



Appeal Decision

Site visit made on 23 October 2024

by A. J. Boughton MA (IPSD) Dip.Arch. Dip.(Conservation) RIBA MRTPI
an Inspector appointed by the Secretary of State

Decision date: 28 November 2024

Appeal Ref: APP/C3105/W/24/3347192

1 St. Peters Crescent Bicester Oxfordshire OX26 4XA

- 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 & Mrs K Massey against the decision of Cherwell District Council.
 - The application Ref is 24/00542/F.
 - The development proposed is detached two storey dwelling and two number car spaces.
-

Decision

1. The appeal is allowed and planning permission is granted for detached two storey dwelling and two number car spaces at 1 St. Peters Crescent Bicester Oxfordshire OX26 4XA in accordance with the terms of the application, Ref 24/00542/F, and the plans submitted with it, 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 shall be carried out in accordance with the following approved plan: PL55/2024/01A (Proposed Floor Plans, Elevations, Existing & Proposed Site Plans).
 - 3) Materials employed in the construction of the external walls and roof of the development hereby approved shall match those found in 1 St Peters Crescent.
 - 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development permitted by virtue of Classes A,B,C, or E of Part 1 of Schedule 2 to the Order shall be undertaken.
 - 5) Prior to the first occupation of the development hereby approved. The parking/manoeuvring areas shall be provided in accordance with the plan approved and shall be surfaced with permeable materials such that no surface water discharges onto the pavement/highway. Thereafter, the parking and manoeuvring area shall be retained in accordance with this condition and used only for the positioning of vehicles.
 - 6) Prior to the first occupation of the development hereby permitted, covered cycle parking facilities shall be provided in accordance with details which shall have first been submitted to and approved in writing

by the Local Planning Authority. Thereafter, the covered cycle parking facilities shall be retained for the life of the development.

- 7) Prior to the first occupation of the development hereby approved, a method statement for enhancing biodiversity within the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the biodiversity enhancement measures shall be carried out and retained in accordance with the approved details.

Main Issue

2. The Main Issue is the effect of the proposed development upon the character and appearance of the area.

Reasons

3. The appeal site (No.1) currently comprises a side garden within the wide corner plot of 1 St.Peters Crescent at its junction with Churchill Road. This is found within an extensive area of suburban housing of detached and semi-detached houses¹ dating from the later decades of the twentieth century. The Council express concern that the insertion of a dwelling in the location proposed would present a cramped form of development at odds with the spacious character of the area and (its) density. Whilst this would tend to suggest a degree of consistency of design and layout in the locality, that does not accord with my observations.
4. Churchill Road is a local distributor road that is populated on its south side by pairs of two-storey dwellings of a ubiquitous 1960's or 1970's typography with projecting flank walls that in differing circumstances capture a variety of treatments of the principal elevation such as tile or board cladding but in this case, a contrasting brick. The use of materials, however, is not consistent and differs on each side of Churchill Road, as do the way development is laid out, with limited foregardens on the south side directly abutting a path and road surface contrasting with the wide verge and spacious layout found on the northern side where it flanks No.2 St.Peters Crescent and extends to the east, with houses set well back. The situation is again different on the western corner of that junction where the appeal site extends to the back of pavement, verge absent, enclosed by a low fence. Consequently what is proposed would not be obtrusively different and the site boundary would align with that of a large detached dwelling to the west² which sits at the corner with Buckingham Road, presenting a flank and stone boundary wall to Churchill Road.
5. What is proposed would therefore extend the line of development along St Peters Crescent close to the perimeter boundary with Churchill Road. The proposal would provide visual closure of the length of wide verge I have mentioned before, whilst retaining a similar degree of separation to that found at the flank boundary of No.2 St Peters Crescent and 'round off' the plot of the house at its rear³ which fronts Buckingham Road and aligns with the enclosing side boundary to the appeal site. Consequently, notwithstanding that the proposal would be a single aspect dwelling with modest amenity space, the dwelling would be well related to the development pattern surrounding. The development would introduce a change which would be significant in the

¹ There are some single-storey dwellings

² Believed to be No.238 Buckingham Road

³ Believed to be No.238 Buckingham Road

immediate locality but, having regard to how built form would relate to respective boundaries, it would not be visually intrusive in the overall street scene.

6. I have noted the Council's comments in relation to the evidence submitted by the appellant however, for the reasons given, I conclude the proposal would not harmfully detract from the character and appearance of the area if the materials employed in the construction of the house and its surroundings are appropriate. This can be ensured by condition. I therefore conclude there would be little conflict with policies C28 and C30 of the Cherwell Local Plan (1996) or with ESD15 of the Cherwell Local Plan 2011-2031 Part 1 (2015) which, taken together, seek to protect the character of the district through high quality urban design.
7. Having regard to all matters raised, the appeal succeeds subject to the usual plans and timing conditions. The configuration of the site and its amenity areas provided, together with the need to preserve visual amenity and neighbouring privacy are such that any additions to built form or additional doors or windows should be subject to express consent and I have included a condition accordingly. The Council have suggested other conditions which I have considered and adjusted, where necessary, to meet the tests of compliance set out in the NPPF.

Andrew Boughton

INSPECTOR