
Appeal Decision

Site visit made on 4 March 2025 by M Long BA (Hons) MSc MRTPI

Decision by F Wilkinson BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd May 2025

Appeal Ref: APP/Q3115/D/24/3350958

5 Esther Carling Lane, Rotherfield Peppard RG9 5PW

- 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 S Bower against the decision of South Oxfordshire District Council.
 - The application Ref is P24/S1731/HH.
 - The development proposed is the conversion of existing garage into ancillary accommodation strictly for the use of the main dwelling house.
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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 Issues

3. The main issues are:
 - whether the proposal would create an independent unit of accommodation; and
 - the effect of the proposal on the character and appearance of the area.

Reasons for the Recommendation

Whether Independent Unit of Accommodation

4. Concerns have been raised by the Council with regard to whether the proposal would constitute a new dwelling. The application form indicates that the proposal would not result in an additional residential unit and the description of development sets out the proposal would provide accommodation that is ancillary to the main house, which is reiterated in the appeal statement. As such, there is no separate dwelling before me. Although detached from the host dwelling, the appeal building would share the same water and electricity supply and would be accessed through its garden. On this basis, I have no compelling reason to reach a view that the building would be used other than for purposes ancillary to the main dwelling. Consequently, I am satisfied that the proposal would not create an independent unit of accommodation.

Character and Appearance

5. Esther Carling Lane is a quiet cul-de-sac comprised of houses of various designs, but which share broad commonalities in terms of their two-storey scales, pitched roofs with gable ends and some external materials. Many houses have garages of a similar distinctive design which includes a single-storey scale with tall, pitched roofs and gable ends, external red bricks and large double doors, often with decorative brick detailing above. In addition to the consistency of these garage designs, there is a clear hierarchy between the larger main houses and their ancillary garages which together provide regularity and order to the street scene.
6. The garage at 5 Esther Carling Lane (No 5) has a design consistent with the other garages, as described above. Due to its central position within the cul-de-sac and tall gable end that faces the lane, it is a relatively prominent feature within the street scene. It is set back from the highway by a large, open area for parking and there is a driveway next to it, which together allow for clear views of its front and side for those entering Esther Carling Lane.
7. The loss of the double garage doors and the insertion of two large windows in their place, as well as adding two smaller windows and a roof light to the side elevation visible from the street, would result in a building with a noticeably more domestic appearance that would indicate its habitable use. Even though these changes would not significantly alter the built form of the building, they would, nonetheless, reduce its visual connections to its original garage use and the consistency shared with other garages of a similar design in this locality.
8. At the same time, because the building would generally retain the same form and scale of a garage, it would not be comparable to the surrounding residential houses. It would not have a front door or garden to address the street, but rather would be set behind a driveway that is likely to accommodate parked vehicles. It would, therefore, have an ambiguous visual appearance that would be at odds with the clear hierarchy between the main houses and their garages that characterise Esther Carling Lane. Appearing instead as neither, the proposal would be an incongruous feature which, owing to its prominent position, would harmfully detract from the consistency and order of the streetscene.
9. It has been suggested that, under permitted development rights, the garage doors could potentially be removed and replaced with windows and also that the window openings proposed in the side elevation could be created. However, I have no further details relating to this possibility or formal confirmation that this could be achieved, for instance a lawful development certificate. As such, I do not consider this is a convincing fallback position that would justify allowing the appeal.
10. I conclude that the proposal would result in harm to the character and appearance of the area. As such, it would be contrary to the South Oxfordshire Local Plan 2011-2035 (2020), specifically: Policy DES1 (Delivering High Quality Development) which seeks all new development to be of a high quality design that respects the local context; and, Policy DES2 (Enhancing Local Character) which sets out all new development must be designed to reflect the positive features that make up the character of the local area and should both physically and visually enhance and complement the surroundings. There would be additional conflict with the National Planning Policy Framework (the Framework) which seeks to ensure that developments are sympathetic to local character.

11. The appellant suggests the identified development plan policies are not relevant to assessing the creation of the annex accommodation. However, the policies I have concluded against relate to all new development and include provisions which are integral to the assessment of the effect on character and appearance.

Other Matters

12. The proposal is within the Chilterns National Landscape, however this has not been raised as a contentious matter. Given the relatively small-scale nature of the proposal and its location amongst surrounding residential buildings, it would conserve the landscape and scenic beauty of the National Landscape. Nevertheless, this does not mitigate the harm identified to the character and appearance of the area.
13. The proposal would have social benefits in its support for generational family living and meeting the needs of existing and future occupants. There may also be some short-term economic benefits for local builders and tradespeople which together would go towards meeting sustainable development objectives set out in the Framework. However, with no evidence to the contrary, I consider that the social and economic benefits relating to a single household and modest scheme would be limited and would not mitigate the identified harm. The lack of concerns raised in regard to waste, pollution and biodiversity also do not justify the identified harm.
14. Regardless of the initial recommendation by the Council's Planning Officer to allow the scheme, I must have regard to the final decision of the Council, which was to refuse planning permission. For the reasons set out above, I have also found there would be overriding harm.

Conclusion and Recommendation

15. 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

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

F Wilkinson

INSPECTOR