

REPORT 3

APPLICATION NO. P06/E0473

APPLICATION TYPE FULL

REGISTERED 03.05.2006

PARISH HENLEY-ON-THAMES

WARD MEMBER(S) Mr Terry Buckett

APPLICANT Dr Barry Wood

SITE Mr B Mia

PROPOSAL Cafe Le Raj, 17 Reading Road Henley-on-Thames
Ground floor extension to rear of premises to provide new kitchen and storage area and provision of new toilets at ground floor level for customers, including full wheelchair accessible facilities.

AMENDMENTS One set of amended plans

GRID REFERENCE 476174182437

OFFICER Mrs C Westlake

APPLICATION NO. P06/E0475/LB

APPLICATION TYPE LISTED BLDG. CONSENT

REGISTERED 03.05.2006

PARISH HENLEY-ON-THAMES

WARD MEMBER(S) Mr Terry Buckett

APPLICANT Dr Barry Wood

SITE Mr B Mia

PROPOSAL Cafe Le Raj, 17 Reading Road Henley-on-Thames
Ground floor extension to rear to provide new kitchens and storage and to provide public toilets at ground floor with disabled user provision.

AMENDMENTS One set of amended plans

GRID REFERENCE 476174182437

OFFICER Mrs C Westlake

1.0 INTRODUCTION

1.1 This application has been referred to Planning Committee because the officer recommendation conflicts with the views of Henley Town Council.

1.2

The Grade II property is located on the Reading Road within the Henley Main Conservation Area. It is a three storey terraced property that has an Indian restaurant at ground floor level and is in residential use for the remaining two floors, except for the toilets serving the restaurant which are located on the first floor. The properties either side are in mixed residential and commercial use. The site plan can be seen **attached** as Appendix 1.

1.3 The property is Grade II listed and these issues are dealt with separately as the subject of listed building application P06/E0475/LB.

2.0 PROPOSAL

2.1 These applications are for the erection of a single storey ground floor rear extension to provide a kitchen and disabled WC. They would enable the existing kitchen to be moved allowing increased dining space and the provision of disabled WC facilities. Extracts from the plans are **attached** as Appendix 2.

3.0 CONSULTATIONS & REPRESENTATIONS

3.1 Henley-on-Thames Town - Recommends approval

Council

The Henley Society - No objection.

Letters of objection (4) - Main points raised are:

1. The noise and smell affecting number those in Queen Street Mews and Reading Road is already very bad, through the walls of the property and when the door to the kitchen remains open the noise and smell would get worse, particularly noticeable during the summer.
2. Number 19 Reading Road already has to

keep windows closed during the summer

and use powerful air fresheners. There have

been rat infestations and sewage leaking

into the property of number 19, the

increase capacity could make this worse
3. There would be increased loss of privacy and overshadowing as a result of the proposal to number

19 Reading Road.

4. Noise in the garden of number of 19 as a result of the extractor fan would be intrusive.
5. Would allowing this create a precedent for everyone to extend into these old town gardens.

Letters of support - Main points raised are:

(5) (from restaurant customers)

1. The proposals will enhance customer facilities.
2. The ground floor toilets will assist wheelchair users.
3. A great versatility for layout within the restaurant.
4. Loss of restaurant would be regrettable.

A petition with 40 signatures in support of the applications has also been submitted.

Environmental Health Officer

- Require further information before a decision on the impact of noise and smell can be reached.

Conservation Officer

- Objects on the grounds that the proposal would have an adverse impact on the listed building, its historic plot, form and its setting and would detract from the established character and appearance of the Conservation Area.

4.0 RELEVANT PLANNING HISTORY

4.1 P04/E1392/RET - Installation of 2 no. fan chiller units in rear garden – planning permission granted January 1995.

P04/E1381/RLB - Handrail, stair balustrades and fire door etc – listed building consent granted January 2005.

P04/E1374/RAD - Erection of non-illuminated advertisements – granted 23 December 2004.

5.0 POLICY & GUIDANCE

5.1 South Oxfordshire Local Plan 2011

G2, G6, CON2, CON3, CON5, CON7, CON10, TC2, TC5 and TC6.

PPG15 – Planning and the Historic Environment.

6.0 PLANNING CONSIDERATIONS

6.1 The policies contained in the South Oxfordshire Local Plan 2011 are generally supportive of proposals in connection with the current restaurant use provided there would not be any overriding amenity, design, environmental or traffic problems. The main planning issues for assessment in this case are the impact on

the character, appearance and setting of the listed building and adjoining listed buildings, the impact on the character and appearance of the Henley Conservation Area and the effect on the amenities of neighbouring properties. In respect of the listed building application the only issue is the impact of the works on the character, appearance and setting of 17 Reading Road.

- 6.2 The application has been amended to reduce the size of the extension from over 8 metres to 4.7 metres in length but it would still extend across the width of the property. The building has already been extended at the rear rather unsympathetically and this proposal would link into the previous extension and would have a very shallow pitched roof. Officers consider that the design of the proposal would bear little or no relation to the form and appearance of the existing building. This almost flat roofed addition with difficult roof junctions and unsympathetic fenestration would detract from the setting of the listed building and the character and appearance of the Henley Conservation Area.

- The extension would cover a significant proportion of the existing garden and
- 6.3 would only leave a small courtyard. Some rather insensitive additions have taken place on the rear of some neighbouring properties along the terrace, most of which were carried out many years ago. Some may even pre-date the existence of the current planning system and they are not considered to be a justification for further unsympathetic additions. The walled garden to the rear of the property forms a burgage plot. Policy CON10 states that burgage plots should not be developed where harm would result to their historic interest and amenity. The proposal and its intrusion into the burgage plot would not be a traditional form of development within the Conservation Area. Whilst there is a nearby property where development has incorporated a very significant part of a garden, it would appear to have been carried out without the benefit of planning permission and to have occurred many years ago.

- 6.4 The immediate neighbours, numbers 15 and 19, have planning permission for mixed residential and commercial use, with the residential uses being on the first and second floors. They have also been the subject of extensions at the rear which would, in part, reduce the impact of the highest part of the proposed extension. The single storey height of the proposed extension and the absence of any additional windows would mean that the proposal would not affect the neighbours privacy or appear overbearing. Nearby residents in Queen Street Mews have collectively raised concerns about noise and smells. It is acknowledged that by moving the kitchen further down the garden, the smells emanating from it would be closer to Queen Street Mews at the rear of the site and the noise might be spread over a greater distance. The Council's Environmental Health Service have requested further information about the extraction system including a noise report. This information could have been submitted by the applicant but he has commented that in light of the other outstanding objections it is not considered cost effective or productive to pursue at this stage. In the absence of such a report your officers have to raise concerns about the potential for additional odour and noise pollution and its likely adverse impact on the amenities of nearby residents and the enjoyment of their gardens.

7.0 CONCLUSION

7.1 Having regard to the form and design of the extension, the proposals would represent an alien and discordant addition which would detract from the character and appearance of the listed building and setting and historic plot form and Conservation Area. Furthermore in the absence of details of the proposed kitchen extraction equipment and an associated noise report there are concerns about the likely adverse impact on the amenities of nearby residential properties.

8.0 RECOMMENDATION

8.1 That planning permission be refused for the following reasons:

1. That having regard to its size, appearance, materials and design details the proposal would represent an alien and discordant addition that would detract from the historic character and appearance of the listed building, its historic plot form and setting. Furthermore the addition would fail to preserve or enhance the character and appearance of the Henley on Thames Conservation Area. As such the proposal would be contrary to the provisions of the South Oxfordshire Local Plan 2011 particularly policies G2, G6, TC2, CON5, CON7 and CON10.

2. That, in the absence of technical details of the proposed extraction and ventilation systems and an associated noise report to demonstrate otherwise, the Local Planning Authority considers that the proposal has the potential to lead to increased odour and noise pollution to the detriment of the amenities of neighbouring residents. As such the proposal would be contrary to the provisions of the South Oxfordshire Local Plan 2011 particularly policies G2, EP1 and EP2.

8.2 That listed building consent be refused for the following reason:

1. That having regard to its size, appearance, materials and design details the proposal would represent an alien and discordant addition that would detract from the historic character and appearance of the listed building, its historic plot form and its setting. As such the proposal would be contrary to the provisions of the South Oxfordshire Local Plan, particularly policies CON2, CON3, CON5 and CON7.

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