

APPLICATION NO.	P17/S3570/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	10.10.2017
PARISH	HENLEY-ON-THAMES
WARD MEMBERS	Stefan Gawrysiak Lorraine Hillier Joan Bland
APPLICANT	Mr & Mrs D Burrows
SITE	Hurst Green Lane HENLEY-ON-THAMES, RG9 1LS
PROPOSAL	Demolition of existing dwelling and erection of 4 new dwellings with integral garages and provision of new accesses (as amended by revised plans received 2nd November 2017, altering the proposed access onto Green Lane. Further revised plans received 1st December 2017, removing the garage in plot 4)
OFFICER	Simon Kitson

1.0 **INTRODUCTION**

1.1 This application is referred to the planning committee as the officers' recommendation of approval conflicts with the views of Henley Town Council.

1.2 The application site (which is shown on the OS extract and aerial photograph **attached** at Appendix A) contains a historic, detached dwelling set in a generous plot measuring approximately 0.23 ha within the built-up confines of Henley. The site is located at the junction between St Andrews Road and Green Lane and is currently served by a single access point. The surrounding built form comprises a mixture of larger, bespoke properties to the north and more contiguous lines of housing development to the south.

1.3 The site does not fall within a designated area and there are no Tree Preservation Orders (TPOs) within the locality.

2.0 **PROPOSAL**

2.1 As detailed in the application submission, consent is sought for the demolition of the existing dwelling and the erection of 4 detached properties with private amenity spaces and new access points.

2.2 The proposed site plans, elevations and floor plans are **attached** as Appendix B. All associated documents and consultation responses 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 – Objection

- Refusal on the grounds of over development. Henley Town Council would be more likely to approve 3 houses not 4.

The Henley Society – Objection

- The proposal involves the demolition of a house with distinctive character; it would be an over-development of the site, resulting in very small gardens in relation to surrounding properties, and it would involve the loss of trees, hedging and biodiversity in conflict with Policy C6 of the Local Plan 2011.

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

- The proposal is unlikely to have a significant adverse impact on the highway network.
- Conditions should be imposed in relation to the garage accommodation, vision splay protection, access arrangements

Countryside Officer(South Oxfordshire & Vale of White Horse) - No strong views

Forestry Officer (South Oxfordshire District Council) - No strong views, subject to tree protection condition

Waste Management Officer (District Council) - No strong views

Neighbour Objections (20)

Key issues raised:

- Overdevelopment of the site due to cramped appearance and poor relationship with the street scene. 3 houses would be more acceptable here.
- The loss of hedging, the design of the houses and the building line relative to both highways would materially harm the character of the area
- Adverse highway impacts associated with level of parking provision and formation of additional access points onto St Andrews Road. The road is extremely busy at peak travel times and none of the amendments have addressed these issues satisfactorily.
- Neighbour impact, due to proximity of proposed houses to the neighbouring dwellings and gardens. There would be an unacceptable loss of light, outlook and privacy.
- Issues associated with construction activity. If permission is granted, it should be subject to conditions over construction hours.
- Questions raised over potential tree preservation orders on boundary trees

4.0 **RELEVANT PLANNING HISTORY**

4.1 None relevant to current proposal.

5.0 **POLICY & GUIDANCE**

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

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

CSH1 - Amount and distribution of housing

CSQ3 - Design

CSS1 - The Overall Strategy

5.3 South Oxfordshire Local Plan 2011 (SOLP) policies;

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
- G2 - Protect district from adverse development
- 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

5.4 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:

- Whether the principle of the development is acceptable
- Whether the design, height, scale and materials would impact adversely upon the character of the site, the street scene and the wider area;
- Whether the ecological and landscape impact is unacceptable;
- Whether there would be a harmful impact upon neighbouring amenity, in terms of light, outlook and privacy
- Whether the proposal would be prejudicial to highway safety

Principle of development

6.2 Whilst the existing dwelling has some distinctive architectural features and detailing, officers accept that it is not of sufficient architectural or historic interest to be worthy of listing and it is not protected by conservation area or other legislation. Subject to an acceptable ecological impact, officers do not object to its demolition and replacement.

6.3 As the proposal falls within the built-up limits of Henley, the principle of this type of redevelopment is established by SOCS Policy CSHEN1 and the JHHNP, which has been adopted and carries full weight in the assessment of this application. The SOCS allows for housing on 'suitable infill and redevelopment sites', subject to compliance with other Development Plan policies; and the JHHNP emphasises the importance of intensifying existing land uses within sustainable locations. Officers are satisfied that the proposed development complies with the relevant criteria.

Scale and design

6.4 The submitted site plan (3321-251F) demonstrates that a plot of this size can accommodate four dwellings and comfortably meet the minimum residential amenity standards set out under Section 7 of the SODG 2016. The proposal is well below the council's recommended minimum density of 25 dwellings per hectare and the garden areas for each dwelling would far exceed the recommended 100sq.m. The depth of each garden would exceed 10m and there would be a reasonable distance between each property and its neighbours.

6.5 As each dwelling would also benefit from two off-street parking spaces in accordance with the council's maximum standards set out under Appendix 5 to the SOLP, officers consider that the site can comfortably accommodate this scale of development.

- 6.6 In considering whether this proposal comprises an overdevelopment of the site, it is also necessary to consider the relationship of the scheme to the surrounding pattern of development, as required by SOLP Policies D1 and D3, and DSQ1 of the JHNP. Whilst it is accepted that the existing dwelling and the properties immediately to the north and west occupy more substantial plots than what is now proposed, the grain of housing to the south and east of the site is generally more rigid, with tighter boundaries, closer proximity between dwellings and generally smaller garden areas. The proposal in its current form would broadly respect the overall building line along the length of St Andrews Road and the spacing is not at variance with many other properties within the locality. Whilst it is acknowledged that three dwellings might be more acceptable to the Town Council and the neighbours, officers consider that the erection of four, appropriately detailed properties would not constitute an overdevelopment within the context of the site and the wider townscape.
- 6.7 With regard to the impact upon the street scene, it is noted that the proposal would retain a significant portion of the attractive hedging and trees at the perimeter of the site, supplemented by infill planting at the existing access point. The corner dwelling in plot 4 has been designed so that it would address both highways and it would be positioned so that it would retain a generous setback from Green Lane. The detached garage initially proposed within this plot has been removed following concerns raised over its prominent position at the site frontage. Officers accept that the proposal would maintain the verdant character of the corner plot at the junction.
- 6.8 In terms of the detailing, it is noted that the dwellings along Green Lane and the eastern end of St Andrews Road are highly varied in terms of heights, form and materials. The diversity of built form contributes significantly to the attractive character of this part of Henley. The submitted elevations show dwellings which have taken cues from the traditional local vernacular and the submitted street view demonstrates that there would also be enough differences in the detail at each elevation to ensure that this would not create a homogenous form of housing development. As the proposal would also retain a significant proportion of the attractive green frontage, officers are satisfied that there would not be an adverse visual impact upon the overall character of the area.

Landscape and ecological Impact

- 6.9 The council's ecologist considers that the habitats on site are not considered to be a constraint to the application. The supporting ecological information has concluded that the existing structure is not being used by bats for roosting. Officers have no reason to challenge this assessment.
- 6.10 With regard to the arboricultural impact, officers note that the trees growing within and on the adjacent land are not protected by a tree preservation order or a conservation area. However, the row of mature Pine trees growing adjacent to the northern boundary in the neighbouring garden (Treetops) are a significant feature of the area contributing to the landscape character of the street scene. The council's forestry officer accepts that the proposed development could be constructed without damaging the treescape, provided that suitable tree protection measures are taken. These can be appropriately secured as a condition of consent if the committee is minded to approve the application.

Neighbouring amenity

- 6.11 It is noted that neighbour objections to the scheme have been received. The properties to the front and sides of the development site were visited over the course of the application. Whilst it is acknowledged that the proposed dwellings would be highly

visible from a number of the neighbouring properties, particularly no. 92 St Andrews Road and Treetops, Green Lane, it is well established that the impact of a proposal upon private views is not a material planning consideration. Both properties have substantial garden areas and the owners would continue to benefit from a generous outlook. In assessing the severity of neighbour impact, the council can only take into consideration material losses of light, outlook or privacy in line with the criteria set out within the Council's adopted design guidance (SODG, Section 7) and expressed under SOLP Policies H4 And D4.

- 6.12 It is highly likely that the proposal would comply with the Building Research Establishment (BRE) guidance of planning for daylight and sunlight, having regard to the orientation of the site, the distances to the nearest dwellings and the lack of direct impact upon any sole window openings serving primary living accommodation. Whilst it is accepted that there may be some filtered views of the neighbouring gardens from the first floor accommodation of the dwellings in plots 1 and 2, this is a normal relationship within this type of urban environment and the proposal is not at odds with the council's adopted design standards.
- 6.13 For the avoidance of doubt, the distance between the front elevation of the proposed dwellings and the properties opposite would be well in excess of the 10m recommended within Section 7 of the SODG. The distance from the rear of the dwelling in plot 4 and the side elevation of Treetops would be in excess of the recommended 12m. The garden depths of the proposed dwellings and their respective rear boundaries would exceed 10m and there would be no directly facing first floor habitable rooms within the recommended 25m separating distance.
- 6.14 On the basis that permitted development rights restrict additional clear glazed first floor window openings at the side elevations and the council would retain control over any additional extensions as a condition of consent, officers consider that the proposal would not materially harm the amenity of the neighbouring properties.

Highway Impact

- 6.15 Whilst it is acknowledged that a number of respondents to the consultation raise objection to the proposed accesses, the council sought expert and objective advice from the Local Highway Authority (LHA) over the parking and access arrangements. The LHA do not raise objection to any aspect of the amended scheme provided that a number of conditions are imposed.
- 6.16 Each dwelling would benefit from adequate parking provision in accordance with the standards set out under Appendix 5 to the SOLP. Officers accept the LHA's conclusions over the suitability of the proposed new accesses and the necessity of the closure of the existing access point at the junction. If the committee are minded to approve the application, it is recommended that construction traffic management details should be submitted and agreed by the council prior to the commencement of development.

Community Infrastructure Levy (CIL)

- 6.17 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 proposed development would make more efficient use of residential land within a sustainable location, close to the town centre and officers consider that the proposal to redevelop the site to accommodate four detached properties would not cause material harm to the character and appearance of the site, the street scene or the wider area. The proposal is also acceptable in terms of its impact upon the amenities of neighbouring occupiers and it would not be prejudicial to highway safety.

8.0 RECOMMENDATION

8.1 **That Planning Permission be granted, subject to the following conditions:**

1. **The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.**
2. **That the development hereby approved shall be carried out in accordance with the details shown on the following approved plans, except as controlled or modified by conditions of this permission.**
3. **Prior to the commencement of the development hereby approved, a schedule of all materials to be used in the external construction and finishes of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority.**
4. **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order), the enlargement, improvement or other alteration of any dwellinghouse as described in Schedule 2, Part 1, Class A of the Order shall not be undertaken without obtaining planning permission for the Local Planning Authority.**
5. **The landscaping and planting measures set out within the submitted site plan shall be implemented prior to the first occupation of the dwellings hereby approved. All boundary trees and areas of hedging not scheduled for removal shall be protected throughout the course of the development and retained thereafter.**
6. **Prior to the commencement of any site works or operations relating to the development (including demolition and site clearance) hereby permitted, an arboricultural method statement to ensure the satisfactory protection of retained trees during the construction period shall be submitted to and approved in writing by the Local Planning Authority. Written approval must be obtained prior to commencement of any site works including demolition.**
7. **Prior to occupation of the development hereby permitted the proposed means of access onto St Andrews Road and Green Lane is to be formed and laid out and constructed strictly in accordance with the local highway authority's specifications and all ancillary works specified shall be undertaken.**

8. The development hereby permitted shall not be brought into use until the existing access onto the junction of St Andrews Road and Green Lane is permanently and effectively closed in accordance with a scheme to be first submitted to and approved in writing by the Local Planning Authority.
9. The vision splays shown on drawing no.3321/250, Rev E, shall not be obstructed by any object, structure, planting or other material with a height exceeding or growing above 0.9 metres as measured from carriageway level.
10. Prior to the first occupation of the development hereby approved, the parking and turning areas shall be provided in accordance with drawing no.3321/251, Rev F, and shall be constructed, laid out, surfaced, drained and completed to be compliant with sustainable drainage (SuDS) principles, and shall be retained unobstructed except for the parking of vehicles associated with the development at all times.
11. The garage accommodation hereby approved shall be retained as such and shall not be adapted for living purposes without the prior written permission of the Local Planning Authority.

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