

<b>APPLICATION NO.</b>	<a href="#">P16/S2785/FUL</a>
<b>APPLICATION TYPE</b>	FULL APPLICATION
<b>REGISTERED</b>	18.8.2016
<b>PARISH</b>	THAME
<b>WARD MEMBERS</b>	Jeannette Matelot David Dodds Nigel Champken-Woods
<b>APPLICANT</b>	Mr Simon Howard
<b>SITE</b>	35 Marston Road, Thame, OX9 3YG
<b>PROPOSAL</b>	To construct on to the end of an existing terraced row of houses two independent one bedroom studio flats in a two storey extension. (As amended plans received 27 September 2016).
<b>AMENDMENTS</b>	As above
<b>GRID REFERENCE</b>	471370/206176
<b>OFFICER</b>	Caitlin Phillpotts

**1.0 INTRODUCTION**

- 1.1 This application is referred to Planning Committee as the Officers' recommendation conflicts with the views of the Town Council.
- 1.2 The site (shown on the OS extract **attached** as Appendix A) contains a modest end of terrace dwellinghouse located within the built up limits of Thame falling within an area identified as Lea Park. The site is positioned within a 20 minute walking zone of the town centre.
- 1.3 The property fronts onto an area of public open space, is flanked by a pedestrian footpath to the south east and backs onto a small private car park, where number 35 has one allocated parking space.
- 1.4 The property benefits from a relatively large wrap around garden, including a small parcel of land currently laid to lawn positioned between the rear fence and the highway (Marston Road).
- 1.5 The dwelling has a simple plan with dual pitched roof and modest partially enclosed single storey porch at the front. The dwelling (and terrace) is constructed in red facing brick with white UPVC windows, doors and rain water goods and an interlocking concrete tile roof.

**2.0 PROPOSAL**

- 2.1 The application seeks permission for the sub-division of the plot and the creation of two additional one bedroom flats, accommodated by a two storey extension on the end of the existing terrace. Each new unit is to have its own private entrance, single off street parking space and allocated bin store.
- 2.2 The proposed extension to the terrace has a foot print of approximately 62 sq. metres and is comprised of three main elements;
  - A two storey extension to the existing terrace, a replica of the existing property with the same width [4.45m], depth [7.8m] and ridge height [6.9m];
  - An additional two storey extension projecting off the gable end, 1.2 metres wide this element is set approximately 0.9 metres down from the main ridge and;

- A single storey element at the rear, stretching the width of the proposed ground floor dwelling, which projects 3 metres back from the existing rear building line.
- 2.3 The proposals are shown in red facing brick with interlocking concrete tile roofs, white UPVC windows, doors and rain water goods, timber close board fencing and gravelled parking areas to match the existing dwelling and surrounding properties.
- 2.4 The front boundary is shown to be planted with large shrubs. The small parcel of land currently laid to lawn positioned between the rear fence and the highway is shown to be mostly taken up by the allocated parking spaces with access onto Marston Road. A small section between the parking area and foot path is to be planted out with small trees.
- 2.5 A copy of the plans accompanying the application is **attached** as Appendix B. Other documentation associated with the application can be viewed on the council's website at [www.southoxon.gov.uk](http://www.southoxon.gov.uk).

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1 **Thame Town Council** - Objects. Recommending refusal.

- Comments on the original scheme raise concerns over the impact on neighbouring amenity stating , *'It is considered that it would have a detrimental effect on neighbouring amenity particularly with regard to overlooking from the window of the kitchen on the side elevation of the first floor apartment'*.
- In relation to the amended scheme the Town Council recommends refusal on the grounds of over development and poor design.

3.2 **Highways Liaison Officer (Oxfordshire County Council)** - Recommends approval subject to conditions requiring the provision of the access arrangements, vision splays and parking. The following comment is taken from the Officer's consultation response. :

- *'given the characteristics of the carriageway, vehicular traffic and speeds are likely to be low. The proposal is unlikely to have a significant adverse impact on the highway network'*.

3.3 **Waste Management Officer (District Council)** - No objection

3.4 **Neighbours** – 5 letters of objection raising the following concerns:

- the development will be too close to adjacent Marston Road properties and will cause loss of light.
- the closeness of the proposed property will have an adverse effect on the landscape in the area, already spoiled when the fence was erected next to the path.
- concerns over the increased pressure on existing parking arrangements.
- the development will result in overlooking
- overdevelopment of the site and cramped appearance.

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P78/N0056](#) - Approved (24/04/1978)  
Revised highway layout for 145 dwellings

[P77/N0451/RM](#) - Approved (19/10/1977)

Residential development of 261 units, estate roads and open space, ancillary works including foul and surface water drainage.

**5.0 POLICY & GUIDANCE**

**5.1 National Planning Policy Framework (NPPF)**

**5.2 National Planning Policy Framework Planning Practice Guidance**

**5.3 South Oxfordshire Core Strategy (SOCS) policies;**

CSS1 - The Overall Strategy  
CS1 - Presumption in favour of sustainable development  
CSH1 - Amount and distribution of housing  
CSH2 - Housing density  
CSH4 - Meeting housing needs  
CSTHA1 - The Strategy for Thame  
CSQ2 - Sustainable design and construction  
CSQ3 - Design

**5.4 South Oxfordshire Local Plan 2011 (SOLP) policies;**

D1 - Principles of good design  
D2 - Safe and secure parking for vehicles and cycles  
D3 - Outdoor amenity area  
D4 - Reasonable level of privacy for occupiers  
D10 - Waste Management  
EP6 - Sustainable drainage  
G2 - Protect district from adverse development  
G3 - Development well served by facilities and transport  
G5 - Best use of land/buildings in built up areas  
H4 - Housing sites in towns and larger villages outside Green Belt  
T1 - Safe, convenient and adequate highway network for all users  
T2 - Unloading, turning and parking for all highway users

**5.5 South Oxfordshire Design Guide 2016**

**5.6 Thame Neighbourhood Plan (TNP) policies;**

H5 – Integrate windfall sites  
H6 – Design new development to be of high quality  
H7 - Provide new facilities  
CLW4 - Contributions required from developers of new housing to fund additional healthcare facilities  
ESDQ11 - Incorporate Sustainable Urban Drainage into new development  
ESDQ12 - Applications for new development to provide a drainage strategy  
ESDQ13 - New dwellings: code for sustainable homes  
ESDQ16 - Development must relate well to its site and surrounding  
ESDQ19 - The Design and Access Statement and accompanying drawings must provide sufficient detail for proposals to be properly understood  
ESDQ26 - Design new buildings to reflect the three-dimensional qualities of traditional buildings  
ESDQ27 - Design in the ‘forgotten’ elements from the start of the design process  
ESDQ28 - Provide good quality outdoor space  
ESDQ29 - Design car parking so that it fits in with the character of the proposed Development

6.0 **PLANNING CONSIDERATIONS**

6.1 The main issues to be considered are:

1. Principal of development
2. The impact on the character and appearance of the existing building and the surrounding area;
3. The impact on neighbouring properties.
4. Impact on highway safety and convenience
5. Drainage
6. Community Infrastructure Levy (CIL)
7. Other matters

Principal of development

- 6.2 The property is considered to be within the built up limits of Thame and is within walking distance to key services, public transport links and the town centre.
- 6.3 The proposed addition of a two storey building attached to the end of an existing terrace would represent 'infill housing' as defined within the SOCS as the '*filling of a small gap in an otherwise built up frontage*' or '*on sites within settlements where the site is closely surrounded by buildings*'. I am satisfied that the plot is of an acceptable size and position to be considered a small windfall site appropriate for small scale residential development in line with Policies C5THA1 of the SOCS and H5 of the TNP.
- 6.4 Thame has an identified local need for more affordable units, with the South Oxfordshire Housing Needs Assessment 2008 finding '*317 households in need of affordable housing would like accommodation within Thame siting it as a quality neighbourhood close to family and employment*'. Public consultation for the Thame Neighbourhood Plan found that local people felt that there was '*a lack of affordable homes to buy or rent with a particular a shortage of smaller homes*'. (p.14, TNP)

Impact on character and appearance

6.5 (i) spacing and layout

35 Marston Road benefits from a particularly large residential curtilage which is uncharacteristic of the existing plot to build ratio in the locality. The property is organised at 90 degrees to the adjacent properties resulting in a side to front relationship.

6.6 The current side elevation of 35 Marston Road is approximately 16 metres from the projecting porch and 18 meters from the adjacent principal elevation of numbers 45 and 49. The proposals show an additional 5.65 metre two storey extension off the south east gable end. The proposed development would reduce the gap between the front and side elevations to approximately 12.35 metres. This proposed front to side relationship is not out of keeping with the locality and can be seen across the development at 37 to 38 Hamilton Road and 54 to 64/66 Ormond Road, as shown in the plan **attached** as Appendix C. The recently adopted SODG does not set out specific guidelines for distances between habitable rooms of properties arranged front to side. It does however suggest 12 metres between back to side and 10 meters between front to front (Part 2, section 7 of the SODG 2016). I am satisfied that the proposed relationship between the existing and proposed dwellings is not only in keeping with the character of the locality but also complies with the councils guidance on distances between habitable rooms set out to protect the privacy of occupants.

6.7 The stretch of garden at the side of the development along with the public foot path allows for the retention of a sizable gap between the existing and proposed dwellings. In my opinion the proposed layout maintains the suburban character of the area and does not significantly alter the sense of spacing which characterises the locality.

6.8 (ii) plot coverage

The existing dwelling is to remain as is and retains an outdoor amenity area of approximately 54sq metres, similar to the neighbouring terrace properties. The private rear garden is not overlooked by adjacent outdoor sitting areas, living/dining rooms or kitchens of the proposed development, in line with Policy D3 of the SOLP. Access to both front and rear gardens of the existing property remain unobstructed and unchanged in line with technical guidance Part 3 section 6.7 of the South Oxfordshire design guide 2016 (SODG).

6.9 The council's technical guidance on the provision of adequate amenity space for new dwellings requires residential units (including apartments) to have a minimum of 35sq metres for each 1 bedroom unit (Part 2. 7.8 of SODG). The proposed flats share an allocated outdoor amenity provision of approximately 98sq metres, well above the specified 70sq metres. In addition the plans demonstrate additional onsite allocated parking spaces which do not compromise the garden areas. Both units have access to private garden areas not overlooked by adjacent outdoor sitting areas, living/dining rooms or kitchens.

6.10 The plot is large enough to accommodate two new dwellings of the scale proposed, the submitted plans demonstrate the provision of private amenity spaces and allocated onsite parking spaces, comparable to the neighbouring properties for both the existing and proposed dwelling houses. The proposals comply with Policies CSH2 and CSTHA1 of the SOCS, Policies D1, D2, D3 and D4 of the SOLP, technical guidance set out in the SODG and Policies ESDQ28 and ESDQ29 of the TNP.

6.11 (iii) landscaping

The proposals show the existing close board fence to be retained around the side and rear of the residential curtilage. The existing mature shrub at the rear is to be removed to make way for parking area, which is shown to be gravelled to match existing.

6.12 A small area of grass is to be retained between the proposed parking areas and foot path. This area is to include the addition of two small trees. Not only will this help to soften the impact of the development on the surrounding area it will also help to clearly define the private parking areas from the entrance onto the public foot path.

6.13 Currently large shrubs line the eastern corner of the front boundary. These help to clearly define the amenity space at the front of the property from the public open space beyond. The proposals include the retention / provision of shrubs and planting along the front boundary in favour of fencing. The soft landscaping will not only ensure a reasonable level of privacy for occupants, it will help to maintain the corner as a green space between buildings.

6.14 The public foot path to the south east of the plot provides a link from Marston Road into the public green infrastructure at the north east of the site. The proposed development would not obstruct any vista from Marston road onto the public open space beyond and would not impact upon the legibility of the public foot path network.

6.15 Subject to an appropriate landscaping condition I do not believe that the proposals

would materially harm the character and appearance of the area which is partly informed by areas of open green space. The proposal complies with Policies CS1, CSHA1 and CSQ3 of the SOCS and Policies D1, D4, G2 and H4 of the SOLP, technical guidance set out in the SODG and Policies ESDQ16 and ESDQ28 of the TNP.

6.16 (iv) scale and massing

The main bulk of the development is a replica of the existing terrace property. The additional two storey extension projecting off the gable end is set down from the main ridge and in from the front and rear elevations, this acts to reduce the impact of the gable end along the adjacent public foot path. The single storey element at the rear would not be readily visible from the public vantage point.

6.17 Whilst the design put forward has no outstanding architectural merit the proposals demonstrate a simple and pragmatic form reflecting the three dimensional qualities of the surrounding buildings and is of a scale, type and form appropriate to the site and its setting. The proposals comply with design Policies CSQ3 of the SOCS, D1 of the SOLP, ESDQ16 and ESDQ26 of the TNP and guidance set out in the SODG.

6.18 (v) internal amenity space

The proposed one bedroom units provide 47.6 and 40.3sq meters of internal floor space for ground and first floor flats respectively. The SODG requires new internal layouts to have regard to the space standards set out in the Government's Planning Practice Guidance where one bedroom single storey dwellings are expected to have 39-50 sq. metres of internal floor space.

6.19 (vi) materials and detailing

The proposals are shown in red facing brick with interlocking concrete tile roofs, white UPVC windows, doors and rain water goods, timber close board fencing and gravelled parking areas to match the existing dwelling and attached terrace. In my opinion the proposals form an appropriate visual relationship with the existing dwelling, and would not harm the character or appearance of the dwelling or the wider surrounding area.

Impact on neighbours

6.20 Having carefully assessed the possible loss of direct sun light into neighbouring properties I do not consider that the proposed development would result in any significant impact on the neighbouring properties in this regard. In order to assess the possible impact of the proposed development on the visible daylight reaching the habitable rooms of the properties directly adjacent to the proposed development (no. 45 and 49 Marston Road) I have referred to the BRE Site layout planning for daylight and sunlight - A guide to good practice. The guidance sets out how to assess the diffuse skylight (visible daylight) enjoyed by an existing building in relation to a proposed new development. As shown on the scale diagram **attached** as Appendix D where the angle measured from the centre of the ground floor window is *'less than 25 degrees the whole of the development is then unlikely to have a substantial effect on the diffuse skylight enjoyed by the existing building'*, p7, section 2.2.5. In line with all technical guidance available I do not consider that the proposed development would have any significant impact on the direct sunlight and or daylight (skylight) of the existing surrounding properties.

6.21 As discussed above the proposed front to side relationship is consistent with the

existing gain of development and is fully compliant with guidance set out in the councils design guide. Although the proposed development would indeed bring the gable end of the existing terrace closer to the principal elevations of the adjacent properties to the south east I do not believe that the proposals outlined would give rise to any unacceptable harm to the outlook of the neighbouring properties.

- 6.22 The proposed development is arranged at 90 degrees to the existing properties to the east, as such the windows to the front elevation of the proposed units have only an oblique view across onto these principal elevations and present no opportunity for overlooking. The proposed new unit is to have a single window on the first floor of the south east elevation (facing the fronts of the adjacent properties). This window is shown as a high level slot window with a cill height 1.7 metres above finished floor level.
- 6.23 Given the scale, design and position of the proposed dwellings, I do not consider that the proposed development would result in any harm to the amenity of the neighboring properties in terms of light, outlook or privacy. The proposals are in accordance with Policies CS1, CSTHA1 and CSQ3 of the South Oxfordshire Core Strategy 2027 and Policies D1, D4 and H4 of the South Oxfordshire Local Plan 2011, technical guidance set out in the SODG and Policy ESDQ16 of the TNP.

#### Highway safety and convenience

- 6.24 The proposals show the retention of the existing single onsite parking space for the existing property as well as the addition of two new onsite parking spaces for the proposed new dwellings (one for each flat). As highlighted in the SODG Part 2 section 6 *'residents tend to favour parking solutions which maintain a line of sight between their dwellings and their vehicle. As such parking courts to the rear of properties tend to be less successful solutions'*. However given the arrangement of the cul-de-sac the proposed parking areas are well observed by neighbouring properties on Marston Road and are consistent with the existing parking arrangements in the immediate locality.
- 6.25 In relation to highway safety the Highway Liaison Officer has concluded that, *'Given the characteristics of the carriageway, vehicular traffic and speeds are likely to be low. The proposal is unlikely to have a significant adverse impact on the highway network'*. The proposals comply with Policies CS1 and CSTHA1 of the SOCS, D2, T1 and T2 of the SOLP, technical guidance set out in the SODG and Policy ESDQ29 of the TNP.

#### Drainage

- 6.26 All outdoor amenity space is shown as laid to lawn aside from foot paths. The parking and manoeuvring areas condition as recommended ensures that the proposed hard surfacing is constructed, laid out, surfaced, drained and completed to be compliant with sustainable drainage (SuDS) principles.

#### CIL

- 6.27 The proposed development would be liable to pay CIL as it includes the provision of two new dwellings.

#### 7.0 **CONCLUSION**

The proposal complies with the relevant Development Plan policies and, subject to the attached conditions, the proposed development would be acceptable in terms of its relationship to the character of the existing building, its site and the wider area. It is also acceptable in terms of its impact on neighbouring amenity.

8.0 **RECOMMENDATION**

8.1 To grant planning permission subject to the following conditions:

1. Commencement of development within three years.
2. Development to be carried out in accordance with the approved plans.
3. Materials to match existing building.
4. First floor south east facing window to be obscure glazed or 1.7 metres above internal floor level.
5. No additional windows, doors or other openings in the south east elevation at first floor level.
6. Landscaping details to be agreed prior to the commencement of the development.
7. New vehicular access to be provided prior to occupation.
8. Vision splays to be provided prior to occupation.
9. Parking and manoeuvring areas to be provided in accordance with approved plans.
10. No surface water drainage to the highway.

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