

APPLICATION NO.	P17/S0751/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	22.2.2017
PARISH	HENLEY-ON-THAMES
WARD MEMBERS	Joan Bland, Stefan Gawrysiak & Lorraine Hillier
APPLICANT	Mr Badshafa Miah
SITE	17 Reading Road, Henley-on-Thames, RG9 1AB
PROPOSAL	Food store in the rear garden (As amended by plan 1609 101A to re-orientate the proposed building).
AMENDMENTS	None
OFFICER	Marc Pullen

1.0 **INTRODUCTION**

1.1 This application is referred to the Planning Committee because the officer's recommendation conflicts with the view of the Town Council.

1.2 The site (which is shown on the OS extract **attached** as Appendix A) contains a mid-terraced grade II listed building and its associated curtilage. The site lies within the Henley Main conservation area and is within close proximity to a number of neighbouring listed buildings.

2.0 **PROPOSAL**

2.1 This application seeks planning permission for the erection of a single storey outbuilding in the rear garden area of 17 Reading Road. The outbuilding would be used as a food store in connection with the restaurant, Café Le Raj.

2.2 A copy of all the current 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 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

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

- Overdevelopment
- Light and noise pollution
- Unneighbourly

Conservation Officer – No strong views

- Development represents less than substantial harm and officer should be satisfied that justification is made to outweigh harm

Health & Housing - Food Safety - No strong views

Neighbours - Object (3)

- Object to the increased noise and light
- Pollution from the building and use of the rear garden
- The use of the building is unneighbourly and users have been unneighbourly
- Building is within close proximity to neighbours boundary and is overly tall due to the differences in levels
- The building is intrusive to neighbours
- The site has been concreted over and all trees have been removed

4.0 **RELEVANT PLANNING HISTORY**

4.1 [SE16/657](#) - (Enforcement investigation)

Without planning permission the erection of an outbuilding (Retrospective planning permission P16/S3576/FUL refused on 19 December 2016).

[P16/S3576/FUL](#) - Refused (19/12/2016)

Erection of detached building to provide food store in the rear garden (retrospective).

[P15/S2784/FUL](#) - Approved (01/12/2015)

Erection of single storey rear extension, installation of extract flue in main roof and internal alterations (as clarified by drawing accompanying Agents email dated 05/10/15 detailing extract flue).

[P15/S2785/LB](#) - Approved (01/12/2015)

Erection of single storey rear extension, installation of extract flue in main roof and internal alterations (as clarified by drawing accompanying Agents email dated 05/10/15 detailing extract flue).

5.0 **POLICY & GUIDANCE**

5.1 **National Planning Policy Framework & National Planning Practice Guidance**

5.2 **South Oxfordshire Core Strategy 2012 policies;**

CSEN3 - Historic environment

CSQ3 - Design

CSS1 - The Overall Strategy

5.3 **South Oxfordshire Local Plan 2011 policies;**

CON5 - Setting of listed building

CON7 - Proposals in a conservation area

EP2 - Noise

D1 - Principles of good design

G2 - Protect district from adverse development

5.4 **South Oxfordshire Design Guide SODG 2016**

5.5 **Henley and Harpsden Neighbourhood Plan 2016**

6.0 **PLANNING CONSIDERATIONS**

6.1 The main planning considerations are

- Impact on the character and appearance of the site and surrounding area
- Impact on the setting of the listed building(s)
- Noise and light impact

Impact on character and appearance of the site and surrounding area

6.2 The proposed outbuilding is single storey in height and, despite what is shown on plan, would appear above the brick wall to the rear of the site. The building currently on site is constructed using white UPVC cladding and a flat roof. The proposed new design would be finished with black stained timber boarding and would have a gently sloping felt roof. The building would be visible from views within the surrounding area, most notably from Queen Street Mews to the rear. The site falls within the Henley Reading Road Conservation Area and the property to which this development relates is Grade II listed.

6.3 The Council's South Oxfordshire Local Plan (SOLP) and South Oxfordshire Core

Strategy (SOCS) policies seek to ensure that principles of good design are adopted for all development. These policies look to reinforce and to protect local character by ensuring development is of a scale and appearance appropriate to the site and surrounding area. Policy CSEN3 of the SOCS seeks to ensure that the districts historic heritage assets are conserved and enhanced for their historic significance and their important contribution to local distinctiveness, character and sense of place. Policy CON7 of the SOLP relates to development within the district's conservation areas, and seeks to ensure that all development is of a design and scale which is in sympathy with the established character of the area and uses traditional materials appropriate to the character of the area.

- 6.4 A previous application, which was submitted for retrospective planning permission for this building was refused for the following reason:

The proposed development, owing to its design, scale and external appearance, fails to preserve or enhance the character and appearance of the surrounding conservation area and has an adverse impact on the setting of the adjoining listed buildings. As such the development is contrary to the provisions of the NPPF, Policies CSEN3 and CSQ3 of the South Oxfordshire Core Strategy and saved policies D1, G2, CON5 and CON7 of the South Oxfordshire Local Plan.

- 6.5 The design of the proposed building is an improvement upon the existing building as it would remove the use of white and overly prominent UPVC plastic cladding and would vastly improve upon the appearance of the site. The building would still protrude above the rear boundary wall but would appear more vernacular to a historic environment.
- 6.6 The use of timber stained cladding would respond positively to the historic context of the area and whilst the use of felt is more modern it would be typical of this type of built form. The building is reasonable in size so as to accommodate the desired use and officers are satisfied that efforts have been made to reduce its height as much as possible to ensure it retains its function. The building itself is smaller than its host building, 17 Reading Road, and would not compete with its scale and its superiority. Furthermore, the proposed use does not depart from the primary use of the ground floor of 17 Reading Road.
- 6.7 It is the conservation officer's view that the development, in the view of the NPPF, leads to less than substantial harm to the historic asset. However it is your officer's view that the development would not result in an adverse impact upon the character of the site or the surrounding area and the design has been positively changed to better correspond to the historic and architectural interests of 17 Reading Road and the surrounding area. Whilst views of the building would be visible from Queen Street Mews, these views would be contained mostly to this area and would not be shared from the wider surroundings. It is officers view, upon reaching a balanced view of the development, that harm can be found but the level of harm is not significant enough to materially harm/change the character or the appearance of the surrounding area or to materially compromise the overall historic and architectural qualities of the Henley Main conservation area. Where possible the development has sought to draw from the local character so as to respect its surroundings and has retained a subservience to its host building.

Impact on the setting of the listed building(s)

- 6.8 Policy CON5 of the SOLP seeks to ensure that development does not adversely affect the setting of listed buildings within the district. The development, owing to its siting and its design, would be visible within the context of the surrounding built form including

a number of listed buildings, when viewed from the rear of the site/the car park serving Queen Street Mews. The building has been designed to incorporate traditional materials and would not be visible from the frontage of the site or the public realm, other than glimpsed views from the entrance of Queen Street Mews. This area of car parking is not considered to contribute greatly to the historic character of the area and this is evident with the lack of available public views. This does not in itself justify any form of development however and all forms of development should look to conserve or enhance the conservation area and the setting of the listed building.

- 6.9 Clear justification has not been provided to support the need for this building and the conservation officer has some concern regarding the potential over-development of this garden area. It is the view of the conservation officer that any harm to the significance of the listed building would be 'less than substantial'. As per paragraph 134 of the NPPF, any harm should be clearly justified and outweighed by other considerations. In considering the proposed use of this building, it is clear that the building will be used to help support the economic function of the restaurant. The building would house food and allow for the restaurant to buy larger quantities of food to improve productivity of Café Le Raj.
- 6.10 It is my view that the siting and design of the building would not be significantly harmful and instead efforts have been made to improve the existing building by reducing the height and applying more traditional materials. The visual impact of the proposed building would not be adverse given the character and appearance of the immediate area. In addition views of the building would be limited and the effect of this harm would be minimal. The economic benefit of having this building and using it in conjunction with the restaurant would provide benefit which in my view would outweigh the harm caused.

Noise and Light impact

- 6.11 Policies EP2 and EP3 of the SOLP seek to address the issue of light and noise impact. These policies seek to ensure that new development that would have any adverse impact upon neighbours by reason of noise, vibration or external lighting are not permitted. Neighbours have raised objections to the building, citing issues of noise and light from the building and noise from those using the building.
- 6.12 Following a recent visit to the site it is clear that the refrigeration units have been relocated from the building and sited inside the building and as such the council's environmental health team have no objection to this development. It is important to note that under the previous planning application matters relating to noise were not considered significant to warrant a refusal reason and the council's environmental health team had no objections to that scheme.

7.0 CONCLUSION

- 7.1 Officers recommend that planning permission is granted as the proposal complies with the relevant Development Plan Policies and, subject to the attached conditions would not be harmful to the character and appearance of the site and surrounding area, the amenities of those occupants living in neighbouring properties or the setting of the listed buildings.

8.0 **RECOMMENDATION**

8.1 To grant planning permission subject to the following conditions:

1. Commencement of development within three years.
2. Development to be carried out in accordance with the approved plans.
3. Materials to be used as on the approved plans.
4. Details of rainwater goods to be agreed.
5. Removal of existing structure.

Author: Marc Pullen
Email: planning@southoxon.gov.uk
Contact No: 01235 422600

This page is intentionally left blank