

**Wharf Land Ltd/London Property & Capital Estates Ltd
f.a.o. Paul Wooldridge
PLANNING APPRAISAL**

Site:

Land at 'Tree Tops', Gillott's Lane, Henley-on-Thames, Oxfordshire, RG9 1PT

AB P&D Contact:

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Total Site Area:

2.63 hectares (6.50 acres) – comprising site of detached house and office, with adjoining residential curtilage and adjacent open paddocks and woodland copses, all served from two separate vehicular access onto Gillott's Lane.

Local Planning Authority:

South Oxfordshire District Council

Listed Buildings / Conservation Areas / Tree Preservation Orders:

The existing house was constructed in 1949 and is not listed; nor does it lie within any designated Conservation Area. There are many trees within and surrounding the site but only two large Beech trees on the south-eastern roadside boundary and a small group of mixed deciduous woodland trees alongside and opposite Gillott's School are protected by Tree Preservation Orders.

Green Belt / Important Open Areas & Gaps:

None of the site falls within designated Metropolitan Green Belt but all the surrounding land and much of Henley and South Oxfordshire lies within the Chilterns Area of Outstanding Natural Beauty (AONB).

Development Plan Status & Relevant Policy Guidance:

The relevant parts of the Development Plan consists the saved policies in the adopted South Oxfordshire Local Plan (2011), particularly policies G1, G2, G4, G6, D1, D4, H6, H7, H13, C1, C2, C3, C4, C10 and T1 and the recently adopted South Oxfordshire Local Development Plan Core Strategy (2012), particularly policies CSH2, CSH3, CSH4 and CSHEN1. These policies set out a sustainable framework for accommodating development needs, favouring locations where it helps to protect the environment and reduce the need to travel, which primarily focuses most development at Didcot and then at the market towns of Henley, Thame and Wallingford. All new development should be appropriate to the site and its surroundings, be of high quality and should help to reduce the need to travel. Policy seeks to conserve the natural beauty and setting of AONB land and development is resisted where it would be likely to unacceptably damage local landscape character. Housing development outside of the towns and the larger villages with at least some local facilities and services will not normally be permitted and where development is acceptable then a mix of dwelling types and sizes are required.

Local Plan policies will gradually be replaced by emerging Local Development Framework (LDF) policies contained within the Core Strategy and, eventually, in Development Plan Documents (DPDs) such as the Site Allocations DPD. At Henley, policy CSHEN1 requires at least 400 (possibly now 450) homes to be accommodated on new sites to meet the town's needs over the next 15 years to 2027.

The 'Tree Tops' site is one of five remaining 'preferred areas' still being considered for accommodating that need, as well as Gillott's School opposite, and it is likely that at least three, probably four and possibly even all five sites may ultimately be allocated for varying amounts of residential development. The Council's Reg.26 public consultation on its draft proposals for site allocations at Henley and elsewhere is due to take place sometime this Summer. Thereafter, the Reg.27 'adoption draft' consultation will take place towards the end of 2014 and an Examination in Public is scheduled to take place on the Site Allocations DPD in February 2015. Final statutory adoption of the plan allocations and policies is due by February 2016.

In parallel with SODC's LDF consultation process, a number of Neighbourhood Plans are also being prepared for a range of settlements across South Oxfordshire, including at Henley. Henley Town Council and neighbouring Harpsden Parish Council are working jointly together to prepare a draft Neighbourhood Plan for Henley town and its immediate surrounds, including Harpsden parish. They aim to hold their own Examination in Public and a subsequent Referendum on the plan's proposals and suggested site allocations (which must be consistent with those in the South Oxfordshire DPD) sometime in the Summer of 2015.

Recent Relevant Site History:

Tree Tops has the following planning history:

P06/E0241/O – An outline application for the erection of a single detached house within the grounds of Tree Tops was refused in 2006.

P88/S0296 & P88/S0639 – Two alternative applications for the erection of one detached house within the grounds of Tree Tops (one with a single garage and one with a double garage) were both refused in 1988.

P80/S0502/O – An outline application for the erection of two detached houses with double garages within the grounds of Tree Tops was refused in 1980.

P48/H0036 – Conditional planning permission was granted in 1948 for the erection of the dwelling house known as Tree Tops and it was subsequently built in 1949.

Planning Assessment and Development Opportunities:

None of the appraisal site or any of the surrounding land is designated Metropolitan Green Belt but it does all lie within the Chilterns Area of Outstanding Natural Beauty.

South Oxfordshire District Council have previously resisted new development around the undeveloped periphery of Henley but with the emergence of the LDF Core Strategy, they are now looking to accommodate new development needs at the town through to 2027. As part of that process, over the last three years they have been considering a range of potential sites for accommodating 400-450 new dwellings.

The Tree Tops site is identified as 'HEN3' in the Council's Strategic Housing Land Availability Appraisal (SHLAA) and is one of just five remaining 'preferred' sites where strategic allocations are likely to be met. At least three, probably four and possibly all five of these sites will ultimately need to be allocated in order to accommodate the town's development needs.

Whilst Gillott's Lane is not currently well suited to cope with significantly increased traffic volumes, the District Council has already indicated that it is minded to potentially allocate both Tree Tops (for about 50 dwellings) and part of the Gillott's School land opposite for residential development, so they are envisaging that development would provide for an upgrade of the road and possibly sections of Greys Lane to the north.

The Town Council, who are currently preparing their own Neighbourhood Plan in parallel to South Oxfordshire's LDF Site Allocations DPD, own land immediately to the north and west of Tree Tops. They are strongly opposed to any development on their own land and are seeking to safeguard it as public 'Green'. Nevertheless, South Oxfordshire DC have made it quite clear in their published consultation documents that they consider the Tree Tops site to be "suitable in principle" for development. Although transport, landscape and ecological impact assessments are all required to justify any development proposals and demonstrate how such development could be achieved whilst protecting important amenities, these are all technical matters that could relatively easily be overcome. Other competing sites that are still in contention for allocations generally have far more potential constraints affecting them.

It is considered highly likely that both South Oxfordshire DC and ultimately even Henley Town Council would seek to allocate at least part of the Tree Tops site to help satisfy the requirement to accommodate the 400-450 new houses required at Henley.

If the land is ultimately developed for the suggested 50 dwellings, the District Council's adopted Core Strategy policy would require a mix of housing sizes, styles and tenures, with around 40% as 'affordable housing' (split 75:25) between social rented and intermediate housing. Notionally, therefore, an allocation of 50 dwellings would comprise 30 open market dwellings ranging from 2-bed to 5-bed+ in size, with 5 intermediate dwellings (2 and 3-bed units) and 15 social rented dwellings (1 to 4-bed units). Given the inherent problems associated with accommodating affordable social housing alongside far more expensive open market dwellings, it may be quite likely that the affordable housing requirements would ultimately be pooled onto one or two of the allocated sites, subject to an agreement being reached between the District Council, each of the landowners and developers to share all of the associated costs and profits on an equitable basis across all of the development sites. Such arrangements will need to be negotiated over the course of the next two years, in advance of the Examination in Public, in February 2015.

Planning Obligation Issues:

If South Oxfordshire District Council and Henley Town Council are ultimately persuaded to allocate the Tree Tops land for development, as I consider likely, then they would be looking for Community Infrastructure Levy (CIL) contributions to enhance social infrastructure improvements to schools, libraries, etc, amounting to about £1.2-£1.3m for a 50-dwelling scheme. In addition, there would be associated S.106 Planning Obligation Agreement (POS) contributions to pay which would fund highway improvements to Gillott's Lane, its junction with Greys Lane and possible other transport improvements back towards Henley town centre. These could potentially amount to about £0.3-£0.5m.

Fallback Position:

If the two Councils failed to make a development allocation at Tree Tops and if you were ultimately unsuccessful in challenging such a decision at the Examination in Public stage, then the 6.5 acre site with its large detached 6-bed dwelling and associated garages, pool, paddocks and woodland would still retain a value of approximately £3.0-£3.5m on the open market.

Prospects of Success:

A site allocation in the South Oxfordshire Site Allocations DPD for around 50 dwellings:

EXCELLENT	(over 80%)
VERY GOOD	(70% to 80%)
GOOD	(55% to 69%)
BALANCED/NEGOTIABLE	(40% to 50%)
DIFFICULT	(20% to 35%)
POOR/VERY POOR	(less than 20%)