
Appeal Decision

Site visit made on 15 May 2017

by Gareth W Thomas BSc(Hons) MSc(Dist) PGDip MRTPI

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

Decision date: 5th June 2017

Appeal Ref: APP/D3125/W/17/3169315

109-113 Main Road, Long Hanborough, Witney OX29 8JX

- 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 Malcolm Squires against the decision of West Oxfordshire District Council.
 - The application Ref 16/04108/HHD, dated 28 November 2016, was refused by notice dated 24 January 2017.
 - The development proposed is for extensions and alterations to existing terraced cottages (revised design).
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Decision

1. The appeal is allowed and planning permission is granted for extensions and alterations to existing terraced cottages (revised design) at 109-113 Main Road, Long Hanborough, Witney OX29 8JX in accordance with the terms of the application, Ref 16/04108/HHD, dated 28 November 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1602 001; 1602 200C; 1602 201D
 - 3) The external surfaces of the development hereby permitted shall be constructed in the materials shown on plan no. 1602 201D.
 - 4) No development shall take place until a sample panel of the materials to be used in the construction of the external walls and roof shall have been prepared on site for inspection and approved in writing by the local planning authority. The sample panel of the stone walls shall be at least 1 metre x 1 metre and show the proposed material, bond, pointing technique and palette of materials (including roof cladding) to be used in the development. The development shall be constructed in accordance with the approved sample, which shall not be removed from the site until completion of the development.
 - 5) Notwithstanding the details contained in the application, detailed specifications and drawings of all external windows and doors to include elevations of each complete assembly at a minimum 1:20 scale and sections of each component at a minimum 1:5 scale and including details of all materials, finishes and colours shall be submitted to and approved in writing by the Local Planning Authority before that architectural feature
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is commissioned/erected on site. The development shall be carried out in accordance with the approved details.

- 6) Notwithstanding the details contained in the application, detailed specifications and drawings of all external windows and doors to include elevations of each complete assembly at a minimum 1:20 scale and sections of each component at a minimum 1:5 scale and including details of all materials, finishes and colours shall be submitted to and approved in writing by the local planning authority before that architectural feature is commissioned/erected on site. The development shall be carried out in accordance with the approved details
- 7) The window and door frames shall be recessed a minimum distance of 75mm from the face of the building unless otherwise agreed in writing by the local planning authority.
- 8) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no development permitted under Schedule 2, Part 1, Classes A, B, C, D, E, and G, and Schedule 2, Part 2, Class A shall be carried out other than that expressly authorised by this permission

Main Issues

2. The main issues in this appeal are the effects of the development firstly, on the character and appearance of the area and secondly, on the setting of the adjacent listed building, the former Bell Inn.

Reasons

Character and Appearance

3. The appeal site comprises a terrace of three mid-19th century terraced properties built of local stone with three large chimney stacks set on the ridge on the eastern end of each of the three properties. Whilst of traditional style incorporating many vernacular features and having a prominent position close to Main Road, this grouping is some 700m from the boundary of the designated conservation area for Long Hanborough. Immediately to the east is the Grade II Listed Building, the former Bell Inn that has been extended and converted to form two dwellings. These two properties are set back behind the front building line of the appeal terrace.
4. Presently, the appeal properties are being renovated; the appellant explains that the existing lean-to extension that form a continuous structure to the rear do not provide up-to-date facilities. From what I saw at my site visit, the lean-to structure is in a poor state of repair and together with other unsympathetic alterations and additions, including the use of uPVC windows, has a negative impact on the character and appearance of the terrace.
5. The appellant explains that there is a fall-back position in that planning permission has already been granted to remove the lean-to structure and replace this with a series of three two-storey gable extensions to the rear that would be linked by two storey extensions that would extend down to ground floor in the form of a cat-slide.

6. The proposal would see the erection of a full height double-piled gabled two storey extension to the rear. Although slightly wider than the gable of the host properties when viewed from the end, the form of the extension would mirror the existing terrace. The design incorporates a set-back to reduce the massing effect when viewed from the east and would be built using local stone to match the existing property.
7. In addition to the rear extension, the front elevations would be modified by altering the positions of doorways and windows, incorporation of canopies over the doorways and replacing existing uPVC windows with timber casements. The Council does not criticise these aspects of the proposal; I would concur with its findings in this respect.
8. A genuine fall-back position exists in this case and from the plans of that proposal submitted with the appeal documents, the approved extension introduces a somewhat over-fussy series of gables interspersed by awkwardly designed two storey additions that would punctuate the rear elevation of the appeal terrace. By comparison, the proposed double-piled gable would provide a simpler built form that in essence repeats the existing built form of the terrace. From Main Road to the east, the significant set-back to the proposed extension would help retain the original gable form; there would be no difference in ridge height and the chimney stacks would continue to be the dominant feature of the roofscape to this terrace.
9. Policies BE2 and H2 of the West Oxfordshire Local Plan 2011 (Local Plan) seek to ensure that new development is well-designed and respects the existing scale, pattern and character of the surrounding area with extensions expected to respect or enhance the form, siting, scale, massing and external materials of adjoining buildings. Whilst the Council draws attention to emerging policies of the West Oxfordshire Local Plan 2031, having regard to the present status of the Plan, only limited weight can be given to these policies in decision-making at this time. I would acknowledge the role that is played by the West Oxfordshire Design Guide 2016 in seeking to achieve high quality designed developments. In particular, it advises that any extension should remain clearly subordinate and subservient to the original property, especially in terms of footprint, height and volume.
10. I would conclude that the proposed extension in terms of its footprint, height and volume, together with its set back would be a subservient element when viewed from Main Road. There would be little confusion to the eye as a result. A double-piled gable would in any event constitute a typically rural built form and result in a less fussy arrangement when compared to the somewhat complicated built form of the extensions that have been approved for this site. Accordingly, the proposed development would comply with Local Plan Policies BE2 and H2 together with the guidance contained in the Council's Design Guide in terms of its effects on local character and appearance.

Effects on the setting of the listed building

11. The former Bell Inn is a Grade II Listed Building dating from periods of both the late 17th and 18th century is a coursed limestone rubble property under a stone slate roof set in diminishing courses and set back immediately behind the rear wall of the adjoining terrace. The property has been converted to a high standard to form two dwellinghouses. Having regard to section 66(1) of the Act, the Framework defines the settings of a heritage asset (i.e. here the listed

building) as the surroundings in which it is experienced. The extent is not fixed and may change as the asset and its surroundings evolve. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be attached to the asset's conservation and, in essence, the more important the asset, the greater that weight shall be.

12. The significance of the heritage asset is defined in the Framework as its value to this and future generations because of its heritage interest. Although altered over the years, the special interest of vernacular buildings such as this derives not only from their age and history, but also their form and appearance. In addition, the elements of setting that contribute to their significance include their relationship with the street, and their immediate plots. Thus, significance derives not only from a heritage asset's physical presence, but also from its setting. Paragraph 132 of the Framework confirms that the significance of a heritage asset can be harmed or lost through development within its setting.
13. The building's significance of a large traditional building set back from the village street is most apparent when approaching from the east. At this location, the listed building is viewed together with the appeal building, which is set significantly forward of the listed building and together with the stone boundary walls helps frame the setting of the listed building. At this juncture also, the dominance of the roofscape and chimney stacks on both buildings creates a robust and traditional built form.
14. However, the proposed extension would be set back behind the end gable of the terraced properties, which would mean that the original terrace would remain the dominant built form in the views across the front of the listed building from the east. By comparison, the approved extensions would be far more prominent in these views having regard to the massing of walls and roofs at first floor.
15. Taking all these matters into account, the proposal would not be materially harmful to the setting of the Listed Building and would thus comply with Policy BE2 of the Local Plan that amongst other things seeks to ensure that existing features of importance in the local environment are protected. This policy is in accordance with the requirements for heritage conservation aims of the Framework.

Conditions

16. The Council has suggested a number of conditions, which have been considered against the advice contained in the Planning Practice Guidance. In addition to the standard condition relating to commencement of development, a condition is attached specifying approved drawings to provide certainty. A condition is included relating to the requirement for approval of materials in the interests of protecting the character and appearance of the area. In addition the prior approval of details of windows is included together with an appropriate set back to window and door reveals, again in the interests of protecting the character and appearance of the area. Having regard to the need to protect the living conditions of future occupiers a condition is included that withdraws permitted development rights for small scale additions and alterations at the dwellings.

Conclusion

17. I have found that there would be no harm to either the character or appearance of the area or the setting of the listed building. For the above reasons and having regard to all other matters raised, I conclude that this appeal should be allowed.

Gareth W Thomas

INSPECTOR