

West Area Planning Committee

11th April 2017

Application Number: 16/03318/FUL

Decision Due by: 13th March 2017

Proposal: Demolition of part of Combe House and Galilee rooms. Erection of single storey extensions to north, south and west elevations and formation of dormer windows. Conversion of Galilee rooms to Nursery (Use Class D1). Formation of mezzanine floor. Alterations to existing windows. Provision of covered area to North elevation. Erection of glazed light at first floor level. Provision of pathway to provide access to nursery and construction of playground and boundary wall within churchyard. Installation of external lighting.

Site Address: John Coombes House 28 St Thomas Street Oxford OX1 1JL

Ward: Carfax Ward

Agent: Robert Montgomery

Applicant: Rev'd Jonathan Beswick

The application is before the committee because it was called in by Councillors Pressel, Hollingsworth, Fry and Lygo on the grounds of the impact on the listed building.

Recommendation:

West Area Planning Committee is recommended to grant planning permission for the following reasons:

- 1 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

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples
- 4 Tree Protection Plan (TPP) 1
- 5 Arboricultural Method Statement (AMS) 1
- 6 Japanese knotweed

- 7 Biodiversity enhancement
- 8 Archaeology
- 9 Contaminated Land 1
- 10 Contaminated Land 2
- 11 Contaminated Land 3

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
- CP10** - Siting Development to Meet Functional Needs
- CP11** – Landscape Design
- CP21** - Noise
- CP22** - Contaminated Land
- ED1** - Nursery/Children’s Facilities in Non Residential Buildings & Purpose Built Buildings
- HE2** - Archaeology
- HE3** - Listed Buildings and Their Setting
- NE15** - Loss of Trees and Hedgerows
- NE21** - Species Protection
- TR3** - Car Parking Standards
- TR4** - Pedestrian & Cycle Facilities

Core Strategy

- CS5_** - West End
- CS12_** - Biodiversity
- CS16_** - Access to education
- CS18_** - Urban design, town character, historic environment

Sites and Housing Plan

- MP1** - Model Policy

Other Material Considerations:

National Planning Policy Framework
The development is affecting a Grade II Listed Building.
Planning Practice Guidance

Relevant Site History:

66/18145/A_H - Re-roofing using cotswold grey concrete tiles to replace the stonefield slates.. PER 22nd November 1966.

72/25573/A_H - Alterations to form offices. PDV 14th March 1972.

No specific history on the Galilee Rooms

Representations Received:

No third party comments received.

Statutory and Non-Statutory Consultees:

Environment Agency Thames Region – no comments received.

Highways – no objection due to relocation of existing nursery, sustainable location and provision of cycle parking.

North Hinksey Parish Council – no comments received.

Officers Assessment:

Site and proposal

1. John Coombes House and the Galilee Rooms sit within the churchyard of St Thomas the Martyr Church. The church and John Coombes House are both Grade II listed and subject to individual listings. The Galilee Rooms are attached to John Coombes House and considered to be listed in association with this building.

Principle of development

2. Whilst John Coombes House is currently in use associated with the church providing residential accommodation, the adjoining Galilee rooms have been vacant for a considerable amount of time. The last known use appears to have been an educational use. It is therefore considered the proposed nursery within Use Class D1 does not represent a change of use of the site. The proposal incorporates works and extensions to the Galilee Rooms which will enable a listed building to be brought back into a use which reflects its original purpose and rehouse an existing nursery from 40 St Thomas' Street which is of a poor construction (though there is no extant planning permission relating to the redevelopment of that site).
3. In relation to this application, officers recommend that in principle the proposal is acceptable.
4. Officers recommend that the main issues to be considered in the determination of the application are:
 - Principle of development
 - Design/Impact on Grade II Listed Buildings
 - Amenity
 - Highways/parking
 - Contaminated Land
 - Archaeology
 - Arboriculture

Design/Impact on Grade II Listed Buildings

5. The proposed extension and dormers are considered modest additions to the listed building which enable the building to be an adequate size to enable the building to be brought back into use as a viable nursery. The use of natural slate instead of terne coated steel has been explored, however it is not considered acceptable as clips would be required. The proposed terne coated steel will have lead rolls to imitate lead work. It is proposed to take down and relocate the existing boundary wall facing the churchyard and provide a pedestrian access through the churchyard and provide a larger playground for the nursery. This is considered acceptable and will not have a detrimental impact on the setting of the adjoining Grade II listed buildings.
6. A more detailed assessment of the impact on the listed building has been carried out under the parallel listed building consent, 16/03319/LBC.
7. The proposal is therefore considered to comply with policies CP1, CP6, CP8 and HE3 of the Local Plan and CS18 of the Core Strategy.

Amenity

8. The proposed nursery is to be relocated from an existing adjacent site. It is therefore considered that the impact on residential properties in the area will be a similar impact. The main outdoor amenity space is sheltered by the existing buildings and faces on the churchyard away from neighbouring residential properties.
9. A window is proposed to the south elevation at first floor/roof level. This will face towards residential properties to the south of the site (Rowland Hill Court). This window faces onto a communal parking area which is overlooked by many flats and is not considered to face directly into windows of neighbouring properties.
10. The proposal is therefore considered to comply with policies CP10 and CP21 of the Local Plan.

Highways/parking

11. The County Council Highways Department note that proposed the change of use to a nursery (D1 use) is intended in order to replace and relocate the current nursery at No. 40 St Thomas Street. The traffic impact of the proposed change of use is therefore likely to be similar to that of the existing nursery. It is also noted that the site is in a highly accessible location within the Transport Central Area of Oxford in which there are excellent opportunities for sustainable travel to the site and that cycle parking for up to 12 bicycles is provided. The County Council therefore does not object to the application.
12. The proposed parking is unaltered from that of the existing nursery at 40 St

Thomas Street. This parking is for staff only. It is anticipated that due to the sustainable location, most people will access the site on foot or by public transport.

Contaminated Land

13. The proposed development involves the creation of a nursery and associated playground, which is located in a church grave yard. As grave yards can have associated contamination, this site has been identified for further review upon redevelopment, in accordance with Oxford City Council's Land Quality Strategy. Based on the introduction of sensitive receptors to a potentially contaminated site, it is recommended that conditions are placed on any planning permission. The proposed development involves the creation of a nursery and associated playground, which is located in a church grave yard. As grave yards can have associated contamination, this site has been identified for further review upon redevelopment, in accordance with Oxford City Council's Land Quality Strategy. Based on the introduction of sensitive receptors to a potentially contaminated site, it is recommended that conditions are placed on the planning permission for a phased risk assessment, remedial works and a watching brief.

Archaeology

14. This application is of archaeological interest because it involves ground works within a plot associated with the cemetery of the medieval church of St Thomas the Martyr and is located within this historic core of the 12th century suburb of St Thomas. The development site is located on the historic route of Church St along which settlement may have extended following the foundation of nearby Osney Abbey in the 12th century before contracting after the Abbey's demise. In 1702 John Coombes House was established on the plot apparently annexed from the church yard, as a charity school for the education of poor boys. The building is Grade II listed and has been subject to a report by the Oxfordshire Buildings Record published in the journal *Oxoniensia*.
15. A test pit evaluation has been undertaken at this site by John Moore Heritage and an interim report submitted. A test pit to the rear of the existing western extension revealed heavy disturbance at shallow depth from soakaways and other utilities. The test pit could not be completed because of these obstructions and there remains some potential for archaeological remains to be present within the proposed extension footprint in this area. Within the rear garden of John Coombes house a test pit was excavated to 2.30m and demonstrated that the top 1.6m had been disturbed by post-medieval activity. Large limestone blocks, clay pipe, pottery and animal bone were recovered from these post-medieval layers. The base of the pit excavated through 0.15m of a natural clay alluvium which was overlain by 0.34m of two medieval made ground deposits containing occasional pottery sherds of Brill/Boarsall Ware AD1200 – 1600. A third test pit was abandoned because of physical site constraints and two further shallow geotechnical pits did not reveal significant archaeology.

16. No trace of burial soil, grave cuts, or charnel was recovered from any of the test pits which suggests that either any burials on the 1702 plot were removed from this area prior to the construction of John Coombes House or that this street frontage area was not used for burials.
17. In this case, bearing in mind the results of the field evaluation, it is requested that, in line with the advice in the National Planning Policy Framework, any permission granted for this proposal is subject to an archaeological condition requesting a programme of archaeological work as the development may have a damaging effect on known or suspected elements of the historic environment of the people of Oxford and their visitors, including medieval and post-medieval remains (Local Plan Policy HE2).

Arboriculture

18. The proposals require the removal of a small Irish yew tree which is a regrettable, but will not have a significant detrimental effect on amenity in the area; Oxford Local Plan policies CP1, CP11 and NE15.
19. If planning permission is granted care will need to be taken to protect retained trees, and an Arboricultural Method Statement will be required for excavations for a ramped footpath where it encroaches within the Root Protection Area of the multi-stemmed holly tree. Therefore conditions are recommended requesting a tree protection plan and an arboricultural method statement.

Conclusion:

20. Officers recommend that the application is approved.

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

Background Papers:

16/03318/FUL

16/03319/LBC

Contact Officer: Sarah Orchard

Date: 28th March 2017

This page is intentionally left blank