



Appeal Decisions

Site visit carried out on 7 June 2022

by Mrs J A Vyse DipTP DipPBM MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21st June 2022

Appeal A: APP/C3105/W/21/3282405

The Old Bakehouse, Bakers Lane, Swalcliffe OX15 5EN

- 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 David Mclindon against the decision of Cherwell District Council.
 - The application, No 21/01488/F, dated 23 April 2021, was refused by a notice dated 21 June 2021.
 - The development proposed is described on the application form as single storey extensions and garage conversion.
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Appeal B: APP/C3105/Y/21/3282407

The Old Bakehouse, Bakers Lane, Swalcliffe OX15 5EN

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by David Mclindon against the decision of Cherwell District Council.
 - The application, No 21/01489/LB, dated 23 April 2021, was refused by a notice dated 21 June 2021.
 - The works proposed are described on the application form as single storey extensions and garage conversion.
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Decisions

1. For the reasons that follow, **Appeal A** is allowed and planning permission is granted for single storey extensions and garage conversion at The Old Bakehouse, Bakers Lane, Swalcliffe in accordance with the terms of the application, No 21/01488/F, dated 23 April 2021, subject to the conditions set out in the attached schedule.
2. For the reasons that follow, **Appeal B** is allowed and listed building consent is granted for single storey extensions and garage conversion at The Old Bakehouse, Bakers Lane, Swalcliffe in accordance with the terms of the application No 21/01489/LB, dated 23 April 2021 and the plans submitted with it, subject to the conditions set out in the attached schedule.

Main Issue

3. The Council takes no issue with the proposed garage conversion and associated alterations (including new windows and doors). Indeed planning permission and listed building consent have since been granted for that element of the proposal. However, there is no suggestion in the evidence before me that this element of the appeal scheme is withdrawn. That said, whilst the garage conversion still forms part of the appeal scheme, my reasoning below focuses on the proposed single storey extension.

4. Although not referred to in the description of development/works as set out on the application forms, the submitted plans also show a first floor extension to The Cottage, a detached building within the curtilage of the appeal property. However, planning permission and listed building consent have since been granted separately for that.¹ On that basis, I have not had any regard to that extension in relation to the appealed applications.
5. In light of the forgoing, and having regard to the wording of the reasons for refusal, the main issue in this case relates to whether the proposed single storey extension would preserve the special interest and significance of the Old Bakehouse, a grade II listed building.

Reasons

6. The Old Bakehouse is a modest vernacular dwelling that dates from the C17th. It is of regular coursed ironstone rubble beneath a relatively large, steeply pitched C20th tile roof. It comprises two stories, plus attic accommodation within the roofspace. Its special interest derives from its age, materials of construction, original floor plan and the simple uncluttered form of the original structure. Although a sizeable single storey, flat roofed extension to the front of the property sits just below the first floor windows, masking just over half of the original ground floor frontage, the original form of the building is still readily perceived.
7. The proposed extension would be off-set to the side of the main house, linking the existing, 1970s flat roofed extension with the currently detached garage building, also of coursed ironstone rubble (and which has permission for conversion to habitable accommodation). It is set forward of the house at a slightly higher level. The extension proposed would be relatively large in terms of its footprint, roughly 3.5 x 5.5 metres. However, it would be single storey, with a flat roof, set slightly lower than that of the existing extension and would sit at right-angles to the main house. The rear (west) elevation would be of horizontal timber cladding with high level glazing. The courtyard (east) elevation would comprise full height glazing in an oak frame. The extension would be joined to the garage building by a small, frameless, glass link.
8. The Council's Residential Design Guide suggests that wood cladding is not generally acceptable on new dwellings.² However, timber cladding is used on the gable end of the existing garage, with the approved plans for its conversion retaining that cladding and extending its use. I also saw a substantial timber clad garage building nearby, that is a prominent feature in the street scheme. Moreover, the proposed timber clad elevation would be set just behind existing timber boundary fencing, alongside timber clad storage cabinets.
9. Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 (adopted July 2015) allows for a contemporary design response that re-interprets local distinctiveness, including materials and colour palette. In its context, and noting that the timber cladding would be to an elevation of an extension that would not be readily apparent from the adjacent Bakers Lane in any views of the listed building, I am satisfied that it would not harm the special interest or heritage significance of the listed building, nor would it interfere with any appreciation of the listed building. I find the proposed use of timber cladding to the particular elevation to be unobjectionable in this regard.

¹ Nos 21/02178/F and 21/02179/LB approved 16 September 2021

² Cherwell Residential Design Guide Supplementary Planning Document (July 2018)

10. The proposed glazing to the courtyard/garden elevation would reflect that recently approved for the large opening in the garden elevation to the garage building. Although physically linking the two structures, the glazed nature of the elevation would mean that the house (plus later extension) would still be read separately from the garage building.
11. I consider that the extension would clearly defer to the original house, which would remain the dominant element in the composition. There would be no loss of historic fabric and the orthogonal relationship of the proposed extension with the listed building would not obscure or blur its historic linear form. I find that the proposed extension would be subservient in both scale and form to the original building and the contemporary design approach, including the proposed materials, would set it apart from the original house as an obviously modern, yet sympathetic and respectful addition. As such, the special interest and heritage significance of the listed building would be preserved. There would be no conflict in this regard with policy ESD15 of the Cherwell Local Plan, or saved policies C28 and C30 of the Cherwell Local Plan 1996 which, together and among other things seek to secure high quality urban design that protects and enhances the character of the District and its historic environment. I find no conflict either with those policies of the National Planning Policy Framework relating to character and appearance and heritage.

Conclusion and Conditions

12. For the reasons set out above, I conclude on balance that both appeals should succeed.
13. The conditions imposed reflect that the approvals relate not only to the extension, but also conversion of the garage building. In addition to the standard time limit on commencement of development/works, it is necessary to specify the approved plans in the interest of certainty. I have deleted the reference to Plan No BLSE/10 as it does not relate to the development/works applied for.
14. I have included a condition clarifying that the neither the planning permission nor listed building consent grant approval for the extension to The Cottage which, although shown on the plans forms no part of the proposals for which permission/consent was sought.
15. Conditions requiring larger cross sections etc for the windows and doors, and a sample of the timber cladding to be used, are necessary in the interests of character and appearance and in order to safeguard the special architectural and historic interest of the listed building and its significance. Also relating to the need to safeguard the special architectural and historic interest of the listed building and its significance, it is necessary to specify the use of lime plaster in relation to the garage conversion.
16. One of the conditions suggested in relation to the planning application required the use of natural stone on the walls of the extension. However, no stone is proposed for the extension. In addition, the Council confirms that the suggested condition relating to potential contamination should be omitted. I have not imposed those conditions.

Jennifer A Vyse
INSPECTOR

SCHEDULE OF CONDITIONS

Appeal A: APP/C3105/W/21/3282405

The Old Bakehouse, Bakers Lane, Swalcliffe OX15 5EN

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) Unless otherwise required by any of the following conditions, and with the exception of the extension to The Cottage, the development hereby permitted shall be carried out in accordance with the following approved plans: BLSE/01, BLSE/06, BLSE/07, BLSE/08 and BLSE/11.
- 3) Notwithstanding the details shown on the approved plans, no permission is either granted or implied for the extension to The Cottage as shown on those plans.
- 4) Notwithstanding the details shown on the approved plans, and prior to the installation of any windows or doors hereby permitted, full design details at a scale 1:20, to include a cross-section and colour/finish, shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and shall be retained as such thereafter.
- 5) Prior to the installation of the timber cladding hereby approved, a sample of the cladding, including colour, shall be made available for inspection and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and retained as such thereafter.

Appeal B: APP/C3105/Y/21/3282407

The Old Bakehouse, Bakers Lane, Swalcliffe OX15 5EN

- 1) The works hereby consented shall begin not later than three years from the date of this decision.
- 2) Unless otherwise required by any of the following conditions, and with the exception of the extension to The Cottage, the works hereby consented shall be carried out in accordance with the following approved plans: BLSE/01, BLSE/06, BLSE/07, BLSE/08 and BLSE/11.
- 3) Notwithstanding the details shown on the approved plans, no consent is either granted or implied for the extension to The Cottage as shown on those plans.
- 4) Notwithstanding the details shown on the approved plans, and prior to the installation of any windows or doors hereby consented, full design details at a scale 1:20, to include a cross-section and colour/finish, shall be submitted to and approved in writing by the local planning authority. The works shall be carried out in accordance with the approved details and shall be retained as such thereafter.
- 5) Any plaster to be used within the garage conversion hereby consented shall be lime plaster only.

-----END OF SCHEDULE-----