



Appeal Decision

Hearing Held on 10 May 2023

Site visits made on 9 and 10 May 2023

by Hollie Nicholls FdA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 May 2023

Appeal Ref: APP/Q3115/W/22/3313757

**Henley Railway Station Car Park, Station Road, Henley-On-Thames
RG1 1AY**

- 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 Blocwork and Premier Inn Hotels Ltd against the decision of South Oxfordshire District Council.
 - The application Ref P21/S2618/FUL, dated 14 May 2021, was refused by notice dated 24 August 2022.
 - The development proposed is erection of hotel with a ground floor ancillary bar/restaurant. Reconfiguration of the existing station car park and associated works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Joint Henley and Harpsden Neighbourhood Plan 2020 – 2035 (JHHNP) was made and became part of the formally adopted neighbourhood plan in December 2022. Though this was after the determination of the appeal application, as the planning policy changes have been considered as part of the Appellant's evidence, no prejudice has occurred.
3. A small number of landscaping plans were submitted with the appeal. As these do not propose substantive changes to the scheme, under the Wheatcroft¹ principles, it has not been necessary to consult more widely upon them. Partly as a result of the details contained in these plans, the Council confirmed that the Forestry Officer had withdrawn their objection and that the arboricultural aspects of the reasons for refusal (RfRs) would no longer be contested.
4. A signed unilateral undertaking (UU) made as a deed under S106 of the Town and Country Planning Act 1990 was submitted the day before the hearing and the Council confirmed that this adequately addressed the third RfR.

Main Issues

5. Given the above, the main issues are:
 - whether the proposal would constitute good design and its effects on the character and appearance of the streetscene and surrounding area; and

¹ Wheatcroft Ltd V SSE [1982]

- the effect on the respective settings of the Henley Conservation Area (CA) and the Grade II listed building, the 'Imperial Hotel and associated buildings' (List Entry Number 1404662) (the Imperial Hotel).

Reasons

6. The appeal site is formed from a part of the relatively level car park associated with Henley Railway Station and is currently hardsurfaced with some limited trees and landscaping. The site is within the built-up area of Henley, to the south-east of the town centre, outside of but adjacent to the defined town centre boundary under the JHHNP.
7. The CA boundary and Imperial Hotel are situated to the north-west of the site, around ninety metres away. Residential dwellings extend in an arc from north-west to the south-east of the site. The single storey station building under a large, hipped roof form is in close proximity to the site, as is the single storey public convenience building. The long and linear form of the car park extends away from the appeal site in a south-easterly direction and the railway line itself runs along the northern side of the same. Beyond the railway line are the residential blocks, 'Regatta Villas' and 'Hewgate Court', and beyond them is the Thames Towpath and recreational area.
8. The immediate context of the site is generally one of relatively modern residential developments of varied forms but which can generally be divided into 2 – 2.5 storey dwellings with pitched or hipped roofs, and flatted blocks of around 3 storeys, some with pitched roofs and some with flatter roof forms. The flatted blocks either turn a corner, have a segmented building form or are broken into smaller blocks which means that there are no large rectilinear block forms in the immediate locale. Amongst the residential area, large numbers of trees and vegetated spaces and boundaries give it a verdant quality. The predominant materials of construction vary between red brick, dark brick, render and hanging tiles. Despite the variation, the suburban C20/C21 development is all relatively polite, modest in scale, recessive and does little to detract from the grander buildings that sit within the CA.
9. The CA includes buildings of a range of architectural styles with the main periods of architectural influence being the Georgian and Victorian eras following the arrival of the railway in Henley. The buildings are relatively modest in scale, i.e., between two and four storeys, but there is a high degree of variation between roof ridge and eaves heights, with a pitched roof form being the most common. A number of buildings within the CA assert their prominence and deserved high status through architectural expression, detailing and materials and such buildings are often located on widely visible corner locations.
10. The special interest and significance of this part of the CA therefore stems from the historic integrity and layout of individual buildings and coherent building groups that are indicative of the Georgian and Victorian speculative expansion of this part of Henley.
11. The Imperial Hotel is one such planned intervention on a corner location which was originally built to have a more direct relationship with the railway. This relationship has since changed with the replacement of the station building slightly further back. The List Entry refers to it as an '*extravagant display of street architecture in the 'Old English' style*', and also as '*one of Henley's*

principal landmarks'. It was built in c.1897, is four storeys high and is architecturally exuberant, with upper sections jettied out, decorative half-timbering contrasting with the bright red brick of the main structure, triangular gable with decorative bargeboards and timber framing, crowned by a terracotta dragon finial and with two large brick chimney stacks flanking the gable. The Imperial Hotel's form, architectural interest, historic fabric and prominent siting are aspects that contribute to its significance and special interest as a designated heritage asset. Similarly, the Imperial Hotel, through its architectural and historic qualities, as confirmed within the Henley Conservation Area Appraisal and Management Plan (2022), is of special interest to the CA, noted as being only one of 8 town-wide landmark buildings, and thus, contributes to its significance.

12. The parties agree that the site, in its current form, makes no discernible contribution to the heritage significance of either the CA or Imperial Hotel.
13. The proposal is to construct a 5-storey hotel building comprising 115 rooms with ancillary bar/restaurant on the ground floor. This would involve the reconfiguration of the existing car park to provide more car parking spaces in lieu of coach parking. Some trees would be lost to the scheme, but replacements and additional landscaping are proposed. The building itself would have a single rectilinear form with flat roof, albeit with a small parapet to conceal plant on the roof.
14. The entrance to the hotel would front onto the road and would be slightly off centre with large areas of glazing at ground floor level. This section of the building would project out from the main façade from ground to the roof level and would be modestly taller than the main roof height. It would also have a painted render treatment. The bar/restaurant would also be positioned behind a larger area of glazing on the ground floor level to the south-east side of the building. There would be three other projecting brick sections across the elevation which would terminate a storey below the roof level. This variation in depths, heights and external material treatment would aim to break up the mass of the building. The metal standing seam cladding material which would be used on the recessive bays and upper floors would contrast with the render and brick sections on the front and would also wrap around the end elevations to further attempt to minimise the visual mass of the building. A second darker brick type would be used at the ground floor level between the glazing.
15. Whilst the current view of the site is over a car park with modest tree cover largely surrounded by C20/C21 development, it is not unattractive, and the absence of buildings draws the eye towards the established built form and CA beyond. In this sense, and due to its siting within the direct eye line from Station Road, the Imperial Hotel is a logical local landmark and the general subservient scale and low key architectural expression of surrounding buildings helps with wayfinding. As a contrast to this, the large scale, unrelenting rectilinear form of building proposed with its flat roof and boldly C21 architectural expression, would represent a strident intervention within the streetscene. The effect of this would be to undermine the local hierarchy of buildings and ability to navigate to places of interest beyond the railway.
16. From the perspective of users of the railway arriving into Henley and looking in the direction of the site, I am mindful that there is a commercial estate with low level and modestly-scaled buildings, a builder's merchants largely screened

by trees to the rear and a large expanse of car park that comes into view before one sees the edge of town and CA buildings. However, these features are set at a distance from the railway and in themselves do not dominate or detract from the view. On the other side, the Regatta View buildings are close and form a built edge to the railway, but their separation into smaller blocks allows some glimpses through the gaps.

17. However, the sense of arrival into Henley by railway would be markedly changed by the proposal. The scale of the building, and its austere qualities, combined with its siting in relation to the railway line and station platforms, would result in it forming a dominant feature to arriving passengers on the train and as they exit the station to the side, directly facing the appeal site.
18. Similarly, the proximity of the end flank wall to the public conveniences would make this area of public realm appear oppressive and uninviting. Though there would be connectivity through to the rear car park around this end of the building, it would still feel like an unwelcoming, dark, narrow alley space, which would not be overcome through the small number of bedroom windows or a reliance on streetlighting and CCTV. Though the introduction of a hotel and its patrons would increase the footfall in the area at all times of day and night, the users of the public conveniences would still be at a disadvantage through the limited visibility of the area around them.
19. I have considered the impact of the proposal on a range of views, some of which were verified with a computer-generated image of the building superimposed and, in some cases, rendered. There would be effects on the view from Henley Bridge, in which some parts of the building would be visible above and between buildings, more so in winter when the trees were bereft of foliage. In my opinion, this view would not be harmfully altered by the proposal, nor would the view from the Towpath and surrounding recreational area in which only modest upper sections of the building would be seen. Similarly, I note that the proposal would not be visible from a range of viewpoints in the wider surroundings, such as from the St Marks Road Conservation Area.
20. Conversely, the impact of the proposal on the view between Regatta Villas and Hewgate Court would be more noticeable. Whilst the existing view is framed between two modern buildings in the foreground, the proposed building would compete with their scale and would be an imposing presence, despite being set some distance away beyond the intervening roads, car park and the railway.
21. In views from the CA, particularly from the entrance of the Imperial Hotel, the large mass of the building, its blocky form, and large expanse of metal clad, largely featureless flank wall would be at odds with the established character of the buildings in the fore and mid-ground which are smaller in scale, include a variety of characteristic gable and hip roof forms, largely brick exteriors and features of interest, such as bay windows.
22. Though merely being able to see a building from a conservation area does not equate to harm, the loss of the vegetation and the filling of the space with such a voluminous and boldly contemporary building without the benefit of adequate softness from landscaping would detract from the quality of the streetscene and thus, from the setting of the CA. In a small way, this effect would also alter the experience of the Imperial Hotel, in views both from it and towards it.

23. I have considered the techniques employed in the design which would attempt to minimise and break up the visual mass of the building. Whilst these would go some way, the results would not bring the sense of building proportion back in line with the contextual references in the surrounding area. The suggestion that the building would be read from the top of the projecting sections back to the eaves line of the Imperial Hotel does not persuade me otherwise.
24. The quantitative analysis of materials used in surrounding buildings may suggest that the proposal would use a comparable extent of locally dominant brick. However, this analysis appears to focus only on the principal façade, with limited acknowledgement of the far higher proportions of metal cladding that would wrap around the side elevations and when taking the building as a whole. From the submitted plans, the proportion of brick to metal cladding would appear much more evenly balanced and would be a step change for a building so closely related to the town centre, risking further fragmentation of the area's appearance when considered in combination with the Regatta Views buildings and their atypical timber exteriors.
25. Other examples of buildings have been drawn to my attention to justify either scale, the external materials or contemporary approach to the form and design of the proposal. In my view, the setting of the Henley River and Rowing Museum is very different to the appeal site, being set out of town along the verdant open space alongside the river. The example of the Townlands Hospital redevelopment scheme is an example of a building which appears to work well in its context, but is more modest in proportion, subtler, and uses greater amounts of a locally distinctive material than the proposal would do.
26. In terms of landscaping, whilst the technical issue of crate dimensions and protection barriers has been resolved between the parties, the fastigate trees proposed for the front of the building would not sufficiently minimise the overwhelming presence of the building in the immediate streetscene, even when established. The tree coverage within the rear car parking area would be denser but would make a reduced contribution to the more visible public realm given the way in which the proposed building would largely obscure it.
27. Therefore, my overall finding is that the proposal would not constitute good design in terms of its harmful effects on the character and appearance of the streetscene and surrounding area, and would therefore conflict with Policies DES1 and DES2 of the South Oxfordshire Local Plan (adopted 2020) (Local Plan) and Policy SD3 of the JHHNP. Amongst other things, these Policies collectively seek to ensure new development is designed to reflect the positive features that make up the character of the local area and should enhance and complement the surrounding buildings and spaces, having regard to scale, height, density, grain, massing, type and details.
28. Through altering the way in which the site currently makes a neutral contribution to the settings of the CA and Imperial Hotel to the proposal's effect of detracting from them, albeit in a modest way, the proposal would harm the settings and thus significance of two designated heritage assets. In respect of the failure to preserve the setting of the listed building, the proposal conflicts with the expectations of S66(1) of the Listed Building and Conservation Areas Act 1990. For similar reasons and also relating to its effects on the setting of the CA, conflict also arises with Local Plan Policies ENV6, ENV7 and ENV8 which relate to the historic environment, listed buildings and conservation areas

respectively. These Policies seek to ensure that proposals do not cause harm to significance, or where harm would occur, ensure that this would be outweighed by the public benefits of the proposal.

29. Under the terms of the National Planning Policy Framework (the Framework), both instances of harm would be less than substantial. Under paragraph 202 of the Framework, the less than substantial harms should be weighed against the public benefits of the proposal. I return to this in the planning balance below.

Considerations of Principle

30. The parties agreed that the Local Plan broadly supports the enhancement of leisure and visitor facilities within the built-up area of Henley-on-Thames through, in particular, Policies STRAT1, HEN1 and EMP11. Reference is also made to the 2014 Hotel Needs Assessment (HNA) that formed part of the Local Plan's evidence base and which acknowledged that, at that time, there was interest in and market support for a budget hotel development in Henley.
31. The more recently adopted JHHNP, Policy E2, supports the creation of new retail, leisure, hotel and office developments within the defined town centre boundary. Beyond the defined town centre boundary, as in the case for this site, Policy E2 says that development proposals for retail, leisure and office uses must be in accessible locations to the town centre and should be subject of a sequential test and, where relevant, an impact assessment. The omission of the hotel use from the second part of the Policy is noted.
32. The parties agreed that the submitted sequential test demonstrated that the size and format of hotel proposed could not be accommodated on any sequentially preferable site within the town centre. Therefore, based solely on the current proposal, for the purposes of Local Plan Policy EMP11 and the Framework, the site is in an accessible location and there are no sequentially preferable alternatives.
33. Due to the age of the HNA and current JHHNP position, beyond noting that the principle of development is not in dispute, the evidence does not suggest that there is an overriding need for a budget hotel that should draw any additional weight. However, the submitted '*Hotel and Visitor Economic Benefits Statement*' (Benefits Statement) indicates that the customer base for the proposal would not detract from the demand for independent hotels and that there would be numerous advantages of the scheme which I address below.

Other Matters

34. The submitted signed Statement of Common Ground sets out that, amongst other things, flooding, air quality, noise, effects on neighbouring occupiers, highway capacity and parking capacity were not matters in dispute. Consequently, I do not consider these aspects further and most aspects are of neutral effect on the overall planning balance. Similarly, that the proposal would meet the building efficiency development plan policy requirements is not an aspect that attracts additional support.
35. The proposal has been the subject of many representations from local residents, community groups and businesses. Though outnumbered by opposition to the scheme, a number of supportive comments indicate that a budget hotel would be beneficial to the town and would be able to offer a

- greater range of accessible rooms when compared to accommodation currently available in the area. I have taken account of all views in reaching my decision.
36. Though I acknowledge that there were pre-application discussions and some of the comments have been encouraging, these are given without prejudice to the final decision of the local planning authority. I have reached my own views based on the evidence presented and from my findings on the site visits.
37. The submitted UU contains provisions relating to the submission and agreement of a Travel Plan and monitoring payments relating to the same. The UU is made out to Oxfordshire County Council and a justification statement under Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended) has been submitted to justify the obligations. I am satisfied that the UU is binding and that it would meet the necessary tests for planning obligations were the development acceptable in other respects.

Planning balance

38. First turning to heritage, the proposal would cause less than substantial harm to the significance of two designated heritage assets. Though the scale of harm would be towards the lower end of less than substantial in both instances, such harm attracts great weight.
39. Though interrelated to the heritage considerations, given the harm that would arise from the scheme's design and effects on the streetscene and character and appearance of the surrounding area, I have also identified conflict with Policy SD3 of the JHHNP and Policies DES1 and DES2 of the Local Plan. In my view, the nature and magnitude of the collective harms brings the scheme into conflict with the development plan when considered as a whole.
40. As outlined in the Benefits Statement, the public benefits of the scheme to weigh against the identified harms include the creation of around 30 full-time equivalent jobs within the hotel itself; the generation of significant visitor expenditure in the local area, thus capable of supporting a further 38 jobs within the local economy; significant expenditure on the construction phase totalling around £9 million and over a temporary period of 18 months, with both direct and indirect employment opportunities arising therefrom. The reuse of previously developed land in a highly sustainable location is an aspect that attracts positive weight despite that it is the preferred growth strategy outlined at both local and national policy levels.
41. Though there would be a minor uplift in the number of onsite car parking spaces through the proposals, this is of limited benefit if the demand for such remained unchanged. The creation of additional parking within other local stations, such as at Twyford and Goring, could not be said to be directly related to the scheme or certain to be delivered in any event, given the limited details or securing mechanisms submitted in relation to such. Similarly, I do not attribute weight to the additional business rates that the Council could secure.
42. The biodiversity improvements that could be secured through planning conditions would be of such a modest scale relative to the site's urban context and the nature of the proposal that I attribute them only limited weight.
43. When considered in the round, the public benefits of the scheme are clearly not insignificant, and I regard that they should attract great weight. However, my view is that, even when taken together, the public benefits would not outweigh

the identified harms such as to indicate that my decision should depart from the development plan. None of the other matters raised in support of the scheme, such as the UU or the offered planning conditions, would represent considerations of such effect either.

Conclusion

44. For the reasons outlined above, the appeal is dismissed.

Hollie Nicholls

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Mr Alan Divall	Walsingham Planning
Mr Simon Pryce	Alison Pike Architects
Mr Bob Edwards	Forum Heritage
Mr Richard Broome	Outerspace
Ms Nicola Tindale	Blocwork and Premier Inn Ltd
Mr Steven Harvey	Network Rail

FOR THE LOCAL PLANNING AUTHORITY:

Ms Nicola Smith	Principal Planning Officer
Ms Samantha Allen	Conservation Officer

INTERESTED PARTIES:

Mr Martin Akehurst	Henley Town Council
Mr Julian Brookes	Henley Society
Ms Grace Leo	Relais Hotel Henley
Mr Ken Arlett	Local councillor
Mr Ashley Purcell	Local resident
Ms Kate Purcell	Local resident
Mr Dave McEwan	Greener Henley
Ms Jenna Shanks	Local resident
Mr Joseph Nicholson	Local business owner

DOCUMENTS SUBMITTED:

Document 1	Hardcopy version of signed unilateral undertaking
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DOCUMENTS SUBMITTED AFTER THE HEARING:

Document 2	Email in connection with proposed conditions 2, 14 & 24
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