

APPLICATION NO.	<u>P20/S4298/FUL</u>
APPLICATION TYPE	FULL APPLICATION
REGISTERED	12.11.2020
PARISH	THAME
WARD MEMBER(S)	Pieter-Paul Barker Kate Gregory David Bretherton Mrs Amy Burchell
APPLICANT	62 Ludsden Grove, Thame, OX9 3BZ
SITE	
PROPOSAL	Construction of garden building for part personal use and part business use as a hairdressing salon.
OFFICER	Daniella Rogers

1.0 INTRODUCTION AND PROPOSAL

- 1.1 This application is referred to the Planning Committee at the request of Councillor Pieter-Paul Barker. The Town Council's views conflict with the officer's recommendation of approval.
- 1.2 The application site, which is shown on the plan attached as **Appendix A**, is occupied by a terraced, two-storey, dwelling located within the built-up limits of Thame. The site does not lie within any designated area.
- 1.3 Neighbouring properties include 64 Ludsden Grove to the west and 60 Ludsden Grove to the south east. There is a shared walkway between 60 and 62 Ludsden Grove to gain separate access to their rear gardens.
- 1.4 This application seeks permission to construct a garden building for part personal use and part business use (Hairdressing Salon).
- 1.5 A site visit was conducted from the application site to assess the relationship between neighbouring properties.
- 1.6 A copy of the plans associated with the application are attached as **Appendix B**, whilst other documentation associated with the application can be viewed on the council's website, www.southoxon.gov.uk

2.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

- 2.1 Thame Town Council – Object

- Unneighbourly
- Access via a shared alleyway
- Noise/smell disturbance

South -Highways Liaison Officer (Oxfordshire County Council) – No objections

Environmental Protection Team – No objections

Food Safety – No objections

Neighbours (2) – Objects

- Highway safety and parking
- Use of shared access and privacy concerns

- Unneighbourly noise from salon

3.0 RELEVANT PLANNING HISTORY

3.1 [P20/S2862/LDP](#) - Refused (23/10/2020)

Proposed garden building at bottom of garden as a part-time hair salon.

4.0 ENVIRONMENTAL IMPACT ASSESSMENT

4.1 N/A

5.0 POLICY & GUIDANCE

5.1 Development Plan Policies

National Planning Policy Framework (NPPF)

National Planning Policy Framework Planning Practice Guidance (NPPG)

The policies within the SOLP 2035, of relevance to this application, are in general conformity with the provisions of the NPPF and therefore this application can be determined against the relevant policies below.

South Oxfordshire Local Plan 2035 (SOLP) Policies:

DES1 - Delivering High Quality Development

DES6 - Residential Amenity

DES8 - Promoting Sustainable Design

ENV12 - Pollution - Impact of Development on Human Health, the Natural Environment and/or Local Amenity (Potential Sources of Pollution)

EMP2 - Range, Size and Mix of Employment Premises

H20 - Extensions to Dwellings

TRANS5 - Consideration of Development Proposals

5.2 Thame Neighbourhood Plan

ESDQ16 - Development must Relate Well to its Site

5.3 Supplementary Planning Guidance/Documents

South Oxfordshire Design Guide 2016 (SODG 2016)

5.4 Other Relevant Legislation

Human Rights Act 1998

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

Equality Act 2010

In determining this planning application the Council has regard to its equalities obligations including its obligations under Section 149 of the Equality Act 2010.

6.0 PLANNING CONSIDERATIONS

6.1 The relevant planning considerations are the following:

- Design and character
- Residential amenity
- Access and Parking
- Other material planning considerations

6.2 Design and character

- **Policy DES1** of the SOLP 2035 advises that all new development must be of a high-quality design that reflects the positive features that make up the character of the local area and both physically and visually enhances and complements the surroundings.
 - **Policy H20** of the SOLP 2035 advises that extensions to dwellings or the erection and extension of ancillary buildings within the curtilage of a dwelling, will be permitted provided that:
 - i) amenity areas are provided for the extended dwelling that accord with the South Oxfordshire Design Guide; and the proposal does not conflict with other policies in the Development Plan
- 6.3 The garden room will be timber clad with clear glass windows facing the main dwelling and frosted glass windows on side elevations. The roof is mono-pitched with black rubber. The overall design is uncomplicated, and the building will remain subservient to the main dwelling and will not harm its surroundings.
- 6.4 **Residential amenity**
- **Policy DES6** of the SOLP 2035 advises that development proposals should demonstrate that they will not result in significant adverse impacts on the amenity of neighbouring uses, when considering both individual and cumulative impacts, in relation to the following factors:
 - i) loss of privacy, daylight or sunlight;
 - ii) dominance or visual intrusion;
- 6.5 The garden building is situated towards the rear of the site and set away from neighbouring boundaries.

One chair will be used within the proposed salon and will only be visited by one person at a time. The hours of operation will be restricted, by condition, to between 08:00 - 18:00 on a Monday, Tuesday, Wednesday, Thursday and Friday and 08:00-15:00 on a Saturday.

Some concerns have been raised regarding the use of the shared walkway to gain access to the rear gardens of number 60 and 62 Ludsden Grove. The salon would not generate a significant level of footfall or visitors and Environmental Protection have raised no concerns to the proposed development or its use.

For these reasons, I consider that the level of activity generated would not be significant or cause harm to the amenity of neighbouring occupiers.

6.6 Access and Parking

- Criteria ii of **Policy H20** of the SOLP 2035 advises that adequate and satisfactory parking is provided in accordance with the current Oxfordshire County Council parking standards, unless specific evidence is provided to justify otherwise
- **Policy TRANS5** of the SOLP 2035 advises that Proposals for all types of development will, where appropriate:

- i) provide for a safe and convenient access for all users to the highway network;
- ii) provide safe and convenient routes for cyclists and pedestrians, both within the development, and including links to rights of way and other off-site walk and cycle routes where relevant;

6.7 The Local Highways Officer has provided the following consultation response:

The proposal seeks the construction of a garden building for part personal and part business use as a hairdressing salon.

The site is located within a Cul-de-Sac, in which it is considered, vehicle speeds and traffic are relatively low.

The proposal is likely to increase movements to and from the dwelling, however this is considered of a low volume not to warrant a recommendation for refusal.

Furthermore, given the nature of the carriageway in this location and parking restrictions within the vicinity, single and double yellow lines, indiscriminate and/or obstructive parking can be enforced. No change is proposed to the existing access arrangements.

The proposal is unlikely to have a significant adverse impact on the highway network.

After reviewing the supplied plans and documentation, the Highway Authority has No Objection to the proposal on the basis of Highway Safety.

6.8 **Other material planning considerations**

The Food safety Officer has provided the following consultation response:

I have looked at the plans with regard to the Food and Health and Safety aspects of a business being carried on there. I have no adverse comments to make regarding this application. Should there be any health and safety issues these would fall under the remit of the Health and Safety Executive.

6.9 Renewable energy:

Policy DES8 of SOLP states that all new development must demonstrate how they are seeking to reduce greenhouse emissions through location, building orientation, design, landscape and planting. This is a modest garden room, which could be constructed within permitted development rights if incidental to the residential use of the dwelling, with limited scope for reducing greenhouse emissions.

6.10 **Community Infrastructure Levy**

The proposed development is not liable to pay CIL as the net increase in residential floor space does not exceed 100m².

7.0 **CONCLUSION**

7.1 The application is recommended for planning permission as the proposal complies with the relevant Development Plan policies, Supplementary Planning Guidance and Government Guidance. Subject to the attached conditions, Officers do not consider that the proposed development would be harmful to the character and appearance of the site, the surrounding area or the amenity of neighbours.

8.0 RECOMMENDATION

8.1 Grant Planning Permission subject to the following conditions

- 1 : Commencement of development within three years**
- 2 : Development to be carried out in accordance with the approved plans**
- 3 : Materials to match existing**
- 4 : Restricted hours of operation**

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