

Appeal Decision

Site visit made on 9 February 2017

by K E Down MA (Oxon) MSc MRTPI MRSB

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

Decision date: 27 February 2017

Appeal Ref: APP/G3110/D/16/3162202

15 Church Hill Road, Oxford, OX4 3SG

- 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 Len Fry against the decision of Oxford City Council.
 - The application Ref 16/01793/FUL, dated 5 July 2016, was refused by notice dated 2 September 2016.
 - The development proposed is erection of a single storey side and rear extension, internal alterations to create larger kitchen and downstairs bathroom.
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Decision

1. The appeal is allowed and planning permission is granted for erection of a single storey side and rear extension, internal alterations to create larger kitchen and downstairs bathroom at 15 Church Hill Road, Oxford, OX4 3SG in accordance with the terms of the application, Ref 16/01793/FUL, dated 5 July 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: P16/10/100, P16/10/101, P16/10/102 and P16/10/103.
 - 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Main Issue

2. There is one main issue which is the effect of the proposed single storey side and rear extension on the character and appearance of the host dwelling and the street scene of Church Hill Road.

Reasons

3. The appeal dwelling is a traditional, two storey, semi-detached house set in a street of similar dwellings. The street slopes such that the appeal dwelling is on lower ground than its unattached neighbour at No 17. The property has a
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driveway to the side, leading to a garage set back some 6.5m from the front of the house.

4. The proposed extension would infill the side driveway and extend some 0.6m in front of the main front elevation of the dwelling, to a point level with the front bay windows. The projecting section would have a pitched roof, finishing just below a first floor window. It would incorporate an enclosed porch.
5. Although the street when built exhibited a generally uniform pattern of buildings and spaces, over time a significant number of dwellings have undergone extension to the side at both ground and first floor. This has altered the regular rhythm such that there is now notable variation in the gaps, which include spaces above single storey additions, such as is proposed at the appeal dwelling, and much smaller gaps or virtually no gap between dwellings where neighbouring properties have undergone two storey extensions. A significant number of extensions include front projections, some of which incorporate an enclosed porch. The street scene has thus evolved over time but retains its essential pleasant and established residential character.
6. No 17, the unattached neighbour to the appeal dwelling, has recently undergone a substantial two storey side extension, almost to the shared boundary and incorporating a front projection with an enclosed porch.
7. The proposed extension at the appeal dwelling would infill most of the remaining gap between Nos 15 and 17 at ground floor level but a significant gap would remain above the proposed single storey garage. This would be more marked due to the set down of No 15 compared with No 17 and would maintain the feeling of space between the dwellings. The front projection would be modest and set no further forward than similar projections elsewhere in the street, including at No 17. Overall, the proposed extension would therefore be consistent with the pattern of development in Church Hill Road. Whilst it would result in a greater proportion of visible built development this would thus not be incongruous or discordant in the street scene.
8. It is concluded on the main issue that the proposed single storey side and rear extension would have no materially detrimental effect on the character or appearance of the host dwelling or the street scene of Church Hill Road. In consequence it would comply with Policies CP.1 and CP.8 of the Oxford Local Plan 2001-2016, adopted in 2005, Policy CS 18 of the Oxford Core Strategy 2026, adopted in 2011, and Policy HP 9 of the Sites and Housing Plan 2011-2026, adopted in 2013, which taken together expect new development to show a high standard of design which respects the character and appearance of the area by responding appropriately to the site and its surroundings, maintaining or enhancing the streetscape and creating an appropriate visual relationship with the surrounding area.
9. The Council suggests two conditions in addition to the statutory commencement condition. Firstly, a condition requiring the development to be carried out in accordance with the approved plans which is necessary to provide certainty; and secondly, a condition requiring the use of materials which match those used in the external surfaces of the host dwelling which is necessary in order to protect the character and appearance of the dwelling and the surrounding area.

10. For the reasons set out above and having regard to all other matters raised, I conclude that the appeal should be allowed.

KE Down
INSPECTOR