**From:** Jennifer Ballinger   
**Sent:** 31 August 2018 16:09  
**To:** James Kirkham  
**Subject:** 18/01158/F and 18/00/1159/LB - the Old Malthouse, St Johns Road, Banbury

Dear James

Thank you for consulting the Design and Conservation Team on the above application.

I previously commented on application 17/02268/LB (please see comments dated 21/12/2017 and 31/01/2018).

The previous application was refused on the basis of lack of a robust marketing exercise and the ‘less than substantial’ harm to the listed building through the alterations to the roof, subdivision of the internal space and the number and extent of rooflights proposed on the building. No evidence had been provided that residential was the optimum viable use.

The reasons for refusal have not been overcome in this latest application.

* It is understood that a full marketing report is to be submitted, but regardless of this there is documented evidence of an offer for the building (for use as an office) above the asking price. Therefore unless it can be demonstrated the offer is not viable it is not possible to demonstrate that the building cannot be utilised for its current (office) use.
* The harm caused to the building is less than substantial, but is to the core significance of the building (the roof structure) as identified by the Heritage Impact Assessment. If the building were not capable of being utilised for any other use the harm caused could be justified by the public benefit of finding a new use for the building, but at the current time that is not the case.
* The application has demonstrated that some of the vertical struts to be removed are of late 20th century origin and this has been confirmed on site, but there are still proposed alterations to the historic roof structure including the removal of and cutting of historic purlins and the alteration of location of some of the central , horizontal struts. There are also some concerns with the steel channels that are required at third floor level; the Design and Access Statement identifies that these are reversible, but it is unclear how if these are required for structural stability.
* A number of changes have been made to the proposed number and location of rooflights and it has been demonstrated that historically there were a number of rooflights on the building that have since been removed. In comparison to the previous application the rooflights are more logically arranged and will have less of a visual impact, but still appear overly large where there are two sets of roof lights together.

Insufficient information has been submitted to demonstrate that the building is no longer viable in office use and therefore there is no justification for the harm caused to the historic fabric through the proposed alterations to the building.

Best wishes

**Jenny Ballinger**

**Senior Conservation Officer**

Cherwell District Council & South Northamptonshire Council