

## West Area Planning Committee

25<sup>th</sup> May 2016

### Application Numbers: 16/00563/CT3 and 15/02791/LBC

**Application No:** 16/00563/CT3;

**Decision Due by:** 25.04.2016; Agreed Extension till 01.06.2016;

**Proposal:** Removal of existing external rear staircase and construction of external rear steel staircase. (Amended description);

**Site Address:** 6-8 Ship Street, Oxford, OX1 3DA (site plan: Appendix 1);

**Ward:** Carfax Ward;

**Agent:** Ms. Katharine Gould

**Applicant:** Oxford City Council

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### Recommendation:

The West Area Planning Committee is recommended to resolve to grant planning permission subject to conditions for the following reasons:

#### 1. Reasons for Approval:

- 1.1. The proposal would preserve and enhance the character of the Conservation Area and respect the setting of the Listed Building in accordance with policies 'CP1, CP8, HE3, HE7' of Oxford City Council's '*Local Plan*' 2005; and 'Policy C18' of Oxford City Council's '*Core Strategy*' 2011;
- 1.2. 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.

#### 2. Conditions:

Subject to the following conditions, which have been imposed for the reasons stated:-

1. Development begun within time limit;
2. Develop in accordance with approved plans;
3. Development in accordance with specified materials;



#### 4. **Conditions:**

Subject to the following conditions, which have been imposed for the reasons stated:-

1. Commencement of works LB/CAC consent;
2. LBC approved plans;
3. Staircase details;
4. Window details;
5. Details of surfacing;
6. Making good damage and samples;
7. Internal and external features;

#### 5. **Principle Policies;**

5.1. This application has been assessed against the following policies:

##### National

National Planning Policy framework 2012 (paragraphs 63, 129, 132 and 134, 186-187, 196-197, 203-206);

National Planning Policy Guidance (paragraphs 013, 015, 019 and 020);

##### Oxford City Council's 'Local Plan' 2005 (as amended 2013)

CP.1 - Development proposals;

CP.8 - Design development to relate to its context;

CP10 - Siting Development to Meet Functional Needs;

CP.13 - Accessibility;

HE3 - Listed Buildings and their Settings;

HE4 - Archaeological Remains Within Listed Buildings

HE7 - Conservation Areas;

##### Oxford City Council's 'Core Strategy' 2011

CS18 - Urban design, townscape character and the historic environment;

##### Oxford City Council's 'Sites and Housing Plan' 2013

MP1 - Model policy;

HP9 - Design, character and context;

##### Oxford City Council's Supplementary Planning Documents

High Quality Design 2015;

##### Other Planning Documents

Historic Environment Good Practice Advice in Planning: 2;

5.2. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan and relevant supplementary documents unless material considerations indicate otherwise.

## **6. Relevant Site History**

6.1. A planning history search exercise has been carried out, applications that are considered of material relevance with this submission have been summarised below:

- 93/00974/L - 6-8 Ship Street - Listed Building consent for alterations and refurbishment. PER 27th October 1993.
- 13/01069/LBC - Internal alterations associated with refurbishment of kitchen and sanitation facilities involving, new partitions, ventilation and removal of existing door and insertion of new doors. PER 26th June 2013.
- 13/01069/CND - Details submitted in compliance with condition 3 of Listed Building Consent 13/01069/LBC. PDE.

## **7. Comment;**

7.1. None;

## **8. Consultation**

8.1. Oxford County Council Highway Department, no comment.

## **9. Site Description and Surrounding Area**

9.1. In terms of its local context, the application site falls within the Central Conservation Area.

9.2. In terms of its immediate context, No's 6 and 8 Ship Street are both 17th century buildings which were remodelled in the 18th century. The buildings are grade II listed situated on one of the oldest streets in the Central Conservation Area. The buildings are in the ownership of Oxford City Council with the ground floor and basement occupied by Hero's Café.

9.3. The city wall runs along the backs of the properties, built into the rear north elevations. At present, there is an existing external stair on the rear elevation constructed from a mixture of timber, brickwork and concrete, which is adjacent to a small outbuilding housing toilet facilities for the café. The rear areas of the buildings can be accessed from a narrow passageway off of Broad Street and through an area known as Boxall Yard.

## **10. Proposed Development**

10.1. Planning permission and listed building consent is sought for the removal of the existing rear external stair and its replacement with a metal stair,

orientated so that it would be positioned on the eastern side of the rear elevation of No.6 rather than the west.

10.2. Listed building consent is also sought for changes to the external door and rear windows comprising alterations to the door so that it opens outwards and the re-glazing of the two ground floor windows to meet fire regulations. Internally, the addition of a structural support post is proposed within the basement area, to replace the current temporary arrangement.

## **11. Main Issues**

11.1. Officers consider that the determining issues with regards to the proposal are as follows;

- Impact on a Grade II Listed Building;
- Impact on the Central Conservation Area;
- Access arrangements;

## **12. Principle of Development;**

12.1. In terms of national policy, paragraph 63 from the '*National Planning Policy Framework*' 2012, in part states:

*"In determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area".*

Paragraph 132 from the document then goes onto state:

*"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. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification".*

In local policy terms, 'Policy CP1' on from '*Oxford City Council's Local Plan*' 2005 in part states that Planning permission will only be granted for development which:

- a) *shows a high standard of design, including landscape treatment, that respects the character and appearance of the area; and*
- b) *uses materials of a quality appropriate to the nature of the development, the site and its surroundings;*

### **13. External Stair:**

- 13.1. The removal of the existing rear external stair would be welcomed as it appears a fairly ad hoc addition which detracts from the character and appearance of the listed buildings and conservation area. The proposal to replace it with a metal stair, albeit in a slightly different position, is considered acceptable in principle subject to the approval of large scale drawings showing its detailed design and appearance to ensure that it is of a high quality and elegant design sympathetic to the character and appearance of the listed building.
- 13.2. The Council's Archaeologist has been consulted due to the fact that the city wall runs along the rear of the buildings on the north side of Ship Street. The scheme is considered to unlikely to have any significant archaeological implications and as such no concerns have been raised. As the removal of the existing stair would require repair works to the rear elevation and the proposed replacement of the external stair would require fixings to the rear elevation of the building into what was formerly the city wall, it is considered necessary to condition that any necessary making good works are carried out using appropriate materials and methods (i.e. lime mortar and stone to match existing) to ensure that the significance of the building remains unharmed.
- 13.3. As well as a landing / raised platform area at the top of the proposed external stair, an additional landing would be situated half way up the stair. Due to the small size of the landing areas and their situation on a staircase, these would not be spaces where people would sit or spend prolonged amounts of time. Therefore, there would be no adverse impact to the amenity of neighbouring properties. The proposed staircase would provide a safe and secure escape route and means of access to the toilet facilities for the café business.

### **14. Windows:**

- 14.1. The window to the east in the rear elevation is of no importance to the special interest of the building and, therefore, to replace the glazing with glass that conforms to fire regulations would be acceptable. The sash window to the west is of traditional construction and appearance, but does not contain crown/historic glass and, therefore, the principle of replacing the glazing is considered acceptable subject to any replacement glass being of a suitable appearance and thickness enabling it to be installed without impacting the frame and so as not to harm the character and appearance of the window and the building. Conditions should be applied to this effect.

### **15. Basement Support:**

- 15.1. The proposed installation of a structural support in the basement is considered a necessary intervention that would not harm the significance of the building.

## **16. Sustainability:**

16.1. The proposal continues to make use of historic buildings stock.

## **17. Conclusion**

17.1. The proposed staircase is considered an appropriate development, which subject to conditions, would comply with the NPPF and local planning policies CP1, CP8, CP13, HE3 and HE7 of the Local Plan and CS18 of the Oxford Core Strategy. The proposed works are considered justified interventions which, subject to conditions, would not harm the character, appearance or significance of the listed building. The application would comply with section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, paragraphs 132 and 134 of the NPPF and planning policies CP1, HE3 and HE4 of the Oxford City Council's '*Local Plan*' and CS18 of the Oxford City Council's '*Core Strategy*'.

## **18. Recommendation**

Application be approved subject to conditions;

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

**Background Papers:** 15/02791/LBC and 16/00563/CT3

**Contact Officer:** Miss. Amy Ridding

**Date:** 9<sup>th</sup> May 2016

**Appendix 1 – Site Plan: 16/00563/CT3 - 6-8 Ship Street, Oxford, OX1 3DA;**

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