
APPLICATION NO.	P11/E1325
APPLICATION TYPE	Full
REGISTERED	6 th September 2011
PARISH	Henley-on-Thames
WARD MEMBERS	Mr Will Hall Mrs Jennifer Wood
APPLICANT	Mrs M P Howard
SITE	3 Newtown Gardens, Henley-on-Thames
PROPOSALS	Demolition of existing house and construction of two detached dwellings.
AMENDMENTS	None
GRID REFERENCE	476492/181702
OFFICER	Tom Wyatt

1.0 INTRODUCTION

- 1.1 This application is referred to Committee as the Officer's recommendations conflict with the views of the Town Council.
- 1.2 The application site (which is shown on the OS extract **attached** as Appendix A) is occupied by a 1960s two storey dwelling. This dwelling is flanked by a semi-detached pair of older two storey dwellings to the north east and a pair of relatively modern (2002) semi-detached two storey dwellings to the south west. Newtown Gardens is a narrow private street linking Harpsden Road and Reading Road and comprises a variety of dwelling types, size and age.

2.0 THE PROPOSAL

- 2.1 The application seeks permission for the construction of two detached dwellings on the site, facilitated through the demolition of the existing dwelling. The proposed dwellings, which would also contain accommodation within the roof areas, are generally traditional in design and finish but would comprise contemporary elements in relation to such details as window design and finish.
- 2.2 Number 3a comprises a 3/4 bedroom property with two off-street parking spaces to the front. The main part of the dwelling would measure approximately 8 metres deep, 9.5 metres wide and 8 metres high. There would be a single storey element projecting to the rear with a mono-pitch standing seam roof reaching a height of 3.5 metres and depth of approximately 6 metres. The rear garden area of the property would extend to around 90 square metres.
- 2.3 Plot 3b also comprises a 3/4 bedroom property with two off-street parking spaces, including one space within an integral garage. The dwelling would measure approximately 10 metres deep, 7.5 metres wide and 8 metres high. The rear garden area of the property would extend to around 70 square metres.
- 2.4 A copy of the plans accompanying the application is **attached** as Appendix B. Other documentation associated with the application can be viewed on the council's website, www.southoxon.gov.uk.

3.0 **CONSULTATIONS AND REPRESENTATIONS**

- 3.1 **Henley-on-Thames Town Council** – The application should be refused due to the amount of traffic and being over-intensive.
- 3.2 **Henley Society** – A pair of semi-detached houses would be more appropriate and in keeping with the surroundings at this location.
- 3.3 **OCC Highway Liaison Officer** – No objections subject to conditions.
- 3.4 **Countryside Officer** – No objections.
- 3.5 **Thames Water** – No objections.
- 3.6 **Neighbours** – Two letters of objections received, which raise the following concerns;
- Impact on privacy and outlook of 10 Wilson Avenue (located to the south east of the site)
 - Increase in noise disturbance
 - Overbearing impact and loss of light and privacy to 4a Newtown Gardens
 - Increased traffic will exacerbate existing highway safety problems due to the narrow nature of Newtown Gardens
 - The proposal is excessive for the site

Two letters of support from neighbouring occupiers have also been received.

4.0 **RELEVANT PLANNING HISTORY**

- 4.1 P61/H0237 - Demolition of semi-bungalow and erection of detached dwellinghouse. Planning permission granted on 25th May 1961.
- 4.2 P07/E0916 - Demolition of existing house. Erection of 3 two storey houses. Refusal of Planning Permission on 19 September 2007. The site plan for this scheme is **attached** as Appendix C and the refusal reasons are listed below:
1. The proposed development, due to the siting, size, bulk and massing of the dwellings would result in a cramped form of development that would fail to respect the character and appearance of the site and the surrounding area. As such the proposal would be contrary to Policies G2, G6, D1, and H4 of the South Oxfordshire Local Plan 2011 and guidance contained within PPS1, PPS3 and the South Oxfordshire Design Guide 2000.
 2. The proposed development, due to its siting, design, size, bulk and height, would have an overbearing effect on the neighbouring property to the south west, Number 4a Newtown Gardens, to the detriment of the amenity of the occupiers of this property. As a result, the proposal would be contrary to Policies D4 and H4 of the South Oxfordshire Local Plan 2011 and guidance contained within the South Oxfordshire Design Guide 2000.
 3. The proposal relates to the construction of three 3 bedroom dwellings. This is contrary to Policy H7 of the South Oxfordshire Local Plan 2011, which seeks to ensure that any new residential development consisting of two or more dwellings meets the identified housing need for smaller two bedroom dwellings in the district. The lack of addressing housing need is also contrary to guidance contained within PPS1, and PPS3.

4. The proposed garden areas of the development are small in size, particularly compared to the size of the proposed dwellings to which they would relate, and would not comply with guidance contained within the South Oxfordshire Design Guide 2000. The proposal therefore fails to provide sufficient amenity space for the future occupiers of the development contrary to Policies D3 and H4 of the South Oxfordshire Local Plan 2011.
5. Newtown Gardens is a private road where there is restricted visibility and ease of traffic movement. The proposed development would increase the number of traffic movements along the road and at the junction of Newtown Gardens and Reading Road. Furthermore, the proposed parking layout would cause problems of accessibility and visibility in relation to traffic movements within Newtown Gardens. As such the proposal would be detrimental to highway safety contrary to Policy T8 of the Oxfordshire Structure Plan 2016 and Policies T1 and T2 of the South Oxfordshire Local Plan 2011.

5.0 **POLICY AND GUIDANCE**

- 5.2 Policies of the Adopted South Oxfordshire Local Plan 2011 (SOLP):
 - G1, G2, G6, EP8, D1, D2, D3, D4, D6, D8, D10, H4, H7, H8, T1, T2
- 5.3 Government Guidance:
 - PPS1, PPS3, PPG13, PPS23
- 5.4 Supplementary Planning Guidance
 - South Oxfordshire Design Guide 2008 (SODG)

6.0 **PLANNING ISSUES**

- 6.1 The planning issues that are relevant to this application are:
 1. The principle of the development
 2. The impact on the character and appearance of the site and surrounding area
 3. The impact on the amenity of neighbouring occupiers and future occupiers of the development
 4. Highway considerations
 5. Other material considerations

The Principle of the Development

- 6.2 The site lies within the main built up area of Henley-on-Thames, and as such the principle of additional residential development is broadly acceptable having regard to Policy H4 of the SOLP, which recognises Henley as a sustainable location for new housing development.
- 6.3 The proposal is for a net gain of one dwelling, and as such the requirements of Policy H7 in relation to securing housing mix, particularly in relation to the provision of two bedroom units are not relevant, and refusal reason number 3 associated with application P07/E0916 as outlined above would therefore be addressed. As such, the principle of providing two 3+ bedroom units is acceptable. In addition, the proposal does not result in any requirements for affordable housing.

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

- 6.4 The application site occupies a relatively prominent position fronting onto Newtown Gardens, which is a private road of limited width with housing development of varying

age, design and scale generally restricted to its southern side. Whilst there is much variety to the buildings within the street, the width of the majority of the plots along Newtown Gardens is similar at approximately 10 metres. Along much of the northern side of the road there are garage blocks and immediately beyond these lie the rear gardens of the housing fronting Niagara Road.

- 6.5 The width of the site is similar to the width of the plots relating to the two pairs of semi-detached dwellings to either side of the site, and the width of each of the individual plots proposed would be similar to that of the majority of plots in the street as noted above. Both of the proposed dwellings would front Newtown Gardens and would continue the linear form of residential development along the road. The front building lines of the dwellings would be relatively consistent with those of the adjoining dwellings as far as the alignment of the road allows.
- 6.6 Whilst many of the surrounding properties are semi-detached, including the dwellings either side of the application site, there are also examples of detached dwellings in Newtown Gardens and more generally in the local area. As such, and given the variety of the housing in the road, the provision of two detached dwellings would not be contrary to the established character and appearance of the built form within Newtown Gardens. Having regard to the above issues, the first refusal reason associated with application P07/E0916, as outlined above, referred to the cramped form of development that would be out of keeping with the character and appearance of the area. By reducing the number of dwellings to two, the current scheme allows the plot sizes of each plot to be more comparable to the existing development in the road and has reduced the cramped appearance of the development substantially.
- 6.7 The existing property on the site is of no particular architectural merit and its demolition would not be to the detriment of the appearance of the area. The proposed development would be relatively traditional in design but with contemporary elements. Due to the variety of design to the built form within Newtown Gardens, Officers consider that there is no need to be overly prescriptive in terms of the design of proposed development on the site providing that the scale and height of the development respects the general character and appearance of the built form within the surrounding area. In this regard the scale of the development is in keeping with the surrounding built form, and the height of the development would also be similar to that of the neighbouring dwellings. As such, due to the variety of design in Newtown Gardens, and the respect that the proposals show to the scale, siting and height of the built form within the road, Officers consider that the proposal would respect the character and appearance of the surrounding built form as required by Criteria (ii) and (iii) of Policy H4 of the SOLP and by general guidance contained within the SODG. Therefore, Officers consider that the current scheme has addressed the first refusal reason associated with application P07/E0916.

The Impact on the Amenity of Neighbouring Occupiers and Future Occupiers of the Development

- 6.8 The second refusal reason attached to application P07/E0916 as outlined above refers to the impact of the development on 4a Newtown Gardens, the property located immediately to the south west of the site. The development previously proposed would have projected beyond the rear building line of 4a by approximately 2 metres and would have been approximately 1 metre from the shared boundary. Plot 3b as now proposed would project beyond the rear building line of 4a by approximately 1 metre and its rear most part would be approximately 2 metres from the boundary with the neighbouring property. There are no windows in the side elevation of 4a facing the application site and the bulk of the proposed dwelling would be against this blank elevation. Having

regard to the reduced projection beyond the rear of 4a along with the greater separation to this property, Officers consider that this scheme now has an acceptable impact on the amenity of 4a.

- 6.9 Concern has been raised about overlooking from the rear of the proposed dwellings to a neighbouring property in Wilson Avenue to the south east. The properties within Wilson Avenue have relatively generous rear gardens of over 20 metres in depth. The rear elevations of the proposed dwellings would be between 6 and 10 metres away from the shared boundary of the site with the adjoining properties in Wilson Avenue. Therefore, the distance between the rear elevations of the proposed dwellings and the existing dwellings in Wilson Avenue will be over 25 metres, which should ensure that the proposed development would not result in significant harm to the privacy of the neighbouring dwellings in Wilson Avenue in accordance with Policies H4 and D4 of the SOLP and guidance contained within the SODG.
- 6.10 Plot 3A as proposed would lie adjacent to the side elevation of 2 Newtown Gardens. The two storey element of the proposed dwelling would be in a similar position to the existing dwelling but it would be further forward on the plot, which would improve the relationship with Number 2 due to having a reduced overbearing and overshadowing impact on the rear elevation and garden area of the adjoining property. The proposed single storey element projecting to the rear of the main dwelling on Plot 3A would extend beyond the single storey projection to the rear of Number 2, however, due to its relatively modest size, separation from the boundary and the benefits of moving the main two storey element further forward on the plot, Officers consider that the development would have an acceptable impact on the amenity of the neighbouring occupiers.
- 6.11 The fourth refusal reason relating to planning application P07/E0916 relates to the lack of private amenity space provision for the three proposed dwellings. Guidance contained within the SODG recommends that garden areas for dwellings comprising three bedrooms or above are at least 100m². In this case the proposed rear gardens would be approximately 90m² and 70m² respectively for Plots 3A and 3B. Although this is below the area recommended within the SODG it is significantly above the garden areas of the development proposed under application P07/E0916, which was approximately 50m² for each dwelling. The garden areas now proposed would be more proportionate to the garden areas of adjoining properties within Newtown Gardens.

Highway Considerations

- 6.12 The fifth refusal reason attached to planning application P07/E0916 refers to the narrow and restricted nature of Newtown Gardens and the associated difficulties with the ease of traffic movements and congestion. The Highway Authority consider that the previous proposal for three dwellings would have increased traffic in the road to an unacceptable level and that this, along with the problems of accessibility and visibility in respect of the proposed parking, would have had an unacceptable impact on highway safety. The Town Council considers that the current proposal would still unacceptably increase traffic in the road. However, the Highway Liaison Officer considers that the proposal would not give rise to unacceptable highway impacts due to the reduction in the number of units proposed.
- 6.13 Two off-street parking spaces are proposed for each dwelling, and this level of provision is acceptable to the Highway Liaison Officer, however, he has commented that the proposed integral garage proposed for Plot 3B is below the adopted design standards. However notwithstanding this, the levels of parking should be sufficient to accommodate the needs of the development. Furthermore, an existing detached

garage serving the existing property will be retained as part of the development and can be available for additional parking if necessary.

Other Material Considerations

- 6.14 A sustainability statement has been submitted with the application and this makes reference to Code Level 3 of the Code for Sustainable Homes. This is in compliance with the thrust of guidance contained within the SODG and Policy D8 of the SOLP. A condition is proposed to ensure that sustainability measures are incorporated into the development.
- 6.15 A contaminated land questionnaire has been submitted with the application, and this indicates that the land has not been subject to contamination. As such there is no conflict with Policy EP8 of the SOLP.

7.0 **CONCLUSION**

- 7.1 The application proposal is in accordance with the relevant development plan policies and national planning policy as, subject to conditions, the development would respect the character and appearance of the site and the surrounding area, the amenity of neighbouring occupiers and would not be prejudicial to highway safety.

8.0 **RECOMMENDATIONS**

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

1. **Commencement – 3 years**
2. **Development to be in accordance with approved plans**
3. **Samples of materials to be approved**
4. **Details of hardsurfacing to be approved**
5. **Details of landscaping to be approved**
6. **Demolition of all existing buildings prior to occupation and resultant debris removed from the site**
7. **Details of fencing/means of enclosure to be approved**
8. **Floor levels to be approved**
9. **Permitted development removed for extensions and outbuildings**
10. **Sustainability measures to be approved**
11. **Provision and retention of parking and turning areas**
12. **Working hours restriction**
13. **Windows/doors to meet Secured By Design Standards**

Author: Mr T Wyatt
Contact no: 01491 823154
Email: planning.east@southoxon.gov.uk