



Appeal Decision

Site visit made on 21 January 2025 by E Street BSc (Hons) MSc

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 March 2025

Appeal Ref: APP/C3105/D/24/3354196

4 The Glades, Launton, Oxfordshire OX26 5ED

- 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 Monika Smilek against the decision of Cherwell District Council.
 - The application Ref is 24/00912/F.
 - The development proposed is described as “erection of a garden building in front of the dwelling with a sliding door and composite decking on the front and a high-level vent window on a right side elevation. The one-room insulated building will measure 3.8 width, 3 m depth, and 2.5 m at the highest point.”
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Decision

1. The appeal is dismissed.

Appeal Procedure & Preliminary Matter

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal. In addition, A revised National Planning Policy Framework (the Framework) was published between the determination of the planning application and this appeal. The substantive parts of the new version do not however differ from the previous insofar as they relate to the main issues. The cases of the main parties will not therefore be prejudiced by my reference to the new version. I have proceeded on this basis.

Main Issues

3. The main issues are the effect of the proposal on a) the character and appearance of the area; and b) the living conditions of the occupiers of Number 6 The Glades (No 6) with particular regard to outlook.

Reasons for the Recommendation

Character and Appearance

4. The appeal site is a mid-terraced bungalow whereby the proposal is to be sited forward of the front elevation of the existing property in an open parcel of shared garden. The front gardens to the properties are pleasant and consistent in their uncluttered features with well-established planting. Any ancillary buildings viewed are either purpose-built garages or to the rear of the property and are a part of the established design of the residential area. This combination of features lend a pleasant structure and consistency to the character and appearance of the area.

5. As an outbuilding, the proposal would be to the front of its host, in a place contrary to the established structure of the estate. Whilst such buildings, their respective uses and external treatment are not uncommon, in this position, these would appear incongruous and unacceptably disrupt the consistency of the area. The harm this would cause to the character and appearance of the area would be exacerbated by the land take of the building and the fact that its visual obviousness would be reduced by its position effectively behind neighbours' extensions would not be sufficient to make it acceptable given it would be highly noticeable to the occupiers and users of neighbouring gardens and frontages.
6. With this and the above in mind, the appeal scheme would cause unacceptable harm to the character and appearance of the area. It would therefore conflict with Policy ESD15 of the Cherwell Local Plan Part 1 2015 (LPP1), Policies C28 and C30 of the Cherwell Local Plan 1996 (LP) and the Framework which together seek to ensure that development proposals are of a high-quality design and standard.

Living Conditions

7. The appeal proposal would be separated from the neighbouring property and due to its scale, siting and material choice would be obvious to the occupiers. Occupiers of No 6 would have views of the building however the proposed separation distance means that the full effect would not be felt. In addition, the current views are generally consistent with their portion of the front garden and the existing boundary treatments. It would inevitably result in a marginal change in the views; however, the general outlook would remain consistent. Moreover, the front windows to No 6 would remain unincumbered and retain an otherwise open aspect.
8. The appeal scheme would not therefore harmfully affect the outlook of the occupiers of No 6. Resultantly, this element of the appeal would comply with Policy ESD15 of the LPP1, Policy C30 of the LP and the Framework which, amongst other things, seek to ensure that living conditions of the occupiers of properties are protected.

Other Matters

9. The appellant has given suggestions of alternative colours or other schemes; however, the appeal process is not a suitable mechanism for the alteration of schemes and is to be done as part of the planning application process. In any case, this would not address the scale and siting of the proposal.

Conclusion and Recommendation

10. The proposed development would not comply with the development plan, specifically in regard to the first main issue. I have found in favour of the appellant on the second, but this would be a lack of harm and thus neutral in any balance. I have been given no compelling reason, taking into account other material considerations advanced, to deviate from the development plan. I therefore recommend that the appeal should be dismissed.

E Street

APPEAL PLANNING OFFICER

Inspector's Decision

11. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

John Morrison

INSPECTOR