



Appeal Decision

Site Visit made on 4 May 2021

by Alexander O'Doherty LLB (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 June 2021

Appeal Ref: APP/Q3115/W/21/3269680

52 & 54 Greys Road, Henley-on-Thames RG9 1TF

- 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 John Gidman against the decision of South Oxfordshire District Council.
 - The application Ref P19/S4054/FUL, dated 8 November 2019, was refused by notice dated 11 December 2020.
 - The development proposed is described as, "Retention of existing bungalow at no. 54, demolition of bungalow and garages at no. 52, erection of 3 x 2 bed terraced cottages and 2 x 2 bed, 2 storey flats, including the provision of 6 on site parking bays (4 partially enclosed), associated retaining walls and landscaping."
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The description of development shown above is taken from the planning application form. It differs from that shown on the appeal form and decision notice. The latter identifies the proposed development as the, 'Demolition of bungalow and garage and erection of two 2-bedroom houses and two 2-bedroom flats and provision of parking including additional parking at rear of No. 54 (site area reduced, number of proposed units reduced from five to four and layout and design revised as shown on plans and supporting documents received 26th March 2020, drainage details received 1st April 2020 and reduction in ridge and eaves height and pitch and introduction of gable ends to Plots 1 & 2 as shown on amended plans received 2nd July 2020 and site area corrected to include rear of No. 54 as shown on plans received 3rd November 2020)'. I have used this description in my consideration of the appeal since it best describes the proposed development in precise and concise terms. It does not fundamentally alter the development which is the subject of this appeal.

Main Issues

3. The main issues are the effect of the appeal proposal on:
 - the character and appearance of the surrounding area;
 - the setting of the Henley Main Conservation Area; and
 - parking and highway safety.

Reasons

Character and appearance

4. The appeal site comprises a detached bungalow with a set of garages to its rear. The bungalow represents the last dwelling on this side of Greys Road, up to the junction with Deanfield Avenue, which lies in front of the site. The site occupies the central position at the junction, and views of the site are possible near the end of Greys Road, close to the A4155. Thus, the appeal site is in a very exposed and prominent location, which is further enhanced by its elevated position relative to Greys Road as it stretches towards the A4155.
5. Rows of bungalows on large plots are present further up Greys Road, and these are set apart from the footway adjacent to the road by grass verges and street trees. On the opposite side of Greys Road are sets of characterful mainly 2-storey dwellings, which are mostly part of terraces. These properties, of mostly Victorian style and appearance, frame this part of Greys Road as it curves round beyond the appeal site and they provide an understated but elegant feel to the local area. Long views of the site are also available from Deanfield Avenue, where there is a change in character due to the presence of The Henley College and a block of flats opposite the College.
6. As they would be 2-storey properties with a linear design of terraced form, the new buildings proposed would not appear out-of-scale with the terraced properties opposite, nor with the bungalows further up Greys Road. Appropriate materials would be used. Private amenity space would be provided to the front of the site and the proposed landscaping would soften the appearance of the development. Plots 1 and 2 of the proposal (building 1), in particular, would share some design cues with the Victorian-era properties nearby, especially with respect to the fenestration arrangements proposed. However, this pleasing effect would be diluted by the proposed design of the building for plots 3 and 4 (building 2), which would, in my view, appear rather more conventional in appearance.
7. Moreover, although building 2 would acceptably 'turn the corner' at the junction, it would be stepped down substantially from building 1, and there would be significant stylistic differences between the buildings. As such, the buildings would neither appear as one cohesive unit, nor as 2 individual and distinct units, meaning that as a whole the pair would have a rather disjointed appearance. Furthermore, due their height, width and overall scale on this modestly-sized site, and the relatively minimal separation distance between the new buildings and their neighbours, they would have a cramped appearance which would detract from the more legible and coherent pattern of development which exists along Greys Road.
8. The proposal would entail the addition of 3 residential units, over-and-above that which exists. As such, the intensification of the use of this prominent corner site would be substantial. This level of activity, including from comings and goings and vehicle movements (including delivery vehicles), and the use of the private amenity areas, would unduly contrast with the more modest levels of residential activity nearby. Considering the sensitive nature of the site, in that it occupies an almost 'landmark' position, the markedly increased level of activity proposed in its context would be harmful to the character of the area.
9. In light of the above, I find that the proposal would have an unacceptable and harmful effect on the character and appearance of the surrounding area. It would conflict with Policies DES1, DES2, ENV6 and ENV8 of the South Oxfordshire Local Plan 2011-2035 (adopted 2020) (Local Plan) which

collectively provide that, amongst other things, 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 proposal would also conflict with paragraph 124 of the National Planning Policy Framework (the Framework), which provides that good design is a key aspect of sustainable development, and with the advice in the South Oxfordshire Design Guide Supplementary Planning Document (2016) (Design Guide) that new development should respect the character of the area.

10. The Council has referred to Policy DQS1 of the Joint Henley and Harpsden Neighbourhood Development Plan 2012 – 2027 (Final Submission Version) (Neighbourhood Plan) but as no copy of this Policy has been provided I am unable to assess the proposal against it.

Setting of the conservation area

11. The appeal site is immediately adjacent to the Henley Main Conservation Area (conservation area). The conservation area's significance as a designated heritage asset, as whole, includes its historic buildings which exhibit a high standard of architectural design and fine craftsmanship. The setting of the conservation area includes those areas in close proximity to it, including the appeal site, which are part of the surroundings in which the heritage asset is experienced. The setting, including the appeal site, contributes to the significance of the conservation area by providing a soft transition between the presence of period architecture within the conservation area and the other non-statutory designated land beyond.
12. The proposal would be prominently located in the street scene, and it would be situated near the edge of the conservation area. Considering this, and taking account of the harmful impacts of the proposal which I have described in the first main issue, as a development within the setting of the conservation area the proposal would undermine the contribution that the setting makes to the presence of period architecture within the conservation area. Consequently, the significance of the conservation area would be materially harmed by the proposed development within its setting. Whilst the harm that would be caused to the significance of the conservation area as a designated heritage asset would be localised and accordingly would be less than substantial, this harm must be weighed against the public benefits of the proposal.
13. In this regard, the proposal would provide 4 residential units of accommodation in an accessible location. The small units proposed, including the split between 2-bedroom houses and 2-bedroom flats, would contribute to the mix of housing in the local area.
14. I recognise the considerable importance of the conservation area as a designated heritage asset, and in accordance with the Framework, in considering the impact of the proposal on the significance of the conservation area as a designated heritage asset, I have given great weight to its conservation. Collectively, I give moderate weight to all the public benefits of the proposal. Thus, those benefits do not, either individually or cumulatively, amount to public benefits which outweigh the harm that would be caused to the significance of the conservation area.
15. I therefore find that the proposal would have an unacceptable and harmful effect on the setting of the conservation area. It would conflict with Policies

DES1, DES2, ENV6 and ENV8 of the Local Plan which collectively provide that, amongst other things, proposals for new development should not cause harm to the historic environment. It would also conflict with section 16 of the Framework, which seeks to conserve and enhance the historic environment.

Parking / highway safety

16. The proposal would provide 6 off-street parking spaces, to serve 4 units. The appellant has mentioned a parking requirement in the Neighbourhood Plan but has not referenced where this can be found, and has not provided a copy of the OCC Parking Standards for Residential Development document, mentioned in a letter provided¹. Accordingly I have not been able to assess the proposal against those requirements / standards. The appellant has also referred to paragraph 14 of the Framework, but as the presumption in favour of sustainable development is not engaged in this case that paragraph is not applicable to the circumstances of this appeal.
17. The Council have referred to a shortfall of 2 parking spaces, but have not provided a copy of the relevant parking standards document. Nevertheless, even if the proposal were to entail such a shortfall, I note that the appeal site is close to a railway station and bus stops, and is near a number of local shops and facilities. Furthermore, cycle storage could be provided for by condition. Accordingly, future occupiers would be provided with other travel options, other than the use of private motor vehicles, meaning that the proposed 6 parking spaces may be sufficient for their needs.
18. Paragraph 109 of the Framework provides that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. I have taken careful account of all the representations from local residents, including from Henley-on-Thames Town Council, with respect to parking provision in the vicinity. However, although it is recognised that parking is at a premium nearby, the evidence does not demonstrate that highway safety or severe cumulative road impacts would occur via the proposal. In reaching this conclusion it is noteworthy that the Local Highway Authority expressed their opinion that the proposal would be unlikely to have a significant adverse impact on the highway network.
19. Therefore, on the evidence before me I consider that the proposal would have an acceptable effect on parking and highway safety. It would comply with Policy TRANS5 of the Local Plan, which provides that, amongst other things, proposals for all types of development will, where appropriate, provide for a safe and convenient access for all users to the highway network. It would comply with Policy T1 of the Neighbourhood Plan which aims to ensure that development has an acceptable impact on the transport network, and with paragraph 109 of the Framework (cited above).

Other Matters

20. I note the lack of technical objections (subject to the imposition of conditions, where appropriate), and that the Council did not refuse the application on residential amenity grounds. However, these are neutral matters, which do not weigh in favour of the proposal.

¹ Highway Planning Ltd letter (dated: 05/03/20)

21. The proposal would support the Government's objective of significantly boosting the supply of homes, and would contribute to the mix of housing in the local area. In this regard, I am mindful of paragraph 68 of the Framework, which provides that, amongst other things, small and medium sized sites can make an important contribution to meeting the housing requirement of an area. Accordingly, I have given this matter moderate weight. However, the combined harm identified on the first and second main issues would be significant and therefore these considerations are not sufficient to outweigh that harm, nor the conflict with the development plan identified.

Conclusion

22. I have found the proposal to be acceptable in terms of parking and highway safety. Nevertheless, the conflict with the development plan in relation to matters of character and appearance, and the setting of the conservation area, has not been overcome. For the reasons given above I conclude that the appeal should be dismissed.

Alexander O'Doherty

INSPECTOR