

Appeal Decision

Site visit made on 9 May 2024

by G Powys Jones MSc FRTPI

an Inspector appointed by the Secretary of State

Decision date: 17.05.2024

Appeal Ref: APP/C3105/D/24/3338320

1 Stevenson Close, Bicester, OX26 2YJ

- 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 David McGarrity against the decision of Cherwell District Council.
 - The application Ref 23/02437/F, dated 3 September 2023, was refused by notice dated 17 November 2023.
 - The development proposed is the construction of a pitched roof entrance porch to front elevation. Removal of rear uPVC conservatory and construction of single storey extension.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of a pitched roof entrance porch to front elevation; removal of rear uPVC conservatory and construction of single storey extension at 1 Stevenson Close, Bicester, OX26 2YJ in accordance with the terms of the application, Ref 23/02437/F, dated 3 September 2023, subject to the conditions set out in the attached Schedule.

Preliminary matters

2. Since it is more succinct and accurate the description of the proposed development is taken from the Council's decision letter rather than from the original application form.
3. For the reasons set out in the officer report, the Council has no objection to the proposals at the rear of the appeal property. I have no reason to disagree with the Council's assessment on these matters.

Main issue

4. The main issue is effect of the proposed porch on the character and appearance of the host property and its surroundings.

Reasons

5. The appeal property, a detached bungalow, stands in a secluded cul-de-sac along with 3 other bungalows of a similar design. Several neighbouring streets within the substantial residential estate within which the appeal property is set are also characterized by bungalow development.
6. The proposed front porch would be larger than that allowable under permitted rights for the reasons explained by the appellant. However, those rights

remain available and comprise the appellant's fall-back position, to which I attach due weight.

7. Judging from the officer report the principle of a porch is acceptable but its design should reflect advice contained in the Council's Guidance¹. In view of its design and size, the Council considers that the proposed porch would appear prominent and incongruous, particularly since none of the other bungalows in the cul-de-sac display a front porch.
8. I do not share the Council's view. The porch's size is not, to my mind, of an excessive size, being proportionate to the scale of the host property. The proposed design, which incorporates a pitched roof complementary to the bungalow is also acceptable. The porch would neither be prominent or incongruous. In this respect, a fence enclosing the garden of the adjacent No 11 Buchan Road would effectively screen the porch when entering the cul-de-sac. The porch would only be seen at the head of the cul-de-sac and would appear entirely acceptable within its limited visual context.
9. Moreover, I saw several examples of front porches of different designs in far more prominent positions in adjoining streets. Moreover, as the appellant points out, this includes one in an adjacent cul-de-sac, Kipling Close, of a not dissimilar design to that proposed now. This was granted planning permission a few years after the adoption of the Council's Guidance referred to earlier.
10. I therefore conclude that the development is well designed for its purpose and would not harm the character and appearance of the host property or its surroundings. Accordingly, no conflict arises with those provisions of policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 or saved policy C30 of the Cherwell Local Plan 1996 directed to achieving good quality design in residential development.

Conditions

11. I shall impose the Council's suggested condition in respect of external materials, in the interests of visual amenity. I note, however, the intention to render the front elevation, which means that the brick-built porch would, not unacceptably, contrast with the background material. It is also necessary, in the interests of certainty, that the development shall be carried out in accordance with the approved plans.

Other matters

12. The reference to other development plan policies has been noted, but those to which I have referred are considered the most appropriate in the context of this appeal.
13. All other matters raised in the representations have been taken into consideration, but no other matter raised is of such strength or significance as to outweigh the factors that led me to my conclusion on the main issue.

G Powys Jones

INSPECTOR

¹ Home Extensions and Alterations Design Guide 2007

Schedule of Conditions

1. The development hereby permitted shall begin not later than three years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: Ref Nos. 2023-010-000; -001; -005; -006; -007; -020; -025; -026; -027; -028 & -050.
3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing dwelling.