
Appeal Decision

Site visit made on 4 April 2017

by Sue Glover BA (Hons) MCD MRTPI

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

Decision date: 27 April 2017

Appeal Ref: APP/T3725/D/17/3168918

1 Oakley Wood Cottages, Banbury Road, Bishops Tachbrook, CV33 9QJ

- 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 J Van-Manen against the decision of Warwick District Council.
 - The application Ref W/16/1521 was refused by notice dated 17 November 2016.
 - The development proposed is the erection of a two storey extension and a replacement garage block.
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Decision

1. The appeal is dismissed insofar as it relates to a replacement garage block.
2. The appeal is allowed and planning permission granted insofar as it relates to the erection of a two storey extension at 1 Oakley Wood Cottages, Banbury Road, Bishops Tachbrook, CV33 9QJ in accordance with the terms of the application Ref W/16/1521, subject to the schedule of conditions set out in the annex to this decision.

Main Issue

3. The main issue is the effect on the character and appearance of the host dwelling, the pair of cottages and the countryside.

Reasons

4. The 2 semi-detached cottages are set back from Banbury Road in a rural area with a woodland backdrop. The 2 cottages are perceived from the road as a single building unit, with no. 1's low profile detached garage screened by vegetation. There are some isolated dwellings and businesses in the area, including the large buildings of the Guide Dog National Breeding Centre set back on the opposite side of the road.
 5. Policy RAP2 of the Warwick District Local Plan (LP) indicates that extensions to dwellings in the rural area will be permitted unless they result in disproportionate additions to the original dwelling. Proposals should respect the character of the original dwelling by retaining visual dominance, should retain openness by not significantly extending the visual impression of built development, and should not substantially alter the scale, design and character of the original dwelling. The subtext to the policy indicates that each case should be considered on its merits, but as a guide additions of more than 40% of the gross floor space of the original dwelling are likely to be considered disproportionate.
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6. No. 1 is modest in scale with an existing rear ground floor extension. It has been subsumed and is dominated by the greater mass of the attached cottage at no. 2, which has been significantly extended with extensions at both the side and rear. Although no. 1 is closer to the road than no. 2, the extended dwelling as proposed would remain well set back from Banbury Road with some boundary screening. It would not significantly extend the visual impression of built development in the countryside, nor would it appear unduly dominating.
7. The proposed front elevation at no. 1 would reflect the scale and design of the front elevation of no. 2, creating a balanced, symmetrical design whilst retaining the cottage character and existing modest roof line. The 2-storey rear projection would be set in from the side elevation and would be similar in design to the 2-storey rear projection at no. 1. The proposal would appear sympathetic to the pair of cottages, retaining their design and character.
8. Whilst there would be a significant increase in footprint from the original modest sized cottage at no. 1, the proposed 2-storey extensions would appear proportionate and in keeping with the pair of cottages. I am satisfied that the spacious quality of the rural area would be maintained on account of a sympathetic design, the setback from the road and the boundary screening.
9. As such, there would be no material harm to the character and appearance of the host dwelling, the pair of cottages and the countryside from the proposed 2-storey extension. In this respect, I find no conflict with LP Policies DP1 and DP3, which require development to positively contribute to the character and quality of the environment, or with the objectives of LP Policy RAP2.
10. The development plan policies are consistent with paragraph 17 of the National Planning Policy Framework, which indicates that planning should take account of the different roles and character of different areas, including recognising the intrinsic character and beauty of the countryside. There is no conflict with the Framework in respect of the 2-storey extension.
11. The proposed garage block at almost 6m high with storage in the roof would be almost twice the height of the existing garage with a significantly larger footprint. The footprint of the garage block would be not dissimilar to the cottage as extended. It would be on slightly lower ground and for the most part screened from the road by boundary vegetation. However, as a large detached outbuilding in close proximity it would appear out of scale and disproportionate to the cottage buildings.
12. On account of its excessive scale, the garage block would not positively contribute to the character and quality of the environment contrary to LP Policies DP1 and DP3, and with Framework objectives. This aspect of the proposal is therefore unacceptable.
13. A bat survey concluded that there is no evidence of any bats within the cottage and that it is not especially suitable as a bat roost. However, given the known bat roosts close to the site, a condition is necessary to ensure that the measures set out in the submitted bat survey report are carried out.
14. The appeal site is located within an area of significant archaeological potential. Although neither the Council nor the appellant have commented on the suggested condition requiring an archaeological survey, I find that a condition is necessary to ascertain whether there are archaeological deposits before development of the 2-storey extension begins.

15. A condition is also required in respect of external materials to ensure a satisfactory finished appearance. The implementation of the submitted householder energy scheme is necessary to achieve carbon savings in accordance with LP Policy DP13. Standard conditions are also required to cover commencement and compliance with the approved plans. In reaching my conclusions, I have taken into account all other matters, including all the policies in the Framework, and other national planning policy and guidance.

16. The appeal does not succeed in respect of a replacement garage block.

17. The appeal succeeds in respect of the two storey extension.

Sue Glover

INSPECTOR

Annex

Schedule of Conditions

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans so far as relevant to that part of the development hereby permitted: location plan, block plan, drawing nos. 01, 02, 03A.
- 3) The materials to be used in the construction of the external surfaces of the two storey extension hereby permitted shall match those used in the existing building.
- 4) The development hereby permitted shall not be first occupied unless and until the householder energy statement submitted as part of the application has been wholly implemented in strict accordance with the approved details. The works within this scheme shall be retained at all times thereafter and shall be maintained strictly in accordance with manufacturers' specifications unless otherwise approved by the local planning authority.
- 5) The development hereby permitted shall be carried out in full accordance with measures set out in the Day Time Bat Survey Report submitted as part of the application to the Council.
- 6) No development shall take place until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority.