

Agenda Item 8

17th September 2024

Application number:	24/01468/FUL		
Decision due by	2nd September 2024		
Extension of time	27 th September 2024		
Proposal	Erection of a single storey rear infill extension. Removal of 1no. window and 1no. door. Insertion of 4no. windows and formation of stone thresholds to the rear elevation.		
Site address	8 Dunstan Road, Oxford, Oxfordshire, OX3 9BY – see Appendix 1 for site plan		
Ward	Headington Ward		
Case officer	Hannah Riddle		
Agent:	Ms Dominique Andrews	Applicant:	Ms Mary Clarkson and Mr Michael Tappin
Reason at Committee	The application has been submitted on behalf of a councillor.		

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; and

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 Services considers reasonably necessary.

2. EXECUTIVE SUMMARY

2.1 This report considers the erection of a single storey extension to the rear of the existing building and the associated fenestration alterations.

2.2 This report considers the following material considerations:

- Design and visual amenity
- Impact on designated heritage assets

- Impact on residential amenity
- Other matters

2.3 Officers conclude that the proposed development is acceptable with regards to its design, its impact on the significance of designated heritage assets, its impacts upon the residential amenity of neighbouring dwellings and its impacts upon surface water drainage and archaeological deposits subject to the recommended conditions and informatives. Overall, the proposal is considered to be in accordance with policies S1, DH1, DH3, DH4, H14, RE4 and RE7 of the Oxford Local Plan and policies GSP4, CIP1 and CIP4 of the Headington Neighbourhood Development Plan 2032.

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 8 Dunstan Road is a detached property located on the northern side of Dunstan Road with the front (southwest) stone elevation immediately abutting the pavement. There is a walled garden to the rear and a large field beyond the garden which is within the ownership of the applicants.

5.2 The property is in the northwestern corner of Old Headington Conservation Area and the building is of significance being Grade II Listed.

5.3 Opposite 8 Dunstan Road is another Grade II Listed building known as Manor Farmhouse. The two buildings are prominent in the streetscape and together create an important pinch point on Dunstan Road that acts as an arrival point for the built-up part of the village.

5.4 To the north of 8 Dunstan Road is a group of five houses (10 – 18 Dunstan Road) designed by Ahrends, Burton and Koralek in the 1960's. The houses are described as being the most controversial buildings in the Old Headington Conservation Area due to the experimental architecture employed. However they are set back from the road and are partially hidden by a front boundary wall with only the roof profiles visible.

5.5 8 Dunstan Road, originally known as Lower Farm, is noted as a positive building within the Dunstan Road character area. As a Grade II Listed building, the property possesses historic and architectural special interest which is largely derived from its historic character and appearance as a vernacular farmhouse which is a reminder of the rural character of Old Headington.

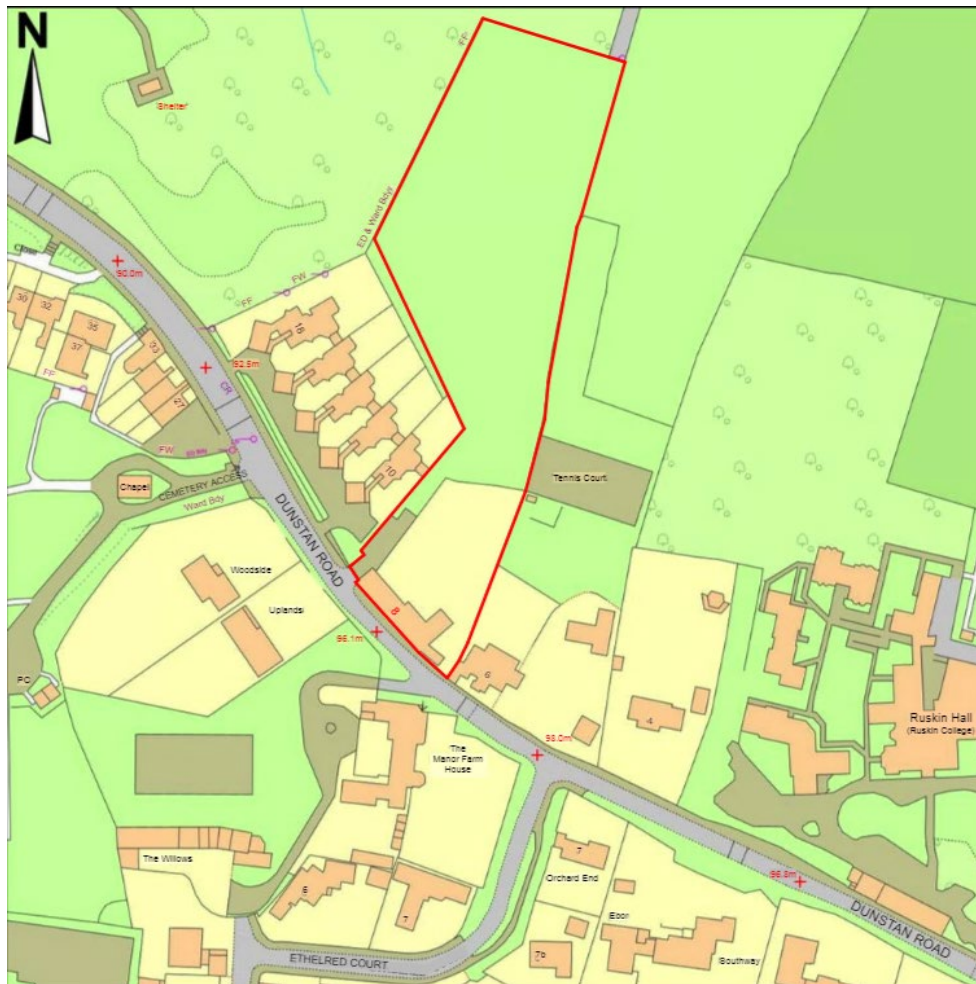
5.6 Lower Farm originally consisted of the main farmhouse with outbuildings to its east. The main farmhouse was originally a two-storey stone building built under a slate

roof. The front elevation contains 5no. 12-paned timber sash windows and a 6-panel timber front door, all of which are still present.

5.7 Lower Farmhouse was fully refurbished in 2002-2003, under applications 01/00766/NFH and 01/00765/L, creating the layout as shown on the existing plans. This refurbishment included the outbuildings which have been sympathetically extended, converted, and incorporated into the footprint of the main house. The historic stone boundary wall to the street has been retained. A conservatory has also been constructed to the rear.

5.8 The two-storey outbuilding immediately to the east of the main house was extensively modified to allow full use of the ground and first floor spaces. The rear wall of the outbuilding was rebuilt in brick and stone and it was re-roofed resulting in the creation of an overhanging roof canopy which created a covered porch entrance to the rear of the property.

5.9 See block plan below:



6. PROPOSAL

6.1 The application seeks planning permission for a single storey rear extension and associated fenestration alterations to the rear elevation.

- 6.2 The extension would infill the covered porch area created under applications 01/00766/NFH and 01/00765/L. The area infilled would measure approximately 3.7m wide by 1.7m deep and would result in an enlarged kitchen/dining area. The rear entrance door would be retained and the run of casement timber windows would be continued along the length of the newly aligned rear wall. The extension would be constructed in brick to match the brick found within the existing rear elevation of the outbuilding and timber casement windows would be installed to match those as existing.
- 6.3 Separate listed building consent is sought for the associated internal alterations shown on the proposed plans and detailed in the Design, Access and Heritage Statement which will be dealt with as a separate matter under application 24/01469/LBC.

7. RELEVANT PLANNING HISTORY

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

01/00765/L - Listed building consent for external alterations and additions including new dormers and roof lights on rear roof slopes; insertion of rooflights on front roof slopes; new roof on outbuilding; bay window, conservatory and loggia on rear elevation; replacement of existing windows and relocation of front door. Internal alterations including removal of existing staircase and internal partitions and wall and installation of new stair case. Approved 12th December 2001.

01/00766/NFH - Alterations and additions including the insertion of new dormers on rear roof slopes, new roof on outbuildings and bay window, conservatory and loggia on rear elevation.. Approved 12th December 2001.

02/01597/LBC - Listed Building consent for formation of opening in rear garden wall and installation of new steel gates and stone steps. Setting back of vehicular entrance gates.. Approved 1st November 2002.

02/01598/FUL - Planning permission for formation of opening in rear garden wall and installation of new steel gates and stone steps. Setting back of vehicular entrance gates.. Approved 1st November 2002.

06/00596/FUL - Erection of two outbuildings. Approved 2nd June 2006.

24/01469/LBC - Reconfiguration of internal areas to include the reduction in size of the ground floor entrance lobby, relocation of a door opening into the TV room and refurbishment of the kitchen including floor finishes. Floor to be part excavated for floor build-up. New internal door openings. Insertion of a structural steel beam.. Pending consideration

8. RELEVANT PLANNING POLICY

8.1 The following policies are relevant to the application:

8.2 It should be noted that the proposed submission draft for the Oxford Local Plan 2040 has been submitted for examination on 28th March 2024 and therefore its policies may be afforded some weight but noting that they cannot be given full weight at this stage.

Topic	National Planning Policy Framework	Local Plan	Neighbourhood Plans:
Design	131 - 141	DH1 - High quality design and placemaking	GSP4 - Protection of the setting of the site CIP1 - Development respect existing local character
Conservation/Heritage	195 - 214	DH3 - Designated heritage assets DH4 - Archaeological remains	CIP4 - Protecting important assets
Housing	60 - 84	H14 - Privacy, daylight and sunlight	
Environmental	180 - 194	RE4 - Sustainable and foul drainage, surface and groundwater flow 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 23rd July 2024 and the three-week consultation period expired on 13th August 2024.

9.2 The application was also advertised in the Oxford Times on 18th July 2024.

Statutory and non-statutory consultees

9.3 Friends of Old Headington – letter of support

Public Representations

9.4 No representations were received.

10. PLANNING MATERIAL CONSIDERATIONS

10.1 Officers consider the determining issues to be:

- I. Design and visual amenity
- II. Impact on designated heritage assets
- III. Impact on residential amenity
- IV. Other matters

I. Design and Visual Amenity

10.2 Policy DH1 states that planning permission will only be granted for development of high-quality design that creates or enhances local distinctiveness and Appendix 6.1 of the Oxford Local Plan 2036 (OLP 2036) outlines a design checklist which proposals should respond to.

10.3 Policies GSP4 and CIP1 of the Headington Neighbourhood Plan 2032 (HNP) emphasise the importance of responding to setting and local character in the Headington area.

10.4 The proposed development is to the rear of the host dwelling, and it would not be visible from within the street scene. It will therefore have no visual impact upon the wider character of Dunstan Road or the character and setting of Old Headington Conservation Area which the property is located within.

10.5 The extension is to the rear of the two-storey outbuilding to the east of the main farmhouse. Following the renovations approximately 20 years ago the outbuilding is now attached to the main farmhouse and functions as the kitchen/diner.

10.6 The extension would infill an area approximately 3.7m wide x 1.7m deep and would result in the rear elevation being brought into full alignment. The rear wall would be constructed in brick to match the existing brickwork and new double glazed timber casement windows would be installed to match the size and design of the windows already present in this part of the property. The existing rear entrance door is to be re-installed above a stone threshold.

10.7 The extension would result in the loss of the external access to the conservatory however, the doorway is retained internally and would become an internal door providing access between the kitchen/diner and the conservatory. The loss of the external door within the rear elevation is a minor and acceptable change.

10.8 The proposal results in a modest alteration to the footprint of the property and is considered to follow good design principals in that it is visually integrated with, and visually subservient to, the host dwelling and would not detract from its character or appearance.

10.9 The proposal is in accordance with policy DH1 of the OLP 2036 and policies GSP4 and CIP1 of the HNP 2032.

II. Impact on Designated Heritage Assets

- 10.10 Policy DH3 states that permission will only be granted for development affecting a designated heritage asset if it is demonstrated that due regard has been given to the impact upon the asset's significance and its setting and that it is demonstrated that the significance of the asset and its conservation has informed the design of the proposed development.
- 10.11 Policy CIP4 of the HNP 2032 seeks development proposals which address the conservation and enhancement of the significance, character and any special architectural or historic features of significance the designated heritage asset may possess.
- 10.12 Paragraph 205 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset 'great weight' should be given to the heritage assets' conservation.
- 10.13 Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 also require Local Planning Authorities to have special regard to the desirability of preserving the setting of a Listed Building, as well as preserving or enhancing the character and appearance of the Conservation Area and which it is accepted is a higher duty.
- 10.14 The site falls within the Old Headington Conservation Area and the property is a Grade II Listed Building. During the application, the Council's Heritage team were consulted and no objections to the proposal have been raised citing no harm to either of the designated heritage assets.
- 10.15 During the course of the application, as requested by the Council's Heritage Officer, an additional ground floor plan was submitted which illustrates the original and non-original structures within the building. The plan clearly shows the proposed extension would not adjoin or result in the loss of any of the original structural walls or roof.
- 10.16 As previously mentioned within this report, modern alterations have sensitively been undertaken to the property which include the complete rebuilding of the rear elevation of the two-storey attached outbuilding and the replacement of its roof. As such, these parts of the property's structure are considered to have low historical significance and the development would be carried out in this area. Therefore, there is no objection to the proposal to infill the covered area to enlarge the kitchen/diner as there would be no loss or damage to the original structure of the building which has high historical and architectural significance.
- 10.17 The proposed development would utilise external materials which are already present within the modern parts of the property and which have been established to complement the historic character of the main farmhouse. The extension would be a sympathetic and minor modification to an area of the property with low historical or architectural significance.

10.18 The historical street wall to the front would be retained and views along Dunstan Road would be unaffected preserving the character of the Old Headington Conservation Area.

10.19 It has been concluded that the development would preserve the setting and appearance of the grade II Listed Building, and therefore the proposal accords with Section 66 of the Act. It has also been concluded that the development would preserve the character and appearance of the Conservation Area, and therefore the proposal accords with Section 72 of the Act. In addition, no harm would be caused to the significance of the heritage assets, and as such the proposal accords with guidance contained in Chapter 16 of the NPPF and policy DH3 of the OLP 2036.

III. Impact on Residential Amenity

10.20 Policy H14 of the OLP 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 and does not have an overbearing effect on existing homes.

10.21 Policy RE7 of the OLP 2036 states that planning permission will only be granted for development that ensures that the amenity of communities, occupiers and neighbours is protected.

10.22 The host dwelling is detached and sited within a substantial plot. The property is sited between 6 and 10 Dunstan Road which are detached properties located at least 15m from the proposed area of development.

10.23 The development is centrally positioned in the plot and would not reduce the separation distances between the host dwelling and its neighbours. Furthermore, as it is an infill extension beneath an existing overhanging roof there would be no new built form projecting beyond the established footprint of the building or above the existing roof profile. It is therefore considered the development will not give rise to any overshadowing or overbearing effects. Furthermore, there would be no change to the outlook enjoyed by neighbouring properties.

10.24 In terms of overlooking, the proposal is single storey and would introduce new windows in the rear elevation. The views afforded would be across the private amenity space of the host dwelling and be like those already achievable. The increased number of windows would not result in any new or harmful views of neighbouring properties.

10.25 The proposal would not have a detrimental impact upon the residential amenity of neighbouring occupiers and is in accordance with policies H14 and RE7 of the OLP 2036.

IV. Other Matters

10.26 Policy RE4 of the OLP 2036 states that all development is required to manage surface water through Sustainable Drainage Systems (SuDS) or techniques to limit run-off.

- 10.27 The site is located in Flood Zone 1 and is not at significant risk of flooding from any sources. Furthermore, as the development would infill an area sited beneath a pre-existing roof structure and on a hardstanding floor there would no increase to the impermeable area on the site. There would be no material change to the permeability of the site and surface water could continue to drain as is existing.
- 10.28 As such, on this occasion it is not considered reasonable to apply a condition requiring the development to be drained using SuDS as required by policy RE4 and the proposal is acceptable in terms of its impact on surface water drainage.
- 10.29 Policy DH4 of the OLP 2036 seeks to ensure the significance of Oxford's archaeological legacy is sustained and that where there the loss or harm of archaeological deposits is warranted development results in a thorough investigation of the impacted archaeology.
- 10.30 The property lies with an Area of Archaeological Interest where prehistoric, Roman, Anglo-Saxon and medieval activity has previously been identified.
- 10.31 Following consultation from the Council's Archaeologist it is concluded that the application is too small scale to have any likely significant archaeological implications. No further archaeological surveys are required to support the proposal. Therefore, the proposal is considered acceptable in terms of its impact on archaeological deposits.

11. CONCLUSION

- 11.1 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.
- 11.2 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.
- 11.3 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

- 11.4 In summary, the proposed development would not cause detrimental harm to the design and visual amenity of the host dwelling or the wider locality, in

compliance with Policy DH1 of the OLP 2036. The proposal would not be detrimental upon the amenity of any neighbouring occupiers and would comply with Policies H14 and RE7 of the OLP 2036. In addition, the proposal has due regard to the setting and character of the designated heritage assets, in compliance with policy DH3 of the OLP 2036. Finally, the proposal would have no significant impacts upon the capacity of the site to sustainably drain surface water and it would have no significant archaeological implications, in compliance with policies RE4 and DH4 of the OLP 2036. As such the proposals are considered to comply with the policies of the OLP 2036, and the NPPF.

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

Material considerations

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

11.7 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.

11.8 Officers would advise members that, having considered the application carefully, including all representations made with respect to the application, the proposal are 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.

11.9 It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the conditions set out in 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 in accordance with policy DH1 of the Oxford Local Plan 2036.

Materials

- 3 The materials to be used in the new development shall be those as specified on the approved plans. There shall be no variation of these materials without the prior written consent of the Local Planning Authority.

Reason: To ensure the satisfactory visual appearance of the new development in accordance with Policy DH1 and DH3 of the Oxford Local Plan 2036.

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. 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 planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community.

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