

## WEST AREA PLANNING COMMITTEE

**Application Number:** 17/03182/LBC

**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:** Amy Ridding

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

**Reason at Committee:** Oxford City Council are the applicant

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### 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.**

**(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 grade II listed Covered Market. The works include the replacement of the existing market stall with a new stall of the same footprint, but subdivided into three small units. The removal of the existing market stall would not result in harm to the special architectural or historic interest of the Covered Market. The proposed replacement market stall is considered to be a well thought-out, sympathetic and successful modern addition that would better reveal and enhance the architectural significance of the Covered Market.

2.2. The key matters for assessment set out in this report include the following:

- Impact on the special architectural and historic interest of the grade II listed building.

### **3. LEGAL AGREEMENT**

3.1. This application is not subject to a legal agreement.

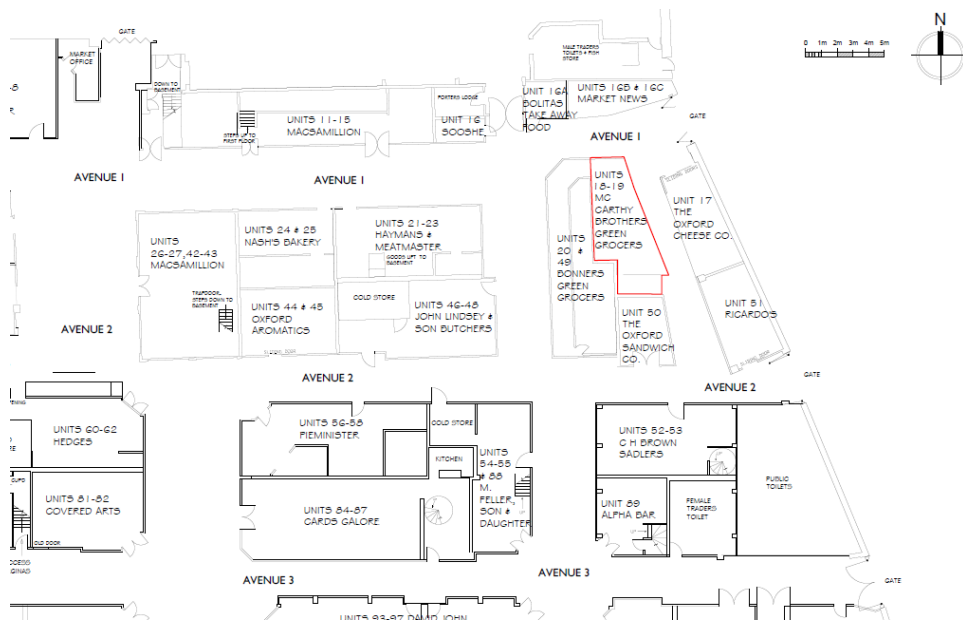
### **4. COMMUNITY INFRASTRUCTURE LEVY (CIL)**

4.1. The proposal is not liable for CIL.

### **5. SITE AND SURROUNDINGS**

- 5.1. The site is located within the Covered Market, a grade II listed building sited in Oxford's Central Conservation Area. Units 18-19 are situated at the northern end of Avenue 1, close to the Market Street entrance. The heritage significance of the Covered Market is detailed in the Council's Heritage Assessment of the building (June 2013), of which its grid pattern and long avenues, the existence of original and historic parts of market stalls (i.e. shopfronts, fascias, piers etc), its roof structure and original construction, and the visual delight in the external displays of stall produce all contribute to.
- 5.2. Units 18-19 are one of a collection of three stalls sited in the north west corner of the market in between Avenues 1 and 2, and unlike the rest of the markets shop units, do not follow the grid pattern relating to the roof structure. The north west corner of the market has the earliest surviving roof structure, dating to 1838, which is constructed of cast iron and made up of a series of trusses and tie beams held together with tie rods set on pyramidal capped brick rendered columns. Enclosed within the existing market stall of units 18-19 are the original cast iron columns, which are boxed in and surrounded by, what is suspected to be, a mid-late 20<sup>th</sup> century construction.
- 5.3. Historically the northern end of the market had an open plan arrangement which has been gradually eroded over time. By 1979 Avenues 3 and 4 had been extended with shop units towards Market Street, two units were constructed against the northern wall (Oxford Cheese Co. and Ricardos) and the size of units 18-19 curtailed.

## 5.4. Site Location Plan



## 6. PROPOSAL

- 6.1. Listed building consent is sought for the demolition of the existing market stall and its replacement with a market stall of the same footprint, albeit subdivided into three individual 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. The existing boxings enclosing the original cast iron columns which are sited towards the rear of the market stall would be removed and the columns left exposed within the new stall units.

## 7. RELEVANT PLANNING HISTORY

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

<p>17/03182/CT3 - Demolition of existing stall. Replacement with new stall subdivided to create 3No. smaller market stall units. (Amended description). PCO.</p>
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## 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			
Conservation/ Heritage	12	HE3, HE4	CS18		
Commercial	1, 2	RC13, RC15			

## 9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 20th 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 public representations have been received.

## 10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- i. Impact on the special architectural and historic interest of the grade II listed building, with the principle of development and design being the main considerations.

i. **Impact on the special architectural and historic interest of the grade II listed building.**

Principle of development

- 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 18<sup>th</sup> and 19<sup>th</sup> centuries to the being occupied by market stalls and shop units by the late 20<sup>th</sup> 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.

Design

- 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.

## **11. CONCLUSION**

- 11.1. The proposed replacement market stall is considered to be a well thought-out sympathetic and successful modern addition that would better reveal and enhance the architectural significance of the Covered Market. Subject to conditions, the proposed scheme would not cause harm to the special architectural or historic significance of the Covered Market and would comply with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, paragraphs 131 and 132 of the NPPF, policies CP1, CP8, HE3, RC13 and RC15 of the Oxford Local Plan 2001-2016, and policy CS18 of the Oxford Core Strategy.
- 11.2. It is recommended that the Committee resolve to grant listed building consent for the development proposed.

## **12. CONDITIONS**

- 1 The works permitted shall be begun not later than the expiration of three years from the date of this consent.

Reason: In accordance with Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 in accordance with policies CP1 and HE3 of the Adopted Oxford Local Plan 2001-2016 and policy CS18 of the Oxford Core Strategy 2026.

- 2 Unless specifically excluded by subsequent conditions the works permitted shall be carried out strictly in accordance with the terms of, and subject to, the conditions attached to this consent and in compliance with the details specified in the application and the submitted/amended plans listed in this decision notice.

Reason: As Listed Building Consent has been granted only in respect of the application as approved, to ensure that the development takes the form envisaged by the Local Planning Authority when determining the application in accordance with policies CP1 and HE3 of the Adopted Oxford Local Plan 2001-2016 and policy CS18 of the Oxford Core Strategy 2026.

- 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 approve listed building consent, officers consider that the proposal will not undermine crime prevention or the promotion of community.