
Appeal Decision

Site visit made on 14 January 2025

by **E Worley BA (Hons) Dip EP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 5 February 2025

Appeal Ref: APP/Q3115/D/24/3346421

3 Kit Lane, Checkendon, Oxfordshire RG8 0TY

- 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 Duncan Holloway against the decision of South Oxfordshire District Council.
 - The application Ref is P24/S0456/HH.
 - The development proposed is a cantilever carport to the front of the property.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have used the Council's description of development as set out on the Decision Notice in the banner heading above. This is more concise than that used by the appellant on the application form, and I note that the revised description has been used on the appellant's appeal submissions. However, I have deleted the word retrospective as it is not an act of development.
3. The car port has already been constructed; however, the structure comprises materials that differ from those shown on the plans submitted as part of the planning application and specified on the application form. The appeal process should not be used to evolve a scheme in the interests of not prejudicing the ability of main or other parties to make comment. Given that the Council and interested parties have not had the opportunity to comment on the revised proposals, an injustice would occur should I determine the appeal on the basis of the amended scheme. I must therefore consider the proposal as submitted, having regard to the plans on which the Council made its decision.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the host dwelling and the surrounding area, including the scenic beauty of the Chilterns National Landscape.

Reasons

5. The appeal property is a semi-detached dwelling of traditional appearance and design, positioned in a short row of similar properties. The site is in an area of open countryside, within the Chilterns National Landscape (NL). The dwellings are set back from the highway with trees, shrubs, and areas of hardstanding for the parking of vehicles between the front of the dwellings and the highway. Timber fences and intermittent planting denote the front boundaries of the properties. The

mature trees, woodland, hedgerows and agricultural land in the surrounding area contribute to the verdant rural character of the area.

6. The proposed car port structure comprises a curved polycarbonate cantilevered canopy attached to 2 metal supports 2 metres in height. It would be sited on an area of hardstanding to the front of the dwelling, behind the layby adjacent to the front boundary of the site. The proposed car port would be visible from the highway by virtue of its siting to the front of the dwelling, where it would represent a visible encroachment into the existing undeveloped area to the front of the property.
7. However, the structure would be relatively modest in size and subservient in height and scale to the host building. Furthermore, it would cover only part of the area of hardstanding, with the remainder being open. In addition, the simple, slender form, and open sided design, with a transparent roof, would allow views through the structure and somewhat moderate the visual impact of the car port. The presence of nearby trees and intervening soft landscaping, as well as cars parked in the layby immediately to the front of the site, would further temper its prominence. Therefore, the structure would not dominate the site frontage.
8. Notwithstanding the above considerations, the proposed materials, particularly the dark grey metal frame of the structure, despite being recessive in colour, would give the car port a stark, contemporary appearance which would be at odds with the traditional design and appearance of the host dwelling. Moreover, it would be an alien and unorthodox structure in the rural setting. Consequently, the proposal would be an anomalous addition which would detract from the character and appearance of the property and would harm the rural character and appearance of the area due to its distinctly modern appearance.
9. Reference has been made to residential properties in the surrounding villages that have windows and doors of a similar colour to the proposed carport, and the use of metal elsewhere, including windows, gates and fences. However, given that these situations would not be comparable to the appeal proposal, I have given them limited weight. My attention has also been drawn to several examples of garages sited to the front of residential properties in the district. However, I do not have full details in respect of such works so I cannot be sure of the circumstances of these cases. In any event, I have considered this appeal on its own merits in light of the evidence before me.
10. The National Planning Policy Framework (the Framework) sets out that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and National Landscapes which have the highest status of protection in relation to these issues. Due to the mature planting on land opposite the site, it is not visually prominent in the wider landscape. Moreover, the proposed carport would be modest in scale and have a close relationship to the existing dwelling and the residential properties in the row that extend beyond the main built-up part of the village. Given that the proposal would be viewed in the context of these nearby residential properties, there would be no harm to the visual qualities and essential characteristics of the NL in terms of its landscape and scenic beauty.
11. In conclusion, while the proposal would conserve and enhance the landscape and scenic beauty of the NL, in accordance with Policy ENV1 of the South Oxfordshire

Local Plan 2011-2035, adopted December 2020 (LP), the proposed car port would not be appropriate in terms of appearance, in particular materials, and as such would be harmful to the character and appearance of the host property and the surrounding local area. In that regard, it would fail to accord with the combined aims of Policies STRAT1, DES1 and DES2 of the LP, which among other things, seek development of a high quality design that respects local character and protects the countryside.

Other Matters

12. I acknowledge the benefits offered by the proposal in terms of the protection of parked cars from damage resulting from falling debris from the mature oak tree on the adjoining land and the potential to accommodate an electric charging point within the structure. However, this does not mean that the car port as proposed is an acceptable solution, nor has it been demonstrated that the appeal proposal is the only means to address this matter or that a charging point located elsewhere on the site would be inherently harmful. Furthermore, the purported benefits of the longevity and low maintenance nature of the materials to be used, would not overcome the harm I have identified.
13. The absence of harm in relation to the living conditions of the occupiers of the host dwelling and neighbouring properties, is a normal expectation of new development and does not render the scheme acceptable, nor do the comments from interested parties in support of the proposal.

Conclusion

14. The proposed development would conflict with the development plan as a whole. Material considerations have not been shown to carry sufficient weight to indicate that a decision should be taken otherwise than in accordance with it. The appeal should, therefore, be dismissed.

E Worley

INSPECTOR