



Appeal Decision

Site visit made on 1 February 2023

by P D Sedgwick BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th February 2023

Appeal Ref: APP/G3110/D/22/3311749

56 Boswell Road, Oxford, OX4 3HN

- 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 Jaison Stephen against the decision of the Oxford City Council.
 - The application Ref 22/02073/FUL, dated 20 August 2022, was refused by notice dated 17 October 2022.
 - The development proposed is hip to gable loft conversion with rear facing dormer.
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Decision

1. The appeal is allowed and planning permission is granted for hip to gable loft conversion with rear facing dormer at 56 Boswell Road, Oxford, OX4 3HN in accordance with the terms of the application, Ref 22/02073/FUL, dated 20 August 2022, and the plans submitted with it.

Preliminary Matter

2. The application form and decision notice refer to the development as retrospective and it was clear during my visit that development was complete. I have therefore dealt with the appeal on that basis.

Main Issue

3. The main issue is the effect of the development upon the character and appearance of the building and surrounding area.

Reasons

4. The appeal site relates to a 2 storey end of terraced house in a residential street. The appeal property has a 2 storey rear projecting wing and a single storey wing that extends from below and partly to the side of it. Both have pitched roofs. There is also a single storey lean to across part of the rear of the property which joins these extensions and has a shallow mono pitched roof. The Council is concerned that the addition of the full width flat roofed dormer and hipped to gable extension has led to a top heavy and discordant appearance due to its size and bulk and combined visual impact with the other extensions roofs.
5. The rear dormer is set up from the main roof eaves but not in from the side of the roof as shown on the plans. The Council also refer to it exceeding the height shown on the plans although that was not readily discernible during my site visit.

6. Several houses on Boswell Road have rear extensions, although only 2 that I saw from a rear access serving houses on Barn Street and Boswell Street had flat roofed dormers. Both were smaller than the appellant's but were adjacent to a hipped roof and a gable roof extension, respectively, and thus contribute to some variation in roof form within the surrounding area. Furthermore, the house on Barn Street that immediately backs onto the appeal site has a substantial rear roof dormer which is visible from most views of the appellant's development, within which context it does not appear out of place.
7. I note that the appeal property has been more substantially altered than most other properties nearby. However, I do not consider that the varying roof forms are so overly complex and discordant, as the Council suggest, as to warrant withholding planning permission. The flat roof on the dormer reflects that of the ground floor lean to extension and the projecting wings share similar roof designs. The 2 storey rear extension roof ridge is approximately half the height of the roof dormer and consequently the end gable breaks up its mass such that it does not appear overly dominant.
8. I also note that the Council, in correspondence with the appellant, had suggested that the development would have been acceptable under permitted development rights with a minor reduction in the size of the dormer from that submitted on the plans. Notwithstanding that the actual development exceeds the dimensions on the plans, I accord some weight to the fact that a substantial dormer could have been constructed without requiring planning permission.
9. Overall, I conclude that the development has not caused unacceptable harm to the character and appearance of the host dwelling and surrounding area and therefore meets the design quality requirements of Policy DH1 of the Oxford Local Plan 2036 (2020).

Conditions

10. Planning permission is sought retrospectively therefore no time limit for commencement is required. Because the development has already been constructed, there is no need to specify the plans to be followed or the materials to be used in construction, as suggested by the Council. No other conditions are necessary.

Conclusion

11. For the reasons given above I conclude that the appeal should be allowed.

P D Sedgwick

INSPECTOR