



Appeal Decision

Site visit made on 12 March 2019

by Kim Langford Tejrar LLB (Hons) BSc (Hons) PGDIP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 July 2019

Appeal Ref: APP/C3105/D/18/3219362

2 Grimsbury Drive, Banbury, OX16 3HL

- 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 Helen Beckett against the decision of Cherwell District Council.
 - The application Ref 18/01891/F, dated 31 October 2018, was refused by notice dated 21 December 2018.
 - The development proposed is a first-floor side extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in respect of this appeal is the effect of the appeal scheme on the character of the area.

Reasons

3. The appeal site is a semi-detached house, constructed in red brick with a plain tile hipped roof and it is located at one end of Grimsbury Drive. The houses along Grimsbury Drive are of a similar type; though some have been extended to the front, side and rear, the predominant character is one of uniformity and simplicity in design.
4. The appeal scheme is to extend the roof of the existing single storey side extension to provide an additional storey of accommodation. When seen from the street this would create a steep roof featuring a rooflight and would have a 1.5 storey appearance. The scale of the roof element would be wholly disproportionate to the simple and well-proportioned elevational features of the host dwelling, and its detailed design would appear contrived and awkward. As a result, the scheme would result in harm to the uniform and simple character of Grimsbury Drive.
5. Cherwell Local Plan 1996 (LP 1996) saved Policy C28 seeks to ensure new development is sympathetic to local context and LP 1996 saved Policy C30 seeks to ensure extensions are compatible with the scale of the existing dwelling, its curtilage and the street scene. Cherwell Local Plan 2011-2031 Part 1 (LP 2011) Policy ESD15 seeks development which complements and enhances the context and reinforces local distinctiveness, including elevational detailing. Paragraph 130 of the National Planning Policy Framework (the

Framework) states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area. Due to its incongruous appearance in the street scene, the scheme would fail to detract from established local character and would conflict with these policies.

Other Matters

6. A plan indicating that the main roof could be altered under 'permitted development' from hipped to gabled was submitted with the application. The Appellant states that this is a 'fallback' and that this alteration would be realistically undertaken as an alternative development. I agree that altering the roof to a gable end may not be in keeping with the established hipped roof character of the area and could result in harm to that character. However, I have no substantive evidence to demonstrate that such works would be likely to take place. Even if I accept that the works were to be undertaken, as the proposal before me would also give rise to harm to the character of the area, it would not represent a preferable scheme. For this reason, the existence of a permitted development 'fallback' does not serve to justify the harm arising from the appeal scheme.

I note that the appellant and Council agree that the scheme would not give rise to harm in relation to highway safety and living conditions. However, an absence of harm in these regards is a neutral factor which does not weigh in favour of the proposal.

Conclusion

7. For the reasons stated above, I find that the appeal proposal would adversely affect the character and appearance of the area. The scheme would therefore conflict with saved policies C28 and C30 of the LP 1996 and policy ESD15 of the LP 2011, as well as the guidance in the Framework. I have been provided with no material considerations which would outweigh this harm. Accordingly, I conclude that the appeal should be dismissed.

Kim Langford Tejrar

INSPECTOR