

Application number(s):	20/00629/LB & 20/00628/F
Application site:	The Old Malthouse, St Johns Road, Banbury, OX16 5HX
Proposal:	PART RETROSPECTIVE - Construct new external mezzanine decking at the rear of the building. Alter current retaining wall to accommodate the new decking support structure. Install 4 no. roof domes. Restoration of entrance steps. Painting of render, window lintels and sills at the front of the building. Install railing on the front low rise wall. Reinstate lead coping on top of parapet wall. Install additional roof vents at the apex of the building. Install ventilation system with 2 no. associated flues. Re-roof.

<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 (2015)

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.

Cherwell Local Plan 1996 Saved Policies

C18 Works to a listed building should preserve the building, its setting, and any features of special architectural or historic interest. Alterations or extensions to a listed building should be minor and sympathetic.

C23 Presumption in favour of retaining positive features within a Conservation Area.

C28 The layout, design and materials proposed within a new development should respect the existing local character. 'control will be exercised over all new development to ensure that standards of layout, design and external appearance are sympathetic to the character of the urban or rural context of that development.

NPPF – Chapter 16

Paragraph 205. 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.

Paragraph 206. 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:

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.

Paragraph 207. 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 208. 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.

Paragraph 209. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Other Relevant Policies and guidance

Setting of Listed Buildings HE Guidance

Planning (Listed Buildings and Conservation Areas) Act 1990

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.

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.

Section 66. In considering whether to grant planning permission [or permission in principle] for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State 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.

Significance (50 words)

The building was a malthouse but is now offices and dates to 1830. The construction is red brick with painted stone dressings, and a moulded stone eaves cornice below a brick parapet. The significance of the building is the fabric that remains and the floor plan that allows the legibility of the historic function of the building. The building also makes a contribution to the conservation area in this location.

Appraisal (250 words)

The conversion of the building is welcomed as it has brought the building back into use. The conversion of the internal spaces is sympathetic and is considered to allow the historic form to still be legible. The minor external additions to allow the conversion and reuse such as the rooflights and flues installation are not considered to result in an unacceptable loss of historic fabric or alter the character and appearance of the building in such a way that it is harmful.

There are no objections in principle to the installation of an external mezzanine as this is considered to be largely in keeping with the building and will not detract from the external appearance. The structures to be removed are also modern and temporary in appearance. However details of how the mezzanine is to be constructed and the structural implications for the building and the retaining wall at the rear are needed. This information could be requested through a planning condition. At the least it should be specified that any connections should where possible be through the mortar rather than the brick and the retaining wall should be supported if needed.

Overall the proposals are not considered to result in a detrimental impact on the character or fabric of the building and the character of the conservation area in this location will be preserved.

Level of harm

No Harm

Less than Substantial Harm

Substantial Harm

Public Benefit (NPPG)

Yes

No

Comments

There is potential benefit of returning the building to a viable (employment) use.

Recommendation

No objections

Objections

Engage in preapp

Suggested Conditions

- Details of the installation and construction of the mezzanine.
- The mezzanine shall be attached where possible through the mortar not the brick.
- The structural stability of the retaining wall shall be confirmed prior to any removal of existing structures.

Conservation Officer: Emma Harrison

Date: 24/06/2024