



Appeal Decision

Site visit made on 1 September 2022

by A Hickey MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 September 2022

Appeal Ref: APP/W2845/D/22/3294136

Bramley Cottage, 16 Bulls Lane, Kings Sutton, Banbury, Oxon OX17 3RB

- 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 Michael House against the decision of West Northamptonshire Council.
 - The application Ref WNS/2021/1672/FUL, dated 26 August 2021, was refused by notice dated 15 December 2021.
 - The development proposed is described as proposed rear extension to form kitchen/dining room at ground floor level and study/library and shower room together with amended second bedroom/study at first floor level.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The address of the site on the application form is stated as Bull Lane but on both the Council's decision notice and the appeal form it is stated as Bulls Lane. I have taken Bull Lane to be incorrect and amended the address accordingly.

Main Issue

3. The main issue is the effect of the proposed development on the significance of Bramley Cottage as a non-designated heritage asset (NDHA) and whether it would preserve or enhance the character or appearance of the Kings Sutton Conservation Area (CA).

Reasons

4. Paragraph 203 of the National Planning Policy Framework (the Framework) requires the effect of an application on the significance of a non-designated heritage asset to be taken into account when determining the application. A balanced judgement is required regarding the scale of any harm and the significance of the heritage asset.
5. Bramley Cottage is a modest detached dwelling constructed of stone and slate which includes some brick features and a well-sized elevated garden. The dwelling occupies a prominent position directly adjacent to Bulls Lane; a main route through the village on a small section of single-track road. The significance of Bramley Cottage as a NDHA is largely derived from its domestic architecture, to which its surviving historic fabric, pleasing architectural composition, fine detailing and use of traditional materials all positively contribute.

6. The appeal site is located within the CA. As such I have had regard to the statutory duty to pay special attention to the desirability of preserving or enhancing its character or appearance. The significance of the CA, and particularly this part in which the appeal site is located, is derived from the historic layout, varying house styles of modest size, traditional materials and dense building pattern of buildings close to the road. Whilst some nearby dwellings have been extended, the form of the original dwellings can still be understood as the alterations are subservient to the host properties. Consequently, the generally unaltered modest forms of dwellings and buildings in the area adds to the architectural interest and character of the CA.
7. The proposed extension is of a size comparable with the host dwelling and as such would significantly increase the size of the existing dwelling whilst also introducing a glazed wrap-around balcony. Given the modest scale and traditional form of the host dwelling, such additions would be disproportionate and unsympathetic. Furthermore, the form of the extension results in it projecting significantly outward into the garden of the appeal site which would harm the legibility of the host dwelling and its original form. This is further exacerbated by the height of the proposal which would be of a similar height to the two-storey host dwelling. Given the above, I find the proposal would visually dominate the host dwelling, and detract from its traditional appearance, adversely affecting the significance of this NDHA.
8. Although the proposal would be partially restricted from views from Bulls Lane, behind an existing tall brick wall and planting, the balcony, upper floor and roof would still be clearly visible from views along Bulls Lane, particularly closest to the junction with Banbury Lane, as well as from surrounding properties. It therefore follows that the extended dwelling proposed would erode the contribution the host dwelling makes to the CA, and as a consequence, harm to the significance of the conservation area as a designated heritage asset would result.
9. Whilst other detailing, such as the proposed materials, are somewhat sympathetic to the character and appearance of the host dwelling, this does not outweigh the harm identified above as a result of the balcony and the scale and form of the proposed extension.
10. For the purposes of the Framework, the CA is a designated heritage asset. The proposal would lead to less than substantial harm to the significance of the CA. The Framework indicates that such harm is to be weighed against the public benefits of a proposal. However, great weight should be given to an asset's conservation.
11. The appellant is seeking to create a larger family home that would also allow for home-based working. Even if these were public benefits, given the scale of the scheme, the benefit would be small and as such, the public benefits do not outweigh the identified harm in this case.
12. My attention has been drawn to other extensions in the area. I do not have full details of these schemes, or their planning history, before me. From observations on site, I did note that some nearby dwellings had been extended. However, the presence of these extensions, regardless of the garden size at the appeal site, does not justify the introduction of a new harmful element within the CA.

13. The proposal would have a harmful effect on the significance of Bramley Cottage as a NDHA and would not preserve the character and appearance of the CA. The development would therefore be contrary to Policies SS2, SDP1, HE6 and HE7 of the South Northamptonshire Part 2 Local Plan 2011-2019. Amongst other things, these policies seek to ensure, good quality design and development in conservation areas preserves or enhances the character and appearance of the area. The proposal would also conflict with the provisions of the Framework, in regard to achieving well-designed places and conserving and enhancing the historic environment. It would also be contrary to the guidance contained within the South Northamptonshire Design Guide which guides rear extensions to respect and complement the character of the original building.

Other Matters

14. The appellant's statement refers to renovations which have taken place at the appeal property. I've not been provided with any evidence in this regard. In any case, the previous renovations do not justify the introduction of a new harmful element to a NDHA or the CA.
15. There is no evidence before me to demonstrate an undersupply of family-sized housing or a lack of affordable housing stock within the Council's area. Given, the small-scale contribution a single extended dwelling would contribute to any undersupply it would not outweigh the harm I have identified.
16. Even if I was to agree that the proposal would not add increased pressure to infrastructure or local services this would be a neutral factor and would not overcome the harm to the NDHA or CA I have identified.

Conclusion

17. The proposal conflicts with the development plan when taken as a whole and there are no material considerations, either individually or in combination, that outweighs the identified harm and associated development plan conflict.
18. Therefore, I conclude the appeal should be dismissed.

A Hickey

INSPECTOR