

APPLICATION NO.	P14/S3766/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	28.11.2014
PARISH	HENLEY-ON-THAMES
WARD MEMBERS	Lorraine Hillier Stefan Gawrysiak Joan Bland
APPLICANT	Inland Homes PLC
SITE	345 Reading Road, Henley-on-Thames, RG9 4HE
PROPOSAL	Erection of 55 residential units (Class C3) with associated under-croft car parking, landscaping and highways works (As amended by Drawings and Information accompanying agent's letter of 13 March 2015)
AMENDMENTS	As above
GRID REFERENCE	476746/181503
OFFICER	Peter Brampton

1.0 INTRODUCTION

- 1.1 This application has been referred to Planning Committee as the views of Henley Town Council differ from the Officer's recommendation.
- 1.2 The application site is located at the junction of Reading Road and Mill Lane and is around 0.54 hectares in size. It sits close to the southern edge of Henley but is within the built up limits of the town. It is located around 1 mile south of the town centre.
- 1.3 The site is currently vacant having previously been used as a petrol filling station, body repair shop, tyre fitter and MOT testing station. The petrol station was the last business to close on the site in June 2014. The other businesses closed in 2013. All the buildings on the site were demolished in October 2014. Today the site lies vacant and surrounded by security hoardings.
- 1.4 Reading Road is approximately level along the western frontage of the site. The site falls away sharply from this high point, with the southeastern corner of the land being around 3.5 metres lower than Reading Road. There is an existing access to the site from Mill Lane, in the northeastern corner of the site.
- 1.5 To the east of the site lies the Tesco supermarket. To the immediate southeast lies single storey club houses, a hair salon with Henley Town playing fields beyond. Directly south of the site lies a modern development of flats that are 2-2½ storeys in height. To the north lies the Newtown Road business park. On the opposite side of Reading Road, to the west, lies relatively low-density two-storey housing.
- 1.6 A location plan is **attached** as Appendix One.

2.0 PROPOSAL

- 2.1 The applicant proposes to construct 55 flats on the site. The associated proposals include under-croft car parking (making use of the change in levels across the site), landscape proposals and associated works to the highway.
- 2.2 The flats are distributed across six blocks, four of which incorporate under-croft parking. The blocks are generally 2, 2 ½ or 3 storeys in height and will be of red brick and clay

tile construction with some render. The landscape proposals incorporate structured tree planting and three courtyards, two of which are internal to the development with the third acting as a focal point on the Reading Road/Mill Lane junction.

2.3 The scheme will provide a mix of 1, 2 and 3 bed units in the following mix:

	1 bed 2 person	2 bed 3 person	2 bed 4 person	3 bed 5 person	TOTAL
Level 0	6	0	1	0	7
Level 1	2	5	13	0	20
Level 2	2	4	14	0	20
Level 3	1	2	3	2	8
TOTAL	11	11	31	2	55

2.4 Vehicular access to the site will be via the existing access on Mill Lane. 91 car parking spaces are proposed in total. Included within this total are 23 “tandem spaces” which can accommodate 2 cars. These will be allocated to the largest flats. The remaining 32 flats will be allocated one space each. Finally, the remaining 13 spaces will be unallocated for use by visitors. 95 cycle spaces will be provided at a ratio of one space per one bed flat and two spaces for the remainder.

2.5 The application has been amended in March 2015 to address officer concerns about certain aspects of the design and the landscaping strategy. Since the submission of those amended plans, the applicant has sold the site to McCarthy and Stone, who have asked the council to determine the application as it currently stands. This includes the provision of 21 affordable houses on site and a financial sum equivalent to one unit representing 22 units of affordable provision, which represents 40% of the total scheme in line with council policy. The applicants have agreed a range of Section 106 contributions that are discussed in more detail in this report.

2.6 Prior to the submission of this application, the applicants requested the Council screen the development in respect of the potential need for an Environmental Impact Assessment (EIA). It was concluded that an EIA was not required (Planning Ref: P14/S3505/SCR). Consent for the demolition of the remaining buildings on site was granted under Planning Ref: P14/S2345/D.

2.7 Reduced plans of the layout, street scene and sample elevations of house types are **attached** as Appendix Two. All plans, elevations and supporting documentation can be viewed on the council’s website at www.southoxon.gov.uk

3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

3.1 **Henley-on-Thames Town Council** – Objects to the application due to under-provision of affordable housing on site.

3.2 **Neighbour Representations** – Five objections have been received, four from individual homeowners and one submitted by a planning agent on behalf of the Mill Lane Residents Association. The main objections can be summarised thus:

- Overdevelopment of the site
- Excessive scale, bulk and massing of the proposed building
- Design is out of character with area
- Lack of larger units
- Lack of open space within site
- Insufficient parking within site – will increase pressure on public car park on Mill

- Lane
 - Insufficient manoeuvring space within undercroft parking or within site for larger vehicles
 - Increased traffic movement on Mill Lane and local roads
 - Lack of affordable housing against SODC policy
 - Loss of employment
 - Increased risk of flooding
- 3.3 **Oxfordshire County Council Highways** – Requests financial contribution to local bus service of £55,000 (£1,000/unit). No objections to scheme subject to conditions covering vehicular access, vision splay, parking, manoeuvring, construction traffic management and cycle storage
- 3.4 **Oxfordshire County Council Education** – Requests financial contribution to primary school accommodation. No request for special educational needs accommodation due to pooling of Section 106 contribution concerns.
- 3.5 **Oxfordshire County Council Property** – Requests financial contributions to local library. No request for financial contributions to Waste Management, the Museum Resource Centre and Adult Day Care due to pooling of Section 106 contribution concerns.
- 3.6 **Drainage Engineer** – No objections subject to conditions relating to foul and surface water drainage schemes
- 3.7 **Thames Water** – No objections
- 3.8 **Environment Agency** – No objections subject to conditions relating to contamination and surface water drainage
- 3.9 **Contaminated Land Officer** – No objections subject to compliance condition relating to Remedial Strategy submitted in support of the application
- 3.10 **Air Quality Officer** – No objections subject to condition requiring prior agreement to mitigation measures
- 3.11 **Environmental Protection Officer** – No objections subject to conditions relating to internal noise levels, construction hours and lighting
- 3.12 **Waste Management** – No objections – general comments about bin storage and waste collection provided
- 3.13 **Urban Design Officer** – No objections following submission of amended plans
- 3.14 **Forestry Officer** – No objections subject to conditions covering landscaping and tree pits
- 3.15 **Leisure** – Financial contributions requested to local sports and recreation facilities
- 3.16 **Thames Valley Police Developer Funding** – Financial contributions to a range of police facilities and activities requested
- 3.17 **The Henley Society (Planning)** – No objections on the proviso that the 55 units proposed contribute to the total housing allocation for Henley

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P14/S3505/SCR](#) – EIA not required (21/11/2014)

Proposed residential development at Reading Road/Mill Lane, Henley-on-Thames with reference to Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 as amended

[P14/S2345/D](#) - Approved (04/09/2014)

Demolition to clear site ready for development.

5.0 **POLICY & GUIDANCE**

5.1 **South Oxfordshire Core Strategy policies**

CS1 - Presumption in favour of sustainable development

CSS1 - The Overall Strategy

CSHEN1 - The Strategy for Henley-on-Thames

CSB1 - Conservation and improvement of biodiversity

CSEN1 - Landscape protection

CSG1 - Green infrastructure

CSH3 - Affordable housing

CSH4 - Meeting housing needs

CSR1 - Housing in villages

CSM1 - Transport

CSM2 - Transport Assessments and Travel Plans

CSQ2 - Sustainable design and construction

CSQ3 - Design

5.2 **South Oxfordshire Local Plan 2011 policies;**

G2 - Protect district from adverse development

G4 - Protection of Countryside

C4 - Landscape setting of settlements

C6 - Maintain & enhance biodiversity

C8 - Adverse affect on protected species

C9 - Loss of landscape features

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

D6 - Community safety

D12 - Public art

EP1 - Adverse affect on people and environment

EP2 - Adverse affect by noise or vibration

EP6 - Sustainable drainage

EP7 - Impact on ground water resources

H4 - Housing sites in towns and larger villages outside Green Belt

R1 - Outdoor sport or play areas

R2 - Provision of play areas on new housing development

T1 - Safe, convenient and adequate highway network for all users

T2 - Unloading, turning and parking for all highway users

E6 - Loss of employment uses

South Oxfordshire Design Guide 2008

5.3 National Planning Policy Framework

National Planning Policy Framework Planning Practice Guidance

Joint Henley and Harpsden Neighbourhood Plan

- 5.4 Work on the Neighbourhood Plan started in 2012. The plan seeks to allocate around 400 houses in the Neighbourhood Plan area. The plan was submitted for examination in August 2015 and the Examiners Report was received in November 2015. The Examiners Report recommends a number of modifications to the plan but confirms that, subject to those changes, the Neighbourhood Plan can progress to referendum. Therefore, great weight can be applied to the Plan and those policies that the Examiner considers meet the basic conditions necessary for that policy to be sound. The most relevant policies are referenced in this report at the appropriate juncture.

6.0 **PLANNING CONSIDERATIONS**

- 6.1 The relevant planning considerations in the determination of this application are:

- Principle of development – including current status of Neighbourhood Plan and loss of employment land
- Affordable housing and housing mix
- Design and layout
- Public Open Space
- Highway safety, convenience and traffic
- Impact on neighbours
- Amenity of future occupiers
- Drainage
- Trees
- Protected species and biodiversity
- Archaeology
- Section 106 contributions
- Contaminated land
- Air quality

Principle of Development, Neighbourhood Plan and loss of employment land

- 6.2 Policy CSHEN1 requires the identification of sites to provide 400 new homes in Henley to meet the identified housing need of the district. The Core Strategy recognises that it is difficult to find appropriate sites in Henley to the constraints of the River Thames floodplain and the Chilterns Area of Outstanding Natural Beauty. It has fallen to the emerging Neighbourhood Plan to find and allocate sufficient land to meet the requirements of Policy CSHEN1.
- 6.3 The submitted version of the Neighbourhood Plan achieves this with a number of allocations outlined in Policy H1, including this site. Policy SP2 expands on this further, stating it is allocated for up to 55 dwellings. The policy requires the scheme to maximise the opportunity presented by the change in levels across this site, deliver a high quality design in terms of built form and public realm and to contribute to new and improved cycle and pedestrian links to conform with Policy T1 of the Neighbourhood Plan.
- 6.4 The Examiner's Report into the Neighbourhood Plan recommends only relatively minor changes to the wording of Policy SP2 to make it more precise and confirms this allocation meets the basic conditions necessary for it form part of a Neighbourhood Plan. Therefore, substantial weight can now be attached to this allocation.
- 6.5 Policy E6 of the Local Plan 2011 seeks to protect redundant land or buildings in employment or service trade use. For a site of this size, this policy requires that the site has been proven to be no longer economically viable and that it has been marketed for at least a year at a reasonable price for its current or alternative employment use. The applicants have provided evidence that the site is no longer economically viable within

the Planning Statement accompanying the application but no marketing exercise has been undertaken. The applicants have instead chosen to rely on the emerging Neighbourhood Plan allocating this site for housing.

- 6.6 To that end, Paragraph 185 of the NPPF states, *“Once a neighbourhood plan has demonstrated its general conformity with the strategic policies of the Local Plan and is brought into force, the policies it contains takes precedence over existing non-strategic policies in the Local Plan for that neighbourhood, where they are in conflict.”*
- 6.7 Officers consider that Policy E6 is not a strategic policy of the Local Plan. Therefore, Policy SP2 of the Neighbourhood Plan would take precedence, particularly now it has the support of the Examiner’s Report. As such, the loss of this site from employment land can no longer be resisted and the principle of this residential development coming forward can be supported.

Affordable Housing and housing mix

- 6.8 Policy CSH4 requires new residential developments of this scale to provide 40% of the units as affordable dwellings. 40% of this scheme represents 22 units. For ease of management by the Registered Provider, it is normally the case that the affordable units would be in their own block, separate from the market units. In this case, Blocks E and F provide 21 one and two-bed flats. The council’s housing officer has confirmed in consultation that these blocks would be acceptable as the affordable provision on this site, with a financial contribution being payable in lieu of the one unit not provided on site.
- 6.9 Henley-on-Thames Town Council have objected to this arrangement given that the number of units proposed on site does not comply with the neighbourhood plan. Officers recognise that ordinarily all of the affordable units should be provided on site, but do not agree that this scheme is deficient when assessed against policy.
- 6.10 Firstly, it would be extremely unlikely that any Registered Provider would be interested in the 22nd unit if it were provided on its own in a separate block. The management of that unit for the Registered Provider would likely conflict with the management company maintaining the remainder of the site for the occupants of the market units. In addition, to rearrange the scheme so that 22 units were provided in two or more blocks that could be passed over in their entirety to a Registered Provider would likely cause other issues in terms of unit sizes, building scale and massing and layout that would undermine the development as a whole. Finally, it is important to note that the financial contribution taken in lieu of the 22nd unit would be used for the benefit of Henley. For example, commuted sums such as this are often used to lower rents on affordable units on other developments nearby. Therefore, officers consider the benefit of this “missing” unit will still go to the people of Henley who need it.
- 6.11 Officers acknowledge that policy H3 of the Neighbourhood Plan states, *“There is the expectation that all sites allocated within Policy H1 should provide on-site affordable housing provision in accordance with the affordable housing target requirements set out within Policy CSH3 of the South Oxfordshire Core Strategy.”* However, for the reasons outlined above, officers do not agree that the approach taken here would undermine the delivery of affordable housing requirements that the Core Strategy requires.
- 6.12 Furthermore, and most importantly, since the Town Council returned their objection, the Examiner for the Neighbourhood Plan has recommended that the above quoted sentence is removed from the referendum version of the Plan as it repeats Policy CSH4 of the Core Strategy unnecessarily. Officers understand the Neighbourhood Plan working group have agreed to this change.

- 6.13 Turning to the mix of private housing, Policy CSH4 of the Core Strategy seeks to secure a range of housing sizes in any new development to meet the identified needs of the district. The most up to date information on housing need is found in the Oxfordshire SHMA. This provides a market housing mix requirement for South Oxfordshire of 33% 1 and 2 bed houses and 67% 3 and 4 bed houses.
- 6.14 With this proposal, 32 of the 34 units will be either 1 or 2 bed, representing 94% of the market housing. This is clearly well in excess of the SHMA requirements for smaller units. However, given the location of the site, its size and the allocation for 55 units, it was inevitable that the scheme that came forward would be for flats. Market demand for three or more bedroom flats is traditionally very low. People wanting this amount of accommodation are likely to strongly prefer a house with a private garden. It is likely the larger greenfield allocations of the Neighbourhood Plan will provide a good amount of larger family homes. Officers consider this proposal will address a gap in the market within Henley for smaller units and that, overall, the Neighbourhood Plan allocations will deliver a good mix of market homes and a wide range of choice for future residents.

Design and layout

- 6.15 Paragraph 56 of the NPPF states, *“Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.”* Paragraph 58 of the NPPF requires new development to create a sense of place, optimise the potential of the site to accommodate development, respond to local character and create a safe and accessible environment. The design policies of the Core Strategy (particularly CSQ3) and the saved design policies of the Local Plan (particularly D1-D4) echo these requirements.
- 6.16 Officers have negotiated at both pre-application and application stages to improve the quality of the scheme. Overall, officers are satisfied that the proposed development represents a high quality response to the Neighbourhood Plan allocation of this site for 55 units. This is a transitional site close to the edge of Henley and officers considered it important that the proposals reflected the character of the town. The use of red brick and clay tile will achieve this, as such materials are commonplace in the town, particularly within the Reading Road conservation area that lies to the north of this site. The design is also traditional, being of simple pitched roof
- 6.17 Some local objectors consider the scale, bulk and massing of the proposal to be excessive and represent an over-development of the site. Officers do not agree with this assessment. The most important elevation of the building is with Reading Road, which is characterised by two-storey domestic scale in this southern part of town, whilst a substantial two-storey office building sits on the opposite side of Mill Lane to the north.
- 6.18 The proposal makes good use of the change in levels across the site, presenting 2 and 2 ½ storey buildings along Reading Road, with two 3-storey blocks on the lower eastern and southern parts of the site. Crucially, the height of the blocks facing directly onto Reading Road will be no higher than the Henley Gate development to the south. There is a central entrance block set back from Reading Road, which is higher, but views of it will only be possible from a small stretch of the street.
- 6.19 The three-storey blocks will be seen as such from Mill Lane, although at the closest point they are set back some 44 metres from the road. Officers consider this set back, coupled with the lower land levels mean these blocks will not appear overly dominant in the street scene. Block C is a 2 ½ storey block that will be the dominant feature from Mill Lane, facing onto the street at close proximity. The scale of this building and the

relationship it has with Mill Lane is considered appropriate.

- 6.20 Officers support the provision of public open space at the junction of Mill Lane and Reading Road and the “focal” tree proposed within. Given the functional nature of the petrol station previously on this part of the site, this green space will give valuable breathing space to the street scene. The landscaped frontage along Reading Road is another important aspect of this scheme. The Henley Gate scheme incorporates little planting along Reading Road and looks rather “hard” as a result. This scheme incorporates planting along the street and this will help this proposal create an attractive entrance to the town, particularly compared to the commercial uses before.
- 6.21 Within the site, the “earth” and “water” courtyards are particularly supported by officers as an interesting approach to providing communal amenity space. These courtyards are properly integrated into the scheme and are high quality spaces likely to be enjoyed by residents of the development.
- 6.22 Another strong aspect of the design is the provision of undercroft car parking. This reduces the amount of surface level car parking needed throughout the site, allowing space for street trees to soften the overall development.
- 6.23 Overall, officers consider this scheme represents high quality development as required by national and local policy and the Neighbourhood Plan allocation.
- 6.24 It is noted that the applicant has not provided a Design Brief to Henley Town Council prior to the submission of the application as is required by Policy H2 of the Neighbourhood Plan. However, the Town Council have raised no objections to the design of the proposal. Furthermore, the Examiner’s Report reduces the burden on applicants bringing forward allocated sites so that the Design Brief no longer requires the prior approval of the Town Council. This is consistent with the NPPF, which requires local authorities to avoid placing unnecessary burden on applicants in terms of providing information in support of planning applications.

Public Open Space

- 6.25 Policy R2 requires the provision of play equipment on site as part of new residential developments. Policy R6 of the Local Plan requires that 10% of the gross site area be provided as informal open space for the users of the development. The site does not offer any informal open space nor any play equipment. Instead, it provides the landscape gardens outlined above.
- 6.26 As mitigation the applicants have offered a commuted sum for both open space and play equipment. These sums are the equivalent to the capital and maintenance contributions that a policy compliant scheme should provide and will be used to improve existing facilities in the town. Officers consider this an acceptable approach, particularly considering that the demand for open space and play equipment is likely to be less given the probable profile of the future residents.

Highway safety, convenience and traffic

- 6.27 Policy T1 of the Local Plan requires proposals for all types of development to provide a safe and convenient access to the highway network for cars, cyclists and pedestrians and be accessible by public transport. Policy T1 of the Neighbourhood Plan outlines the key transport requirements for new development in Henley and Harpsden. Local objection has, in part, focussed on the harm caused by additional traffic on local roads, insufficient parking within the site and insufficient manoeuvring space for larger vehicles.

- 6.28 The application is supported by a Transport Statement that has been prepared in accordance with pre-application advice offered to the applicant by Oxfordshire County Council as Highways Authority for the district. The Transport Statement has assessed existing traffic flows and made predictions about additional movements associated with this development, with a particular focus on the Mill Lane/Reading Road junction that all vehicles will need to use. These surveys and modelling work show that the existing junction currently operates within capacity and will continue to do so once this development is completed. It is predicted that a higher proportion of traffic will route to the north, into the town, and the junction can accommodate this. The Highways Authority have confirmed no objections on traffic generation, concluding *“development related trip generation will have no discernible impact on the highway network.”*
- 6.29 Vehicular access will be taken from Mill Lane, with existing access points on Reading Road closed. The closure of these access points will allow the reconstruction of the footpath past the site, which will enhance the environment for pedestrians and cyclists.
- 6.30 The Transport Statement and accompanying plans demonstrate that adequate visibility in both directions can be achieved at the point of access with Mill Lane, and there are no concerns from the Highways Authority on this point, subject to standard conditions. The application demonstrates that larger vehicles such as refuse lorries will be able to enter, turn and exit the site in a forward gear. This will require some reversing over distances longer than is preferable, but the layout does not make such manoeuvres difficult.
- 6.31 In consultation, some residents have raised concerns that the lack of parking proposed with this scheme will lead to increased pressure on the Mill Lane car park, which is often used by residents when Mill Lane itself floods due to the proximity of the River Thames. This is a public car park.
- 6.32 As outlined in Section 2, a total of 91 parking spaces are proposed. Oxfordshire County Council set maximum standards for parking and these indicate that a maximum of 102 spaces should be provided for this schedule of accommodation. However, given the sustainable location of the site within Henley, reasonably close to the train station with busses passing the site along Reading Road, and the employment, retail, education and leisure opportunities within the town itself, the overall level of parking is considered appropriate. Furthermore, a good level of cycle parking is proposed, with each flat having at least one dedicated space. As Highways Authority, Oxfordshire County Council have raised no objections to the parking proposed for this development. This is subject to standard conditions, including the need for a Travel Plan that will encourage new residents to use sustainable methods of transport.
- 6.33 The applicants have agreed to make a financial contribution to local bus services, specifically the “800” route which links Henley with Reading, Marlow and High Wycombe. The Highways Authority have identified the need for this service to operate for longer hours (to attract commuters) and be more frequent. A contribution of £55,000 at the rate of £1,000 per unit has been agreed towards these service improvements.
- 6.34 Given the above, there are no concerns this proposal will have a materially harmful impact on highway safety.

Impact on neighbours

- 6.35 Policy D4 requires new development to secure an appropriate level of privacy for existing residents. As discussed in Section 1, this site is largely surrounded by commercial properties. However, to the immediate north east of the application site lies

Cedar Lodge, a single detached residential property and commercial workshop. There is potential for some overlooking from Block E, which sits close to the eastern boundary of the site. However, the plans show that the overlooking will be at an oblique angle from the first and second floor flats in the northeastern corner. This view will be restricted by existing trees and so any views will be of the hardstanding serving the workshop rather than the private amenity space of the residents.

- 6.36 There will also be some views to Henley Gate, the modern flats to the south. However, these views will predominantly be of the access drive and car parking area and there are no concerns that an undue amount of overlooking will be experienced by the residents of this development. Due to the distances involved, there are no concerns this proposal will impact on the amenity of the existing properties on the opposite side of Reading Road.

Amenity of future occupiers

- 6.37 Policy D3 of the Local Plan requires all new dwellings to benefit from either a private garden, outdoor amenity space or a shared amenity area. Guidelines for how much space should be provided are outlined in the Design Guide. These guidelines indicate a 1-bed unit should have 35 square metres of amenity space, a 2-bed unit should have 50 square metres and 3-beds+ should have 100 square metres. For flatted schemes, the Design Guide advises that amenity space is provided appropriate to the location, type and size of the building and the needs of the occupants.
- 6.38 This scheme provides 273 square metres of amenity space at the Mill Lane/Reading Road junction and 1146 square metres of communal amenity space within the private courtyards within the scheme. These courtyards are an integral part of the design and layout of the scheme and represent high quality communal spaces that residents will benefit from.
- 6.39 As outlined above, the applicants also agree to a commuted sum for off-site provision of enhanced areas of public open space and play within the town. Residents will also enjoy easy access to the recreation ground to the south of the town. It is also important to consider that, given the high number of one and two bed units, the profile of the residents is likely to be one that does not place a strong emphasis on the need for amenity space.
- 6.40 Thus, whilst there is an under provision of amenity space, this does not represent material planning harm. It is noteworthy that the adjacent Henley Gate development offers no meaningful private amenity space for residents besides some flats benefitting from balconies.
- 6.41 It is considered the layout of each block of flats ensures an acceptable degree of privacy for future occupiers.

Drainage

- 6.42 The application is accompanied by a flood risk and drainage strategy. This confirms that the site falls wholly within Flood Zone 1, the area at least risk of experiencing flooding. The proposal will increase the amount of hardstanding on the site and the drainage strategy proposed in response accords with SUDS principles. Permeable paving is proposed for the access drive and the parking areas, with storage systems provided underground to allow a controlled discharge of run-off water into the public sewer.
- 6.43 In consultation, the council's drainage engineer has sought additional information relating to the direction of surface water run-off and infiltration rates. The applicant has

provided reassurance on those points and the drainage engineer is satisfied that the broad strategy outlined above is acceptable. The finer details of the design can be secured by a standard pre-commencement condition.

- 6.44 In terms of foul drainage, Thames Water have confirmed in consultation there is sewer capacity in this part of Henley and there are no concerns on this point.

Trees

- 6.45 Policy C9 of the Local Plan seeks to prevent the loss of important landscape features as a result of new development. In consultation, the council's forestry officer has confirmed that none of the existing trees on the site are of significant arboricultural value and they should not be seen as a constraint to the development. Officers' focus has therefore been on the provision of new trees within the development to assimilate the flats into their surroundings on the edge of the town.
- 6.46 The application includes a "focal" tree at the junction of Mill Lane and Reading Road, within the public area of open space. This is welcomed. Of more concern has been the proposed provision of additional trees around the site, particularly on the Reading Road frontage. The proposed flats come close to the back edge of the footpath here and the forestry officer has raised concerns that no meaningful tree could be planted between the building and hardstanding. There were also concerns that the number of trees initially proposed was too many, likely leading to conflict with future residents.
- 6.47 The application has subsequently been amended to update the landscaping strategy. The spacing between trees along the Reading Road frontage has been amended and the species proposed is considered appropriate for the urban location, being specifically bred for planting in more confined spaces (*Acer Campestre Streetwise*). Nonetheless, a pre-commencement condition is proposed requiring further details of the tree pits to be agreed. This will ensure officers are satisfied that the trees will establish and become an important part of the development. This condition will also cover the trees proposed in the internal parts of the site.
- 6.48 A tree protection condition is necessary to ensure those trees to be retained within the site and immediately adjacent (largely around the access road) are protected during construction operations.

Protected species and biodiversity

- 6.49 Policy CSG1 of the Core Strategy states, "*A net gain in green infrastructure including biodiversity will be sought through developer works, developer contributions...*", whilst Policy CSB1 states, "*A net loss of biodiversity will be avoided and opportunities to achieve a net gain across the district will be actively sought.*"
- 6.50 Given all the previous buildings on the site have been demolished and the land is almost entirely hardstanding or vacant land, the ecological value of the site is extremely limited. Through the introduction of additional planting and the use of bird nesting boxes, as proposed by the Ecological Assessment accompanying the application, this scheme will be able to achieve the net gain in green infrastructure required by policy.

Section 106 contributions

- 6.51 Policy CSI1 of the core strategy requires that new development must be supported by appropriate on and off-site infrastructure and services. Planning permission will only be granted when infrastructure and services to meet the needs of the new development are met. This includes requirements set out in the Infrastructure Delivery Plan (IDP). Infrastructure and services required as a consequence of development, and provision for their maintenance, will be sought from developers and secured by the negotiation of

planning obligations, by conditions attached to a planning permission, and/or other agreement, levy or undertaking, all to be agreed before planning permission is granted.

- 6.52 Policy H4 requires residential schemes coming forward on allocated sites to contribute to “*the full range of facilities required for Henley and Harpsden*”. Policies SCI1 and EN2 of the Neighbourhood Plan confirm the projects for which Section 106 receipts will be used for locally.
- 6.53 In line with these requirements, the applicants have been asked to provide the following financial contributions:

Contribution	Requesting Body	Amount
Artificial Grass Pitch at Jubilee Park	SODC	£2,476
Clubhouse and gym project at Jubilee Park	SODC	£17,462
Improved facilities at Henley Town Football Club	SODC	£1,340
Multi Use Games Area at Greys Road	SODC	£965
Provision of new tennis equipment at Henley Tennis Club	SODC	£139
Improvements at AFC Henley pavilion at Jubilee Park	SODC	£5,512
Skate Park contribution at Makins Road	SODC	£2,390
Swimming Pools	SODC	£15,227
60+ Community Centre project in Henley	SODC	£34,665.73
Provision of new GP equipment at Townlands Community Hospital	SODC	£16,510.65
Creation of “green” circular walking routes in the town	SODC	£16,278.24
Off-site play and gym equipment at Mill Meadows	SODC	£11,197
Off-site public open space improvements (signage)	SODC	£12,690
Street Naming	SODC	£1,306.19
Provision of Wheeled Bins for flats	SODC	£9,350
Public Art	SODC	£12,762.82 and £1,914.42 maintenance
Police ANPR camera for Henley	Thames Valley Police	£2,200
Police control room equipment	Thames Valley Police	£280
Police premises expansion in Henley	Thames Valley Police	£4,861.44
Police Vehicles	Thames Valley Police	£1,197.35
Public Transport Service Improvements	OCC	£55,000
Local Library extension and book stock	OCC	£8,340.20

- 6.54 Officers are satisfied that these contributions are necessary, related to the impacts of the development and proportionate to the impact of the development, in line with guidance on financial contributions within the NPPF.

Contaminated Land

- 6.55 The application has been supported by a full geo-environmental assessment given the previous commercial use of the site. This assessment recommends a number of mitigation measures during construction operations. The council's contaminated land officer has reviewed the assessment and has no objections subject to a compliance condition.

Air Quality

- 6.56 The council's air quality officer has requested a pre-commencement condition requiring mitigation measures be implemented during construction given the impact on air quality experienced by existing and new residents from the development. Mitigation measures are likely to include the provision of electric vehicle charging points within the communal car parking areas. The provision of travel plans and cycle parking also feeds into this consideration.

7.0 CONCLUSION AND PLANNING BALANCE

Policy CSHEN1 of the Core Strategy requires land for 400 homes to be identified in Henley. The Joint Henley and Harpsden Neighbourhood Plan has sought to achieve this and can be afforded significant weight in the planning balance following the Examiner's Report that recommends the Plan go forward to public referendum subject to modification. Policy SP2 of the Neighbourhood Plan allocates this site for up to 55 dwellings and confirms the principle of this scheme is acceptable, despite the conflict with Policy E6 of the Local Plan which relates to retention of employment sites.

- 7.2 Henley Town Council have objected due to the under-provision of affordable housing on the site (21 units instead of 22). However, a financial contribution in lieu of the 22nd unit has been agreed and it is considered the scheme is policy compliant in terms of affordable housing. It is important to note that the Examiner's Report into the Neighbourhood Plan recommends that the requirement of Policy H3 for all affordable housing to be provided on site for allocations is removed and so little weight is now attached to that aspect of the Policy.
- 7.3 The design of the scheme is considered high quality, as is required by Policy SP2 of the Neighbourhood Plan. There are no technical objections to the proposal, despite local concerns over highway safety. The scheme will provide 55 units towards the overall total of 400 required in Henley and is consistent with the Neighbourhood Plan. Therefore, in the planning balance, it is considered that the benefits of the scheme far outweigh the relatively minor negative aspects and the application should be approved.

8.0 RECOMMENDATION

- 8.1 **To delegate authority to grant planning permission to the Head of Planning subject to:**

i) The prior completion of a Section 106 agreement with the County Council and the District Council to secure the affordable housing and financial contributions as listed above and

ii) The following conditions:

- 1 : Commencement three years - Full Planning Permission**
2 : Approved plans

- 3 : Slab and Ridge Levels to be agreed
- 4 : All sample materials to be agreed
- 5 : Sample wall panel of materials to be agreed
- 6 : Landscaping (access/hard standings/fencing/walls) TBA
- 7 : Tree pits to be agreed
- 8 : Vision splay details to be agreed
- 9 : Turning Area & Car Parking to be agreed
- 10 : Construction Traffic Management Plan to be agreed
- 11 : Green Travel Plans to be agreed
- 12 : Surface water drainage works to be agreed
- 13 : Decontamination works to be verified by council
- 14 : External Lighting to be agreed
- 15 : Air Quality modelling and mitigation to be agreed
- 16 : Protection of trees during development as agreed
- 17 : New vehicular access to County specifications
- 18 : Parking & Manoeuvring Areas Retained as agreed
- 19 : No Surface Water Drainage to Highway
- 20 : Cycle Parking as agreed
- 21 : Noise Controls as agreed
- 22 : Foul drainage works as agreed
- 23 : Ecology mitigation as approved
- 24 : Hours of Construction

Author: Peter Brampton
Tel No: 07717 271509
Email: peter.brampton@southandvale.gov.uk