

APPLICATION NO.	P18/V2226/FUL
SITE	18 North Avenue, Abingdon, OX14 1QN
PARISH	Abingdon
PROPOSAL	Demolition of existing bungalow and outbuildings. Erection of 2 x 4 Bed semi-detached houses with off-street parking and additional vehicle access (amended car parking plans submitted 17-10-2018).
WARD MEMBER(S)	Margaret Crick Sandy Lovatt
APPLICANT OFFICER	Willow Spring Homes Ltd Andy Heron

RECOMMENDATION

It is recommended that planning permission is granted, subject to the following conditions:

Standard

1. Commencement three years - full planning permission.
2. Approved plans

Prior to development

3. Boundary details to be submitted.
4. Landscaping scheme to be submitted.
5. Drainage details to be submitted.

Prior to occupation

6. Car parking in accordance with submitted plans.

Compliance

7. Materials in accordance with submitted plans and details.
8. Permitted development restriction - extensions, roof and outbuildings.
9. Hours of construction work.
10. Sustainable development – INFORMATIVE.
11. Works within the highway – INFORMATIVE.
12. CIL Advisory drainage – INFORMATIVE.
13. Drainage – INFORMATIVE.
14. Bats – INFORMATIVE.

1.0 INTRODUCTION AND PROPOSAL

1.1 This application is referred to planning committee at the Development Manager's discretion following a call-in request from one of the local members,

Councillor Sandy Lovatt. Councillor Lovatt has raised concerns with the size and mass of the building and the potential impact on neighbouring amenity.

1.2 The site is located within a residential area in north Abingdon. Abingdon is a

market town within the Abingdon-Oxford Fringe Sub-Area. A site location plan is provided below:



- 1.3 The site currently consists of a 3 bedroom pitched roof bungalow situated in a spacious plot. Vehicle access is to the south via North Avenue. The dwelling is situated within a mixed street scene of bungalows, detached and semi-detached dwellings.
- 1.4 Planning consent is sought to demolish the existing dwelling and replace it with a pair of semi-detached 4 bedroom houses. The dwellings will have an overall width of 16.52 metres, and a maximum depth of 16.73 metres. The dwellings are proposed to have a slate pitched roof to a maximum height of 8.86 metres. The dwellings are also proposed to have a two-storey rear (north elevation) pitched roof gable with a smaller single storey wrap around extension to the sides and rear elevation.
- 1.5 The houses will be constructed of facing brick with a white render finish on the first floor. Each property will have its own vehicle access via North Avenue with on-site car parking for two vehicles. A small 0.6 metre high brick wall will be built adjacent to the north of North Avenue whilst a small grassed front garden area is proposed between each dwellings car parking area.
- 1.6 This application follows a recent planning application (P17/V2850/FUL) recently dismissed at appeal for the erection of six 1 bed flats. The appeal was dismissed but only on the grounds that the development would represent an over-intensive use of the site. The application was refused by planning committee for two reasons:
 1. That the scale bulk and design and the number of flats would represent a cramped form of development which would be out of keeping with the area, and;
 2. The scale, bulk and design and relationship to neighbouring properties in

particular No 16 and No 20, would harm the amenity of these neighbouring properties by being overbearing and oppressive, leading to a loss of light.

1.7 Extracts from the application plans for this current application are **attached** at Appendix 1.

2.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

2.1 A summary of the responses received is set out below. Comments made can be viewed in full online at www.whitehorsedc.gov.uk.

2.2	Abingdon Town Council	No objection.
	Oxfordshire County Council – Highways liaison officer	No objection. The proposed car parking provision and access are acceptable and should be conditioned to be retained accordingly. An informative to advise the developer that formal approval must be granted from the County Council for any works carried out on the public highway is suggested. I also recommend a condition for details of boundary treatment to be submitted.
	Waste management – Vale	No objection.
	Countryside officer – Vale	No objection. No objection on the basis of ecology. The existing bungalow is in a good state of repair, with no obvious external bat roosting opportunities or accesses to the roof void. The roof has interlocking tiles, making bat habitation less likely. I do not consider that there is a reasonable likelihood that bats would be impacted by the proposed development. If permission is granted then I recommend that the short bat informative is added as a precautionary measure.
	Drainage – Vale	No objection, subject to condition.
	Forestry officer – Vale	No objection, subject to condition. I welcome the revised position of the parking spaces, the benefit is twofold; it avoids pressure for a pruning solution to address debris falling on cars and the existing roots will not be compromised by works associated with the construction of the parking spaces. One of the parking areas slightly breaches

	the root protection area (RPA) of the northern most Lime but, as this is where the existing garage is constructed, the compacted ground will already act as a constraint for root development. The consequences, therefore, of breaching the RPA at this point will not have a significant impact on the future health or development of the mature Lime.
Archaeology Team – Oxfordshire County Council	No objection.
Neighbours – 11 letters of objection received. The grounds for objection concern can be summarised as:	<ul style="list-style-type: none"> • Overbearing impact. • Impact on the character and appearance of the area. • Loss in privacy. • Loss in sunlight. • Traffic implications. • Harm to wildlife.

3.0 **RELEVANT PLANNING HISTORY**

3.1 [P17/V2850/FUL](#) - Refused (01/02/2018) - Appeal dismissed (20/08/2018)
Demolition of existing bungalow and outbuildings. Erection of 6 x 1 Bed flats with the provision of 6 parking spaces with turning area, 12 covered cycle spaces and enclosed refuse store. (Amended and additional plans and parking survey received 30 November 2017.)

3.2 **Pre-application History**

[P17/V1505/PEM](#) – Pre-app enquiry (26/07/2017)

The demolition of the existing dwelling, erection of a 2.5 storey building with 9 x 1 Bedroom flats. The provision of 9 off-street parking spaces, new access and associated amenity, refuse and cycle stores.

[P15/V1748/PEM](#) – Pre-app enquiry (04/09/2015)

Demolition of existing bungalow, construction of 2x3 bed semi-detached dwellings and 1x3 bed detached dwelling with associated off street parking (2 spaces per dwelling).

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 scale of the proposal is below relevant thresholds and the locality has no recognised specific environmental sensitivity. Therefore, an Environmental Statement is not required.

5.0 **MAIN ISSUES**

5.1 The main considerations in determining this application are;

- Principle of development
- Design and the impact on the character and appearance of the area
- Impact on neighbouring amenity
- Highway safety
- Impact on local wildlife
- Community Infrastructure Levy (CIL)
- Sustainable development

5.2 Principle of development

The settlement hierarchy set out in Core Policy 3 of the Local Plan 2031 Part 1 identifies Abingdon as a market town within the Abingdon-Oxford fringe sub-area. Market towns are defined as settlements that have the ability to support the most sustainable patterns of living within the Vale through their current levels of facilities, services and employment opportunities.

5.3 Market Towns have the greatest long-term potential for development to provide the jobs and homes to help sustain, and where appropriate, enhance their services and facilities to support viable and sustainable communities in a proportionate manner.

5.4 Core Policy 4 of the Local Plan 2031 Part 1 states that there is a presumption in favour of sustainable development within the existing built area of market towns. The site is situated within an urban area within close proximity to local employment, services and facilities.

5.5 The NPPF is clear that local planning authorities should look to significantly boost the supply of housing in line with the principles of sustainable development. Core Policy 4 of the Local Plan 2031 Part 1 sets out the Council's approach to delivering new homes and retaining the housing stock. New homes will be located in accordance with the settlement hierarchy outlined in Core Policy CP3.

5.6 The development is located in the settlement of Abingdon within an area that benefits from a range of services. It would create a net increase of one additional residential unit in a highly sustainable area of the Vale.

5.7 In view of the above the principle of development is therefore acceptable providing it accords with other relevant development plan policies.

5.8 Design and impact on the character and appearance of the area

The NPPF states that securing high quality and inclusive design goes beyond aesthetic considerations. Great weight should be given to outstanding or innovative designs which raise the standard of design more generally in the area. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

5.9 Core Policy 37 of the Local Plan 2031 Part 1 states that new development must

demonstrate high quality design that responds positively to the site and its surroundings, creating a distinctive sense of place through high quality townscape that physically and visually integrates with its surroundings. It adds that development must be visually attractive, and the scale, height, massing, and materials should be appropriate to the site and its surrounding context.

- 5.10 The previous application sought consent for a two and half storey building with a two-storey rear projection. The appeal inspector concluded that the size and form of the building would not be too dissimilar from the adjoining dwellings at no's. 14/16 and 20/22 (which are semi-detached houses). The appeal decision is **attached** at appendix 2.
- 5.11 This current proposal seeks consent for a building with a two-storey rear projection with a side and rear single storey wrap around. The building will have a larger footprint than the appeal proposal due to the proposed single storey elements. However, the main two storey element will have a reduced depth of 1.7m less than the appeal proposal. The building is now also sited centrally within the plot which helps reduce any potential overbearing impact. The dwellings will not be built to a height above the neighbouring properties either side, nor will the footprint of the building be constructed forward of the surrounding building line. Furthermore, the proposed design is considered to improve the local character and features of the surrounding area. For example, the front garden area to the front of each dwelling will soften the impact on the surrounding street scene. Landscaping and boundary detail conditions will be recommended to enable officers to manage the site and reduce any potential impact on the area.
- 5.12 The surrounding dwellings in the street are a mixture of styles and sizes which give the street variety. The proposal will look different to the existing dwelling; however, it is considered that the proportions and siting of the pair of semi-detached properties will not look out of keeping with others in the street. It is also important to note that the appeal inspector stated that whilst the change from a single storey bungalow to a two-storey building would be noticeable, the height and gaps between such buildings would not detract from the character of this location.
- 5.13 Bay windows and light coloured render, referred to by objectors, are features that are seen on existing buildings within the street. The proposed materials will reflect the local area and the detailed design is considered to be traditional in appearance.
- 5.14 The appeal dismissal was centred on the number of individual households and the creation of a mini car park in the front garden area which would be at odds with the prevailing pattern of development. The inspector noted that there were other examples of gardens given over to parking within close proximity to the site. However, it was acknowledged that these examples appeared to relate to single households.
- 5.15 A key difference between this current application and the previously refused

application is that the current proposal is for only 2 residential units rather than 6. The plot sizes and private amenity space would be commensurate with the neighbouring semi-detached properties. Each dwelling would have two car parking spaces and a small front garden. The parking is considered proportionate and would be not appear out of keeping with the street.

5.16 In view of the above the design and appearance of the proposed development is in compliance with the advice contained within the NPPF, and CP37 of the Vale of White Horse Local Plan 2031 Part 1.

5.17 **Impact on neighbouring amenity**

Core Policy 37 of the Vale Local Plan 2031 Part 1, DC9 of the Vale of White Horse Local Plan 2011 Saved Policies, and DP23 of the Draft Vale of White Horse Local Plan 2031, Part 2 are of importance with regard to the potential impact upon neighbouring amenity. Policy DC9 states that development will not be permitted if it would unacceptably harm the amenities of neighbouring properties and the wider environment.

5.18 The Inspector found that the appeal proposal would not materially result in the loss of light or be materially overbearing for neighbouring occupants. This current proposal has been designed so that the building is further away from no. 16 than the appeal proposal. At its closest point the proposed building would be 8.3m from no. 16; this is an improvement on the previous appeal scheme which was as near as 6.4m. The side of the proposed building would be 11m from the side of no.16's rear kitchen extension and windows, with the two-storey rear element being 13m. This is also an improvement on the appeal scheme which was 8.7m and 11m for the same elements. Given the two-storey part is at least 2m further away it would have less impact than the appeal proposal.

5.19 The eaves of the single storey wrap around element would be 2.2m in height and the ridge would be 4.1m. Given the existing 2m high boundary hedge, the main part of the single storey element that would be visible to the neighbours would be the roof. The single storey is staggered away from the neighbour's boundary whilst the roof pitches away. The building as a whole does not encroach a 40 degree line from the neighbours rear facing windows, as advised in the Council's design guide SPD.

5.20 The proposal would be closer to no. 20, due to the re-siting of the building more centrally within the plot. The side of the main building would be 8.3m from the side of No 20. This however is a reasonable distance and considered acceptable. It is considered that the staggered nature of the building and the pitched roof away from the boundary helps to reduce impact on the neighbouring occupants. No first-floor side windows are proposed, only side rooflights to the rear bedrooms and stairwells. This is considered acceptable and would not result in direct overlooking of the neighbours.

5.21 Neighbours have requested that permitted development rights are removed to prevent the building being increased. Officers consider it reasonable in this case to remove permitted development rights for extensions and roof

alterations to the dwellings, and the siting of outbuildings. This means that any future occupier would require planning permission should they wish to extend their house.

- 5.22 The impact upon neighbouring amenity will be minimal as the dwelling will be sufficiently distanced away from neighbouring dwellings. Furthermore, the scale of development is not considered to create a harmful impact towards neighbouring occupants. It is therefore considered that the criteria contained within Core Policy 37 of the Local Plan 2031 Part 1 and DC9 of the Local Plan 2011 Saved Policies, and DP23 of the Draft Vale of White Horse Local Plan 2031 Part 2 will be adhered to.
- 5.23 **Highway Safety**
The NPPF promotes sustainable transport modes, whilst seeking to ensure that safe and suitable access to the site can be achieved for all users; and any significant impacts from the development can be mitigated. Paragraph 109 states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 5.24 Oxfordshire County Council as highway authority have reviewed the proposed plans raising no objections, subject to condition. Adequate car parking and access is available for the proposed dwellings. The car parking meets the County Council car parking standards with two car parking spaces for each dwelling. Furthermore, the site is situated within a highly sustainable area with excellent bus links within close proximity that regularly serve Oxford and Abingdon.
- 5.25 As in the previous proposal a number of objections have been received with regards to the impact on the highway and parking as a result of the proposal. It is important to note that the appeal proposal was not refused based on the impact to the highway or parking.
- 5.26 A parking statement and survey have been submitted for this application to a method approved by the highways authority. Vehicles from both dwellings would reverse out into the road, this is not dissimilar to other properties on the street. The highway officer has not raised any objection to the layout of the parking. Officers therefore consider there are no grounds to refuse the application on highway grounds.
- 5.27 It is therefore considered that the proposed development will comply with the criteria contained within Policy DC5 of the Vale of White Horse Local Plan 2011 Saved Policies, Policy CP35 of the Vale of White Horse Local Plan 2031 Part 1, Policy DP16 of the draft Vale of White Horse Local Plan 2031, Part 2, and the NPPF.
- 5.28 **Impact on local wildlife**
A neighbouring objection has been received concerned with the impact the development would have on local wildlife. The Council's ecologist has been

consulted raising no objection. The existing bungalow is in a good state of repair, with no obvious external bat roosting opportunities or accesses to the roof void. The roof has interlocking tiles, making bat habitation less likely. The ecologist has confirmed that it is unlikely that bats would be impacted by the proposed development. However, a bat informative is recommended as a precautionary measure in case bats are found during construction.

5.29 Community Infrastructure Levy (CIL)

Policy CP7 of the Vale of White Horse Local Plan 2031, Part 1 states that the Council will work with infrastructure providers and stakeholders to identify requirements for infrastructure provision and services for new development and will seek to co-ordinate infrastructure delivery. The Council has implemented its Community Infrastructure Levy (CIL) as from 1st November 2017. Planning applications which are decided after 1st November 2017 may be liable to pay the levy.

5.30 The proposed new build in terms of the gross internal floor space area (GIA) as defined by the Royal Institute of Chartered Surveyors (RICS) is 230m². Under the Community Infrastructure Levy Charging Schedule adopted by Vale of White Horse Council and the government Community Infrastructure Levy Regulations, new dwellings and residential development of 100m² or more will be liable to pay the Community Infrastructure Levy. In this instance the application is CIL liable with a total CIL liability cost of £31,413.82.

5.31 Sustainable development

When considering development proposals, the Council is required to take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.

5.32 The National Planning Policy Framework places a strong emphasis on sustainable development. All planning applications must result in sustainable development with consideration being given to economic, social and environmental sustainability aspects of the proposal. The proposed development would have a minimal impact upon the local services which operate in Abingdon. The environmental considerations have been assessed in terms of the impact on the character and appearance of the area, and for the reasons given above are considered acceptable. Social considerations overlap those of environmental in terms of amenity. As these have been found acceptable the development is considered to constitute sustainable development.

6.0 CONCLUSION

6.1 The application has been assessed on its merits, against the requirements of the adopted Local Plan 2031 Part 1, saved policies of the adopted Local Plan 2011 and the National Planning Policy Framework. Regard has been given to the draft Local Plan 2031, Part 2 but as this is yet to be adopted, it's policies hold limited weight.

6.2 Sustainable development has three strands - social, economic and environmental. The site is within a sustainable location. The delivery of new

housing has economic and social benefits to the district. Although there would be a change environmentally to the local area officers consider that this change, as set out above, would not be sufficient to cause harm that would justify refusing the proposal. Officers are satisfied that the reasons in the appeal decision have been addressed. There are no objections from technical consultees to the application. Therefore, in weighing up the planning balance, officers consider the scheme is acceptable and recommend approval.

The following planning policies have been taken into account:

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 2031 Part 1
- The Local Plan 2011 Saved Policies
- The Oxfordshire Minerals and Waste Local Plan 2031
- Neighbourhood Plans for; Drayton, Coxwell, Blewbury, Faringdon, Radley, Great Coxwell, and Longworth.

Other material considerations include government guidance, in particular:

- The National Planning Policy Framework (2018) (NPPF)
- The National Planning Policy Guidance (March 2014) (NPPG)
- Vale of White Horse Design Guide Supplementary Planning Document (SPD) (March 2015)
- Vale of White Horse Updated Infrastructure Delivery Plan (IDP) (December 2016)
- Draft Vale of White Horse Local Plan 2031 Part 2: Detailed Policies and Additional Sites
- Building for Life 12

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.

The Vale of White Horse Local Plan 2031 Part 1 policies which are relevant to the proposed development consist of:

- CP01 - Presumption in Favour of Sustainable Development
- CP03 - Settlement Hierarchy

- CP04 - Meeting Our Housing Needs
- CP08 - Spatial Strategy for Abingdon-on-Thames and Oxford Fringe Sub-Area
- CP33 - Promoting Sustainable Transport and Accessibility
- CP35 - Promoting Public Transport, Cycling and Walking
- CP37 - Design and Local Distinctiveness

The Vale of White Horse Local Plan 2011 Saved Policies which are relevant to the proposed development consist of:

- DC5 - Access
- DC6 - Landscaping
- DC7 - Waste Collection and Recycling
- DC9 - The Impact of Development on Neighbouring Uses
- DC12 - Water Quality and Resources

The Local Plan 2031 Part 2: Detailed Policies and Additional Sites complements the Part 1 plan and sets out policies and locations for housing for the Vale's proportion of Oxford's housing need up to 2031, which cannot be met within the City boundaries. It contains policies for the part of Didcot Garden Town that lies within the Vale of White Horse District, and detailed development management policies to complement the Local Plan 2031 Part 1, which replace the saved policies of the Local Plan 2011. It also allocates additional development sites for housing.

Paragraph 48 of the NPPF states that decision-takers may give weight (unless material considerations indicate otherwise) to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

The Vale of White Horse District Council submitted the Local Plan 2031 Part 2: Detailed Policies and Additional Sites to the Secretary of State on Friday 23 February 2018 for independent examination. The draft Local Plan 2031 Part 2 is currently under examination.

Overall, taking into account the current stage of preparation, the emerging Local Plan 2031, Part 2 now attracts limited weight.

The Draft Vale of White Horse Local Plan 2031 Part 2: Detailed Policies and Additional Sites policies which are relevant to the proposed development consist of:

- CP4a – Meeting our housing needs

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- DP2 - Space standards
- DP16 – Access
- DP23 – Impact of development on amenity
- DP25 – Noise pollution
- DP28 - Waste collection and recycling

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