

APPLICATION NO.	P18/S0250/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	7.2.2018
PARISH	HENLEY-ON-THAMES
WARD MEMBERS	Stefan Gawrysiak, Lorraine Hillier & Joan Bland
APPLICANT	Mr P Springett
SITE	Land to rear of Northfield House, 11 Northfield End, Henley-on-Thames, RG9 2JG
PROPOSAL	Erection of a pair of two bedroom houses with associated parking and amenity space provision (As amended by plans 2018_05_14 to reduce height of dwellings, move dwellings marginally northward, half hip the rear gable and obscure glaze windows).
OFFICER	Marc Pullen

1.0 **INTRODUCTION**

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

1.2 The application site (which is shown on the OS extract **attached** as Appendix A) forms part of the curtilage of the grade II listed Northfield House. The site is currently accessed off Kings Road and shares an access with the recently approved five apartments contained within Northfield House. The site lies within the Henley Main Conservation Area.

2.0 **PROPOSAL**

2.1 This application seeks planning permission to erect two new dwellings to the rear of Northfield House. The proposed development would introduce two 2-bed dwellings with private amenity space and off-street parking.

2.2 Amendments have been sought during the process of this application which required the height of the building to be reduced and to reduce the impact upon neighbours by obscure glazing certain windows and reducing the overbearing presence of the building upon the north-east (rear) boundary wall.

2.3 Northfield House has been subject to a number of planning applications. The most recent of these applications sought to convert the building into five flats (ref. P17/S3844/FUL). This application was granted and appears to have been implemented, including the new access off Kings Road. Historically planning permission has been granted on the current application site for a single storey garage building to serve Northfield House (ref. P12/S2992/FUL).

2.4 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**

- Propose refusal on grounds of un-neighbourly due to maintenance issue at the back of the properties with little space to access property from own land and safety of working in narrow area. The sub station proximity is also a concern as

it requires ventilation but the proposed properties are deemed to be too close to accommodate this need

- Unanimously recommend refusal due to overdevelopment and excessive height of the ridge of the building

Conservation Officer (SODC) - No strong views

- The submitted scheme represents the largest massing of new development possible to the rear of the listed building without compromising its setting and higher status on the site
- The proposed ancillary structure that has a relationship with the character of Northfield House, rather than neighbouring streets, is acceptable here and the views of the simple roof structure over the brick boundary walls is an appropriate contribution to the street scene and conservation area

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

- After investigation and reviewing the supplied documents, the local highway authority has no objection subject to condition(s) being applied to any permission which may be granted on the basis of highway safety, parking and construction process

Health & Housing - Contaminated Land (SODC) - No strong views

- Based on the information submitted there does not appear to be any potential sources of contaminated land that could impact the development site

Forestry Officer (SODC) - No strong views

- No objection subject to a condition requiring the protection of a Norway Maple tree

The Henley Society - Object

- There appears to be insufficient parking space for all occupants of Northfield House plus the proposed new houses. There would also be an impact on the street scene: if permission is granted the Henley Society recommends a condition that at least two substantial trees should be planted
- Previous objections still apply despite amendments i.e. inadequate parking spaces for residents of the apartments in Northfield House (and their visitors) and cramped living and outdoor space for residents of the proposed houses.

County Archaeological Services (SODC) -

- The site is located within an area of archaeological potential close to the line of the projected routes of the Roman Road from Dorchester
- A substantial Roman building and occupation surface was recorded during excavation on Bell Street 200m south of the site (PRN 16736). It is therefore possible that further Roman settlement evidence could survive in the area
- Should planning permission be granted, the applicant should be responsible for ensuring the implementation of an archaeological monitoring and recording action (watching brief) to be maintained during the period of construction

Environment Protection Team – Noise (SODC) - No objection

- Conditions requested to ensure that appropriate provision is made for the control of noise and dust emanating from the site, so as to not cause undue disturbance to the occupants of nearby residential properties

Neighbours - Object (10)

- The proposal to install obscure glazing to the first-floor window in the south elevation directly overlooking our house and garden reduces the intrusion, but will not eliminate it unless the window cannot be opened
- The proposed reduction of 300mm in the height of the property is welcome but is insignificant in terms of its impact on neighbouring properties
- Previous planning history on this site (P12/S2992FUL and P16/S0359FUL) has shown major concern to avoid overbearing impact on neighbouring properties, with a height restriction imposed much lower than in the current proposal
- Proposed development would result in loss of daylight and sunlight for neighbours
- Previous permissions on the site were given for a smaller garage building (4.5 metres in height) – the proposed new building is much larger (6.4 metres in height) height of the garage building was previously reduced to avoid a bulky outbuilding which would be prominent in the street scene
- Windows would overlook neighbours and cause harm to privacy
- The proposed dwellings are much higher than the approved garage buildings and closer to the boundary - would increase harm on neighbours
- Distance from the boundary wall will result in significant difficulties for maintenance of the sub-station (1 metre required)
- The very large increase in height and mass will give a much more significant and harmful presence on the site than that which was avoided in 2012/3 – the development would be invasive
- The current scheme seeks to erect a building that the District Council and the Town Council specifically decided during the course of the previous planning applications and the pre-application advice was too tall, bulky and excessive for the site
- Increase of cars would increase pollution, congestion and risk of accident on dangerous roundabout
- Rooflights and obscure fixed glazing would not meet Building Regulation requirements
- The four rooflights to the rear of the building would overlook neighbours
- Side facing windows would harm the privacy of neighbours living on opposite side of Kings Road
- This new build property will obscure this historic street scene therefore neither preserves nor enhances the character of the Conservation Area
- Proposal will not be in keeping with the surrounding housing and makes for an unsympathetic and confusing street scene
- Development is cramped
- Amendments are very minimal and do not address concern of height and scale
- New dwelling(s) should be subservient to 98 Kings Road

4.0 RELEVANT PLANNING HISTORY

4.1 [P17/S3959/LB](#) - Approved (20/12/2017)

Proposed internal alterations at first floor level to facilitate the creation of 1 x three bed flat rather than 2 x two bed flats as approved by LBC granted under application P16/S4235/LB on 24th May 2017

[P17/S3844/FUL](#) - Approved (20/12/2017)

Variation of condition 2 of planning permission P16/S4234/FUL to facilitate the creation of one x 3 bed flat at first floor level instead of two x 2 bed flats as approved. Replace drwgno 1107.PL.004d with 1107.GA.003F.

Change of use from office to six two bedroom flats, associated internal alterations, minor side extension and two new rear windows.

[P16/S4235/LB](#) & [P16/S4234/FUL](#) - Approved (24/05/2017)

Change of use from office to six two-bedroom flats, associated internal alterations, minor side extension and two new rear windows. (As amended by block plan received 2017_01_24) (Amended further by plans received 2017_04_24 to alter the internal floors)

[P16/S0360/LB](#) & [P16/S0359/FUL](#) - Approved (29/06/2016)

Change of use from office to single dwelling house incorporating external alterations and erection of garages with garden store and alterations to boundary wall to form new vehicular access. (As amended by plans ref. 1107.SU.007a, 1107.PL.010 and 1107.PL.008 to amend size of garage).

[P12/S2992/FUL](#) & [P12/S2993/LB](#) - Approved (05/04/2013)

Internal and external alterations to form single dwelling house. Erection of garages with home office, garden store and hobbies room. Alterations to boundary wall and vehicular access. (As amended by drawing 4D accompanying agent's email dated 8th February 2013 and drawing 3C accompanying agent's letter dated 21st February 2013).

5.0 **POLICY & GUIDANCE**

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

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

CS1 - Presumption in favour of sustainable development
CSEN3 - Historic environment
CSHEN1 - The Strategy for Henley-on-Thames
CSQ3 - Design
CSS1 - The Overall Strategy

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

C9 - Loss of landscape features
CON5 - Setting of listed building
CON7 - Proposals in a conservation area
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 **Joint Henley and Harpsden Neighbourhood Plan**

H4 – Infill and self build dwellings
DQS1 – Local character

5.5 **South Oxfordshire Design Guide 2016**

6.0 **PLANNING CONSIDERATIONS**

- 6.1
- Principle of development
 - Impact on character and appearance
 - Impact on conservation area and setting of listed building
 - Impact on neighbour amenity
 - Parking implications and impact on highway

- Impact on protected tree
- Archaeology
- Other matters

Principle of development

- 6.2 The application site lies within Henley-on-Thames town. Proposals for new housing in Henley-on-Thames are largely governed by policies H4 of the Henley and Harpsden Neighbourhood Plan (HHNP) and CSHEN1 of the South Oxfordshire Core Strategy (SOCS). Policy CSHEN1 of the SOCS allows for new housing in Henley-on-Thames on suitable infill sites. The definition of infill is set out within the SOCS as the filling of a small gap in an otherwise built-up frontage or on other sites within the settlement of villages where the site is closely surrounded by other buildings. The SOCS does not restrict the size of new residential sites within Henley-on-Thames.
- 6.3 Further to this, policy H4 of the South Oxfordshire Local Plan (SOLP) supports residential development within the built-up limits of the four main towns of the District. Policy H4 of the Joint Henley and Harpsden Neighbourhood Plan (JHHNP) also supports the delivery of infill residential development where it constitutes sustainable development.
- 6.4 The application site lies within close-proximity to other built form and would infill a small gap in an otherwise built-up frontage along Kings Road. As such I am satisfied that the principle of residential development on this site can be accepted. However, a full assessment of the proposed development should be carried out in order to establish whether it appropriately meets the requirements of the above-mentioned policies.

Impact on character and appearance

- 6.5 The National Planning Policy Framework (NPPF) confirms a presumption in favour of sustainable residential development, but also confirms a requirement for good design. The National Planning Practice Guidance (NPPG) elaborates on the NPPF, stating that new development should look to respond appropriately to the existing layout of buildings, streets and spaces [...] there may be an existing prevailing layout that development should respond to and potentially improve (paragraph 24).
- 6.6 Policy CSQ3 of the SOCS and policies D1 and G2 of the SOLP seek to ensure that all new development is of a high-quality design which responds positively to and respects the character of the site and its surroundings, enhancing local distinctiveness and ensuring that new development is of a scale, type and density appropriate to the site and its setting. Policy H4 of the SOLP seeks to ensure that all new residential development is of a design, height, scale and appearance that is in keeping with its surroundings and that the character of an area is not adversely affected by the proposal. Similar aims are expressed within the JHHNP.
- 6.7 The built form of this local area is largely linear along either side of Kings Road and Ravenscroft Road. Properties front onto these roads with simple frontages which ordinarily include off street parking and soft frontages. These properties have a clear and uninterrupted appearance, often with repetitive design features.
- 6.8 The proposed dwellings have been designed to achieve a subservience in design and scale to Northfield House. Rather than trying to copy the character and appearance of the majority of the properties along Kings Road, this application seeks to implement a smaller form of development, more in keeping with the scale of 98 Kings Road, an existing bungalow to the south of the site. The development has been designed so as

to demonstrate an ancillary character and appearance to Northfield House, adopting a 'coach house'-like appearance. The design is somewhat similar to that of the previously approved garage building (application ref. P12/S2992/FUL) but taller.

- 6.9 The development would be taller than the previously approved garage building (application ref. P12/S2992/FUL) in order to facilitate the accommodation of two residential units. The proposed height of the development would be no taller than neighbouring 98 Kings Road, but would have a more noticeable impact on the street scene given its closer proximity to the road. When viewing the application site from Kings Road, there is a noticeable backdrop of neighbouring properties and ancillary buildings already. In officer's view, the presence of the proposed development would not result in an incongruous form of development here. The design has sought to integrate an active frontage along Kings Road so as to address the existing linear frontages along this road. The development is relatively simple in design, adopting similar design features and finishes to Northfield House. The use of external materials can be agreed via condition and this will ensure that the materials used best compliment and respond to the local context.
- 6.10 The proposed amenity spaces would measure approximately 50 square metres each, which would be in accordance with the suggested recommended amenity spaces set out within the South Oxfordshire Design Guide (50 square metres for 2-bedroom dwellings). The private amenity spaces are not considered to be materially different than other nearby properties, including those at Adam's Court. Parking would be provided in front of the properties on land previously used for parking for Northfield House.
- 6.11 Local residents have raised concerns that the proposed development is a lot taller than the previously approved garage building (application ref. P12/S2992/FUL) and have stated that efforts were previously made by the council to reduce the size of this garage building to ensure a more appropriately sized building. It is important to note however that the current application seeks to provide dwellings rather than a garage building. Both uses and associated character are materially different and therefore it is not necessarily appropriate to require the appearance and size of the two different types of development to be similar. An assessment of harm has been made having regard to the character of the area and the impact upon the street scene. It is officers' view that the proposed development would not result in material harm to the character and appearance of the area, including the conservation area, and would not result in an overbearing or negatively imposing built form in the context of the street scene.

Impact on conservation area and listed building

- 6.12 The application site forms part of the rearmost remaining land to Northfield House, a grade II* listed house within the Henley Main conservation area. The area is currently used for parking and permission to convert the house into 5 flats appears to have been implemented. The conservation officer raises no objections to the proposed development. It is considered that the submitted scheme represents the largest massing of new development possible to the rear of the listed building without compromising its setting and higher status on the site. The conservation officer considers that the proposed ancillary structure, that has a relationship with the character of Northfield House, rather than neighbouring streets, is acceptable here and that the views of the simple roof structure over the brick boundary walls would be an appropriate contribution to the street scene and conservation area.

Impact on neighbour amenity

- 6.13 Several residents have raised objections to the proposed development for reasons relating to harm to neighbour amenity. The principle area of concern relates to the first-floor windows along the north-east facing elevation which serves a bedroom. Revised drawings have been submitted which show this window to be obscure glazed. A condition to this effect would form part of a planning permission, which would also require this window to be fixed shut above an internal floor height of 1.7 metres to avoid any direct overlooking. Windows along the south-east elevation which would look towards neighbouring 98 Kings Road and 1 Ravenscroft Road, would also be conditioned to the same effect. The rooflights along the south-east elevation are approximately 1.4 metres from the internal floor level, this would possibly allow views out of these windows to neighbours and therefore, a condition which would require these rooflights to be moved higher on the roof slope to 1.7 metres above internal floor level is considered necessary. Through discussions with the agent of this application, this is considered reasonable and achievable. The west facing windows which face towards Kings Road are not considered to be harmful to the amenity of neighbours living on the opposite side of Kings Road as these windows would be in excess of 22 metres away from these properties. Officers consider this distance to be sufficient to ensure the privacy of those properties in question is not adversely compromised.
- 6.14 It is officers' view that the proposed development, following revisions to the height and siting of the building, would not result in any adverse overbearing harm to the immediate neighbours. The neighbour who would be impacted upon the most is 98 Kings Road, who would share a boundary to the proposed dwellings. When standing in this neighbour's front parking area the proposed development would be evident. To a lesser effect, the appearance and physical presence of the proposed development would also be noticeable from this neighbour's two forward facing windows; which serve a study room and a staircase/lobby. The very fact that this development would be physically present from this neighbour's side of the boundary wall does not in itself suggest that this development would be harmful. In fact, the neighbour's parking area is not an area of their property which can be immediately considered as a valued amenity space to serve the needs of these neighbours other than for the purpose of vehicular movement and parking. This neighbour has a rear garden area which would principally serve their private amenity needs. Regardless, this parking area is already overlooked by neighbours along Ravenscroft Road and impeded by their height and dominance. In officers' view, the proposed development would not result in any significant harm upon the habitable rooms which have a forward-facing window. The neighbour's study would not be rendered unusable or any less enjoyable as a result of the proposed development as, in officer's view, the privacy and access to daylight and sunlight would not be adversely impeded.
- 6.15 To a lesser effect, officers consider that the proposed development would have some impact upon the garden area of neighbouring 1 Ravenscroft Road. This garden is, however, already constrained by a tall boundary wall. Views above the wall are already partially impeded upon by the roof lines of 98 Kings Road and the sub-station/garage building pertaining to 98 Kings Road. Officers are satisfied that the proposed development would not result in any significant adverse or harmful impact upon the enjoyment of this neighbour's garden area. In fact, both the impact upon 98 Kings Road and 1 Ravenscroft Road would be largely off-set by the presence of the existing sub-station/garage building. Given the orientation of the rear facing elevation and garden area of 1 Ravenscroft Road and the principal elevation of 98 Kings Road, the proposed development would unlikely result in any significant loss of daylight or sunlight during the day.

Parking implications and impact on highway

- 6.16 The local highways authority raises no objection to the proposed development on highway grounds. The proposed development accommodates sufficient space for the parking of vehicles and adequate visibility onto Kings Road to safeguard pedestrian safety. Conditions are requested by the local highways authority to ensure the existing access is closed off appropriately, appropriate visibility splays are retained, the parking and manoeuvring spaces are retained, cycle facilities are provided and a construction traffic management plan is submitted. The new access has already been implemented as part of the approved scheme to convert Northfield House into 5 flats so therefore this condition is no longer necessary. The local highways authority request that a payment of £2,500 is made in order to amend the Traffic Regulation Order for the parking bays along Kings Road. This payment has previously been made to Oxfordshire County Council as a result of a previous planning application and as such is also no longer required.

Impact on protected tree

- 6.17 The Norway Maple on site is protected by a tree preservation order. The site is located within a conservation area. The council's forestry officer raises no objection to the proposed development, subject to a condition which requires the protection of the Norway Maple.

Archaeology

- 6.18 The archaeology officer at Oxfordshire County Council has been consulted on this application. The site is located within an area of archaeological potential close to the line of the projected routes of the Roman road from Dorchester. The actual line of his road is uncertain but there are two suggested routes through the Town. One passes immediately to the south west of the site and the other passes approximately 100m to the north. A substantial Roman building and occupation surface was recorded during excavation on Bell Street 200m south of the site (PRN 16736). It is therefore possible that further Roman settlement evidence could survive in the area. The archaeology officer therefore recommends that, should planning permission be granted, the applicant should be responsible for ensuring the implementation of an archaeological monitoring and recording action (watching brief) to be maintained during the period of construction. This can be ensured through conditions.

Other matters

- 6.19 The matters pertaining to the sub-station building are legal and civil matters which have to be addressed outside of the remit of planning control. The council's environmental health officer does not consider that the impact of this station on the new dwellings would be harmful.
- 6.20 A number of conditions have been suggested by the council's environmental health officer relating to the possible nuisance caused to neighbouring properties as a result of this development by means of dust and noise and hours of construction. However, it is officer's view that these conditions are not considered to be reasonably necessary or required to make the development acceptable. Development in residential areas are often implemented without the need for such conditions and I do not consider that in this situation, which is relatively small in scale, these conditions meet the tests of the NPPF (paragraph 206).

6.21 Community Infrastructure Levy (CIL) - The council's CIL charging schedule has been adopted and has applied to relevant proposals. The council's 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 would be liable for the development as there would be a net gain of new residential use on site. Should exemption be claimed then the necessary forms must be submitted prior to commencement of the development and a Commencement Notice must be received by the Charging/Collecting Authority prior to the date of commencement of the development. The applicant will otherwise be liable for the full levy charge.

7.0 CONCLUSION

7.1 Planning permission should be granted. The proposed development accords with the relevant planning policy as set out within the South Oxfordshire District Council Development Plan and the National Planning Policy Framework. Accordingly, the proposed development is not considered to result in any adverse impact upon the character and appearance of the site and surrounding area, the historic assets to which this development would relate to, the amenity of neighbours, protected landscape features, the local highway network or possible archaeological remains.

8.0 RECOMMENDATION

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

1. **Commencement of development within three years of the date of this permission.**
2. **Development to be implemented in accordance with approved drawings.**
3. **A schedule of all materials to be used in the external construction of the development to be submitted for approval by the Local Planning Authority (LPA).**
4. **Notwithstanding the approved plans, the rooflights along the rear elevations should be implemented so that the cill heights are at least 1.7 metres when measured from internal floor height**
5. **Withdrawal of permitted development rights to extend, alter or extend the roof.**
6. **Withdrawal of permitted development rights for outbuildings.**
7. **Vision splays on new access to be implemented and left unobstructed above a height of 0.9 metres.**
8. **The parking and manoeuvring areas to be implemented and retained in accordance with the plans hereby approved.**
9. **Details of cycle parking provision to be submitted for approval by the LPA.**
10. **A construction traffic management plan shall be submitted for approval by the LPA.**
11. **Details of how the Norway Maple will be protected to be submitted for approval by the LPA.**
12. **An archaeological watching brief shall be implemented – details of which shall first be submitted for approval by the LPA.**
13. **Following approval of the archaeological watching brief, it should be carried out and the findings reported to the LPA for approval.**

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