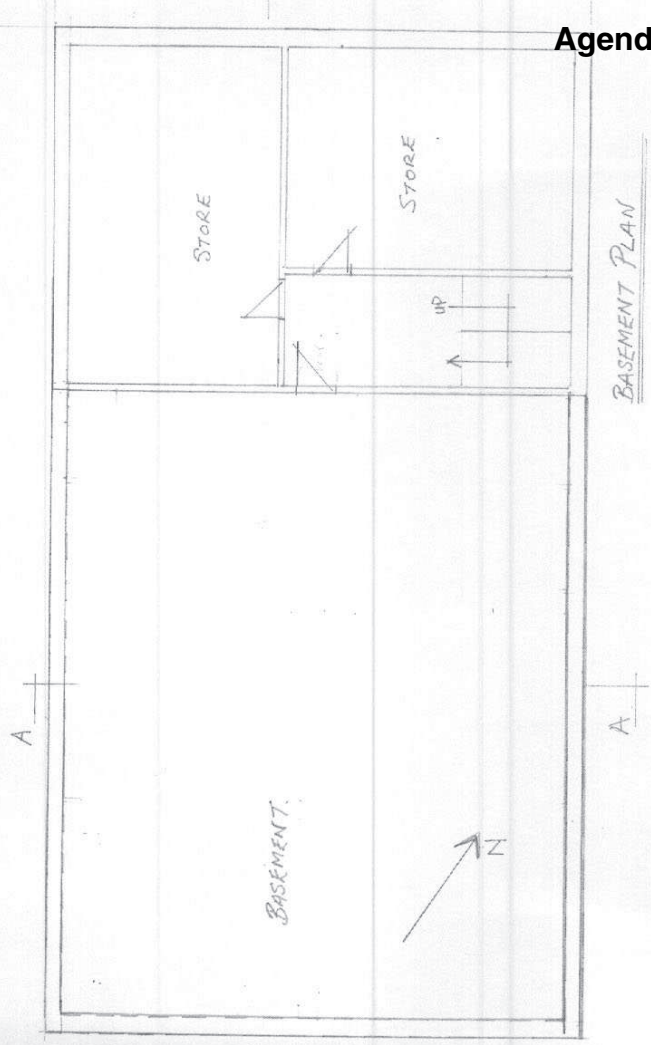
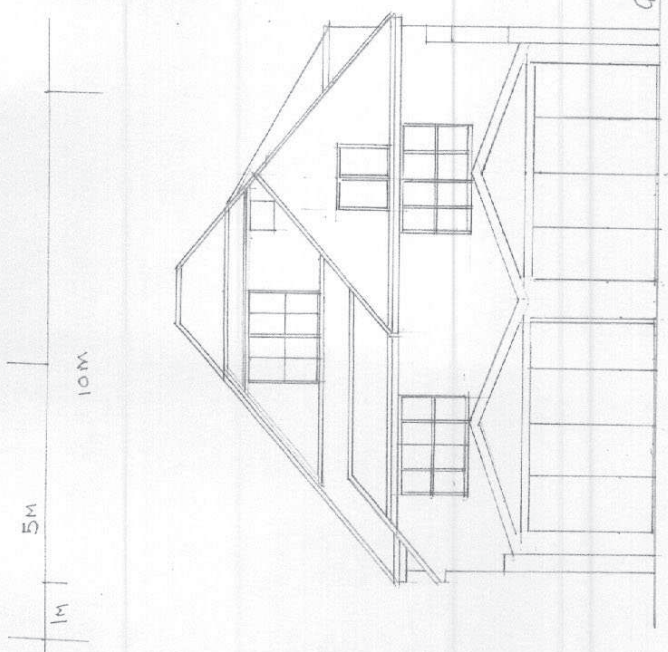
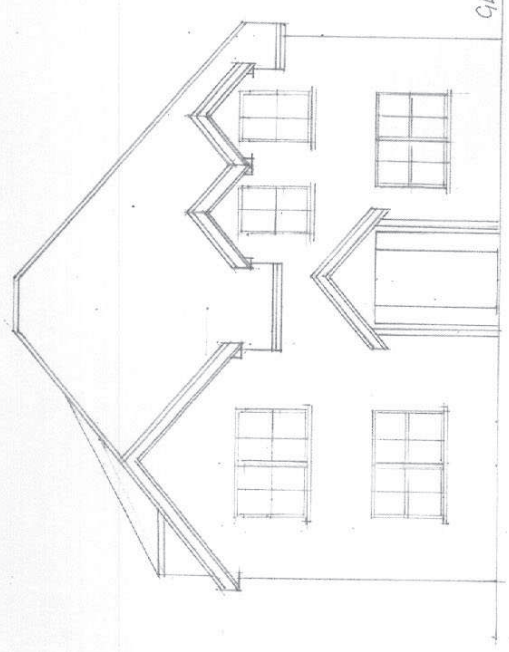


SCALE: 1:100



BASEMENT PLAN



Project: Detail changes to the new dwelling approved in P11/S0128

Address and applicant:
95A St Marks Road, Henley on Thames, RG9 1LP
Mr & Mrs A C Sweeney

Drawing title: Elevations Front & Rear and Basement Plan

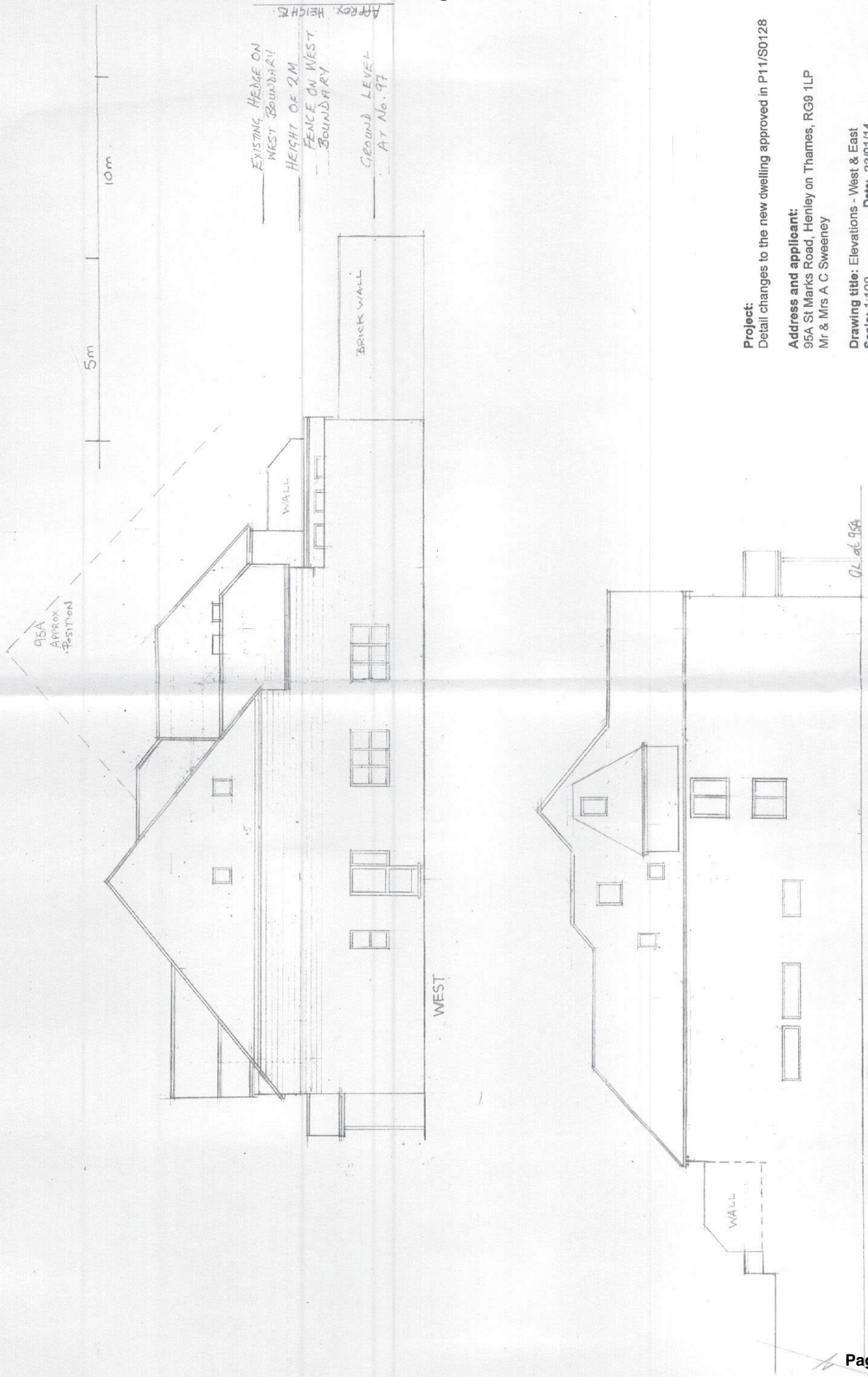
Scale: 1:100

Date: 23/01/14

Drawing number: 4 of 7

Revision number: **Revision date:**

Agenda Item 12

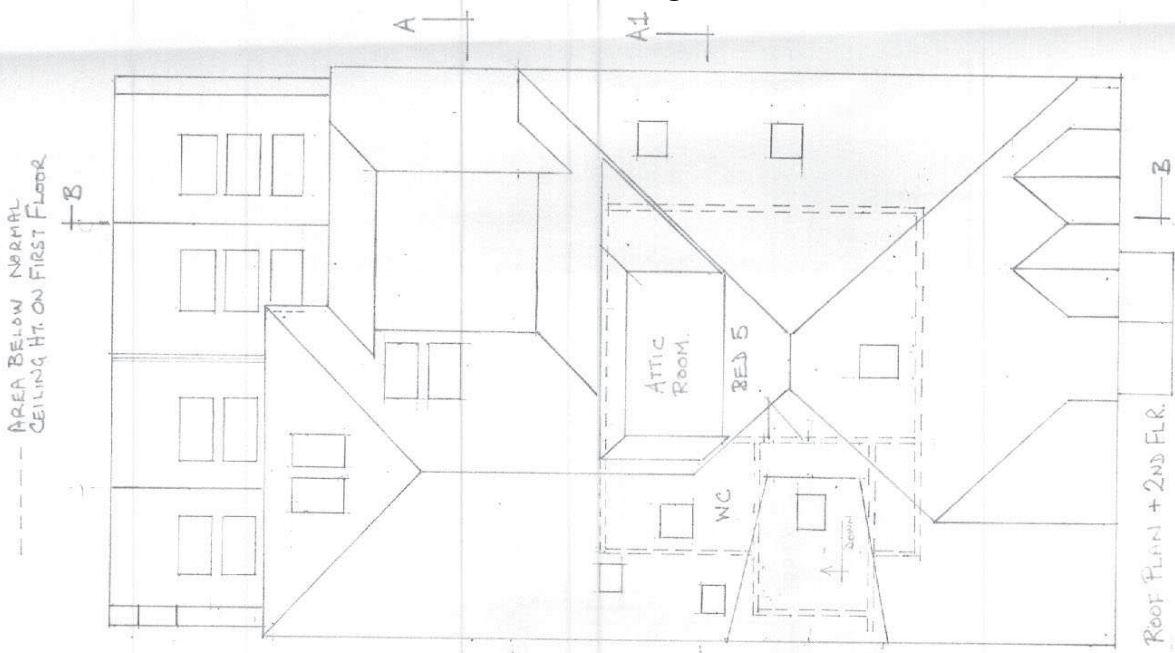
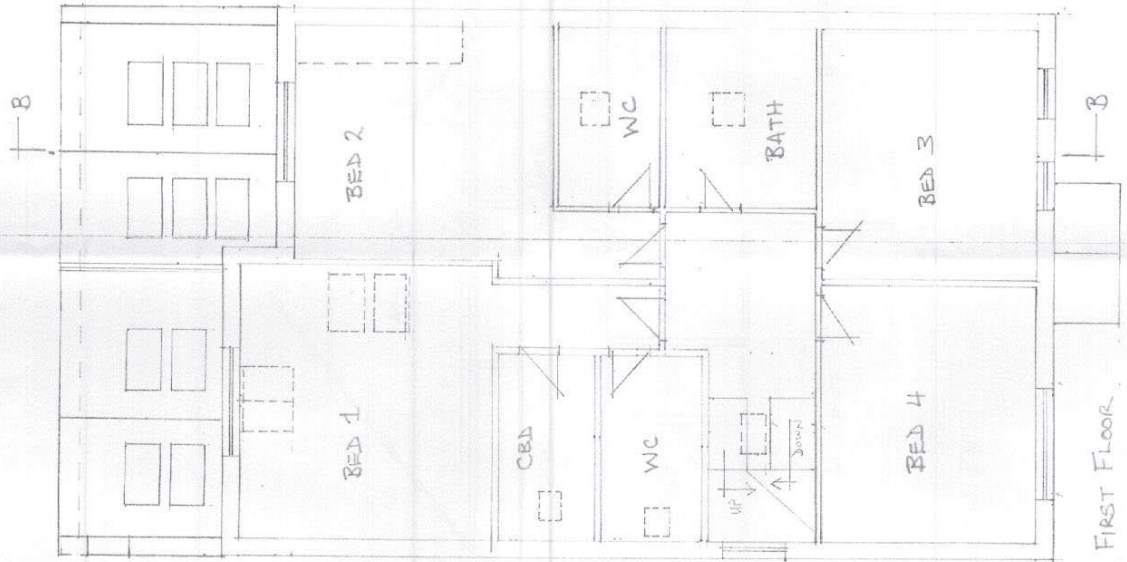
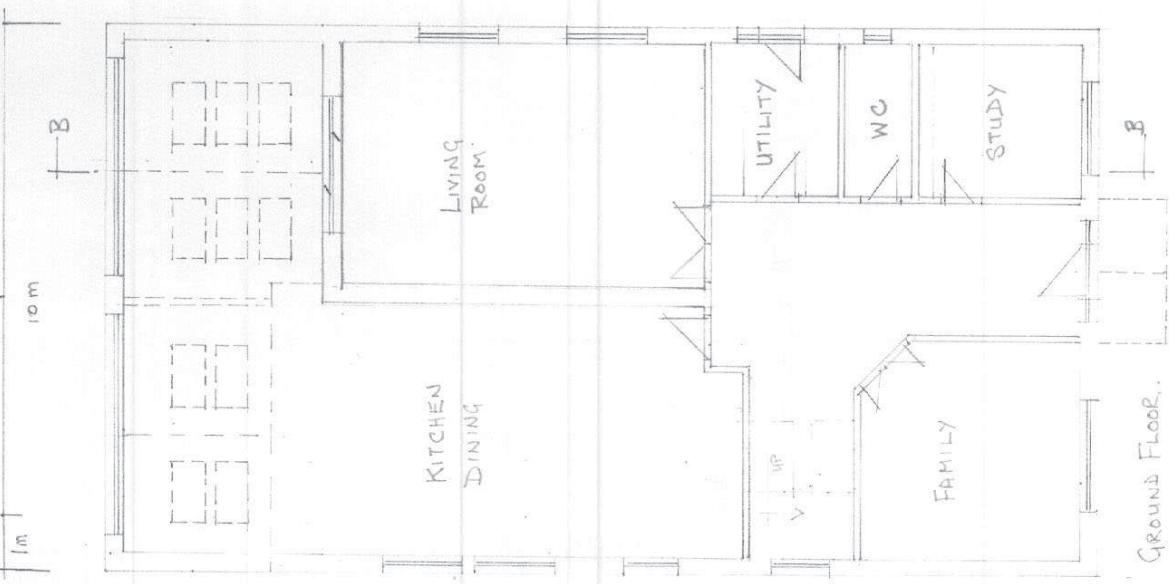


Project: Detail changes to the new dwelling approved in P11/S0128
Address and applicant: 95A St Marks Road, Henley on Thames, RG9 1LP
Mr & Mrs A C Sweeney
Drawing title: Elevations - West & East
Scale: 1:100
Date: 23/01/14
Drawing number: 5 of 7
Revision number: **Revision date:**

Agenda Item 12

SCALE: 1:100.

1m
5m
10m

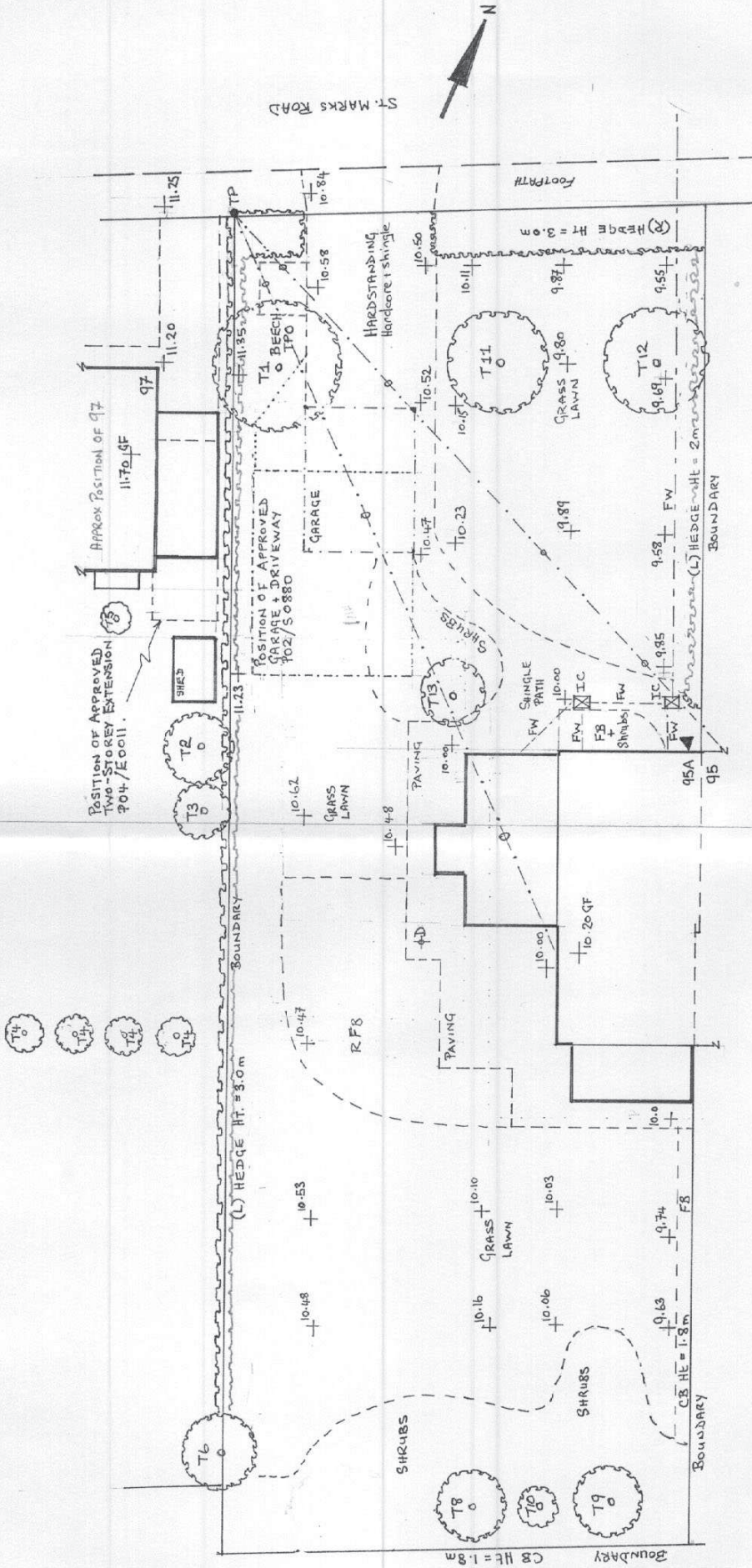


Project: Detail changes to the new dwelling approved in P11/S0128
Address and applicant: 95A St Marks Road, Henley on Thames, RG9 1LP
 Mr & Mrs A C Sweeney

Drawing title: Floor Plans and Roof Plan
Scale: 1:100
Date: 23/01/14
Drawing number: 6 of 7

Revision number: **Revision date:**

Agenda Item 12



ABBREVIATIONS:

- D: DATUM POINT (notional level 10.0m)
- FB: FLOWER BED
- RFB: RAISED FLOWER BED
- HEDGE (L): LAUREL
- HEDGE (R): RHODEDENDRON
- CB: CLOSE BOARDED FENCE
- IC: INSPECTION COVER (INVERT)
- FW: FOUL WATER PIPE UNDERGROUND TO REMAIN
- TP: TELEGRAPH POLE
- GF: OVERHEAD CABLE

TREES: SPECIES + STEM DIAM. CM

- T1 BEECH 40 (TPO)
- T2 EUCALYPTUS 40
- T3 FIR 25
- T4 FIR 20
- T5 FIR 15
- T6 LAUREL 15
- T8 } FIR 40
- T9 } (DISEASED - TO BE REMOVED)
- T10 HAZEL 15
- T11 APPLE 30 (DISEASED - TO BE REMOVED)
- T12 PEAR 30 (DISEASED - TO BE REMOVED)
- T13 HAZEL 15 (TO BE REMOVED)

LOCATION OF DATUM POINT: TOP OF THE BLACK DRAINAGE INSPECTION COVER ON THE FIVE (1) TO

Project:
Detail changes to the new dwelling approved in P11/S0128

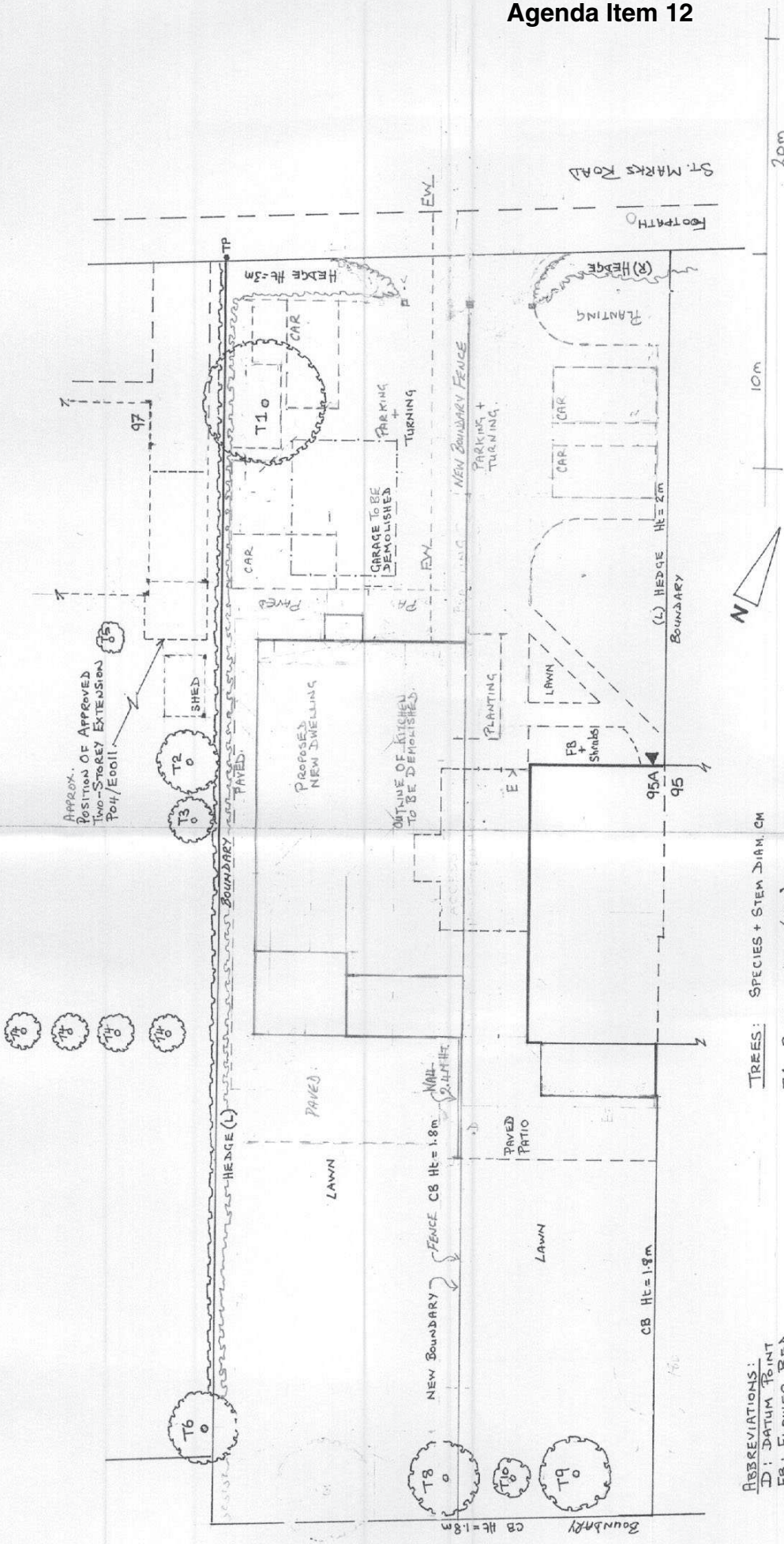
Address and applicant:
95A St Marks Road, Henley on Thames, RG9 1LP
Mr & Mrs A C Sweeney

Drawing title: Site Plan - Existing
Scale: 1:200
Date: 23/01/14

Drawing number: 2 of 7

Revision number: **Revision date:**

Agenda Item 12



TREES: SPECIES + STEM DIAM. CM

- T1 BEECH 40 (TPO)
- T2 EUCALYPTUS 40
- T3 FIR 25
- T4 FIR 20
- T5 FIR 15
- T6 LAUREL 15
- T8 } FIR 40
- T9 } " " " " " " " " " " " "
- T10 HAZEL 15

ABBREVIATIONS:

- D: DATUM POINT
- FB: FLOWER BED
- RFB: RAISED FLOWER BED
- HEDGE (L): LAUREL
- HEDGE (R): RHODEDENDRON
- CB: CLOSE BOARD FENCE
- IC: INSPECTION COVER
- FW: FOUL WATER
- TP: TELEGRAPH POLE

Project:
Detail changes to the new dwelling approved in P11/S0128

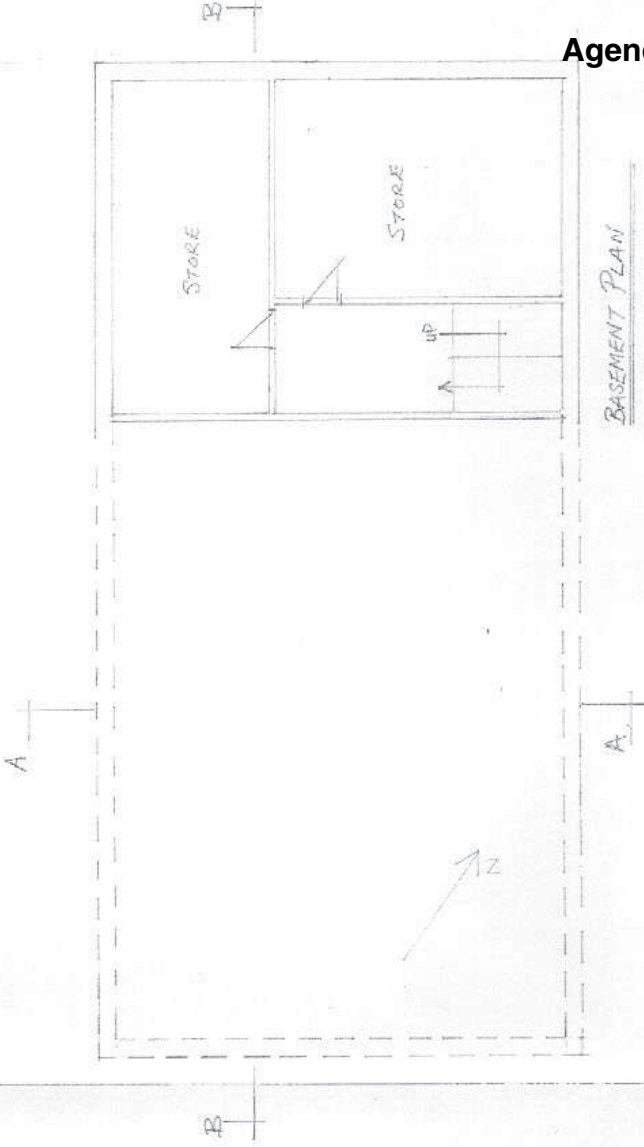
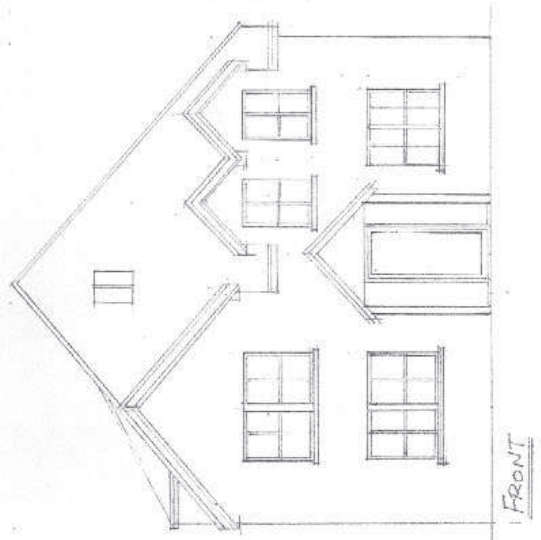
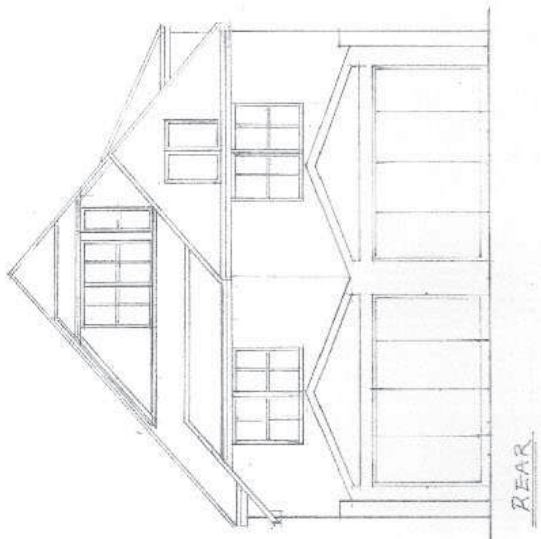
Address and applicant:
95A St Marks Road, Henley on Thames, RG9 1LP
Mr & Mrs A C Sweeney

Drawing title: Site Plan - Proposed
Scale: 1:200
Date: 23/01/14
Drawing number: 3 of 7

Revision number: **Revision date:**

SQUARE
LINE

SCALE:
5M
10M



Project:
Detail changes to the new dwelling approved in P09/E1267

Address and applicant:
95A St Marks Road
Henley on Thames, RG9 1LP
Mr & Mrs A C Sweeney

Drawing title: Elevations Front & Rear and Basement Plan

Scale: 1:100

Date: 16th March 2012

Drawing number: 4 of 7

Revision number: **Revision date:**



Appeal Decision

Site visit made on 14 June 2013

by H Butcher BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 1 August 2013

Appeal Ref: APP/Q3115/A/12/2189595

95A St Marks Road, Henley on Thames, Oxon RG9 1LP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs A. C. Sweeney against the decision of South Oxfordshire District Council.
 - The application Ref P/11/S0128, dated 16 March 2012, was refused by notice dated 25 July 2012.
 - The development proposed is changes to the detail of one new dwelling approved in application P09/E1267 on land at 95A St Marks Road.
-

Decision

1. The appeal is allowed and planning permission is granted for changes to the detail of one new dwelling approved in application P09/E1267 at land at 95A St Marks Road, Henley on Thames, Oxon, in accordance with the terms of the application, Ref P11/S0128, dated 16 March 2012, subject to the conditions set out in the attached schedule.

Main issue

2. The main issue is the effect of the proposal on the living conditions of the occupiers of 97 St Marks Road, with particular reference to potential overbearing impact.

Reasons

3. The appeal site is located on the upper part of St Marks Road. This part of the road is tree lined and made up of predominantly detached properties of varying, ages, styles and proportions, set in mature, landscaped gardens. Properties are generally located relatively closely to each other and in similar positions addressing the road in a uniform line. The appeal site, is an exception to this consisting of a tall, semi-detached property set well back from the general building line, with a generous side garden separating it from no. 97.
 4. In consideration of this appeal I have noted the planning history of the site. Of particular note is permission P09/E1267 (renewed under ref P12/S1581/FUL). This permission is for a house of broadly similar scale and siting to that which forms the basis of this appeal.
-

5. The proposal before me does alter the above extant permission in a number of material ways including: increase in overall depth of approximately 1m; the addition of a single storey rear infill extension adjacent to the shared boundary with no 97; and an overall increase in width of the building of approximately 0.6m due to the removal of a single storey side extension on the west side.
6. Notwithstanding these factors, the new dwelling would have a ground floor level some 1.5m below that of no. 97. The well established Laurel hedge along the shared boundary with that property, along with trees in no. 97's rear garden, would also provide year round screening of much of the side elevation.
7. I accept there may be some views of the development above the hedge and through the screening provided by other foliage. However, the proposal also includes some alterations to the approved scheme to mitigate overbearing impact including a reduction in eaves height of the main roof of the dwelling adjacent to the shared boundary with no. 97, a reduction in pitch of the main roof; which is fully hipped in design, and a reduction in eaves height and ridge height of the two storey rear projection on the west side.
8. I have taken into account the effect of the proposed house on the living conditions of other neighbouring properties to the appeal site and have found no reason to go against the Council's findings on this. My assessment also takes into consideration the current form of no. 97 as well as the extant planning permission on this property for a two storey side extension adjacent to the boundary with no. 95A. This extension would project beyond the existing rear elevations of no. 97 and has also been renewed (ref P09/E1328).
9. Taking the above matters together, I conclude that the proposal would not materially harm the living conditions of no. 97's occupiers and therefore complies with policies G2, D1, D4 and H4 of the South Oxfordshire Local Plan, and policies CSQ3 and CSHEN1 of the South Oxfordshire Core Strategy 2027 Development Plan Document, which, amongst other things, seek to protect the amenities of neighbouring properties.

Other matters

10. The provision of two parking spaces for no. 95A and two for the proposed dwelling would be adequate given the size of the existing and proposed houses and is unlikely to cause highway safety problems.
11. A staggered building line is an appropriate response to the two very different positions of nos. 95A and 97 and would not appear incoherent in the street scene.

Conclusion and conditions

12. The Council has suggested a number of conditions in addition to the standard time limit condition. It is necessary to require that the development is carried out in accordance with approved plans. This is for the avoidance of doubt and in the interests of proper planning. The Council have also suggested a condition for samples of materials to ensure a satisfactory appearance but I have not been provided with justification for submission of additional details relating to doors and windows.

13. A condition requiring submission of ground levels is necessary to protect neighbouring amenity with respect to overbearing impact. Similarly it is necessary to remove permitted development rights with respect to the insertion of additional windows or openings in the side elevations in order to protect neighbouring properties from overlooking. However I have not been made aware of any exceptional circumstances which would justify further removal of permitted development rights.
14. A condition to ensure protection of the Copper Beech tree on site which is the subject of a Tree Preservation Order is necessary. Details such as the nature of the appointment of an arboricultural consultant can be addressed during consideration of the submitted details and consequently these have been omitted. A landscaping condition including the retention of existing planting will ensure a satisfactory appearance of development.
15. A condition to agree the vehicular access and visibility splays, and that these along with parking for both properties is implemented as approved is required to ensure highway safety. A separate condition requiring visibility splays to be maintained free of obstruction in perpetuity is also necessary.
16. It is necessary to impose a condition to ensure surface water and foul drainage works are adequately dealt with to prevent pollution. However, I find no reason to support a condition with respect to potential land contamination.
17. A condition requiring details of bin and recycling storage is not necessary as the proposed house would have sufficient space on site to carry out these activities in a satisfactory manner. It is also not necessary to require that the existing kitchen extension to 95A and its detached garage shall be demolished as by necessity this would occur in order to carry out construction of the proposed dwelling.
18. I have not been made aware of any relevant Development Plan Policy regarding the imposition of a condition to require the proposed house to achieve Level Three of the Code for Sustainable Homes. Neither am I aware of the appellant having designed the proposed house to meet this standard.
19. For the reasons given above I conclude that the appeal should be allowed.

Hayley Butcher

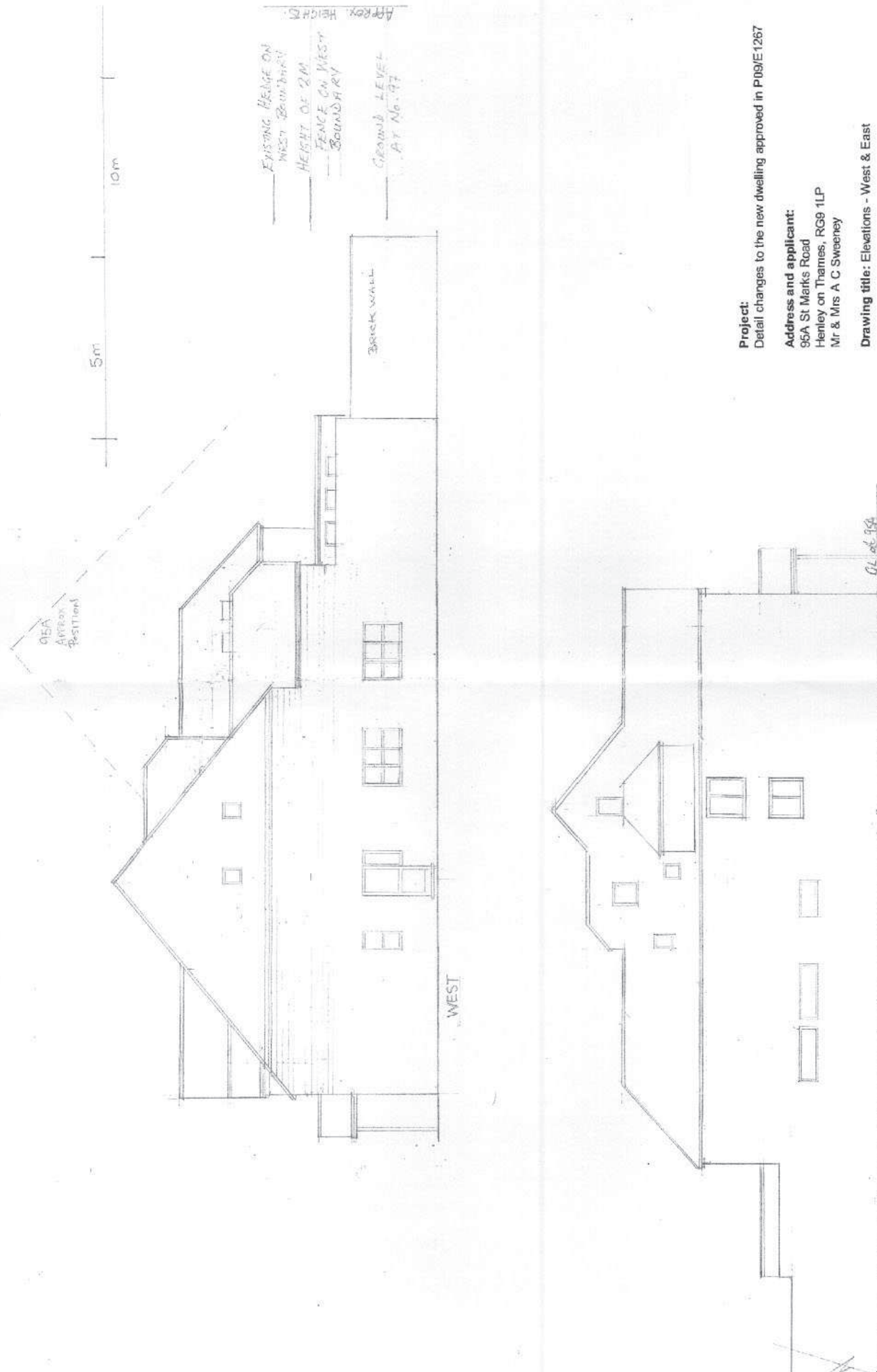
INSPECTOR

Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the details shown on submitted plans: "Site Plan – Proposed"; "Elevations Front and Rear and Basement Plan"; "Elevations – West & East"; "Floor Plans and Roof Plan"; and "Sections AA and BB".
- 3) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the house hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 4) Prior to the commencement of development, plans showing the existing and proposed ground levels, and proposed floor levels of the house hereby permitted, relative to the ridge height of 95A St Marks Road and a fixed datum point on land outside the application site, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- 5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting or modifying that Order), no windows or openings other than those expressly authorised by this permission shall be constructed in the side elevations of the house hereby approved.
- 6) Prior to the commencement of development, details of the position of the new access and visibility splays shall be submitted to and approved in writing by the local planning authority. The building shall not be occupied until the vehicular access, visibility splays, and parking and manoeuvring areas have been constructed in accordance with approved details and those shown on submitted plan: "Site Plan - Proposed", and shall be permanently retained thereafter.
- 7) The visibility splays approved in accordance with condition 6 shall be maintained free of all obstruction over 0.6m high at all times.
- 8) No development shall take place until a landscaping scheme has been submitted to and approved in writing by the local planning authority. This scheme shall indicate new trees and shrubs, as well as existing planting to be retained. The works shall be carried out as approved within 12 months of occupation of the house. In the event of loss by death or other means of such landscaping within a period of 3 years, it shall be replaced as many times as necessary by the same variety.
- 9) Prior to the commencement of development an arboricultural method statement to ensure the satisfactory protection of the Copper Beech tree during the construction period shall be submitted to the local planning authority and approved in writing. The matters to be encompassed within the arboricultural method statement shall include the following:
 - i. A specification for the pruning of, or tree surgery to, the Copper Beech tree in order to prevent accidental damage by construction activities;

- ii. The specification for the location, materials and means of construction of temporary protective fencing and/or ground protection in the vicinity of the Copper Beech tree.
 - iii. The definition of areas for the storage or stockpiling of materials, any temporary on-site parking, mixing of cement or concrete, and fuel storage.
 - iv. The means of demolition for the existing garage, and of the reinstatement of the area currently occupied thereby.
 - v. The specification of the routing and means of installation of drainage or any underground services.
 - vi. The details and method of construction of any other structures such as boundary walls within the root protection area of the Copper Beech tree, and how these relate to existing ground levels.
 - vii. The details of the materials and method of construction of any roadway, parking, pathway or other hard surfacing within the root protection area of the Copper Beech tree.
 - viii. Provision for the supervision of any works within the root protection area of the Copper Beech tree, monitoring of continuing compliance with the protective measures specified, and reporting of continued compliance or any departure there from to the Local Planning Authority by an appropriately qualified arboricultural consultant.
- 10) The house hereby permitted shall not be occupied until surface water and foul drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority.

Agenda Item 12



Project: Detail changes to the new dwelling approved in P09/E1267

Address and applicant:
95A St Marks Road
Henley on Thames, RG9 1LP
Mr & Mrs A C Sweeney

Drawing title: Elevations - West & East

Scale: 1:100

Date: 16th MARCH 2012

Drawing number: 5 of 7

Revision number: **Revision date:**

Agenda Item 12



Project: Detail changes to the new dwelling approved in P09/E1267

Address and applicant:
 95A St Marks Road
 Herley on Thames, RG9 1LP
 Mr & Mrs A C Sweeney

Drawing title: Floor Plans and Roof Plan

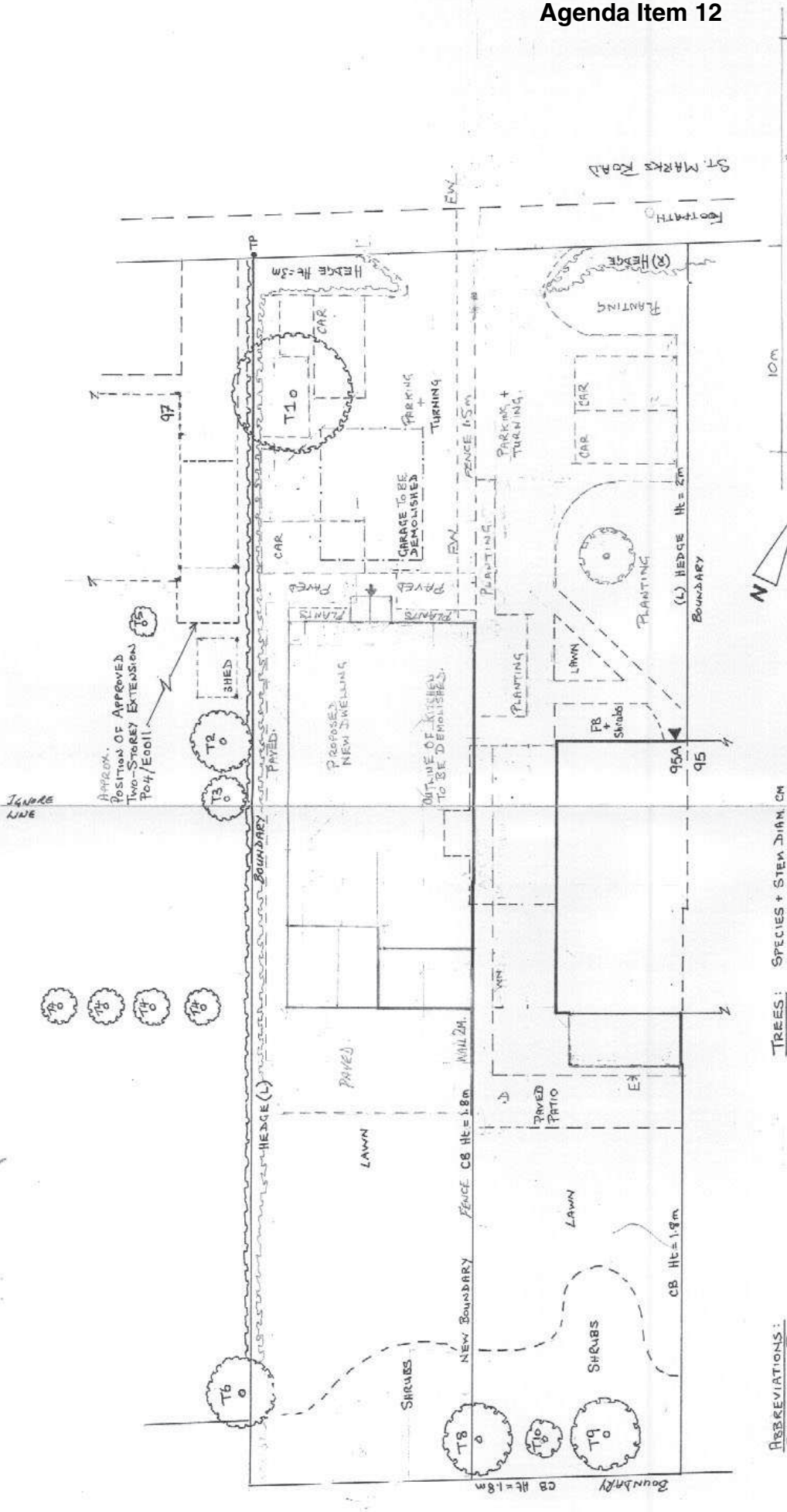
Scale: 1:100

Date: 16th MARCH 2012

Drawing number: 6 of 7

Revision number: **Revision date:**

Agenda Item 12



TREES: SPECIES + STEM DIAM. CM

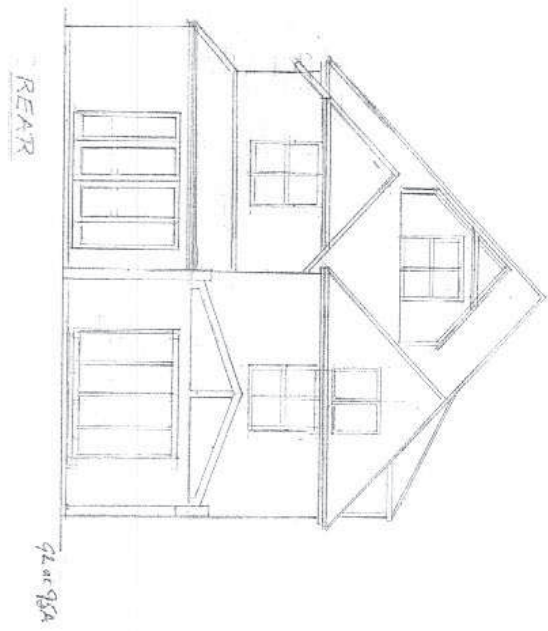
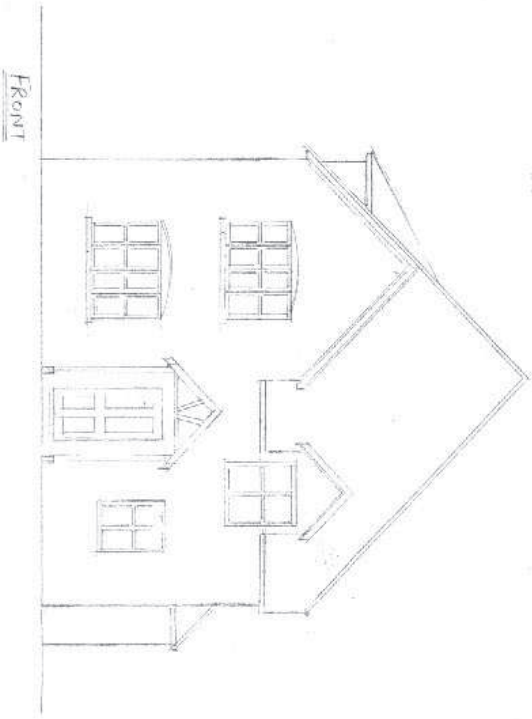
- T1 BEECH 40 (TPO)
- T2 EUCALYPTUS 40
- T3 FIR 25
- T4 FIR 20
- T5 FIR 15
- T6 LAUREL 15
- T8 } FIR 40
- T9 } LAUREL 15
- T10 HAZEL 15

- ABBREVIATIONS:
- D: DATUM POINT
 - FB: FLOWER BED
 - RFB: RAISED FLOWER BED
 - HEGE (L): LAUREL
 - HEGE (R): RAGGEDENDRON
 - CB: CLOSE BOARDED FENCE
 - IC: INSPECTION COVER
 - FW: FOUL WATER
 - TP: TELEGRAPH POLE
 - E: APPROVED SINGLE STOREY EXTENSION

Project: Detail changes to the new dwelling approved in P09/E1267
Address and applicant: 95A St Marks Road, Henley on Thames, RG9 1LP, Mr & Mrs A C Sweeney

Drawing title: Site Plan - Proposed
Scale: 1:200
Drawing number: 3 of 7
Revision number: [blank]
Revision date: [blank]

Date: 16th MARCH 2018



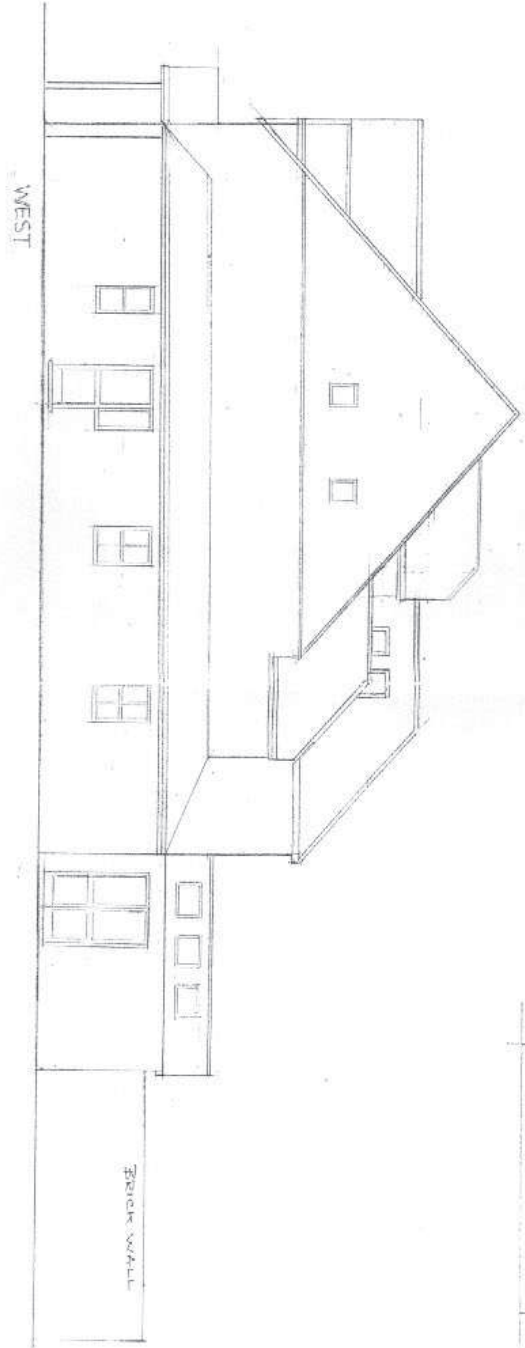
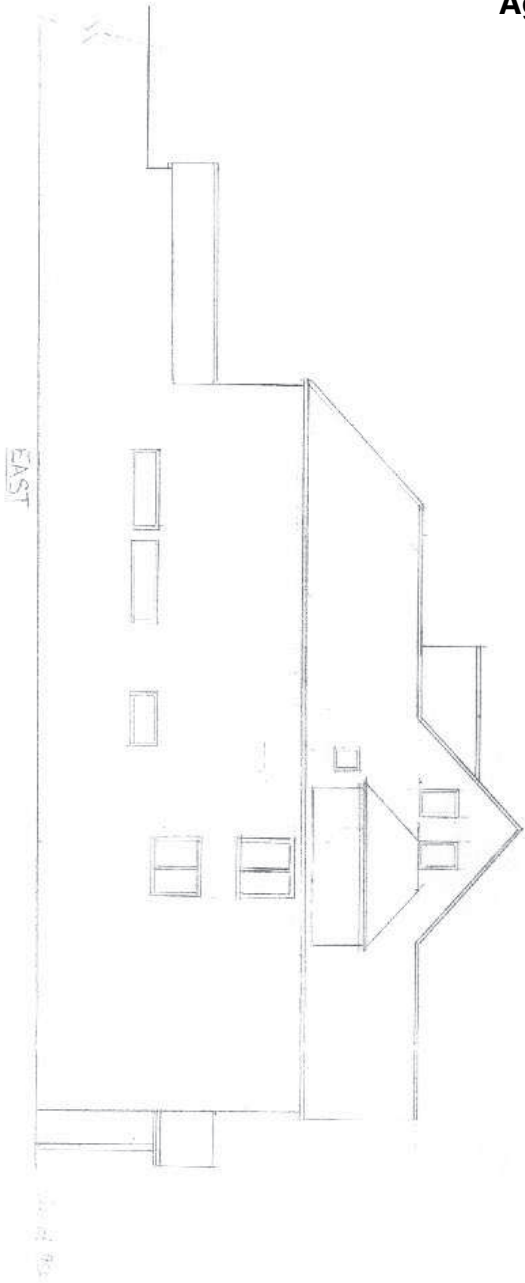
Project:
Demolition of existing kitchen at 95A.
Erection of new dwelling identical to that
approved in P09/E1267.

Address:
95A St Marks Road, Henley RG9 1LP
Drawing title: Elevations Front & Rear

Scale: 1:100 **Date:** 24th July 2012

Drawing 5 of 8
Revision no. **date:** PE-001

Agenda Item 12



Project:
Demolition of existing kitchen at 95A.
Erection of new dwelling identical to that
approved in P09/E1267.

Address:
95A St Marks Road, Henley RG9 1LP

Drawing title: Side Elevations - West & East

Scale: 1:100

Date: 24th July 2012

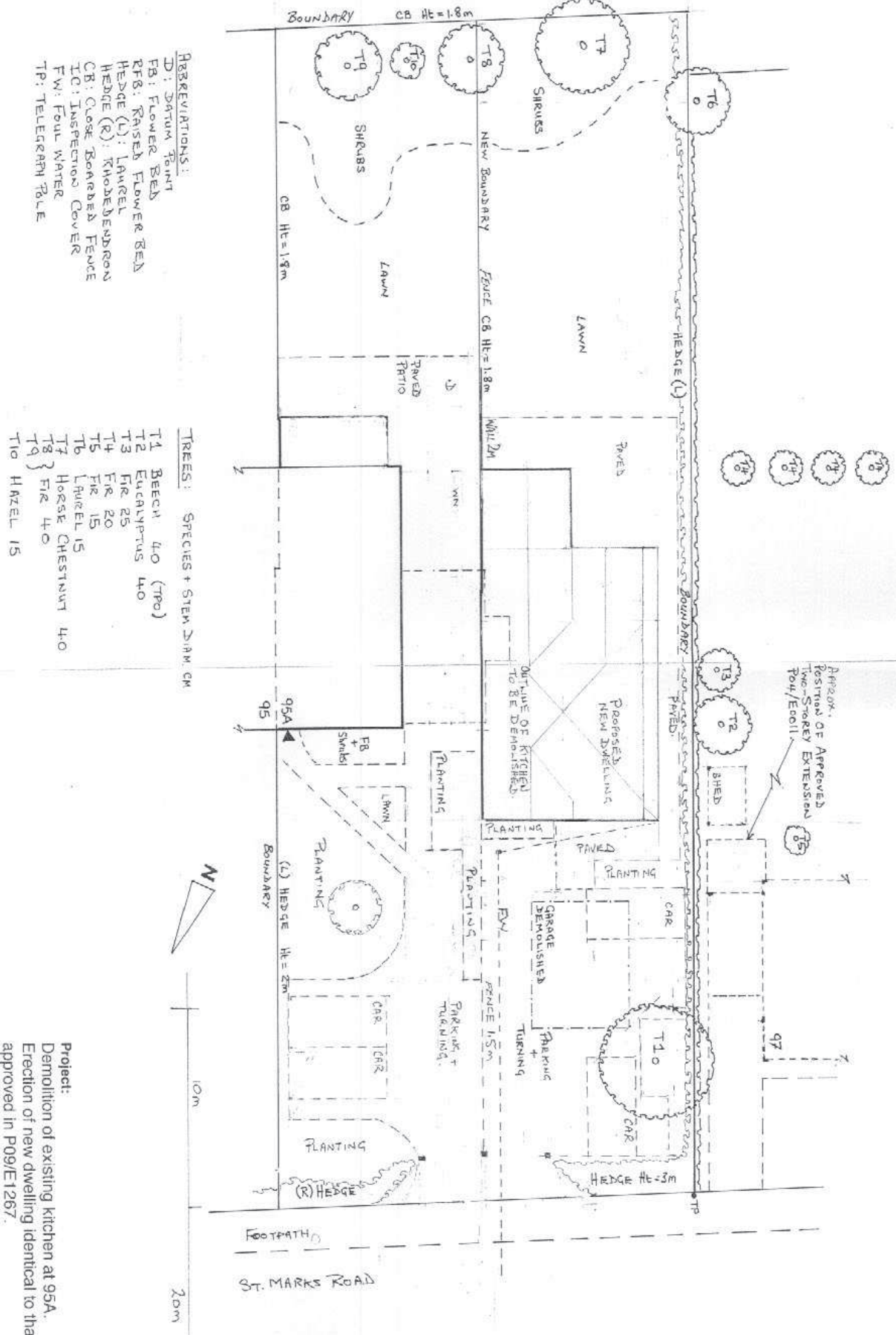
Drawing 6 of 8

Revision no.

date:

PE-002

Agenda Item 12



- ABBREVIATIONS:**
 D: DATUM POINT
 FB: FLOWER BED
 RFB: RAISED FLOWER BED
 HEDGE (L): LAUREL
 HEDGE (R): RHODESDENDRON
 CB: CLOSE BOARDED FENCE
 IC: INSPECTION COVER
 FW: Foul WATER
 TP: TELEGRAPH POLE

- TREES: SPECIES + STEM DIAM CM**
- T1 BEECH 40 (TPO)
 - T2 EUCALYPTUS 40
 - T3 FIR 25
 - T4 FIR 20
 - T5 FIR 15
 - T6 LAUREL 15
 - T7 HORSE CHESTNUT 40
 - T8 FIR 40
 - T9 } HAZEL 15
 - T10 }

Project:
 Demolition of existing kitchen at 95A.
 Erection of new dwelling identical to that approved in P09/E1267.

Address:
 95A St Marks Road, Henley RG9 1LP

Drawing title: Site Plan - Proposed

Scale: 1:200

Date: 24th July 2012

Drawing 4 of 8

Revision no. date:

01-002