

APPLICATION NO.	P13/V2708/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	3.1.2014
PARISH	EAST HANNEY
WARD MEMBER(S)	Matthew Barber
APPLICANT	Builders Ede Ltd
SITE	Kings Farm Cottage Ebbs Lane East Hanney Wantage, OX12 0HL
PROPOSAL	Erection of Three Dwellings
AMENDMENTS	None
GRID REFERENCE	441893/193386
OFFICER	Miss S Green

1.0 INTRODUCTION

1.1 The site is situated within East Hanney, on the west side of Ebbs Lane. A location plan is **attached** at appendix 1. 1 and 2 Kings Farm Cottages are located along the front of the site. The rest of the land is open. To the west is open land; to the south is the garden of Varlins; to the north is a public footpath and a row of dwellings; and to the east there are a number of dwellings fronting Ebbs Lane. The site is within the conservation area and different parts lie within flood zones 1, 2, and 3 (flood zone 1 denotes land that is least likely to flood, and flood zone 3 land that is most likely). Currently on the site are old former agricultural buildings.

1.2 In 2013 a planning application for 3 dwellings was submitted on the same site. That application was considered to be acceptable but its accompanying flood risk assessment did not comply with the up-to-date requirements set out in the NPPF. It therefore did not provide a suitable basis on which assessment could be made of the flood risks arising from the proposed development. The application was refused for this reason.

1.3 This application is referred to the planning committee due to objections from East Hanney Parish Council and local residents' objections.

2.0 PROPOSAL

2.1 This application seeks planning permission for demolition of the existing outbuildings on the site and the erection of three dwellings. All the dwellings would be detached and would be laid out in a courtyard style. Copies of the plans are **attached** at appendix 2. The layout is slightly different to the previous application in that plots 2 and 3 were then proposed as semi-detached dwellings and all of the dwellings were located slightly closer to Nos 1 & 2 Kings Farm Cottages.

2.2 Access to the development is off Ebbs Lane and parking is provided for the new dwellings as well as the replacement parking for No 1 Kings Farm Cottage. A new flood risk assessment accompanies this application.

3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

3.1 Conservation Officer

- Scheme does not raise any further conservation issues than those considered in the previous application.

Vale of White Horse District Council – Committee Report – 29 May 2014

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|----------------------------|---|
| County Archaeologist | <ul style="list-style-type: none">• No archaeological constraints |
| Highways Liaison Officer | <ul style="list-style-type: none">• No objection subject to conditions• Vehicles movements associated with three proeprties will be relatively low and unlikely to raise significant concerns• An acceptable standard of carriageway visibility can be achieved. Will provide sufficient parking for all dwellings |
| Drainage Engineer | <ul style="list-style-type: none">• No objection subject to Environment Agency raising no objections and sustainable drainage condition being imposed |
| Forestry Officer | <ul style="list-style-type: none">• No objection subject to conditions |
| Environment Agency | <ul style="list-style-type: none">• No objection• Hydraulic modelling used fit for purpose• Modelling shows development being outside the 1 in 100 plus climate change extent. Development is located in flood zone 2 and 1.• Mitigation proposed in the FRA is acceptable• Size of site falls within EA flood risk standing advice, therefore Vale to determine whether sequential test has been passed• Condition suggested on mitigation measures |
| Thames Water | <ul style="list-style-type: none">• No objections subject to informatives.• Further response to queries about the pumping station – no capacity or reliability issues and size of development has been assessed as having no detrimental impact to the existing customers. No issues aware of regarding pumping capacity in this area. |
| East Hanney Parish Council | <ul style="list-style-type: none">• Objects for the folowing reasons,• Risk of flooding – the statement in FRA that there has been no record of flooding on the site is not accurate. 2007 part of the site and existing properties were flooded.• Application should include more information on soil permeation measurements and of SUDS arrangements. Felt that should include earth bund to reduce the overland flow towards Ebbs Lane• Access – householders opposite the site are concerned that their drives will be used for reversing. There must be clear prohibition of this and requirement that all time contractor vehicles must be parked within site boundary.• Future applications – as the potential developer has declined to confirm there will be no further planning applications for the site or adjacent land, there is real concern this application will be followed by further applications. |
| Neighbour Support (1) | <ul style="list-style-type: none">• Site been an eyesore for years. Will improve appearance of site. |
| Neighbour Object (7) | <ul style="list-style-type: none">• Is conservation area, wildlife, flooding. More cars exiting will be a nuisance to small lane |

- Is difficult to get out of property with vans parked on road. Grave concerns regarding number of cars using the exit opposite onto such narrow lane. Flooding can only get worse
- Already applications pending for 75 dwellings on other side of A338. Water pumping station is already struggling with additional capacity. Pump has recently failed and house was at risk of flooding. Do not need additional flood risk.
- Concerned about access and damage from construction traffic
- Ebbs Lane does flood, entrance to site would be very difficult, the lane is quite narrow
- Site clearly lies in an area susceptible to flooding, VOWH to revisit the whole question of impact of additional infill housing on drainage and localised flooding around Ebbs lane and elsewhere in East Hanney
- Disagree with highway officer comments, exit to Ebbs Lane will continue to be dangerous
- Disappointed revised application has taken no account of earlier suggestions of re-positioning the proposed houses and the need for fencing along the northern boundary. Revised plans see 2 garages within 30m of kitchen window
- Lane is narrow and at least 6 more vehicles will add to the congestion. Flooding, other years water pours off the site into the ditch which cannot contain all of it. More water will be displaced by the new houses
- Erection of 3 dwellings will not only place these under risk but also the surrounding properties by adding to existing drainage problem and water run off
- The existing property and the land was flooded in July 2007
- Layout of proposed 3 dwellings within the overall site indicates possible future development not included in this application.

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P13/V0259/CA](#) - Approved (10/05/2013)
Demolition of derelict outbuildings.

[P13/V0257/FUL](#) - Refused (10/05/2013)
Demolition of derelict outbuildings. Erection of three dwellings.

Refusal Reason: 'The Flood Risk Assessment submitted with the application fails to provide a suitable basis for a full assessment to be made of the flood risks arising from the proposed development. The proposal is therefore contrary to policy DC13 of the adopted Vale of White Horse Local Plan 2011 and the provisions of the National Planning Policy Framework.'

[P77/V0417](#) - Refused (27/06/1977)
Siting of a mobile home.

5.0 **POLICY & GUIDANCE**

- 5.1 Vale of White Horse Local Plan 2011 policies;
DC1 - Design
DC13 and DC14 - Flood Risk and Water Run-off
DC5 - Access
DC6 - Landscaping
DC9 - The Impact of Development on Neighbouring Uses
HE1 - Preservation and Enhancement: Implications for Development
H11 – Development in larger villages

The National Planning Policy Framework, published in 2012, has replaced all previous PPGs and PPSs. Central to the NPPF is the presumption in favour of sustainable development. This means approving proposals that accord with an adopted local plan, or where relevant policies of the adopted local plan are out-of-date, to grant planning permission for sustainable development unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole. The Planning Practice Guidance, published in March this year, supports the NPPF.

Adopted Residential Design Guide SPD, 2009

6.0 **PLANNING CONSIDERATIONS**

- 6.1 The main considerations are the following:

6.2 Principle

The NPPF sets out that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites. As the council does not have a five year supply of housing land, the relevant housing policy, H11 in this case, has limited weight.

- 6.3 East Hanney is identified as one of the larger villages within the district. It is therefore considered to be one of the more sustainable locations for new development. The principle of new housing here is therefore considered acceptable.

6.4 Flooding and Drainage

The NPPF sets out that the local planning authorities should apply a sequential, risk-based approach to the location of new development to steer new development to areas with the lowest probability of flooding, ie to flood zone 1. The submitted flood risk assessment (FRA) is based on detailed hydraulic modelling of the area and shows that the proposed houses would lie within flood zone 2 as well as flood zone 1. As development is proposed on land within flood zone 2, the “sequential test” has to be applied. In applying the sequential test for this site, it is considered appropriate to look at the wider availability of sites within and around East Hanney. The test looks at whether there are existing sites for new housing that are ‘reasonably available’ within the least risky flood zone 1 which can come forward for development as an alternative.

- 6.5 The strategic housing land availability assessment (SHLAA) (updated in 2014) looked at a number of potential new housing sites around East Hanney. It identified that a number of sites to the south and east of the village, which are outside the flood zone, may be suitable for development, however all of them were marked as not being available. There are currently no planning applications submitted for any of them. In the recent Local Plan 2031 consultation on additional strategic housing sites, a potential

additional site on the opposite side of the A338 has been identified. However this consultation is a very early stage of the emerging local plan process and, therefore, has little weight at the moment. Officers are aware of no other readily available windfall housing sites within the village. Consequently the result of the sequential test is that there is no other housing site within flood zone 1 that is “reasonably available” as an alternative to the application site.

6.6 The site specific flood risk assessment that has been submitted has been reviewed by the environment agency. They find the FRA, and the mitigation proposed, to be acceptable. The proposed dwellings would be located in the areas of the site with less flood risk. The technical guidance to the NPPF sets out that residential dwellings are an appropriate use in flood zone 2. It also says that local authorities and developers should seek opportunities to reduce the overall level of flood risk in the area through the layout and form of the development and the appropriate application of sustainable drainage systems. The FRA sets out that finished floor levels would be set a minimum height above the recorded flood level and that a SUDS system will be used on the site. These details can be the subject of planning condition.

6.7 A number of the concerns raised by local residents centre on the issue of drainage, flooding and the water pumping station. Officers have contacted Thames Water with regard to these comments and their response is that there are no capacity or reliability issues, and that the proposed development will have no detrimental impact on existing customers. They are not aware of any issue regarding pumping capacity in this area and therefore have no objection to the development. In terms of drainage the development will have a sustainable drainage system. These are specifically designed to help prevent any run off or water from the development into neighbouring areas and to ensure the development does not give rise to flooding elsewhere. The design of the scheme would be required to be approved by the council’s drainage engineer prior to the commencement of the development.

6.8 Character of the area

The proposed form, design and layout of the development aims to reflect a traditional courtyard setting. The exact design has altered slightly from the previous application, in that plots 2 and 3 are now proposed to be detached dwellings as oppose to semi-detached. The individual designs of the dwellings is very similar and traditional in terms of their use of stone, feather edge timber boarding, slate and plain clay tiles. The general layout, of the dwellings arranged around the northern part of the site behind the existing cottages and the keeping of the southern part of the site open, is broadly the same as in the previous application. This layout was supported by the conservation officer in the previous application. The open character of the southern part of the site and the mature trees here are particularly important features of the conservation area. This application still respects this and therefore it is considered that it would not harm the character and appearance of the conservation area. It is considered to comply with policies DC1 and HE1.

6.9 Trees

There are two prominent mature trees on the site, a willow and a walnut, within the southern part of the site which are proposed to be retained. The willow is in decline and therefore has a limited safe useful life expectancy. Remedial work will be necessary to make the tree safe. The walnut is largely unaffected by the proposals. The tree protection plan has been amended to take account of the new layout and an arboricultural method statement has been submitted with the tree survey report. These can be conditioned to ensure the trees are protected during the development. The indicative landscape scheme shows only one new tree. Given the limited life expectancy of the willow which is a significant tree, it would preferable for a reasonable

number of new trees to be provided in order that their establishment as replacements can be managed. This can be ensured as part of the landscaping condition.

6.10 Access and parking

The proposal includes widening the existing access to no 1 Kings Farm Cottage to provide access to the dwellings. Parking is provided for each dwelling as well as for no 1 Kings Farm Cottage. Concerns have been raised by local residents about the access, the use of Ebbs Lane and the number of cars using the lane. Ebbs Lane is a no through road and its character is typical of its village setting. It is not a classified road and therefore the access could be widened without the need for planning permission. The county highway officer has carefully reviewed the proposals. He states that the vehicle movements associated with the proposed three properties will be relatively low and unlikely to raise any significant concerns. An acceptable standard of visibility can be achieved at the access point onto Ebbs Lane and, overall, he has no objections to the scheme on highway grounds.

6.11 Impact on neighbours

The proposed dwellings are set behind the existing cottages. The distance from the front of plot 1 and No1 Kings Farm Cottage is approximately 36 metres, well in excess of the council's adopted minimum distance of 21 metres. The distances between plot 3 and the neighbouring properties to the north, St Ebbes House and The Bungalow, are approximately 34 metres and 37 metres respectively. Therefore the development would neither result in any harmful overlooking of neighbouring properties, nor any harm from over-dominance. Thus the impact on the neighbouring properties accords with policy DC9.

7.0 **CONCLUSION**

7.1 The site is in an area where new housing would be acceptable in principle. In the opinion of officers the sequential test has been met and the submitted FRA is acceptable. The proposed design of the development would preserve the character and appearance of the conservation area and important trees on the site. There would be no harm arising to neighbours. It is therefore considered to comply with the relevant development plan policies.

8.0 **RECOMMENDATION**

Grant planning permission, subject to the following conditions;

1 : Commencement three years - Full Planning Permission

2 : Approved plans

3 : Samples of materials

4 : Visibility splays to be submitted and approved

5 : Landscaping scheme, including hard and soft landscaping, boundary treatments to be submitted for approval

6 : Implementation of approved landscaping scheme

7 : Detailed sustainable drainage scheme to be submitted, approved and implemented.

8 : Parking provided as shown on plan

9 : Works to be carried out in accordance with tree survey, arboricultural report and accompanying tree protection plan.

10 : Development to be in accordance with the FRA and mitigation measures

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