

<b>Application number:</b>	23/00694/LBC		
<b>Decision due by</b>	19th June 2023		
<b>Extension of time</b>	22 <sup>nd</sup> December 2023		
<b>Proposal</b>	Demolition of rear outrigger extensions to nos. 20 & 21 St John Street. Erection of single storey common room building to the rear of nos. 20 & 21 St John Street. Demolition/alteration of rear plot boundary walls. (Amended Description)		
<b>Site address</b>	Site Of 6-25 , Pusey Lane, And, 19-21 St John Street – see <b>Appendix 1</b> for site plan		
<b>Ward</b>	Carfax And Jericho Ward		
<b>Case officer</b>	Gill Butter		
<b>Agent:</b>	Mr Huw Mellor	<b>Applicant:</b>	St John's College
<b>Reason at Committee</b>	A concurrent application with a major planning application.		

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## 1. RECOMMENDATION

1.1. Oxford City Council Planning Committee is recommended to:

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

1.1.2. **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 the grant of listed building consent for the demolition of four-storey, brick outriggers, built in the second half of the C20 on the rear of Nos 20 and 21 St John Street; the construction of a single-storey extension to the rear of Nos 20 and 21 St John Street and the removal of fragments of C19 garden walls with their C20 additions that survive to the rear of these properties.

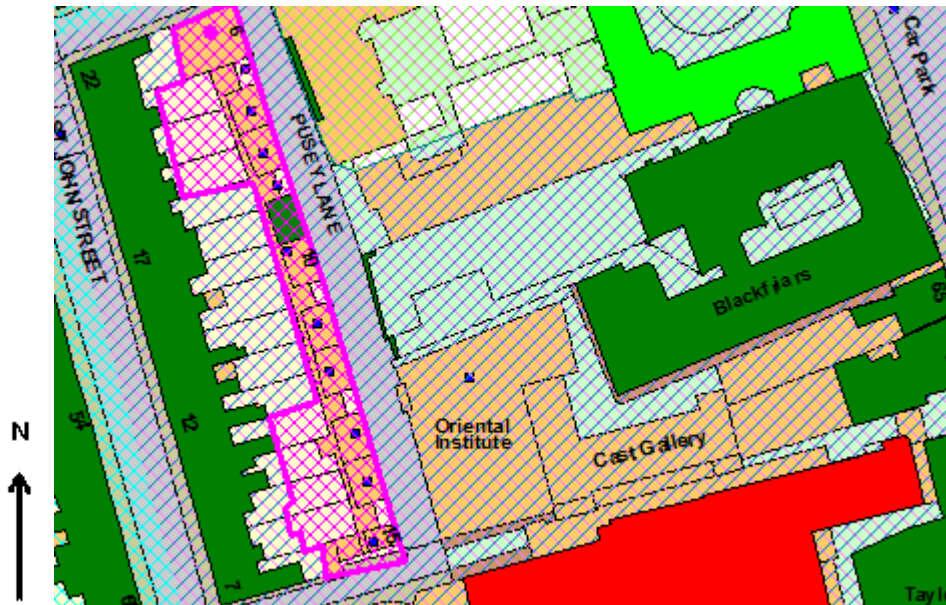
### 3. LEGAL AGREEMENT

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

### 4. SITE AND SURROUNDINGS

4.1. The site is located to the rear of Nos 19-21 St John Street.

4.2. See block plan below:



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Ordnance Survey 100019348

### 5. PROPOSAL

5.1. The application proposes the demolition of two, brick, four-storey, outriggers, built in the later part of the C20 on the rear of Nos 20 and 21 St John Street; the construction of a single-storey extension to the rear of Nos 20 and 21 St John Street and the removal of fragments of C19 garden walls with their C20 additions that survive to the rear of these properties.

### 6. RELEVANT PLANNING HISTORY

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

88/00079/LBC - 19/20/21 St John Street - Listed building consent for demolition of rear extensions and 2 garden walls between Nos. 21-20 and 20-19. Alterations, rear additions ancillary accommodation, with pedestrian access from Pusey Lane. APPR. 15.08.1988.

88/0080/NFH - 19/20/21 St John Street - Alterations, rear additions and light wells to provide 24 graduate student bedsits and ancillary accommodation with

pedestrian access from Pusey Lane.

23/00595/LBC - Alterations to include upgrading of existing fabric, insertion of secondary glazing to reduce heat loss; upgrading and alteration of existing mechanical and electrical services to enable alternative heat sources; alteration of plan form with insertion of partition walls and subdivision of rooms to include addition of en-suite bathrooms and the addition of two more study bedrooms; infilling of rear, basement lightwell to create laundry room. APPR.

23/00594/FUL -Internal alterations to existing student accommodation to include; installation of new en-suites and creation of 2no. additional student rooms. Formation of new felt roof over rear basement lightwell of 20 St John Street to form plant room. Alterations to fenestration to 19 St John Street. PER APPR.

23/00693/FUL - Demolition of Nos. 6-25 Pusey Lane. Erection of 2-3 storey terraced building to provide new student accommodation. Demolition of rear outrigger extensions to nos. 20 & 21 St John Street. Erection of single storey common room building to the rear of nos. 20 & 21 St John Street. Re-landscaping of the existing amenity areas to the rear of nos. 7-11 and 19-21 St John Street, including demolition/alteration of rear plot boundary walls. (amended description) (Amended Plans and Information).. PCO .

23/00694/LBC - Demolition of rear outrigger extensions to nos. 20 & 21 St John Street. Erection of single storey common room building to the rear of nos. 20 & 21 St John Street. Demolition/alteration of rear plot boundary walls. (Amended Description). PDE .

## 7. RELEVANT PLANNING POLICY

7.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Other planning documents	Neighbourhood Plans:
Conservation/Heritage	189-208	DH3 - Designated heritage assets DH4 - Archaeological remains	Central (City and University) Conservation Area draft appraisal	

## 8. CONSULTATION RESPONSES

8.1. Site notices were displayed around the application site on 9<sup>th</sup> May 2023 and an advertisement was published in The Oxford Times newspaper on 4<sup>th</sup> May 2023.

## **Statutory and non-statutory consultees**

### Historic England

9.2 In a letter dated 19<sup>th</sup> May 2023 “We suggest that you seek the advice of your specialist conservation and archaeological advisers. It is not necessary to consult us again unless there are material changes to the proposed development.”

## **Public representations**

9.3 There were a total of eleven consultation responses received. The majority of the responses only referred to matters of consideration for the associated planning application. The matters that are of material consideration to the listed building consent application are:

- The outriggers form part of the listed structures and even though they are not original they reflect the history of the buildings, provide elements of symmetry across the buildings and respect the lineage of the terrace. Consent should not be granted for their demolition. The proposed alterations to the outrigger on the rear of No.19 are inappropriate, out of keeping with the paned windows elsewhere on the building and would cause substantial harm to the existing buildings.
- The garden walls between properties are an important part of the integrity and character of the curtilage of the listed buildings. There is no clear evidence that consent was previously granted to demolish them, there is insufficient justification for their removal and demolition would be contrary to the objectives of local plan policy DH3.
- The proposed common room extension on the rear of Nos 20 and 21 does not respect the evolution of the listed buildings, would be out of keeping as a result of the large expanses of glazing proposed, it would damage the integrity of Nos 19, 20 and 21.
- There would be no public benefits to outweigh harm.
- The application contains insufficient detail to be determined.

## **Officer response**

9.4 Outriggers Officers acknowledge that whilst outriggers or additions at the back of a principal dwelling are not an uncommon feature there are an enormous variety of such additions to the rear of the terraces of St John Street and it is only the more recent additions such as those at Nos19-21 that have introduced a consistency at this location. Most if not all rear additions are later than the original construction and whilst they do offer insight into evolution not only of buildings but also habits of occupants these particular examples are not of any architectural interest and of extremely limited historical or social interest that offers little or no conservation value to the significance of the listed buildings or indeed the overall group, the listing covers Nos 2-63 St John Street as an entity. The alterations to the outrigger at the rear of No 19 were included in

listed building consent application 23/00594/LBC which has been approved under delegated powers therefore those alterations have already been granted consent.

Garden walls. Listed building consent was granted in 1988 for the demolition of the garden walls between Nos 19 and 20; 20 and 21. The walls that exist presently contain very little if any original surviving brickwork and they are arguably now post 1947 structures and do not therefore form part of the curtilage of the listed building. Officers do however acknowledge the importance of the definition of the plot boundaries and of the garden walls where these do survive. The proposals seek to preserve the legibility of plot boundaries by placing new structures, including in places new sections of wall where previously these and therefore officers consider that no harm would be caused to the architectural or historical significance of the listed building. Consequently it is considered that meet the objectives of both national and local planning policies would be met.

Common Room extension. The backs of properties that fall within the listing 2-63 St John Street are extremely varied in their architecture with lots of different types of additions. The proposed common room would be another element in the evolution of the terraces and officers consider that the use of a modern architectural language would allow this latest addition to be read as simply that, a new addition. The use of large areas of glass will allow the interior of the common room to have a good quality of light and the individual glass elements would actually be comparable in proportion to the larger sash windows on the rear facades of the terrace. Officers are comfortable in recommending that detailed design of this element be approved to ensure that the architectural quality will be appropriate to the context in line with both national and local planning policies.

Harm: officers consider that no harm that would be caused to the significance, the architectural or historical significance of the listed buildings as a result of the works for which listed building consent is being sought, namely the removal of two, recently constructed outriggers and the construction of a common room at ground floor of Nos 20 and 21 St John Street. The impact of the proposed works on the character or appearance of the Central Conservation Area falls to be considered under the concurrent planning application 23/00693/FUL. As there would be no harm caused to the significance of the listed building there is no need to consider any public benefits that may arise directly from these proposed works.

Insufficient detail: Officers consider that the application does include sufficient information to be able to understand the significance of the heritage asset that will be impacted by the proposals and that they are able to therefore make a decision about the impact of the proposals on that significance. Where additional information is required to ensure that the works as carried out will meet the planning policy objectives officers have recommended appropriate conditions to ensure that this will be provided and approved before any relevant work is carried out.

## 10.0 LISTED BUILDING CONSENT MATERIAL CONSIDERATIONS

- 10.1 Officers consider the issues that are material to consideration and determination of the application to be
- a. Significance of the listed building including any surviving, curtilage structures.
  - b. Potential impact of the proposed alterations and extension to the listed building on the significance of that listed building. Whether the proposals would preserve or enhance the significance of the listed building or result in harm to the significance of the listed building.
  - c. If harm would be caused to the significance of the listed building whether that harm has been clearly and convincingly justified.
  - d. If harm would be caused to the significance of the listed building what would be the weight of that harm.
  - e. If harm would be substantial then has the applicant provided a robust case for exceptionality.
  - f. If harm would be less than substantial are there sufficient public benefits that would arise from the proposed alterations and extension that would outweigh the weight of harm.

### a. **Significance of the listed building including curtilage structures**

#### **2-63 St John Street:**

- 10.2 Numbers 2-63 St John Street comprise a number of terraces of late Georgian (c.1824) houses laid out to focus on the tower of the Radcliffe Observatory.
- 10.3 The houses were built in groups of two to four by individual builders or speculators, to a similar pattern, but displaying distinctive variation in architectural detail such as door cases, fanlights, window patterns and decorative ironwork. Equally varying at the rear as on the “public” front facades.
- 10.4 Typically three storeys above street level plus attic and lower ground floor, the buildings have ashlar stone on the front, street facing facades with cheaper, red brickwork to sides and rears. A not atypical arrangement on such buildings.
- 10.5 The significance of the buildings derives fundamentally from their architecture, details and materials as well as plan form, which as previously identified does vary throughout the terraces. The overall layout of the terraces, the plots and their relationship with principal street, St John Street and rear mews streets, Beaumont Buildings and Pusey Lane is important, making a contribution to the

setting of the buildings. Surviving curtilage structures, such as garden walls and outbuildings of contemporary or slightly later construction also make a contribution to significance.

- 10.6 The listed building has a medium level of significance, for which it is listed at grade II in the statutory list.

**b. Impact of the proposed alterations and additions on the significance of the listed building.**

- 10.7 The principal alterations proposed as part of this application for listed building consent are the removal of the “outriggers” that have been added to the back of numbers 20 and 21 St John Street.
- 10.8 These structures are three storeys above ground level and extend to the lower ground floor of the buildings to which they are attached.
- 10.9 Constructed in brick the structures were added to the principal buildings in the latter part of the C20 and have little or no architectural value, certainly making no contribution to the architectural or historical significance of the listed buildings to which they are presently attached.
- 10.11 Officers therefore consider that the removal of these structures would not cause any harm to the significance of the heritage asset, 2-63 St John Street. Any architectural symmetry that can be seen in the rear facades of these buildings has been of relatively recent origin and of a very functional rather than architectural nature.
- 10.12 The proposed extension to the rear and ground floor of Nos 20 and 21 St John Street to extend the present ground floor rooms in these buildings would result in the removal of rear, ground floor windows and the enlargement of the present openings in the rear façade to provide access to the extended building creating a single space to function as a common room for residents.
- 10.13 As has been noted previously in this report Nos 2-63 St John Street have been at various times and at various levels been provided with extensions at the rear of the buildings. Importantly the size, massing and architecture of the proposed extension would not detract from the architectural quality of the host building. Officers consider that it would be a relatively modest addition in its height and footprint and that architecturally it is proposed to be of a sufficiently high quality to be an appropriate addition to the building.
- 10.14 Officers therefore consider that this modest extension by virtue of its design, height, massing and architecture would not cause harm to the architectural or historical significance of the heritage asset.
- 10.15 The walls between properties 20 and 21 St John Street have been substantially altered and very little original fabric remains. Although listed building consent for

the demolition of these walls is being requested, officers consider that the surviving structures have an importance in providing some definition to plot boundaries and that the proposed replacement structures will be aligned such that this definition will be preserved.

**c. If harm would be caused to significance of the heritage asset whether that harm has been clearly and convincingly justified.**

10.15 As set out in the preceding sections of this report, having carefully assessed the special interest or significance of the heritage asset, Nos 2-63 St John Street, and considered the impact of the proposed alterations for which listed building consent is being sought through this listed building consent application, officers do not consider that any harm would be caused to the architectural or historical significance of the listed building and that the building, its setting and any features of special architectural or historic interest that it possess would certainly be preserved (not harmed) and where careful reinstatement of original, revealed parts of rear facades is proposed, enhanced.

10.16 As a consequence of there being, in officers' considered opinion no harm being caused to the architectural or historical significance of the heritage asset, Nos 2-63 St John Street, planning polices do not require any clear or convincing justification for the proposed alterations to the listed buildings.

**d. if harm would be caused to the significance of the heritage asset what would be the weight of that harm**

10.17 The assessment of any harm that would be cause to the significance of the heritage asset, Nos 2-63 St John Street by the proposed alterations is that there would be no harm caused to the heritage asset's significance.

**e. If harm would be substantial then has the applicant provided a robust case for exceptionality.**

10.18 As set out in the preceding paragraph of this report, officers have assessed the level of harm that would be caused to the significance of the heritage asset Nos 2-63 St John Street to be no harm. It is not therefore necessary to provide a case for exceptionality in this instance.



**f. If harm would be less than substantial are there sufficient public benefits that would arise from the proposed alterations and extension that would outweigh the weight of harm.**

10.19. As the level of harm that would be caused to the significance of the heritage asset has been assessed as being no harm, public benefits are not required to be found in this instance in order to be assessed and taken into consideration in reaching a decision to grant listed building consent for the works that have been applied for under this application.

## **11. CONCLUSION**

11.1 In conclusion, officers have assessed both the significance of the heritage asset and the impact of the proposed alterations on that significance and have concluded that no harm would be caused to the significance of the heritage asset, Nos 2-63 St John Street.

11.2 Furthermore officers consider that the proposed alterations to the rear of Nos 20 and 21 St John Street, including the removal of the two outriggers, the subsequent restoration of the exposed rear facades of those buildings and the modest single-storey extension to the rear of Nos 20 and 21 St John Street would preserve the buildings, their settings and any features of special architectural or historic interest which they possess, in line with the duty set out in section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and would meet the objectives of policy DH3 of Oxford's Adopted Local Plan 2036.

11.3 It is therefore recommended that the Committee resolve to grant listed building consent subject to the recommended conditions as set out in the following section of this report and authorise the Head of Planning to finalise and make such amendment to those recommended conditions as may be considered to be reasonable.

## **12. CONDITIONS**

### **1. Commencement of works LB consent**

The works permitted shall be begun not later than the expiration of three years from the date of this consent.

Reason: In accordance with Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 in accordance with policy DH3 of the Adopted Oxford Local Plan 2036.

## **2. LBC Consent – approved plans**

Unless specifically excluded by subsequent conditions the works permitted shall be carried out strictly in accordance with the terms of, and subject to, the conditions attached to this consent and in compliance with the details specified in the application and the submitted/amended plans listed in this decision notice.

Reason: As Listed Building Consent has been granted only in respect of the application as approved, to ensure that the development takes the form envisaged by the Local Planning Authority when determining the application in accordance with policy DH3 of the Adopted Oxford Local Plan 2036

## **3. LBC – works as approved only**

This Listed Building consent relates only to the works specifically shown and described on the approved drawings. Any other works, the need for which becomes apparent as alterations and repairs proceed, are not covered by this consent and details of any other works must be submitted to the council as Local Planning Authority and approved before work continues.

Reason: For the avoidance of doubt and to protect the special interest of the historic building in accordance with policies DH3 and DH4 of Oxford's Adopted Local Plan 2036.

## **4. Making good following demolition**

Full details including methods, materials and workmanship to rear facades of Nos 20 and 21 St John Street following the removal of the existing outriggers shall be submitted to and approved in writing by the LPA before any of this work commences. All works shall be carried out in accordance with the approved details unless subsequently agreed otherwise by the LPA and confirmed in writing. A sample area of making good shall be prepared in situ, inspected by the LPA and approved in writing before the remainder of the areas to be made good are commenced.

Reason: This area of work has not been described in sufficient detail and the LPA wishes to ensure that the making good will meet the objectives of planning policy DH3 of the Oxford Adopted Local Plan 2036.

**5. Details and materials to be approved**

Details, including samples to be provided on site of materials to be used for the proposed common room extension at the ground floor rear of Nos 20 and 21 St John Street shall be submitted to and approved in writing by the LPA before any of this work commences. All works shall be carried out in accordance with approved details and samples unless subsequently agreed otherwise by the LPA and confirmed in writing.

Reason: Because the LPA wishes to ensure that the architectural detail and materials used for this new addition to the listed buildings will meet the objectives of policy DH3 of Oxford's Adopted Local Plan 2036.

**6. Details of new sash windows.**

Full drawn details of new sash windows, including details of reveals and wall openings proposed in exposed rear building facades of Nos 20 and 21 St John Street following careful removal of outriggers including details of materials and finishes to be submitted to and approved in writing by the LPA before any of this work takes place. All works to be carried out in accordance with approved details unless subsequently agreed by the LPA and confirmed in writing.

Reason: These works have not been described in sufficient detail and the LPA wishes to ensure that the proposed works will meet the objectives of policy DH3 of Oxford's Adopted Local Plan 2036.

**7. Details of openings to extension**

Full details, including details of removal and storage of sash windows, materials, finishes and formation of enlarged opening to ground floor extension to Nos 20 and 21 St John Street to be submitted to and approved in writing by the LPA before this are of work commences. All work to be carried out in accordance with approved details unless subsequently agreed by the LPA and confirmed in writing.

Reason: This area of work has not been described in sufficient detail and the LPA wishes to ensure that it will meet the objectives of policy DH3 of the Oxford Adopted Local Plan 2036.

**13. APPENDICES**

- **Appendix 1 – Site location plan**

#### **14 HUMAN RIGHTS ACT 1998**

- 14.1 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.

#### **15 SECTION 17 OF THE CRIME AND DISORDER ACT 1998**

- 15.1 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 listed building consent, officers consider that the proposal will not undermine crime prevention or the promotion of community.