

## DELEGATED REPORT

**Application Number:** 21/00122/FUL

**Decision Due by:** 15th March 2021

**Proposal:** Demolition of existing pergola and erection of a single storey rear extension (Amended plans).

**Site Address:** 5 Stanley Road Oxford OX4 1QY

**Ward:** St Marys Ward

**Agent:** N/A

**Applicant:** Mr Thomas Murfitt

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### Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.
- 2 The Council considers that the proposal, subject to the conditions imposed, would accord with the special character and appearance of the conservation area. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity.

subject to the following conditions, which have been imposed for the reasons stated:-

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Materials - matching
- 4 Remaining Roofspace

### Main Local Plan Policies:

#### Oxford Local Plan 2036

**S1** - Sustainable development

**DH1** - High quality design and placemaking

**RE2** - Efficient use of Land

**DH3** - Designated heritage assets

**H14** - Privacy, daylight and sunlight  
**RE7** - Managing the impact of development

**Other Material Considerations:**

National Planning Policy Framework

This application is in or affecting the St. Clement's And Iffley Road Conservation Area.

Planning Practice Guidance

**Relevant Site History:**

No relevant site history.

**Representations Received:**

No comments received.

**Statutory and Internal Consultees:**

No comments received.

**Issues:**

Design & Impact on the Designated Heritage Asset  
Residential Amenity

**Officers Assessment:**

5 Stanley Road is a three storey semi-detached property with ground floor above street level and a further basement level visible from the street. The property is accessed to the side with steps up to an enclosed porch, which is shared and connects the host property to the neighbouring property at No.3 Stanley Road. Access through the porch enables access to the garden level, which sits just above the lower basement level externally.

The property benefits from car parking to the front and a large garden to the rear, surrounded by original low level brick walls and timber fencing beyond this. The property has an existing pergola to the rear, which is proposed to be removed. The neighbouring property at No.7 Stanley Road has a recent single storey extension built at lower ground basement level that runs along the boundary with the host property.

The site is located within the St Clements & Iffley Road Conservation Area.

**Proposal**

The application proposes the erection of a single storey rear extension from lower ground basement level, extending out approximately 4.8m from the rear elevation along the boundary with No.7 Stanley Road. The steps from the porch access will be retained, and the extension will extend out approximately 4.5m beyond this before stepping into the extension by approximately 1.2m. This shorter projection of the extension will provide the stair access down from ground floor level internally, and would have a mono-pitched roof matching with the existing pitch of the porch to create head height. The remainder of the extension

would have a flat roof, with an eaves height of approximately 3m from lower ground floor and 2.3m from garden level.

The proposal would have large glazing panels to the side and rear elevation with a single door access out to the lower ground terrace that steps up into to the garden. The large rear window would be a glazed boxed window. Two large roof glazing panels would enable sufficient light into the new family space at lower ground level.

The materials proposed would be slate tiles to match the existing roof and grey glass reinforced polyester (GRP) fibreglass to the flat roof. All new windows and doors would be white timber to match the existing property. All elevations would be brick work to match the host property.

Amendments were received reducing the projection from 6m to 4.8m. This is to reduce the scale of the proposal and in turn the extent of flat roof which was seen to double that of the existing property.

### **Design & Impact on the Designated Heritage Asset**

Policy DH1 of the Oxford Local Plan states that planning permission will only be granted for development of high quality design that creates or enhances local distinctiveness. The development should respond to the site character and context, with consideration to design, detailing and material choices of a quality appropriate to the nature of the development. The development should create an appropriate visual relationship with the form of the existing building and its surroundings in terms of scale, character and appearance. Policy RE2 states that the density must be appropriate for the use, with planning permission only granted where development proposals make efficient use of land in terms of scale, heights and massing, whilst the built form and site layout must be appropriate for the capacity of the site.

The proposed extension will be wholly sited at the rear of the property and would not be visible from the street scene. The proposed rear extension, due to its design, will provide a good visual relationship with the existing house and neighbouring properties. The extension has been designed to be subservient to the existing house, with a reduction in its depth to be more in proportion with the property, and with ample remaining garden amenity. The development would improve the use of the property internally and its connection with the garden externally. The proposed materials are considered to be appropriated for the site and the area, therefore, subject to the brickwork matching that of the host property, the development is considered acceptable in terms of design.

### **Heritage Asset**

The site lies within the St. Clement's And Iffley Road Conservation Area, therefore Policy DH3 of the Oxford Local Plan 2036 applies, which states that planning permission will only be granted for development that responds positively to the significance, character and distinctiveness of the heritage asset and locality, with great weight given to the conservation of that asset and its setting.

Regard has been paid to paragraph 192 of the NPPF in reaching a decision. When applying the test outlined in paragraph 196, it is considered that subject to condition, the final proposal would cause no harm to the significance of the conservation area. Therefore, the proposals would be acceptable in terms of their impact on this designated heritage asset.

Special attention has been paid to the statutory test of preserving or enhancing the character and appearance of the conservation area under Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990, which it is accepted is a higher duty. It has been concluded that the development would preserve the character and appearance of the Conservation Area, and so the proposal accords with Section 72 of the Act.

### **Residential Amenity**

Policy H14 and RE7 of the Oxford Local Plan states that planning permission will only be granted for development that provides reasonable privacy, daylight and sunlight for the occupants of both existing and new homes. To assess access to privacy, sunlight and daylight, the 25° and 45° guidelines will be used, as illustrated in Appendix 3.6, alongside other material factors. H14 also states that planning permission will not be granted for any development that has an overbearing effect on existing homes.

The proposed extension would be located along the boundary with No. 7 Stanley Road. It would be set down and away from the boundary with No.3 Stanley Road by approximately 1.5m. There are no existing rear extensions to No.3. Due to the setting down of the proposal at lower basement level, the distance between these properties, existing boundary treatment and the orientation of the plot, it is considered that the proposed development would not have any detrimental impact on the neighbouring property at No.3 in terms of residential amenity.

The boundary treatment between the application site and No. 7 consists of a brick wall. The proposed extension features a large boxed window close to this boundary, however due to the existing boundary treatment and setting down of the proposal, it is not considered to create any overlooking issues or cause loss of privacy for this property.

Given the length of the extension along the boundary with No.7, the proposal would extend beyond the neighbouring extension by approximately 1.3m and sit above the boundary by approximately 0.6m. This would result in a slight change to the outlook and may impact on the amount of evening sunlight afforded to No.7. The impact on light has been assessed in line with Appendix 3.6 of the Oxford Local Plan 2036. The 45 degree line has been assessed from the closest habitable lower ground floor window to No.7, in which the minimal projection of the proposal beyond that of the extension at No.7, the setting down of the extensions at basement level, and the location of the window to No.7 would not result in any further impact on light to this space.

The development is considered to be acceptable in the context of Policy H14 and RE7 of the Oxford Local Plan 2036.

**Conclusion:**

APPROVE subject to conditions.

**Human Rights Act 1998**

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions. Officers have considered the potential interference with the rights of the owners/occupiers of surrounding properties under Article 8 and/or Article 1 of the First Protocol of the Act and consider that it is proportionate.

Officers have also considered the interference with the human rights of the applicant under Article 8 and/or Article 1 of the First Protocol caused by imposing conditions. Officers consider that the conditions are necessary to protect the rights and freedoms of others and to control the use of property in accordance with the general interest. The interference is therefore justifiable and proportionate.

**Section 17 of the Crime and Disorder Act 1998**

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 safety.

**Contact Officer:** Stacey Harris

**Extension:** 2130

**Date:** 11<sup>th</sup> March 2021