
Appeal Decisions

Site visit made on 8 December 2025

by **E Catcheside BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 29 January 2026

Appeal A Ref: APP/W2845/W/25/3358609

**Carpenters Cottage, 35 Banbury Road, Chacombe, West Northamptonshire
OX17 2JN**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Williams against West Northamptonshire Council.
 - The application reference is 2024/1009/FUL.
 - The development proposed is:
 - Correct positions shown for the rooflight.
 - The rear dormers being hipped rather than gabled.
 - The eaves/verge correctly drawn on the end of the east elevation.
 - Recording where plaster/plasterboard is located and where any removal has occurred.
 - Recording where ground floor materials have been taken up and stored.
 - Alteration of door position in garden room
 - Alteration to opening between kitchen and breakfast area.
 - Glasshouse on east elevation
 - Bathroom and ensuite to second floor.
-

Appeal B Ref: APP/W2845/Y/25/3358608

**Carpenters Cottage, 35 Banbury Road, Chacombe, West Northamptonshire
OX17 2JN**

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for listed building consent.
 - The appeal is made by Mr Williams against West Northamptonshire Council.
 - The application reference is 2024/0180/LBC.
 - The works proposed are:
 - Correct positions shown for the rooflight.
 - The rear dormers being hipped rather than gabled.
 - The eaves/verge correctly drawn on the end of the east elevation.
 - Recording where plaster/plasterboard is located and where any removal has occurred.
 - Recording where ground floor materials have been taken up and stored.
 - Alteration of door position in garden room
 - Alteration to opening between kitchen and breakfast area.
 - Glasshouse on east elevation
 - Bathroom and ensuite to second floor.
-

Decisions

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Applications for costs

3. Applications for costs were made in respect of both appeals by Mr Darren Williams against West Northamptonshire Council. The applications for costs are the subject of separate decisions.

Background and Preliminary Matters

4. The two appeals relate to the same site and the same scheme but are considered under separate legislative regimes. I have dealt with the appeals together in my reasoning to avoid unnecessary duplication.
5. Throughout this decision, I have referred to the appeal property as Carpenters Cottage to reflect the address in the banner heading. However, for the avoidance of doubt, the property is referred to as “Few Heim” on the statutory list¹ and I have had regard to the list entry in my consideration of the appeals.
6. As the proposal is in a conservation area and relates to a listed building, I have had regard to sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
7. Considerable works and development have previously been permitted at the site by virtue of planning permission reference S/2008/1323/P and listed building consent (LBC) reference S/2008/1322/LB, which is dated 12 November 2008. The permitted works are described on the LBC as: *“Single storey extension with attic to side of the house. Demolition of existing flat roof extension to the rear and the construction of new single storey garden room and sun room extensions to the rear. The removal and replacement of the existing roof covering to the main house with slates, the repair of the existing roof structure and the insertion of one rooflight at the front and three dormer windows at the rear. The rearrangement of the existing ground and first floor layouts including the removal of existing walls the introduction of new walls, steps and staircase. The creation of new window and door openings and replacement of windows. The extension and alteration of existing outbuilding including the creation of new and larger window and door openings, and the replacement of the existing roof covering (amendments to application S/2007/0952/LB)”*.
8. The development granted in 2008 is described in the evidence as: *“One and a half storey side extension, two single storey rear extensions, dormer windows at rear and the alteration and extension of the detached garage and outbuilding at rear (amendments to application S/2007/0951/P)”*.
9. Extensive works have been carried out in connection with the 2008 consents. However, the Council states that conditions on those consents, including pre-commencement conditions, have not been discharged and therefore that the works and the development that have been carried out are unauthorised. It is therefore the Council's position that the whole of the proposal should be reconsidered as part of the appeal scheme and not just the amendments proposed.
10. I have no remit under these appeals to decide whether the 2008 consents remain extant and/or whether any works have been undertaken in breach of a condition of those consents. Should the Council consider that the works and development on

¹ List entry number 1041186

the site are unauthorised, it has the power to take formal enforcement action should it judge it expedient to do so. I have therefore considered the appeals on the basis upon which they were submitted, which is to seek permission for certain works and development that did not form part of the 2008 consents, including the regularisation of some elements that have already been carried out.

11. The description of the works and the development set out in the banner heading is taken from the application forms. However, the appellant states that the list of items for which permission is sought is not exhaustive and should be read in conjunction with the submitted drawings. It is also stated within the submission documents that the applications sought to regularise and respond to matters raised in an enforcement letter issued by the Council on 8 June 2023, which I have seen. Consequently, I consider the scope of the appeals to be significantly wider than the items listed in the descriptions on the application forms.
12. On my site visit, and amongst other things, I observed that a single-storey side extension with attic, two single-storey rear extensions, three dormer windows, and a front rooflight had been erected at the site. However, the works and the development I observed did not completely accord with the details shown on the approved plans for the 2008 consents. For example, there were differences in the size, style, and positioning of some of the doors and windows, including the dormers and the front rooflight; the eaves arrangement on the side elevation did not align with the 2008 plans; and the sunroom had a different design. There were also works and development that are not shown on the permitted plans for the 2008 scheme, including a rear rooflight, a glasshouse, and a covered log store. Each of the external elements I have described are shown on the submitted plans; and I therefore consider that the appeal seeks to regularise these aspects of the external works and the development that have been undertaken.
13. At the time of my site visit, the inside of the building had the character of a construction site; with large areas of the walls, floors, and roof concealed behind building materials and equipment. The condition of the property impeded my ability to assess the condition of the building prior to any works being undertaken and, therefore, I am reliant on the evidence to explain the details of the changes that have already occurred. Nonetheless, I saw that substantial internal works have clearly been undertaken, including alterations to the floors, walls, ceilings, and roof. Part of the rear wall of the old house had also been removed to provide open plan access to the garden room extension. Whilst the 2008 consents allowed for significant alterations to the interior of the building, the evidence suggests that the details and the method of the structural works and the other internal alterations I have described have not previously been approved. Both parties have provided evidence on these aspects of the works; therefore I consider that the appellant seeks to regularise them through the appeals.
14. The submitted plans show other proposed amendments to the 2008 scheme. Whilst not an exhaustive list, these amendments include the relocation of the kitchen from the side extension to the older part of the house; and its replacement with a dining room; a new ensuite in the attic of the older part of the house; and some other alterations to the layout within the side extension. I have taken these amendments to form part of the appeal proposal.
15. I saw on my site visit that a small window has been provided on the front elevation, near to the boundary of the side extension. This window is not shown on the

submitted plans, and it is not referred to in the evidence. Therefore, I do not find it to form part of the appeal proposal, and I have not considered it further.

16. The appeal was submitted due to the failure of the Council to determine the applications within the prescribed periods. The Council has stated that, had it determined the applications, it would have refused permission for the development and the works. The main issue I have identified is based on the totality of the evidence before me, my statutory duties, and the suggested reasons for refusal put forward by the Council.

Main Issue

17. The main issue is whether the proposal would preserve the Grade II listed building now known as Carpenters Cottage or its setting or any features of special architectural or historic interest that it possesses; and whether the character or appearance of the Chacombe Conservation Area (CA) would be preserved or enhanced.

Reasons

Heritage assets, special interest and significance

18. Carpenters Cottage is a Grade II listed vernacular, limestone house dating from the early 18th Century. The historic part of the building has a simple rectangular form, with a wide frontage with central doorway and recessed windows with wooden lintels, and comparatively narrow side walls. Due to the alignment of nearby streets, the building is prominent in public views; and the gables and wide flanking stone stacks can be experienced when approaching the site along Banbury Road.
19. Notwithstanding its length, the side extension has a degree of subservience to the historic part of the building due to its lower eaves and ridge height, which enables the historic form of the building to be understood from the road and nearby parts of the village. However, overall, the 2008 scheme has led to an outward expansion of the building to the side and the rear that has significantly altered the form, proportions, and appearance of this historic building. Nonetheless, the older part of the building remains apparent due to the surviving fabric, which is discernible in public views from the street and in private views from the rear.
20. The simplicity of the historic core of the building extends to its internal layout and structure, with two storeys of living space and an attic, which the evidence suggests has historically been used for storage. Whilst the building has been extended and the layout has been changed, the size and dimensions of the traditional part of the building remain apparent internally, due in part to the surviving walls and the retained fireplace, which indicate the past extents of the house and reveal information about its historic size and layout.
21. Insofar as it is relevant to these appeals, the significance of the building is derived from its age and its architectural and historic interest as a simple, vernacular stone house that evidences 18th Century development in this area. The wider village setting, including Banbury Road, contributes to the special interest of the building by enabling it to be observed and appreciated by passers-by, thus allowing the architecture, materials, and construction methods from the time in which the building was constructed to be experienced and understood.

22. The Chacombe CA encompasses the historic core of the settlement, including the site of a former priory. Insofar as it is relevant to these appeals, the significance of the CA is derived from its rich mix of vernacular buildings, its street layout, and its relationship with the surrounding rural area, which reflect the origins of the settlement and its evolution over time. As a vernacular building on a prominent corner, the appeal site adds to the homogeneity of materials that is distinctive to the historic character of the village as well as its sense of enclosure; and it therefore makes a positive contribution to the significance of the CA as a whole.

Effects of the proposal

23. The siting of the front rooflight lacks vertical alignment with the upper middle window which, when combined with its size and the reflective frame and glass, detracts from the traditional character of the otherwise uninterrupted roof form on this sensitive street facing roof slope. However, there is already vertical misalignment between the front door and the window above it and, given that the 2008 scheme included a rooflight on this front roof slope, I do not find the off-centre position to cause additional harm in and of itself.
24. Whilst the 2008 consents allowed for the implementation of rear dormer windows, the dormers that have been installed are taller, wider, and deeper than those shown on the permitted plans; and they cover a much larger area of this traditionally unbroken roof, projecting further into the rear airspace around the building. Unlike the approved two-light casement design, which would have had a modest and secondary appearance to the opening sizes of the floor below, the dormers lack subservience due to their increased scale. The hipped tops also respond poorly to the pitched roofs and facing gables that feature on most other parts of the building; causing them to have an incongruent appearance that adds to their conspicuity. Furthermore, the additional rear rooflight, with its flatter profile and dark frame, sits disharmoniously alongside the lighter frame colours of the dormer and other windows in the older part of the building, adding to the extent of mismatched features that dominate this rear roof slope. Together, these new elements exacerbate the harm caused to the architectural integrity of the roof that has arisen through the implementation of the 2008 scheme.
25. Although the log store is open-ended, its conjoined roof has the effect of elongating the garden room structure across the boundary between the historic part of the building and the newer side extension. This erodes the otherwise clear distinction between the older and new parts of this building, harmfully undermining the status of the 18th Century element as the building's historic core. Furthermore, the log store adds to the cumulative mass and footprint of the modern extensions and outbuildings on this site, thus exacerbating the harmful outward expansion of the building from its simpler, traditional form. The altered design of the sunroom detracts further from the historic character of the listed building due to its thick wooden frame, which has a heavy-weight appearance that visually competes with the solidity of the stone walls on the main house.
26. The glasshouse stands out in views from the street because of its street facing orientation and its height relative to the boundary wall. Due to the combined effect of its depth, width and height, the glasshouse conceals a large part of the historic side wall of the property including, from my observations, a small, blocked opening with wooden lintel. In cumulation with the other extensions to the house, the glasshouse harmfully limits opportunities to appreciate the stone profile and

architectural details of the historic building that would otherwise reveal information about the building's past. Furthermore, whilst the historic side wall remains largely intact behind the glasshouse, I observed that there has been some damage to the historic fabric due to the direct glasshouse fixings. Whilst minor in nature, this damage is nonetheless harmful to the preservation of the listed building.

27. From my observations, the overhanging eaves on the east elevation are broadly aligned with the details shown on the submitted drawings. However, the plans from the 2008 consents clearly show the eaves ending flush with the top of the walls of the property and they indicate the presence of coping to match that on the west elevation of the building. There are no photographic or other building records before me that provide certainty about the form of the roof on this side of the building prior to the works commencing and, therefore, I cannot be certain that the works have been undertaken in a manner that respects the architectural integrity of the historic roof form. If it is the case that there is an error on the 2008 drawings as the appellant suggests, it is open to the appellant to provide definitive evidence of this to the Council in revised applications. However, I have necessarily considered the appeals based on the information that is before me at this time.
28. The parties' views are not aligned as to whether the window opening above the sunroom reflects the historic size of the opening or if it has been widened. I have not been presented with definitive evidence from either party to corroborate their respective views. However, on my site visit, I did not observe any physical evidence that the opening has been widened as part of the works that have been undertaken; and the 3 light window reflects the design of other first floor windows in both the front and rear elevations of the building. Therefore, in the absence of clear evidence to suggest otherwise, I am satisfied that the window size and design is in-keeping with the traditional fenestration on the house.
29. The other changes to the design of the doors and windows are minor in nature and relate to the openings on the modern extensions. However, the finish of the newer doors and window frames contrasts with that of the windows on the older part of the building, which gives the building an incohesive appearance. The finish and the colour of the doors and windows is a matter that could feasibly be agreed via a condition if the appeals were allowed. Subject to such a condition, I do not find these elements of the scheme to detract from the special interest of the building.
30. In a departure from the Spanish slate referenced on the 2008 LBC, the appellant states that Welsh slate has been used for the roof covering. The Council has not raised any objection to the use of Welsh slate, which I observed to have a similar character to the materials used on other buildings in the locality. Indeed, the Chacombe Conservation Area Appraisal and Management Plan (Adopted November 2015) states that the vernacular buildings in the village predominantly have Welsh slate roofs amongst other materials. On this basis, I find the use of Welsh slate to be a sympathetic response to the historic building and its setting.
31. The appellant states that the temporary removal of timbers, plasterwork, and floor materials has been necessary in the interests of health and safety or otherwise to allow access to parts of the building required to facilitate the 2008 scheme. It is also stated that all the removed timbers have been or would be reinstated; and that the walls would be finished with materials that reflect the historic character of the building, a matter that could be conditioned if permission were to be granted.

32. However, the removal works that have been undertaken are widespread throughout the building and, notwithstanding the photographs that I have seen, there is no full and definitive record by which I can be certain as to the specificity of the works that have been carried out and their extent. For example, whilst the photographs show spots where plasterboard and skim have been removed, there is no record of the type and quality of the plasterwork that has been removed from other parts of the building. In the absence of authoritative evidence that demonstrates the condition of the internal fabric prior to the works being undertaken, and a method statement showing the approach to the works, I cannot conclude with any degree of certainty that the removals were necessary and that they have been carried out in a way that is sympathetic to this historic sensitive building.
33. Moreover, significant structural works have been undertaken, including the raising of walls, new ceiling joists, and the construction of a new roof over the old A-frame, which no longer serves a structural function. The roof timbers, joists, beams, and other woodwork that make up the internal structure of the house are key to its architectural and historic integrity. For this reason, the timbers should be preserved in situ unless there is clear justification for their removal, even if that removal is not permanent. Whilst there is evidence of movement in the older joists, and some timbers such as the collar tie could previously have been moved, there is no structural report or other definitive information before me to show that the historic roof, ceilings, and walls are no longer fit for purpose. Therefore, I cannot be certain that intervention on the scale that has been undertaken was necessary. The appellant has stated a willingness to appoint a Structural Engineer. However, I must necessarily consider the appeal based on the evidence that is before me and, in doing so, I find there has been a fundamental, significant, and harmful alteration to the historic structure of the building.
34. The opening up of the wall between the proposed kitchen and breakfast room has led to the loss of historic fabric, albeit that the loss is of a small-scale given there was previously a wide doorway in this location. The wall represented the original rear edge of the building and would have defined the scale and proportions of this primary historic room. Rather than the extension presenting itself as a clear addition, the historic part of the building now leaks into the extension with very little definition between the two parts. The loss of the wall has therefore led to the erosion of the traditional cellular plan form of the building and detracts from its historic simple, rectangular form.
35. Notwithstanding the above, I see no harm arising from the other proposed alterations to the internal layout. Indeed, the relocation of the kitchen to the older part of the property would be a sensitive alteration, which would reintroduce a core domestic room to the heart of the older part of the house.
36. Whilst I have found some components of the proposal to be acceptable, the appeal scheme overall has and would harmfully erode the historic and architectural integrity of the listed building. With regard to my duties under the Act, I find that the scheme has and would fail to preserve the special interest of Carpenters Cottage and, consequently, it has and would harm the significance of this designated heritage asset. Furthermore, the external alterations have exacerbated the deterioration of the simple, vernacular design and modest proportions of the host property on this prominent corner, causing harm to the character and appearance of the CA.

Heritage balance

37. The harm that has and would be caused to the listed building and the CA would be less than substantial in the context of the National Planning Policy Framework (the Framework). The degree of that harm would be high due to the combined scale and extent of the alterations that have and would occur. I ascribe great weight to the conservation of the listed house and the CA, as I am required to do by the Framework. The Framework states that any harm to the significance of a designated heritage asset requires clear and convincing justification; and that the less than substantial harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use.
38. The appellant states that the Council had previously indicated support for the dormer window design, which it is stated have been sized to adhere to building control requirements. However, I have not been provided with substantive evidence to show that the building regulations necessitate dormers of the size, width, and shape that have been installed. Whilst the rear rooflight would enable sunlight and daylight to penetrate the ensuite, the bathroom is not a habitable space where natural light is a necessity and, therefore, I am not convinced that a public benefit would arise through the additional rear rooflight. Moreover, whilst the log store meets the current occupant's needs for covered storage, this is a private rather than a public benefit; and the design and siting of the log store do not conserve the heritage asset in a manner that is appropriate to its significance.
39. Heritage and public benefits would arise through the use of Welsh slate, which would have greater provenance and association with other historic buildings in the area than Spanish slate. Moreover, given that the historic core of the building is currently vacant, there would be heritage and public benefits arising through the completion of the renovation works and the subsequent use of the older part of the property as a home. Indeed, there is a risk that the property could fall into further disrepair if it is left in its existing condition. This is an important matter to which I ascribe positive weight. However, this is not a case where I find the works and the development to be necessary to secure the optimum viable use of the listed building, as I am not convinced that the level of harm that has and would be caused is necessary to secure a home that is fit for purpose. Consequently, the public benefits in this case would not be sufficient to outweigh the considerable weight and importance that I ascribe to the heritage harm I have identified.
40. Overall, the harm that would be caused to the significance of this Grade II listed house and the CA brings the scheme into conflict with Policies BN5 and R1 of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) (Adopted December 2014) and Policies SS2 and HE5 of the South Northamptonshire Part 2 Local Plan 2011-2029 which, taken together, seek to ensure that historic buildings, and areas of historic importance are preserved and enhanced. There would also be conflict with the historic environment policies of the Framework.

Conclusion

41. For the reasons given above, Appeal A is dismissed and Appeal B is dismissed.

E Catchside

INSPECTOR