



Appeal Decision

Site visit made on 24 February 2023

by Kim Langford Tejrar LLB (Hons) BSc (Hons) PGDIP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th March 2023

Appeal Ref: APP/C3105/D/23/3314496

2 Old Chapel Close, Kidlington OX5 2HN

- 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 Charles Biggers against the decision of Cherwell District Council.
 - The application 22/03009/F, dated 03 October 2022, was refused by notice dated 01 December 2022.
 - The development proposed is 'Two storey side extension.'
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the host dwelling and surrounding area; particularly whether the proposal would preserve or enhance the significance of the Kidlington Conservation Area (CA).

Reasons

3. The appeal site is an end of terrace two-storey dwelling situated on a corner plot fronting Old Chapel Close and flanking School Road to its side and rear. The terrace is of a typical circa 1970s simple and utilitarian style. The building line of the terrace is somewhat staggered, which breaks up its width and the overall appearance of mass. The appeal site benefits from an unusually large plot due to its corner location.
4. The appeal scheme would introduce a two-storey side extension which is over half the width of the host dwelling and which continues the ridgeline of the terrace roof. The Home Extensions & Alterations Design Guide Supplementary Planning Document (SPD) advises that side extensions should be set-back from the elevations and set-down from the ridge height, as well as be less than half the width of the original dwelling, to maintain the appearance of subservience to the host dwelling. The appeal scheme would not comply in respect of width, ridgeline or extent of set-back.
5. The scheme would have angled walls creating some set-back on both front and rear elevations. The angled elevations would somewhat reduce the sense of mass, but would not effectively achieve an appearance of subservient addition. Moreover, the ground and first floor would be angled to different degrees,

- creating a contrived and awkward design which would not reflect the simple horizontal lines and utilitarian design of the host dwelling and wider terrace.
6. The appeal site is also within the setting of the Kidlington Conservation Area (CA). The appeal site and wider terrace do not make a positive contribution to the significance of the CA due to its starkly utilitarian design, which does not integrate well with the surrounding historic buildings. However, the addition of the contrived and incongruous extension would be very prominent due to its location and would exacerbate the existing erosion to the CA's character.
 7. Whilst the host dwelling has an existing small side extension which is not centrally aligned with the flank elevation, its demolition and replacement with the appeal scheme would not represent an improvement.
 8. The Appellant suggests that a similar floor print could be achieved by exercising permitted development rights pertaining to the property. However, the Appellant has not demonstrated this with an indicative design and therefore it is not possible to draw comparisons with the harmful impact of the appeal scheme. Moreover, there is no reason to suggest that this is a realistic and feasible 'fallback' position.
 9. As such, the appeal scheme would be out of keeping with the character of the host dwelling, wider terrace and surrounding area. Moreover, it would fail to conserve or enhance the setting of the CA leading to less than substantial harm to the CA. The scheme would therefore conflict with policy ESD15 of the Cherwell Local Plan, adopted 2015, saved policies C28 and C30 of the Cherwell Local Plan, adopted 1996, and the National Planning Policy Framework. These policies seek, amongst other things, high quality design of development which improves the quality and appearance of the area and which conserves or enhances the significance of the historic environment.

Other Considerations

10. The Appellant suggests that the scheme would make the dwelling more appropriate for lifelong living resulting in unspecified environmental and economic benefits. However, the Appellant has not demonstrated how the appeal scheme would meet the specific unmet needs of its occupants or potential future occupants. There is a clear private benefit in increasing living space, however, no specific public benefit has been made out. In any case, I am not satisfied that future needs could not be met by a better designed scheme.

Conclusion

11. For the reasons given above, the appeal scheme would conflict with the relevant policies of the development plan and no material considerations indicate that the appeal should be determined other than in accordance with the development plan. The harm identified to heritage assets would not be outweighed by public benefits. The appeal is accordingly dismissed.

Kim Langford Tejrar

INSPECTOR