

Appeal Decision

Site visit made on 20 January 2015

by Jane Miles BA (Hons) DipTP MRTPI

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

Decision date: 20th February 2015

Appeal Ref: APP/G3110/A/14/2228658

8 Mortimer Road, Oxford OX4 4UQ

- 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 Tariq Khuja against the decision of Oxford City Council.
- The application ref: 14/01802/FUL, dated 30 June 2014, was refused by notice dated 5 September 2014.
- The development proposed is a two storey extension of 8 Mortimer Road to provide a 1 bed dwelling, with associated car parking, refuse and cycle stores.

Decision

1. The appeal is dismissed.

Reasons

2. The **main issue** in this appeal is the effect of the proposed extension on the character and appearance of the surrounding area, with reference to the quality of the proposed design.
3. The appeal site is on the north-west side of the short section of Mortimer Road that slopes downwards between Lenthall Street (to the north-east) and Nowell Road (to the south-west). On this side only two semi-detached pairs (nos. 4-6 and 8-10) front directly onto the street, set between pairs that sit at angles across the street corners. On the opposite side, this part of Mortimer Road has been re-developed more intensively: it comprises a mix of around fourteen detached, semi-detached and terraced properties that front directly onto the street and step down the slope.
4. No. 8 and its immediate neighbours are part of the original, spacious housing layout in Rose Hill. Infilling most of the gap between nos. 6 and 8, as proposed, would disrupt that established pattern. However the first key matter to consider is whether, in principle, the loss of that gap would cause material harm to the surrounding area's character and appearance.
5. The proposed development would be seen primarily in the context of a very short row of dwellings, stepping down the hill, with spaces remaining between this row and the angled pairs beyond each end. Given this housing layout and gradient there appears to be little scope to infill the end spaces in a similar manner to the appeal proposal, such that any terracing effect would be limited to nos. 4-10. Moreover the form and nature of development opposite the appeal site, including terraced housing, reduces the importance of the original

estate layout as an element of this particular street scene's character. In these circumstances I find that infilling most of the gap between nos. 6 and 8 would not, in principle, unacceptably harm the street scene's character and appearance, subject of course to that being achieved with a development of appropriate scale, form and design.

6. Thus the second matter to consider is the nature of the proposed design in terms of form, mass, materials and detailing. The proposed development would be attached to no. 8 but would have a ground floor level slightly higher than that of no. 8 and lower than that of no. 6. Significantly, the roof would be flat and the extent to which the main front wall would be set back from the front of no. 8 would be minimal. Consequently there would be an 'unhappy junction' at the front between the pitched roof of no. 8 and the flat roof of the extension: the flat roof would project above the lower part of the pitched roof and stand out as an incongruous feature in the street scene. On this basis, rather than because of the modern flat-roofed design per se, I find the proposal would not be a harmonious addition to the street scene but would instead seriously detract from its character and appearance.
7. I have borne in mind the impact of the site's constraints in formulating an appropriate design solution, and note the proposed materials would include some that would match the adjacent houses together with a light coloured render intended to create a visual gap between the existing buildings. Overall however, for the reasons set out above, I find that the proposal would not achieve the high quality design that development plan and national policy seek to achieve. Rather it would unacceptably harm the character and appearance of the surrounding area, thereby conflicting with several development plan policies¹ and with national policy guidance in the *National Planning Policy Framework* which establishes that good design is a key aspect of sustainable development².
8. I have had regard to all other matters raised, and to the benefits of making more efficient use of land to provide a new dwelling. However I have found nothing sufficient to alter or outweigh my conclusions on the main issue. It follows therefore that the appeal must fail.

Jane Miles

INSPECTOR

¹ Most notably saved Policies CP1 & CP8 of the Oxford City Local Plan 2001-2016, Policy CS18 of the Oxford Core Strategy 2026 and Policies HP9 & HP10 of the Sites and Housing Development Plan Document

² *Framework* paragraph 56