



Appeal Decision

Site visit made on 29 August 2019

by Patrick Whelan BA(Hons) Dip Arch MA MSc ARB RIBA RTPI

an Inspector appointed by the Secretary of State

Decision date: 20 September 2019

Appeal Ref: APP/C3105/W/19/3229700
126 Churchill Road, Bicester OX26 4XD

- 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 Martin Harvey, Rodd Properties Ltd, against the decision of Cherwell District Council.
 - The application Ref 18/01727/F, dated 1 October 2018, was refused by notice dated 28 November 2018.
 - The development proposed is to externally re-clad and re-image an existing office and the attached industrial brick factory, storage and distribution unit. This includes splitting the existing industrial unit into 5 separate areas with additional DDA access and accessible WC provision to all areas. Existing B1, B2 and B8 uses are to be retained.
-

Decision

1. The appeal is allowed and planning permission is granted to externally re-clad and re-image an existing office and the attached industrial brick factory, storage and distribution unit, splitting the existing industrial unit into 5 separate areas with additional DDA access and accessible WC provision to all areas, at 126 Churchill Road, Bicester OX26 4XD, in accordance with the terms of the application, Ref 18/01727/F, dated 1 October 2018, and the drawings submitted with it, 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: Site Location Plan 1:1250; 1808/DD/001 EXISTING SITE PLAN; 1808/DD/002 EXISTING FLOOR PLANS; 1808/DD/003 EXISTING ELEVATIONS; 1808/DD/004 PROPOSED SITE PLAN; 1808/DD/005 PROPOSED FLOOR PLANS; 1808/DD/006 PROPOSED ELEVATIONS; 1808/DD/007 PROPOSED ELEVATIONS; and, 1808/DD/008 WINDOW SCHEDULE.
 - 3) Before any external cladding and louvres are fixed to the building, and before new doors and windows are fitted, details of all external facing materials shall have been submitted to and approved by the local planning authority in writing. The relevant works shall be carried out in accordance with the approved details.

Procedural Matter

2. For clarity and succinctness, the description of development in the formal decision has been taken from the decision notice and appeal form.
-

Main Issue

3. The main issue is the effect of the development on the character and appearance of the area.

Reasons

4. I acknowledge that Churchill Road, to which the principal elevation of the building forms a frontage, connects the industrial estate to the residential area to the west. However, the footprint and length of the appeal building, the arrangement of its openings and walls, and its continuous, open frontage facing directly onto the road distinguish it, like the buildings surrounding it, as an industrial estate building. By contrast, the houses turn their frontages away from Churchill Road. Their high back garden walls alongside the road, and the lack of side roads from the housing area connecting to Churchill Road tend to separate the houses from the industrial estate. Their displacement and quite different character and appearance has a secondary bearing on this site. In my view, and despite the two areas being visible in alternative views from one to the other, the context of the appeal building is very firmly the industrial estate.
5. The recladding would follow the existing arrangement of openings, with new openings reflecting the existing patterns. The modelling from the bays on the Churchill Road elevation would be lost, but the use of different materials would retain sufficient articulation to add interest to this elevation. The upper section of the Churchill Road elevation, like those of the buildings on the opposite side of the road, already incorporates profiled, metal cladding. The use of profiled steel in place of brick would not change the industrial character of the building. The timber sections would be limited in area and used sparingly as highlights in the elevations. Given the use of the building and its location, I see no incompatibility from the use of this material and no incompatibility with the profiled steel in either its texture or reflective qualities, or its arrangement.
6. I have taken into account that, like the appeal building, the building opposite the houses uses a substantial proportion of brickwork in its elevations. The industrial buildings fronting Churchill Road also have an almost residential eaves height, and windows which reflect those in the houses. However, the appeal building is sufficiently displaced from the housing for the materials and colours in this proposal not to conflict with the character or appearance of the housing. Nor, given that it is surrounded by industrial estate buildings, would its appearance be incompatible with the industrial building opposite the housing, which includes brickwork. Overall, I find no harm from the development to the appearance of the building or to the character of the industrial estate in which it stands or the housing from which it is physically displaced, typologically different, and architecturally distinct.
7. I note that a compromise scheme retaining brickwork on the Churchill Road frontage has been approved since the application the subject of this appeal was refused. Nonetheless, in considering the merits of this proposal I find no harm to the character and appearance of the area. There would be no conflict with policy ESD15 of the Cherwell Local Plan (2011-2031) Part 1 adopted 2015 and saved policy C28 of the Cherwell Local Plan 1996 which require the external finishes and materials of development to complement and enhance the character of its context through high quality design.

Conditions and Conclusion

8. In addition to the statutory time condition, a condition specifying the approved drawings is necessary for certainty. The drawings already detail many of the finishes, colours and profiles of the new materials and windows, which have informed my conclusions above. However, the colour and profiles of some elements are not clear to me. I have therefore applied a condition to secure the details of all proposed external facing materials to protect the character and appearance of the area. This condition does not need to bite before the fixing of the cladding or the fitting of the new windows and doors, so I have adjusted the suggested condition accordingly. For the reasons given above, and taking account of all matters raised, I conclude that the appeal should be allowed.

Patrick Whelan

INSPECTOR