

APPLICATION NO.	P18/V1820/FUL
SITE	Land south of Red Gables, Longcot
PARISH	Longcot
PROPOSAL	Part retrospective: Proposed replacement dwelling
WARD MEMBER(S)	Simon Howell and Elaine Ware
APPLICANT	Mr Martin Leach

RECOMMENDATION

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

Standard

- 1. Time limit - full application.**
- 2. Approved plans list.**

Prior to occupation

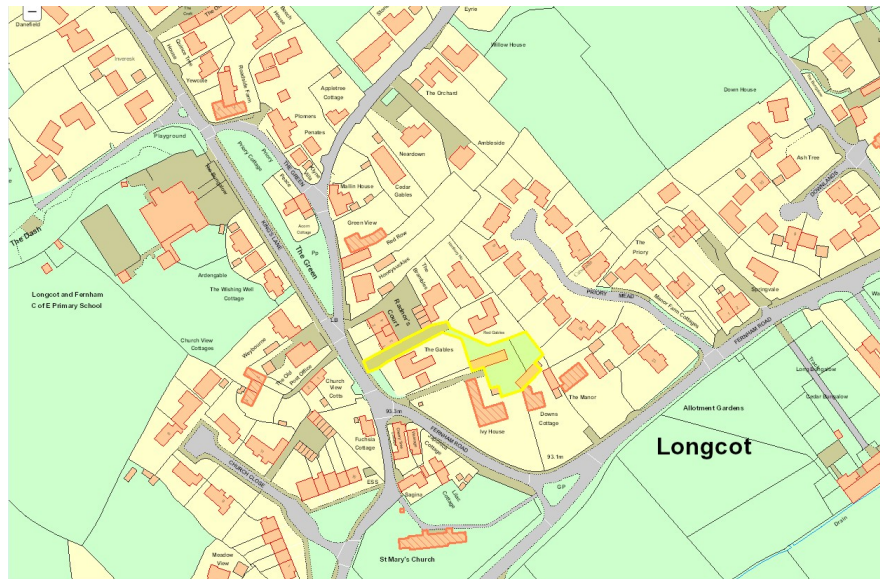
- 3. Boundary details provided in accordance with plans.**

Compliance

- 4. Materials in accordance with plans.**
- 5. Permitted development restriction – roof alterations.**

1.0 INTRODUCTION AND PROPOSAL

- 1.1** This application is referred to planning committee following a call-in request from one of the local members, Councillor Elaine Ware. Councillor Ware has asked that the application be referred to committee in view of the many concerns raised and the history of the site.
- 1.2** The site is situated in the settlement of Longcot. Longcot is a smaller village within the Western Vale sub-area. A site location plan is provided overleaf:



- 1.3 The application follows recent planning approval (P18/V0573/FUL) for the partial demolition of a former stables and extension and conversion into a dwelling. This part retrospective application has been submitted following the unlawful demolition of the entire property.
- 1.4 The site now consists of a cleared site that is surrounded by residential dwellings. The former stables have been replaced with the foundations of a new dwelling. The site is situated to the north-west of a grade II listed building.
- 1.5 A small barn is located to the south-eastern area of the site. Vehicle access is situated to the north-west via Fernham Road.
- 1.6 Planning permission is sought for a part retrospective dwelling which will resemble the previously approved application (P18/V0573/FUL) for the partial demolition of the former stables, extension and conversion to a dwelling. The development will increase the width of the original building by 7.66 metres, the depth will also increase by 6.17 metres to incorporate a dual pitched roof. The height of the dwelling will also be 1.15 metres higher than the original building. It is important to note that the building will be the exact size as the previously permitted dwelling approved under application P18/V0573/FUL.
- 1.7 The development is proposed to be constructed of materials to match the original dwelling. Vehicle access will remain the same with on-site car parking for three vehicles. Extracts from the application plans are **attached** at Appendix 1.
- 2.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**
- 2.1 A summary of the responses received is set out overleaf. Comments made can be viewed in full online at www.whitehorsedc.gov.uk.

<p>Longcot Parish Council</p>	<p>Objection. This plot has been put to planning many times over many years. The Parish Council has always worked hard to make sure that the outcome of all planning decisions were the best outcome for ensuring the plot was developed in a manner in keeping with being one of Longcot's old heritage sites, in the curtilage of more than one Grade II listed building and also to comply with the requirement of houses required in a designated small village.</p> <p>The site is in a unique situation as it sits within a zone that is prone to flooding, caused by heavy rain on Longcot clay. The site has had water moving through it on 3 occasions within 36 years according to the flood group's knowledge. Of course it was not a dwelling then so the houses around it on the downhill side were all flooded by the water passing over it and across it, so any building that takes away area of absorption will increase the risk of flooding to neighbouring properties quite dramatically. Longcot was a village with many ponds and trees. This site originally had 2 ponds on it, which is why water will find its way to the site and as it now has no ponds it needs to plan for such. The Parish Council does have a flood policy in place and requires detailed drainage plans, this is an area where this is of great importance, and no such plans have been submitted.</p> <p>This proposal is much larger than the previously approved application which the Parish Council cannot accept as it is over development of this plot. The site had planning permission for a partial demolition of the old heritage building. It had to be halted because the developer did a total demolition and so the</p>
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	<p>process appears to be that a new planning application had to be submitted. The Parish Council strongly feels that a legal precedent could be set if any future developer did not like the terms of permitted planning consent, especially involving heritage buildings, by ignoring totally the conditions of planning permission to achieve a bigger footprint with no heritage details required etc. Hence the Parish Council strongly feels that the original planning footprint should be adhered to.</p> <p>The Design and Access statement of this application suggests 'demolition' - i.e. to dismantle the existing stable structure, as the stable has been totally demolished this application should be facing the position it is in now and how it is going to ensure that the building process will deliver what it said it was going to. The Design and Access statement also states that the Vales Legal Department confirmed that Barn A was not curtilage listed in February 2018, however, Longcot Parish Council would like to suggest that as we are a designated small village and take our old buildings very seriously we very much care what the look of any building is when close to our village's grade 2 listed buildings.</p>
<p>Oxfordshire County Council – Highways liaison officer</p>	<p>No objection.</p>
<p>Conservation</p>	<p>No objection.</p>
<p>Drainage</p>	<p>No objection. The applicant has successfully demonstrated that infiltration is feasible via a hydraulic calculation sheet. This infiltration device has been designed to accommodate a 1 in 30 year storm +</p>

	40% CC which accords with legislation.
Waste management officer	No objection.
Archaeologist	No objection.
Contaminated land	No objection.
Neighbours – 3 letters of objection received. The grounds for objection concern can be summarised as:	<ul style="list-style-type: none"> - drainage implications. - discrepancies in supporting documents. - no party wall agreement has been sought. - impact on neighbouring amenity. - impact on setting of grade II listed building. - flooding implications.

3.0 **RELEVANT PLANNING HISTORY**

- P18/V0573/FUL - Approved (23/05/2018)
The partial demolition of a former stables (Barn A) and proposed extension and conversion into a dwelling.
- P16/V0507/FUL - Approved (03/05/2016)
Proposal to extend and convert the former stables into a four bedroom dwelling.
- P16/V0475/LB - Approved (03/05/2016)
Proposal to extend and convert the former stables into a four bedroom dwelling.
- P14/V1816/LB - Approved (13/11/2014)
Conversion of existing stables into a four bedroom dwelling and conversion of existing animal shelter into a garage/workshop. (Re-submission of withdrawn application P14/V1116/FUL)(as amended by drawings 1151-12, 1151-S-01RevA and 1551-S-02RevA and 1551-S-03Rev A).
- P14/V1745/FUL - Approved (13/11/2014)
Conversion of existing stables into a four bedroom dwelling and conversion of existing animal shelter into a garage/workshop. (Re-submission of withdrawn application P14/V1116/FUL)(as amended by drawings 1151-12, 1151-S-01RevA and 1551-S-02RevA and 1151-S-03RevA).
- P06/V1476 - Approved (11/01/2007)
Demolition of redundant agricultural building. Erection of a single storey detached dwelling.

4.0 **ENVIRONMENTAL IMPACT ASSESSMENT**

- 4.1 The application has been considered under the provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. The scale of the proposal is below relevant thresholds and the locality has no recognised specific environmental sensitivity. Therefore, an Environmental Statement is not required.

5.0 **MAIN ISSUES**

5.1 **Principle of development**

The settlement hierarchy set out in Core Policy 3 of the Local Plan 2031 Part 1 identifies Longcot as a smaller village within the Western Vale sub-area. Smaller villages have a low level of services and facilities. Development should be modest and proportionate in scale and primarily be to meet local needs. Core Policy 4 of the Local Plan 2031 Part 1 states that there is a presumption in favour of sustainable development within the existing built area of market towns, local service centres and larger villages. Limited infill development may be appropriate within the existing built areas of smaller villages where they are in keeping with local character and are proportionate in scale.

- 5.2 The NPPF is clear that local planning authorities should look to significantly boost the supply of housing in line with the principles of sustainable development. Core Policy 4 of the Local Plan 2031 Part 1 sets out the Council's approach to delivering new homes and retaining the housing stock. New homes will be located in accordance with the settlement hierarchy outlined in Core Policy CP3.

- 5.3 The development is located in the settlement of Longcot within an area that benefits from a range of services. It would provide an additional dwelling unit in the Vale, meeting the Council's requirement for the delivery of new homes.

- 5.4 In view of the above the principle of development is therefore acceptable providing it accords with other relevant development plan policies.

5.5 **Design and impact on the character and appearance of the area**

The NPPF is clear that good design is indivisible from good planning, it attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development and should contribute positively to making places better for people. It emphasises the importance to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings.

- 5.6 The NPPF also adds that the visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Great weight should be given to outstanding or innovative designs which raise the standard of design more generally in the area. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

- 5.7 Core Policy 37 of the Vale of White Horse Local Plan 2031 Part 1 states that new development must demonstrate high quality and sustainable design that relates not only to the appearance of a development, but the way in which it functions.
- 5.8 Concerns have been raised stating that the barn is curtilage listed and that the development would create a harmful impact on an important heritage asset. Officers have obtained legal advice on this. The legal view is that the original building was not curtilage listed as the site was split and sold off in 1965 before the listing of Ivy Farmhouse in 1983 (listing 1048782). Officers therefore considered the building was a non-designated heritage asset. Policy DP36 of the Vale of White Horse Draft Local Plan 2031, Part 2 states that proposals for new development that may affect heritage assets must demonstrate that they conserve and enhance the special interest or significance of the heritage asset and its setting.
- 5.9 It is disappointing that a non-heritage asset has been demolished. Nevertheless, the design and overall appearance of the dwelling will fit with the general scale and features of the surrounding area. The building is designed to replicate the previous approval (P18/V0573/FUL) and will be built to the same size and of the same materials as the previous planning consent. Furthermore, the overall appearance is proposed to conserve the setting of the adjacent grade II listed buildings to the south-east. There will be adequate amenity space, parking and privacy for the occupants.
- 5.10 In view of the above the design and appearance of the proposed development is in compliance with the advice contained within the NPPF, and CP37 and CP39 of the Vale of White Horse Local Plan 2031 Part 1, and Policy DP36 of the Draft Vale of White Horse Local Plan 2031 Part 2.
- 5.11 **Residential amenity**
Core Policy 37 of the Vale Local Plan 2031 Part 1, DC9 of the Vale of White Horse Local Plan 2011 Saved Policies, and DP23 of the Draft Vale of White Horse Local Plan 2031, Part 2 are of importance with regard to the potential impact upon neighbouring amenity. Policy DC9 states that development will not be permitted if it would unacceptably harm the amenities of neighbouring properties and the wider environment.
- 5.12 The impact upon neighbouring amenity will be minimal as the dwelling will be sufficiently distanced away from neighbouring dwellings. Furthermore, the scale of development is not considered to create a harmful impact towards neighbouring occupants. It is therefore considered that the criteria contained within Core Policy 37 of the Local Plan 2031 Part 1 and DC9 of the Local Plan 2011 Saved Policies, and DP23 of the Draft Vale of White Horse Local Plan 2031 Part 2 will be adhered to.
- 5.13 **Drainage**
The site is not situated in flood zones 2 or 3. Therefore fluvial flooding is unlikely to occur at the site. The drainage officer has raised no objection,

confirming that the applicant has successfully demonstrated that infiltration is feasible via a hydraulic calculation sheet. This infiltration device has been designed to accommodate a 1 in 30 year storm + 40% CC which accords with legislation.

- 5.14 It is therefore considered that the development would not affect the quality of water resources or create flooding at the development site or elsewhere. The development therefore complies with Policy DC12 of the Vale of White Horse Local Plan Saved Policies 2011, and Policy CP42 of the Vale of White Horse Local Plan 2031, Part 1.
- 5.15 **Other matters**
Neighbouring objectors are concerned that there are discrepancies in the supporting information. Officers are satisfied that sufficient information has been submitted in this instance. Other objections have raised concerns with the impact of a stone party wall. This is not a material planning consideration, if a party wall is damaged during construction this would fall under the Party Wall Act which is a matter outside of planning legislation.
- 5.16 To preserve neighbouring amenity and the character and appearance of the surrounding area a condition is recommended to remove permitted development rights for additions or alterations of the roof of the dwelling. This will prevent an overdeveloped appearance and allow officers to carefully monitor any potential impact on the setting of the nearby grade II listed buildings.
- 5.17 **Community Infrastructure Levy (CIL)**
Policy CP7 of the Vale of White Horse Local Plan 2031, Part 1 states that the Council will work with infrastructure providers and stakeholders to identify requirements for infrastructure provision and services for new development and will seek to co-ordinate infrastructure delivery. The Council has implemented its Community Infrastructure Levy (CIL) as from 1st November 2017. Planning applications which are decided after 1st November 2017 may be liable to pay the levy.
- 5.18 The proposed new build in terms of the gross internal floor space area (GIA) as defined by the Royal Institute of Chartered Surveyors (RICS) is 217m². Under the Community Infrastructure Levy Charging Schedule adopted by Vale of White Horse Council and the government Community Infrastructure Levy Regulations, new dwellings and residential development of 100m² or more will be liable to pay the Community Infrastructure Levy. In this instance the application is CIL liable with a total CIL liability cost of £28,498.32.
- 5.19 **Sustainable development**
When considering development proposals, the Council is required to take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.

5.20 The National Planning Policy Framework places a strong emphasis on sustainable development. All planning applications must result in sustainable development with consideration being given to economic, social and environmental sustainability aspects of the proposal. The development will have a minimal impact upon the local services which operate in Longcot. The environmental considerations have been assessed in terms of amenity, and impact on the character and appearance of the area and for the reasons given above are considered acceptable. Social considerations overlap those of environmental in terms of amenity. As these have been found acceptable the development is considered to constitute sustainable development.

6.0 CONCLUSION

- 6.1 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.
- 6.2 The application will provide an economic and social role via the additional residents who will use local services, and business.
- 6.3 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 the surrounding listed buildings.
- 6.4 There are no technical objections to the proposal, subject to appropriate conditions.
- 6.5 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.

This decision has been considered using the relevant policies related to the proposal. These are listed below.

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

- 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.

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
- CP07 - Providing Supporting Infrastructure and Services
- CP20 - Spatial Strategy for Western Vale Sub-Area
- CP33 - Promoting Sustainable Transport and Accessibility
- CP35 - Promoting Public Transport, Cycling and Walking
- CP37 - Design and Local Distinctiveness
- CP39 - The Historic Environment
- CP46 - Conservation and Improvement of Biodiversity

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
- CP20a – Housing supply for Western Vale sub-area
- DP16 – Access
- DP23 – Impact of development on amenity
- DP28 - Waste collection and recycling
- DP 36 – Heritage assets

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