

OXFORD CITY PLANNING COMMITTEE

23rd March 2022

Application number:	20/01277/LBC		
Decision due by	24th August 2020		
Extension of time	None		
Proposal	Construction of a ramp and steps to the south-west elevation of the church and demolition of curtilage boundary walls to south-west (Amended site plan).		
Site address	Land At Jericho, Canal Side, Oxford, Oxfordshire – see Appendix 1 for site plan		
Ward	Carfax And Jericho Ward		
Case officer	Katharine Owen		
Agent:	Mr Andrew Ross	Applicant:	c/o Agent
Reason at Committee	The application is part of the Jericho Boatyard proposals, known as ‘Land At Jericho, Canal Side, And Community Centre 33A Canal Street, Oxford’, being a major development: 20/01276/FUL - Demolition of existing structures and garages, redevelopment to provide mixed residential, community centre and boatyard uses, including associated works for the provision of new public realm, ramped access to St Barnabas Church and works to the Canal. (Amended description, information and plans).		

1. RECOMMENDATION

1.1. Oxford City Planning Committee is recommended to:

1.1.1. **approve the application** for the reasons considered fully in this report and subject to the conditions set out in section 11 of this report; and

1.1.2. **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; and to
- issue the listed building consent.

1.1.3 The reasons for recommending approval are as follows:

- 1 It is considered that the proposals, subject to the conditions imposed, would accord with the special character, setting and features of special architectural or historic interest of the listed Church of St Barnabas and its setting. The proposals have taken into consideration all other material matters, including matters raised in response to consultation and publicity.
- 2 The City Council has given considerable weight and importance to the desirability of preserving or enhancing the designated heritage assets and their settings, including the listed building and conservation area. The proposal would cause significant harm to the curtilage boundary walls of the Grade I listed Church, however, it is considered that this is outweighed and justified by the substantial public benefits of creating a public square as part of the proposals under the planning application 20/01276/FUL. This includes the building of an accessible ramp and of steps partly made from materials reclaimed from the walls. Any harm would be to an extent mitigated by recording and some salvage of the wall materials.
- 3 The proposal would provide a substantial public benefit by opening up views of the listed Church within the conservation area which would be an improvement; the walls were built after the Church was finished as a tall barrier between it and the coal wharf at the canal.
- 4 The proposal would preserve the character and appearance of the Jericho conservation area. The proposals are considered to accord with the requirements of relevant policies in the Oxford Local Plan and the National Planning Policy Framework.

2. EXECUTIVE SUMMARY

2.1. This report considers the following:

The principle of the proposed development being total demolition of listed curtilage wall in the wider context of the parallel planning application is considered to be acceptable; the report explains why that is the case. The justification for the proposed alterations to the designated heritage assets is set out as is required under the National Planning Policy Framework. The primary considerations are Impacts on the setting of the grade I listed Church of St Barnabas and on the character of that part of the conservation area of Jericho.

The significance of designated heritage assets that would be affected are described as are the levels of harm that would be caused by the proposed works. Significance needs to be explained so that the harm can be explained.

There would be mitigation of any resultant harm to the significance of designated heritage assets by recording, good design and by the views of the Church being opened up. The impact on archaeology is considered.

The requirements under the NFFP are set out and are met, including whether any harm would be caused to the special architectural or historic interest of the

listed walls, the setting of any designated heritage assets and whether the character or appearance of the Conservation Area would be preserved or enhanced.

3. LEGAL AGREEMENT

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

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. CIL is not relevant for this listed building consent application.

5. SITE AND SURROUNDINGS

5.1. The site is situated within the historic suburb of Jericho, which contains two storey Victorian red brick houses, the grade I listed St. Barnabas Church and the Jericho Boatyard to the south west, the latter containing mostly modern and Victorian structures relating to the boatyard. That area was formerly a coal yard and workshop site; a substantial wall in two sections was built between that area and the church in the Victorian era to form a barrier between the noisy industrial site and the church. That wall or walls are the subject of this application.

5.2. The former boatyard is a brownfield site and has been vacant and derelict since 2006, with many of the few remaining buildings and structures having fallen into disrepair. The Church of St. Barnabas sits against the eastern boundary to the brownfield site, in the midst of the surrounding development and forms an important backdrop to this part of the site; the rear Church elevation and grounds (including high stone wall) also fall within the site.

5.3. The church of St Barnabas at Cardigan Street is the parish church of Jericho. The church was built from 1868-9, the campanile in 1872 (re-roofed with a lower pitched roof 1893) and the Morning chapel (now Lady Chapel) and north aisle erected in 1888-9. The architect was Sir Arthur Blomfield (1829-1899), who was awarded the RIBA Royal gold medal in 1891. Blomfield was one of the most active and successful church architects of the Gothic Revival. His early work is characterised by a strong muscular quality and the use of structural polychrome, often with continental influences.

5.4. Blomfield was articled to P.C. Hardwick and began independent practice in 1856 in London. In 1882 Blomfield designed the Royal College of Music in London. In 1890-97 he rebuilt the nave of Southwark Cathedral. He was highly regarded as a church restorer. One of Blomfield's early pupils was Thomas Hardy. The church is an important monument to the influence of the Oxford Movement in the city where it began.

5.5. Blomfield responded to the challenge and initially proposed to build the whole church of concrete (then a very new and experimental material which was being tried out in a number of places) but elected for rubble walls faced with cement. This was an innovative method of construction.

5.6. The style is Italianate Romanesque, in complete contrast to the prevalent Gothic style of church-building in the 1860s. The other fundamental characteristic of the

exterior is the use of cement rendering for the facing. This is decorated with narrow brick banding and polychrome red and brick arches to the openings. The nave has tall, round-headed clerestory windows and brick string-courses. To the aisles there are low lean-to roofs and small two-light square-headed windows, each with a central column with moulded capital and base. At the south west corner of the building the south porch wraps it and is a continuation of the south aisle. The south doorway has corbelled detailing to the jambs and an outer door with good strap hinges. Above the lintel, the wall is pierced with three openings for an over light.

5.7. The choice of style at St Barnabas is most unusual and is evidently to do with the patron's desire to break the mould of church-building and provide something that is economical yet dignified. Non-Gothic Anglican churches would remain extremely rare for the rest of the 19th century. The objective was to provide a place of worship that could be embellished over time, as intended by the founder, and the final intentions have never been fully realised.

5.8. The high level boundary walls that are the subject of this application are constructed of rubble stone and brick and are part of the curtilage of the listed church. Parts of the walls are visible in a historic photograph of 1875 taken by Henry Taunt, the important photographer who was based in Oxford. These walls have historic significance as evidence of the church ownership and historic pattern of walls to the canal side; they were constructed after the church was completed, to form a tall barrier between the coal wharf at the boat yard and the church. The walls have suffered from decay caused by cement-rich pointing that has trapped moisture; had lime-rich pointing been used, that would have allowed moisture to evaporate. A modern timber fence would be removed but this does not form part of the special architectural or historic interest of the church.

5.9. There are three sections of wall, as follows:

- A low level red brick wall with bullnose engineered brick coping on the north side of the church: this has been partly knocked down recently with material lying on the ground to the church side. There is a straight joint between the church corner and the wall;
- A high level rubble stone random coursed boundary wall (with some ashlar) to the north. This has suffered from some localised decay and is bulging in places; and
- A high level rubble stone random coursed boundary wall (with some brick and some ashlar) to the west. Two brick piers stand either side of the entrance to the former wharf with the north side attached to the tall wall.

5.10. The wall does have a strong presence and has a defensive character deriving from its function as a barrier from the coal wharf to the south. The wall has limited aesthetic character, however, that is to be expected from a structure where the industrial archaeology (including standing structures and their history) have the greater significance.

5.11. Location: see block plan below.



6. BACKGROUND AND PROPOSAL

6.1. Listed building consent was previously consented in December 2016, under 14/01442/LBD - Demolition of boundary walls on north and west elevations as part of re-development of canal site (14/01441/FUL) and involving provision of ramped access to south entrance of church. (Amended plans). Planning permission was previously granted under 14/01441/FUL for a mixed use development including combined boatyard and community centre, 3 docks, basin and winding hole, public open space (piazza), new bridge over the Canal demolition of the Church wall and steps up to the rear of Church, restaurant/café use and 28 residential units: 14 houses (13 x 3 bed and 1 x 4 bed) and 16 flats (5 x 1 bed and 4 x 2 bed flats and 7no. affordable flats (3x1-bed and 4x2-bed)) These permissions have lapsed, however they are material considerations in this case.

- 6.2. The application proposes a shallow gradient ramped access and steps giving access to the west side of St Barnabas' Church and also the demolition of the stone and brick wall further to the south west of the Church that lies between a grassed open space by the Church and the Jericho boatyard. The new elements are proposed to be constructed in part of reclaimed stone and brick from the demolished wall so as to respect their setting. The access area would butt against the Church walls yet not be fixed to them. The area would provide a plinth or stage for people to stand on, should performances be held in the proposed piazza. The plan form would be a segmental arch with straight sides extending to the ends of the Church walls, thus following the full width of the elevation.
- 6.3. For the previously consented scheme a ramp with landing and railings were proposed to the south entrance of the church. This entrance is currently used as the main entrance and has two stone steps leading up to the threshold. The handrail and posts would be simple in design as befits the unadorned appearance of the church.
- 6.4. The current planning application proposes a similar development, however the ramp and steps are substantially larger than previously proposed and are now to the south west elevation not to the south entrance to the Church, facing the street which remains as it is. No railings are proposed now because the ramp has a shallow gradient that does not require railings as required by Building Control regulation.

7. RELEVANT PLANNING HISTORY

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

93/00419/NF - Land fronting Oxford Canal adjacent to St Barnabas Church St Barnabas Street - Demolition. Construction of 8x2 bed houses, 2x3 bed houses, 2x2 bed flats, chandlery/office & café in 4 blocks on 2 floors, with 16 car spaces, public square & footbridge over canal. Enlargement of existing dry dock to form winding point. (Amended Plans). PER 10th February 1994.

93/00420/NO - Demolition of existing buildings. Erection of 11 houses, 23 flats, cafe, chandlery & offices for British Waterways Board, with 39 parking spaces, public square & footbridge over cana. WDN 6th June 1994.

03/01266/FUL - Demolition of existing buildings on site. Construction of restaurant and 46 residential units, (11x3 bed, 27x2 bed, 8x1 bed including 14 social housing units), in 2 blocks on 2, 3 and 4 floors. Two storey chandlery building, public square, new winding hole, footbridge to canal towpath. Provision of 37 car parking spaces, (30 for flats, 3 for restaurant, and 4 for chandlery) (Amended plans). REF 12th May 2004.

07/01234/FUL - Demolition of existing buildings. Erection of 54 flats (9x1bed, 45 x 2 bed) including affordable units in 2 blocks on 3 and 4 floors. Provision of 16 car parking spaces, cycle parking, bin stores and ancillary facilities. Construction

of canal "winding hole", public square and lifting bridge, plus boat repair berth (Amended plans). REF 9th January 2008.

12/02463/CAT - Fell 18 trees (species not specified) in the Jericho Conservation Area.. RNO 7th November 2012.

14/01441/FUL - Demolition of various structures on an application site including former garages and workshops. Erection of 23 residential units (consisting of 13 x 3 bed and 1 x 4 bed house, plus 5 x 1 bed and 4 x 2 bed flats), together with new community centre, restaurant, boatyard, public square, winding hole and public bridge across the Oxford Canal. Demolition of existing rear extension and erection of two storey extension to Vicarage at 15 St. Barnabas Street and ramped access to church entrance. (Amended plans). PER 19th April 2016.

14/01442/LBD - Demolition of boundary walls on north and west elevations as part of re-development of canal site (14/01441/FUL) and involving provision of ramped access to south entrance of church. (Amended plans). PER 29th December 2016.

20/01276/FUL - Demolition of existing structures and garages, redevelopment to provide mixed residential, community centre and boatyard uses, including associated works for the provision of new public realm, ramped access to St Barnabas Church and works to the Canal. (Amended description, information and plans).. Pending considération.

20/01277/LBC - Construction of a ramp and steps to the south-west elevation of the church and demolition of curtilage boundary walls to south-west (Amended site plan).. Pending consideration.

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Other planning documents	Neighbourhood Plans:
Design	117-123, 124-132	DH1 - High quality design and place making		
Conservation/Heritage	184-202	DH3 - Designated heritage assets DH4 - Archaeological remains		

Housing				
Commercial				
Natural environment				
Social and community				
Transport				
Environmental				
Miscellaneous				

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 20th August 2020 and an advertisement was published in The Oxford Times newspaper on 6th August 2020. A second and third round of public consultation was undertaken and site notices were displayed around the application site on 18th March 2021 and 9th September 2021 and an advertisement was published in The Oxford Times newspaper on 18th March and 09th September 2021 respectively. For the amendment (to the description, omitting reference to the community centre which is not relevant to the listed building consent application), an advertisement was published in The Oxford Times newspaper on 9th December 2021 and site notices were put up on 3 December 2021.

Statutory and non-statutory consultees

9.2. Historic England

9.3. Historic England did not wish to offer any comments on the listed building consent application and is content for the application to be determined by the local planning authority following their own specialist advice.

9.4. The Victorian Society

9.1. The Victorian Society did not wish to offer any comments on the listed building consent application.

Public representations

9.2. There were no public responses to this listed building application.

9.3. However, for the planning application, 20/01276/FUL, local residents did object to the reduced size of the proposed piazza which was in part a result of the size of the footprint of the proposed steps and ramp extending into that piazza. They objected to the increased size compared with the previous planning application.

Officer response

9.4. There is no officer response because there were no comments made on the listed building consent application.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- a. Principle of development.
- b. Significance of heritage assets.
- c. Degree of harm that would be caused to significance of heritage assets by the proposed works.
- d. Justification for the proposed alterations to the heritage assets.
- e. Mitigation of any resultant harm to the significance of heritage assets.
- f. Impacts on setting of the grade I listed Church of St Barnabas.
- g. Impacts on the Jericho conservation area.
- h. Archaeology.
- i. Bats.

Policy context

10.2. Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities, when considering whether to grant listed building consent, to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.

10.3. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of any conservation area. In the Court of Appeal, *Barnwell Manor Wind Energy Ltd v East Northants District Council, English Heritage and National Trust*, 18th February 2014, Sullivan LJ made clear that to discharge this responsibility means that decision makers must give considerable importance and weight to the desirability of preserving the setting of listed buildings when carrying out the balancing exercise (of weighing harm against other planning considerations).

10.4. The National Planning Policy Framework (NPPF) revised in 2021 makes clear that the purpose of the planning system is to contribute to the achievement of

sustainable development, through meeting the three overarching objectives categorised as economic, social and environmental objectives. These objectives should be delivered in decision making and collectively form the heart of the NPPF as the presumption in favour of sustainable development.

10.5. This presumption in favour of sustainable development is reflected in policy S1 of the Local Plan, which states “When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.” The policy goes on to state that “It will work proactively with applicants to find a solution jointly which mean that applications for sustainable development can be approved where possible, and to secure development that improves the economic, social and environmental conditions in the area.”

10.6. The NPPF recognises that heritage assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations (paragraph 189).

10.7. In determining applications, paragraph 197 of the NPPF requires local planning authorities to take account of:

- a) “the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.”

10.8. When considering the impact of a proposed development on the significance of a designated heritage asset, paragraph 199 of the NPPF requires great weight to be given to the asset’s conservation (and the more important the asset, the greater the weight should be), irrespective of the level of harm to its significance. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification, with substantial harm or loss of a grade I listed building being wholly exceptional (paragraph 200b) and thus by extension, any object or structure in the curtilage of the grade I listed Church, which the walls are.

10.9. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply in paragraph 202:

- (a) the nature of the heritage asset prevents all reasonable uses of the site; and
- (b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and

(c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and

(d) the harm or loss is outweighed by the benefit of bringing the site back into use.

10.10. Policy DH3 of the Oxford Local Plan 2036 requires great weight to be given to the conservation of heritage assets; policy DH1 requires good quality of design and policy DH4 requires that archaeology is protected and recorded as part of development.

a. Principle of development

10.11. The principle of development is accepted because the demolition of the wall would allow the Church to be part of the proposed piazza and to integrate with the proposed development. The Church would be much more visible to the south once the walls are demolished, however only as part of the proposed planning development of 20/01276/FUL that proposes a mixed used redevelopment of the Jericho boatyard.

b. Significance of heritage assets

10.12. The church of St Barnabas has been described above, in 'Site and Surroundings'.

10.13. The significance of the Church is very high as shown by its listing at grade I. Its significance can be summarised as follows. It has architectural interest as a building of outstanding importance in the history of church building in the 19th century and whose use of Italianate Romanesque is unparalleled at the time in Anglican church-building. Its architect, Reginald Blomfield, was a leading church architect of the 19th century. Unusually, it has technological interest: for its innovative methods of construction, including the use of cement and concrete. Its internal decorative work is of outstanding significance, enhanced by its little-altered condition. Historically, it is an important monument to the influence of the Oxford Movement in the city where that movement began.

10.14. The tall stone and brick walls were built later than the Church, because the coal wharf area had to be separated from the Church for security and noise reduction reasons. In the context of the significance of the Church, the walls inevitably have lower significance even though their importance as evidence of industrial archaeology is acknowledged therefore different value judgements need to be applied in coming to that conclusion.

10.15. Officers consider that the walls have medium significance. These walls have significance as evidence of the church ownership of land and of the historic pattern of defensive walls as part of the coal wharf; they were constructed after the church was completed, to form a tall barrier between the coal wharf at the boat yard and the church. Historically the walls have historic and social significance as part of the industrialisation of the canal, bringing goods in and out of the city. Aesthetically, the walls are of medium attractiveness and do not contain any decorative (for example moulded stone) elements; this is as expected in a wall that was built primarily for function as often found in historic industrial sites in Oxford

and elsewhere. Its significance primarily derives from its function and historical evidence. For a description of the walls, please see 'Site and Surroundings' above.

c. Harm that would be caused to significance of heritage assets

10.16. Harm would be caused to the walls by their complete demolition, their original fabric and historic evidence. The level of harm to the walls would be substantial, therefore.

d. Justification for the proposed alterations to the heritage assets.

10.17. The NPPF at paragraph 200 requires that “any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.” Substantial harm to or loss of grade I listed buildings should be wholly exceptional.

10.18. Paragraph 201 states: “Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- (a) the nature of the heritage asset prevents all reasonable uses of the site; and
- (b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- (c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- (d) the harm or loss is outweighed by the benefit of bringing the site back into use.”

10.19. Therefore the balance of harm versus any substantial public benefits that would arise directly as a result of the proposed demolition of the walls and associated ramp and steps to the Church must be demonstrated.

10.20. The loss of the boundary walls is considered to be an integral part of the wider proposed Jericho boatyard development (planning application 20/01276/FUL) which is considered at the same planning committee as this listed building consent application. Specifically, the substantial harm would be justified by the substantial public benefits brought about by integrating the church with the development proposals and by opening up space for a new public square or piazza. Another substantial public benefit would be the opening up of views of the Church so that it can be appreciated better. Another substantial public benefit would be the creation of a fully accessible ramp and steps leading into the Church where people may stand or sit and view the surroundings.

10.21. Officers consider that the justifications offered by the applicant in support of this and the concurrent planning application are both clear and convincing and that therefore they meet the objectives of the policy set out in paragraphs 200 and 201 of the NPPF; it has been demonstrated by the applicant that the substantial harm

or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

e. Mitigation of any resultant harm to the significance of heritage assets through design

10.22. The applicant is proposing to construct a substantial stone and brick steps and ramp to abut the Church that would face the proposed piazza. A convincing argument has been put forward by the applicant for this piazza, based on piazzas found in historic settings in Italy that would sit appropriately in the context of an Italian Romanesque Church design.

10.23. The harm to the walls would be mitigated to an extent by recording and by salvage of historic material for re-use in the proposed ramp and, if possible, in the wider canal site redevelopment. Recording of the walls and the archaeology to a specified level, would be secured by condition. Another mitigation is design which is considered below.

10.24. The design of the proposed ramp and steps are considered to be in keeping with the Church as re-used brick and stone material would be used from the demolished walls. The steps and ramp would have a simple design as befitting the unadorned design of the Italianate Church. Due to the low gradient of the ramp, railings are not required under Building Control regulations thus the proposal would have an open character. The walking areas would be covered in natural stone with the slabs set out according to the plan form. A condition has been made regarding a sample panel to be inspected on site.

f. Impacts on setting of the grade I listed Church of St Barnabas

10.25. The setting to the south would alter from the demolition of the walls by opening up the view from the south and south west and therefore would be an improvement as the Church would be much more visible. However this greater visibility would be more apparent when the boat yard area is publicly accessible, which the proposed planning application sets out to achieve.

10.26. The proposed location for a ramp is appropriate would not unbalance the symmetry of the Church to the south west as it follows the full width of the Church elevation. It would not be appropriate to insert a new door into the church walls and the existing door would be retained; there would be a low degree of harm caused by the proposed plinth height coming up to the threshold of the door, thus losing two historic stone steps and slightly altering the proportion of the doorway. There would therefore be a low degree of harm caused to the proportion of that elevation by the insertion of the plinth however that would be low level harm given that the height of the Church is substantial. In addition wheelchair users would share the main entrance and not a side entrance which is in the spirit of the Equality Act 2010.

g. Impacts on the Jericho conservation area

10.27. For the same reasons as given above, the Church would be more visible from some parts of the conservation area, should the walls be demolished. Due to their

proximity, the walls are more visible closer to the Church, however they are visible also from Cardigan Street, Canal Street and Barnabas Street. The views, should the walls, gates and piers be demolished, would be opened up to the boat yard area and should the proposals under the planning application be completed, views of the development would be created and since the development would be publicly accessible, would allow opening up of the Church to wider views than currently possible.

10.28. The loss of the walls would not preserve the character or appearance of that localised part of the conservation area because of the total loss of the walls and loss of significance including evidence of the protective nature, loss of legibility of the former coal wharves and industrial area. However, for the reasons given above, the loss would be mitigated by the design and by the walls being recorded by a suitably qualified professional archaeologist who has experience of recording standing structures.

h. Archaeology

10.29. A condition has been imposed requiring a written scheme of investigation to be agreed prior to the start of the development and for a record of the walls to be undertaken. This is a mitigation for the total loss of the walls.

i. Bats

10.30. The ecologist has surveyed the walls and has confirmed that there are no potential roosts in the crevices of the walls because the walls have been repointed thus filling in gaps between the stones and between the bricks.

CONCLUSION

11.1 The proposals, subject to the satisfactory discharge of conditions would cause less than substantial harm to the special architectural and historic interest of the church and would preserve and enhance the character or appearance of the conservation area; are justified by giving public benefits; would accord with local and national policies and the NPPF, would improve access to the church and would be reversible.

11.2 Considerable importance and weight have been given to the desirability of preserving the setting of listed buildings when carrying out the balancing exercise (of weighing harm against other planning considerations).

11.3 It is recommended that the Committee resolve to grant listed building consent for the development proposed, subject to the following conditions.

12 CONDITIONS

- 1 Commencement of works listed building consent.
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 Listed building consent - approved plans.
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 DH1, DH3 and DH4 of the Adopted Oxford Local Plan 2036

- 3 Works as approved only.
This Listed Building consent relates only to the works specifically shown and described on the approved drawings. Any other works, the need for which becomes apparent as alterations and repairs proceed, are not covered by this consent and details of any other works must be submitted to the council as Local Planning Authority and approved before work continues.

Reason: For the avoidance of doubt and to protect the special interest of the historic building and area in accordance with policies DH1, DH3 and DH4 of the Adopted Oxford Local Plan 2036.

- 4 Sample panel with details.
Sample panels on site of stonework/brickwork demonstrating the colour, texture, face bond and finish of the pointing mortar shall be erected on site and approved in writing by the Local Planning Authority before relevant parts of the work are commenced. The development shall be completed in accordance with the approved details.

Reason: For the avoidance of doubt and to ensure a sympathetic appearance for the new work and in the interest of the special character of the area and/or building, in accordance with policies DH1 and DH3 of the Adopted Oxford Local Plan 2036.

- 5 Archaeology - Implementation of programme.
No development shall take place until the applicant, or their agents or successors in title, have secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation (WSI) that includes a standing structures record to level 2 of Historic England's 'Understanding Historic Buildings, a Guide to Good Recording Practice' revised edition, which has been submitted previously by the applicant and approved 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 the perimeter wall of the former 19th century coal wharf/curtilage wall of St Barnabas' Church, in accordance with policy DH4 of the Adopted Oxford Local Plan 2036.

- 6 Stone and/or brick to be re-used.
The stone and/or brick from the dismantled walls shall be carefully cleaned off and set aside under cover on the site or elsewhere so long as it is clearly labelled what it is, for re-use in the proposed steps and ramp to the church and as much of the material shall be re-used as possible.

Reason: To ensure the preservation and protection of original materials and features(s) of historic interest and their reinstatement, and to preserve the special architectural or historic listed building and conservation area, and to provide mitigation for loss, in accordance with policies DH1, DH3 and DH4 of the Adopted Oxford Local Plan 2036.

- 7 Unknown features retained in situ.
Any as yet unknown features of historic interest discovered during the progress of the works shall be retained in situ and preserved to the satisfaction of the Local Planning Authority who shall be alerted to such features on their discovery by contacting the heritage officer.

Reason: To ensure the preservation of valuable features of historic interest, which might otherwise be lost during the proposed works in accordance with policies DH1, DH3 and DH4 of the Adopted Oxford Local Plan 2036.

- 8 Method statement protection fabric.
The works shall not commence until a detailed method statement shall be submitted and approved in writing by the Local Planning Authority showing how protection will be made to the historic building and structures that are vulnerable to damage by the construction works, which are subject to this approval.
The method statement shall not simply state that historic fabric will be protected, rather it shall set out exactly how that is proposed to be done and using what materials during all stages of the construction period. Only the approved method statement shall be used.

Reason: To protect historic buildings and structures from damage and in the interest of the special character of the area and/or building, in accordance with policies DH1 and DH3 of the Adopted Oxford Local Plan 2036.

- 9 Any damage made good.
After works that are subject of this listed building consent application are completed any damage caused by such works shall be made good to a standard agreed in writing by the Local Planning Authority and before the contract of works is completed.

Reason: To preserve the special character of the building and area in accordance with policies DH1 and DH3 of the Adopted Oxford Local Plan 2036.

- 10 Seven days' notice of start.
Seven days' written notice in writing of the commencement of works on site shall be given to the local planning authority.

Reason: To provide an opportunity to discuss any matters and for an inspection of the works by the Local Planning Authority, in accordance with policies DH1, DH3 and DH4 of the Adopted Oxford Local Plan 2036.

- 11 Written notice of completion date.
Seven days' written notice of the intended completion on site of the works hereby granted Listed Building consent shall be given to the local planning authority.

Reason: To allow a final inspection of the completed works by the Local Planning Authority in accordance with policies DH1, DH3 and DH4 of the Adopted Oxford Local Plan 2036.

13 APPENDIX

- **Appendix 1 – Site location plan**

14 HUMAN RIGHTS ACT 1998

14.2 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

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

Appendix 1 – Site Location Plan

20/01277/LBC – Land at Jericho

