

WEST AREA PLANNING COMMITTEE

Application Number: 17/03182/CT3

Decision Due by: 25th January 2018

Extension of Time: 5th March 2018

Proposal: Demolition of existing stall. Replacement with new stall subdivided to create 3No. smaller market stall units. (Amended description)

Site Address: 18-19 Covered Market, Market Street, Oxford, Oxfordshire

Ward: Carfax Ward

Case Officer: Tobias Fett

Agent: N/A **Applicant:** Mrs Julia Castle

Reason at Committee: Oxford City Council are the applicant

1. RECOMMENDATION

1.1. West Area Planning Committee is recommended to:

(a) Approve the application for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and grant planning permission subject to:

(b) Agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:

1. Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary;

2. EXECUTIVE SUMMARY

2.1. This report considers proposed works to the shopfront of a stall within the grade II listed Covered Market. One larger vacant unit is to be replaced by three small units.

2.2. The removal of the existing market stall would not result in harm to the special architectural or historic interest of the Covered Market.

2.3. The proposed replacement market stall is considered to be a well thought-out, sympathetic and successful modern addition that would better reveal and

6. PROPOSAL

- 6.1. The application proposes to make changes to the layout of the current market stall by removing the existing stall and replacing it with three smaller units. The new market stall would be constructed from a steel frame with a timber plinth and fascia. The stall units are designed with fully glazed entrance doors adjacent to an open serving counter, and would be subdivided by glazed screens.

7. RELEVANT PLANNING HISTORY

- 7.1. The table below sets out the relevant planning history for the application site:

17/03182/LBC - Demolition of existing stall. Replacement with new stall subdivided to create 3No. smaller market stall units. (Amended description). PDE .

8. RELEVANT PLANNING POLICY

- 8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework (NPPF)	Local Plan	Core Strategy	Sites and Housing Plan	Other Planning Documents
Design	7	CP8, CP10, RC13,	CS18_		
Conservation/ Heritage	12, 132-134	HE3, HE7, HE4,			
Commercial	1, 2	RC7,			
Misc	5	CP.13, CP.24, CP.25		MP1	Telecommunications SPD, External Wall Insulation TAN,

9. CONSULTATION RESPONSES

- 9.1. Site notices were displayed around the application site on 8th December 2017 and an advertisement was published in The Oxford Times newspaper on 21st December 2017.

Statutory and Non-Statutory Consultees

Historic England

- 9.2. 'On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation adviser.'

Public representations

- 9.3. No local residents commented on this application.

10. PLANNING MATERIAL CONSIDERATIONS

- 10.1. Officers consider the determining issues to be:

- i. Design & Heritage;
- ii. Retail & Use.

i. Design and Heritage

- 10.2. The existing market stall structure which dates from the mid-late 20th century is not of any special architectural or historic interest, rather it is considered to detract from the Covered Market's significance by reason of its poor design quality, oversized fascia and the fact it obscures and detracts from the original structure of the market, the iron columns and the roof structure above. Therefore, there is no objection to its removal.
- 10.3. As outlined above, this area of the market has seen a substantial amount of change throughout its history in terms of the way it has been utilised and the layouts used, from an open trading area in the 18th and 19th centuries to the being occupied by market stalls and shop units by the late 20th century. As such, there is considered to be a degree of flexibility in terms of the layout of this area of the market and the proposal to replace the existing unit with three smaller units would not result in a change that would harm the significance of the market place and thus is not objected to in principle.
- 10.4. What is considered significant about this area of the market (although not solely limited to this area) is its use as an area to sell fresh food products. It is considered that this has been taken into account in the development of the proposed scheme and through its design will ensure that the smaller units remain suitable for the selling of fresh produce whilst balancing the retail need of the market being able to offer a diverse range of units suitable for smaller / start-up independent businesses. Furthermore, the design is such that it would allow for flexibility in terms of changing the size of the units in the future.
- 10.5. The proposed replacement stall units have been designed to maintain the character of an open market stall, as opposed to an enclosed shop unit, with an open serving counter and extensive use of glazing to ensure visibility through

and between units. The replacement stall is considered to be an appropriate simple and elegant design, with the use of timber plinths and fascias ensuring it would be in keeping with the character and appearance of the market.

- 10.6. The stall has been designed to maximise views of the original roof structure above and the iron columns to the back, therefore better revealing the significant original architectural features of the market. The parapeted roof design would enable a shutter mechanism to be sensitively concealed and integrated into the shopfront, as well as acting as a form of screening for any necessary plant and equipment which may in the future be sited on the flat roof. Also incorporated into the shopfront design are sensitively sited and sized ambient lighting fixtures.
- 10.7. It is considered necessary and reasonable to apply a number of conditions relating to the approval of any necessary repair and refurbishment works to the iron columns and further large scale design details of the market stall to ensure that the quality of development is of an appropriate high quality. Subject to these conditions the development would not have a harmful impact on the Listed Building and meets the requirements of Policy HE3 of the Oxford Local Plan 2001-2016 and Paragraphs 132-134 of the NPPF.
- 10.8. The proposed development would not have a detrimental impact on the streetscene or have a harmful impact on the Central Conservation Area and as a result of its carefully considered design in a sensitive historic context it would be acceptable in terms of Policies CP1, CP8 and HE7 of the Oxford Local Plan, Policy CS18 of the Core Strategy (2011) and Paragraphs 132-134 of the NPPF.

ii. Retail & Use

- 10.9. The existing and proposed use is A1 retail. The subdivision of the retail unit is acceptable, and is not contrary to local or national policies due to providing additional A1 units.
- 10.10. The sub division will provide more opportunity for retail and allow the Covered Market to offer more diverse sized units. As a result, the proposal is in accordance with local policy RC7 of the Local Plan.
- 10.11. The applicant has confirmed that the proposed use is for A1 food related retail.
- 10.12. Any change in use will require further applications due to the limited scope to meet appropriate food and hygiene equipment and ventilation requirements, which are therefore not considered in detail at this occasion.

11. CONCLUSION

- 11.1. The proposed alterations to the retail unit to form three small new market stalls meet local and national planning policy and the design and use are considered to be acceptable in design and heritage terms. The development would not have a harmful impact on any designated heritage assets and would therefore meet the

requirements of Paragraphs 132-134 of the NPPF.

- 11.2. It is recommended that the Committee resolve to grant planning permission for the development subject to the conditions set out below.

12. CONDITIONS

- 1 The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

- 2 The development permitted shall be constructed in complete accordance with the specifications in the application and approved plans listed below, unless otherwise agreed in writing by the local planning authority.

Reason: To avoid doubt and to ensure an acceptable development as indicated on the submitted drawings in accordance with policy CP1 of the Oxford Local Plan 2001-2016.

- 3 All original architectural features exposed by demolition and/or during the progress of the works shall be preserved in situ or relocated in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority.

Reason: To ensure the preservation of valuable features of historic interest which might otherwise be lost during the proposed works, in accordance with policies CP1 and HE3 of the Adopted Oxford Local Plan 2001-2016 and policy CS18 of the Oxford Core Strategy 2026.

- 4 Following the removal of the existing boxing surrounding the cast iron columns, details of any proposed repair and refurbishment works, in the form of a method statement and schedule of works, shall be submitted to and approved in writing by the Local Planning Authority before the start of the relevant works. The works shall only be carried out in accordance with the approved details.

Reason: To ensure the appropriate conservation of the listed building, in accordance with its special architectural and historic interest and with policies CP1 and HE3 of the Adopted Oxford Local Plan 2001-2016 and policy CS18 of the Oxford Core Strategy 2026.

- 5 The following details, shall be submitted to, and approved in writing by, the Local Planning Authority before the relevant parts are installed and the works shall be carried out in accordance with the approved details only:

- a) Large scale drawn details, including horizontal and vertical sections and finish details, of the shop units,
- b) Details showing siting, size, design and finished appearance of the proposed shutters,
- c) Details showing siting, size, luminance levels, design and finished appearance of the proposed lighting fixtures
- d) Details showing design and finished appearance of the proposed treatment for the internal rear wall and door finishes.

Reason: To ensure a sympathetic appearance for the new work and in the interest of the special character of the listed building, in accordance with policies CP1 and HE3 of the Adopted Oxford Local Plan 2001-2016 and policy CS18 of the Oxford Core Strategy 2026.

- 6 The internal subdividing glazed partitions and glazed entrance doors shall remain clear glazed and not have the visibility through restricted, by the display of advertisements or posters for example. If some form of manifestation is required to make the glazing apparent in accordance with Building Regulation Part K, details shall be submitted to, and approved in writing by, the Local Planning Authority before the relevant parts are installed and the works shall be carried out in accordance with the approved details only.

Reason: To maintain the open character and design of the market stall, to ensure a sympathetic appearance for the new work in the interest of the special character of the listed building, in accordance with policies CP1 and HE3 of the Adopted Oxford Local Plan 2001-2016 and policy CS18 of the Oxford Core Strategy 2026.

13. APPENDICES

Appendix 1 – Site Location Plan

14. HUMAN RIGHTS ACT 1998

- 14.1. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to approve this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection of the rights and freedom of others or the control of his/her property in this way is in accordance with the general interest.

15. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

- 15.1. 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.

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