

Oxford City Planning Committee

21st April 2026

Application number: 25/02643/LBC

Decision due by 4th December 2025

Extension of time 24th April 2026

Proposal Enlargement of front and rear lightwells; platform lift to front lightwell. Demolition of ground floor rear conservatory and ground floor side lean-to. Erection of a part single, part two storey rear and side extensions, including basement extension. Alterations and upgrades to fenestration throughout, including replacement windows. External alterations and repair works to roof, masonry, rainwater goods and fenestration. Alterations and repairs to boundary walls. Internal alterations to all floors including alteration of basement floorplan and damp proofing works in association with amalgamation of two basement flats to form one flat; installation of underfloor heating; alterations to existing door openings; new door openings; removal and heightening of ceilings and removal of partitions on second floor; new lightwell and balustrade, repairs and thermal upgrade to belvedere; new and upgraded mechanical, electrical and plumbing services throughout. (Amended description) (Amended plans)

Site address 10 Park Town, Oxford, Oxfordshire OX2 6SH – see **Appendix 1** for site plan

Ward North Ward

Case officer Amy Ridding

Agent: Mr Kieron Roberts **Applicant:** Araminta Hoyer Millar

Reason at Committee This application was called in by Councillors Fry, Pressel, Taylor, Chapman, Munkonge and Corais due to its impact on the neighbouring property and the impact on the significance of the listed building and conservation area.

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 listed building conditions set out in section 12 of this report and grant listed building consent.

1.1.2. **agree to delegate authority** to the Director of Planning and Regulation to:

- finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Director of Planning and Regulation considers reasonably necessary.

2. EXECUTIVE SUMMARY

2.1. This report considers the impact of proposed interventions, alterations and additions, including the repair of the Grade II listed building 10 Park Town which forms part of the listing for 1-47 and 49-64 Park Town (NHLE ref. 1047179), on the historic and architectural special interest of the listed building.

2.2. The proposed works involve works to the lower ground floor in association with its amalgamation from two flats to one single separate lower ground floor flat and includes alterations to its floorplan via an extension to the rear and enlargement of lightwells. The main dwelling, occupying the ground, first and second and third floors, is also proposed to be altered through external works including the demolition of an existing lean-to and conservatory, and the erection of a two-storey side and rear extension, the erection of a replacement single-storey rear extension, alterations to the rear dormer, and the replacement and upgrading of the existing windows. Internal works include alterations to the floorplan through the removal of partitions and the creation of new openings, replacement of existing fittings, alterations to the third floor (belvedere). Repair and refurbishment works to existing fabric are proposed throughout.

2.3. The key matters for assessment set out in this report include the following:

- The significance of the affected heritage assets
- The impact of the proposals on heritage significance, and the magnitude of any harm caused
- Justification for the harm identified
- Whether there would be sufficient public benefits to outweigh the less than substantial harm identified
- The impact on European Protected Species

2.4. Whilst Officers have identified that aspects of the proposals would result in a low level of less than substantial harm to the special interest of the listed building 10 Park Town which forms part of the group listing of 1-47 and 49-64 Park Town, each harmful intervention has been sufficiently mitigated by the reversal of previous unsympathetic interventions and appropriate design choices, clearly and convincingly justified, and there would be sufficient public benefits stemming from improved accessibility, improved thermal performance and energy efficiency. In addition, the need to ensure the continued use and maintenance of the listed building, and securing its future would outweigh the less than substantial harm, having regard for the great weight that must be given to the preservation of designated heritage assets.

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. The application site is located to the east of Banbury Road, within the planned estate of Park Town and the North Oxford Victorian Suburb Conservation Area (NOVSCA). Park Town, which was designed by Samuel Lipscombe Seckham, dates from 1853 and comprises four groups of houses, all of which are grade II listed, and sited around three ornamental pleasure grounds which are a grade II registered park and garden. The grounds which were originally laid out by Seckham and landscaped by William Baxter, are landscaped with trees and flowering shrubs and are used as communal gardens for the residents of Park Town.
- 5.2. No.10 Park Town is part of the western part of Park Town, where the villa-style homes are detached and rise to three-storeys in height. No. 10 itself is designed in an Italianate architectural style, with a red brick exterior accented by stone detailing which differs from the Seckham designed properties which make up the other three building groups of Park Town.
- 5.3. The home was originally built by and for a prominent local builder, James Gardiner, and since its construction has seen a number of uses, including use as a school, an orphanage, and was later associated with the prominent Photographer, Sarah Acland, for whom a blue plaque has been sited on the building. More recently, it has been used as single dwelling and family home, with the lower ground floor converted to a single separate residential unit in the 1980s and further subdivided to create two separate residential units in the 1990s.
- 5.4. Despite the variety of uses, a substantial amount of the buildings original internal and external fabric and features, and its original planform have survived. With the exception of the lower ground floor where the original planform has suffered the most alteration as a result of the subdivision into two separate residential units.
- 5.5. The current plan of the building aligns closely to the c.1910 District Valuation, with a belvedere tower at third floor level, four bedrooms, a bathroom and separate wc at second floor level, four bedrooms, a bathroom and separate wc at first floor level, and a kitchen, lounge, wc, storeroom and double drawing room at ground floor level. At lower ground floor level the current layout is as two flats, each with a living room, kitchen, bathroom and bedroom, rather than the kitchen, scullery and storerooms described in 1910.
- 5.6. Aside from the lower ground floor subdivision other alterations to the site include a two-storey extension to the south-western side elevation of the property, which has resulted in the previously detached property being built up

to the neighbouring boundary with 8 Park Town. This range was added circa 1904-05 and includes the main entrance to the dwelling as well as an arched garden gateway. In the 19th century a single-storey 'lean-to' style store was added to the north-western side elevation, alongside a now lost glasshouse. At the rear of the dwelling a conservatory was also added in the mid-twentieth century. A detached shed of unknown date is located at the south-eastern end of the rear garden.

- 5.7. To the rear of the application site is the 1960s building of the Maison Française, an institution established for cultural exchange and academic research, and recognised by the University of Oxford as an associated institution.
- 5.8. The significance of 10 Park Town lies in the group value it holds as part of the Park Town Estate and wider NOVSCA, which evidence the history of Victorian suburban residential development. It has high historic significance due to its strong associations with notable occupants, including academics, educational and charitable institutions, and Sarah Acland, a pioneer of colour photography, as well as with the influential architect Samuel Seckham and the high-quality builder James Gardiner. Architecturally, the building has a well-preserved planform and external and internal features, which contribute to the character of Park Town, evidence the wealth and status of its original occupants and demonstrate the 19th- and early-20th-century social hierarchy and patterns of domestic life. The significance of the listed building is addressed further in section 10.
- 5.9. See block plan below:



6. PROPOSAL

- 6.1. The application proposes external and internal additions and alterations to the property, some of which are in association with the amalgamation of the two existing lower ground floor flats to form a single self-contained lower ground floor flat. This change of use requires planning permission and is dealt with as part of the associated planning application.
- 6.2. The application proposes the demolition of an existing single-storey 'lean-to' on the north-eastern side elevation and the demolition of a brick and timber framed glass single-storey conservatory on the rear elevation.
- 6.3. At the rear of the property a single-storey extension is proposed, to replace the existing conservatory. This would have a flat-roof and an 'orangery' style design and would constitute a small enlargement in comparison to the floorspace provided by the existing structure.
- 6.4. Also at the rear of the property, a two-storey side extension is proposed. This would extend 2.03 metres from the existing side extension along the south-western boundary with No. 8 Park Town.
- 6.5. At the front and rear of the property, new and enlarged lightwells are proposed. On the south-western side of the site a new glass-covered lightwell is proposed, while enlargements are proposed to two existing lightwells on the eastern side of the site. These lightwells would include access and would be enclosed by new railings. An access lift is also proposed to be installed within the lightwell at the front of the property.
- 6.6. Within the roof at the rear of the property, an existing flat-roof dormer window is proposed to be replaced with a pitched-roof dormer window.
- 6.7. Other changes are also proposed to the fenestration including the insertion of a new window on the front of the property, in the place of an existing gated opening. Throughout the property the application proposes the renovation of all windows, with the existing glass replaced with double-glazed panes.
- 6.8. Additional landscaping is proposed within this application, including the removal of a small group of young trees at the rear of the property in order to facilitate the enlargement of a lightwell in this position. Additionally, at the front of the property changes are proposed to the layout of the driveway with new planting and parking areas.

7. PLANNING HISTORY

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

87/01226/NFH - Change of use of domestic basement to flat. PERMITTED 21st December 1987.
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87/01234/U - Application for Established Use Certificate for use of 2nd floor as flat (not self-contained). WITHDRAWN 5th January 1988.

90/01077/L - Listed Building consent for glazed way against boundary with No.12 Park Town and rebuilt glazed fanlight to living room. Internal alterations to basement to convert to 2 flats. PERMITTED 25th March 1992.

90/01078/NFH - Change of use of basement from storage/ancillary rooms to main house to 2 flats. Glazed covered way against boundary with No.12 Park Town and rebuilt glazed fanlight to living room. PERMITTED 25th March 1992.

97/01317/CAT - Remove elm in the North Oxford Victorian Suburb Conservation Area. RAISE NO OBJECTION 5th August 1997.

07/01244/CAT - Fell holly tree in the North Oxford Victorian Suburb Conservation Area at 10 Park Town. RAISE NO OBJECTION 2nd July 2007.

09/02017/CAT - Fell x2 Cherry trees in the North Oxford Victorian Suburb Conservation Area. RAISE NO OBJECTION 29th October 2009.

16/00570/LBC - Installation of memorial plaque to commemorate Sarah Acland. PERMITTED 28th April 2016.

25/00590/CAT - Fell 1no. Monkey Puzzle tree as specified by Tree Frontiers Ltd in the North Oxford Victorian Suburb conservation area. RAISE NO OBJECTION 23rd April 2025.

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Emerging Local Plan
Conservation/Heritage	Paragraphs 210, 212-215 and 218	DH3 – Designated heritage assets	HD3 – Designated heritage assets
Natural environment	Paragraphs 136, 187 and 193	G2 – Protection of biodiversity and geo-diversity	G6 - Protecting Oxford's Biodiversity including the ecological network

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 24th October 2025 and an advertisement was published in The Oxford Times newspaper on 30th October 2025.

9.2. Following the submission of revised plans and further information by the applicant, the application has been through further consultation. Pink site

notices were displayed around the application site on 20th December 2025 and an advertisement was published in The Oxford Times newspaper on 8th January 2026, and a final consultation was carried out in March with site notices displayed and an advertisement published in The Oxford Times on the 5th March 2026.

Statutory and non-statutory consultees

Historic England

- 9.3. In a letter dated 23rd December 2025, Historic England referred to their published advice regarding historic staircases and their significance:

“It should not be assumed that secondary and/or modestly constructed staircases are of lesser significance. These staircases can often survive when a primary staircase is replaced. Where decorative details are minimal, the materiality and patina of a secondary staircase can contribute to aesthetic value.

Often, staircases are key to understanding contribution to the special architectural and historic interest of a listed building and where possible, should be retained and conserved.

...We also suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.”

National Amenity Societies

- 9.4. In a letter dated 19th March 2026, The Gardens Trust provided no comment:

“We have considered the information provided and we do not wish to comment on the proposals at this stage. We would, however, emphasise that this does not in any way signify either our approval or disapproval of the proposals. If you have any further queries, please contact us at this email address. We would be grateful to be advised of the outcome of the application in due course.”

Similarly worded responses from The Gardens Trust were provided via letters dated 18th November 2025 and 27th January 2026.

William Lucy Way Residents Association

- 9.5. No comments received.

Public representations

Oxford Civic Society

- 9.6. In a letter dated 28th November 2025, the Society objected to the initial proposals stating:

We have concerns relating to the enlarging of the side extension. This is currently recessive at the rear, and the proposal is to move this out to almost align with the main rear elevation. This should remain recessive and set back

more than proposed so that the main existing building remains the dominant form.

Oxfordshire Architectural and Historical Society

9.7. In a letter dated 3rd February 2026, the Society objected to the first set of amendments, specifically:

- The scale and character of the proposals, and
- In agreement with the Oxford Civic Society's objection, the enlarging of the side extension which should remain recessive and set back so that the main existing building remains the dominant form.

No further comments were received as part of the second and final set of amendments.

Park Town Trust

9.8. In comments received on 18th November 2025, 29th January 2026 and 27th March 2026, the Trust objects to the size and positioning of the proposed west side extension for the following reasons:

- *Extending it to the south so as to align with the south elevation loses the coherence and symmetry of the shape of the house. The existing extension is set back to north and south in such a way as to leave the original shape clear.*
- *Some space between the two houses was always intended. The proposed extension to the back wall of the house will create a wall effect when viewed from the rear. This is to be regretted and the Trust opposes it.*

9.9. The Trust sought clarification on the proposed windows to the new garden room and the lightwell platform lift and railings. Following the submission of supplementary information from the agents, the Trust stated in comments received on 29th January 2026 that '*we make no further comment and leave decisions on these matters to the Heritage Officers.*'

8 Park Town

9.10. One public representation (8 Park Town) was received on 7th November 2025 in objection to the application.

9.11. In summary, the main points of objection were:

- Incorrect application form submitted
- Issues in relation to boundary and ownership
- Overshadowing and overbearing impact of proposed rear western extension
- Loss of detached nature of dwellings as a result of the proposed rear western

extension

- Concerns regarding the lack of setback from, and harm to the stone quoins of the principal dwelling as a result of the proposed rear western extension
- Lack of detailed information concerning the impact of the basement works on the character of the listed building and the stability of neighbouring properties
- Harm to the character and appearance of the listed building resulting from the proposed enlarged lightwells
- There are no overriding public benefits for the proposed works
- Appropriate conditions to protect the amenities of the occupier of No.8 should be imposed as part of any successful applications.

9.12. A second public representation (8 Park Town) was received on 21st January 2026 in objection to revised plans, and the main points of objection were:

- Issues in relation to boundary and ownership
- Inaccurate plans concerning the design of the western rear extension and the ground levels of Nos 8 and 10 Park Town
- Poor visual relationship and unsightly junctions between 8 and 10 Park Town resulting from rear western extension
- Harm to the listed buildings (Nos 8 & 10) due to the loss of the detached nature of dwellings, harm to stone quoins and poor detailing as a result of the proposed rear western extension.
- Overbearing impact of proposed rear western extension
- Same concerns remain regarding the impact of the lightwells, basement works and desire for conditions to be imposed to protect neighbours amenity and integrity of the listed buildings.

9.13. A third public representation from a historic buildings consultant on behalf of the owners of 8 Park Town was received on 5th February 2026 in objection to revised plans, and the main points of objection were:

- The supporting evidence includes no assessment of the importance of Langton Cole, architect for the western side extension
- The assessment of significance and phasing plans mislead and understate the significance of the house and its fittings (associated with Sarah Acland)
- The relationship between 8 and 10 Park Town is pleasing and an important aspect of their significance, and the existing extension respects the rear elevations of both 8 and 10 Park Town by being set back.
- Harm would be caused to 10 Park Town and the setting of 8 Park Town by the removal of the garden passage and the infill of part of the gap between the two houses.
- The proposed extensions will cause significant harm to the Cole extension and its balanced relationship with the original house and with that of 8 Park

Town.

- The drawings should be amended to indicate the retention of all historic features. If these are not retained on site the special interest and significance of 10 Park Town would be harmed.
- The existing glasshouse is part of the buildings strong association with Sarah Acland and is unusual in that an architect is associated with its design. Its removal would harm the special interest and significance of 10 Park Town.
- The two new openings formed in the original rear elevation of the principal building in conjunction with the new garden room would cause harm to the special interest and significance of 10 Park Town.
- The new garden room would be of an inappropriate design, sit ill with the planform of the original house and together with the enlarged rear lightwell would be out of character and dominate the rear elevation of the house.
- The proposed removal of the belvedere floor infill and replacement of the rear dormer, by reason of their strong association with Sarah Acland, would harm the special interest and significance of 10 Park Town.
- The proposed alteration of the front garden area and loss of the turning circle layout would harm the special interest and significance of 10 Park Town, its setting and the conservation area.
- The removal / alteration of the original basement staircase would harm the evidence of the social hierarchy.
- The proposals do not bring any public benefits.
- The proposals would erode evidence of the buildings history and confuse the relationship between the architectural elements of the structure, and affect the setting of the neighbouring property, No.8.

9.14. A fourth public representation (8 Park Town) was received on 23rd March 2026 in objection to revised plans, and the main points of objection were:

- The in principle objections raised previously to the western rear extension remain.
- There is unconvincing and no justification for the western rear extension. The personal circumstances advanced should be given no weight at all.
- At no stage has a conservation officer visited No.8 to assess the impact of the extension.
- The proposed western rear extension, if the detailing is designed to match existing, would project onto the land of No.8 and no notice has been served. If the detailing is truncated, it would appear crude and detract from both 8 and 10 Park Town.
- Conditions should be imposed regarding the quality of the work, and safeguards for the amenity and structural integrity of 8 Park Town.

12, 52 & 53 Park Town, 11A Charlbury Road, 12 Northmoor Road

- 9.15. Five public representations (12 Park Town, 52 Park Town, 53 Park Town, 11A Charlbury Road and 12 Northmoor Road) were received in support of this application.
- 9.16. In summary the main points of support were:
- The necessary repair and renovation of a neglected building.
 - The proposed works constitute a sensible approach to updating historic buildings for modern living and the needs of the owner.
 - The proposed works will enhance the buildings appearance and Park Town as a whole.

Officer response

- 9.17. Comments regarding the impact of the proposed works on the special interest of the listed building and the setting of the neighbouring listed buildings are addressed within the following report. The impact of the proposed works on the conservation area, the setting of the registered park and garden, and neighbouring properties are addressed in the associated planning application.
- 9.18. The new joint application form for 'full' planning permission and listed building consent was submitted in accordance with article 2 (b) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, and a new consultation carried out on this basis.
- 9.19. Certificate A has been signed in relation to this application, which declares that the applicant owns all of the land subject to this application. As is noted in the representations received, part of the parapet detailing of the existing 1904–05 side extension oversails the boundary with No. 8 Park Town. To ensure that the proposed development is contained entirely within the applicant's land, the extension at this boundary would not replicate this detailing. Further disputes over ownership of the boundary fall outside of the realms of the planning process.
- 9.20. Officers have measured the submitted plans against plans held by the council for development undertaken at 8 Park Town. Both sets of elevation plans align, with No. 10 shown to have a height 2 metres above that of No. 8 (at the boundary). Officers have also undertaken site visits to both properties and are confident that the submitted plans accurately reflect existing built form and can be used to assess the impact of this proposal.
- 9.21. A Heritage Officer site visit to the neighbouring property at 8 Park Town is not considered necessary given the visibility of the application site, its relationship to its neighbouring properties and the wider conservation area available from the application site itself and the surrounding publicly accessible land. This taken in conjunction with the documentary research and evidence available to officers regarding the heritage significance of the buildings and the wider Park Town estate, has enabled a fully informed assessment to be made of the impact of the proposed scheme on the special interest of the listed building,

the settings of nearby listed buildings and the registered park and garden, and the special character and appearance of the conservation area. A Planning Officer visited the neighbouring property at 8 Park Town to inform the assessment of impact of the scheme on that neighbour's amenity as part of the associated planning application considerations.

- 9.22. Regarding Historic England's advice, and following officer feedback, the removal of the basement staircase and the new openings in the original rear elevation of the principal building have been omitted from the proposed plans.
- 9.23. Officers recommend applying a condition regarding the approval of a construction management plan prior to the commencement of development to ensure the structural integrity and unaffected fabric of the listed buildings remains unharmed.

10. PLANNING MATERIAL CONSIDERATIONS

Policy Context

Designated Heritage Assets

- 10.1. Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities, when considering whether to grant listed building consent, to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.
- 10.2. The National Planning Policy Framework (NPPF) makes clear that the purpose of the planning system is to contribute to the achievement of sustainable development, through meeting the three overarching objectives categorised as economic, social and environmental objectives. These objectives should be delivered in decision making and collectively form the heart of the NPPF as the presumption in favour of sustainable development.
- 10.3. This presumption in favour of sustainable development is reflected in policy S1 of the Local Plan, which states "When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF." The policy goes on to state that "It will work proactively with applicants to find a solution jointly which mean that applications for sustainable development can be approved where possible, and to secure development that improves the economic, social and environmental conditions in the area."
- 10.4. The NPPF recognises that heritage assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations (paragraph 202).
- 10.5. In determining applications, paragraph 210 of the NPPF requires local planning authorities to take account of:

- a) “the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - c) the desirability of new development making a positive contribution to local character and distinctiveness.”
- 10.6. When considering the impact of a proposed development on the significance of a designated heritage asset, paragraph 212 of the NPPF requires great weight to be given to the asset’s conservation (and the more important the asset, the greater the weight should be), irrespective of the level of harm to its significance. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification (paragraph 213), and any development causing less than substantial harm to a designated heritage asset only being permitted if the proposal offers public benefits that outweigh the harm (paragraph 214).
- 10.7. These requirements are reflected in Policy DH3 of the adopted Oxford Local Plan, and Policy HD3 of the emerging Local Plan.
- 10.8. Finally, paragraph 218 of the NPPF states that local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.

European Protected Species

- 10.9. All species of bat and their roosts are protected under the Wildlife and Countryside Act 1981 and The Conservation of Habitats and Species Regulations 2010. The Local Planning Authority, in exercising any of its functions, has a legal duty to have regard to the requirements of The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019, which identifies four main offences for development affecting European Protected Species (EPS):
- 1. Deliberate capture, injuring or killing of an EPS
 - 2. Deliberate disturbance of an EPS, including in particular any disturbance which is likely
 - a) to impair their ability –
 - i. to survive, to breed or reproduce, or to rear or nurture their young; or
 - ii. in the case of animals of a hibernating or migratory species, to hibernate or migrate; or
 - b) to affect significantly the local distribution or abundance of the species to which they belong.
 - 3. Deliberate taking or destroying the eggs of an EPS
 - 4. Damage or destruction of a breeding site or resting place of an EPS.

10.10. It is also an offence under the Wildlife and Countryside Act 1981 to intentionally or recklessly:

- disturb them while they occupy a structure or place used for shelter or protection
- obstruct access to any structure or place used for shelter or protection
- possess or transport them (or any part, alive or dead)
- sell, offer or publish an advert to sell them

10.11. Similarly, all wild birds are protected under the Wildlife and Countryside Act 1981. It is an offence to:

- kill, injure or take wild birds
- take, damage or destroy the nests of species that reuse them, such as osprey
- take, damage or destroy a nest that's in use or being built
- take or destroy the egg of any wild bird
- possess or control any wild bird (or any part, alive or dead)
- possess or control an egg or any part of an egg of a wild bird
- sell, offer, or publish an advert to sell them

Additional protection applies to birds listed in schedule 1 of the Wildlife and Countryside Act 1981.

10.12. Several species of bats and birds are included on the list of species of principal importance in England under section 41 of the Natural Environment and Rural Communities Act (2006). Local Planning Authorities must consider the conservation of bat species as part of planning decisions, in accordance with the biodiversity duty.

10.13. Policy G2 of Oxford Local Plan 2036 states that important species and habitats will be expected to be protected from harm, unless the harm can be appropriately mitigated. It also outlines that, where there is opportunity, it will be expected to enhance Oxford's biodiversity. This includes taking opportunities to include features beneficial to biodiversity within new developments throughout Oxford.

10.14. Officers consider the determining issues to be:

- i. The significance of the affected heritage assets
- ii. The impact of the proposals on heritage significance, and the magnitude of any harm caused
- iii. Justification for the harm identified
- iv. Whether there would be sufficient public benefits to outweigh the less than substantial harm identified

v. The impact on European Protected Species

i. Significance of the affected heritage assets

- 10.15. The affected designated heritage assets include 10 Park Town which forms part of the grade II listing for the Park Town estate (NHLE ref. 1047179, 1-47 and 49-64 Park Town), and the North Oxford Victorian Suburb Conservation Area (NOVSCA), the special interest of which is addressed in the associated planning application.
- 10.16. 10 Park Town, also known as 'Clevedon House', dates from circa 1855, and comprises high historic and architectural significance for the following reasons, summarised below:
- 10.17. No.10's historical significance lies primarily in its representation of the history of Victorian suburban residential development in the NOVSCA and Park Town estate. It has an association with a prominent architect, Samuel Seckham and is an example of his influence in the creation of Park Town. It has an association with a quality builder, James Gardiner. It is evidence of the social history of the mid-late 19th and early 20th centuries, as a home for wealthy professionals and academics, and the hierarchical social structure of the wealthy classes.
- 10.18. It has an association with significant occupants from the mid-19th century to early-20th century (pre-war), when the building was used as a private family residence with staff, a school, and a boys orphanage.
- The first recorded residents, in 1857, were Professor Montague Burrows and his wife Mary Ann. He was a Professor of Modern History.
 - In 1871 the property was occupied by Edwin Hatch and family, the Vice Principal of St Mary Hall and an Oxford Clergyman. Also in the house at that time were three pupil students, nurse, housemaid, cook and undermaid. One of the students was George S. B. Baden-Powell, (1847-98) who went to Balliol College in 1871, later to become Sir George Smyth Baden-Powell. His father was Rev. Professor Baden Powell, who held the Savilian Chair of Geometry at the University of Oxford 1827 to 1860. He held the office of Member of Parliament (M.P.) (Conservative) for Liverpool, Kirkdale Division between 1885 and 1898. He was appointed Knight Commander, Order of St. Michael and St. George (K.C.M.G.) in 1888.
 - From 1886-1890 the building is known as 'Clevedon House School', preparatory to Magdalen College School and other public schools with headmaster Rev. John W. B. Bell M.A.
 - In 1891 the building is occupied by the Church of England Sisters of Charity with Sister Sarah F Ashdown the head and seven nuns, and the Orphanage for Destitute Boys was established.

- In 1901 Sarah Acland takes up occupancy where she lived until her death in 1930. A significant female figure in Oxford's history, she was a pioneer of photography with an entry in the Oxford Dictionary of National Biography, her collection of colour photographs is held at the Museum of the History Science, and her monochrome studies and papers are kept in the Bodleian. She was active in her charity work and was secretary of the Acland Home for nurses. In 2016 a Blue Plaque for Sarah Acland was placed on the building.
- 10.19. The building has high architectural significance. Designed in the Italianate style, it reinforces the architectural and historic character of Park Town and the NOVSCA. The use of red brick with stone detailing sets it out as a superior residence in relation to the brick and stucco properties throughout the rest of Park Town and indicates the wealth of the owner and quality of the builder, James Gardiner.
 - 10.20. Of high architectural interest is in the survival of a substantial amount of its original planform, and original external and internal fabric and features, exhibiting high quality materials, craftsmanship and elegant detailing, which demonstrate the hierarchal social structure in the mid-late 19th and early-20th centuries and how the wealthy classes lived, and relate to the origins of the planned Park Town estate.
 - 10.21. Of moderate significance, are the architectural elements which evidence the buildings association with Sarah Acland, a female figure of historic importance. The two-storey side extension, constructed circa 1904-05 during Aclands occupancy by architect Langton Cole, is of moderate significance. Cole is a known competent architect but his work in this extension is not exceptional, rare or outstanding. Externally it relates fairly successfully to the principal building, but internally there are elements that are clumsily and awkwardly detailed.
 - 10.22. Whilst there is evidence of a glasshouse drawing dated 1923 by Langton Cole and commissioned by Sarah Acland, the existing structure on site is crudely constructed, and with detailing that does not match that by Cole. Its association with Sarah Acland is limited as evidence suggests a glasshouse was not constructed in this location until after 1937 which is after her death in 1930. The glasshouse represents the trends in domestic living during the early-mid 20th century for these structures, and is loosely associated with Sarah Acland and a known architect. For these reasons the existing glasshouse is of limited significance.
 - 10.23. The visual distinction between the different building groups contributes to the significance and special interest of the Park Town estate, with their plot siting, materials, design and size emphasising the zones of the estate and the status of the first occupiers. There are uniform architectural designs and a distinctive material palette used throughout the estate (slate, clay tiles, stucco, yellow brick and red brick) and whilst the other building groups are largely uniform in their architectural design and restrained in the use of materials from this palette, there is wider variety in the designs and materials used for the detached western-most building group. They are all, however, characterised

by their three-storey scale and size, their detached appearance and their siting back from the street with sizable front gardens. The exact relationship of these buildings to their side plot boundaries varies as result of differences in their original construction and design, and various extensions which have been added throughout the years.

10.24. In the case of No.10, there is a very narrow gap between its original east side elevation and that of No.12, which has been partially infilled by a small single-storey lean-to. The gap between No.10's original west side elevation and that of No.8 is larger but since partially infilled by the early-20th century two-storey western side extension of No.10 and a two-storey addition to the east side of No.8. However, due to the subservient nature of these additions, the detached appearance of the properties when viewed from the street is maintained.

ii. Impact of the proposals on heritage significance, and the magnitude of any harm caused

External works

Two-storey western rear extension

10.25. The existing two-storey extension, as discussed above, is of moderate heritage significance for its association with Sarah Acland and its fairly successful design, architectural qualities and relationship to the principal listed building. The proposal to extend it rearwards with a new two-storey extension 2.03m in depth, would conceal part of the original west side elevation of the principal building which consists of a plain facing brick wall with a simple stone band detail, and would result in the loss of part of the brickwork at ground floor level adjacent to the chimney through the creation of a new jib doorway into the new kitchen, causing a low level of less than substantial harm to the listed building.

10.26. Whilst the proposed new two-storey extension would increase the massing of the existing extension, its subservience to the principal building would remain, with the new extension being set in from the rear elevation and the stone quoins and maintaining the same lower parapet height.

10.27. The existing extension has closed the original gap between 10 and 8 Park Town, and it is appreciated that when the rears of the properties are viewed, it could be perceived that the properties are semi-detached rather than detached due to their existing siting and relationship. However, when seen in context with the wider plots and front elevations, the original detached nature of the buildings can be readily appreciated. The two-storey rear extension whilst increasing the depth of the rear extension, would not make a discernible difference to the ability to appreciate and understand the detached nature of the buildings in comparison to the existing situation, nor would it impact on the ability to appreciate the architectural significance of both 10 and 8 Park Town or the special interest and significance of the wider Park Town estate. Therefore, the setting of 8 Park Town and the special character and appearance of the NOVSCA would not be adversely impacted by its siting, massing and size.

- 10.28. The existing ground floor arched opening on the front elevation would be retained and infilled with an arched window to replicate the existing arched window on the rear elevation. The existing gated passageway which runs through this arched opening would be infilled to become part of the internal floor area, and the ground floor arched window and first floor sash window in the existing rear elevation reused in the new rear elevation. The ground floor passageway, whilst providing some visibility through to the rear garden of No.10 if stood up close to it, does not make a meaningful contribution to the detached appearance of the property and therefore, the principle of its loss would not cause harm to the significance of the listed building or the special character and appearance of the NOVSCA.
- 10.29. The architectural form and design details of the two-storey extension replicate that of the existing extension (albeit the cornice detail on the west side elevation) with their success dependant on the quality of the craftsmanship during the construction phase which can be ensured through the implementation of relevant conditions. Officers consider the character and appearance of the proposed extension could be improved by continuing the existing profiled stone cornice detailing on the west side elevation along the new extension, rather than the proposed flush stone banding, but are aware that this would result in new structure overhanging the neighbours boundary line.
- 10.30. The external alterations to the existing extension and the new two-storey addition have been designed to reflect the existing architectural form and design details of the existing, re-using features and fabric where possible. This would ensure that the existing character, appearance and significance of the extension is maintained and its associative value with Sarah Acland would not be eroded.
- 10.31. The removal and blocking up of the 20th century lightwell on the west side elevation would not result in the loss of fabric or floorplan of significance.
- 10.32. Officers consider the two-storey western rear extension would cause a low level of less than substantial harm to the architectural or historic significance of the listed building, and would cause no harm to the significance or setting of 8 Park Town or the special character and appearance of the NOVSCA.

Rear garden room

- 10.33. The existing rear glasshouse is of limited significance, of crude construction and in a poor deteriorating condition. Its replacement with a new single-storey extension of slightly larger footprint, is appropriate in terms of its massing, size, design and improved relationship to the principal listed building. A very low level of less than substantial harm would be caused by the removal of the existing glasshouse removing the limited significance it holds as a representation of the trends in domestic living during the early-mid 20th century and its loose association with Sarah Acland and a known architect.
- 10.34. *Lightwells*

- 10.35. The changes to the front lightwells would involve the amalgamation and enlargement of the two existing lightwells, the removal of the former coal store and include the installation of a platform lift to enable an accessible entrance into the basement flat. The existing rear lightwell has undergone alteration in the past, and the current scheme proposes to alter it further by enlarging it to the same depth as the adjacent extension to provide direct access into the garden area. The removal of the former coal store and enlargement of the lightwells would result in a low level of less than substantial harm to the original character and significance of the basement (lower ground floor) as a lower social status level of the property. However, the size of the lightwells would not be to such an extent that would confuse or prevent appreciation and understanding of the historic lower social status of the basement level.
- 10.36. The proposal to enlarge the lightwells would result in longer sections of railings running along the base of the buildings front and rear elevations. The railings at the front would reflect the staggered nature of the buildings two bays, and at the rear they would surround the central bay window of the buildings eastern bay. The railings would be a simple elegant traditional design, similar to the existing historic railings currently surrounding the lightwells, but dissimilar to the more ornate pattern for the Park Town railings which demarcate the front boundaries adjacent to the street. The proposed simple railing design for the lightwells is considered appropriate in that it would not be a detracting feature from the architectural character of the building, and historically the ornate 'Park Town' pattern would not have been used for railings in this location.

External repair and maintenance works

- 10.37. The proposed external repair and maintenance works to the building fabric in the form of repairs to the brick and stonework, refurbishment of the joinery and rainwater goods, and the refurbishment of the existing roof finish through the relaying of the slate and leadwork, are welcomed necessary works that will help secure the longevity of the building.

Windows

- 10.38. To improve the buildings thermal performance, the upgrading of the existing windows is proposed informed by a detailed condition survey and analysis of the different types, condition and significance of the windows carried out by the agents. It is proposed to retain and refurbish the majority of the existing windows including all of the windows to the principal ground and first floor rooms, remove the existing glass and replace it with either single glazed 4mm histoglass or double glazed 12mm histoglass, dependent on the depth of their frames and glazing bars. The second floor rear elevation windows and the windows in the belvedere, due to the condition of their timber frames are proposed to be replaced in their entirety with new windows of a matching design fitted with 12mm double glazed histoglass.
- 10.39. The proposals would result in a low level of less than substantial harm to the listed building, due to the loss of historic fabric by the removal of the existing original windows at the upper levels and the removal of the historic hand drawn glass from the existing retained windows. This harm would be mitigated by the

proposed replication of the existing window designs and the use of histoglass to mimic the appearance of the existing hand drawn glass, ensuring the special character and appearance of the building and NOVSCA is maintained.

Dormer

- 10.40. It is proposed to replace the existing flat roof dormer, a Sarah Acland intervention, with a gable dormer. The width, depth and window design would remain the same, with a pitched roof and gable added above. The pitch of the roof would match that of the gable roof pitch to the eastern bay and would not detract from the architectural significance of the building. The replacement of the existing dormer fabric, which is in need of refurbishment / replacement, and the addition of a gable roof pitch, would not erode the association with Sarah Acland to a degree that would harm the historic significance of the listed building.

Internal works

- 10.41. The association of the property with Sarah Acland contributes to its special historic interest, however this does not imply that all interventions introduced by her should be preserved as a memorial to her. Indeed, there are some interventions where the evidence of the association with Sarah Acland is weak, as they could be associated with former owners.

Lower ground floor

- 10.42. The lower ground floor level has suffered changes to its original floorplan in the late-20th century in association with its conversion to one and then two separate flats, including the addition of modern partitions, and modern floor finishes and build-ups, which detract from the significance of the building. The proposals would remove the modern partitions and raised floors, largely returning the planform back to its original layout, with the exception of the installation of a new partition to create an entrance hall, the removal of a section of central wall to create a usable hallway / storage area, and the creation of a new western rear extension (level with the enlarged lightwell) including the removal of the majority of existing rear western retaining wall. The proposals also include the installation of underfloor heating throughout, and changes to wall, floor and ceiling finishes.
- 10.43. The proposed alterations would cause a low level of less than substantial harm to the listed building through the removal of original historic fabric and alterations to the buildings original planform. Officers recommend conditions are imposed to ensure excavation levels and finishes are sympathetic to the historic fabric and construction, and carried out in accordance with approved details.
- 10.44. *Ground floor*
- 10.45. The works to the ground floor would remove later alterations and additions of no significance, and in some cases unsympathetic to the heritage significance of the building, including the removal of partitions and doorways surrounding

the staircase and blocking the opening previously created in between the front principal rooms. These works would be beneficial and help better reveal the original floorplan and significance of the building.

10.46. *First floor*

10.47. The changes to the first floor floorplan include the proposed creation of a new centralised opening in the wall between the rear two principal rooms, and the blocking up of an existing opening that has been previously made in this wall. There would be a very low level of less than substantial harm caused by the loss of some original wall fabric, but this would be outweighed by centralising the opening between the rooms which would relate better to the proportions and character of the spaces. This change is one that has been frequently made throughout the Park Town properties. The harm would be mitigated by the new opening matching the existing door openings in terms of height and architrave detailing, which can be secured by condition.

10.48. The removal of the altered partition which houses a WC, would cause a very low level of less than substantial harm through the loss of altered suspected 19th century wall fabric. These works would open up the landing space and benefit the setting and appreciation of the elegantly detailed staircase, outweighing the low level of harm caused.

10.49. The principle of using the smaller first floor rooms as ensuite bathrooms is acceptable, but officers recommend the detailing of the floor treatments be resolved by condition to ensure the retention of the existing floorboards.

10.50. *Second floor*

10.51. The second floor, historically used by staff serving the wealthy owners, is of a lower social status than the ground and first floor levels and this is reflected in the fact it is within the roof space and the sizes and proportions of the rooms, particularly the low ceiling heights, and the simple detailing of joinery.

10.52. The replacement of a mid-20th century partition would not cause harm. The removal of part of the partition between the rear rooms, small areas of partition to provide access into the eaves storage space, and the heightening of the ceilings in the rear rooms would cause a low level of less than substantial harm.

10.53. *Belvedere*

10.54. The belvedere, part of the buildings original construction, is a unique and distinctive feature within the Park Town estate and offers spectacular views southwards towards the city centre. The proposals seek to upgrade its thermal performance in a sympathetic manner, through installing insulation from the exterior, with the internal finishes (internal boarding and exposed rafter and sarking) remaining in situ. There would be a slight change to the existing detailing of the exterior cladding and eaves which would need to be re-laid to accommodate the new insulation.

- 10.55. Originally designed to be open to the central staircase below, the floor of the belvedere had been infilled during Sarah Aclands occupancy, with a later glazed light inserted, and research suggests it was used as a bedroom. The proposals seek to remove the inserted floor and glazed lights and install a new railing around the perimeter of the opening with lean seat incorporated. The removal of the floor would cause a low level of less than substantial harm to the buildings associative value with Sarah Acland but would be outweighed by the restoration of the belvedere to its original design form and the upgrading of its performance and refurbishment of fabric. Subject to its design and appearance, which officers recommend is approved by condition, the new railing and lean seat would not cause harm to the special interest of the belvedere.
- 10.56. *Two-storey extension*
- 10.57. The internal alterations to the existing two-storey extension would involve the removal of three sections of wall to create a larger bathroom at ground floor level, and a dressing room with access through to the master bedroom at first floor level. This would impact historic fabric and planform in areas of moderate significance, and impact a small area of high significance fabric and change to the original buildings planform, which would still remain discernible with the changes. A low level of less than substantial harm would be caused.
- 10.58. *Fixtures and fittings*
- 10.59. There are several historic fittings within the building which contribute to its significance which include two historic kitchen ranges, original chimney pieces and fireplaces, later chimney pieces and fireplaces, and servants bells.
- 10.60. The historic ranges and original fireplaces are proposed to remain in situ, albeit with the ranges boarded over. Officers recommend a condition is imposed requiring the approval of further details to ensure the fixtures, including the servants bells are retained in an appropriate manner in the building so as not to compromise their significance.
- 10.61. There are three replacement glazed tiled fireplaces with carved timber chimney pieces on the ground floor which could date either to the early-20th century and be associated with Sarah Aclands occupancy or the late-19th century and be associated with the Church of England Sisters of Charity occupancy. The timber mantel pieces are carved with inscriptions reflecting themes of faith, survival, gratitude and finding peace after hardship. Whilst the fireplaces and chimney pieces are constructed from high quality materials and craftsmanship, they exhibit a particularly heavy and ponderous design which is at odds with the lighter more elegant architecture of the original build period.
- 10.62. Their removal would cause a low level of less than substantial harm to the associative historic significance of the building, but this would be outweighed by their replacement with fireplaces to match the design and materials of the existing original fireplaces which would enhance the buildings architectural significance and its special interest as part of the planned estate of Park Town.

iii. Justification for the harm identified

- 10.63. The low level of less than substantial harm that would be caused by the proposed two-storey rear western extension is clearly and convincingly justified by the need for the owners, who will be making a considerable investment in necessary maintenance and refurbishment works, to adapt this historic building in a sensitive manner to meet their needs, to secure its future as a designated heritage asset.
- 10.64. The very low level of less than substantial harm that would be caused by the removal of the existing glasshouse is clearly and convincingly justified by the need to improve the performance and aesthetics of the existing structure and is mitigated by the improved design and relationship of the new garden room to the principal building.
- 10.65. The historic associative value of the listed building with Sarah Acland, would be retained through the retention of the two-storey side extension and rear dormer. The alterations and additions to these elements would be sympathetic to the character and appearance of the architectural significance of the building and not erode the association with Sarah Acland to such a degree that would harm the historic significance of the listed building.
- 10.66. The low level of less than substantial harm that would be caused by the proposed replacement windows and replacement glass is clearly justified by the need to improve the buildings thermal performance and energy efficiency. These works, together with the introduction of roof and floor insulation and new mechanical and electrical services, are considered to be the most sympathetic means of achieving improved efficient building performance.
- 10.67. In exercising its functions the Council must have due regard to the Public Sector Equality Duty (Equality Act 2010, s149). This requires that decision makers give due regard to the need to eliminate discrimination, advance equality of opportunity, and foster participation in public life. The applicant has provided evidence to the Council demonstrating that occupation of the property by a person with a protected characteristic requires reconfiguration of the property at lower-ground level to form a single dwelling of a suitable size and layout. This includes the need for adapted kitchen and bathroom facilities, widened doorways and level access throughout, the installation of a lift for independent access, as well as additional space for support staff or carers.
- 10.68. The low level of less than substantial harm that would be caused by the enlarged lightwells and removal of the coal store is considered clearly and convincingly justified by the need to create an accessible entrance to the lower ground floor flat and provide direct garden access, suitable and appropriate for the proposed separate residential use of the lower ground floor level.
- 10.69. The low level of less than substantial harm that would be caused by the removal of original historic fabric and alterations to the buildings original planform at the lower ground floor level are clearly and convincingly justified by the need to adapt to requirements of the new occupant with a protected

characteristic. The harm would be mitigated through the use of materials (such as limecrete and lime plaster) appropriate for the buildings historic fabric.

10.70. The low level of less than substantial harm caused to the floorplan and some of the ceiling heights at second floor level is considered justified by the need to enable the second floor rooms and areas to become usable and functioning spaces. A section of the partition in between the rear rooms would remain enabling the former planform to remain read, and the areas of ceiling to be affected by the height change comprise modern gypsum plaster, with the areas comprising historic lime plaster in the front rooms remaining untouched.

iv. Whether there would be sufficient public benefits to outweigh the less than substantial harm identified

10.71. The National Planning Policy Guidance (NPPG) states: “Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits, for example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit” (paragraph 020).

10.72. The proposed scheme has been informed by a detailed understanding and knowledge of the buildings special architectural and historic interest and its heritage values. The low level of less than substantial harm caused by the proposed works, as addressed in the above sections, would be outweighed by the public benefits of improved accessibility, improved thermal performance and energy efficiency, and the need to ensure the continued use and maintenance of the building, securing its future as a designate heritage asset.

10.73. Because the proposed works cover a range of interventions that would affect the interest of the house and may result in exposure of historic fabric, officers recommend a programme of Historic Building Recording works is carried out and secured by condition in accordance with Local Plan policy DH3 and NPPF paragraph 218.

v. The impact on European Protected Species

10.74. The extensions, including the creation of enlarged lightwells at the rear of the dwelling, in total impact an area of vegetated garden measuring 21.5m, none of which includes priority habitats. This level of development falls within the de minimis exemption so that no biodiversity net gain requirement applies to this application.

10.75. The works proposed in this application, including works to the roof, may have implications in terms of bats, a species protected under the Wildlife and Countryside Act 1981 and The Conservation of Habitats and Species Regulations 2017 (as amended). Detailed information has been submitted with the application including a Preliminary Roost Assessment, a Hibernation Assessment, a Bat Survey Report and a Precautionary Works Method Statement.

- 10.76. The councils ecologist has reviewed this information and determined that a robust assessment of the site has been undertaken and subject to the imposition of relevant conditions (Nos. 25 - 29) protected species would be protected in accordance with Policy G2 and The Conservation of Habitats and Species Regulations 2017 (as amended) and The Wildlife and Countryside Act 1981 (as amended).
- 10.77. In accordance with Policy G2 biodiversity enhancements will be secured via condition, including bat roosting devices and sparrow features.
- 10.78. The proposal is therefore considered acceptable in terms of its ecological impact and would therefore comply with Policy G2.

11. CONCLUSION

- 11.1. Whilst Officers have identified that aspects of the proposals would result in a low level of less than substantial harm to the special interest of the listed building 10 Park Town which forms part of the group listing of 1-47 and 49-64 Park Town, each harmful intervention has been sufficiently mitigated by the reversal of previous unsympathetic interventions and appropriate design choices, clearly and convincingly justified, and there would be sufficient public benefits stemming from improved accessibility, improved thermal performance and energy efficiency, and the need to ensure the continued use and maintenance of the building, securing the future of the listed building that would outweigh the less than substantial harm, having regard for the great weight that must be given to the preservation of designated heritage assets.
- 11.2. The proposed scheme achieves an acceptable balance between maintaining and enhancing the buildings special historic and architectural significance as representative of the historic development of the Park Town Estate and the social history of the mid-late 19th and early 20th centuries including the hierarchical social structure of the wealthy classes and its association with influential architect Samuel Seckham and quality builder James Gardiner, which is evidenced in the original architectural features and fabric of building, along with its association with historic figure Sarah Acland whose occupancy is evidenced in the two-storey side extension and rear dormer, through sensitive adaption, extension and refurbishment works to meet modern living requirements and to secure the future of the building.
- 11.3. It is therefore considered that the proposed development would meet the objectives of policy DH3 of the adopted Oxford Local Plan 2036 and policy HD3 of the emerging Local Plan. In addition, the proposals for which listed building consent is being sought are considered to meet the principles of planning policies set out in section 16 of the National Planning Policy Framework, and in granting listed building consent, subject to the recommended conditions, it is considered that the Local Planning Authority would meet the duty placed upon decision makers in section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which seeks to “pay special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses”.

- 11.4. It is recommended that the Committee resolve to grant Listed Building Consent for the development proposed subject to the recommended conditions set out in section 12 of this report.

12. CONDITIONS

1. Time limit

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. Works as approved only

This Listed Building Consent relates only to the works specifically shown and described on the approved drawings, unless specifically excluded by or subject to subsequent conditions attached to this consent. 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 and approved in writing by Local Planning Authority before work continues.

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

3. Historic Building Recording

No development shall take place otherwise than in accordance with the programme of historic building recording work contained in the approved written scheme of investigation document titled 'Building Recording: 10 Park Town, Oxford', ref: WA 260410 v3 by Worledge Associates. All works shall be carried out and completed in accordance with the approved written scheme of investigation, unless otherwise agreed in writing by the Local Planning Authority.

Reason: Because the development may have a damaging effect on known or suspected elements of the historic environment of the people of Oxford and their visitors, in accordance with policy DH3 of the Adopted Oxford Local Plan 2036.

4. Construction Management Plan

No development shall take place until a Construction Management Plan (CMP) has been submitted to and approved by the Local Planning Authority.

The CMP shall be proportionate to the scale of the development and shall include details of:

- a) A detailed method statement for all excavation and basement works, including underpinning and piling, demonstrating how the structural stability and fabric of the listed building will be safeguarded at all times;
- b) Measures for the protection of historic fabric, including walls, floors, architectural features and finishes, during construction;

- c) A programme of structural and vibration monitoring before, during and after the works, including threshold levels and actions to be taken should these be exceeded;
- d) Details of temporary works, shoring, support systems and sequencing of construction to minimise risk to the listed building;
- e) Proposals for construction access, contractor parking, plant and machinery, storage of materials and waste, ensuring minimal impact on the setting of the listed building;
- f) Measures to control noise, vibration, dust and hours of working, with specific regard to the sensitivity of the listed building and adjoining properties;
- g) Procedures for dealing with unexpected historic features or fabric discovered during the works.

The approved CMP shall be implemented in full for the duration of the works, unless otherwise agreed in writing by the Local Planning Authority.

The approved CMP shall be adhered to for the duration of the construction of the development.

Reason: To ensure that construction works are carried out in a manner that safeguards the special architectural and historic interest of the listed building and neighbouring listed buildings in accordance with policy DH3 of the Oxford Local Plan 2036.

5. Lightwells

Prior to the commencement of development, scale drawings, sections and details of the new enlarged lightwells, external lightwell elevations including new doors and windows, steps and proposed platform lift showing the design, materials and finished appearance shall be submitted to and approved in writing by the Local Planning Authority and only the approved materials shall be used.

Reason: To ensure a sympathetic appearance for the new work and in the interest of the special character of the listed building, in accordance with policies DH1 and DH3 of the Adopted Oxford Local Plan 2036.

6. Re-use of external features and fabric

The existing windows, stonework (including window surrounds, stone banding and corncicing) and bricks in the existing rear elevation of the two-storey extension shall be carefully dismantled, cleaned off, stored under cover on site and re-used in the construction of the rear elevation of the new two-storey extension unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the preservation and protection of original, weathered materials and features(s) of historic interest and their reinstatement as part of this contract, and to preserve the significance of the listed building, in accordance with its special architectural and historic interest and with policy DH3 of the Adopted Oxford Local Plan 2036.

7. Sample materials

Samples of all exterior materials proposed to be used, including but not limited to, bricks, stone and slate shall be made available for inspection on site and details shall

be submitted to and approved in writing by the Local Planning Authority before the start of the relevant work and only the approved materials shall be used.

Reason: To ensure a sympathetic appearance for the new work and in the interest of the special character of the listed building, in accordance with policy DH3 of the Adopted Oxford Local Plan 2036.

8. Sample panels

Sample panels of brickwork and stonework demonstrating the colour, texture, face bond, mortar and pointing for the rear extensions, boundary wall and masonry repair works shall be erected on site and approved in writing by the Local Planning Authority before relevant parts of the work are commenced. The approved samples shall be constructed with a lime mortar mix, shall represent the minimum standard and any pointing shall at least match the standard of the sample, to the satisfaction of the Local Planning Authority. The development shall be completed in accordance with the approved sample panels which shall remain on site for the duration of the development works.

Reason: To ensure a sympathetic appearance for the new work and in the interest of the special character of the listed building, in accordance with policy DH3 of the Adopted Oxford Local Plan 2036.

9. Masonry cleaning sample panel

Sample panels no larger than 1m x 1m of the proposed method(s) of brickwork and stonework cleaning shall be undertaken on site and made available for inspection, and approval in writing, by the Local Planning Authority before the start of relevant works. Only the approved method(s) shall be used.

Reason: To ensure that the methods employed do not have an adverse impact on the historic fabric, in the interest of preserving the special historic and architectural interest of the listed building, in accordance with policy DH3 of the adopted Oxford Local Plan 2036.

10. Rainwater goods

All existing cast iron rainwater goods shall be retained, repaired and re-used on the building wherever possible. Any required replacement and new rainwater goods shall match the existing original work in terms of materials, design, profile and finished appearance.

Reason: To ensure a sympathetic appearance for the new work and in the interest of the special character of the listed building, in accordance with policy DH3 of the Adopted Oxford Local Plan 2036.

11. Windows

The existing windows shall be refurbished in accordance with the approved method statements and drawings and for Type A windows fitted with Histoglass 4mm MONO RT+ and Type B and C windows fitting with Histoglass HD12 with hand-drawn glass unless otherwise approved in writing by the Local Planning Authority. Details of any changes or deviations from approved method statements shall be provided to and approved in writing by the Local Planning Authority prior to the relevant works being

carried out and the works shall be carried out in accordance with the approved details only.

Large scale drawn joinery details including existing and proposed elevations and sections showing the detailed design, profiles and finished appearance of the Type C replacement windows on the second and third floors as shown in approved drawing 2075_W.100 B shall be submitted to and approved in writing by the Local Planning Authority before the relevant parts are installed and the works shall be carried out in accordance with the approved details only.

Reason: To ensure a sympathetic appearance for the new work and in the interest of the special character of the listed building, in accordance with policy DH3 of the Adopted Oxford Local Plan 2036.

12. New fenestration joinery details

Large scale drawn joinery details including elevations and sections showing the detailed design, profiles, materials and finished appearance of the new fenestration in the external lower ground floor elevations and the new garden room shall be submitted to and approved in writing by the Local Planning Authority before the relevant parts are installed and the works shall be carried out in accordance with the approved details only.

Reason: To ensure a sympathetic appearance for the new work and in the interest of the special character of the listed building, in accordance with policy DH3 of the Adopted Oxford Local Plan 2036.

13. Railings

Details of the fixings into the lightwell walls, the material, colour and finish of the new lightwell railings and gates shall be submitted to, and approved in writing by, the Local Planning Authority prior to the installation of the railings and the works shall be carried out in accordance with the approved details only.

Reason: To ensure a sympathetic appearance for the new work and in the interest of the special character of the listed building, in accordance with policy DH3 of the Adopted Oxford Local Plan 2036.

14. External fixtures

Details of the siting, size, design and finished appearance of the following external fixtures, shall be submitted to, and approved in writing by, the Local Planning Authority before the relevant parts are installed and the works shall be carried out in accordance with the approved details only:

- a) New or replacement ventilation grilles and extracts
- b) New or replacement boiler flues and new soil and vent pipes
- c) CCTV cameras
- d) Lighting fixtures
- e) Alarm boxes
- f) Bird and bat boxes

Existing openings shall be re-used wherever possible. All existing redundant non-original external fixtures and associated wiring and ducting shall be removed from the

building and the affected areas of fabric made good to match the existing original work in respect of materials used, detailed execution and finished appearance.

Reason: To ensure a sympathetic appearance for the new work and in the interest of the special character of the listed building, in accordance with policy DH3 of the Adopted Oxford Local Plan 2036.

15. Structural works

Details in the form of drawings, method statements, schedules of works and structural engineers reports of any necessary structural repair or replacement works to the roof or other areas of building fabric shall be submitted to and approved in writing by the Local Planning Authority before the start of the relevant works. The works shall only be carried out in accordance with the approved details.

Reason: To preserve the significance of the listed building, in accordance with its special architectural and historic interest and with policy DH3 of the Adopted Oxford Local Plan 2036.

16. Preservation of internal features

All original and existing internal features of historic interest such as plaster work, floorboards, metalwork, fireplaces, doors, windows, staircase balustrading and other woodwork, shall remain undisturbed in their existing position, and shall be fully protected during the course of works on site unless expressly specified to the contrary in the approved drawings. Any as yet unknown features of historic interest discovered during the progress of the works shall be retained in situ or relocated elsewhere on the site and preserved to the satisfaction of the Local Planning Authority. The Local Planning Authority shall be notified of their discovery and details of their preservation in situ or preservation in a new location shall be submitted to, and approved in writing by, the Local Planning Authority before any relevant works take place.

Reason: To ensure the preservation of valuable features of historic interest, which might otherwise be harmed or lost during the proposed works in accordance with policy DH3 of the Adopted Oxford Local Plan 2036.

17. Retained historic fittings

Further details in the form of drawings and a schedule of works detailing any proposed alterations to or the relocation of the retained historic features of interest including but not limited to, historic kitchen ranges and servant bells, shall be submitted to and approved in writing by the Local Planning Authority before the relevant works are commenced and shall be carried out in accordance with the approved details only.

Reason: To ensure the preservation of valuable features of historic interest, which might otherwise be lost during the proposed works in accordance with policy DH3 of the Adopted Oxford Local Plan 2036.

18. Doors

Notwithstanding the hereby approved documents, a revised and updated door schedule to include the following details, shall be submitted to, and approved in

writing by, the Local Planning Authority before the relevant parts are installed and the works shall be carried out in accordance with the approved details only:

- a) Details of the doors proposed to be removed, replaced, retained and relocated;
- b) Details of any proposed upgrading works for fire resistance and acoustic purposes;
- c) Details of any proposed upgrading works for access control purposes;
- d) Large scale drawn details of all proposed new replacement doors.

Reason: To ensure a sympathetic appearance for the new work and in the interest of the special character of the listed building, in accordance with policy DH3 of the Adopted Oxford Local Plan 2036.

19. MEP services

The following details, shall be submitted to, and approved in writing by, the Local Planning Authority before the relevant parts are installed and the works shall be carried out in accordance with the approved details only:

- a) Plans showing the distribution and locations of new mechanical, electrical and plumbing services,
- b) Method statement and schedule of works for the proposed installation of new mechanical, electrical and plumbing services, and
- c) Details of the size, design and finished appearance of any new associated internal fixtures including ventilation and extraction equipment and ductwork.

Reason: To ensure a sympathetic appearance for the new work and in the interest of the special character of the listed building, in accordance with policy DH3 of the Adopted Oxford Local Plan 2036.

20. Basement floors

The proposed floor build-ups and levels throughout the lower ground floor shall be carried out in accordance with approved drawings 2075_P.218, 2075_P.213, 2075_P.214 and 2075_P.215, unless alterations as specified by structural engineers and waterproofing specialists are necessary and submitted to and agreed in writing by the Local Planning Authority prior to the commencement of the relevant works.

Details of any proposed damp proofing methods shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of the relevant works and shall be carried out in accordance with the approved details only.

Notwithstanding the hereby approved drawings and documents, the existing flagstones in the lower ground floor shall be reused as the floor finish, unless otherwise agreed in writing by the Local Planning Authority.

Details of the proposed new floor finishes throughout the lower ground floor shall be submitted to and agreed in writing by the Local Planning Authority.

The works shall be carried out in accordance with the approved details only.

Reason: To ensure a sympathetic appearance for the new work and in the interest of the special character of the listed building, in accordance with policies DH1 and DH3 of the Adopted Oxford Local Plan 2036.

21. New openings

All new internal openings shall be same height and detailing as existing original internal openings in the same room unless otherwise agree in writing by the Local Planning Authority.

Reason: To ensure a sympathetic appearance for the new work and in the interest of the special character of the listed building, in accordance with policy DH3 of the Adopted Oxford Local Plan 2036.

22. Replacement fireplaces

Drawn details showing the design and materials of the replacement fireplaces on the ground floor shall be submitted to and approved in writing by the Local Planning Authority before the relevant parts are installed and the works shall be carried out in accordance with the approved details only

Reason: To ensure a sympathetic appearance for the new work and in the interest of the special character of the listed building, in accordance with policy DH3 of the Adopted Oxford Local Plan 2036.

23. First floor bathroom flooring

Notwithstanding the hereby approved plans, drawn details of the proposed works and alterations to the first floor bathroom floors shall be submitted to and approved in writing by the Local Planning Authority before the relevant parts are installed and the works shall be carried out in accordance with the approved details only.

Reason: To preserve the significance of the listed building, in accordance with its special architectural and historic interest and with policy DH3 of the Adopted Oxford Local Plan 2036.

24. Belvedere railings

Large scale drawn details including elevations and sections showing the siting, size, design, profiles, materials and finished appearance of the new railings and lean seat in the belvedere shall be submitted to and approved in writing by the Local Planning Authority before the relevant parts are installed and the works shall be carried out in accordance with the approved details only.

Reason: To ensure a sympathetic appearance for the new work and in the interest of the special character of the listed building, in accordance with policy DH3 of the Adopted Oxford Local Plan 2036.

25. Ecology survey time limit

If the development hereby approved does not commence by April 2027, further ecological survey(s) should be considered, in accordance with Chartered Institute of Ecology and Environmental Management (CIEEM) [Advice Note on the Lifespan of Ecological Reports and Surveys](#) to establish if there have been any changes in the presence of roosting bats, and identify any likely new ecological impacts that might arise from any changes through professional validation or additional surveys. The results of professional validation and/ or the survey(s) shall be submitted to the local planning authority.

Where validation and/ or survey results indicate that changes have occurred that will result in impacts not previously addressed in the approved scheme, a mitigation and compensation scheme will be submitted to and approved in writing by the local planning authority prior to the commencement of development. Works will then be carried out in accordance with the approved scheme, under licence from Natural England.

Reason: To ensure bats are protected in accordance with The Conservation of Habitats and Species Regulations 2017 (as amended) and The Wildlife and Countryside Act 1981 (as amended).

26. Precautionary Work Method Statement

The development shall be carried out strictly in accordance with the Precautionary Works Method Statement (Windrush Ecology, January 2026). Prior to the commencement of any works on site, a bat box suitable for crevice-roosting species shall be installed within the site in accordance with the specifications and location set out in the approved Method Statement, or alternatively in accordance with details submitted to and approved in writing by the Local Planning Authority.

The bat box shall be retained and maintained thereafter. This provision shall be in addition to any ecological enhancement measures proposed to be implemented on completion of the development.

Reason: To ensure bats are protected in accordance with The Conservation of Habitats and Species Regulations 2017 (as amended) and The Wildlife and Countryside Act 1981 (as amended).

27. Ecology enhancement - bats

Prior to occupation of the development, at least 1 x bat roost device (brick or box) suitable for cavity/ crevice roosting bats shall be installed on the building by being positioned at a height of 3-6 metres in an open location, with a clear flight path to and from the entrance, away from and unlit by artificial light and not above any windows, placed in a sunny position (6-8 hours of direct sunlight, or in a location where it receives the morning sun). If this is not possible, then close to the eaves or a pex of a gable end on the building in a south- south westerly direction. The approved measures shall be incorporated into the scheme and shall be installed under the guidance of a suitably qualified ecologist prior to completion of the development and retained thereafter. Proof of installation (photo, site visit invitation, etc) shall be provided to the local planning authority no later than 12 months following installation.

Reason: To enhance biodiversity in Oxford City in accordance with paragraph 187(d) of the National Planning Policy Framework and Policy G2 of the Oxford City Council Local Plan 2036 (2020).

28. Ecology enhancement – sparrows

Prior to occupation of the development, 2 x nest feature (box, shelf or terrace) suitable for house sparrow shall be installed on the building, by being placed as high as possible (under the eaves) ideally with the entrance hole pointing north-east but sheltered from prevailing wind and rain. Avoid obvious sun traps, such as south-facing walls. Ideally a sparrow brick placed in the fabric of the property during renovations is recommended. The approved measures shall be incorporated into the

scheme and shall be installed under the guidance of a suitably qualified ecologist prior to completion of the development and retained thereafter. Proof of installation (photo, site visit invitation, etc) shall be provided to the local planning authority no later than 12 months following installation.

Reason: To enhance biodiversity in Oxford City in accordance with paragraph 187(d) of the National Planning Policy Framework and Policy G2 of the Oxford City Council Local Plan 2036 (2020).

29. Ecology – lighting strategy

If external lighting is to be used, prior to occupation, a lighting design strategy for bats in accordance with Guidance Note 08/23 Bats and Artificial Lighting at Night, Bats Conservation Trust and Institute of Lighting Professionals, and using an Ecological Constraints and Opportunities Plan (ECOP), shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a. identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging/ commuting on the ECOP; and
- b. show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places (overlaid on ECOP).

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy (as advised by Guidance Note 08/23), and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To enhance biodiversity in Oxford City in accordance with paragraph 187(d) of the National Planning Policy Framework and Policy G2 of the Oxford Local Plan 2036 (2020).

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.

- 2 Any damage caused to the building as a result of the works hereby approved shall be made good to match the existing original work in respect of materials used, detailed execution and finished appearance.
- 3 All species of bats and their roosts are protected under The Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2017 (as amended). Please note that, among other activities, it is a criminal offence to deliberately kill, injure or capture a bat; to damage, destroy or obstruct access to a breeding or resting place; and to intentionally or recklessly disturb a bat while in a structure or place of shelter or protection. Occasionally bats can be found during the course of development even when the site appears unlikely to support them. In the event that this occurs, work should stop immediately and advice should be sought from a suitably qualified ecologist. A European Protected Species Mitigation Licence (EPSML) may be required before works can resume.
- 4 All wild birds, their nests and young are protected under The Wildlife and Countryside Act 1981 (as amended). Occasionally nesting birds can be found during the course of development even when the site appears unlikely to support them. If any nesting birds are present then the buildings works should stop immediately and advice should be sought from a suitably qualified ecologist.

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.

16. EQUALITIES ACT 2010

- 16.1. The application has been assessed against the relevant sections of the Equalities Act 2010, and it is not considered that the application discriminates

against people with protected characteristics specified in the Act. The protected characteristics are:

- Age
- gender reassignment
- being married or in a civil partnership
- being pregnant or on maternity leave
- disability
- race including colour, nationality, ethnic or national origin
- religion or belief
- sex
- sexual orientation.