



Appeal Decision

Site Visit made on 15 November 2021

by Helen Davies MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25TH November 2021.

Appeal Ref: APP/G3110/D/21/3281545

27 Long Close, Oxford OX3 8TT

- 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 Mohammed Saddiq against the decision of Oxford City Council.
 - The application Ref 21/01030/FUL, dated 9 April 2021, was refused by notice dated 21 June 2021.
 - The development proposed is a single storey side extension.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The development was described on the application form as a 'single storey side extension'. On the decision notice and appeal statement it was described as 'erection of a single storey side and rear extension'. Notwithstanding this variation, the location and layout of the proposed development is clear from the submitted drawings. The appeal has been determined on the basis of the submitted drawings.

Main Issues

3. The main issues are:
 - The effect of the proposed development on the character and appearance of the host dwelling and the surrounding area; and
 - Whether the proposed development would provide acceptable living conditions for future occupants, with regard to amenity space.

Reasons

Character and appearance

4. The site is a two-storey end of terrace dwelling in a predominantly residential area. The terrace which contains the appeal site runs roughly perpendicular to Long Close, with the gable-ended side elevation of the host dwelling and a boundary wall facing towards the road. The appeal site is separated from the road by grassed space, planting and a street tree. There are parking areas and pedestrian walkways to the front and rear of the terrace. The immediate area is characterised by a series of short terraces, similar in design and orientation to the appeal site terrace.

5. The host dwelling has recently been extended across two storeys to the side and a single storey to the rear. These previous extensions are rectangular in shape with pitched roofs, which conforms to the prevailing pattern of development and other extensions in the area. Consequently, the immediate surroundings retain a fairly high level of consistency in design and layout.
6. The proposed extension would fill an irregular wedge shaped gap between the previous extensions and the boundary wall. The extension would follow the boundary line meaning the side elevation would be at an angle, rather than parallel to the existing side elevation of the dwelling. In addition, it would have a flat roof and horizontal high level windows, both of which are uncharacteristic of the host dwelling and the area. As a result, the extension would be visually jarring and would fail to reflect local distinctiveness.
7. The extension would be of a modest height, partly screened by the boundary wall. However, as it would adjoin the boundary on an end of terrace plot, it would be highly visible from the road. This visibility, combined with the failure to reflect local distinctiveness, means that the extension would be an incongruous and harmful addition to the street scene.
8. While the appeal site does not lie within a conservation area or close to any listed buildings or relevant planning designations, it is necessary to consider the local context. The absence of heritage assets does not alter my findings on character and appearance.
9. I conclude that the proposed extension would cause unacceptable harm to the character and appearance of the host dwelling and the surrounding area. Accordingly, the development would not comply with Policy DH1 of the Oxford Local Plan 2036, adopted 2020 (LP) which seeks to ensure that development is of high quality design that creates or enhances local distinctiveness.

Living conditions

10. Policy H16 of the LP, amongst other things, states that dwellings should have access to amenity space which is at least equivalent in size to the original building footprint, with additional space for bin and bike storage. It also confirms that private outdoor areas should allow space for outside dining and/or clothes drying, with reasonable circulation, which will require a minimum dimension of 1.5 metres deep by 3 metres long. The policy also refers specifically to the need to consider the location and context of the development, including the layout of existing residential plots.
11. The Council state that the dwelling is currently used as a house in multiple occupation, containing 5 bedrooms. The appellant has not disputed this. The main parties agree that the proposed extension would reduce the amenity space available to the appeal property to approximately 50 square metres.
12. The appellant considers that 50 square metres would be closely equivalent to the footprint of the original dwelling, while the Council gives the figure of approximately 119 square metres for the extended dwelling. However, there is no evidence before me to confirm the precise size of the original building footprint.

13. Notwithstanding this, LP Policy H16 sets a minimum size for amenity space and also requires consideration of the site context. The context of the proposed extension would result in an extended five bedroom dwelling, with a footprint more than twice the size of the amenity space. As such, while it would exceed the minimum size set by policy for a private outdoor area, it would fail to provide adequate amenity space to meet the reasonable needs of future residents.
14. There would be no implications for daylight as a result of the proposal. Furthermore, the area of outside space that would be lost to the extension is relatively narrow and an irregular shape, located between the side elevation and the boundary fence. However, the area is suitable for uses such as bin and bike storage, which would otherwise take up space in the main amenity area.
15. In conclusion, the proposed extension would not provide acceptable living conditions for future occupants, with regard to amenity space. Consequently, the development would not comply with Policies DH1 and H16 of the LP which together seek to ensure that development is of high quality design and provides suitable outdoor amenity space.

Other Matters

16. The third reason for refusal set out in the Council's decision notice relates to the potential impact of the extension on a nearby street tree. I note the appellant's statement that the tree could be safely retained as part of the development. However, as I have found conflict with the development plan in relation to the main issues on character and appearance and living conditions, I have not addressed this matter further.
17. The appellant notes that the National Planning Policy Framework (the Framework) supports sustainable development. The appellant states that the extension would provide improved accommodation and housing choice, so representing a positive and sustainable development. I do not question the potential benefits of the development, 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

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

Helen Davies

INSPECTOR