

Application number(s):	22/01528/LB and 22/01527/F
Application site:	14 & 15 High Street, Banbury, Oxfordshire OX16 5EE
Proposal:	Conversion of upper floors to 3 apartments. New access in front facade

<input checked="" type="checkbox"/> Listed Building	<input checked="" type="checkbox"/> Conservation Area	<input type="checkbox"/> Setting of a Listed Building
<input type="checkbox"/> Grade I	<input type="checkbox"/> Grade II*	<input checked="" type="checkbox"/> Grade II

Policies

Cherwell Local Plan 2011-2031: Adopted Document (July 2015) (As amended)

<input checked="" type="checkbox"/>	Policy ESD15 New development proposals should: Conserve, sustain and enhance designated and non-designated 'heritage assets' including buildings, features, archaeology, conservation areas and their settings, and ensure new development is sensitively sited and integrated, furthermore development should respect the traditional pattern of the form, scale and massing of buildings
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Cherwell Local Plan 1996 Saved Policies

<input checked="" type="checkbox"/>	C18 in determining an application for listed building consent the council will have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest. The council will normally only approve internal and external alterations or extensions to a listed building which are minor and sympathetic to the architectural and historic character of the building.
<input checked="" type="checkbox"/>	C21 Sympathetic consideration will be given to proposals for the re-use of an unused listed building provided the use is compatible with its character, architectural integrity and setting and does not conflict with other policies in this plan. In exceptional circumstances other policies may be set aside in order to secure the retention and re-use of such a building.
<input checked="" type="checkbox"/>	C23 Presumption in favour of retaining positive features within a Conservation Area.
<input checked="" type="checkbox"/>	C28 Control will be exercised over all new development, including conversions and extensions, to ensure that the standards of layout, design and external appearance, including the choice of external-finish materials, are sympathetic to the character of the urban or rural context of that development. In sensitive areas such as conservation areas, the area of outstanding natural beauty and areas of high landscape value, development will be required to be of a high standard and the use of traditional local building materials will normally be required.

NPPG National Planning Policy Guidance NPPG:

<input checked="" type="checkbox"/>	Plan Making: the Historic Environment. Describes public benefits as ' <i>anything that delivers economic, social or environmental progress.</i> '
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NPPF – Chapter 16

<input checked="" type="checkbox"/>	Paragraph 199. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
<input checked="" type="checkbox"/>	Paragraph 200. 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. Substantial harm to or loss of: <ul style="list-style-type: none"> a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional; b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly Exceptional.

X

Paragraph 201. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.

Paragraph 202. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Other Relevant Policies/Guidance

X

Cherwell’s Guidance on applications relating to heritage assets
 Cherwell’s Banbury Conservation Area
 Historic England’s Statements of Heritage Significance: Analysing Significance in Heritage Assets
 Historic England Advice Note 12
 Historic England’s Conservation Principles, Policies and Guidance 2008

Planning (Listed Buildings and Conservation Areas) Act 1990

X

Section 16. In considering whether to grant listed building consent for any works the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

X

Section 72. With respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Significance (50 words)

BANBURY HIGH STREET SP4540NE (South side) 7/66 No. 14 (Dewhurst) and No.15 08/07/75 (Records and Tapes) (Formerly listed as Nos.13, 14 and 15) GV II

Two houses, now 2 shops. Late C18/early C19. Stucco; Welsh slate roof, brick ridge stack. 3 storeys; 4-window range altogether. Two C20 shop fronts. 4 shortened sashes to first floor have moulded stone surrounds and glazing bars (3-pane width). 4 sashes to second floor have stone sills and glazing bars (3-pane width). Moulded stone eaves cornice below parapet. Interiors said to have been remodelled C20.

14 and 15 High Street are grade II listed buildings in the Banbury Conservation Area. The buildings were originally townhouses converted into shops. The list description indicates that the interior is likely to have been remodelled in the 20th century. The interior retains few features of historic or architectural interest to the upper floors, including a small broken fireplace at first floor, a section of balustrade on the upper flight from first to second floor, some historic skirtings, and cornice. The historic stairs from ground to first floor in both No 14 and No 15 have been removed, to make larger shops. Modern stair has been added to the rear outshot of No 15 but the upper floors to No 14 are inaccessible.

Appraisal of issues (250 words)

The proposals:

The proposal is to retain the ground floor of the building as retail, and to convert the upper floors of the building to 3 apartments. This is welcomed.

Repairs:

Details for any repairs to the exterior envelope of both buildings should be supplied. This could be conditioned.

Details for any repairs to the interior of both buildings should be supplied. This could be conditioned, along with samples.

Conversion of upper floors to apartments:

Attic:

The historic stair and door are to be retained to an upper floor bedroom in Apartment 03, this is welcomed. The plan does not annotate that the window is proposed to be replaced but the rear elevation includes ‘window replaced with timber casement window’. A flush timber casement with slimline double glazing and

true glazing bars would be supported. Double cills should be avoided. We can condition details.
A new partition wall is proposed beneath a purlin, no objection. We can condition details.
We have no details of any fire rating upgrade to the fabric, is anything proposed? We can condition details.
Attic ceiling/roof: There looks to be at least one slipped slate, and open joints to the ridge. The ridge is sagging. I defer to Ecology with regard to any measures that need to be taken. The chimney stack between the properties appears to be leaning and should be monitored.
We will need details of any repairs and thermal upgrade to the walls/ceiling/roof, to include a method statement of how this work will be undertaken. We can condition details.



Second Floor:

The second floor is proposed to provide the lower floor of Apartment 03, accessed via the existing stair which rises from 1st floor.

The building is believed to have been a town house, converted to a shop, with the first floor sash windows shortened when the shop frontage was inserted. The low cill of the second floor windows suggests that the second floor may have been raised. The change is perhaps more evident at the top of the stair (note the change in timber and join on the string in the photo below). The existing plan for the 2nd floor is +106.06 in No 14 and +105.70 in No 15, a difference of 360mm, or 2 risers @180mm. Q. Was the historic second floor level at No 14 originally the same as No 15?

The lower flight of the stair and landing, rising from the first floor, is proposed to be blocked off with no access, and a small cupboard is to be formed above the upper flight to serve the second floor. It is possible the remaining section of historic balustrade returned and ran up to the attic



As discussed above, the proposed floor plan does not show a change of floor level, this suggests the second floor is either being lowered to its original level, or 2 steps need to be shown on the proposed plan.

There is also an issue with the width of the link between the 1st floor to 2nd floor staircase, the associated walls and the chimney breast/flues in the dividing wall between the two properties. This route also forms the escape route from the attic floor.

Looking from No 14 towards No 15 at second floor:



Q. We need to see the proposed detail to protect occupants falling through the low window cills in both Nos 14 and 15.

Looking from No 15 towards No 14 at second floor, showing the flue narrowing the potential for an opening link, and the top of the stair from 1st to 2nd floor:



We need to see the existing and proposed lintel and opening, relative to the existing stair walls and the chimney flues, looking from No 14 and from No 15. If this is not feasible we need to assess how No 14 can be made accessible. As part of this assessment we would need to consider the significance of the wall to the stair in No 14, the remaining balustrade, the stair itself, and the chimney flues. Their significance would need to be rated comparative to one another to inform decision making. The chimney breast supports the chimney stack above, which is significant in terms of the listed building and the Conservation Area. The balustrade is one of the few features left in the building. The stair has been altered and has lost some of its significance. The wall to the stair needs further investigation to establish the significance.

Plan layout, there is no precedence for angled walls – see the door to the dining/living/ kitchen. The proposed position of the partition for the escape from the attic floor bisects a window and would not be supported. The rear elevation has three windows of differing shape above one another. The second floor window is proposed to be replaced with a sash window, this in itself would be welcomed if the partition was relocated/staggered. If this is not possible, then we need to look at a different window design, possibly a traditional cruciform which we see in the district which has a central mullion but these are not normally very wide and may not suit the width of a fire rated partition. With staggered partition option, the sash window would need to be in the hall, but as there is a small fireplace in the corner of this wall, associated

flue, and the external downpipe, it would be difficult to insert a further window to provide natural light and ventilation to the kitchen. We should aim to clarify the general arrangement/detail, we can condition joinery details.



Partition proposed to form bathroom and en-suite abutting the blocked fireplace. The flue is in a diagonal orientation. We should condition details of how the partition will sit relative to the flue:



The wall beneath the beam is proposed to be removed, we have no details of the construction of this wall, if it is modern there would be no objection – please confirm. It seems likely the rooms were divided between the chimney breasts, parallel to the street, but this does not explain how the rear room was illuminated.



Q. would a door be reinstated to close off the stair to the attic storage?

Q.. Will the roof or attic floor be insulated?

Q. what is above this bulkhead over the main stair?

Q. We need to agree service routes and mechanical vents, avoiding the primary elevations.

Q. is anything proposed for the stair window?



First floor:

Oddly, the existing plan shows 1st floor levels at both Nos 14 and 15 as +103.24. Is there any evidence that the two buildings were ever linked at 1st floor, or is the coincidence due to them being a contemporary build?



Looking from No 14 towards No15 at first floor:



There would appear to be scope to have an opening between the two properties but we should ask to see the existing and proposed lintel and opening, relative to the existing stair walls and the chimney flues, looking from No 14 and from No 15.

The stair from 1st floor to 2nd floor- see comments above.



Layout of Apartment 02:

Whilst it is a pity to carve up a principal room, this is necessary for the scheme as a whole. We will need details of service routes and vents. We will need details of the new stair and how it abuts the new shopfront.

Windows – see comments below.

Layout of Apartment 01:

New windows should avoid the historic chimney breadth, ideally avoid the width of the external chimney. Rear room includes historic skirting, please confirm this will be retained. Room with inserted WC retains historic skirting and cornicing, there is also a historic architrave to the opening above the short flight of steps. Please confirm the cornice and skirting will be retained.



The room at the base of the short flight of steps retains historic timbers/skirting, please confirm this will be retained.



The link beneath the lean-to roof, below the stair window in No 15.

We will need details of junctions between new partitions and skirtings/cornices to be conditioned. We will also need details to show the architrave where the opening is to be blocked, the architraves should be retained. We will need details of service routes and vents.

New access in front façade:



Fig 4 from the D&A Statement shows a traditional shopfront with transom.



The proposed elevation shows the height of the signage reduced, and we would normally support this, however, the 'capitals' should relate to the depth of the signage, and it would look very odd to retain the taller 'capitals' with a shortened fascia signage. If the signage is reduced the capitals would need to also reduce so that the top aligned.



Traditionally, there would be a dividing pilaster rising to the underside of the signage, concealing the dividing wall behind. The pilaster should be no wider than the existing pilasters to the shopfront at No. 15. The shopfront design would be more cohesive with a continuous transom. In an ideal world, the double doors would sit symmetrically below the upper floor windows, but this may not be possible. See rough sketch above. We can condition the shopfront details.

The windows at first floor of No.15, should retain the proportion of 3 over 3, as vertical sliding sashes, if the proportion of the glazing works. See rough sketch above. We can condition details.

The 6-panel door should be of traditional proportions – I would prefer a solid door with the rectangular overlight. See rough sketch above. We can condition details.

We will need details for secondary glazing. We can condition details.

Level of harm

No Harm

Less than Substantial Harm

Substantial Harm

Public Benefit (NPPG)

Yes

No

Comments

I have outlined some areas that need to be investigated further to enable the true impact on historic fabric, mainly in relation to connecting the two buildings. This may require some historic fabric to be sacrificed for the 'greater good', we will need a justification for this and an analysis of the significance of each element that could be affected.

Please confirm if a couple of risers will be needed between Nos 14 and 15 at second floor.

Recommendation

Whilst I am supportive of the principle of the application, we need some elements to be resolved now. We can condition several details to be resolved before commencement on site.

No objections to most aspects, subject to details

Objections to elements that are not resolved in the current plans, see comments above – please seek clarification to remove any current concerns discussed above.

Engage in further preapp

Suggested Conditions

Thermal upgrade details, these should be breathable (seek Ecology's advice on the roofs). We will also need details relative to historic skirtings, cornices, and architraves. We also need details of any upgrade to existing window and secondary glazing. Item 6.6 proposes that party walls and external walls are upgraded with a separate timber wall 10mm gap/50mm studs with isowool/15mm soundbloc and skim. Is there a breathable equivalent that can be explored? Breathable paint on lime plaster.

Acoustic upgrade details – typical situations. Please note SPAB guidance, where acoustic upgrade can take place as draped quilt beneath floor boards and by plasterboard where ceilings are modern. This is preferred to overboarding the floor (hushpanel) which can affect stair risers, and reduce ventilation of the timber floors.

Fire upgrade details.

Door schedule confirming any historic doors for retention and fire/smoke upgrade.

Joinery details for new doors.

Window joinery details. True glazing bars/avoid double cills/agree recess. Traditional sash windows with pulleys and no -trickle vents/traditional flush timber casements with no trickle vents. If ventilation is needed this should be discreet and not obvious. There is a discreet vent detail for sash meeting rails.

Shopfront details.

Junction details of new partitions to historic skirting/cornicing/architraves/purlins/including *rear window at 2nd floor.

Details of repairs proposed to exterior envelope, and associated samples. Lime pointing etc.

Details of repairs to interior, floors in accordance with SPAB guidance on floors/rewiring.

Detail for new stair.

Details for protection from falling (windows)

Details of how the historic balustrade will be retained, including newel.

Details of how the historic fireplace will be retained and repaired/presented.

Details of service routes and vents.

Conservation Officer: Joyce Christie

Date: 15.07.2022