

APPLICATION NO.	P24/V0687/HH
SITE	Pemberley Lamborough Hill Wootton Abingdon, OX13 6BY
PROPOSAL	Proposed part demolition of existing property and proposed two-storey front extension and side extension and roof dormers. Erection of a detached garage with accommodation above. Existing access improvements, gate relocation and associated hard and soft landscaping works. (Amended plans and Design & Access Statement received 14 October 2024).
AMENDMENTS	Yes
APPLICANT	Ms Vivian Li
APPLICATION TYPE	HOUSEHOLDER
REGISTERED	22.3.2024
TARGET DECISION DATE	29.11.2024
PARISH	WOOTTON
WARD MEMBER(S)	Val Shaw
OFFICER	Katie Cook

1.0 INTRODUCTION

1.1 The application is referred to planning committee at the request of the local member, Councillor Val Shaw.

1.2 The application site is Pemberley, a detached two storey dwelling with rooms in the roof, located towards the southern side of the village of Wootton. The dwelling is situated towards the south-western side of a broadly rectangular plot. Neighbouring residential properties are located to the north-west and south-east, with other residential dwellings to the south-west on the opposite side of a privately owned path / access drive. Vehicular access to the site is gained from Lamborough Hill which adjoins the north-east boundary.

1.3 There are no specific site constraints, although the site is within an amber Great Crested Newt zone, which means that there is the potential for Great Crested Newts to be present.

2.0 PROPOSAL

2.1 This application seeks planning permission for the partial demolition of the existing dwelling and the erection of two storey front and side extensions and dormer roof additions. Permission is also sought for the erection of a detached garage with accommodation above within the front garden of the property. As part of the development, alterations will be made to the existing access with the front gate set further back into the site.

2.2 The original application involved two large front extensions, an outbuilding with an external staircase and the widening of the existing access. This was

subsequently amended to the scheme now presented, with a full set of re-consultations carried out in respect to the amendments.

- 2.3 Copies of the plans and supporting documents submitted with the application can be found on the council’s website at www.whitehorsedc.gov.uk. A site location plan is provided below and extracts from the application plans are **attached** at Appendix 2.



3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

Full versions of the representations can be found on the planning application pages on the council’s website at www.whitehorsedc.gov.uk.

3.1 **Publicity**

This application has been publicised in accordance with Article 15 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) and the Council’s procedures, including the Statement of Community Involvement (SCI), December 2022.

3.2 **Statutory Consultee responses**

Representation	Comments
Wootton Parish Council	<p>First consultation No comments received.</p> <p>Second consultation No objection in principle (06/11/2024)</p>

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	<ul style="list-style-type: none"> Request restrictions on working hours. Request neighbours worries about being overlooked are taken into consideration.
Highways Liaison Officer (Oxfordshire County Council)	<p>First consultation No objection subject to conditions (15/04/2024).</p> <p>Second consultation No objection subject to conditions (11/11/2024).</p>

3.3 Council - professional officer comments

Representation	Comments
Community Infrastructure Officer & 106 Officer	<p>First consultation No comments received.</p> <p>Second consultation Awaiting revised CIL Form 1 (16.10.2024).</p>
Tree Officer	No objection to amended plans subject to conditions (verbal comments).
Ecology Officer	No objection to amended plans (verbal comments).

3.4 Other Professional comments

Representation	Comments
SGN Plant Protection Team	First consultation Details provided as to position of utilities.

3.5 Public responses

Representation	Comments
Neighbours	<p>First consultation Objection (two households)</p> <ul style="list-style-type: none"> Plans not drawn to scale. Foundations deep enough to support extension? Materials should be of a similar appearance to those on the existing house. Upper floor windows overlook neighbouring gardens.

	<ul style="list-style-type: none"> • External staircase on garage overlooks neighbours. • Will the gym be for personal use; if not it will cause disturbance. • Car parking arrangements suitable? • Increased noise and disturbance from second floor terrace area. • What changes are required to utilities? • Concerns about construction times, noise, and waste disposal. <p>No objection (one household)</p> <ul style="list-style-type: none"> • Work should be undertaken by a considerate construction company. • Site waste management should be strictly adhered to. • Proposal is an improvement on the existing dwelling. <p>Second consultation</p> <p>Objection (one household)</p> <ul style="list-style-type: none"> • Dormer windows in garage will overlook neighbouring property. • Dormer window to rear of ground floor extension will cause overlooking of rear garden of Tudor Cottage. • Revised plans are not sympathetic. <p>No objection (one household)</p> <ul style="list-style-type: none"> • Future use of accommodation above the garage? • Access to the site from the path/lane to the rear will not be possible. • Request hours of work be restricted.
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4.0 **RELEVANT PLANNING HISTORY**

	Application Number	Description of development	Decision and date
4.1	P87/V1319	Formation of room in roof space. Pemberley, Lamborough Hill, Wootton. BR No. 1578/87	Approved (15/02/1988)
	P84/V1285	Removal of existing conservatory and erection of new conservatory. Pemberley. Lamborough Hill, Abingdon. BR No. 1578/87	Approved (28/09/1984)

5.0 ENVIRONMENTAL IMPACT ASSESSMENT

5.1 The proposed development is not Schedule 1 or 2 development as defined by the Town and Country Planning Environmental Impact Assessment Regulations 2017, so an Environmental Impact Assessment is not required.

6.0 POLICY & GUIDANCE

6.1 **National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG)**

6.2 **Development Plan Policies**

Vale of White Horse Local Plan 2031 Part 1 (LPP1) Policies:

CP33 – Promoting Sustainable Transport and Accessibility

CP35 – Promoting Public Transport and Accessibility

CP37 – Design and Local Distinctiveness

CP44 – Landscape

CP46 – Conservation and Improvement of Biodiversity

Vale of White Horse Local Plan 2031 Part 2 (LPP2) Policies:

DP16 – Access

DP23 – Impact of Development on Amenity

6.3 **Emerging Joint Local Plan 2041**

The Council is currently preparing a Joint Local Plan (JLP) for South Oxfordshire and Vale of White Horse, which, once adopted, will replace the existing local plans. The JLP has reached the Regulation 19 stage, with the pre-submission version open for representations between 1 October and 12 November 2024. In line with paragraph 48 of the National Planning Policy Framework (NPPF), decision-makers may give weight to relevant policies in emerging plans depending on several factors: the stage of preparation, the extent of unresolved objections, and the degree of consistency with the NPPF. The starting point for decision taking remains the policies in the current adopted plan(/s).

The JLP is at an advanced stage of preparation and carries some weight. However, as the examination process has not yet commenced, the weight must be tempered by the potential for any necessary modifications. Whilst the representations period is ongoing there will not be sufficient information to assess which policies are the subject of objections or the extent to which they may be resolvable. Even when the representation period has ended, particular care will need to be given when considering any unresolved objections to policies, which may limit the weight assigned to certain policies until further clarity is achieved through the JLP examination process. Therefore, limited weight can be attributed to its policies at this stage.

6.4 **Neighbourhood Plan**

Wootton and St Helen Without Neighbourhood Plan

DG1 – Design for the Area

6.5 Supplementary Planning Guidance/Documents

South Oxfordshire and Vale of White Horse Joint Design Guide 2022.

7.0 PLANNING CONSIDERATIONS

7.1 The relevant planning considerations are the following:

- **Design and character**
- **Residential amenity**
- **Access and parking**
- **Ecology**

7.2 Design and character

Policy CP37 of LPP1 requires development to be of high quality, visually attractive design that responds positively to the site and its surroundings with appropriate scale, height, details, and materials.

7.3 The impact of development on the landscape is assessed against policy CP44 of LPP1. This policy requires key features of the landscape to be protected or enhanced including (but not limited to) trees, hedgerows, landscape settings of settlements, important views, and sensitive skylines. Development is also required to incorporate appropriate landscape proposals that reflect the character of the area.

7.4 Policy DG1 of the Wootton Neighbourhood Plan requires development proposals to respect local character and provide for the integration of environmental or landscape context and built form. Development is also expected to respect heritage and local distinctiveness and be in keeping with the style, design, and nomenclature of surrounding buildings, streets, and public spaces.

7.5 The proposed extensions to the property project towards Lamborough Hill, with the overall height of the building increasing by approximately 0.35 metres. Although the proposal incorporates flat roof elements, these would not be discernible from public vantage points owing to the use of a mansard style roof pitch and rounded ridge tiles joining the pitch roof section to the flat roof section. The use of flat roof dormers, including a large one on the rear roof slope (which already contains a flat roof dormer), will not appear out of place within either the development itself or the wider visual context.

7.6 Along this section of Lamborough Hill there are various dwelling styles and designs, all utilising different external materials. Accordingly, the use of slate grey roof tiles, red brick, and white render within the construction of the extensions is acceptable as such materials will not compromise the overall aesthetic of this part of Lamborough Hill.

7.7 The proposed detached garage is situated forward of the front elevation of the main house. It will be positioned immediately adjacent to the detached garage within the front garden of Conifer House to the south-east. Given the existence of existing detached outbuildings within the front gardens of several properties

in the vicinity, and its distance set back from the main highway, the proposed garage will not appear visually intrusive within the street scene or detrimental to the character of the area. The accommodation above the garage is to be used as ancillary accommodation to the main house; any other use outside of this would require a further application for planning permission.

- 7.8 The neighbouring property to the north-west, Tudor Cottage, has several trees on the boundary with the application site. The Tree Officer has confirmed that these, together with those within the application site itself, are not of sufficient value to warrant planning protection with a Tree Preservation Order (TPO), and therefore they are not a constraint to the development.
- 7.9 The excavation required for the foundations of part of the proposed extension closest to the boundary with Tudor Cottage could impact the roots of adjacent trees. However, as these trees are not suitable to for the serving a TPO any impact on these trees would be a civil matter between the neighbours, with appropriate remedial tree works such a pruning agreed between the parties. Other trees within the front garden of Tudor Cottage will be protected by the existing boundary fence and therefore there is no requirement to specifically condition tree protection measures.
- 7.10 To help and ensure the new development integrates into its setting additional landscaping is considered necessary. According, the inclusion of a landscaping condition is felt reasonable in this instance.
- 7.11 As, subject to the recommended conditions, the development will not harm the visual amenity of the area, it is held that the application accords with policies CP37, CP44 and DG1.
- 7.12 **Residential amenity**
The impact of development on neighbouring properties is controlled by policy DP23 of LPP2. This policy requires development proposals to demonstrate that they will not result in significant adverse impacts on the amenity of neighbouring uses arising through loss of privacy, daylight, or sunlight, from dominance or visual intrusion, noise or vibration, dust, heat, odour, gasses or other emissions, pollution, contamination, or the use of / or storage of hazardous substances and external lighting.
- 7.13 The neighbouring property to the south-east, Conifer House, has several openings within its north-east elevation which face towards the application site. These serve, according to available council records, a utility room, a cloakroom, a stairwell, a bathroom, and an en-suite. The impact of the development on these openings, which serve non-habitable rooms, is consequently considered acceptable.
- 7.14 Tudor Cottage to the north-west has four openings within its south-east elevation which face towards the application site. These are secondary openings to a living room and bedrooms, and as the proposed extension does not encroach beyond a 45-degree line taken from the centre of the main

windows serving these rooms, the impact is considered acceptable in relation to overshadowing and dominance.

- 7.15 The proposed extensions to the dwelling include various openings which have the potential to cause harmful overlooking of neighbouring properties. To this end it is considered reasonable and necessary to condition the height of the rooflights in the north-west elevation, as well as conditioning that the dormer window in the south-east elevation and the nearest dormer window in the south-west elevation serving an en-suite be obscure glazed and fixed shut apart from a top-hung opening vent. Other openings within the front and rear elevations of the extended dwelling will not cause harmful looking, with the views obtained similar to those already achieved from the existing dwelling and not uncommon between neighbouring properties.
- 7.16 The proposed garage includes two small dormer windows within the north-west elevation which face towards the front garden of Tudor Cottage. These are situated approximately 14.8 metres away from the boundary with Tudor Cottage. Accordingly, although views towards the front garden of Tudor Cottage will be possible, the distance is such that harmful overlooking will not be caused.
- 7.17 With the proposal of a householder scale, and the likely short-term nature of the works and the ability for the council to enforce noise from construction through separate legislation, it is not considered reasonable to specifically condition construction times or practices.
- 7.18 As the neighbours' amenity will not, subject to appropriate conditions, be significantly harmed, it is held that the application accords with policy DP23.
- 7.19 **Access and parking**
Policies CP33, CP35, CP37 and DP16 of LPP1 and LPP2 require development to provide safe and convenient access, sufficient car, and cycle parking in line with Oxfordshire County Council standards and adequate provision for loading, unloading, circulation, servicing, and vehicle turning. Development must also minimise the impact on the highway network and promote more sustainable modes of transport where appropriate.
- 7.20 The proposal increases the number of bedrooms within the property from four to five/six. Sufficient parking and turning space is shown to be provided within the site, and to ensure this is provided and maintained it is proposed to condition it. The proposed garage accommodation, which contains two parking spaces, and five bicycle parking spaces will be conditioned to maintain this parking provision.
- 7.21 The Highway Officer raises no objection to the proposal, and subject to the recommended conditions, there will be no harm to highway safety and the local highway network, and accordingly it is held that the application accords with policies CP33, CP35, CP37 and DP16.

7.22 Ecology

Policy CP46 of LPP1 states that development that conserves, restores, and enhances biodiversity will be permitted whilst net loss of biodiversity will be avoided. The highest level of protection is given to sites and species of international nature conservation importance (Special Areas of Conservation and European Protected Species). Development that harms habitats and species will not be permitted unless the need for the development outweighs the harm, it can be demonstrated that the development could not reasonably be located elsewhere or measures to prevent, mitigate or compensate for the harm are agreed.

7.23 The site is within an amber Great Crested Newt zone. However, given the distance of the site from the nearest ponds, together with the make-up of the site itself, it is incredibly unlikely that Great Crested Newts will be in the immediate vicinity.

7.24 The Ecology Officer has confirmed that whilst there is a small chance that Great Crested Newts may pass through the site between known populations to the south-east and north-west, the distances are such that any such movement would not be commonplace. Consequently, the proposal will not impact biodiversity and specific conditions relating to this are not required.

7.25 Community Infrastructure Levy

The proposal is CIL liable. An informative will be included on the decision notice advising the applicant of their responsibilities in relation to this.

7.26 Pre-commencement conditions

In accordance with Section 100ZA (6) of the Town and Country Planning Act 1990 (as amended) the pre-commencement condition relating to landscaping has been provided to the agent and applicant; a response is awaited.

8.0 Other Relevant Legislation

8.1 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.

8.2 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.

8.3 Crime and Disorder Act 1998

In considering this application, due regard has been given to the likely effect of the proposal on the need to reduce crime and disorder in accordance with Section 17 of the Crime and Disorder Act 1998. In reaching a recommendation, officers consider that the proposal will/will not undermine crime prevention or the promotion of community safety.

9.0 PLANNING BALANCE AND CONCLUSION

9.1 There is no objection to the principle of extending the property or erecting a detached garage within the front garden of the property. Subject to the recommended conditions officers consider the development will not be harmful to visual or neighbour amenity, highway safety, or ecology. Therefore, it is considered that the application accords with the policies of the development plan and the NPPF. Thus, it is recommended that planning permission be granted.

9.2 Abbreviated versions of the recommended conditions are listed below and shown in full **attached** at Appendix 1.

10.0 RECOMMENDATION

To grant planning permission subject to the following conditions:

Standard

- 1. Commencement date**
- 2. Approved plans**

Pre-commencement & Implementation

- 3. Landscaping Scheme (Submission & Implementation)**

Pre-occupation

- 4. Access improvements in accordance with highway authority's specifications**
- 5. Car parking in accordance with submitted details**
- 6. Turning space in accordance with submitted details**

Compliance

- 7. Materials in accordance with submitted details**
- 8. Rooflight sill height**
- 9. Dormer windows obscure glazing**
- 10. No surface water drainage to highway**
- 11. No garage conversion to habitable accommodation**
- 12. Gate set-back**

Informatives

- 13. Works within the highway**
- 14. CIL – extensions advisory**

Officer: Katie Cook

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Appendix 1

Recommended Conditions (full text):

Sequence	Description	Details
1	Commencement date	<p>The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.</p> <p>Reason: By virtue of Sections 91 to 95 of the Town and Country Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.</p>
2	Approved plans	<p>That the development hereby approved shall be carried out in accordance with the details shown on the following approved plans, 220041-A-EX-1A, P-05-01, P-05-02, P-05-03, P-05-04 and E-02 except as controlled or modified by conditions of this permission.</p> <p>Reason: To secure the proper planning of the area in accordance with Development Plan policies.</p>
3	Landscaping Scheme (Submission & Implementation)	<p>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.</p> <p>The scheme shall be implemented prior to the first occupation or use of the development and thereafter be maintained in accordance with the approved scheme. In the event of any of the trees or shrubs so planted dying or being seriously damaged or destroyed within 5 years of the completion of the development, a new tree or shrub or equivalent number of trees or shrubs, as the case may be, of a species first approved by the Local Planning Authority, shall be planted and properly maintained in a</p>

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		<p>position or positions first approved in writing by the Local Planning Authority.</p> <p>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).</p>
4	Access improvements in accordance with highway authority's specifications	<p>Prior to first occupation of the development, the existing means of access onto Lamborough Hill, within the highway, shall be improved and laid out and constructed strictly in accordance with the local highway authority's specifications and all ancillary works specified shall be undertaken.</p> <p>Reason: In the interest of highway safety (Policies CP35 and CP37 of the adopted Local Plan 2031 Part 1 and Policy DP16 of the adopted Local Plan 2031 Part 2).</p>
5	Car parking in accordance with submitted details	<p>Prior to the use or occupation of the new development, the car parking area shown on approved drawing number Pemberley-P-05-03 shall be constructed and surfaced. The parking area shall be constructed to prevent surface water discharging onto the highway. Thereafter, the parking area shall be kept permanently free of any obstruction to such use.</p> <p>Reason: In the interest of highway safety and to avoid localised flooding (Policies CP35, CP37 and CP42 of the adopted Local Plan 2031 Part 1 and Policy DP16 of the adopted Local Plan 2031 Part 2).</p>
6	Turning space in accordance with submitted details	<p>Prior to the use or occupation of the new development, the turning space shown on approved drawing number Pemberley-P-05-03 shall be constructed to enable motor vehicles to enter the site, turn around and leave in a forward direction. The turning space shall be constructed to prevent surface water discharging onto the highway. Thereafter, the turning space shall be kept permanently free of any obstruction to such use.</p> <p>Reason: In the interest of highway safety and to avoid localised flooding (Policies</p>

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		CP37 and CP42 of the adopted Local Plan 2031 Part 1 and Policy DP16 of the adopted Local Plan 2031 Part 2).
7	Materials in accordance with submitted details	<p>The development shall be built using only the external materials specified on the forms and/or shown on the approved drawings the subject of this planning permission, unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: In the interest of visual amenity (Policy CP37 of the adopted Local Plan 2031 Part 1 and Policy DG1 of Wootton and St Helen Without Neighbourhood Plan).</p>
8	Rooflight sill height	<p>The rooflights on the north-west elevation of the new extension shall be installed with a sill height of not less than 1.7 metres above the finished floor level of the room(s) in which they are fitted and shall be retained as such. Notwithstanding the provisions of Classes B and C of Part 1 Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or the equivalent provisions of any order revoking and re-enacting that Order), the rooflight sill height(s) shall not be lowered without the prior grant of planning permission.</p> <p>Reason: To protect the privacy of adjacent dwellings (Policy DP23 of the adopted Local Plan 2031 Part 2).</p>
9	Dormer windows obscure glazing	<p>Notwithstanding any details shown on the approved drawings, the new first-floor dormer window on the south-west elevation serving the en-suite to bedroom 1 and the new second-floor dormer window in the south-east elevation serving a bathroom shall be glazed with obscured glass and shall be fixed shut, apart from a top-hung opening vent only. Thereafter, the windows shall remain obscure glazed with top-hung opening vents only. Notwithstanding the provisions of Class A or Class B of Part 1 Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or the equivalent provisions of any order revoking and re-enacting that Order), no additional first-floor or second-floor windows shall be inserted in the north-east, south-west or south-east elevations of</p>

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		<p>the dwelling without the prior grant of planning permission.</p> <p>Reason: To protect the privacy of adjacent dwellings (Policy DP23 of the adopted Local Plan 2031 Part 2).</p>
10	No surface water drainage to highway	<p>No surface water from the development shall be discharged onto the adjoining highway.</p> <p>Reason: In the interest of highway safety and to avoid localised flooding (Policies CP35, CP37 and CP42 of the adopted Local Plan 2031 Part 1 and Policy DP16 of the adopted Local Plan 2031 Part 2).</p>
11	No garage conversion to habitable accommodation	<p>The garage accommodation hereby approved shall be retained as such and shall not be adapted for living purposes without planning permission from the Local Planning Authority.</p> <p>Reason: In the interests of highway safety and to ensure the provision of adequate off-street car parking and cycle storage (Policies CP33, CP35 and CP37 of the adopted Local Plan 2031 Part 1 and Policy DP16 of the adopted Local Plan 2031 Part 2).</p>
12	Gate set-back	<p>Any gates provided shall be set back a minimum of 5.0 metres from the edge of the carriageway and shall open inwards into the site.</p> <p>Reason: To ensure that vehicles may wait clear of the highway while the gates are opened or closed in the interests of highway safety (Policies CP35 and CP37 of the adopted Local Plan 2031 Part 1 and Policy DP16 of the adopted Local Plan 2031 Part 2).</p>
Informatives		
13	Works within the highway	<p>If works are required to be carried out within the public highway, the applicant is advised not to commence such work before formal approval has been granted by Oxfordshire County Council by way of either:</p>

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		<p>i. - a Section 184 Notice under the Highways Act 1980, or</p> <p>ii. - a legal agreement between the applicant and Oxfordshire County Council</p>
14	CIL – extensions advisory	<p>The development to which this permission relates is liable to pay the Community Infrastructure Levy as set out in the Vale of White Horse District Charging Schedule. Upon planning permission (including permission on appeal) a Liability Notice will be issued to the nominated person/company liable for CIL or landowner(s). The person/company liable for CIL shall notify the Local Planning Authority (using CIL Form 2). Please submit a commencement notice before development commences (CIL Form 6) as this helps us with the monitoring of CIL chargeable development across the district. The Local Planning Authority will send a Demand Notice to the person/company liable for CIL when the Commencement Notice is received. Failure to follow the CIL procedures could result in surcharges and the loss of any exemption relief if entitled. 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.</p>