



Appeal Decision

Site visit made on 30 October 2025

by **N Bromley BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 18 November 2025

Appeal Ref: APP/G3110/W/25/3368646

33 Blackbird Leys Road, Oxford, Oxfordshire OX4 6HJ

- 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 Shkelzen Hoxha against the decision of Oxford City Council.
- The application Ref is 25/00105/FUL.
- The development proposed is erection of a part single, part two storey side and rear extension and external stair to create 2 x 1 bed flats (Use Class C3). Erection of a single storey rear extension to existing dwelling. Provision of car parking, bin and cycle storage.

Decision

1. The appeal is dismissed.

Preliminary Matter

2. In the banner heading above, I have used the description of development taken from the Council's decision notice, as opposed to the application form, as it more accurately describes that for which permission is sought. However, in doing this I have removed wording that does not refer to acts of development. I have also had full regard in my reasoning to the description on the application and appeal forms.

Main Issues

3. The main issues are:
 - the effect of the proposed development on the character and appearance of the area,
 - whether the proposed development would secure a sustainable drainage scheme, and
 - the effect of the proposed development on the living conditions of the occupants of 33 Blackbird Leys Road (the host property) with regard to daylight.

Reasons

Character and appearance

4. The appeal site comprises a two-storey semi-detached dwelling, located in a residential area. The property is set back from Blackbird Leys Road, but it occupies a prominent corner plot position immediately adjacent to Balfour Road. The area is dominated by two storey semi-detached dwellings with occasional blocks of terrace houses and maisonettes.

5. The street scene adjacent to the appeal site has an open and verdant character, largely due to the spacious amenity area in front of the maisonettes opposite and the large grass verges, shrubbery and trees along this part of Blackbird Leys Road. The side garden of the host property, due to its size and position, contributes positively to the open appearance of the locality.
6. With its large footprint, considerable width and two storey height, the proposed development would be a noticeable, dominant and unsympathetic addition to the modest semi-detached property. As such, even though it has been set back from the front elevation of the original dwelling, the proposed extension would overwhelm the existing house. For similar reasons, it would also significantly reduce the open appearance of the side garden and harm the spacious appearance of the street scene, which could not be mitigated by soft landscaping.
7. In addition, the overly dominant appearance of the proposed development would be exacerbated by the large, rear projecting gable feature, as well as the bland side and rear elevations, which would have a large expanse of brickwork. Consequently, although matching facing materials and fenestration are proposed, the extension would be incongruous.
8. Furthermore, the external staircase, which would provide access to the first-floor flat, would be visible from the road. Its functional appearance would be made worse by a bulky privacy screen. Indeed, the height, bulk and utilitarian appearance of the staircase would be a stark and unsightly addition to the building. Particularly within this residential area.
9. For the collective reasons outlined above, I conclude that the proposed development would be harmful to the character and appearance of the area. It would therefore conflict with the design aims of Policies DH1 and G6 of the Oxford Local Plan 2020 (the LP), which together and amongst other things, require development to be of high-quality design that creates or enhances local distinctiveness, and which responds to the character and appearance of the area.

Drainage

10. Policy RE4 of the LP seeks all development proposals to manage surface water through Sustainable Drainage Systems (SuDS) or techniques to limit run-off and reduce the existing rate of run-off on previously developed sites.
11. No information has been submitted to demonstrate how the site is to be drained using SuDS or techniques to limit run-off. Therefore, in the context of the proposal for two flats, which would occupy a large section of the existing garden, it has not been demonstrated that an acceptable drainage scheme for the site is possible.
12. While the appellant suggests that the details could be secured by a planning condition, in the absence of substantive evidence, and having regard to the National Planning Policy Framework (the Framework), and the Planning Practice Guidance, I cannot be satisfied that a condition would pass the tests set out in paragraph 57 of the Framework.
13. Consequently, for the above reasons, it has not been demonstrated that the proposed development would secure a sustainable drainage scheme. Therefore, the proposal is contrary to Policy RE4 of the LP.

Living conditions

14. The proposed external staircase would be located next to the proposed single storey extension to the rear of the host property. The rear extension would have a set of glazed double doors on the rear elevation which would serve a kitchen.
15. The Council suggest that the proposed external staircase would fail to comply with the 25- and 45-degree angle test when applied to the rear set of double doors on the rear elevation. However, while the juxtaposition and height of the proposed staircase would be located next to the proposed double doors, the openings would be fitted with full height glazing. Due to the orientation of the double doors, I am satisfied that the proposed external staircase would not result in a significant loss of light to the proposed kitchen and a reasonable amount of daylight would be achieved. Even without the additional window in the side elevation of the proposed rear extension, which is shown on the floor plans but not the elevation plans.
16. For the above reasons, I conclude that the proposed development would not cause unacceptable harm to the living conditions of the occupants of the host property with regard to daylight. As such, it would not conflict with Policies H14 and RE7 of the LP, which together, and amongst other things, seek to ensure that new development provides reasonable daylight for occupants.

Other Matters

17. The Council states that it has a housing supply in excess of five years. Although the appellant disputes the Council's position, no other compelling evidence has been submitted to lead me to a different view. As such there is nothing before me to suggest that current policy is not providing enough housing to meet the requirements for the area, including smaller scale homes. Even so, the creation of two, one-bedroom flats in a sustainable urban area, would contribute to boosting the supply of new housing, as referenced in the Framework.
18. The development could also be delivered relatively quickly due to it representing a small, windfall site. The proposal would also add to the mix of housing in the area, providing two smaller, energy efficient units, which meet living space standards. There would also be social and economic benefits to local services during the construction and occupancy phases without conflict with neighbouring land uses. However, for two dwellings the benefits would be minor.
19. Taking all of the above matters into consideration, the benefits of the proposed development would not outweigh the identified harm that would be caused to the character and appearance of the area and the lack of a suitable drainage scheme.
20. I acknowledge the appellants frustrations with regard to the Council's handling of the planning application. Nevertheless, I have considered the proposed development on its planning merits.

Conclusion

21. For the reasons given above the appeal should be dismissed.

N Bromley

INSPECTOR