

**WEST AREA PLANNING COMMITTEE**

16<sup>th</sup> January 2013

**Application Number:** 12/02739/FUL & 12/02740/LBC

**Decision Due by:** 25th January 2013

**Proposal:** Use of former coach house as an independent self contained dwelling.

**Site Address:** 7 Park Town, Oxford – **Appendix 1**

**Ward:** North Ward

**Agent:** N/A

**Applicant:** Dr Lidia Sciama

Applications called-in by Councillors Armitage, Campbell, Gotch and Goddard due to concerns about the impact that a separate residential unit may have on Park Town and the consequent harm to the established character of the conservation area that may result.

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**Recommendation:**

12/02739/FUL - GRANT PLANNING PERMISSION

For the following reasons:

- 1 The conversion of the building to provide a self-contained dwelling is acceptable in terms of the physical changes to the building, the impact on the wider conservation area and setting of listed buildings, its impact on the amenity of the occupants of surrounding neighbouring properties and the way in which the proposal caters for and preserves the amenity of the future occupants of the host dwelling and those of the proposed annexe dwelling. The proposal is therefore in accordance with policies CP1, CP6, CP8, CP9, CP10, HS19, HS20, HS21, TR3, TR4, NE15, NE16, HE3 and HE7 of the Oxford Local Plan 2001 - 2016, policy CS18 of the Oxford Core Strategy 2026 as well as policies HP9, HP10, HP12, HP13, HP14, HP15 and HP16 of the emerging Sites and Housing Plan.
- 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.

## 12/02740/LBC – GRANT LISTED BUILDING CONSENT

For the following reasons:

- 1 The impact on the heritage significance of the curtilage listed building and setting of 7 Park Town is considered acceptable. Overall the proposals will ensure the building's continued use and encourage the public's understanding and enjoyment of the heritage asset which will outweigh any harm caused to the architectural integrity of the building. The proposals therefore accord with policy HE7 and HE3 of the Oxford Local Plan 2001-2016 as well as Government guidance in the National Planning Policy Framework.
- 2 The Council considers that the proposal accords with Government advice on the management of the historic environment. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any harm to the heritage assets that the works would otherwise give rise to can be justified and mitigated by detailed design, which the conditions imposed would control.

Subject to the following conditions:

### 12/02739/FUL

1. Development begun within time limit
2. Develop in accordance with approved plans
3. Materials – samples
4. Tree Protection Plan required and measures incorporated as agreed
5. Drainage - SUDS
6. Ancillary use to main house
7. Landscape Underground Services
8. Details of bin storage and cycling parking required
9. Removal of householder permitted development rights for extensions/alterations to the building including hardstandings as well as removal of permitted development rights to construct means of enclosure (fences/walls etc to subdivide garden)
10. Details of all hardstanding required (access path etc) prior to commencement of development

### 12/02740/LBC

1. Development begun within time limit
2. Develop in accordance with approved plans
3. 7 days notice to LPA
4. Listed building – notice of completion
5. Further works – fabric of listed building & fire regulations
6. Repair of damage after works
7. External services to be approved
8. Further details – floodlighting and/or external lighting
9. Materials – samples
10. Landscaping
11. Further details – damp proof membrane, design and construction of internal staircase, alterations to 20<sup>th</sup> century top opening casement on east elevation to satisfy building regulations

12. Methodology for the repair and upgrade of existing windows
13. Design and construction of bin store

### **Main Local Plan Policies:**

#### **Oxford Local Plan 2001-2016**

- CP1** - Development Proposals
- CP6** - Efficient Use of Land & Density
- CP8** - Design Developmt to Relate to its Context
- CP9** - Creating Successful New Places
- CP10** - Siting Developmnt to Meet Functionl Needs
- HE7** - Conservation Areas
- TR3** - Car Parking Standards
- TR4** - Pedestrian & Cycle Facilities
- NE15** - Loss of Trees and Hedgerows
- NE16** - Protected Trees
- HE3** - Listed Buildings and Their Setting

#### **Core Strategy**

- CS18\_** - Urb design, town character, historic env

#### **Sites and Housing Plan - Submission**

- HP9\_** - Design, Character and Context
- HP12\_** - Indoor Space
- HP10\_** - Developing on residential gardens
- HP13\_** - Outdoor Space
- HP14\_** - Privacy and Daylight
- HP15\_** - Residential cycle parking
- HP16\_** - Residential car parking

#### **Other Material Considerations:**

National Planning Policy Framework

This application is in or affecting the North Oxford Victorian Suburb Conservation Area. The development is affecting a Grade II Listed Building.

#### **Relevant Site History:**

00/1545/L - Listed Building consent for internal alterations and French windows in west elevation of coach house for residential use. Approved

00/01646/NFH - Use of former coach house at rear as an independent self-contained dwelling. Approved

05/02355/FUL - Planning Permission for use of former coach house at rear as an

independent self-contained dwelling (renewal of permission 00/1646/NFH).  
Approved

05/02356/LBC - Listed Building Consent for internal alterations and French windows in west elevation of coach house for residential use (renewal of consent 00/1545/L). Approved

### **Representations Received:**

None

### **Statutory and Internal Consultees:**

Drainage Team Manager – No objection subject to SuDS compliant scheme.

Highway Authority – No objection subject to adequate provision of bin storage and cycle parking facilities.

### **Officers' Assessment:**

#### Application Site and Locality

1. The application site comprises a three storey detached house with basement that, despite not being rendered, shares many common features with the Italianate villas in Park Town including large sash windows surrounded by simple arched stone architraves and large stone central entrance porch with central key stone as well as Welsh slate pitched roof. Park Town was built between 1853-1860 to the designs of Samuel Lipscomb Seckham. From west to east the building type of Park Town roughly falls into five separate categories. These are detached villas (such as the application property), the Crescent terrace, semi-detached 'villa', mews/stables and end Terrace. Appendix 1 of this report shows the application site in context.

2. Unlike most of the houses in Park Town, No 7 was designed by Thomas Jonas and Gardner (builders) between 1855-56 and not by Seckham. It is mentioned in the 1930 census as being the home to Sarah Angeline Ackland a distinguished portrait photographer of the time and one of the first photographers to use colour. Examples of her work can be found in the Bodleian. A small simply designed brick outbuilding can be found in the rear garden.

#### Description of Proposal

3. The application seeks consent for the conversion of the existing outbuilding in the rear garden to form a self-contained ancillary annexe to the existing dwelling. This involves a number of minor physical alterations to the building which can be summarised as follows:

- Insertion of internal staircase;
- New bathroom and kitchenette facilities;
- New floor (current floor concrete);
- Upgrade existing windows and door;
- Repairs to the stonework and gutters.

4. Despite the description of the proposal seeking an independent dwelling, it is officers' understanding from discussions and written correspondence with the applicant that they are in fact seeking permission for accommodation for a carer to assist with the elderly owner of 7 Park Town in line with that previously approved by the Council. It is on this basis that officers have assessed the proposals and the suggested conditions have been formulated accordingly to ensure that the building retains an ancillary use.

5. Officers consider the principal determining issues in this case to be:

- Principle
- Impact on Heritage Assets
- Amenities
- Impact on Neighbouring Properties
- Parking

#### Principle

6. Policies CP6 of the Local Plan and policy CS2 of the Core Strategy seek to make more efficient use of land by concentrating new development on previously developed land in sustainable locations. The outbuilding is already in existence though has been unused for some time and its conversion to form a small self contained dwelling is considered to make good use of underused land particularly given the site's close proximity to the city centre as well as Summertown district.

7. In addition to the above, the exact same proposals that form this application have already been approved by the Council on two previous occasions; firstly back in 2000 and more recently in late 2005. As a consequence there is precedent for the Council accepting such a scheme despite the changes that have occurred to both the local and national planning policy framework in the intervening period.

#### Impact on Heritage Assets

8. The garden building is not listed in its own right but is subject to listed building controls as a curtilage structure of 7 Park Town. 7 Park Town has aesthetic and historic value and was designed by well known Oxford builders who also built No 8 & No 10 Park Town. The outbuilding is a simple albeit altered 19th century outbuilding of vernacular design and traditional building materials that features elevated stone capped gable verges and stone coins on the front elevation. On the east elevation there is a large first floor top opening 20th century casement window. There is a rooflight on the NW corner of the building. Internally, the concrete ground floor mezzanine is modern.

9. Its relationship to the main house and diminutive scale explains its ancillary function to the house and is a familiar arrangement for a number of the large villas in Park Town. In fact detached ancillary buildings would historically have served many of the houses in the area and records show that prior to the 1950s about 10 such buildings were in existence and since this date about new 15 garages have been built as well.

10. The change of use to form a dwelling does not involve any extensions to the building helping to preserve its simple form and scale which will remain clearly

diminutive and thus ancillary in nature to 7 Park Town. In addition, the building has no internal features of architectural or historical interest such that no material harm would occur to its heritage significance in this regard. Indeed whilst the building is pleasant, it is listed only by virtue of being in the curtilage of a more architecturally significant house rather than on its individual merits. The outbuilding has been unused for a number of years and repairs are required to windows and the central door in any event such that changes here are welcomed. The use proposed is low key, ensures the outbuilding is used and maintained in the future and, by preserving the site as a whole with no subdivision of the garden, officers are content that the proposal would not harm the historic character and layout of Park Town.

11. In addition, consent has already been granted for the works now proposed under similar national and local planning policy requirements albeit under a changed policy framework. As a consequence it is not considered to be reasonable to object to the works now proposed.

#### Amenities

12. The application proposes the conversion of the building to allow its use by a carer ancillary to the occupation of 7 Park Town. As such, it is not an independent dwelling despite being self-contained and having all the internal facilities necessary for independent living. It will share its access with 7 Park Town as well as the existing garden such that it will clearly continue to form part of the same planning unit. As a consequence, the levels of amenity normally required of a new independent dwelling are not applicable in this case. Nevertheless, the building is capable of providing a reasonable quality of accommodation despite its internal floorspace falling slightly below that required of a new dwelling by emerging policy HP12 of the Sites and Housing Plan (35 sq m compared with the policy minimum of 39 sq m). In addition and despite the site plan submitted, it is not proposed to subdivide the existing garden such that both the new occupiers and those of 7 Park Town would share the same existing garden. To ensure that such a subdivision does not occur officers recommend a condition removing permitted development rights to construct means of enclosure.

13. Separate bin and cycle storage facilities are shown to be provided adjacent to the outbuilding to the level required by policies CP10 and TR4 of the Local Plan. Car parking is shown to the front of 7 Park Town as part of that provided for the existing house such that occupiers of the outbuilding would have to walk through the existing garden to access the new dwelling. Separate vehicle access along the side of the existing house would only help facilitate independent use of the outbuilding with the result that officers recommend conditions removing such permitted development rights and requiring details of all hardstanding works.

#### Impact on Neighbouring Properties

14. Policies CP1, CP10 and HS19 of the Local Plan require development proposals to adequately safeguard neighbouring residential amenity. In this case the applications propose no extensions to the existing outbuilding such that there will be no overbearing or overshadowing impact upon neighbouring properties and their gardens to any greater extent than is already the case. In any event, as the building is sited at the very end of the rear garden of 7 Park Town, it has little impact on the living conditions of occupiers of neighbouring dwellings. In addition, no additional

openings are proposed to be created with the result that the proposals will not cause any additional harm to the privacy enjoyed by neighbouring properties. Whilst there would be an additional occupier of the site, no material increase in intensity of use of the site would occur over and above that expected of a large family dwelling such that it would not be reasonable to conclude that this would be likely to give rise to a nuisance to neighbours. As a consequence officers have no concerns about the proposals with respect to the impact on neighbouring impact.

### Trees

15. Whilst no physical extension are proposed to the building there is the potential for the roots of nearby trees to be affected when laying underground services to enable residential use of the building. Consequently a tree protection plan is recommended to be required by condition setting out how protection measures are going to be applied to ensure important trees are not adversely impacted during the construction process.

### Parking

16. The one bedroom dwelling proposed to be created is required to be served by one off-street parking space to comply with the requirements of policy TR3 of the Local Plan. There is generous existing off-street parking provision at the front of the existing house such that officers have no concerns about the impact of the proposals on highway safety or parking pressure in the locality. This is a view additionally supported by the Highway Authority.

### **Conclusion:**

17. Officers are satisfied that the proposals preserve the special character and appearance of the listed building and wider North Oxford Victorian Suburb Conservation Area as well as adequately provide for the amenities of future occupiers as well as established neighbouring properties. Consequently it is recommended to grant planning permission and listed building consent for the proposals subject to the conditions set out at the beginning of the report.

### **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 approve, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

**Background Papers:**

12/02739/FUL, 12/02740/LBC, 05/02356/LBC, 05/02355/FUL, 00/01646/NFH,  
00/1545/L

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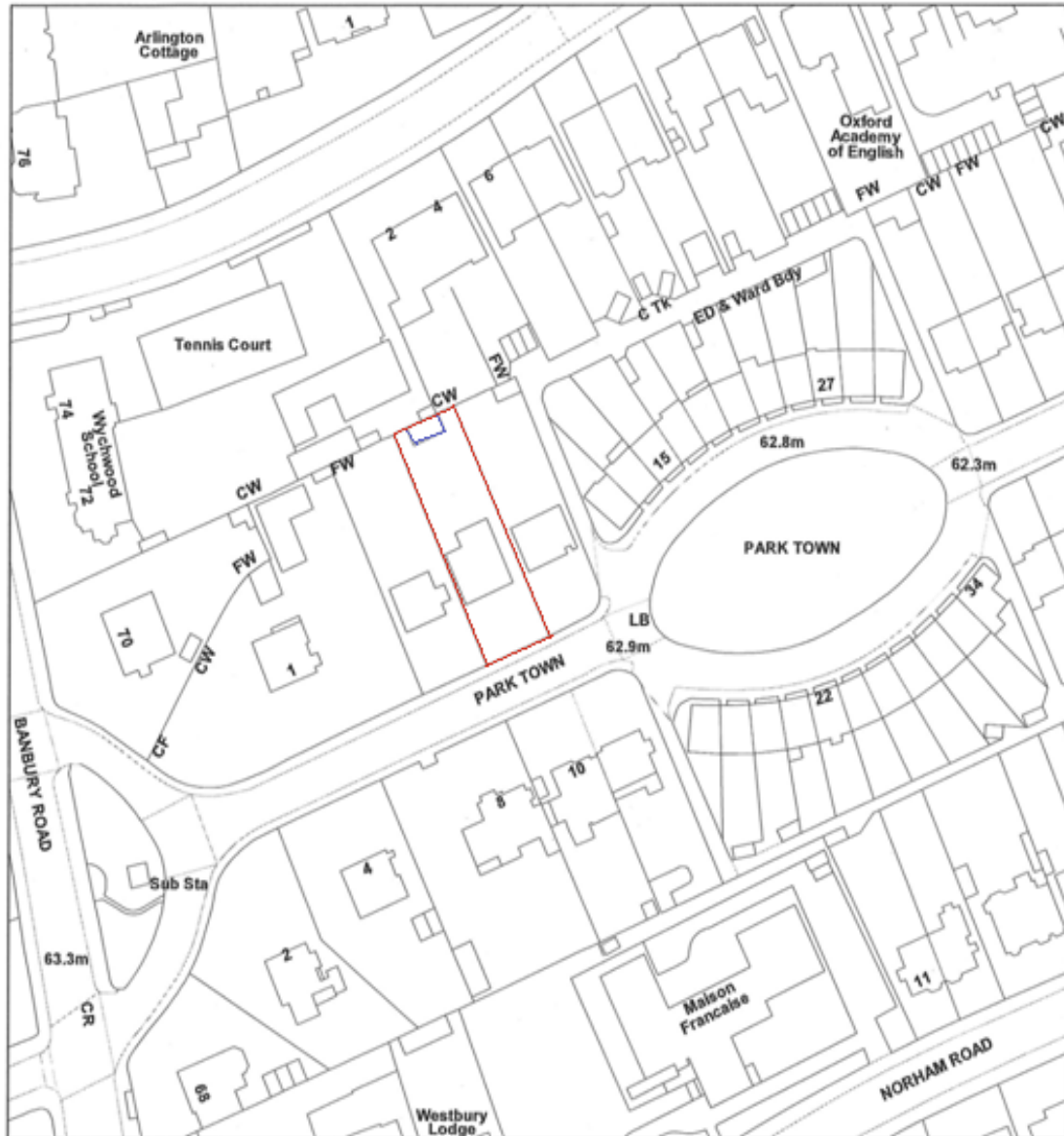
**Date:** 4th January 2013

**APPENDIX 1 – SITE LOCATION PLAN**



# 12/02740/LBC & 12/02739/FUL

## 7 Park Town



Scale : 1:1250



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Ordnance Survey 100019348.

Organisation	Oxford City Council
Department	Planning
Comments	
Date	19 December 2012
SLA Number	100019348

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