



Appeal Decision

Site visit made on 26 August 2025

by Stephen Hawkins MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 September 2025

Appeal Ref: APP/Q3115/C/24/3345606

Land at Willows Reach, Mill Lane, Shiplake RG9 3LY

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Mr Julian Glasspole against an enforcement notice issued by South Oxfordshire District Council.
 - The notice was issued on 24 April 2024.
 - The breach of planning control as alleged in the notice is without planning permission: 1) erection of outbuilding incorporating two containers and 2) erection of terracing comprising of decking on a raised platform; steps, ramps and railings.
 - The requirements of the notice are: (i) Demolish and/or dismantle and remove from the land the outbuilding and containers and the terrace comprising of decking on a raised platform, steps, ramps and railings together with all related foundations and supporting structures. (ii) Remove from the land all waste materials resulting from actions set out in point (i).
 - The period for compliance with the requirements is six months.
 - The appeal is proceeding on the grounds set out in section 174(2)(a) of the Town and Country Planning Act 1990 (as amended). Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act.
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Decision

1. The appeal is dismissed, the enforcement notice is upheld and planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

Preliminary Matters

2. Since the appeal was made, planning approval has been granted for a substantial portion of the raised decking in the allegation¹. The enforcement notice has ceased to have effect insofar as it is inconsistent with that approval, having regard to s180 of the Act. Accordingly, only the replacement decking surrounding the outdoor swimming pool, along with a part on the east side of the dwelling, falls to be considered in this appeal.
3. The reference in the allegation to 'outbuilding incorporating two containers' is sufficiently clear. When read as a whole, there can be little real doubt that the notice attacks the totality of the outbuilding, not just the shipping containers.
4. My decision takes the revised National Planning Policy Framework (the Framework), which came into force during the course of the appeal, into account.

¹ Appeal Ref: APP/Q3115/D/24/3345631

Ground (a) appeal

Main Issues

5. The main issues in this appeal are:

- The effect of the development on the character and appearance of the surrounding area.
- Whether the development has increased the risk of flooding.

Reasons

Character and appearance

6. The appeal property contains a substantial detached dwelling of contemporary design. The dwelling occupies a generously sized plot, its rear garden extending to the river Thames. A railway branch line running through a corridor of maturing trees crosses the river on an overbridge alongside the property. The dwelling is located at the end of a row of detached residential properties, accessed by a gravel track. The properties vary in terms of their appearance and are set back from the river in ample portioned lawned rear gardens containing substantial maturing trees and vegetation, with moorings and occasionally boathouses at the riverside. Adjoining open fields, tracts of woodland and the river contribute to a significant sense of separation between the row of dwellings and more built-up areas.
7. The above factors contribute to the pleasantly spacious and secluded, semi-rural character and appearance of the surroundings. This is reflected in the Shiplake Neighbourhood Plan (NP), the property forming part of a Residential Area of Special Character on account of factors including the riverside influence, landscaped grounds and low density of development, also being in the River Thames Meadows and Terraces Parish Landscape Character Area.
8. Planning approval was granted in 2018 for works including the erection of a freestanding outbuilding of similar architectural style to the dwelling, located mid-way down the rear garden, adjacent to the boundary with the railway². There is little before me to indicate that Development Plan or national policy has altered to such an extent that materially different conclusions would now be reached in respect of the planning merits of the approved scheme. Accordingly, even if that approval has expired it is a material consideration to which significant weight should be attached.
9. In the context of the recent approval for a substantial portion of the decking, the decking in this appeal has had little additional visual impact. As built, the outbuilding is similar in terms of its location and appearance to the approved scheme. However, two dark green coloured metal shipping containers are arranged lengthways adjacent to the railway boundary, under a flat roof canopy slightly lower than the main outbuilding roof. This has increased the footprint of the outbuilding by around a third, with a corresponding significant enlargement in the scale of the structure.
10. The substantial scale of the outbuilding along with the stepped angled roof form incorporating the canopy does not sit comfortably with the generally more modest proportions, simple lines and less assuming visual attributes of riverside garden

² Council Ref: P18/S1837/HH

structures at the property and in neighbouring gardens. The substantial scale and angular stepped roof line, along with the obviously manufactured profiles and shiny metallic finishes of the containers, is also in marked contrast to the softer, more naturalistic visual qualities of maturing trees and other planting in the environs. Manufactured and natural features at the property, in neighbouring gardens and on adjoining land do little to screen or visually soften the appearance of the outbuilding, which can be viewed from public rights of way beyond the railway and along the riverside, as well as by passing river traffic. This has all led to the outbuilding appearing as an assertive built feature in its surroundings, with a considerably greater visual presence compared to the approved scheme.

11. An extensive area of rear garden remains at the property. Even so, the increased footprint and scale of the outbuilding has meant that a significantly greater portion of rear garden is covered by or adjacent to substantial built form, compared to the approved scheme. This in turn has led to a significant and appreciable erosion of the sense of openness experienced in the rear garden and the vicinity compared to the approved scheme and has contributed to a more built-up feel in the environs, being entirely at odds with the pattern of local riverside development and the spacious, secluded semi-rural visual qualities of the locality.
12. Cladding the containers to match the external wall finishes of the outbuilding would do little to address the substantial scale and overall visual impact of the outbuilding. Similar considerations apply in respect of further landscape planting. Although smaller in scale compared to the dwelling and neighbouring properties, the outbuilding is located considerably closer to the river. No specific examples of boathouses or other riverside garden structures with a similar visual presence to the outbuilding were drawn to my attention.
13. Therefore, the development causes unacceptable harm to the character and appearance of the surrounding area. This is in conflict with Policies ENV1, DES1 and DES2 of the South Oxfordshire Local Plan (LP), along with NP Policies SV7, SV9, SV10, SV23 and SV24, which amongst other things, seek to ensure that the landscape, countryside and rural areas are protected from harmful development, that development is of a high quality design that respects the existing landscape character, that development integrates with its surroundings and visually complements its surroundings and does not lead to overdevelopment, that development preserves the features which positively define the character of the area and reflect valuable characteristics, that development adjacent to the river protects and enhances the waterside character, heritage value and setting and that development is compatible with special character areas. There is no conflict however with NP Policy SV11; in the context of the approved scheme there has been no significant adverse impact on any important view.

Flood risk

14. The property is in Flood Zone 3 and therefore at risk of flooding. The Framework confirms that where there is a risk of flooding, householder developments should still meet the requirement for a site-specific flood risk assessment (FRA). The flood risk statement supplied refers to a drawing which does not accurately reflect the significantly larger footprint of the outbuilding compared to the approved scheme. Nor is the full extent of the decking shown. Although the outbuilding and areas of decking in the appeal are raised on stilts above ground level, without further information it is unclear whether this is sufficient and that there is adequate open

space underneath and at the sides so that the development is above the peak design flood level and the risk of flooding is properly mitigated.

15. Consequently, given the available information and in the absence of a site-specific FRA based on accurate details of the development confirming otherwise, I cannot reasonably be assured that there has not been an increase in the risk of flooding. This is in conflict with LP Policy EP4, which seeks to minimise the risk and impact of flooding by, amongst other things, ensuring that development addresses the effective management of all sources of flood risk and that it does not increase the risk of flooding elsewhere.

Conclusion

16. The development harms the character and appearance of the area and has increased the risk of flooding, in conflict with the Development Plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the Development Plan. Therefore, I conclude that the appeal should not succeed. I shall uphold the enforcement notice and refuse to grant planning permission on the application deemed to have been made under section 177(5) of the 1990 Act (as amended).

Stephen Hawkins

INSPECTOR