

APPLICATION NO.	P14/S2122/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	7.7.2014
PARISH	THAME
WARD MEMBERS	Mr Michael Welply & Mr David Bretherton
APPLICANT	Mr Tim Northey
SITE	Land Adjacent to 32 Aylesbury Road, Thame
PROPOSAL	Variation of Condition 2 of Planning Permission P13/S3513/FUL to allow insertion of additional windows at ground floor level.
AMENDMENTS	None
OFFICER	Paul Lucas

1.0 INTRODUCTION

- 1.1 This application is reported to the Planning Committee as a result of a conflict between the Officers' recommendation and the views of Thame Town Council.
- 1.2 The application site, as identified on the plan attached at **Appendix 1**, lies within the built up confines of Thame. It formerly comprised part of the large garden of No.32 Aylesbury Road, a detached two storey mid 1900s dwelling located within the built up confines of Thame. Two dwellings were under construction on the site at the time of the site visit. The site wraps around the remaining garden of No.32. The northern and eastern site boundary wall is shared with 3 residential properties, No. 40 Aylesbury Road and No's 19 and 21 Aylesbury Road. The land level on the site is lower than these adjoining dwellings. The front boundary with Aylesbury Road consists of a 2 metre high red brick wall set back from the footpath, with a verge in between. The Thame Conservation Area extends up to, but does not include, the front boundary wall of the site. There are no special designations on the site.

2.0 PROPOSAL

- 2.1 The application seeks a variation of Condition 2 (approved plans) of the planning permission [P13/S3513/FUL](#) for the erection of a two-storey 3-bedroom dwelling (Unit 1), and a two-storey 5-bedroom dwelling (Unit 2), as detailed in the amended plans and documents accompanying the application. The application differs from the previous grant of planning permission [P13/S3513/FUL](#) on the site as follows:
1. Unit 1 – insertion of 2 single pane ground floor windows on north elevation serving a living room;
 2. Unit 1 – insertion of 3 pane ground floor window on south elevation serving a kitchen; and
 3. Unit 2 – insertion of 3 pane ground floor window on north elevation serving a kitchen.

2.2 A copy of the submitted plans is provided at **Appendix 2** whilst 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** – The application should be refused due to being unneighbourly

Thame Conservation Area Advisory Committee – The application should be refused due to overlooking adjoining property

Neighbours – One representation of objection and two of comment, summarised as follows:

- Windows should be blocked up to prevent noise nuisance to the occupiers of No.40 – the developer tried to insert similar windows on the southern elevation of Unit 2, but agreed to block these up
- More windows not a problem if don't contribute to noise when open
- Suggest non-opening condition
- Damage caused to neighbouring property by tree retention [not relevant to this application]

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P13/S3513/FUL](#) - Approved (12/02/2014)

Erection of detached two-storey 5-bedroom dwelling and two-storey 3-bedroom dwelling. Alterations to existing access incorporating erection of new front boundary wall. Erection of two double-garages and formation of parking and turning area at rear of site to serve the new dwellings (amended plan received 16th December 2013).

[P13/S2380/NM](#) - Approved (12/11/2013)

Non material minor amendment to make internal alterations to the first floor of planning permission P12/S1952/FUL for the erection of two detached two-storey dwellings with amenity space, together with quadruple car port, parking, driveway and alterations to existing access.

[P12/S1952/FUL](#) - Approved (20/12/2012)

Erection of two detached two-storey dwellings with amenity space, together with quadruple car port, parking, driveway and alterations to existing access.

[P11/E1776](#) - Approved (09/03/2012)

Erection of a two-storey 5-bedroom dwelling with accommodation in the roof, and a two-storey 2-bedroom dwelling. Erection of two storey and single storey extensions to existing dwelling. Alterations to existing access incorporating erection of new front boundary wall. Erection of 4-bay carport and formation of parking and turning area at rear of site to serve the new dwellings.

5.0 **POLICY & GUIDANCE**

5.1 South Oxfordshire Core Strategy policies

- CS1 - Presumption in favour of sustainable development
- CSB1 - Conservation and improvement of biodiversity
- CSEN3 - Historic Environment
- CSH2 - Housing density

- CSH4 - Meeting housing needs
- CSI1 - Infrastructure provision
- CSM1 - Transport
- CSQ2 - Sustainable design and construction
- CSQ3 - Design
- CSS1 - The Overall Strategy
- CSTHA1 - The Strategy for Thames

5.2 South Oxfordshire Local Plan 2011 policies;

- C6 - Maintain & enhance biodiversity
- C9 - Loss of landscape features
- CON7 - Proposals in a conservation area
- D1 - Principles of good design
- D10 - Waste Management
- D2 - Safe and secure parking for vehicles and cycles
- D4 - Reasonable level of privacy for occupiers
- EP2 - Adverse affect by noise or vibration
- EP3 - Adverse affect by external lighting
- EP4 - Impact on water resources
- EP8 - Contaminated land
- 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 Thames Neighbourhood Plan March 2013 policies;

- H5 – Integrate windfall sites
- H9 – Provide a mix of housing types
- ESDQ11 – Incorporate Sustainable Urban Drainage into new development
- ESDQ15 – Development must demonstrate in a Design & Access Statement how development reinforces Thames’s character
- ESDQ16 – Development must relate well to its site and its surroundings
- ESDQ20 – Building style must be appropriate to the historic context
- ESDQ26 – Design new buildings to represent the three dimensional qualities of traditional buildings
- ESDQ28 – Provide good quality private outdoor space
- ESDQ29 – Design car parking so that it fits in with the character of the proposed development

5.4 South Oxfordshire Design Guide 2008 – Sections 3 & 5
Thames Conservation Area Character Study

5.5 National Planning Policy Framework

National Planning Policy Framework Planning Practice Guidance

The policies within the SOCS and the SOLP 2011 of relevance to this application are considered to be in general conformity with the provisions of the NPPF and therefore this application can be determined against these relevant policies.

6.0 **PLANNING CONSIDERATIONS**

- 6.1 Planning permission has previously been granted for two dwellings on this site. The most recent application [P13/S3513/FUL](#) was considered by the Planning

Committee in February 2014. The current application differs only in terms of the additional ground floor windows that are proposed. Consequently, matters relating to loss of open space, the character and appearance of the surrounding area, parking and access, housing mix and sustainable design arising from this development have already been debated and agreed. The planning issues that are relevant to this application are whether the additional windows proposed in the development would:

- Compromise the living conditions of neighbouring residential occupiers or the living conditions for future occupiers of the proposed dwellings.

6.2 Neighbour Impact

Criterion (iv) of Policy H4 of the SOLP 2011 requires that there are no overriding amenity objections. From a visit to No.40 it was not possible to see the additional north-facing living room windows to Unit 1 without the aid of a step ladder. On this basis, officers have concluded that there would be no discernible overlooking of No.40 from these windows. In relation to noise nuisance, the amount of noise emanating from a domestic household through these windows if opened would be unlikely to give rise to significant disturbance to the adjoining occupiers. This is particularly the case here as these windows face towards a side passage alongside part of the south-facing elevation of No.40 and do not face towards any windows serving any neighbouring habitable rooms.

6.3 The additional kitchen window of Unit 1 faces onto Unit 2 and vice versa. As there would be a boundary fence in between the dwellings, it is not anticipated that these windows would give rise to any loss of privacy. Any future occupiers would be aware of this arrangement prior to purchasing the dwellings. Thame Town Council have drawn particular attention to Policies ESDQ16 and ESDQ26 of the Thame Neighbourhood Plan, however, it is considered that the proposal would not contravene the objectives of either of these policies. It is also a relevant consideration that once completed and occupied, future householders could install ground floor windows under permitted development rights. On the basis of the above assessment, the proposal would accord with the above policies.

7.0 CONCLUSION

7.1 The proposed development would be acceptable in principle, would preserve the character and appearance of the surrounding area, would not detract from the living conditions of adjoining residents or be prejudicial to highway safety and would be in accordance with Development Plan Policies, Supplementary Planning Guidance and Government Guidance.

8.0 RECOMMENDATION

8.1 **To grant planning permission subject to the following conditions:**

- 1 : Commencement 3 years - Full planning permission.**
- 2 : Approved plans.**
- 3 : All other conditions as previous planning permission.**

Author: Paul Lucas
Contact no: 01491 823740
Email: planning@southandvale.gov.uk