



Appeal Decision

Site Visit made on 15 November 2021

by Helen Davies MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th November 2021.

Appeal Ref: APP/Q3115/D/21/3279992

37 Lodden Avenue, Berinsfield, Wallingford OX10 7PY

- 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 Tomas Eirosius against the decision of South Oxfordshire District Council.
 - The application Ref P21/S2098/HH, dated 5 May 2021, was refused by notice dated 24 June 2021.
 - The development proposed is single and double storey rear extensions.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. At the time of my site visit, a single and double storey extension had been erected in the location indicated on the submitted drawings. However, the design of the extension did not match the drawings. Notwithstanding what has been erected on site, the appeal has been determined on the submitted drawings.
3. The application description refers to 'extensions'. However, the drawings show that the single and double storey elements are not separate extensions, and I have considered the appeal on this basis.

Main Issues

4. The main issues are the effect of the development on:
 - The living conditions of the occupants of 35 and 39 Lodden Avenue, with regard to outlook and sunlight; and
 - The character and appearance of the host dwelling and the surrounding area.

Reasons

Living conditions

5. The appeal site and the adjoining sites at 35 and 39 Lodden Avenue are narrow plots with relatively small rear gardens. The extension would sit on the boundary either side at ground floor, with a step-in of approximately 1.5 metres from each boundary at first floor. Neither neighbour has extended to the rear.

6. The depth of the extension would be modest, and the first floor step-in would lessen the impact on neighbours to some extent. However, due to a combination of the two storey height, proximity to the boundary and the narrowness of the plots, the extension would be a dominant and visually oppressive feature. It would have an enclosing and overbearing effect on the outlook from both the rear garden and rear facing habitable rooms of No 35 and No 39. In addition, No 39 is to the north of the extension so would experience significant overshadowing and loss of sunlight in the garden.
7. For the reasons set out above, I conclude that the proposed extension would cause significant harm to the living conditions of the occupants of No 35 and No 39 with regard to outlook, and to the occupants of No 39 with regard to sunlight. Consequently, the development would not comply with Policy DES6 of the South Oxfordshire Local Plan 2011 – 2035, adopted 2020 (LP), which seeks to ensure that development does not result in significant adverse impacts on the residential amenity of neighbours.

Character and appearance

8. The site is a two storey mid-terrace dwelling in a predominantly residential area. The site is fairly typical of the immediate surroundings, which is characterised by short runs of terraces, with walkways to the front and rear, rather than direct vehicle access.
9. The immediate area retains a fairly high level of consistency in design and layout. There are no other two storey extensions in the appeal site terrace, and there is no evidence before me of any other two storey mid-terrace extensions in the vicinity. The extension would not be visible from the front of the terrace, but would be visible from the walkway to the rear, and highly visible from the walkway to the south and the open space to the north. From these public vantage points, the extension would interrupt the visual conformity of the rear of the terrace. In addition, the extension would be relatively large in comparison to the modest size of the dwelling. Therefore, the extension would be out of keeping with the existing character of the terrace and its surroundings, and disproportionate to the host dwelling.
10. My attention has been drawn to examples of other extensions in the area. Details of these are not before me, but I viewed the examples during my site visit. I acknowledge that the example extensions are visible within the streetscene, but the design and context of each is quite different to the appeal site. The examples are located at the end of terraces and on a semi-detached dwelling meaning they are not read in the same context as the proposal before me. Therefore, the example extensions are not directly comparable to the appeal site and in any event, each case must be considered on its own merits.
11. For the reasons set out above, I conclude that the proposed extension would cause unacceptable harm to the character and appearance of the dwelling and the surrounding area. Consequently, the development would not comply with Policies DES1 and DES2 of the LP, which together seek to ensure that development is of a high quality design which reflects local features and enhances character.

Other Matters

12. The appellant notes that the National Planning Policy Framework (the Framework) supports sustainable development, and that the extensions are a form of sustainable development, as well as providing extended living space for the occupants. I do not question the benefit of the development to the occupants, or the compliance with overarching aims of the Framework. However, these factors are not sufficient to outweigh the harm identified above and do not lead me to determine the appeal otherwise than in accordance with the development plan.

Conclusion

13. For the reasons given above and taking into account the development plan as a whole and all other matters raised, I conclude that the appeal should be dismissed.

Helen Davies

INSPECTOR