

# Ken Thornton Associates

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Planning Control and Conservation Team  
Oxford City Council  
St Aldate's Chambers  
109 St Aldate's  
OXFORD OX1 1DS

23<sup>rd</sup> March 2021

**For the attention of T Hunter Esq.  
Development Control**

Dear Sirs

**PROPOSED WORKS AT 46 FRANKLIN ROAD, HEADINGTON, OXFORD  
PLANNING APPLICATION REFERENCE : 20/03137/FUL**

We refer to the above mentioned Planning Permission and, in particular, to Condition No.5 thereof : '*...the side facing windows hereby approved shall be glazed in obscure glass, be non-opening below 1.7 metres above finished floor levels...*'. Whilst we appreciate that such Conditions are necessary where first floor windows might overlook private areas, we would respectfully point out that none of the proposed windows to the South East flank could possibly affect the private gardens of the neighbouring properties.

As was noted in the *Design and Access Statement* attached to the original Application, the two small windows proposed at first floor level (to the South East flank of the two-storey extension) would not overlook any windows or private spaces at No.48 Franklin Road – only the driveway and front garden, which are open to the adjacent footway and highway. Please refer to photograph 04 on the appended document. Furthermore, the proposed windows would reflect those permitted for the extensions to neighbouring properties : please refer to photographs 01 to 03 of the appended document. The Condition would also seem to include the windows proposed at ground floor level – serving the Garage and extended Porch – none of which could result in any loss of privacy for the neighbouring properties.

The Applicants have been distressed to find that such a Condition has been imposed upon their Permission as – notwithstanding the precedents at numbers 42 and 44 – the prospect of a southerly view along Franklin Road, to the wooded areas beyond, has been a long cherished dream; one which would, they believe, promote security by allowing discreet 'policing' of the road and nearby Open Space.

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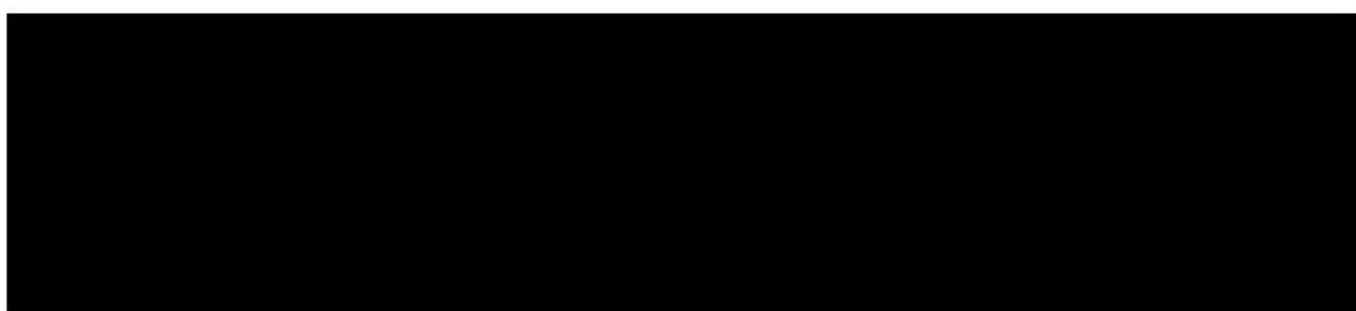
Two new windows have also been proposed, at first floor level, to the North West flank (to serve the new Shower Room and Family Bathroom) and the proposal included the alteration of an existing, adjacent, window (serving the current Shower Room) – to ensure that this would match the proposed windows. Although the nearby flank wall of No.44 (and the recent extension to that property) would make overlooking of the private garden to No.44 (from the proposed windows) impossible, the Applicants would have no objection to these windows being obscure glazed and fixed below 1.7 metres.

We believe that the proposals for the South East flank would fully comply with Policy H14 of the Adopted Local Plan – given that none of the proposed windows would face those of the adjacent properties. The windows would not overlook the private gardens, French doors, patio doors – or significantly compromise the privacy of – any of the existing homes in Franklin Road.

For the reasons stated in this letter (and amplified by the appended document), the Applicants believe that it would be reasonable to seek a variation of Condition No.5 [attached to Permission 20/03137] to read, '*...the side facing windows hereby approved **to the North West flank shall be glazed in obscure glass, be non-opening below 1.7 metres above finished floor levels...***', and sincerely trust that your Authority will support their case.

We trust that the attached information will be sufficient for our Clients' application to proceed : should you require any additional information, or clarification of our proposal – or wish to discuss this matter in greater detail – kindly contact the undersigned.

Yours faithfully



**K J THORNTON**  
**KEN THORNTON ASSOCIATES**  
For Mr P Binns and Dr F Reynolds

**Appended Document** : photographs of adjacent properties