

APPLICATION NO.	P18/S1051/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	27.3.2018
PARISH	HENLEY-ON-THAMES
WARD MEMBERS	Stefan Gawrysiak, Lorraine Hillier, Joan Bland
APPLICANT	Fairmile Properties
SITE	Corner House, Hop Gardens, Henley-on-Thames, RG9 2EH
PROPOSAL	Demolition of existing dwelling and erection of three apartments with associated parking and alterations to existing access
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) contains a detached two-storey dwelling with private amenity garden. The site is accessed off Hop Gardens and lies within the Henley Main Conservation Area.

2.0 **PROPOSAL**

2.1 This application seeks planning permission to demolish the existing dwelling and to replace the dwelling with a new building containing three apartments, with associated parking and shared amenity space.

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**

- Concerns regarding the safety and preservation of the listed wall
- Traffic congestion
- Overdevelopment of the site
- Apartments are too large
- Out of character of the area
- Highway concerns relating to dangerous corner

Conservation Officer (SODC) - No strong views

- No principle objection
- Although slightly wider than the approved replacement dwelling, the proposal is stylistically in-keeping with the arts and crafts character of the site context
- Although the proposals do not show any changes to the listed boundary wall, the proposed removal and replacement of trees must ensure that there will be no undermining or impact to the listed wall and its foundations
- The tree replacement and landscaping proposals are important to ensure that the character of the street scene and sylvan nature of this part of Henley-on-Thames is restored and appropriately managed in order to preserve the contribution the site makes to the character and appearance of the conservation area

- Appropriately worded informatives should be applied which ensure the tree planting scheme makes provision for the protection of the listed wall or there is a separate condition requiring the protection of the listed wall
- An advisory should also be attached to any decision that no works of alteration to the listed wall are approved by way of the grant of planning permission
- No change of view following amendments

Highways Liaison Officer (OCC) - No strong views

- No objections on behalf of Oxfordshire County Council, as Local Highway Authority, provided the recommended conditions are imposed upon any planning permission
- The proposal is unlikely to have a significant adverse impact on the highway network

Countryside Officer (SODC) - No strong views

- No objection on ecology grounds, subject to informative to require license to be obtained should bats be found during construction/demolition process
- No change of view following amendments

Forestry Officer (SODC) - No strong views

- No objections, the submitted tree protection information is acceptable
- If permission were to be granted for this development, a landscaping scheme should be attached to secure a more detailed and revised landscaping scheme
- The current proposal to plant four birch along the southern boundary is not suitable, a wider range of tree species is required, to include at least two longer lived species such as a Purple Dawyck Beech and Koster Oak
- Along the front of the site an evergreen hedge such as Yew is needed and at least four narrow canopied trees, such as liquidambar styraciflua 'slender silhouette'
- All planting along the southern boundary will need to incorporate a root barrier on the southern side of the trees to minimise the risk of long term root disturbance to the listed wall
- No change of view following amendments

SGN Plant Protection Team - No strong views

- Advice set out

The Henley Society - Object

- Would result in an overdevelopment of an attractive location within the conservation area and contributes to the setting of Friar Park
- It would also add to traffic and parking problems

Neighbour - Object (5)

- The application makes no reference to the fact that the site lies within the conservation area and contains no assessment of the capacity of the proposed scheme to enhance or improve the setting of the designated conservation area
- No reference is made to nearby listed buildings and the potential impact of development upon their significance
- Absence of this information is a flaw in the application submission and makes it difficult for the council to make a proper assessment of the impact of the development
- Development would be a disproportionate over-development of the site which is in clear conflict with the identified requirements of national policy guidance and objective 3 of the SOLP and policies CSEN3 and CSQ3 of the SOCS

- The car parking would be below the council's parking standards; 2 parking spaces per home
- It is inevitable that vehicle use and travel generation for this scale of development will far exceed the proposed 6 car parking spaces
- Development along the boundary to neighbouring Sylvan would be very oppressive right alongside the boundary
- There are four new windows proposed and new balconies which would overlook the garden of neighbouring Sylvan
- New access would be closer to an already difficult 3-way junction with Gravel Hill, West Street and Hop Gardens – road is a 'rat run' for drivers during peak times
- There is very rarely any space to park along Hop Gardens
- The designated parking space on a single yellow line immediately opposite the proposed new entrance would make it 'impossible' for cars to enter or leave the new properties in a safe manner
- Proposed parking spaces do not appear to meet guidelines and size of modern cars
- Parking arrangement leaves insufficient space for turning a car around
- The plan shows 4 new trees to the South of the property. In reality I wonder if they could ever be planted. They are very close to the existing Grade II listed wall
- Building flats would be contrary to character
- In winter the tall building will create shadows that will stretch over neighbouring Sylvan's plot
- There is no parking allowance made for visitors/guests
- Concerns regarding overlooking towards other neighbouring properties
- Substantial excavations for a significant size basement flat may disturb foundations of the Grade II listed wall

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P16/S3413/FUL](#) – Withdrawn prior to determination (03/11/2016)

Demolition of existing dwelling and erection of three apartments with associated parking and alterations to existing access.

[P16/S0040/FUL](#) - Approved (31/03/2016)

Demolition of existing dwelling and erection of replacement dwelling and garage (As amended by drawings accompanying Agents email dated 14/03/16 reducing bulk of southern elevation and clarified by arboricultural report from Agent received 16/03/16)

[P08/E0371/O](#) - Refused (02/06/2008)

Creation of two apartment blocks with a total of 9 apartments and relocation of vehicular access.

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

CSB1 - Conservation and improvement of biodiversity

CSEN3 - Historic environment

CSHEN1 - The Strategy for Henley-on-Thames

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
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 policies;**
H3 - Infill housing
D1 - Design
D1b - Design on allocated and infill sites
ENV2a and 2b - Green environment

5.5 **South Oxfordshire Design Guide 2016**

6.0 **PLANNING CONSIDERATIONS**

- 6.1 The main planning issues in respect of this planning application are:
- The principle of development
 - Impact on character and appearance of the area
 - Impact on conservation area and listed structures
 - Impact on amenity of neighbours
 - Impact on trees and protected species
 - Parking provision and highway implications
 - Other matters

Principle of development

- 6.2 The site lies within the built-up limits of Henley-on-Thames. In this location, the principle of new residential development is considered acceptable having regard to the Council's relevant housing policies. Policy H4 of the Joint Henley and Harpsden Neighbourhood Plan (JHHNP) supports new infill development where it can be demonstrated that the infill development constitutes sustainable development.

Impact on character and appearance

- 6.3 The National Planning Policy Framework (NPPF) confirms a requirement for good design. Paragraph 56 of the NPPF states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. 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.
- 6.4 Policy CSQ3 of the South Oxfordshire Core Strategy (SOCS) allows for new development that is of a high quality and inclusive design that 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. Policies D1 and G2 of the South Oxfordshire

Local Plan (SOLP) seek to protect the district from any adverse development and seek to support development that reinforces local distinctiveness and settlement types and their character. Policy H4, criteria (i) (ii) and (ii), of the SOLP requires development to be of a design, height, scale and appearance that responds with its surroundings; to be in keeping with the character of the area and not result in an important open space being lost.

- 6.5 The existing house is approximately 7.5 metres in height and approximately 11 metres in width with a further 4.3-metre-long garage to the side. The proposed development would replace the existing property with a new, larger building. The proposed development would be approximately 9 metres in height, 20 metres in length and 14.7 metres in width. There would be an appreciable increase in built form on site. However, the scale of the proposed development would be broadly similar to that of the proposed new dwelling, granted planning permission in respect of planning application ref. [P16/S0040/FUL](#).
- 6.6 Comparatively, the proposed scheme seeks to increase the scale of the addition to the north elevation from single storey (as approved) to two-storey. In addition, the proposed scheme now seeks to excavate to the rear to provide a basement level. This would reduce the overall built form to the rear of the building. Comparatively, it is not considered that the overall scale and massing would be significantly greater than the previously approved development.
- 6.7 It is accepted that the character of the site would change from single residency to a more intensified form of residential use. Whilst increased in density, this does not materially change the use of the site from the prevailing residential use. Indeed, there are a number of multiple use residential properties within close proximity to this site and primary objective HO3 of the JHHNP seeks to encourage the intensification of existing land where appropriate.
- 6.8 In officer's view, it is considered possible that the proposed development could be designed to use materials which are typical of the local palette of built form and that the scheme has been designed to incorporate and display features typical to the settlement. This would be achieved by condition. This would be in keeping with primary objective EO5 of the JHHNP which states that all new development should respond to local character, materials and colour palette. Furthermore, paragraph 5.12 of the JHHNP sets out that the strategy of the Plan is to, amongst other things, minimise environmental impact and protect, conserve and enhance these. This is translated into policy DQS1 of the JHHNP.
- 6.9 In light of this assessment therefore, officers do not find conflict with the character or appearance of the site and its surroundings.

Impact on conservation area and listed buildings

- 6.10 The conservation officer raises no in principle objection to the proposed replacement of Corner House. The proposal, although slightly wider than the approved replacement dwelling, is stylistically in-keeping with the Arts and Crafts character of the site context. The conservation officer does not consider that the scheme would be harmful to the character and appearance of the conservation area.
- 6.11 The southern boundary of the site is bounded by a grade II listed brick and flint wall. Although the proposals do not show any changes to the listed boundary wall, the proposed removal and replacement of trees must ensure that there will be no undermining or impact to the listed wall and its foundations. The recommendations of

the forestry officer on the proposed tree planting scheme should be followed. The tree replacement and landscaping proposals are important to ensure that the character of the street scene and sylvan nature of this part of Henley-on-Thames is restored and appropriately managed in order to preserve the contribution the site makes to the character and appearance of the conservation area. Appropriately worded conditions should be applied which ensure the tree planting scheme makes provision for the protection of the listed wall. An advisory should also be attached to any decision that no works of alteration to the listed wall are approved by way of the grant of planning permission. Advice should be sought from the local authority before any works of repair or alteration are made to the listed wall.

- 6.12 It is officer's view therefore that the proposed development accords with the development plan having regard to the historic setting and importance of the site. In addition, the proposed development would not obstruct or harm the important vistas towards the town centre. This accords with primary objective EO1 of the JHHNP which states that key views and the physical townscape of the town should be protected and enhanced.

Impact on neighbour amenity

- 6.13 The Council's policies and guidance seek to ensure that new dwellings are considerate to neighbours by way of ensuring that the development does not intrude upon a neighbour's privacy, does not overshadow, obstruct daylight or have an oppressive or overbearing impact, which would be harmful to the amenity of occupiers living in neighbouring properties.
- 6.14 In officer's view the proposed development would have a similar impact upon neighbouring Sylvan to the north than that of the previously approved scheme. The increase in height of the dwelling along the northern elevation would result in an increased level of impact to this neighbour. However, officers are satisfied that this increase in built form along the boundary would not result in any material worsening of the impact upon the amenity of the neighbouring occupants. The neighbour's south facing elevation is void of any openings and the neighbour's garage provides a buffer between the two buildings so as to mitigate against any possible overbearing harm. Officers do not consider that the proposed development would result in any adverse loss of daylight to this neighbour when compared to the previously approved development. The first-floor windows proposed along the north facing elevation, towards neighbouring Sylvan, will be obscure glazed via condition.
- 6.15 It is officer's view that the proposed development would not result in any adverse impact upon those occupants living to the east at 132 West Street.

Impact on trees and protected species

- 6.16 The council's forestry officer raises no objection to the proposed development. The submitted tree protection information is considered to be acceptable. If permission is granted, a landscaping condition should be attached to secure a more detailed and revised landscaping scheme. The current proposal to plant four birches along the southern boundary is not suitable, a wider range of tree species is required, to include at least two longer lived species. Along the front of the site an evergreen hedge such as Yew is needed and at least four narrow canopied trees. All planting along the southern boundary will need to incorporate a root barrier on the southern side of the trees to minimise the risk of long term root disturbance to the listed wall.

- 6.17 The council's countryside officer raises no objection on the basis of ecology. An informative is requested to address possible bats.

Parking provision and highway implications

- 6.18 In consultation with the local highways authority the council raises no objection to the proposed development on highway grounds. The proposal is unlikely to result in any significant adverse impact upon the highway network. The proposed development accommodates sufficient space for the parking of vehicles and adequate visibility to safeguard pedestrian safety. Conditions are requested to ensure parking and visibility splays are retained and that the new access and parking area are formed and laid out in accordance with highway standards. Details of cycle storage facilities and construction traffic management are also requested via condition.

Other matters

- 6.19 Gas/Mains Pipelines - SGN Plant Protection Team have commented on the application, identifying nearby SGN owned pipelines. The applicant should be aware of these pipelines during the construction process and the advice set out within the SGN Plant Protection Team consultation response.
- 6.20 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 principle of development is considered acceptable as the site appropriately meets the definition of infill development and the development is a sustainable form of development. Subject to the attached conditions the proposal would not be harmful to the character and appearance of the site and surrounding area, including the setting of listed structures, the amenity of neighbouring occupiers, the local highway or site-specific constraints.

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 approved in accordance with application plans.**
- 3. Sample materials to be submitted for approval prior to commencement of development.**
- 4. Details of all soft landscaping including hardstanding and boundary treatment to be submitted for approval prior to commencement of development.**
- 5. New vehicular access to be constructed/laid out in accordance with highway specifications.**
- 6. Vision splays onto Hop Gardens to be laid out in accordance with approved plans.**

7. Prior to occupation of the approved development vision splays of 2m by 2m shall be provided to each side of the pedestrian access.
8. Prior to occupation of the approved development the parking and turning areas should be provided in accordance with approved plans.
9. Cycle parking facilities shall be provided prior to the occupation of the development hereby approved.
10. A Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

Informatives:

1. Bat informative – should bats be encountered during construction work should cease immediately and advice should be sought by Natural England.
2. Listed wall - Any works which would undermine the structural stability of the listed wall are not approved by this permission. If any works to the listed wall are required then subsequent listed building consent should be obtained.

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