



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: 06 March 2025

Appeal Ref: APP/C3105/D/24/3355603

60 Corncrake Way, Bicester, OX26 6UE

- 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 L James against the decision of Cherwell District Council.
 - The application Ref is 24/01810/F.
 - The development proposed is a two storey rear extension with associated internal and external works.
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Decision

1. The appeal is dismissed.

Appeal Procedure

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.

Preliminary Matters

3. 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

4. The main issues are the effect of the proposal on a) the living conditions of the occupiers of Number 62 Corncrake Way (No 62) with particular regard to outlook and light; and b) the character and appearance of the area.

Reasons for the Recommendation

Living Conditions

5. The appeal proposal is to abut the boundary of No 62 with a very minimal gap between it and the boundary treatment. There is some dispute on the plans surrounding the rear projection of No 62. As viewed during the site visit there is an existing awning which is open on all sides with a clear roof. This area has decking and is used for outdoor seating.
6. The appeal proposal would appear as a blank brick wall which would be an oppressive façade looming over the garden space. The soace immediately adjacent to the property including the seating area would experience poor outlook

and light due to its positioning and substantial height. There would also be some loss of outlook and light to both the ground and first floor, albeit more emphasised to the ground due to the overall height of the proposal and use of the corresponding rooms. Whereby the window adjacent to the proposal on the first floor appears to be smaller and obscurely glazed to which it would have a lesser impact. In combination with the existing single storey garage, the projection of the extension would give an emphasised sense of enclosure to the garden of No 62.

7. No 62 projects forward of the front elevation of No 60 resulting in some form of blank 2 storey elevation adjacent to a window and front garden of the property. This forms part of the original planned development and in any event, whilst it would result in some overbearing impact to the window, the resultant front garden is not used in the same way as the rear garden to No 62 and therefore the effect would not equate to being unacceptable.
8. Resultantly, the appeal scheme would cause unacceptable harm to the living conditions of the occupiers of No 62 in regard to outlook and light. It would therefore conflict with Policy ESD15 of the Cherwell Local Plan Part 1 2015 (LPP1), Policies C30 of the Cherwell Local Plan 1996 (LP), the Cherwell District Council Home Extensions and Alterations Design Guide 2007 and the Framework which, amongst other things, seek to ensure that living conditions of the occupiers of properties are protected.

Character and Appearance

9. The appeal site is a semi-detached dwelling which is at an angle with the neighbouring No 62. The only previous planning history was for the single storey conservatory. Primarily the surrounding buildings are two storeys in height and are of a semi-detached or terraced nature with complementary materials. Examples of extended features are well shielded and do not detract from the overall planned development. The features mentioned contribute to the pleasant, planned nature of the housing development and have a positive influence on its character and appearance.
10. The proposal would not be seen as attempting to visually compete with the original house by virtue of the footprint being clearly smaller and the overall subservient design in terms of stepped down height and width. The effect of it would be limited due to the rear siting and would not be seen as an incongruous form of development. Whilst it would be a larger extension in the context of this plot; it would still leave an acceptable rear garden. The appeal proposal would be marginally viewed by the public realm due to the footpath and the proximity of the proposal to the boundary, however, it would clearly be read as a subordinate and sympathetic addition therefrom.
11. With this and the above in mind, this element of the appeal scheme would not cause harm to the character and appearance of the area. It would therefore comply with Policy ESD15 of the LPP1, Policies C28 and C30 of the LP and the Framework which together seek to ensure that development proposals are of a high-quality design and standard.

Other Matter

12. Any perceived inconsistency in the Council's decision making would be for them to make a comment on and not for me to resolve in this appeal which is concerned with the planning merits of the proposed development.

Conclusion and Recommendation

13. The proposed development would not comply with the development plan, specifically in regard to the first main issue. I have found in the appellant's favour 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

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

John Morrison

INSPECTOR