

<b>APPLICATION NO.</b>	<a href="#">P22/S1879/FUL</a>
<b>APPLICATION TYPE</b>	FULL APPLICATION
<b>REGISTERED</b>	17.5.2022
<b>PARISH</b>	HENLEY-ON-THAMES
<b>WARD MEMBERS</b>	Ken Arlett Kellie Hinton Stefan Gawrysiak
<b>APPLICANT</b>	Groom Estates Berks Ltd
<b>SITE</b>	Kites Rest 2A Cooper Road Henley-on-Thames, RG9 2ES
<b>PROPOSAL</b>	Proposed new dwelling with associated amenity and parking on land adjacent no 2a Coopers Road, allowing for 2 car parking spaces to the existing dwelling retained.(as amplified by Energy Statement received on 20 June 2022 and amended by plans received 23 June 2022 to amend the design and reduce the scale and as amended by energy statement received 08 July 2022 and amended by plan received on 12 July 2022 to amend the materials.)
<b>OFFICER</b>	Lillian Duffield

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**1.0 INTRODUCTION AND PROPOSAL**

- 1.1 This report sets out the justification for officers' recommendation to grant planning permission having regard to the development plan and any other material planning considerations. The application is referred to the Planning Committee due to a difference between officers' recommendation and the views of Henley-on-Thames Town Council.

**The Site**

- 1.2 The application site is shown at **Appendix A**. The site is located within the built up area of Henley-on-Thames, to the north west of the town centre. 2A Cooper Road (formerly 41 Luker Avenue) is situated on the western corner between Luker Avenue and Cooper Road. It is a two storey semi-detached residential property constructed from light brick with a tiled roof. It has a garden to the front, side and rear with a shed to the side and a garage with a pitched roof to the rear accessed from Cooper Road. The site is bounded by shrub and hedging to the front and side with a close boarded fence also to the side. The application site for the new dwelling is the land to the south of 2a Cooper Road.
- 1.3 The site is not within a designated area.

## The Proposals

1.4

The planning application is for the erection of a new two bedroom dwelling adjacent to 2a Cooper Road and the provision of parking spaces for the new dwelling and 2a Cooper Road.

1.5

The new dwelling would be two storeys with a pitched roof and attached to 2a Cooper Road. The ridge would be set down slightly from 2a. It would have a single storey flat roofed element to the front and two storey gabled element at the rear. The bottom half of the building would be light render with the upper storeys in brick to match the adjacent building and roof tiles to match the adjacent building. Outdoor amenity space would be provided to the front and rear of the property. The existing garage structure would be demolished and a single storey garden office built in its place. This would be 2.7m tall which is lower than the existing garage, with a slightly larger footprint than the existing garage. It would be constructed with timber cladding and a flat roof. The new dwelling would have approximately 80sqm of outdoor amenity space to the front and rear.

1.6

Two off street parking spaces would be provided to the front of 2a Cooper Road to compensate for the loss of the garage. It would retain approximately 120 sqm of outdoor amenity space to the rear and front.

1.7

The plans were amended following Officers advice, resulting in a reduction in the size of the property from three to two bedrooms and amendments to the design and materials.

1.8

A copy of the plans is attached as **Appendix B** and other documentation associated with the application can be viewed on the council's website, [www.southoxon.gov.uk](http://www.southoxon.gov.uk).

## 2.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

2.1 Henley-on-Thames Town Council (original plans) - Recommend refusal due to overdevelopment of the site and impact on neighbours. The proposal is out of character for the area and the committee objects to removal of a hedge.

Henley-on-Thames Town Council (amended plans) – Recommend refusal on all the grounds raised on 31.05.22 and in addition raise concerns over the proposed outbuilding which is considered to be overdevelopment.

Drainage - (South and Vale) - No objection subject to surface water and foul drainage conditions.

Highways Liaison Officer (Oxfordshire County Council) – No objections subject to planning conditions being attached. Car parking guidance is met and proposal is unlikely to have a significant adverse impact on the highway network.

Energy Assessor (ESE Ltd) – Amended Energy Statement complies with DES10, no objection, subject to imposition of compliance condition

The Henley Society (Planning) - Propose rejection. Overdevelopment of a small plot.

Other third parties – two letters of objection have been received:

- Proposed dwelling is too large for the accompanying house
- Design is incompatible with the existing houses
- Aesthetics of proposed dwelling are completely out of character
- Loss of garden space
- Impact on wildlife
- Does not benefit the local community
- Concerns with highways safety due to increase in cars

**3.0 RELEVANT PLANNING HISTORY**

3.1 [P53/H0010](#) - Approved (20/05/1953)

SITE AND LAYOUT OF HOUSING ESTATE AND ERECTION OF DWELLINGS

**4.0 ENVIRONMENTAL IMPACT ASSESSMENT**

4.1 Not applicable

**5.0 POLICY & GUIDANCE**

**5.1 Development Plan Policies**

**South Oxfordshire Local Plan 2035 (SOLP) Policies:**

DES1 - Delivering High Quality Development

DES2 - Enhancing Local Character

DES5 - Outdoor Amenity Space

DES6 - Residential Amenity

DES7 - Efficient Use of Resources

DES8 - Promoting Sustainable Design

DES10 - Carbon Reduction

EP3 - Waste collection and Recycling

EP4 - Flood Risk

H1 - Delivering New Homes

H3 - Housing in the towns of Henley-on-Thames, Thame and Wallingford

HEN1 - The Strategy for Henley-on-Thames

STRAT1 - The Overall Strategy

STRAT5 - Residential Densities

TRANS5 - Consideration of Development Proposals

**5.2 Neighbourhood Plan**

**Joint Henley & Harpsden Neighbourhood Plan – made 14 April 2016**

DQS1 – Local Character

H4 – Infill and self-build dwellings

**Review Neighbourhood Plan** – limited weight at this stage:

Henley-on-Thames Town Council has submitted a reviewed neighbourhood plan to South Oxfordshire District Council which will replace the existing Neighbourhood Plan.

**5.3 Supplementary Planning Guidance/Documents**

South Oxfordshire and Vale of White Horse Joint Design Guide 2022

**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 relevant planning considerations are the following:**

- **Principle of development**
- **Design and character**
- **Impact on the amenity of neighbouring uses**
- **Residential amenity of future occupants**
- **Access and parking**
- **Other Matters**

**Principle of development**

6.2 Policy STRAT1 states at 1. that ‘Proposals for development in South Oxfordshire will be assessed using national policy and guidance and the whole of the Development Plan\* and should be consistent with the overall strategy of:

v) supporting the roles of Henley-on-Thames, Thame and Wallingford by maintaining and improving the attractiveness of their town centres through measures that include environmental improvements and mixed-use developments and by providing new homes, jobs, services and infrastructure;’

6.3 Policy H1 sets out at 3. that ‘Residential development on sites not allocated in the Development Plan will only be permitted where:

iii) it is development within the existing built-up areas of Towns and Larger Villages as defined in the settlement hierarchy; provided an important open space of public, environmental, historical or ecological value is not lost, nor an important public view harmed.’

6.4 The site is not allocated but is within the built up area of Henley-on-Thames which is categorised as a town in the settlement hierarchy in the SOLP. As such residential development is acceptable in principle, subject to meeting part 3.iii) of policy H1.

- 6.5 The site is an area of garden land, currently part of 2a Cooper Road and there is no public access to it. It is not of historical interest.
- 6.6 The site is in the middle of a 1950s housing estate, surrounded by other properties and their gardens. The site has shrub and hedge planting and some small trees within it, typical of residential gardens. It is not considered to be of particular environmental or ecological value. This planting is not protected and could be removed by the residents at any time.
- 6.7 The site is in a prominent location on the corner of Luker Avenue and Cooper Road. As the site is currently surrounded by hedging and shrub planting along its front this provides a green feel to views from Luker Avenue which contributes positively to the character of the area. The south eastern boundary however is close board fence which is not a positive feature. The site is not considered to be part of an important public view, it is part of an established 1950s housing estate and is characteristic of the other properties along Luker Avenue the majority of which have front gardens.
- 6.8 Given the above, it is considered that the proposed development would meet the criteria set out in policies STRAT1 and H1 and as such the principle of development is acceptable.

**Design and character**

- 6.9 Policies DES1 and DES2 of the SOLP seek to ensure that all new development is of a high quality design and respects the local context.
- 6.10 The site is not located within a designated area. It is within a 1950s and 1960s housing estate which is dominated by rows of semi-detached and terraced housing constructed from pale brick with tiled pitched roofs. The majority of dwellings along Luker Avenue have both front and back gardens.
- 6.11 The main part of the proposed dwelling has a gable form and would read as a two storey extension to the existing dwelling. It is set down in height from 2a Cooper Road with the two storey element set back from the front elevation of 2a Cooper Road. To the rear, the rear projection has a gable form which was amended from a flat roof form at Officer's request and is now considered acceptable.
- 6.12 The single storey flat roofed element at the front and side of the proposed dwelling is less characteristic of the area, but Officers do not consider it to be harmful in this context. It is set back from the front of the site and is not overly dominant. There are a range of styles of front extensions and porches along Luker Avenue.
- 6.13 The original proposals followed the angle of the site boundary, resulting in a contrived and cramped form. Officers are satisfied that the amended scheme is an improvement in this regard.

- 6.14 The proposed roofing and wall materials match the adjacent dwelling at 2a as well as buildings in the immediate vicinity, with some render at the upper floor levels providing a slight differentiation.
- 6.15 The ancillary building which would replace the existing garage would be similar in size and lower in height. The proposed timber cladding and flat roof and more contemporary design is considered appropriate for this ancillary building.
- 6.16 While it is unfortunate that the provision of hardstanding to accommodate the off-street parking spaces required will result in the loss of green garden space, it is considered acceptable in this instance. Many of the properties in the area have similar arrangements. A landscaping scheme by planning condition is recommended to provide appropriate mitigation for this and to soften the appearance of the development.
- 6.17 Overall, the proposed dwelling is considered to be appropriate to the adjacent building and its wider context and is not considered to be harmful to the character of the area. The proposed development is therefore acceptable in design terms and therefore complies with the policies set out above.

**Impact on the amenity of neighbouring uses**

- 6.18 Policy DES6 of the SOLP sets out 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. This includes factors such as loss of privacy, daylight or sunlight; dominance or visual intrusion; noise or vibration; smell, dust, heat, odour, gases or other emissions; pollution, contamination or the use of/or storage of hazardous substances; and external lighting.
- 6.19 No comments have been received from the immediate neighbours to the site.
- 6.20 The proposed dwelling will adjoin the side elevation of 2a Cooper Road. It is not considered that the main part of the building or single storey element would have an adverse impact upon the amenity of this property. The rear two storey element meets the 45 degree rule on the horizontal level but slightly interrupts the line on the vertical level. This would have some impact on 2a, but it is not considered that it would have a significant adverse impact given the depth of the rear element. 2a Cooper Road would still receive sufficient daylight/sunlight in officers' view given the orientation of the properties and gardens. The rear element is not considered to be visually intrusive,
- 6.21 2 Cooper Road lies to the rear of the site. The rear elevation of the new dwelling will face in this direction. There may be views from the first floor window across to 2 Cooper Road, however, the boundary is over 10m away and views will primarily be across a front drive area. It is not considered that the proposal would cause any significant adverse impacts on the amenity of 2 Cooper Road in this regard. 2a already has windows facing in this direction.

- 6.22 It is not considered that the proposal would have any adverse impacts on the properties to the north east or south east due to the separation distance.
- 6.23 Officers consider there would be no significant adverse impacts on the amenity of neighbouring occupiers and as such the proposed development complies with the policy set out above.

**Outdoor amenity space**

- 6.24 Policy DES5 states that a private outdoor garden or outdoor amenity space, or alternatively a shared outdoor amenity area should be provided for all new dwellings. The amount of land that should be provided for the garden or amenity space will be determined by the size of the dwelling proposed and by the character of surrounding development. The JDG sets out that for semi-detached dwellings, there should be a minimum of 50sqm for a two bedroom dwelling and 100sqm for a three bedroom dwelling.
- 6.25 The proposed dwelling would be two bedrooms and would have approximately 80sqm of useable outdoor amenity space to the rear and front of the property. This exceeds the standard for two bedroom dwellings. 2a Cooper Road would have approximately 120sqm and this complies with the standards for three bedroom dwellings.
- 6.26 Overall, the proposal will provide sufficient outdoor amenity space for both the proposed dwelling and 2a Cooper Road.

**Access and parking**

- 6.27 Policy TRANS5 of the SOLP sets out that development proposals for all types of development will, where appropriate provide for a safe and convenient access for all users to the highway network and provide for the parking of vehicles in accordance with Oxfordshire County Council parking standards, unless specific evidence is provided to justify otherwise.
- 6.28 The proposal includes two off-street parking spaces for each property. This complies with standards. The Highways Officer has been consulted and had no objections subject to conditions.
- 6.29 There are not considered to be any adverse impacts on highways safety and the proposals are therefore acceptable in transport terms.

**Other Considerations**

- 6.30 The Council's Drainage Engineer has been consulted and has no objections to the proposals, subject to conditions requiring surface water and foul water drainage scheme. The application is therefore in accordance with EP4 of the SOLP.
- 6.31 Policy DES8 of the SOLP relates to sustainable design and states that, 'All new development, including building conversions, refurbishments and extensions,

should seek to minimise the carbon and energy impacts of their design and construction. Proposals must demonstrate that they are seeking to limit greenhouse emissions through location, building orientation, design, landscape and planting taking into account any nationally adopted standards. Policy DES10 states that planning permission will only be granted where development proposals for new build residential dwelling houses achieve at least a 40% reduction in carbon emissions compared with a code 2013 Building Regulations compliant base case.

- 6.32 An Energy Statement has been submitted, and the Energy Assessor has confirmed that this meets policy DES10.

**Community Infrastructure Levy**

- 6.33 The proposal is CIL liable.

**Pre-commencement conditions**

- 6.34 Surface water and foul water drainage schemes are required prior to commencement as per the Drainage Engineer's comments to ensure the proper provision of surface/foul water drainage and to ensure flooding and pollution is not exacerbated in the locality.
- 6.35 A materials condition is required to ensure the dwelling would be of satisfactory visual appearance in accordance with Policies DES1 and DES2, and a landscaping scheme is required to provide suitable boundary treatments and soft landscaping to replace that lost in accordance with policy DES1 and DES 2 and ENV1.

**7.0 CONCLUSION**

- 7.1 The proposed development is in accordance with the policies of the Development Plan and national planning guidance. The design of the new dwelling is appropriate to the site and surrounding area. Officers are satisfied there are no neighbouring amenity or highway safety issues.

**8.0 RECOMMENDATION**

**That the application is approved subject to the following conditions:**

- 1 : Commencement of development within 3 years**
- 2 : Development in accordance with the approved plans**
- 3 : Surface water drainage works to be agreed**
- 4 : Foul drainage works to be agreed**
- 5 : Schedule of materials to be agreed**
- 6 : Landscaping (including boundary treatment) to be agreed**
- 7 : Energy Statement verification to be provided**
- 8 : New vehicular access to be constructed to highway standards**
- 9 : Vision splays to be provided**
- 10 : Parking and Manoeuvring areas retained in accordance with the approved plans**



**11 : Electric Vehicles Charging Point to be provided**

**Author:** Lillian Duffield

**Email:** [Planning@southoxon.gov.uk](mailto:Planning@southoxon.gov.uk)

**Tel:** 01235 422600

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