

APPLICATION NO.	P23/S1226/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	1.6.2023
PARISH	DIDCOT
WARD MEMBER(S)	Denise Macdonald Axel Macdonald Mocky Khan
APPLICANT	Jane and Andrew Leadbetter
SITE	Land Adjacent to 55 Broadway Didcot, OX11 8AJ
PROPOSAL	Erection of a three-bedroom detached dwelling with parking space.
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 to planning committee following an objection received from Didcot Town Council. The town council have raised highway safety concerns commenting that cars would have to reverse onto the highway. A map extract identifying the site is attached at **Appendix 1**.
- 1.3 The site has a 210 square metre area and is situated to the south of Broadway, Didcot. It consists of garden land to the west of 55 Broadway, a terraced dwelling. The site already benefits from vehicle access to the north via Broadway. Neighbouring properties are situated to the south, east and west. The site is situated within the Didcot conservation area, and Didcot Town centre is located a short distance away.

PROPOSAL

- 1.4 Planning permission is sought for the construction of a 3 bedroomed dwelling which will be designed with a pitched roof to a height of 8.75 metres. The dwelling will measure 9.9 metres wide by 7.4 metres deep. The dwelling will be constructed of brick (with a render finish) and tiles to match the surrounding area.
- 1.5 Vehicles will enter and exit the site via the existing access onto Broadway. One car parking space is proposed on the site to the north of the dwelling.
- 1.6 A plan showing the site and surrounding area is shown below.



1.7 Copies of the plans accompanying the application are attached at **Appendix 2** 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 on the grounds of highway safety and parking. Cars would have to reverse onto or from the main road, across a public pathway. The current plans do not allow for a vehicle to manoeuvre within the property boundary.
Letters of representation	1 letter of objection was received concerned with; - Access implications
Highways officer (Oxfordshire County Council)	No objection , subject to car parking, cycle parking and access conditions. The site has an existing vehicular access which will continue to be used. Adequate vision splays have been demonstrated. Furthermore, the site benefits from a high level of accessibility with many typical town centre amenities, shops, services,

	employment opportunities and public transport links within walking distance. There are on-street controls within the vicinity to prevent indiscriminate parking, and additionally within the vicinity of the site are a number of car parks. The proposal is therefore unlikely to have a significant adverse impact on the highway network.
Contaminated land	No objection.
Drainage	No objection , subject to surface water and foul water drainage conditions.

3.0 RELEVANT PLANNING HISTORY

3.1 1 application of relevance.

[P22/S4139/FUL](#) - Withdrawn (18/01/2023)

Erection of two semi-detached 1-bed 2 person properties with a parking space each on an unused plot of land (amended car parking plan received 9 January 2023).

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 are:

- 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
- ENV2 - Biodiversity - Designated sites, Priority Habitats and Species
- ENV3 - Biodiversity
- ENV6 - Historic Environment

ENV8 - Conservation Areas
ENV11 - Pollution - Impact from existing and/ or Previous Land uses on new Development and the Natural Environment (Potential receptors of Pollution)
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
H2 - New Housing in Didcot
H16 - Backland and Infill Development and Redevelopment
INF1 - Infrastructure Provision
INF4 - Water Resources
STRAT1 - The Overall Strategy
STRAT3 - Didcot Garden Town
TRANS5 - Consideration of Development Proposals

5.3 Neighbourhood Plan

There is no adopted 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 and Vale of White Horse Joint Design Guide 2022
- South Oxfordshire Infrastructure Delivery Plan (April 2020)
- South Oxfordshire Developer Contributions Supplementary Planning Document (3 January 2023)

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**
- **impact on the character and appearance of the conservation area**
- **Residential amenity**
- **Access and parking**
- **Biodiversity**
- **Energy statement**

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 encourage development in these highly sustainable areas, provided that 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, nor are there any ecological constraints. The site is situated within a conservation area, any implications in respect of the character and setting of the conservation area will be discussed below. Providing that the development does not harm the character of the conservation area the principle of development is considered acceptable in your officer's view.

6.3 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.

6.4 The applicants have taken advice from officers who raised concerns with the previous withdrawn application (P22/S4139/FUL) for two dwellings on the site. The site is situated on a hill which rises from east to west. The new proposal has purposely set the roof ridge and eaves below the dwelling to the west to appear subservient. Furthermore, the dwelling is set-back behind the building line of the dwellings to the east and west.

6.5 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 87.2 square metres of outdoor garden space. Although this is below the 100 square metre design guide SPD requirement for 3 bed dwellings officers consider this is acceptable on balance as the proposed garden would be similar in size to neighbouring dwellings to the east and west. Furthermore, the site is located within close proximity to the town centre where housing density is higher and there is good access to other amenities.

6.6 impact on the character and appearance of the Conservation area

Policy ENV6 seeks to protect the historic environment and heritage assets. Proposals for new development that may affect designated and non-designated heritage assets should take account of the desirability of sustaining and

enhancing the significance of those assets and putting them to viable uses consistent with their conservation. Heritage assets include statutorily designated listed buildings or structures, conservation areas, and non-designated buildings, structures or historic landscapes that contribute to local historic and architectural interest of the district's historic environment.

- 6.7 Policy ENV6 adds that proposals for new development should be sensitively designed and should not cause harm to the historic environment. Proposals that have an impact on heritage assets (designated and non-designated) will be supported particularly where they:
- i) conserve or enhance the significance of the heritage asset and settings. The more important the heritage asset, the greater the weight that will be given to its conservation.
 - ii) make a positive contribution to local character and distinctiveness (through high standards of design, reflecting its significance, including through the use of appropriate materials and construction techniques).
 - iii) make a positive contribution towards wider public benefits.
 - iv) provide a viable future use for a heritage asset that is consistent with the conservation of its significance; and/or
 - v) protect a heritage asset that is currently at risk.
- 6.8 Policy ENV8 of the SOLP states that development within or affecting the setting of a conservation area must conserve or enhance its special interest, character, setting and appearance. Development will be expected to preserve the special characteristics of the conservation area such as existing walls, buildings, and historic routes. Proposals should also take into account important views within, into or out of the conservation area and show that these would be retained and unharmed. Development should respect the local character and distinctiveness of the conservation area in terms of the development's: siting; size; scale; height; alignment; materials and finishes (including colour and texture); proportions; design; and form and should have regard to the design guide and any relevant conservation area character appraisal.
- 6.9 Policy ENV8 also requires development to be sympathetic to important spaces such as gaps or spaces between buildings which make a positive contribution to the pattern of development in the conservation area.
- 6.10 Where a proposed development will lead to substantial harm to or total loss of significance of a conservation area, consent will only be granted where it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh that harm or loss. Where a development proposal will lead to less than substantial harm to the significance of a conservation area, this harm will be weighed against the public benefits of the proposal.
- 6.11 The conservation area is characterised by small scale, high density terraced housing which are closely packed together with limited spacing between the housing and most have small gardens. The development is not considered to harm the setting of the conservation area by virtue of its appearance, size, and scale. The proposed dwelling follows the existing pattern of development and is consistent with the scale of the local vernacular. The dwelling will be finished

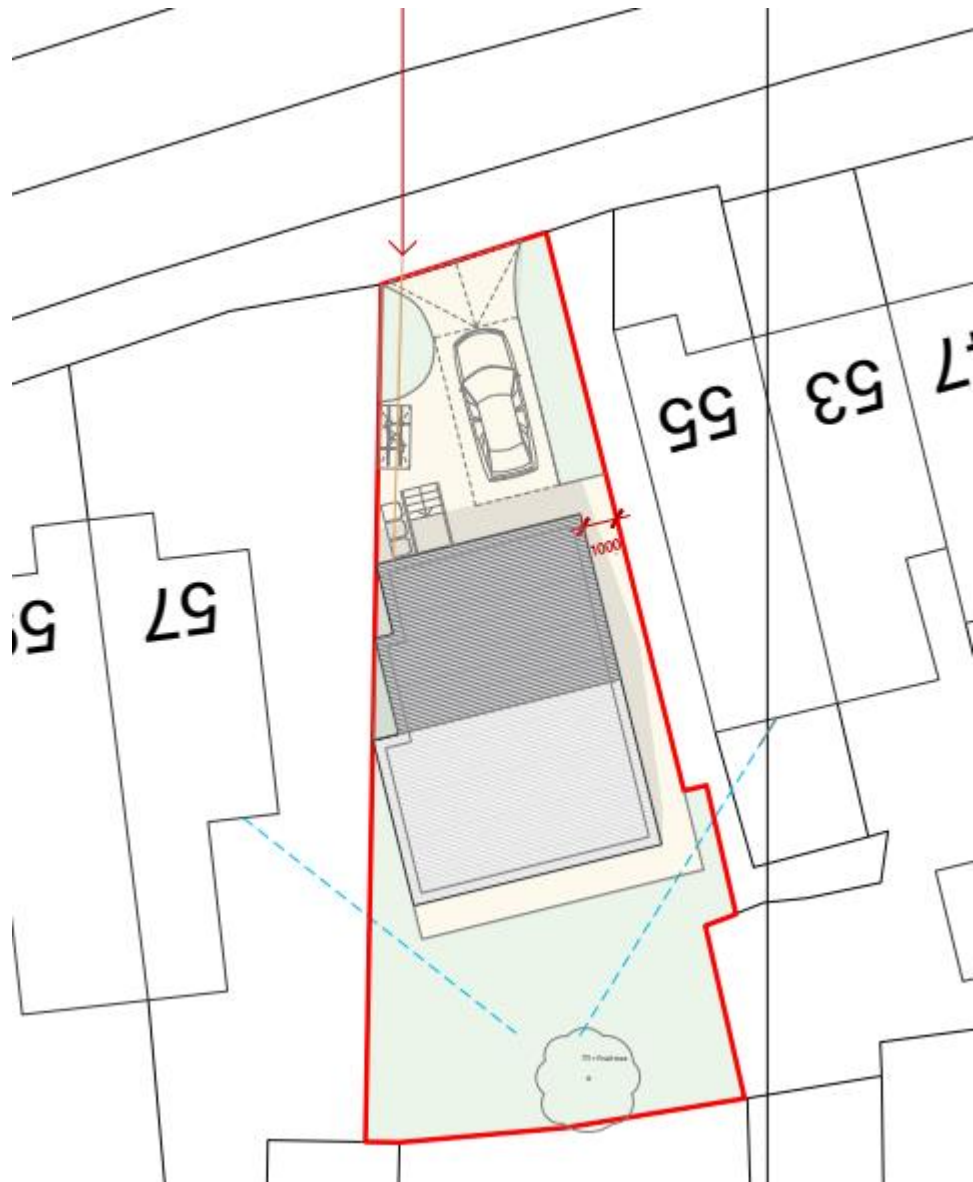
with rendered brick, and roof tiles which will be similar to those at neighbouring properties.

6.12 In view of the above the development is considered to accord with policies STRAT1, DES1, DES2, and DES5 of the South Oxfordshire Local Plan 2035 and paragraph 174 of the NPPF.

6.13 **Residential amenity**

Policy DES6 of the SOLP aims to protect the amenity of neighbouring uses from loss of privacy or day/sunlight, visual intrusion, noise, contamination or external lighting.

6.14 The dwelling has been designed to ensure that neighbouring amenity is preserved. The footprint of the dwelling has been purposely set-back behind the building line of neighbouring dwellings. As can be seen from an extract from the site plan the dwelling will not extend beyond a 45-degree angle from rear windows at the neighbouring dwellings to the east and west.



6.15 The dwellings rear windows will be 24.8 metres away from the nearest directly facing windows at the property to the south which exceeds the 21 metre distance advised in the design guide SPD. Officers are therefore satisfied that the proposed dwelling will be sufficiently distanced away from neighbouring properties. The layout of the development has also ensured there are no side facing habitable windows which could overlook neighbouring properties. Officers are satisfied there will be no loss in privacy to neighbouring occupants.

6.16 In view of the above 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 South Oxfordshire Local Plan 2035.

6.17 **Access and parking**

Didcot Town Council and a neighbouring occupant have raised highway safety and parking concerns stating that they do not consider the existing access is sufficient.

- 6.18 Policy TRANS5 of the SOLP requires development to provide safe and convenient access for all users of the highway.
- 6.19 Oxfordshire County Council’s highway liaison officer has no objection to the proposed development, subject to car parking, cycle parking and access conditions.
- 6.20 The site has an existing vehicular access which will continue to be used, unlike neighbouring properties which do not all have on-site driveways and car parking. Adequate vision splays have been demonstrated for oncoming vehicles and pedestrians. Furthermore, the site benefits from a high level of accessibility with many typical town centre amenities, shops, services, employment opportunities and public transport links within walking distance.
- 6.21 There are on-street controls within the vicinity to prevent indiscriminate parking. This will improve vision for vehicles egressing the site. Several car parks are also located within close proximity to the site. The proposal is therefore unlikely to have a significant adverse impact on the highway network. In view of the above the development accords with policy TRANS5 of the SOLP.

6.22 **Biodiversity**

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. The development is unlikely to harm the habitat of local wildlife and protected species.

- 6.23 Policy ENV3 of the SOLP supports development that will conserve, restore, and enhance biodiversity. The policy requires all development to provide a net gain in biodiversity where possible. As a minimum, there should be no net loss of biodiversity. The site is currently residential garden land which consists of grass and concrete hardstanding. There is therefore limited biodiversity on the site. No trees are proposed to be removed. The development will not lead to a net loss in biodiversity.
- 6.24 In view of the above the development is not considered to harm local wildlife or create a net loss in biodiversity and is therefore in compliance with policies ENV2 and ENV3 of the SOLP, and paragraph 174 and 175 of the NPPF.

6.25 **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 and SAP calculations 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.

6.26 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. Subject to the conditions the proposal complies with Policy DES10 of the SOLP.

6.27 Conditions

Paragraph 55 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 56 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.

6.28 A condition is necessary relating to the plans approved, in order 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 material compliance condition will also be recommended to ensure the development accords with neighbouring dwellings and the surrounding conservation area.

6.29 Conditions restricting occupation of the dwelling until an electric vehicle charging point and cycle parking facilities have been installed are also recommended to ensure sustainable forms of transport are provided in accordance with Policy DES8 of the SOLP. All other conditions have been discussed in the relevant sections of the committee report.

6.30 Community Infrastructure Levy (CIL)

The development is CIL liable to the amount of £24,725.00.

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 proposal is acceptable on the basis that the development would create a new dwelling within a highly sustainable part of the district and will not unduly harm the character and appearance of the conservation area, highway safety, or neighbouring amenity.

7.3 The application will provide an economic and social role via the creation of additional jobs during construction and the deliverability of an additional dwelling within the district. The development is also CIL liable and will contribute towards local infrastructure.

7.4 There are no technical concerns with this application, subject to the recommended conditions. 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

To grant Planning Permission subject to the following conditions

- 1 : Commencement 3 years - Full Planning Permission**
- 2 : Approved plans**
- 3 : Energy Statement Verification**
- 4 : Cycle parking**
- 5 : Plan of Car Parking Provision**
- 6 : Vision splay protection**
- 7 : Electric Vehicle Charging Points**
- 8 : Materials**

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