

<b>APPLICATION NO.</b>	<a href="#">P17/S2700/FUL</a>
<b>APPLICATION TYPE</b>	FULL APPLICATION
<b>REGISTERED</b>	27.7.2017
<b>PARISH</b>	HENLEY-ON-THAMES
<b>WARD MEMBERS</b>	Stefan Gawrysiak Lorraine Hillier Joan Bland
<b>APPLICANT</b>	Ms K Ferebee
<b>SITE</b>	Waterton, 33 Lambridge Wood Road, Henley-on-Thames, RG9 3BP
<b>PROPOSAL</b>	New dwelling (amended plans received 26th October 2017, amending scale and design of proposed dwelling, its position within the site and the parking arrangement)
<b>OFFICER</b>	Simon Kitson

1.0 **INTRODUCTION**

1.1 This application is referred to Committee, following a call-in by a local ward member and objections from Henley Town Council.

1.2 The application site (which is shown on the OS extract **attached** as Appendix A) comprises an area measuring approximately 600 sq.m on land currently associated with no. 33 Lambridge Wood Road, Henley.

1.3 The site does not fall within a conservation area or an area of outstanding natural beauty. A recently-served Tree Preservation Order (TPO ref: 17S25) affords protection to the mature trees to the south of the site.

2.0 **PROPOSAL**

2.1 As detailed in the application submission, this proposal is for the erection of a detached, two-storey, 4-bed dwelling, with a useable garden area of approximately 280 sq.m. The dwelling would have two off-street parking spaces to the front and an integral garage.

2.2 The footprint of the dwelling would measure approximately 127 sq.m. The height would measure approximately 7.5m to the ridge, dropping to 3.8m at the eaves.

2.3 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](http://www.southoxon.gov.uk).

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1 Henley-on-Thames Town Council – Object

- Recommend refusal due to overdevelopment

The Henley Society (Planning) - No strong views

- No objections to the principle, but subject to neighbours and Highways concerns.

Forestry Officer (South Oxfordshire District Council) - No strong views

- Following the submission of revised plans, the proposal is considered acceptable from an arboricultural perspective. Tree protection and landscaping conditions should be attached to any consent.

Highways Liaison Officer (Oxfordshire County Council) - No strong views

- Following the submission of revised plans, the proposal is unlikely to have a significant adverse impact on the highway network. Parking, vision splay and garaging conditions should be attached to any consent.

Environmental Health (SODC)

- The applicant should be asked to submit a standard contaminated land questionnaire as a condition of consent. This could necessitate the need for a further risk assessment.

Neighbour Objections (17). Key issues raised:

- The principle of additional housing in this location is not acceptable. This view is supported by the Planning Inspectorate (APP/Q3115/W/15/3002918) in the appeal decision at Amberley. If this scheme is allowed, it would create a horrible precedent.
- The plot size is wholly out of keeping with the grain of development in the locality and the dwelling would appear cramped within the context of the spacious, verdant character of the surrounding landscape and built form.
- There would be adverse neighbour impacts through direct overlooking of the gardens of the nearest residential properties, including opposite the site
- The plot in question forms part of the garden area of the adjacent dwelling, it should not be considered as a separate development site.
- The design of the dwelling would be 'ugly' and visually incongruous within the street scene.
- There would be a poor relationship with the trees adjacent to the site and harmful encroachment within the root protection areas
- The access and parking arrangements would be both harmful to highway safety and damaging to the street scene
- There are land ownership/ civil matters affecting the development of the site.

Neighbour Support (1)

- The development is on land intended to be a separate plot to no. 33. The garden area is broadly consistent with the original plot sizes within Lambridge Wood Road.
- The scale and design are similar to other properties.

#### 4.0 **RELEVANT PLANNING HISTORY**

4.1 [P79/S0686](#) - Approved (05/12/1979)  
Erection of double garage and writing room.

[P67/H0719](#) - Approved (24/11/1967)  
Dwelling house and access.

[P67/H0020](#) - Approved (22/03/1967)  
Dwelling houses and accesses.

[P65/H0201](#) - Approved (06/04/1965)  
Site for eight dwellings

5.0 **POLICY & GUIDANCE**

5.1 The Joint Henley and Harpsden Neighbourhood Plan (JHHNP) policies;

Housing Strategy

Primary Housing Objectives H04

Policy H4 - Infill and self-build dwellings

Policy DSQ1 – Local Character

Policy T1 – Impact of development upon the transport network

5.2 South Oxfordshire Core Strategy (SOCS) Policies;

CS1 - Presumption in favour of sustainable development

CSEN1 - Landscape protection

CSH2 - Housing density

CSQ3 - Design

CSHEN1 - Strategy for Henley

5.3 South Oxfordshire Local Plan 2011 (SOLP 2011) policies;

H4 - Housing sites in towns and larger villages outside Green Belt

C9 - Loss of landscape features

C8 - Adverse affect on protected species

T1 - Safe, convenient and adequate highway network for all users

T2 - Unloading, turning and parking for all highway users

D4 - Privacy

D1 - Principles of good design

D2 - Vehicle and bicycle parking

D3 - Plot coverage and parking areas

D10 - Waste management

G2 - Protect district from adverse development

5.4 Supplementary Planning Guidance/Documents

South Oxfordshire Design Guide 2016 (SODG 2016)

5.5 National Planning Policy Framework (NPPF)

National Planning Policy Framework Planning Practice Guidance (NPPG)

6.0 **PLANNING CONSIDERATIONS**

6.1 The main considerations in relation 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. Other issues

**Principle of development**

- 6.2 SOCS policy CSHEN1 and the housing objectives of the JHHNP set out the specific strategy for Henley, allowing housing on suitable infill and redevelopment sites. If the principle of housing is acceptable in this location, then the detailed criteria set out under SOLP Policy H4 would apply.

- 6.3 It is accepted that additional housing within Lambridge Wood Road has historically been resisted by the council and this position has been reinforced by a number of appeal decisions by the Planning Inspectorate. Housing within the locality has been generally been assessed against former restrictive housing policy H6 of the SOLP or H12, which allows for replacement dwellings outside settlements on a strictly one for one basis. However, the district planning committee assessed the previous housing application at Amberley, 26 Lambridge Wood Road (P14/S2743/FUL) in the context of a greater presumption in favour of sustainable development and, in accepting that the site falls within Henley, refused planning permission on the basis of the inappropriate scale, siting and plot coverage. The decision notice reads:

*‘That, having regard to their scale, siting and plot coverage, the new dwellings would be out of keeping with the existing grain of housing along Lambridge Wood Road. Furthermore, the proposal would represent a visually intrusive form of development that would be at odds with the spacious character and appearance of the street scene and surrounding area, contrary to Policies CSHEN1, CSH2 and CSQ3 of the South Oxfordshire Core Strategy; and Policies D1, D3, G2 and H4 of the South Oxfordshire Local Plan 2011’*

- 6.4 In the subsequent appeal (APP/Q3115/W/15/3002918) the Planning Inspector did not agree that the site falls ‘within Henley’ and opined that Lambridge Wood Road is ‘clearly divorced’ from the edge of the built-up limits of the town. It was concluded that additional housing in this location is therefore not acceptable in principle. Whilst officers acknowledge the significance of this judgement, each subsequent application would still need to be appropriately assessed in the context of changes to local and national planning policy, together with relevant material planning considerations. Officers consider that recent changes to the Local Development Plan indicate that the principle of housing within this location should be viewed more favourably.
- 6.5 At the time of the Amberley application, the Henley Neighbourhood Plan was in the early stages of preparation. It has now been adopted as part of the Local Development Plan and it allocates a substantial area of land off Fairmile for residential development (Site A; **attached** at Appendix C). The stated intention is for this to ‘enable development to be distributed across the Plan area more evenly’ (JHHNP 5.6). Permission also continues to be granted for housing development at a number of sites within the northern end of Fairmile. These include the conversion of the Smith Centre further to the north, into apartments under a permitted development scheme and infill housing at Morriston (P16/S1117/FUL) and 24 Fairmile (P15/S1822/FUL).
- 6.6 Officers argue that, when the Site A allocation scheme is progressed, it will remove a substantial green buffer which currently exists between the more uniform housing developments towards Luker Avenue/ Crisp Road and the more spacious, piecemeal development towards Barn Lane and Lambridge Wood Road. The siting of around 60 dwellings at the medium density proposed would arguably bridge the gap and provide a transition between the separate clusters of residential development along Fairmile. Officers do not now consider it appropriate, in the context of the neighbourhood plan allocation, to draw a notional settlement boundary line through what will become a largely continuous area of housing at the northern end of Henley. It is worthy of note that the objection from Henley Town Council is confined to the perceived overdevelopment of the site, rather than the principle of additional housing in this location.
- 6.7 The site falls within the area of a neighbourhood plan which emphasises the importance of intensifying existing land uses and it supports infill housing where it

would comprise sustainable development. This is in accordance with the guiding principles of the NPPF. Officers maintain that the principle is acceptable and that the current proposal should be appropriately assessed against Policy H4. In terms of the sustainability credentials of the site, it is noted that the street is in relatively close proximity to the town centre, within safe walking and cycling distance to a range of key services and facilities. There is also public transport accessible from Fairmile.

### **Scale and design**

- 6.8 It is noted that the proposal would provide private amenity space well in excess of the 100 sq.m recommended within the SODG and off street parking in excess of the maximum standards set out under Appendix 5 to the SOLP. The level of plot coverage is below the recommended 40%. Whilst the overall plot is smaller than the others within the street, the site is located at the western end of Lambridge Wood Road, where gardens are generally smaller and the width of the plot is comparable to many of the neighbouring properties.
- 6.9 In terms of the visual appearance of the dwelling, it is noted that the properties within this area are generally varied in terms of their heights, detailing, boundary treatments and external finishes. The proposed design takes some cues from other dwellings within the locality and adopts a relatively traditional form broadly consistent with the local vernacular. The siting of the dwelling accords with the established building line to the east of the site and the distance to no. 33 would not be dissimilar to the relationship between the other properties.
- 6.10 Whilst officers accept that there would be a visual impact associated with the development of this site, the appearance of the property within public vantage points would not be particularly out-of-keeping with the low-key, tree lined housing development within this stretch of the road. This is not an area identified as in need of special protection on the basis of exceptional landscape quality and officers consider that the generally spacious, suburban character of the wider area would be largely unaffected by this proposal.
- 6.11 A condition removing all permitted development (PD) rights for extensions or outbuildings is considered necessary, in order to ensure that the council can continue to assess the impact of future development upon the street scene.

### **Landscape impact**

- 6.12 The council's forestry officer notes that the protected woodland to the south of the proposed development makes an important visual contribution to the landscape and has significant amenity value. These trees are an important feature of the adjacent AONB.
- 6.13 Following the submission of an amended plan relocating the proposed dwelling further to the east, this has increased clearance between the large beech trees and the development. The shading and other issues raised as significant areas of concern under the initial consultation response would now be much reduced and there are no further objections on arboricultural grounds. If the committee is minded to grant approval, officers accept the need for conditions requiring approval of tree protection measures during the construction phase and details of the planting indicated on the site plan.

### **Neighbouring amenity**

- 6.14 Due to the position and orientation of the site, officers consider that there is unlikely to be a significant loss of daylight or sunlight to the neighbouring properties. The distances between the proposed dwelling and the nearest neighbours also accords with the recommended privacy standards set out under the SODG. The impact of a proposal on private views from the neighbouring gardens is not a material planning consideration.
- 6.15 For the avoidance of doubt, Section 7 recommends a minimum of 25m between directly facing habitable rooms in a back-to-back arrangement with an assumed garden depth of 12.5m. The minimum recommended separating distance between facing front elevations is 10m. The privacy impact is considered acceptable on the basis that the distance between the proposed dwelling and no. 35 to the side, is approximately 42m and the distance to no. 30 is approximately 40m.
- 6.16 Officers suggest that an obscure glazing condition is applied to the upper-storey window proposed to be in close proximity to the applicant's property, no. 33. This is in order to protect the amenity of the existing and future occupiers.

### **Highway safety**

- 6.17 Following the submission of revised plans, the Local Highways Authority are satisfied that the access to the site would benefit from adequate visibility, having regard to the characteristics of the street and generally low vehicular speeds. The parking provision accords with the council's adopted standards.
- 6.18 There is now no objection on highway safety grounds, subject to visibility splay protection and parking provision in accordance with the submitted plan. Officers have no grounds to contest the expert advice provided.

### **Community Infrastructure Levy (CIL)**

- 6.19 The council's CIL charging schedule was adopted on 1 April 2016. CIL is a planning charge that local authorities can implement to help deliver infrastructure and to support the development of their area, and is primarily calculated on the increase in footprint created as a result of the development. In this case CIL is liable for the development because the proposal involves the creation of new dwellings. The CIL charge applied to new residential development in this case is £150 per square metre of additional floorspace.

## **7.0 CONCLUSION**

- 7.1 The proposal is in accordance with the relevant development plan policies and national planning policy. The proposal would not cause material harm to the overall character and appearance of the surrounding area. The proposal is also considered acceptable in terms of the impact upon the amenities of neighbouring occupiers and it would not be prejudicial to highway safety.

## **8.0 RECOMMENDATION**

- 8.1 **To grant planning permission, subject to the following conditions:**

- 1. Commencement within three years - full planning permission.**
- 2. Development to be implemented in accordance with the approved plans.**

3. A schedule of all external materials to be agreed in writing by the council.
4. Parking, access and manoeuvring areas to be provided as on plan. All areas of hardstanding to be of SUDS-compliant construction.
5. Vision splays to be provided as on plan.
6. A contaminated land phased assessment to be submitted and agreed by the council.
7. Withdrawal of permitted development rights for extensions, roof extensions and outbuildings (Part 1 Class A, B and E).
8. Obscure glazing to be applied to side facing window at the south-east elevation, where below 1.7m from the finished floor level in the bedroom.
9. Tree Protection details to be agreed in writing by the council.
10. Landscaping details, including boundary treatments, planting and hardstanding, to be agreed in writing by the council.

**Author:** Simon Kitson

**Email:** [Planning@southoxon.gov.uk](mailto:Planning@southoxon.gov.uk)

**Tel No:** 01235 422600

This page is intentionally left blank