

APPLICATION NO.	P13/V0821/FUL & P13/V0822/CA
APPLICATION TYPE	FULL APPLICATION
REGISTERED	16.4.2013
PARISH	ABINGDON
WARD MEMBER(S)	Julie Mayhew-Archer Tony de Vere
APPLICANT	Cockspur Property (General Partner) LTD
SITE	57-59 Stert Street Abingdon Oxon, OX14 3JF
PROPOSAL	Demolition of 55-59 Stert Street & Abbey Court and the erection of a new three storey building fronting Stert Street, comprising 9 flats, and erection of three storey terrace building fronting Old Station Yard comprising 4 dwelling houses and 1 maisonette
AMENDMENTS	None
GRID REFERENCE	449808/197220
OFFICER	Martin Deans

1.0 INTRODUCTION

- 1.1 The application site fronts Stert Street, near to its junction with Broad Street, and runs back from Stert Street to Old Station Yard in Abingdon. The site location plan is **attached** at appendix 1. The site currently contains commercial buildings. There are two, three-storey commercial buildings facing onto Stert Street, a large three storey office building to the rear, occupying a large proportion of the site, running back to Old Station Yard, and a single storey stone “barn” facing onto Old Station Yard. All of the site with the exception of the stone barn lies within the Abingdon Town Centre Conservation Area.
- 1.2 To the south of the site is no. 49 – 53 Stert Street, a grade II listed building, and along the south boundary lie gardens to the rear of nos. 41 – 45 Stert Street. To the north is The Harp PH, which is not listed. Along the north boundary are nos. 2 – 8 Old Station Yard, is a mostly three storey terrace of buildings fronting the Old Station square and containing a mixture of commercial and residential uses. To the west, on the junction with Broad Street, lies the former Beehive PH, which is listed grade II*. To the east lies Station House, a modern residential care home.

2.0 PROPOSAL

- 2.1 The proposal is to demolish all of the existing buildings and to replace them with new three storey buildings containing residential dwellings fronting both Stert Street and Old Station Yard. The new buildings fronting Stert Street will contain eight flats and one maisonette, while the new building fronting Old Station Yard will comprise a terrace of four houses and one maisonette. The total is for fourteen dwellings in the following mix:-

2 x 1-bedroom flats
6 x 2-bedroom flats
2 x 2-bedroom maisonettes
4 x 4-bedroom houses

Twelve of the dwellings will have off-street parking, comprising one space for each flat or maisonette, and two spaces for each house. The two one-bedroom flats would not have parking. Parking for the houses will be a single space located in front of each

house, and a large single integral garage measuring six metres long by three metres wide. Parking for the flats/maisonettes will be provided within the site using a new access from Old Station Yard.

- 2.2 The design of the scheme is contemporary. It has been informed by a heritage statement and is a modern interpretation of the historic patterns of development in Stert Street. The design has been amended from its original form and the amended plans have been the subject of re-consultation. The amendments have sought to address concerns raised by the council's conservation officer and the architects' advisory panel, by introducing elements to better reflect the proportions of historic buildings and those of details such as traditional fenestration. The external materials are facing brick, tiled roofs and aluminium glazing. The amended application plans are **attached** at appendix 2.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

- 3.1 Abingdon Town Council – Original Plans – Object for the reasons **attached** at appendix 3

Amended Plans – Object for the same reasons

- 3.2 Neighbours – Original Plans - Ten letters of objection and one letter of observation were received. The grounds for objection were:-

- Completely inappropriate design for this location which will harm the character and appearance of the conservation area
- The loss of the stone building facing Old Station Yard represents harm to a non-designated heritage asset that is not justified
- There have been procedural problems with the application
- The scale of the proposed buildings dominates the surroundings
- Overlooking
- Obstruction of existing windows
- It is likely to lead to traffic congestion on Old Station Yard
- The ground floor residential use is inappropriate in this part of Stert Street and will harm its vitality
- The detailed relationship of the proposed building to neighbouring buildings is unclear
- Impact on neighbouring foundations (this is not a material consideration)

Amended Plans – three letters of objection had been received at the time of writing the report re-iterating objections made before.

- 3.3 Oxfordshire County Highways – Original Plans – concerns over the proposed access and parking arrangements

Amended Plans – no objection subject to conditions

- 3.4 Conservation Officer Vale – Original Plans – objections on the grounds of lack of sufficient respect for the historic setting and lack of an assessment of

Amended Plans – better reflect the historic setting through the use of more articulation

- 3.5 Architects Panel – Original Plans – Defer - consideration should be given to the site's historic context including impact on layout, massing and bulk, detailing and materials, landscaping, conservation areas and listed buildings

Intermediate Stage – Defer - Reconsider design of frontage onto Stert Street – varied roof treatment, scale of windows. Reconsider parking on Old Station Yard. Recognise

high quality of design

Amended Plans – Recommend approval with conditions – detailing very important (glazing, cladding, undercloak) and will affect the finished scheme significantly.

- 3.6 Drainage Engineer (Vale of White Horse District Council) – objected subject to additional information regarding the submitted flood risk assessment, which has now been received
- 3.7 Health & Housing – no objections subject to details regarding acoustic protection
- 3.8 Waste Management Officer (District Council) – no objections subject to details and a financial contribution towards the provision of recycling/refuse bins
- 3.9 Countryside Officer(South Oxfordshire & Vale of White Horse) - No objections
- 3.10 County Archaeologist – no objection subject to conditions
- 4.0 **RELEVANT PLANNING HISTORY**
- 4.1 P84/V6935/LB – Demolition of existing buildings and construction of three-storey office buildings. Change of use of upper floors from residential to office- Permission 03/09/1982
- 5.0 **POLICY & GUIDANCE**
- 5.1 Policy HE1 of the adopted Vale of White Horse Local Plan 2011 deals with development in the conservation area and requires all new development to preserve or enhance the character or appearance of the conservation area. Policy S4 allows retail uses within Abingdon town centre except for the ground floor of premises with protected shopping frontages. Policy S5 defines these protected shopping frontages. Policies DC1, DC5 and DC9 of the adopted local plan require all new development to be acceptable in terms of design, impact on neighbours, and highway safety. Policy DC8 ensures that measures are put in place to mitigate the impact of any new development on local services and infrastructure.
- 5.2 Published in March 2012, the National Planning Policy Framework replaced all previous PPG's and PPS's, and is a material consideration in the determination of all planning applications. The core principle of the Framework is a presumption in favour of sustainable development, comprised of three mutually dependent dimensions – economic, social and environmental. Where relevant policies of the development plan are out-of-date, the Framework states (paragraph 14) that planning permission should be granted "... unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.."
- 5.3 Paragraph 49 of the Framework states that "Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites." Currently the council does not have a five year supply of housing sites. Paragraph 50 supports the delivery of sustainable, inclusive and mixed communities.
- 5.4 Paragraph 60 states that planning decisions should not attempt to impose architectural styles or particular tastes, and should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. Local distinctiveness is important, however.

- 5.5 Paragraphs 126 – 141 deal with the historic environment and the assessment of applications that affect designated heritage assets (whose definition includes listed buildings and conservation areas) and non-designated heritage assets (defined as a building, monument, place or area that has a degree of significance because of its heritage interest). Paragraph 129 requires a local planning authority to identify and assess the particular significance of any heritage asset that may be affected by a planning proposal, including the setting of a heritage asset. In determining planning applications the local planning authority should take account of the desirability of sustaining and enhancing the significance of heritage assets, the positive contribution that conservation of heritage assets can make to sustainable communities, and the desirability of new development making a positive contribution to local character and distinctiveness (paragraph 131)
- 5.6 Paragraph 132 states that when considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraphs 133 and 134 deal with applications leading to substantial, and to less than substantial harm to the significance of designated heritage assets. With applications that are considered to lead to less than substantial harm, the harm should be weighed against the public benefits of the scheme. Where a planning proposal affects a non-designated heritage asset a balance judgement is required having regard to the scale of the loss and the significance of the asset (paragraph 135)
- 5.7 Paragraph 138 states that the loss of a building which makes a positive contribution to the significance of a conservation area should be treated as either substantial harm under paragraph 133, or as less than substantial harm under paragraph 134, depending on the relative significance of the element affected and its contribution to the significance of the conservation area as a whole.

6.0 PLANNING CONSIDERATIONS

6.1 The main issues are:-

- The principle of the proposal
- The impact on the character and appearance of the conservation area and on the heritage assets
- The impact on neighbours
- The impact on local services and facilities
- Highway safety

6.2 With regard to the principle of the proposal, the site lies within the Abingdon town centre policy area and the conservation area. The use of buildings for residential purposes in the town centre is acceptable, provided the ground floor of the site is not within a protected shopping frontage. The ground floor of the site's Stert Street frontage is not part of the protected shopping frontage of Stert Street and the established use of the ground floor is not for retailing, but for offices. Local plan policy S5, which protects ground floor retail use, does not apply and, therefore, the use of the ground floor for residential use is acceptable in principle by reason of policy S4.

6.3 The site lies in a highly sustainable position. It is within easy walking distance of all the services of Abingdon town centre, and of numerous bus services to Oxford and other settlements. The proposal does represent sustainable housing development and, following paragraph 14 of the Framework, there is a presumption in favour of granting planning permission.

- 6.4 With regard to the impact on the character and appearance of the conservation area, and on heritage assets, the applicants have submitted a heritage statement tracing the history of the site as revealed in OS maps and other sources. The earliest record is from 1877, when a brewery stood on the site. By the 1920's the site was occupied by a registrar's office, a print works and a cinema. The cinema closed in 1938 when the print works became the predominant use. The site was redeveloped in the 1980's to what exists today. From the OS records, a building in the position of the stone building first appeared in the map of 1899, but this building appears longer than the current stone building.
- 6.5 The planning permission for the redevelopment of the site in 1982 showed the stone barn being converted to form parking and an office on the ground floor and offices above. The walls were to be altered through the introduction of large openings, window frames were to be replaced and the floor removed and replaced with new. From an examination of the current building it appears that the roof structure is also modern, with a complete inner lining and new beams. There is a complete inner brick lining which looks contemporaneous with the adjacent 1980's office buildings, and a new slabbed floor that carries through from the inner courtyard. From the assessment of the available evidence it is not considered that this stone barn has sufficient historic merit to be considered a non-designated heritage asset. Consequently it is considered that the demolition of the buildings on the site does not represent harm to a heritage asset as defined in paragraphs 133 and 134 of the Framework
- 6.6 The proposed buildings are of contemporary design. It has been amended in response to comments made by the conservation officer and the architects' advisory panel. The amendments have involved greater articulation of the terraced houses and revisions to the design and detail of the proposed Stert Street frontage, both designed to pay more regard to the rhythm and proportions found in the historic pattern of development in Stert Street. The amendments have now gained the agreement of the architects' advisory panel.
- 6.7 The design is modern, minimalist, and based on very precise detailing. The execution of this detailing will be critical to the visual quality of the scheme. Substantial conditions controlling this detailing will therefore be necessary. The external materials are brick and tile, while windows will have a significant recess and will have aluminium frames.
- 6.8 Councillors need to give careful consideration to this issue. The modern design in this location is controversial. However, advice in the Framework is clear, that innovation and originality should not be rejected unless there are valid design reasons for so doing. In view of the support of the architects' advisory panel, and provided the scheme is executed to a high standard, there is considered to be no justification for refusal on design grounds.
- 6.9 The design includes privacy blinds that can be drawn across the ground floor windows of the proposed flats fronting Stert Street. Blinds or curtains are an accepted feature in such circumstances, and this is not considered to be harmful to the appearance of the proposal. The proposal also provides a street frontage to Old Station Yard, which is beneficial in urban design terms
- 6.10 With respect to the impact on neighbours, this assessment has to be informed by the presence of the existing large office building in the centre of the site, which lies very close to the north boundary, and has first and second floor windows that already look directly towards the rear of adjacent buildings in Stert Street, and towards the gardens to the south. The proposal will have the effect of removing built form from some of the north boundary, although there are no principal windows in the rear elevation of the

terrace facing the square. No additional harm will arise to the properties fronting Stert Street.

6.11 The garden immediately to the south lies at a level approximately three metres higher than the ground level of the site. This change in level means the garden will not suffer harmful noise or other disturbance from vehicles using the new vehicular access into the site from Old Station Yard. The scheme has been carefully designed to minimise harm from overlooking, and represents a significant improvement to the direct overlooking that currently exists from the office building. Overall the impact on neighbours is acceptable.

6.12 The next issue is the impact on local services. Section 106 agreements are being prepared at the Vale and at Oxfordshire County Council to secure financial contributions. The contributions will cover the following areas – local primary and secondary schools, special needs education, integrated youth services, social and health care, libraries, waste management, central museum storage, sport and leisure, and the provision of recycling bins

6.13 The final issue is highway safety. The amended plans have also sought to address concerns regarding access and parking. The proposed integral garages have been increased in size to six metres by three metres, so they are more likely to be used for parking. Amendments have also been made to the proposed access so that it now meets the required standard.

6.14 Two of the proposed residential units will not have off-street parking. These are the two smallest units, the one-bedroom flats. Given the highly sustainable location of the site, in the town centre, and the presence of double-yellow lines in surrounding streets, it is not considered that the lack of parking for these two small units is sufficient to justify refusal of the application.

7.0 CONCLUSION

7.1 The proposal is sustainable housing development and has an acceptable impact on the character and appearance of the conservation area. When compared to the impact of the existing office building on the site, the amenities of neighbours will not be harmed by the proposal. Access arrangements will meet safety standards. Parking will be provided for all but two of the proposed dwellings. Given the location of the site in the town centre, this is considered to be acceptable. Consequently, the proposal accords with relevant policies of the adopted Vale of White Horse Local Plan 2011, particularly policies HE1, DC1, DC5 and DC9.

8.0 RECOMMENDATION

Planning Permission is granted subject to:-

1. The completion of section 106 agreements for financial contributions,

2. Conditions as follows:

P13/V0821/FUL:

1 : Commencement 3 yrs - Full Planning Permission

2 : Approved plans *

3 : HY2[I] - Access in Accord.with Specified Plan (F)

4 : HY7[I] - Car Parking (Full)

5 : HY19 - No Drainage to Highway (Full)

6 : MC2 - Materials (Samples) (Full)

7 : MC9 - Building Details (Full – including eaves, verges, undercloak, rainwater

goods, door and window frames, reveals, and vents)
8 : MC24 - Drainage Details (Surface and Foul(Full))
9 : RE2 - PD Restriction on Dwels. Exten/Outbld.(F
10 : RE5 - Restriction on Fences/Walls (Full)
11 : RE7[I] - Bound.Details in Accord. with Spec.Plan
12 : RE11 - Garage Accommodation (Full)
13 : HY20 – Bicycle Parking
14 : RE29 – Refuse Storage
15 : CN11 – Scheme of Archaeological Investigation
16 : RE15 – Sound Insulation (Dwellings)

P13/V0822/CA:

1 : TL4 – Time Limit

Author: Martin Deans
Contact number: 01235 540350
Email: martin.deans@southandvale.gov.uk