



Appeal Decision

Site visit made on 27 July 2011

by D J Barnes MBA BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 3 August 2011

Appeal Ref: APP/C3105/D/11/2153626

59 Blenheim Drive, Bicester, Oxfordshire OX26 2NF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Mark Slaymaker against the decision of Cherwell District Council.
 - The application Ref 11/00053/F, dated 10 December 2010, was refused by notice dated 10 March 2011.
 - The development proposed is a two storey side extension and single storey rear with a new vehicular access to the front.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The appeal has been considered based on the plans submitted with the original planning application that formed the basis of the Council's decision. It is unclear whether the amended plans were the subject of consultation with other interested parties.

Main Issue

3. The main issue is considered to be the effect of the proposed development on the character and appearance of the streetscene.

Reasons

4. The appeal property comprises a 2-storey end of terrace dwelling. There is a garden to the side of the dwelling defined by a fence which is set back from the footway of Blenheim Drive to the rear of a narrow grass verge. The proposed development includes a 2-storey side extension and a single storey rear extension. Because of its scale, the side extension would occupy the majority of the garden between the property and the boundary fence fronting the road. By reason of its width and height, the proposed side extension would materially extend the host property and its design would not appear a subservient addition.
 5. There are variations in the siting of dwellings with some properties fronting the road and other sited with their flank walls facing the road. Generally, the majority of the properties are set back from the footways and, accordingly, the
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- streetscene does possess a spacious character and appearance. Because the property's side and rear gardens are adjacent to the road they make a positive contribution to the streetscene, particularly the side garden.
6. The appellant has referred to a limited number of schemes at road junctions where the flank walls of dwellings are sited close to footways. Although they were visited, the detailed planning circumstances of these other schemes have not been provided and, accordingly, little weight has been attached to them in determining this appeal.
 7. The appeal scheme would increase the amount of built development within the curtilage and erode the openness of the gardens, in particular the scale of the proposed 2-storey side extension. Both proposed extensions would be prominent when viewed from the road but it would be the substantial loss of the side garden that would significantly harm the spacious character and appearance of the streetscene.
 8. The use of matching materials would assist with assimilating the proposed extensions into the streetscene. However, this matter is outweighed by the significant harm which would be caused by the loss of openness, the side extension not being subservient to the host property and the prominence of the appeal scheme within the streetscene.
 9. The desire for the appellant to increase the level of accommodation has been taken into consideration but this matter does not outweigh the significant harm caused to the character and appearance of the streetscene. The attempt by the appellant to address the previous reason for refusal has been noted but this appeal should be determined on its own merits.
 10. In determining this appeal regard has been had to the draft National Planning Policy Framework and the emerging presumption in favour of sustainable development. However, in this case, it is concluded that the proposed development would cause significant harm to the character and appearance of the streetscene and, as such, it would be contrary to Policies C28 and C30 of the Cherwell Local Plan 1996. Amongst other matters, these policies require developments, including extensions, to be sympathetic to the character of the urban context and be compatible with the scale of the existing dwelling, its curtilage and the character of the streetscene.

Other Matters

11. The absence of objections from the Council to the proposed access and any harm being caused to the living conditions of the occupiers of neighbouring properties have been noted. There is no reason to disagree with the Council on these matters but they do not change the main issue upon which this appeal has been determined. Accordingly, and having regard to all other matters, it is concluded that this appeal should fail.

D J Barnes

INSPECTOR