

<b>APPLICATION NO.</b>	<a href="#">P15/S3279/FUL</a>
<b>APPLICATION TYPE</b>	FULL APPLICATION
<b>REGISTERED</b>	1.10.2015
<b>PARISH</b>	THAME
<b>WARD MEMBERS</b>	Jeannette Matelot, David Dodds & Nigel Champken-Woods
<b>APPLICANT</b>	Mr Tim Sisson
<b>SITE</b>	27 Cotmore Gardens, Thame
<b>PROPOSAL</b>	Demolition of garage and erection of two-storey 2-bedroom dwelling incorporating parking for No.27 and new dwelling (design of dwelling altered and additional landscaping provided as shown on amended plans and supporting documents received 4 December 2015).
<b>AMENDMENTS</b>	One – see above
<b>OFFICER</b>	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**, is a residential corner plot comprising a semi-detached dwelling located in a residential area within the built-up confines of Thame. The existing dwelling consists of red brick and cream render and a concrete tiled roof with a front elevation facing east onto the road. It has a two storey side extension projecting from the original end gable facing north onto the road. It has a detached pitched roof double garage, also with a red brick and concrete tile exterior located at the western end of the rear garden with a hardstanding in front and vehicular access directly onto Cotmore Gardens. There is also a vehicular access to a hardstanding in front of No.27. The majority of the side boundary with Cotmore Gardens is formed by a boundary fence with a mixture of mature conifers behind it. The western boundary is also fencing with mixed deciduous and evergreen planting outside of the site boundary. No.25 is the other half of the semi and the boundary between the two consists largely of a close-boarded fence, apart from where the southern wall of the garage forms the boundary.
- 1.3 The dwellings in the surrounding area date from the mid-20<sup>th</sup> century and are two-storey in scale and predominantly semi-detached, including those on the north side of Cotmore Gardens opposite the site. These are similar in form and appearance to No.27, albeit the type and colour of render detailing varies and some have been extended. The dwellings bordering the site to the east are flats (No's 48 & 50 Cotmore Close) contained within a two storey end of terrace building. Many of the dwellings in the vicinity have sizeable areas of hardstanding in front of them. None of the trees on or adjacent to the site are subject to Tree Preservation Orders and there are no other special designations on this site.

2.0 **PROPOSAL**

2.1 The application seeks full planning permission for the demolition of the garage and the erection of a detached two storey 2-bedroom dwelling. The dwelling would measure 6.8 metres wide and 7.8 metres deep. It would have a ridge height of 7.3 metres and its eaves would be 4.5 metres at the front and a catslide roof with an eaves height of 2.7 metres at the rear. The dwelling would be set back between 2.5 to 3.5 metres from the western site boundary with No's 48 & 50 and would be 2.6 to 2.8 metres from the southern site boundary with No.25. The plans show a hardstanding to the eastern side of the proposed dwelling incorporating three parking spaces: two for the proposed dwelling and one for No.27. The parking area in front of No.27 would be extended to form sufficient space for two vehicles. The existing garden would be subdivided with a close boarded fence about 12 metres from the rear of No.27 and 10 metres from the east-facing elevation of the proposed dwelling. A close boarded fence would be installed along the boundary with No.25 to replace the garage.

2.2 Copies of the current plans are provided at **Appendix 2** whilst 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** – Objection to original and amended plans. The objection to the amended plans is as follows:

- The proposed dwelling would appear overbearing from neighbouring properties and present an adverse loss of privacy to the principle area of amenity space serving 25 Cotmore Gardens.
- The change in the design to omit the eyebrow dormer and reduce the window size to bedroom 2, together with change from timber cladding to render on the front elevation and omission of the timber cladding to the sides and rear reflects that of neighbouring properties. However, the proposal, by reason of size represents a cramped, contrived design and overdevelopment of the site that would detract from the attractive character and appearance of the area.
- The demolition of the double garage with off street parking which serves No. 27 would reduce the parking to the original dwelling from five to two spaces.

**Countryside Officer (South Oxfordshire & Vale of White Horse)** - The existing garage is in a good state of repair, with the roof being in good condition. There are no obvious accesses to the roof void and the internal structure of the garage makes it unsuitable for roosting by bats. There are no obvious opportunities for crevice dwelling species of bat. The loss of this structure will most likely not have a detrimental impact on the favourable conservation status of any protected species within their natural range. The vegetation present on site has some suitability for nesting birds, as such the applicant is advised that clearance of vegetation on site should be conducted outside of the wild bird breeding season. The habitats on site are not considered to be a constraint to the proposed development. No objection subject to informative regarding nesting birds.

**Highways Liaison Officer (Oxfordshire County Council)** - No objection subject to conditions.

**Neighbours** – six representations of objection and concern to the original proposal, summarised as follows:

- Out of keeping with surrounding houses in terms of form and materials and parking at the side rather than in front of the proposed dwelling

- Loss of privacy to garden and rear bedroom of No.25 through loss of trees, position of patio doors and domestic noise
- Inadequate parking provision resulting in limited visibility close to bend, loss of on-street parking, obstruction to vehicular access of No.29 and consequential impact on pedestrian and highway safety
- Adverse impact on nature conservation and biodiversity opportunities
- Loss of plum tree in garden of No.25 adjacent to the garage
- Internal space too dark
- Lack of storage space
- Disruptive building works

No additional representations were received in response to the amended plans.

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P05/E0335](#) - Approved (06/05/2005)

Erection of a single storey extension to the front elevation.

[P86/N0118](#) - Approved (09/04/1986)

Detached double garage and access. (Access location slightly varied from that approved under application reference P84/N0424)

[P84/N0424](#) - Approved (15/08/1984)

Two storey extension forming kitchen and living room, bedroom with en-suite bathroom over; and front porch and rear lobby/cloakroom ground floor additions.

5.0 **POLICY & GUIDANCE**

5.1 South Oxfordshire Core Strategy (SOCS) policies

CS1 - Presumption in favour of sustainable development

CSB1 - Conservation and improvement of biodiversity

CSQ3 - Design

CSS1 - The Overall Strategy

CSTHA1 - The Strategy for Thame

5.2 South Oxfordshire Local Plan 2011 (SOLP) policies;

C6 - Maintain & enhance biodiversity

C9 - Loss of landscape features

D1 - Principles of good design

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

5.3 Thame Neighbourhood Plan (TNP) March 2013 policies;

H5 – Integrate windfall sites

H6 - Design new development to be of high quality

H7 - Provide new facilities

H9 – Provide a mix of housing types

GA6 - New development to provide parking on site for occupants and visitors

CLW4 - Contributions towards healthcare facilities

ESDQ10 – Produce a Sports Facilities Strategy

ESDQ11 – Incorporate Sustainable Urban Drainage into new development

- ESQD12 – Applications for new development to provide a drainage strategy
- ESQD13 – New dwellings: code for sustainable homes
- ESDQ14 – Produce a Green Living Plan
- ESDQ15 – Development must demonstrate in a Design & Access Statement how development reinforces Thame's character
- ESDQ16 – Development must relate well to its site and its surroundings
- ESQD17 – 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
- ESDQ19 – The Design and Access Statement and accompanying drawings must provide sufficient detail for proposals to be properly understood
- ESDQ26 – Design new buildings to represent 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
- ESDQ29 – Design car parking so that it fits in with the character of the proposed development
- D1 – Provide appropriate new facilities

5.4 South Oxfordshire Design Guide 2008 (SODG) – Sections 3 & 5

5.5 National Planning Policy Framework

National Planning Policy Framework Planning Practice Guidance

The policies within the SOCS, the SOLP and the TNP 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 The proposed development would be located within the built-up area of the town of Thame, which is a settlement where residential development is considered to be acceptable in principle on infill and redevelopment sites under criterion (ix) of the SOCS Policy CSTHA1 and Policy H5 of the TNP. Consequently the proposal falls to be assessed primarily against the impact-based criteria of Policy H4 of the SOLP. The planning issues that are relevant to the planning application are whether the development would:

- Result in the loss of an open space or view of public, environmental or ecological value;
- Respect the character and appearance of the site and the street scene including the protected tree;
- Safeguard the living conditions of neighbouring residential occupiers and provide suitable living conditions for future occupiers;
- Demonstrate safe and convenient access and off-street parking provision for the development; and
- Give rise to any other material planning considerations

### 6.2 Loss of Open Space

Criterion (i) of Policy H4 of the SOLP 2011 requires that an important open space of public, environmental or ecological value is not lost, nor an important public view spoilt. The site has historically been private land associated with 27 Cotmore Gardens. Although visible in the street scene from the east and west along Cotmore Gardens, the site is seen in the context of established dwellings. Several of the objections from neighbours refer to the site having an ecological value. The Council's Countryside

Officer has inspected the site and concluded that the habitats on site are not considered to be a constraint to the proposed development. There is no evidence that the site has any particular ecological value. This criterion would therefore be satisfied.

6.3 Visual Impact

Criteria (ii) and (iii) of Policy H4 of the SOLP 2011 explain that the design, height, scale and materials of the proposed development should be in keeping with its surroundings and the character of the area should not be adversely affected. Objections have been received from Thame Town Council and local residents stating that the proposal would represent an overdevelopment of the site and would be of a form and design that would be out of keeping with the character and appearance of established development in the locality. However, the proposed dwelling would take up about 23% of the plot and the existing dwelling would take up 27% of its remaining plot. These building to plot ratios would be in accordance with the 30% recommended maximum set out in Section 3 of the SODG. Although the private gardens for both dwellings would be significantly smaller than the existing garden to No.27 and those to the south, the garden serving the proposed dwelling would be of comparable proportions to the gardens at the rear of Cotmore Close and the garden for No.27 would be similar to the size of the rear gardens on the northern and western side of Cotmore Gardens.

6.4 There would still be a gap of 12 metres between the proposed dwelling and No's 48/50 and 20 metres between the proposed dwelling and No.27. Officers consider that this would be sufficient to retain some open character to this part of the street scene and would prevent the dwelling appearing unduly cramped in relation to surrounding dwellings. The front of the dwelling would be located closer to the highway boundary than the established dwelling frontages in the locality. However, it would be on a similar building line to the side wall of No's 48/50 and the side extension of No.27 and therefore would not project forward of the built form on the southern side of Cotmore Gardens. Although concerns have been raised about the appearance of the parking area, it should be noted that there is already a hardstanding in front of the garage and that the dwellings opposite on the north side of Cotmore Garden all have extensive paved areas on the frontage. Consequently, it is officers' view that the landscaped parking area would not be out of kilter with the locality.

6.5 There have also been concerns raised about the visual appearance of the proposed dwelling. The dwellings in the vicinity are typical of a mid-20<sup>th</sup> century housing estate development and are of no particular architectural merit. The dwellings as originally built would have displayed some uniformity, however, this has been eroded somewhat over time as residents have extended their properties and made alterations to the external materials and front gardens. It is acknowledged that the proposed dwelling would differ in appearance to the surrounding dwellings through being detached and having a catslide roof at the rear. Paragraph 60 of the NPPF states that "Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness." In this regard, the dwelling would present a simple front elevation to the road, its ridge height would be comparable to the existing dwellings and the external materials of brick, render and tile would reflect the finish of nearby properties. As a result, Officers consider that the dwelling would not appear significantly out of keeping with the established form of residential development to warrant refusal of planning permission.

6.6 In relation to loss of trees, none of these have or are worthy of any statutory protection and discussions with the Council's Forestry Officer have confirmed that the plum tree at No.25 is not of sufficient arboricultural value to merit imposition of a Tree Preservation

Order. It is also the opinion of the Forestry Officer that the trees on No's 48/50's side of the boundary would have root systems that are more likely to extend westwards towards the flats due to the proximity of the existing hardstanding and garage and therefore would be likely to survive the development. As they are off-site trees, the applicant would be unable to remove them without their owners' permission. Sufficient tree cover would remain along the northern site boundary to soften the appearance of the dwelling in views along Cotmore Gardens. In the light of the above assessment, the proposed development would accord with the above criteria and the corresponding policies in the TNP.

6.7 Residential Amenity Impact

Criterion (iv) of Policy H4 of the SOLP 2011 requires that there are no overriding amenity objections. Policy D4 of the SOLP 2011 requires that all new dwellings should be designed and laid out so as to secure a reasonable degree of privacy for the occupiers. The proposed dwelling would be located to the north of the rear garden of No.25, with the ridge being 7 metres from the boundary. The dwelling would be further from the boundary than the existing garage and this would be sufficient to offset the greater impact of its two storey form to prevent any undue loss of light or outlook to the garden. The dwelling would be 19 metres to the north-east of the rear of No.25, which, although noticeably closer than the dwellings on Cotmore Close, would still be a sufficient distance to prevent any significant loss of light or outlook to the rear-facing rooms of No.25. The south elevation facing towards No.25 would not have any first floor windows. Although there would be rooflights, the bathroom rooflights would be obscure glazed and would be subject to a condition requiring them to be positioned at least 1.7 metres above the internal floor level to prevent overlooking of the adjoining rear garden when opened. The stairwell rooflight would be positioned well above the floor level of the staircase. The east elevation of the proposed dwelling would only contain an opening at ground floor level and with the close-boarded fence along the boundary, there would be no discernible loss of privacy to the adjoining occupiers.

6.8 There would be a distance of about 12 metres between the east-facing windows of No's 48/50 and the west-facing side elevation of the proposed dwelling. The only window in this elevation would serve a ground floor WC, consequently there would be no loss of privacy to the occupiers of the flats. The built form of the dwelling would have a greater impact on the outlook and light enjoyed by the east-facing rooms and rear garden of these flats than the existing garage. However, a notional 25-degree line of sight taken from eye level of the ground floor windows of the flats would just clear the ridge of the proposed dwelling. This is an indicator that the effect on daylight and outlook would be acceptable. The impact would be tempered by the screening provided by established off-site trees on No.48/50's side of the boundary, some of which are evergreen, to the extent that any additional overshadowing or loss of morning sunlight would not be sufficient to justify refusal of planning permission. As discussed in paragraph 6.4 above, the Council's Forestry Officer considers that these trees would be unlikely to be significantly harmed by the proposed development. It should also be noted that the occupiers of the flats have not raised any objections in relation to the impact on their residential amenity.

6.9 The relationship between the proposed dwelling and the rear of No.27 would be similar to the relationship with No.25, with sufficient separation between the east-facing side elevation of the proposed dwelling and the rear windows and garden of No.27 to prevent any significant mutual loss of light or outlook. There would be no first floor windows facing No.27 and although first floor windows in the west-facing elevation of No.27 would face towards the garden of the proposed dwelling, at a distance of over 12 metres, this would be typical of many residential layouts and would not be harmful to privacy. The garden size for the proposed dwelling would be about 95 square metres

and for No.27 would be approximately 140 square metres, both of which would comply with the respective recommended minimum standards for two bedroom dwellings and dwellings with three or more bedrooms, set out in Section 3 of the SODG. On the basis of this assessment, the proposed development would comply with the above policies and TNP Policy ESDQ28.

6.10 Access and Parking

Criterion (iv) of Policy H4 of the SOLP 2011 also requires that there are no overriding highway objections. Although there are some concerns raised about lack of off-street parking and loss of on-street parking from Thame Town Council and local residents, the Highway Liaison Officer has raised no objections to the proposed parking and access layout, subject to the imposition of several highway-related conditions. Although the original planning permission for the existing garage required the access at the front of No.27 to be stopped up, from discussions with local residents, it appears that this access at the front has been in place for at least the last ten years and therefore would be immune from enforcement action. On this basis the proposed development would be in accordance with the above criterion and TNP Policy ESDQ29.

6.11 Other Material Planning Considerations

A condition removing permitted development rights for various householder development is considered necessary to allow the Council to exercise control over any future additions to the new dwelling that might otherwise result in visual harm or loss of amenity to adjoining residential properties. Future occupiers would be aware of the internal layout and storage space prior to moving into the property. Matters relating to disruption during the construction phase can be dealt with by environmental health and/or highways legislation.

7.0 **CONCLUSION**

7.1 The application proposal would comply with the relevant Development Plan Policies, Supplementary Planning Guidance and Government Guidance and it is considered that, subject to the attached conditions, the proposed development would not materially harm the character and appearance of the area or the living conditions of nearby residents or result in conditions prejudicial to highway safety and would not be harmful to biodiversity.

8.0 **RECOMMENDATION**

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

1. **Commencement within three years.**
2. **Development to be in accordance with the approved plans.**
3. **Details of levels to be agreed prior to commencement of development.**
4. **Schedule of materials to be agreed prior to commencement of development.**
5. **Obscure glazing and specified height of rooflights.**
6. **Withdrawal of permitted development rights for extensions, roof extensions, rooflights and outbuildings.**
7. **Existing vehicular access to be improved as on the approved plan.**
8. **Vision splays to be provided as required by the Highway Authority.**
9. **Car parking to be retained as shown on the approved plans.**
10. **Hard and soft landscaping to be agreed prior to commencement of development.**

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