

East Area Planning Committee

7th September 2016

Application Number: 16/01373/FUL

Decision Due by: 22nd July 2016

Proposal: Erection of single storey extension to north elevation

Site Address: Holy Trinity Church Trinity Road (**site plan: appendix 1**)

Ward: Quarry And Risinghurst Ward

Agent: Christian Randall

Applicant: Rev Tim Stead

Application Called in –Cllr Wilkinson, supported by Cllrs Wade, Landell Mills and Gantfor the following reasons - concerns regarding surface water drainage, use of materials, proximity to gravestones, absence of any construction access management plan and impact on the Headington Quarry Conservation Area.

Recommendation:

The East Area Planning Committee is recommended to grant planning permission for the following reasons

- 1 The proposed development is acceptable in design terms and would not cause unacceptable levels of harm to the listed buildings or Headington Quarry Conservation Area, ecology, trees or amenity of neighbouring occupiers. The proposal therefore accords with policies CP1, CP6, CP8, CP10, HE3, HE7, NE15 and NE16 of the Oxford Local Plan and CS18 of the Core Strategy.
- 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.
- 3 Officers have considered carefully all objections to these proposals. Officers have come to the view, for the detailed reasons set out in the officers report, that the objections do not amount, individually or cumulatively, to a reason for refusal and that all the issues that have been raised have been adequately addressed and the relevant bodies consulted.

Conditions:

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples on site
- 4 Tree Protection Plan (TPP) 1
- 5 Arboricultural Method Statement (AMS) 1
- 6 Drainage
- 7 Contamination Risk Assessment
- 8 Contamination Remedial Works
- 9 Bats
- 10 Bats – lighting
- 11 Window details

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
- CP22** - Contaminated Land
- HE2** - Archaeology
- HE3** - Listed Buildings and Their Setting
- HE7** - Conservation Areas
- NE15** - Loss of Trees and Hedgerows
- NE16** - Protected Trees
- TR3** - Car Parking Standards

Core Strategy

- CS11_** - Flooding
- CS12_** - Biodiversity
- CS18_** - Urban design, town character, historic environment
- CS20_** - Cultural and community development

Sites and Housing Plan

- MP1** - Model Policy

Other Material Considerations:

National Planning Policy Framework

This application is in or affecting the Headington Quarry Conservation Area. The development is affecting a Grade II Listed Building.

Planning Practice Guidance

Relevant Site History:

58/07500/A_H - Temporary use of site for car sales: Temporary permission

68/19823/A_H - Extension to vestry: Approved

06/02512/FUL - Formation of disabled access ramp. Re-siting of boot scrapers: Approved

12/01594/FUL - Laying out of tarmac drive with resin bonded surface between church yard and Quarry Road: Approved

15/00533/FUL - Erection of single storey extension to north elevation. (Additional Information): Withdrawn

Representations Received:

42no. support comments received – comments relate to improved disabled facilities (35), crèche (29), kitchenette (22), good design (21), additional storage (3) and improved choir robing and clergy facilities (2).

36no. objection comments received – comments relate to disturbance to graves (29), other nearby facilities available (20), drainage, lack of parking and traffic problems (18), impact on wildlife (10), implications of piling and subsidence (8), impact on trees and landscaping (3) sewage and flooding (8), loss of the pews (2), use of materials (2).

1no. general comment from Friends of the Quarry – comments relate to disturbance of the graves, drainage, parking and waste and that more information should be submitted regarding these matters.

Statutory and Internal Consultees:

Highways – no comments received.

Natural England – no objection. No comment in relation to protected species. Refer to local Ecologist Advice.

Headington Action – no comments received.

Headington Community Association – no comments received.

Barton Community Association – no comments received.

Victorian Society – no objection.

Officers Assessment:

Site and proposal:

1. Holy Trinity is a grade II listed church designed by Sir George Gilbert Scott and sits within the Headington Quarry Conservation Area. The church is largely 'as built' although it does benefit from a 20th century flat roof extension which sits relatively well in its context. The church is mostly a single phase building showing the distinctive Scott style and shows a high degree of architectural completeness. This application relates to the erection of a single storey extension to the north elevation and alterations to the roof of the existing vestry.
2. Officers consider that the principle determining issues are as follows
 - Design
 - Impact on the Listed Building/Headington Quarry Conservation Area
 - Residential Amenity
 - Flooding
 - Arboriculture
 - Ecology
 - Contaminated Land
 - Highways/Parking

Principle of development:

3. It is acknowledged that the NPPF supports the development of community facilities including places of worship and help them adapt to meet their future needs. Development, enhancement and improvement in quality of community and cultural facilities are also supported by policy CS20 of the Core Strategy.
4. Whilst there other community facilities including the Coach House on Quarry Road, these are not on site facilities where availability and access can be guaranteed to the church. The proposal seeks to improve immediate on site facilities such as a disabled toilet, childcare facilities and a kitchenette.
5. The proposal does involve disturbance to graves less than 100 years old and a large number of comments have been received objecting on these grounds. Graves less than 100 years old are not considered to be of archaeological interest. This is a matter which therefore needs to be dealt with separately to the planning application and is subject to ecclesiastical law. Faculty permission will be required.

Design/Impact on the Listed Building and Conservation Area:

6. The extension has been design with a pitched roof, window detailing and materials to match the existing church in order not to detract from the setting of the grade II listed building. The extension projects no further than existing vestry extension which was carried out in the 1960s and the proposed rooflights will set discretely on the southern roofslope of the extension and will not be widely visible. Condition are recommended that samples of all

materials are reviewed on site prior to the commencement of development to assess their suitability and quality and large scale details of any new windows are submitted and approved before installation.

7. Since the church benefits from an ecclesiastical exemption, the internal reordering of the church including any removal of pews is not subject to an application for listed building consent from the local authority. Separate permission will need to be obtained from the dioceses.
8. The church and their architect have been involved in lengthy discussions regarding the design of the extension with both the Local Authority and The Victorian Society. During these discussions a number of alterations were negotiated with the scheme. The retention of the original Scott doors to the south elevation were requested to be retained and a large porch projection was omitted to the north elevation of the extension as it was felt that it was more prominent than the main south elevation. The north elevation porch projection was designed to break up the expanse of the extension; however this has now been achieved with a parapet in the expanse of the roof which reflects that found above the north aisle.
9. The proposal is therefore considered to comply with policies CP1, CP6, CP8, HE3 and HE7 of the Local Plan and CS18 of the Core Strategy.

Residential Amenity:

10. Although the churchyard is bordered by neighbouring residential properties, the extension is located a suitable distance away from these properties in order not to cause a detrimental impact in terms of loss of light, overbearing impact or loss of privacy.
11. The modest scale of the extension is considered to enhance the facilities of the church and there is no evidence to suggest that the proposed extension would result in increased activity which would result in a detrimental level of disturbance to the amenities of neighbouring occupiers.
12. The proposal is therefore considered to comply with policy CP10 of the Local Plan.

Flooding/Drainage/Sewage:

13. Consideration has been given to the responses from the public in relation to flooding, drainage and sewage. The proposed extension is not a large scale scheme and there are no specific references as to where the drainage and flooding issues are and whether there is likely to be an impact from the new development. However since the extension will be increasing the impermeable area there will therefore increase surface water run-off and volumes as a result. With this in mind a pre-commencement condition is recommended to ensure this matter is addressed. The applicant will need to undertake a surface water drainage assessment and provide information and demonstrate how they will manage the increase in run-off and volumes through the use of

appropriate Sustainable drainage measures (SuDS).

14. The request for foul sewage information is not considered relevant to the scale of the scheme. If there is to be any impact from new sewage pipes on the graves, this again is a matter to be dealt with by ecclesiastical law.
15. The proposal is therefore considered to comply with policy CS11 of the Core Strategy.

Arboriculture/Landscaping:

16. The proposed extension encroaches within the notional Root Protection Area (RPA as defined by BS5837:2012) of a mature, high quality and value yew tree that is west of the church, but there is a buttress that will act as a barrier to root growth in this area and the encroachment into the area in which roots are likely to be growing is therefore relatively small as a proportion of the overall RPA. There is adequate area on the south and west sides of the tree that is contiguous with the RPA to compensate for the loss, so officers are satisfied that the tree is not likely to be significantly harmed if adequate care is taken to protect it during the construction phase.
17. Mini-pile foundations are intended. The underside of the ring beam should be set on top of existing ground levels so that roots are not cut when it is installed. Conditions are recommended for a Tree Protection Plan and an Arboricultural Method Statement to ensure that tree roots are not damaged.
18. A landscaping scheme is not considered appropriate or relevant to the scale of the scheme. The church is currently surrounded by the graveyard and this would remain the same situation once the extension is complete.
19. The proposal is therefore considered to comply with policies NE15 and NE16 of the Local Plan.

Ecology:

20. Officers have reviewed the proposal and considered that the species at risk from the development are bats and birds. Following bat surveys being carried out to the site it was confirmed that bats are roosting in the fabric of the church. Roosting in the section of the church where the extension will be placed is however unlikely. If the works are carried out in strict accordance with the recommendations of the Bat Survey report, it is considered that the works will lead to impacts on bats. A condition is therefore recommended that the works are carried out in accordance with these recommendations.
21. The bat survey of the site has identified high bat activity along the trees bordering the site. Bats are sensitive to lighting and no lighting should be introduced which interferes with this dark corridor. To ensure disturbance isn't caused to bats a condition is recommended that no lighting must be introduced directed at the upper level of the west elevation, entrance porch and bordering trees.

22. Scrub and trees on site offer suitable habitat for nesting birds. All wild birds, their nests and young are protected during the nesting period under The Wildlife and Countryside Act 1981 (as amended) and a condition is therefore recommended that removal of vegetation shall be undertaken outside of bird nesting season. This is weather dependent but generally extends between March and August inclusive. If this is not possible then a suitably qualified ecologist shall check the areas concerned immediately prior to the clearance works to ensure that no nesting or nest-building birds are present. If any nesting birds are present then the vegetation or buildings shall not be removed until the fledglings have left the nest in order to comply with the requirements the Wildlife & Countryside Act 1981 (as amended).
23. The proposal is therefore considered to comply with policy CS12 of the Core Strategy.

Contaminated Land:

This site has been prioritized as category 4 in accordance with Oxford City Council's Land Quality Strategy, meaning that further investigation of this site may be necessary upon redevelopment. Records indicate that the site is surrounded by infilled ground and historical maps show that a graveyard existed around the north side of the church, both of which may have associated contamination. Therefore conditions are recommended to request a phased risk assessment including a desk study and site walk over to identify all potential contaminative uses on the site, and to determine what remediation measures are necessary.

24. The proposal is therefore considered to comply with policy CP22 of the Local Plan.

Highways:

25. A number of comments have been received in relation to the impact on parking and traffic from the development. Since the proposal is an existing facility which does not benefit from parking or cycle storage and the proposal is not a large scale scheme which is designed to provide enhanced facilities, it is considered that it would not be reasonable or appropriate to request parking or cycle storage in an area where it could harm the setting of the listed building and conservation area or a construction traffic management plan.

Other:

26. There have been a number of requests for a geophysical survey due to subsidence in the area. Given the scale of the scheme it is considered that this would not be a reasonable request and this is a matter which will be covered by Building Control. Receipt of this information would not result in scheme which could not be implemented.

Conclusion:

27. The East Area Planning Committee are recommended to approved planning permission for the application.

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:

16/01373/FUL

Contact Officer: Sarah Orchard

Date: 23rd August 2016