



Appeal Decision

Site Visit made on 24 November 2021

by R J Jackson BA MPhil DMS MRTPI MCM

an Inspector appointed by the Secretary of State

Decision date: 03 DECEMBER 2021

Appeal Ref: APP/Q3115/D/21/3279449

5 Grove Road, Henley-on-Thames RG9 1DH

- 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 Linehan against the decision of South Oxfordshire District Council.
 - The application Ref P21/S1732/HH, dated 11 April 2021, was refused by notice dated 8 June 2021.
 - The development proposed is formation of habitable room in roofspace with rear dormer.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. During consideration of the application by the Council amended plans were submitted showing the rear dormer with a double gable, although joined at the intervening eaves. The Council made its decision based on these amended plans and I will do so too.

Main Issue

3. The main issue is the effect on the Henley Reading Road Conservation Area.

Reasons

4. The appeal property is a mid-terrace two-storey dwelling with a single storey rear outrigger that is attached to a similar outrigger on the adjoining property. The building, like those in the area, is constructed in red brick with distinctive pattern brickwork and a slate roof. The low key nature and dark colour of the roofs ensures that they are not intrusive into the street scene. There are noticeable chimney stacks and the brick walls facing the highways also use the same pattern brickwork.
5. There is a remarkable consistency to the appearance of the buildings, and while many have rooflights in the rear roofplanes there are a small number of dormers and other extensions which are somewhat out of keeping with the overall area. It is this consistency of appearance which for the purposes of this appeal provides the conservation area with its special architectural and historic interest and thus its significance.
6. The terrace of which the appeal building forms part does not have any dormers in the rear roofplane and only two properties have rooflights. The upper floors and rear roofplanes can be seen easily from Marmion Road.

7. The proposed dormer would harmfully interrupt the simple roof form of the terrace and would harmfully increase the prominence of the roof on the street scene. It would therefore detract from the character, appearance and significance of the conservation area. Within the terms of the National Planning Policy Framework this would represent less than substantial harm as the effect is judged over the whole of the conservation area.
8. That being the case paragraph 202 of the National Planning Policy Framework indicates that this harm should be weighed against the public benefits of the proposal. It seems to me that the benefits here are private for the owners and occupiers.
9. Consequently, the proposal would be contrary to Policies DES1, DES2, H20, ENV6 and ENV8 the South Oxfordshire Local Plan and Policies DSQ1 and EN5 of the Joint Henley and Harpsden Neighbourhood Plan 2015. These policies all require good design, in keeping with the character and appearance of the area, particularly in conservation areas.
10. The appellant has referred to the existing dormers and other extensions in the area as setting a precedent for this development. However, the Council has noted that these generally pre-date the implementation of an Article 4 Direction which restricts permitted development of this type. I have no information to show that any of the extensions post-date that. In any event I have judged the proposal against the policies for the area applicable at this time.
11. The appellant has also referred to their personal circumstances, which I take into account. However, it has not been shown that the current proposal is the only way in which the personal circumstances could be provided for, and inevitably these circumstances will be of lesser duration than the permanent effects of the proposal. Thus, while these circumstances are of moderate weight, they do not outweigh the harm I have identified and I conclude that this decision would not be discriminatory.

Conclusion

12. The proposed development would be contrary to the development plan as a whole and there are no material considerations sufficient to outweigh the presumption in favour of determining the proposal in accordance with the plan.
13. For the reasons given above I conclude that the appeal should be dismissed.

RJ Jackson

INSPECTOR