The Planning Inspectorate

Appeal Decision

Site visit made on 1 October 2019

by S Shapland BSc (Hons) MSc CMILT

an Inspector appointed by the Secretary of State

Decision date: 22 November 2019

Appeal Ref: APP/Q3115/D/19/3233413
13 Hop Gardens, Henley-on-Thames RG9 2EH

- 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 Anthony Fettiplace against the decision of South Oxfordshire District Council.
- The application Ref P18/S3125/HH, dated 20 September 2018, was refused by notice dated 3 June 2019.
- The development proposed is a detached carport.

Decision

1. The appeal is allowed and planning permission is granted for a detached carport at 13 Hop Gardens, Henley-on-Thames RG9 2EH in accordance with the terms of the application, Ref P18/S3125/HH, dated 20 September 2018, subject to the following conditions:

    1) The development hereby permitted shall begin not later than 3 years from the date of this decision.

    2) The development hereby permitted shall be carried out in accordance with the following approved plans: COB/623/JO Rev 2 Location Plan and COB/622/JO Rev 1 Carport Elevations and Floor Plans.

    3) The exterior of the carport hereby permitted shall be constructed in the materials specified on the application form and the plans hereby approved.

    4) The carport hereby permitted shall be retained unobstructed except for the parking and manoeuvring of vehicles at all times.

Main Issue

2. The main issue is the effect of the proposal on the designated heritage assets.

Reasons

3. The appeal site encompasses a Grade II listed semi-detached residential property situated on Hop Gardens within the Henley-on Thames Conservation Area (CA). Hop Gardens comprises a development of six pairs of dwellings constructed in the mid-nineteenth century, arranged around three sides of a square garden. Nos 5-16 Hop Gardens are all Grade II listed, part of the listing description includes that these houses form an interesting, planned group. The proposal is for the erection of a single carport located within the existing

driveway area of the property. The carport would be an open sided design, constructed with an exposed oak frame with a clay tiled roof.

4. Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 (The Act) requires special regard to be had to the desirability of preserving a listed building or its setting, or any features of special architectural or historic interest which it possesses when dealing with planning applications. The National Planning Policy Framework (the Framework) advises that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. Paragraph 193 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Substantial harm to or loss of a Grade II listed building should be exceptional. The setting of a heritage asset is not a fixed concept; it is concerned with the way the heritage asset is experienced.

5. The Council have stated that the introduction of a structure in this location would compromise the character and setting of the listed buildings as it would be inconsistent with the pattern of built form. There are a number of outbuildings locally within Hop Gardens which sit outside the pattern of original built form of the listed buildings. This includes the garage at No.8 Hop Gardens. Whilst this garage is clearly a newer structure than the existing listed buildings, it sits well within the environment and street scene. There are numerous examples along Hop Gardens of outbuildings, none of which negatively impact the setting of the listed buildings. The existing character of Hop Gardens is residential with the original planned form of the dwellings having been supplemented already with outbuildings and structures.

6. The appeal site is on the corner of Hop Gardens, and the proposed carport would be located on an area of hardstanding surrounded by high mature hedgerows. This area has been used for off-street parking and contains a timber garden building which would be demolished as part of the proposals. Whilst a carport differs from outbuildings such as sheds, it is evident that built form which does not follow the prescribed pattern of development has occurred in the surrounding area. These outbuildings do not harm the setting of the listed buildings. I am satisfied that the proposed carport as a structure individually and cumulatively would not harm the significance of the listed buildings or adversely affect their setting.

7. The proposal is set back from the existing planned arrangement of the dwellings and would only be visible in short range views. The proposal would be constructed with a traditional hipped roof from materials which would complement the listed building. Furthermore, the scale and mass of the proposal would clearly be subservient to the main building. Given the location of the proposed structure, its scale and massing, and the proposed construction materials, I find that it would integrate well into the built environment in this location.

8. The appeal site is located within the CA. Section 72(1) of the Act requires that special attention is had to the desirability of preserving or enhancing the character or appearance of a CA. The proposed carport would only be visible within the immediate locality of the appeal property by virtue of being set back

and being well screened with mature hedgerows. The proposal therefore would have a neutral impact on the CA.

9. I conclude that the proposal would not adversely affect the designated heritage assets. It complies with policy CON5 of the South Oxfordshire Local Plan 2011, policy CSEN3 of the South Oxfordshire Core Strategy and paragraph 193 of the Framework. Together these policies seek, amongst other things, that new development is of a high-quality design which conserves and enhances heritage assets.

Conditions

10. In addition to the standard time limit condition, I have imposed a condition requiring the development is carried in accordance with the approved plans. This is in the interest of certainty and clarity. I have also included a condition that the development shall be constructed using the materials specified. This is to ensure the development does not harm the character and appearance of the area. I have included a condition which requires the carport to retained for the use of parking and manoeuvring of vehicles. This is to ensure the provision of off-street parking is maintained in the interests of highway safety.

Conclusion

11. Having regard to all matters raised, the appeal should be allowed and planning permission granted subject to conditions.

S Shapland

INSPECTOR