



Appeal Decision

Site visit made on 25 September 2024 by S Indermaur

Decision by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 March 2025

Appeal Ref: APP/G3110/W/24/3345001

84D Banbury Road, Oxford OX2 6JT

- 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 Mr Jonathon Allen against the decision of Oxford City Council.
 - The application Ref is 23/02978/FUL.
 - The development proposed is insertion of 2no. rooflights to front elevation.
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Decision

1. The appeal is allowed and planning permission is granted for insertion of 2no. rooflights to front elevation at 84D Banbury Road, Oxford OX2 6JT in accordance with the terms of the application Ref 23/02978/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 approved plans: TQRQM19243182334238 (1:1250 Location Plan), TQRQM19243183037453 (1:500 Site Plan), P101 (Front Elevation as Proposed), P102 (3D View as Proposed).
 - 3) The rooflights hereby approved shall be conservation style rooflights, as indicated in the application, with precise details of the fitting and materials to be first approved in writing with the Local Planning Authority prior to development commencing. Once approved in writing, the conservation style rooflights shall only be installed in accordance with the approved details.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matter

3. The description of the proposal on the application form includes superfluous text, some of which is not a description of development. Therefore, the description in the banner heading above has been taken from the Council's decision notice as it adequately and succinctly describes the development proposed.

Main Issue

4. The main issue is whether the proposal would preserve or enhance the character or appearance of the North Oxford Victorian Suburb Conservation Area (CA).

Reasons for the Recommendation

5. 84D Banbury Road is a top floor flat situated within the roof of a mid-terrace residential building. The terrace includes a centrally located Dutch gable, bordered by a pair of gables to each side, which project forward of a steeply pitched main roof. The roof is covered with red clay tiles and exhibits large chimneys and pitched roof dormers, with ornaments matching those of the large gables and Dutch gable they sit behind, providing for a cohesive roofscape.
6. The group of properties are located within the Banbury Road Character Area of the CA, which is one of the principal routes in and out of Oxford. The North Oxford Victorian Suburb Conservation Area Appraisal (CAA) identifies the significance of the CA. This includes its character as a distinct area, imposed in part by topography as well as by land ownership from the 16th century into the 21st century. Specifically, Banbury Road derives its significance from its breadth achieved with a wide road, wide pavements and large houses set back from the street and often incorporating high-quality, distinctive traditional architecture. In the latter respect, the appeal terrace therefore positively contributes to the significance of the CA.
7. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention is paid to the desirability of preserving or enhancing the character or appearance of a conservation area. The appellant has provided a heritage statement with their appeal statement in line with Paragraph 207 of the National Planning Policy Framework.
8. The proposed rooflights would be conservation style which would sit close to the roof plane. They would also be small in scale and neatly arranged in line with each other. Together with their angle on the roof relative to the projecting gables and dormers, and their location significantly above street level, these factors would ensure the rooflights would be discreet additions. Even accounting for the building's set back position on Banbury Road, the factors described would ensure that the rooflights would not be very noticeable to passers-by and the terrace would retain its overriding symmetry and uniformity. Consequently, the character and appearance of the CA would also be preserved.
9. I conclude, the proposed development would preserve the character and appearance of the CA. In that regard, it would comply with Policies DH1 (High quality design and placemaking) and DH3 (Designated heritage assets) of the Oxford Local Plan (2020), which together seek development of high-quality design that respects Oxford's unique historic environment and responds positively to the significant character and distinctiveness of the locality.

Conditions

10. I recommend that conditions are attached requiring the proposed development to be commenced in line with the standard time period and to require that the development be carried out in accordance with the approved plans in the

interests of certainty. The position and scale of the rooflights can be ascertained from the elevation drawings provided. However, a condition requiring the rooflights to be a conservation style with precise materials and fitting specification to be first approved in writing with the Council is necessary in order to ensure that the completed development is sympathetic to the host building and the CA, as per the intentions set out by the appellant.

Conclusion and Recommendation

11. The proposal complies with the development plan. Therefore, for the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

S Indermaur

APPEAL PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and my representative's report and on that basis the appeal is allowed.

M Russell

INSPECTOR