
Appeal Decision

Site visit made on 24 November 2016

by David L Morgan BA MA (T&CP) MA (Bld Con IoAAS) MRTPI IHBC

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

Decision date: 02 December 2016

Appeal Ref: APP/G3110/W/16/3157129
88B Flat, Warwick Street, Oxford OX4 1SY

- 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 Bartlett against the decision of Oxford City Council.
 - The application Ref 16/01206/FUL, dated 5 May 2016, was refused by notice dated 29 June 2016.
 - The development proposed is formation of habitable room in roofspace with rear dormer.
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Decision

1. The appeal is dismissed.

Procedural matter

2. The proposal drawing part-illustrates a matching dormer on the adjacent terraced house shown physically abutting the appeal proposal along the line of the party wall. The adjacent dormer has now been completed, but not as illustrated on the plan. This structure is set within the line of the party wall, finishes above the eaves of the rear roof pitch, terminates below the ridge and is finished with a pair of *gables* above each window. This does not however compromise consideration of the proposals as the side elevations illustrated on the plan in fact show the respective cheeks on each flank of the proposed dormer. I have therefore considered the appeal on this basis.

Main Issue

3. This is the effect of the proposed development on the character and appearance of the host building and the surrounding area.

Reasons

4. Warwick Street forms part of a dense enclave of C19 residential development just to the east of the historic city. It is characterised by an irregular pattern of roads fronted by two storey terraced houses with reasonably deep rear gardens. The appeal property comprises part of a mid-terrace house, subdivided into two flats in the late 1950s.
5. The street frontages are generally well-preserved, with a range of detailing and materials characteristic of development of this type and date. At the junctions of roads the depth of adjoining gardens afford gaps in the terraces and a sense of space and depth beyond the road frontages is discernable.

6. However, whilst the frontages very much retain their established roof pitches and fenestration, the rears of a number of properties in the roads in the area of the appeal property have been subject to a range of alterations and roof extensions. During my visit I noted a run of four dormer extensions on the rear of properties on the south side of Bedford Street (including a large box dormer on the rear of the corner property on Argyle Street) and a further run of three dormers on the east side of Parker Street to the south. Moreover, in addition to the dormer on the house adjacent to the appeal property, I counted at least two other dormer extensions in the east terrace of Warwick Street of which the appeal property forms a part.
7. Some of these structures are indeed large, being configured with flat roofs and dimensions that extend across significant proportions of the roof pitches. However, this is by no means universally the case, and there were also examples, including that of immediately next door, where the dimensions of the structure had been drawn-in within the parameters of the rear roof pitch, allowing the form and profile of the roof plane still to be read. Even the prominent example at the junction of Bedford and Argyle Streets, though of the box-type format, still displays a set-back behind the line of the gable chimney, leaving a run of the extant roof pitch visible.
8. The appeal proposal however would extend to almost the total width of the roof (part-enveloping the party wall stack), would terminate just below the ridge tile of the apex and would finish only a tile width or so above the eaves. Virtually the entire rear roof pitch would be lost to the box dormer structure, in effect rendering it a third floor to the greater structure to the rear. This would be in significant and discordant contrast to the other dormers of the terrace and indeed to the majority of other such other structures I saw during my site visit. Whilst I note that the rear of this section of Warwick Street has relatively restricted public views, the appellant themselves pointed out the inter-visibility of other rear roof extensions in the enclave to the rear of the terrace, acknowledging and extending that sense of common domain.
9. It is the case that the dwellings of these terraces have the capacity to accommodate some forms of dormer roof extensions in their rear roof pitches without material harm to the character and appearance of the area. However, the proposed structure, by virtue of its form and size, would constitute a disproportionate and discordant addition to the roof scape of the terrace to the material and significant detriment of the character and appearance of the area. As such it would be contrary to policies CP1 and CP8 of the Oxford Local Plan, which seek high standards of design and protection of local character, and to policies CS18 and HP9 of the Oxford Sites and Housing Plan, which seeks to secure the same aims.
10. Whilst I note that visually similar dwelling houses may well have a Permitted Development capability for dormer roof extensions, such provisions do not apply to flats, such as the appeal property. Moreover, as the dormer on the adjacent No 90 Warwick Street dwelling demonstrates, these need not necessarily always be of the proportions sought by the appeal proposal.
11. For the reasons given above I conclude that the appeal should be dismissed.

David Morgan

Inspector