

APPLICATION NO.	P15/V0474/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	4.3.2015
PARISH	WANTAGE
WARD MEMBER(S)	Charlotte Dickson St John Dickson
APPLICANT	Donnington New Homes
SITE	Wantage Tennis Club Foliat Drive Wantage, OX12 7AL
PROPOSAL	The redevelopment of the existing tennis facilities and clubhouse, and its replacement with six semi- detached houses. (as amended by plans and letter received 21 May.)
AMENDMENTS	Yes
GRID REFERENCE	440332/188166
OFFICER	Sarah Green

SUMMARY

- The application is referred to planning committee due to the number of neighbour objections
- The application is for six semi-detached properties within Wantage.
- The main issues are:
 - Design – the mass, form and design of the dwellings is considered to be appropriate to the area
 - Neighbour amenity – there will be some impact upon neighbours however it is considered acceptable
 - Highways- the level of parking is considered acceptable, however additional parking can be provided on the site if required.
 - Flooding – the scheme will be subject to a detailed drainage scheme. It is acceptable.
- The application is recommended for approval subject to conditions

1.0 INTRODUCTION

1.1 The site is within the built up area of Wantage. It is currently the site of Wantage Tennis club. A location plan of the site is **attached** at Appendix 1. The site is approx. 0.21 ha. It comprises 3 tennis courts, a single storey timber club house and a gravel parking area adjacent to the road. There is a single access to the site off Foliat Drive. The boundary to Foliat Drive is marked with a hedge. The other three sides of the site are bordered by residential properties.

1.2 The application is referred to planning committee due to the number of neighbour objections to the scheme.

2.0 PROPOSAL

2.1 The application seeks full planning permission for redeveloping the site for 6x 4 bedroom houses on the site. The houses would be arranged into 3 sets of semi-detached properties with parking at the front. Each set would share an access point, which would increase to 3 off Foliat Drive. The scheme has been amended during the

course of the application following officers' advice. Extracts of the plans are **attached** at Appendix 2. The full application can be viewed online at www.whitehorsedc.gov.uk.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

Below is a summary of the responses received to both the original plans and the amendments. A full copy of all the comments made can be viewed online at www.whitehorsedc.gov.uk.

3.1	Thames Water Development Control	No objection
	County Archaeological Services (OCC)	Proposed site lies within an area of considerable archaeological interest just outside the core of Wantage. It is possible that archaeological deposits may be present. Suggest archaeology watching brief conditions.
	Waste Management Officer (District Council)	No objection. Bins to be presented at edge of property with the highway
	Health & Housing - Env. Protection Team	No objection. Noise not anticipated to be a significant issue for this development
	Highways Liaison Officer (Oxfordshire County Council)	Holding objection Requests 3 parking spaces for each unit.
	Drainage Engineer (Vale of White Horse District Council)	No objection Suggest condition for sustainable drainage scheme.
	Forestry Team (Vale of White Horse)	No objection <ul style="list-style-type: none"> Loss of 2 trees on east boundary. Their contribution to the visual amenity in the vicinity of the site is low and neither could be retained long term. New front hedge will need appropriate ground preparation. Tree protection plan and details required for trees off-site to ensure long term well-being.
	Wantage Town Council	<i>Original plans</i> Support in principle but request that the concerns expressed by others regarding highways and impact on neighbours be considered and, if appropriate, actions taken to address these.
	Neighbour Object (8)	<i>Original plans</i> <ul style="list-style-type: none"> Not opposing development in principle but think that three houses on the plots would be acceptable. Development should have one entrance Houses are too tall and will have too much of a visual impact Existing drainage on Foliat Drive is inadequate to cope to storm water at present. Will look directly down in house at front, privacy issues Three storey houses will block sunlight during winter months from those opposite. A metre reduction in height would make a difference One exit with a drive in the existing place would be safer

	<ul style="list-style-type: none">• Existing flooding problem in this part of Foliat Drive• Highway suggestion of three spaces will help improve safety.• Overdevelopment, overall scale of locality is low key, incongruous due to being three storey• Provision of dormers to third floor on rear – loss of privacy and over-dominance from site• Too tall and do not respect the established pattern, grain and heights of locality• Height of houses will greatly reduce daylight into garden• Dormer and first floor windows will greatly invade privacy• Size and height not in keeping• Transformation from an open space which is important to the area, into a dense development would be severely detrimental to the character of the area and value of surrounding properties.• ‘Little End’ is built on land above the tennis courts. Can clearly see into tennis courts. Visual impact of proposed block buildings would be even greater• Height totally out of keeping with local area• Density out of character• Overall impression of a regrettable attempt to cram as much dwelling space as possible. <p><i>Amended plans</i></p> <ul style="list-style-type: none">• Object to houses 1-4 being moved forward another metre. Will have great impact on houses opposite, especially light and overlooking bedrooms and bathrooms. Will create more overbearing impact on No 62 and bring forward of building line.• Appreciate appear to have taken account neighbour reactions. Plots 1-4 moved forward by 1m, heights reduced by 0.5m, third storey dormers removed. Apart from removal of third storey dormer there is no demonstrable effect on the over-dominance of the development on neighbouring properties.• Cramping, poor design• Not addressed parking• Is still three storey development in an area of two storey houses and bungalows. Not in keeping• Find it overpowering and lose privacy to garden due to height and proximity• Four houses more in keeping• Houses 5 and 6 which are closest to my house (Little End) are unchanged
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	<ul style="list-style-type: none">• Accommodating parking and turning area has result in backs of houses overlooking house to a great extent than a less dense development with adequate garage space built closer to Foliat Drive would do.• Minor changes will not have significant impact on the mass of the proposed development.
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4.0 **RELEVANT PLANNING HISTORY**

4.1 [P99/V0190/O](#) - Approved (09/06/2005)

Demolish clubhouse and tennis courts. Erection of 4 houses.

[P98/V0570](#) - Refused (25/06/1998)

Erection of 12 x 6 metre high floodlights for tennis courts.

5.0 **POLICY & GUIDANCE**

5.1 **Vale of White Horse Local Plan 2011**

The development plan for this area comprises the adopted Vale of White Horse local plan 2011. The following local plan policies relevant to this application were 'saved' by direction on 1 July 2009.

DC1 - Design

DC5 - Access

DC6 - Landscaping

DC9 - The Impact of Development on Neighbouring Uses

GS1 - Developments in Existing Settlements

H10 - Development in the Five Main Settlements

CF1 – Protection of existing services and facilities

5.2 **Wantage Neighbourhood Plan**

The area for the Wantage Neighbourhood Plan has been designated however there is no draft plan as yet published.

5.3 **Emerging Local Plan 2031 – Part 1**

The draft local plan part 1 is not currently adopted policy. Paragraph 216 of the NPPF allows for weight to be given to relevant policies in emerging plans, unless other material considerations indicate otherwise, and only subject to the stage of preparation of the plan, the extent of unresolved objections and the degree of consistency of the relevant emerging policies with the NPPF. At present it is officers' opinion that the emerging Local Plan housing policies carry limited weight for decision making. The relevant policies are as follows:-

CP3 – Settlement Hierarchy

CP4 – Meeting our housing needs

CP15 – Spatails Strategy for South East Vale Sub-Area

CP33 – Promoting sustainable transport and accessibility

CP37 – Design and local distinctiveness

CP42 – Flood Risk

CP44 - Landscape

5.4 **Supplementary Planning Guidance**

- Design Guide – March 2015

- Parking Standards SPG

5.5 National Planning Policy Framework (NPPF) – March 2012

5.6 Planning Practice Guidance 2014 (PPG)

5.7 Other Relevant Legislation

- Planning (Listed Buildings and Conservation Areas Act) 1990
- Community & Infrastructure Levy Legislation
- Human Rights Act 1998
- Equality Act 2010
- Section 17 of the Crime and Disorder Act 1998
- Natural Environment and Rural Communities (NERC) Act 2006
- The Conservation of Habitats and Species Regulations 2010
- Localism Act (including New Homes Bonus)

5.8 Human Rights Act

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.

5.9 Equalities

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 in the determination of this application are:

1. Principle of the development
2. Design and Layout
3. Residential Amenity
4. Highway Safety and Parking
5. Flood Risk and Surface/Foul Drainage
6. Archaeology
7. Trees

6.2 Principle of development

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. Section 70 (2) of the Town and Country Planning Act 1990 provides that the local planning authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations. The development plan currently comprises the saved policies of Vale of White Horse Local Plan 2011. Paragraph 215 of the NPPF provides that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given).

6.3 Other material planning considerations include national planning guidance within the NPPF and PPG and the emerging Vale of White Horse Local Plan: Part 1-Strategic Sites and Policies and its supporting evidence base.

6.4 Policy CF1 seeks to protect the loss of buildings or land in community use which are considered to meet identified community needs, unless appropriate provision is provided elsewhere. The Tennis Club have already an alternative site for new facilities off Manor Road for which they secured planning permission for in 2012. There is currently an application in to renew this permission. The existing site has become unsuitable due to the growing number of members, the inability to install floodlights

given the residential nature of the area, and the requirement for additional courts. The change of use of this site is therefore acceptable in principle.

6.5 The relevant housing policies of the adopted and emerging local plan hold very limited material planning weight in light of the lack of a 5 year housing supply. Consequently the proposal should be assessed under the NPPF where there is a presumption in favour of sustainable development. Sustainable development is seen as the golden thread running through the decision making process. Having a deliverable 5 year housing supply is considered sustainable under the 3 strands. Therefore, with the lack of a 5 year housing supply, the proposal is acceptable in principle unless any adverse impacts can be identified that would significantly and demonstrably outweigh the benefits of meeting this objective.

6.6 **Design and Layout**

Policies DC1 and H10 require that development should be a scale, layout and design that would not materially harm the form, structure or character of the settlement.

6.7 *Spatial Layout*

The surrounding area is of dwellings facing the street with gardens to the rear. Parking tends to be within the frontage of properties. There is a mixture of detached and semi-detached properties, houses and bungalows in the vicinity of the site. The proposed units on the site have been arranged facing the street with rear gardens and space to the front for parking. The houses are staggered to take account of the curve of the road. Surrounding properties along Foliat Drive tend to be close to their side boundaries with gaps of in the region of 2-4m between buildings. The proposed buildings would have 2m gaps between them. The set back of the parking and houses will help to provide more breathing space and soft landscaping to the frontage. The front hedge will be relocated back to provide the visibility splays. The parking areas have been set in from the side boundaries between the sets of semi-detached properties, which will allow for space for some soft landscaping along with metal railings to define the plots. Generally the scheme proposes to offer a spacious verdant frontage to soften the impact of the buildings and to reflect the more sub-urban character of this road.

6.8 *Built form*

The design guide at DG51 seeks that new development should generally reflect the scale of existing settlement. Subtle variations in height can also be used to add visual interest. This can be achieved with differing ridge and eaves heights as commonly found in traditional streets. DG52 seeks that the form should be kept simple, in most instances with a rectangular floorplan and pitched roof. There is a mixture of built form along the street, with detached houses to the west and opposite, of varying designs and styles, semi-detached housing to the east of similar appearance, and to the rear of the site, are bungalows and chalet bungalows.

6.9 The proposed dwellings would be traditional pitched roof properties, with pitched single storey extension to the rear. The ridge height would be 8.9m, with eaves of 4.6m in height. The depth of the dwellings would be 10m with an additional single storey rear projection of 2.8m. Each set of semis would be 12.8m in width. Each property would be 3 floors which includes the roofspace. The height of the buildings have been reduced by 0.5m from the original plans to be more in keeping with the surrounding properties. They would now be approx. 0.4m higher than No 47 Foliat Drive and 0.3m higher than No 57, as illustrated on the street elevation plan. The eaves would be lower than No47 which is a traditional pitched roof. No 57 roof line slopes down at the front to a low eaves line.

6.10 The two storey depth of the dwellings at 10m would be comparable to the built form found in the road. No 57 adjacent is approx. 9.3m, opposite No 62 is 11.7m, No 60 is 10m and No 58 is 8.5m. No 47 to the east is less at 6.5m, reflecting its style of housing. Officers consider the form and mass of the scheme has reflected the built form found along Foliat Drive, which it would be seen in context with, and the advice in the design guide.

6.11 *Architectural Detailing*

The materials and detailing in the area is varied. The scheme proposes a traditional approach to its detailing with houses built in facing brick and under tiles roofs. Some design features have been incorporated between the sets of semis including different first floor treatments to the front such as render, tile hanging and facing brick. Other features include chimneys and brick arches to some of the windows. These details reflect the surrounding area but also help add visual interest.

6.12 Overall your officers consider that the amended scheme is of an appropriate scale, form and detailing and would comply with policy and the design guide.

6.13 **Residential Amenity**

Policy DC9 seeks to prevent development that would result in a loss of privacy, daylight or sunlight for neighbouring properties or that would cause dominance or visual intrusion for neighbouring properties and the wider environment. Design principles DG63-64 of the Design Guide pertain to amenity, privacy and overlooking. In terms of privacy the design guide advocates that there should be adequate distance, minimum 21m, between facing habitable rooms to enable people to feel comfortable in their own home.

6.14 *To the rear*

The table below shows the distances between the rear elevations of the proposed dwellings to the rear boundary of the site with Little End.

Plots 1 & 2	
• Ground floor	12.3m
• First floor	15.1m
Plots 3 & 4	
• Ground floor	18.5m
• First floor	21.3m
Plots 5 & 6	
• Ground floor	21.6m
• First floor	24.5m

6.15 All first floor windows on the rear elevations of the proposed dwellings would be over 21m from the dwelling of Little End. All ground floor windows to the rear elevations would be over 21m to Little End apart from the kitchen window of plot 2 which would be 20.4m. There will be a boundary fence between the properties. The proposal would therefore meet the minimum distances set out in the design guide. The scheme has been amended to reduce the number of windows, by removing the dormers in the roof along the rear elevation and thus reduce the perception of being overlooked. The cill levels of the rear rooflights can be conditioned to be at least 1.7m above the floor which is generally considered acceptable in planning. Officers acknowledge that the outlook from the dwellings to the south of the site will alter considerably however there is no right to a private view in planning. Given the amendments and principles set out in the design guide, and relationships of other surrounding properties, your officers consider that on balance the level of overlooking is acceptable in such an urban environment and would not warrant a refusal on this issue. A condition is suggested to remove pd

rights for extensions and dormer windows.

6.16 *To the front*

The dwellings would be set back from the road frontage at distances between 17m to 21m. The front elevation of plots 1 & 2 would be approx. 32m from the front elevation of No 62 on the opposite side of the road. Given these distances and that it is across the public frontage it is not considered that the development would result in overlooking that would be harmful to the amenities of these neighbouring occupiers.

6.17 *To the sides*

No 57 to the west of the site has first floor windows along the side, which are clear and obscure glazed, the clear window being towards the rear of the dwelling. Plots 1 & 2 have been re-sited forward by a metre reducing the impact upon this dwelling. The lowering of the eaves will also reduce the amount of building close to these windows. Given the relationship of this dwelling to the site there will be a degree of overlooking into the proposed garden irrespective of the type of scheme. Landscaped boundary treatments along the side boundaries will help to mitigate against these.

6.18 No 47 to the east is located further forward than the proposed dwellings. This property has a garage sited along the side boundary with the site. Plot 6 has been set off the side boundary by 1.3m. The siting of this plot is considered further enough back to reduce the dominance of the built form in the outlook from this property. Views out of the front of plot 6 would also be oblique towards the rear of No47 across the roof of the garage. Given these are oblique views they are considered on balance acceptable.

6.19 **Highway Safety and parking**

Policy DC5 requires safe access for developments and that the road network can accommodate the traffic arising from the development safely. Paragraph 32 of the NPPF states: *“Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.”*

6.20 The proposal includes 3 access points for the scheme, one for each set of semi-detached pair. The plans include removing the existing front hedge to allow the provision of the visibility splays. A new hedge would be planted behind the visibility splays. The highway officer has no objection to the provision of the new accesses.

6.21 The council's adopted parking standards for 4 bedroom house require 2 spaces and any additional on merit, depending if it is a sustainable location or if there are alternative means of transport. The proposal as submitted provides for 2 spaces for each dwelling. The site is approx. 400m from Wantage Town Centre and public transport. Your officers consider it is a highly sustainable location.

6.22 The highway officer has requested 3 spaces are provided. This could be achieved on site but it would introduce additional hard surfacing into the frontages at the expense of soft landscaping. Your officers consider that the scheme offers a good balance as proposed. However if members do not agree with this balance, there is sufficient space to achieve a third space for each dwelling, and that an updated parking plan could be submitted as a condition should permission be granted.

6.23 **Flood Risk and Surface/Foul Drainage**

The NPPF provides that development should not increase flood risk elsewhere and should be appropriately flood resilient and resistant (paragraph 103). The council's drainage engineer has reviewed the scheme and he has no objections to it subject to a condition requiring a fully detailed sustainable drainage scheme for foul and surface water being submitted prior to commencement of the development.

6.24 **Archaeology**

The proposed site lies within an area of considerable archaeological interest just outside the historic core of Wantage and geophysical survey and evaluation trenching to the south west of the site identified a number of medieval features. It is possible that related archaeological deposits may be present within the application site. The county archaeologist therefore recommends that a staged programme of archaeological investigation is undertaken prior to development, which can be ensured by the suggested conditions.

6.25 **Trees**

Policy DC6 seeks developments with regards to hard and soft landscaping to protect and enhance the visual amenities and where appropriate important landscape features. The forestry officer has reviewed the proposal. The young Ash and mature conifer adjacent to the east site boundary (plot 6) would be lost. These only provide a low contribution to the visual amenity of the area and neither could be retained in the long term given the proximity of development. In terms of replacing the front hedge, the ground preparation will need to be appropriate and maintenance undertaken to ensure the establishment of the hedge is successful. There are trees off site which may be vulnerable to construction activities. A tree protection plan to safeguard their long term well-being would be reasonable and the suggested condition covers this.

7.0 **CONCLUSION**

7.1 This application has been assessed against the National Planning Policy Framework (NPPF), relevant saved policies in the local plan and all other material planning considerations. The NPPF states that sustainable development should be permitted unless the adverse effects significantly and demonstrably outweigh the benefits.

7.2 The proposal would provide 6 new dwellings in a sustainable location. The scheme is considered to reflect the character of the area. It would have an impact upon the neighbouring properties however this impact is considered to be acceptable in light of the advice set out in the design guide.

7.3 Overall, and in view of the emphasis in the NPPF, the development is considered to amount to sustainable development, and whilst there will be some adverse effects, these do not significantly and demonstrably outweigh the benefits. Consequently, the application is recommended for approval subject to conditions.

8.0 **RECOMMENDATION**

8.1 **To grant planning permission subject to the following conditions:**

1. **Commencement three yrs - full planning permission.**
2. **Approved plans.**
3. **Slab levels to be submitted for approval.**
4. **Details of materials to be submitted for approval.**
5. **Access, parking and turning in accordance with the plan.**
6. **Landscaping scheme (submission).**
7. **Landscaping Scheme (implement).**
8. **Drainage scheme (surface and foul) to be submitted for approval.**
9. **Tree protection plan to be submitted for approval. Implemented in accord with the plan.**
10. **Archaeology watching brief (submission).**
11. **Archaeology watchimgh brief (implement).**
12. **Removal permitted development rights - Class A (alterations and extensions) and Class B (roof extensions)**

Vale of White Horse District Council – Committee Report – 1 July 2015

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