



Appeal Decision

Site visit made on 15 October 2019 by G Sibley MPLAN MRTPI

Decision by Chris Preston BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 November 2019

Appeal Ref: APP/C3105/D/19/3234469

97 Isis Avenue, Bicester OX26 2GR

- 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 Nicola Prior against the decision of Cherwell District Council.
 - The application Ref: 19/00885/F, dated 10 May 2019, was refused by notice dated 24 July 2019.
 - The development proposed is for the removal of existing conservatory. New single storey front and rear extensions and garage conversion.
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Decision

1. The appeal is allowed and planning permission is granted for the removal of existing conservatory and the erection of new single storey front and rear extensions and garage conversion at 97 Isis Avenue, Bicester OX26 2GR in accordance with the terms of the application, Ref 19/00885/F, dated 10 May 2019, 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: 543 D001 (Site Location Plan); 543 D002 (Block Plan); 543 D004 (Proposed Plans); and 543 D005 (Proposed Elevations).
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing dwellinghouse.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The effect of the proposed development on the character and appearance of the host dwelling and the street scene.

Reasons for the Recommendation

4. The proposal would require the removal of the conservatory on the rear elevation and its replacement with a single storey rear extension that would extend the full width of the dwelling. The rear extension would be around half

the height of the house and the roof would slope away from the property. The Council has no objection to the rear extension and it would appear subservient to the original dwelling on account of its size and design and there would be no adverse impact on neighbouring living conditions as a result of its modest depth. Consequently, there is no reason to withhold planning permission for the extension to the rear.

5. The dwelling is located on Isis Avenue and is a two-storey building with an exposed brick facade. The garage is located directly in front of the main door to the property and is a prominent feature within the street scene. The limited gap between the rear wall of the garage and the front elevation of the house results in a somewhat narrow and uninviting space adjacent to the entrance door and has the effect of obscuring the front door from many viewpoints within the street. Whilst many properties within the surrounding area have garages to the front, including the neighbouring dwellings which share a double garage, their position is generally off-set to the side of the house such that the front entrance is not obscured. Consequently, the awkward arrangement between the garage and the front entrance door at the appeal site is not replicated elsewhere in the immediate vicinity.
6. The proposed extension to connect the two buildings would be the same height and width of the garage and would create a continuous extension from the front elevation of the dwelling. Whilst that may be an unusual arrangement in design terms it would not significantly alter the outward appearance of the property, given the existing position of the garage so close to the front of the house. The proposals would not extend the built footprint beyond what is already present but would fill in the small gap between two existing buildings. The building line would be contiguous with the existing structure and the effect in the wider street scene would be minimal.
7. The garage door would be replaced with a window. That would alter the outward appearance of the dwelling but the existing up and over door is not a particularly attractive feature within the street scene and the window would provide an active frontage in comparison. I noted a number of garage conversions in nearby streets, most notably on Shannon Road. The replacement of garage doors with windows has not caused harm to the character of the area in those instances and I am satisfied that the effect in this case would be acceptable.
8. The proposals would result in the entrance door being located to the side of the house rather than to the front which is not common in the area. However, as noted above, the relationship between the garage and the front door creates an uninviting space, unlike other surrounding properties where the garages are set to the side. The proposal would remove that awkward arrangement and create a more inviting and secure entrance, without unduly impacting on the character of the house or the street scene.
9. Therefore, whilst the provision of an extension to the front of a dwelling would be seen as unusual in many circumstances, in the particular context of the appeal site, having regard to the presence of the existing garage, the proposed alterations would not cause harm to the character and appearance of the host dwelling and the street scene. Accordingly, the proposal would comply with the aims of policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1 and policies C28 and C30 of the Cherwell Local Plan.

Conditions

10. I have considered the conditions suggested by the Council having regard to advice in the Planning Practice Guidance. Aside from a condition relating to the statutory commencement time limit, conditions are necessary to ensure that the development is carried out in accordance with the approved plans, in the interests of clarity, and to ensure that the materials match those of the existing dwelling, in the interests of the character and appearance of the area. The Council has requested a condition to the effect that the extension should not be occupied as a separate dwellinghouse. There is no evidence to indicate that the appellant intends to occupy the building in that manner and, in any event, that would be an act of development for which planning permission would be required. Should such a future application be made it would be open to the Council to consider the merits of any proposal at that time. Accordingly, it is unnecessary to seek to control the matter through the imposition of a condition.

Conclusion and Recommendation

11. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

G Sibley

APPEAL PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and the Appeal Planning Officer's report, and, on that basis, I agree that the appeal should be allowed.

Chris Preston

INSPECTOR