

## WEST AREA PLANNING COMMITTEE

8<sup>th</sup> December 2020

**Application Number:** 19/02307/LBC

**Decision Due by:** 31.10.2020

**Extension of Time:** 31.10.2020

**Proposal:** Alterations to east wall of Canal House including demolition of adjoining building and construction of new building abutting up to east wall of Canal House. (Amended plans)

**Site Address:** Castle Hill House  
9 New Road  
Oxford  
Oxfordshire  
OX1 1LT

**Ward:** CARFAX - Carfax Ward

**Case Officer:** Gill Butter.

**Agent:** Mr Simon Sharp, JPPC.

**Applicant:** St Peter's College

**Reason at Committee:** Concurrent application with major Full planning application.

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## 1. RECOMMENDATION

1.1. West Area Planning Committee is recommended to:

**1.1.1 Approve the application for the reasons given in the report and subject to the required listed building conditions set out in section 12 of this report and grant listed building consent; and**

**1.1.2 Agree to delegate authority to the Head of Planning Services to finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary.**

## EXECUTIVE SUMMARY

1.2. This report considers the impact of the proposed development on the architectural and historic significance of Canal House a grade II\* listed building

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

- The significance of the listed building.
- The impact of the proposed development on the significance of the listed building including any harm that may result from the proposed development.
- The justification for the proposed development.
- Any mitigation for any harm that may have been considered as part of the development of the design of the proposed development.
- The weight of any residual harm to the significance of the listed building that may exist following mitigation through design
- The balance of any harm against public benefits that may accrue directly from the proposed development including securing the optimum use of the listed building.

## **2. SITE AND SURROUNDINGS**

- 2.1.1 The site is located on the northern side of New Road in an area of the city that was historically part of the C11 castle bailey including the castle ditch. This area of the city falls within the Central Conservation Area and in the part of that conservation area that is defined as the Castle and its surroundings.
- 2.1.2 The site includes on its eastern side a polygonal shaped area of land that is presently occupied by a C19 former domestic dwelling, Castle Hill House at its northern edge, adjacent to Bulwarks Lane and a 1970's flat roofed, single storey building attached to the southern side of the older building extending down to the site's southern edge adjacent to and behind a tall, coursed rubble stone boundary wall that survives from the site's canal wharf days and fronts directly onto New Road, the C18 turnpike that was sliced through the castle bailey.
- 2.1.3 The western half of the site includes Canal House a grade II\*, mid C19, listed building designed and built by Richard Tawney in a classical style which extends contiguously with Castle Hill House alongside a tall, stone boundary wall that marks the southern edge of Bulwarks Lane an historic lane that marks the outer edge of the C11 castle bailey, at the top of the bank above the former castle ditch. The elevated building is set in a garden, which like the formerly open land of Castle Hill House references the gardens or rear plots to the earlier medieval tenements that dropped down the steep bank into the castle ditch now New Road. Two large stone pillars at the entrance to the Canal House/Castle Hill House car park are surviving structures from the site's canal wharf days.
- 2.1.4 Opposite the site, on the southern side of New Road are the surviving buildings and structures of the C11 Norman Castle precinct which is scheduled and includes the C11 castle motte which by virtue of its height and form dominates the public realm.
- 2.1.5 Also on this south side of New Road the C19 former County Assizes building later County Hall whose architectural style reflects the defensive environment in which it sits.
- 2.1.6 To the south-west of Canal House and its gardens lies Nuffield College, a mid-C20 construction in a domestic Cotswold vernacular style. The southern range of the main quad fronts directly onto New Road and provides a

continuous two storey plus attic building façade that frames and directs the views up the turnpike road from the west into the arena that was part of the castle bailey and in which the site forms a central element. The distinctive book stack tower of Nuffield with its copper spire is more evident in views to the west, down New Road where it provides a backdrop to and contributes to the context of the site.

- 2.1.7 To the west of the site sits the former Probate Registry now the Law Centre, a C19 building stone building in a Victorian gothic style designed by the architect Charles Buckeridge, a recognised Victorian Architect who worked extensively across Oxford during the latter part of the C19 and early C20 and particularly in a domestic context through the North Oxford Victorian Suburb.

### **3. PROPOSAL**

- 3.1 The application proposes the demolition of Castle Hill House, the surviving elements of the C19 domestic building together with later extensions including the extensive, 1970's single storey extensions carried out under the Conservative Club ownership. Followed by construction of a new building, comprising a ground floor (ground level at level of southern edge of the site) single storey podium with a footprint covering much of the site presently occupied by the buildings to be demolished and two pavilion buildings to be built on top of the podium at the northern and southern edges of the site extending to four and three storeys plus attic storeys respectively. It proposed that the space between the two pavilions be designed as a garden connecting through a flight of steps into the courtyard of the Law Centre and back across an opened up boundary on the southern edge of Bulwarks Lane to the existing collegiate buildings and spaces of St Peters College that lie on the northern side of the lane. The application also proposes to open up a viewing slot in the southern boundary wall of Bulwarks Lane to the west of Canal House in order to replace a lost visual connection with the Castle precinct and in particular the Motte which presently exists as a restricted but clear view from the eastern end of the lane.

### **4. RELEVANT PLANNING HISTORY**

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

Application Reference	Description of Development	Decision
19/02306/FUL	Redevelopment of former conservative club building at Castle Hill House comprising the demolition of the existing building and erection of a new building providing 54 student study rooms along with internal and external amenity space, landscaping improvements including the reconfiguration of the Fellows' Car park. (Amended plans).	To be considered by planning committee.

## 5. RELEVANT PLANNING POLICY

5.1 The following policies are relevant to the application:

Topic	National Planning Policy Framework (NPPF) 2019	Local Plan	Other Planning Documents
Conservation/ Heritage	16	DH3, DH4, DH5	

## 6. CONSULTATION RESPONSES

6.1 Site notices were displayed around the application site on 24.09.2020 and an advertisement was published in the Oxford Times newspaper on 26.09.2020.

### **Statutory and Non-Statutory Consultees**

#### Historic England

6.2 Letter dated 02.10.2020 –  
Historic England has concerns regarding the applications on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the applications to meet the requirements of paragraphs 130, 190 and 194 of the NPPF.

Letter dated 06.10.2020 –

The revised proposals have addressed concerns raised previously by Historic England. As a result we do not object to the proposals. While there would be an element of harm occasioned by the loss of a 19th century building and current kinetic view of the Castle this needs to be weighed by the Council against the public benefits that it may bring.

6.3 Letter dated – 18.09.2020

Thank you for your letter of 10 September 2020 consulting OAHS on this case. We have previously commented in two letters, dated 6 October 2019 and 10 March 2020. We ask that those letters are both fully considered by any decision makers in this case. We appreciate that there has been work carried out in the past months, and some alterations to design in response to various comments made by other consultees. However, nearly all of our points set out previously in those two letters remain. We are still concerned about this application and opposed to its main proposals.

The Council, in the exercise of its planning functions, under ss. 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 has to have special regard to the desirability of preserving the setting of the numerous listed buildings surrounding the site (and the scheduled monument) and to preserving or enhancing the character and appearance of the Central Conservation Area in which this site sits. This is a strong presumption - more than just a material consideration - and not easily displaced (*Barnwell Manor Wind Energy Ltd. v East Northamptonshire District Council & Others* [2014] EWCA Civ 137).

In particular:

Castle Hill House

It is agreed by all that Castle Hill House is at least as old as 1840-1850. Ordinarily, this would make it a strong candidate for listing: Domestic 2: Town Houses. Listing Selection Guide, Historic England 2017. Whilst we are not suggesting that it should be listed, the fact that the building is of the same age as other buildings strongly considered for listing is significant. We accept that the later 20th-century additions detract from the historic building; however, this is not justification for demolishing the historic building. In such cases, it is normal to take the opportunity to preserve and enhance historic fabric, reversing damaging modern additions, but not demolishing the whole. Indeed, Castle Hill House is physically joined to the Grade II\* listed Canal House, and has been since they were both built, which is significant.

The application appears to want to demolish the building because it is a constraint and does not permit easy development of the site on the scale that the application wishes to develop it - not because the historic building is without use or possibility of being preserved and enhanced. Acland House in the new Keble College site is precedent for a college being required to preserve, enhance and work with an existing historic building on a site that it owns. It can lead to greater creativity and unique solutions when architects and designers are required to do so.

Oxford Archaeology stated that Castle Hill House made some positive contribution to the conservation area and was of some positive significance. They described it as one of the earliest features in the current streetscape and noted that it was a constraint on development. They drew attention to the deep Tuscan eaves on its external façade, vaulted cellars, its internal staircase (unusual U-shape and apse recess opposite, typical of regency transitional architecture) and upper rooms which retain historic fabric. They described its loss as harm to the conservation area. Even though it is not formally listed, Oxford Archaeology classified it as a heritage asset of local

interest (see OA's Archaeological Desk Based Assessment 2018: 22-3, 27, 29, 34-8). As a non-designated heritage asset, Castle Hill House requires special consideration under the NPPF, para. 197. The scale of harm and loss to the significance of this heritage asset will be total: it will be demolished and not enhanced or preserved in any way.

We note that Oxford Archaeology did not rule out the possibility of Castle Hill House being older than 1840. No firm date is known for the building. At the rear, viewing from Bulwarks Lane, OAHS has observed that the house appears to be built on to the rubble wall of Bulwarks Lane itself; the plaster render of the upper storey slightly overhangs the rubble stone wall. This seems quite characteristic of how properties were historically built up to, and on to, the city defences in other areas of Oxford, and, as a piece of historic evidence, it should not be demolished. Although the windows on this rear elevation are presently uPVC, they appear to be flush with the plaster render, often an indication that they have been inserted into a historic timber frame. Indeed, there is a section of timber post visible at the base of the plaster where parts of it have broken away. There is a building in this location on the city wall on Taylor's map of 1750. It is not uncommon for buildings which appear to be of one date from one façade to have retained earlier fabric elsewhere, or within their core.

In relation to the possible association with Daniel Harris, we agreed in October 2019 that there is no firm evidence either way. Harris did live in a property on Bulwarks Lane in 1835, when the City Council records refer to a "Kitchen, small Yard, and Out-offices, on the East side of Bullock's Alley, with a Subterraneous Passage leading from Mr Harris's House". The importance of this is not only to confirm that Harris did live in a house on the west side of the lane, but also that there is (or was) a passage under the lane. We believe that some investigation needs to be done to locate this passage, as it could be reinstated to link the two parts of the College without the need to destroy the walls and ambience of the lane. The link between the St Mary Quad and the Harris Lecture Theatre at Oriel College is precedent in Oxford for such a subterranean link.

Whether the house is associated with Daniel Harris, or with the builder William Bartlett the point remains that it is likely to have been designed to evidence either builder/architect's abilities. It is a one-off, associated with a known historic individual, and not a mass-produced repeated design. Oxford Archaeology described it as an 'advertisement for the trade of its builder' (p.34). This gives it further significance as historic evidence within Oxford, concerning the evolution of building in the city, and historically known local builders and architects operating here.

#### 6.4 Internal Archaeology Officer comments

Comments were not sent specifically for the LBC application but the relevant extracts from the response to 19/02306/FUL are included here.

The application will entail a range of harm to various heritage assets (summarised below) including a degree of harm to the Castle Bailey ditch (not scheduled but of equivalent significance) and to the setting of nationally significant asset (Oxford Castle). The NPPF requires 'great weight' to be given to

the conservation of designated assets (or equivalents), and any harm or loss requires 'clear and convincing justification' by the applicant and will need to be weighed against the public benefits of the scheme.

The loss of fabric from the likely early 19th century stonework wall along Bulwarks Lane for the proposed new viewing point can be assessed as a low level of less than substantial harm to a locally significant asset (I would refer you to the Conservation Officer regarding an assessment of this wall's potential curtilage listed status).

□ To this list must be added the harm caused by the loss of Castle Mill House and the loss of NE-SW boundary walls within the Castle House plot of 18th-19th century date- I would refer you to the Conservation Officer and Historic England for detailed comments on these issues and for an assessment of the wider impact to the Conservation Area.

□ The cumulative level of harm from this development must be weighed against the public benefits of improving the public realm along Bulkwarks Lane which attracts anti-social behaviour.

□ Should the council be minded to approve the scheme I would request that, in line with the advice in the National Planning Policy Framework, any consent granted for this application should be subject to conditions to secure 1) Careful demolition of Castle Hill House to avoid damage to the historic northern wall, the likely underground passage here and to avoid unnecessary harm to any post-medieval building fabric that may survive at Castle Mill House 2) A programme of historic building recording 3) The submission of a foundation design method statement 4) A time limited condition to allow for a designed temporary privacy screen in the Warden's Garden and its later removal 5) A public information board condition 6) Archaeological recording.

#### Castle Hill House

I note the very helpful comments of Mark Davies and OAHS on the residence of Daniel Harris in the lane. Taking the evidence as a whole it would seem reasonable to suggest that the current Castle Hill House occupies the site of a former house that may be linked to Harris (based on the architectural characteristics of the current house and the map evidence) and that this may have been linked by subterranean steps to a property on the northern-western side of the lane. The line of the subterranean passage appears to be marked by a wide lintel under the north wall of the lane and a semi-circle of moss on the south side. I would defer to the Conservation Officer on the significance of the current 1840s building. The northern stone wall of Castle Hill House may be of some antiquity (i.e. 17th or 18th century) and is to be retained. If development proceeds then archaeological investigation of the building during demolition and any related remains would be warranted.

#### **Officer Response**

6.5 Historic England are now comfortable that the applicant has addressed their previous concerns and they are no longer holding an objection to the proposed development.

Oxford Architectural and Historical Society have commented in detail at various stages of the previous iterations of the development, prior to amendment of the application as well as in a final letter dated 18<sup>th</sup> September 2020 submitted following the amended application which has been summarised in this report. Whilst the final letter makes reference to the earlier letters the issues related to the works that fall to be considered under this listed building consent application, namely the demolition of Castle Hill House are repeated in full in the letter sent in response to the amended (this) application and therefore the earlier comments have not been reproduced here. They have, as requested been taken into consideration fully in writing this report and making a recommendation to the planning committee for their decision and are set out clearly for the committee's consideration of the issues raised.

The archaeology response was given in response to the associated planning application 19/02306/FUL not this listed building consent application. However the elements of that response that are relevant to this application have been included in this report and have been considered carefully in the officer's drawing together of this report and recommendation to the planning committee including the suggested conditions that might be attached to any grant of listed building consent.

## **7. LISTED BUILDING MATERIAL CONSIDERATIONS**

7.1 Officers consider the determining issues to be:

- i. The loss of the undesignated heritage asset, Castle Hill House;
- ii. The impact of the removal of Castle Hill House on the architectural and historical significance of Canal House, grade II\* listed;
- iii. The impact of the proposed new development on the significance of Castle Hill House, including the setting of the designated heritage asset.

### **i. The loss of the undesignated heritage asset, Castle Hill House**

7.2 Castle Hill House can be defined as a local heritage asset in that it is identified as being of some local historical significance. It is not included on the Historic Environment Record. The building is of some architectural significance having been built probably between 1840 and 1850. Whilst this might have made a possible candidate for listing it does not survive in anything like an original condition and therefore would not reasonably be considered for such protection. The building may have association with Daniel Harris whose connections with Oxford Gaol and Castle provide some historical significance however the date of building would cast some doubt on this and it may be that he occupied or built the building that preceded the present Castle Hill House. It would seem that the present building was built before 1850 by a William Bartlett, who occupied it in 1851 and who was a master carpenter, hence the quality of surviving features such as the staircase.

The building has been substantially altered, some original interior features survive but insufficiently exceptional to warrant inclusion in the statutory list. The alterations include the large single storey extension to the south which was



originally built in 1939 following purchase by the Conservative Club in 1923 and then added to and finally rebuilt in 1972.

The total removal of the building would classify as being substantial harm. Any harm to heritage assets must be accorded huge weight as determined by the judges in the Court of Appeal in the case of Barnwell Manor. However the low level of architectural and historic significance that can be attributed to the building tempers that harm- para 197 NPPF and a condition requiring recording of those features that do survive will offer some mitigation for that loss. It is therefore considered that there would be a very low level of less than substantial harm caused as a result of the loss of the undesignated heritage asset.

**ii The impact of the removal of Castle Hill House on the architectural and historical significance of Canal House, grade II\* listed**

7.3 The two buildings, Castle Hill House and Canal House were built at a similar period and are physically conjoined although apparently architecturally quite different. The application proposes the retention of a smaller building element that sits on the eastern side of Canal House and which provides an important visual transition from the grander, formal neo-classical architecture of the principal building and the more ordinary, C19 domestic architecture of Castle Hill House. Provided that the fabric of the two is carefully separated and the fabric to be retained carefully protected then the physical harm to the listed building's architectural significance will not be harmed. Conditions have been suggested that would ensure the careful preservation of the fabric of the listed building and the appropriate repair of any fabric that is damaged in the process of separation of the two buildings. The historical significance of the listed building would not be harmed in that it has no documented relationship or associative connection with Castle Hill House.

**iii The impact of the proposed new development on the significance of Canal House, including the setting of the designated heritage asset.**

7.4 The form and massing of the proposed development is bold, placing one large building directly over the boundary wall that fronts onto New Road and therefore unflinchingly in the centre of the collective view of extremely important listed buildings and scheduled monuments. The design now presented is the culmination of a period of consultation and development and the architecture of the building, the relatively simple, elemental proportions of the facades and features within them have been designed to reflect the monumentality of the surrounding buildings not to challenge it or distract from those buildings but to add buildings that will appear beautifully crafted from carefully considered materials that will sit quietly amongst the material quality of the surroundings. The close proximity to Canal House has been carefully considered with elements of the new buildings reinforcing the proportions of the listed building and the siting of the two pavilion buildings and the cutting back of their western facades exposing views into the raised garden quad between them helping to preserve the setting of the listed building. Relevant local plan policies and national planning policy guidance seek that new buildings in an historic context should make a positive contribution to both the character and appearance of that

context but the local planning authority is required to ensure that the significance of heritage assets that would be impacted upon by the development will not be harmed or that any harm that would occur is balanced against the benefits (public benefits) that the development would bring. It is considered that there would be a low level of less than substantial harm – NPPF para 196 that would be incurred to the setting of Canal House as a result of the proposed development. The design of the buildings has been carefully considered to mitigate any harm that results from the proximity of the siting of the buildings and their scale and this design mitigation will have the effect of reducing the level of harm to low. The careful articulation of the pavilions' facades, with angled windows sets up a strong rhythm that responds to the architectural rhythm of the south façade of Canal House but which does not dominate and therefore pays deference to the listed building. The dominant sections of masonry wall in the pavilion buildings have the potential to allow the ambition of well-crafted structures to come to fruition echoing the delightful C19 craftsmanship of the listed building itself. The setting back of the largely glazed west façade behind a colonnade that reflects the classical rhythms and portico of the listed building as well as echoing the plinth at its base. An architectural approach that is bold but not dominating whilst recognising the architectural significance of the listed building combines to reduce the resultant harm to architectural significance of the listed building to a very low level.

## **8. CONCLUSION**

8.1 In conclusion, it is considered that the undesignated heritage asset, Castle Hill House has some architectural significance resulting from the surviving elements of C19 craftsmanship and plan form, principally a staircase and surviving vestiges of rooms which may possibly be attributed to the owner of the building but that these elements certainly do not raise the building into consideration for inclusion on the statutory list and are therefore very much of local interest. Therefore, in balancing the harm that would result from the total loss of the undesignated heritage asset against the relatively low level of significance that the building has as required by paragraph 197 of the NPPF and set out in policy DH5 of the Oxford Local Plan 2036, the resultant level of less than substantial harm must be considered to be low. In addition it is considered that there would be a low level of less than substantial harm to the architectural significance of the listed building, Canal House, caused by the proposed new development. It is considered that the level of harm has been mitigated and reduced to a very low level by the careful architectural response. The two elements of harm combined would result in an overall low level of substantial harm to be balanced as set out in NPPF paragraphs 196 and 197 and in local plan policies DH3 and DH5 by any public benefits that would accrue from the development. The public benefits are set out in the planning statement that accompanies the application and include enhancement of the character and appearance of the conservation area as well as the setting of listed buildings through the removal of poor quality or harmful features such as the present Castle Hill House buildings, more particularly the later additions to the C19 building and replacement with buildings whose architecture including their roofscape will make a positive contribution to those heritage assets. To create a new improved view of the castle motte and potentially more of the castle precinct than is possible to gain at present thus

reinforcing and strengthening the connection between the castle and its bailey with additional explanation for the public to expand the understanding of the historical connection and significance to a wider audience than may at present appreciate the glimpsed view. Other benefits are promulgated however their actual public benefit is not clear. Arguably there may well be a public benefit that would accrue from the construction of highly sustainable and extremely energy efficient new buildings with the associated reduction in the use of fossil fuels which would ultimately contribute to a healthier environment. This it may be counter posited should be an absolute requirement of any development and not therefore a benefit however it is understood that the sustainability credentials of the proposed development go beyond the basic requirement and that therefore there may be a small public benefit to be accounted. In adding up the genuine public benefits and weighing those that offer particular benefit to the historic environment it is considered that these would outweigh the low level of less than substantial harm that has been identified.

- 8.2 It is therefore recommended that the Committee resolve to grant listed building consent for the development proposed subject to the suggested conditions set out below.

## **9. CONDITIONS**

### **Justification**

The Council considers that the proposal, subject to the conditions imposed, would accord with the special character, setting, features of special architectural or historic interest of the listed building. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity.

### **1. Time Limit**

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 policy DH3 of the Adopted Oxford Local Plan 2036

### **2. Demolition**

No demolition shall take place until the applicant or agent has submitted a demolition methodology statement that has been approved in writing by the local planning authority. All works shall be carried out and completed in accordance with the approved written scheme of investigation, unless otherwise agreed in writing by the Local Planning Authority.

The demolition statement shall include the following:-

Part I: The demolition statement shall set out a methodology for demolition that ensures the protection and preservation of the eastern flank wall of Canal House and the northern stone wall of Castle Hill House and sets out how demolition process will facilitate archaeological recording of any earlier

building fabric that may be sealed by the 1840s structure.

Part II: The demolition statement shall set out provision to cover the eventuality that should demolition works expose the anticipated historic tunnel below Bulwarks Lane at Castle Hill House then an addendum to the demolition method statement setting out a programme for sensitive consolidation and repair will be submitted to the local planning authority for written approval prior to works continuing on this part of the site.

Reason: Because 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, Local Plan Submission Draft Policies DH3 & 4).

**3. Historic building recording**

No development shall take place until the applicant, or their agents, has secured the implementation of a programme of historic building recording in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the planning authority. All works shall be carried out and completed in accordance with the approved written scheme of investigation, unless otherwise agreed in writing by the Local Planning Authority.

Reason: Because 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, Local Plan Submission Draft Policies DH3 & 4).

**4. Works of making good**

After works are completed any damage caused by such works shall be made good to a standard approved in writing by the Local Planning Authority and completed before the formal completion of the works hereby approved is agreed.

Reason: To preserve the character of the building in accordance with policy DH3 of the Adopted Oxford Local Plan 2036

**5. Details**

Large scale details showing the abutment of all new building fabric with existing building fabric including boundary walls ; to a minimum scale of 1:5; shall be submitted to, and approved in writing by, the Local Planning Authority prior to the construction of those abutments and the works shall be carried out in accordance with those approved details.

Reason: For the avoidance of doubt and so that the Local Planning Authority can agree these details in accordance with policies DH3 and DH4 of the Oxford Local Plan 2036.

**10. APPENDICES**

## **Appendix 1 – Site Location Plan**

### **11. HUMAN RIGHTS ACT 1998**

- 11.1 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.

### **12. SECTION 17 OF THE CRIME AND DISORDER ACT 1998**

- 12.1 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

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