
Appeal Decision

Site visit made on 20 November 2017

by Robert Fallon B.Sc. (Hons) PGDipTP MRTPI

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

Decision date: 24th November 2017

Appeal Ref: APP/Q3115/D/17/3180415

Little Acorns, road running through Stoke Row, Stoke Row, Henley-on-Thames, RG9 5RB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Georg Bleimschein against the decision of South Oxfordshire District Council.
 - The application Ref P17/S0617/HH, dated 14 February 2017, was refused by notice dated 4 May 2017.
 - The development proposed on the application form is the erection of a home office and gym above the existing double garage and car parking area.
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Decision

1. The appeal is dismissed.

Main issues

2. Within the context of the Council's reason for refusal and the evidence in this case, the main issues are considered to be:
 - The effect of the development on the character and appearance of the area
 - Whether the development would conserve and enhance the natural beauty of the Chilterns Area of Outstanding Natural Beauty (the 'AONB').

Reasons

3. The appeal site contains an attractive modern detached house set well back from the road with its front garden enclosed by tall mature hedging. The detached double width garage the subject of this appeal lies to the front and side of the existing dwelling in a prominent position. The immediate area is characterised by large detached houses set on spacious plots of varying design and maturity. It also has a strong verdant character with front gardens heavily dominated by mature trees and hedgerows.
4. The proposal would substantially extend the width and height of the existing garage and incorporate new staircase and car-port openings into its front elevation, along with 3 dormer windows. Despite using similar materials, the increase in height and dormer windows would give the building a top heavy appearance and result in it dominating the front garden and host dwelling, which would be harmful to the character and appearance of the area.
5. Furthermore, the staircase and carport openings would be of a different size to the consistent garage door widths and fail to incorporate architectural surround and lintel detailing to match that on the existing building and host dwelling. The

number of dormer windows and their disproportionately large size in relation to the plane of the roof would dominate the building and they would also have lower roof pitches than those on the main house. The development would as a consequence fail to respect the rhythm, articulation and balanced proportions of the existing garage and host dwelling, which would reinforce the harm identified.

6. Despite the existence of a tall mature hedge enclosing the front garden, the building would be visible from the public highway via the existing vehicular/pedestrian access point and above the hedge as a result of its increased height, which would reinforce this harm. The proposal would not however result in the loss of any mature trees or hedges or be so visible and prominent that it would harm the overall landscape character of the AONB.
7. The appellant has drawn my attention to a number of other developments, but these are not directly comparable to current proposal in terms of site context, relationship with their host dwellings, number of dormer windows and height of the eaves. For example, the scheme at Satwell Close has a lower eaves, no front staircase or carport openings, 3 evenly spaced garage doors, two modestly proportioned and evenly spaced dormer windows and high quality architectural detailing, which give it a subservient, balanced and attractive appearance. I am also not aware of the particular circumstances where planning permission was granted for these developments and in any event, I must consider the appeal scheme on its own merits. The existence of these other developments does not therefore justify the harm I have identified and nor do the private benefits of providing the home office and gym accommodation to the host dwelling.
8. In view of the above, I have concluded that the development would be harmful to the character and appearance of the area. The scheme would therefore conflict with Policy CSQ3 of the Core Strategy¹ and Policies G2, D1 and H13 of the Local Plan² which seek to ensure that extensions to residential buildings respect the character of the site and its surroundings. It would also fail to comply with the Council's Design Guide³ which states that extensions should adopt simple, uncomplicated building forms that complement the scale of the original dwelling and ensure that it remains the visually dominant element of the property.
9. I am however satisfied that the development would conserve the landscape and scenic beauty of the AONB and would therefore comply with Policy CSEN1 of the Core Strategy and Policy G2 of the Local Plan. I have given this great weight in my assessment and concluded that the proposal would as a consequence meet the requirements of Paragraph 115 of the Framework⁴.

Conclusion

10. Although I have found that the appeal proposal would conserve the landscape and scenic beauty of the AONB, I have concluded that this would not outweigh its harm to the character and appearance of the area. All representations have been taken into account, but no matters, including the scope of possible planning conditions, have been found to outweigh the identified harm and policy conflict. For the reasons above, the appeal should be dismissed.

Robert Fallon

INSPECTOR

¹ South Oxfordshire Core Strategy, adopted December 2012

² South Oxfordshire Local Plan 2011, adopted January 2006

³ South Oxfordshire Design Guide, Supplementary Planning Document, South Oxfordshire District Council, 2016

⁴ National Planning Policy Framework, Communities and Local Government, March 2012