

<b>APPLICATION NO.</b>	<a href="#">P24/S3030/FUL</a>
<b>SITE</b>	Roundwood, 20 Walton Avenue, Henley-on-Thames, RG9 1LA
<b>PROPOSAL</b>	Demolition of existing residential property and construction of single self-build dwelling.
<b>AMENDMENTS</b>	None
<b>APPLICANT</b>	Mr and Mrs Bromley
<b>APPLICATION TYPE</b>	FULL APPLICATION
<b>REGISTERED</b>	1.10.2024
<b>TARGET DECISION DATE</b>	26.11.2024
<b>PARISH</b>	HENLEY-ON-THAMES
<b>WARD MEMBERS</b>	Stefan Gawrysiak Ken Arlett Kellie Hinton
<b>OFFICER</b>	Victoria Clarke

1.0 **INTRODUCTION**

1.1 The application has been referred to planning committee because the view of Henley Town Council conflicts with officer’s recommendation for approval.

1.2 The application site, which is shown at **Appendix A**, is located within a residential area of Henley-on-Thames. The site contains an existing two storey dwelling and its detached garage located in a row of housing. The site is accessed off Walton Avenue, a private road, lined by Lime trees that runs between Vicarage Road and Harpsden Road. The trees to the frontage of the site are protected by a tree preservation order (TPO) and the rear garden boundary adjoins Henley St Mark’s Road Conservation Area. Opposite the frontage of the site is the Roman Catholic Church of the Sacred Heart, a grade II listed building.

2.0 **PROPOSAL**

2.1 The application seeks planning permission for the demolition of the existing late 1950s dwelling and its detached garage, and the erection of a three-storey, five-bedroom dwelling with a basement.

2.2 Reduced copies of the proposed plans are attached at **Appendix B**. All of the plans and other documentation associated with the application can be viewed on the council’s website: [www.southoxon.gov.uk](http://www.southoxon.gov.uk).

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1 **Publicity**

A planning notice was displayed outside the site because the site adjoins a conservation area.

3.2 **Statutory Consultee responses**

**Henley-on-Thames Town Council – Refuse:**

- Bulk and massing would be out of keeping with the street scene and local character
- Wrong type of house for this location / conservation area.
- Impact on amenity of neighbours and impact on light.

### 3.3 Council – Professional officer comments

**Ecology Team (South and Vale)** – No objections subject to conditions:

- No external lighting unless a wildlife sensitive scheme agreed
- Biodiversity enhancements (integrated bird and bat boxes/tiles/bricks and landscaping to encourage wildlife)

**Drainage - (South & Vale)** – No objection subject to condition:

- Surface water drainage scheme to be agreed

**Forestry Officer (South and Vale)** – No objection subject to conditions:

- Tree protection to be implemented as approved in accordance with details set out in submitted Tree Protection Method Statement and Tree Protection Plan.
- Location of subterranean drainage and services to be agreed

### 3.4 Public Responses

**Neighbour** – One letter of objection has been received:

- Scale and size of dwelling uphill of neighbour. Each existing house is currently one metre higher than the next.
- Three storey property is out of character with the street.
- Loss of light to rooflights serving kitchen and living space at Wisteria House.
- Taller built form, closer to the side boundary will result in loss of light to bedroom window.
- Overlooking of garden from three proposed roof windows on rear of proposed house.
- Increase in height and closer proximity to neighbour should not be permitted
- Basement digging may impact neighbouring properties.

Full responses can be viewed on the council's website.

### 4.0 RELEVANT PLANNING HISTORY

Application Number	Description of development	Decision and date
<a href="#">P24/S1441/PEM</a>	Demolition of existing residential property and construction of new 4/5 bedroom property, follow up pre-application advice to P23/S1271/PEM.	Advice provided (11/06/2024)

<a href="#">P23/S1271/PEM</a>	Demolition of existing residential property and construction of new 4/5 bedroom property.	Advice provided (16/05/2023)
<a href="#">P98/S0143</a>	Single storey rear extension to replace existing extension.	Approved (29/04/1998)

5.0 **ENVIRONMENTAL IMPACT ASSESSMENT**

5.1 Not applicable

6.0 **POLICY & GUIDANCE**

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

6.2 **Development Plan Policies**

South Oxfordshire Local Plan 2035 (SOLP) Policies:

STRAT1 - The Overall Strategy

H1 - Delivering New Homes

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

DES1 - Delivering High Quality Development

DES2 - Enhancing Local Character

DES3 - Design and Access Statements

DES5 - Outdoor Amenity Space

DES6 - Residential Amenity

DES7 - Efficient Use of Resources

DES8 - Promoting Sustainable Design

DES10 - Carbon Reduction

ENV1 - Landscape and Countryside

ENV2 - Biodiversity - Designated sites, Priority Habitats and Species

ENV3 - Biodiversity

ENV6 - Historic Environment

ENV8 - Conservation Areas

EP3 - Waste collection and Recycling

EP4 - Flood Risk

INF4 - Water Resources

TRANS5 - Consideration of Development Proposals

6.3 **Joint Henley and Harpsden Neighbourhood Plan**

ENV2 – Biodiversity

ENV3 – Trees

SD1 – Minimising Carbon Emissions

SD3 – Local Character

T4 – EV Charging Points

T6 – Parking and Standards

6.4 **Supplementary Planning Guidance/Documents**

Joint South Oxfordshire and Vale of White Horse Design Guide

7.0 **PLANNING CONSIDERATIONS**

7.1 **The relevant planning considerations are the following:**

- **Principle of development**

- **Design and character**
- **Residential amenity**
- **Access and parking**
- **Trees**
- **Protected species and biodiversity**

**7.2 Principle of development**

SOLP policies H1 and HEN1 support new housing within Henley. The proposal is for a replacement dwelling and is acceptable in principle.

**7.3 Design and character**

The proposed dwelling would be traditional in form with a dual pitched roof and gable frontage. There is considerable variety in design of properties in the street and the materials used in their external finishes. The proposed dwelling would be traditional in form. The proposed slate roof, facing brickwork and timber cladding would be in keeping with the character of the site and with other properties in the street. The proposal would not be harmful to the setting of the conservation area which adjoins the rear garden of the site nor to the nearby listed Catholic church.

7.4 The existing dwelling has a long, narrow footprint that extends at depth into the rear garden. The siting of the proposed dwelling within the plot more closely reflects the pattern and grain of development in the street because it would have a wider footprint and its front and rear building lines would be better aligned with those of neighbouring properties.

7.5 The properties in Walton Avenue are staggered in height due to the levels sloping downhill from south west to north east. The proposed dwelling would be greater in height than the existing dwelling but would be lower in height than the neighbouring property to the south west (Linden) and would be greater in height than Wisteria House to the north east. The proposal would therefore retain the general character and the stagger in the height of properties down the street.

7.6 The proposed dwelling would be wider than the existing dwelling and would span almost the whole width of the plot in a very similar way to other properties in the road. Officers consider the gaps retained to the boundaries, approximately 1.2 metres on either side would be acceptable; an appropriate spacing would be retained between properties in terms of the spacing of built form in the street scene (approximately 3.1 metres to the side of Linden and approximately 1.66 metres to side of the ground floor, and approximately 5 metres to the first floor side window of Wisteria House). The proposed dwelling would be in keeping with the character of the street in terms of its siting, orientation, scale, height and massing.

**7.7 Residential amenity**

Concerns have been raised by the Town Council and by a neighbour about the impact of the proposed development on the amenities of neighbouring properties.

- 7.8 The neighbouring properties on both sides of the application site have side windows. The Joint Design Guide sets out the 45-degree rule and 25-degree rule as a guide to assess the impact of proposals on light to neighbouring habitable rooms.
- 7.9 The ground floor side window of Linden serves a WC which is not considered a habitable room. The proposal would not unacceptably reduce light to habitable rooms of neighbouring property Linden.
- 7.10 Wisteria House has a first floor bedroom window facing towards the application site. The side wall of the proposed dwelling would be approximately 5.1 metres away from the window, and the height of the eaves of its half-hipped gable would be approximately 6.4 metres (approximately two metres higher than the top of the neighbouring window. The proposed dwelling would be approximately 8.6 metres at its maximum height (roof ridge) which would be approximately four metres higher than the top of the neighbouring window at a distance 7.4 metres from the window.
- 7.11 The proposal fails to comply with the 25-degree rule for windows directly facing new development in relation to this window. However, weight must also be given to the fact that the affected bedroom is served by a secondary window on the rear elevation. The case officer visited the neighbouring property as part of the assessment of the application and, on balance, considers the proposal would not result in a harmful loss of light to the bedroom and nor would the development be unacceptably overbearing on this room.
- 7.12 The proposed dwelling would be taller and closer to the boundary with Wisteria House and would be visible from the three neighbouring rooflights windows that serve their kitchen and living area. Whilst the proposed development would be visible, officers consider it would not be overbearing on the property and nor would it result in an unacceptable loss of light to the room.
- 7.13 The rooflights proposed on the side elevation on the rear element are high level windows serving the ground floor and would not therefore result in overlooking. The rear windows and rooflights will have a similar relationship with neighbouring properties as existing rear windows and will not therefore introduce an unacceptable level of overlooking of neighbouring gardens.
- 7.14 **Access and parking**  
The proposed parking and turning provision is acceptable and will be secured by condition. No change is proposed to the access.
- 7.15 **Trees**  
Trees within the site make an important landscape contribution to the urban landscape. Three lime trees (shown as T2-T4 on the tree plans) are located at the site frontage with Walton Avenue and are protected by a Tree Preservation Order (ref: G1 of TPO S35/1996).
- 7.16 An Arboricultural Report and associated plans have been received from BJ Unwin Forestry Consultancy Ltd (ref: 6 January 2024). This confirms that all

the important on-site trees will be retained as part of the development proposals. To facilitate the proposed development one small yew tree will be removed along with several shrubs. These are not significant arboricultural features and should not be a constraint to development.

- 7.17 The existing access between the lime trees at the site frontage will be retained. If the surface is to be upgraded this will need to be of a minimal dig construction and follow the recommendations provided within the submitted arboricultural report where within the Root Protection Area (RPA) of retained trees,
- 7.18 A new car parking area is proposed at the edge of the RPAs for trees T3+T4 (as shown on the Tree Protection Plan). However, the incursion within the RPA is minimal and will follow conventional build methods; an approach that is considered acceptable.
- 7.19 Retained trees can be adequately protected as part of the tree protection recommendations provided within the Arboricultural Report and Tree Protection Plan (TPP). Subject to the recommended tree protection conditions the Forestry Officer has no objections to the proposal.
- 7.20 **Protected species and biodiversity**  
A preliminary bat roost assessment has been submitted in support of the application. No features suitable for use by roosting bats were identified during either the internal or external building inspection. The report therefore concludes that roosting bats are unlikely to be affected by the proposals. However, because the surrounding habitats are likely to be used by foraging and commuting bats a condition is recommended to ensure that any new external lighting to be installed would not adversely affect bats (or other wildlife).
- 7.21 The proposed development is a self-build development and is exempt from mandatory Biodiversity Net Gain. However, in accordance with the NPPF and SOLP policy ENV3, a condition is recommended to require some enhancements for biodiversity on the site in the form of bat and bird boxes and native planting to encourage wildlife.
- 7.22 **Community Infrastructure Levy**  
The proposed development is liable for community infrastructure levy.
- 7.23 **Pre-commencement conditions**  
Pre-commencement conditions are recommended in relation to details of subterranean drainage and services to ensure they avoid the root protection areas of protected trees, and for the provision of a surface water drainage scheme.
- 8.0 **Other Relevant Legislation**
- 8.1 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.

8.2 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.

8.3 Crime and Disorder Act 1998

In considering this application, due regard has been given to the likely effect of the proposal on the need to reduce crime and disorder in accordance with Section 17 of the Crime and Disorder Act 1998. In reaching a recommendation, officers consider that the proposal will/will not undermine crime prevention or the promotion of community safety.

9.0 **PLANNING BALANCE AND CONCLUSION**

9.1 The proposed development would be acceptable in principle because it accords with the SOLP housing policies. The proposed development would not adversely harm the amenity of neighbours or heritage assets and would be in keeping with the character of the street and surrounding area. The proposed development would not adversely impact protected species or trees. Subject to the recommended conditions the proposal would be acceptable and would accord with development plan policies.

9.2 Abbreviated versions of the recommended conditions are listed below and shown in full in **Appendix C**.

10.0 **RECOMMENDATION**

**Planning Permission**

**1 : Commencement within three years**

**2 : Development in accordance with the approved plans**

**3 : Sample or schedule of materials to be agreed**

**4 : Parking & manoeuvring areas to be provided and retained**

**5 : Tree protection (implementation as approved)**

**6 : Location of subterranean drainage and services to be agreed**

**7 : Surface water drainage scheme required**

**8 : Bird and bat boxes and planting to encourage wildlife**

**9 : No external lighting unless wildlife sensitive scheme agreed**

**10 : Energy Statement Verification**

**South Oxfordshire District Council – Planning Committee – 11 December 2024**

**Officer:** Victoria Clarke

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

**Tel:** 01235 422600



## Appendix

### Recommended Conditions (full text):

Sequence	Description	Details
1	Commencement 3 years - Full Planning Permission	<p>The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.</p> <p>Reason: By virtue of Sections 91 to 95 of the Town and Country Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.</p>
2	Approved plans	<p>That the development hereby approved shall be carried out in accordance with the details shown on the following approved plans, 120 PA 01, 120 PA 02 A, 120 PA 04, 120 PA 06, 120 PA 07, 120 PA 08, 120 PA 09, 120 PA 10, 120 PA 11, 120 PA 12 and 120 PA 13, except as controlled or modified by conditions of this permission.</p> <p>Reason: To secure the proper planning of the area in accordance with Development Plan policies.</p>
3	Sample materials required (all)	<p>Prior to the commencement of the development hereby approved above slab level a photographic schedule of all materials to be used in the external construction and finishes of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: In the interests of the visual appearance of the development in accordance with Policies DES1 and DES2 of the South Oxfordshire Local Plan 2035.</p>
4	Parking & Manoeuvring Areas Retained	<p>Prior to the first occupation of the development hereby approved, the parking and turning areas shall be provided in accordance with the approved plan 120PA02A and shall be constructed, laid out, surfaced, drained and completed to be compliant with sustainable drainage (SuDS) principles, and shall be retained unobstructed except for the parking of vehicles associated with the development at all times.</p>

		Reason: In the interests of highway safety and in accordance with Policy TRANS5 of the South Oxfordshire Local Plan 2035.
5	Tree protection (implementation as approved)	<p>The tree protection details as listed and shown within the approved BJ Unwin Tree Protection Method Statement Report (6 Jan 2024) shall be put in place prior to any on site works including demolition and thereafter retained in situ for the duration of development. The tree protection shall include the installation of tree protective fencing and temporary ground protection prior to the commencement of the development (including site clearance) as recommended within section 6.3 of the arboricultural report and shown on the Tree Protection Plan and the project arboricultural consultant shall supervise the site at critical stages of the development as listed within section 6.1 of the arboricultural report.</p> <p>Reason: To safeguard trees which are visually important in accordance with Policies ENV1, DES1, and DES2 of the South Oxfordshire Local Plan 2035.</p>
6	Location of drainage and services	<p>Prior to the commencement of the development hereby approved full details of proposed subterranean drainage and services shall be submitted to and approved in writing by the local planning authority. Thereafter the development shall be completed in accordance with the approved details.</p> <p>Reason: To safeguard trees which are visually important in accordance with Policies ENV1, DES1, and DES2 of the South Oxfordshire Local Plan 2035.</p>
7	Surface Water Drainage	<p>Prior to the commencement of development, with the exception of any demolition, a full surface water drainage scheme shall be submitted to, and approved in writing by, the Local Planning Authority. The design of the surface water drainage system shall be in accordance with the non-statutory technical standards for sustainable drainage systems, including details of levels, size, position and construction of all drainage works. The drainage scheme shall be sized to accommodate a minimum of the worst case 1 in 30 year storm, with evidence to demonstrate</p>

		<p>that the site can accommodate the worst case 1:100 year storm + 40% Climate Change storm, without any flows exiting up to this storm event and any storage on site not causing a nuisance or flooding to property. The approved scheme shall be implemented in accordance with the approved details prior to the occupation of the development hereby approved.</p> <p>Notes:</p> <ul style="list-style-type: none"> <li>- BRE 365 percolation testing must reflect a full section of the proposed soakaway down to proposed formation level.</li> <li>- Cv values must be set at 0.95.</li> <li>- A contributing areas plan must be provided.</li> <li>- An exceedance plan must be provided.</li> <li>- The building must contain a bio retention feature or source control feature. This could be in the form of a rain water planter or rain water butt.</li> <li>- Full construction details of all surface water drainage components including hard standing areas, must be provided.</li> <li>- Drainage layout from RWP must be provided.</li> <li>- A manhole schedule must be provided.</li> <li>- Offsets in accordance with Ciria C574 must be considered.</li> </ul> <p>Reason: To ensure the proper provision of surface water drainage and to ensure flooding is not exacerbated in the locality in accordance with Policy EP4 of the South Oxfordshire Local Plan 2035.</p>
8	Ecology	<p>Prior to the commencement of the development above new slab level, details of biodiversity enhancements, to include integral bird and bat boxes, tiles or bricks built into the fabric of the new building, and native and wildlife friendly landscaping (including native, pollen-rich, and fruit-bearing planting, and gaps under fences to allow hedgehogs to traverse the gardens), shall be submitted to and approved in writing by the council. The biodiversity enhancements shall thereafter be installed as approved. A brief letter report from the ecologist shall be submitted to the council</p>

		<p>within 6 months of the completion of the development, confirming that the enhancements have been installed, including a simple plan showing their location and photographs of the enhancements in situ.</p> <p>Reason: To incorporate biodiversity improvements in and around developments in accordance with the NPPF and local policy ENV3.</p>
9	Lighting	<p>No external lighting shall be installed on the site until a report detailing the lighting scheme, and how this will not adversely impact upon wildlife, has been submitted to and approved in writing by the LPA. The report (if external lighting is to be installed) shall include the following figures and appendices:</p> <ul style="list-style-type: none"> <li>- A layout plan with beam orientation</li> <li>- A schedule of equipment</li> <li>- Measures to avoid glare</li> <li>- An isolux contour map showing light spillage to 1 lux both vertically and horizontally, areas identified as being of importance for commuting and foraging bats, and locations of bird and bat boxes.</li> </ul> <p>The approved lighting plan shall thereafter be implemented as agreed.</p> <p>Reason: To limit the impact of light pollution from artificial light on nature conservation in accordance with paragraph 191 of the NPPF and local policy ENV12.</p>
10	Energy statement verification	<p>Prior to first occupation, all carbon reduction energy efficiency measures shall be implemented in accordance with the Energy Statement hereby approved and a Verification Report shall be submitted to the Local Planning Authority and approved in writing. The Verification Report shall demonstrate (with photographic evidence) that the energy efficiency measures have been implemented. These measures shall be retained and maintained as such thereafter in accordance with the Energy Statement and Verification Report.</p>

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		Reason: To ensure high standards of sustainable design and construction in accordance with Policy DES10 of the South Oxfordshire Local Plan 2035.
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