



Appeal Decision

Site visit made on 17 July 2025

by **Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 05 August 2025

Appeal Ref: APP/G3110/D/25/3366904

56 Asquith Road, Oxford OX4 4RH

- 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 Asif Khalid against the decision of Oxford City Council.
 - The application Ref. is 25/00117/FUL.
 - The development proposed is demolition of the existing rear extension and the erection of a single storey rear extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed extension on (i) the character and appearance of the host dwelling and its surroundings; (ii) the living conditions for the occupiers of No. 15 Deveraux Place in terms of outlook and light, and (iii) the amenity of the remaining garden area at the appeal dwelling for existing and future residents.

Reasons

Character and Appearance

3. I saw on my visit that the appeal dwelling is the middle house in a terrace of three. There are many other houses and terraces of essentially the same design in the surrounding area, although in this case the site is at the corner of the junction of Asquith Road and Deveraux Place. This results in the terrace being set at an angle with the highway and Nos. 15 Deveraux Place and 54 Asquith Road having triangular gardens larger than those of neighbouring dwellings.
4. On the first issue, leaving aside a modest set back from the boundary with No. 54 to avoid obstruction of the access corridor to the front, the proposed development would occupy the full width of the site. When this width is combined with its 6m depth, the extension would appear disproportionately large given the modest sizes of the dwelling's ground floor footprint and its garden.
5. Indeed, in my view the limited size, design and terraced form of these dwellings all serve to constrain the potential for rearward extensions to blend with the consistent linear development pattern, especially in this case as the openness of the angled corner position increases their prominence. In this way, the 6m length extension would draw the eye from nearby properties in both Asquith Road and Deveraux

Place and be perceived as visually intrusive from the many vantage points in their rear gardens.

6. Overall, on issue (i), I find that the appeal scheme would have an unacceptably harmful effect on the character and appearance of the host dwelling and its surroundings. This would be in harmful conflict with Policy DH1 of the Oxford Local Plan 2036 adopted in 2020 ('the Local Plan') and with Government policy in Section 12: 'Achieving Well-Designed Places' of the National Planning Policy Framework, revised December 2024 ('the Framework').

Living Conditions for occupiers of No. 15 Deveraux Place

7. On issue (ii), an extension of the proposed eaves height of 2.7m and 6m length on the boundary with No. 15 Deveraux Place would inevitably result in a significant loss of outlook from the rear windows and a significant part of the garden of that dwelling. The Officers' Report correctly contrasts this with the relatively 'soft' boundary of a lower hedge and fence which does not result in the same degree of enclosure as would be the case with the extension's side wall.
8. As regards daylight, the Officer's Report says that the proposal fails the standard 25 and 45 degree notional line test, as measured from the rear window and door of No. 15. And in respect of sunlight, the north eastwardly projection of the addition from the rear wall would cause a loss of morning sunlight to the rear of No. 15.
9. Accordingly on this issue I conclude that the proposed development would have a significantly harmful effect on the living conditions for the occupiers of No. 15 Deveraux Place, in conflict with Local Plan Policies H14 & RE7 and paragraph 135f) of the Framework. I have noted the points of rebuttal in the appeal statement but do not regard these as having sufficient relevance and weight to overcome the adverse effects on this neighbouring dwelling.

Remaining Area of Garden

10. Issue (iii) refers to an excessive loss of garden area because of the proposed extension. On the basis that the extension would be 6m in length, the remaining garden area would be of an area less than that of the footprint of the house. This would be contrary to Local Plan Policy H16, and I accept the view of the Officer's Report that it would be reasonable to conclude that it would not leave adequate room for sitting out, drying clothes and children's play equipment.

Other Matters

11. On all three main issues, I have given careful consideration to the grounds of appeal. I recognise that the proposal is for a person with a significant disability and resultant mobility issues but am not persuaded that the size of the proposed addition is necessary for these problems to be satisfactorily addressed. Nor do I consider the measures suggested in mitigation to be adequate.
12. Finally, the extension at No. 42 Asquith Road was pointed out to me at the site visit as a precedent and I agree that in principle this is a similar development to the appeal scheme. However, I also note that the Officer's Report says that this is 4.6m deep, which would be 1.4m less than the current proposal.
13. Furthermore, I was not able to visit and inspect that property to assess whether the circumstances at the rear of the adjoining properties were the same as in this

appeal. On balance therefore, I do not consider that the development at No. 42, assuming it has been granted planning permission, is sufficient to establish a precedent that would outweigh the harm caused in relation to the three main issues identified in the appeal.

Conclusion

14. For the reasons explained above, the appeal fails.

Martin Andrews

INSPECTOR