

10th December 2024

Application number:	24/02339/FUL		
Decision due by	2nd December 2024		
Extension of time	19th December 2024		
Proposal	Erection of a glasshouse to rear.		
Site address	8 Dunstan Road, Oxford, Oxfordshire, OX3 9BY – see Appendix 1 for site plan		
Ward	Headington Ward		
Case officer	Hannah Riddle		
Agent:	Mr Paul Smith	Applicant:	Ms M Clarkson
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

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 glasshouse on land to the rear of the host dwelling.

2.2. 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. 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.

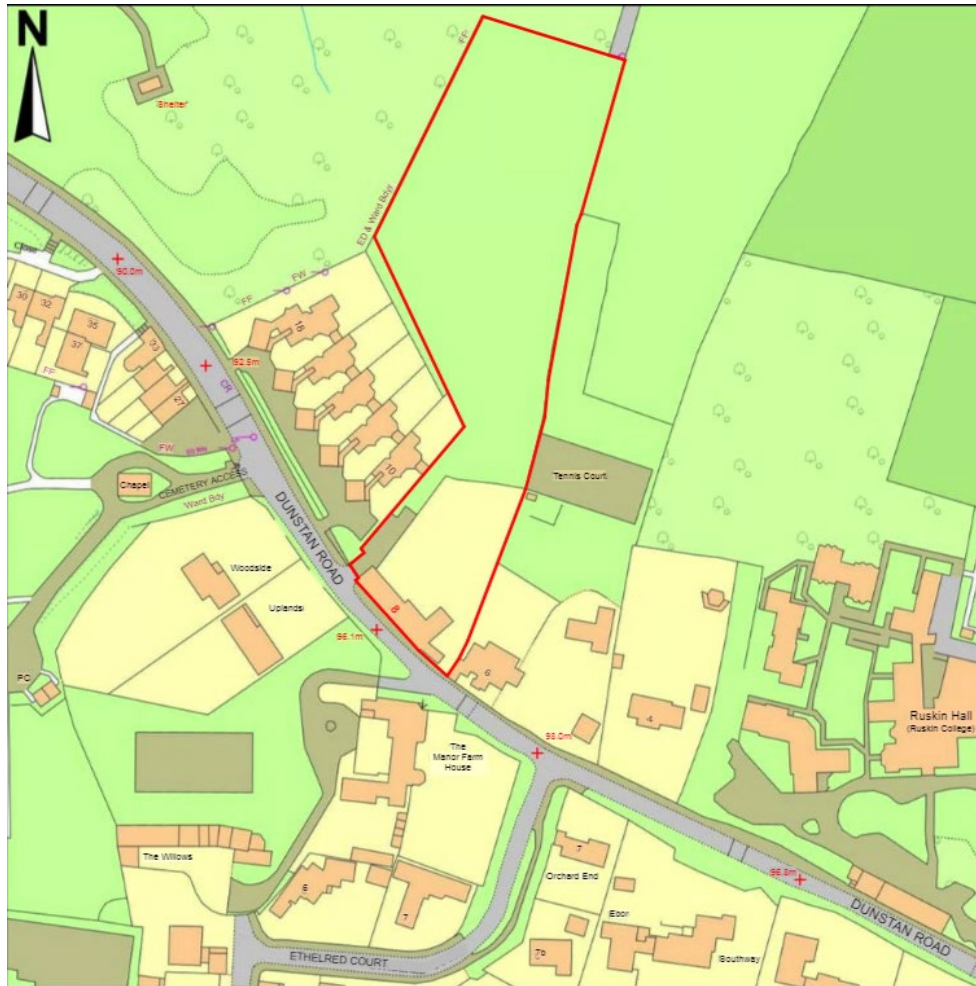
5.4. To the north of 8 Dunstan Road is a group of five houses (10 – 18 Dunstan Road) designed by Ahrends, Burton and Koralek in the 1960's. The houses are described as being the most controversial buildings in the Old Headington Conservation Area due to the experimental architecture employed. However, 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. In October 2024 a single storey rear extension was approved under application 24/01468/FUL.

5.8. See block plan below:



6. PROPOSAL

- 6.1. The application seeks planning permission for the erection of a glasshouse on land to the rear of the host dwelling.
- 6.2. The glasshouse would be sited away from the host dwelling in a field to the rear of the main garden. Access would be via the curtilage of the host dwelling.
- 6.3. The main glasshouse would measure 3744mm deep x 2654mm wide x 3059mm high and a low cold frame would adjoin the north-west side. The cold frame would measure 3744mm deep x 905mm wide x 700mm high.
- 6.4. The construction materials would consist of a dwarf brick plinth, a powder coated aluminium frame and 4mm toughened glass. It would feature a decorative main ridge with finials.

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.

24/01468/FUL - 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.. Approved 24th October 2024.

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.. Approved 5th November 2024.

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

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	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 24th October 2024 and the three-week consultation period expired on 14th November 2024.

9.2. The application was also advertised in the Oxford Times on 17th October 2024.

Statutory and non-statutory consultees

9.3. No consultee responses were received.

Public representations

9.4. No representations were received.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- I. Design and impact on designated heritage assets
- II. Impact on neighbouring amenity
- III. Other matters

I. Design and Impact on Designated Heritage Assets

- 10.2. Policies DH1 and DH3 of the Oxford Local Plan seek to ensure development is of high-quality design, relates well to the existing house and its surrounding and respects and enhances the historic environment.
- 10.3. Policies GSP4, CIP1 and CIP4 of the Headington Neighbourhood Plan 2032 (HNP) emphasise the importance of responding to setting and local character and seeks development which addresses the conservation and enhancement of the significance of designated heritage assets.
- 10.4. 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.
- 10.5. 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.
- 10.6. The site falls within the Old Headington Conservation Area and the host dwelling 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.
- 10.7. The proposed glasshouse is sited in a field to the rear of the host dwelling. The field is dog-legged, and the glass house is situated behind a group of houses (10 – 18 Dunstan Road) at a distance approximately 60m from Dunstan Road.
- 10.8. The glasshouse would be visible from the rear garden of 10 Dunstan Road as their garden has a low rear boundary with views across the field. It would only be partially visible from the rear gardens of 12 and 14 Dunstan Road whose rear boundaries are formed by trees and hedgerows.
- 10.9. The main glasshouse would measure 3744mm deep x 2654mm wide x 3059mm high and a low cold frame would adjoin the north-west side. The cold frame would measure 3744mm deep x 905mm wide x 700mm high. The glasshouse is considered small in scale and acceptable and proportionate addition to the site in that regard.
- 10.10. The design of the glasshouse with its brick plinth, powder coated aluminium frame and decorative finials coupled with the arched front and rear elevations result in a high-quality finish which would respect the wider character of the locality and not detract from the setting of the Listed Building.
- 10.11. It is noted the exact colour of the frame is still to be confirmed and informally colours such as off white, duck egg blue or dark green have been suggested. Given the siting of the greenhouse and the lightweight nature of the frame the exact colour of the frame is not necessary prior to determination. However, in the interests of protecting the visual amenity of the site and the views which would be achievable from neighbouring rear gardens a condition will be attached

requiring the final materials to be approved by the Council prior to the erection of the glasshouse.

- 10.12. The field in which the glasshouse is sited is directly connected to the main garden of the host dwelling by way of a gate in the rear boundary wall and is accessible via the driveway to the side of the host dwelling. It is a substantial open space which is partially in use as a vegetable garden with some supporting infrastructure in the form of a timber shed and a composting area already present. The glasshouse would be located besides the vegetable garden and as such, would be an acceptable addition as it would not appear out of character in this context, particularly as it would be sited close to the north western boundary. The north western boundary is defined by a low wall as well as hedging. Overall the proposed glasshouse would be in a discreet position and would not affect the openness of the field. The remainder of the field would remain open and unimpacted by the erection of the glasshouse or the access to/from the glasshouse from the host dwelling.
- 10.13. The glasshouse would be a minor addition to the field and would be subordinate to the host dwelling. It is considered that the glasshouse would be positioned at a sufficient distance from the listed building so as not to impose on it.
- 10.14. With the recommended materials condition in place, the glasshouse would have little visual impact upon and no harm to the wider character of Dunstan Road, the character of Old Headington Conservation Area nor the setting of the Grade II Listed Building.
- 10.15. Special attention has been paid to the statutory test of preserving the setting of a Listed Building, as well as preserving or enhancing the character and appearance of the Conservation Area under sections 66 and 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 the setting of the Listed Building and character and appearance of the Conservation Area, and so the proposal accords with sections 66 and 72 of the Act
- 10.16. The proposal is also in accordance with policies DH1 and DH3 of the OLP 2036 and policies GSP4, CIP1 and CIP4 of the HNP 2032.

II. Impact on neighbouring amenity

- 10.17. 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.
- 10.18. 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.
- 10.19. The host dwelling is detached and sited within a substantial plot, including a large field beyond the main garden in which the glasshouse would be sited. Due

to the siting of the glasshouse, it would have most impact upon the properties 10 and 12 Dunstan Road.

- 10.20. A separation distance of approximately 18m is retained between the rear elevations of 10 and 12 Dunstan Road and the glasshouse.
- 10.21. The glasshouse is sited approximately 3m beyond the rear boundary of 12 Dunstan Road. A green buffer of trees and hedgerow along this boundary prevent direct views of the glasshouse.
- 10.22. 10 Dunstan Road has a low rear boundary which allows views across the field. The glasshouse is sited to the north of their rear garden and as such, oblique views would be achievable from some areas of their garden.
- 10.23. It is considered that due to the small scale nature of the glasshouse, its glazed and lightweight design, coupled with its distance from the nearest neighbours it would not detrimentally impact upon the outlook, privacy or daylight afforded to any of the neighbouring occupiers. Nor would it be an overbearing presence.
- 10.24. All other properties are a sufficient distance away so as not to be affected.
- 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.

III. Surface Water Drainage

- 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. The glasshouse would incorporate integral gutters which divert rainwater from the roof to water butts which is considered to adequately manage run-off be in accordance with policy RE4 of the OLP 2036.

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 in compliance with policy RE4 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.

Schedule of Materials

- 3 A schedule of the specific exterior materials to be used shall be submitted to and approved in writing by the Local Planning Authority before the start of above ground works on the site and only the approved materials shall be used.

Reason: In the interests of visual amenity in accordance with policies DH1 and DH3 of the Adopted 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 – Block 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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