
Appeal Decision

Site visit made on 3 November 2015

by Kenneth Stone Bsc(Hons) DipTP MRTPI

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

Decision date: 16/11/2015

Appeal Ref: APP/G3110/D/15/3132709
2 Mortimer Drive, Marston, Oxford OX3 0RR

- 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 Faisal Hussain against the decision of Oxford City Council.
 - The application Ref 15/01226/FUL, dated 14 April 2015, was refused by notice dated 17 June 2015.
 - The development proposed is described as 'single storey rear extension to form garden room, realign roofs at second floor level dormer to rear elevation (existing loft conversion). Porch to side elevation. Porch to Front elevation'.
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Decision

1. The appeal is dismissed.

Procedural matter

2. The description of development highlights differences between an existing consent for a two storey extension to the property and the proposed development. The plans submitted to the Council and on which the decision was taken clearly illustrate all of the extensions to the property and clearly include the two storey extension as amended. In the appellants statement of case at paragraph 6 it states: "*The proposal is to extend the existing house to provide additional accommodation on the ground and first floors and in the roof space. A two storey side extension and rear extension, an additional ground floor rear extension, front and side porches and a rear dormer window are proposed.*"
3. I have considered the appeal on this basis.

Background and Main Issues

4. The appellant at paragraph 7 of their statement of case note that "*...a two storey extension of exactly the same floorspace dimensions and window arrangements as the appeal scheme was permitted under application 10/03257/FUL. Work on that extension has commenced so the permission remains live.*" The statement goes on at paragraph 8 to state: "*The issues to consider in this appeal, therefore, revolve around the differences between the appeal scheme and the approved scheme.*" The differences are then summarised and these are in effect those identified in the description of development.

5. I agree that these are the basis of my consideration of the main issue which is the effect of the proposed development on the character and appearance of the property and the surrounding area.

Reasons

6. 2 Mortimer Drive (No 2) is a modest two storey semi detached house on a 1950's suburban housing estate. It is located in a small group of three pairs of semi-detached properties fronting the northern side of Mortimer Drive between its junctions with Oxford Road and Raymund Road. The appeal property is the eastern most property in this grouping and its flank wall is readily visibly in the street across the rear garden of the adjacent property that fronts Oxford Road.
7. The general area is characterised by properties of a similar age, bulk and mass but with variations in design including their roof forms. Along Oxford Road the houses are predominantly hipped roofs while on Mortimer Drive, beyond Raymund Road, properties are grouped in closely spaced semi-detached pairs or short terraces with gable roofs. The central pair of the group of three pairs of houses within which the appeal property is located have also both been altered to provide gable roofs and include box dormers of differing sizes on their rear roof slopes.
8. The proposed extensions and alterations to No 2 would result in a main roof with a gable end, over what was the original property, with a set back extension incorporating a gable ended roof with a lowered ridge, from the main property. Given that the other half of the pair has not been extended this would appear awkward and unbalanced, a point that would be exaggerated by the additional scale and bulk associated with the two storey extension. Given the position of the house in the street at the end of the road and with its flank elevation visible within the street the view of this gable arrangement would be particularly visible and dominant in the street.
9. I acknowledge that there is an extant consent that has been commenced on site for a two storey extension and which is a legitimate fall back position for the appellant. Unlike the proposed extension however, this includes hipped ends to the original property, and the extension, and would result in a form of development that maintained the original profile of these properties and introduced a sympathetic and subservient addition that did not significantly disrupt the existing roof pattern of the pair.
10. I also note that the adjoining pair have had their roofs changed to gable ends. However, these are a pair between two other pairs in the street and therefore do not hold as prominent a position as the property the subject of this appeal. Moreover, the properties now both accommodate gables and therefore balance has been restored; a point which could not be accommodated on the pair including the appeal property, as the other half could not be extended to the side in a similar manner, as there is not the space; balance could therefore never be restored.
11. In terms of the rear dormer this would be visible from the public domain from locations in Raymund Road where the two dormers on the adjoining pair can also be seen. In this context dormers are therefore visible in the street scene, however, they sit on a relatively otherwise uncluttered and flat roof plane. Those dormers also appear to be set down from the ridge line of the roofs on which they are located. The proposed dormer on No 2 would be set close to

the ridge and close to the rear extension and roof form proposed for that of the extension. This would give the rear dormer and rear roof a more cramped and cluttered appearance and giving it an unduly unbalanced appearance, related to the other half of the pair.

12. Overall in the context of the alterations to the roof form I conclude that they would result in an unbalanced, cluttered and awkward appearance harmful to the appearance of the existing property. Given the prominent position of the appeal property in the street and the relative balance of surrounding properties this would be harmful to the appearance of the street scene and the general character of the area. This would not be mitigated by the proposed alterations to the fenestration on the flank elevation, but which of themselves do not contribute to the harm I have identified.
13. Turning to the ground floor extensions these would have little effect on the character of the area or appearance of the street scene. The single storey rear extension would not be visible from public locations, the side porch would be screened from most public views given the angle of the property and the boundary and the narrow gap that would remain between the two storey side extension and the side boundary towards the front of the plot. The front porch would be a minor addition with little impact given its size and scale. Given the appellant's description of the works and the comments above however it is evident that this would be built as one scheme and these elements are therefore not severable from the development as a whole; I will therefore not issue a split decision.
14. For the reasons given above I conclude that the proposals would result in material harm to the character and appearance of the property and the area. Consequently it would conflict with policies CP1, CP8 and CP10 of the Oxford Local Plan 2001-2016, Policy CS18 of the Oxford Core Strategy 2026 and Policy HP9 of the Oxford Sites and Housing Plan 2011-2026. Collectively these require development to show a high standard of design that responds to the character of surrounding areas creating appropriate visual relationships including form and detail. These policies are consistent with the National Planning Policy Framework. The core planning principles at paragraph 17 require development to secure high quality design and the advice at paragraphs 56 and 64 attach great importance to design and advise that permission should be refused for poor design that fails to improve the character and quality of an area.
15. I agree with the Council's conclusions that the extensions would not result in any material harm to the living conditions of occupants of surrounding properties given the form and location of the extensions and the relationship with those surrounding properties.
16. For the reasons given above I conclude that the appeal should be dismissed.

Kenneth Stone

INSPECTOR

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