



Appeal Decision

Site visit made on 25 January 2022

by David Murray BA (Hons) DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 January 2022

Appeal Ref: APP/C3105/D/21/3286133

The Old Cottage, Wiggington, Oxon, OX15 4JZ.

- 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 Dr H Slim against the decision of Cherwell District Council.
 - The application Ref. 21/02173/F, dated 22 June 2021, was refused by notice dated 17 August 2021.
 - The development proposed is the insertion of new window to front elevation at ground floor level and two number conservation type roof lights to the rear roof slope. Addition of two hipped dormers to rear roof slope to provide additional bedroom at first floor and new window and patio doors at ground floor to rear elevation, together with flat roof light added to area of flat roof above kitchen.
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Decision

1. The appeal is allowed in part and planning permission is granted for the insertion of a new window to front elevation at ground floor level and two number conservation type roof lights to the rear roof slope, flat roof light to kitchen and new rear facing window and patio doors at ground level, at The Old Cottage, Wiggington, Oxon, OX15 4JZ, in accordance with part of the application Ref. 21/02173/F, dated 22 June 2021, and the plans submitted with it, subject to the conditions set out in the attached Schedule.
2. Otherwise, the appeal in respect of the rear facing dormer windows at first floor level is dismissed.

Main Issues

3. The main issues are the effect of the proposed development on the character and appearance of the host property, the character of the Wiggington Conservation Area, and the setting of the adjacent listed building of Glebe Cottage.

Reasons

Background.

4. The appeal site comprises a partly detached cottage with stone elevations and a slate roof, which lies in the centre of the village. It is two storeys with a 'cat-slide' roof on the rear elevation. The adjacent property to the north is Glebe Cottage which is a grade II listed building. The site also lies in the Wiggington Conservation Area. I saw at my visit that the architecture and materials of the host property make a positive

contribution to the significance of the Conservation Area as described in the Wigginton Conservation Area Appraisal (2017).

Effect on character and appearance.

5. Of the work specified in the application, the Council's concern is only with the formation of the dormer windows on the rear elevation and I agree that the other parts of the proposal are appropriate for the property and are acceptable. These minor changes should be subject to standard conditions as mentioned below.
6. The dormer windows are proposed at the rear of the property away from the public realm but the site lies in the Conservation Area and adjacent to a listed building, which are designated heritage assets, therefore the tests to be applied include whether the proposed development would preserve the setting of the Listed Building and preserve or enhance the character or the appearance of the Conservation Area.
7. The appellant says that the hipped roof proposed on the dormers is characteristic of the area and photographs another example locally but at my site visit I saw that the local form of architecture is mostly characterised by vertical gables in main elevations and dormer windows rather than hipped versions. Moreover, the lengthy and continuous width of the dormers over much of the roof (including the niche between them) together with their position built almost vertically from the rear wall of the property and up to the roof ridge, and cladding material, would result in a scale and form of addition which would significantly detract from the character and appearance of the host property and the present form of 'cats-slide' roof. As such, the proposal would conflict with the requirements of Policy ESD 15 of the Cherwell Local Plan.
8. I appreciate that the extension proposed would hardly be seen outside of the site as a large part of it would be alongside the thatched roof of the adjoining Glebe Cottage but the addition would harm the property itself and the contribution it makes to the Conservation Area as well as spoil the setting of Glebe Cottage.
9. In terms of the guidance in the National Planning Policy Framework I assess this harm as 'less than substantial harm' to the significance of these heritage assets as set out in paragraph 202, but it has not been shown that there are any public benefits that outweigh this harm. Moreover, this national guidance makes clear that great weight should be given to the preservation of these heritage assets.
10. Overall I conclude that the harm the rear dormers would cause and the conflict with the development plan is not outweighed by any other consideration and this indicates that this part of the proposal should not be allowed.
11. In terms of the part of the scheme not concerning the dormer windows, the Council recommends three standard conditions about: the timing of the development; accord with the (partially approved) plans; and external materials to match those of the existing building. These are reasonable and necessary in the interests of clarity and to maintain the appearance of the building and I will impose them.

Conclusion

12. A split decision is appropriate and I will allow part of the appeal but dismiss the element associated with the formation of the rear facing dormer windows.

David Murray

INSPECTOR

Schedule of Conditions (applying to the part allowed)

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The external surfaces of the development hereby permitted shall match those used in the existing building.
- 3) The development hereby permitted shall be carried out in accordance with the relevant part of the approved plan- drawings 293/PL 05 and 06.