

<b>APPLICATION NO.</b>	<u>P19/S0095/FUL</u>
<b>APPLICATION TYPE</b>	FULL APPLICATION
<b>REGISTERED</b>	15.1.2019
<b>PARISH</b>	THAME
<b>WARD MEMBERS</b>	David Dodds Nigel Champken-Woods Jeannette Matelot Buildright (UK) Ltd Windrush Bridge Terrace Thame, Oxon, OX9 3LU
<b>APPLICANT</b>	
<b>SITE</b>	
<b>PROPOSAL</b>	Variation of condition 2 on application P15/S3607/FUL to permit the introduction of 5 rooflights to facilitate loft conversions.  (Demolition of existing dwelling at Windrush and erection of pair of semi-detached dwellings and one detached dwelling).
<b>OFFICER</b>	Tom Wyatt

**1.0 INTRODUCTION**

1.1 This application is referred to Planning Committee as the Officers' recommendation conflicts with the views of Thame Town Council.

1.2 The application site, which is shown on the OS extract attached at Appendix A, comprises three dwellings that are nearing completion following the grant of planning permission on appeal under application P15/S3607/FUL.

**2.0 PROPOSAL**

2.1 The application seeks planning permission to vary the approved plans specified in Condition 2 of the original planning permission to allow for the installation of 5 rooflights within the semi-detached properties (Units 1 and 2) as part of a proposal to convert the loft area of each dwelling to form a further bedroom. A copy of the plans approved under application P15/S3607/FUL is attached as Appendix B whilst a copy of the proposed plans is attached as Appendix C and other documentation associated with the application can be viewed on the council's website, [www.southoxon.gov.uk](http://www.southoxon.gov.uk).

**3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1 Thame Town Council – Objects on the following grounds:

- Overdevelopment
- Insufficient parking
- Unneighbourly

Neighbours – 3 representations of objection have been submitted raising the following concerns:

- Permitted development restrictions were imposed by the Inspector in allowing the appeal
- The building as constructed is higher than originally approved
- Loss of privacy
- Reasons for objecting to the original application remain unchanged
- Occupancy would increase, leading to overdevelopment and increased traffic

**4.0 RELEVANT PLANNING HISTORY**

4.1 P19/S0189/FUL – Recommendation of approval

Formation of new parking area and enlargement of rear gardens

[P15/S3607/FUL](#) - Refused (30/03/2016) - Appeal allowed (20/10/2016)

Demolition of existing dwelling at Windrush and erection of pair of semi-detached dwellings and one detached dwelling (as amended to reduce the size of the dwellings and provide new vehicular access off Cotmore Gardens)

**5.0 POLICY & GUIDANCE**

5.1 South Oxfordshire Core Strategy (SOCS) Policies;

CS1 - Presumption in favour of sustainable development

CSH2 - Housing density

CSH4 - Meeting housing needs

CSM1 - Transport

CSQ2 - Sustainable design and construction

CSQ3 - Design

CSS1 - The Overall Strategy

CSTHA1 - The Strategy for Thame

5.2 South Oxfordshire Local Plan 2011 (SOLP) Policies;

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

D3 - Outdoor amenity area

D4 - Reasonable level of privacy for occupiers

D6 - Community safety

G2 - Protect district from adverse development

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

5.3 Thame Neighbourhood Plan (TNP) Policies;

GA6 – Car parking

H5 – Integrate windfall sites

H6 – Design new development to be of high quality

H7 – Provide new facilities

ESDQ16 – Development must relate well to its site and its surroundings

ESDQ18 – Sense of place

ESDQ19 – Details of proposal

ESDQ26 – Traditional design

ESDQ27 – Inclusive design

ESDQ28 – Private outdoor space

ESDQ29 – Car parking design

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 The main planning considerations in relation to this proposal are:

1. The impact on the character and appearance of the site and surrounding area
2. The impact on the amenity of neighbouring occupiers
3. Other material considerations

The Impact on the Character and Appearance of the Site and Surrounding Area

- 6.2 In his decision notice allowing the appeal against the refusal of application P15/S3607/FUL the Inspector explained that, 'in order to protect the character and appearance of the building and the area, a condition is also required to restrict permitted development rights for extensions to the buildings, enlargements to the roof and buildings incidental to the enjoyment of the dwellinghouse.' Therefore, Condition 9 of the planning permission was imposed, which has removed permitted development rights for extensions and alterations to the dwellings. Without such a restriction the rooflights now proposed could be installed without the need for planning permission following the completion of the dwellings. However, it should be noted that the internal works to convert the lofts into bedroom accommodation could still be carried out without the need for planning permission.
- 6.3 The removal of permitted development rights does not mean that alterations or extensions to the dwellings are unacceptable in principle. It solely means that planning permission will be required for such development, and it therefore fails to be assessed against the relevant development plan policies.
- 6.4 The proposed rooflights would be inserted in the rear and side facing elevations of the semi-detached properties. The rooflights represent modest alterations to the external roofs of the dwellings that would be in keeping with the character and appearance of the surrounding built form where rooflights are not uncommon and they would not be visually prominent in any public view. As such the rooflights as proposed accord with the relevant development plan policies listed above.

The Impact on the Amenity of Neighbouring Occupiers

- 6.5 The rooflights in the rear elevation would be discreet and would only allow very limited views towards neighbouring properties. Furthermore, due to the height and position of the proposed rooflights in the side elevations of the dwellings and the relationship with the adjoining properties there would be very little opportunity for overlooking towards neighbouring living areas or gardens. As such the rooflights would not adversely affect the amenity of neighbouring occupiers.

Other Material Considerations

- 6.6 This proposal should be viewed in context with application P19/S0189/FUL, which seeks to extend the garden areas and relocate and increase the parking areas associated with the three dwellings. The parking would increase from six to eight spaces and this additional provision would be sufficient to accommodate any increase in the occupancy of the dwellings.
- 6.7 It became apparent, during the assessment of this application, that the height of the semi-detached dwellings as constructed is approximately 0.3 metres higher than the height as shown on the plans approved under application P15/S3607/FUL. Whilst it is regrettable that these dwellings were not constructed strictly in accordance with the

original approved plans, the modest additional height does not make a material difference to the impact of the development on the character and appearance of the surrounding area or the amenity of neighbouring occupiers. Having regard to this lack of harm it would not be expedient for the council to pursue enforcement action regarding this matter. This current application also serves to regularise the development as built.

- 6.8 The additional floor space would be liable to pay the Community Infrastructure Levy (CIL).
- 6.9 As this is an application to vary Condition 2 of the original planning permission, all of the other conditions imposed on this permission will still apply where relevant and are outlined in the recommendation below.

**7.0 CONCLUSION**

7.1 The application proposal is in accordance with relevant development plan policies and national planning policy, as it is considered that the proposed rooflights would be in keeping with the character and appearance of the site and surrounding area and would not harm the amenity of neighbouring occupiers.

**8.0 RECOMMENDATION**

**Grant Planning Permission in accordance with the approved details  
subject to the following conditions**

- 1 : Development to be carried out in accordance with the approved plans**
- 2 : Parking and turning in accordance with the approved plans**
- 3 : Levels to be in accordance with details approved under application P17/S1240/DIS**
- 4 : Landscaping to be in accordance with details approved under application P17/S1240/DIS**
- 5 : Implementation of planting and seeding within the first planting season following occupation of the development**
- 6 : First floor side facing windows to be glazed with obscure glass**
- 7 : Removal of permitted development rights for extensions, alterations and outbuildings**
- 8 : Vehicular access as shown on the approved plans only**

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