



Appeal Decision

Site visit made on 28 February 2024

by H Wilkinson BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th March 2024

Appeal Ref: APP/G3110/D/23/3331152

3 James Wolfe Road, Oxford, Oxfordshire OX4 2PY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Munawar Ahmed against the decision of Oxford City Council.
 - The application Ref is 23/01901/FUL.
 - The development proposed is a side & rear extension, internal modifications to kitchen area.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of existing side extensions. Erection of a two-storey side extension and single storey rear extension at 3 James Wolfe Road, Oxford, Oxfordshire OX4 2PY in accordance with the terms of the application, Ref 23/01901/FUL, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision;
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans;
 - Location Plan;
 - Drawing No. S210-004 – Proposed Site Plan;
 - Drawing No. S210-005 – Proposed Floor Plan;
 - Drawing No. S210-006 – Elevations;
 - 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.

Preliminary Matters

2. The applicant as named on the planning application form differs to that of the appellant as indicated on the appeal form. However, based on the explanation provided by the appellant, I am satisfied that the appeal is being pursued by the original applicant.
3. I have taken the description of development as set out in the decision above from the Council's decision notice as this more accurately describes the proposed development.

Main Issue

4. The main issue in this appeal is the effect of the proposed development on the character and appearance of the appeal property and the surrounding area.

Reasons

5. The appeal property lies within a residential area and occupies a prominent corner location. It comprises one half of a semi-detached unit with an attached single storey garage and lean-to that extends up to the grassed verge, adjacent to the footway. The surrounding area is characterised by a very ordered layout of buildings arranged fronting the road. The houses in the immediate vicinity of the appeal site comprise mostly of semi-detached units and short terraces which are generally set back from the road behind modest, front gardens which are typically open to allow for off-road parking.
6. Despite the regularity of the development pattern, building alterations and extensions to neighbouring properties within the immediate vicinity of the appeal site have created a subtle variance in appearance within the street scene. Indeed, the other half of the pair of properties, features a two-storey side extension which is of a similar scale and form to the appeal proposal. It is also the case that several properties within the immediate vicinity of the appeal site feature secondary doors in the front elevation.
7. The proposed development would involve the removal of the existing single storey garage and lean-to and replacement with a two-storey side extension and single storey extension at the rear. The form and scale of the proposed single storey rear extension would be subservient to the appeal property, and, by virtue of its location, it would have limited effect on the street scene. While the ridge height of the side extension would lack subservience to the appeal property, it would nevertheless be set back from the front elevation by approximately 1.5 metres. In my view, this design break would be sufficient to ensure that the side extension would be visually subservient to the appeal property when read as a whole. Consequently, it would not dominate the appeal property or read as an obtrusive addition to the street scene. Moreover, the form of the proposal would complement the scale of the extension at No 4 and would represent a generally consistent approach to this conjoined dwelling whilst the fenestration arrangement would not be wholly uncharacteristic of the area. In any case, the porch would ensure that the existing front door remains the focal entrance.
8. The more spacious nature of the plot results from its corner location. The Council's delegated report suggests that the openness of the corner is an important characteristic of the area. The submitted plans show that the proposed two-storey extension would occupy the footprint of the existing garage. Further, the removal of the lean-to would reduce the extent of built form and create a gap between the side elevation of the house and the footway. Despite the introduction of considerable built form at first floor level, this gap would maintain a degree of openness which would largely mirror the opposing corner plot. Accordingly, the openness displayed would not be harmfully eroded.
9. For these reasons, I find that the proposal would not harm the character and appearance of the appeal property or the surrounding area. It would therefore accord with Policy DH1 of the Oxford Local Plan 2036 which seeks to ensure

that development is of a high-quality design that creates or enhances local distinctiveness. It would also be consistent with the design objectives of the National Planning Policy Framework.

Conditions

10. I have had regard to the planning conditions recommended by the Council, and I have considered them against the tests in the Framework and the advice in the Planning Practice Guidance. I have made such amendments as necessary to comply with those documents and for clarity and consistency.
11. 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 in the interests of certainty. To safeguard the character and appearance of the appeal property and the surrounding area, I have imposed a condition requiring the materials to be used in the construction of the external surfaces of the development to match those used in the existing building.

Conclusion

12. For the reasons given above the appeal is allowed.

H Wilkinson

INSPECTOR