
Appeal Decision

Site visit made on 3 January 2017

by David Troy BSc (Hons) MA MRTPI

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

Decision date: 13 January 2017

Appeal Ref: APP/G3110/W/16/3158564

11 Campbell Road, Oxford OX4 3PF

- 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 Simona Di Pretoro against the decision of Oxford City Council.
 - The application Ref 16/01757/FUL, dated 1 July 2016, was refused by notice dated 8 September 2016.
 - The development proposed is erection of a part single, part two storey rear extension, formation of a one dormer window to side roof slope and insertion of one roof light to rear roof slope in association with loft conversion and replacement of porch.
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Decision

1. The appeal is allowed and planning permission is granted for a part single, part two storey rear extension, formation of a one dormer window to side roof slope and insertion of one roof light to rear roof slope in association with loft conversion and replacement of porch at 11 Campbell Road, Oxford OX4 3PF in accordance with the terms of the application, Ref 16/01757/FUL, dated 1 July 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the approved plans: Location Plans Ref 001A, Existing Floor Plans Ref 100, Existing Elevations Ref 101, Proposed Floor Plans Ref 200A and Proposed Elevations Ref 201A.
 - 3) Except where indicated otherwise on the drawings hereby approved, all new external works and finishes, and works of making good, shall match the existing original work in respect of materials used, detailed execution and finished appearance.
 - 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the window(s) in the side elevation of the development hereby permitted shall be glazed in obscure glass, be non-opening below 1.7 metres above finished floor levels in the room(s) they serve and thereafter retained.

Procedural Matter

2. I have used the Council's description of the development in reaching my decision as it more fully describes the details of the development than that given on the original planning application form but with some variation to the
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wording in the interests of precision or clarity. The appellant's appeal form also makes reference to the updated description. I shall determine the appeal on this basis accordingly.

Main Issues

3. The main issues are (i) the effect of the two storey rear extension on the character and appearance of the host property and (ii) the impact of the two storey rear extension on the living conditions of the occupiers of No. 13 Campbell Road with particular regard to the overbearing impact, loss of light and outlook.

Reasons

Character and appearance of the host property

4. The appeal property is a two storey end of terrace house set back from the road behind a front garden/driveway, with spacious garden to the rear. The property is located in a mature well-established residential area, typically characterised by terraced and semi-detached properties.
5. The proposal would entail the construction of a rear extension, side dormer and replacement front porch. The single storey element of the rear extension would extend across the full width of the house and project out by approximately 5m from the rear elevation of the property. The part two storey rear extension would have a staggered footprint with a double gable pitched roof. It would be set down from the main ridge of the house and project out by approximately 4m from the rear elevation of the property.
6. The appeal property is in a relatively large plot and as such the extensions would not appear overlarge, relative to the overall plot size. The single storey rear extension would project out broadly in line with the existing single storey rear extension and conservatory at the rear of the property. The proposed side dormer and replacement front porch would be modest in scale and would be in keeping with the appearance of the host property.
7. The proposed two storey rear extension, whilst adding additional bulk to the dwelling, when combined with the set down at roof level and set back from both the side and rear elevations of the dwelling, would not dominate the original part of the house or alter its character. The use of matching materials, fenestrations and the roof design would assist in integrating the proposed extension with the design of the existing dwelling and allow the proposal to achieve an appropriate degree of subordination to the main house. I therefore consider that the overall bulk and form of the proposed extension would not significantly detract from the architectural integrity of the host property.
8. I have noted the other extensions in the area drawn to my attention by the appellant. Whilst the two storey extension at No. 41 Campbell Road has different development characteristics to the appeal scheme, the two storey rear extensions at Nos. 27 and 31 Campbell Road would be located in a similar position to the appeal proposal. The scale and form of the extension at No. 27 in particular at the western end of a row of terraced properties would have a similar impact to the proposed extension on the character and appearance of the host property.

9. Consequently, I conclude that the proposal would not have a harmful effect on the character and appearance of the host property. It would not conflict with policies CP1 and CP8 of the Oxford Local Plan 2005, policy CS18 of the Oxford Core Strategy 2011 and policy HP9 of the Sites and Housing Plan 2013 (SHP). These policies, amongst other things, seek to ensure that development is of a high standard of design that respects the site context in terms of design, form and layout of the scheme and responds to the overall character of the area.

Living conditions of the occupiers of the neighbouring property

10. The proposed two storey rear extension would be set back from the common shared boundary with No. 13 Campbell Road (No. 13) delineated by a close boarded fence of about 2m in height. It would be separated from the rear elevation of No. 13 by an alleyway between the properties measuring approximately 3.5m in width and, by a rear porch and detached garage at the side of No. 13. There is a small secondary ground floor window on the gable end of No. 13 which faces the proposed extension.
11. Whilst I accept that there would be some impact from the proposal, given the overall size and design of the proposed extension, the separation distance between the properties and the orientation of the buildings, I consider the proposed rear extension would not significantly reduce the amount of sunlight or daylight reaching the main habitable rooms at the rear of No. 13 nor dominate the views. The outlook from the windows at the rear of No. 13 is primarily toward the rear gardens and the existing structures between the properties. The relationship between the proposed rear extension and No. 13 would also not be significantly materially different to the relationship between the existing two storey rear extension at No. 31 Campbell Road and the adjacent property at No. 33.
12. I note the appellant's reference to the two storey rear extension approved at No. 13. However, in the absence of any detailed information about this development, I can only judge this case based on the evidence provided and as such afford this limited weight.
13. Consequently, I conclude that the proposal would not result in significant harm to the living conditions of the occupiers of No. 13 with particular regard to the overbearing impact, loss of light and outlook. It would therefore accord with the overall amenity aims of policy HP14 of the SHP that seeks to ensure that development would not adversely affect the amenities of neighbouring properties.

Other matters

14. I have noted the issues raised by the appellant regarding the way in which the application was processed by the Council. However, these are not a material consideration to which I can attach significant weight in making this decision. I also note the appellant's comments regarding lack of formal objections from the neighbouring properties. Whilst this maybe so, this does not preclude the proper planning assessment of the impact of the proposal on the neighbouring properties and is not a determinative factor on its own. I therefore accord this matter limited weight.

Conditions

15. Having regard to the National Planning Policy Framework and in particular paragraph 206, the conditions I shall impose are based on those suggested by the Council but with some variation to the wording in the interests of precision or clarity. In addition to the standard time limit condition, I have specified the approved plan as this provides certainty. In order to protect the character and appearance of the area, I have also imposed a condition requiring that the external surfaces in the construction of the proposed extensions match those of the existing property. I agree that a condition relating to windows on the side elevation(s) of the proposal shall be glazed in obscured glass and non-opening windows below 1.7m above the finished floor levels is appropriate, as it would safeguard the amenities of neighbouring occupiers.

Conclusion

16. For the reasons given above and having considered all other matters raised, I conclude that the appeal should be allowed.

David Troy

INSPECTOR