

APPLICATION NO.	P19/S0095/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	15.1.2019
PARISH	THAME
WARD MEMBERS	Pieter-Paul Barker David Bretherton Kate Gregory
APPLICANT	Buildright (UK) Ltd
SITE	Windrush Bridge Terrace Thame, Oxon, OX9 3LU
PROPOSAL	Variation of condition 2 of application P15/S3607/FUL for the increase in the height of Units 1 and 2, the provision of 5 rooflights and 5 skylights to Units 1 and 2 to facilitate loft conversions, the provision of two additional windows in the east elevation of Unit 3 and the reconfiguration of the ground floor layout of Unit 3. (Demolition of existing dwelling at Windrush and erection of pair of semi-detached dwellings and one detached dwelling).
OFFICER	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 in respect of the following amendments:

- The increase in the height of Units 1 and 2 by 300mm
- The installation of 5 rooflights and 5 skylights within Units 1 and 2 as part of a proposal to convert the loft area of each dwelling to form a further bedroom
- The installation of two windows in the east facing side elevation of Unit 3
- The reconfiguration of part of the ground floor layout of Unit 3

A copy of the plans approved under application P15/S3607/FUL is **attached** at 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.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1 Thame Town Council – Objects on the following grounds:

- Overdevelopment
- Insufficient parking
- Unneighbourly

Neighbours – 4 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 all of the openings 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 falls to be assessed against the relevant development plan policies.

6.4 The proposed window openings would be inserted in the rear and side facing elevations of the semi-detached properties and the side facing elevation of the detached property. The openings represent modest alterations to the dwellings that would be in keeping with the character and appearance of the surrounding built form and they would not be visually prominent in any public view. As such the openings as proposed accord with the relevant development plan policies listed above.

6.5 Units 1 and 2 have been constructed 300mm higher than the approved scheme. Whilst it is clearly unfortunate that the dwellings were not built strictly in accordance with the approved plans, this cannot be a reason in itself to resist the development. There has to be clear demonstrable harm caused as a result of this modest increase in height, and in this case the impact of the greater height on the character and appearance of the site and the surrounding area is negligible.

The Impact on the Amenity of Neighbouring Occupiers

6.6 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. The skylights would allow no opportunity for overlooking.

- 6.7 The ground floor window on the side elevation of Unit 3 would cause no adverse overlooking towards the adjoining property, Ridgeway, due to the intervening boundary fence. The first floor window relates to a landing and faces directly towards the blank side elevation of Ridgeway. As such opportunities for overlooking are limited, and in any event the window would need to comply with Condition 8 of the Inspector's decision in respect of planning application P15/S3607/FUL, which requires that windows at first floor in the side elevations are fitted with obscure glazing.
- 6.8 The modest increase in height has no materially greater impact on the amenity of neighbouring occupiers through loss of light or overshadowing, and the increase in height has no impact on overlooking potential to neighbouring properties from the front and rear elevations.

Other Material Considerations

- 6.9 This proposal should be viewed in context with application P19/S0189/FUL, which has been approved for the increase in the garden areas of the dwellings and the relocation and increase in the size of 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.
- 6.10 The additional floor space would be liable to pay the Community Infrastructure Levy (CIL).
- 6.11 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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