

<b>APPLICATION NO.</b>	<a href="#">P18/V2226/FUL</a>
<b>SITE</b>	18 North Avenue, Abingdon, OX14 1QN
<b>PARISH</b>	Abingdon
<b>PROPOSAL</b>	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 October 2018 and amplified by Daylight & Sunlight Study received 20 November 2018).
<b>WARD MEMBER(S)</b>	Margaret Crick Sandy Lovatt
<b>APPLICANT OFFICER</b>	Willow Spring Homes Ltd Andy Heron

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## **RECOMMENDATION**

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

Standard

1. Commencement 3 yrs - Full Planning Permission
2. Approved plans

Prior to occupation

3. Car parking in accordance with submitted plans

Compliance

4. Materials in accordance with submitted plans and details
5. Permitted Development Restriction - extensions, roof and outbuildings
6. Hours of construction work
7. Sustainable development - **INFORMATIVE**
8. Works within the Highway - **INFORMATIVE**
9. CIL Advisory Drainage – **INFORMATIVE**
10. Drainage – **INFORMATIVE**
11. Bats - **INFORMATIVE**

## **1.0 INTRODUCTION AND PROPOSAL**

- 1.1 This application was presented to committee on 14 November 2018. Following concerns expressed about a loss in sunlight to neighbouring amenity, members resolved to defer the application for a sunlight assessment to assess any sunlight implications. The previous committee report and minutes of the meeting are **attached** at Appendix 1.

1.2 The applicants have since submitted a daylight, sunlight and shading analysis submitted by ERS Consultants Ltd received on 18<sup>th</sup> December 2018. Officers have reviewed the submitted daylight, sunlight, and shading analysis and are satisfied that there will be no harmful impact on neighbouring occupants amenity as a result of the proposed development. The daylight, sunlight and shading analysis are **attached** at Appendix 2.

2.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

2.1 A summary of consultations and representations is contained in the previous committee report in appendix 1. The Town Council and neighbour comments are given below.

<p><b>Abingdon Town Council</b></p>	<p>Object. The Council considers that the proposals represent an overdevelopment of the site in terms of size, scale, bulk and massing, and one which is also out of character with the surrounding area. North Avenue predominately consists of red brick facades. The previous application had a facade to the street which blended with the predominately red brick street scene of North Avenue. The frontage has now been changed to the white-rendered design which is unsympathetic in appearance and character, fragmenting and dominating the street scene.</p> <p>The proposal includes a 2-storey rear section which dominates over existing single storey extensions in the area. The footprint now extends further to the rear, to the east and especially to the west compared with the previous application. This means that the side of the main building will be only 8.3m from the side of no. 20. Given the scale of the proposed building this will be overbearing.</p> <p>The Council is concerned that the proposed development will have an adverse impact upon the amenities of neighbouring properties and in particular loss of daylight to Nos 16 and 20. The proposals widen the existing access to this site and requires the construction of a second access point. This will remove at least three of the available on road parking spaces, further compounding the traffic and parking problems we have in North Avenue. The proposals also allow for future occupiers to drive onto and reverse off the site. Consequently, the Council considers that the proposals do not allow for safe and convenient</p>
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	access to the site and do not make adequate provision for car parking.
<b>Drainage Engineer (Vale)</b>	No objection. We are satisfied sufficient information has been submitted with regard to drainage details. No conditions required.
<b>Neighbours – 8 additional letters of objection received. The grounds for objection concern can be summarised as:</b>	<ul style="list-style-type: none"> <li>• No site visit made by sunlight consultants.</li> <li>• Discrepancies in assessment and proposed plans submitted in support of application.</li> </ul>

### 3.0 **ENVIRONMENTAL IMPACT ASSESSMENT**

3.1 See the previous report in appendix 1.

### 4.0 **MAIN ISSUES**

4.1 The assessment of the main issues are as set out in the report in appendix 1. An update on the daylight, sunlight and shading analysis is presented below.

#### 4.2 **Sunlight assessment**

The applicants have submitted a daylight, sunlight and shading analysis produced by ERD Consultants Limited. This is a desk-based study that has used photographs supplied to them by the applicant and plans of the neighbouring dwellings from previous planning applications.

4.3 The analysis is based upon the Building Research Establishment (BRE) guidelines ‘Site Layout Planning for Daylight and Sunlight’, which provides the criteria and methodology for calculation in connection to daylight and sunlight. The RADIANCE lighting simulation package, developed by the Lawrence Berkeley Laboratory in California, in conjunction with IES modelling software and interface has been used to perform the daylight simulations. Calculations for Annual Sunlight Availability were performed using IES modelling software SUNCAST. The results of the assessment indicate that the proposed development does not cause loss of daylight and sunlight to any of the neighbouring buildings. The report concludes that excellent daylight levels are maintained for neighbouring occupants.

4.4 All of the windows and rooms, which face the site of the proposed development, within the neighbouring properties have been included within this assessment. Neighbouring occupants have raised concerns regarding the omission of a ground floor dining room window at no. 16 from the sunlight assessment. The ground floor window is covered by a canopy and is currently overshadowed by the property’s rear ground floor extension. The sunlight assessors have confirmed they are unable to assess daylight impact on windows that are shaded by canopies as there will likely already be a loss in daylight to these windows.

4.5 Neighbouring objectors have also raised concerns that some of the figures on the initial sunlight assessment appeared to be incorrect. The sunlight consultants have submitted a revised assessment with correct figures stating that there were two original typing errors that occurred.

4.6 The image below shows the elevations of windows at no's. 16 and 20 that have been tested as part of the sunlight assessment.



4.7 Based on the BRE document, the following methods were used for measuring the daylight and sunlight:

- Vertical Sky Component (VSC).
- No Sky Line.
- Average Daylight Factor (ADF).
- Annual probable sunlight hours (APSH).

4.8 Changes to the vertical sky component were considered negligible. Daylight factor results are showing that the rooms will maintain their previous daylight factor with negligible changes. Moreover, the Sky Line is not affected for all

rooms for existing and proposed conditions. The Average Probable Sunlight Hours (APSH) also did not show any major reductions. Therefore, the proposed development does not cause loss of daylight and sunlight to any of the neighbouring buildings.

- 4.9 Officers have reviewed the submitted daylight, sunlight, and shading analysis and are satisfied that there will be no harmful impact on neighbouring occupants amenity as a result of the proposed development. The daylight, sunlight and shading analysis is considered to conform with the guidance contained within the BRE site Layout planning for daylight and sunlight (2011).

#### 4.10 **Conditions**

The applicant has submitted additional details to satisfy the previously recommended pre-conditions (3, 4, 5 and 6) concerning boundary details, landscaping, drainage, and slab levels. The drainage officer has been consulted and is satisfied that no further information is required, recommending no objection. Officers are also satisfied that the proposed boundary details, landscaping, and slab level details are satisfactory. There are therefore no pre-commencement conditions recommended as part of this application.

#### 5.0 **CONCLUSION**

- 5.1 Following receipt of the daylight, sunlight and shading analysis officers consider the proposal to be acceptable. The daylight, sunlight and shading analysis is considered to conform with the guidance contained within the BRE site Layout planning for daylight and sunlight (2011).
- 5.2 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.
- 5.3 The application will provide an economic and social role via the additional residents who will use local services, and business. In terms of the environmental role, limited harm has been identified with respect to the impact on the surrounding character and appearance of the area and neighbouring amenity.
- 5.4 There are no technical objections to the proposal, subject to appropriate conditions.
- 5.5 Overall in the planning balance, the benefits of the scheme are considered to outweigh the limited harm that has been identified. As such, the application is recommended for 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 and guidance

- 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.
- BRE Site layout planning for daylight and sunlight (2011)

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

**Case officer** – Andy Heron

**Email** – [andy.heron@southandvale.gov.uk](mailto:andy.heron@southandvale.gov.uk)

**Telephone** – 01235 422600