



Appeal Decision

Site visit made on 21 January 2025 by M Long BA (Hons) MSc MRTPI

Decision by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st April 2025

Appeal Ref: APP/D3125/D/24/3355696

**Pillar Box Cottage, Road through Lew A4095, Lew, Bampton, Oxfordshire
OX18 2AZ**

- 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 and Mrs David and Isobel Miller against the decision of West Oxfordshire District Council.
 - The application Ref is 24/02201/HHD.
 - The development proposed is an annex in rear garden.
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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.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons for the Recommendation

4. Pillar Box Cottage is a detached dwelling which sits within a generous plot in a rural location. The property includes a pitched-roof outbuilding, which is situated in close proximity to the house, as well as smaller sheds and a greenhouse which are located further from the house. There is a formalised garden area close to the dwelling with tall hedges that separate it from a large, open grassed area beyond. Mature vegetation along the front boundary limits public views into the site from the road. Even so, the site's verdant and prevailing open character reflect the sparse development pattern at this location, which complements the intrinsic character of the surrounding countryside. Next to the site is the grade II listed Holy Trinity Church which is set in its own plot bounded by mature vegetation.
5. The proposed development was submitted as a 'Householder Application' and the appeal statement sets out that the proposal would not be a separate dwelling but an ancillary building capable of housing dependent persons. As such, I have considered the proposal on the basis of what has been applied for, that being an annex.

6. Even so, given its substantial form, large footprint and its design incorporating several windows, a front door and a chimney, the annex would have the appearance of a dwelling and not of an ancillary building. This would be further accentuated by its position set well away from, and to the rear of, Pillar Box Cottage, as well as the proposed hedging that would suggest its own plot boundaries and private amenity space. Its location in the open grassed area, beyond the existing formalised garden and hedging, would add further visual ambiguity regarding its relationship with Pillar Box Cottage.
7. Through either their proximity to the house or modest form, the existing outbuildings at the site are visually subservient and overtly incidental buildings. In contrast, for the reasons above, the proposal would not respond appropriately to the existing dwelling or the area's sparse development pattern, detracting from the area's overriding open and rural character.
8. The materials proposed and the indication that the development would be slightly set down from existing ground levels would not overcome my overall design and layout concerns. While public views of the proposal would be limited, and I am not aware of any formal planning designations at the site, I do not consider that these factors obviate the need to achieve good design that responds well to its context.
9. The large size of the proposal may provide living space that meets the minimum standards for new dwellings established by the local planning authorities and national professional bodies that have been identified by the appellants. However, this is not pertinent to the character and appearance considerations for an annex.
10. The appellant suggests that a similarly sized outbuilding, or several outbuildings, could be erected at the site using permitted development rights. However, I have no precise details of any such buildings, particularly in terms of an outbuilding that could be erected under permitted development that would be of a comparable character and appearance to the proposal. In addition, there is also no formal confirmation before me that this could be achieved, for instance a lawful development certificate, particularly given the Council's land use concerns. As such, I do not consider there is a convincing fallback position that would justify allowing the appeal development, which for the reasons set out would be harmful to the character and appearance of the area.
11. I have been made aware of other large outbuildings, including two-storey annexes which the appellant contends were in a more open setting than the appeal site and were consented by the Council. No detailed information in respect of those particular developments is before me, and I cannot be certain of the planning context in which they may have received consent. In any case, they do not overcome my site-specific concerns with regard to the design and siting of the appeal proposal.
12. I conclude that the proposed development would result in harm to the character and appearance of the area. As such, it would be contrary to the West Oxfordshire Local Plan 2031 (2018). In particular, Policy OS4 (High quality design) and Policy OS2 (Locating development in the right places) which together require that development is of a high quality design which respects, and forms a logical complement to the existing scale and pattern of development and the character of the area, as well as Policy EH2 (Landscape character) which sets out new development should conserve the intrinsic character of the local landscape. There

would be additional conflict with the Framework which seeks to ensure that developments are sympathetic to local character.

Other Matters

13. The grade II listed Holy Trinity Church in part derives significance from its historic architecture. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard is had to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses.
14. The church is largely appreciated in the immediate setting of its own plot, which is pleasant and bounded by mature vegetation. This setting encloses views of the building and makes a positive contribution to its significance. Given the intervening space and vegetation between the proposal and the church, the listed building's setting and the ability to appreciate its features of special architectural and historic interest would be preserved. Nevertheless, the lack of harm identified in this regard, does not overcome my concerns under the main issue.
15. The proposal has the potential to offer some biodiversity improvements, however from the evidence before me, these would have modest benefits that would not justify the harm identified above.
16. The appellants suggest that the occupation of an annex can result in the release of a house elsewhere to the market, which could address a potential local housing shortage. Nevertheless, it is unclear how the proposal, which would not be occupied as a separate dwelling, would be an effective means to achieve this or how it could be ensured that a local housing need would be alleviated. In the Design and Access Statement, it is suggested that two family members may be accommodated in the annex, however I have no substantive details on this matter or its likelihood.
17. Concerns have been raised regarding the Council's lack of suggestions during the application stage. However, these concerns do not relate to the planning merits of the scheme, which must be the focus of my recommendation.

Conclusion and Recommendation

18. The proposal would be contrary to the development plan. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

M Long

APPEAL PLANNING OFFICER

Inspector's Decision

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

M Russell

INSPECTOR