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<b>APPLICATION NO.</b>	<a href="#">P17/V1299/FUL</a>
<b>SITE</b>	Days House 7 Westcot Sparsholt Wantage, OX12 9QB
<b>PARISH</b>	SPARSHOLT
<b>PROPOSAL</b>	Demolition of bungalow/pool house (not Day House. Dividing site and erection of new house
<b>WARD MEMBER(S)</b>	Yvonne Constance
<b>APPLICANT</b>	Louise Hewlett
<b>OFFICER</b>	Hanna Zembrzycka-Kisiel

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## **RECOMMENDATION**

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

### **Standard Condition**

1. Time limit
2. Approved plans

### **Prior to commencement**

3. Drainage Details (Surface and Foul) to be submitted
4. Boundary details to be submitted

### **Prior to occupation**

5. Demolish specified buildings within the site prior to occupation of the new dwelling

### **Compliance**

6. Materials in Accordance with the submitted application
7. Access, Parking and Turning in accordance with the approved plan
8. Retain Existing Hedgerow/Trees
9. Window on the north elevation serving bathroom to be glazed with obscure glass

### **Informative**

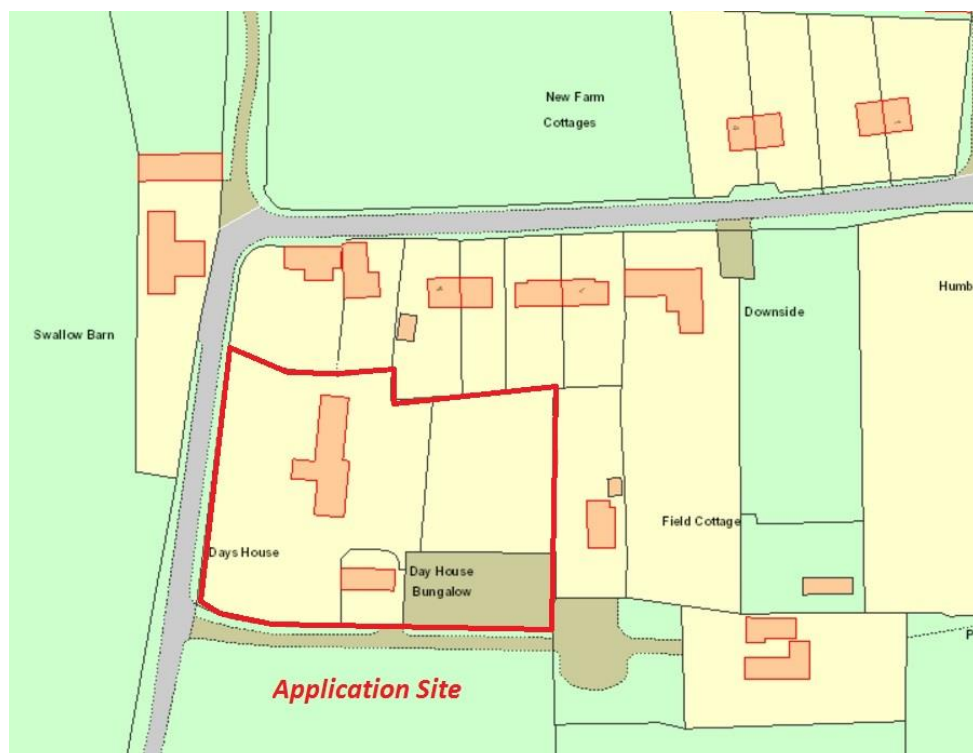
10. Surface Water Drainage

## **1.0 INTRODUCTION AND PROPOSAL**

- 1.1 The proposal was presented to Planning Committee on 6<sup>th</sup> September 2017. Further to the debate the Councillors decided to defer the application for an additional site visit.
- 1.2 Since the 6<sup>th</sup> September 2017 the proposal was amended. The position of the proposed replacement dwelling has been set back further away from the northern boundary of the application site by 3.5 metres. Subsequently, the distance between the proposed development and the neighbouring properties

to the north has increased, and measures 28.5 metres. The amended plans are **attached** at appendix 1.

- 1.3 The principle of the proposal as well as the proposed design have been explained in detail in the original committee report (6<sup>th</sup> September 2017), **attached** at appendix 2.
- 1.4 A site location plan is included below:



## 2.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

Below is a summary of the responses received to the amended scheme. A full copy of all the comments made can be viewed online at [www.whitehorsedc.gov.uk](http://www.whitehorsedc.gov.uk).

<b>Ward Member</b>	Supports concerns raised with regards to the proposed drainage scheme.
<b>Sparsholt Parish Council</b>	<p>No objection to the amended proposal, but raises concerns in relation to the proposed drainage scheme.</p> <p>In the received comments Sparsholt Parish Council stated: <i>"The members of the council require that The Vale DC officers attach a condition to the consent to build with relation to the Foul and Surface Drainage Systems on site, similar to the previous condition applied to an earlier application. In addition Sparsholt Parish Council require The Vale DC officers to ensure that the assumptions, design and calculations of both schemes are available to</i></p>

	<p><i>Sparsholt Parish Council to comment on before Vale officers give the go ahead to the drainage schemes and building commences This will ensure that local specialist knowledge can be used to review the proposed drainage schemes by Sparsholt Parish Council. This requirement from Sparsholt Parish Council is based on the knowledge that previous applications on this site have used incorrect data and false assumptions in relation to previous applications and their drainage fields and water abstraction points. Local knowledge is available and should be used to ensure that the drainage systems of any new dwelling built on this site conform to the National Minimum Standard: The Building Regulations 2010 Document H, H1 and H3 respectively. To allow any building to be built and signed off by The Vale DC Building Control without this minimum standard applied is against UK Building Regulations but unless local knowledge is applied there is a real chance Vale DC will unwittingly not meet the minimum standard, due to them accepting incorrect and misleading information from the application documentation."</i></p>
<b>Drainage Officer</b>	No objections, subject to conditions
<b>Waste Management Officer (District Council)</b>	No objections
<b>Countryside Officer</b>	No objections
<b>Neighbour comments</b>	<p>3 letters with comments have been received from the neighbouring properties.</p> <p>In the received comments it has been stated that the compromise offered in a way of the proposed dwelling being moved back from the boundary line to the position indicated on the amended plans is welcomed. However, the concerns raised in relation to the proposed drainage scheme still stand, and appropriate conditions should be imposed to planning permission, to ensure that the proposal would not have any harmful impact upon the existing drainage strategy in the surrounding area.</p>
<b>Highway Officer</b>	No objections, subject to condition

3.0 **RELEVANT PLANNING HISTORY**

3.1 [P15/V3041/FUL](#) - Approved (04/03/2016)

Demolition of existing house on site, not Day House, dividing site and erection of new house attached to existing pool house.

[P15/V1929/PEO](#) - Other Outcome (02/10/2015)

Please see the application form.

\*Meeting (on Site) and Letter.\*

[P13/V2117/HH](#) - Approved (14/11/2013)

Proposed car port.

[P12/V2514/FUL](#) - Approved (06/02/2013)

Demolish existing 1-bed dwelling and replace with a single storey 2-bed dwelling.

[P12/V0930](#) - Approved (20/06/2012)

Certificate of lawfulness for existing use as a single dwelling with garden and access.

3.2 **Pre-application History**

P15/V1929/PEO - Construction of a replacement dwelling

3.3 **Screening Opinion requests**

N/A

4.0 **ENVIRONMENTAL IMPACT ASSESSMENT**

4.1 This proposal is for the construction of a replacement dwelling and the site area does not exceed 5ha in size and is therefore, below the thresholds set in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (Amendment) Regulations 2015.

5.0 **Relevant Planning Consideration**

5.1 **Principle of development**

5.2 The principle of the proposal as well as the proposed design have been explained in detail in the original committee report (6<sup>th</sup> September 2017), **attached** at appendix 2.

5.3 **Flood Risk and drainage**

5.4 Further to the queries raised during the committee meeting, the submitted plans also illustrate the amended drainage scheme for the dwelling.

5.5 Sparsholt Parish Council in their comments did not object to the amended planning application (P17/V1299/FUL amended), however stated that “*the members of the council require that The Vale DC officers attach a condition to the consent to build with relation to the Foul and Surface Drainage Systems on site, similar to the previous condition applied to an earlier application. In addition Sparsholt Parish Council require The Vale DC officers to ensure that*

*the assumptions, design and calculations of both schemes are available to Sparsholt Parish Council to comment on before Vale officers give the go ahead to the drainage schemes and building commences.”*

- 5.6 These concerns have also been supported by the residents of the neighbouring properties.
- 5.7 The proposed drainage scheme has been assessed by the consulted Council's Drainage Officer, who in his comments stated that: *“Shortening of the northern extent of the house indicated on amended plans will serve to lessen any potential impact on drainage systems in gardens to the north. Further to that the foul and surface water drainage proposals will need to comply with Building Regulations 2010 - Documents H2 and H3. Some of these requirements have already been referred to in the ‘Foul Drainage Report’ submitted with the application. Percolation test results should allow for consideration of potentially ‘wetter’ conditions which might prevail in the area. The location of, and specification for, the drainage systems, will be based on Building Regulations’ guidelines, percolation test results (with appropriate weighting), and full consideration of their potential impact on drainage systems in adjacent properties.”*
- 5.8 The consulted Drainage Officer has also stated that with regards to the requests from neighbours and Sparsholt parish council for input into the consideration and approval process for the drainage scheme, *“I always welcome objective local input/knowledge in the consideration of such matters and would be very willing to liaise accordingly regarding such”*.
- 5.9 The consulted Council's Drainage Officer has raised no objections to the proposal and recommended that a condition on any permission issued for this, requiring the submission and approval of foul and sustainable surface water drainage details, prior to development commencing is included. The Local Planning Authority considers the requested condition is reasonable and justifiable, and therefore would be imposed to planning permission.
- 5.10 **Building Control**
- 5.11 It must be noted that building control is separate from planning. Any planning permission granted does not negate the need to comply with all other relevant legislations, including building control.
- 5.12 **Residential Amenity**
- 5.13 Saved 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.
- 5.14 The position of the proposed replacement dwelling has been set back further away from the northern boundary of the application site by 3.5 metres. Subsequently the distance between the proposed development and the neighbouring properties to the north has increased, and measures 28.5 metres.

- 5.15 Further to that there is an existing mature hedgerow on the northern boundary of the application site, which provides sufficient screening between the proposed development and the properties located to the north. In order to protect the hedgerow, which is considered to be a valuable asset, it is considered in the Officers' opinion justifiable to impose a condition to retain and properly maintain the existing hedgerow, and replace it subsequently in case it was damaged during construction.
- 5.16 There are no first floor windows proposed on the east elevation of the proposed dwelling therefore, it is not considered in the Officers' opinion there would be any harmful impact upon the residential amenities of the property located to the east in terms of overlooking.
- 5.17 The proposed replacement dwelling house will measure no more than 6.0 metres in height measured from the ground level with the relatively low eaves. The available roof space is to be used as first floor living accommodation. The proposal is therefore significantly lower than a normal two storey house, with an eaves height that largely equates to that of a single storey dwelling. The first floor window on the north elevation of the proposed dwelling serving a new bathroom, will be conditioned to be glazed with obscure glass.
- 5.18 Therefore, given the location, distance, height and design of the proposal Officers are of the opinion that the proposal complies with the requirements of local plan policy DC9, and the provisions of the NPPF, NPPG and Council's Design Guide.
- 5.19 **Traffic, parking and highway safety**  
Saved 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."
- 5.20 Vehicular access to the site would be gained from the south, as per previously approved scheme ref. P15/V3041/FUL. Sufficient off-street parking provision is proposed for the new dwelling, therefore the proposal is considered acceptable in terms of its impact on highways safety. An appropriate condition will be imposed to planning permission to secure the adequate provision of the off-street parking spaces, as per submitted plans.
- 5.21 As such the proposal is considered to comply with the requirements of local plan policy DC5, and the provisions of the NPPF, NPPG and Residential Design Guide.

## 6.0 CONCLUSION

- 6.1 The development complies with the relevant development plan policies and the National Planning Policy Framework. The principle of the proposed development has been already established, and the planning consent ref. P15/V3041/FUL is an extant planning permission.

- 6.2 The amended proposal would not harm the visual amenity and character of the Lowland Vale or the surrounding area.
- 6.3 The distances between the properties are line with the adopted Council's Design Guide, therefore the proposal is acceptable in terms of the impact upon the residential amenities of neighbouring properties.
- 6.4 There is adequate and safe access and parking provision for the site. The proposal, therefore, complies with the provisions of the development plan, in particular policies DC5, DC6, DC9, NE9 of the Local Plan 2011, and policies CP01, CP03, CP04, CP05, CP15, CP37, CP42 and CP44 of the adopted Local Plan 2031, Part 1.
- 6.5 The development is also considered to comply with the provisions of the National Planning Policy Framework and the provision of the adopted Council's Design Guide.

**7.0 POLICY & GUIDANCE**

**7.1 Vale of White Horse District Council 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.

DC5 - Access

DC6 - Landscaping

DC9 - The Impact of Development on Neighbouring Uses

NE9 - The Lowland Vale

**7.2 Local Plan 2031 – Part 1**

Core Policy 1	Presumption in favour of sustainable development
Core Policy 3	Settlement hierarchy
Core Policy 4	Meeting our housing needs
Core Policy 5	Housing supply ring-fence
Core Policy 15	Spatial strategy for South East Vale sub-area
Core Policy 37	Design and local distinctiveness
Core Policy 39	The historic environment
Core Policy 44	Landscape

**7.3 Supplementary Planning Guidance**

- Design Guide – March 2015

**7.4 National Planning Policy Framework (NPPF) – March 2012**

**7.5 National Planning Practice Guidance 2014 (NPPG)**

**7.6 Neighbourhood Plan**

Westcot does not have a neighbourhood plan currently

**7.7**

### **Environmental Impact**

This proposal does not exceed 150 dwellings and the site area is under 5ha. Consequently the proposal is beneath the thresholds set in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (Amendment) Regulations 2015 and this proposal is not EIA development and there is no requirement under the Regulations to provide a screening opinion.

7.8

### **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)

### **7.9 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.

### **7.10 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.

Contact Officer: Hanna Zembrzycka-Kisiel  
Email: [planning@southoxon.gov.uk](mailto:planning@southoxon.gov.uk)