

APPLICATION NO.	P20/S4111/HH
APPLICATION TYPE	HOUSEHOLDER
REGISTERED	5.11.2020
PARISH	HENLEY-ON-THAMES
WARD MEMBERS	Ken Arlett Kellie Hinton Stefan Gawrysiak
APPLICANT	Mrs C Notaras
SITE	Pantiles Elizabeth Road Henley-On-Thames, RG9 1RA
PROPOSAL	Proposed two storey side/rear extension and two new front dormer windows. (Amended Plans received 18 December 2020, showing removal of new entrance gates, detached garage and carport, the front dormers windows have been reduced in size, and the side extension changed from gable end to a hipped roof).
OFFICER	Davina Sarac

1.0 INTRODUCTION AND PROPOSAL

- 1.1 This application is referred to the Planning Committee as the applicant's partner is District Councillor Stefan Gawrysiak who lives at the property also. The officer's recommendation is for approval as set below in this report.
- 1.2 The application site, which is shown on the plan **attached** as Appendix A, is occupied by a detached, two-storey red brick and brown tiled dwelling, located within the built-up limits of Henley-on-Thames. There is also a detached flat roofed garage to the side in front of the existing driveway. The site does not lie within any designated area.
- 1.3 This application seeks planning permission to erect a two-storey side and rear extension to create a bedsit on the ground floor and an additional bedroom and bathroom on the first floor. The proposal also includes two front dormer windows to the existing loft space used as storage space.
- 1.4 Amended plans were received on 18 December 2020 showing the removal of the front porch extension, the new entrance gates, the detached garage and carport. The front dormers windows have also been reduced in size, and the side extension roof changed from gable end to a hipped roof.
- 1.5 A copy of the plans associated with the application are **attached** as Appendix B, whilst other documentation associated with the application can be viewed on the council's website, www.southoxon.gov.uk

2.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

- 2.1 **Henley-on-Thames Town Council** – No comments received due to a potential conflict of interest.
- 2.2 **Forestry Officer** - No objections to the amended scheme subject to tree protection conditions.

2.3 **Highways Liaison Officer (Oxfordshire County Council)** – No objection subject to a condition requiring a car parking plan for 4 car parking spaces.

2.4 **The Henley Society (Planning)** - No comment due to a potential conflict of interest

2.5 **Neighbour representations (original plans)** – 8 representations were received with the following summary of the main comments raised:

- Two dormers proposed for the roof together with the three storey side extension would allow the possibility for an additional two (or even more?) bedrooms to be added in the roof- space in future, creating the potential for a 7+ bedroom house. This seems excessive.
- Bedsit dwelling with its own front and back doors. While the current owners have no such plan, in future this could be turned into a separate dwelling. This impression is strengthened by the fact that an application has been made to create a second vehicular entrance to the property(ies).
- Lime trees that are very attractive. Another, important concern about the proposed second entrance is that it is very close to one of these trees.
- Concern is the number of cars and potential on-street parking that such a potentially substantial dwelling could bring.
- The overall size of the extension is excessive (over development) and unneighbourly which will adversely impact surrounding neighbours due to overlooking, light spill and density.
- The proposed roof conversion with two large dormer windows will result in loss of privacy for neighbours on the opposite side of Elizabeth Road.
- The proposed design builds out to the boundary on the north side (neighbouring the Limes) and less than 1m to the boundary on the south side (neighbouring Byron House) with the new proposed detached garage.
- The proposed 3 floor extension is not suitable regarding the character of the existing neighbourhood or road. There are no other 3 floor houses on Elizabeth Road, it is a mix of bungalows and 2 storey houses.
- During periods of heavy rain, the section of Elizabeth Road adjacent to the site is susceptible to surface water flooding due to the limited capacity of the aged surface drainage system.
- The drawing package provides no description regarding the surface finish of the proposed driveway to prevent surface water run-off from the site on to the adjacent Highway; thus, further increasing local surface water flooding on Elizabeth Road.
- Please ensure that the proposed plans do not endanger the life of one of the trees on this elegant avenue of limes. As well as aesthetically damaging it would be inappropriate from an environmental point of view.

2 letters received with comments raised in support of the proposal were:

- I think that it will provide a more balanced frontage to the house and improve the aspect overall. The house has suffered by newer houses being pushed in on either side of it in slices of back gardens of other properties, and the new wider frontage will restore a sense of balance.
- The Limes owners have concerns regarding overlooking into their garden but state that they have an application for extensive extensions also and if approved it would not be an issue if their application is also approved.

Neighbour representations (amended plans) – 4 representations were received with the following summary of the main comments raised:

- We are pleased that the amended plans have removed the proposed second access to the property, thus avoiding the probable damage to the lime tree on the pavement. The change to a hipped roof on the left-hand-side two storey extension is more attractive than the roof line in the original proposal.
- We still have two major concerns with this proposal. The first is parking. Concerns about the likely future number of cars at the property are increased by the inclusion of the bedsit in the ground floor. This is likely to lead to even more cars.
- Second concern is the proposal to add two dormer windows in the roof facing the road. These are out of keeping with all similar properties in the area and will overlook our bedrooms. An attic storage space can be perfectly adequately lighted with a few electric light bulbs. The impression is that the dormer windows are to allow the possibility for future occupants to create further bedrooms and/or living space in the attic. Were this to happen the house could become as large as 7 bedrooms.
- Concern that proposed bedsit will be rented out or closed up internally and sold off as a separate dwelling in the future.
- Application should still be rejected due to dormers out of keeping, side gap being 900mm and not 1 metre and the possibility of 7 bedrooms and therefore inadequate parking spaces.
- Amended plans do not address previous concerns.

3.0 RELEVANT PLANNING HISTORY

3.1 [P88/S1072](#) - Approved (06/03/1989)
Conservatory

[P79/S0147](#) - Approved (19/04/1979)
Double garage.

4.0 ENVIRONMENTAL IMPACT ASSESSMENT

4.1 Not relevant to this application.

5.0 POLICY & GUIDANCE

5.1 **National Planning Policy Framework (NPPF)**
National Planning Policy Framework Planning Practice Guidance (NPPG)

5.2 South Oxfordshire Local Plan 2035 Policies (SOLP)

DES1 - Delivering High Quality Development
DES2 - Enhancing Local Character
DES6 - Residential Amenity
DES7 - Efficient Use of Resources
DES8 - Promoting Sustainable Design
ENV1 – Landscape and Countryside
H20 - Extensions to dwellings
TRANS2 - Promoting Sustainable Transport and Accessibility
TRANS5 - Consideration of Development Proposals

5.3 **Joint Henley and Harpsden Neighbourhood Plan**
DQS1 - Local Character

5.4 **Supplementary Planning Guidance/Documents**
South Oxfordshire Design Guide 2016 (SODG 2016)

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 relevant planning considerations are the following:**

- **The impact of the proposal on the design and character of the existing dwelling and surrounding area;**
- **The impact of the proposal on the residential amenity of the nearest neighbouring properties;**
- **Access and Parking;**
- **Other material planning considerations**

6.2 **The impact of the proposal on the design and character of the existing dwelling and surrounding area**

Policy DQS1 of the Henley and Harpsden Neighbourhood plan states that *“all development should be sensitive and make a positive contribution to the local character of the area.”*

6.3 Policy DES1 of the SOLP 2035 states that all new development must be of a high quality design that: *“uses land efficiently whilst respecting the existing landscape character; takes into account landform, layout, building orientation, massing and landscaping; and respects the local context working with and complementing the scale, height, density, grain, massing, type, and details of the surrounding area.”*

6.4 Policy DES2 of the SOLP 2035 states that *“all new development must be designed to reflect the positive features that make up the character of the local area and should both physically and visually enhance and complement the surroundings.”*

6.5 Policy H20 of the SOLP 2035 states that extensions to dwellings or the erection and extension of ancillary buildings within the curtilage of a dwelling, will be permitted provided that, *“sufficient amenity areas are provided for the extended dwelling”*. And *“Development should have regard to the advice within the South Oxfordshire Design Guide.”*

6.6 Section 6 of the South Oxfordshire Design Guide (SODG) 2016 states that side extensions must:

- be set back from the front of the house or otherwise justified for not doing this;
- retain important gaps within the street scene and avoid creating a ‘terracing effect’;
- be constructed with the same angle of pitch as the existing roof;
- be subordinate to the principle dwelling;
- include windows that face the street to provide passive surveillance;

6.7 The proposed two storey side extension as amended, although not set back on the ground floor, would be set back from the main front elevation of the existing building by 900mm at first floor level and the roof would also be set back and down from the main roof. The ground floor part would extend right to the boundary of The Limes to the

north. However, the first floor element would be set in from the side boundary by approximately 1 metre. The hipped roof design of the side extension with it being set back from the front, and set in from the side at first floor level gives the extension a subservient appearance with the original dwelling remaining visually dominant. The existing building line at the front is maintained.

- 6.8 It is officer's opinion that the proposal uses simple, uncomplicated building forms that compliment and coordinate with the scale, form and massing of the original dwelling. The proposed extension would be constructed in materials that which match those of the existing dwelling. Whilst building up to the boundary (on the ground floor) on the northern side of the site, the applicants would retain the existing external access from the front to the rear garden along the southern side of the dwelling.
- 6.9 Concerns have been raised regarding the proposed two front dormer windows which some neighbours consider to be out of keeping with the local character of the area. This part of Elizabeth Road has a variety of differently designed dwellings and there is no particular overriding style that dominates the street. There is a bungalow with four pitched roofed dormers within the roof, and a detached two-storey dwelling where the first floor is within the roof slope with four pitched roof dormer windows within the roof slope. In this case, officers consider that the addition of two front dormers would not be detrimental to the visual amenity or character of the area so as to warrant refusal. Other concerns raised during the consultation period are that the proposal was an overdevelopment of the site. Officers consider this not to be the case as the proposal is relatively modest in relation to the existing dwelling and size of the plot.
- 6.10 The proposed development would, in officer's opinion, form an appropriate visual relationship with the existing dwelling and would not harm the character or appearance of the dwelling, or the wider area. The scale, form and design along with matching materials would be appropriate for the existing dwelling and site.
- 6.11 **The impact of the proposal on the residential amenity of the nearest neighbouring properties**

Policy DES6 of the SOLP 2035 states that development proposals should demonstrate that they will not result in significant adverse impacts on the amenity of neighbouring uses, when considering both individual and cumulative impacts, in relation to the following factors:

- i) loss of privacy, daylight or sunlight;
- ii) dominance or visual intrusion;
- iii) noise or vibration;
- iv) smell, dust, heat, odour, gases or other emissions;
- v) pollution, contamination or the use of / or storage of hazardous substances; and
- vi) external lighting.

- 6.12 The proposal would have a minimal impact to the neighbouring property to the south, Byron House. The side extension would protrude past the rear elevation of the existing dwelling. However, no first floor side facing windows on the south are proposed. The side facing window on the ground floor side (south elevation) of the side and rear extension would be approximately 15 metres away from the boundary of Byron House and given the existing boundary hedge the level of possible overlooking into the private garden of Byron House would be minimal. Officers are satisfied that the proposal would not result in a loss of privacy, daylight or sunlight, and would not be visually intrusive to the residential amenity of the occupiers of Byron House.

- 6.13 The main bulk of the development would be along the northern boundary of the site, adjacent to The Limes which lies to the north of Pantiles. The existing flat roofed garage of Pantiles already abuts the boundary to The Limes and goes back into the site approximately in line with the existing rear protruding element of Pantiles. There is also a pitched roof single storey shed just behind the garage. The side extension would protrude past the existing rear elevation of Pantiles by 2.84 metres, which is approximately right up to the front elevation of the existing garden shed. The Limes has an attached garage with a pitched roof that is adjacent to Pantiles. It also has a kitchen door and side facing window looking towards Pantiles. However, this is not the kitchen's only source of light, as it also has a rear facing window.
- 6.14 With the rear projection of the two-storey side and rear extension of 2.84 metres past the existing rear elevation, along with the first floor element being set in from the boundary by 1.0 metre, it is considered that the proposal would result in some overshadowing of the patio area to the south side of The Limes outside the side elevation of the kitchen and to the rear of the garage. However, this would not be materially harmful to the residential amenity of the occupiers of The Limes. This is because the existing rear garden of the Limes is substantial in size, and the rear patio area is not confined to this small section to the side of the kitchen and rear of the garage as it runs across the rear elevation and extends out deeper into the rear garden.
- 6.15 The rear bedroom of the proposed extension at first floor would overlook some of the garden of The Limes. However, this would not be materially different to the existing mutual overlooking of first floor windows into neighbouring gardens which is a common occurrence in dwellings in built up areas. There is a first floor side window proposed in the north elevation, this would be a landing window and would overlook the roof of The Limes garage. Therefore, I consider it unnecessary to condition that window to be obscure glazed. Officers are satisfied that the proposal would not result in a material loss of privacy, daylight or sunlight, and would not be visually intrusive to the residential amenity of the occupiers of The Limes.
- 6.16 The occupiers of Elizabeth House opposite Pantiles have raised concerns that the front dormer windows would look directly into two of their bedrooms. The dormer windows would be set back from the eaves of the roof and the distance from the front elevation of Pantiles to the front elevation of Elizabeth House is 30 metres. This is well above the minimum 10 metres recommended acceptable distance (front to front) for windows between habitable rooms of properties facing each other as set out in section 7 (Plots and Buildings) of the SODG 2016 and therefore is considered to be acceptable.
- 6.17 **Access and Parking**
- The proposal would result in the existing three bedroom property becoming a five bedroom property (four main bedrooms and one bedroom in the bedsit). There is an existing driveway to the north side of the site directly in front of the garage which is long enough to fit two cars parked one behind the other.
- 6.18 The Local Highway Authority have assessed the proposal and raised no objection subject to a recommended condition that a parking plan for four car parking spaces to be accommodated within the site be submitted in order to provide sufficient off-street car parking.
- 6.19 A number of objections raised concern that the dormer windows at the front could potentially lead to the roof space being converted into bedrooms and potentially creating a seven bedroom dwelling with more cars. The proposed plans indicate that the loft space will remain as is, for storage purposes. In considering the merits of this

planning application officers cannot reasonably consider potential future scenarios in relation to the conversion of the loft.

6.20 This is similar to the concerns raised that the bedsit will be creating a separate dwelling at some point in the future. The bedsit will have access internally to the main house as the plans show and would require separate planning permission in the future to be used as a separate dwelling.

6.21 Other material planning considerations

Policies DES7 and DES8 seek to ensure that all new development minimises the carbon and energy impacts of their design and construction and should be designed to improve resilience to the anticipated effects of climate change.

6.22 The applicant has stated that the materials intended to be used on the extension are to be reclaimed where possible and the fabric of the new flooring, walls and roof will comply with the latest Building Regulations Approved documents and agreed with the building inspector. A note to this effect will be added to the General Building specification issued to all potential contractors.

6.23 Officers consider that given the modest two-storey side extension the above statement is considered to be reasonable and within the spirit of policies DES7 and DES8 and what they are aiming to achieve.

6.24 Community Infrastructure Levy

The proposed development is not liable to pay CIL as the net increase in residential floor space does not exceed 100m².

6.25 Pre-commencement conditions

The amended plans removed the potential harm to the existing Lime trees located on the pavement. However, it is still possible that the tree roots would extend into the front garden area of the site. Therefore, the Council's Forestry Officer has recommended two tree protection conditions being attached to the planning permission, to protect the root protection areas of the mature limes to the front of the site during construction and to prevent drainage causing damage to the tree roots. The only other pre-commencement condition is the one mentioned above in paragraph 6.17 with regard to a parking plan to be submitted.

7.0 CONCLUSION

7.1 Officers consider that the proposal complies with the relevant Development Plan policies and, subject to the attached conditions, that the proposed development would be acceptable in terms of its relationship to the character of the existing building, its site and the wider area. It is also acceptable in terms of its impact on neighbouring amenity.

8.0 RECOMMENDATION

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

- 1 : The development shall commence within 3 years of the planning permission being granted**
- 2 : The development shall be constructed in accordance with the approved plans**
- 3 : Prior to the commencement of the development a plan of car parking provision shall be submitted to provide 4 off-street car parking spaces**

- 4 : Prior to the commencement of any site works, tree protection details shall be submitted**
- 5 : Prior to the commencement of any site works, details of proposed subterranean drainage and services shall be submitted**
- 6 : The development should be carried out in matching materials (walls and roof)**

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