

APPLICATION NO.	P21/S0666/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	26.4.2021
PARISH	DIDCOT
WARD MEMBER(S)	Celia Wilson Axel Macdonald Mocky Khan
APPLICANT	Mr David King
SITE PROPOSAL	Southernwood 70-72 Park Road Didcot, OX11 8QP Removal of lettable cabins; erection of two new dwellings with associated parking, secure and covered bicycle storage, refuse and recycling storage and private amenity space. (as amended plans to change size and design of dwellings received 9 March 2022 and 27 April 2022).
OFFICER	Andy Heron

1.0 **INTRODUCTION**

- 1.1 This report sets out the officer’s recommendation that planning permission should be granted having regard to the material planning considerations and the development plan.
- 1.2 The application is referred back to planning committee having previously been deferred at the 8 June planning committee meeting for a site visit. A site visit has been scheduled for 18 July. The minutes of the previous planning committee meeting are **attached** in Appendix 1.
- 1.3 The application was originally referred to planning committee based on an objection received from Didcot Town Council who have raised concerns with the size of the dwellings and the impact on neighbouring amenity. A map extract identifying the site is **attached** at Appendix 2.
- 1.4 The site has a 0.17 hectare area and forms part of an existing bed and breakfast business which operates from 70 – 72 Park Road. 6 wooden cabins are currently situated on the site which are available for bed and breakfast use.
- 1.5 A mature oak tree which is protected by a tree preservation order (TPO) is situated to the north of the site. Vehicle access is via Park Road to the south-east. A lettable studio is situated to the east of the development site with neighbouring gardens situated to the north, south and west.

PROPOSAL

- 1.6 Planning permission is sought for the demolition of the existing cabin buildings and the redevelopment of the site to erect two 5 bedroomed dwellings. The dwellings will be constructed of red brick and have a modern design and appearance with pitched zinc roofs to a height of 6.7 metres. The maximum width of the dwellings will be 11. 7 metres, with a maximum depth of 14 metres. Vehicle access is proposed to be taken via the existing access to the south-east.

1.7 Amended plans were received on 27 April 2022 to overcome officer concerns regarding the design, the impact on the surrounding character of the area and impact towards neighbouring amenity. The amended plans have reduced the height of the dwellings and altered the layout and the design of the development.

1.8 An aerial photograph showing the surrounding area is shown below.



1.9 Reduced copies of the plans accompanying the application are **attached** as Appendix 3 to this report. All the plans, supporting information and representations can be viewed on the council’s website www.southoxon.gov.uk under the planning application reference number.

2.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

2.1 The comments below represent the latest comments on the scheme. Full details of the representations can be viewed on the Council’s website www.southoxon.gov.uk under the planning reference number.

Didcot Town Council	Object. The development would be unneighbourly and overbearing.
Letters of representation	<p>7 letters of objection were received during the initial consultation period, and a further 2 letters of objection were received during the second consultation period following receipt of amended plans.</p> <p>The initial 7 letters of objection were concerned with;</p> <ul style="list-style-type: none"> - Harmful impact on wildlife and biodiversity - Impact on the character of the area - Drainage implications - Loss in privacy - Overdevelopment - Noise disturbance - Impact on mature trees - Lack of information

	<ul style="list-style-type: none"> - Vehicle access and waste collection concerns <p>The 2 letters of objection in response to the amended plans were concerned with;</p> <ul style="list-style-type: none"> - Overdevelopment - Loss in privacy - Impact on existing trees - Dwellings could be turned into HMOs in future - Harm to wildlife - Vehicle access and parking implications - Impact on the character and appearance of the area - Noise pollution
Highways officer (Oxfordshire County Council)	No objection , subject to a parking condition.
Drainage	No objection , subject to surface water and foul water drainage conditions.
Forestry	No objection , subject to tree protection and landscaping conditions.
Waste Management	No objection .
Countryside officer	No objection . There would likely be no significant ecological impacts.
Energy consultant	No objection , subject to an energy compliance condition.

3.0 **RELEVANT PLANNING HISTORY**

3.1 7 previous applications of relevance.

[P20/S1745/PEM](#) - Advice provided (05/10/2020)

Pre-application for the demolition of the existing detached B&B cabin buildings set to the rear of 70 Park Road and to construct a new building consisting of eight two-bedroom flats.

[P18/S1026/FUL](#) - Approved (09/05/2018)

Erection of double garage with utility room at ground floor and studio accommodation over with associated works (as amended by drwgnos 150 B and 155 B to remove previously included external staircases and bring the proposed development out of the Root Protection Zone of an adjacent protected Oak tree received on 08/05/18)

[P17/S1396/FUL](#) - Approved (04/07/2017)

Proposed wooden cabin to provide guest accommodation and erection of shed (As amended by shed elevation drawings and parking plan accompanying e-mail from Agent received 1 June 2017)

[P15/S4022/FUL](#) - Approved (26/04/2016)

Retention of 5 existing wooden cabins with associated landscaping.

[P13/S3308/FUL](#) - Approved (15/01/2014)

Retrospective change of use of buildings from residential (C3 use) to Bed and Breakfast (C1 use) Change of use of land to rear for erection of five log cabins to provide additional accommodation (as amended by drawing number PR/P/005 accompanying email from Agent dated 6 November 2013 & As amended by drawing numbers PR/P/002A & 003A accompanying additional information received 18 November 2013 & As amended by drawing number PR/P/002C received 21 November

2013 & As amended by drawing number PR/P/002D accompanying letter from agent dated 12 December 2013).

[P08/W0475](#) - Refused (04/06/2008)

Erection of three houses with associated garages and one new garage to existing house, and hard and soft landscaping.

[P07/W1400](#) - Refused (31/01/2008) - Appeal dismissed (17/11/2008)

8 new dwellings to land at rear of 70/72 Park Road Didcot. (As clarified by agent's letter and accompanying Drawing 101A dated 24 January 2008 and pre assessment Code for Sustainable Homes dated 21 January 2008).

4.0 **ENVIRONMENTAL IMPACT ASSESSMENT**

4.1 The application has been considered under the provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. The proposed development is not EIA development.

5.0 **POLICY & GUIDANCE**

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of any planning application must be made in accordance with the development plan unless material considerations indicate otherwise. The statutory Development Plan comprises:

- The Local Plan 2035
- Adopted neighbourhood plans

5.2 The South Oxfordshire Local Plan (SOLP) 2035 policies which are relevant to the proposed development consist of:

- DES1 - Delivering High Quality Development
- DES2 - Enhancing Local Character
- DES5 - Outdoor Amenity Space
- DES6 - Residential Amenity
- DES7 - Efficient Use of Resources
- DES8 - Promoting Sustainable Design
- DES10 - Carbon Reduction
- ENV3 - Biodiversity
- ENV12 - Pollution - Impact of Development on Human Health, the Natural Environment and/or Local Amenity (Potential Sources of Pollution)
- EP3 - Waste collection and Recycling
- H1 - Delivering New Homes
- H11 - Housing Mix
- H16 - Backland and Infill Development and Redevelopment
- EMP13 - Retention of visitor accommodation
- INF1 - Infrastructure Provision
- INF4 - Water Resources
- STRAT1 - The Overall Strategy
- STRAT3 - Didcot Garden Town
- TRANS2 - Promoting Sustainable Transport and Accessibility
- TRANS5 - Consideration of Development Proposals

5.3 **Neighbourhood Plan**

There is no neighbourhood plan for this area.

- 5.4 Other material considerations include government guidance, in particular:
- The National Planning Policy Framework (NPPF)
 - The National Planning Practice Guidance (NPPG)
 - National Design Guide Planning practice guidance for beautiful, enduring and successful places (NDDG)
 - South Oxfordshire Design Guide 2016 (SODG 2016)
 - South Oxfordshire Infrastructure Delivery Plan (April 2020)
 - South Oxfordshire Section 106 Planning Obligations Supplementary Planning Document (1st April 2016)

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:

- Principle of development
- Design and character
- Residential amenity
- Access and Parking
- Wildlife implications
- Drainage
- Impact on existing trees
- Energy statement
- Other matters

6.2 Principle of development

The site is situated within Didcot, one of the four towns within the district. Policies STRAT1 and H1 of the SOLP encourages development in these highly sustainable areas, providing an important open space of public, environmental, historical, or ecological value is not lost, nor an important public view harmed. The development would not be situated within or close to an important open space or heritage asset, nor are there any ecological constraints.

- 6.3 The development would involve the demolition of 6 bed and breakfast units. Policy EMP13 of the SOLP which seeks to retain visitor accommodation is also relevant to the proposed development. Strictly speaking the development is contrary to policy EMP13 as it would involve the loss of 6 bed and breakfast units. The applicant has stated that it is their intention to scale down their bed and breakfast business and have confirmed 2 bed and breakfast rooms will operate at the studio and Southernwood (70 – 72 Park Road) which are located to the east. These units will still require the employment of management and cleaners, so there will be no loss of employment generating uses on the site as part of the proposal.

6.4 On balance, officers consider the principle of development is acceptable as the development will tidy up the site and help deliver two family homes in a highly sustainable part of the district.

6.5 Design and character

Policy DES1 of the SOLP seeks to ensure that all new development is of a high quality design. One of the key requirements of the policy is to ensure development respects the local context working with and complementing the scale, height, density, grain, massing, type, and details of the surrounding area. Policy DES2 of the SOLP requires development to enhance local character, it states that new development must be 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.

6.6 The dwellings are proposed to be situated on large spacious plots and will be built to a height and scale which will be in keeping with the surrounding area. The dwellings will have a contemporary and modern design. Careful attention has been given to the proposed hard and soft landscaping to ensure the development enhances the surrounding area.

6.7 Policy DES5 of the SOLP requires new dwellings to provide good quality outdoor amenity space. The amount of land that should be provided for the garden or amenity space will be determined by the size of the dwelling proposed and by the character of surrounding development. The development will deliver approximately 221 and 182 square metres of private outdoor garden space per dwelling which is well above the 100 square metre design guide SPD requirement for 5 bed dwellings.

6.8 In view of the above the design of the dwellings is considered to fit with the surrounding character of the area. The development therefore accords with policies STRAT1, DES1, DES2, and DES5 of the SOLP.

6.9 Residential amenity

Policy DES6 of SOLP aims to protect the amenity of neighbouring uses from loss of privacy or day/sunlight, visual intrusion, noise, contamination or external lighting. The proposed dwellings will be sufficiently distanced away from neighbouring properties which are set-back from the development and situated within long and spacious gardens with mature boundary treatment. The layout of the development has also ensured there will be no loss in privacy or harmful loss in sunlight to neighbouring occupants. The nearest directly facing dwellings are situated to the north-west with the closest of these dwellings being located 67 metres away. The dwellings will also be situated approximately 11.7 metres away from the directly facing studio building to the east. This also complies with the design guide SPD requirement of 10 metres between habitable rooms of directly facing properties.

6.10 It is accepted there may be some increase in noise levels during construction, although this will only be temporary. An hours of work condition will be recommended to ensure that the development is not unneighbourly during construction.

6.11 The development will not result in significant adverse impacts on the amenity of neighbouring uses and is therefore considered to comply with policy DES6 of the SOLP.

6.12 Access and Parking

Policy TRANS5 of the SOLP requires development to provide safe and convenient access for all users to the highway.

6.13 Oxfordshire County Council's highway liaison officer has no objection to the proposed development, subject to a parking and turning condition. The proposal is unlikely to result in any significant intensification of transport activity over the existing B and B use.

6.14 The site will utilise the existing access to the south-east with visibility splays which are considered acceptable in this location. The parking and manoeuvring areas are considered adequate and acceptable and are unlikely to result in displaced vehicles onto the highway. In view of the above the development accords with policy TRANS5 of the SOLP.

6.15 Wildlife implications

Policy ENV2 of the SOLP seeks to avoid adverse impacts on ecological receptors (protected species, priority habitats, designated sites, etc.). Where adverse impacts are predicted, development must meet the tests outlined under the policy.

6.16 Policy ENV3 of the SOLP supports development that will conserve, restore, and enhance biodiversity. It requires all development to provide a net gain in biodiversity where possible. As a minimum, there should be no net loss of biodiversity.

6.17 The council's countryside officer has raised no objection, confirming the development is unlikely to impact on wildlife and their habitat. The development therefore complies with policies ENV2 and ENV3 of the SOLP, and paragraph 174 and 175 of the NPPF.

6.18 Drainage.

Policy INF4 of SOLP aims 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. Policy EP4 of SOLP aims to minimise flood risk directing new development to areas of the lowest probability of flooding and also aims to achieve sustainable drainage systems.

The site lies in flood zone 1 (lowest risk of flooding). The council's drainage officer has reviewed the proposed plans and raised no objection, subject to surface water and foul water drainage conditions to ensure the proper provision of drainage and to ensure flooding is not exacerbated in the locality in accordance with Policy EP4 of the SOLP.

6.19 Impact on existing trees

In addition to landscape impact, Policy ENV1 of SOLP aims to protect trees where they contribute to the nature and quality of the landscape.

There is an oak tree within the site to the north that is protected by a tree preservation order and makes an important contribution to the landscape. The council's tree officer has raised no objection to the proposed development confirming the development could be implemented without having an adverse impact on the adjacent trees. The tree officer has recommended tree protection and landscaping conditions are attached to the decision to safeguard trees and help to assimilate the development into its surroundings. With the recommended condition the proposal accords with Policy ENV1.

6.20 Energy statement

Policy DES10 of the SOLP seeks to reduce carbon emissions and requires all new build residential dwellings to incorporate renewable energy and other low carbon technologies and / or energy efficiency measures. To comply with the policy an energy statement has been submitted in support of the planning application. The energy statement demonstrates the dwellings can achieve a 40% uplift above 2013 Building Regulations baseline requirements.

- 6.21 The application includes an acceptable energy statement. A condition is recommended requiring a verification report to be submitted prior to occupation to demonstrate all carbon reduction energy efficiency measures have been implemented in accordance with the energy statement.

6.22 Other matters

Objections have been received with concerns that the proposed development could be turned into HMOs (houses of multiple occupation) in the future. Speculation of what could potentially happen in the future does not form a material consideration for this application.

6.23 Conditions

Paragraph 54 of the NPPF is clear that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions. The NPPF goes on to state at paragraph 55 that conditions should only be imposed where they are necessary; relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.

- 6.24 A condition is necessary relating to the plans approved, to ensure the satisfactory appearance of the completed development. Time frame conditions will also be attached to secure the proper planning of the area in accordance with development plan policies. A condition requiring samples of external materials to be submitted will also be attached in the interest of visual amenity.
- 6.25 A condition restricting occupation of the dwelling until an electric vehicle charging point has been installed will also be attached to the planning approval to ensure sustainable forms of transport are provided in accordance with Policy DES8 of the SOLP.
- 6.26 All other conditions have been discussed in the relevant sections of the delegated report.

6.27 Community Infrastructure Levy (CIL)

The development is CIL liable to the amount of £37,558.25.

7.0 CONCLUSION

- 7.1 The application has been assessed against relevant policies in the development plan, the NPPF, PPG, the adopted SPD's and all other material planning considerations.
- 7.2 The application will provide an economic and social role via the creation of additional jobs during construction and the deliverability of two additional dwellings within the district. The development is also CIL liable and will contribute towards local infrastructure.

- 7.3 In terms of the environmental role, the development would enhance the character and appearance of the site and the surrounding area.
- 7.4 Overall, in the planning balance, the benefits of the development outweigh any potential harm. As such, the application is recommended for approval.

8.0 **RECOMMENDATION**

8.1 **To grant Planning Permission subject to the following conditions**

1. **Commencement 3 years - Full Planning Permission**
2. **Approved plans**
3. **Sample materials**
4. **Surface water drainage**
5. **Foul water drainage**
6. **Parking and turning**
7. **Landscaping**
8. **Tree protection**
9. **Energy statement verification**
10. **Electric vehicle charging points**
11. **Hours of operation - construction/demolition**

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Delegated Authority Sign-Off Officer

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