



Appeal Decision

Site visit made on 2 March 2023

by Chris Couper BA (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th March 2023

Appeal Ref: APP/Q3115/D/22/3310401

122 Reading Road, Henley-on-Thames, Oxfordshire RG9 1DN

- 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 F Bayet against the decision of South Oxfordshire District Council.
 - The application Ref P22/S2492/HH, dated 5 July 2022, was refused by notice dated 14 September 2022.
 - The development proposed is a loft conversion with a flat roof rear dormer.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Joint Henley and Harpsden Neighbourhood Plan Review was made in November 2022 ('the NPR'), and replaced the Joint Henley and Harpsden Neighbourhood Plan 2015, which was referred to in the Council's decision and its delegated report.
3. The courts have confirmed that Inspectors shall make their decisions on the basis of the development plan which is in place at the time of their decision, rather than at an early stage. As the NPR was made after the decision on the application the subject of this appeal, I invited the Council to comment on the NPR, and gave the appellant an opportunity to respond. I have taken those representations into account in my decision.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the area, including whether it would preserve or enhance the character or appearance of the Reading Road Conservation Area.

Reasons

5. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that, in respect of development affecting conservation areas, special attention shall be paid to the desirability of preserving or enhancing their character or appearance. The National Planning Policy Framework ('Framework') sets out that great weight should be given to the conservation of designated heritage assets, such as conservation areas, and that harm to their significance requires clear and convincing justification.

6. Policies ENV6 and ENV8 of the South Oxfordshire Local Plan 2011-2035 (2020) ('SOLP') state that they apply to development, not just larger schemes as asserted by the appellant. They set out that proposals shall sustain or enhance the significance of heritage assets, and that development within conservation areas is expected to respect their local character and distinctiveness in terms of matters such as proportions and form, having regard to the South Oxfordshire Design Guide and any relevant Conservation Area Character Appraisal.
7. NPR Policy SD3 also applies to any new development, including extensions, and takes a similar approach in setting out the need to maintain the character and appearance of conservation areas. It states that proposals should respond positively to their setting, having regard to matters including scale, height and massing, with a design that reflects the relevant Character Area as shown in the Conservation Area Appraisal Management Plan.
8. The Henley Conservation Area Appraisal and Management Plan Consultation Draft 2021 ('HCAAMP') provides a description of the different character areas. At Section 5 it describes the Reading Road Conservation Area ('the RRCA') as comprising a grid of Edwardian terraced houses, with narrow fronts and small gardens to the rear. It continues that the buildings are two storeys high, with pitched roofs, feature brickwork, and architectural detailing, including ornamental ridge tiles.
9. Notwithstanding subtle differences in their design, I observed that the front faces of the terraces in the RRCA have a very cohesive form, style and appearance. To the rear, the buildings are plainer, and I noted that their cohesion is diminished to some degree as a result of single, or two storey, extensions.
10. Nevertheless, whilst there are a few scattered dormers visible from the rear of the host property, the buildings overwhelmingly retain principal pitched roofs which, other than rooflights, appear unaltered. This consistent and simple roofscape contributes to the terraces' group value and character, and to a sense of their modest, working-class origins.
11. The proposed dormer would extend from very slightly below the host's ridgeline to around its eaves, and would cover over half of its rear roofslope. Whilst it would not be visible in the streetscene, it would be prominent from many nearby properties, where its rectilinear form would be at odds with these terraces' overwhelmingly pitched roofs. In contrast to most nearby buildings, its significant bulk at this height would give the resultant property a dominant, disproportionate and top-heavy appearance; and it would interrupt views of the terrace's ridge and its locally distinctive ornamental ridge tiles.
12. At Annex 6 of his statement the appellant has provided photographs of dormer windows elsewhere in the Henley on Thames Conservation Areas. However, the few that I observed in the grid of properties to the rear of the host, and most others nearby including at 7 and 17 Boston Road, are either smaller in scale, or set further up from the eaves or further down from the ridge, than would be the case here.
13. The particularly large rear dormer at 140 Reading Road is an isolated example, uncharacteristic of the area, and according to the Council may have been constructed before the RRCA was designated. I have very few details of the background to the refurbishment at 136 Reading Road.

14. Whilst the HCAAMP sets out that extensions to the rear are more likely to be acceptable, it also states that they should appear subordinate to the existing buildings, and that they will be considered on a case-by-case basis. Given its dominant, top-heavy appearance the scheme would not comply with that approach.
15. For the above reasons, the scheme would harm this characteristic terrace, and in so doing it would fail to preserve or enhance the character and appearance of the RRCA when considered as a whole. The harm to that designated heritage asset is a matter to which I attribute great weight. However, as the harm caused to it would be 'less than substantial', in accordance with the Framework and SOLP Policy ENV8, I am required to weigh it against the public benefits of the proposal.
16. In its favour, and in accordance with the Framework, the proposal would provide the existing, and any future, occupants with additional space and improved living conditions. However, those benefits would be largely private, relating to the enjoyment of the house by its occupants. Therefore, I find no public benefits that would outweigh the harm that I have found. The proposal would thus conflict with the Framework, with SOLP Policies ENV6 and ENV8, and with NPR Policy SD3.
17. It would also conflict with SOLP Policies DES1 and DES2, which are directed more generally at all new development. Amongst other things, these require high quality design, which respects and enhances local context and character, with regard to matters such as scale, height and massing. However, as I have not been provided with the South Oxfordshire Design Guide, I cannot reach a conclusion on whether the scheme would conflict with SOLP Policy H20.
18. I have considered representations by interested parties, including The Henley Society and a letter of support from a neighbour. However, having considered the scheme on its planning merits, and having regard to all other matters raised, the appeal is dismissed.

Chris Couper

INSPECTOR