

APPLICATION NO.	<u>P18/S1215/FUL</u>
APPLICATION TYPE	FULL APPLICATION
REGISTERED	11.4.2018
PARISH	THAME
WARD MEMBER(S)	David Dodds Nigel Champken-Woods Jeannette Matelot
APPLICANT	Persimmon Homes
SITE	Thame Park Road, Thame, OX9 3JA
PROPOSAL	Variation of Condition 2 (approved plans) of Planning Permission P15/S2166/RM-to remove the side windows from plots 12 & 13. (Approval of Reserved Matters for residential development of 175 dwellings, including, affordable housing, vehicular access including emergency access, pedestrian/cycle link, landscaping, play space and other open space including allotments, surface water attenuation and ancillary works (as amended by drawings accompanying letters from Agent dated 22 February 2016 and further drawings from Agent submitted 12 March 2016.))
OFFICER	Amanda Rendell

1.0 **INTRODUCTION**

1.1 This application is being referred to Planning Committee because Thame Town Council have objected to the variation of condition 2 (approved plans) to remove side windows from plots 12 & 13 of the development permitted under P15/S2166/RM.

1.2 The application site (attached as **Appendix A**) lies on the southern edge of Thame to the west of Thame Park Road. It was formerly in agricultural use. To the east is further residential development and an industrial estate beyond.

2.0 **PROPOSAL**

2.1 Planning permission was granted for residential development comprising up to 175 residential dwellings (including up to 40% affordable housing with vehicular and emergency access from Thame Park Rd, a pedestrian/cycle link to Jane Morbey Rd, structural planting & landscaping, informal & formal open space including retained agricultural land, children's play space, allotments, surface water attenuation and ancillary works) on 10 June 2014. (See approved layout plan attached as **Appendix B**).

2.2 Condition 2 of planning permission P15/S2166/RM states:

“That the development hereby approved shall be carried out in accordance with

the details shown on the attached plan schedule dated 5 May 2016.

Reason: To secure the proper planning of the area in accordance with Development Plan policies.”

- 2.3 Construction started on the site in 2017 and approximately half the site has already been constructed.
- 2.4 This application seeks the removal of side windows from plots 12 and 13 of the development as shown on the approved site layout plan 14.073.100 Rev 22 previously approved under P15/S2166/RM. Both properties are 3 x bed affordable units with separate kitchen and open plan dining/living area on the ground floor. The houses have been fully constructed but without two of the side windows.
- 2.5 The approved plans for the property on plot 12 proposed both ground and first floor windows to the side elevation overlooking the general car parking area. It is now intended that the ground floor window to the dining room is removed from the side elevation. The upper floor bedroom window is to remain (See plans attached as **Appendices C and D**).
- 2.6 The approved plans for the property on plot 13 only proposed a single ground floor window on the side elevation facing the car parking spaces to serve the dining room. The revised plans now show this as being removed. (See plans attached as **Appendices E and F**).
- 3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**
- 3.1 Thame Town Council – **Object** for the following reasons:
1. Poor design
 2. Dull blank elevations
 3. Windows provided security / surveillance
 4. Poor amenity for occupiers

When the Town Council worked with Persimmon on the design of the development they sought to include window openings on plots which had a flank elevation interfacing with the public domain to provide visual interest and assist with surveillance. They consider that the proposed amendment would be a retrograde step and conflict with one of the original objectives.

4.0 **RELEVANT PLANNING HISTORY**

- 4.1 P17/S1398/FUL - Removal of condition 24 - Code for Sustainable Homes on application ref. P13/S2330/O Residential development comprising up to 175 residential dwellings (including up to 40% affordable housing with vehicular and emergency access from Thame Park Rd, a pedestrian/cycle link to Jane Morbey Rd. structural planting & landscaping, informal & formal open space including retained agricultural land, children's play space, allotments, surface water attenuation and ancillary works (As amended by drawing nos P013_Rev L (composite parameter plan), 10011/HL/01 rev E (access plan), (Illustrative Masterplan) rec 18.10.2013 and amplified by the Design Supplement, letter from fpcr dated 10 October and 17 October 2013, letter from Nexus Planning dated

18 October 2013 and illustrative drainage strategy drawing no. 10011/DR/01 H). As amplified by additional information (Lamb rearing Note) received on 30 October 2013. As amplified by additional information (Air Quality technical note) rec on 31 October 2013. - Planning Permission on 09/08/2017

P17/S4297/FUL - Approved (10/08/2018)

Variation of condition 2 (approved plans) of Planning Permission P15/S2166/RM (as amended by drawings received 22 May 2018)

Approval of Reserved Matters for residential development of 175 dwellings, including, affordable housing, vehicular access including emergency access, pedestrian/cycle link, landscaping, play space and other open space including allotments, surface water attenuation and ancillary works (as amended by drawings accompanying letters from Agent dated 22 February 2016 and further drawings from Agent submitted 12 March 2016).

P15/S2166/RM - Approved (05/05/2016)

Approval of Reserved Matters for residential development of 175 dwellings, including, affordable housing, vehicular access including emergency access, pedestrian/cycle link, landscaping, play space and other open space including allotments, surface water attenuation and ancillary works (as amended by drawings accompanying letters from Agent dated 22 February 2016 and further drawings from Agent submitted 12 March 2016).

P15/S3639/FUL - Approved (21/12/2015)

Access road for the pumping station. As amended by construction details, contour plan, extent of work plan, vehicle tracking, site clearance, signs and lines, levels plan, setting out plan, location plan, topographical survey, general arrangement, surfacing layout rec on 17.12.15

P13/S2330/O - Approved (10/06/2014)

Residential development comprising up to 175 residential dwellings (including up to 40% affordable housing with vehicular and emergency access from Thame Park Rd, a pedestrian/cycle link to Jane Morbey Rd. structural planting & landscaping, informal & formal open space including retained agricultural land, children's play space, allotments, surface water attenuation and ancillary works (As amended by drawing nos P013_Rev L (composite parameter plan), 10011/HL/01 rev E (access plan), (Illustrative Masterplan) rec 18.10.2013 and amplified by the Design Supplement, letter from fpcr dated 10 October and 17 October 2013, letter from Nexus Planning dated 18 October 2013 and illustrative drainage strategy drawing no. 10011/DR/01 H). As amplified by additional information (Lamb rearing Note) received on 30 October 2013. As amplified by additional information (Air Quality technical note) rec on 31 October 2013.

5.0 **POLICY & GUIDANCE**

5.1 South Oxfordshire Core Strategy (SOCS) Policies

- CSH1 - Amount and distribution of housing
- CSH2 - Housing density
- CSH3 - Affordable housing
- CSH4 - Meeting housing needs
- CS11 - Infrastructure provision
- CSM2 - Transport Assessments and Travel Plans
- CSQ3 - Design
- CSS1 - The Overall Strategy
- CSTHA1 - The Strategy for Thame
- CSTHA2 - New allocations at Thame

5.2 South Oxfordshire Local Plan 2011 (SOLP 2011) policies;

- C4 - Landscape setting of settlements
- C8 - Adverse affect on protected species
- C9 - Loss of landscape features
- D1 - Principles of good design
- D10 - Waste Management
- D2 - Safe and secure parking for vehicles and cycles
- D5 - Compatible mix of uses
- D6 - Community safety
- EP2 - Adverse affect by noise or vibration
- EP3 - Adverse affect by external lighting
- EP6 - Sustainable drainage
- EP7 - Impact on ground water resources
- EP8 - Contaminated land
- G2 - Protect district from adverse development
- G5 - Best use of land/buildings in built up areas
- R2 - Provision of play areas on new housing development
- R6 - Public open space in new residential development
- R8 - Protection of existing public right of way
- T1 - Safe, convenient and adequate highway network for all users
- T2 - Unloading, turning and parking for all highway users

5.3 Thame Neighbourhood Plan policies;

- H6 Design new development to be of high quality
- H9 Provide a mix of housing types
- H10 Provide a Thame-Specific Affordable Housing and Dwelling Mix Strategy.
- GA1 New development to provide good pedestrian and cycle connections to the town centre and other local destinations
- ESDQ13 New dwellings: code for sustainable homes
- ESDQ15 Developers must demonstrate in a Design and Access Statement how their proposed development reinforces Thame's character
- ESDQ16 Development must relate well to its site and its surroundings
- ESDQ18 New development must contribute to local character by creating a sense of place appropriate to its location

- ESDQ19 The Design and Access Statement and accompanying drawings must provide sufficient detail for proposals to be properly understood
- ESDQ21 Development proposals, particularly where sited on the edge of Thame or adjoining Cuttle Brook, must maintain visual connections with the countryside
- ESDQ22 The visual impact of new development on views from the countryside must be minimised
- ESDQ23 Streets within new development must be designed as pleasant places to be
- ESDQ24 Pedestrian and cycle routes must link together potential destinations, such as new housing and the town centre
- 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 private outdoor space
- D1 Provide appropriate new facilities

5.4 Supplementary Planning Guidance/Documents

South Oxfordshire Design Guide 2016 (SODG 2016)

5.5 National Planning Policy Framework (NPPF)

National Planning Policy Framework Planning Practice Guidance (NPPG)

6.0 **PLANNING CONSIDERATIONS**

- 6.1 Condition 2 of permission P15/S2166/RM requires that the development should be carried out in accordance with the approved plans as set out on the approved plan schedule dated 5 May 2016 in order to secure the proper planning of the area in accordance with Development Plan policies.
- 6.2 The application proposes the omission of two windows from two of the properties and therefore retrospective permission is sought for their removal. Whilst it is regrettable that these have been omitted during the construction of these houses, it is not considered that their omission would be significantly detrimental to the layout and character of the overall development.
- 6.3 It is not considered that the removal of the ground floor window to the side elevation of plot 12 would have an adverse impact in terms of light to the dining area (which is situated in the middle of the property). There is another window and door to the rear of the property which would provide sufficient light to the open plan dining/living area. Whilst the retention of this ground floor window would have helped with surveillance of the general car parking area, it is also understood that this may have resulted in a loss of privacy for the occupiers of this dwelling. The first floor window will be retained as approved and a number of other properties face into this area so it would still be overlooked.

- 6.4 The removal of the ground floor window to the side elevation of plot 13 would result in a blank elevation. However, this sole window would have only overlooked the occupiers private tandem parking spaces. Also, the rear of the ground floor is open plan and the area is lit by another window and door on the rear of the property.
- 6.5 Therefore, whilst Thame Town Council's objections are understood, it is not considered there are sufficient reasons to refuse the application for the removal of these windows. The development would still be in accordance with policies CSQ3 of the Core Strategy, D1 of the South Oxfordshire Local Plan and policy H6 of the Thame Neighbourhood Plan.
- 6.6 As the application does not propose any additional floorspace it would not be CIL liable.

7.0 **CONCLUSION**

- 7.1 Whilst the concerns of the Town Council are acknowledged, it is not considered that there are sufficient reasons to refuse this planning application for the omission of two windows from the constructed dwellings. The quality of living environment will still be satisfactory and there would still be an adequate level of surveillance.

The application proposal is in accordance with the relevant development plan policies and national planning policy as it is considered that subject to conditions, the proposal would not cause any significant harm to the character and appearance of the site and surrounding area or the amenity of neighbouring occupiers.

8.0 **RECOMMENDATION**

- 8.1 **That planning permission be granted for the variation of condition 2 (approved plans) of permission P15/S2166/RM subject to the following conditions:**

1. Commencement date (detailed application).
2. Approved plans.
3. Sample materials.
4. Specified layout and form.
5. Car parking.
6. No garage conversion into accommodation.
7. Construction method statement.
8. Hours of construction.
9. Tree pit details.
10. Glazing and ventilation.
11. Boundary walls and fences.

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