



Appeal Decision

Site Visit made on 25 May 2021

by Tamsin Law BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 June 2021

Appeal Ref: APP/G3110/W/21/3270116

14 Waynflete Road, Headington, Oxford, OX3 8BG

- 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 and Ms Dominik and Dorota Macialek and Boloz against the decision of Oxford City Council.
 - The application Ref 20/01387/FUL, dated 10 June 2020, was refused by notice dated 9 December 2020.
 - The development proposed is the demolition of existing side extension and erection of 3-bedroom, 2-storey dwelling in side garden of 14 Waynflete Road with garden and bin and bike store.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are;
 - The effect of the proposal on the character and appearance of the area; and
 - The effect of the proposal on the Council's energy and carbon reduction targets.

Reasons

Character and appearance

3. The appeal site is located in a predominantly residential suburban area characterised by similarly designed semi-detached houses set back from the road with gardens/parking to the front. A number of the houses have been altered and extended over time. Corner plots are set back on both sides which combined with the set back of other houses creates an open character. The appeal site is a corner plot located on a slope with Waynflete Road to its front and Routh Road sitting at a higher level to its side. Houses along both Waynflete Road and Routh Road have a strong established building line.
4. The existing single storey extension at this site sits lower than Routh Road and therefore has limited impact on the surrounding area. The proposal would introduce a dwelling as a side extension to the host building forward of the established building line along Routh Road. The dwelling would also be closer to the highway at the corner of Routh Road and Waynflete Road therefore diminishing the open characteristic of the area. The proposal would be discordant with the character of the area in that it would introduce built form in front of the established building line. It would be visible from the surrounding

roads and pavements and would be a prominent feature harming the areas character and appearance.

5. I note the reference by the appellant to similar developments in the area, and on site I saw that these extensions and dwellings were not on corner plots and were set back from the highway therefore ensuring the open character of the area was retained. However, the particular circumstances of individual cases are likely to be different and direct parallels are not easily drawn and the presence of similar developments in the area do not outweigh the harm I have identified.
6. For the reasons above, I conclude that the proposal harms the character and appearance of the area contrary to policies G6 and DH1 of the Oxford Local Plan 2036 (LP) which seeks to ensure that proposals respond to the character and appearance of an area and enhance local distinctiveness. The proposal is also at odds with the advice set out in paragraph 127 of the Framework.

Energy and carbon reduction targets

7. Policy RE1 of the LP requires that energy statements are submitted for all new dwellings demonstrating that sustainable design and construction principles have been incorporated into the development and that at least a 40% reduction in carbon emissions from a Building Regulations compliant base.
8. I note that the Council considers that a condition would not be acceptable due to potential issues with construction, thermal insulation and design of the potential measures. However, a pre-commencement condition could be reasonably applied requiring the submission of an energy statement and conditions used to confirm compliance with the measures contained within. Nonetheless, the fact that I am dismissing this appeal due to my findings on another substantive matter means that I need not explore this particular point further.

Other Considerations

9. I have taken into account representations about vehicular and pedestrian safety, living conditions and overdevelopment of the land but these matters have not affected my conclusions on the main issues.

Conclusion

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

Tamsin Law

INSPECTOR