
Appeal Decision

Site visit made on 10 May 2017

by Ken Barton BSc(Hons) DipArch DipArb RIBA FCI Arb

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

Decision date: 19th May 2017

Appeal Ref: APP/C3105/D/17/3169986

1 Buchanan Road, Upper Arncliffe OX25 1PH

- 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 Paul Hardiman against the decision of Cherwell District Council.
 - The application Ref 16/02175/F, dated 30 June 2016, was refused by notice dated 23 December 2016.
 - The development proposed is a two storey side extension to provide garage and bedroom accommodation and a new orangery to the rear.
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Preliminary Matters

1. Amended drawings, ARN-103-04 and 104-03, were submitted on 23 December 2016, the same day that the Council issued its decision. However, the Appellant's agent states that the Council's refusal was based on the amended drawings. These seek to address issues identified in application 16/01299/F, refused on 18 August 2016. I do not consider that anyone would be disadvantaged by these reductions and I have determined the appeal on the basis of the amended drawings.
2. The Council asked that the appeal site be viewed from Nos 2 and 4 Woodpiece Road. The occupier of No 4 indicated they would not be at home to allow access but I consider the view of the site from No 2 was adequate.

Decision

3. The appeal is dismissed.

Main Issues

4. The main issues in this case are: the effect of the proposal on the character and appearance of 1 Buchanan Road and its surroundings; and secondly, the effect on the living conditions of the occupiers of Nos 2 and 4 Woodpiece Road in terms of loss of light, overshadowing, overlooking and overbearing appearance.

Character and Appearance

5. The appeal property is a two storey semi-detached house on a suburban estate. The street has a relatively uniform appearance and No 1 is the end property in a substantial row of semi-detached dwellings. To the north-west, adjacent to the rear of the site, are the rear gardens of Nos 2 and 4 Woodpiece Road whilst to the south-west is an open grassed area adjacent to the junction

of Woodpiece Road and Buchanan Road. The appeal plot is irregular in shape and the majority of the garden area lies to the side. This, together with the open area close to the junction makes the side gable wall prominent in the street scene. A more recent development, which appears to be more densely developed, lies on the opposite side of Buchanan Road.

6. The two storey extension would be 3.2 metres from the side wall of the existing house, as advised by Section 5 of the Council's *Home Extensions and Alterations Design Guide* 2007. The gable end and materials would match the existing building and, due to the location, there would be no terracing effect between neighbouring properties. However, the extension would not be set back from the front elevation, and the roof line would not be lower than the original ridge. Consequently, and despite the space to the side of the house, the two storey element would detract from the symmetry of the original building, contrary to the *Design Guide*.
7. The lack of symmetry would be emphasised by the single storey front and rear extension. Rather than be discrete and provide some variety, the extension would attract the eye by projecting in front of the existing front elevation. This, together with the introduction of a lean-to roof against the side elevation that would be seen on entering Buchanan Road, would detract from the simplicity of the existing dwelling.
8. The single storey rear 'orangery' extension would only be around 2.6 metres high with a flat roof. Its location to the north of the existing house adjoining the north east boundary would preclude any significant impact on the existing building and its surroundings. Notwithstanding my conclusion on the single storey rear extension I consider that the adverse effects of the two storey extension and the single storey front and side extension are the determining elements in this issue. The proposal would be contrary to the aims of Policy ESD 15 of the Cherwell Local Plan 2011-2031 Part 1, and saved Policies C28 and C30 of the Cherwell Local Plan 1996.

Living Conditions

9. The proposed two storey extension has been amended and the width has been reduced by some 1.1 metres to reduce massing and the rear first floor bedroom window has been reduced in size and will be high level and obscure glazed. This could be ensured by conditions.
10. The mass of the proposed two storey extension would have some impact on light levels and overshadowing. In the absence of any calculations I do not consider that any loss of light, or additional overshadowing, would be so great as to warrant dismissing this appeal. There is already an element of overlooking between the appeal property and Nos 2 and 4 Woodpiece Road and I do not consider that the addition of a high level obscure glazed window would make a significant difference to any perceived overlooking.
11. The appeal site is to the south-east of 2 and 4 Woodpiece Road and the proposal would be approximately 12 to 14 metres from those properties and angled away from them. 4 Woodpiece Road has a rear extension around 3 metres deep leaving only about 5.5 metres of garden. The relationship of the appeal property and Nos 2 and 4 would be much tighter than between other properties as shown on the block plan as a result of which I consider that the

proposed two storey extension would be unacceptably overbearing when viewed from the Woodpiece dwellings.

12. I note that there were no objections from neighbours or the Parish Council but this would not justify allowing the appeal as other occupiers might have a different view. Whilst there would be no unacceptable loss of daylight, overshadowing or perceived overlooking, the proposal would be unacceptably overbearing contrary to Policy ESD 15 of the Cherwell Local Plan, and saved Policy C30 of the Cherwell Local Plan 1996.
13. The single storey rear extension would be acceptable, there would be little loss of light, or overshadowing and no significant perceived overlooking, however, the determining matters in this case are the adverse impact the two storey side extension and the single storey front and side extension, would have on the character and appearance of the area and the overbearing impact the proposal would have on the living conditions of the occupiers of Nos 2 and 4 Woodpiece Road.
14. Notwithstanding the presumption in favour of sustainable development in the National Planning Policy Framework, the adverse impacts would significantly outweigh the benefits which would generally be private not public.

Ken Barton

Inspector