

PLANNING

ELECTRONIC
VERSION

Planning Decision

P21/V1777/O

Mr J Lee-Selleck
c/o Mark Doodes Planning
Unit 1 The Old Barn
Wicklesham Lodge Business Park
Oxfordshire
SN7 7PN

PLANNING PERMISSION

Application No : **P21/V1777/O**

Application proposal, including any amendments :

Outline application for access - Demolition of existing dance studio and erection of up to two detached family dwellings and associated infrastructure. (Additional information - bat survey rec 9 July 2021) (Amended plans to reduce units, rec 4 Oct 2021) (Additional information - Access statement and swept paths rec 14 Dec 2021)

Site Location : **Abingdon Dance Studio Land at 63 Swinburne Road Abingdon OX14 2HF**

Vale of White Horse District Council hereby gives notice that **planning permission is GRANTED** for the carrying out of the development referred to above strictly in accordance with the description, plans and specifications contained in the application (as varied by any amendments as referred to above) subject to the following condition(s) :

1. That the development to which this permission relates shall be begun not later than whichever is the later of the following dates:
 - (a) the expiration of three years from the date of this permission; or
 - (b) the expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: By virtue of Section 91 to 95 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act



2004.

2. That the development hereby approved shall be carried out in accordance with the details shown on the following approved plans, 244-20, 244-21, 05F, 06G, 03G, LOC 001, 2784-T, 01B and 02B, except as controlled or modified by conditions of this permission.

Reason: To secure the proper planning of the area in accordance with Development Plan policies.

3. Prior to the commencement of development, the improved vehicular access to the site shall be implemented and thereafter maintained in accordance with Figures 1 and 2 of the Access Statement rec 13 Dec 2021.

Reason: In the interest of highway safety. (Policies CP33, CP35 and CP37 of the Local Plan 2031 Part 1 and policy DP16 of Local Plan 2031 Part 2).

4. The turning area and parking spaces associated with the development shall be constructed, laid out, surfaced, drained and completed to be compliant with sustainable drainage (SuDS) principles in strict accordance with specification details to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.
Prior to the first occupation of the development hereby approved a turning area and car parking spaces shall be provided within the curtilage of the site so that motor vehicles may enter, turn round and leave in a forward direction and vehicles may park off the highway. The turning area and car parking spaces shall be retained unobstructed except for the parking and manoeuvring of motor vehicles at all times.

Reason: In the interests of highway safety and to ensure the provision of off-street car parking.

(Policies CP33, CP35 and CP37 of the Local Plan 2031 Part 1 and policy DP16 of Local Plan 2031 Part 2).

5. The development hereby approved shall be implemented strictly in accordance with the ecological mitigation recommendations made in sections 6.2.5 to 6.2.9 (inclusive) of the supporting Preliminary Ecological Appraisal Report (Smart Ecology Ltd, 05/05/2021, Ref: 2021-027) and section 5.1 of the supporting Bat Survey Report (Smart Ecology Ltd, 08/07/2021, Ref: 2021-027).

Reason: To minimise the ecological impacts of development.

(Core Policy 46 of LPP1 and paragraphs 174 and 180 of the NPPF.)

6. Concurrent with the submission of any reserved matters application, details of the biodiversity enhancements stated in section 6.3 of the supporting Preliminary Ecological Appraisal Report (Smart Ecology Ltd, 05/05/2021, Ref: 2021-027), including specification and position, shall be submitted to and

approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details, with all biodiversity enhancements provided prior to first occupation and retained as such thereafter.

Reason: To secure biodiversity enhancements on site. (Core Policy 46 of LPP1 and paragraphs 174 and 180 of the NPPF.)

7. Prior to the commencement of development, a full surface water drainage scheme in accordance with the surface water drainage hierarchy as set out in Part H of the Building Regulations, including details of the size, position and construction of drainage works, shall be submitted to, and approved in writing by, the Local Planning Authority. The drainage scheme shall be designed to accommodate a 1 in 100 year storm + 40% CC and shall be implemented in accordance with the approved details prior to the occupation of the development hereby approved.

Reason: To ensure the proper provision of surface water drainage and to ensure flooding is not exacerbated in the locality.

8. Prior to the commencement of development, a full foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the size, position and construction of the drainage scheme. Thereafter the scheme as approved shall be implemented prior to the occupation of the development hereby approved.

Reason: To ensure the proper provision of foul water drainage, to ensure no encroachment with the surface water drainage system and to ensure flooding and pollution is not exacerbated in the locality.

9. Prior to the commencement of development, details of any alterations to the proposed surfacing of the shared pedestrian access shall be submitted to and approved in writing by the Local Planning Authority. The surfacing shall be undertaken only in accordance with the approved details.

Reason: In the interest of visual amenity (Policy CP37 of the adopted Local Plan 2031 Part 1).

10. Prior to the commencement of any site works (including demolition or site clearance) a protected area shall be designated for all existing trees which are

shown to be retained, and the trees shall be protected in accordance with a scheme which complies with the current edition of BS 5837: "Trees in relation to design, demolition and construction" that shall first have been submitted to, and approved in writing by, the Local Planning Authority. The agreed measures shall be kept in place during the entire course of development.

Reason: To safeguard trees which are visually important.
(Policies CP37 and CP44 of the adopted Local Plan 2031 Part 1,)

11. Any external lighting will only be permitted in accordance with a lighting scheme to be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby approved. Details shall include:
 - a) Details of all the equipment uses, specific lamps, luminaries and columns with images.
 - b) For each luminaire a full technical specifications (e.g. wattage, colour rating)
 - c) Isolux diagrams overlaid over the site and adjacent areas
 - d) Details of lighting operation hours
 - e) Confirmation to which Institution of Lighting Engineers Environmental Management Zones the scheme conforms to.

Any such lighting shall be implemented in accordance with the approved details and directed downwards to prevent nuisance to adjoining residential occupiers from light spillage.

Reason: To protect wildlife from light pollution. (Core Policy 46 of LPP1 and paragraphs 174 and 180 of the NPPF.)

12. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include hard surfacing materials, schedules of new trees and shrubs to be planted (noting species, plant sizes and numbers/densities), the identification of the existing trees and shrubs on the site to be retained (noting species, location and spread), any earth moving operations and finished levels/contours, and an implementation programme.

Reason: To ensure the implementation of appropriate landscaping which will improve the environmental quality of the development (Policy CP44 of the adopted Local Plan 2031 Part 1).

13. All hard and soft landscape works shall be carried out in accordance with the details and programme approved under Condition 12 above. Thereafter, the landscaped areas shall be maintained for a period of 10 years. Any trees or shrubs which die or become seriously damaged or diseased within 10 years of planting shall be replaced by trees and shrubs of similar size and species to those originally planted.

Reason: To ensure the implementation of appropriate landscaping which will improve the environmental quality of the development (Policy CP44 of the adopted Local Plan 2031 Part 1).

- NB: The development to which this permission relates is liable to pay the Community Infrastructure Levy (CIL) as set out in the Vale of White Horse CIL Charging Schedule. Upon Reserved Matters approval a Liability Notice will be issued to the nominated person/company liable for CIL. Guidance on CIL is available on the planning portal website
<http://www.planningportal.co.uk/cil> or the council's website
<http://www.whitehorsedc.gov.uk/cil> together with the process for paying CIL.
- NB: Access to premises adjacent to and with rights of access from the Private Drive must not be obstructed.
- NB: The above permission/consent may contain pre-conditions, which require specific matters to be approved by the Local Planning Authority before a specified stage in the development occurs. This means that a lawful commencement of the approved development/works cannot be made until the particular requirements of the pre-condition(s) have been met.
- NB: This approval is specific to the details of the development as shown on the approved plans and other associated documentation. Unless otherwise agreed by the Council any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. As such the Council must be advised in writing of any proposed variations from the approved plans and other associated documentation at the earliest stage possible. A decision will then be made as to whether the changes can be dealt with as a minor revision to the approved details or whether a revised application is required.

This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, byelaw, order or regulation.

Reason for Decision

The principle of the development is acceptable. The proposal would be in-keeping with the character of the local area and does not give rise to concerns regarding access, parking and turning arrangements, impact on neighbouring residents or wildlife. The proposal accords with the aims of the development plan and the National Planning Policy Framework.

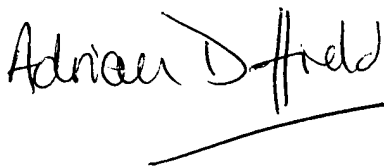
In accordance with paragraph 38 of the National Planning Policy Framework the Council takes a positive and proactive approach to development proposals. The Planning Service works with applicants/agents in a positive and proactive manner by offering a pre-application advice service and by advising applicants/agents of issues that arise during the processing of their application and where possible suggesting solutions to problems.

Note : A more detailed explanation is available in the officer's report, available in the application case file.

Key Policies

CP01	Presumption in Favour of Sustainable Development
CP03	Settlement Hierarchy
CP04A	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
CP40	Sustainable Design and Construction
CP42	Flood Risk
CP44	Landscape
CP46	Conservation and Improvement of Biodiversity
DP02	Space Standards
DP16	Access
DP23	Impact of Development on Amenity

Note : The full wording of the above policies are available on our website or in the local plan documents, at our offices.



Head of Planning

18th January 2022

STATUTORY INFORMATIVE

Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State for the Environment under sections 78 and 79 of the Town and Country Planning Act 1990.

If you want to appeal, then you must do so within **six months** of the date of this notice, using a form which you can get from :

The Planning Inspectorate
Customer Support Unit
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN
Telephone : 0303 444 5000
www.planningportal.gov.uk
email: enquiries@pins.gsi.gov.uk.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based its decision on a direction given by him.

Purchase Notice

If either the local planning authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council

(District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI, Chapter 1 of the Town and Country Planning Act 1990.

Compensation

In certain circumstances compensation may be claimed from the local planning authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him.

These circumstances are set out in sections 114 and related provisions of the Town and Country Planning Act 1990.

OTHER INFORMATION

The Planning Portal contains a wide range of helpful planning-related guidance and services. You may wish to view their website (www.planningportal.gov.uk).

BUILDING OVER GAS MAINS AND SERVICES

Please note before you plan to dig, or carry out building work within the SGN gas network, you must:

1. Check your proposals against the information held at <https://www.linesearchbeforeudig.co.uk/> to assess any risk associated with your development **and**
2. Contact the SGN Plant Protection team to let them know. Plant location enquiries must be made via email, but you can phone SGN with general plant protection queries. See SGN details below: Phone 0800 912 1722 or email plantlocation@sgn.co.uk

For further information please refer to:

<https://www.sgn.co.uk/damage-prevention>

<https://www.sgn.co.uk/help-and-advice/digging-safely>