

**Supplement to the agenda for:**

**Agenda Item 4**

**West Area Planning Committee**

**14<sup>th</sup> April 2015**

**Application Number:** 14/03290/VAR

**Decision Due by:** 23<sup>rd</sup> January 2015

**Proposal:** Variation of condition 2 (approved plans) of planning permission 13/00180/FUL (single storey side and basement extensions) to allow alterations to side extension, basement, front lightwell and erection of glass box at rear.

**Site Address:** 5 Farndon Road & 19 Warnborough Road, **Appendix 1.**

**Ward:** North Ward

Report attached to the main agenda: this supplement contains the site plan and a related appeal decision dates 16 July 2014.



(c) Crown Copyright and database right 2014. Ordnance Survey 100019348.

Scale (printed to A4): 1:1,250

0 10 20 30 40  
Metres

Date: 07/03/2014

## Appeal Decision

Site visit made on 9 July 2014

by **D Cramond** BSc MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 16 July 2014

**Appeal Ref: APP/G3110/D/14/2219230**

**5 Farndon Road & 19 Warnborough Road, Oxford, OX2 6RS**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Craig Burkinshaw against the decision of Oxford City Council.
- The application Ref 13/03355/FUL was refused by notice dated 31 March 2014.
- The development proposed is a single storey extension to the side of the existing house along with the creation of a basement.

### Decision

1. The appeal is dismissed.

### Main issue

2. I consider the main issue to be the effects of the proposal on the character and appearance of the host dwelling and the locality.

### Reasons

3. The appeal property is a well proportioned, three storey, Victorian dwelling in generous grounds with imposing elevations and details; it is a combination of two homes converted into one in a corner location. Its appearance is broadly typical of the area in terms of age, design, siting, materials and detailing and this equates to a locality of distinctive residential character and very pleasing appearance. The proposal is principally as described above.
4. The site lies within the North Oxford Victorian Suburb Conservation Area. There is a duty imposed by Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requiring decision makers to have special regard to the desirability of preserving or enhancing the character or appearance of a Conservation Area. Policy HE7 of the Oxford Local Plan 2011-2016 (LP) principally reflects S72(1).
5. The proposal would involve demolition of the more recent flat roofed side garage – this structure is not a positive element other than the fact that it is clearly subservient to the main dwelling and low in height which enables views over to vegetation beyond. The scheme would see the erection of a single storey extension of a modern form along with basement works. The scheme would also encompass new bin/bike storage and information is included in respect of detailed landscaping proposals. The proposal follows on from an extant permission (Ref 13/00180/FUL) which included a more 'traditional' side extension (which would be somewhat taller than the garage), less extensive

basement works, a different bin/bike storage arrangement and varied landscape proposals. It is reasonable for the Appellant to view this as a 'fall-back'.

6. Among the characteristics of the locality which are striking are the intact original form of most front elevations, the verdant nature of extensive gardens and views of these, and the spacing to side boundaries of the vast majority of dwellings.
7. Whilst the proposed extension seeks to share some of the host building's proportions, regrettably, by reason of its modern design and almost flamboyant roof form, it would literally be eye-catching even although viewpoints are limited. There would be loss of the 'primacy' of the original building and the scheme would not reflect the architectural or other characteristics of the host property or those around. There would be a most awkward visual relationship to the original building. The front elevation would not resemble an intact ensemble. This extension would have considerable depth, width and height and the planned design would only emphasise this. It is perhaps regrettable that the gap to the side of the building is filled at present, and would be more so under the consented scheme, but for this to be further visually emphasised and drawn to the eye would be most unfortunate.
8. The extent of the basement works would be quite extraordinary and certainly not reflective of the character of the home above or those around. Some detractors use the word over-development and I would say that was fair. There would by necessity be considerable removal of existing vegetation and replacement works would, at best, take time to establish scale, verdant nature and informality. Hard surfacing to the rear would increase, as would the lightwell to the front and levels would change at a number of points. The bike/bin store would be quite visible from the Farndon Road entrance with little or no intervening vegetation at an angle of view. Such a structure is not a characteristic of the locality and should be located more discreetly.
9. I fully recognise that the 'fall-back' development and consent for landscape change with some approved removal exists via the extant permission, but to my mind, in virtually every regard, the current proposal would go a step too far beyond this. The local attributes of character and appearance would diminish with the case in hand.
10. Having regard to all of the above I conclude that there would be conflict with S72(1) of the Act and LP Policy HE7; there would not be preservation of the character or appearance of the Conservation Area. The LP also includes Policies CP1, CP8, CP10, NE15 and NE16. The Sites and Housing Plan 2011-2026 includes Policy HP9 and the Oxford Core Strategy 2026 embodies Policy CS18. Taken together these policies call for, amongst other matters, high quality design which would be appropriate to local context and distinctiveness; schemes which would have a visual relationship with the form, materials and details of the surrounding area; development that would not lead to inappropriate loss of vegetation; and proposals which would generally maintain the streetscape and the character of an area. For the reasons given I conclude that the appeal scheme would run contrary to these policies.
11. I have carefully considered the views of respondents to the scheme albeit I would emphasise that some matters raised are not within my remit. I understand the Appellant's wish to alter the accommodation of this property

and to review the current planning permission. I can see how comprehensive and commendable efforts and analysis have been made on many technical and environmental facets of the scheme. The survey and review work on the existing trees and shrubs, and the 'fall-back' position on vegetation and other matters via the extant planning permission, have been part of my consideration. I note other examples of local modern idiom extensions which have been drawn to my attention but find that none of these are directly comparable by reason of their scale, design or siting and I must in any event determine the proposal before me on its own merits. I have carefully considered all the points raised by the Appellant but these matters, and any benefits arising from the proposed development, do not outweigh the concerns which I have in relation to the main issue identified above.

12. I confirm that policies in the National Planning Policy Framework have been considered. Key objectives of the Framework are to protect and enhance the qualities of the built environment as well as to safeguard heritage assets; development plan policies which I cite mirror these.

*Overall conclusion*

13. For the reasons given above I conclude that the appeal proposal would have unacceptable adverse effects on the character and appearance of the host dwelling and the locality. Accordingly the appeal is dismissed.

*D Cramond*

INSPECTOR

This page is intentionally left blank