



Appeal Decision

Site visit made on 17 November 2025

by **A O'Neill BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 19 December 2025

Appeal Ref: APP/G3110/W/25/3372684

58 Dashwood Road, Oxford, Oxfordshire OX4 4SH

- 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 Iqbal against the decision of Oxford City Council.
 - The application Ref is 25/00189/FUL.
 - The development proposed is described as: Demolition of existing garage. Erection of a two storey building to create 1 x 2 bed dwellinghouse (Use Class C3). Provision of private amenity space and car parking.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development in the banner heading above is taken from decision notice which is the same as the appeal from. This is different to the description in the planning application form, but more accurately describes the proposal.

Main Issues

3. The main issues are:
 - the effect of the proposal on the character and appearance of the area;
 - whether or not the proposal would provide acceptable living conditions for future occupiers;
 - whether or not the proposal would comply with the development plan in respect of carbon emissions;
 - the effect of the proposal on the living conditions of neighbouring occupiers with particular regard to noise and disturbance;
 - whether or not the proposal would provide an adequate level of biodiversity net gain (BNG).
 - whether or not the proposal would provide satisfactory surface water drainage arrangements;
 - whether or not the proposal would comply with the development plan in respect of parking provision; and,

Reasons

Character and appearance

4. The site is located between numbers 58 and 60 Dashwood Road, both two storey, semi-detached dwellings. The site is currently occupied by a single storey, detached flat roof garage associated with number 58.
5. In the vicinity of the appeal site, Dashwood Road is characterised by two storey dwellings in semi-detached pairs or short terraces with wide gaps or single storey garages in between. The existing dwellings have a similar appearance to each other and are set back in their plots with wide frontages and generous rear gardens. The appearance and layout of the existing development create a strong rhythm to the street scene and gives a spacious feeling to this part of Dashwood Road.
6. The proposal would result in the sub-division of the plot currently occupied by 58 Dashwood Road. The resultant plot for the proposed dwelling would be appreciably narrower and smaller overall than others in the vicinity of the appeal site. The plot for the proposed dwelling would therefore appear cramped and at odds with the larger plots which characterise the area.
7. Whilst there are single storey garage structures between some of the existing dwellings, there are gaps between them at first floor. Through those gaps it is possible to perceive the spacious layout of the existing development. The proposed two storey dwelling would close the gap between numbers 58 and 60 Dashwood Road, unacceptably detracting from the spacious character of the area.
8. Dwellings in the vicinity of the site are set back from the footway a consistent distance, following the curve of the road. The proposed dwelling would be set some distance further back from the footway, therefore disrupting the established linear pattern of development.
9. The proposed dwelling would have an appearance quite different from the existing dwellings on Dashwood Road. Nearby dwellings share similar fenestration arrangements including door openings to their front elevations. In contrast, the proposed dwelling has a simpler fenestration arrangement without a door. It would also have a gable end to its front elevation, conflicting with the prevailing eaves-fronted design of existing dwellings. Consequently, the proposed dwelling would appear as an incongruous addition to the street scene, and this impact would not be mitigated through the incorporation of common design features such as the proposed brick plinth and stringcourse or the use of matching materials.
10. The small plot size would mean the proposed dwelling would appear shoehorned between the two adjacent dwellings. Combined with the size and siting of the proposed dwelling, which would not be consistent with surrounding development, the appeal proposal would unacceptably erode the rhythm of the street scene and the feeling of spaciousness which characterise the area.
11. Taking all of the above into account, the proposal would be harmful to the character and appearance of the area. Consequently, it would conflict with Policy DH1 and Policy G6 of the Oxford Local Plan 2036 (the LP). Taken together, these policies support development of high quality design that creates or enhances local distinctiveness and require development on garden land to respond to the

character and appearance of the area and to be on a plot of an appropriate size and shape, taking into account the scale, layout and spacing of surrounding buildings.

Living conditions – future occupiers

12. Policy H15 of the LP requires all new homes to comply with the Nationally Described Space Standards (NDSS). Amongst other things, the NDSS sets requirements for the gross internal floor area of new dwellings at a defined level of occupancy as well as floor areas for bedrooms.
13. The proposed floorplans show two bedrooms. The NDSS requires dwellings with two or more bedspaces to have at least one bedroom which has a floor area of at least 11.5sqm. The evidence indicates the front bedroom would measure 10sqm and the rear bedroom 6.1sqm. Therefore, the proposal does not meet the NDSS requirements in this regard. Designating the dwelling as a 2 bedroom, 2 person property would not overcome the requirement for one bedroom to be at least 11.5sqm.
14. Furthermore, the NDSS requires a 2 bedroom, 3 person, 2 storey dwelling to have a minimum gross internal floorspace of 70sqm and 2sqm built-in storage. The appellant states the total floor area of the proposed house is 70.6sqm, however, the NDSS requirements are for internal floor areas. The Council's evidence indicates the internal floor area would be some 52sqm, falling considerably below the NDSS requirements in this regard. The appellant states that they could increase the size of the proposed house, but that would constitute a different scheme to that before me now and I must determine the proposal as submitted.
15. On the evidence before me, the dwelling would fail to meet the minimum internal space standards set out in the NDSS. Consequently, the proposal would not provide an acceptable standard of accommodation for future occupiers. As such, it would be contrary to Policy H15 of the LP, as set out above.

Carbon emissions

16. Policy RE1 of the LP requires new build residential dwellings to achieve at least a 40% reduction in carbon emissions from a 2013 Building Regulations (or future equivalent legislation) compliant base case. The policy states that the reduction is to be secured through on-site renewable energy and other low carbon technologies and/or energy efficiency measures. An Energy Statement is required to demonstrate how the proposal complies with the policy requirements.
17. The appellant has submitted documents including SAP Calculations Specification, U-thermal values and a predicted energy report which provide information to show how the development would comply with current Building Regulations. However, this documentation does not demonstrate how the proposal would secure a 40% reduction in carbon emissions from the current Building Regulations base, as required by Policy RE1.
18. There is reference to the use of an air source heat pump to provide heating for the proposed dwelling. However, this is not shown on the submitted plans and there is no evidence that this would secure the required reduction in carbon emissions.
19. Although the Council has suggested a condition to require an Energy Statement, I am not satisfied that the condition, as worded, is sufficiently precise or enforceable

and so it would not meet the tests set out at paragraph 57 of the National Planning Policy Framework (the Framework).

20. The proposal therefore would not comply with the development plan in respect of carbon emissions and, as such, it would conflict with LP Policy RE1, as set out above.

Living conditions – neighbouring occupiers

21. As identified above, the location of the proposed air source heat pump has not been provided, nor is there any information regarding its operation including any noise and/or vibration which may be generated by it. Given the compact size of the site, and proximity to neighbouring properties, it is reasonable to assume that any noise and disturbance resulting from the air source heat pump may have an adverse effect on the living conditions of neighbouring occupiers.
22. The appellant refers to a section entitled 'Noise Impact Assessment' in an undated document entitled '58, Dashwood Road, Oxford, Daylight Assessment'. However, this does not constitute a technical noise assessment and there is no reference to the proposed air source heat pump.
23. Thus, without substantive evidence to the contrary, I find the proposal would harm the living conditions of neighbouring occupiers with particular regard to noise and disturbance. As such, it would conflict with Policies RE7 and RE8 of the LP which together seek to ensure the amenity of neighbours is protected by not permitting development that will generate unacceptable noise and vibration impacts.

BNG

24. Under Article 7(1A) of the Town and Country Planning (Development Management Procedure) Order 2015 ('the DMPO'), applications for planning permission are required to be accompanied by certain information relating to BNG. The objective of BNG is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat.
25. The appellant believes that this development would be subject to the biodiversity gain condition. The pre-development biodiversity value of the site has been indicated on the Application Form. If planning permission was granted, it would be subject to the biodiversity gain condition which requires the submission and approval of a Biodiversity Gain Plan. However, a completed metric calculation tool showing the calculations of the pre-development biodiversity value of the onsite habitat has not been submitted. There is also no evidence submitted that a 10% increase in biodiversity value would be delivered. Without this information, I cannot form a view on whether or not the Biodiversity Gain Condition is capable of being discharged successfully.
26. The Council's case indicates the proposal may be subject to the de minimis exemption. I note that the proposed dwelling would be sited partially on existing garden land and partially on existing hardstanding. However, there is nothing before me to demonstrate that the proposed development would not impact a priority habitat and would impact less than 25sqm of onsite habitat. In the absence of evidence to the contrary, I cannot be satisfied that the proposal would be exempt from BNG requirements.

27. Therefore, minimum information requirements set out in Article 7 of the DMPO have not been met. Given BNG is a statutory requirement, this is a matter of principal importance and failure to comply with the DMPO is a fundamental flaw of the proposal.

Drainage

28. Policy RE4 of the LP requires 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. The application is not accompanied by any information on how the proposal would meet these requirements. There is nothing before me to suggest that suitable drainage could not be achieved, and the Council has submitted a suggested condition to secure such information in the event of permission being granted. The suggested condition would pass the tests set out at paragraph 57 of the Framework.
29. Accordingly, subject to such a condition, I conclude that the proposal would comply with the development plan in respect of drainage. As such, it would not conflict with Policy RE4 of the LP.

Parking

30. Policy M3 of the LP sets the Council's approach to vehicle parking with maximum parking standards set out in appendix 7.3. The standards require a maximum of one, off street parking space for this proposal.
31. The submitted plans show two off street parking spaces for the proposed dwelling. The appellant states that this could be reduced to one space. Although no amended plan has been submitted to show this, based on my observations on site, I consider this would be feasible. Furthermore, I note that the Council has suggested a condition requiring an amended plan to be submitted prior to the occupation of the dwelling. Therefore, were I to allow the appeal, I consider that the provision of one parking space could be secured by a suitably worded condition.
32. Subject to such a condition, I conclude that the proposal would comply with the development plan in respect of parking provision. Therefore, the proposal would accord with LP Policy M3 which requires proposal to comply with the maximum standards set out in appendix 7.3, as referred to above.

Other Matters

33. My attention has been drawn to two appeal decisions which the appellant suggests set a precedent for the appeal proposal (Appeal references: APP/G3110/D/19/3220799 and APP/G3110/D/23/3331152). I have not been provided with the full plans and details of those proposals, however they both appear to relate to extensions to existing dwellings. The appellant also suggests that other similar proposals have been granted planning permission (References: 19/00704/PAC, 19/02796/FUL, 20/00224/FUL). I have not been provided with the full details of those applications and the Council's evidence indicates these also relate to extensions to existing dwellings. Therefore, the examples cited are not directly comparable to the appeal proposal before me now. As such, these considerations do not alter my findings.

Planning Balance and Conclusion

34. The appeal site is in a location where the principle of new residential development is acceptable. The proposal would make an efficient use of the site, and one new dwelling would make a positive, albeit minimal, contribution to the Council's housing supply. There would also be limited economic benefits from construction and future spend from occupiers.
35. Nevertheless, although I found that the concerns raised in relation to parking and drainage could be surmounted, I found that the proposal would result in permanent harm to the character and appearance of the area and it would fail to provide adequate living conditions for both future occupiers and neighbouring occupiers. Furthermore, the proposal would not comply with the development plan in respect of carbon emissions and the minimum requirements for BNG have not been met.
36. Consequently, the proposal would conflict with the development plan when read as a whole. There are no material considerations that would outweigh that conflict. Therefore, the appeal is dismissed.

A O'Neill

INSPECTOR