

Oxford Planning Committee

21st April 2026

Application number: 25/02642/FUL

Decision due by 4th December 2025

Extension of time 24th April 2026

Proposal Amalgamation and extension of two basement flats to form one flat. Enlargement of front and rear lightwells. Demolition of ground floor rear conservatory and ground floor side lean-to. Erection of a two storey rear side extension. Erection of a single storey rear extension. Alterations to fenestration. Alterations to driveway and associated landscaping and boundary treatments. Provision of bin and cycle storage. (Amended description) (Amended plans)

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

Ward North Ward

Case officer Eva Bryant

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 planning conditions set out in section 12 of this report and grant planning permission.

1.1.2. **agree to delegate authority** to the Head of Planning and Regulatory Services to:

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

2. EXECUTIVE SUMMARY

- 2.1. This report considers the amalgamation of the two basement flats on the site to form one single separate basement flat. This is also proposed to be enlarged via excavation and enlargement of lightwells. The main dwelling, occupying the ground, first and second floors, is also proposed to be altered through the demolition of an existing lean-to and conservatory, and the erection of a two-storey side and rear extension, and the erection of a replacement 'conservatory-style' single-storey rear extension. Associated landscaping is also proposed with this application, including changes to the layout of the driveway, and construction of bin and bike stores.
- 2.2. Officers recommend that the proposal is acceptable in principle and with regards to its design and impact on designated heritage assets, subject to the recommended conditions. The proposal would not cause unacceptable harm to the amenity of residential neighbours and would be acceptable in terms of its impact on trees, ecology, biodiversity, flooding and drainage. As such it accords with Policies H5, H15, H16, RE2, RE3, RE4, DH1, DH3, DH4, G2 and G7 of the Oxford Local Plan 2036.
- 2.3. The emerging Oxford Local Plan 2045 commenced Regulation 19 consultation beginning 30th January 2026. The NPPF gives guidance on when weight can be attached to policies in emerging Local Plans. At paragraph 49 the NPPF states that local planning authorities may give weight to relevant policies in emerging plans according to:
 - a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
 - b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
 - c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

The policies in the emerging plan are a material consideration, however they have very limited weight at this stage of the process. Notwithstanding this, the proposal accords with Policies H6, HD9, HD10, HD2, G7, R5, G8, G1, G6, HD1, HD3 and HD5 of the emerging Oxford Local Plan 2045.

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, sited around three ornamental pleasure grounds which are a grade II registered park and garden. The grounds 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 is unusual within 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.
- 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 plan of the property 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 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. This lower ground floor layout results from a 1980s permission for the subdivision of the basement to form a separate residential unit, and then later in the early 1990s for the basement to be subdivided to create two separate residential units. This layout and use, of the main dwelling and two separate basement level flats, therefore constitutes the lawful use of the site.
- 5.7. Aside from this subdivision other alterations to the site include a two-storey extension to the south-western elevation of the property, which has meant that the previously detached property was built up to the boundary with 8 Park Town. This range was added at circa 1904-05 and includes the main entrance to the dwelling as well as an arched garden gateway. In the 19th century a 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 mid-twentieth century conservatory has also been added. A detached shed of unknown date is located at the south-eastern end of the rear garden.
- 5.8. 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.

5.9. 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.

5.10. The site is not located in a Flood Zone.

5.11. See block plan below:



6. PROPOSAL

6.1. The application proposes the amalgamation of the two existing basement flats to form a single self-contained basement flat. The internal alterations required for this amalgamation would not in themselves require planning permission, although an extension to the rear of this flat and enlargement of its access lightwells are included in the 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 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 along the south-western boundary with No. 8.
- 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 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. PER 21st December 1987.

87/01234/U - Application for Established Use Certificate for use of 2nd floor as flat (not self-contained). WDN 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. PER 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. PER 25th March 1992.

97/01317/CAT - Remove elm in the North Oxford Victorian Suburb Conservation Area. RNO 5th August 1997.

07/01244/CAT - Fell holly tree in the North Oxford Victorian Suburb Conservation Area at 10 Park Town. RNO 2nd July 2007.

09/02017/CAT - Fell x2 Cherry trees in the North Oxford Victorian Suburb Conservation Area. RNO 29th October 2009.

16/00570/LBC - Installation of memorial plaque to commemorate Sarah Acland. PER 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. RNO 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
Principle	Paragraphs 11, 61, 129, 135(a) and 135(f)	S1 – Presumption in favour of sustainable development H5 – Development involving loss of dwellings H15 – Internal space standards H16 – Outdoor amenity space standards RE2 – Efficient use of land	S1 – Spatial strategy and presumption in favour of sustainable development H6 – Development involving loss of dwellings HD9 – Internal space standards for residential development HD10 – Outdoor amenity space HD2 – Efficient use of land
Design	Paragraph 135	DH1 – High quality design and placemaking	HD1 – Principles of high-quality design
Conservation/Heritage	Paragraphs 210 and 212-215	DH3 – Designated heritage assets DH4 – Archaeological remains	HD3 – Designated heritage assets HD5 - Archaeology

Amenity	Paragraphs 135(a) and 135(f)	H14 – Privacy, daylight and sunlight	HD8 – Privacy, daylight and sunlight
Natural environment	Paragraphs 136, 187 and 193	G2 – Protection of biodiversity and geo-diversity G7 – Protection of existing Green Infrastructure features	G1 – Protection of Green Infrastructure G6 - Protecting Oxford's Biodiversity including the ecological network
Miscellaneous	Paragraphs 181 and 182	RE3 – Flood risk management RE4 – Sustainable and foul drainage, surface and groundwater flow	G7 - Flood Risk and Flood Risk Assessments (FRAs) G8 – SuDS R5 – Water resource and quality

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 and an advertisement published in The Oxford Times on the 5th March 2026.
- 9.3. Minor revisions were submitted to officers on 2nd April 2026 to show the retention of stone balustrades and the external staircase at the front of the property, and to show internal ceiling heights retained. This constitutes an overall reduction in development and further consultation would not be required.

Statutory and non-statutory consultees

- 9.4. William Lucy Way Residents Association – no comments received.

The Gardens Trust - 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.

Public representations

- 9.5. One public representation (8 Park Town) was received in objection to the application
- 9.6. 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
 - Harm to stone quoins of application dwelling
 - Impact of basement excavation on character of application site and stability of neighbouring properties
 - Harm to appearance of the listed building resulting from enlarged lightwells
- 9.7. Two public representations (37 Park Town and 52 Park Town) were received in support of this application
- 9.8. In summary the main points of support were:
- Support for repair and renovation of the building
 - Proposed works constitute a sensible approach to updating historic buildings for modern living
- 9.9. Two local amenity groups, the Park Town Trust and Oxford Preservation Trust, commented on this application.
- 9.10. In summary, comments from one amenity group (Oxford Preservation Trust) were:
- Design of railings should follow the North Oxford Railings Guide
- 9.11. In summary, the main points of objection (Park Town Trust) were:
- Harm to listed building from loss of original form, harm to stone quoins and reduction of gap between neighbouring properties
 - Impact of railings for new lightwells in street scene
 - Concern regarding detailing of fenestration for the garden room extension

Second consultation

- 9.12. Following the submission of revised plans further comments were received (8 Park Town) in objection to the application:

- Inaccurate plans
- Issues in relation to boundary and ownership
- Loss of detached nature of dwellings
- Poor visual relationship between 8 and 10 Park Town resulting from rear western extension
- Overbearing effect of proposed side extension
- Amenity concerns around basement construction
- Harm to listed building from alterations to existing side extension
- Harm to listed building from loss of existing glasshouse greenhouse
- Harm to listed building from changes to rear dormer
- Harm to listed building from changes to driveway layout

Third consultation

9.13. Following the submission of further revised plans, comments were received from one amenity group and one public representation was made.

9.14. The main points of objection (Park Town Trust) were:

- Continued objection to the loss of original form of the house
- Continued objection to the loss of detached character of house

9.15. The main points of objection (8 Park Town) were:

- No justification for proposed extension
- Tunnelling effect from proposed side extension
- Harm to both listed buildings resulting from proposed side extension
- Detailing of proposed parapet unclear and relates poorly to both listed buildings
- Amenity concerns around construction
- Confusion around amended plans

Officer response

9.16. Comments regarding the design and scale of the proposal as well as its impact upon the conservation area, listed building, and neighbouring properties are addressed within the following report.

9.17. The application form originally submitted with this application was a 'householder' application form. However, article 2 (b) of the Town and

Country Planning (Development Management Procedure) (England) Order 2015 specifically excludes development which involves an application to change the number of dwellings in a building from the definition of householder development. An application for 'full' planning permission has been submitted and a new consultation carried out on this basis.

- 9.18. Certificate A has been submitted with the application, confirming that the applicant has ownership of all land to which the application relates, and amended plans have been submitted correcting the boundary line on existing and proposed plans. The Local Planning Authority is entitled to rely on the information submitted with an application and has no reason to doubt the accuracy of the certificate for the purposes of determining this application. Any matters relating to land ownership, boundary position or private access rights are civil matters and do not form part of the planning assessment.
- 9.19. 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.
- 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 an overall height approximately 2 metres above that of No. 8 (at the boundary). Officers have also undertaken site visits to both properties and consider that the submitted plans accurately reflect existing built form and can be used to assess the impact of this proposal.
- 9.21. Given that the works proposed include excavations in close proximity to a number of listed buildings and within a relatively constrained site with close residential neighbours, it is considered proportionate to ensure appropriate construction management via condition 15.
- 9.22. 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, 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.

10. PLANNING MATERIAL CONSIDERATIONS

- 10.1. Officers consider the determining issues to be:
 - i. Loss of Dwelling
 - ii. Design and Impact on Designated Heritage Assets
 - iii. Impact on Archaeology

- iv. Impact on Neighbouring Amenity
- v. Impact on Protected Trees
- vi. Ecology
- vii. Flooding and Drainage
- viii. Planning Balance

i. Loss of Dwelling

- 10.2. Usually the internal re-configuration of flats/dwellings would not be classed as development as per Section 55 of The Town and Country Planning Act 1990. However, case law such as the Richmond Case (2000) and Kensington Case (2016) have established that local planning authorities can consider the effects of amalgamation on housing supply when determining whether such works constitute a material change of use. Given the acute shortage of housing in Oxford, and the cumulative impact of amalgamation on housing supply, the Council requires planning permission to be sought for development involving the amalgamation of dwellings, even where no external works are proposed.
- 10.3. Policy H5 of the Oxford Local Plan 2036 states that planning permission will not be granted for any development that results in the net loss of one or more self-contained dwellings on a site, including family homes (loss of an HMO converted from a self-contained dwelling would be considered a loss of a self-contained dwelling), except in one of the circumstances outlined in the policy.
- 10.4. In the case of this proposal, the applicant has submitted an application for the change of use of the two lower ground floor flats to create one lower ground floor flat. Officers consider that this change would be material and the application needs to be assessed against the above-mentioned development plan policies. In making this assessment, it is important to consider that the property was originally built as a single dwellinghouse, but was modified subsequently, to create first a single separate basement level flat, and later two independent units at basement level. Planning permission was sought and granted for this subdivision in 1992 (reference 90/01078/NFH), and this layout therefore represents the continued lawful use of the site.
- 10.5. Policy H5 outlines certain instances in which a net loss of dwellings is considered acceptable. This includes:
- a) where essential modernisation is proposed to make living accommodation acceptable and it can be shown that loss of a unit is essential for operational reasons or to secure space standards; or
 - b) Change of use of a C3 dwelling or dwellings to a non-self-contained C2 extra care, specialist or supported housing, sheltered accommodation or care home is proposed; or

- c) a change of use of a dwelling to form a primary health care facility, children's nursery or community hub providing community benefits and for which the applicant can demonstrate a local need.
- 10.6. Assessed against these rules for exception, it is clear that neither case (b) or (c) apply, as the unit would continue to be used as a dwelling (Use Class C3).
- 10.7. Turning then to part (a) of the policy; as outlined in Policy H15 of the Local Plan, Oxford has adopted the MCHLG's Nationally Described Space Standards in order to ensure that homes in the city provide good quality living accommodation for residents. This is therefore the relevant criteria against which the lower-ground floor level flats should be measured.
- 10.8. Measurements of the larger of the two flats (occupying the southern half of the floor space) shows that the internal space measures at 53.5m², meeting and exceeding the space standards for a one-bedroom (two person) single storey dwelling. Measurements of the smaller of the two flats demonstrate an internal floor space of 44.2m², which meets and exceeds the space standards for a one-bedroom (one person) single storey dwelling.
- 10.9. Therefore, whilst at present the flats are dated and neglected, and modernisation and improvements are required to bring them to a suitable standard, such as to meet current fire regulations, improve light quality, and provide direct access to amenity space, at present it is considered that such changes could be made without the need to amalgamate the dwellings.
- 10.10. Accordingly, the proposal does not fall within any of the exceptions set out in Policy H5, and the resulting loss of a single dwelling conflicts with policy.
- 10.11. However, 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 Public Sector Equality Duty is a duty of due regard and the weight given to it is a matter for the decision-maker.
- 10.12. In this instance 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.
- 10.13. Having reviewed the submitted confidential information, officers are satisfied that the proposed amalgamation is reasonably necessary to meet the occupier's needs, and that those needs cannot be met through a less harmful alternative that would avoid the loss of a dwelling.
- 10.14. Having considered the above, while significant weight is given in favour of Policy H5, having due regard to the Council's duties under section 149 of the

Equality Act 2010, and on the basis of the specific and evidenced circumstances of the applicant, officers consider that there are material considerations which outweigh the conflict with Policy H5 in this instance.

ii. Design and Impact on Designated Heritage Assets

- 10.15. Policy DH1 of the Oxford Local Plan 2036 states that planning permission will only be granted for development of high-quality design that creates or enhances local distinctiveness. Proposals must be designed to meet the key design objectives and principles for delivering high quality development, set out in Appendix 6.1.
- 10.16. Policy DH3 of the Oxford Local Plan 2036 states that planning permission will be granted for development that respects and draws inspiration from Oxford's unique historic environment (above and below ground), responding positively to the significance character and distinctiveness of the heritage asset and locality. For all planning decisions, great weight will be given to the conservation of that asset and to the setting of the asset, where it contributes to that significance or appreciation of that significance. Where a development proposal will lead to less-than-substantial harm to a designated heritage asset, this harm must be weighed against the public benefits of the proposal, which should be identified by the applicant.
- 10.17. Externally the works proposed in this application amount to the demolition of two existing structures, a single-storey 'lean-to' on the eastern side elevation, and a twentieth century conservatory on the rear elevation. Extensions are proposed to the basement unit, a single-storey orangery-style 'garden room' is proposed at the rear of the property, and a two-storey extension is proposed on the rear-side elevation adjacent to the boundary with 8 Park Town. Other works include alterations to a dormer within the rear roof elevation, changes to the glazing and fenestration throughout, the creation of enlarged and altered lightwells at the front and rear of the building, and landscaping of the driveway.

Two-storey rear side extension

- 10.18. The existing two-storey extension was constructed circa 1904-1905 during Sarah Acland's occupancy, to designs by Langland Cole and has 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 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.
- 10.19. While the proposed new two-storey extension would increase the massing of the existing extension, it would retain subservience to the principal building by being set in from the rear elevation and stone quoins and maintaining the same lower parapet height.

- 10.20. Existing development 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.
- 10.21. This element of the proposed works would be substantially screened from public view with only distant and glimpsed views of the site possible, during winter months, from Norham Road. Within this context it is considered that 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.
- 10.22. 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.
- 10.23. The form and design of the two-storey extension has been chosen to replicate that of the existing extension (excepting the cornice detail on the west side elevation), and a number of existing features are proposed to be re-used in the development. This is an approach which is considered appropriate and which preserves the significance of the 1904-05 extension. Conditions attached to the associated listed building consent would secure a quality of detailing expected for the listed building.
- 10.24. 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.
- 10.25. 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

- 10.26. The existing rear glasshouse is of limited significance, being a crude construction and in a 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.

- 10.27. In contrast to the relatively unsympathetic conservatory, the proposed garden room would use materials and detailing to match the existing building. The flat roof and parapet detailing mirror the existing side extension, while the stonework and fenestration respect the character of the original dwelling. Taken as a whole this is considered to be a proportionate addition which appears sympathetic to the style and character of the listed building.

Lightwells

- 10.28. The changes to the front lightwells would involve the amalgamation and enlargement of the two existing lightwells, the removal of a coal store and 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.
- 10.29. 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 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.
- 10.30. The proposal to enlarge the lightwells would result in longer sections of railings running along the base of the building's front and rear elevations. The railings at the front would reflect the staggered nature of the building's two bays, and at the rear they would surround the central window of the building's eastern bay. The railings would be a simple 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.
- 10.31. Additional planting is proposed within the landscaping scheme in order to enhance the appearance of the frontage of the site, and subject to condition 10 this would offer some screening and softening of any views of the railings and lightwells from the street.

Windows

- 10.32. To improve the buildings thermal performance, the upgrading of the existing windows is proposed. This involves, in most instances, the repair and refurbishment of the windows through the introduction of single or double-glazed histoglass into the existing frames. This is a high-quality form of development which allows for the retention of a large amount of historic fabric and secures the appearance of the building, whilst creating substantial improvements to the thermal efficiency of the home.
- 10.33. 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.
- 10.34. 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, and also by the thermal efficiency enhancements, ensuring the special character and appearance of the building and NOVSCA is maintained.

Dormer

- 10.35. It is proposed to replace the existing flat roof dormer, a Sarah Acland intervention, with a gabled 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 or 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.

Driveway landscaping

- 10.36. The existing front garden layout references the historic layout with a turning circle as shown in the 1876 Town Map, which also shows the turning circles in the adjacent neighbouring properties, although these have since been lost. The proposals include the removal of the turning circle to facilitate the front gardens use as a driveway, with cars parked to the west side of the garden. The landscaping scheme for the front garden also involves the retention of established hedging along the west and north boundaries and introduction of new hedging to the east boundary and new planting beds in front of the lightwell and behind the north boundary hedging.
- 10.37. The loss of the turning circle would cause a low level of less than substantial harm to the setting of the listed building and special character and appearance of the NOVSCA. The loss is considered clearly and convincingly justified by the need to create a functional driveway, and the harm would be

mitigated by the improved visibility of the listed building in street views as a result of the parking being moved to the west side of the front garden.

- 10.38. The frontage of number 10, as with the rest of the properties in Park Town, frames and lies within the setting of the grade II listed registered park and garden. Within this context it is appropriate to secure full details via condition of the landscaping of the driveway, in order to ensure that planting which is appropriate for this setting is utilised.

Other works

- 10.39. Detailed control over external materials, windows, doors, rainwater goods, lightwells and railings would be secured through conditions attached to the Listed Building Consent, which provides the appropriate mechanism for controlling works affecting the special architectural and historic interest of the building. It is therefore not necessary to duplicate these matters through the planning permission.
- 10.40. Given the outlined impacts of the proposal, and subject to the proposed conditions, the application is considered to be a well-considered and proportionate development, which would appear sympathetic to the character of the listed building and its sensitive setting. As such it accords with Policies DH1 and DH3 of the Oxford Local Plan 2036 as well as Policies HD1 and HD3 of the emerging Local Plan 2045.
- 10.41. Regard has been paid to paragraph 212 of the NPPF in reaching a decision. When applying the test outlined in paragraph 215, it is considered that the proposal would cause less-than-substantial harm to the significance of the designated heritage assets; however this 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 the future of the listed building. Therefore, the proposals would be acceptable in terms of their impact on this designated heritage asset.
- 10.42. Special attention has been paid to the statutory test of preserving the listed building or its setting under Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990, which it is accepted is a higher duty. It has been concluded that the development would preserve the setting of the listed building and the register park and garden and so the proposal accords with Section 66 of the Act.
- 10.43. Special attention has been paid to the statutory test of preserving or enhancing the character and appearance of the conservation area under Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990, which it is accepted is a higher duty. It has been concluded that the development would preserve the character and appearance of the Conservation Area, and so the proposal accords with Section 72 of the Act.

iii. Impact on Archaeology

- 10.44. Policy DH4 of the Oxford Local Plan 2036 states that where archaeological deposits that are potentially significant to the historic environment of Oxford are known or suspected to exist anywhere in Oxford, planning applications should include sufficient information to define the character, significance, and extent of such deposits as far as reasonably practical. Proposals that will lead to harm to the significance of non-designated archaeological remains or features will be resisted unless a clear and convincing justification through public benefit can be demonstrated to outweigh that harm.
- 10.45. This application requires the excavation of small areas to the front and rear of the property, in order to enlarge existing lightwells and the basement unit.
- 10.46. The application site consists of previously developed land and the excavations proposed under this application for planning permission are small-scale and localised. There is considered to be a low likelihood of archaeological records on the site and the application therefore accords with Policy DH4 of the Oxford Local Plan 2036 and Policy HD5 of the emerging Local Plan 2045.

iv. Impact on Amenity

- 10.47. Policy H14 of the Oxford Local Plan 2036 states that planning permission will only be granted for new development that provides reasonable privacy, daylight and sunlight for occupants of both existing and new homes. Policy H14 sets out guidelines for assessing development in terms of whether it will allow adequate sunlight and daylight to habitable rooms of the neighbouring dwellings.

Light

- 10.48. Two extensions are proposed as part of this application, both to the rear of the dwelling. The single storey 'orangery-style' rear extension would be positioned 3.8 metres from the western boundary and 6.7 metres from the eastern boundary. It would have a maximum height of 4.1 metres, a slight reduction in comparison to the existing glasshouse conservatory. This extension is compliant with the 45-degree rule for access to light and would not lead to a loss of light to any neighbouring properties.
- 10.49. A two-storey extension is also proposed to the rear of the property, adjacent to the western boundary with 8 Park Town. This extension would extend 2 metres from the rear elevation of the existing early 20th century side extension.
- 10.50. This element of the proposal would sit forward of the neighbouring property by approximately 1.7 metres at first floor level, and 0.4 metres at ground floor level.
- 10.51. Applying the 45 degree code, it is shown that the proposed extension would lead to some loss of light to a first floor window in the neighbouring property (No.8). However, this window serves a bathroom, and as outlined in Appendix 3.7 of the OLP, a bathroom is not considered a habitable room for the

purposes of H14 and the overshadowing would not be considered to cause a degree of harm which would warrant refusal.

Privacy

- 10.52. It is noted that there would be some alterations to the fenestration of the existing house and additional window openings within the extensions. However, it is considered that views from these windows would be similar to the views offered from the existing windows and would not be materially more intrusive to neighbours' privacy. Therefore, the proposal would be acceptable in this regard.

Overbearing

- 10.53. The proposed extension on the western side of the site would be set across two storeys, adjacent to an existing extension constructed at 8 Park Town.
- 10.54. Given the design of the two neighbouring properties, as well as the fluctuating ground levels between the two sites, there is a visible difference in the floor levels between the two homes. As a result, the proposed side extension would have a height approximately 1.8 metres greater than the neighbour.
- 10.55. However, the elements of the extension perceptible from No. 8 are modest in scale, comprising an approximate 1.7 m projection at first-floor level and 0.4 m at ground-floor level. Within the spatial context of the two sites, specifically that of No. 8 which benefits from an unusually large plot and generous garden, alongside the uses of the closest internal spaces, this degree of projection would not be reasonably expected to materially harm the outlook from the obscurely glazed windows closest to the boundary or to create a sense of enclosure or a "tunnelling" effect.
- 10.56. Officers consider the proposal would not appear visually intrusive or harmful to neighbouring amenity in this regard, and the principal amenity space of the neighbouring property would remain functional and capable of being enjoyed.
- 10.57. Given the above considerations, it is considered that the development proposed would not have an unacceptable impact on the amenity of neighbours and would thereby accord with Policy H14 of the Oxford Local Plan 2036 and Policy HD8 of the emerging Local Plan 2045.

v. Impact on Protected Trees

- 10.58. Policy G7 of the Oxford Local Plan 2036 states that planning permission will not be granted where development would result in the loss of green infrastructure features such as hedgerows, trees or woodland, where this would have a significant adverse impact upon public amenity or ecological interest. It must be demonstrated that their retention is not feasible and that their loss will be mitigated. Planning permission will not be granted for development resulting in the loss or deterioration of ancient woodland or ancient or veteran trees except in wholly exceptional circumstances.

- 10.59. This application requires the loss of a small group of young trees located within the rear garden and labelled as (G010) on submitted arboricultural plans. These small trees, located away from any public views, and with limited arboricultural value, offer no public amenity significance and make a negligible contribution to canopy cover and ecosystem services. Within the context of this well-treed site the loss of these trees is considered acceptable.
- 10.60. In order to protect the significant mature trees located elsewhere on the site it is considered reasonable to secure the implementation of the submitted tree protection plan via condition 4.
- 10.61. The recent loss of the mature Monkey Puzzle tree from the front of the garden, prior to the submission of this application, is proposed to be mitigated against by the planting of a new tree as part of a wider plan for the layout of the driveway. This includes new beds and hedging, that, whilst acceptable require further detail in the form of a landscaping plan. It is therefore, as per Policy G7, considered reasonable to apply a condition, 10, requiring a landscaping scheme to be submitted to ensure an enhancement to the frontage.
- 10.62. With conditions 4, 10, 11 and 12 in place, it is recommended that the proposed development would not result in unacceptable harm to protected trees and the landscaping proposal would respond sufficiently to the character of the area so as to be acceptable and compliant with Policy G7 of the Oxford Local Plan 2036 and Policy G1 of the Emerging Local Plan 2045.

vi. Ecology

- 10.63. 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.
- 10.64. 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.
- 10.65. 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.
- 10.66. The Council's 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 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).

- 10.67. In accordance with Policy G2 biodiversity enhancements will be secured via condition, including bat roosting devices and sparrow features.
- 10.68. The proposal is therefore considered acceptable in terms of its ecological impact and would comply with Policy G2 of the Oxford Local Plan 2036 and Policy G6 of the Emerging Local Plan 2045.

vii. Drainage

- 10.69. Policy RE4 of the Oxford Local Plan 2036 states that all development proposals will be required to manage surface water through Sustainable Drainage Systems (SuDS) or techniques to limit run-off and reduce the existing rate of run-off on previously developed sites. RE4 also states that planning permission will not be granted for development that would have an adverse impact on groundwater flow.
- 10.70. The application site is located in Flood Zone 1 and is at a low risk of flooding from any source. However, this proposal includes the enlargement of the existing basement unit, as well as the enlargement of two existing lightwells which raise specific drainage considerations.
- 10.71. The proposed extension does not require any increase in the depth of the basement and based upon groundwater levels in the vicinity of the site it is reasonable to conclude that groundwater is not flowing around the existing basement structure, and that an extension to the basement would therefore not impact on groundwater flow. As such this element of the proposal complies with Policy RE4.
- 10.72. The proposed large open lightwells introduce an increased vulnerability to surface water ingress, as water can flow overland into them during periods of heavy rainfall, and improper drainage solutions can lead to water ingress into the property.
- 10.73. However, the lightwells already exist on the site, albeit at a smaller scale, and it is considered that the limited increase in surface water ingress resulting from this element of the proposal can be adequately mitigated through the provision of further details via condition. Subject to condition 13 the development would not place the basement accommodation at risk of flooding or increase flood risk elsewhere.
- 10.74. The application includes some landscaping of the site, including a limited amount of hardstanding at the rear of the property, and redesign of the layout of the driveway. The site presently offers a mixture of compacted gravel, hedging and turf and the landscaping shown on the submitted plans indicates that an increase in planting, particularly at the front of the property, would take place. In order to secure the use of permeable materials and ensure

sustainable drainage systems are utilised, it is considered reasonable to attach conditions for the provision of a landscaping plan, condition 11, as well as for the use of SuDs, condition 14.

- 10.75. The proposal is acceptable in terms of its impact on flood risk and drainage and would comply with Policies RE3 and RE4 of the Oxford Local Plan 2036, as well as Policies G7 and G8 of the Emerging Local Plan 2045.

viii. Planning Balance

- 10.76. Paragraph 78 of the NPPF requires LPAs to identify a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than 5 years old. The latest published Authority Monitoring Report (AMR) (December 2025) shows the Council is currently only able to demonstrate 2.88 years' worth of deliverable sites.
- 10.77. While the Council's current housing land supply position is noted, officers consider that the presumption in favour of sustainable development at paragraph 11(d) of the National Planning Policy Framework is not engaged in this case. The proposal does not involve the provision of new housing nor does it contribute to housing delivery, rather it concerns the amalgamation of existing residential units resulting in the net loss of a dwelling. The relevant policy is H5 of the Oxford Local Plan 2036, which seeks to protect the existing housing stock. This policy remains consistent with the objectives of the Framework and is not rendered out of date by the Council's housing land supply position.

11. CONCLUSION

- 11.1. Having regard to the matters discussed in the report, officers would make members aware that the starting point for the determination of this application is in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 which makes clear that proposals should be assessed in accordance with the development plan unless material considerations indicate otherwise.
- 11.2. The NPPF recognises the need to take decisions in accordance with Section 38 (6) but also makes clear that it is a material consideration in the determination of any planning application (paragraph 2). The main aim of the NPPF is to deliver Sustainable Development, with paragraph 11 the key principle for achieving this aim. The NPPF also goes on to state that development plan policies should be given due weight depending on their consistency with the aims and objectives of the Framework.
- 11.3. While the Council's housing land supply position is acknowledged, in this instance the proposal does not involve the provision of new housing and is not therefore assessed under the tilted balance of paragraph 11(d) of the NPPF. The application must therefore be determined in accordance with the development plan unless material considerations indicate otherwise.

- 11.4. In this instance, while the proposal conflicts with Policy H5 due to the net loss of one dwelling, officers consider that the specific material considerations set out, including the Council's duties under the Equality Act 2010, demonstrate that permission should be granted in this case.
- 11.5. In summary, the proposed development would be an acceptable addition to and change of use of the site. The proposed loss of a dwelling is considered acceptable in this case as the material considerations set out in the report outweigh policy H5. The proposals are suitable in design and heritage terms and comply with policies DH1 and DH3 of the Oxford Local Plan 2036. The proposals would not result in unacceptable harm to neighbouring amenity and are compliant with H14 of the Oxford Local Plan. The proposal would also not lead to unacceptable harm to protected trees or cause ecological harm and thereby complies with Policies G2 and G7. The proposal would not result in a flood risk nor would it obstruct groundwater flow and it therefore complies with Policies RE3 and RE4 of the Oxford Local Plan 2036. It also accords with the relevant policies of the emerging Local Plan 2045, Policies H6, HD9, HD10, HD2, G7, R5, G8, G1, G6, HD1, HD3 and HD5.

Material consideration

- 11.6. The principal material considerations which arise are addressed below, and follow the analysis set out in earlier sections of this report.
- 11.7. National Planning Policy: the NPPF has a presumption in favour of sustainable development.
- 11.8. NPPF paragraph 11 states that proposals that accord with the development plan should be approved without delay, or where the development plan is absent, silent, or relevant plans are out of date, granting permission unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole; or specific policies in the framework indicate development should be restricted.
- 11.9. Equality Act 2010: 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 Public Sector Equality Duty is a duty of due regard and the weight given to it is a matter for the decision-maker.
- 11.10. Officers consider that the proposal would accord with the overall aims and objectives of the NPPF for the reasons set out within the report. Therefore in such circumstances, paragraph 11 is clear that planning permission should be approved without delay. This is a significant material consideration in favour of the proposal.
- 11.11. Officers would advise members that, having considered the application carefully, the proposal is considered to be acceptable in terms of the aims and objectives of the National Planning Policy Framework and accords with Oxford Local Plan 2036, when considered as a whole,.

- 11.12. Therefore it is recommended that the Committee resolve to grant planning permission for the development proposed subject to the conditions set out in Section 12 of this report.

12. CONDITIONS

- 1 The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

- 2 The development permitted shall be constructed in complete accordance with the specifications in the application and approved plans listed below, unless otherwise agreed in writing by the local planning authority.

Reason: To avoid doubt and to ensure an acceptable development as indicated on the submitted drawings in accordance with policy DH1 of the Oxford Local Plan 2036.

- 3 The development shall be carried out in accordance with the materials and external appearance approved under Listed Building Consent ref. 25/02643/LBC.

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.

- 4 The development shall be carried out in strict accordance with the tree protection measures contained within the planning application, including the details shown on drawing referenced - Tree Retention & Protection Plan 182954-693-DWG-TRRP, unless otherwise agreed in writing beforehand by the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with policies G7, G8 and DH1 of the Oxford Local Plan 2016-2036.

- 5 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).

- 6 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).

- 7 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 apex 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).

- 8 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).

- 9 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).

- 10 A landscape plan shall be submitted to, and approved in writing by, the Local Planning Authority prior to first occupation or first use of the development hereby approved. The plan shall show details of treatment of paved areas, and areas to be grassed or finished in a similar manner, existing retained trees and proposed new tree, shrub and hedge planting. The plan shall correspond to a schedule detailing plant numbers, sizes and nursery stock types.

Reason: In the interests of visual amenity in accordance with policies G7, G8 and DH1 of the Oxford Local Plan 2016-2036.

- 11 The landscaping proposals as approved by the Local Planning Authority shall be carried out no later than the first planting season after first occupation or first use of the development hereby approved unless otherwise agreed in writing beforehand by the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with policies G7, G8 and DH1 of the Oxford Local Plan 2016-2036.

- 12 Any existing retained trees, or new trees or plants planted in accordance with

the details of the approved landscape proposals that fail to establish, are removed, die or become seriously damaged or defective within a period of five years after first occupation or first use of the development hereby approved shall be replaced. They shall be replaced with others of a species, size and number as originally approved during the first available planting season unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with policies G7, G8 and DH1 of the Oxford Local Plan 2016-2036.

- 13 Prior to the commencement of the approved development, full details of the proposed basement lightwells shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:
- Finished floor and ground levels in relation to the surrounding land
 - Details of drainage from the lightwell, including any gullies, channels, pumps or connections to the drainage system
 - Measures to prevent overland surface flows entering the lightwell
 - Maintenance arrangements

The lightwell shall be constructed in accordance with the approved detailed prior to first occupation of the basement and shall thereafter be retained.

Reason: To ensure that the dwelling is not at risk of surface water flooding in accordance with Policies RE3 and RE4 of the Oxford Local Plan.

- 14 All Impermeable areas of the proposed development, including roofs, driveways, and patio areas should be drained using Sustainable Drainage measures (SuDS).

This may include the use of porous pavements and infiltration, or attenuation storage to decrease the run off rates and volumes to public surface water sewers and thus reduce flooding.

Soakage tests should be carried out in accordance with BRE Digest 365 or similar approved method to prove the feasibility/effectiveness of soakaways or filter trenches.

Where infiltration is not feasible, surface water should be attenuated on site and discharged at a controlled discharge rate no greater than prior to development using appropriate SuDS techniques and in consultation with the sewerage undertaker where required.

If the use of SuDS are not reasonably practical, the design of the surface water drainage system should be carried out in accordance with Approved Document H of the Building Regulations.

The drainage system should be designed and maintained to remain functional, safe, and accessible for the lifetime of the development.

Oxford City Council SuDS Design Guide can be found at www.oxford.gov.uk/floodriskforplanning

Reason: To avoid increasing surface water run-off and volumes to prevent an increase in flood risk in accordance with Policy RE4 of the Oxford Local Plan 2036

- 15 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:
- i. construction traffic routes to and from the site
 - ii. parking and turning of operative, construction and visitor vehicles
 - iii. deliveries, loading and unloading of plant and materials
 - iv. on-site storage of plant, equipment and materials
 - v. timing and duration of construction works, including hours of work and any measures to minimise disturbance to neighbouring occupiers.
- 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, does not prejudice highway safety, and minimises disturbance to neighbouring occupiers, in accordance with Policies RE7, DH1 and DH3 of the Oxford Local Plan 2036.

Informatives:

- 1 In accordance with guidance set out in the National Planning Policy Framework, the Council tries to work positively and proactively with applicants towards achieving sustainable development that accords with the Development Plan and national planning policy objectives. This includes the offer of pre-application advice and, where reasonable and appropriate, the opportunity to submit amended proposals as well as time for constructive discussions during the course of the determination of an application. However, development that is not sustainable and that fails to accord with the requirements of the Development Plan and/or relevant national policy guidance will normally be refused. The Council expects applicants and their agents to adopt a similarly proactive approach in pursuit of sustainable development.
- 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 building works should stop immediately and advice should be sought from a suitably qualified ecologist.
- 5 Your attention is drawn to the provisions of the Party Wall Act 1996. A copy of an explanatory booklet is available to download free of charge from the following website
<http://www.communities.gov.uk/publications/planningandbuilding/partywall>

13. APPENDICES

- **Appendix 1** – Site location plan

14. HUMAN RIGHTS ACT 1998

- 14.1. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to approve this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection of the rights and freedom of others or the control of his/her property in this way is in accordance with the general interest.

15. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

- 15.1. Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to grant planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community.

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.