
Appeal Decision

Site visit made on 1 November 2017

by Andrew Dawe BSc(Hons) MSc MPhil MRTPI

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

Decision date: 08 November 2017

Appeal Ref: APP/C3105/D/17/3180877

1 The Cottage, Blackthorn Hill, Blackthorn, Bicester, Oxfordshire OX25 1TJ

- 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 Mrs Clare Chennells against the decision of Cherwell District Council.
 - The application Ref 17/00449/F, dated 6 March 2017, was refused by notice dated 24 May 2017.
 - The development is replacement of existing conservatory.
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Decision

1. The appeal is allowed and planning permission is granted for replacement of existing conservatory at 1 The Cottage, Blackthorn Hill, Blackthorn, Bicester, Oxfordshire OX25 1TJ in accordance with the terms of the application, Ref 17/00449/F, dated 6 March 2017, and the plans submitted with it.

Procedural Matter

2. The description of development in the fourth bullet point of the above header is taken from the original planning application form. However, I saw that the conservatory concerned has been constructed and so the existing one referred to has already been replaced. I have determined the appeal on that basis.

Main Issues

3. The main issues are the effect of the development on the character and appearance of the surrounding area and whether or not it preserves the significance of the host building as a non-designated heritage asset (NDHA).

Reasons

4. No 1 is one of a pair of semi-detached dwellings in a fairly isolated location in respect of proximity to surrounding settlements. The Council refers to the building probably dating from the early 19th century and that it could be older than that, and that it was likely to have been formerly associated with the nearby Mill House Farm. There is a listed mill to the north-west of the site but there is no clear relationship between the two, albeit that the Council highlights that this was also likely to have been constructed in the early 19th century. Based on the submitted evidence, despite the age of The Cottage, there is very little substantive information relating to the significance of the building as a NDHA.

5. I have had regard to paragraph 135 of the National Planning Policy Framework (the Framework) which states that the effect of an application on the significance of a NDHA should be taken into account in determining the application. It goes on to say that in weighing applications that affect directly or indirectly NDHAs, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
6. Whilst No 1 is a fairly attractive building, it is also seen in the context of No 2 which has been altered and differs from No 1, particularly in terms of having had the stone front façade rendered over, in contrast to the painted stone of No 1. No 2 also has a flat roof single storey front extension. Therefore, based on the limited evidence provided and my observations, No 1 does not have a high significance as a NDHA albeit having a pleasant traditional rural cottage appearance.
7. The conservatory is a prominent feature of the front elevation of the dwelling. However, its glazed nature lightens its appearance and enables the original building to be seen through it to a degree. Its ridge is higher than the top of the ground floor windows and rises in front of that at first floor level. Nevertheless, it is lower than the eaves of the house, and its pitched design ensures that its roof slopes away from the front of the original dwelling such that the first floor window remains uncovered. The lines and form of the original dwelling can therefore still be appreciated. The frame material, comprising white UPVC, also complements the similar colour and materials of the window frames of the main dwelling.
8. The conservatory can be seen from the adjacent A41 road over the site's roadside screen fence. However, due to the degree of set back from the road and the partial screening by that fence, it is not a dominant feature. That is further ensured on the western approach to the site by the intervening main dwelling, and from the east by some softening vegetation.
9. For the above reasons, the development does not cause unacceptable harm to the character and appearance of the surrounding area and it preserves the significance of the host building as a NDHA. As such, it accords with saved policies C28 and C30 of the Cherwell Local Plan 1996 and policy ESD15 of the Cherwell Local Plan 2011-2031 which together, in respect of this issue, require development to be sympathetic to the character of the rural context; that an extension to an existing dwelling is compatible with the scale of the existing dwelling, its curtilage and the character of the street scene; to meet high design standards; and to conserve, sustain and enhance NDHAs and their settings. It also accords with the Framework which in paragraph 17 sets out that planning should, amongst other things, take account of the different character of different areas, and conserve heritage assets in a manner appropriate to their significance; and with paragraph 135 of the Framework.
10. The Council suggests a condition to ensure that the development shall be carried out in accordance with the approved plans. However, as the development has been completed, such a condition is unnecessary.

Conclusion

11. For the above reasons, I conclude that the appeal should be allowed.

Andrew Dawe

INSPECTOR