

APPLICATION NO.	P17/S3387/HH
APPLICATION TYPE	HOUSEHOLDER
REGISTERED	20.9.2017
PARISH	Henley-on-Thames
WARD MEMBERS	Stefan Gawrysiak Lorraine Hillier Joan Bland
APPLICANT	Mr Alex Mull
SITE	28 Niagara Road, Henley-on-Thames, RG9 1EB
PROPOSAL	Variation of condition 2 on application ref. P16/S2534/HH - proposed elevation to be changed to accommodate flat roof structure.
OFFICER	Erection of single storey rear extension & addition of render finish to existing dwelling (as informed by applicant's letter received 24/10/2017). Edward Church

1.0 **INTRODUCTION**

1.1 This application is referred to the Planning Committee at the request of local Ward Member Councillor Stefan Gawrysiak. Officers recommend this application for approval.

1.2 The application site is located in the south east of Henley-on-Thames (shown on the OS extract **attached** as Appendix A). The application site does not reside within any designated land where planning restrictions apply.

2.0 **PROPOSAL**

2.1 This application seeks to vary condition 2 (approved plans) of planning permission P16/S2534/HH, so to supersede drawing 18316-04B with drawing 18316-11.

2.2 The elevation plan approved as part of P16/S2534/HH showed the height of the rear extension being 2.7 metres above the site ground level. The extension has been implemented at a height of 3.0 metres above the site ground level, 0.3 metres taller than approved – which is illustrated in the plan now proposed.

2.3 A copy of the application plans (which include details of the permitted scheme) are **attached** as Appendix B. All documentation associated with the application can be accessed on our website www.southoxon.gov.uk.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

- 3.1
- Henley-on-Thames Town Council - Object, overbearing
 - Neighbour (27 Niagara Road) - Supporter, no harm
 - Applicant (28 Niagara Road) - Supporter
 - Neighbour (6 Abrahams Road) – Object, loss of light to 29 Niaraga Road
 - Neighbour (29 Niagara Road) – Object, inaccurate plans, loss of light

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P16/S2534/HH](#) - Approved (29/09/2016)

Erection of single storey rear extension and addition of render finish to existing dwelling (amended footprint set back from boundary, amended plans received 12/09/2016).

5.0 **POLICY & GUIDANCE**

5.1 South Oxfordshire Core Strategy (SOCS) Policies:

- CS1 - Presumption in favour of sustainable development
- CSQ3 - Design
- CSS1 - The Overall Strategy

5.2 South Oxfordshire Local Plan 2011 (SOLP 2011) policies:

- D1 - Principles of good design
- G2 - Protect district from adverse development
- H13 - Extension to dwelling

5.3 Henley and Harpsden Neighbourhood Plan

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 Officers are of the opinion that the visual impact of the application proposal is not materially different from the approved scheme and, considering the unobtrusive location of the single storey extension to the rear of the dwelling, does not justify refusal of planning permission on this basis. The footprint of the extension is unchanged.

6.2 As such, the main consideration when making a determination on this application is:

- Whether the variation of condition 2 of the original permission, to allow for the retention of the taller extension as implemented, would have a material impact on the amenity of the occupants residing at 29 Niagara Road.

6.3 **Neighbouring Amenity Considerations**

Under application P16/S2534/HH, a staggered single storey rear extension was approved, with a projection of 3 metres closest to the boundary with 29 Niagara Road and 5 metres elsewhere. The main roof of the approved extension had a height of 2.7 metres above the site ground level, with smaller rooflights projecting upwards to a height of 2.9 metres. As implemented, the rear extension has been constructed to a height of 3 metres above site ground level; 0.3 metres in excess of the permitted height with no rooflights.

6.4 In assessing the impact of the constructed extension on the amenity of 29 Niagara Road, specifically on daylight and sunlight, I have considered the industry standard “45 degree rule” from the Building Research Establishment (BRE). This test concludes that if an extension does not interact with a 45 degree line drawn from the centre of the window, in both the horizontal and vertical planes, then an unacceptable loss of light is unlikely.

6.5 I visited 29 Niagara Road and measured the height and proximity of the constructed extension relative to the kitchen window, closest to the boundary. I have also measured the size of the window, excluding the frame. Using these measurements, I have

undertaken the BRE 45 degree rule test. The constructed extension does not interact with a 45 degree line drawn from the centre of the window in the vertical plane, indicating that there is not an unacceptable loss of light to the kitchen of 29 Niagara Road (Figure 1). In this assessment, I have not taken account of the obscure glazed door also serving the kitchen which also allows light to enter the room. As such, I conclude that extension as constructed is acceptable, not having material impact on the amount of light entering the kitchen of 29 Niagara Road.

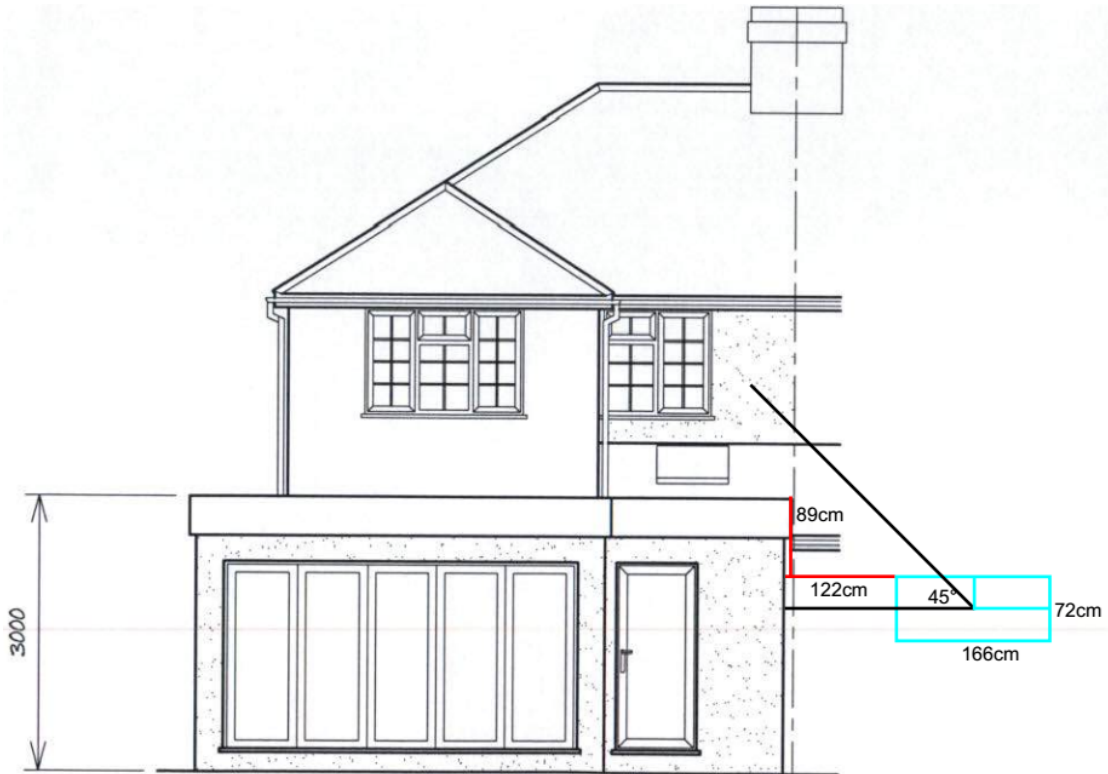


Figure 1 – Accurate representation of neighbouring kitchen window closest to constructed extension showing 45 degree angle from centre of window.

- 6.6 Under permitted development, an extension with a rear projection of 3 metres and a height of 4 metres above the site ground level, with eaves at 3 metres, could be constructed without planning permission. Having consideration for these permitted development rights, I consider that the constructed extension, closest to the boundary, is not having a material impact on the outlook of 29 Niagara Road.
- 6.7 Overall, officers consider that the impacts of the constructed extension on neighbouring amenity do not justify the refusal of planning permission.
- 6.8 **Community Infrastructure Levy (CIL)**
The proposed development is not liable to pay any CIL as the net increase in residential floor space does not exceed 100m².
- 7.0 **CONCLUSION**
- 7.1 The application proposal is in accordance with relevant development plan policies and national planning policy, as it is considered that, subject to conditions, the proposal is in keeping with the character and appearance of the site and surrounding area, and does not have a material impact on neighbouring amenity.

8.0 **RECOMMENDATION**

To grant planning permission subject to the following condition:

- 1. Development to be in accordance with the approved plans.**

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