



Appeal Decision

Site visit made on 7 September 2021

by Helen O'Connor LLB MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 September 2021

Appeal Ref: APP/D3125/D/21/3276494

28 Grove Road, Bladon, Woodstock, Oxfordshire OX20 1RD

- 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 Victoria Spires against the decision of West Oxfordshire District Council.
 - The application Ref 21/00328/HHD, dated 31 January 2021, was refused by notice dated 6 April 2021.
 - The development proposed is the construction of an unenclosed front porch, garage and a two storey rear and side extension.
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Decision

1. The appeal is dismissed insofar as it relates to the garage and two storey rear and side extension. The appeal is allowed insofar as it relates to the front porch and planning permission is granted for the construction of an unenclosed front porch at 28 Grove Road, Bladon, Woodstock, Oxfordshire OX20 1RD in accordance with the terms of the application, Ref 21/00328/HHD, dated 31 January 2021, so far as relevant to that part of the development hereby permitted and 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: Proposed Plans & Elevations, drawing number 003 Rev A and Proposed Plans & Elevations, drawing number 004 Rev A.
 - 3) The materials to be used in the construction of the external surfaces of the porch hereby permitted shall match those used in the existing building unless otherwise agreed in writing with the local planning authority.

Procedural Matters

2. The Government published its revised National Planning Policy Framework (the Framework) on 20 July 2021. The parties were given the opportunity to submit views in relation to the bearing of the revised Framework on the case as part of the appeal process.

Background and Main Issue

3. The site is located within the Green Belt. However, neither party suggests that the proposal would constitute inappropriate development as outlined in the Framework. The Council expressly states that it would not result in any harm to the Green Belt¹ and I have little evidence before me to show otherwise. Consequently, the focus for my determination rests on the reasons for refusal on the Council's decision notice.
4. Therefore, the main issue is the effect of the proposal on the character and appearance of the area, having particular regard to whether it would preserve or enhance the Bladon Conservation Area (CA).

Reasons

Character and appearance

5. The CA covers most of the linear settlement of Bladon. Its significance is derived in part from how the buildings and spaces in the settlement have evolved over time, which is closely entwined with the medieval park of Woodstock. The resulting settlement contains a concentration of attractive vernacular buildings generally configured to face onto the sinuous route of the main road through the village. Whilst there is some variety in building type and set back, the generally simple form of buildings and limited palette of materials gives a distinctive coherent appearance to the area. Moreover, the gaps between detached or groups of dwellings allows glimpses of greenery and trees beyond. These factors result in an attractive, spacious character to the CA.
6. 28 Grove Road is a traditional, detached, two storey dwelling constructed in stone that was built in 1928². Its pleasing, balanced principal elevation faces onto the main road, and it sits within a group of vernacular dwellings exhibiting a similar generous set back. The broadly regular spacing between the two storey elements of this group provide gaps that allow for some views to the gardens and trees behind. Furthermore, the ordered arrangement of the dwellings behind modest stone boundary walls and planting means that the frontages of the group can be seen from the access points and between planting in the front gardens. No. 28 has undergone notable extension, which although linked, appears as a separate component to the rear and is clearly discernible from the original and more public facing part of the house. Overall, the appeal site possesses qualities individually and as part of a wider group of dwellings that make a valuable contribution to the character and appearance of the CA.
7. In considering the impact of the proposal, I am mindful of my statutory duty³ to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA.
8. The proposal comprises three elements. Firstly, a detached timber garage to the front of the house. Secondly, two storey side and rear extensions to the main dwelling and finally, a front porch. To an extent the respective merits of these differing components can be considered separately. Nevertheless, it is

¹ Council Delegated Report

² Paragraph 4, Appellant's Grounds of Appeal

³ Section 72, Planning (Listed Buildings and Conservation Areas) Act 1990

important not to lose sight of the cumulative impact of the proposal overall. I have approached my assessment accordingly.

9. The proposed detached, single storey garage building would be positioned close to the front boundary such that its longest elevation would face towards the road. As a result, the structure would be notably closer to the road than the main house and would align with approximately half of its principal elevation⁴. The siting of the building forward of the clearly established building line within this part of Grove Road would jar with its otherwise subservient appearance. This would undermine the hierarchy seen in the prevailing established pattern of development whereby ancillary domestic buildings are generally located to the side and/or rear of the principal elevation of dwellings.
10. Moreover, the proximity to the road means it would be seen in the foreground, with No.28 and flanking dwellings set some distance back. Consequently, it would partially block views of the pleasant principal elevation of No.28 and detract from the wider group.
11. Whilst of itself, the proposed garage building would not be offensive in appearance, notable harm would ensue from the proposed inappropriate location. The resultant tension between the prominent placement of the structure and its secondary appearance would appear incongruous. Furthermore, although the existing front boundary stone wall and planting would provide some shielding, thereby reducing the extent of the harm, the upper portion of the structure would still be clearly visible over the top⁵ as well as from the access.
12. As such, I cannot agree that it will appear as a logical complement to the property and furthermore, it would result in harm to the character and appearance of the CA. Moreover, the permanent nature and appearance of the proposed structure would be considerably different and more harmful than the appearance of parked vehicles to the front of the dwelling.
13. My attention is drawn to a timber garage at 2 Grove Road⁶. However, the evidence before me does not show that the garage approved in that case was in front of the dwelling, and my observations would suggest rather the opposite. Therefore, this example does not carry weight in favour of the proposal.
14. The proposed extensions would add two storey wings either side of the house. The resultant elongated width of the dwelling would harmfully detract from the proportions of the original house. The marginal set back and reduction in ridge height employed would not prevent the impression of a significant increase in mass, within which the character of the original house would be less appreciable. Furthermore, the increase in built form either side, although balanced, would nevertheless, harmfully encroach into the gaps that separate the appeal property from the dwellings either side.
15. In addition, the proposal would substantially increase the volume of the building to the rear, which would necessitate a complex roof form alien to the relative simplicity of the original rectangular building. Moreover, the higher eaves level, use of light coloured render and differing void to solid ratio shown

⁴ Drawing number 004 Rev A

⁵ Drawing 004 Rev A – Site Elevation Front

⁶ Paragraph 14, Appellant's Grounds of Appeal

would depart unsympathetically from the traditional vernacular appearance of the original dwelling.

16. In combination these factors would result in a disproportionate and complex enlargement of the dwelling that would adversely undermine its intrinsic positive qualities. Largely due to its extent, it would not appear subservient to the host property. Advice in the West Oxfordshire Design Guide, Supplementary Planning Document⁷ (SPD) relating to development in conservation areas has resonance in these circumstances. It states that large extensions, or an accumulation of extensions, can easily obscure the simple form of traditional buildings and should be avoided. This attracts considerable weight.
17. The appellant emphasises that alterations to the rear of the dwelling would not be visible from the street scene. However, I am not aware that the statutory duty referred to above, is restricted to the impact on the public domain. Nor would it justify harmful development that would be seen from a number of neighbouring properties. Furthermore, the extensions either side of the dwelling would be readily apparent from the road. Overall, the side and rear extensions proposed would neither preserve nor enhance the character or appearance of the CA.
18. The unenclosed painted timber porch with a pitched roof would be a modest, simple addition that would complement the detailing on the property and those nearby. Moreover, there is no dispute between the parties that it is of a suitable design.
19. Notwithstanding the acceptability of the front porch, cumulatively the composite elements would add considerable volume that would dilute the spaciousness of the site and undermine the aesthetic quality of the frontage. Therefore, taken holistically the proposal would be harmful to the significance of the CA. Given the relatively modest scale of the proposal, it would result in less than substantial harm to a designated heritage asset.
20. Paragraph 202 of the Framework advises that in such circumstances the harm should be weighed against the public benefits of the proposal. The development would provide additional, more comfortable, and convenient accommodation and storage for the occupiers of No.28. Although principally a private benefit, some limited public benefit would derive from these general improvements to the overall housing stock. However, as this would concern only one property, the extent of benefit would be small. Overall, the public benefits arising from the development attract little weight.
21. Although less than substantial, mindful of the statutory duties and national policy⁸, the overall harm to the significance of the designated heritage assets attracts great weight. Therefore, the public benefits identified would not outweigh the harm to the historic environment.
22. In support of the proposal the appellant draws on numerous other examples of developments in Bladon⁹, to which I have had regard. Nevertheless, advice in the SPD¹⁰ clarifies that whether, or to what extent, alterations or extensions

⁷ Design Guide 6 – Page 5

⁸ Paragraph 199 National Planning Policy Framework

⁹ Paragraphs 20, 31, 40 and 43, Appendices A-F, Appellant's Grounds of Appeal

¹⁰ Design Guide 14, Extensions and Alterations, Page 2

are possible will depend on the individual context of the property in question. It goes on to refer to the unique context of each property. Some of the examples highlighted include more modern dwellings that are different in form to the traditional house before me and therefore, have little relevance. In relation to those examples that concern traditional dwellings, based on the limited information provided, it is not shown that any amount to a direct parallel to the appeal proposal if considered holistically. Whilst certain aspects of some of the examples may share some traits with parts of the proposal, these cannot be aggregated. Therefore, I am not convinced that a precedent equal to the proposal before me is shown. The more relevant examples attract limited weight but would not provide a sound basis to justify the entirety of the development proposed. In any event, I have determined the proposal on its own merits.

23. Accordingly, overall, I find that the proposal would be harmful to the character and appearance of the area and would fail to preserve or enhance the character and appearance of the CA. Therefore, it would conflict with policies OS2, OS4 and EH10 of the West Oxfordshire Local Plan 2031, September 2018 (LP). Taken in combination, and amongst other things, these policies seek development that respects the character and distinctiveness of the local area and conserves or enhances the historic environment.
24. The Council also cite policy EW10 of the LP in the second refusal reason on their decision notice. This policy sets out the sub-area development strategy for Eynsham-Woodstock. However, based on the relatively modest nature of the proposal before me, it is not shown that the development would conflict with the strategic objectives set out in that policy. Hence, I do not find a conflict with it.

Other matters

25. The Council's delegated report refers to the two storey side extension proposed having an overbearing impact and shadowing to a neighbouring property's amenity area. However, this is not cited in the refusal reasons on the Council's decision notice. Given that I have other substantive concerns in relation to this element of the proposal, it is not determinative to the outcome of my decision. Consequently, it is not necessary for me to consider it in further detail.
26. The appellant considers that the Council has been inconsistent and therefore unreasonable in their approach to decision making in this instance. However, this is a matter that lies outside of the scope of this determination, which I have based upon the planning merits of the proposal. In coming to my view, I have had regard to the examples of other development in the vicinity highlighted by the appellant.
27. Reference is made to the absence of objection from the Highway Authority and Parish Council. Be that as it may, the absence of such objections does not amount to positive evidence that the proposal would preserve or enhance the CA and the comments do not specifically address the concerns I have identified. Therefore, they would not lead me to find otherwise.

Conclusion

28. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations

indicate otherwise¹¹. Two components of the proposal would result in harm to the character and appearance of the area and a designated heritage asset and would therefore, conflict with the development plan on this basis. Therefore, these elements of the development should not succeed.

29. Nevertheless, the proposed porch on the front elevation would not result in such harm and is clearly severable from the remainder of the proposals in physical and functional terms. Taken in isolation it would comply with the relevant policies of the development plan. Under section 79(1)(b) of the Town and Country Planning Act 1990 I have discretion to split the decision by allowing one part of a scheme and dismissing the rest. It would be appropriate to use the power in these circumstances to allow the porch but to dismiss the remainder of the proposal.
30. In relation to the porch, I have imposed conditions to reflect the three year period in which the planning permission may be implemented and have specified the relevant approved plans such that the porch shall be undertaken in accordance with these, as this provides certainty. Additionally, given its prominent location and position in the CA, the external materials should be consistent with those already in evidence at the dwelling, unless otherwise agreed with the Council.
31. Therefore, for the reasons given above I conclude that the appeal should be allowed in part and dismissed in part.

Helen O'Connor

Inspector

¹¹ Section 38(6) Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990.