

East Area Planning Committee

6th September 2012

Application Number: (1) 12/01606/CAC
(2) 12/01605/CT3

Decision Due by: 29th August 2012

Proposal: (1) Conservation Area Consent for demolition of outbuilding and lean-to

(2) Conversion of Bury Knowle Stables and Barn to 3 x 2-bed dwellings. Provision of car parking, bin and cycle storage

Site Address: The Stables, North Place, Oxford (**Site Plan: Appendix 1**)

Ward: Headington Ward

Agent: Kemp And Kemp Property Consultants

Applicant: Oxford City Council

Recommendation:

The East Area Planning Committee is recommended to grant conservation area consent and planning permission for the following reasons:

- 1 The proposed conversion of the Stable Block and Barn would make an efficient use of previously developed land and make use of a redundant building for residential purposes in a manner that would deliver a balanced mix of accommodation for the Headington Neighbourhood Area. The demolition of the outbuilding and lean-to extension would not have a detrimental impact upon the character and appearance of the buildings or the conservation area. The proposed conversion would result in a viable conservation of this under-used building within the Old Headington Conservation Area in a manner that would conserve the significance of the heritage asset and make best use of the opportunities to integrate the Stable Block and Barn with the Bury Knowle Estate to the benefit of the heritage asset. The proposal would safeguard the residential amenities of the adjoining properties and provide a good standard of internal and external living environment for the future occupants of the proposed housing. The dwellings would provide a level of off-street parking which would be considered suitable for a sustainable area such as this, and would be acceptable in highway terms. The proposed development would accord with the overall aims of the National Planning Policy Framework and the relevant

policies of the Oxford Core Strategy 2026, Oxford Local Plan 2001-2016, and the emerging Sites and Housing Plan.

- 2 In considering the application, officers have had specific regard to the comments of third parties and statutory bodies in relation to the application. However officers consider that these comments have not raised any material considerations that would warrant refusal of the applications, and any harm identified could be successfully mitigated by appropriately worded conditions.
- 3 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

Conditions (12/01606/CAC):

- 1 Commencement of works LB/CAC consent
- 2 No demolition before rebuilding contract
- 3 Architectural Recording

Conditions (12/01605/CT3):

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples of materials
- 4 Further details of all doors, windows, and rooflights
- 5 Further details of roof construction
- 6 Retention of Stable Door Screens
- 7 Details of means of enclosure
- 8 Details of Bin and Cycle Stores
- 9 Archaeological Recording and Watching Brief
- 10 Biodiversity Mitigation Measures
- 11 Details of hard surfacing of forecourt
- 12 Details of Parking Areas
- 13 Vision Splays
- 14 Contaminated Land Assessment

Main Local Plan Policies:

Oxford Local Plan 2001-2016

- CP1** - Development Proposals
- CP6** - Efficient Use of Land & Density
- CP8** - Design Development to Relate to its Context
- CP9** - Creating Successful New Places
- CP10** - Siting Development to Meet Functional Needs
- CP11** - Landscape Design
- TR3** - Car Parking Standards
- TR4** - Pedestrian & Cycle Facilities
- HE7** - Conservation Areas
- HE2** - Archaeology
- NE16** - Protected Trees

HS11 - Sub-Division of Dwellings
HS19 - Privacy & Amenity
HS20 - Local Residential Environment
HS21 - Private Open Space

Core Strategy

CS2_ - Previously developed and greenfield land
CS18_ - Urban design, town character, historic environment
CS23_ - Mix of housing

Sites and Housing Plan - Submission

HP9_ - Design, Character and Context
HP12_ - Indoor Space
HP13_ - Outdoor Space
HP14_ - Privacy and Daylight
HP15_ - Residential cycle parking
HP16_ - Residential car parking

Other Material Considerations:

National Planning Policy Framework
This application is within the Old Headington Conservation Area.

Relevant Site History:

82/00991/NT - Renewal of temporary consent for light industrial use and ancillary office for Oxford Film Makers Workshop Ltd: Temporary Permission

85/00085/NT - Retention for light industrial use and ancillary office for Oxford Film Makers Workshop Ltd (Renewal of application No.A991/82): Temporary Permission

90/00109/NTH - Retention of light industrial use and ancillary office for Oxford Film and Video Makers Ltd. (Renewal of NT/85/85): Temporary Permission

93/00121/NTH - Retention of light industrial use and ancillary office for Oxford Film and Video Ltd (Renewal of NTH/109/90): Approved

96/00349/NTH - Retention of light industrial use and ancillary office for Oxford Film and video Ltd. (Renewal of 93/121/NTH): Approved

Representations Received:

Letters have been received from the following addresses, and their comments are summarised as follows:

- 12 The Croft; 39 Kennett Road; Lowe's Cottage, Hixet Wood, Charlbury; Viking Sports Club; 69 Old High Street; 12 London Place; 19 Periwood Crescent
- Bury Knowle is the only large estate in Headington that remains in public hands. The villa, together with its surrounding parkland is an important landmark and is well used by local people who have had public access for the last 80 years

- The barn and stable are an integral part of the estate, and if they were to become private dwellings they would be cut off forever from the estate that they were built to serve and the area loses an important part of its local heritage
- The proposal would remove a heritage asset from public enjoyment (a key NPPF point) that is part of the Bury Knowle Estate, a community asset
- The proposal would severely impact the fundamental character of the heritage asset by the addition of windows and doors that will not be covered by stable door covers as they will not be retained by residents
- It would destroy the heritage open internal space and roof structure, the last in the Headington area
- It is clear that some sort of sensitive development is necessary, but a clear directive for alternative use must be carefully considered.
- It would remove a community asset from public use, it would make a good community building which would make it possible to keep its attractive features intact, as befits a Conservation Area
- Negatively impact on the struggling Headington District Centre by conversion of a viable Class B (business) building located in the district centre into housing
- Reduce the vibrancy of the community and Bury Knowle Park amenity
- The Council should give its inhabitants something to compensate for everything that we have lost in recent years through the development of Oxford Brookes University, hospitals galore, and now the Old Road Campus
- Provide very dark residences with East facing principal light sources which can only be mitigated by the removal of the false stable doors
- Increase parking problems in the area.
- The development should be car free
- A traffic report should be carried out, as there are children and pedestrians in the area
- The application is premature as no local list or assessment of whether it is an 'asset of community value' under the Localism Act Section 37 has been undertaken
- No up to date Neighbourhood Plan has been developed of which the Bury Knowle Estate and park must be part and no positive or creative planning has been undertaken as required under the NPPF.
- If the proposal goes ahead it should be allocated to aged or disabled person(s) due to its highly sustainable location
- The proposal would result in the loss of a family sized building which are at risk in the city. The 3x2 bed flats do not provide adequate compensation for this because of the loss of a family sized building. This would be contrary to Policy CS23 of the Core Strategy
- The proposed sub-station could have an impact upon the health of residents
- The development does not propose any renewable technologies
- There is no flood risk report, the hard standing areas are not permeable
- The Viking Sports Club object to windows on the eastern elevation as they look directly onto our carpark and outside area. The area is used by members to play Aunt Sally, there are two throws and one is facing the eastern elevation
- The occupant of 69 Old High Street would request assurance that the wall to the north of the development will be left structurally and aesthetically sound after the toilets are dismantled. The barn roof to the north slopes onto the outbuilding of our property and therefore we would want confirmation that this will remain watertight

during the development. The window in the eastern elevation overlooking next doors car park should be omitted to safeguard our privacy. The windows should be in keeping with the barn

Statutory and Internal Consultees:

Oxfordshire County Council Highways Authority: No objection subject to conditions requiring vision splays, parking spaces to highway standards, sustainable urban drainage scheme for the parking areas.

Oxford Civic Society: The two applications for the same building should be treated together. The interesting historic barn building should not be demolished, but instead it should be sensitively restored, and a practical use found for it, possibly even involving making it habitable.

Friends of Old Headington:

The proposed conversion is broadly sympathetic to the original building and its surroundings, though we would like to see the original glazing bars retained in the windows or, if the windows are to be replaced, double glazing with such bars put in their place. We would question, however, whether sufficient thought has been given to the idea of retaining the building for community use. The building is potentially a valuable public asset and we would prefer to see it kept for the people of Headington and Oxford to use and enjoy

Officers Assessment:

Site Location and Description:

1. The site is located on the western side of North Place, and bordered by residential properties to the north and west, the Viking Sports Club to the west; and Bury Knowle Park to the south and east (**appendix 1**). The site is within the Old Headington Conservation Area, and the Headington Transport District Centre.
2. The site comprises a Stable Block and Barn which form part of the historic Bury Knowle Estate. There is a small outbuilding and lean-to extension which has been added to the barn. The buildings are accessed from North Place and there is a large courtyard area to the front.
3. The buildings are currently vacant, but were formerly used by a film making company although this ceased in 1999 and more recently provided storage for Oxford City Council Parks and Leisure.

Proposal

4. The proposal is seeking conservation area consent for the demolition of the existing small-scale outbuildings on the eastern flank of the barn.
5. Planning permission is then sought for the conversion of the Bury Knowle Stable Block and Barn to form 3x2 bedroom dwellings, with associated amenity space, refuse and cycle storage.

6. Officers consider that the determining issues in this case are the principle of development; balance of dwellings; impact upon a heritage asset; impact upon adjoining properties; community use; residential amenity; archaeology; biodiversity; and highway matters.

Principle of Development

7. The National Planning Policy Framework [NPPF] encourages the effective use of previously developed land, provided it is not of high environmental value. These aims are embodied within Policy CS2 of the Oxford Core Strategy.
8. The Stable Block and Barn are currently vacant with the last authorised use being a workshop and office for a small film company. This use ceased in 1999 when the temporary consent expired and the building reverted back to its historic use for horticultural purposes. In more recent times it has been used for storage by the Councils Parks and Leisure Services who also use the yard for car parking for the offices at Bury Knowle House.
9. The site is not located within the Headington District Centre, and contrary to comments made during the consultation process the conversion would not result in the loss of an employment-generating use or community building. The NPPF states that Local Planning Authorities should identify and bring back into residential use empty buildings in line with local housing and empty homes strategies. The buildings are situated within a residential area and therefore the principle of converting the building for residential purposes would accord with the aims of the NPPF and Policy CS2 of the Oxford Core Strategy.

Balance of Dwellings

10. Policy CS23 of the Oxford Core Strategy 2026 requires residential development to deliver a balanced mix of housing to meet the projected future household need, both within each site and across Oxford as a whole. The mix of housing relates to the size, type and tenure of dwellings to provide for a range of households.
11. The Balance of Dwellings Supplementary Planning Document (BoDSPD) sets out the appropriate housing mixes for each Neighbourhood Area within the City. The site is located within the Headington Neighbourhood Area, where a reasonable proportion of new family dwellings are required within residential schemes. In this area the BoDSPD states that development proposals involving the provision of 1-3 units should not result in the net loss of a family unit of accommodation.
12. The existing barn and stables are currently vacant and therefore the proposed conversion would not result in the loss of a family unit of accommodation. The provision of 3x2 bedroom units would be wholly consistent with Policy CS23 of the Oxford Core Strategy 2026 and the BoDSPD.

Impact on Heritage Asset

13. The Stable Block and Barn are not statutorily listed, but are considered to be of high local heritage significance having associations with a number of listed buildings specifically Bury Knowle House and 69 Old High Street and are sited within the Old Headington Conservation Area which is a designated heritage asset.
14. The National Planning Policy Framework requires proposals to be based upon an informed analysis of the significance of any heritage asset affected and expects applicants to understand the impact of any proposal upon the asset with the objective being to preserve that significance. A Heritage Assessment has been prepared for the site by the Council's Heritage and Specialist Services Team in order to inform the decisions about the building's future. This assessment identified 4 key elements that contribute to the building's interest. These being the simple roof form of both buildings; pattern of door and window openings for the stables; absence of domestic detailing; historic roof trusses of the barn as a visible feature of the building and an open ground floor to roof space that reveals the openness of the building.
15. During the consultation process concerns have been raised that converting the buildings to a residential use would undermine the historic character of the Bury Knowle Estate by virtue that it would remove a heritage asset from public use, and separate the building from the estate which it was built to serve. Having regard to these points, it is important to recognise that buildings have not been used for their original purpose since at least the 1950s, and throughout time have become naturally separated from the rest of the Bury Knowle Estate by the creation of the boundary wall to North Place and the use as a workshop and office. It is the building itself that has more significance in terms of the historic interest of the site and therefore the introduction of a residential use into this redundant building, if appropriately designed, would constitute a viable conservation of the structure which maintains the significance of the asset.
16. The conversion has been designed to respond to the 4 key elements identified within the heritage assessment. The proposal would work with the existing fabric of the building and retain the simple roof form of the Stable Block and Barn. The existing windows and doors would be utilised in order to minimise the alterations to the external appearance of the buildings, with the doors in the stable block fitted with screens to reflect the historical use and the existing window and cart door in the barn retained. The only additional windows and doors would be in the eastern elevation of the barn. The replacement doors and windows would be sympathetic to the appearance of the building. The internal layout of the barn would retain the existing roof trusses which are an important feature and would also provide internal voids to respond to the traditional open ground floor to roof space of the Barn and at the same time achieving an open and light living environment. It is considered that the conversion would maintain the integrity and significance of the buildings, although officers would recommend that conditions are attached which treat the alterations to the building in a similar fashion to a listed building and ensure that the integrity of the roof is retained and also securing approval of all windows, doors, and rooflights.

17. The Heritage Assessment also identified 7 opportunities to conserve or better reveal the significance of the buildings as heritage assets. These were the re-introduction of the cart-shed element that stood against the east face of the barn, reusing the north boundary wall; the retention or repair of the historic cobbled yard surface; revealing the former wagon door in the west facing elevation of the barn; the removal of the modern boundary wall to better integrate the site with the wider Bury Knowle estate; retention of the barn door in the eastern elevation; reinstating the former boundary to the passage just east of the barn, creating an enclosed front garden between the buildings and forecourt; and the provision of green landscaping to the forecourt.
18. The proposal has also responded to these opportunities in order to enhance the significance of the asset. The existing toilets and outbuilding are to be demolished, which would improve the eastern elevation of the building. It would be replaced by a cycle and refuse store which is of a smaller scale and set against the northern boundary wall which will be retained. The existing cobbled surface will be retained as a feature of the development, and a condition should be attached requiring approval of any surfacing within the yard to ensure that it reflects this historical context. It is not possible to reinstate the wagon door in the Barns eastern elevation as it would face onto the car park of the Viking Sports Club, but high level windows are shown in this location. Importantly, the scheme would result in the removal of the existing boundary wall to the site, which currently separates the site from the Bury Knowle Estate. This would be replaced by railings which would open up views into the courtyard and better integrate the site with the other buildings that form part of the estate.
19. Therefore officers consider that the proposed conversion would represent an appropriate conservation of the existing building, which would preserve the significance of the heritage asset and improve its relationship with the Bury Knowle Estate and wider Old Headington Conservation Area in a manner that would be consistent with the National Planning Policy Framework, Policies CP1, CP6, CP8, HE6 and HE7 of the Oxford Local Plan, Policy CS18 of the Oxford Core Strategy 2026 and Policy HP9 of the Sites and Housing Plan.

Community Asset

20. During the consultation process it has been suggested that the proposal would remove a community asset from public use and would be premature as no local list or assessment of whether it is an 'asset of community value' under Section 37 of the Localism Act has been undertaken.
21. The existing Stable Block and Barn is owned by Oxford City Council and may have formed part of the Bury Knowle Estate but it is not and never has been a public building. It has previously been used as a workshop for a small film company, and until recently for storage by the Oxford City Council Leisure and Parks services. Therefore proposed conversion would not result in the loss of a building that is either in public use or an existing community facility. There are no planning policies within the Oxford Core Strategy or Oxford Local Plan which would prevent its conversion to a residential use.

22. In terms of whether the building must be considered an asset of community value under S37 of the Localism Act, it should be noted that the provisions of this act have yet to be brought into force and in any event it is Section 88 that covers land of community value.
23. Notwithstanding this point, the issue of whether this building constitutes an 'Asset of Community Value' would not be a planning matter or material consideration for the determination of the application. The intention of this part of the Localism Act will be for the Council to maintain a list of such land with the effect being that landowners for any sites on such a list will have to give notice before disposing of this land. It would not represent a planning designation and therefore is not relevant to the determination of this application.

Impact upon Adjoining Properties

24. The proposed development would work within the existing fabric of the Stable Block and Barn with no external additions that could have a detrimental impact upon the amenities of the adjoining residential properties in terms of loss of light or overbearing impact.
25. The main concern that has been raised by the properties to the west of the site relates to the provision of the high level windows above the baths in the bathrooms on the western elevation of the Barn. The Viking Sports Club has raised concerns about their position as they would be sited above one of the Aunt Sally throws. The occupant at 69 Old High Street has also raised similar concerns. The proposed windows would not have any impact upon 69 Old High Street due to the oblique angle, but would overlook the private car park of the sports club. As this is a private car park, the impact of the windows would not be the same as say overlooking of a private residential garden or habitable room window and therefore there would be no material planning reason to object to the provision of these windows.
26. Officers consider that the proposed development would accord with the aims and objectives of Policies CP10 and HS19 of the Oxford Local Plan 2001-2016 which seek to safeguard the residential amenities of adjoining properties.

Residential Uses

27. The barn and stables would be converted into 3x2 bedroom dwellings, which would all have internal floor sizes that comfortably exceed the indoor space standards set out within Policies CP10, HS20 and HS21 of the Oxford Local Plan 2001-2016 and Policy HP12 of the emerging Sites and Housing Plan.
28. In terms of private amenity space, it is recognised that this is a constrained site and so each unit would have a small private area to the frontage which would be suitable for the size and type of accommodation it serves. The close proximity of the site to Bury Knowle Park would also provide good quality recreational space for occupants to supplement the private space provided. The dwellings would have suitable refuse and cycle storage that is in an accessible and practical

location for the occupants. The scheme would therefore satisfy Policies CP10, HS19, HS20, and HS21 of the Oxford Local Plan 2001-2016, and Policy HP13 of the emerging Sites and Housing Plan

Sustainability

29.A Sustainability Statement prepared by TSH Architects is included with the application. It states that the conversion would be designed to satisfy the recent amendments to Building Regulations Part L (conservation of fuel and energy) and Part F (ventilation), and will include high performance double glazing, 'A' rated condensing gas boilers, high levels of insulation, natural light and ventilation with integrated management controls.

Archaeology

30.The site is of historical interest as it is an 18th century barn and late 19th century stable block, and therefore warrants a photographic record being carried out before the conversion. In addition to this an archaeological watching brief would also be appropriate in order to note any other potential structural details to be exposed, particularly in relation to the roof, which may arise during the conversion of the buildings. This should be secured by condition.

Biodiversity

31.A Bat Survey Report has been prepared by Windrush Ecology Ltd, this concludes that although there was a small amount of evidence to suggest that brown long-eared bats have accessed the barn in the past there is no evidence that this is being used as a roost site. It goes on to state that the conversion of the buildings would not result in significance disturbance to bats, but that there would be opportunities to provide biodiversity enhancements such as bat and bird boxes for the converted building. This could be secured by condition.

Highway Matters

32.The Stable Block and Barn is accessed from North Place and has a courtyard which is currently used to provide additional car parking for Oxford City Council staff at Bury Knowle House. The proposed development would maintain the existing access from North Place, and a Traffic Impact Statement has been provided which establishes that the proposal would reduce traffic movements to the site to the benefit of highway safety. In addition the replacement of the boundary wall with railings will increase visibility into the site especially at the access to the further benefit of highway safety.

33.The proposal would provide 3 off-street parking spaces for the proposed dwellings. The site lies within the Headington Transport District Area which is considered to be a sustainable location where there are excellent links to shops and services and public transport links. The Oxford Local Plan states that lower levels of parking provision will be sought in areas such as this. The units will also be provided with 2 secure cycle spaces per dwelling in accordance with the Council's standards.

34. The Local Highways Authority have raised no objection to the proposal in highway terms, subject to conditions being attached requiring suitable visibility splays being provided; the parking spaces to be built to standard (2.5m x5.0m); and the drive and parking area to have a sustainable urban drainage system.
35. During the consultation process concerns have been raised that the proposal would place pressure on the controlled parking zone within the area. The Local Highways Authority consider that the location of North Place would make it highly unlikely that residents at the proposed development would park on the streets in the controlled parking zone, where there is pressure, as these are some distance from the development site. Therefore the exclusion of the site from eligibility for permits would not be reasonable in this instance.

Other Matters

36. It has also been suggested during the consultation process that the application is premature as no up-to-date Neighbourhood Plan has been developed of which the Bury Knowle Estate and Park must form a part. Although the National Planning Policy Framework provides guidance on Neighbourhood Plans, it does not require the Local Planning Authority to undertake such plans. The National Planning Policy Framework makes clear that the framework does not change the statutory status of the development plan as a starting point for decision making and that development that accords with an up-to-date local plan should be approved unless there are material considerations that state otherwise. In this case the Oxford Core Strategy 2026 and Oxford Local Plan 2001-2016 are considered up-to-date development plans.

Conclusion:

37. The proposal is considered to be acceptable in terms of the relevant policies of the Oxford Core Strategy 2026, Oxford Local Plan 2001-2016, and emerging Sites and Housing Plan.

Human Rights Act 1998

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions. Officers have considered the potential interference with the rights of the owners/occupiers of surrounding properties under Article 8 and/or Article 1 of the First Protocol of the Act and consider that it is proportionate.

Officers have also considered the interference with the human rights of the applicant under Article 8 and/or Article 1 of the First Protocol caused by imposing conditions. Officers consider that the conditions are necessary to protect the rights and freedoms of others and to control the use of property in accordance with the general interest. The interference is therefore justifiable and proportionate.

Section 17 of the Crime and Disorder Act 1998

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 permission, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Contact Officer: Andrew Murdoch

Extension: 2228

Date: 14th August 2012