

APPLICATION NO.	P20/S2809/HH and P20/S2812/LB
APPLICATION TYPE	HOUSEHOLDER & LISTED BUILDING CONSENT
REGISTERED	4.8.2020
PARISH	HENLEY-ON-THAMES
WARD MEMBERS	Ken Arlett Kellie Hinton Stefan Gawrysiak
APPLICANT	Mrs Marisa Bucknall
SITE	11 Thameside, Henley-on-Thames, RG9 1BH
PROPOSAL	To rear of listed building, alteration of existing modern extension to widen its footprint and conversion from single to double storey (glass and metal cladding) plus addition of adjacent single storey glass extension. Internal floor plan alterations to install a new stair, removal of c20 staircase, new partitions at first floor level and opening up of rear elevation at g/f and 1/f levels for proposed rear extensions. Removal of existing staircase, fireplace and modern internal partitions. Retrospective application for sub-division of roof space into one large room plus small storage room and internal staircase, involving removal of internal section of chimney. Provision of two rear dormer windows in the rear roof. (as amended by plans received 17 December 2020 reducing size of rear extension and providing additional supporting information)
OFFICER	Victoria Clarke

1.0 **INTRODUCTION AND PROPOSAL**

- 1.1 These applications for planning permission and listed building consent were called to committee by Cllr Ken Arlett and were on the committee meeting agenda on 17 March 2021. Before the applications were presented at the meeting members voted in favour of deferring the application for a committee site visit. It was not possible for the committee site visit to take place until now, due to the Covid-19 pandemic restrictions and the need to go inside the listed building to inspect the building and to access the rear garden.
- 1.2 In May 2021, the applicant lodged an appeal against non-determination with the Planning Inspectorate but it has yet to be validated by the planning inspectorate. **The Council cannot therefore determine the applications but officers are instead seeking a resolution from the planning committee to establish whether they would approve or refuse the applications.**
- 1.3 Officers recommend the applications for approval for the reasons outlined in this report.
- 1.4 The application site is shown at **Appendix 1**. The property is a two storey terraced dwelling that fronts on the River Thames and is a Grade II listed building that was listed for its group value with 9, 10 and 12 Thameside. The building has its origins in the C19 however it was substantially re-built and the roof was raised following severe flooding in 1894 and the remaining structure is almost entirely from that date.

- 1.5 The listing description reads:
Early C19. Rebuilt red brick facade with old tiled roof above wide eaves. Unusual stepped 3 stacks on northern side (possible remnants of larger stacks). Brick and stone string course between storeys. 2 storeys, 2 windows, sashes with glazing bars and cambered head linings. Southern windows with margin lights. Side door and central modern door. Flood levels of 1809 and 1894 marked in wall tablets. Grade II for group value here. No 9 (Baltic House) forms part of a group with the listed buildings on Friday Street and also with Nos 10 to 12 (consec) Thameside.
- 1.6 Many of the neighbouring properties that lie to the north, south and south west of the site are listed buildings. The site lies within Henley Main Conservation Area and is an area of known archaeological interest (Medieval Village). The site also falls within Flood Zone 3.
- 1.7 The applications seek planning permission and listed building consent for internal alterations and a part single part two storey rear extension. The plans are shown at **Appendix 2**.

Amended plans have been submitted to address concerns raised by officers about the impact on the historic fabric of the building and impact on neighbours.

2.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

2.1 Henley-on-Thames Town Council – Objection:

- Impact on the listed building
- Lack of respect for the character of the building
- Impact of light spill from building on neighbours

Historic England – No comment:

This does not mean that we consider the proposals to be acceptable or unacceptable, simply that we are content for the application to be determined by the local planning authority following their own specialist conservation advice.

County Archaeological Services (SODC) – No objection

The site is located in an area of archaeological interest but the development is relatively small scale and therefore there are no archaeological constraints to the scheme.

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

Having visited the site and undertaken an inspection of the internal layout and fabric I am satisfied that the proposed internal alterations do not harm the significance of the listed building subject to the retention of the first floor rear elevation window to the existing bathroom.

Drainage Engineer - (South & Vale) – No objection:

- The implementation of all the water exclusion measures and flood resilience measures listed in the 'Response to consultation comments' and ensuring the extension is watertight to 32.96 AOB will be the responsibility of Building Control

The Henley Society – Objection:

- Damage to fabric of listed building
- Inappropriate materials and flat roofs of extensions
- Impact on, and loss of light to, at least three neighbouring properties

Oxford Architectural and Historical Society – Objection:

- Loss of Victorian staircase and remaining early timber frame adjacent and primary fabric

- Light pollution on neighbours and neighbouring listed buildings

Henley Archaeological and Historical Group – Objection

- Impact on the listed building. Large scale alterations that are destructive of the existing fabric.
- The proposed demolitions of the rear house wall, the staircase and other internal alterations to the building would add up to the loss of much of the fabric and character of this simple Victorian house.
- Proposed size and materials are out of character with listed building and harmful to its setting and that of neighbouring listed buildings.
- Unneighbourly
- Will make maintenance of boundary wall difficult
- Inaccuracies in the submitted Heritage Statement
- Potential structural harm, harm to the fabric and historic interest of adjoining timber framed listed buildings which are on shallow foundations, particularly the adjoining property no. 12 Thameside which is part of the original 16th Century three-bay house.

Neighbours – Five letters of objection have been received:

- Design and scale: monstrosity / ugly / overlarge
- Unsuitable and unacceptable over-development of the site
- Impact on the listed building / damage to fabric and character
- Detrimental impact on the setting of adjoining listed buildings
- Detrimental impact on character of conservation area
- Scale, height, design, material and colour palette are inappropriate, fail to respect, and are out of keeping with the character and special architectural and historic qualities of conservation area and surrounding buildings
- Intrusive and dominant presence
- Run off from the extension causing damage to wall and flooding Friday Street properties
- Visible over existing high wall and overbearing due to the closeness resulting in loss of light to Friday Street properties
- Revised extension still dominates the garden of no. 12 Thameside / bulk and upward sloping roof will be overbearing, affect outlook and create overshadowing, enclosure and claustrophobic rear garden / feeling of discomfort and being dwarfed by its size and style
- Loss of privacy from proposed rear dormer windows
- Impact of construction work on the shallow foundations of neighbouring properties

3.0 RELEVANT PLANNING HISTORY

- 3.1 [P20/S1518/PEO](#) – Planning advice (14/07/2020)
Rear extension and internal alterations.

[P19/S3424/PEO](#) – Planning advice (09/01/2020)

Proposed double storey rear extension and re-modelling of internal spaces in the existing main house.(as amended by drawings & Heritage Appraisal received 9 December 2019)

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
ENV6 - Historic Environment
ENV7 - Listed Buildings
ENV8 - Conservation Areas
EP4 - Flood Risk
H20 - Extensions to Dwellings
INF4 - Water Resources

5.2 Joint Henley and Harpsden Neighbourhood Plan

DQS1 Local character
EN1 Biodiversity

5.3 Supplementary Planning Guidance/Documents

South Oxfordshire Design Guide 2016 (SODG 2016)

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:

- **Current policy**
- **Design, character and impact on the listed building**
- **Residential amenity**
- **Access and Parking**
- **Other material planning considerations**

6.2 Current Policy

The key policies for assessing this application are H20, DES1, ENV7 and ENV8.

6.3 Policy H20 relates to extensions to dwellings. It permits extensions provided that adequate and satisfactory parking is provided and sufficient amenity areas are provided for the extended dwelling. Development should have regard to the South Oxfordshire Design Guide (SODG).

6.4 Policy DES1 requires high quality design in accordance with a number of criteria, including that development should respect the local context, complementing the scale, height, density, grain, massing, type, and details of the surrounding area.

6.5 Policy ENV7 states that proposals affecting a listed building will be expected to conserve, enhance or better reveal those elements which contribute to the heritage significance and / or its setting, respect any features of special architectural or historic interest, and be sympathetic to the listed building and its setting in terms of siting, size, scale, height, alignment, materials, finishes, design and form in order to retain the

special interest that justifies its designation through appropriate design, with regard to the South Oxfordshire Design Guide.

- 6.6 Policy ENV8 requires that proposals for development within a Conservation Area must conserve or enhance its special interest, character, setting and appearance.
- 6.7 **Design, character and impact on the listed building**
The building has its origins in the C19 however it was substantially re-built and the roof raised following severe flooding in 1894 and the remaining structure is almost entirely from that date. The building is a pleasant Victorian house the interior of which is not particularly striking or a distinct example of the period although the cellular layout and central stair of that date remain legible. Unlike its neighbour there is no timber framing exposed or legible.
- 6.8 To the rear is a single storey C20 extension that projects along the southern side of the courtyard garden. The front elevation retains the clearest references to its historic character and previous association to the neighbouring No.12. This can be seen in the remaining service door to the side passageway and the wider windows referencing the former shop/commercial function it served. There is no doubt the attractively detailed Victorian frontage makes an important contribution to the conservation area.
- 6.9 Officers have no objection to the replacement of the existing single storey rear extension. It is a much later addition to the building and is not of historic interest.
- 6.10 The proposed rear extension would be subservient to the main building. Its contemporary design serves to make the extension distinct from the original listed building and neighbouring historic properties. Given that the property is the product of much alteration and its neighbours have retained more of their pre-flood fabric and character, the Council's Conservation Officer does not consider that trying to emulate any of the neighbouring building styles would be beneficial. Officers consider the proposed extension is an acceptable design response that would not impact negatively on the original qualities of the listed building and would be sympathetic to its setting in terms of its siting, size, scale, height, alignment, materials and finishes. We consider it is a sensitive proposal that makes a positive contribution to the local character of the area and would conserve the character of the Conservation Area.
- 6.11 In response to concerns raised by neighbours and local heritage groups about the foundation design and damage to boundary walls and buildings as a result of excavations for foundations the applicant's agent states the design for the foundations has been prepared by chartered engineers who have extensive experience in working with sensitive heritage assets.
- 6.12 Details have also been provided showing the abutment of the new extension roof to the existing high boundary wall to demonstrate water run-off can be appropriately managed.
- 6.13 Internally there are a number of proposed changes to the circulation within the building. The heritage statement submitted with the application provides a record of the fabric. The interior of the house has been significantly altered and very few features of architectural or historic interest such as doors or beams remain. The proposed changes largely affect modern stud walls. The interior dates from the extensive rebuilding and reconfiguration following the flooding in the 1890s. The Council's Conservation Officer has inspected the inside of the property. There is little remaining reference to the building's original character other than the side passage which provided direct access to the rear from the street frontage. The interior is simple with

limited decorative detailing remaining and main features, including the straight stair, that date to the Victorian rebuilding.

- 6.14 The proposed internal alterations would retain reference to the Victorian layout, including the retention of the important side passageway and the central walls that create the two-room wide double pile plan. There remains some of the chimney stack that is present in No.12 at the partition wall in No.11 and this is proposed to remain in these proposals. There is no evidence within No.11 of any fireplaces that might once have been served by this stack.
- 6.15 The removal of the central stair and its replacement with a dog-leg winder stair in the rear cell does remove part of the primary fabric from the 1890s rebuilding. The stair itself is not a remarkable example of its kind, the turned balusters are quite simple with tapered columns and vase shapes that attach to a wide handrail and fully boxed in treads. The Conservation Officer does not consider that the loss of this stair would erode all the significance of this building and what it contributes to the group value of Nos. 9-12 Thameside (consec.).
- 6.16 Having considered the duty to preserve those elements which contribute to the listed building and the conservation area's special interest and significance, the Conservation Officer is satisfied that the application meets the tests of Sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990. Officers therefore consider the proposals are consistent with the policy tests of paragraphs 193 and 200 of the NPPF and policies ENV7 and ENV8 of the SOLP.
- 6.17 **Residential amenity**
SOLP Policy DES6 requires that development proposals demonstrate they will not result in significant adverse impacts on the amenity of neighbouring uses.
- 6.18 The existing boundary wall along the southern boundary of the site that abuts the rear gardens of neighbouring properties on Friday Street is 4.81 metres tall. At the point the proposed two storey rear extension adjoins the boundary wall it would be set below the top of the wall but it would rise to a maximum height of 5.19 metres (0.38 metres above the wall) at a point 2.7 - 3.4 metres from the wall.
- 6.19 Existing outlook from the rear of properties on Friday Street is dominated by the existing boundary wall. The proposed extension may be visible over the top of the wall from first floor windows but this will be marginal. Being able to see the extension does not mean it is harmful. The extension would not be overbearing on these properties and nor would it harm their outlook.
- 6.20 In response to concerns raised by neighbours at 10 Thameside and 67-69 Friday Street the applicant has provided shadowing diagrams. These illustrate that the proposal would not alter existing levels of shadowing to 10 Thameside and 67-69 Friday Street. The assessment shows the change to overshadowing of 12 Thameside would be negligible, being limited to a small amount of additional shadow on the roof at 9pm in the summer and 12pm during the winter. The proposal would not therefore result in a material loss of light to neighbouring properties.
- 6.21 At the request of officers, the extension has been reduced in scale. A first floor element that was closer to the garden of 12 Thameside has been removed. 12 Thameside has a small courtyard garden and officers were concerned that the extension would have been overbearing on the garden. The amended proposal now incorporates just the stair well leading to the first floor extension, which has reduced the mass close to the neighbour. In the opinion of officers this has removed the harm to the neighbour and the proposal is acceptable. The single storey element would be immediately adjacent

to the boundary wall with 12 Thameside. It would be approximately 0.4 metres higher than the existing boundary wall. Officers consider this limited increase in height would not result in the extension being overbearing on the neighbouring garden, noting that the structure will be predominantly glazed and will appear lightweight.

- 6.22 The current proposal shows the closest part of the two storey extension approximately 3.2 metres from the corner of the garden of 12 Thameside. Whilst it is still relatively close, the extension is now offset from the garden and officers consider the relationship between the extension and the garden is acceptable and the extension would not be overbearing on the neighbouring garden.
- 6.23 The proposed dormer windows on the second floor would replace existing rooflight windows and would not therefore introduce new levels of overlooking. Notwithstanding this, any overlooking would be at an oblique angle.
- 6.24 At the pre-application stage, officers raised the issue of potential overlooking of the garden of 12 Thameside from the first floor of the proposed rear extension. The omission of part of the first floor extension has to some degree addressed our concerns. In addition, the proposal includes vertical timber-clad fins / louvres mounted on the proposed first floor windows to prevent overlooking and obscure glazing to a height of 1.75 metres above the finished floor level on a section of the window without the fins. Officers are satisfied that these measures would prevent overlooking of the neighbouring garden and recommend a condition to require the retention and maintenance of these features. There would be no overlooking of windows of 12 Thameside due to the relationship of the property at 90 degrees to the proposed extension and the distance between them.
- 6.25 Concerns have been raised about potential for light spill from the large amount of glazing proposed. Given the site's position in an enclosed walled garden and within the wider context of the service yard of Thames Court, light spill would be to some degree limited. The position and orientation of the extension, and its relationship to windows of neighbouring properties would mean light would be intercepted / shielded and would be unlikely to cause a nuisance to internal living areas of neighbouring properties. The property is in a residential / commercial town centre location where there is existing use of artificial lights so in the wider context the proposal would not contribute significantly to light pollution.
- 6.26 The proposed development would have an acceptable impact on the amenities of occupiers of neighbouring properties. It would not be overly dominant or visually intrusive, it would not result in a material loss of daylight or sunlight and it would not result in a significant loss of privacy.
- 6.27 **Access and Parking**
The property does not currently benefit from off-street parking. The enlarged property may have a slightly greater demand for parking but officers do not consider this would result in significant impacts on the transport network.
- 6.28 **Other material planning considerations**
The site lies within Flood Zone 3. The proposed rear extension would be located in an enclosed courtyard. The proposal would result in a greater building footprint but this would be over the existing courtyard garden so there would be no increased hardstanding. The proposed finished floor levels of the extension would be no lower than existing floor levels in accordance with the Environment Agency's Standing Advice for minor extensions.

6.29 Community Infrastructure Levy

The proposed development is not CIL liable because it would result in the addition of less than 100 square metres.

7.0 CONCLUSION

7.1 Planning application P20/S2809/HH

The proposed extension would be subservient to the dwelling and is of a scale suitable to the size of the plot. The proposal is an appropriate design response that would not harm the character of the property, the setting of nearby listed buildings or the conservation area. It would not be unneighbourly and nor would it result in harm to the highway or exacerbate flooding. The application is therefore recommended for approval.

7.2 Listed Building consent application P20/S2812/LB

The Council's Conservation Officer supports the application and is satisfied that the proposal serves to better preserve those elements that illustrate the architectural and historic interest of the listed building in accordance with Local Plan policies ENV6, ENV7 and ENV8.

8.0 RECOMMENDATIONS

8.1 That the council records that it has resolved to approve application P20/S2809/HH subject to the following conditions:

- 1 : Commencement of development within three years**
- 2 : Development in accordance with the approved plans**
- 3 : Sample / schedule of materials required (walls and roof)**
- 4 : Prevention of overlooking (installation and retention of fins and obscure glazing on first floor of two storey rear extension)**

8.2 That the council records that it has resolved to approve application P20/S2812/LB subject to the following conditions:

- 1 : Commencement of works within three years**
- 2 : Development in accordance with the approved plans**
- 3 : Sample / schedule of materials required (walls and roof)**

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