



Appeal Decision

Site visit made on 4 November 2024

by Juliet Rogers BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th November 2024

Appeal Ref: APP/D3125/D/24/3340967

4 Manor Farm Cottages, Upper End, Burford, Oxon OX18 4BX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Philip Hall against the decision of West Oxfordshire District Council.
 - The application Ref is 23/03203/HHD.
 - The development proposed is the erection of a two-storey side and a single-storey extension along with the extension of an existing outbuilding with storage and a home office area.
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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 area.

Reasons

3. The appeal site comprises a compact semi-detached cottage. Whilst not listed, as a non-designated heritage asset nor located within a Conservation Area, the siting of the cottage reflects the irregular, tight-knit and organic pattern of development evident across Fulbrook. Similarly, it uses a limited palette of materials and incorporates similar window sizes, steeply pitched slate roofscapes and low eaves commonplace in the surrounding area. These combine to create a harmonious character across Fulbrook, despite the individuality of each building.
4. The proposed extension to the cottage would replace the existing flat-roofed single-storey conservatory located to the side of the property with a two-storey addition and a single-storey glazed day room. Its footprint would be substantial in comparison with the existing cottage, despite the reduction in footprint from a previously refused scheme¹. The overall width of the cottage would also be increased by a significant amount which, irrespective of the marginally lower ridgeline of the two-storey addition, would dominate the diminutive appearance of the existing dwelling.
5. Although there is no fixed rule regarding the size of an extension, the West Oxfordshire Design Guide 2016 (the Design Guide) states that any addition should remain clearly secondary and subservient to the original property. Such

¹ Council ref: 23/01793/FUL

subservience should be usually evident in terms of its footprint, height and volume. While some flexibility in the guidance is apparent and the Design Guide recognises that every property is different in this regard, nonetheless its aims to avoid the primacy of the original property being eroded or lost altogether. The Design Guide also discourages development which would double the volume of the existing dwelling. However, even with an increase in volume which is numerically below this amount, the Design Guide does not imply that an increase in volume up to double would be acceptable in every circumstance.

6. As identified above, the scale and massing of the proposed extension as a whole are such that it would not be clearly secondary or subservient to the existing cottage, irrespective of the use of simple forms or detailing which reflects the host dwelling. Consequently, the cottage would not remain recognisable visually and in plan form, and the primacy of the original dwelling would be eroded. This would be detrimental to the character and appearance of the cottage and its surrounds.
7. Even if I were to conclude that the cottage's garden area is of a size capable of accommodating the proposed footprint increase, or that the siting of the proposed extension continues the linear character of built form, this does not alter my conclusions on its overpowering relationship to the existing cottage. Similarly, the fact that limited views of the proposed development from public spaces exist or that it would not be prominent in the street scene does not make the development acceptable.
8. Whilst the junction between the catslide roof and the addition would have an awkward appearance, no changes are proposed to this existing feature. This aspect of the appeal scheme does not, therefore, harm the character and appearance of the existing cottage when considered in isolation. Similarly, as the proposed office and storage building is located on the footprint of the former outbuilding and is limited to a single-storey height, it would have a functional character and appearance which is ancillary to the existing cottage. It would not, therefore, be detrimental to the character and appearance of the surrounding area.
9. In considering the proposed development, as the appeal site is located within the Cotswolds National Landscape (CNL), I have had regard to the Framework's requirement for great weight to be given to conserving and enhancing the landscape and scenic beauty of the area. Further, as a National Landscape, the CNL has the highest status of protection concerning these issues, reflecting its statutory purpose.
10. Although the proposed development would be a substantial addition to the existing cottage, it would not extend beyond the existing boundaries of the property's garden area which are clearly defined by landscape features. It would not protrude into the wider, open countryside. When experienced from the wider CNL, the use of matching materials and the presence of roofscapes nearby would ensure the proposed development merges into the existing built-form backdrop. The landscape and scenic beauty of the area would, therefore, be conserved.

11. Notwithstanding the limited detail before me regarding the development permitted in the case studies provided, Case Study 1² comprises a two-storey extension which is, based on the perspective images provided, of a substantial scale in comparison to the host dwelling. However, the existing property in this case comprises an L-shaped footprint with a simpler roofscape form than the appeal cottage. Through the use of a similar roofscape and proportions as one part of the L-shape, the siting and scale of the extension do not dominate or overpower the existing dwelling. This contrasts with the scheme before me.
12. With respect to Case Study 2, the development permitted relates to several planning applications for various extensions³. Of these, all bar one was approved before the adoption of the Local Plan and the Design Guide. Therefore, the planning regime and guidance in place at the time these planning applications were determined differs from those relevant today. As such, the circumstances of Case Study 2 are materially different from those before me.
13. I conclude that the proposed development would harm the character and appearance of the host dwelling, contrary to policies OS2, OS4 and H6 of the West Oxfordshire Local Plan 2031 (the Local Plan). These policies, in combination, require development to achieve a high quality of design through respecting the intrinsic historical and architectural character of the area, including the host property, amongst other provisions.

Other Matters

14. My attention has been drawn to Fulbrook Manor, a Grade II listed building located near the appeal site. As a result, I am required by Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) to have special regard for the desirability of preserving its setting. Orientated towards the narrow lane named Upper End, the setting of Fulbrook Manor to the front of the building is partially defined by the substantial manicured hedge which bounds an area of parking on the other side of the lane, together with the carriageway itself. The location and size of this hedge, combined with the distance between the listed building and the appeal site, prevents the two properties from having a physical or visual connection. Consequently, I conclude that the proposed development would preserve the setting of the listed building.
15. Whilst economic benefits would be derived from the construction of the proposed development, this would be short-lived given its size. Similarly, the environmental benefits from the use of photovoltaic panels would be small. I give these benefits limited weight as a result.
16. There would be significant benefits for the appellant and his family through the provision of additional accommodation which allows for a growing family and modern living. However, as these would be personal, rather than public, benefits they attract limited weight in my decision.
17. Even if I were to conclude that the siting of the proposed extension protects the living conditions of neighbouring occupiers, this would not weigh in favour of the development.

² Council ref: 19/01163/HHD, dated 20 June 2019

³ Council refs: W90/1739, dated 12 December 1990; 11/0782/P/FP, dated 21 July 2011; 12/0895/P/FP, dated 16 July 2012; and 17/01393/HHD, dated 21 June 2017

Conclusion

18. The proposed development conflicts with the development plan when taken as a whole and there are no material considerations, either individually or in combination, which indicate that a decision should be made other than in accordance with it. Therefore, I conclude that the appeal should be dismissed.

Juliet Rogers

INSPECTOR