

<b>APPLICATION NO.</b>	<a href="#">P20/V3044/LB</a>
<b>SITE</b>	25-27 Stert Street Abingdon, OX14 3JF
<b>PARISH</b>	ABINGDON
<b>PROPOSAL</b>	Refurbishment, alterations and extensions to separate commercial unit from existing flat, and provide 2 x 1 bed flats. (As amended by additional information received on 28.4.21 and 29.7.21)
<b>WARD MEMBER(S)</b>	Cheryl Briggs Helen Pighills
<b>APPLICANT OFFICER</b>	Mr C Ellis Martin Deans

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## **RECOMMENDATION**

Listed Building Consent is granted, subject to the following conditions:

### **Standard**

1. Commencement within three years
2. Approved plans list

### **Pre-commencement**

3. Submission of details for the rear and stair walls to be reinstated
4. Submission of details for the proposed lobby walls

### **Pre-damp course level**

5. Submission of material details (samples by photographic record)

## **1.0 INTRODUCTION AND PROPOSAL**

- 1.1 The application is referred to planning committee at the request of Councillor Helen Pighills.
- 1.2 25 and 27 Stert Street are both three storey terrace properties located within Abingdon Town Centre. They are both Grade II listed and consist of retail (Class E) units on the ground floor and residential flats above. They front onto Stert Street to the west, while the rear of the site is accessed from Abbey Close to the east. The site is located within the Abingdon Town Centre Conservation Area.

1.3 A site location plan is provided overleaf:



1.4 The proposal seeks listed building consent for works to facilitate the refurbishment, alteration, and extension of No.25 and No.27 Stert Street. The works involve:

- The retail units on the ground floor of both 25 and 27 would be retained; with amendments made to the layout of No.25;
- The existing flat above No. 27 would be retained and unaltered;
- Unauthorised works on the rear flat roof of no. 27, consisting of wood decking, balustrading and a stairs, will be replaced by iron railings and an iron staircase to replicate what was approved in 2009 by application numbers P09/V1042 and P09/V1043/LB.
- The existing 1-bedroom flat above No. 25 would be also be retained, but separate access (other than through the retail unit as existing) would be provided;
- An extension is proposed to the rear of the site to provide an additional

2 x 1-bedroom flats (resulting in four individual 1-bedroom flats on the site).

- 1.5 Amended plans have been submitted during the application process to address comments raised by technical consultees, particularly the council’s Conservation Officer. The overall number of new flats proposed has been reduced from three to two and a number of design changes, externally and internally, have been made to the application in order to better preserve the special character of the listed buildings. The application is supported by a Heritage Statement (which has been updated during the process to reflect the amended plans) which identifies the historic significance of the site and provides a heritage assessment of the proposals
- 1.6 There is an associated planning permission running concurrently relating to the same proposal for the development, ref: P20/V3043/FUL. The application plans are attached to the parallel report on the agenda.

2.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

2.1 This a summary of the final responses received from consultees and third parties to the application. The full responses can be viewed on the council website: [www.whitehorsedc.gov.uk](http://www.whitehorsedc.gov.uk)

2.2

Consultee	Comments
<b>Abingdon Town Council</b>	<p><b>Object</b> for the following reasons:</p> <ul style="list-style-type: none"> <li>• The application has not addressed the archaeological conditions of the site;</li> <li>• The application also has inadequate car parking provision;</li> <li>• The Town Council requests that the previous investment of the Joint Environmental Trust in landscaping the area is taken into account.</li> </ul>
<b>Conservation Officer (Vale)</b>	<p><b>No objections</b>, subject to conditions: material details and internal works details.</p>
<b>The Friends of Abingdon Civic Society</b>	<p><b>Objects</b> for the following reasons:</p> <ul style="list-style-type: none"> <li>• Application is barely justified;</li> <li>• No reference to statutory duties and their effect on the special interest of the listed building;</li> <li>• No analysis of the effects on the character and appearance of the conservation area;</li> <li>• No analysis of the townscape effects;</li> <li>• No pre-application advice sought;</li> <li>• A planning enforcement investigation is open;</li> <li>• Request that the application is refused. It should not be resubmitted until all the issues identified in the conservation officers report are addressed and pre-application advice sought.</li> </ul>

<p><b>Neighbouring property, No. 29 Stert Street</b></p>	<p><b>Objections</b> raised which can be summarised as:</p> <ul style="list-style-type: none"> <li>• The buildings are older than stated; their character and preservation deserve to be preserved;</li> <li>• Over-development for the plot with the layout and density out-of-keeping;</li> <li>• The size and appearance of the extension is bulky and incongruous;</li> <li>• Access to No.25 is very narrow; where are the disabled access arrangements?</li> <li>• Commercial property will have no easy parking;</li> <li>• Viability of the commercial property will suffer;</li> <li>• Would not support reduction in traffic fumes and air pollution;</li> <li>• Will lead to more dangerous and unsatisfactory on-street parking and blocking of roads;</li> <li>• Overlooking and loss of privacy for No.29;</li> <li>• The historic staircase could be retained;</li> <li>• Overshadowing;</li> <li>• No.27 and No.29 should not be annexed;</li> <li>• Exacerbates water run-off in the area;</li> <li>• Clauses should be included to ensure completion of works so site is not left unfinished and unsightly;</li> <li>• An archaeological survey and architectural survey should be undertaken;</li> <li>• What benefits will this site provide to enhance and protect biodiversity in the area?</li> <li>• An ecological survey should be carried out in relation to protecting priority species.</li> <li>• It seems a lot of work and clearance has already been carried out – has permission been granted for this?</li> <li>• Original objections still stand to the amendments.</li> </ul>
<p><b>Third Party Consultation – Abingdon resident (206 South Avenue)</b></p>	<p>Having experienced many such cases, a listed building enforcement notice should be issued to set out a detailed schedule of the works required to be undertaken to restore the building to its former state and a specific period for the works to be completed. Conditions will not achieve the same end. A listed building consent would therefore not be necessary so should be refused and a listed building enforcement notice issued.</p>

### 3.0 **RELEVANT PLANNING HISTORY**

#### 3.1 [VE20/297](#) – Enforcement Investigation

Without planning permission and listed building consent the erection of a raised platform and steps.

#### [P19/V1470/FUL & P19/V1471/LB](#) - Withdrawn (22/11/2019)

Change of use of part of the building from A1 to C3.

Installation of non loadbearing partitions to separate the A1 and C3 Uses on the ground floor. Installation of a toilet and tea station in connection with the A1 use. Installation of a shower room on the 1st floor.

#### [P09/V1042 & P09/V1043/LB](#) - Approved (08/10/2009)

Erection of a rear extension

#### [P08/V1295 & P08/V1296/LB](#) - Withdrawn (02/02/2009)

Erection of a rear extension

#### [P04/V1356](#) - Approved (18/11/2004)

Formation of vehicular hardstanding and formation of access ramp and new access with timber gates.

#### [P04/V1455/A & P04/V1456/LB](#) - Withdrawn (18/10/2004)

Proposed new signage.

#### [P04/V1250](#) - Approved (05/10/2004)

Erection of a fence between 25 and 27 Stert Street.

#### [P04/V0539/COU](#) - Approved (05/07/2004)

Partial Change of Use from retail to tattoo and body piercing studio.

#### [P01/V1540/LB](#) - Approved (11/12/2001)

Replacement window frames to rear of 2nd storey.

#### [P00/V0390/DA](#) - Approved (22/05/2000)

Environmental improvements including construction of new walls, gateways and access drives with tree and shrub planting. (Fronting Abbey Close).

#### [P78/V0603/LB](#) - Approved (14/04/1978)

Extension at the rear to provide staff room, wc and bathroom together with alterations to salon. (Floor Space 1499 sq ft).Planning Application History

### 3.2 **Pre-application History**

None.

### 3.3 **Screening Opinion requests**

None.

### 4.0 **ENVIRONMENTAL IMPACT ASSESSMENT**

4.1 This is not applicable to a listed building consent application.

## 5.0 **MAIN ISSUES**

5.1 The relevant planning considerations are the following:

- Impact on the special interest of the Listed Building

### 5.2 **Impact on the special interest of the Listed Building**

Sections 16(2) and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires a local planning authority 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.

5.3 Local Plan Policy CP39 seeks to ensure that new development conserves and where possible enhances designated heritage assets and their setting. It also seeks to ensure that vacant historic buildings are appropriately re-used as soon as possible to prevent deterioration of condition. Local Plan Policy DP36 requires that proposals demonstrate that they conserve and enhance the special interest or significant of the heritage asset and its setting. Local Plan Policy DP38 states that proposals for additions or alterations to a Listed Building must demonstrate that they will preserve or enhance its special architectural or historic interest and significance.

5.4 The application has been amended significantly to address concerns raised by the Conservation Officer regarding the originally proposed degree of loss of historic fabric and the unauthorised works that had taken place to the building. The amended plans show a much reduced amount of alteration to the building and the reversal of the unauthorised works, including the replacement of the unauthorised wood decking, balustrade and stairs with much more appropriate iron railings and stairs, to replicate what had been previously approved in 2009. The proposal still contains some alteration, but the Conservation Officer considers that the impact of these, as reduced from originally proposed, is outweighed by the benefits of restoring the building and of providing an optimum use for it. There is no objection subject to conditions.

5.5 With regard to the impact on the setting of the listed buildings, the Conservation Officer advised that the proposed extensions at the rear, to provide flats, be reduced in height from the original two storeys to one-and-a-half storeys. This has been done and the amended extension is now considered to be subordinate in scale to the main listed buildings.

5.6 The overall long and narrow plot layout relates to the history of no.25 and no.27 as burgage plots. Historic mapping produced for the Heritage Appraisal indicates that the nature of the plots has varied over time – for example in the 1870's there were buildings at the rear of no.25 and no.27 that spread across both plots and which were likely to be ancillary buildings that served both plots together. In light of this evidence, officers consider that the current proposal, which similarly occupies the rear of both no.25 and no.27, does reflect a former historic pattern of development. On this basis, the proposal is not considered to harm the setting of the listed buildings.

## 6.0 **CONCLUSION**

- 6.1 Officers consider that the works, as amended, are sympathetic to the special historic and architectural interest of the building and its setting and would preserve its special interest and significance, compliant with Policy CP39 of LPP1 and Policies DP36 and DP38 of LPP2.

The following planning policies have been taken into account:

### **Vale of White Horse Local Plan 2031 Part 1 (LPP1) Policies:**

CP39 - The Historic Environment

### **Vale of White Horse Local Plan 2031 Part 2 (LPP2) Policies:**

DP36 - Heritage Assets

DP38 - Listed Buildings

### **Neighbourhood Plan**

Abingdon does not currently have a neighbourhood plan.

### **Other relevant legislation**

#### **The Planning (Listed Building and Conservation Areas) Act 1990**

Section 66: The local planning authority has a duty to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72: The Local Authority has a duty to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

#### **Human Rights Act 1998**

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

#### **Equality Act 2010**

In determining this planning application the Council has regard to its equalities obligations including its obligations under Section 149 of the Equality Act 2010.

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