



Appeal Decision

Site visit made on 10 January 2024

by Eleni Randle BSc (hons) MSc FRICS FAAV MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st February 2024

Appeal Ref: APP/G3110/D/23/3331413

57 Campbell Road, Oxford, Oxfordshire, OX4 3PG

- 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 and Mrs Katie and Simon Reid against the decision of Oxford City Council.
 - The application Ref 23/01181/FUL dated 26 May 2023, was refused by notice dated 27 July 2023.
 - The development proposed is demolition of existing rear extension. Erection of a part single part two storey rear and side extension. Alterations of 1no window to side elevation and 1no window to front elevation.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have utilised the Council's description of the development as per the decision notice as I feel it more concisely describes the development.
3. Since the submission of this appeal the National Planning Policy Framework was again revised in response to the Levelling-Up and Regeneration Bill: reforms to national planning policy consultation on 19 December 2023. Given the nature of the proposal, and the refusal reasons stated (which relate specifically to the Local Plan) I do not consider these revisions to impact upon the determination of the appeal before me. Furthermore, the overall approach, to sustainable development, remains the same as a result of the revisions.

Main Issues

4. The main issues are the impact of the proposal upon i) the host property and visual amenity and ii) highway safety.

Reasons

Host property and visual amenity

5. The appeal site is an end of terrace property which benefits from a single-storey extension to the rear, with pedestrian access being available to the side of the property. The property frontage is block paved with vehicular access being across part of the frontage. The proposal seeks to replace the existing rear extension with a (deeper) single storey and part two storey extension, to the side and rear. The proposed drawings show that the front wall of the extension would be set back from the front elevation by around 3.5 metres whilst the ridge would be set down by around 0.5 metres.
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6. In principle, when viewed from within the street scene, this is sufficient to achieve a subordinate relationship with the existing house and terrace in terms of scale, however, the proposed roof form would fail to be visually appropriate or sympathetic and part of the extension would appear as an awkward and visually separate outrigger to the host property. I note that the appellant has, within their submissions, submitted photographs (appendix 5) of properties which they state are subject to similar rear roof forms. Whilst I acknowledge what are substantial extensions, I do not find that the majority photographs submitted result in the same visually separate outrigger or contrasting roof forms due to the proposed extensions relationship with the existing roof form.
7. In addition, the overall scale of the combined extensions remains substantial and would entirely consume the rear elevation of what is an originally modest end of terraced dwelling. The proposal would therefore be detrimental to the character and appearance of the host dwelling itself as well as the terraced row within which it stands keeping in mind that character, and appearance are separate matters. I acknowledge the three-dimensional modelling which the appellant has provided but still find that the proposal fails to achieve an appropriately subordinate relationship, cumulatively, as a result of its proposed domination of the rear elevation. I find that the proposals would appear as visually jarring and incongruous as well as being an overly dominant and imposing form of development when taking into account the modest size and characteristics of the host property itself.
8. When viewed from the rear, the extensions would appear large and bulky. The small first floor extension, adjacent to 59 Campbell Road, adds to the overall contrived nature of the extension (designed to avoid impact to the neighbouring properties) and would further contribute to the larger two storey element presenting as a separate outrigger to the host property. The appellant is also noted to have submitted photographs within their appendices of development within the local area, however, I have already outlined a lack of overall visual similarity with the rear roof forms submitted. Whilst I acknowledge the images provided in appendix 2, these are all photographs of properties taken from the front elevation and I have no details as to the cumulative impact of the extensions which have been created from the rear elevations of those properties.
9. It is acknowledged that the development is not considered to be unacceptable in terms of overshadowing or overbearing impact to adjacent occupiers, however, this does not overcome the issues I have identified with regard to visual amenity and consumption of the rear elevation of the host property. The appellant makes reference to permission for an extension at 114 Campbell Road (16/03242/FUL) and has provided a comparison of the two schemes. No rear elevation drawings have been provided. I have no information, such as the Council's delegated report, to understand site context or reasoning for the approval which was granted in that case. Notwithstanding this single example, approved under the previous Local Plan, I have assessed the case before me on its own merits and find the proposal to overwhelm the host property.
10. I note that reference is made to further applications including that at 20 Campbell Road (19/01887/FUL), however, whilst an extract from the planning officer's delegated reports has been provided, no further information has been supplied as part of this appeal. The appellant also refers to an extension at 153 Campbell Road (23/00954/FUL) and whilst I acknowledge the distances

which are highlighted on drawing P-15, and commentary is provided, I note that the appellant does not confirm that this proposal was actually approved. I have no copy of a decision notice or delegated report in connection with this application which is discussed. The weight which can be placed upon the appellant's summary of the proposal is limited in the absence of such information to evidence the approach or relevance as a comparison to the appeal which is before me.

11. The appellant has considered the proposals in the context of the design objectives and principles set out in appendix 6.1. In relation to the first point, I do not find that the proposed alterations to the host property respect the form, scale, character and appearance of the existing building. As previously outlined, I find that the proposals would, cumulatively, overwhelm the rear elevation of the host property as well as being of significant scale at the end of the terraced row within which it stands. The rear massing is noted to be broken down, but this still would not keep it in scale with the host building albeit I acknowledge it has avoided an overbearing impact on the attached neighbour with no refusal reason stated on such matters.
12. The overall proposal design is noted to bear some similarity to extensions which have been evidenced within the surrounding area, however, the proposal before me would not blend in or harmonise but would rather present as a separate outrigger in terms of appearance. I find that this would be as a result of the proposed roof design, which would (when viewed from the front elevation in the street scene) appear disconnected and disjointed to the existing roof. I find that this would visually detract from the existing terrace and the host property. The appellant's choice of materials and windows are noted to be appropriate, overall, and there are no negative impacts on the amenity of existing or future occupiers as a result of the proposals.
13. The appellant has discussed principles of LP Policy S1 as a requirement to balance the impacts of the development when making a decision. As noted, sustainable development has three dimensions which are economic, social, and environmental and these should not be considered in isolation. Whilst the points progressed by the appellant are noted, the proposal does not contribute to housing need as it is an extension to an existing dwelling. I am of the opinion that there is likely potential to extend the property to contribute to high quality family accommodation as well as making full use of land within the city, however, the design as proposed before me is inappropriate and in that regard the proposal cannot be considered to result in sustainable development as it would not contribute to high quality design which is a key component of sustainable development as outlined within the Framework.
14. As a result of the awkward visual relationship between varying elements and the existing and proposed roofs as well as overall scale, bulk and mass to the rear the proposal would be contrary to Oxford Local Plan 2026 (2020) (LP) Policy DH1 which confirms that planning permission will only be granted for development of high-quality design that creates or enhances local distinctiveness. Planning permission will only be granted where proposals are designed to meet the key design objectives and principles for delivering high quality development.

Highway safety

15. Removal of front boundary wall was not included within the development description on the application form and nor was the development description, despite being amended by the Council as noted above, amended to include removal of the front boundary wall. Despite this it is shown on the proposed elevation plans as being removed and therefore I find it is fair of the Council to consider this as, if approved, those are the plans with which the development should comply, and which have been submitted for consideration.
16. Removal of the wall would almost certainly facilitate potential access for a second vehicle as a result of widening access to the site frontage, albeit I note that the drop kerb does not extend across the entire frontage of the property. Currently any vehicle parking immediately in front of the property is required to park at an angle to ensure parking within the driveway boundary defined by the front wall. Without the wall, due to the length of the driveway, there is potential for parked vehicles to overhang the pavement as a result of the length of the driveway. Whilst the appellant states that there is no intention to increase parking on site – no justification has been provided for the desire to remove the wall, as shown on the submitted plans, and it does not appear necessary as part of the overall proposals to extend the property before me.
17. Based upon the submitted plans before me, and for the reasons outlined above, I find the proposal would increase the potential (or ability) for increased parking at the appeal site which would likely be to the detriment of highway safety and users of the pavement as a result of likely overhang. On this basis the proposal would be contrary to LP Policy M3 which seeks to discourage increase in car use. Despite this, had I found the proposal acceptable in all other regards, I do not feel this could reasonably support a refusal reason on its own. The site is not within a Conservation Area or similar and there is no evidence before me in this case to suggest that removal of the wall, regardless of the proposals before me, could not happen beyond the control of the Council in any case.

Other Matters

18. I note that if the appeal was not successful that the appellant is likely to be able to proceed with extending the host property utilising permitted development rights. In that regard the appellant has submitted details of a certificate of lawful proposed use or development (20/03014/CPU) which confirms that the proposal was permitted by Class B, C and G of schedule 2, Part 1, of the Town and Country Planning (General Permitted Development) (England) Order 2015 and therefore does not require planning permission. Appendix 6 sees the submission of the certificate under this reference number, however, no copy of the elevational drawings which were presumably submitted as part of this application have been provided.
19. The appellant has submitted, as appendix 7, perspectives to illustrate the impact of the permitted development proposals. Particularly to the rear elevation I find that the appeal design is clearly significantly larger and whilst the fallback permitted development may change the host property roof form, and introduce a large dormer window, the original dwelling would still be legible, and the rear elevation would not be entirely consumed by substantial proposals which are both single and two storey in nature. Whilst the potential under permitted development is fully acknowledged, as a material

consideration to this appeal, I do not find that this would result in greater harm than the appeal proposal which is before me if this were constructed as a result of the appeals failure.

20. The appellant makes reference to the technical housing standards -Nationally Described Space Standards. The gross internal floor areas discussed are noted, however, the standards deal with internal space within new dwellings and is not applicable to the proposal which is before me.
21. I note that the appellant's have lived within the area for a substantial amount of time and purchased the property with a view to it being able to be extended to meet their family needs. I sympathise with the financial and personal resources which have been put into purchasing the property and I do not doubt that they would pursue whatever opportunity there is to maximise the potential of their home as is demonstrated by their applications, and an appeal, to date. This does not, however, overcome the issues which I have found and I would be of the opinion that there is likely potential to extend the property in question but that this should be designed in a manner which is more appropriate with particular regard to the proposed roof form and the relationship of the extensions to the host dwelling itself.

Conclusion

22. For the reasons outlined above, and taking account all other matters raised, I conclude that the appeal should be dismissed.

Eleni Randle

INSPECTOR