



Appeal Decision

Site visit made on 26 July 2023

by Ian McHugh DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29TH August 2023

Appeal Ref: APP/C3105/D/23/3321952

44 Shearwater Drive, Bicester, OX26 6YS

- 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 Paul Leverton against the decision of Cherwell District Council.
 - The application Ref 23/00519/F, dated 25 February 2023, was refused by notice dated 24 April 2023.
 - The development proposed is an extension to domestic dwelling, extend at rear and side of property to create open-plan kitchen and orangery to the ground floor and additional 2 bedrooms to the first floor above garage.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the streetscene.

Reasons

3. The appeal property is a detached two-storey dwelling, which is situated on a modern residential estate. House types in the vicinity of the appeal site vary and a number have been altered and extended, including first-floor additions. Some of these have been brought to my attention by the appellant.
4. The proposal is to extend the property in the manner described in the heading above. The first-floor extension would be constructed over an existing garage which projects in front of the main wall of the property. It would have a gabled roof facing Shearwater Drive.
5. The Council contends that the first-floor extension would be an incongruous addition to the streetscene, which would fail to show subservience to the existing dwelling. It argues that the proposal would conflict with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and with Saved Policies C28 and C30 of the Cherwell Local Plan 1996. These policies seek (amongst other things) to ensure that the design of new development is of high quality; is sympathetic to the character of the local area; and that extensions to dwellings are compatible with the scale of the dwelling and the character of the streetscene. I consider these to be consistent with paragraph 130 of the National Planning Policy Framework 2021 (The Framework).

6. The appellant has referred to other extensions in the locality, which I viewed at my site visit. However, I am not persuaded that they are comparable. Whilst the extension at number 30 Shearwater Drive is similar to the appeal proposal, that property is located on a private drive and it does not appear unduly prominent in the streetscene. The property at number 8 Shearwater Drive is a different design, whilst the first-floor extensions at numbers 39 and its neighbouring property are set-back from the front walls of the dwellings. Number 36 has also been extended, but it is positioned on a corner plot and its impact on the streetscene is not comparable to the appeal property.
7. The appeal property is situated on a section of Shearwater Drive where there is a general consistency to the building line. The proposed extension would project out in front of the main part of the dwelling and it would also project in front of the neighbouring dwellings. I consider that it would appear unduly prominent and incongruous in the streetscene. Accordingly, it would conflict with the provisions of the Development Plan and The Framework, as referred to in paragraph 5 above.

Conclusion

8. For the reasons given above, it is concluded that the appeal be dismissed.

Ian McHugh

INSPECTOR