



Appeal Decision

Site visit made on 21 December 2021

by Peter White BA(Hons) MA DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 January 2022

Appeal Ref: APP/G3110/D/21/3283192

2 Lewell Avenue, Oxford, Oxon OX3 0RL

- 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 Ms Saranga Ranasinghe against the decision of Oxford City Council.
 - The application Ref 21/00752/FUL, dated 12 March 2021, was refused by notice dated 15 July 2021.
 - The development proposed is single and two-storey side and rear extensions.
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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 dwelling and the area; and
 - the living conditions of the occupiers of the dwelling, with particular regard to the amount of external space available to occupiers.

Reasons

Character and appearance:

3. The area is characterised by semi-detached houses and short terraces of four dwellings with front and rear gardens. At road junctions a sense of spaciousness is created by triangular grass verges in front of corner dwellings and, as originally built, strong building lines of houses set back from both streets.
4. The appeal building is in a prominent location in the street scene at the corner of Rippington Drive and Lewell Avenue. Unlike other parts of the area, neither the appeal site nor 1 Lewell Avenue have been extended beyond the original side boundaries. As a result, much of the character of the original estate is retained in this part of Lewell Avenue and in views from the west, but that is not the case from the east where the rear of the extended house at 2 Nicholas Avenue is also prominent from Rippington Drive, or opposite the appeal site where 1 Rippington Drive has been substantially extended.
5. The proposed extensions consist of three elements. In terms of their design, the Council do not find the single storey extensions individually harmful, but object to the two-storey extension and the effect of the extensions cumulatively.

6. The siting, design and roof structure mean the proposed two-storey extension would appear as a distinctively different, and somewhat separate, structure to the main dwelling. It would extend beyond the corner of the dwelling with a low L-shaped hipped roof structure which would not sit comfortably with the design of the original dwelling or the single storey elements of the proposal. Taken as a whole, I consider the development would harm the character of the dwelling.
7. The design of the proposed two-storey extension, in particular, is distinctly different from that of other development in the area. The appellant and the Council have drawn my attention to other locations nearby where development has taken place, or where consent has not been granted for development. I visited many of the surrounding streets, including corner dwellings in the area where development has occurred. In terms of their appearance, none of those examples are directly comparable to the appeal proposal.
8. There is a slight curvature in Rippington Drive which renders the appeal site and the side elevation of the house more prominent within the streetscene. The retention of part of the side garden of the property would assist in maintaining some of the openness which is characteristic of the area, but the fundamental appearance of the proposed development when combined with its prominence would have a negative effect on the appearance of the area.
9. In conclusion, the proposed development would be harmful to the character and appearance of the dwelling and the area, contrary to Policy DH1 of the Oxford Local Plan 2036 (Adopted 2020) which relates to high quality design and placemaking.

Living conditions:

10. The appeal site is a semi-detached dwelling on a corner plot with front, rear and side gardens. Both the front and side gardens are bounded by hedgerows and currently appear to provide the main garden space for occupants. Notwithstanding the Council's views, I find the front and side gardens to be usable functional space for the occupants in this particular instance. The rear garden contains a small existing extension and garage, which limit its functional use, along with a driveway, which when not in use for vehicles, extends the main side garden area.
11. Some dwellings in the area have relatively small gardens. The appeal site, being a corner plot, has more garden space than some houses locally, but the rear garden is also shorter than others due to a utility company facility beyond its rear boundary.
12. The proposal would enlarge the dwelling from three bedrooms to four, facilitating a greater number of residents and providing for a growing family, and would reduce the width of the side and rear gardens and the amount of external space generally. However, the available external space would continue to exceed the footprint of the original building, would allow space for outside dining and clothes drying, with reasonable circulation space, and much of the available space would be south-facing. There is also a public recreation space and play area within walking distance accessed from Rippington Drive.
13. Therefore, although the outdoor space would be reduced by the development proposed, I conclude that adequate external space would be available and the living conditions of occupiers of the extended dwelling would be acceptable.

This would be in accordance with Policy H16 of the Oxford Local Plan 2036 which addresses outdoor amenity space standards.

Conclusion

14. Although there would be no harm to living conditions, the proposed development would be harmful to the character and appearance of the dwelling and the area. For the reasons given above, having regard to the development plan as a whole and all other relevant considerations, the appeal is dismissed.

Peter White

INSPECTOR