
APPLICATION NO.	P16/S1050/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	29.3.2016
PARISH	DIDCOT
WARD MEMBER(S)	Margaret Davies Anthony Dearlove Anthony Nash
APPLICANT	Dare Warwick Properties
SITE	T C Motors Richs Sidings Didcot, OX11 8AG
PROPOSAL	Erection of a new steel portal frame workshop building to replace demolished fire damaged building.
AMENDMENTS	Variation of Condition 1 on P15/S3172/FUL
OFFICER	None Paul Bowers

1.0 INTRODUCTION

- 1.1 The application is referred to planning committee because the views of the Didcot Town Council differ from the officer's recommendation.
- 1.2 The application site comprises a plot of land at the junction of Broadway and Hitchcock Way, Didcot. The land is used as a car dealership and until a recent fire comprised a single storey detached rendered building with an area of hard standing in front for the vehicles.
- 1.3 A plan identifying the site can be found at **Appendix 1** to this report.

2.0 PROPOSAL

- 2.1 In 2015 under planning application P15/S3172/FUL planning permission was granted for the erection of a steel framed portal workshop building to replace the fire damaged building.
- 2.2 Condition 1 of that permission made the consent temporary for a period of two years. The condition reads as follows;

That the development hereby approved shall commence within 12 months of the date of the permission and that at the expiration of two years from the date of commencement, the building hereby approved shall be removed from the site unless a fresh application shall have been submitted to and approved by the Local Planning Authority. The applicant shall notify the Council of the date of commencement.

Reason: Because a temporary planning permission is only granted in the specific circumstances pending the redevelopment of the site in accordance with Policy CSD1 of the South Oxfordshire Core Strategy 2027.

- 2.3 This application is made under Section 73 of the Town and Country Planning Act 1990 seeks to remove the condition and make the planning permission permanent.
- 2.4 Reduced copies of the plans accompanying the original planning application

P15/S3172/FUL can be found at **Appendix 2** to this report. All the representations to this application 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 – Recommend refusal of planning permission –

Because of the existing separate temporary consent for two years owing to the reconfiguration of Hitchcock Way and Jubilee Way.

3.2 Neighbour Responses – None received.

3.3 Health - Env. Protection Team - No observations.

3.4 Health - Contaminated Land - No comments.

4.0 RELEVANT PLANNING HISTORY

4.1 [P15/S3172/FUL](#) - Approved (23/11/2015)

Erection of a new steel portal frame workshop building to replace demolished fire damaged building (As amended by drawing D-0057-7 Rev A increasing the height of the eaves and ridge of the building accompanying e-mail from agent received 6 October 2015)

5.0 POLICY & GUIDANCE

5.1 South Oxfordshire Core Strategy 2027 policies

CSDID1 - The central area of Didcot

South Oxfordshire Local Plan 2011

South Oxfordshire Design Guide 2008

National Planning Policy Framework

National Planning Policy Framework Planning Practice Guidance

6.0 PLANNING CONSIDERATIONS

6.1 When assessing section 73 applications the Council can only consider the original condition and the reasons for applying the condition; new conditions can be attached but only in so far as they relate to the original condition. If the Council decides that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they should refuse the application.

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

- **The impact on the long term plans for redevelopment.**
- **Impact on the visual amenity and character of the area.**

The impact on the long term plans for redevelopment.

6.2 Policy CSDID1 of the South Oxfordshire Core Strategy (SOCS) seeks to secure improvements to the central area of Didcot. Policy CSDID2 is a related policy and relates to redevelopment of The Orchard Centre and identifies the application site and the wider Richs Sidings as being covered by this policy on the adopted proposals map.

The policy seeks to maximise the amount of active frontage onto streets, to create an attractive and multi-functional urban realm, provide a form of development which

responds to the topography of the site with building heights appropriate to adjacent development. This policy is supported and expanded by the Didcot Town Centre SPD.

- 6.3 A resolution to grant planning permission to extend the existing Orchard Centre has been made under application reference P15/S0433/FUL.
- 6.4 When granting planning permission last year for the new replacement building this was done so on a temporary basis in order for the development to accord with Policy CSDID1, without prejudicing the future redevelopment of the area and to balance the benefits that would be derived by bringing this site back in to use.
- 6.5 However since granting planning permission on a temporary basis, the council received an appeal decision which is directly relevant to this development.

Planning permission was granted by the council for a temporary period for the change of use of a building at 77 Station Road, Didcot to become a car rental business. The applicant sought to remove the condition of the permission relating to the temporary nature of the consent. This was subsequently refused and the applicant appealed that decision to the Secretary of State. In his decision notice of the 14 December 2015 the Inspector allowed the appeal and the development became permanent.

- 6.6 In the report the inspector commented as follows;

The Council has failed to demonstrate how the appeal proposal would jeopardise or harm the wider delivery of future regeneration proposals in the area. As such, in my view the use of the premises on a permanent basis would not fundamentally undermine any wider regeneration scheme and there is no reason to withhold a permanent planning permission.

Therefore, I consider that removing the disputed condition would not jeopardise the ability of the site to be included within the future comprehensive redevelopment of the area and would not conflict with CSDID1 of the SOCS.

- 6.7 The general approach that the council has taken to making permission temporary due to the future redevelopment of the area did not receive support. In this particular instance there was no change of use of the land as there was at 77 Station Road. The site was and still is a vehicle sales business. The building replaced one that was previously damaged in a fire. Weighing this all in the balance it would not be reasonable or necessary to retain the condition which is not considered to have significant bearing on the wider redevelopment of the area in this instance.

Impact on the visual amenity and character of the area.

- 6.8 The approved building has now been erected on site. As part of the previous permission the visual impact of the development was assessed and considered acceptable. The permanent nature of the building will not have a materially different impact on the wider visual amenity than the temporary permission.

7.0 CONCLUSION

- 7.1 The permanent permission to allow the building to remain on the site will not jeopardise the ability of the site to be included in wider redevelopment of the area. The proposal does not therefore conflict with the aims and objectives set out in Policy CSDID2 of the South Oxfordshire Core Strategy.

8.0 RECOMMENDATION

- 8.1 **That planning permission is granted.**

Author: Paul Bowers

E-mail : paul.bowers@southandvale.gov.uk

Contact No: 01235 42600