

APPLICATION NO.	P19/S4054/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	26.3.2020
PARISH	HENLEY-ON-THAMES
WARD MEMBERS	Ken Arlett, Kellie Hinton, Stefan Gawrysiak
APPLICANT	Mr John Gidman
SITE	52 & 54 Greys Road, Henley-on-Thames, RG9 1TF
PROPOSAL	Demolition of bungalow and garage and erection of two 2-bedroom houses and two 2-bedroom flats and provision of parking including additional parking at rear of No.54 (number of proposed units reduced from five to four and layout and design revised as shown on plans and supporting documents received 26th March 2020, drainage details received 1st April 2020 and reduction in ridge and eaves height and pitch and introduction of gable ends to Plots 1 & 2 as shown on amended plans received 2nd July 2020 and site area corrected to include rear of No.54 as shown on plans received 3rd November 2020).
OFFICER	Paul Lucas

1.0 INTRODUCTION AND PROPOSAL

- 1.1 Officers recommend that planning permission is granted. This report explains how officers have reached this conclusion. The application is referred to the Planning Committee due to being called-in by Councillor Ken Arlett.

- 1.2 The application site is identified at **Appendix A**. It is located at the junction of Greys Road and Deanfield Avenue, close to Henley Town Centre, some 250 metres to the southwest of Duke Street. The site comprises a residential plot containing a modest detached mid-20th century red brick and concrete tile bungalow. The site also comprises the rearmost part of No.54, which is a residential plot adjacent to No.52 to the south-west and comprises one half of a pair of red brick and tile semi-detached bungalows, set back from Greys Road on higher ground. The remainder of No.54 lies outside the application site but is within the ownership of the applicant. No.52 occupies the rear part of the site with its main garden area being to the northeast. The garden area almost has the appearance of an area of public open space within the street scene due to the open nature of this area and its prominence at the junction of Greys Road and Deanfield Avenue. No's 52 & 54 each have a parking space available in flat-roofed garages located to the rear of the site fronting onto a private vehicular access that is also used as a public right of way (Henley-on-Thames Footpath 6). The other garage space is owned by No.68 Greys Road and the appropriate notice has been served.

- 1.3 Similar pairs of semi-detached bungalows continue up the slope on that side of Greys Road. The opposite side of Greys Road is occupied by two-storey dwellings from around the turn of the 19th and 20th centuries, mostly arranged in terraces hard up against the pavement, with some semi-detached and detached properties. The site lies adjacent to the Henley – Main Conservation Area which passes from south-west to north east including the highway verge in front of the site and the properties on the opposite side of Greys Road. There is some more modern 2 & 3-storey housing located to the north-west of the site, opposite Henley College on Deanfield Road.

- 1.4 The application seeks full planning permission for the demolition of the existing bungalow and garages and erection of a two-storey building comprising two 2-bedroom houses and two 2-bedroom flats, as shown on the current set of plans and supporting documents. The application has been subject to several amendments. The site area was reduced to exclude No.54 (also within the applicant's ownership), reduce the number of proposed units from five to four, revise the layout and design, including most recently a reduction in ridge height and introduction of gable ends for Plots 1 & 2 and provide drainage details. The current plans can be found at **Appendix B**. Other documents can be viewed on the Council's [website](#).

2.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

- 2.1 Henley-on-Thames Town Council - Recommend refusal to the latest plans on the grounds previously raised: overdevelopment of the site, out of character, unneighbourly and lack of parking.

County Archaeological Services (SODC) – No archaeological constraints.

Countryside Officer (South Oxfordshire & Vale of White Horse) – No objection subject to Biodiversity Enhancement Plan pre-commencement condition.

Drainage - (South&Vale) – No objection.

Forestry Officer (South Oxfordshire District Council) – No objection subject to landscaping condition requiring submission of details.

Highways Liaison Officer (Oxfordshire County Council) – No objection subject to various highway-related conditions and informatives.

Air Quality – No objection subject to conditions.

Countryside Access – No objection subject to informatives.

SGN Plant Protection Team – comments provided.

The Henley Society (Planning) - The amended plans show some improvement but, in our view, would still result in over-development and inadequate parking space. Further amendments are needed.

Third Party Comments – Five representations of objection to the original application raising similar points to Henley Town Council. No further representations received concerning the revised plans. The representations can be viewed in full on the Council's [website](#).

3.0 **RELEVANT PLANNING HISTORY**

- 3.1 [P06/E0826](#) - Refused (02/10/2006) - Appeal dismissed (10/05/2007)

Demolition of existing bungalow. Erection of 6 x 2-bed flats with associated car parking and access.

The application was refused for the following reasons:

“1. The application site lies in a prominent and visually sensitive position at the junction of Greys Road and Deanfield Avenue adjacent to the Henley Main Conservation Area. The site currently comprises of a detached bungalow of modest size along with the open and spacious garden area attached to it. The proposed two and three-storey development would, by virtue of its size, design, bulk, scale and character, represent an overdevelopment of the site and would fail to respect the established character and appearance of the surrounding

built form, including that within the Henley Main Conservation Area. As a result the proposal would be contrary to Policies G2, G6, CON7, D1 and H4 of the South Oxfordshire Local Plan 2011, which seek to ensure that development is designed to a high standard that is in keeping with the surrounding area and protects and reinforces local distinctiveness. In addition the proposal would fail to accord with the principles of good design contained within the South Oxfordshire Design Guide 2000 and guidance within PPS1: Delivering Sustainable Development; PPG3: Housing; and PPG15: Planning and the Historic Environment.”

“2. The proposed development, due to its size, height, bulk and siting, would have an overbearing effect on the neighbouring property to the southwest (number 54 Greys Road) to the detriment of the amenities of the occupiers of this property. As a result the development would be contrary to Policies H4 and D4 of the South Oxfordshire Local Plan 2011 and guidance contained within the South Oxfordshire Design Guide 2000.”

“3. The communal garden area proposed for the new flats, due to its limited size and location, would provide a poor level of amenity for the future occupiers of the development. As a result the proposal would be contrary to Policies H4, D3 and D4 of the South Oxfordshire Local Plan 2011 and guidance contained within the South Oxfordshire Design Guide 2000.”

All three of these reasons for refusal were supported by the appeal Inspector. The plans for the dismissed appeal are included at **Appendix C**.

4.0 **ENVIRONMENTAL IMPACT ASSESSMENT**

4.1 Not relevant.

5.0 **POLICY & GUIDANCE**

5.1 **Development Plan Policies**

South Oxfordshire Core Strategy (SOCS) Policies:

CS1 - Presumption in favour of sustainable development

CSB1 - Conservation and improvement of biodiversity

CSEN3 - Historic environment

CSH2 - Housing density

CSH4 - Meeting housing needs

CSHEN1 - The Strategy for Henley-on-Thames

CS11 - Infrastructure provision

CSM1 - Transport

CSQ2 - Sustainable design and construction

CSQ3 - Design

CSS1 - The Overall Strategy

CST1 - Town centres and shopping

South Oxfordshire Local Plan 2011 (SOLP 2011) Policies:

C6 - Maintain & enhance biodiversity

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

EP1 - Adverse affect on people and environment

EP2 - Adverse affect by noise or vibration

- EP6 - Sustainable drainage
- G2 - Protect district from adverse development
- G5 - Best use of land/buildings in built up areas
- R8 - Protection of existing public right of way
- T1 - Safe, convenient and adequate highway network for all users
- T2 - Unloading, turning and parking for all highway users

South Oxfordshire Emerging Local Plan 2035 Policies

The council is currently progressing the emerging local plan through the examination stage. The plan currently carries limited weight. Relevant policies include;

- DES1 - Delivering high quality development
- DES2 - Enhancing local character
- DES3 - Design and Access Statements
- DES5 - Outdoor amenity space
- DES6 - Residential amenity
- DES9 - Promoting sustainable design
- ENV12 - Pollution - Impact of development on human health, the natural environment and/or local amenity
- ENV3 - Biodiversity Non designated sites, habitats and species
- ENV6 - Historic environment
- ENV8 - Conservation areas
- EP1 - Air quality
- EP3 - Waste collection and recycling
- H11 - Housing mix
- H3 - Housing the towns of Henley-on-Thames, Thame and Wallingford
- HEN1 - The strategy for Henley-on-Thames
- INF1 - Infrastructure Provision
- STRAT1 - The overall strategy
- TRANS5 - Consideration of development proposals

5.2 **Joint Henley & Harpsden Neighbourhood Plan Policies;**

- DQS1 – Local Character
- EN1 – Biodiversity
- H4 – Infill and self-build dwellings
- T1 – Impact of development on the transport network

5.3 **Supplementary Planning Guidance/Documents**

South Oxfordshire Design Guide 2016 (SODG 2016) – Section 7 – Plots & Buildings

5.4 **National Planning Policy Framework and Planning Practice Guidance**

5.5 **Other Relevant Legislation**

Human Rights Act 1998

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

Equality Act 2010

In determining this planning application the Council has regard to its equalities obligations including its obligations under Section 149 of the Equality Act 2010.

6.0 **PLANNING CONSIDERATIONS**

6.1 The planning issues that are relevant to this application are whether the development would:

- be in accordance with the Council's Housing Strategy;

- result in the loss of an open space or view of public, environmental or ecological value;
- safeguard the character of and appearance of the surrounding area, including preserving or enhancing the character and appearance of the adjacent Henley-Main Conservation Area;
- respect the living conditions of neighbouring residential occupiers and would provide suitable living conditions for future occupiers;
- result in an acceptable off-street parking arrangement for the resultant dwellings or any conditions prejudicial to highway safety;
- provide an acceptable mix of market housing; and
- give rise to any other material planning considerations.

6.2 Principle of Development

The proposal would redevelop an existing dwelling within the built-up confines of one of the main towns in the District. On this basis, the principle of residential development is supported by the SOCS Policy CSHEN1 and the SOLP 2011 Policy H4 and Policy H4 of the JHHNP.

6.3 Loss of Open Space

Criterion (i) of Policy H4 of the SOLP 2011 requires that an important open space of public, environmental or ecological value is not lost, nor an important public view spoilt. The site is not publicly accessible. The existing structures on site are considered not to support any protected species and the habitats on site would not represent a constraint to development. The proposal would increase the footprint of built development on site, resulting in an overall loss of green space. As such, the Council's Countryside Officer considers it expedient to require the submission of a scheme of biodiversity enhancements to be incorporated on site, which could be secured through a pre-commencement planning condition.

6.4 Although there are several public views of the site, the site has contained a dwelling, its curtilage, parking and domestic paraphernalia for many decades. The proposed development would only be observed within the context of the surrounding buildings. As such, the proposal would comply with the above criterion.

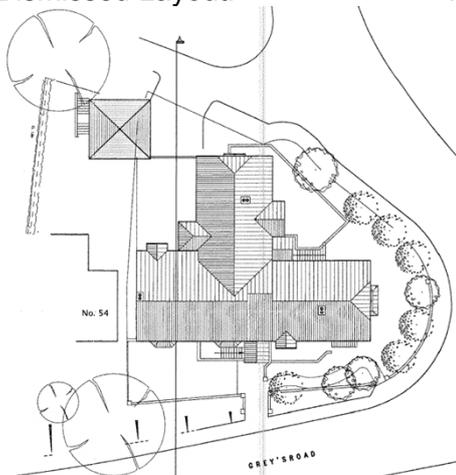
6.5 Visual Impact

Policy CSEN3 seeks to ensure that the historic significance of heritage assets are protected. Policy CON7 sets out the statutory duty to preserve or enhance the conservation area. The SOLP 2011 Policy CON5 seeks to conserve the setting of listed buildings. Criteria (ii) and (iii) of Policy H4 of the SOLP 2011 explain that the design, height, scale and materials of the proposed development should be in keeping with its surroundings and the character of the area should not be adversely affected. Policies CSQ3 of the SOCS and D1 of the SOLP 2011 and Policy DQS1 of the JHHNP expand upon the requirement for good design and maintaining local distinctiveness.

6.6 The site occupies a prominent, and as a result sensitive position where it is clearly visible on three sides from highway land. The site is also clearly visible from Duke Street when looking southwest along Greys Road. Therefore, the redevelopment of the site needs to be treated with particular care given the almost 'landmark' nature of the site's position. The site sits amidst existing residential development, which displays variety in appearance ranging from traditional Victorian terraces through mid-20th century bungalows to 21st century flats. The surroundings take on a more mixed use further to the east along Greys Road as it approaches the centre of Henley.

- 6.7 Although the application site lies adjacent to existing housing development of a relatively high density typical of such edge of town centre locations, the site is effectively visually isolated by the highway land on three sides. At the present time, much of the site, particularly adjacent to the roads, consists of open land laid to grass. The prominence of this land is also increased by it being above the level of the adjacent pavements and separated from the highway land by low brick walling. As a result, the site has a spacious character and appearance, which is contrasted with the tarmac surfaces of the adjacent roads and the front building lines of most of the buildings on Greys Road.
- 6.8 The existing bungalow represents an incongruous element in the context of the surrounding built form, due to the overriding two storey nature of the surrounding development and the dominance of the Victorian housing near the site. The bungalow does adjoin contemporaneous development, however, in visual terms it is seen more against the older housing as this forms the dominant architecture of the street scene. The application proposal recognises the prominence of the site and the design of the development has drawn on the elements of the adjacent Victorian housing with the use of traditional materials and design features. It is considered that this approach to the design of the building, broken into two distinct elements, is acceptable. The design of the development also provides active elevations addressing the street scene on the three prominent elevations visible from the surrounding highway land.
- 6.9 The proposed development would address one of the concerns with the dismissed appeal by reducing the footprint of the proposed development significantly.

Dismissed Layout:



Proposed Layout:



- 6.10 Whereas the dismissed scheme extended close to the boundaries of the site in all directions, the proposed scheme would be set back more significantly from the north-eastern and north-western site boundaries. This means that the spacious character and appearance of the site would largely be retained for the benefit of the street scene and wider area. Whereas the south-east elevation would be closer to the street frontage, this would be broadly consistent with the building line of the bungalows to the south-west. The Council's Tree Officer has raised no objection to the indicative tree and hedge planting subject to the imposition of a landscaping condition to secure the details of this new planting.

- 6.11 The proposed development would also compare favourably with the dismissed appeal scheme in terms of the height of the development. The appeal plans showed a proposal which extended to 11 metres on the northwest elevation with the lowest height above ground level being slightly over 8 metres in respect of part of the southeast elevation facing Greys Road. In contrast, the current proposal is far more compact, with both main ridgelines in the region of 7.6-7.7 metres high and making good use of the slope to only be around 0.5 metres higher than the ridge of No.54.
- 6.12 Considering the above assessment, it is considered that the proposed development has addressed the previous issues as set out in the first reason for refusal. It would be in keeping with the surrounding built form and in particular would be complimentary to the scale, form and detailing of the established Victorian buildings to the south-east, such that it would preserve the character and appearance of the adjoining Henley- Main Conservation Area. As such, the proposal would accord with the aforementioned policies.
- 6.13 Residential Amenity Impact
Criterion (iv) of Policy H4 of the SOLP 2011 requires that there are no overriding amenity objections. Policy D4 of the SOLP requires that all new dwellings should be designed and laid out to secure a reasonable degree of privacy for the occupiers. The application site includes part of the rear garden of No.54. The remainder of No.54 lies outside the application site, albeit within the control of the applicant. The proposed building would project approximately 1.5 metres forward of the front building line and 1 metre behind the rear building line of this neighbouring property. Although there would only be a 1 metre gap between the respective side walls, there would only be a 0.5 metre difference in ridge height.
- 6.14 Officers consider that this relationship compares favourably to that of the dismissed appeal to the extent that the proposal would not have a bulk and massing that would result in any significant overbearing impact on the residential amenity of the adjoining residential occupiers. This would address the second reason for refusal of the dismissed appeal. The south-west facing side elevation would contain a first-floor window, but as this would serve a bathroom this could be subject to an obscure glazing condition to maintain privacy. Concern has also been expressed regarding overlooking to the existing dwellings on the opposite side of Greys Road. However, the distance would be at least 15 metres, and this would exceed the recommended minimum standard of 10 metres between facing windows to habitable rooms in a front to front relationship as set out in the SODG 2016.
- 6.15 Policy D3 of the SOLP seeks to provide private or shared amenity areas for new dwellings. Three of the units would have dedicated private outdoor areas that would exceed the recommended minimum standard of 50 square metres for two-bedroom properties as set out in the SODG 2016. Only Plot 2 would be below standard, but as the shortfall would only be 5 square metres, officers consider that this would be acceptable, given the good access to other public open space in this location close to Henley Town Centre. This would address the third reason for refusal of the dismissed appeal proposal. In overall terms, the proposal would be in compliance with the above policies.

6.16 Access and Parking

Criterion (iv) of Policy H4 of the SOLP 2011 also requires that there are no overriding highway objections. Policy T1 of the SOLP 2011 seeks to ensure that all new development would provide a safe and convenient access for all users of the highway. Following an initial objection from the Highway Liaison Officer (HLO), the scheme was reduced from five to four residential units. The proposal provides six off-street parking spaces for the proposed units along with retaining the existing garage space for No.54 and a lock-up garage used by No.68 in an arrangement that would not obstruct the public right of way. Although there would be a shortfall of two off-street parking spaces for the proposed units, the HLO comments that the proposal is located within close proximity to Henley Town Centre with good access to public transport and where parking restrictions within the vicinity of the proposal would prevent indiscriminate or obstructive parking. Under these circumstances, a shortfall in parking of this nature would be unlikely to be prejudicial to highway or pedestrian safety. The proposal would be unlikely to have a significant adverse impact on the highway network. The proposal would be in accordance with the above policies.

6.17 Housing Mix

The SOCS Policy CSH4 requires developments providing market housing to demonstrate an appropriate housing mix. The application plans indicate that the proposed dwellings would only provide two-bedroom dwellings. For a development with a net gain of three dwellings, officers consider that the split between two-bedroom houses and two-bedroom flats would provide some variety in housing. This would be acceptable, given the constrained nature of the site and the shortfall in off-street parking, which would be exacerbated if larger units were to be introduced. As such, the proposal would be in general conformity with the SHMA and therefore in compliance with the overall aims and objectives of Policy CSH4.

6.18 Other Material Planning Considerations

The Council's Drainage Engineer is satisfied with the submitted surface water and foul drainage proposals. Matters relating to air quality can be dealt with by imposing planning conditions requiring electric charge points and cycle parking provision and gas boilers to be of a minimum standard. Exceptionally, it is considered necessary to impose a condition restricting permitted development rights for extensions, rooflights, outbuildings and hard surfacing for Plots 1 & 2 to enable the Council to exercise control over any future householder development that might otherwise lead to further additions or alterations to the buildings causing harm to visual or residential amenity. As Plots 3 & 4 are flats they do not benefit from permitted development rights.

6.19 Community Infrastructure Levy

The application is CIL liable at a rate of £150 per square metre (index linked), 25% of which would go to Henley Town Council due to the adopted neighbourhood plan.

7.0 **CONCLUSION**

7.1 The application proposal would comply with the relevant Development Plan Policies and it is considered that, subject to the attached conditions, the proposed development would be acceptable in principle, would preserve the character and appearance of the adjacent Henley-Main Conservation Area and the surroundings generally and would not harm the residential amenity of nearby residents. The development would provide acceptable living conditions for future occupiers of the proposed dwellings and an appropriate housing mix and in spite of a shortfall in parking provision would not result in conditions prejudicial to highway safety in this location close to Henley Town Centre.

8.0 **RECOMMENDATION**

8.1 **Grant Planning Permission subject to the following conditions**

- 1 : Commencement of development within three years
- 2 : Development in accordance with the approved plans
- 3 : No change in levels
- 4 : Schedule of Materials to be agreed
- 5 : Obscure Glazing to first floor window of Plot 1
- 6 : Withdrawal of Permitted Development rights
- 7 : Existing vehicular access on to Deanfield Avenue to be improved
- 8 : Parking & Manoeuvring Areas to be provided in accordance with the approved plans
- 9 : Cycle Parking Facilities to be provided
- 10 : Construction Traffic Management details to be agreed
- 11 : Landscaping (including hardsurfacing and boundary treatment) to be agreed
- 12 : Biodiversity Enhancement Plan to be agreed
- 13 : Electric Vehicle Charging Points to be provided
- 14 : Gas Boiler Minimum Standard
- 15 : CIL Informative
- 16 : Public Right of Way Informatives
- 17 : Highways Informatives

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