
Appeal Decision

Site visit made on 9 April 2024

by Tim Wood BA(Hons) BTP MRTPI

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

Decision date: 16th April 2024

Appeal Ref: APP/Q3115/D/23/3325721

Stepping Stones, Stoke Row, Henley on Thames RG9 5QL

- 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 Mark Davies against the decision of South Oxfordshire District Council.
 - The application Ref P22/S4215/HH, dated 19 November 2022, was refused by notice dated 27 April 2023.
 - The development proposed is the installation of 2 cantilever car shelters extending out from the front of the property over the existing driveway.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The appeal relates to development that has already been undertaken.

Main Issue

3. The main issue in this appeal is the effects of the development on the character of the area, including the Area of Outstanding Natural Beauty (AONB).

Reasons

4. The appeal relates to this detached, two-storey house sited on the southern side of the road, running through the village of Stoke Row. The house is set back from the road as are most buildings along the road. It has a frontage which consists of a parking area, a lawn and a large Oak tree. The area is within the Chilterns AONB.
5. There are many mature trees within the area and many of the houses have planting within their grounds. Opposite the appeal site is an open area containing a number of trees. These factors combine to give a semi-rural character to the area. Whilst properties along the road do not adhere to a strict building line, they are mostly set back from the road which contributes to the sense of space and openness here.
6. The structures that have been built at the appeal site consist of a curved canopy supported on posts. They are both set very close to the front elevation of the house and project forward of both neighbouring properties. The structures are an obvious addition to the property which can readily be seen from the road and the open space opposite. The structures appear

incongruous due to their size, design and materials and fail to harmonise with the house and the wider street-scene. I consider that they have a harmful effect on the character of the area, appearing significantly out of place and obtrusive within this context.

7. The appellant refers to the tented shelter-style structure nearby at the shop/café. This has been erected within the frontage of the building. This is clearly to a commercial premises and has the appearance of a temporary structure and so has a different character to the appeal scheme. Additionally, I have not been made aware of the planning history of this property and so cannot arrive at any meaningful conclusion about its planning merits. I also observed the nearby petrol station and its canopy. Again, this site has a different, commercial character where a building of such a style may be justified. Similarly, I have been provided with no planning history and so cannot take my reasoning any further in this respect.
8. The National Planning Policy Framework states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues. I have taken account of the location of the development, within the frontage of a building in a village. I consider that the development is visible within the public realm and it has a marked negative effect on the character of the area. Although it is small in relation to the whole AONB, I consider that it has a negative effect on landscape and scenery here.
9. As a result of my consideration of the structure, I find that their unacceptable, harmful effect means that they give rise to conflict with Policies STRAT 1, DES 1, DES 2 and ENV 1 of the South Oxfordshire Local Plan 2011-2035.
10. The appellant considers that the area should be considered as 'highly commercial' and that this should affect how I consider the context of the development. I do not agree with that assessment. The area is predominantly residential with a large area of open space opposite. There are just a few non-residential uses nearby which I acknowledge but cannot agree with the appellant's description.
11. The appellant has included an appeal within his submission which he seeks to draw support from (Ref: APP/K0425/D/16/3159539). This gave approval for an amended garage/store within the Green Belt and the Chilterns AONB. The appellant for the appeal under my consideration indicates that the assessment that the garage/store was acceptable in the AONB shows that a larger and more intrusive structure was acceptable and so the less intrusive structures now before me should be seen as acceptable. The other appeal related to an amendment to a garage that had already been granted planning permission and sought to add a store for valuable ground-maintenance machinery. It is also stated within that decision that the Council did not contest its acceptability in terms of the AONB and notably, the Inspector described the site as being surrounded by dense woodland, which was clearly a factor in determining its acceptability in the AONB. Furthermore, the store was for valuable machinery which could not be realistically left outside. In my view the circumstances are not comparable and do not affect my determination of this appeal.
12. The appellant refers to the protection of his cars from falling debris from the Oak tree. I accept that the development would provide this benefit to the

appellant. However, I have not been provided with any information about why the existing garage at the property could not be used to accommodate one of the cars. In any event, I do not see this private benefit as sufficient to outweigh the public harm that I have identified. In relation to the shelters preventing a need for the appellant to park on the road (to avoid debris from the tree), this may be the case but my own observations did not reveal the road to be either busy or congested with cars and so any benefit in this respect would be very limited if it exists at all. The appellant also suggests that additional planting on the site could soften the effects of the development. I consider that any effect would be limited and insufficient to make the development acceptable.

Conclusions

13. I have taken account of all matters raised in the representations. I conclude that the harm that the development has is not outweighed by any other matters. Therefore, the appeal is dismissed.

T Wood

INSPECTOR