

## REPORT 5

<b>APPLICATION NO.</b>	P06/E1015
<b>APPLICATION TYPE</b>	FULL
<b>REGISTERED PARISH</b>	6 December 2006 HENLEY
<b>WARD MEMBER(S)</b>	Terry Bucket and Barry Wood
<b>APPLICANT</b>	Mr P Crook
<b>SITE</b>	85 Harpsden Road, Henley
<b>PROPOSAL</b>	Erection of first floor rear extension, replacement of external wall and erection of pitched roof over of single storey rear extension, front bay window and change of use from retail to residential to provide two flats.
<b>AMENDMENTS</b>	Three sets of amended plans
<b>GRID REFERENCE</b>	476382/181689
<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 Planning Manager's recommendation and the views of Henley Town Council.
- 1.2 The application site is shown on the OS extract attached as **Appendix 1**. The application site consists of a plot occupied by an end-of terrace two storey Victorian property located on the corner of Harpsden Road and Niagara Road. It is in use as a shop on the ground floor with an office above and a single storey extension to the rear used for storage. The property is typical of those in the surrounding area, consisting of red brick with string course yellow brick detailing and a slate roof. The shop front is functional and whilst the windows retain the original stone lintels, the original sash frames have been replaced with less sympathetic casements. The rear extension has been constructed from a lighter red brick and presents a parapet wall to Niagara Road, which steps down in height away from the property. The highest section has a monopitch roof, the other sections are flat roofed. The addition incorporates a garage with access onto Niagara Road. The surrounding Victorian properties are primarily in residential use. The land slopes down from north to south and from east to west. The other houses on the terrace have single storey outshuts at the rear as original features of the properties. No.83 is the adjacent terraced house where the gap between the

outshut and the boundary with No.85 has been filled in by a Perspex-roofed extension. The site lies within the Henley - Reading Road Conservation Area.

2.0

## THE PROPOSAL

2.1

The application seeks planning permission for the erection of a first floor rear extension, replacement of external wall and erection of pitched roof over single storey rear extension, front bay window and change of use from retail to residential to provide two flats. The first floor extension would measure 2.45 metres deep by 3.751 metres wide and 5.5 metres high to eaves level and 7 metres high to ridge level of the slate roof. The extension would be built up on the existing footprint of the rear extension, so a 0.9 metre gap would be maintained from the boundary with No.83. It would have matching red bricks and would seek to replicate the original brick course detailing. The extension would provide a bathroom for the upstairs flat with a sash window facing Niagara Road.

2.2

A small window would be inserted in the first floor of the original rear elevation of the property. The replacement of the facing wall to Niagara Road would enable the current non-matching brickwork to be replaced with a matching brick and the string course detailing would be replicated. The ground floor street elevation would have five openings, a new door, leading to the upstairs flat and four windows serving the ground floor flat. These windows would be sash with stone lintels and cills to match the original window design. The replacement pitched slate roof would have an eaves level of 3.2 metres and a ridge height of 4.8 metres. It would retain the existing footprint, with a 0.9 metre set-in from No.83's boundary, apart from the roof over the existing garage, which is and would continue to be hard against the boundary. A door into the narrow yard would be installed in the north elevation and the existing rear door into the garage would be blocked up. The front bay window would measure 2 metres wide by 0.8 metres deep and 3 metres high, with a hipped slate roof over. It would mirror the design of remaining original bay windows elsewhere on the terrace. The shop front would be removed.

2.3

These extensions and alterations would facilitate the conversion of the premises into two flats, one upstairs and one downstairs. The downstairs flat would be accessed from the front and would have a lounge/dining room, kitchen, bathroom and two bedrooms (one involving the conversion of the existing garage). The upstairs flat would be a bedsit with access from the side of the property and would contain an open plan bedroom-kitchen-diner and bathroom.

2.4

The applicant's supporting letter is **attached** as Appendix 2. The amended plans of

the proposed development are **attached** as Appendix 3.

### 3.0 **CONSULTATIONS AND REPRESENTATIONS**

3.1 **Henley Town Council** – Original and amended proposals should be refused due to being unneighbourly, harmful to the conservation area and loss of garage space resulting in increase in parking difficulties.

**Henley Society** – No objections.

3.2

3.3 **OCC Highways** – The existing garage is not large enough to accommodate a vehicle off street to meet current standards, therefore inappropriate to recommend refusal on the loss of a substandard off-street parking space. The proposed residential use would be likely to generate fewer traffic movements than the existing shop and would therefore have less of a highway safety impact. No objection.

3.4 **Conservation Officer** – This corner plot is an important focal point within the conservation area and as such there are concerns in relation to the scale of the rear extension and its fenestration and detailing.

3.5 **Policy Unit** – Many of the shops in this area have been changed to residential use and since Henley Town Centre is not far from this site and the shops that remain are very scattered, the loss of this shop is considered not to be harmful to the character of the area or to the facilities that are available.

3.6 **Neighbours** – Three letters of objection to the original proposal; two of which were sustained for the first set of amended plans. The second set of amended plans only contained minor alterations to the detailing and the following objections remain:

- Overdevelopment leading to loss of light to rear rooms of No.83 and rear gardens of No's 83 and 81;
- Overlooking of gardens;
- Loss of garage and increased demand for on-street parking;
- Noise from living room of bedsit next to bedrooms of No.83;
- Flats out of keeping with character of area; and
- Land ownership dispute.

### 4.0 **RELEVANT PLANNING HISTORY**

4.1 P06/E0682 – A planning application for a similar proposal to that now proposed, but involving a larger extension and with less sympathetic alterations and detailing was withdrawn in August 2006.

4.2 P83/S0274/CU – Planning permission was refused in June 1983 for the creation of a first floor flat above the shop involving a first floor extension some 6 metres deep.

4.3 P76/S0277 – Planning permission was granted in June 1976 for a new shop front.

4.4 P75/S0448 – Planning permission was granted in November 1975 for an extension and rebuilding of garage.

## **5.0 POLICY AND GUIDANCE**

5.1 Adopted Structure Plan 2016 Policies:

- G1 – General Policies for Development
- G2 – Improving the Quality and Design of Development
- T8 – Development Proposals
- EN4 – Historic and Cultural Heritage
- H1 – The Amount and Distribution of Housing
- H3 – Design, Quality and Density of Housing Development

5.2 Adopted South Oxfordshire Local Plan 2011 Policies:

- G2 – Protection of the Environment
- G6 – Promoting Good Design
- CON7 – Proposals Affecting a Conservation Area
- EP2 – Noise and Vibrations
- D1 – Good Design and Local Distinctiveness
- D2 – Vehicle and Bicycle Parking
- D3 – Plot Coverage and Garden Areas
- D4 – Privacy and Daylight
- H4 – Towns and Larger Villages Outside the Green Belt
- CF3 – Safeguarding the Vitality and Viability of Neighbourhood and Local Centres
- T1 – Transport Requirements for New Developments

5.3 Supplementary Planning Guidance:

- Henley Conservation Area Character Appraisal
- South Oxfordshire Design Guide – Sections 4.2, 4.3, 4.4 and 4.6.

5.4 Government Guidance: PPS1, PPG3 and PPG15.

## **6.0 PLANNING ISSUES**

6.1 The application site is in a location within the built-up limits of Henley. As the proposal would not involve the conversion of an existing dwelling, Policy H4 is considered to be of most relevance. The planning issues that are relevant to this application are whether:

- The loss of a local shop would not undermine the facilities for nearby residents;
- The development would not result in the loss of an open space or view of public, environmental or ecological value;
- The size and appearance of the proposal would be in keeping with the character and appearance of the surrounding area;
- The living conditions of neighbouring residential occupiers would be compromised and the development would provide suitable living conditions for future occupiers;
- The development would not result in an unacceptable deficiency of off-street parking spaces for the resultant dwelling or other conditions prejudicial to highway safety; and
- There would be other material considerations.

#### Loss of Retail Unit

6.2 Policy CF3 of the adopted South Oxfordshire Local Plan 2011 seeks to prevent the change of use of retail units to non-retail units where this would detract from the overall role and attractiveness of the shopping area. Many of the shops in this area have been changed to residential use and since Henley Town Centre is not far from this site and the shops that remain are very scattered, the loss of this shop is considered not to be harmful to the character of the area or to the facilities that are available. The proposal would therefore be in compliance with the above Policy.

#### Loss of Open Space

6.3

Criterion (i) of Policy H4 of the adopted South Oxfordshire Local Plan 2011 requires that an important open space of public, environmental or ecological value is not lost, nor an important public view spoilt. The site is already occupied by a building and the proposal would not expand its footprint. The first floor extension would be small in relation to the size of the building and would not impinge on any public views. There would be no ecological implications arising from this proposal. This criterion would therefore be satisfied.

#### Character and Appearance

6.4 Criteria (ii) and (iii) of Policy H4 of the adopted South Oxfordshire Local Plan 2011 explain that the design, height, scale and materials of the proposed development are in keeping with its surroundings and the character of the area is not adversely affected. Policy CON7 requires that developments respect conservation areas. The extensions and alterations to the premises that were granted planning permission in the 1970's are considered to be unsympathetic to the character and

appearance of the original Victorian building (which it is understood to have originally been a single family dwelling). The corner location draws attention to these alterations and additions. For the same reason, the proposed first floor extension, alterations to the ground floor extension and bay window would also be prominent; however they would be far more in keeping with the character of the original building and would lead to the removal of some of the unfortunate 1970's additions, such as the shop front, brickwork and flat roofing.

## 6.5

First floor extensions may not be a common feature in this part of the conservation area (one was approved at No.43 in May 2002 prior to its designation), but it would be very limited in scale including a significant set down from the main roof and the maintenance of a gap to the northern side boundary. It is considered that the overall improvement to the appearance of the property would justify the scale of the first floor extension. The Conservation Officer's concerns over the effectiveness of the detailing could be overcome if a high standard of workmanship was employed. The use of high quality materials could be addressed through planning conditions requiring submission of samples of materials, window details and rainwater goods. On balance, the proposed development would improve the appearance of the building and would preserve the character of the Henley – Reading Road Conservation Area. In light of this assessment, it would comply with the above criteria.

### Living Conditions

- 6.6 Criterion (iv) of Policy H4 of the adopted Local Plan requires that there are no overriding amenity objections. The proposed first floor extension would raise the eaves height of the existing rear extension, where it is closest to the original building, by some 1.5 metres. The distance from the boundary with No.83 would remain the same and the depth would be such that a 45-degree line could be drawn from the centre of the neighbouring rear-facing bedroom window without touching the extension. It is considered that under these circumstances, the amount of daylight and outlook received by this bedroom would not be significantly reduced. There would be some overshadowing of this window and the downstairs rear-facing rooms, because the extension would be located to the south of No.83. However, this is only likely to occur for a small portion of the day, due to the limited depth of the extension and its distance from the boundary. In effect, direct sunlight would disappear slightly earlier in the morning than presently. The original rear-facing ground floor rooms (a lounge and a kitchen) at No.83 have already been enclosed somewhat by the extension between No.83's back addition and the boundary with No.85. This nonetheless allows light to filter through to the house through the entire length of the pitched perspex roof. The proposed extension would only cast a shadow over a small section of this roofing for a limited period of the day. The proposed additional roofing above the remaining single storey section would slope immediately away from No.83 and the impact on light and outlook from this part of the proposal would not be material. The impact on the rear garden of No.83 would also be slight, because only a relatively small section of the roof over the existing flat-roofed single storey area would be adjacent to the garden. It would be hipped away from the garden so that the ridge of this roof would be some 1.7 metres away from the boundary with No.83. The only window facing the

garden would be on the original building and this would be no different to the existing situation. It is considered that the level of noise produced by the occupiers of the first floor bedsit would not be expected to be so great as to disturb the adjoining occupiers. Moreover, any specific incidents could be dealt with under Environmental Health legislation. The distance between No.85 and No.81 would be sufficient to prevent any material harm to the rear garden of this nearby property and no other residents would be compromised.

- 6.7 There would be no garden for the occupiers of the proposed flats, which would fail to meet the recommended standard of 25 square metres per flat. However, this is a location within the built-up limits, and there is good access to public areas of open space within the settlement. In this respect, the lack of garden is more appropriate for flats than a single family dwellinghouse. It is also considered that internally, the proposed development would provide an adequate level of residential amenity for future occupiers.

- 6.8 Whilst the proposal would result in some loss of light and outlook to No.83, this would, on balance, not be sufficiently harmful to justify withholding planning permission. On the basis of this assessment, the above criterion would be met by the proposal.

#### Highways and Parking

- 6.9 Criterion (iv) of Policy H4 of the adopted Local Plan requires that there are no overriding highway objections. The proposal would result in the loss of the existing garage and would not provide any off-street parking. The adopted standards require the provision of three parking spaces in total for these flats. However, with a depth of 4.4 metres, this would be some way short of the depth of 4.8 metres required by the Highway Authority. As the existing garage is not large enough to accommodate a vehicle off street to meet current standards, the Highways Authority therefore considers it inappropriate to recommend refusal on basis of the loss of a substandard off-street parking space. The proposed residential use would be likely to generate fewer traffic movements than the existing shop and would therefore have less of a highway safety impact. Consequently, the above criterion would be satisfied.

#### Other Matters

- 6.10 There is an ongoing boundary dispute between the owners of No.83 and 85. The application included a Certificate B, which demonstrates that notice was served by the applicant on No.83. As this legal requirement has been fulfilled, the Council must determine the application on its planning merits. The boundary dispute is therefore a civil matter between the two parties, the outcome of which would not be prejudiced by this planning decision.

### **7.0 CONCLUSION**

- 7.1 The application proposal would comply with the relevant Development Plan policies and it is considered that, subject to the attached conditions, the loss of the shop

would be acceptable and the proposed development would not materially harm the living conditions of nearby residents, would preserve the character of the Henley – Reading Road Conservation Area and would not give rise to any highway safety issues.

## **8.0 RECOMMENDATION**

### **8.1 Grant Planning Permission**

**Subject to the following conditions:**

- 1. Standard 3 Year Time Limit**
- 2. Samples of Materials (including string detailing)**
- 3. Submission of Window and Door Joinery Details at 1:20 (including bay window)**
- 4. Details of Rainwater Goods, Vents and Flues**

Author : Paul Lucas

Contact no : 01491 823434

Email : [Planning.east@southoxon.gov.uk](mailto:Planning.east@southoxon.gov.uk)