

APPLICATION NO.	P21/S2624/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	7.6.2021
PARISH	DIDCOT
WARD MEMBER(S)	Celia Wilson Axel Macdonald Mocky Khan
APPLICANT	Mrs Sarah Brown
SITE	114 Broadway, Didcot, OX11 8AB
PROPOSAL	Conversion and extension of existing building to create a residential development of 6 apartments to provide 2 x 3-bedroom apartments, 2 x 2-bedroom apartments and 2 x 1-bedroom apartments including amenity space to the rear. (As amplified by Energy Statement received 7 July 2021). (As amplified by desk study regarding contamination received 10 August 2021). As amended by plans received from agent on 08 September in relation to National Space Standards
OFFICER	Kim Gould

1.0 **INTRODUCTION AND PROPOSAL**

- 1.1 This application has been referred to planning committee at the discretion of the planning manager. It was deferred at the meeting on 1 September to allow officers to consider the implications of an appeal decision for two flats in Goring received earlier that day which was dismissed and referred to the National Space Standards.
- 1.2 Amended plans have subsequently been submitted which demonstrate that all 6 flats meet the national space standards.
- 1.3 The site lies within the built-up limits of Didcot, which has Garden Town status, within a line of predominantly commercial properties on the Broadway. An OS extract showing the site's location is **attached** as Appendix 1.
- 1.4 The site currently comprises a vacant retail unit at ground floor (previously a food shop specialising in Eastern European food) with residential flat at first- floor.
- 1.5 There is a narrow existing vehicular access directly off Broadway that leads to a yard area to the rear of the site.
- 1.6 There is an existing single-storey extension to the rear of the property which is in a poor state of repair.
- 1.7 Planning permission was granted under planning ref P08/W0029 for the demolition of existing single storey rear building; the erection of a two-storey rear extension and conversion of existing loft (including raising of roof) to create 5 number flats. This was renewed in 2010 under ref P10/W1520/EX. An extract of the plans approved under this scheme is **attached** as Appendix 2.

- 1.8 The 2008 and 2010 permissions were never implemented.
- 1.9 **The proposal.** This application seeks full planning permission for the conversion and extension of existing building to create a residential development of 6 apartments to provide 1 x 3-bedroom apartments, 3 x 2-bedroom apartments and 3 x 1-bedroom apartments including amenity space to the rear. The key difference between the previously approved scheme and the current proposal is the creation of an additional flat by the conversion of the existing shop at ground floor.
- 1.10 Reduced copies of the plans accompanying the applications are **attached** as Appendix 3. Full copies of the plans and supporting information together with consultation responses are available for inspection on the council's website at www.southoxon.gov.uk

2.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

2.1 **Didcot Town Council** – No objections to this application – following comments made:

- Lack of parking provision
- Small, shared amenity space is overshadowed by buildings
- Disappointed to see the loss of a small retail unit.

Contaminated Land – Following the submission of a Sub Surface Site Investigation Specialists Desk Survey with Walkover Survey – No objection subject to conditions requiring investigation for contamination prior to the commencement of development and produce a contaminated land remediation strategy if necessary; any land remediation strategy to be completed before the development is occupied and the applicant to inform the LPA if contamination not previously identified is discovered during development.

OCC Highways Liaison Officer – No objection subject to the following conditions:

- Cycle parking facilities to be provided prior to the occupation of the development
- Construction Traffic Management Plan to be submitted prior to the commencement of development.
- Existing access to be made pedestrian only and face kerbing reinstated

Waste Management Officer – No objection following the submission of further clarification – I am satisfied that this fully answers my queries in relation to bin storage and collection

Strategic Property Team – Objection

- Scale and intensity of the development takes no account of the privacy of our neighbouring buildings
- Proposal is contrary to policy DES1 of the SOLP
- The development will severely impact on the current privacy of the council's interest and potential future development given the scale and intensity including particularly the overlooking windows of the rear flats located right up to and overlooking the boundary of the council's interest.

Council's energy consultant – Following the submission of further information – No objection – the proposal complies with policy DES10.

Drainage – No objection subject to pre-commencement conditions in relation to foul and surface water drainage

3.0 **RELEVANT PLANNING HISTORY**

3.1 [P10/W1520/EX](#) - Approved (18/11/2010)
Extension of time for Planning Permission P08/W0029.

[P08/W0029](#) - Approved (14/03/2008)

Demolition of existing single storey rear building; the erection of a two-storey rear extension and conversion of existing loft (including raising of roof) to create 5 number flats.

4.0 **ENVIRONMENTAL IMPACT ASSESSMENT**

4.1 N/A

5.0 **POLICY & GUIDANCE**

5.1 **Development Plan Policies**

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. 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. The council's adopted development plan is the South Oxfordshire Local Plan 2035 (SOLP).

South Oxfordshire Local Plan 2035 (SOLP) Policies:

DES1 - Delivering High Quality Development
DES10 - Carbon Reduction
DES2 - Enhancing Local Character
DES5 - Outdoor Amenity Space
DES6 - Residential Amenity
DES8 - Promoting Sustainable Design
DES9 - Renewable Energy
EMP3 – Retention of employment land
EP3 - Waste collection and Recycling
H1 - Delivering New Homes
H9- Affordable housing
H11 – Housing mix
H2 - New Housing in Didcot
STRAT1 - The Overall Strategy
STRAT3 – Didcot Market Town
TRANS5 - Consideration of Development Proposals
INF4 – Water resources

5.2 **Neighbourhood Plan**

N/A

5.3 **Supplementary Planning Guidance/Documents**

South Oxfordshire Design Guide 2016 (SODG 2016)

5.4 **National Planning Policy Framework and Planning Practice Guidance**

5.5 **Other Relevant Legislation**

Human Rights Act 1998

The provisions of the Human Rights Act 1998 have been taken into account in the

processing of the application and the preparation of this report.

Equality Act 2010

In determining this planning application, the Council has regard to its equalities obligations including its obligations under Section 149 of the Equality Act 2010.

6.0 **PLANNING CONSIDERATIONS**

6.1 **The relevant planning considerations are the following:**

- **The principle of residential development**
- **Loss of employment land**
- **Housing mix including National Space Standards**
- **Design and character**
- **Residential amenity**
- **Access and Parking**
- **Contamination**
- **Drainage**
- **Sustainable design and carbon reduction.**

6.2 **The principle of residential development**

Local Plan Policy STRAT1 provides the overall strategy for the district. Of relevance to this application, the policy focusses major new development in Science Vale including sustainable growth at Didcot Garden Town and Culham so that this area can play an enhanced role in providing homes, jobs and services with improved transport connectivity. Local Plan Policy H1 stems from the overall strategy and relates to proposals for residential development on land that is not specifically allocated for development in the plan. Part 3 (iii) of the policy states that development will be permitted if it is within the existing built-up areas of towns and larger villages (as defined in the settlement hierarchy); provided an important open space of public; environmental, historical or ecological value is not lost, nor an important public view harmed.

6.3 The application site is located within the existing built-up area of the town of Didcot and its development would not result in the loss of an important open space of public; environmental, historical, or ecological value nor the loss of or harm to an important public view. The principle of the development is therefore in accordance with Local Plan Policies STRAT1 and H1. In addition to this, the site is in a sustainable location, within walking and cycling distance of Didcot town centre and railway station. As such, the principle of this development is acceptable.

6.4 **Loss of employment land**

Part of the ground floor of the existing building has, until recently, been in retail use. It is currently vacant. Policy EMP3 of the SOLP seeks to retain existing employment land to promote and grow a balanced, sustainable economy and local services. Policy STRAT 3 of the SOLP seeks to strike a balance between providing housing growth and economic growth.

6.5 The agent has advised that the shop previously employed 1 to 2 people. The conversion of the ground floor to residential use will result in the loss of a retail unit. In relation to employment, however, the new development will require a cleaner and a gardener to maintain the communal areas of the development. As such, there will be no overall loss in employment. In addition, new legislation was introduced in August 2021 enabling the conversion of shops to dwellings under permitted development subject to a number of conditions which illustrates the Government's aim to create more dwellings

in this way. This proposal does not comply with the new regulations so full planning permission is required.

- 6.6 In addition, there are several business units vacant or for sale in close proximity to the application site including numbers 144, 190, 120, 118, 124, 125, 140 to 142 and 12 units within the Orchard Centre which are advertised as being, or soon to be, available.
- 6.7 This application provides the opportunity to provide 6 highly sustainable units of residential accommodation. There are residential properties directly opposite the site so a residential use would not appear out of keeping in this locality. Whilst retail employment will be lost, other employment opportunities will be available as a result of the development and I consider that overall, there is no loss of employment.
- 6.8 **Housing mix**
Policy H11 of the SOLP seeks to provide a mix of dwelling types and sizes to meet the current and future households on all new development. In this proposal a mix of 1, 2 and 3-bed dwellings are provided which meets the requirements of policy H11.
- 6.9 Policy H11 also seeks to ensure that all 1 and 2 bed market housing dwellings should be designed to meet the Nationally Described Space Standards. Following the submission of revised drawings all six flats now meet these standards.
- 6.10 **Affordable Housing**
Policy H9 of the SOLP seeks 40% affordable housing on all sites with a net gain of 10 or more dwellings. In this case, there is a net gain of only 4 dwellings and therefore affordable housing does not need to be provided.
- 6.11 **Design and character**
Policy DES2 of the SOLP seeks to ensure that all new development is designed to reflect the positive features that make up the character of the local area and should both physically and visually enhance and complement the surroundings. The existing building is two-storey. The property to the east is single storey with three-storey properties immediately to the west. The proposed development would be three-storey so would not appear out of keeping in this locality. From the Broadway, the proposal would appear as a two-storey property with rooflights in the roof.
- 6.12 The proposed extension to the rear is large and extends some 11metres from the rear elevation of the existing property. This large extension will not, however, be visually intrusive as the plot is relatively narrow and will be screened from the Broadway by existing buildings. Also, the depth of the extension is no greater than what has already been approved under the 2008 and 2010 planning permissions.
- 6.13 The proposed materials for the walls and roof will be facing brick and slate tiles to match those on the existing building. The residential properties opposite the site are constructed using brick and tiles and therefore the proposed development will be in keeping with the existing development.
- 6.14 **Residential amenity of neighbours**
Policy DES6 of the SOLP seeks to ensure that development can demonstrate that it will not result in significant adverse impacts on the amenity of neighbouring uses by way of, for example, loss of privacy, dominance, noise etc. The site backs onto the service yard for the Orchard Centre. Any windows facing north will, therefore, not overlook the rear gardens of dwellings. Windows in the east and west elevation will look towards the properties either side of no 114 in the same way as they did in the 2008 permission. Windows in the western elevation are annotated on the submitted plans to be obscure

glazed. This would minimise any potential overlooking into the private car parking area to the west of the site.

- 6.15 The council's strategic development team have objected to this proposal on the grounds that this development will have an adverse impact on the development potential of the land in the council's ownership which is adjacent to the site. No planning application has been submitted for the development of this land. The proposal which is the subject of this current planning application must be considered within the context of the relevant development plans, Government guidance and existing site circumstances. The proposal cannot be assessed against a scheme which may or may not be submitted as part of a formal proposal in the future.
- 6.16 **Residential amenity of occupants.** The proposed development is a mixture of 1, 2 and 3-bed flats. Policy DES5 of the SOLP requires a private outdoor garden or amenity space, or alternatively a shared amenity area for all new dwellings. The SODG sets out the minimum amount of private amenity for 1-bedroom units at 35 square metres, 50square metres of 2-bed units and 100sqm for 3-bed units . A modest communal garden of some 42sqm is provided with this scheme. As such, this proposal does not meet the council's requirements in relation to amenity space requirement.
- 6.17 The site is, however, in a central location with good access by foot to public open space and other amenities within the town and surrounding areas. I do not believe that the lack of amenity space would be harmful to residential amenity in this case. People who live in town centres do not necessarily want gardens and the town centre offers a great deal in the way of amenities such that a lack of outdoor space is not, in my view, harmful in this instance. Similar schemes have been provided elsewhere in Didcot where the lack of amenity space for flats in town centres has not been considered a reason to refuse the application. Two examples of this are at 124 Broadway – a scheme which was recently approved under ref P20/S2763/FUL and 123 Broadway approved under planning ref P21/S1117/FUL.
- 6.18 **Access and Parking**
Policy TRANS5 of the SOLP seeks to ensure that all development provides safe access and exit onto the highway network. This proposal is a car free development. When the 2008 planning permission was granted the highway authority acknowledged that the existing access has inadequate visibility to be used as a vehicular access and required, by condition, that the access was modified to be pedestrian use only, to prevent cars from parking within the site and being unable to exit the site safely. A similar requirement is recommended with this application.
- 6.19 The site benefits from a high level of accessibility with many typical town centre amenities such as shops, services, employment opportunities and public transport links within walking distance. Furthermore, there are on-street controls within the vicinity to prevent indiscriminate parking and additionally several car parks.
- 6.20 It has been recommended that nine cycle stands are provided within the development, these are required to be covered and secure so as to provide cycle parking for the proposed residents and visitors in accordance with guidance. A Construction Traffic Management Plan has also been recommended to lessen the impact of construction vehicles onto the highway network, given the location of the proposal. These would be secured by way of conditions.
- 6.21 **Contamination**
At the request of the council's environmental protection officer (EPO), the applicant has provided a desk and walk over survey which has identified potential sources of land

contamination which could present a significant risk to the proposed development. These include the former on-site and off-site industrial use. To ensure that any contamination risks are addressed, the EPO has recommended a number of conditions which the applicant has accepted. The council's environmental protection officer no longer has any objection to this proposal on the grounds of contamination subject to these conditions.

6.22 Drainage

Policy INF4 of the SOLP seeks to ensure that development proposals demonstrate that there is or will be adequate water supply, surface water, foul drainage, and sewerage treatment capacity to serve the whole development. In this case, the council's drainage engineer has no objection to this proposal subject to conditions requiring details of foul and surface water drainage to be submitted prior to the commencement of development.

6.23 Sustainable design and carbon reduction

Policy DES10 of the SOLP requires residential development to achieve a 40% reduction in carbon emissions compared with a code 2013 Building Regulation compliant base case. The applicant has submitted an Energy Statement in accordance with the requirements of DES10.

6.24 The council's energy consultant has confirmed that the energy statement demonstrates that the proposed development would meet the requirements of policy DES10.

6.25 Pre-commencement conditions

There are several pre-commencement conditions recommended relating to drainage, contaminated land and highways. These have been agreed with the planning agent.

6.26 Community Infrastructure Levy

The proposal is CIL liable. The forms and information required at this stage of the proposal have been submitted.

7.0 CONCLUSION

7.1 Officers recommend that planning permission is granted because the application site is located in a sustainable location in close proximity to Didcot Town Centre and Didcot Railway Station. The proposal for 6 flats in this location within the built-up area of Didcot accords with the overall spatial strategy (policy STRAT1) and the approach for delivering new homes to the district (Policy H1) set out in the South Oxfordshire Local Plan 2035. Whilst the private amenity area provided does not meet the council's standard, there are other amenities available in this town centre location to balance in the equation. In other respects, the proposal accords with the 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 : Materials as on plan**
- 4 : Energy Statement verification**
- 5 : Access and vision splays**
- 6 : Contaminated land**
- 7: Contaminated land**
- 8: Unsuspected contamination**
- 9: Foul water details to be submitted**

10: surface water details to be submitted

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