



Appeal Decision

Site visit made on 9 May 2017

by Philip Willmer BSc Dip Arch RIBA

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

Decision date: 08 June 2017

Appeal Ref: APP/C3105/D/17/3172920

Mallows, Hopcraft Lane, Deddington, OX15 0TD.

- 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 and Mrs Toll against the decision of Cherwell District Council.
 - The application Ref 16/02302/F, dated 11 November 2016, was refused by notice dated 10 January 2017.
 - The development proposed is for a rear/side extension. Demolition of chimney breast. Loft conversion with rear dormer window and two rooflights to front roof slope.
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Decision

1. The appeal is allowed and planning permission is granted for a rear/side extension. Demolition of chimney breast. Loft conversion with rear dormer window and two rooflights to front roof slope at Mallows, Hopcraft Lane, Deddington, OX15 0TD in accordance with the terms of the application, Ref 16/02302/F, dated 11 December 2016, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) No development shall commence until details of the materials to be used in the construction of the external surfaces of the extensions hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
 - 3) No development shall commence until details of the rooflights hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
 - 4) The development hereby permitted shall be carried out in accordance with the following approved plans, drawings: WG454 – 001, 002, 003, 004, 005 C, and 006 D.

Procedural matters

2. With the agreement of the parties the description of the development in the bullet point above has been amended, from that shown on the application form, to reflect the development for which planning permission was sought and upon which it was determined by the Council.

Main Issues

3. I consider the main issues to be the effect of the proposal on the setting of Oak Tree Cottage listed grade II and whether the works would serve to preserve or enhance the character or appearance of the Deddington Conservation Area.

Reasons

4. Mallows is one half of a semi-detached pair of two-storey houses with Bisham Haven. They are one of a pair of semi-detached houses facing Hopcraft Lane. The four semi-detached dwellings most likely date from the late 19th or early 20th century. They are located close to the eastern edge of the village, within the Deddington Conservation Area. The adjacent property to the north of Mellows, Oak Cottage, is listed grade II.
5. The appellants propose the construction of a dormer in the rear roof slope, the installation of two rooflights in the front roof slope and the demolition of the chimneybreast. These alterations would facilitate the conversion of the roof void to form an additional bedroom. The Council, subject to the use of conservation style rooflights, raises no objection to this part of the proposal. From what I have seen and read I would not disagree with its findings.
6. In addition, a single storey extension to the side and rear of the existing two-storey rear wing is also proposed. The extension would be constructed in face brickwork with a lean-to roof. While retaining a gap of 0.9 metres from the boundary wall to the north, it would project about 1.3 metres or so in front of the north flank wall of the main house.
7. The extension would be open to view from both Hopcraft Lane and the gap between Mallows and Oak Cottage. However, as a result of its single storey height, three dimensional form, simple plain detailing and its set back from the main façade of the property facing the street, I do not consider that the proposed extension would dominate the host property. Further, it would not detract from the visual presence of these four dwellings in the streetscene.
8. As identified above the proposed extension would reduce the gap between Mallows and Oak Cottage. However, due to the existing gap between the properties, its single storey form and the fact that the gap widens out towards the rear of the buildings, I do not consider that it would significantly impinge on the gap. Indeed the small amount that it might impinge on the gap would not serve to close that gap to the extent that it would result in the loss of the ability to appreciate the views of the countryside beyond which, as identified in the conservation area character appraisal, serve to reinforce the scale of the settlement and its relationship with its rural context.
9. Furthermore, given the foregoing, I am not persuaded that the extension would harm the setting of Oak Cottage, listed grade II.
10. I therefore conclude in respect of the main issue that the proposed development would preserve the setting of Oak Tree Cottage, listed grade II, and would preserve the character and appearance of the Deddington Conservation Area. The proposal would therefore accord with Policy ESD 15 of the adopted Cherwell Local Plan 2011 to 2031 Part 1 (Adopted 20 July 2015) and saved Policies C23, C28 and C30 of the Cherwell Local Plan (November 1996) as they relate to the

quality of development, the preservation of the setting of listed buildings, and the preservation or enhancement of the character or appearance of conservation areas.

Conditions

11. The conditions follow from those suggested by the Council. To ensure a high quality development, I shall include a condition about the materials to be used in the construction of the external surfaces of the building. However, as there is some inconsistency between the application drawings and the Design and Access Statement, I shall require details of the materials to be used in the construction of the external surfaces of the building to be submitted to the local planning authority and approved before a start is made on site. In addition I will require the details of the rooflights to be approved.
12. In the interests of certainty, I shall also impose a condition requiring the development to be undertaken in accordance with the approved plans.

Conclusions

13. For the reasons given above and having regard to all other matters raised, I conclude that the proposal is in accordance with the development plan, when read as a whole, and that the appeal should be allowed.

Philip Willmer

INSPECTOR