

APPLICATION NO.	P16/S2459/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	21.7.2016
PARISH	HENLEY-ON-THAMES
WARD MEMBERS	Joan Bland Lorraine Hillier Stefan Gawrysiak
APPLICANT	Tracy Puttock
SITE	116-118 Greys Road, Henley-on-Thames, RG9 1QW
PROPOSAL	Full planning application for residential development comprising 17 residential units, together with associated access, car parking, cycle storage, landscaping and drainage, following the demolition of all existing buildings
AMENDMENTS	As amended by plans and documents accompanying Agents letter dated 17 October 2016 plus updated ecological appraisal received 08/08/16.
OFFICER	Emma Bowerman

1.0 INTRODUCTION

- 1.1 This application is referred to the Planning 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 within the built-up limits of Henley-on-Thames and is occupied by two commercial buildings and a single dwelling. The buildings on site were part of the former Coldharbour Farm, which reflects the agricultural past of the area prior to the urban expansion of Henley in the mid twentieth century.
- 1.3 The larger building on site (no.118) appears to have originally been a threshing barn but is barely recognisable as such, owing to the many alterations and additions that have taken place over the years. This building is occupied by a textile company and also a publishing company. The smaller former agricultural building to the south west of the site is a physiotherapy clinic. No.119 is in residential use and was probably originally a cottage associated with the former Coldharbour Farm.
- 1.4 The immediate surroundings of the site are predominantly residential in character, with the exception of the small neighbourhood centre adjoining the site, on the corner of King James Way and Greys Road. Sherwood Gardens, to the east of the site, is a 1980s purpose built complex of sheltered retirement bungalows.
- 1.5 There are two separate accesses to the site from both King James Way and Greys Road. The site is not within any designated area but is within the Joint Henley and Harpsden Neighbourhood Plan area, where there is a made Neighbourhood Plan.

2.0 PROPOSAL

- 2.1 The application seeks full planning permission for residential development, following the demolition of all existing buildings on site. One vehicular access would serve the site from King James Way. The application proposes 17 residential units in a development of houses and flats with the following mix:

	Market	Affordable	TOTAL
1 bed	0	2	2
2 bed	1	3	4
3 bed	7	0	7
3/4 bed	4	0	4
TOTAL	12	5	17

- 2.2 The development would be partly two storey and partly two and a half storey, with the second floor accommodation contained within the roof area and served by dormer windows. The proposed materials would be traditional, incorporating brick and flint, timber boarding and red tiled roofs. The highest building height is 10m.
- 2.3 The application was amended during the application process following concerns that were raised by consultees regarding design and impact on neighbouring amenity. The original plans had rear gardens backing onto Greys Road and the amendments re-oriented these properties to face the street frontage. The flats were amended to allow for the provision of some outdoor amenity space and the design improved. The amendments also included moving plot six further from the boundary with Sherwood Gardens and a reduction in the height of this unit.
- 2.4 The application plans are **attached** as Appendix B. The application is accompanied by a number of supporting documents, including a Design and Access Statement and Planning Statement. These are available to view on the council's website at www.southoxon.gov.uk. The application was also accompanied by a confidential viability statement.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1 **Henley-on-Thames Town Council**

Original plans

Objected due to non-compliance with Neighbourhood Plan, overlooking and overdevelopment. Raised concern regarding pavement width.

Amended plans

Object due to non-compliance with Neighbourhood Plan with regard to the provision of affordable housing.

3.2 **Henley Society**

Object on the basis that the application does not comply with the Neighbourhood Plan in relation to affordable housing.

3.3 **Oxfordshire County Council Highways**

Original plans

Objected as further details were required with regard to a bin collection point, footway widths and details of adoption.

Amended plans

No objection subject to conditions requiring approval of access details and visibility plays, details of the widening of the footpath on Greys Road, provision and retention of parking, a Construction Method Statement, a Construction Traffic Management Plan and approval of a Travel Information Pack for future residents.

3.4 **Oxfordshire County Council Infrastructure**

No objection subject to funding from the Community Infrastructure Levy towards

necessary mitigation of schools, library, day care, museum and waste management.

- 3.5 **Oxfordshire County Council as Fire Authority**
Requested a condition requiring the provision of fire hydrants.
- 3.6 **Highways England**
No objection.
- 3.7 **Urban Design Officer**
Original plans
Objected on the basis that the proposal would create an inactive frontage with Greys Road, lack of amenity space for the flats and other design concerns.
- Amended plans
No objection subject to conditions to secure details of materials, surfacing, boundary treatments and landscaping
- 3.8 **Conservation Officer**
No objection on heritage grounds.
- 3.9 **Forestry Officer**
No objection subject to conditions to secure landscaping.
- 3.10 **Countryside Officer**
No objection subject to a condition requiring the development to be implemented in accordance with the mitigation and enhancement recommendations within the submitted Ecological Appraisal.
- 3.11 **Leisure & Economic Development Officer**
Concerned about the loss of employment in the town, having had over 20 enquiries for industrial space in Henley in the past year. However, notes that the site is allocated for housing in the Neighbourhood Plan.
- 3.12 **Contaminated Land Officer**
No objection subject to a condition to requiring compliance with the submitted remediation strategy and submission of a validation report.
- 3.13 **Air Quality Officer**
No objection subject to a condition requiring measures to mitigate the impact on air quality.
- 3.14 **Waste Management Officer**
No objection.
- 3.15 **Drainage Consultant (Monson)**
No objection subject to approval of details of foul and surface water drainage.
- 3.16 **Neighbour Representations**
Original plans
Seven neighbouring properties submitted representations in objection to the original plans raising the following concerns:
- Overdevelopment
 - Overbearing and intrusive development
 - Overlooking and loss of light
 - Noise and disturbance from future residents

- Height not in keeping with surroundings - over intensification
- Loss of attractive buildings on site

One letter of support commenting that the flint frontage of the buildings on King James Way would be attractive. Concern raised that the development could lead to an increase in parking on King James Way.

Amended plans

One neighbouring property submitted representations in objection to the amended plans raising the following concerns:

- Would dominate Greys Road – overbearing and too high
- Not in keeping with surrounding properties – out of character with streetscape
- Lack of landscaping on Greys Road
- Impact on privacy and outlook - overlooking of properties on opposite side of Greys Road
- Overdevelopment

One neighbour wrote in to comment that the amendments are a great improvement on the previous plans and withdrew her previous objection.

4.0 **RELEVANT PLANNING HISTORY**

4.1 There are no previous applications that are directly relevant to this proposal.

5.0 **POLICY & GUIDANCE**

5.1 **National Planning Policy Framework (NPPF)**

5.2 **NPPF Planning Practice Guidance (PPG)**

5.3 **South Oxfordshire Core Strategy (SOCS) 2027**

- CS1 - Presumption in favour of sustainable development
- CSB1 - Conservation and improvement of biodiversity
- CSC1 - Delivery and contingency
- CSEN3 – Historic environment
- CSH1 - Amount and distribution of housing
- CSH2 - Housing density
- CSH3 - Affordable housing
- CSH4 - Meeting housing needs
- CSI1 - Infrastructure provision
- CSM2 - Transport Assessments and Travel Plans
- CSQ3 - Design
- CSS1 - The Overall Strategy
- CSHEN1 - The Strategy for Henley-on-hames

5.4 **South Oxfordshire Local Plan (SOLP) 2011 saved policies**

- C6 - Maintain & enhance biodiversity
- C8 - Adverse affect on protected species
- 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
- D6 - Community safety
- E6 - Loss of employment uses
- EP1 - Adverse affect on people and environment

- EP2 - Adverse affect by noise or vibration
- EP4 - Impact on water resources
- EP6 - Sustainable drainage
- EP8 - Contaminated land
- G2 - Protect district from adverse development
- G5 - Best use of land/buildings in built up areas
- 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

5.5 Joint Henley and Harpsden Neighbourhood Development Plan (JHHNP) 2027

- H1 – Allocate land for 500 new homes
- H2 – Design brief
- H3 – Type and size of new housing
- T1 – Impact of development on the transport network
- EN1 – Biodiversity
- DQS1 – Local Character
- SP10 – 118 Greys Road (Site Z)

5.6 South Oxfordshire Design Guide (SODG) 2016

6.0 PLANNING CONSIDERATIONS

6.1 The relevant planning considerations in the determination of this application are:

- The principle of the development.
- Matters of detail / technical issues, including:
 - affordable housing and housing mix,
 - design, layout and appearance,
 - neighbour amenity and amenity of future residents,
 - highway safety and traffic impact,
 - flood risk and surface / foul drainage,
 - environmental matters (air quality, contamination and noise).
- Infrastructure requirements, including:
 - on-site infrastructure to be secured under a legal agreement,
 - off-site contributions pooled under the Community Infrastructure Levy.

The principle of the development

6.2 The application site is an allocated site within the made Joint Henley Harpsden Neighbourhood Plan (JHHNP). Policy SP10 of the JHHNP allocates the site for around 13 residential dwellings. This policy requires that the Design Brief prepared for the site demonstrates how the proposed development:

- Creates a positive frontage onto King James Way
- Responds to the rear of the retail parade along Greys Road, screening future residents amenity without prejudicing the operational retailers; and
- Considers the conversion of the existing attractive buildings within the site which provide evidence of the previous agricultural use.

6.3 Given that this is an allocated site, I have no objection to the loss of the business premises on the site. The loss of employment premises on the site and the overall distribution of employment sites within Henley is a matter that was considered in the process of making the Neighbourhood Plan.

- 6.4 Policy SP10 of the JHHNP allocates the site for ‘around 13 dwellings’ and this application proposes 17 dwellings. The JHHNP states that the site area allocated for development is 0.2ha. This measurement appears to be incorrect and the site area shown in the JHHNP is larger, at around 2.8ha.
- 6.5 The site area submitted under this application also includes the existing dwelling at no.118 Greys Road and so takes the overall application site area up to 0.33ha. The proposed dwellings are therefore over a larger site area than was anticipated in the JHHNP and as such, I consider it reasonable that the application proposes 17 dwellings, as oppose to ‘around 13 dwellings.’ The most important matter to consider is the actual impact of the housing, which is addressed in the relevant sections of my report below, as are the other amenity and environmental requirements of policy SP10 of the JHHNP that are outlined above.
- 6.6 In addition to the compliance with policy SP10 of the JHHNP, the provision of housing on this site would also accord with the spatial strategy in the South Oxfordshire Core Strategy (SOCS), which seeks to focus new homes within sustainable locations. I am therefore satisfied that the principle of the development is acceptable.

Matters of detail / technical issues

Affordable housing and housing mix

- 6.7 Two of the primary objectives of the JHHNP relate to affordable housing. The objectives include enabling the delivery of a suitable quantum of affordable housing (40%) and specific reference is made to helping meet the needs of those age and income groups who have difficulty finding homes in Henley. Policy H3 of the JHHNP requires developments to contribute towards the specific housing needs of Henley.
- 6.8 Although there is an aspiration that 40 percent affordable housing will be provided on all development sites, there does have to be some recognition that there may be sites where this would render the development uneconomic and prevent the delivery of any housing. This is often the case on sites where there is a high existing use value. This is a matter that is acknowledged in policy CSH3 of the SOCS, which states that 40 percent affordable housing will be sought on all sites subject to the viability of provision on each site.
- 6.9 The application was accompanied by a viability assessment which concluded that the balance of costs and values associated with bringing forward the site restricted the ability of the development to deliver any affordable housing. Regardless of this position, the applicant took a commercial decision to offer the council five x one bed flats as starter homes.
- 6.10 The viability appraisal was reviewed on behalf of the council by an independent consultant who concluded that the scheme could support a small surplus. The independent consultant therefore recommended that the council may wish to implement a review mechanism which would provide an opportunity for a reassessment of the scheme in the future.
- 6.11 Given the outcome of this process, the offer of five affordable homes is welcome and the applicant would forego a normal developer profit to provide this level of affordable housing. Following negotiations between the council and the applicant, the affordable housing has been secured as two x one bedroom flats and three x two bedroom flats for shared ownership. This would amount to an affordable housing provision of 29

percent. There is a need for shared ownership properties in Henley and the development would help towards meeting the needs of some groups who have difficulty finding homes in Henley.

- 6.12 On the basis of the outcome of the viability process, I consider that the affordable provision is acceptable and would meet some localised need, as required under the JHHNP objectives. The proposal would accord with policy CSH3 of the SOCS as although the level of affordable provision secured is below 40 percent, the level of provision is based on what can viably be provided.
- 6.13 In terms of mix, the amended plans have secured a greater range of residential units, with the inclusion of both one and two bedroom flats. A number of the properties would allow for flexible living space. Some of the three bed homes have a small room on the first floor that could either be used as a study or child's bedroom. One of the two bedroom homes also shows a ground floor study / bedroom. The provision of home offices encourages home working and contributes towards a sustainable way of living. I consider that development would provide for an appropriate mix of homes to meet the needs of different groups in Henley, in accordance with the relevant policies on housing mix.

Design, layout and appearance

- 6.14 Securing a high quality design is a key aspect of sustainable development and the importance of securing good design is a theme that runs through national, local and Neighbourhood Plan policies. New development should create a sense of place, optimise the potential of the site to accommodate development, respond to local character and create a safe and accessible environment.
- 6.15 The applicant has considered the opportunities and constraints on the site and this has included an assessment of the existing attractive buildings which provide evidence of the previous agricultural use of the site. The council's conservation officer has considered this assessment and has concluded that, due to their age and surviving heritage interest, the existing buildings should be classed as 'non-designated heritage assets.'
- 6.16 Although it is preferable to retain and reuse historic buildings, their loss has to be weighed up against the benefits of the development. In carrying out this balancing exercise, the council's conservation officer is of the view that the benefits of providing 17 homes outweighs the loss of these non-designated heritage assets. I concur with this opinion and although it is regrettable that the buildings on site would be demolished, their loss would not result in any significant material planning harm.
- 6.17 The amended plans have overcome the concerns raised by the council's urban design officer. The initial submission proposed rear gardens backing onto Greys Road, which would have created a negative interface with this main road and an inwards facing development. The amendments have turned the houses so that they front Greys Road and create an active edge to street scene.
- 6.18 The dwellings that face Greys Road would be two and a half storey, with dormer windows in the roof serving the second floor accommodation. There are a wide range of building types in the local area and I consider that the design and scale of the proposed homes would be appropriate to the local context. They would be set slightly further forward than the neighbouring fast-food unit but in my opinion would not be overly dominant or intrusive in the street scene. This is because they would be angled slightly away from the road, and would be set further back than the existing building on site. In addition, the buildings would be eaves fronted and so the highest part of the

roof would be positioned further back within the site.

- 6.19 The elevations facing King James Way have been carefully considered and are active elevations with numerous openings. These elevations would be flint with brick quoins and would create a positive frontage onto King James Way. The amended plans have secured a little more space between the development and King James Way to allow for some additional landscaping.
- 6.20 In terms of the internal layout of the site, the use of a variety of surfacing materials would break up the hard standing. The addition of some trees would soften the development and the long term management of the landscaping can be secured by condition. At 52 dwellings per hectare, the development would represent an efficient use of land. Each home would have a private or shared amenity space and a sufficient level of parking would be provided on site. As such, I do not consider that the proposal would be an overdevelopment.
- 6.21 In my opinion the scheme represents an appropriate response to the constraints of the site and its surroundings, with materials that would be suitable to its setting. I am satisfied that the scale and design of the buildings would be appropriate to the context of the site and that the development would achieve an acceptable layout, generally meeting the design objectives of the NPPF and the development plan policies that seek to secure high quality developments.

Neighbour amenity and amenity of future residents

- 6.22 The amended plans have moved the development further from the boundary with the sheltered retirement bungalows in Sherwood Gardens and have reduced the massing of the development close to these neighbouring properties. In my opinion the amended plans have responded well to the concerns that were initially raised regarding neighbour amenity and would ensure that the development would have an acceptable impact on the residents of Sherwood Gardens in terms of light, outlook and privacy.
- 6.23 The terraced development on plots 1 – 6 would be positioned some 10m from the boundary with the neighbour to the north at no.2 / 2a King James Way. As the units would be to the south of these neighbours, there would be some impact on them in terms of overshadowing. In my opinion this impact would not result in any significant harm that would have a material impact on the living conditions of the occupiers of these neighbouring properties. The separation involved and relationship between the existing properties and the development would ensure that the proposal would also not result in any adverse overlooking or be unduly overbearing to these neighbours.
- 6.24 The proposed flats on plots 13-17 would have windows that face towards the retail units to the south, which have flats above. I note that this is similar to the existing situation and the number of opening proposed are limited, either providing small secondary windows or kitchen windows. These windows would have an impact on the flats above the shop but given the existing situation, would not result in any significant harm that would require the windows to be obscure glazed.
- 6.25 One of the neighbouring occupiers on the opposite side of Greys Road has raised concern that the development would have an adverse impact in terms of privacy and outlook. The proposed development would be over 25m from the properties across the opposite side of Greys Road. This separation would ensure that there would be no adverse overlooking from the proposed development and the proposal would not be oppressive or overbearing from the opposite side of the road.

- 6.26 In my opinion the proposals would have an acceptable impact on neighbouring occupiers, in accordance with the above policies. In terms of the amenity of future occupiers of the site, the future residents would all have the benefit of either a private or shared amenity space. Some of the flats also have their own terraces. The relationship of the development with the neighbourhood centre would also not result in any adverse harm to future occupiers. In my opinion the development would create an appropriate living environment for future residents.

Highway safety and traffic impact

- 6.27 The existing access onto Greys Road would be stopped up, with a single altered access provided from King James Way. The County Council highways officer welcomes this arrangement, due to lower vehicle speeds and improved visibility on King James Way.
- 6.28 The existing footway along the frontage of the site on the northern side of Greys Road is inadequate in width at only 1.2m. The applicant proposes to widen it to a more appropriate 1.8m width. The required widening can be wholly within the limits of the application site and would not compromise the existing width of Greys Road. The County highways officer has requested a detailed plan of the footway widening to be secured by condition and any works to the public highway would require the approval of Oxfordshire County Council.
- 6.29 The County highways officer is satisfied that an appropriate level of parking would be provided and that the cycle parking would be acceptable. The highways officer has recommended a number of conditions relating to the access, retention of parking and construction traffic. Subject to these conditions I consider that the development would be acceptable in terms of highway safety, in accordance with the requirements of the NPPF and the relevant development plan policies.

Flood risk and surface / foul drainage

- 6.30 The application site is within Flood Zone 1 (least probability of flooding) and as such, there are no objections to the development in relation to flood risk.
- 6.31 As is now standard practice, a detailed scheme for the site would need to incorporate a Sustainable Urban Drainage (SUDS) compliant strategy to ensure that all surface water run-off is accommodated within the confines of the site and discharged in a controlled manner. As required by the council's drainage consultant, the details of this can be secured by condition.
- 6.32 With regards to foul drainage, there is infrastructure capacity to serve the development and details of foul drainage can be agreed through condition.

Environmental matters (air quality, contamination and noise)

- 6.33 Based on the size of the proposed development, basic good practice design should be applied to this site in order to help mitigate against the air quality impacts and the potential cumulative effects of piecemeal developments, and to enable future proofing of the development. I have recommended a condition requiring air quality mitigation measures to be agreed. Mitigation measures can include measures such as electric vehicle charging points.

- 6.34 Our contaminated land officer has considered the details submitted with the application. The submitted report identifies elevated contamination and makes recommendations for remedial works. I have recommended a condition to ensure that the remediation strategy outlined in the report is undertaken and that a validation report is submitted to confirm completion of the works.
- 6.35 In order to ensure that construction activities are carried out within reasonable hours I have recommended a construction hours condition.

Infrastructure requirements

On-site infrastructure to be secured under a legal agreement

- 6.36 On-site infrastructure can be secured through a legal agreement under S106 of the Town and Country Planning Act 1990 (as amended). In this case, no public open space would be provided on site. Given the scale of the development and the constraints of the site, I do not consider that it would be reasonable to require on site open space or a play area.
- 6.37 In accordance with the council's S106 Planning Obligations Supplementary Planning Document, the following additional financial contributions would be required towards on-site infrastructure:
- Street naming and numbering - £107.80
 - Provision of recycle bins - £2,890
 - Monitoring fee - £485.95
- 6.38 As required by the County highways officer, the following site specific highways contributions would also need to be secured under the S106:
- Public transport contribution - £17,000
 - Bus stop shelter and infrastructure - £8,000
- 6.39 I consider that these contributions / obligations accord with policy CSI1 of the SOCS, which requires new development to be supported by appropriate on and off-site infrastructure and services. They accord with the relevant tests in the NPPF as they are necessary to make the development acceptable in planning terms, are directly related to the development and are fair and reasonably related in scale and kind to the development.

Off-site contributions pooled under the Community Infrastructure Levy

- 6.40 The council adopted a Community Infrastructure Levy (CIL) on 1 April 2016. With the exception of the affordable housing, any additional floor space is usually CIL liable at a rate of £150 per sq.m. The money collected can be pooled with contributions from other development sites to fund a wide range of off-site infrastructure to support growth, including schools, transport, community, leisure and health facilities.
- 6.41 Under the CIL regulations, the CIL liable floor area is offset by any existing floor area. The existing floor area will therefore be deducted from the floor space of the proposed development.

7.0 CONCLUSION

- 7.1 This is a site that is allocated for housing in the Joint Henley Harpsden Neighbourhood Plan. The development would provide a level of affordable housing that is viable in this

case, and would contribute towards meeting housing need. The proposal generally complies with the relevant development plan policies and would not be detrimental to the character and appearance of the site or the surrounding area, would not be unneighbourly and would not result in conditions prejudicial to highway safety. When considered against the development plan as a whole, the proposal would represent a sustainable form of development and would boost housing numbers.

8.0 RECOMMENDATION

8.1 To delegate authority to grant planning permission to the Head of Planning subject to:

i) The prior completion of a Section 106 agreement to secure the affordable housing, financial contributions and other obligations stated above, and

ii) The following conditions:

- 1. Commencement three years - full planning permission.**
- 2. Approved plans.**
- 3. Materials, surfacing and boundary treatments to be agreed.**
- 4. Levels to be agreed.**
- 5. Compliance with recommendations in ecological appraisal.**
- 6. Details of access and visibility splays to be agreed.**
- 7. Details of widened footpath on Greys Road to be agreed.**
- 8. Parking to be provided and retained.**
- 9. Construction method statement to be agreed.**
- 10. Construction traffic management plan to be agreed.**
- 11. Travel information packs to be provided.**
- 12. Landscaping scheme and management to be agreed.**
- 13. Surface water drainage to be agreed.**
- 14. Foul drainage works to be agreed.**
- 15. Air quality mitigation to be agreed.**
- 16. Compliance with remediation strategy and submission of validation report.**
- 17. Provision of fire hydrants to be agreed.**
- 18. Construction hours restriction.**

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