

Application number:	23/02423/FUL		
Decision due by	12th December 2023		
Extension of time	N/A		
Proposal	Raise roof height, formation of 1no dormer and 1no rooflight to north-west roofslope, formation of 3no rooflights to south-east roofslope in association with loft conversion. Insertion of 1no window to front and 2no windows to rear elevation. Re-render external walls. Removal of chimney stack.		
Site address	38 Stile Road, Oxford, Oxfordshire, OX3 8AQ		
Ward	Quarry And Risinghurst Ward		
Case officer	Jonathan Gentry		
Agent:	Mr And Mrs Coppock	Applicant:	Mr And Mrs Coppock
Reason at Committee	The applicant is a member of staff within the Planning and Regulatory Services team of Oxford City Council.		

1. RECOMMENDATION

1.1. Oxford City Planning Committee is recommended to:

1.1.1. **approve the application** for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and grant planning permission.

1.1.2. **agree to delegate authority** to the Head of Planning and Regulatory Services to:

- finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning and Regulatory Services considers reasonably necessary

2. EXECUTIVE SUMMARY

2.1. This report considers a proposal for a loft conversion with associated works to No.38 Stile Road. Specifically this relates to a raised roof height, formation of 1no. dormer to the north-west roof slope, various additional and revised fenestration comprising 4no. rooflights, 3no. additional windows and other associated external alterations including chimney removal and re-rendering.

2.2. This report considers the following material considerations:

- Design
- Neighbouring Amenity
- Highways/Transport
- Drainage
- Other Matters

2.3 This report concludes that the proposals would on balance not result in material harm to the character of the surrounding area and would be acceptable in design terms, in accordance with Policy DH1 of the Oxford Local Plan (OLP). The proposals would not result in the generation of material amenity harm to neighbouring sites and appropriate amenity standards for future occupiers would also be retained in line with Policies H14, RE7 and H16 of the OLP. The development would not have any unacceptable impacts in terms of highway safety and is compliant with Policies M3, M5 and RE7 in this respect. The report also concludes that the proposals are acceptable with regard to drainage and biodiversity. The application is therefore recommended for approval subject to suggested conditions.

3. LEGAL AGREEMENT

3.1. This application is not subject to a legal agreement.

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. The proposal is not liable for CIL.

5. SITE AND SURROUNDINGS

5.1. The application site is a two storey detached property positioned to the western side of Stile Road, Headington. The property is of traditional design, incorporating a dual pitched gable roof that fronts the highway, and an offset bay window frontage. The main aspects of the dwelling exhibit a red brick finish as existing.

5.2. The immediately adjacent neighbouring sites are that of No.36, a semi-detached property to the north, and No.64 St Leonard's Road, a two storey block of flats to the south. The predominant character of Stile Road and surrounding aspects is that of semi-detached properties of varying design and scale, with the inclusion of several detached properties (including the application property and No.27 opposite). A somewhat larger 3 storey flatted development lies on the junction of Stile Road and St Leonard's Road, a short distance to the south of the application property. A varied mixture of detailing and facing materials are also evident within the setting of the site, including a split of brick and render among surrounding dwellings.

5.3. The application property currently benefits from a single storey rear extension enlargement that has been constructed under the provisions of Permitted Development.

5.4. See block plan below:



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Ordnance Survey 100019348

6. PROPOSAL

6.1. The application proposes substantial alterations to the existing roof of the property, which would be increased in height and modified to incorporate a side facing dormer feature and several rooflight openings. Additional window openings to the front and rear elevations of the property at effectively 2nd floor level have also been proposed. Revised detailing is also sought, including the application of render to the dwelling, alongside removal of its existing chimney. The proposal would not however result in any increase to the footprint area of the dwelling, with no enlargements proposed below roof level.

6.2. The proposed works have been revised during the course of the application in line with Officer feedback following concerns over the design, namely through the incorporation of revised detailing and fenestration layout to the principle elevation of the property at roof level. Given that the revisions brought forward resulted in no enlargement to the proposal or any material change to its overall implication to neighbouring sites it was not necessary to re-advertise the application.

7. RELEVANT PLANNING HISTORY

7.1. The table below sets out the relevant planning history for the application site:

23/01834/FUL - Raised roof height and formation of 1no. side facing dormer in association with loft conversion. Additional fenestration in the form of side, forward and rear facing windows at 2 nd floor level and 3no. side facing rooflights.
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Removal of 1no. chimney. Application of render. (amended description).
Withdrawn 6th October 2023.

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Neighbourhood Plan
Design	119-123, 126-136	DH1 – High quality design and placemaking	CIP1 – Development respect existing local character CIP3 – Innovative design GSP4 – Protection of the setting of the site
Housing	60-80	H14 – Privacy, daylight and sunlight H16 – Outdoor Amenity Space	
Natural environment	174-188	G2 – Protection of biodiversity and geodiversity G7 – Protection of existing Green Infrastructure features	
Transport	104-113	M3 – Motor Vehicle Parking M5 – Bicycle Parking	
Environmental	119-123, 159-169, 174-188	RE3 – Flood Risk Management RE4 – Sustainable and foul drainage RE7 – Managing the impact of development	
Miscellaneous	7-14	S1 – Sustainable development	

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 8th November 2023.

Statutory and non-statutory consultees

9.2. None received.

Public representations

9.3. 1 local person commented on this application from an address in Holyoake Road.

9.4. In summary, the point of objection raised was in relation to concerns regarding the impact of the development on neighbouring privacy.

Officer response

9.5. The impact of the development on neighbouring amenity including in terms of privacy has been assessed during the application process and is addressed later in this report.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- Design
- Neighbouring Amenity
- Highways/Transport
- Drainage
- Other Matters

a. Design

10.2. Policy DH1 of the Oxford Local Plan 2036 states that a planning permission will only be granted for development of high quality design that creates or enhances local distinctiveness. Proposals must be designed to meet the key design objectives and principles for delivering high quality development, set out in Appendix 6.1 of the plan.

10.3. Policy GSP4 of the Headington Neighbourhood Plan adds that development will be permitted where its design responds appropriately to the site and the character of the surrounding area. Finally, Policy CIP1 states that new developments will only be permitted where they respond to and enhance the distinctive local character where it is described in the Character Assessments. This may include consideration of aspects such as materials, scale, siting use, layout, form and design.

10.4. As described above, the proposed scheme of works would effectively remodel the roof layout of the property to facilitate the creation of a habitable space at 2nd floor/roof level. While the overall dual pitched, gable fronted roof design would be retained, its level would be increased by approximately 1300mm at the ridge and 1000mm at the eaves, with the pitch angle of the roof remaining broadly as existing. A dual pitched gable style side dormer would be incorporated to the northern roof slope, adjacent to the side boundary of No.36.

10.5. The proposed enlargement would result in a perceivable impact on the overall scale and proportions of the existing dwelling, which sits somewhat alone as a detached dwelling to this section of Stile Road with the exception of No.27 directly opposite which is of the same design. Specifically, the frontage area above the existing first floor fenestration would be notably increased and a greater degree of vertical emphasis is likely to be generated when viewed from surrounding public aspects. A degree of concern in design terms was initially raised by Officers in this respect, which has led to the submission of a revised design proposal. Specifically, a hung tile detailing layer has been incorporated to the principle elevation, with a

single additional framed window opening incorporated to the apex of the roof as opposed to a vertical, offset window and render originally proposed which Officers felt unbalanced the dwelling so that it would have been top heavy, drawing the eye to roof level and increasing the vertical emphasis and additional roof height proposed which would not have been in keeping with the surrounding area.

- 10.6. The revised detailing to this elevated section of the property frontage is assessed to both better balance the proportions and scale of this elongated elevation, breaking up the frontage so that it appears less top heavy and reduces the vertical emphasis. It also provides a distinct visual break from No.27 opposite, permitting the property to be read more independently as enlarged. The described courses of hung tiles and feature apex window also draws clear design inspiration from the detailing evident to other gable frontages visible within the surrounding street scene such as at 25 and 25A Stile Road also virtually opposite the site, providing an element of harmony despite the revised proportions of No.38 and ensuring it does not look out of keeping with surroundings.
- 10.7. While the overall increase in ridge height is not insubstantial, it is noted by officers that a range of building heights are similarly evident within the section of Stile Road and other streets of immediate proximity to the plot. Indeed in several cases, building heights directly comparable or in excess of the dwelling as proposed are noted in the area. While the proposal would reach modestly above the ridge level of immediately adjacent No.36, variances in building height of comparable nature are noted along the street and as such the proposals would not appear out of keeping in this context.
- 10.8. The proposed side facing dormer element would result in a further enlargement to the overall mass and bulk of the property as proposed. However, these implications are mitigated to a fairly significant extent by the dormers position set to the rear portion of the northern roof slope. In this respect the enlargement would be obscured to several surrounding aspects, including St Leonard's Road to the south, and would only be directly visible from directly in front of the application plot. Its position adjacent to the roof of No.36 further assists its limited wider visual implication in this respect. Furthermore, while it is noted there are no side facing dormer features in the vicinity, it is noted that there a selection of visually prominent flat roof box style dormers to nearby sites visible from the public realm directly adjacent to the application property. With these factors in mind, Officers consider that on balance the proposed pitched roof dormer projection would not result in the generation of visual harm to the character of the street scene and surrounding area.
- 10.9. The proposed incorporation of additional rooflight openings to side aspects of the enlarged roof, alongside additional fenestration to the rear elevation is considered acceptable in design terms and these features are not considered to result in visual harm.
- 10.10. Finally, other works to remodel the property including the application of a rendered finish to all visible aspects of the site are considered acceptable in terms of design impact. In this respect the clear mixture of rendered and brick properties in the area is acknowledged. The choice of this finish avoids the need for adopting a closely matched red brick profile to the enlarged area and creates further visual

contrast against No.27 opposite. Finally, no objection is raised to the removal of an existing chimney feature which is not of any visual or architectural significance.

10.11. Overall and in view of the above considerations the development as revised is considered to accord with the provisions of Local Plan Policy DH1 and associated guidance, alongside Policies CIP1 and GSP4 of the Headington Neighbourhood Plan.

b. Impact on neighbouring amenity

10.12 Policy H14 of the Oxford Local Plan 2036 states that planning permission will only be granted for new development that provides reasonable privacy, daylight and sunlight for occupants of both existing and new homes. Policy H14 sets out guidelines for assessing development in terms of whether it will allow adequate sunlight and daylight to habitable rooms of the neighbouring dwellings. Policy RE7 states that planning permission will only be granted for development that ensures that standards of amenity are protected. This includes the amenity of communities, occupiers and neighbours is protected in addition to not having unacceptable unaddressed transport impacts and provides mitigation measures where necessary.

Privacy

10.13 A neighbour objection letter received during the course of the application cited concern regarding the impact of the development on privacy of neighbouring sites.

10.14 As discussed under the above design assessment, a number of additional window openings are proposed to all aspects of the property. To the proposed side dormer, a single obscure glazed opening is proposed, avoiding the generation of any loss of privacy or overlooking to the directly adjacent No.36 to which it faces.

10.15 An additional rooflight opening is proposed to the northwest elevation, although this unit is high level and to the frontage of property, resulting in no identified overlooking of private neighbouring spaces or into opposing rooms. Conversely, three additional rooflight openings are also proposed to the south-east elevation, providing the opportunity for limited views across the rear aspects of No.64/44 St Leonard's Road which benefit from enclosed private garden spaces to their rear. Given the short distance between the openings in question and the rear boundary of these sites, and to a lesser degree window openings to their rear elevations, it is considered necessary to ensure that the openings in question are obscure glazed. This will prevent the generation of harmful perceived or actual overlooking from the development to its southern aspect and thus can be secured via a planning condition attached to any grant of consent

10.16 The single additional opening to the frontage of the property will outlook directly onto the public realm and wider street scene and thus has not been assessed to result in any material amenity impacts by way of overlooking. The 2no. additional rear facing windows would direct views across the garden of the application site, similarly to existing openings at ground and first floor level to this elevation. While

permitting a degree of angled views across rear gardens of neighbouring sites, and to a limited extent those beyond the rear boundary, this arrangement reflects a typical urban residential layout. As a result, these proposed openings are not considered to generate overlooking, either perceived or actual, to any nearby or adjacent neighbouring properties to the extent that material harm would arise.

Overbearing

- 10.17 The proposed enlargements to the roof of the application site would raise its overall ridge level by approximately 1300mm to around 8.6 metres. While positioned directly adjacent to No.36, the only side facing windows to this property likely to be impacted by the increased mass and volume in terms of outlook and light serve non-habitable rooms, limiting the degree to which any amenity harm could be identified in this respect. Given the existing dimensions of the application site and its proximity to the side elevation of No.36, the sought changes are assessed as unlikely in generating any significant loss of light or outlook from the windows at number 36 in question, with such factors already being heavily limited. With consideration to these factors the development is not considered to result in a materially harmful loss of light or outlook from the aforementioned openings.
- 10.18 Noting that the proposed development would not project notably to the front or rear of the property, the development would not breach the Council's 45/25 degree guidance when applied to the front/rear elevations of adjacent No.36.
- 10.19 To the opposing south elevation lie the sites of No.64 and 66 St Leonards Road. The rear building elevation of No.66 is separated from the side elevation of the application site by approximately 14 metres. The degree of separation from the rear aspect of this neighbour is such that the proposed increase in ridge height and resultant built mass to the application property is assessed to result in no material implication to light and outlook of its rear facing windows. Furthermore, Officers consider that the sought development would not create a harmfully overbearing or unneighbourly form that would cause harm to the amenity of No.66's occupiers.
- 10.20 To No.64 St Leonard's Road, the presence of a hipped rear building projection limits the degree of distance separation at approximately 11 metres from the application property. As a flatted development with one unit to its ground floor and a separate unit to its first floor, several rear windows to the ground and first floor of this neighbouring site serve key habitable rooms for individual flats within. Noting the relationship of the two sites, all windows in question would retain a degree of outlook that is not directly onto the application property given the offset nature of no. 38 being set back within its plot, and the openness to the frontage of the site that would be retained. While Officers carefully considered the potential overbearing impact of the sought additional roof height to these neighbouring units, the degree of separation between the sites alongside the above consideration of outlook led to a view that the additional 1300mm height would not amount to a materially harmful loss of light or outlook from the identified openings of No.64.

- 10.21 Private garden amenity spaces to the rear of these properties on St Leonards Road directly abut the side boundary of No.38 and thus hold the potential to be impacted by the additional built mass generated by the development. However, given the scale of the roof enlargement proposed, and the aspect of these sites to the south of the application property has led Officers to the assessment that the proposal would not result in material amenity harm through overshadowing or overbearing the garden spaces in question and that adequate daylight/sunlight would still be received.
- 10.22 Overall and with consideration to the factors assessed above it is concluded that the proposed development would not result in material amenity harm to neighbouring sites, and would thus accord as necessary with the provisions of Policies H14 and RE7 of the Oxford Local Plan 2036.

c. Transport

Transport sustainability

- 10.23 Policy M3 of the Oxford Local Plan 2036 states that in Controlled Parking Zones or employer-linked housing areas where occupants do not have an operational need for a car where development is located within a 400m walk to frequent public transport services and within 800m walk to a local supermarket or equivalent facilities planning permission will only be granted for residential development that is car-free.
- 10.24 The proposed works will not result in any changes or revisions to the existing driveway/parking arrangement to the frontage of the property, and no highways implications in terms of capacity, safety or parking stress are assessed as resulting from the proposed extension works.
- 10.25 In consideration of the above it is considered that the development would be acceptable with regard to policy M3 of the Oxford Local Plan 2036.

d. Drainage

- 10.26 Policy RE3 of the Oxford Local Plan 2036 states that new development will be directed towards areas of low flood risk (Flood Zone 1). In considering proposals elsewhere, the sequential and exception tests will be applied. Policy RE4 of the Oxford Local Plan 2036 states that all development proposals will be required 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. Surface water runoff should be managed as close to its source as possible, in line with the drainage hierarchy outlined in the policy.
- 10.27 The application site is located within Flood Zone 1 and is not at significant risk of flooding. The development would not add to the level of non-porous impermeable surfaces on the site, and thus would not result in any appreciable increase to the level of rain water run-off or flood risk associated with the property. As such the development would accord as necessary with the provisions of Policies RE3 and RE4 of the Oxford Local Plan.

e. Other matters

10.28 Policy G2 states that Development that results in a net loss of sites and species of ecological value will not be permitted. Policy G7 adds that planning permission will not be granted for development that results in the net loss of green infrastructure features such as hedgerows, trees or woodland where this would have a significant adverse impact on public amenity or ecological interest.

10.29 The proposed works do not detail the removal or loss of any notable green infrastructure features, being limited to the existing footprint of the property. Furthermore, no material impacts to protected species has been identified as likely arising from the proposal. No other material ecological implications of the development have been identified.

10.30 The proposed works are not considered to adversely impact the amenities of future occupiers of the application site. The property would retain the benefit of a sizeable private outdoor amenity space that would not be impacted by the development. All habitable rooms within the property would retain access to an appropriate degree of natural light and outlook in line with relevant policy requirements.

11 CONCLUSION

11.12 In summary, Officers view that the application is acceptable as revised in terms of design and amenity in line with the relevant national and local policy considerations. In this respect it is assessed to avoid the generation of material harm to neighbouring properties, while providing adequate amenity conditions for future occupiers. It is similarly viewed that the proposal would be acceptable with respect to the specific discussed material planning considerations of highways, drainage and biodiversity. Conditions proposed below would ensure that where necessary, additional details are secured, and the development is implemented acceptably. As a result the application is recommended for approval.

11.13 On the basis of the matters discussed in the report, officers would make members aware that the starting point for the determination of this application is in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 which makes it clear that proposals should be assessed in accordance with the development plan unless material consideration indicate otherwise.

11.14 In the context of all proposals paragraph 11 of the NPPF requires that planning decisions apply a presumption in favour of sustainable development. This means approving development that accords with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: the application of policies in the Framework that protect areas or assets of particular importance provides clear reasons for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

11.15 Therefore it would be necessary to consider the degree to which the proposal complies with the policies of the development plan as a whole and whether there

are any material considerations, such as the NPPF, which are inconsistent with the result of the application of the development plan as a whole.

Compliance with development plan policies

11.16 In summary the development as revised is not considered to result in material harm to the character of the surrounding area and would be in accordance with Policy DH1. The proposals would not result in the generation of material amenity harm to neighbouring sites in accordance with Policies RE7 and H14. Appropriate amenity standards for future occupiers would also be retained in line with Policy H16. The development would not have any unacceptable impacts in terms of highway safety, and is compliant with Policies M3, M5 and RE7 in this respect. The proposal is similarly considered to lie in accordance with the requirements of Policies RE3, RE4 and G2.

11.17 Therefore officers consider that the proposal would accord with the development plan as a whole.

Material considerations

11.18 The principal material considerations which arise are addressed above, and follow the analysis set out in earlier sections of this report.

11.19 Officers consider that the proposal would accord with the overall aims and objectives of the NPPF for the reasons set out in the report. Therefore in such circumstances, paragraph 11 is clear that planning permission should be approved without delay. This is a significant material consideration in favour of the proposal.

11.20 Officers would advise members that, having considered the application carefully, including all representations made with respect to the application, the proposal is considered to be acceptable in terms of the aims and objectives of the National Planning Policy Framework, and relevant policies of the Oxford Local Plan 2036, and that there are no material considerations that would outweigh these policies.

11.21 It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the conditions set out within section 12 of this report.

12 CONDITIONS

Time limit

1. The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

Development in accordance with approved plans

2. The development permitted shall be constructed in complete accordance with the specifications in the application and approved plans listed below, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To avoid doubt and to ensure an acceptable development as indicated on the submitted drawings and to comply with Policy DH1 of the Oxford Local Plan 2036.

Matching Materials

3. The materials to be used in the proposed development shall be as specified in the application hereby approved. There shall be no variation in these materials without the prior written consent of the Local Planning Authority.

Reason: To ensure that the development is visually satisfactory as required by Policy DH1 of the Oxford Local Plan 2036.

Obscure Glazing

Notwithstanding the approved plans, the proposed rooflight windows to the south facing elevation of the property as enlarged shall be obscurely glazed and shall remain obscurely glazed thereafter.

Reason: In the interests of privacy between neighbouring dwellings in accordance with policy H14 of the Oxford Local Plan 2036.

No further windows

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, no additional windows, doors or openings shall be placed in the elevations of the extensions hereby permitted without the prior written consent of the Local Planning Authority.

Reason: To safeguard the amenities of the adjoining occupiers in accordance with policy H14 of the Oxford Local Plan 2036.

13. INFORMATIVES

1. In accordance with guidance set out in the National Planning Policy Framework, the Council tries to work positively and proactively with applicants towards achieving sustainable development that accords with the Development Plan and national planning policy objectives. This includes the offer of pre-application advice and, where reasonable and appropriate, the opportunity to submit amended proposals as well as time for constructive discussions during the course of the determination of an application. However, development that is not sustainable and that fails to accord with the requirements of the Development Plan and/or relevant national policy guidance will normally be refused. The Council expects applicants and their agents to adopt a similarly proactive approach in pursuit of sustainable development.

13 HUMAN RIGHTS ACT 1998

13.12 Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to approve this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection of the rights and freedom of others or the control of his/her property in this way is in accordance with the general interest.

14 SECTION 17 OF THE CRIME AND DISORDER ACT 1998

14.12 Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to grant planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community.

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