

<b>APPLICATION NO.</b>	<a href="#">P17S0931/FUL</a>
<b>APPLICATION TYPE</b>	FULL APPLICATION
<b>REGISTERED</b>	8.3.2017
<b>PARISH</b>	HENLEY-ON-THAMES
<b>WARD MEMBERS</b>	Joan Bland Lorraine Hillier Stefan Gawrysiak
<b>APPLICANT</b>	Mr & Mrs Sweeney
<b>SITE</b>	95a St Marks Road, Henley on Thames, RG9 1LP
<b>PROPOSAL</b>	Demolition of existing garage and existing kitchen extension at 95A. Construction of one additional five bedroom detached dwelling with on-site parking on land to west of existing house identical except for omission of basement to current permission ref P14/S0332/FUL.  Construction of new parking area in front of existing house on existing garden.
<b>AMENDMENTS</b>	None
<b>GRID REFERENCE</b>	475743/181729
<b>OFFICER</b>	Tom Wyatt

1.0 **INTRODUCTION**

- 1.1 The application is referred to the Planning Committee as the Officers' recommendation conflict with the views of the Town Council.
- 1.2 The application site (as shown on the OS extract **attached** as Appendix A) comprises a semi-detached dwelling, which has been extended to the side and rear. No.95 and 95A St Mark's Road was originally one house and together they represent one of the older properties in this part of St Mark's Road, where there is a clear mix of property styles, sizes and ages. The two dwellings are set back around 25 metres from the road. This is noticeably at odds with adjoining properties, which are set on a reasonably consistent building line, between 5 and 6 metres back from the road.
- 1.3 This generous set back means No.95A benefits from a spacious front garden, which includes a detached garage. St Marks Road rises consistently up in a southwesterly direction from Reading Road. There is a change in levels across the site, whilst the immediate neighbour to the west, No.97 St Marks Road, is set approximately 1.5 metres higher than 95A.

2.0 **PROPOSAL**

- 2.1 The site has a long planning history which is summarised in section 4, and discussed in further detail in section 6. The overall intention of the applicant is to demolish the single-storey side extension serving 95A to create space for a new dwelling on the land to the southwestern side of the house.
- 2.2 Currently, there is one extant planning permission for the erection of a new dwelling on the site (P14/S0332/FUL), which was approved at Planning Committee in August 2014.
- 2.3 A copy of the plans accompanying the application is **attached** as Appendix B whilst a copy of the approved plans in relation to application P14/S0332/FUL are **attached** as

Appendix C. Other documentation associated with the application can be viewed on the council's website, [www.southoxon.gov.uk](http://www.southoxon.gov.uk).

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1 **Henley-on-Thames Town Council** – Recommends refusal. objects to this application on the grounds of over-development, unneighbourliness and being out of keeping with the streetscene and the character of the area. The application does not comply with policy DSQ1 Local Character of the Joint Henley and Harpsden Neighbourhood Plan: All new development should be sensitive and make a positive contribution to the local character of the area.

3.2 **The Henley Society (Planning)** – Objects due to the impact on neighbouring occupiers and being damaging to the character of the area.

3.3 **Neighbour Representations** – Four letters of objection received:

- the development would be extremely overbearing and unneighbourly
- increase in car noise and traffic levels
- cramped form of development
- potential precedent for further development
- out of keeping with the building line in the street
- no intention to build the house
- overlooking of adjacent properties
- there has been a material change in circumstances since 2014, including in relation to ground levels, hedge thinning, loss of a beech tree, adoption of the Neighbourhood Plan,
- impact on the historic environment
- increased impact compared to originally refused schemes

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P14/S0332/FUL](#) - Approved (27/08/2014)

Demolition of existing kitchen at 95A and erection of two storey 5-bedroom dwelling (Amendments to planning permission P12/S1581/FUL) (As amended by drawings 4 of 7 dated 18th August 2014 and 7 of 7 dated 18th August 2014 to reduce the size of the proposed basement area).

[P13/S1455/EX](#) - Approved (15/07/2013)

Application to extend the time limit of planning permission P10/E0469, 'Ground floor extension to side and rear (part demolition of existing extension)'

[P12/S1581/FUL](#) - Approved (18/09/2012)

Demolition of existing kitchen at 95A. Erection of new dwelling identical to that approved in P09/E1267.

[P11/S0128](#) - Refused (25/07/2012)

Erection of new dwelling and alterations to existing. (Proposed changes to the detail of one new dwelling approved in application P09/E1267).

[P10/E0469](#) - Approved (16/06/2010)

Ground floor extension to side and rear (part demolition of existing extension).

[P09/E1267](#) - Approved (23/03/2010)

Erection of new dwelling and alterations to existing. (Amendment to planning permission P07/E1502

[P08/E0275](#) - Approved (29/04/2008)

Single storey side extension.

[P07/E1502](#) - Approved (24/01/2008)

Erection of new dwelling and alterations to existing.

[P07/E0699](#) - Approved (20/09/2007)

Demolition of existing side extension to 95A. Alterations to 95A and erection of new dwelling adjacent (as clarified by Access and Design Statement accompanying letter from Applicant dated 12 July 2007).

[P05/E0967](#) - Refused (01/11/2005) - Refused on appeal (31/05/2006)

Demolition of existing side extension to 95a, alterations to 95a including the construction of dormer windows to the north and south elevations. Erection of new dwelling adjacent to 95a and alterations to the vehicular access.

[P05/E0587](#) - Refused (19/07/2005) - Refused on appeal (31/05/2006)

Demolition of existing side extension to 95a, alterations to 95a including the construction of dormer windows to the north and south elevations, and erection of new dwelling adjacent to 95a.

[P04/E1440](#) - Refused (07/02/2005) - Refused on appeal (31/05/2006)

Demolition of part side extension to 95a, alterations to 95a and erection of new dwelling adjacent to 95a. New dormer windows to 95a.

## 5.0 **POLICY & GUIDANCE**

### 5.1 South Oxfordshire Core Strategy (SOCS) policies:

CS1 – Sustainable development

CSS1 – Overall strategy

CSHEN1 – Strategy for Henley

CSQ2 – Sustainable design

CSQ3 – Design

### 5.2 South Oxfordshire Local Plan 2011 (SOLP) policies;

G2 - Protect district from adverse development

G6 - Appropriateness of development to its site & surroundings

C9 - Loss of landscape features

D1 - Principles of good design

D2 - Safe and secure parking for vehicles and cycles

D3 - Outdoor amenity area

D4 - Reasonable level of privacy for occupiers

D10 - Waste Management

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

### 5.3 Henley and Harpsden Neighbourhood Plan (HHNP) policies;

H4 – Infill and self build dwellings

DQS1 – Local character

South Oxfordshire Design Guide 2016

National Planning Policy Framework

National Planning Practice Guidance

## 6.0 **PLANNING CONSIDERATIONS**

### 6.1 The main planning issues in relation to this application are:

1. The principle of the development
2. The impact on the amenity of neighbouring occupiers
3. The impact on the character and appearance of the site and surrounding area
4. Other material considerations

### 6.2 The Principle of the Development

The site lies within the built up area of Henley and as such the principle of a new dwelling is broadly acceptable having regard to Policy H4 of the HHNP, which allows for

housing on suitable infill and redevelopment sites within the town where the proposal constitutes sustainable development. As mentioned above there is an extant planning permission for a new dwelling on the site, which can be implemented up to 27 August 2017.

6.3 The Impact on the Amenity of Neighbouring Occupiers

In this case the starting point for an assessment on the amenity of the neighbouring properties is to consider the most recent planning permission for a dwelling on the land, and assess how the differences between the approved scheme and proposed scheme may affect the neighbouring properties. In this regard the current scheme is exactly the same in design, siting and overall scale to the scheme approved under application P14/S0332/FUL, with the only difference being the omission of a basement under the current scheme. This difference has no material bearing on the amenity of neighbouring occupiers apart from causing less disturbance during the construction phase.

6.4 The site has an extensive planning history and the following table provides a brief summary of the relevant planning history for a dwelling in a similar position to that now proposed. The table indicates the dimensions of the dwelling along with the key consideration in respect of the gap to the boundary with No. 97 St Marks Road. The table broadly shows that earlier schemes were refused until the dwelling was reduced and re-designed sufficiently to address all of the initial concerns. This approval has led to a series of further applications, which have cumulatively tended to increase the size of the dwelling and reduce the gap to the boundary with No 97.

Application No.	Decision	Depth	Width	Height	Distance to boundary with NO. 97	Basement
P04/E1440	Refusal and dismissed on appeal	17.3m (Two storey depth of 13.3m)	7.2m	9.9m	2.2m	No
P05/E0587	Refusal and dismissed on appeal	16.3m (Two storey depth of 12.5m)	8.3m	9.7m	2.8m	No
P05/E0967	Refusal and dismissed on appeal	12.5m (all two storey)	8.2m	9.1m	2.4m	No
P07/E0699	Approved	12.5m (all two storey)	8.3m	9.1m	2.5m	No
P07/E1502	Approved	16.5m (two storey depth of 12.5m)	8.3m	9m	2.6m	No
P09/E1267	Approved	17.9m (two storey depth of 13.7m)	9.2m	9.1m	1.8m	No
P11/S0128	Refused but allowed on appeal	18.8m (two storey depth of 15.7m)	9.1m	9.1m	1.7m	Yes – approximately 1/3 of overall footprint
P12/S1581/FUL	Approved	17.9 m (two storey depth of 13.7m)	9.2m	9.1m	1.8m	No
P14/S0332/FUL	Approved	18.9m (two storey depth of 15.8m)	10.2m	8.9m	1.7m	Yes – full basement
P17/S091/FUL (current application)		18.9m (two storey depth of 15.8m)	10.2m	8.9m	1.7m	No

- 6.5 The above table shows that there have been several planning applications submitted for a new dwelling on the site over the last thirteen years. The initial applications were all refused planning permission with a common reason being the impact on the amenity of 97 St Marks Road due to the size, bulk, height and depth of the proposed dwelling and its siting to the rear of the rear elevation of No. 97 along with its proximity to the boundary. The scheme submitted under P05/E0967 was the most modest of these early refused schemes and was still dismissed on appeal due to the siting, depth at first floor level and height having a significant visual impact in the outlook from the ground floor rear of No. 97.
- 6.6 Subsequently to the above appeal decision, the council granted planning permission for a dwelling in a similar position to the approved scheme but redesigned to display considerably less bulk when viewed from No. 97. Since this approval the applicant has made a series of further applications to cumulatively alter the design and expand the size of the dwelling. Finally application P11/S0128 was refused by the council due to the impact on No. 97. However, the appeal against this refusal was allowed and the Inspector cited factors mitigating the impact on No. 97 such as a lower eaves height adjacent to the shared boundary. The appeal decision and plans relating to application P11/S0128 are **attached** as Appendix D.
- 6.7 It has been difficult to resist further applications since the original approval under application P07/E0699, due to the relatively small scale of the incremental alterations to the scheme. Officers must respect the Inspector's decision in relation to application P11/S0128. In this regard the relationship between the new dwelling and No. 97 would remain the same and Officers have concluded that the impact on the amenity of the occupiers of No. 97 is acceptable. The relationship between the proposed dwelling and other adjacent properties, including 95a and 99 St Marks Road also remains acceptable. The only material change in circumstances since the previous approval is the adoption of the HHNP. The relevant policies of the HHNP as listed above are consistent with the requirements of the SOCS and SOLP and in this regard Officers do not consider that there are sufficient policy grounds to form a different conclusion regarding the impact on the amenity of neighbouring occupiers.
- 6.8 A neighbour has expressed some concern regarding the thinning of a laurel hedge on the boundary of the site and the level difference between the application site and the neighbouring property not being as significant as previously thought. However, boundary treatments and levels for the new development can be agreed prior to implementation and Officers do not consider that these matters are grounds to resist the proposed development.
- 6.9 The Impact on the Character and Appearance of the Site and Surrounding Area

The proposed dwelling has a complex roof form and there is poor cohesion between the individual elements of the design. The dwelling would be a somewhat sprawling and contrived building and in Officers' view the development would not make a positive contribution to the character and appearance of the surrounding area. However, having regard to the staggered relationship between the neighbouring dwellings that has previously been found to be acceptable and the set back of the dwelling from St Marks Road Officers consider that the proposed dwelling would not have an unacceptable impact on the character and appearance of the site or surrounding area. The design and layout of the development is exactly the same as that previously approved and there are no sufficient grounds to now consider that the impact on the character and appearance of the site and surrounding area would now be unacceptable.

6.10 Other Material Considerations

The highway access and parking provision remains the same as the previous scheme and remains acceptable. A protected beech tree previously to the front of the application site has been lawfully felled due to significant defects.

6.11 The proposed dwelling is liable for the Community Infrastructure Levy at a rate of £150 per square metre (index linked). 25% of this fee would go to Henley Town Council due to the presence of the made HHNP.

7.0 **CONCLUSION**

The principle of a new dwelling in this location remains acceptable, particularly given the extant permission. This proposal is essentially the same in form, design and size to the extant planning permission granted under application P14/S0332/FUL, and there has been no material change in circumstances since the consideration of that scheme.

7.0 **RECOMMENDATION**

7.1 **That planning permission be granted subject to the following conditions:**

1. **Commencement within three years.**
2. **Development to be carried out in accordance with approved plans.**
3. **Sample of materials to be agreed prior to the commencement of development.**
4. **Ground and floor levels to be agreed prior to the commencement of development.**
5. **No further openings in the side elevations of the dwelling.**
6. **Visibility splays, access and parking to be provided prior to occupation.**
7. **Visibility splays to remain unobstructed.**
8. **Landscaping scheme, including hard surfacing and boundary treatments to be agreed prior to the commencement of development.**
9. **Drainage to be implemented prior to occupation.**

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