

Appeal Decision

Site visit made on 8 March 2017

by D J Barnes MBA BSc(Hons) DipTP MRTPI

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

Decision date: 17 March 2017

Appeal Ref: APP/G3110/D/17/3167526

96 Spencer Crescent, Oxford OX4 4SW

- 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 S Ahmad against the decision of Oxford City Council.
 - The application Ref 16/02299/FUL, dated 30 August 2016, was refused by notice dated 27 October 2016.
 - The development proposed is an extension to an existing rear dormer to a dwelling.
-

Decision

1. The appeal is dismissed.

Main Issue

2. It is considered that the main issue is the effect of the proposed development on the character and appearance of the property and the surrounding area.

Reasons

3. The appeal property is a 2-storey semi-detached dwelling situated within a predominantly residential area of similar types of dwellings. Although some dwellings have been altered they have retained the character of 2-storey properties. The property has been altered by the erection of a modest sized dormer within the rear roofslope, a single storey rear addition and a 2-storey rear extension which are visible from the adjacent recreation ground. Although altered, the property retains the appearance of a 2-storey dwelling which reflects the character of the surrounding residential area.
 4. The proposed development includes the erection of a larger rear dormer which would occupy a substantial proportion of the original roofslope and be visible from the recreation ground. By reason of its size and design, the Council claim that the proposed development would give the property a 3-storey appearance rather than the appeal scheme being a subservient addition.
 5. Although the property has a 2-storey extension, because of its size, bulk and appearance the proposed dormer would visually dominate the roof and, as claimed by the Council, would have the appearance of a third storey being added to the property. The appeal scheme would significantly detract from the 2-storey character of the property and the surrounding dwellings. Further, because of the appeal scheme's design there would be an awkward
-

juxtaposition between the proposed dormer and the roof of the 2-storey extension. Overall, the scale, bulk and design of the appeal scheme would fail to harmonise with, or be related well to, the character and appearance of this already extended property.

6. The appellant has identified that the appeal scheme has been designed to respect the criteria for permitted development associated with the erection of dormers. However, and as acknowledged by the appellant, such permitted development rights do not appear to currently exist for the proposed development and, accordingly, this appeal has been assessed on its own planning circumstances.
7. Reference to the current dormer being of a poor design and restricting the utility of the internal accommodation have been carefully noted. However, whilst the current dormer is not of a particularly high quality appearance, its scale is proportionate to the property and, based upon the site visit, it does not materially restrict internal access to the bedroom and bathroom contained within the roofspace.
8. For the reasons given, it is concluded that the proposed development would cause unacceptable harm to the character and appearance of the property and the surrounding area and, as such, it would conflict with the high quality design requirements of Policies CP.1 and CP.8 of the Oxford Local Plan (LP) and Policy CS18 of the Oxford Core Strategy 2026. These policies are consistent with the National Planning Policy Framework's (the Framework) core principle of securing high quality design. No specific conflict has been identified with Policy HP9 of the Site and Housing Plan, which is concerned with residential developments, and LP Policy CP.10 regarding the siting of development meeting a functional need. However, the lack of any specific conflict with these policies is substantially and demonstrably outweighed by the unacceptable harm which has been identified. Accordingly, and taking into account all other matters including the Framework's presumption in favour of sustainable development, it is concluded that this appeal should be dismissed.

D J Barnes

INSPECTOR