

## Appendix 2

### Committee report for previously approved scheme 11/01307/FUL, 11/01308/LBC

West Area Planning Committee

13<sup>th</sup> July 2011

**Application Number:** 11/01307/FUL, 11/01308/LBC

**Decision Due by:** 18/07/2011

**Proposal:** i) 11/01307/FUL – Change of use from educational use to single dwelling. Erection of two storey side extension and erection of garden studio, involving removal of existing classroom building.

ii) 11/01308/LBC – Demolition of existing conservatory, toilet block and garage. Erection of two-storey extension. Internal alterations including new openings, removal of existing partitions, new staircase and new partitions.

**Site Address:** 7 Norham Gardens, Oxford – **Appendix 1**

**Ward:** North Ward

**Agent:** Riach Architects, 65 Banbury Road, Oxford      **Applicant:** Merit Rich Ltd

Called in by Councillor –Cllr Armitage  
Supported by Cllrs McCready, Jones, Campbell, (and Brown, Brundin and Mills)

For the following reasons –  
Local concern at the demolition of a Victorian conservatory and the effect in the conservation area of a new substantial side extension

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**Recommendation:** - APPLICATIONS BE APPROVED

For the following reasons:

- 1 The Council considers that the proposal accords with the policies of the development plan and Government advice on the management of the historic environment. 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.

- 2 The works correspond with conversion back to a single family dwelling and will reverse a number of insensitive alterations allowing the use for which the building was originally designed to be reinstated. Whilst there will be some impacts on the heritage assets it is considered that these impacts have been mitigated by design and are justified. Overall the proposals will secure a viable use of the listed building in support of its long term conservation. The proposed extensions are of an appropriate design for the context and will preserve the special interest of the listing building and character and appearance of the conservation area, justify granting listed building consent and planning permission.

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

10/03409/LBD

- 1 Commencement of works LB/CAC consent
- 2 LB/CAC consent - approved plans
- 3 7 days notice to LPA
- 4 LB notice of completion
- 5 Further works - fabric of LB - fire regs
- 6 Repair of damage after works
- 7 Materials - samples
- 8 Internal features – partitions, openings, staircase, doors, fireplaces, cornices etc
- 9 Further Details floors, windows, staircases, new internal doors etc
- 10 Archaeological building recording
- 11 Extraction/fumes
- 12 External lighting
- 13 Boundary treatment
- 14 Retain historic doors
- 15 Retain historic fireplaces
- 16 Amended plans - dormer window on north-west elevation
- 17 Walls/openings to match adjoining

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10/03407/FUL

- 1 Development begun within time limit
  - 2 Develop in accordance with approved plans
  - 3 Samples in Conservation Area
  - 4 Archaeological recording
  - 5 Boundary details
  - 6 Amenity – no additional side windows
  - 7 Provision of cycle parking and bin stores prior to first occupation
  - 8 Gates not to open over the highway
  - 9 Restricted boundary treatments either side of access points
  - 10 Conservation rooflight in side elevation to be 1.6 metres above ffl
  - 11 Use of garden pavilion to be ancillary to enjoyment of main house
  - 12 Drainage to be SUDS compliant
  - 13 Variation of Road Traffic Order – Norham Gardens
  - 14 Porous materials for new driveway areas
  - 15 Side window to be obscure glazed with restricted openers and so retained
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- 16 No felling, lopping, cutting
  - 17 Details of refurbished gates
  - 18 Detailed landscape plan including a planting plan and schedule
  - 19 Trees - Underground services and drainage soakaways
  - 20 Detailed Tree Protection Plan
  - 21 Design and construction details for doors and windows
  - 22. Cycle parking – secure and covered
  - 23 Amended plans - dormer window on north-west elevation
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**Main Local Plan Policies:**

Oxford Local Plan 2001-2016

CP1 - Development Proposals

CP8 - Design Developmt to Relate to its Context

HE3 - Listed Buildings and Their Setting

HE7 - Conservation Areas

CP13 – Accessibility

NE15 – Loss of Trees and Hedgerows

NE16 – Protected Trees

NE17 - Biodiversity

HE2 – Archaeology

**Core Strategy 2026**

CS19 – Urban design, townscape, character and the historic environment

**Other Material Considerations:** The applications are in the North Oxford Victorian Suburb Conservation Area. The development is affecting a Grade II Listed Building.

**Relevant Site History:**

Recent planning history as follows:

- 10/03409/LBD – APPROVED. Listed Building Demolition for extension and alterations involving demolition associated with the subdivision of the existing building to form 2 dwellings. Works include: Demolition of toilet block, conservatory and detached garage; erection of two storey extension; internal works to block existing and form new openings, removal of modern partitions, removal of staircase between ground and first floor, insertion of new door, staircases and partitions; form new opening with gate in front boundary wall.
- 10/03407/FUL – APPROVED. Change of use and erection of two-storey side extension, from existing educational use, to form two dwellings, including garden studio building and bike stores.
- 10/03408/CAC – APPROVED. Demolition of existing art block and existing garage.

**Representations Received:** none received

**Statutory Consultees:**

1. **Highways & Transport** – Have not objections to the development subject to sustainable drainage system.

2. **Thames Water** – Proper provision required for surface water drainage, no objections with regard to sewerage or water infrastructure.
3. **English Heritage** - Have no objections to the proposal and are happy for the local authority to resolve any outstanding details.

**Issues:** The main issue is the impact of the proposal on the special architectural and historic interest of this grade II listed building and on the special character and appearance of the North Oxford Conservation Area.

**Sustainability** protection of historic environment, continued use of historic building stock

**Officers report:**

1. This is a revised scheme to that previously approved at Strategic Development Control Committee on 31<sup>st</sup> March 2011. The difference is this new submission proposes a change of use of the educational establishment to form one dwelling not two, which has minor consequential impacts on the internal layout and landscaping.
2. A copy of the previous report by officers is attached as **Appendix 2**, which covers the main issues and impacts. The differences between the approved applications and the previous scheme are

**Internal differences:**

- Part replacement of the secondary staircase from ground to first floor
- No longer blocking openings between the two parts of the building
- Insertion of new en-suite facilities
- Insertion of new partitions and formation of new openings

**External differences:**

- The bike storage by the proposed garden studio has been deleted
- There is no dividing hedge shown in the back garden
- The new feature tree proposed in the back garden moves
- The planting bed proposed along the rear elevation changes shape
- The door on the north-west elevation is a different design and smaller

**Assessment of Impact**

4. Internally, works are proposed to correspond with conversion back to a single family dwelling rather than the building's division into two separate dwellings. These remain minor, albeit slightly different from the approved scheme. Returning the building to single residential use will allow a use for which the building was originally designed. This proposed use also provides the opportunity to restore and reinstate missing internal features such as fireplaces and parts of the secondary staircase. The insertion of new partitions and formation of new openings in order to improve circulation space and form new en-suite facilities are sensitive alterations and designed to respect the principal plan form and design aesthetic of the building.
5. Externally the differences are minor. Demolition of the conservatory, new

extensions and garden studio as proposed remain as shown in the previously approved scheme. The door changes on the north-west elevation are designed to reflect the comments made by Strategic Development Control Committee when it considered the application.

**Conclusion:**

6. This revised scheme has less impact on the listed building than the previous scheme and proposals comply with local and national planning policy. Officers consider that the proposals will preserve the special architectural and historic interest of the listed building and conservation area.

**Human Rights Act 1998**

**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 these applications, 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.

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant listed building consent and 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.

**Background Papers:** 11/01307/FUL, 11/01308/LBC

**Contact Officer:** Sarah Billam/Nick Worledge

**Extensions:** 2640/2147

**Date:** 22<sup>nd</sup> June 2011

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