



Appeal Decision

Site visit made on 31 January 2023

by S Rawle BA (Hons) Dip TP Solicitor

an Inspector appointed by the Secretary of State

Decision date: 20th February 2023

Appeal Ref: APP/G3110/D/22/3305464

50 Westbury Crescent, Oxford, Oxfordshire OX4 3SA

- 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 Adam Bryan against the decision of Oxford City Council.
 - The application Ref 22/00816/FUL, dated 1 April 2022, was refused by notice dated 14 June 2022.
 - The development proposed is a first-floor side extension to create a master bedroom with ensuite shower room.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a first floor side extension to create a master bedroom with ensuite shower room at 50 Westbury Crescent, Oxford, Oxfordshire OX4 3SA in accordance with the terms of the application, Ref 22/00816/FUL, dated 1 April 2022, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: KSA/1148/PL/10; KSA/1148/PL/11; KSA/1148/PL/12; KSA/1148/PL/13; KSA/1148/PL/14 Rev A and KSA/1148/PL/15.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

3. The appeal property is a semi-detached house that fronts Westbury Crescent, a road with sections of curved and straight alignment. Properties are predominantly semi-detached houses of similar appearance and age. Many of the houses have had first floor side extensions, including those properties sited on the curved sections of the road and on corner plots. As a result, first floor extensions are a common feature in the street scene that influence the character and appearance of the area.

4. The first-floor extension would be located above part of the existing garage, but would be set in from the side boundary of the plot. It would also be set back from the front elevations of both the main property and the existing garage. The hipped roof would be set down from the ridge line of the main house and the design and pitch would match the existing roof profile. Even though the first-floor extension would be over half the width of the original dwelling, the subservient design of the proposal would be in keeping with the existing dwelling and adjacent properties and would not appear over dominant in the street scene.
5. The appeal site is located on a curved section of the crescent and because of the alignment of the road it is set forward of the neighbouring house at No 52. As the first-floor element would be set in from the common boundary, a sense of space would be retained between the appeal property and the neighbouring house. The gable end of the existing house is already visible and although the first-floor extension would introduce new built form, it would not appear incongruous or overly prominent in the street scene. Consequently, the proposed development would be sympathetic to the local character and would not undermine local distinctiveness.
6. The Council highlights that some existing extensions were assessed against different development policies and surrounding examples are not directly comparable with the proposal. However, as outlined, the existing extensions influence the character and appearance of the area and sets the context for determining this appeal.
7. Therefore, I conclude that the proposed development would not be harmful to the character and appearance of the area and would comply with Policy DH1 of the Oxford Local Plan 2036 (LP) adopted 8 June 2020 which aims to ensure that development is of a high-quality design that creates or enhances local distinctiveness. The proposal would also accord with the National Planning Policy Framework which seeks to ensure that development proposals are sympathetic to local character. The Council's decision notice refers to Policy G6 of the LP which relates to new dwellings. Based on the available evidence, this is not relevant in this case

Conditions

8. I have had regard to the conditions suggested by the Council and where necessary, I have made minor changes to the wording to ensure the Framework tests for conditions are met. In addition to the standard time limit condition, I have imposed a condition requiring that the development is carried out in accordance with the approved plans. This is in the interest of certainty. To protect the character and appearance of the area, I have also imposed a condition requiring that the external materials used in the construction of the extension will match those of the existing building

Conclusion

9. For the reasons given above, I conclude that the proposal would accord with the development plan and the Framework, and therefore the appeal is allowed.

S Rawle

INSPECTOR