
Appeal Decision

Site visit made on 6 September 2021

by Robert Parker BSc (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 September 2021

Appeal Ref: APP/G3110/D/21/3273594
25 Junction Road, Oxford OX4 2NT

- 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 Dino Ustic of Serbian Church against the decision of Oxford City Council.
 - The application Ref 20/02772/FUL, dated 12 July 2020, was refused by notice dated 13 April 2021.
 - The development proposed is rear extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the living conditions of the occupiers of 27 Junction Road, with reference to outlook and sunlight.

Reasons

3. No 25 Junction Road is one of a pair of semi-detached houses. The property shares a single-storey rear outrigger with No 27. The proposal would involve the demolition of a small lean-to element and the erection of a single-storey extension. This would increase the length of the outrigger by 5.3 m.
4. The rear patio area of No 27, nearest to the house, is bounded to the north by an extension belonging to 29 Junction Road. The extension is relatively long and it has taller eaves than is typical for a single-storey structure. This makes it prominent, and some might argue imposing, from the amenity space of No 27.
5. The proposed extension would feature a more conventional design, with a dual-pitch roof. The eaves would be approximately 2.5 m in height, measured to the plane of the roof, with a ridge level of 3.47 m. The height and depth of the extension would give it greater physical presence than the existing boundary fence. This would contribute to an increased sense of enclosure for the residents of No 27, who are already affected by the extension to No 29. Furthermore, although there is no technical evidence on this point, it is likely that the new extension would result in loss of sunlight to the neighbour's patio.
6. I conclude that the proposal would have an unacceptable adverse effect on the living conditions of the occupiers of 27 Junction Road, through its harmful impacts on the enjoyment of their amenity space. There would be conflict with

Policy H14 of the Oxford Local Plan 2036 insofar as it seeks to ensure that new development does not have an overbearing effect for occupants of existing homes and provides reasonable sunlight for those neighbours.

Other Matters

7. The proposed extension would not impinge directly on any windows belonging to No 27. There is a back door adjacent to the boundary, but the case officer report states that this serves circulation space and not a habitable room. Accordingly, my conclusions relate solely to the impact of the proposal on the quality of outdoor amenity space.
8. The appellant draws comparisons with the extensions at 29 and 31 Junction Road. I do not know the background to those developments, but their existence does not make the appeal scheme acceptable. I have considered the proposal on its own merits.
9. The Council states that the development would overhang the boundary and that the incorrect certificate of ownership has been served. However, since I am dismissing the appeal there is no need for me to consider this matter.

Conclusion

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

Robert Parker

INSPECTOR