

<b>APPLICATION NO.</b>	<a href="#">P14/S2760/FUL</a>
<b>APPLICATION TYPE</b>	FULL APPLICATION
<b>REGISTERED</b>	27.8.2014
<b>PARISH</b>	THAME
<b>WARD MEMBER(S)</b>	Mr Michael Welply Mr David Bretherton
<b>APPLICANT</b>	Zest Development Limited
<b>SITE</b>	116 Wellington Street Thame, OX9 3BN
<b>PROPOSAL</b>	Demolition of the existing garage and parking area. Erection of two 2 bedroom semi-detached cottages with off-street parking.
<b>AMENDMENTS</b>	None
<b>GRID REFERENCE</b>	471230/205705
<b>OFFICER</b>	Katie Herrington

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**1.0 INTRODUCTION**

- 1.1 This application has been referred to the committee because the recommendation conflicts with the views of the Town Council.
- 1.2 The proposal site is a plot of land located on Wellington Street. The application site is a parking area for the company Sanderum Centre. It backs onto the gardens of number 31 and 33 East Street and is adjacent to number 114 Wellington Street. It is located next to an end of a series of semi-detached dwellings along Wellington Street. Thame Town centre is located around 500 metres away from the application site. To the south west. The site is located within an area of archaeological constraint.
- 1.3 The area is characterised with semi-detached dwellings with gable projections to the front elevations.
- 1.4 The site is identified on the map attached at **Appendix 1**.

**2.0 PROPOSAL**

- 2.1 It is proposed to change the use of the land from a parking area for business vehicles as established by a Certificate of Lawful Development (ref: P12/S0493), to residential use and erect two 2 bedroom dwellings with associated parking and amenity space.
- 2.2 The proposal provides for;
- A semi-detached pair and include a gable feature on the front elevations.
  - One parking space each. The rest of the front drive is accommodated by low level planting and a bin store.
  - The gardens accommodate a secure bike store for each property and paved areas.
  - An air source heat pump is also proposed.

Plans have been revised, taking into account concerns about vehicles overhanging the public highway. The parking spaces have been realigned so that they are parallel to Wellington Road and located within the forecourt.

**3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

- 3.1 **Thame Town Council** Recommend refusal.
1. The proposals would fail to provide an appropriate standard for amenity for future occupiers, particularly with respect of privacy and amenity space.

2. That insufficient parking would be provided leading to on-street parking and associated highway safety dangers (noting that the parking proposed cannot be physically accommodated on the site without overhanging the footway).
3. The design of the building, particularly the gabled flank elevation would be out of character with the prevailing built form in the street.
4. The proposed buildings would appear overbearing from the neighbouring properties to the detriment to their amenity.

**3.2 OCC (Highways)**

- I acknowledge the congestion that the locale currently experiences but that there are Traffic Regulation Orders (TRO) on the other side of the road to the site and the site is near a junction and therefore not a good location for parking on-street.
- The parking currently on site is not maintained, by condition, and therefore the loss of this parking cannot be taken into account in the formulation of any objection.
- The frontage happens to be 18m and so would accommodate three 3.0m X 6.0m spaces parallel to the Wellington Street. However, this would lose some on-street space (but see note 1. Above).
- This would also have the benefit that they would not need to reverse out and would not jut over the footway.
- The amenity space could be located between the spaces and the proposed dwellings.
- The location is very close to the Town Centre and is reasonably sustainable.
- Previous application: P12/S0493 (Lawful development certificate for existing car parking (as amplified by additional information accompanying email from agent dated 10 September 2012). Location: Land to the rear of 30 & 31 East Street Thame OX9 3JT) - Granted.

**3.3 OCC (Archaeology).**

This scheme will not affect any known archaeological features. As such there are no archaeological constraints to this application.

**3.4 Sanderum Centre:**

We rented the land from Zest Developments at the point that we expanded our office facility in Thame. When we built additional offices to 30A Upper High Street we were under severe pressure to create additional car parking in order that our clients did not feel that the car parking was being diluted. Since we took on the rental of above mentioned land [116 Wellington Street] (back in December 2012) our primary use of the space was to create additional car parking. We installed CCTV in order that we could remotely monitor the usage' unfortunately what we have found is that routinely the usage is minimal. Whilst we originally perceived that clients would be prepared to use this secure area which is only 5 minutes walk from the office, what we have found from speaking with our clients is that parking is available all day closer to the building via East Street and therefore in effect they were driving past empty spaces in order to reach our extended car park.

- 3.5 **Neighbour objectors (3)**
- I strongly object to the plans for 116 wellington street, I will have no privacy in my back garden or my kitchen window we will loose the light as well. Wellington street is a very busy road and the parking is very bad with parked cars either side of my driveway which means it can be very dangerous to drive in or out as you cannot see oncoming traffic.
  - Concerns regarding impact of amenity. Concerned that they would suffer loss of light to the rear of their property and privacy of their back garden would be compromised. Parking is already problematic in Wellington street and free flowing traffic is already obstructed by parked cars at this end of the street creating safety concerns for both vehicles and pedestrians.
  - I strongly object to the plans for 116 wellington street. I will have no privacy in my back garden or my kitchen window we will loose the light as well. Wellington street is a very busy road and the parking is very bad with parked cars either side of my driveway which means it can be very dangerous to drive in or out as you cannot see oncoming traffic.
  - Concerns about privacy and overlooking. Plans include replacing the 2.4m boarder fence with a 1.8 metre fence. This reduction would drastically affect privacy and amenity for both parties. The application sites a seperation of 14.6metres to our property, but the seperation is more like 9metres.
- 3.6 **Neighbour support (1)**
- I have no objection to the building of 2 x2 bed semi-detached cottages at the end of 30 East Street. I would expect suitable fencing to give a certain amount of privacy to 30 East Street.

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P14/S0177/PEM](#) - Response (07/03/2014)

Demolition of existing building, erection of 2 no 3 bed dwellings with 2 parking spaces per dwelling.

[P12/S0493](#) - Approved (12/09/2012)

Lawful development certificate for existing car parking (as amplified by additional information accompanying email from agent dated 10 September 2012).

5.0 **POLICY & GUIDANCE**

- 5.1 South Oxfordshire Core Strategy policies  
CSQ2 - Sustainable design and construction  
CSQ3 - Design  
CSTHA1 - The Strategy for Thame

5.2 South Oxfordshire Local Plan 2011 policies;

- 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
- 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

South Oxfordshire Design Guide 2008

5.3 National Planning Policy Framework

National Planning Policy Framework Planning Practice Guidance

5.4 Thame Neighbourhood Plan

- ESDQ11 Incorporate Sustainable Urban Drainage into new development
- ESDQ13 New dwellings Code for Sustainable Homes
- ESDQ16 Development must relate well to its site and its surroundings
- ESDQ17 Development must make a positive contribution towards the distinctive character of the town as a whole
- ESDQ18 New development must contribute to local character by creating a sense of place appropriate to its location
- ESDQ28 Provide good quality private 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 planning considerations in this case are:

1. Whether the principle of development is acceptable
2. Impact on character of the area.
3. H4 criteria
4. Provision of affordable housing
5. Mix of units
6. Sustainable design issues

**1. The principle.**

6.2 Loss of the private parking area

It is proposed to change the use of the land from a parking area for business vehicles as established by a Certificate of Lawful Development to residential use. The private business parking area is not protected by development plan policies or by way of planning condition.

6.3 The parking area was leased by Sanderum Centre to provide additional car parking spaces. They had built additional offices to 30A Upper High Street and wanted to create additional car parking for clients. They installed CCTV to monitor the usage of the car park, and found that routine use is minimal. They found that their clients were using on road parking in East Street instead of the leased site. The Sanderum Centre has its own car park, and there are other parking spaces close by where their clients can park, including the cattle market car park. There are no planning conditions attached to any consent at the Sanderum Centre that requires the use of an additional parking facility. Therefore, the provision of additional parking is not required or protected by condition.

Principle of residential use

- 6.4 Thame is categorised at Appendix 4 of the SOCS as one of the four main towns within the district. Policy CSTHA1 of the SOCS and H5 of the TNP permit housing on suitable infill or redevelopment sites within the town. The merits of the proposed development fall within the assessment of the criteria of saved Policy H4 of the SOLP. The site falls within the definition of infill development because it is surrounded by housing to the east, south, west and to the north. Therefore the principle of the proposal is acceptable subject to the criteria of saved Policy H4 of the SOLP.

**H4 criteria issues.**

**i. That an important open space of public, environmental or ecological value is not lost;**

- 6.5 The site is used as a car park and is not of public, environmental or ecological value.

**ii. Design, height and bulk in keeping with the surroundings**

- 6.6 The Town Council object to the gabled detail on the front elevation, considering them to would be out of character with the prevailing built form in the street. The southern end of Wellington street is characterised by semi-detached dwellings with gable projections. The proposed dwellings are of a different character to the rest of the dwellings in the street scene. The council's policy does not expect new buildings to replicate the buildings within the street scene, but that they should draw inspiration from the character of the street scene and local building traditions.

The proposed dwellings are a different form and design given the relative size of their plots and their location within the street scene. The dwellings are semi-detached, and the gables are located towards the ends of the dwellings in-keeping with those along this side of the street scene. The dwellings are narrower than the dwellings of the southern side of Wellington Road due to the smaller plot sizes and their height is below that of the adjoining buildings. It is your officer's view that the proposal complements the character of the neighbouring buildings.

**iii. That the character of the area is not adversely affected**

- 6.7 The proposed dwellings follow the established building line of the southern side of Wellington Street and their design otherwise complements the surrounding area. The forecourt area to the front of the dwelling provides a tight area for the parking of vehicles which is not ideal, but not necessarily harmful to the character of the area.

The proposal includes landscaping consisting of low planting to the forecourt next to the parking areas and a paved area to the rear and 1.8 metre high close boarded fences to the sides. The paved area is considered to make the garden area appear cramped however such space still constitutes an area of private amenity space and is not detrimental.

The materials are proposed to match those in the street scene. Your officer recommends that samples of such materials are proposed in the interest of the character of the area.

- 6.8 **iv. Amenity, environmental or highway objections;**

## **Amenity**

### Privacy

- 6.9 Number 30, 32, and 31 East Street, 114 Wellington Road and the Town Council have raised concerns about issues of privacy to their rear windows and back garden. The upper floor windows of the proposed dwelling are roof lights located in the roof space 1.7 metres from the floor. These are above head height and therefore would not allow views into the rear gardens of number 30, 31 or 31. A neighbour towards the south was concerned that the replacement of the 2.8 metre fence boarding their properties with a 1.8 metre fence would result in a loss of privacy. 1.8 metre fences are a standard fence height used between gardens and your officer considers that they provide a sufficient level of privacy between ground floor side windows or between gardens. The existing fence would block views into the rear gardens of number 30 and number 32. Any views into number 114 from the proposed side window are also blocked by such fence. Your officer does not consider it reasonable to require additional screening as the proposal would not result in a loss of privacy.

### Daylight and sunlight

- 6.10 The residents at number 32 East Street and number 114 Wellington Street have raised concerns regarding a loss of daylight and sunlight as a result of the proposal. The site flanks the rear garden of number 32 and the side garden of number 114. The proposal would result in shadowing to the gardens but such shadowing would not be harmful to residential amenity. The shadow would not result in a loss of daylight and sunlight to the windows of either number 32 or 114. Given the relative position of the proposed buildings with that of number 30 and 31 it is not considered that there would be adverse shadowing or loss of daylight or sunlight to their rear windows or in the garden because the proposed dwellings would be sited due north of 30 and 31.

### Outlook, and daylight and sunlight

- 6.11 The proposed dwellings would allow a good level of outlook and daylight and sunlight from the front elevation and ground floor rear windows. The rear bedrooms would receive a poor level of outlook and daylight and sunlight. Whilst not ideal, the rooflights are necessary to avoid overlooking to the rear of numbers 30 and 31. However this context is not considered harmful to amenity as the room is likely to be used for only part of the day and adequate daylight and sunlight and outlook can be achieved through the habitable rooms below. Permitted development rights for alterations to the rear elevation should to be removed in your officer's view to ensure the privacy to the residential occupiers to the rear.
- 6.12 The relative position of plot 1 and the shape and size of their garden will result in shadowing during some parts of the day, however given the southerly orientation of the dwellings such shadowing is not considered to be adverse.
- 6.13 **Provision for gardens.** The council's design guide requires developments to ensure that there is enough provision of private amenity space appropriate to the location of the building, the type and size of the building and the needs of the occupants. It recommends 50sqm for two bedroom dwellings (3.2.8). The proposal provides 60sqm on plot 2 and 57sqm on plot 1. Whilst these amenity areas are smaller than those in the surrounding area, given the relative amount of amenity space given the plot size it is not considered harmful and the scheme meets the council's standards.

**4. Whether the proposal would result in issues of highway safety**

- 6.14 The Town Council and neighbours have raised concerns of the impact the proposal would have on parking and highway safety. They report that Wellington Street is a very busy road where traffic is obstructed by the vehicles that are parked on the road. In their view parking along Wellington Street is problematic, and that people often parked there to walk into the Town Centre.
- 6.15 The proposal provides one parking space for each two bedroom house. This is below the council's standard of 2 parking spaces for a 2 bedroom house. The planning consideration is whether the level of proposed parking is sufficient for the proposed occupants but also not result in a material increase in parking and result in issues of highway safety.
- 6.16 The NPPF requires that local planning authorities when setting standards for residential parking should take into account; the accessibility of the development, the type, mix and use of the development, and the availability of public transport. Thame is a sustainable location with good access to facilities and public transport. The site is located within an area that is well served by public transport and is in very close proximity to local amenities. The site is well served by bus routes. There is a bus stop close to the site along East Street as well as those located within the town centre that enable access to major centres including Oxford and Aylesbury. The site is also located within walking distance to local amenities. The site is located some 500 metres away from Thame Town Centre, the Barley Hill primary school (550metres) and the Haddenham and Thames Parkway train station is located 4 miles away. Given the proximity of local amenities and the good level of public transport it is not reasonable to require two car parking spaces in this case.
- 6.17 There is concern that additional vehicles would increase the congestion and reduce the traffic flow along Wellington Street. Wellington Street is a busy road as it is a route into Thame town centre, but one which has an obstructed traffic flow. It was observed on site that vehicles were required to pull in behind parked cars to allow those travelling in the opposite direction to pass. Vehicles can park along the southern side of Wellington Street, but the northern side is subject to parking restrictions. The proposal, due to the space required for vehicles to pull into the parallel bays, will remove some existing space for on street parking. The houses along the street scene are generally wide, with a mixture of houses with their own off street parking and those without. Given that the parking area around the site had not served a dwelling and much of it was an access, it is considered that the space lost would be insignificant.
- 6.18 The proposed parallel bays within the site would achieve greater visibility when entering and exiting the site providing a preferable solution to reversing into the highway in terms of highway safety.
- Impact on pedestrian safety
- 6.19 Concerns in relation to vehicles overhanging the footway have been addressed by the amended plans. The parking area has been revised so that vehicles park parallel to the road and are away from the public highway.
- 6.20 **Provision for affordable housing.** Policy CSH3 of SOCS seeks to achieve a 40% provision of affordable housing on all sites where there is a net gain of three or more dwellings. In this case there is a net gain of two dwellings and the scheme is below the threshold. As such there is no requirement to provide affordable housing in this instance.

6.21 **Mix of units.** Policy CSH4 of SOCS requires an acceptable housing mix to ensure a steady provision of small two bedroom properties on all new residential development in line with the recommendations set out in the Housing Needs Survey. The proposal provides two 2 bedroom houses in accordance with such policy. The proposal does not provide a mix of dwellings, but given that the proposal is only for two dwellings it is not reasonable to impose a mix of sizes given the constraint of the site.

6.22 **Sustainable design issues.** Policy CSQ2 of the Core Strategy requires new dwellings to achieve at least Code Level 4 of the Code for Sustainable Homes. The Design and Access statement confirms that a code 4 will be achieved and this can be secured by condition.

## 7.0 **CONCLUSION**

7.1 Your officers recommend that planning permission is granted both because the principle of development within Thame is acceptable and the scheme complies with the requirements of policy H4. The proposal is not harmful to the character of the area and provides a level of parking consistent with the level of public transport accessibility and the size of the dwellings. The proposal would not result in an adverse increase in parking or create issues of highway safety, and would not result in harm to residential amenity.

## 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 : Sample materials required (walls and roof).**

**4 : Withdrawal of PD (Part 1 Class A) - no extensions etc.**

**5 : Withdrawal of PD (Part 1 Class B) – no extension or alteration to roof.**

**6 : Code Level 4.**

**7 : Surface drainage works.**

**8 : Parking and manoeuvring as per plans.**

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