



Appeal Decision

Site visit made on 15th December 2022

by Megan Thomas K.C. Barrister-at-Law

an Inspector appointed by the Secretary of State for Levelling Up, Housing and Communities

Decision date: 10 January 2023

Appeal Ref: APP/Q3115/D/22/3304051

Anntara House, 8 Shirburn Road, Lewknor, Watlington, Oxfordshire OX49 5RP

- 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 and Mrs Ludhra against the decision of South Oxfordshire District Council.
 - The application Ref.P22/S1308/HH, dated 4 April 2022, was refused by notice dated 21 June 2022.
 - The development proposed is the erection of a front porch and the extension of/alterations to the roof structure of the existing carport/garage, the conversion of the roof space into a home office/gym and an external staircase.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a front porch and the extension of/alterations to the roof structure of the existing carport/garage, the conversion of the roof space into a home office/gym and an external staircase at Anntara House, 8 Shirburn Road, Lewknor, Watlington, Oxfordshire OX49 5RP, in accordance with the terms of the application, ref. P22/S1308/HH, dated 4 April 2022, 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 strict accordance with the following approved plans: 21-146-10-Rev C and 21-146-01.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue in the appeal is the effect of the proposed car port/store extension on the character and appearance of the area.

Reasons

3. The appeal site comprises a large dwelling and garden with a car port/store building in the front forecourt. It is one of a very small cluster of buildings straddling the B4009 in a rural area. Its immediate neighbour to the north east is Braemer House and to the south east is The Meynell. These latter two dwellings also have outbuildings in their front forecourts.
4. The area is rural in character with fields surrounding Anntara House, to the west and north. The appeal site is not within the Chilterns Area of Outstanding Natural Beauty "AONB". However, the properties on the southern side of the B4009 (including The Meynell) are within the AONB and the appeal site is within the setting of the AONB.
5. The appeal property is a detached 4 bedroom two storey dwelling some 7.45m tall with two prominent gables on the front elevation. The house has a width of about 14.3m. It is located approximately 20.7m from the front boundary of the site.
6. The existing single storey timber double car port and store is about 4.3m tall, about 9m wide and about 6m deep. It sits perpendicular to the house on the western side of the plot approximately 4m from the western boundary. The car port/store is some 7.7m away from the house and some 4m from the front boundary of the site. The front of the property is enclosed by timber fencing about 2m in height and there are high timber electric gates. There is also some mature hedgerow along the frontage.
7. The extension would involve raising the height of the car port/store at the ridge from about 4.7m to about 6.3m. The first floor is proposed to be used as a home office/gym. The eaves height of the building would increase from about 2.25m to 2.72m. The proposal also includes increasing the floor area of the new first floor by cantilevering it by approximately 1m on the west side of the building. The cantilever would be supported by timber posts on the ground floor, creating a covered overhang. Access to the first floor would be via an external staircase on the north side of the building. Three roof lights on the western side of the roof are also proposed. The extension would be built out of timber with plain tiles on the roof to match the existing building.
8. Whilst the resulting building would be bulkier and higher than the existing car port, the structure would remain clearly subservient to the main dwelling and the size of the plot is sufficiently generous for the enlarged structure to co-exist comfortably and spaciouly with the main dwelling. The increased footprint, being on the south-western of the car port would not have a particularly material impact on the building's mass and appearance.
9. The increased height would render the building more visible from outside the site including travelling north east on the B4009. However, my site visit confirmed that any impacts would be small, generally unobtrusive and compatible with the rural surroundings. The resulting structure would have a barn-like appearance albeit with three rooflights, and whilst it would be visible from outside the site (including from a private right of way to the south west of the site but some distance from it), it would not appear unduly domestic or incongruous in appearance. Its design and use of appropriate materials would avoid adverse impacts on the setting of the AONB.

10.I conclude that the proposed extension to the car port/store would not result in unacceptable harm to the character or appearance of the area. There would be no conflict with policies DES1, DES2 or ENV1 of the South Oxfordshire Local Plan 2035 (adopted December 2020) or advice within the South Oxfordshire design guides (2016 or 2022). I agree with the Local Planning Authority that the proposed alterations to the front porch of the main dwelling would not be harmful.

Conditions

11.I have considered the imposition of planning conditions in the light of advice in National Planning Practice Guidance. The Council suggested 3 conditions in the event that the appeal was successful and a third party suggested another. A condition which ties the built development to the approved plans is necessary in the interests of certainty. In order to protect the character and appearance of the host dwelling, the car port and its surroundings a condition requiring the development to match the existing materials of the building is necessary. A time limit in which to implement the planning permission is also a necessary condition. Lewknor Parish Council requested that permitted development rights under the Town and Country Planning (General Permitted Development) (England) Order 2015 be removed by planning condition but there are no exceptional circumstances for doing so in this case and none have been articulated to me.

Conclusion

12.Having taken into account all representations made, for the reasons given above, I allow the appeal and grant planning permission subject to conditions.

Megan Thomas K.C.

INSPECTOR