



Appeal Decision

Site visit made on 2 September 2024

by **P D Sedgwick BSc (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 19 September 2024

Appeal Ref: APP/G3110/D/24/3345091

59 Cranmer Road, Oxford, OX4 2QB

- 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 Mrs Nirmal Gill against the decision of Oxford City Council.
 - The application Ref is 24/00349/FUL.
 - The development proposed is erection of a two storey rear and side extension.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The appellant, in their Statement of Case (SoC), submitted amended plans¹ for the refused scheme and has asked that I consider these plans as part of the appeal. The main differences between the refused application and the revised scheme are that the first floor rear would not be cut in at the corner adjacent to No 57, rooflights have been added to the side and rear roof on the proposed rear extension, and the side extension is set back a further 300mm from the front elevation. There is no evidence that the amended plans formed part of the scheme that the Council made its decision on, or that the amended scheme has been subject to any form of public consultation. It would not therefore be fair or appropriate to consider these amended plans within my decision as the acceptance of such would deprive those who should have been consulted on the changed development the opportunity to comment. As such, I will base my decision solely upon the plans that were assessed by the Council as part of the original planning determination.

Main Issues

3. The main issues are the effect of the proposed development upon:
 - the character and appearance of the host dwelling and surrounding area; and,
 - the living conditions of occupiers of 57 Cranmer Road, with particular regard to light and outlook.

¹ Appendix D

Reasons

Character and appearance

4. The appeal property is a 2 storey semi-detached house with a single storey rear extension and hipped roof. Most other houses within the street are also semi-detached, set back from the pavement edge behind front gardens or paved drives.
5. There are gaps between pairs of houses which allow side access to rear gardens. They are wide enough such that during my visit I saw one vehicle parked to the side of a house. In some cases, the gaps have been reduced or filled at ground floor level by wooden fences and access gates or lean-tos, and several houses have single storey side extensions. Nonetheless, at first floor level these gaps are retained between pairs of houses providing a sense of openness and separation between properties that contributes significantly to the street scene.
6. The proposed development would include a 2 storey side extension. Although it would be set down below the main roof ridge and set back behind the main building line, and thus appear subservient in this regard, it would upset the symmetry that exists with the adjoining house and be out of keeping with other single storey side extensions on houses nearby. It would also run close to the boundary with No 61, closing the gap between the properties at ground floor and first floor level, which I have identified as an important component of the street scene. It would thus harm the character and appearance of both the house and wider area.
7. The side extension would join a rear extension which would extend across the full width of the house, but with a corner section cut in on the boundary with No 57. I understand that this is intended to lessen the impact of the proposed development on occupiers of No 57. However, it would appear disjointed and incongruous. Also, the rear extension, despite being set down from the main roof ridge, would dominate and subsume the rear of the house. Although it would only be visible from the rear of neighbouring houses it would, nonetheless, harm the character and appearance of the host dwelling and thus conflict with Policy DH1 of the Oxford Local Plan 2036 (2020) (LP) and the National Planning Policy Framework (2023) (the Framework) which require high quality design that enhances local distinctiveness.

Living conditions

8. Stepping in walls on the side and rear at the corner on the first floor of the proposed rear extension would, to some extent, limit the loss of light to the nearest first floor window on No 57 although, as the Council note, it would not prevent some loss of light to No 57's ground floor window. However, the rear of both houses face approximately northeast. For most of the time they do not, therefore, benefit from direct sunlight. Furthermore, given the distance between the neighbour's windows and the proposed extension wall, and the depth of the extension, the proposed development would not reduce daylight to the windows to a degree that it would harm the living conditions of occupants of No 57.
9. The rear garden at No 57 is long enough and wide enough, particularly given the gap between it and its other neighbour, that there is enough unrestricted outlook from its rear windows that the proposed development would be peripheral and not appear so dominant or overbearing as to be so harmful to the occupants' living conditions as to justify withholding planning permission on this issue alone.

10. I therefore conclude on this main issue that the proposed development would not conflict with policies H14 and RE7 of the LP which seek to prevent development from having an unacceptable impact on neighbours' outlook and access to sunlight and daylight.

Other Matters

11. I note that other houses on Cranmer Road have been extensively altered, including the neighbouring house, No 61. However, none of the extensions that I saw reduced the gap between properties to the extent that the proposed development would and, as such, their impact on the street scene is less harmful than that of the proposed development. In any case, I have come to my own view regarding the proposed development rather than relying on the approach the Council may have taken elsewhere.

12. I accept that the proposed development would improve the appellant's family's living accommodation, but such benefits do not outweigh the harm that I have identified.

Conclusion

13. I have considered all other matters raised in support of the appeal, including the absence of public representations. However, for the reasons above I conclude that the appeal should be dismissed.

P D Sedgwick

INSPECTOR