
APPLICATION NO.	P11/S0086
APPLICATION TYPE REGISTERED	Full 2 nd April 2012
PARISH WARD MEMBERS	Henley-on-Thames Ms Joan Bland Mrs Elizabeth Hodgkin
APPLICANT SITE	Mr and Mrs Hunt, Wood and Murray Land at Windyridge, Elizabeth Road, Henley-on-Thames
PROPOSALS AMENDMENTS	Erection of 4 houses and formation of new drive None
GRID REFERENCE OFFICER	474471/181687 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) forms part of the private rear garden areas of three dwellings fronting onto Elizabeth Road, Willows, Windyridge and Dormers. The site is a relatively level area of land located within but towards the western edge of the built up area of Henley-on-Thames. There is a variety of housing in the surrounding area.

2.0 **THE PROPOSAL**

2.1 This is a revised planning application for four two storey dwellings following the withdrawal of an earlier scheme (P11/E0524) in May 2011. The proposed dwellings would be served by a new access and driveway to be provided on the northern side of Willows. The proposed dwellings comprise of a pair of semi-detached two bed dwellings, one 3 bed dwelling and one 3/4 bed dwelling. The dwellings would all be provided with off-road parking spaces and rear gardens of at least 16 metres in depth.

2.2 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 for the following reasons:

- out of character with the area
- overdevelopment of the site
- backland development
- lack of parking
- narrow access and safety concerns
- impact on neighbouring amenity

3.2 **Henley Society** – The development would be unneighbourly and out of character with the area. It would have a narrow access and entail the loss of trees. The application has the appearance of a town centre development but is proposed for an edge of town location.

- 3.3 **OCC Highways Area Liaison Officer** – No objections subject to conditions.
- 3.4 **Forestry Officer** – No objections subject to landscaping and tree protection conditions
- 3.5 **OCC Archaeologist** – There is potential for Palaeolithic material on the site, and as such the applicant should be responsible for ensuring the implementation of an archaeological monitoring and recording action. Conditions are recommended to secure this.
- 3.6 **Monson (Drainage Consultant)** – Surface water drainage details should be agreed by condition.
- 3.7 **Neighbours** – Fourteen letters of objection and a petition with 22 signatories have been received, raising the following concerns:
- the proposed development is overintensive and unneighbourly
 - out of character with the surrounding area
 - overlooking of neighbouring properties
 - garden land is now greenfield and not previously developed land
 - inconvenience from bin collection area
 - impact on highway safety and convenience as a result of the proposed access and additional traffic
 - lack of drainage capacity
 - lack of sufficient parking
 - impact on wildlife
 - precedent for further development
 - lack of amenity space
 - difficulties for emergency vehicle access
 - potential security issues
 - impact from lighting
 - noise disturbance
 - potential impact on archaeology
 - loss of trees
 - restrictive covenants on the land
 - no need for the development

Three letters of support from the property owners of the application site have also been submitted.

4.0 **RELEVANT PLANNING HISTORY**

- 4.1 P11/E0524 - Erection of 4 houses and formation of new drive. Withdrawn prior to determination on 25th May 2011.

5.0 **POLICY AND GUIDANCE**

- 5.1 Policies of the Adopted South Oxfordshire Local Plan 2011 (SOLP):
- G2 – Protection and enhancement of the environment
 - G6 – Promoting good design
 - C1 – Landscape character
 - C8 – Species protection
 - C9 – Landscape features
 - CON12 – Archaeology and historic building analysis
 - EP2 – Noise and vibrations
 - EP8 – Contaminated land
 - D1 – Good design and local distinctiveness
 - D2 – Vehicle and bicycle parking

- D3 – Plot coverage and garden areas
- D4 – Privacy and daylight
- D6 – Design against crime
- D8 – Energy, water and materials efficient design
- D10 – Waste management
- H4 – Towns and larger villages
- H7 – Range of dwelling types and size
- T1 & T2 – Transport requirements for new developments

5.2 Government Guidance:
-National Planning Policy Framework (NPPF)

5.3 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
4. Highway considerations
5. The impact on trees
6. Other material considerations

The Principle of the Development

6.2 The site lies within the built up area of the settlement of Henley where the principle of new residential development is acceptable having regard to Policy H4 of the SOLP despite garden land no longer being classified as 'previously developed land'. Having regard to Policy H7 of the SOLP, 50% of the proposed dwellings are two bedroom units, which helps to meet the recognised housing needs of the District in relation to smaller units. There is no requirement for affordable housing having regard to Policy H9 of the SOLP as the site and development are below the relevant thresholds for the delivery of affordable housing.

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

6.3 The proposal falls mainly to be assessed against the criteria listed under Policy H4 of the SOLP as outlined below. Other Policies of the SOLP are relevant and are referred to as appropriate.

- i) there should be no loss of an important open space of public, environmental or ecological value and an important public view should not be spoilt.

6.4 The site is in private ownership and does not have any special environmental or ecological constraints. Due to the backland nature of the site there are limited public views into the site from Elizabeth Road and other public viewpoints, and an important public view would not be spoilt.

- ii) the design, height, scale and materials should be in keeping with the surroundings

6.5 The surrounding residential development demonstrates considerable variety in terms of the design, size and age of properties. It is apparent that the higher density and more

uniform residential development to the north of the site was developed as several phases of development in the 1960s whilst the dwellings relating to the application site and those to the south of the site, with the exception of Elizabeth House, which was granted planning permission in 2006, appear to pre-date 1948. Therefore, the application site relates to older housing fronting Greys Road and Elizabeth Road whilst the housing immediately adjoining the site to the north comprises more recent estate type residential development of more uniform house types and scale and generally a higher density. As such the application site lies between two quite distinct areas of housing having regard to the development of this part of the town.

- 6.6 The surrounding residential built form does display considerable variety in terms of the design, height, and scale of development. There are many examples of bungalows, chalet bungalows and two storey dwellings in the locality, however, the proposed dwellings would most closely relate to the existing two storey dwellings fronting Elizabeth Road and Greys Road to the east and south of the application site. The proposed dwellings would be approximately 7 metres high, which would be lower than the adjoining two storey dwellings fronting Elizabeth Road. The overall scale of the dwellings and their plot sizes would also be similar to that of the retained dwellings to the east and other nearby examples such as Elizabeth House and some of the housing further to the north within Elizabeth Road.
- 6.7 The design of the dwellings is traditional with the use of pitched roofs, front and rear gables, and the materials would also be traditional and in keeping with the vernacular, comprising of facing brickwork and tiled roofs. Although the dwellings do have a relatively deep plan form, the bulk and overall massing of the dwellings would be reduced by the use of varied eaves lines including a low eaves height across part of the front elevations and by the use of pitched roofs to help break up the massing of the roof forms.
- 6.8 Overall Officers consider that the proposed dwellings would respect the design, scale, height and materials of the existing built form adjoining the site.
- iii) the character of the area should not be adversely affected
- 6.9 The application site is currently part of the rear gardens of three separate dwellings. These rear gardens are generous in terms of their overall depth and site area and reflect the generally spacious and sylvan character of the built form to the south and west of the site. However, the built form in the wider locality is very mixed in terms of plot sizes and there are several examples of dwellings being sited on smaller plots of land such as Elizabeth House and several of the dwellings within the higher density development to the north. As such Officers consider that the scale of the development and the plot sizes of the proposed development would not be out of keeping with the varied grain of the built form in the surrounding area.
- 6.10 The proposal would result in a form of backland development and this would be somewhat at odds with the character of the surrounding built form where development generally displays consistent front building lines fronting the local road network, and there are very few examples of backland development. As such the siting of the development would not be in keeping with the character of the built form in the locality, however, Officers do not consider that any significant harm would result from this. The development would not be visually prominent from Elizabeth Road or other surrounding public vantage points due mainly to the screening effects of existing buildings to the south, east and north of the site, and trees to the west. Furthermore, the surrounding development does not comprise of simple linear development along single roads but generally comprises of typical 1960s sub-urban estate development with various cul-de-

sacs and roads with varying alignments. The alignment of Elizabeth Road to the north of the site means that the rear gardens of 74 to 80 Elizabeth Road back onto the northern boundary of the application site with the related dwellings extending further west than the dwellings immediately to the east of the application site. Thus, there are varying alignments of housing in the immediate area and the provision of backland housing as proposed would not result in an incongruous element to the existing urban grain, particularly having regard to the siting of the housing immediately to the north of the site.

- 6.11 In light of the fact that the proposed dwellings would be well screened from public vantage points, would be of a traditional design and in keeping with the heights and overall scale of surrounding housing, and would not be significantly in conflict with the nature of the surrounding urban grain of development, Officers consider that the backland nature of the development would not be harmfully apparent to the detriment of the character and appearance of the surrounding area.

iv) there should be no overriding amenity, environmental or highway objections

- 6.12 The application site adjoins existing residential properties to the north, east, south and west, and the proposal would affect each of these properties to varying degrees. Willows, Windyridge and Dormers lie to the east of the site and the development would curtail their existing substantial garden areas by a significant amount. However, the remaining rear gardens for these properties would still be relatively generous at approximately 20 metres deep and 10 metres wide and would comfortably exceed the minimum garden sizes for the size of dwelling as outlined within the SODG. The front elevations of the proposed dwellings would be approximately 10 metres from the rear boundaries of these neighbouring dwellings and would overlook the rear gardens and elevations of these properties. However, Officers consider that this is a reasonable separation and the distance between the front elevations of the proposed dwellings and the rear elevations of the existing would be approximately 30 metres, which comfortably exceeds the minimum distances advocated within the SODG for the preservation of privacy.

- 6.13 The southern boundary of the application site is shared with White Walls. The development, particularly in relation to Plot 4 would certainly have an impact on the amenity of this property but again Officers do not consider that significant harm would be caused. The distance between the front elevation of Plot 4 and the rear elevation of White Walls would be over 30 metres and there would be no windows in the side elevation of Plot 4 that would directly overlook the adjoining garden area. Plot 4 is sited to the north of White Walls and would be approximately 4 metres off the shared boundary. Having regard to this relationship, Officers do not consider that the proposed dwelling would have a significant overbearing or overshadowing impact on the neighbouring garden area although evidently it would substantially alter the existing outlook from the rear elevation and garden area of this property. Officers do not consider that any other existing dwellings to the south of the site would be adversely affected to any significant degree.

- 6.14 The properties to the north comprise of a row of bungalows, 74-80 (evens) Elizabeth Road, whose rear gardens back onto the northern boundary of the application site. The access road to serve the proposed development would be immediately alongside this boundary and noise from passing traffic would affect 76, 78 and 80 in particular as well as the existing dwellings to the east. However, traffic levels along the proposed drive are unlikely to be sufficiently high so as to cause unacceptable disturbance to the neighbouring occupiers. Plot 1 is sited approximately 4 metres from the boundary with 74 Elizabeth Road and as the neighbouring property is to the north, the proposed

dwelling would cause some overshadowing and loss of light to the rear garden area. However, this neighbouring property benefits from a relatively deep (20 metres) and wide (20 metres) rear garden and as such Officers consider that the level of harm caused would not be substantial. Again overlooking is avoided through having only obscure glazed windows in the northern side elevation and the impact on the outlook from the adjoining properties is lessened by the 4 metre gap to the shared boundary.

- 6.15 The rear elevations of the dwellings would face onto the deep rear garden of 228 Greys Road to the west. However, due to the size of this garden and the boundary vegetation Officers do not consider that any significant loss of privacy to Number 228 would occur. The future occupiers of the proposed dwellings would be provided with sufficient garden areas compliant with the standards outlined within the SODG and Policy D3 of the SOLP. Overall Officers acknowledge that the proposed development will undoubtedly have an impact on the amenity of the adjoining occupiers but consider that the level of harm caused would not be sufficient to justify the refusal of the application.

Highway Considerations

- 6.16 The proposed dwellings would be accessed via an existing access to the front of Willows. This access would be widened to 4.1 metres for the first 9 metres of its length before narrowing to 3 metres for the remainder of its length. This would enable vehicles to pass each other at the access without the need to wait on Elizabeth Road. Each of the proposed dwellings would be provided with at least two parking spaces and more space could be provided if required.
- 6.17 The Highway Liaison Officer has considered the proposal and finds the proposed access and parking arrangements acceptable, and therefore, there are no highway objections to the proposal.

The Impact on Trees

- 6.18 There are no protected trees within or adjacent to the site. However, the few trees on the site and those on adjacent land do make a positive contribution to the character and appearance of the surrounding area and should be retained having regard to Policy C9 of the SOLP. An Arboricultural Report has been submitted with the application, which confirms that no existing trees will need to be felled to facilitate the development. Furthermore, additional planting will take place and this can be agreed through a suitably worded condition. The council's Forestry Officer has raised no objections to the proposals subject to tree protection measures and landscaping being agreed by condition.

Other Material Considerations

- 6.19 The County Archaeologist has commented that significant Palaeolithic finds such as axe heads have occurred in the surrounding area and that further related archaeology may be present on the application site. In light of this it is important to assess the potential archaeology on the site prior to the determination of the application and in this regard a field evaluation on the site has taken place in accordance with Policy CON12 of the SOLP. This did not uncover any artefacts but due to the potential Palaeolithic archaeology on the site, a watching brief during the development of the site should be undertaken.
- 6.20 A Sustainability Statement has been submitted with the application, however, to accord with guidance within the SODG and Policy D8 of the SOLP, the development should aim to meet Code Level 3 of the Code for Sustainable Homes. A condition to ensure

that the development meets this standard of sustainable design and construction is recommended.

6.21 There is sufficient space for the storage of waste and recycling within the site and on collection days in accordance with Policy D10 of the SOLP.

6.22 The proposal does not involve demolition of any buildings and there is no evidence that protected wildlife species such as bats would be threatened by the development. However, an Informative would be placed on any planning permission to ensure that the applicant is aware of their responsibilities towards protected species.

7.0 CONCLUSION

7.1 The application proposal is broadly 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 and would not cause any significant harm to the amenities of neighbouring occupiers. In addition the proposal would not be prejudicial to highway safety and convenience.

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 agreed prior to commencement of development**
4. **Landscaping scheme, including fencing and hardsurfacing to be agreed prior to commencement of development**
5. **Tree protection measures to be agreed prior to commencement of development**
6. **Levels to be agreed prior to commencement of development**
7. **Lighting to be agreed prior to its provision**
8. **Contaminated land assessment**
9. **Details of surface water drainage to be agreed prior to commencement of development**
10. **Archaeological watching brief to be agreed**
11. **Findings of watching brief to be submitted**
12. **Withdrawal of permitted development rights for extensions, including roof extensions**
13. **Windows at first floor level in side (north) elevation of Plot 1 to be obscure glazed and fixed shut**
14. **Sustainable design and construction to meet Code Level 3 of the Code for Sustainable Homes**
15. **Parking and turning areas to be provided and retained**
16. **No surface water drainage onto highway**
17. **Any gates to be a minimum of 5 metres from the closest part of the adjacent footway**

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