

APPLICATION NO.	P24/S0307/FUL
SITE	National Westminster Bank, 18 Market Place, Henley-on-Thames, RG9 2AP
PROPOSAL	Proposed reinstatement of residential entrance door to vestibule, retention of a retail unit on the ground floor, construction of a new extension to accommodate a stair and lift, six new residential flats on the ground, first and second floors, including associated rear terraces and conversion of existing attic space, and new in-line roof tile vents to the main roof, and new rooflights to the rear slope of the main roof.
APPLICANT	C/o Purple Architects
APPLICATION TYPE	FULL APPLICATION
PARISH	HENLEY-ON-THAMES
WARD MEMBERS	Ken Arlett, Kellie Hinton & Stefan Gawrysiak
OFFICER	Marc Pullen

1.0 INTRODUCTION

- 1.1 The application site (which is shown on the OS extract attached as **Appendix A**) lies within the Henley-on-Thames town centre. The building was formerly used as a bank with office accommodation above. The site lies within the Henley Main Conservation Area and an Air Quality Management Area.
- 1.2 This application is referred to planning committee as the views of Henley-on-Thames Town Council conflict with the officers' recommendation to grant planning permission.

2.0 PROPOSAL

- 2.1 This application seeks planning permission to convert and extend the building at all three storeys to provide six residential flats, with associated rear terraces, roof tile vents and rooflights.
- 2.2 Reduced copies of the plans accompanying the application are attached as **Appendix B**. Other documentation associated with the application can be viewed on the council's website, www.southoxon.gov.uk.
- 2.3 This report sets out the justification for officers' recommendation to grant planning permission having regard to the development plan and any other material planning considerations.

3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

Henley-on-Thames Town Council – Object

- Development would be an overdevelopment of site.
- Out of keeping with the character and appearance of the area.
- Concern over lack of assessment on right to light for neighbours.
- Low quality accommodation and excessive use of rooflights.

- No refuse storage or cycle storage provided.
- Lack of amenity space.

Heritage Officer (South and Vale) – No objections

- I believe on the whole the design is sympathetic to the character of the conservation area and the building itself as a non-designated heritage asset. I have no formal heritage objections.
- Only concern is the number of rooflights proposed on the rear roof slope.

Highways Liaison Officer (Oxfordshire County Council) – No objection

- Whilst the development has no dedicated car parking provision, the site benefits from a high level of accessibility with many typical town centre amenities, shops, services, employment opportunities and public transport links within walking distance.
- Furthermore, there are on-street controls within the vicinity to prevent indiscriminate parking and additionally within the vicinity of the site is a number of car parks.
- The proposal is unlikely to have a significant adverse impact on the highway network.

Air Quality – Env Protection (South and Vale) –

- We have reviewed the information in this application from an air quality perspective and have no observations to make on the application.

Env. Protection Team –

- I have reviewed the plans and information supplied and have concerns about noise affecting residents in the proposed dwellings both from the external environment and internal noise transmission. Therefore, should you be minded to approve this application a condition requiring a detailed scheme for protecting the dwellings from the external noise environment of the area and from internal noise arising from the commercial use on the ground floor shall be submitted to and approved in writing by the Local Planning Authority.

Waste Management Officer (District Council) – No objection

- Acceptable for the flats to have waste sacks for their waste service as previously agreed. Storage of waste to be within each flat until collection day as per waste statement.
- We will be happy to support with guidance on waste collection process for new landlord/tenants.

The Henley Society (Planning) –

- We are concerned that there are no dedicated parking provisions for this redevelopment which puts added pressure on the Kings Rd car park, and we are concerned at the loss of light to neighbours. The storage of waste internally for two weeks is also a health hazard.

Neighbour (1) Object

- Concern over the impact of the proposed development on daylight and sunlight (right to light) and the proposal not complying with Building Research Establishment (BRE) “Site Layout Planning for Daylight and Sunlight 2022 guidance.

4.0 RELEVANT PLANNING HISTORY

Application No.	Description of development
4.1 P23/S2757/FUL Approved (24/11/2023)	Convert first and second floors to provide three new residential flats including two associated rear roof terraces, and new in-line roof tile vents to the main roof. (As amended by plans received 6 October 2023 to retain entrance door as existing, omit proposed new entrance door and to remove one of the second floor balconies).

5.0 ENVIRONMENTAL IMPACT ASSESSMENT

5.1 N/A.

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:

DES1 - Delivering High Quality Development

DES2 - Enhancing Local Character

DES6 - Residential Amenity

DES8 - Promoting Sustainable Design

DES10 - Carbon Reduction

ENV6 - Historic Environment

ENV8 - Conservation Areas

EP1 - Air Quality

EP3 - Waste collection and Recycling

H1 - Delivering New Homes

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

STRAT1 - The Overall Strategy

TRANS5 - Consideration of Development Proposals

6.3 **Henley and Harpsden Neighbourhood Plan 2022**

SD1 - Minimising Carbon Emissions

SD3 - Local Character

H4 - Infill and Self-Build Dwellings

E4 - Employment and Residential above shops

T1 - Impact of Development on the Transport Network

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**
- **Noise impacts on occupants**
- **Other matters**

7.2 Principle of development

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise. Section 70 (2) of the Town and Country Planning Act 1990 provides that the local planning authority shall have regard to the provisions of the Development Plan, so far as material to the application, and to any other material considerations.

7.3 The site lies within a central location within Henley-on-Thames. In this location the principle of new housing is considered acceptable and is encouraged by policy. Planning permission was granted under application ref. P23/S2757/FUL for new residential uses and officers maintain that the principle for residential use on this site is acceptable.

7.4 The proposed development would result in some loss of the commercial/service use at ground floor reducing the floorspace to accommodate the two ground floor residential units. Whilst regrettable, this loss would likely be deemed acceptable having regard to Class MA of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) Order. Furthermore, the proposed development would retain some commercial use on the site which would not result in the total loss of employment use on site, as such officers do not consider the development would be contrary to Policy EMP3 of the South Oxfordshire Local Plan (SOLP).

7.5 Design and character

The Council's policies and guidance on design state that all new development must be designed to reflect the positive features that make up the character of the local area and should both physically and visually enhance and complement the surroundings.

The proposed development would be largely contained within the existing footprint of the building. The only extensions proposed are to the rear of the building, mainly to facilitate a central staircase. This extension is reasonably modest in context with the size and scale of the building as a whole and is of an acceptable design and form that responds well to the character of the building.

The use of rooflights has been considered as excessive by the town council and the council's heritage officer raises a concern about the number of them also. It is officer's opinion that the visual impact of these rooflights would be limited to the rear of the property where views of the proposal are heavily constrained and as such would not be detrimental to the wider appearance of the area. Officers do not consider the impact of these rooflights to be harmful.

Officers do not consider the development would result in an overdevelopment of the site. The residential units are acceptable in size having regard to the Nationally Described Space Standards (NDSS) – with the exception of flat 4 which just falls below by 6 square metres. However, if used as a single person occupation rather than for two people – it would comply with the NDSS. In practice, officers consider the flat sizes to be appropriate.

7.6 Residential amenity

Policy DES6 (SOLP) seeks to ensure that development proposals do not result in significant adverse impacts on the amenity of neighbouring uses. Factors to consider include loss of privacy, daylight or sunlight, dominance or visual intrusion, noise or vibration, smell, dust, heat, odour, gases or other emissions, pollution, contamination and external lighting.

Concerns have been raised over the impact of the proposed development on neighbours to the east (12-16 Market Place) having regard to their access to daylight and sunlight as a result of the proposed extension to the rear of the property. Officers have assessed the development having regard to BRE standards. The proposed development would not breach BRE at first floor – given that the extension proposed at first floor only projects out by 90cm. At second floor the development would breach the 25-degree angle of the bedroom window of neighbouring 12-16 Market Place. However, this bedroom is served by two windows and one of these windows would unlikely be adversely harmed and would retain a large aspect of open view. Officers do not consider the impact on this bedroom to be adverse, to warrant refusal of this application.

Officers do not consider the proposed development would result in any material harm to the amenity of neighbours.

7.7 Access and parking

No parking is proposed to serve the development, neither was it proposed under the previous application ref. P23/S2757/FUL. Officers do not consider it necessary to require the provision of parking for these residential units given the highly sustainable, town centre location. The site is within close proximity to shops, employment opportunities and public transport. No cycle storage is proposed but officers do not consider it necessary to provide cycle storage in such a central and sustainable location.

7.8 Noise impacts on occupants

Policy ENV11 (SOLP) seeks to ensure development proposals are appropriate to their location and designed to ensure that the occupiers of a new development will not be subject to individual and/or cumulative adverse effect(s) of pollution. The pollution in question would be noise impacts from the retained ground floor commercial unit. The council's environmental protection team have assessed the proposed development and are broadly satisfied that the future occupants would not be adversely harmed by the commercial unit however they recommend a condition which requires a detailed scheme for protecting the dwellings from the external noise environment of the area and

from internal noise arising from the commercial use on the ground floor to be submitted to and approved in writing by the Local Planning Authority

Other matters

7.9 Community Infrastructure Levy (CIL) - The proposed development would be liable to pay toward (CIL) for any net internal floor space provided.

7.10 Pre-commencement conditions - In accordance with The Town and Country Planning (Pre-commencement Conditions) Regulations 2018, Section 100ZA (6) of the Town and Country Planning Act 1990(a) the Council is required to confirm agreement to all pre-commencement conditions. These will all have been agreed by the applicant/agent in writing in accordance with the requirements of this legislation.

8.0 **Other Relevant Legislation**

- Planning (Listed Buildings and Conservation Areas) Act 1990.
- 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.
- 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 Officers are satisfied that the proposed development would be acceptable in principle and that the proposed development would not harm the character and appearance of the area, the amenity of neighbours or the safety of the highway network. When considering all the material planning considerations and in light of the recommended planning conditions, officers are satisfied that the proposed development would comply with the Development Plan.

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 3 years - Full Planning Permission

2 : Approved plans

3 : Materials as on plan

4 : Mechanical ventilation

5 : Noise mitigation

6 : Rooflights (flush fitting)

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Appendix C

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, 0.50, 0.50-2, 1.50, 0.40, 1.40 and 0.10, 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	Materials as on plan	<p>The exterior of the development hereby permitted shall only be constructed in the materials specified on the plans/supporting documents hereby approved or in materials which shall previously have been 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	Mechanical ventilation	<p>All habitable rooms with windows fronting on to Market Place shall be provided with mechanical ventilation extracting air from the rear of the property. The mechanical ventilation shall be provided in accordance with a scheme which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. Such mechanical ventilation shall be retained as approved (until such time as it can be demonstrated that the concentration of nitrogen dioxide at the window to that room does not exceed the</p>

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		<p>national Air Quality Objective of 40g.m-3 measured as an annual mean).</p> <p>Reason: To ensure satisfactory standards of air quality for residential occupiers in accordance with Policy EP1 of the South Oxfordshire Local Plan 2035.</p>
5	Noise mitigation	<p>No development shall take place in relation to the flats hereby approved until a detailed scheme for protecting the dwellings from the external noise environment of the area and from internal noise arising from the commercial use on the ground floor has been submitted to and approved in writing by the Local Planning Authority. The scheme itself shall be designed, specified and constructed so that the sound insulation performance of the structure and the layout of the dwellings is such that the indoor ambient noise levels do not exceed the values detailed in Table 4 of BS 8233:2014 "Indoor ambient noise levels for dwellings". Thereafter the development shall be carried out and maintained in accordance with the approved details.</p> <p>Reason: To safeguard the amenities of the occupiers of the proposed development in accordance with Policy ENV12 of the South Oxfordshire Local Plan 2035.</p>
6	Rooflights (flush fitting)	<p>The rooflights hereby approved shall be set flush with the plane of the roof in which they are to be inserted.</p> <p>Reason: In the interests of the visual appearance of the development in accordance with Policies DES1, DES2 and ENV8 of the South Oxfordshire Local Plan 2035.</p>

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