
APPLICATION NO.	P09/E0595/RET
APPLICATION TYPE	RETROSPECTIVE
REGISTERED	12.06.2009
PARISH	THAME
WARD MEMBER(S)	Mr David Dodds Mrs Ann Midwinter
APPLICANT	Thomas Homes
SITE	Former Essex House Hotel 149 Chinnor Road Thame
PROPOSAL	Revisions to elevations of Block B including increase in height. Alterations to existing building to provide bin and cycle store (amendment to planning permission P07/E1015).
AMENDMENTS	As amplified by letter from applicant dated 15 June 2009 and drawing no.THA901 accompanying letter from Applicant dated 8 July 2009.
GRID REFERENCE	471650/205172
OFFICER	Mr M.Moore

1.0 INTRODUCTION

- 1.1 This application is referred to Planning Committee because the recommendation conflicts with the view of Thame Town Council.
- 1.2 The site, which extends to 0.167 hectares, is shown on the **attached** Ordnance Survey extract. The site, lies at the junction of Cotmore Gardens with Chinnor Road, where Chinnor Road bends to the right (south) as it leaves Thame to cross over the former railway line which is now part of the Sustrans cycleway track. On site are two blocks of flats which are awaiting first occupation. They are constructed in red brick under a plain clay tiled roof. They are both two and half stories and contain 10 two bedroomed and 2 one bedroomed apartments.
- 1.3 Access is gained via an existing access onto Cotmore Gardens between the two blocks to a parking area containing 14 spaces. A pre-existing building at the rear of the parking area has been renovated to accommodate a bin store and separate cycle store.

2.0 PROPOSAL

- 2.1 The application is submitted retrospectively and seeks to retain the two apartment blocks as built. This is further discussed in the planning history section below.

3.0 CONSULTATIONS & REPRESENTATIONS

- 3.1 Thame Town Council – Objects. They are concerned that the increase in height results in a loss of light to neighbours, additional overlooking and does not accord with an appeal inspectors recommendations.
Neighbour Objectors (4): They consider that the height of the building results in it looking out of place, the additional windows overlook resulting in loss of privacy and a large volume of building has been added. Car parking is now difficult. Attention is drawn to the previous appeals on the site (see below).
SODC Countryside Officer – No objection subject to bat boxes being provided.

4.0 **RELEVANT PLANNING HISTORY**

- 4.1 P05/E1369. This application proposed a similar development to the present application. The detailed elevations of the two blocks was somewhat different and planning permission was refused by decision notice dated 23 March 2006. The Council's concerns related to the size, height, bulk, massing and detailing of the two buildings which were considered to be prominent and out of keeping, the loss of the Essex House Hotel, which was considered to be an important landmark building and the harm to the amenity of neighbourly properties.
- 4.2 P06/E0392 Sought planning permission for a slightly smaller scheme. Planning permission was refused by decision notice dated 30 June 2006 for similar reasons to the previous application.
- 4.3 The applicant appealed against both refusals and by decision notice dated 15 March 2007 the appeals were dismissed. A copy of the appeal decision is **attached** to this report. In respect of the first application, the Inspector concluded at paragraph 12 that the scheme was unacceptable. However, at paragraph 17, the Inspector concluded that the second scheme was generally satisfactory. The second appeal was only dismissed because of the possibility that the buildings were potentially a suitable habitat for bats.
- 4.4 P07/E1015 sought planning permission for an identical form of development as that dismissed at appeal under reference P06/E0392. It included a bat survey and report which concluded that there was no impact on wildlife. Conditional planning permission was granted by decision notice 14 November 2007.

5.0 **POLICY & GUIDANCE**

- 5.1 South Oxfordshire Local Plan 2011 Policies:
- G2 - Protect district from adverse development
 - G6 - Appropriateness of development to its site & surroundings
 - C1 - Development would have adverse impact on landscape character
 - C8 - Adverse affect on protected species
 - D1 - Principles of good design
 - D2 - Safe and secure parking for vehicles and cycles
 - D4 - Reasonable level of privacy for occupiers
 - D8 - Conservation and efficient use of energy
 - D10 - Waste Management
 - H4 - Housing sites in towns and larger villages outside Green Belt
 - H7 - Mix of dwelling types and sizes to meet district need
 - H8 - Density of housing development in and outside town centres
 - H9 - Provision of affordable housing
 - EP1 - Adverse affect on people and environment
 - EP3 - Adverse affect by external lighting
 - EP6 - Sustainable drainage
 - EP7 - Impact on ground water resources
 - EP8 - Contaminated land
- PPS1 General Policies and Principles
PPG3 Housing
PPG24 Planning and Pollution Control

6.0 **PLANNING CONSIDERATIONS**

- 6.1 As can be seen from the planning history section above, an appeal has already considered the principle of the development of the site, the design and layout of the

scheme, density issues, the impact on neighbours, affordable housing and mix, density and access and parking issues. Copies of the plans considered at appeal are **attached**. The principal planning considerations in respect of this application are:

- i) Impact on neighbours,
- ii) Impact on street scene and area generally and
- iii) Infrastructure.

i) Impact on neighbours

- 6.2 At paragraphs 18 – 21 of the appeal decision, the Inspector concluded that neither of the proposals then being considered would cause unacceptable harm to the living conditions of occupiers of nearby properties, subject to the use of non opening obscure glazed windows on the lower half of sash windows on the rear of Block B. These have been provided and can be conditioned to remain as such. The relationship of the two blocks as constructed to the adjoining residential property in Cotmore Gardens is essentially the same as those appealed. There are additional windows to Block B but these are only looking across the front of the adjoining property at an oblique angle. The appeal proposal included 4 rooflights and 9 windows on the front of Block B and the development as constructed includes 11 windows and 6 rooflights. Officers consider that the impact arising from the increase in openings is insufficient to justify a refusal of planning permission.
- 6.3 In terms of overshadowing and general proximity to adjoining property, the Inspector concluded that a slightly larger scheme (P05/E1369) was not uneighbourly and consequently there are insufficient grounds to justify a refusal of planning permission in respect of these issues.

ii) Impact on street scene and area generally.

- 6.4 The appeal Inspector considered that in respect of the first appeal (P05/E1369) Block B would dominate Bridge Terrace, an existing adjoining building, and give rise to an incongruous and unduly prominent impact on the street scene sufficient to dismiss the appeal. He considered Block A would also be overbearing (para's 10 and 11 of the appeal decision).
- 6.5 However, in respect of the second appeal (P06/E0392) he considered that the increased gap of Block B from the terrace (1m to 2m) and the reduction in height (from 1.7m higher than the adjoining terrace to 0.4m higher) was sufficient to mean that the development was acceptable. Block A was moved a little further from the pavement which he considered to be less overbearing in the street scene. Although he dismissed appeal B it was only for wildlife reasons.
- 6.6 Block A is generally in accordance with the plans approved under reference P07/E1015. However, Block B, although it has the same footprint as approved and the same distance to Bridge Terrace (2m), is some 1m higher than Bridge Terrace. In addition, there are 2 additional roof lights and other minor adjustments to the elevations.
- 6.7 Officers consider that the change in ridge height is regrettable and the relationship between Block B and Bridge Terrace is less comfortable than the approved plans. However, this block remains further from the terrace than the scheme dismissed at appeal and, on balance, officers consider that the relationship between the two is not so incongruous or prominent as to justify a refusal of planning permission.
- 6.8 The approved scheme included an externally accessed room within both blocks to provide a bin store. The scheme as now submitted has omitted these which give slightly

bigger rooms to the ground floor units. At the rear of the site, a pre-existing workshop building has been renovated and provides adequate bin and secure bike storage. Officers consider that this is a preferable way of providing these facilities.

iii) Infrastructure

6.9 The County Council have required contributions towards:

i) education ii) libraries, iii) waste management, iv) museum resource centre, v) social and health care and public transport.

A unilateral undertaking was made by the applicant in respect of the previously approved scheme and a sum of money paid to the County Council. At the time of drafting this report the Council are awaiting confirmation that this satisfies the requirements of the County Council.

7.0 CONCLUSION

7.1 Having regard to the appeal decision in respect of a similar proposal on the site, issues of principle, design, impact on the area generally, density and parking layout have all been found to be acceptable. In terms of neighbour impact and the effect on the street scene and area generally, it is considered that the impact is insufficient to justify a refusal of planning permission. The development otherwise complies with the relevant policies of the development plan.

8.0 RECOMMENDATION

8.1 **It is recommended that Planning Permission be granted subject to confirmation that the requirements of the previous Unilateral Undertaking are satisfactory in relation to this scheme and to the following conditions:**

1. **Obscure glaze and fix shut specified window to bay window in Block B in accordance with details to be agreed within 3 months.**
2. **Retain approved landscaping scheme**
3. **Lighting scheme.**
4. **Retain and maintain parking areas**
5. **Cycle and bin storage areas to be agreed in 3 months and then maintained.**
6. **Bat scheme to be agreed within 3 months and then retained.**

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