
Appeal Decision

Site visit made on 20 November 2019

by L McKay MA MRTPI

Inspector appointed by the Secretary of State

Decision date: 03 December 2019

Appeal Ref: APP/C3105/D/19/3236187
76 Sinclair Avenue, Banbury OX16 1DW

- 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 Mark Readman against the decision of Cherwell District Council.
 - The application Ref 18/02002/F, dated 19 November 2018, was refused by notice dated 7 June 2019.
 - The development proposed is a two storey side extension.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The section of Sinclair Avenue from Ruscote Avenue up to and including the appeal site comprises pairs of semi-detached dwellings with hipped roofs, 2-storey bay windows and a mix of brick and rendered walls. Despite some differences such as porches, they are in general harmony with each other in terms of their character and appearance. The consistent scale and regular spacing of the dwellings give a pleasant rhythm to the street scene. The appeal site shares these characteristics, however immediately afterwards, the character of Sinclair Avenue changes, with greater variety in the siting, scale, form and design of the houses.
4. The angled siting of 78 Sinclair Avenue results in the gap between Nos 76 and 78 being larger than between most other properties in the area. While this gives the host property a more spacious setting than others in the road, it does not significantly affect the general character or appearance of this pair of dwellings. The large gap means that the proposal would not result in a terracing effect, however it would also make the proposed extension more visible in the street scene.
5. The proposal would extend the host property at the same height and depth and would significantly increase its width. As a result, it would not appear secondary to the existing dwelling and would unbalance the pair of dwellings and detract from their symmetry. It would therefore be contrary to the advice in the Council's Home Extensions and Alterations Design Guide. Consequently,

although it would use matching materials, the proposed extension would appear as an incongruous feature that would detract from the strong character of this part of Sinclair Avenue.

6. The proposal would harm the character and appearance of the area and would conflict with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and saved Policies C28 and C30 of the Cherwell Local Plan 1996 which, amongst other things, all seek to deliver high quality design and development compatible with, and sympathetic to, the character of the area. Furthermore, it would conflict with paragraph 127 of the National Planning Policy Framework, which seeks to ensure development adds to the overall quality of the area and is sympathetic to local character.
7. The appellant refers to an extension at 85 Sinclair Avenue which they consider is comparable with the proposed development. Although No 85 is relatively close to the appeal site, it is seen in a more mixed street scene. Furthermore, while the extension to No 85 is the same height and depth as the original dwelling, it is considerably narrower than the appeal proposal. It therefore has less impact on the pair of dwellings than would the proposed development. The design and context of No 85 are therefore not directly comparable to the appeal proposal, which must be considered on its own merits.
8. Other extensions referenced at 10 Hill View Crescent, 40 Queensway and 88 Woodgreen Avenue are on dwellings of different design to the appeal site and are spread across Banbury. These scattered developments are not seen in the same context as the appeal site and have not changed the character of the area sufficiently to make the proposed development acceptable.

Other Matters

9. It is suggested that the proposal would make most effective use of the land, minimise energy use and reduce emissions that contribute to climate change. These would be benefits of the scheme, however given the modest scale of the proposed development they do not outweigh the harm to the character and appearance of the area.
10. While I appreciate the appellant's personal circumstances, they do not justify the harmful impact of the proposed development. I note their concerns about the energy efficiency and standard of accommodation of a smaller extension, such as the scheme which already benefits from planning permission. Nevertheless, that is not the scheme before me and I have considered the appeal proposal on its own merits.
11. The appellant states that the proposal would not increase the number of bedrooms in the property and as such disputes that it would generate the need for additional car parking. However, as the appeal is being dismissed for other reasons this is not a matter that needs to be addressed.

Conclusion

12. For the reasons given above, the appeal is dismissed.

L McKay

INSPECTOR