is considered necessary to ensure the long term protection of important trees.

6.5 Other issues

The South Oxfordshire Core Strategy was prepared to be in conformity with the National Planning Policy Framework (the Framework). In particular, policy CS1 Presumption in favour of sustainable development was added to reflect the content of the Framework paragraph 14. This policy is clear that proposals which accord with the policies in the Development Plan will be approved without delay, unless material considerations indicate otherwise. Where the Development Plan is out of date or silent proposals will be determined having regard to the policies in the Framework and other material considerations. Where there is no 5 year supply the relevant policies will not be considered up to date and there will be a presumption in favour of sustainable

development unless 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 (para 14 NPPF).

Didcot shortfall

The 2015 “Assessment of the 5 year supply of deliverable sites in South Oxfordshire 2014” sets out the position of the district’s 5 year supply. This demonstrates that in Didcot, there is less than a 5 year housing supply. This application would therefore contribute towards the shortfall and this should weigh in favour of the proposal. The site is in a sustainable location that could accommodate new development and the proposal is not out of keeping with the character of the area. Suitable standards of residential amenity can be maintained for the occupants and neighbouring occupants. The trees to the rear of the site which are protected by a TPO can be protected adequately to ensure that the visual amenity of the area is not harmed.

Community Infrastructure Levy (CIL). The council’s CIL charging schedule has recently been adopted and will apply 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 whole building because the proposal involves the creation of a new dwelling. The CIL charge applied to new residential development in this case is £85 per square metre of additional floorspace (Zone 2) and amounts to £3.395

7.0 CONCLUSION

7.1 The principle of residential development is acceptable and there would not be any material harm to neighbour amenity or established character of the area. Planning permission was refused for an identical scheme under planning ref P15/S2517/FUL. The only reason for refusal of that application was on tree grounds. The applicant has demonstrated with the revised AMS that the trees which are subject to a TPO and which contribute significantly to the character and appearance of the area can now be adequately protected. The proposal therefore accords with Development Plan policies.

8.0 RECOMMENDATION

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

- 1. Commencement three years - full planning permission.**
- 2. Approved plans.**
- 3. Matching materials.**
- 4. Tree protection as per the amended arboricultural method statement.**
- 5. The existing two off street car parking spaces are allocated to the existing two flats at numbers 8 and 10 King Alfred Drive.**
- 6. Remove permitted development rights for extensions and outbuildings to ensure the long term protection of important trees.**

Author: Kim Gould
Email: Planning@southoxon.gov.uk
Contact No: 01235 540546

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