



## Appeal Decision

Site visit made on 29 March 2022

**by David Murray BA (Hons) DMS MRTPI**  
an Inspector appointed by the Secretary of State

**Decision date: 31 March 2022**

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### **Appeal Ref: APP/C3105/D/21/3286867**

### **The Bungalow, White Post Road, Bodicote, Oxon, OX15 4BN.**

- 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 Ms D Whitford against the decision of Cherwell District Council.
  - The application Ref. 21/02883/F dated 21 August 2021, was refused by notice dated 22 October 2021.
  - The development proposed is the erection of a flat roofed single garage.
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### **Decision**

1. The appeal is dismissed.

### **Main Issues**

2. The main issues are the effect of the development proposed on the character and appearance of the area and whether it would preserve or enhance the character and appearance of the Bodicote Conservation Area and the setting of nearby listed buildings.

### **Reasons**

#### *Background*

3. The appeal site contains a chalet bungalow with a rendered front elevation painted white and brick end gables which lies between the parish hall to the north and the listed buildings of Yew Tree Cottage and Brown Thatch on the eastern side of White Post Road. The site also lies in the Bodicote Conservation Area. Special regard has to be given to these designated heritage assets. I also note that a Tree Preservation Order applies to a group of trees situated in the northern part of the front garden of the host property. It is proposed to erect a single storey flat roof garage with rendered elevations in the southern part of the front garden.

#### *Effect on character and appearance*

4. The appellant's grounds of appeal suggest that the Council is only concerned with the external materials proposed for the garage but my reading of the Council's case is that the concern is about the siting, design, prominence and overall appearance of the structure, including but not limited to the choice of external materials.
5. The Bodicote Conservation Area Appraisal (2008) (BCAA) sets out the significance of this Conservation Area and the appeal site lies at the northern entrance to this sensitive area. In terms of the character of the northern part

- of the village, the BCAA identifies the view southwards from around the appeal site as one of a limited number of 'positive views'.
6. At the site visit I noted that the frontage of the host property is relatively open. There is a low natural stone wall alongside the pavement but the land rises up from street level and so the wall provides little screening. The rendered garage proposed would be quite prominent and conspicuous in the street scene to the front of the site and its flat roof design would be at odds with the prevailing design of old and new properties in the locality which tend to have traditional pitched roofs.
  7. When viewed from White Post Road to the south the garage would be mostly screened by the mature tree, hedges and pitched roof outbuilding in the garden of Yew Tree Cottage so the setting of this property would not be harmed. However, when viewed from the north towards the High Street the proposed flat roof garage would be seen in the context of Brown Thatch, which abuts the road, and its stark design and prominence would visually harm the setting of this listed building.
  8. I have taken account of the fact that the proposed garage and its use would help screen the waste bins, car, and garden equipment presently stored at the front of the property, but this benefit would be greatly outweighed by the harmful visual presence of the building itself.
  9. Overall, I find that that the design and materials, siting and prominence of the proposed structure would harm the general character and appearance of the area. It would neither preserve or enhance the character or the appearance of the Conservation Area and would not preserve the setting of the listed building of Brown Thatch. In the context of the guidance in paragraph 202 of the National Planning Policy Framework (the Framework), this harm is 'less than substantial' to these designated heritage assets, nevertheless great weight should be given to the assets' conservation.
  10. The proposal would conflict with the provisions of Local Plan Policy ESD15 in terms of delivering a high quality design that complements the heritage assets and it has not been demonstrated that this is outweighed by any other considerations, including the public benefits of the proposal. The appeal should therefore not succeed.

### **Conclusion**

11. For the reasons given above I conclude that the appeal should be dismissed.

*David Murray*

INSPECTOR