

West Area Planning Committee

24th June 2014

Application Numbers: 14/01212/CT3 &
14/01213/CT3

Decision Due by: 11th July 2014

Proposal: 14/01212/CT3: Removal of flat roofs and erection of roofs with roof lights. Replacement of plastic cladding with grilles, new pentice roof at Avenue 2 and other works.

Proposal: 14/01213/CT3: Listed Building Consent for removal of flat roofs and erection of roofs with roof lights. Replacement of plastic cladding with grilles, new pentice roof at Avenue 2 and other works.

Agent: Mr Andrew Coles

Applicant: Oxford City Council

Recommendations:

(i) 14/1212/CT3: Grant Planning permission

(ii) 14/1213/CT3: Raise no objection

For the following reasons:

- 1 The City Council has given considerable weight and importance to the desirability of preserving or enhancing the designated heritage asset. It considers that any harm that would result from the proposed development and works to the listed building is justified by the public benefits that would result and that the proposal is considered to comply with adopted policies contained within the adopted Oxford Local Plan, the adopted Oxford Core Strategy, the adopted Sites and Housing Plan and National Planning Policy and Guidance.
- 2 The Council 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.

Subject to and including conditions below:

14/1212/CT3:

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples in Conservation Area
- 4 Archaeology: Implementation of programme

14/1213/CT3:

- 1 Commencement of works LB/CAC consent
- 2 LB consent - works as approved only
- 3 7 days' notice to LPA
- 4 LB notice of completion
- 5 Further works - fabric of LB - fire regulations
- 6 Repair of damage after works
- 7 Materials - samples

Main Local Plan Policies:

Oxford Local Plan 2001-2016

CP1 - Development Proposals

CP8 - Design Development to Relate to its Context

CP10 - Siting Development to Meet Functional Needs

HE2 - Archaeology

HE3 - Listed Buildings and Their Setting

HE5 - Fire Safety in Listed Buildings

HE7 - Conservation Areas

Core Strategy

CS18_ - Urban design, town character, historic environment

Other Material Considerations:

- National Planning Policy Framework
- Planning Policy Guidance
- The application site falls within the Central Conservation Area.
- The development affects a Grade II Listed Building.

Relevant Site History:

13/03226/CT3: Alterations involving removal of panels and replacement with glazing at units 131-141, Avenue 4. Approved

13/02533/CT3: Listed Building Consent for removal of panels and replacement with glazing at units 131-141, Avenue 4. Approved

Representations Received:

Public consultation period ends on 24th June. At the time of writing no comments have been received. Any comments received will be reported verbally to Committee.

Statutory Consultees:

English Heritage Commission: No comments have been received at the time of writing.

Sustainability:

Helps continued use of Listed Building in its original use and provides roof lights that would increase natural light, thus reducing the need for artificial lighting.

Determining Issues:

- Impact on the Listed Building and Conservation Area;
- Impact on potential archaeology.

Site Description and Background:

1. The Covered Market was originally built from 1772-4 to designs of John Gwynn, who designed Magdalen Bridge. The market was a fresh produce market, to replace market stalls previously set in the street, to make conditions more hygienic. The market was opened in 1774 and was a success from the start. The new market building was partially funded by the sale of premises fronting the High Street, which were built to designs by John Gwynn. The stone buildings facing the High Street form a grand classical elevation. Most of the market was rebuilt and enlarged in 1834-40 by Thomas Wyatt the younger and later in the 19thC, additional roofs and avenues were built. In the 1880s and 1890s, extensive reconstruction was undertaken.
2. In the second half of the 19thC, the open areas were roofed over, a new avenue built and Gwynn's market was demolished. 11 – 12 High Street were purchased in 1875 and a new avenue was built in 1881 to designs by Frederick Codd and Mr Gardiner. The roofs of the avenues were reconstructed from 1884 onwards, to designs by E G Bruton and the southern section of avenue 3 was reconstructed in 1894. Since then the market building has remained mostly unaltered.
3. Whereas the High Street buildings are faced with ashlar to the front and rear, the market itself is constructed of timber and cast iron framework supporting the high roof structure.
4. The Covered Market has architectural interest for its lofty arcades of several phases of building and its shop fronts that are characteristic of the market's function. It has historic interest as evidence of the evolution of the contemporary sensibilities towards public health and helps understanding of the commercial development of Oxford.
5. The approach to avenue 2 is by a corridor that passes underneath the High Street building, which has shops to the ground floor. The lighting level is rather low. The area subject to the proposal is a transitional one between the High St and market buildings, having a modern slatted timber ceilinged roof with a polycarbonate roof light; there is an un-roofed gap, between that roof and the market building. There is vertical corrugated plastic sheeting over the timber archway leading to the market, which obscures part of the heritage asset and is unsightly.
6. Avenue 3 is similar to avenue 2 and has a low mono-pitch slated roof with slatted ceiling and polycarbonate roof light to the main market. A lean-to roof obscures the arch-headed opening to the market building itself and above this is a historic pentice roof with modern corrugated sheet cladding.
7. There are security and hygiene concerns arising from un-roofed areas. The modern roofs and plastic sheeting are now in need of replacement and detract

from the significance and attractiveness of the heritage assets.

Proposed Development:

8. These comprise the following works. To avenue 2, the existing roof would be replaced with a new, larger flat roof structure with a central hipped glass roof light with perimeter gutter; reinstatement of a mono-pitched slated roof, with toughened glass to the void. The plastic sheeting would be replaced with a grille to the arch-headed opening. The pentice roof would be reinstated, using the one at avenue 3 as the model. There is carpentry evidence that avenue 2 resembled avenue 3 and that a pentice roof was previously present at avenue 2. The new pentice roof would be of timber with curved bracing beams, joists and match-boarding to underside.

9. To avenue 3, the existing roof would be replaced with a new, larger flat roof with central hipped glass roof light and perimeter gutter. Toughened glass would cover the void and a grille would be fixed to the arch-headed opening. The pentice roof would be re-covered with slate. The lighting would be soft fill lighting around the perimeters.

10. There are various services including down pipes, foul drainage runs, guttering and electrical containments which would have to be investigated and incorporated if necessary. Redundant services, cables and pipework, left there over the years, would be removed.

Officer's Assessment:

11. The proposals would result in an improvement with the removal of unsightly modern ceilings, plastic corrugated sheets and other interventions that detract from the attractiveness of the heritage assets. The proposed modern roof design has been designed to maximise the use of natural light and is considered to be a modern intervention that reads differently from the heritage assets.

12. The heritage fabric would be enhanced and the spaces rationalised. The historic pentice roof would be reinstated to avenue 3, based on evidence. The utilitarian structures would be replaced with more attractive structures of higher quality materials including historically correct slate. The areas concerned are not visible from the High Street as they are set back several metres.

13. The removal of redundant services and unsightly clutter would result in an improvement. The down lights would be removed and replaced with LED fittings that would require less frequent change.

14. Security would be improved. Hygiene would be improved as pigeons would no longer be able to enter.

15. Regarding archaeology, the site is of interest because of the potential for Late Saxon, medieval and post-medieval activity in this location. The site lies within the extent of the Late Saxon burh and medieval tenements associated with Pury Hall and University College. Investigations in 2009 during emergency repairs to a sewer in Market Street opposite the application site revealed in-situ street

surfaces of likely medieval date (UAD Event No 1759). The Heritage Statement states that opening up works may be necessary during detailed design to establish structural capability, drainage routes or other service runs in the vicinity. As there may be an archaeological implication, an archaeology condition is recommended.

Impact on the Listed Building and Conservation Area:

16. Local planning authorities have a duty to have special regard to the preservation or enhancement of designated heritage assets, (e.g. listed buildings, conservation areas and archaeology). In the NPPF the government has reaffirmed its commitment to the historic environment and its heritage assets which should be conserved and enjoyed for the quality of life they bring to this and future generations. It states that '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 a heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification', measured in terms of the public benefits to be delivered through the proposal.

17. The NPPF encourages local planning authorities to look for opportunities to better reveal or enhance heritage assets and their settings and states that proposals that do make a positive contribution should be treated favourably.

18. Policy CP1 of the Oxford Local Plan states that planning permission will only be granted for development that shows a high standard of design that respects the character and appearance of the area and uses materials of a quality appropriate to the nature of the development, the site and its surroundings. Policy CP8 and CP10 suggest that the siting, massing and design of any new development should create an appropriate visual relationship with the form, grain, scale, materials and detailing of the surrounding area.

19. Policy HE7 of the Oxford Local Plan states that planning permission will only be granted for development that preserves or enhances the special character and appearance of conservation areas and their settings and policy CS18 of the Core Strategy emphasizes the importance of good urban design that contributes towards the provision of an attractive public realm.

Conclusion:

20. It is considered that the proposal would accord with the special character, setting and features of special architectural or historic interest of the listed building and the special character and appearance of the conservation area, in accordance with the policies of the development plan and with national policy.

Human Rights Act 1998

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission and listed building consent, 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

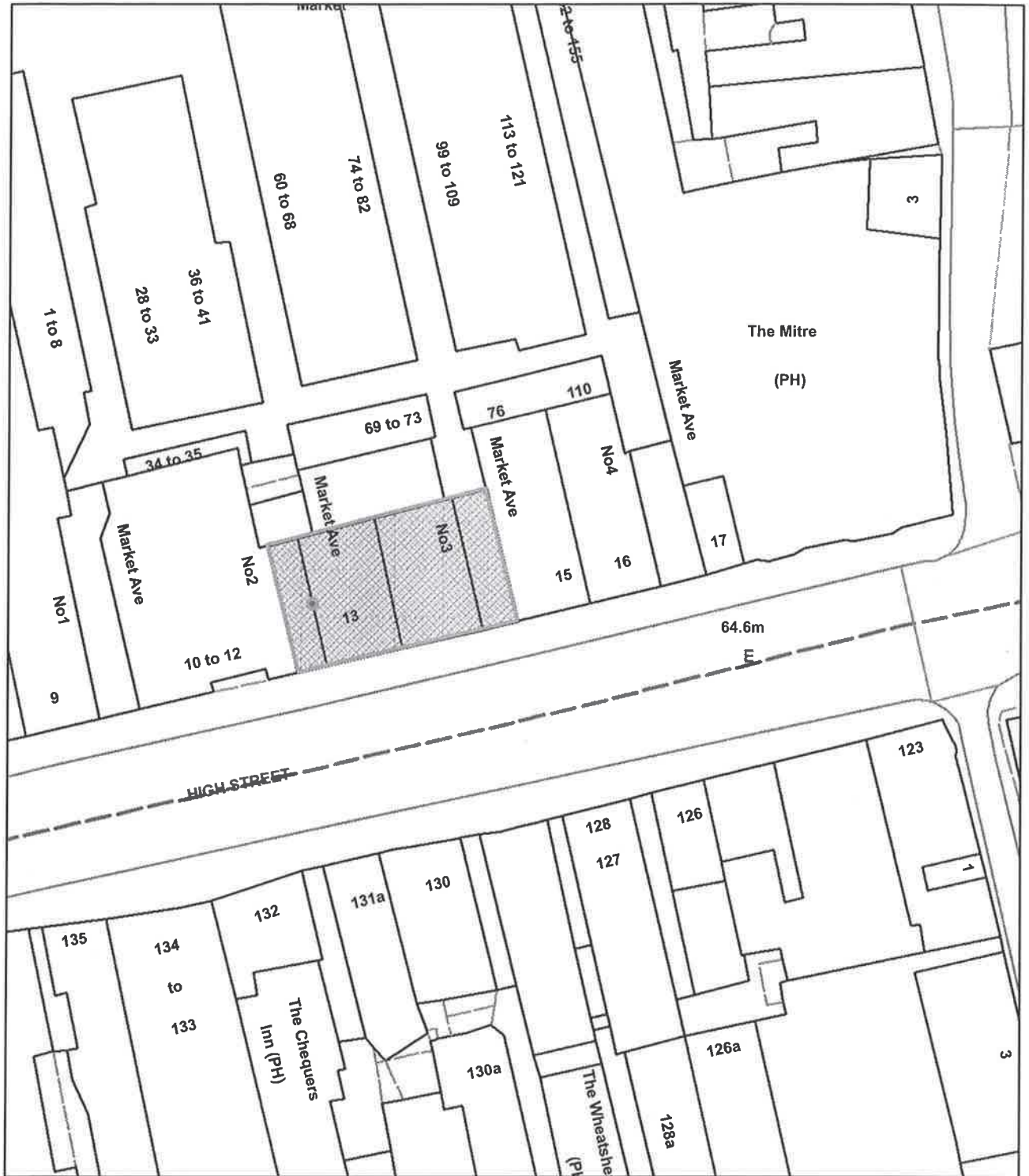
Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to approve, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Background Papers: 14/01212/CT3 & 14/01213/LBC;
PPS5 Practice Guide;
Heritage Assessment of Covered Market, June 2013, Oxford City Council.

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Date: 13th June 2014

Appendix 1

Avenues 2 & 3 Covered Market



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Ordnance Survey 100019348.



Oxford City Council

City Development

Scale: 1:454 (printed to A4)

