



Appeal Decision

Site visit made on 8 February 2022

by Tom Gilbert-Wooldridge BA MTP MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 11th February 2022

Appeal Ref: APP/C3105/D/21/3288967

The Gables, 93 Mallards Way, Bicester OX26 6WT

- 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 J Thomson against the decision of Cherwell District Council.
 - The application Ref 21/02477/F , dated 15 July 2021, was refused by notice dated 22 September 2021.
 - The development proposed is described on the application form as "single storey rear part side and front extensions with associated internal and external works".
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of the development above omits reference to a first floor side element that would be contained within the gable above the extensions at ground floor. For the avoidance of doubt, I have had regard to the entire development as shown on the plans determined by the Council.

Main Issue

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

Reasons

4. The Gables is a large two storey detached property with loft accommodation in the roof. The front elevation facing Mallards Way is largely symmetrical and in proportion in terms of windows and the front door. The property occupies a prominent position on a bend in the road. It can also be seen from the adjoining public park particularly since the recent removal of trees along the bank of a channel that runs between the property and the park. There is an existing conservatory that wraps around the side and rear elevation and immediately adjoins the side boundary with the channel. However, it is set back considerably from the front elevation and so does not affect the balance of this elevation.
5. The Gables forms part of a wider housing estate of similar age and design. Like many properties within the estate, it comprises stone walls and a tiled roof. The chimney is red brick, which is another common material on the estate. The front dormers are rendered like many others nearby, but otherwise the use of this material is limited within the estate. The windows on this property and others are casements that typically reduce in size on the upper floors. Thus,

the property makes a positive contribution to the surrounding area due to the consistency of its design, proportions, and materials.

6. The Council's Home Extensions and Alterations Design Guide 2007 states that side extensions should normally be set in by at least 1 metre from the side boundary and should also be set back from the front elevation and have a lower roof line so they are clearly secondary to the original building.
7. The proposed side and rear extension would replace the conservatory and occupy a larger footprint along the side of the property. The height of extension would be much lower than the existing property in terms of its gable roof. The extension would not be set in from the side boundary, but this is already the case with the conservatory. However, the lack of set back from the front elevation would make the extension less subservient to the host property and when viewed from the road. A rendered finish would increase the prominence of the extension when seen from both the road and the park and appear incongruous given the predominant stone and brick materials across the estate. Furthermore, the first floor side window would be disproportionately large in comparison to existing upper floor windows on the property and surrounding area and would be very visible from the park.
8. The proposed porch would be in proportion with the front elevation and utilise a sympathetic design. However, this does not diminish the harm that would be caused by the design of the proposed side and rear extension.
9. In conclusion, the development would have a negative effect on the character and appearance of the host property and the surrounding area. Therefore, it would conflict with Policy ESD15 of the Cherwell Local Plan 2011-2031 and Policies C28 and C30 of the Cherwell Local Plan 1996 which, amongst other things, require development to be sympathetic and compatible with the character and appearance of the area, and complement and enhance its context through sensitive siting, layout and high quality design. The development would also conflict with the National Planning Policy Framework which aims to achieve well-designed places.

Other Matters

10. Interested parties have raised concerns with a number of other matters including flood risk, privacy, outlook, ecology, subsidence, and whether the property might be used as a house in multiple occupation. However, given my conclusion on the main issue, it has not been necessary to consider these matters in any detail.

Conclusion

11. For the above reasons, I conclude that the appeal should be dismissed.

Tom Gilbert-Wooldridge

INSPECTOR