
APPLICATION NO.	P08/E0995
APPLICATION TYPE	Full
REGISTERED	28 August 2008
PARISH	Henley-on-Thames
WARD MEMBER(S)	Joan Bland and Lorraine Hillier
APPLICANT	Mr B Tindall
SITE	32 Milton Close, Henley
PROPOSAL	Erection of two storey three bedroom end of terrace dwelling and erection of two storey rear extension to existing dwelling.
AMENDMENTS	None
GRID REFERENCE	475730/182507
OFFICER	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 comprises a detached two storey end-terrace 1960's property in a residential close within the built-up area of Henley. No.32 is constructed of red brick with horizontal cladding and concrete roof tiles. The immediate surroundings contain a mixture of terraced and detached houses of similar age and appearance. No.32 lies on the western side of a terrace of four. Unlike the majority of dwellings in the close, No.32 has a side garden, forming a gap to the next end-terrace house, No.33 to the west, which is one of a terrace of six dwellings. No.33 was built in 2003, following permission being granted at appeal in 2002. The two terraces are staggered, so that No.32 is set further forward than No.33. No.32 can accommodate one vehicle off-street through an integral garage. In this part of the close, the land slopes down from west to east and from north to south, so that No.33 is on slightly higher ground.

2.0 PROPOSAL

2.1 The application seeks full planning permission for the erection of a two-storey three bedroom dwelling attached to the western side wall of No.32 and a two storey rear extension to the existing dwelling. The new dwelling would be erected adjacent to the eastern elevation of the existing dwelling. It would measure 6 metres wide by 11.8 metres deep and the main ridge would be 7.1 metres high. It would be set in by 1 metre from the boundary with No.33. The design would reflect the existing properties in the area, with a side gable and a similar roof pitch. It would also have a projecting rear gable set down below the main ridge. The new dwelling would be erected using facing bricks, roof tiles and windows to match No.32. The main windows would face front and back, with two small first floor windows serving bathrooms on the side elevation facing No.33. A new access would be created to serve the proposed dwelling, leading to a front hard standing, capable of accommodating two off-street parking spaces. The amended plans show that refuse and recycling storage and cycle storage would be located in the rear garden. The design and access statement makes reference to a number of sustainable measures that would be incorporated including solar panels on the main rear roof slope.

2.2 The two storey rear extension would measure 3 metres wide by 2.8 metres deep and would have a gable roof with a ridge height of 5.8 metres, 1.4 metres below the main ridge. The main windows would be on the rear elevation, with only a ground floor window facing east. The west elevation would adjoin the eastern side wall of the proposed dwelling. The extension would be constructed with matching materials and would provide a dining room on the ground floor with an extended bedroom above.

2.3 The applicant's supporting design and access statement is **attached** as Appendix 2. The plans of the proposed development are **attached** as Appendix 3.

3.0 **CONSULTATIONS & REPRESENTATIONS**

3.1 **Henley Town Council** – The application should be refused due to:

- Unneighbourly
- Lack of parking
- Overintensive

3.2 **Henley Society** – No objection.

3.3 **OCC Highways** – No objections subject to standard conditions in relation to access formation, visibility splays and parking spaces to be retained as proposed.

3.4 **Environmental Services – (Waste Management)** – The refuse and recycling storage is not sufficient for collection. A composter should also be provided.

3.5 **Environmental Services – (Contamination)** – No objection subject to the imposition of a standard condition requiring investigation and mitigation as necessary.

3.6 **Forestry Officer** – No objections.

3.7 **Building Control** – No objection.

3.8 **Neighbours** – Eleven representations of objection received raising the following points:

- Increased density is overdevelopment
- Loss of open space equals loss of character
- Would add to existing off-street parking problems
- Drainage problems would be worsened by more impervious surfaces
- Loss of light and overlooking of garden of No.20
- Overshadowing of No.31 and it's garden
- Subsidence
- Loss of property value (not a planning matter)

4.0 **RELEVANT PLANNING HISTORY**

4.1 P08/E0353 – A planning application for a similar dwelling to that now being considered was withdrawn in May 2008, following Officers' concerns that the proposal would have an unacceptable impact upon No.32 and lack sustainable measures.

4.2 P01/S0867/O – A planning application for an end-terraced house adjacent to No.33 (now No.33A) was refused in November 2001 for the following reason:
“That the proposal would result in the construction of a new dwelling on an attractive and open area within this estate development which would detract from the character and appearance of the locality. As such the proposal would conflict with advice in the South Oxfordshire Design Guide and policies G1, G8 and H4 of the Council's adopted South Oxfordshire Local Plan.”

4.3 A subsequent appeal was allowed in March 2002. A copy of the appeal decision is **attached** as Appendix 4. A reserved matters application (P02/S0524/RM) was granted in August 2002 and the house was built in 2003. The new house is known as No.33.

4.4 P90/S0361 – A planning application for a 3-bedroom dwelling next to No.33 (now No.33A) with integral garage and access was refused in September 1990.

4.5 P88/S0259/O & P88/S0260/O – Outline planning applications submitted concurrently for the erection of a pair of semis with garages and access were refused permission in May 1988.

5.0 **POLICY & GUIDANCE**

5.1 Adopted Structure Plan 2016 Policies:

G1 – General Policies for Development

G2 – Improving the Quality and Design of Development

G6 – Energy Conservation

T8 – Development Proposals

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

G5 – Making the Best Use of Land

G6 – Promoting Good Design

C9 – Landscape Features

EP5 – Flood Risk

EP8 – Contaminated Land

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

H13 – Extensions to Dwellings

T1 – Transport Requirements for New Developments

T2 – Transport Requirements for New Developments

5.3 Supplementary Planning Guidance:

South Oxfordshire Design Guide 2008 – Sections 3, 4, 5 and 6.

5.4 Government Guidance:

PPS1 – Delivering Sustainable Development

PPS3 – Housing

PPG13 – Transport

6.0 **PLANNING CONSIDERATIONS**

6.1 The proposed dwelling would be located within the built-up area of Henley and consequently the proposal falls to be assessed against the criteria of Policy H4, The planning issues that are relevant to this application are whether:

- 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 proposed dwelling and the extensions to the existing dwelling 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 result in an unacceptable deficiency of off-street parking spaces for the resultant dwellings or other conditions prejudicial to highway safety;
- The proposal would incorporate sufficient sustainability and waste management measures; and
- There would be any drainage or subsidence issues.

Loss of Open Space

- 6.2 Criterion (i) of Policy H4 of the SOLP 2011 state requires that an important open space of public, environmental or ecological value is not lost, nor an important public view spoilt. The site has formed a residential plot containing an existing dwelling and as such constitutes previously developed land. It is surrounded by residential properties and there is no evidence that it has any particular ecological value and is only visible in public views from Milton Close. In allowing the appeal for No.33, the Inspector did not support the Council's arguments that the open area was worthy of protection. This criterion would therefore be satisfied.

Character and Appearance

- 6.3 Criteria (ii) and (iii) of Policy H4 of the SOLP 2011 state that the design, height, scale and materials of the proposed development should be in keeping with its surroundings and the character of the area should not be adversely affected. Criterion (ii) of Policy H13 requires that the scale and design of proposed extensions to be in keeping with the character of the dwelling and the site and with the appearance of the surrounding area. Section 6 of the SODG 2008 recommends that extensions should complement the form and character of the original house. The history of the site illustrates how Officers had previously sought to resist the redevelopment of the site with dwellings. However, the Inspector considered that No.33 would have an acceptable impact upon the character and appearance of the area. The design of the proposed dwelling is of a similar form and scale. Therefore it would be difficult to argue that this proposal would have any greater impact on the locality than No.33. The combined spacing between the two dwellings would be 2 metres, which would be in keeping with other gaps between dwellings in the close and would accord with advice in SODG 2008. The proposed extension would be subordinate to the existing dwelling and would not be visible in the street scene. Its design would reflect that of the existing house, and accord with Section 6 of the SODG. In light of this assessment, the proposed development would comply with the above Policies and criteria.

Living Conditions

- 6.4 Criterion (iv) of Policy H4 of the SOLP 2011 requires that there are no overriding amenity objections. Criterion (iii) of Policy H13 requires that proposed extensions and alterations do not harm the residential amenity of occupants of nearby properties. Section 6 of the SODG 2008 recommends that a proposed extension should not intrude upon a neighbour's privacy or significantly reduce the amount of daylight their house would receive. The proposed house would not project beyond the rear of No.33 and as such there would be no impact on the adjoining rear garden. It would project in front of

No.33 by about 2.7 metres, however, given the 2 metre separation and the orientation of the projection being to the north-east of No.3's front windows, any impact in terms of loss of light or outlook would be slight. The first floor bathroom windows could be subject to an obscure glazing condition to prevent loss of privacy. It should be noted that the occupiers of No.33 have not objected to the current proposal. Provided the extension and the new dwelling are constructed simultaneously, which could be secured via a planning condition, the relationship between the proposed dwelling and No.32 would be acceptable. The garden of No.32 would be decreased to approximately 60 square metres and the garden for the proposed dwelling would be of a similar size, both below the recommended 100 square metre standard for three bedroom dwellings. However it should be noted that these garden sizes would be consistent with those of the adjoining properties and is therefore considered acceptable. The extension would be positioned 3.5 metres away from the boundary with No.31 and the rearmost part of the new dwelling would be 8.5 metres to the west of this boundary. Consequently, the impact on the rear-facing rooms and garden of No.31 in terms of loss of light and outlook would not be so significant to justify refusal of planning permission. There would be no first floor windows facing No.31 and planning conditions could be imposed to remove permitted development rights to prevent any from being added in future without a formal application. The dwelling would be about 14 metres away from the garden of No.20, which is on the opposite side of the road. This distance is considered to be sufficient to prevent any significant loss of residential amenity to the occupiers of No.20. On the basis of this assessment, the proposed development would meet the above criterion.

Highways and Parking

- 6.5 Criterion (iv) of Policy H4 of the adopted SOLP 2011 also requires that there are no overriding highway objections. Although local residents are concerned that the proposal would worsen existing on-street parking congestion, the Highway Authority is satisfied that the proposed access and parking arrangements would be acceptable for a 3-bedroom dwelling, subject to standard conditions. The proposed development would therefore satisfy the above criterion.

Sustainability Measures

- 6.6 Policy D8 of the adopted SOLP 2011 requires proposals to incorporate sustainability measures in terms of energy, water and materials efficient design. A detailed statement is attached that refers to a number of measures that are likely to be incorporated. A planning condition is recommended requiring submission of finalised measures in accordance with Level 1 of the Code for Sustainable Homes. An appropriate location for refuse, recycling and composting storage and collection facilities can also be secured via a planning condition in accordance with Policy D10.

Drainage and Subsidence

- 6.7 The site is not located in an area identified by the Environment Agency as lying within a Flood Risk Zone. However, concerns about flooding are acknowledged. A planning condition could be imposed to ensure that the areas of hardstanding are constructed from porous materials. Furthermore, Building Regulations would ensure that the dwelling has adequate drainage provisions and would also ensure that the foundations would be of an appropriate standard.

7.0 CONCLUSION

7.1 The application proposal would comply with the relevant Development Plan Policies, Supplementary Planning Guidance and Government Guidance and it is considered that, subject to the attached conditions, the proposed development would not materially harm the living conditions of nearby residents or the character and appearance of the area or result in conditions prejudicial to highway safety.

8.0 RECOMMENDATION

8.1 Grant Planning Permission

- 1. Standard 3 Year Time Limit**
- 2. Dwelling and extension to be constructed simultaneously**
- 3. Details of slab levels prior to commencement**
- 4. Samples of materials new dwelling and extension prior to commencement**
- 5. Hardstanding to be constructed from porous materials**
- 6. First floor windows west elevation of new dwelling to be obscure glazed**
- 7. Removal of Permitted Development Rights for new dwelling for windows, extensions, porch, outbuildings, hardstandings**
- 8. Removal of Permitted Development Rights for first floor side windows to east elevation of extension**
- 9. Details of finalised sustainability measures for new dwelling having regard to Level 1 of Code for Sustainable Homes prior to commencement**
- 10. Revised details of refuse, recycling and composting facilities to be agreed prior to commencement**
- 11. Formation of new access and visibility splays for proposed dwelling prior to commencement and retained as such**
- 12. Parking spaces and cycle storage to be provided prior to occupation and retained as such**
- 13. Details of hard and soft landscaping prior to commencement**
- 14. Details of contamination investigation and mitigation as necessary prior to commencement**

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