

**APPLICATION NO.** [P07/E1502](#)  
**APPLICATION TYPE** FULL  
**REGISTERED** 21.11.2007  
**PARISH** HENLEY-ON-THAMES  
**WARD MEMBER(S)** Mr Terry Buckett  
  
Ms Roswitha Myer  
**APPLICANT** Mr & Mrs A C Sweeney  
**SITE** 95A St Marks Road Henley-on-Thames  
**PROPOSAL** Erection of new dwelling and alterations to existing.  
**AMENDMENTS**  
**GRID REFERENCE** 475743/181729  
**OFFICER** Ms P.A.Fox

## 1.0 INTRODUCTION AND THE SITE

- 1.1 The application is referred to Planning Committee because the recommendation conflicts with the views of Henley Town Council.
- 1.2 This application seeks full planning permission for the erection of a detached four/five bedroom property within the garden of 97A St Marks Road and alterations to 95A including the demolition of a side extension. A new joint access serving both dwellings would be created onto St Marks Road, slightly to the east of the existing. An existing hedge along the frontage would be partially cut back to provide a vision splay.
- 1.3 The site which is shown on the plan **attached** as Appendix A currently comprises a semi-detached house and a detached garage. The property is set well back into the plot (some 25 metres from the road) and has a particularly spacious garden. A detached garage lies 10 metres back into the plot just behind a mature copper beech tree which is protected by a TPO.
- 1.4 St Marks Road rises steeply from the Reading Road and the property is located at the higher (western) end of the road. There is a change in levels across the site with 97, St Mark's Road (to the west) lying approximately 1.5 metres higher than 95A. The plan indicates that the new property would be set approximately one metre below the level of 97.
- 1.5 This part of St Marks Road comprises an attractive line of medium to large detached houses set in mature and generally well landscaped grounds. 95 and 95A were originally one house and they form one of the older properties in this part of the road where there is a great mix of property sizes, styles and ages. It is a fact that 95 and 95A are at odds with the generally consistent building line which runs much closer to the road. Having a deep front garden and particularly spacious side garden 95A contributes to the attractive well vegetated appearance of the immediate area.

## 2.0 THE PROPOSAL

2.1 The proposals involve some works to the semi-detached house namely:

- i. The demolition of a single side extension to the west elevation (which comprises a kitchen).
- ii. A new pitched roof over the front door to replace an existing canopy.
  
- iii. Moving the existing access to a more central position with a reduction in its width.
- iv. Some additional landscaping (mainly hedge planting).

2.2 The new house would be two storey with accommodation in the roof. It would be served by two car parking spaces as would be 95A. The property would lie just behind the rear elevation of 97 but approximately 5 metres forward of 95A. Its design is relatively simple with a hipped roof. Materials are indicated to be plain clay tiles for the main roof and a red clay facing brick. On the front and rear elevations the intention would be to use brick with hand laid flints. Fenestration would comprise the white painted wooden or UPVC windows. The rooflights would be in grey or brown anodised aluminium. Reduced copies of the plan are **attached** as Appendix B.

2.3 The application is accompanied by a supporting statement and letter setting out the changes comparative to the recently approved scheme P07/E0699. Copies are **attached** as Appendix C.

## 3.0 CONSULTATIONS & REPRESENTATIONS

- 3.1 Henley Town Council - Strongly object as overintensive and loss of parking
- OCC Highways - No objection subject to conditions
- Forestry Officer - No objections subject to conditions
- Public Amenities - Development needs refuse and recycling facilities
- Henley Society - Development is still inappropriate in view of the close proximity of its front elevation to the rear of 97 and in view of its narrow plot and lack of garage space.
- Neighbours (6 local residents) - Letters of objection to the proposals. A summary of the key points raised:
- Doesn't overcome previous objections
  - Loss of an attractive garden
  - Unacceptable impact on No 97
  - Loss of outlook, privacy, overbearing and no scope for adequate screening – rooflights increase overlooking
  - Undue intensification which would give rise to a cramped appearance and congestion
  - Over intensive infilling which would detract from the character of the area

- Shared driveway not appropriate and car parking provision not adequate
- This adds a fifth bedroom and is an overdevelopment
- Site is too small and property would be out of keeping
- No provision for upgrading waste water or utility service

#### **4.0 RELEVANT PLANNING HISTORY**

4.1 P02/S0880 – Planning permission granted for a replacement garage – not yet implemented.

P03/S0296 – Planning permission refused for subdivision of the house into two flats and erection of new dwelling on site of existing garage.

P03/S0399 – Planning permission refused for a two bed dwelling and access. Appeal dismissed Feb 2004.

P04/E1440, P05/E0587 and P05/E0967 – All sought planning permission for the erection of a new dwelling adjacent to No 95A with alteration to 95A. All three schemes were refused and subsequent appeals against these decisions were dismissed on 31 May 2006. The Inspector accepted that the principle of a dwelling was acceptable but his main concern was the harm that would be caused to the living conditions of No 97 with particular reference to visual impact.

P07/E0699 – Erection of new dwelling and alterations to existing - permitted in September 2007.

#### **5.0 POLICY & GUIDANCE**

5.1 Structure Plan 2016 Policies G2,H1 and H3

5.2 Adopted South Oxfordshire Local Plan 2011

G2 – Protection of the Environment

G6 – Promoting Good Design

C9 – 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

D8 – Conservation and efficient use of energy

D10 – Waste Management

H4 – Housing sites in towns and larger villages outside Green Belt

T1 – Safe, convenient and adequate highway network for all users

5.3 SPG – South Oxfordshire Design Guide - particularly sections 4.2, 4.3, 4.4 and 4.5

Government Guidance PPS1 & PPS3

## 6.0 PLANNING CONSIDERATIONS

6.1 The site lies within the built up area of Henley and therefore Policy H4 applies. This Policy states that the principle of residential development is acceptable subject to certain criteria. The planning issues that are relevant to this application are whether:

- The development would 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 of the existing and proposed dwellings;
  
- The development would result in an unacceptable deficiency of off-street parking spaces for the resultant dwelling or other conditions prejudicial to highway safety;
- The proposal incorporates adequate sustainability measures.

6.2 In assessing the scheme regard also has been had to recent approval of a similar scheme under planning permission P07/E0699. The changes to the approved scheme comprise:

- The inclusion of rooms in the roofspace
- The installation of 11 rooflights
- Alterations to the fenestration (sizes and position of windows)
- Addition of a single storey garden room at the rear
- Changes to the internal layout
- Small projection on front elevation

- Retention of part of the Rhododendron hedge along the frontage

### **Loss of open space**

- 6.3 Criterion i) of Policy H4 requires that an important open space of public, environmental or ecological value is not lost or an important public view spoilt. The site comprises an attractive private garden with a medium sized outbuilding. It contributes positively to the character of the area by providing a green gap in an otherwise built-up frontage but the space has no special public, environmental or ecological values. As such this criterion is satisfied.

### **Character and appearance of the area**

- 6.4 Criterion ii) and iii) of H4 require the design, height, scale and materials of the development to be in keeping with its surroundings and the character of the area is not adversely affected. The plans show that the property would be set 18 metre (minimum) back into the site. In assessing the three appeal schemes in May 2006 the Inspector commented that the staggered building line arising from a position part way between the fronts of nos 95/95a and 97 did not seem an inappropriate response to the different positions of neighbouring houses and would not appear discordant. So whilst the position of the dwelling now proposed would be at odds with the otherwise fairly consistent building line, this arrangement is considered to be acceptable. Indeed, the fairly generous front garden would help to assimilate the property into the established character of the area.

- The dwelling's plot width would be narrower than some in the vicinity but not significantly different to 74a, 97 and 105. Although the plots in the area are generally of a generous size many of the dwellings in the immediate vicinity are quite closely spaced. Hence the development, with a gap of 2.4 metres to 97, would not be out keeping with the character of the area. The illustrative street scene shows that the proposal appears to comfortably fit into the current gap and the distances to the side boundaries are the same as those proposed in the extant scheme.
- 6.5

- 6.6 The lack of a garage is regrettable but the provision of parking spaces in the front garden is not out of keeping with other properties in the road. There would be scope to retain and supplement the more important vegetation and the applicants have indicated their intention to add laurel hedging along the boundary with No 97. In particular the health and long term retention of the Copper Beech covered by a TPO should not be threatened.

### **Living conditions**

- 6.7 Criterion iv) of Policy H4 requires that there are no overriding amenity objections and in this respect the key issue is the impact on the amenities of No 97. 97 is a detached house with its garage on the east side. The property has the benefit of permission for a two storey side/rear extension granted under P04/E0011. As

this permission may or may not be implemented the impact of the scheme has been assessed against the house as it stands and with the extension.

6.8 The proposal lies completely to the rear of 97. The plans show that it would be set into the ground and would be just over one metre below the level of 97 and the distance to the common boundary of 2.5 metres remains the same as approved scheme. There is a thick laurel hedge approximately 3 metres in height along the majority of the boundary.

6.9 The position of the dwelling and its overall height remains the same as the approved scheme. The upper part of the western elevation and the main roof will still be visible over the laurel hedge from No 97's rear garden, its dining room and main bedroom's bay window. The difference in levels between the sites, the presence of the laurel hedge and the fact that much of the building's mass will be seen against the taller 95a (which is nearly 12 metres in height) have all been taken into account. A significant part of the laurel hedge is within No 97's ownership and is therefore within their long term control. If the owners of No 97 decide to implement the extant consent for a side extension the impact of this proposal would be further reduced. That scheme has a bathroom window at first floor level in the rear elevation and no side facing windows.

6.10

There would not be any openings at first floor level in the west elevation of the proposal and the position of the two small rooflights in this roofslope is such that they would not allow any overlooking. Any views afforded by windows in the front elevation would be at a very oblique angle and therefore highly restricted. The applicant is no longer offering to block up two clear glazed windows in the west elevation of 95a (at first and second floor level) which currently afford some views towards the rear garden of 97 and would allow some overlooking of the new property's rear garden. As such your officers have suggested that these are altered to have obscure glazing and this can be covered by a condition.

6.11

In respect of the appeal schemes the Inspector found there to be no significant loss of sunlight or daylight to No 97. The extant consent and this proposal would have less impact on light levels than the appeal schemes.

#### **Highways and Parking**

6.12 Criterion iv) of Policy H4 requires that there are no overriding highway issues. The proposal involves moving the access slightly further across (eastwards) such that it would be centrally sited and serve both the existing and proposed dwelling. Two car parking spaces would be provided for each dwelling. The Highways Liaison Officer has raised no objection to the new access and level of parking provision subject to conditions.

#### **Sustainability measures**

6.13 Policy D8 requires proposals to incorporate sustainability measures in terms of

energy, water and materials efficient design and there are no specific measures set out in the application. However, discussions are continuing and a verbal update will be given at the meeting. An additional planning condition requiring such measures to be implemented is therefore recommended.

#### **Impact of the alterations to Number 95A**

- 6.14 A good standard of living environment would still be retained for its occupants with an appropriate amenity area and a level of privacy. No reasonable objection can be raised to the removal of the modern single storey side extension. Hence the alterations to 95A are considered acceptable and would not contravene the requirements of Policy H4.

### **7.0 CONCLUSION**

- 7.1 The scheme is very similar in its form, design and size to the application approved last year. Whilst there would still be some impact on the amenities of 97, the impact is not considered sufficiently harmful to constitute grounds for refusal.

- 7.2 Subject to the following conditions the proposed development is considered to comply with the relevant policies of the Development Plan in so far as it would not materially harm the living conditions of neighbours or the character and appearance of the area. The protected tree would not be affected and there would be no adverse effect on highway safety.

### **8.0 RECOMMENDATION**

- 8.1 **That planning permission be granted subject to the following conditions:**

1. **Standard 3 year time limit**
2. **Samples of all external materials and windows and doors**
3. **Parking and manoeuvring to be provided for new dwelling and 95A prior to occupation of new dwelling**
4. **Removal of PD rights for additional windows**
5. **Removal of PD rights for extensions**
6. **Ground and finished floor levels to be submitted**
7. **Detailed scheme for tree protection to be submitted**
8. **Retain existing trees shrubs etc**
9. **Landscaping scheme to be submitted**
10. **Works to 95a including obscure glazing of two windows to be completed prior to the occupation of the new dwelling**
11. **Details of refuse and recycling storage and composter to be submitted**
12. **Details of foul and surface water drainage**
13. **Visibility splays to be provided as per submitted plans and thereafter maintained unobstructed above 0.6 metres**
14. **Sustainable construction details to be submitted**

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