

Appeal Decision

Site visit made on 26 September 2016

by Joanna Reid BA(Hons) BArch(Hons) RIBA

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

Decision date: 25 October 2016

Appeal Ref: APP/Q3115/Y/16/3152832

10 Hop Gardens, Henley-on-Thames, Oxfordshire RG9 2EH

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Ms Emma Coulter against the decision of South Oxfordshire District Council.
 - The application Ref P15/S3450/LB, dated 15 October 2015, was refused by notice dated 28 January 2016.
 - The works proposed are "Provide natural daylight and ventilation to existing bathroom with new Clement rooflight".
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Decision

1. The appeal is dismissed.

Main issue

2. The appeal dwelling is listed in Grade II as part of numbers 5 to 16 (consecutive) Hop Gardens (the listed building). With this in mind, the main issue is whether the proposed works would preserve the special architectural or historic interest of the listed building.

Reasons

3. The listed building includes 12 mid-C19 2-storey houses in 6 twin-gabled pairs, which are arranged around 3 sides of a square of gardens. The ordered layout of the handed pairs of historic dwellings, their scale, form and materials, and their largely uninterrupted roofs, contribute positively to the special architectural interest of the listed building, and to its significance as a planned group of historic dwellings.
4. Due to their form, scale and siting, the main roofs of the dwellings are prominent, and their broadly consistent tiled finish contributes in an important way to the sense of unity in the planned group. The Council says that there have been few alterations to the main roof spaces of the dwellings, and that most have been confined to the internal roof slopes of single-storey outshoots.
5. By contrast, the proposed roof light would be within the side-facing outer roof slope of the main part of the dwelling. Although it would be a 'conservation' type roof light, its colour, materials and form would contrast starkly with the tiled roof slope, and this would draw attention to its incongruous presence. It would also give the roof a developed character and appearance, which would be unacceptably at odds with most other dwellings in the group. Thus, the proposal would erode the historic character and the significance of the asset.

6. The roof light would be partly screened from the private drive by the gabled roof to the staircase and by the wall by the public highway in Hop Gardens. However, the desirability of preserving the historic character of the roof is not dependent on public access or the ability of the public to experience it. Also, little weight can be attached to the roof light at 6 Hop Gardens, which was authorised by the Council in about 1986, because it predates present heritage policy and practice.
7. Whilst the roof light would enable the existing bathroom to be naturally lit and ventilated, and the existing replacement extractor is said to be unsuitable, internal bathrooms are not uncommon in buildings of all ages, especially where space is at a premium. However, there is little evidence before me to show that appropriate mechanical ventilation and artificial lighting, which would protect the fabric of the listed building and the occupiers' health, could not be provided instead of the roof light. So, the public benefits of safeguarding the occupiers' health and the fabric of the asset attract little weight. Moreover, the absence of roof alterations to the tiled roof slopes in most of the other dwellings in the group supports my view that the proposed roof light is not the only means of providing a sustainable bathroom in these important dwellings.
8. In the terms of the *National Planning Policy Framework* (Framework) the proposed works would cause less than substantial harm to the listed building. Framework paragraph 134 explains that where a proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
9. The appeal dwelling would stay in the same use, so securing its optimum viable use is not relevant. Moreover, as the public benefits attract little weight, they would not be enough to outweigh the less than substantial harm that I have found. Furthermore, insufficient clear and convincing justification has been put to me to show why the proposal would be necessary to conserve the heritage asset in a manner appropriate to its significance as a planned group of historic dwellings.
10. Therefore, I consider that the proposed works would fail to preserve the special architectural interest of the listed building. They would be contrary to Policy CSEN3 of the *South Oxfordshire Core Strategy* which seeks to conserve and enhance designated heritage assets for their historic significance, Policy CON3 of the *South Oxfordshire Local Plan 2011* which aims for any alteration to a listed building to respect its established character and to not diminish the special historical or architectural qualities which make it worthy of inclusion on the statutory list, and the Framework which aims to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.
11. For the reasons given above and having regard to all other matters raised, the appeal fails.

Joanna Reid

INSPECTOR