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<b>APPLICATION NO.</b>	P08/E0162
<b>APPLICATION TYPE</b>	Full
<b>REGISTERED</b>	12.02.2008
<b>PARISH</b>	Henley-on-Thames
<b>WARD MEMBERS</b>	Mr Terry Buckettt Ms Roswitha Myer
<b>APPLICANT</b>	Amberleigh Homes Activities
<b>SITE</b>	Hill Lodge, 6 Rotherfield Road, Henley-on-Thames
<b>PROPOSALS</b>	Erection of single two storey dwelling with integral garage and vehicular access
<b>AMENDMENTS</b>	None
<b>GRID REFERENCE</b>	476300/181311
<b>OFFICER</b>	Mr T Wyatt

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#### 1.0 INTRODUCTION

- 1.1 This application is referred to Committee as the Officer's recommendation conflicts with the views of the Town Council.
- 1.2 The application site (which is shown on the OS extract **attached** as Appendix A) is located on the northern side of Rotherfield Road, which is a long and straight tree lined avenue on the southern outskirts of Henley. Rotherfield Road and the immediate surrounding area are dominated by residential development largely consisting of sizeable detached dwellings set within spacious plots. In general the dwellings are well set back within their plots and this allows the mature vegetation both within Rotherfield Road and within individual plots to dominate the streetscene. As a result of the spaciousness of the built form, the location of the site towards the southern edge of the built up area of Henley, and the maturity and abundance of vegetation, the site and its surroundings has a distinctly semi-rural character. Effectively the spacious development on Rotherfield Road represents an interface between the more dense development to the north and the countryside to the south.
- 1.3 The application site itself along with Numbers 1-3 Rotherfield Road are smaller dwellings than the majority further to the west along the road. These dwellings are also set within smaller plots and are set further towards the front of their plots. As a result this small group of dwellings provides a greater sense of enclosure at the eastern end of Rotherfield Road towards its junction with Harpsden Way than the remainder of the built form within the road.
- 1.4 Planning permission (P06/E1358) already exists for a new detached two storey dwelling on the site, and therefore, the merits of this current proposal can be compared to the previous approved development.

2.0 **THE PROPOSAL**

- 2.1 The application site, which is roughly square in shape and extends to 0.05 hectares in area, was previously part of the garden of Hill Lodge immediately to the east of this property, however, following the previous approval, the site has now been fenced off from Hill Lodge. The application seeks to construct a detached two storey dwelling towards the rear of the plot, which would be approximately 16 metres in width, 12 metres in depth and would have a height of approximately 7.5 metres. These dimensions are slightly greater than the approved scheme.
- 2.2 A new gated access to the site would be created through the planted front boundary of the site from Rotherfield Road, and parking would be provided within an integral garage and to the front of the garage. The dwelling would be sited approximately 2 metres from the rear boundary of the plot at its closest point, although the majority of the rear elevation would be 5 metres from the boundary as per the previous proposal. The development would fill out the majority of the plot with gaps of 2.5 metres between the dwelling and the western boundary of the site and 4 metres between the dwelling and the eastern boundary. The siting of the dwelling is very much as previously approved with the main difference being the increase in depth through the addition of gables to the front and rear elevations and a slight increase in width. Small garden areas would be provided to the side and rear of the dwelling with the main garden area being provided to the front adjacent to the driveway.
- 2.3 The proposed dwelling would comprise four bedrooms and three bathrooms at first floor level with reception rooms and the kitchen at ground floor. The first floor accommodation would largely be provided within the roofspace of the dwelling, and therefore dormer windows would be a prevalent feature of the front and rear elevations, although the majority of the windows on the rear elevation would consist of roof lights. This is similar to the previously approved scheme, although the current proposal proposes a reduction in the number of bedrooms from five to four.
- 2.4 A copy of the proposed plans is **attached** as Appendix B whilst a copy of the previously approved plans relating to application P06/E1358 is **attached** at Appendix C.

3.0 **CONSULTATIONS AND REPRESENTATIONS**

- 3.1 **Henley-on-Thames Town Council** – The application should be refused for being ‘over intensive and out of character’.
- 3.2 **Henley Society** – No objections
- 3.3 **OCC Highways** – No objections subject to conditions.
- 3.4 **Forestry Officer** – Concerns regarding the impact of the proposed access on the adjacent trees.
- 3.5 **Environmental Services (Waste Management)** – Provision should be made for waste management and recycling.
- 3.6 **Neighbours** – One letter of objection received:
  - inappropriate development on a small plot
  - increase in traffic at junction of Rotherfield Road and Harpsden Way

4.0 **RELEVANT PLANNING HISTORY**

- 4.1 P06/E1358 – Erection of single two storey dwelling. Planning Permission granted on 12<sup>th</sup> February 2007.

- 4.2 P06/E0422 – Erection of a two storey dwelling, with associated new access. Refused on 7<sup>th</sup> June 2006 at Committee and dismissed at appeal on 20<sup>th</sup> November 2006.
- 4.3 P06/E0205 – Erection of one two storey dwelling. Withdrawn on 19<sup>th</sup> April 2006.
- 4.4 P73/H0929 – Extension comprising hall, dining room, living room, cloakroom two bedrooms and bathroom. New garage, store room and extension to kitchen. Planning Permission granted on 19 August 1974.
- 4.5 P66/H0311 – Outline, dwellinghouse and access. Withdrawn on 21 June 1966.
- 4.6 P53/H0215 – Extension to dwelling house to provide additional living accommodation. Planning Permission granted on 17 July 1953.

## 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
- H3 – Design, Quality and Density of Housing Development

### 5.2 Policies of the Adopted South Oxfordshire Local Plan 2011 (SOLP):

- G1 – General Restraint and Sustainable Development
- G2 – Protection and Enhancement of the Environment
- G6 – Promoting Good Design
- G9 – Landscape Features
- D1 – Good Design and Local Distinctiveness
- D2 – Vehicle and Bicycle Parking
- D3 – Plot Coverage and Garden Areas
- D4 – Privacy and Daylight
- D8 – Energy, Water and Materials Efficient Design
- D10 – Waste Management
- H4 – Towns and Larger Villages Outside the Green Belt
- T1 & T2 – Transport Requirements for New Developments

### 5.3 Government Guidance:

- PPS1 – Delivering Sustainable Development
- PPS3 - Housing

### 5.4 Supplementary Planning Guidance

- South Oxfordshire Design Guide December 2000 (SODG)

## 6.0 **PLANNING ISSUES**

### 6.1 The planning issues that are relevant to this application are:

1. The impact of the development on the character and appearance of the surrounding area.
2. The impact on neighbouring amenity.
3. The impact on trees
4. Highway considerations
5. Efficient use of energy, water and materials

The Impact of the Development on the Character and Appearance of the Surrounding Area

- 6.2 As already outlined above, the majority of the surrounding built form along Rotherfield Road is characterised by large detached dwellings set within spacious plots, with the dwellings being set back into the plots so that there is strong degree of spaciousness to the street scene, which is further enhanced by the mature vegetation lining the road. However, the application site forms part of a more compact area of residential development at its eastern end towards its junction with Harpsden Way.
- 6.3 The principle of the new development is considered acceptable as the site falls within the built up area of Henley and Policy H4 of the SOLP allows for new housing development in such a location. Indeed, planning permission has already been granted for a single dwelling on the application site. However, development will only be permitted if it satisfies a number of criteria listed under this Policy as well as complying with other relevant development plan policies. The criteria under Policy H4 require that, inter alia, the design, scale and height of the development is in keeping with its surroundings, and that the character of the area is not adversely affected. Broadly these criteria reflect government planning guidance contained within both PPS1: 'Delivering Sustainable Development' and PPS3: 'Housing'.
- 6.4 It is therefore important that new development is informed by and respects the character and appearance of the surrounding built form. The application site is sandwiched between the dwelling to which the site currently relates, Hill Lodge, and Number 2 Rotherfield Road, which is located at the corner of Rotherfield Road and Harpsden Way. Hill Lodge is a two storey dwelling, however, it also comprises of single storey structures extending for a length of approximately 19 metres along its frontage from the main two storey element. Therefore, the front elevation of Hill Lodge largely consists of single storey development, especially adjacent to the application site. Number 2 Rotherfield Road is a detached bungalow in a prominent position at the entrance of Rotherfield Road.
- 6.5 Therefore, the application site is bordered by single storey development to its side although there are two storey dwellings opposite the site and more generally along Rotherfield Road. Nevertheless when viewed from Rotherfield Road, the new dwelling would be seen in close relationship with the adjacent built form rather than immediately against the more substantial two storey development elsewhere within Rotherfield Road.
- 6.6 It should be noted that planning permission was granted for the previous proposal in light of an appeal Inspector's comments in dismissing an appeal against an earlier refusal (P06/E0422) for a new dwelling on the site. A copy of the plans and appeal decision relating to this application are **attached** at Appendix D. The scheme in front of the Inspector displayed approximately the same width and siting as the approved scheme and in this regard the Inspector considered that these matters were acceptable. The Inspector's concerns centred on the height and bulk of the development relating to application P06/E0422. The height of this proposal was 9 metres whilst the eaves line was above the first floor window level.
- 6.7 The previously approved scheme addressed the Inspector's concerns by reducing the height of the dwelling by 2.5 metres to a modest 6.5 metres and by reducing the eaves level of the dwelling to above ground floor level so that the first floor accommodation would be provided within the roof area. The current scheme raises the height of the dwelling to 7.5 metres, which is still considerably below the scheme dismissed by the Inspector and importantly also maintains the first floor accommodation within the roof

area with a single storey eaves level. It is not considered that the increase in height of 1 metre over the approved scheme would be detrimental to the character and appearance of the site, the street scene or the wider area. The current proposal represents a significant improvement to the design of the development, which also helps to mitigate against the increase in height. The design of the previously approved dwelling was rather bland and the current scheme is of a much more attractive design in terms of the proportions of the dwelling, the type and positioning of window openings and the features employed to break up the bulk and massing of the development such as the front and rear gables and overhanging eaves.

- 6.8 Overall, the proposed scheme, despite the increase in size over the already approved development, will not cause any significant harm to the character and appearance of the site or surrounding area. The proposal represents a considerable improvement to the design of the development over the approved scheme and this further mitigates against the slightly increased visual impact of the current scheme.

#### The Impact on Neighbouring Amenity

- 6.9 In dismissing the appeal against the refusal of application P06/E0422, the Inspector agreed with the Council that the proposal would have been overbearing to the occupiers of the adjoining properties, Hill Lodge and 2 Rotherfield Road. Paragraph 6 of his decision notice states:

‘Having regard to the high standards of privacy and outlook enjoyed by the occupiers of both of the adjoining properties at the present time, I consider that the dominant presence of the building would be likely to detract significantly from their living conditions.’

- 6.10 Evidently the overbearing impact derived from a development is a function of its height, bulk and proximity to neighbouring properties. The scheme dismissed by the Inspector was 9 metres in height and sited 4 metres away from the boundary of the site with the neighbouring properties. Due to the reduction in height by 2.5 metres and the siting further away from the adjoining properties, the previous proposal was considered to be acceptable in relation to the impact on the amenity of neighbouring occupiers. The current proposal increases the height of the dwelling again, but by only 1 metre and also increases the depth of the dwelling in relation to a two storey front gable and a single storey rear gable. In addition, the proposed dwelling is also again closer to the boundary of the site with the adjoining occupiers. However, crucially the eaves height of the dwelling has been maintained at above ground level and a hipped roof is being maintained to the side elevations of the dwelling that allow the main roof to slope sharply from the boundaries with Hill Lodge and 2 Rotherfield Road. Furthermore the gables to the front and rear of the proposed dwelling are sited in a central position on these elevations and would not therefore be sited close to the boundaries with the neighbouring properties. In light of these factors the proposed dwelling would not result in a material increase in terms of overbearing or overshadowing effects to the neighbouring occupiers. In addition it should be noted that the adjacent bungalow (2 Rotherfield Road) retains its main garden area to the east of this property, i.e. at the furthest point from the proposed development, and that the main bungalow is buffered from the application site by a garage building.
- 6.11 A property known as Calleva borders the application site to the north. This property has a substantial area of garden and due to the proximity of the proposed dwelling to the northern boundary of the site and the provision of first floor windows to habitable rooms in the rear elevation it was considered with regard to the refused application P06/E0422 that a harmful level of overlooking would occur to this garden area.

However, the Inspector discounted these concerns, stating:

‘A number of windows would be located at first floor level on the rear elevation. Three of these would be high level windows to bathrooms, and if provided with obscure glazing, these would not result in loss of privacy to the occupiers of Calleva. The other window would light a bedroom and would overlook the neighbouring property to some extent. However, I noted from my site visit that views from this window would be partly screened by an outbuilding in the garden of Calleva and by planting near the boundary. I consider that further screen planting to the rear of the proposed house would enable an entirely satisfactory relationship to be achieved.’

- 6.12 The number of windows, their position and the rooms to which they relate has not altered significantly since the previously approved application, and being mindful of the approved development and the Inspector’s comments, officers do not consider that the proposal would cause a significant level of overlooking to the detriment of the occupiers of Calleva. No first floor windows are proposed in the side elevations of the proposed dwelling and as such no overlooking to Hill Lodge or 2 Rotherfield Road would occur. A condition to prevent the insertion of overlooking windows can be attached to any planning permission.
- 6.13 The refusal reasons attached to application P06/E0422 also raised concerns regarding the adequacy of the garden proposed in relation to the new dwelling. It was considered that the garden area would not afford sufficient amenity value to the occupiers of the dwelling to its size and its siting to the front of the dwelling. However, the Inspector was of the opinion that the garden area would be sufficient due largely to the privacy afforded by the vegetation on the front boundary of the site. Therefore, having regard to the fact that the size and location of the garden area proposed is similar to the previously approved scheme, which in turn was similar to the scheme considered by the Inspector, the proposed garden area is considered to be sufficient.

#### The Impact on Trees

- 6.14 An avenue of mature lime trees lines either side of Rotherfield Road. These trees are protected by a long standing Tree Preservation Order. The proposed new access to the site would pass close to one of these trees and damage to or loss of the tree would be detrimental to the character of the street scene as the importance of the trees lining the road lies in their cumulative value. The Forestry Officer has raised concern regarding the impact of the access on the nearest of the lime trees. The development would also involve the loss of vegetation on the front boundary of the site to enable the formation of the new access and the loss of a small amount of vegetation within the site to provide the paved driveway.
- 6.15 The access now proposed is in the same position as that previously approved with the only difference between the two schemes being a proposal for entrance gates with associated brick piers in relation to the current application. The previous scheme was approved subject to conditions to require tree protection measures and measures for working within the root zone areas of the trees, including the protected lime tree to be agreed. An arboricultural method statement has been submitted in relation to the proposed access arrangements and further details of tree protection and special construction measures within the root areas of adjacent trees can be secured by condition.

### Highway Considerations

- 6.16 The Highway Authority has been consulted on the application and has stated that visibility at the proposed access would be acceptable and that there would be sufficient parking within the site. Therefore, the proposal would not have a significant impact on highway safety within Rotherfield Road and at its junction with Harpsden Way. However, conditions have been requested to cover such issues as the formation of the access and the provision of parking and turning areas within the site.

### Efficient Use of Energy, Water and Materials

- 6.17 Policy D8 of the SOLP seeks to ensure that all new development demonstrates high standards in the conservation and efficient use of energy, water and materials. This Policy has recently been afforded greater weight by the Government's Planning Policy Statement: Planning and Climate Change, which was published in December 2007. This Statement is a supplement to PPS1.
- 6.18 The application does not provide information on the efficient use of energy, water and materials. However, such details were not provided in relation to the previous scheme and in light of this it is not considered that it would be reasonable to refuse the application for lack of sustainability measures. A condition can be attached to any planning permission to require sustainability measures to be agreed prior to the commencement of development.

## 7.0 **CONCLUSION**

- 7.1 The application proposal complies with the relevant development plan policies and national planning policy, as, subject to conditions, the proposal would not cause any significant harm to the character and appearance of the site and the surrounding area, to the amenity of neighbouring occupiers, and would not be prejudicial to highway safety or the long term sustainability of adjacent trees.

## 8.0 **RECOMMENDATIONS**

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

1. **Commencement – 3 years**
2. **Samples of materials to be submitted and approved prior to development commencing**
3. **Tree protection details to be submitted and approved prior to development commencing**
4. **Arboricultural method statement for works within root protection areas to be submitted to and approved prior to development commencing**
5. **Permitted development restriction for extensions and outbuildings**
6. **Rooflights in the north elevation to be glazed with obscure glass prior to occupation and no further windows at first floor level in the north, east or west elevations**
7. **Formation of the access onto Rotherfield Road prior to the occupation of the development**
8. **Parking and turning areas provided in accordance with the approved plans prior to the occupation of the development**
9. **Garage accommodation to be retained**
10. **Details of foul drainage to be submitted and approved prior to development commencing**

- 11. Details of measures for the efficient use of water and energy to be submitted and approved prior to development commencing.**
- 12. Details of refuse and recycling storage to be submitted and approved prior to development commencing.**

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