

Bromley Associates
Suites 1 To 6
The Old Malthouse
St Johns Road
Banbury
OX16 5HX

19/01091/LB

Case Officer: Sarah Willson

Recommendation: Permitted Development

Applicant: Omlet Ltd

Proposal: Installation of insulation, ventilation slates and flat roof vents to existing roof

Expiry Date: 7 August 2019

Extension of Time:

1. APPLICATION SITE AND SUMMARY OF SIGNIFICANCE

- 1.1. The application site is a Grade II listed former malthouse located on the corner of St Johns Road and Calthorpe Road to the south of Banbury town centre. It is also located within Banbury Conservation Area – Calthorpe Character Area and within the setting of numerous listed buildings including the terrace properties to the south of the site on Calthorpe Road.
- 1.2. The property constructed of brick with a symmetrical frontage consisting of sash windows and stone and stucco detailing giving a grand appearance. It has the appearance of a two storey building from St Johns Road. The building was originally used as a maltings but has had a series of uses since then with its authorised use currently as a B1 Office use. The building is currently vacant and the previous suspended ceiling has recently been stripped out.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1. The applicant intends to purchase the property and re-establish the use as an office. The current application seeks listed building consent to facilitate this use. Internally, the proposals involve installing Kingspan Kooltherm K118 insulation between the purlins with insulated plasterboard fixed under. Externally, the proposal includes the installation of ventilation slates and flat roof vents.

3. RELEVANT PLANNING HISTORY

- 3.1. The site has had various application seeking to change the use of the building into residential use (17/02167/F & 17/02168/LB; 18/01158/F & 18/01159/LB)
- 3.2. 15/01389/F - 3 bedroom dwelling - Application Permitted
- 3.3. 05/00103/F and 10/00221/F - Erection of 1 No. detached dwelling (as amended by plans received 23.03.05 and plan Nos. P381/10B & P381/12B received on 19.04.05) - Application Permitted
- 3.4. 89/00498/N - Demolition of lean to store. Formation of first floor level offices with additional ground floor offices and car parking - Application Permitted restricted to Class B1(a)

- 3.5. 77/00461/N - Change of use from storage of furniture to storage and distribution to the trade only of domestic electrical spare parts - Application Permitted

4. PRE-APPLICATION DISCUSSIONS

- 4.1. The current proposal has been subject to pre-application discussion with the council:

<u>Application Ref.</u>	<u>Proposal</u>
19/00045/PREAPP	Renovation into open plan office

- 4.2. The pre-app concluded that the proposal to retain the use as an office is welcomed, and that evidence should be submitted with any future application to justify the use of insulation which would obscure the outer purlins from view.

5. RESPONSE TO PUBLICITY

- 5.1. This application has been publicised by way of a site notice displayed near the site and by advertisement in the local newspaper. The final date for comments was 1 August 2019, although comments received after this date and before finalising this report have also been taken into account.
- 5.2. No comments have been raised by third parties

6. RESPONSE TO CONSULTATION

- 6.1. Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.

PARISH/TOWN COUNCIL AND NEIGHBOURHOOD FORUMS

- 6.2. Banbury Town Council: No comments received

OTHER CONSULTEES

- 6.3. CDC Conservation: No objection subject to condition
- 6.4. Banbury Civic Society: No comments received
- 6.5. Banbury Historical Association: No comments received

7. RELEVANT PLANNING POLICY AND GUIDANCE

- 7.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 7.2. The Cherwell Local Plan 2011-2031 - Part 1 was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The Local Plan 2011-2031 – Part 1 replaced a number of the 'saved' policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the development plan. The

relevant planning policies of Cherwell District's statutory Development Plan are set out below:

CHERWELL LOCAL PLAN 2011 - 2031 PART 1 (CLP 2031 Part 1)

- ESD15 - The Character of the Built and Historic Environment

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- C18 – Development proposals affecting a listed building
- C21 – Proposals for re-use of a listed building

7.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Managing Significance in Decision-Taking in the Historic Environment: Historic England Good Practice (2015)
- The Setting of Heritage Assets: Historic England Good Practice (2015)

8. APPRAISAL

- 8.1. The key issue for consideration in this case is the impact on the historic significance and setting of the listed building(s).
- 8.2. Section 16(2) of The Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that: *In considering whether to grant listed building consent for any works the local planning authority or 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.* Further, under Section 72(1) of the same Act the Local Planning Authority has a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
- 8.3. Listed Buildings and Conservation Areas are designated heritage assets, and Paragraph 190 of the NPPF states that: *Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise.*
- 8.4. Paragraph 193 of the NPPF directs that: *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.* Policy ESD15 of the CLP 2031 Part 1 echoes this guidance.
- 8.5. The proposed works would not be readily visible in the public realm and would therefore not impact the Banbury Conservation Area or the setting of nearby listed buildings. The core significance of the building has been examined in the associated pre-app, which stated that the roof structure, with its trusses spanning the width of the building, and the design of the façade are of key importance.
- 8.6. The previous approach to insulation was to provide polystyrene and plasterboard between the purlins and suspended ceilings throughout the building which reduced the space requiring heat. However, this method obscured the unusual roof structure which has been highlighted in previous Conservation assessments as to be a key

feature of the building contributing to its significance. It is now proposed to leave the roof structure exposed but to provide insulation under the rafters of the roof.

- 8.7. The applicants have submitted a cost comparison with three forms of insulation: Kingspan Kooltherm; Kingspan Optim R and Spacetherm. Full plans have also been submitted detailing how the insulation would be fitted to the existing roof. The proposed roof grilles, flat roof breather and vents would be small in scale in relation to the size of the roof and would be reasonably discrete additions.
- 8.8. The Conservation Officer has commented that 'the proposed form of insulation causes (reversible) visual harm to the building as opposed to harm to the ongoing maintenance of the historic fabric. It is therefore considered proportionate in this instance to balance the harm against the benefit of finding a viable, sustainable new use for the building. It is considered that sufficient information and justification has been provided for the form of insulation required and there are no objections to granting consent for this application'.
- 8.9. Drawing No. 1936-02.A states 'proprietary flush slate grilles providing passive ventilation (Corovent Roofline or similar) in colour to match existing or 'discrete hidden over-fascia vents if considered feasible following further investigation on site'. It is recommended that a condition is included for this detail to be agreed prior to installation.
- 8.10. Overall, the proposed development is considered to provide an acceptable balance between finding a long-term viable use of the building and preserving the key areas of significance to the building with the removal of the suspended ceiling and reversible insulation works. It is therefore recommended that consent be granted.

9. RECOMMENDATION

That consent is granted, subject to the following conditions

1. The works to which this consent relates shall be begun not later than the expiration of three years beginning with the date of this consent.

Reason - To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the information contained within the application form and the following approved plans: 1936-LP-BP; 1936-01.A; 1936-02.A; 1936-03.A; 1936-04; Design, Access, Justification & Heritage Statement; OFT 2 Flat Roof Breather Void;

Reason – For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and comply with Government guidance contained within the National Planning Policy Framework.

3. Prior to installation of any roof vent, full details of the roof ventilation method shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

Reason - To ensure that the completed development is in keeping with and conserves the special character of the existing historic building and to comply with Policy ESD 15 of the Cherwell Local plan 2011-2031 Part 1, saved Policy C18 of the Cherwell Local Plan 1996 and Government guidance contained

within the National Planning Policy Framework.

Case Officer: Sarah Willson

DATE: 6 August 2019

Checked By: Rebekah Morgan

DATE: 7 August 2019