

APPLICATION NO.	P11/E2126
APPLICATION TYPE	FULL
REGISTERED	20.1.2012
PARISH	HENLEY-ON-THAMES
WARD MEMBERS	Ms Joan Bland & Ms Elizabeth Hodgkin
APPLICANT	Mr Ray Hudson
SITE	18 Harcourt Close, Henley
PROPOSAL	Erection of three-bedroom dwelling incorporating parking (additional tree protection details received 11th June 2012).
AMENDMENTS	None
OFFICER	Paul Lucas

1.0 INTRODUCTION

1.1 This application is reported to the Planning Committee as a result of a conflict between officers' recommendation and the views of Henley Town Council.

1.2 The application site is identified at **Appendix 1** and comprises most of the side garden of an existing three storey townhouse constructed from beige bricks and concrete tiles. The site slopes very steeply upwards from north to south. The site can be seen behind particularly No's 55, 57 and 59. It backs onto an open plot of land, which is at a higher level, where a detached house and garage was granted planning permission by the Planning Committee in September 2011. This adjoining land remains presently undeveloped and occupied by a public footpath linking Haywards Close to a recreation ground – there is no access to this footpath from the site. Several mature trees have been cleared from the site. Many mature and semi-mature trees lie close to the boundaries of the garden part of the site and the eastern boundary of the site is formed by an area consisting of dense woodland and undergrowth. The site boundaries are denoted by close-boarded fencing. There is vehicular access to the front of No.18 from the turning head at the end of Harcourt Close. Vehicles are parked on a hardstanding in front of No.18, because an original integral garage has been converted. There are no special designations covering the site.

2.0 PROPOSAL

2.1 The application seeks full planning permission for the erection of a detached three-bedroom dwelling with integral parking. The dwelling would have a markedly different appearance to the adjacent townhouses with three levels of accommodation staggered down the slope, each having a flat sedum/turf roof. Two parking spaces would be provided in a covered area forming part of the lower level of the dwelling, with a turning area accessed from in front of No.18. There would be two terraces built into the fabric of the dwelling on the northern elevation of the highest and middle levels. The main windows would be on the south and west elevations, with three oriel windows on the east elevation. A row of shrub/hedge planting is shown along the north, east and south boundaries. There would be some outdoor amenity space on all four sides of the proposed dwelling, in addition to the terraces. A 1.8 metre high close-boarded fence would be established at the rear of No.18 about 1 metre from the side wall of No.18. No.18's outdoor area would remain at the rear only. The hardstanding out the front would be increased to allow vehicles for No.18 to park and vehicles for the new dwelling to turn before entering the highway.

2.2 The current plans of the proposed development can be found at **Appendix 2**. Other documents associated with the application can be viewed on the Council's [website](#).

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1 **Henley-on-Thames Town Council** – The application should be refused – the development is over-intensive, the design is out of character with the area and street scene and is un-neighbourly as it overlooks nearby properties and affects the occupants' privacy

OCC Footpaths - No objections

The Henley Society - The fact that this space was left by the original developers of Harcourt Close suggests that it was considered completely unsuitable for an additional house. We understand that the space was not in fact part of the original curtilage of 18 Harcourt Close but contributed to the adjoining 'green' area. If the space is now considered suitable for housing, we would consider the design proposed to be out of character with neighbouring properties

Forestry Officer – No objection on the basis of the additional tree protection information provided, subject to a standard planning condition

Health & Housing - Contaminated Land – No objection on the basis of a standard planning condition

Waste Management Officer – No objection

Highway Liaison Officer – No objection to similar parking arrangements on previous application subject to standard planning conditions

Neighbours – 5 representations of objection, summarised as follows:

- Excessive size lends itself to subdivision into multiple dwellings in the future
- A footprint of over 200 square metres would be out of keeping with other dwellings in the vicinity
- Would dominate the surroundings from an elevated position above the apex of the roof of the dwellings to the north
- Hedge planting would be insufficient to replace mature trees that were previously removed from the site
- Loss of view of sky and horizon from rear rooms and gardens of Deanfield Road dwellings
- Loss of privacy to rear of 55-61 Deanfield Road properties from south-facing glazing and terraces, directly adjacent to rear gardens with no intervening highway land
- Risk of contamination
- Increased risk of flooding from excavation and large surface area of proposed dwelling and hardstanding
- Loss of trees at rear of No.59 to form parking area for No.18
- Inadequate parking for both existing and proposed dwellings, leading to obstruction of turning head and danger to children playing in the close

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P11/E0794](#) – Withdrawn following officers concerns about the impact of the proposal on adjoining residential dwellings (31/10/2011)

Erection of detached 3-bedroom dwellinghouse within curtilage of existing dwellinghouse (additional street elevation and site section received 13th July 2011 & amended plans received 30 September 2011).

[P10/E1714](#) - Withdrawn following numerous concerns about the scale and impact of the proposal on the surroundings and nearby residents (01/02/2011)

Erection of one three storey three-bedroom dwelling and one two storey two-bedroom dwelling.

P11/E0545 – Erection of a detached house and garage on site immediately to the south of the application site – Approved September 2011.

5.0 **POLICY & GUIDANCE**

- 5.1 South Oxfordshire Local Plan 2011 policies;
- C6 - Maintain & enhance biodiversity
 - C9 - Loss of landscape features
 - D1 - Principles of good design
 - D10 - Waste Management
 - 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
 - EP2 - Adverse affect by noise or vibration
 - EP3 - Adverse affect by external lighting
 - EP6 - Surface Water Protection
 - EP8 - Contaminated land
 - G2 - Protect district from adverse development
 - G6 - Appropriateness of development to its site & surroundings
 - H4 - Housing sites in towns and larger villages outside Green Belt
 - T1 - Safe, convenient and adequate highway network for all users
 - T2 - Unloading, turning and parking for all highway users

South Oxfordshire Design Guide 2008 – Sections 3, 4 & 5

National Planning Policy Framework

The policies within the SOLP 2011 of relevance to this application are considered to be in general conformity with the provisions of the NPPF and therefore this application can be determined against these relevant policies.

6.0 **PLANNING CONSIDERATIONS**

- 6.1 The proposed dwelling would be located within the built-up area of Henley, where there is a presumption in favour of residential development. Consequently the proposal falls to be assessed primarily against the criteria of Policy H4. The planning issues that are relevant to this application are whether the development would:
- cause the loss of an open space or view of public, environmental or ecological value;
 - be of a scale and appearance in keeping with the character and appearance of the surrounding area, including the preservation of important trees;
 - safeguard the living conditions of neighbouring residential occupiers and provide suitable living conditions for future occupiers;
 - result in an unacceptable deficiency of off-street parking spaces for the resultant dwelling or other conditions prejudicial to highway safety;
 - incorporate sufficient sustainability and waste management measures; and
 - have regard to any other material planning considerations.

6.2 Loss of Open Space

Criterion (i) of Policy H4 of the SOLP 2011 requires that an important open space of public, environmental or ecological value is not lost, nor an important public view spoilt. There is no evidence of any ecological impact of the proposal. The site is visually in some wider views from public land due to its location on a slope, which enables public views of the site from the north. Whilst there is no dwelling on the site, it is seen in the context of the surrounding townhouses and planning permission has been granted for a substantial dwelling of similar height to the townhouses directly behind the site on higher ground. On this basis, the proposal would not result in the loss of an important view in compliance with the above criterion.

6.3 Visual Impact

Criteria (ii) and (iii) of Policy H4 of the SOLP 2011 seek to ensure 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. The current proposal would constitute a significant development of the existing residential plot incorporating the introduction of an additional dwelling. It would involve a contrasting design approach to the surrounding townhouses. This would result in a greater spread across the site, but the height of the dwelling at any one point would be no greater than two storeys. The highest part of the dwelling would sit at a height in-between the eaves and ridge height of No.18 and the three-storey townhouses to the west of the site. This would also be positioned further back from the boundary with Deanfield Road dwellings than the ridge line of No.18. The dwelling would have only limited visual impact in views along either Harcourt Close or Haywards Close. The townhouses on Haywards Close are on higher ground and the Planning Committee has previously accepted that a dwelling can be built on the land immediately behind the site through granting planning permission for P11/E0545. This approved design would be more traditional in appearance than the current proposal, but would also involve a staggered roofline in order to address the slope and would differ from the townhouses adjacent to it. Flat roofing is not normally encouraged. However, in these particular circumstances, this is an integral part of the overall design approach and enables the formation of sedum roofing, which would soften the visual appearance from higher vantage points. The use of a traditional brick finish would reduce the level of contrast between the proposed dwelling and the surrounding built form. It should be noted that the townhouses are typical of the late 1960s/early 1970s era with low-pitched concrete tile roofs. The Council's Forestry Officer is satisfied that the remaining trees around the site boundaries can be adequately protected, including from the extended parking areas and the retention of the adjacent wooded area along with the proposed hedge planting would provide an adequate means of softening the appearance of the development. As the development would be contained within an established built-up area, it would not have any discernible impact on the wider landscape setting of the town. In the light of the above assessment, the proposed development would comply with the above policies and criterion.

6.4 Neighbour Impact

Policy D4 and Criterion (iv) of Policy H4 of the SOLP 2011 requires that there are no overriding amenity objections. In comparison with the previous application P11/E0794, the proposed dwelling has greater separation to the site boundaries, notably with 57 Deanfield Road to the north and the host dwelling, 18 Harcourt Close to the west. The applicant has produced several sections, which illustrate the relative height and position of the proposed dwelling compared with these adjoining properties and their respective gardens. Whilst officers consider that it is inevitable that the dwelling would be noticeable in the views from the rear of No.57 and No.18. However, due to the distances involved and the position of the existing boundary fence, with the potential for future hedge planting, on balance, the levels of light and outlook currently enjoyed by the rear-facing rooms of these dwellings and their gardens would not be unduly compromised. Although the garden of No.18 would be greatly reduced, the remaining garden would still be comparable to that of the adjoining townhouses. In a similar vein, the sections seek to address the concerns about overlooking. The boundary fence and a wall would block views from the higher terrace into the rear garden of No.18, with the existing side window being blocked up. The distance between the terraces and the rear windows of No.57 would be in excess of the 25 metre recommended minimum distance. It is accepted that it would be possible for future residents to be observed by the occupiers of No.57 and vice versa when outside in their terrace/gardens, respectively.

6.5 However, the lower terrace would be about 12 metres from the boundary at its closest point and would be broadly level with existing ground levels, meaning that similar views are already possible from this part of the site. The plans show that some of the views from this position would also be obstructed by the location of the garage roof. The higher terrace would be about 17 metres from the boundary at its closest point. From here views into the closest part of the adjoining garden would be filtered by the position of the garage, fencing and future planting. The townhouses have balconies across part of their front elevations. On balance, officers consider that the resultant relationships would not result in a level of overlooking, which would cause sufficient mutual loss of privacy to warrant refusal of planning permission.

6.6 Access and Parking

Criterion (iv) of Policy H4 of the SOLP 2011 also requires that there are no overriding highway objections. In spite of some objections from local residents received on these grounds, the Highway Liaison Officer considers that the proposed parking and access arrangements to serve both existing and proposed dwellings, which are the same as shown on the previous application would be acceptable, subject to standard planning conditions concerning retention of parking and turning areas and provision of cycle storage. The proposed development would therefore satisfy the above criterion.

6.7 Sustainable & Waste Management Measures

Policy D8 of the adopted SOLP 2011 requires proposals to incorporate sustainability measures in terms of energy, water and materials efficient design. Section 3 of the SODG 2008 recommends that proposals involving two dwellings reach at least Level 3 of the Code for Sustainable Homes. The sustainability section of the design and access statement submitted with the application outlines several measures to be incorporated, which would obtain Level 4, in excess of the Council's requirements. The implementation of these measures could be secured through a planning condition. The implementation of appropriate refuse and recycling collection facilities could also be secured via a planning condition in accordance with Policy D10.

6.8 Other Material Planning Considerations

Matters raised relating to risk of contamination and flooding could be addressed through appropriate conditions requiring details to be agreed prior to commencement of development. The concerns from local residents that the dwelling would be subdivided into several independent dwellings does not form part of this proposal. Should this occur in the future, planning permission would be required and any such proposal would be assessed on its own individual merits.

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 character and appearance of the area or the living conditions of nearby residents, would not result in conditions prejudicial to highway safety and would comply with sustainability objectives.

8.0 **RECOMMENDATION**

8.1 **Planning Permission**

1. **Commencement 3 yrs - Full Planning Permission**
2. **planning condition listing the approved drawings**
3. **Slab and ridge levels (details required)**
4. **Sample materials required (all)**
5. **No additional windows, doors or other openings**

6. **Withdrawal of P.D. (extensions, outbuildings, hardstandings)**
7. **Sustainable Design Features - as approved**
8. **Refuse & Recycling Storage (Details required)**
9. **Existing windows eastern side elevation No.18 to be blocked up**
10. **Details of treatment of on site spoil from excavation**
11. **Parking & Manoeuvring Areas Retained**
12. **Cycle Parking Facilities - details required**
13. **Landscaping - as approved**
14. **Tree Protection (General)**
15. **Contamination (remediation and validation)**
16. **Lighting – details required**
17. **Surface water drainage works (details required)**

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