

Agenda

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West Area Planning Committee

Date: **Tuesday 10 March 2015**

Time: **6.30 pm**

Place: **The Old Library, Town Hall**

For any further information please contact:

Jennifer Thompson, Committee and Member Services Officer

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West Area Planning Committee

Membership

Chair	Councillor Oscar Van Nooijen	Hinksey Park;
Vice-Chair	Councillor Michael Gotch	Wolvercote;
	Councillor Elise Benjamin	Iffley Fields;
	Councillor Bev Clack	St. Clement's;
	Councillor Colin Cook	Jericho and Osney;
	Councillor Andrew Gant	Summertown;
	Councillor Alex Hollingsworth	Carfax;
	Councillor Bob Price	Hinksey Park;
	Councillor John Tanner	Littlemore;

The quorum for this meeting is five members. Substitutes are permitted

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AGENDA

Pages

1 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

2 DECLARATIONS OF INTEREST

3 WESTGATE PLANNING APPLICATIONS:14/02402/CND -
CONDITIONS 6 & 17 (LANDSCAPING AND ELEVATIONAL
TREATMENTS)

11 - 18

Proposal: Details submitted in compliance with conditions 6 (landscaping) and 17 (elevational treatments) of planning permission 14/02402/RES

Site Address: Westgate Centre and adjacent land encompassing the existing Westgate Centre and land bounded by Thames St, Castle Mill Stream, Abbey Place, Norfolk St, Castle St, Bonn Square, St Ebbes St, Turn Again Lane and Old Greyfriars St.

Officer recommendation: The Committee is recommended to APPROVE the details submitted in compliance with conditions 6 and 17 of reserved matters planning permission 14/902402/RES. As below;

Condition 6: Landscaping at Abbey Place and Greyfriar's Place

Condition 6 of the reserved matters permission reads:
Notwithstanding the approved landscaping indicated on planting plan drawing OX5004 GIL L (20) RM PR 110 Rev. A, further details of the specification and location of proposed landscaping species at Abbey Place and the proposed Greyfriar's Place shall be submitted to and approved in writing by the local planning authority, and the landscaping implemented in accordance with the requirements of condition 9 of outline planning permission 13/02557/OUT. Amendments to the approved details may be agreed in writing from time to time by the local planning authority. The development shall be carried out in accordance with the approved details.

Condition 17: Elevations to Old Greyfriar's Street, Greyfriar's Place and Pennyfarthing Place.

Condition 17 of the reserved matters permission reads:
Notwithstanding the approved drawings appended to this notice of permission, and if required by the local planning authority, within 12 months of commencement of development amended and / or additional elevational details of the following shall be submitted to and approved in writing by the local planning authority:

- the proposed eastern elevation to Building 3;
- the southern elevation of existing Building 4 facing the public square west of Turn Again Lane; and
- the eastern entrance to Building 4 where it faces Pennyfarthing Place.

The development shall only be carried out in accordance with the approved details.

4 333 BANBURY ROAD: 14/03255/FUL

19 - 38

Site Address: 333 Banbury Road,

Proposal: Demolition of existing buildings on site with an exception of retained 1820s villa. Construction of new independent sixth form school building on 2 and 3 floors with an extension to villa with freestanding building accommodating school hall. Provision of 27 car parking spaces accessed from Banbury Road and Capel Close, together with 60 cycle parking spaces, bin store, landscaping and ancillary works.

Officer recommendation: as on report: That the Committee APPROVED the Planning Application subject to the following conditions:

- 1 Commencement - time limit
- 2 Develop in accordance with approved plans
- 3 Materials
- 4 Lighting
- 5 Obscure glazing to north facing windows
- 6 Landscape plan required
- 7 Landscape carry out by completion
- 8 Landscape management plan
- 9 Landscape hard surface design - tree roots
- 10 Landscape underground services - tree roots
- 11 Tree Protection Plan
- 12 Arboricultural Method Statement
- 13 Trees: Construction Method Statement
- 14 On - Site Traffic Management Plan
- 15 Parking provision
- 16 Alternative cycle parking facilities
- 17 Deliveries - manoeuvring space
- 18 Travel Plan
- 19 Archaeology - evaluation
- 20 Biodiversity - bird and bat boxes
- 21 Contamination - risk assessment.
- 22 Vacate St. Giles and Ewert Place upon occupation
- 23 Community use of facilities
- 24 Public art
- 25 Construction management plan
- 26 SUDs
- 27 Piling methods
- 28 Extraction equipment - kitchen
- 29 Mechanical plant
- 30 Noise attenuation

5 376 BANBURY ROAD: 14/03445/FUL

39 - 54

Site Address: 376 Banbury Road,

Proposal: Demolition of existing building. Erection of school boarding house on 3 and 4 storeys, plus basement. Provision of 2 car parking spaces, cycle and bin stores, landscaping and ancillary works.

Officer recommendation: That the Committee approve the planning application subject to the following conditions:

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples of materials
- 4 Boundary treatment
- 5 External lighting
- 6 Obscure glazing to north facing windows
- 7 Landscape plan required
- 8 Landscape carry out after completion
- 9 Landscape management plan
- 10 Landscape hard surface design - tree roots
- 11 Landscape underground services - tree roots
- 12 Tree Protection Plan
- 13 Arboricultural Method Statement
- 14 Landscape top soil retention
- 15 Amendment to parking spaces
- 16 Cycle parking - details
- 17 Variation of Road Traffic Order
- 18 Travel plan
- 19 Students - No cars
- 20 Full time students
- 21 Supervision of students
- 22 Use as boarding school only
- 23 Contamination - risk assessment
- 24 Archaeology - evaluation
- 25 Biodiversity - bird and bat boxes
- 26 Construction management plan
- 27 Ground resurfacing - SUDS compliant
- 28 Piling methods
- 29 Mechanical plant
- 30 Extraction equipment
- 31 Noise attenuation
- 32 Drainage strategy
33. Repeat bat survey.

6 OXFORD RAILWAY STATION: 15/00096/PA11

55 - 66

Site Address: Oxford Railway Station, Park End Street

Proposal: Application seeking prior approval for development comprising extension to the length of existing north bay platforms, replacement platform canopies, new re-locatable rail staff accommodation building and reconfiguration of short stay and staff car parking under Part 11 Class A Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995.

Officer recommendation: The Committee approve prior approval - siting and design subject to the following conditions:

1. Materials samples
2. Windows in east and north facing elevations
3. Contamination risk study

4. Remediation Strategy
5. Unexpected contamination
6. Surface water disposal
7. Time limit of 3 years

7 ARISTOTLE LANE: 14/01348/FUL

67 - 86

Site address: Aristotle Lane Footbridge, Aristotle Lane

Proposal: Demolition of the existing footbridge and erection of replacement footbridge with ramped approaches and new stepped access. Provision of 12 car parking spaces and change of use of part of land adjacent to railway lines for educational purposes as part of SS Phillip and James School (amended plans)

Officer recommendation: That the Committee APPROVE the application subject to the following conditions:

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Boundary and abutment details, including spur ramp, handrails and boundary walls
- 4 Flood plain storage
- 5 Contamination and remediation
- 6 Demolition and Construction Travel Plan
- 7 Sustainable drainage
- 8 Tree protection
- 9 Landscape plan required
- 10 Landscape carry out after completion
- 11 Landscape management plan
- 12 Hard surface design.
- 13 Underground services
- 14 Tree protection plan
- 15 Arboricultural method statement
- 16 Samples of materials.
- 17 Sample panels.
18. Biodiversity
- 19 Archaeology

8 FORMER RUSKIN COLLEGE, WALTON ST: 13/00832/CND10 & CND11, 13/01075/CND8

87 - 98

Site Address: Exeter College Walton Street, Site Plan Appendix 1

Proposal: Details submitted in compliance with condition 3 (materials samples) of planning permission 13/00832/FUL.

Details submitted in compliance with conditions 9 (samples materials) and 10 (sample panels) of Listed building Consent 13/01075/LBD.

Officers Recommendation That the Committee approve the proposed materials as set out in the materials schedule submitted in compliance with condition 3 of approval 13/00832/FUL and conditions 9 & 10 of 13/01075/LBD, and delegate to Officers to agree further sample panels of

stone and bricks.

9 PLANNING APPEALS

99 - 104

Summary information on planning appeals received and determined to 23 February 2015.

The Committee is asked to note this information.

10 MINUTES

105 - 110

Minutes from the meeting of 10 February 2015

Recommendation: That the minutes of the meeting held on 10 February 2015 are approved as a true and accurate record.

11 FORTHCOMING APPLICATIONS

Items for consideration by the committee at future meetings are listed for information. They are not for discussion at this meeting.

96 Gloucester Green: 14/02663/FUL: Change of use shop to restaurant.

Former Wolvercote Mill: 13/00186/OUT: Residential.

14 Polstead Rd: 15/00035/FUL: Change of use to 2 flats.

Chiltern Line: Conditions.

89 Pennywell Drive: 15/00168/FUL: Extensions.

12 DATE OF NEXT MEETING

The Committee will meet on the following dates:

19 March 2015

14 April 2015

DECLARING INTERESTS

General duty

You must declare any disclosable pecuniary interests when the meeting reaches the item on the agenda headed "Declarations of Interest" or as soon as it becomes apparent to you.

What is a disclosable pecuniary interest?

Disclosable pecuniary interests relate to your* employment; sponsorship (ie payment for expenses incurred by you in carrying out your duties as a councillor or towards your election expenses); contracts; land in the Council's area; licenses for land in the Council's area; corporate tenancies; and securities. These declarations must be recorded in each councillor's Register of Interests which is publicly available on the Council's website.

Declaring an interest

Where any matter disclosed in your Register of Interests is being considered at a meeting, you must declare that you have an interest. You should also disclose the nature as well as the existence of the interest.

If you have a disclosable pecuniary interest, after having declared it at the meeting you must not participate in discussion or voting on the item and must withdraw from the meeting whilst the matter is discussed.

Members' Code of Conduct and public perception

Even if you do not have a disclosable pecuniary interest in a matter, the Members' Code of Conduct says that a member "must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself" and that "you must not place yourself in situations where your honesty and integrity may be questioned". What this means is that the matter of interests must be viewed within the context of the Code as a whole and regard should continue to be paid to the perception of the public.

*Disclosable pecuniary interests that must be declared are not only those of the member her or himself but also those member's spouse, civil partner or person they are living with as husband or wife or as if they were civil partners.

CODE OF PRACTICE FOR DEALING WITH PLANNING APPLICATIONS AT AREA PLANNING COMMITTEES AND PLANNING REVIEW COMMITTEE

Planning controls the development and use of land in the public interest. Applications must be determined in accordance with the Council's adopted policies, unless material planning considerations indicate otherwise. The Committee must be conducted in an orderly, fair and impartial manner.

The following minimum standards of practice will be followed.

1. All Members will have pre-read the officers' report. Members are also encouraged to view any supporting material and to visit the site if they feel that would be helpful
2. At the meeting the Chair will draw attention to this code of practice. The Chair will also explain who is entitled to vote.
3. The sequence for each application discussed at Committee shall be as follows:-
 - (a) the Planning Officer will introduce it with a short presentation;
 - (b) any objectors may speak for up to 5 minutes in total;
 - (c) any supporters may speak for up to 5 minutes in total;
 - (d) speaking times may be extended by the Chair, provided that equal time is given to both sides. Any non-voting City Councillors and/or Parish and County Councillors who may wish to speak for or against the application will have to do so as part of the two 5-minute slots mentioned above;
 - (e) voting members of the Committee may raise questions (which shall be directed via the Chair to the lead officer presenting the application, who may pass them to other relevant Officers and/or other speakers); and
 - (f) voting members will debate and determine the application.

At public meetings Councillors should be careful to be neutral and to listen to all points of view. They should take care to express themselves with respect to all present including officers. They should never say anything that could be taken to mean they have already made up their mind before an application is determined.

4. Public requests to speak

Members of the public wishing to speak must notify the Chair or the Democratic Services Officer before the beginning of the meeting, giving their name, the application/agenda item they wish to speak on and whether they are objecting to or supporting the application. Notifications can be made via e-mail or telephone, to the Democratic Services Officer (whose details are on the front of the Committee agenda) or given in person before the meeting starts.

5. Written statements from the public

Members of the public and councillors can send the Democratic Services Officer written statements to circulate to committee members, and the planning officer prior to the meeting. Statements are accepted and circulated up to 24 hours before the start of the meeting.

Material received from the public at the meeting will not be accepted or circulated, as Councillors are unable to view proper consideration to the new information and officers may not be able to check for accuracy or provide considered advice on any material consideration arising.

6. Exhibiting model and displays at the meeting

Applicants or members of the public can exhibit models or displays at the meeting as long as they notify the Democratic Services Officer of their intention at least 24 hours before the start of the meeting so that members can be notified.

7. Recording meetings

Members of the public and press can record the proceedings of any public meeting of the Council. If you do wish to record the meeting, please notify the Committee clerk prior to the meeting so that they can inform the Chair and direct you to the best plan to record. You are not allowed to disturb the meeting and the Chair will stop the meeting if they feel a recording is disruptive.

The Council asks those recording the meeting:

- Not to edit the recording in a way that could lead to misinterpretation of the proceedings. This includes not editing an image or views expressed in a way that may ridicule, or show a lack of respect towards those being recorded.
- To avoid recording members of the public present unless they are addressing the meeting.

For more information on recording at meetings please refer to the Council's [Protocol for Recording at Public Meetings](#)

8. Meeting Etiquette

All representations should be heard in silence and without interruption. The Chair will not permit disruptive behaviour. Members of the public are reminded that if the meeting is not allowed to proceed in an orderly manner then the Chair will withdraw the opportunity to address the Committee. The Committee is a meeting held in public, not a public meeting.

9. Members should not:

- (a) rely on considerations which are not material planning considerations in law;
- (b) question the personal integrity or professionalism of officers in public;
- (c) proceed to a vote if minded to determine an application against officer's recommendation until the reasons for that decision have been formulated; and
- (d) seek to re-design, or negotiate amendments to, an application. The Committee must determine applications as they stand and may impose appropriate conditions.

West Area Planning Committee

10 March 2015

Application Number: 14/02402/CND

Decision Due by: 20 April 2015

Proposal: Details submitted in compliance with conditions 6 (landscaping) and 17 (elevational treatments) of planning permission 14/02402/RES

Site Address: Westgate Centre and adjacent land encompassing the existing Westgate Centre and land bounded by Thames St, Castle Mill Stream, Abbey Place, Norfolk St, Castle St, Bonn Square, St Ebbes St, Turn Again Lane and Old Greyfriars St.

Ward: Carfax

Agent: Turleys

Applicant: Westgate Oxford Alliance

Recommendation: Committee is recommended to approve the details submitted in compliance with conditions 6 and 17 of reserved matters planning permission 14/902402/RES.

Background to Case

1. At its meeting of 25th November 2014 West Area Planning Committee resolved to grant planning permission for reserved matters application 14/02402/RES for the Westgate development, subject to conditions. The committee had previously granted outline permission to application 13/02557/OUT following consideration at its 11th March 2014 meeting, also subject to conditions and accompanying legal agreement.
2. In approving the details of appearance, landscaping, layout and scale at the November 2014 meeting officers were instructed that certain further details required by condition should be brought to committee for consideration and determination. These related to:
 - landscaping at Abbey Place and at Greyfriar's Place to the west of Turn Again Lane;
 - elevational details relating to the south side of building 4; to the north - east side of building 3; the eastern elevation of building 3 to Old Greyfriar's Street; and to Pennyfarthing Place;
 - public realm features;
 - the lantern feature to building 4; and

- cycle parking details.
3. This report relates to the first two of the above. Details of public realm features, the lantern to building 4 and cycle parking will come before a future meeting.

Officers Assessment

Condition 6: Landscaping at Abbey Place and Greyfriar's Place.

4. Condition 6 of the reserved matters permission reads:
Notwithstanding the approved landscaping indicated on planting plan drawing OX5004 GIL L (20) RM PR 110 Rev. A, further details of the specification and location of proposed landscaping species at Abbey Place and the proposed Greyfriar's Place shall be submitted to and approved in writing by the local planning authority, and the landscaping implemented in accordance with the requirements of condition 9 of outline planning permission 13/02557/OUT. Amendments to the approved details may be agreed in writing from time to time by the local planning authority. The development shall be carried out in accordance with the approved details.
5. Abbey Place. With the demolition of properties to the south side of Abbey Place and their replacement by building 1, (the department store), a new urban space is created which is framed by the remaining residential properties at Tennyson Lodge to the north, the department store itself to the south, the route leading to the bridged access to Oxford and Cherwell College to the west, and building 3 to the east side of Norfolk Street to the east. As presented to committee in November of last year this space was effectively divided into two with the bus priority route to the south and the residential street of Abbey Place closed at its eastern end to the north. In between and separating the two was proposed a row of some 9 hornbeam trees and beech hedge rising to 1.8m on maturity. This was an approach supported by residents of Tennyson Lodge who wished to see a degree of separation between themselves and the bus priority route. An alternative approach would have been to consider the whole as a single uninterrupted space. In view of the very different nature and requirements of the two halves the space as a bus priority route and virtually traffic free pedestrian thoroughfare respectively, this was not an approach supported by the applicant or officers.
6. In these amended proposals a paved footway with cycle parking would remain to the south side of the bus priority route with Abbey Place still as a mainly pedestrian street. The line of hornbeams and beech hedge would also remain as before. As now proposed however the shared surface to the bus priority route would be extended at the western end where it addresses the right angled bent, with hard surfacing also created between the easternmost 3 hornbeams. This allows a clear pedestrian route from Abbey Place and Paradise Street to be created across the shared surface leading to the footway to the north and west sides of the department store. This approach increases the shared surface to the western end of Abbey Place, helping to create a greater sense of place whilst still retaining the quieter feel to Abbey

Place with its more domestic character. Given the bus priority route and the frequency of bus movements along it, it is felt necessary and appropriate to create separation between these two distinct areas in order to protect the amenities of existing residents and their outlook, with the greenery providing visual relief to what would otherwise be a hard landscaped environment. These changes are supported by officers.

7. Greyfriar's Place. The arrangements for Greyfriars Place remains largely the same as previously presented to committee and provide for a variety of uses that are intended to give a purpose to the space and generate activity in the street that will be positive rather than negative. Old Greyfriar's Street to the south would be closed to general traffic, though a taxi rank would exist to the western side, whilst delivery vehicles would pass through to the space to the service bays for the northern part of the site. It would also form part of an important cycle route with the north - east corner of building 3 facing the space also being the location for a cycle hub with shop and café spilling outside. The greater part of the space is then given over to a public area set between Turn Again Lane and the east - west link between buildings 3 and 4 leading to Middle Square and Castle Street beyond. The space would be a mix of hard and soft surfaces laid out in a more formal arrangement, with an existing wild cherry tree retained and 6 new cherry trees added.
8. The amended details for Greyfriar's Place show that the level of cycle parking to be located here to be rationalised to about 114 spaces, (though full details will follow at a later date), sited to the eastern and western sides of the space. Importantly a degree of animation is given to the blank northern façade, discussed in detail below.

Condition 17: Elevations to Old Greyfriar's Street, Greyfriar's Place and Pennyfarthing Place

9. Condition 17 of the reserved matters permission reads:
Notwithstanding the approved drawings appended to this notice of permission, and if required by the local planning authority, within 12 months of commencement of development amended and / or additional elevational details of the following shall be submitted to and approved in writing by the local planning authority:
 - the proposed eastern elevation to Building 3;
 - the southern elevation of existing Building 4 facing the public square west of Turn Again Lane; and
 - the eastern entrance to Building 4 where it faces Pennyfarthing Place.*The development shall only be carried out in accordance with the approved details.*
10. Greyfriar's Place. In addition to the works described above, these amended proposals indicate the potential to utilise the existing enclosed footpath running along the south side of building 4 for controlled cycle parking, probably for staff employed within the development. Breaks in the otherwise blank façade would provide views of the cycle parking and movement associated with it whilst painting and lighting would improve the general

appearance. Details have yet to be fully resolved but there is sufficient space to provide perhaps 30 cycle parking spaces whilst retaining the space also as an escape route. Access to the space would be controlled and be achieved via Roger Bacon Lane which would assist in increasing the use of this largely hidden lane and the connection to Pennyfarthing Place. Signage would request cyclists to dismount, but cycle movements should not be at a level which would conflict with pedestrian use of the route. St. Ebbe's Church and Oxford Preservation Trust as nearby occupiers have been consulted by the applicants and are supportive if administered properly.

11. Moreover climbing foliage is now proposed to be attached to the façade by a series of stainless steel cables. The planting would consist of evergreen clematis (*Clematis armandii*); climbing hydrangea (*Hydrangea petiolaris*); virginia creeper (*Parthenocissus quinquefolia*); and honeysuckle (*Lonicera x brownii* "Dropmore scarlet"). These species are chosen as being appropriate for the southern aspect whilst activating the façade and producing a variety of coloured flowers and leaves. The planting is envisaged to achieve the following sizes:

- clematis: final size - 5m; after 3 years - 2.5m.
- hydrangea: final size - 15m; after 3 years - 3m.
- virginia creeper: final size - 15m; after 3 years - 4m.
- honeysuckle: final size - 4m; after 3 years - 2m.

12. In sum the adjustments to the public space created, plus the animation of the southern façade to building 4 through creating a cycle parking facility with lighting; a glazed window above the service bay entrance; and extensive climbing plants creates an elevation which now provides interest and animation which in turn actively increases the attractiveness of the space in faces. Although details have yet to be drawn up it is also hoped to celebrate the importance of the site in historic and archaeological terms through public art and information installations. Collectively these measures significantly increase the sense of place for the intended Greyfriar's Place whilst retaining and improving its performance in functional terms.

13. Old Greyfriar's Street. It was an accepted principle that the activity in and around buildings 2 and 3 would focus on the covered southern square and arcade and on the Norfolk Street frontage where the principle entrances to retail units would be located, and in the case of the latter where bus stops would be sited. In contrast Old Greyfriar's Street represents a lower order thoroughfare, closed to general traffic but with taxi rank to its west side and access for delivery vehicles. It also forms an important cycle and pedestrian route. The different functions which this street is asked to perform has required the applicant to look carefully at the external envelope of the buildings 2 and 3 to ensure that the street has character and distinctiveness in its own right and is not experienced as merely the back of a big building. To this end officers have sought to work with the applicant's architects to secure animation through the use of 'non retail' windows and doors, cross routes, movement up and down the street and in the articulation of building elements and use of materials. Successful streets derive from the interplay between different activities and the buildings that surround them. It was important therefore to consider how all these different activities and details work together to

create interest and activity, recognising that time is often needed to establish a context.

14. Taking references from historic precedents elevations need not necessarily have openings to form part of a successful street. Indeed variation and points of interest may have greater overall effect than mere repetition. As proposed at the southernmost part of Old Greyfriar's Street the elevation relating to building 2 has been divided into two bays with variety in the choice of materials and texture between them, but each with large window openings at upper levels. In contrast the next, larger, bay has a sense of solidity with fewer window openings punctuating the façade, thereby giving a sense of enclosure whilst utilising lighter coloured brickwork with a warmer tone and texture. Beyond there the entrance leading to South Square which forms the junction between buildings 2 and 3 represents an important focus and a point of interest in the street. Progressing further north building 3 has a more regular if "offset" rhythm, leading into the stepped façade on the corner and the activity around the cycle hub and café which will occupy the ground floor at Greyfriar's Place.
15. Although the elevations to blocks 2 and 3 are not altered, additional images have been produced including views up Greyfriars Street. These inevitably illustrate the difference in scale between the domestic properties to the east side of Old Greyfriar's Street and the new Westgate Centre to the west. The light coloured and warm tones of brickwork here will help to offset the difference of scale and reflect light so that the street would not feel oppressive, with the use of bricks (rather than larger scale building elements, such as panels) also helping to create a familiar smaller scale to parts of the building. It should also be noted of course that the view is not fixed and people will be moving up and down the street entering and exiting from the surrounding street network. In the same way that in currently entering the city centre one progresses from a 'suburban' scale to city scale, Old Greyfriar's Street represents a new edge to the city centre where a similar transition occurs.
16. Pennyfarthing Place. The eastern section of the existing Westgate Centre is one where there are few changes as the existing Sainsburys supermarket is intended to remain and to continue trading throughout the construction period of the new development. The scope for change is limited therefore and the focus of attention has been to remodel the entrance and in cleaning the brickwork and simplifying the glazed detailing to the entrance.
17. Pennyfarthing Place itself falls outside the planning application site, and properties nearby are in other ownerships. The area is "tired" and currently experienced as a back entrance to the Westgate. However as a separate project to the Westgate permission itself, proposals are anticipated to come forward in the near future funded by Community Infrastructure Levy (CIL) contributions for improvements, possibly in conjunction with other public realm works in the area. Accompanying this current submission the applicant has illustrated how Pennyfarthing Place might be relandscaped with better quality paved surfaces reflecting the different characters of the "square" to the western end and the "lane" section to the east. The illustrations indicate a more appropriate approach to the raised Westgate entrance and the addition

of a further specimen tree. Such proposals would be complementary to the treatment of Westgate itself with the physical improvements augmented by controls preventing unauthorised vehicles entering the space. With these features in place the potential exists to create a revitalised public space in its own right which also links Westgate to the new and expanding facilities at Museum Art Oxford and the Story Museum nearby.

Conclusion

18. This report has sought to provide more detail of the public spaces and elevational treatments proposed at Abbey Place, Old Greyfriar's Street and Greyfriar's Place than was possible at the November meeting of committee and indicates how the applicant has attempted to address the concerns expressed there. This has involved a dialogue between officers and the applicant and consultation by the letter with other stakeholders at Tnneyson Lodge at Abbey Place, Turn Again Lane and St. Ebbe's Church. Officers have taken the view that the response has been positive and together with further detail to come on public realm features and street furniture; cycle parking; the lantern to building 4; and separate proposals for Pennyfarthing Place, then a framework is in place to deliver high quality and robust public spaces in and around the new development.
19. Committee is recommended to support the details now submitted in compliance with conditions 6 and 17 to reserved matters permission 14/02402/RES.

Town and Country Planning (Environmental Impact Assessment) Regulations 2011

In recommending that committee approve the details submitted in compliance with conditions 6 and 17 of reserved matters planning permission 14/02402/RES, officers have taken into account the Environmental Statement and other environmental information accompanying outline and reserved matters planning applications 13/02557/OUT and 14/02402/RES respectively.

Human Rights Act 1998

Officers have considered the Human Rights Act 1998 in reaching a recommendation to approve the details submitted in compliance with the conditions specified above. Officers have considered the potential interference with the rights of the owners/occupiers of surrounding properties under Article 8 and/or Article 1 of the First Protocol of the Act and consider that it is proportionate. Officers have also considered the interference with the human rights of the applicant under Article 8 and/or Article 1 of the First Protocol caused by imposing conditions. Officers consider that the conditions are necessary to protect the rights and freedoms of others and to control the use of property in accordance with the general interest. The interference is therefore justifiable and proportionate.

Section 17 of the Crime and Disorder Act 1998

Officers have also had due regard to the likely effect of the proposals on the need to reduce crime and disorder in considering the submitted details, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to approve the details, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Background Papers: 13/02557/OUT, 14/02402/RES.

Contact Officers: Murray Hancock / Nick Worledge

Extensions: 2153 / 2147

Date: 27th February 2015

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West Area Planning Committee

10th February 2015

Application Number: 14/03255/FUL

Decision Due by: 26th February 2015

Proposal: Demolition of existing buildings on site with an exception of retained 1820s villa. Construction of new independent sixth form school building on 2 and 3 floors with an extension to villa with freestanding building accommodating school hall. Provision of 27 car parking spaces accessed from Banbury Road and Capel Close, together with 60 cycle parking spaces, bin store, landscaping and ancillary works.

Site Address: 333 Banbury Road, **Appendix 1.**

Ward: Summertown Ward

Agent: TSH Architects

Applicant: D'Overbroeck's & Carnegie
Capital Estates

Recommendation: Approve, subject to conditions.

- 1 The planning application site has been unoccupied since the Masonic Lodge vacated the site in 2012, since when other proposals for residential development have failed to gain planning permission. The current application provides an opportunity to bring forward beneficial development on an unallocated brownfield site which would retain its distinctive wooded character, whilst enhancing the setting of the retained 1820s villa .The architecture of the proposed development is contemporary in style, but relates well to the villa, whilst appropriate levels of car and cycle parking can be achieved, supported by a Travel Plan and On Site Traffic Management Plan. Conditions relating to materials, landscaping and the replacement of trees lost would ensure the development is of a quality appropriate to the site, whilst other conditions would mitigate any adverse impacts. The proposal is therefore considered to accord with the requirements of the relevant policies of the Oxford Local Plan and Core Strategy.
- 2 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

Conditions

- 1 Commencement - time limit
- 2 Develop in accordance with approved plans
- 3 Materials
- 4 Lighting
- 5 Obscure glazing to north facing windows
- 6 Landscape plan required
- 7 Landscape carry out by completion
- 8 Landscape management plan
- 9 Landscape hard surface design - tree roots
- 10 Landscape underground services - tree roots
- 11 Tree Protection Plan
- 12 Arboricultural Method Statement
- 13 Trees: Construction Method Statement
- 14 On - Site Traffic Management Plan
- 15 Parking provision
- 16 Alternative cycle parking facilities
- 17 Deliveries - manoeuvring space
- 18 Travel Plan
- 19 Archaeology - evaluation
- 20 Biodiversity - bird and bat boxes
- 21 Contamination - risk assessment.
- 22 Vacate St. Giles and Ewert Place upon occupation
- 23 Community use of facilities
- 24 Public art
- 25 Construction management plan
- 26 SUDs
- 27 Piling methods
- 28 Extraction equipment - kitchen
- 29 Mechanical plant
- 30 Noise attenuation

Legal Agreement and Community Infrastructure Levy (CIL).

Policy CS24 of the Core Strategy, supported by the Affordable Housing and Planning Obligations Supplementary Planning Document (SPD) describes the circumstances under which a contribution to affordable housing would be required from commercial development via a S.106 planning agreement. In this case the planning application is for an institutional development but at a site where a degree of employment is lost following its vacation as a Masonic Lodge and conference centre. Those uses occupied some 1,681 sq m of floorspace. If the current application is successful the applicant would vacate the accommodation it occupies at St. Giles and Ewert Place which together amount to 761 sq m of floorspace, or less than half that of the vacated buildings on site. As the school does not intend to expand its teaching staff in the short term as a consequence of the redevelopment of 333 Banbury Road, then it is concluded that there is unlikely to be need for new housing as the development will not result in an overall increase in employment locally but would be broadly neutral. As such a contribution to affordable housing is not required. A condition can be imposed in the event of planning permission being granted, that upon occupation of the development at 333 Banbury Road, the existing school premises at St. Giles

and Ewert Place would be required to be vacated and returned to the open market.

The development does however generate a contribution under Community Infrastructure Levy (CIL) arrangements of £33,867.18.

Principal Planning Policies:

Oxford Local Plan 2001-2016

CP1 - Development Proposals
CP6 - Efficient Use of Land & Density
CP8 - Design Development to Relate to its Context
CP9 - Creating Successful New Places
CP10 - Siting Development to Meet Functional Needs
CP11 - Landscape Design
CP13 - Accessibility
CP14 - Public Art
CP17 - Recycled Materials
CP18 - Natural Resource Impact Analysis
CP19 - Nuisance
CP21 - Noise
TR1 - Transport Assessment
TR2 - Travel Plans
TR3 - Car Parking Standards
TR4 - Pedestrian & Cycle Facilities
TR6 - Powered Two-Wheelers
TR12 - Private Non-Residential Parking
TR14 - Servicing Arrangements
NE14 - Water and Sewerage Infrastructure
NE15 - Loss of Trees and Hedgerows
NE16 - Protected Trees
NE23 - Habitat Creation in New Developments
HE2 - Archaeology
HE6 - Buildings of Local Interest

Core Strategy

CS9 - Energy and natural resources
CS10 - Waste and recycling
CS12 - Biodiversity
CS13 - Supporting access to new development
CS17 - Infrastructure and developer contributions
CS18 - Urban design, town character, historic environment
CS19 - Community safety
CS24 - Affordable housing

Other Planning Documents

- National Planning Policy framework (NPPF).
- Planning Policy Guidance.
- Affordable Housing and Planning Obligations SPD.
- Parking Standards, Transport Assessment and travel Plans SPD.
- Natural Resource Impact Analysis SPD.

Public Consultation

Statutory Consultees Etc.

- Thames Water: No objection in terms of water or waste issues.
- Environment Agency: Site in Flood Zone 1 and under 1ha; no comments to make on application.
- County Council: Highway Authority (i): Objection. Insufficient information on travel behaviour and likely traffic impacts; inadequate access for delivery and refuse vehicles; unknown impacts relating to bus usage, dropping off of students; future modes of transport etc; failure to demonstrate that car and cycle parking is adequate; provision for access by pedestrians and cyclists from Capel Close would be beneficial; not clear which access cyclists intended to use; one access rather than two preferred to Banbury Road and with left only movements; no drop off should be allowed to Banbury Road; Travel Plan required; applicant to work with Highway Authority on best location for pedestrian crossing (funded by applicant).
- County Council: Highway Authority (ii): Objection; manoeuvring space for deliveries inadequate; insufficient evidence for cycle parking provision - additional stands required; Capel Close access will result in loss of 1 or 2 on - street parking spaces; access to Banbury Road to be left turn out only; should be no drop off from Banbury Road; Travel Plan required; details of surface water management required; do not object in principle to pedestrian crossing.
- County Council: Highway Authority (iii): No objection subject to condition relating to a turning area for delivery vehicle. (Other comments still apply).
- County Council: Drainage: Sustainable drainage techniques proposed; no objection to proposed development.

Interested Parties.

- Victorian Group of Oxfordshire Architectural & Historical Society: Veranda to east side of villa should be retained and restored but would be cramped by new extension; house originally had “ornamental skylight”, now lost but may be hidden somewhere.

Individual Comments:

The main points raised were:

- Support in principle / no objection.
- Support provision of zebra crossing to Banbury Road.
- Obscure glazing to north facing windows.
- Development to keep to permitted drawings.
- Building should be no taller than indicated on drawings.
- No pupils, deliveries or construction vehicles from Capel Close.
- Concerned at potential for dropping off / picking up pupils.
- Measures to be in place to minimise impact on Capel Close.
- Car parking inadequate, leading to overspill in surrounding streets.
- Distance of hall building from Summerhill Road properties to be increased.
- Additional planting to southern boundary.
- Welcome retention of villa.
- Development may increase surface water problems in area.

- Fence rather than hedge preferred to Capel Close.

Only a limited number of responses have been received to normal consultation procedures on the planning application as submitted, with the majority of respondents either supportive in principle or not raising objection, but raising matters of detail.

In addition to the above the applicant undertook two public consultation events on the proposals as then emerging on 5th September and 13th November 2014, which including its separate proposals for a school boarding house at 376 Banbury Road.

On 11th September 2014, a presentation was also made to the Oxford Design Review Panel on the emerging proposals. Generally the Panel felt that the development created an opportunity to animate this part of Summertown and engage with the wider community by sharing facilities. Some details remained to be resolved however. Retention of the tree coverage was welcomed but the opportunity should be taken to reduce the level of car parking and strengthen the parkland setting. It was thought that use could be made of an access from Capel Close whilst retaining visitor access from Banbury Road. The development would also benefit from a sense of arrival whilst the school hall could usefully be a freestanding structure, retaining views of important trees on site and creating a sequence of courtyard spaces. Elevations facing the perimeter of the site needed to be designed carefully to protect the amenities of neighbouring householders.

Officers Assessment:

Site and Surroundings.

1. The site is located on the western side of Banbury Road north of Summertown. It has road frontage and two vehicle access points to Banbury Road. The site extends to 0.52 hectares and is the remnant of a much larger historic plot with a residential villa known as Summerhill built in 1829 set in landscaped gardens. It is now surrounded on three sides by residential development at Squitchey Lane (north side), Capel Close (west) and Summerhill Road (south), dating mainly from the early 20th century but with some modern infill developments. The urban grain here and in the wider surroundings is typically characterised by detached and semi-detached houses together with some flats within a leafy suburban setting. Development to the eastern side of Banbury Road at this point exhibits similar urban characteristics but with some modern 3 and 4 storey flats and houses. There are also some commercial and institutional uses along Banbury Road in the wider locality.
2. In 1953 the villa was acquired by the Oxford Masonic Lodge and was subsequently expanded with major but piecemeal extensions to house masonic functions and later the Oxford Conference Centre. These uses ceased in 2012. Substantial buildings still remain on the site however covering some 27% of the site area together with extensive tarmac parking areas for 88 vehicles (49%) and some soft landscaping (24%).

3. Since the vacation of the existing buildings in 2012 a number of alternative uses have been discussed with officers, and a planning application submitted in 2013 for a residential development of 15 flats and 2 houses together with 33 car parking spaces, reference 13/01319/FUL. The application was refused planning permission however in that the offer of 2 affordable units and a contribution of £500,000 towards off - site provision did not represent an adequate provision of affordable accommodation within the terms of Core Strategy policy CS24 and Sites and Housing policy HP3. In considering the planning application however Committee did resolve to include the 1820s villa on the Historic Assets Register as a building of local interest.
4. The site is also characterized by significant trees that are the subject of a Tree Preservation Order.

Proposals.

5. D'Overbroecks is an independent school offering courses for 11 to 19 year olds, including international students, based at a number of separate sites, at Leckford Place, 111/113 Banbury Road, St. Giles and Ewart Place. It currently has approximately 257 sixth form students enrolled who would transfer to 333 Banbury Road if the current application were successful. In doing so the accommodation at 31A St. Giles and Ewart Place would be given up accordingly. Of its 257 sixth formers, approximately 160 are boarders, 38 of whom currently live in existing boarding accommodation at 338/340 and 106 Banbury Road, and the remainder with host families. Accompanying this current application is a separate proposal for new boarding school accommodation for D'Overbroeck's to the east side of Banbury Road at no. 376 directly opposite no. 333, planning reference 14/03445/FUL. That proposal is a facility for some 58 boarding students. A separate report appears on this agenda accordingly
6. The proposals envisage the removal of the undistinguished modern buildings on site and the construction on approximately the same footprint of a 3 storey building linked to a refurbished villa. To the south side on the site on the current car park a separate building would house the school hall. A limited amount of car parking would be accessed from Banbury Road, with the bulk of parking (for staff) accessed via a new entrance from Capel Close.
7. The application site is not allocated for a specific use in the Sites and Housing Plan and no objection of principle is raised to the use now sought.
8. Officers consider the principle determining issues in this case to be:
 - built forms;
 - relationship to neighbouring properties;
 - heritage considerations;
 - highways, access and parking;
 - trees and landscaping;
 - biodiversity; and
 - sustainability.

Built Forms.

9. In redeveloping the site for the intended new use, the planning application seeks to construct a collection of buildings and spaces which exploit the fine parkland character of the site. All of the undistinguished modern additions are demolished and in their place the 1820s villa refurbished and connected by a flat roofed two storey link to a 3 storey pitched roof structure which would house the majority of the school functions. To the south side, on the site of the current car park, a new school hall would be constructed, enabling a series of new spaces to be created in and around the new buildings. To the Banbury Road frontage would be a formal lawned area, with a more informal garden area to the south - west of the site. Central to the site between the two new buildings would be a new courtyard space measuring approximately 470 sq m. Officers support the general approach to the disposition of buildings and the creation of attractive new spaces which exploit the fine features of the site.
10. Along the Banbury Road frontage two access points already exist, and would be retained. The northern one would provide 7 parking spaces for staff, with 3 spaces for deliveries and / or visitors accessed from the southern one. Cycle parking is also located at this point. A second, main staff car park is provided to the rear of the site accessed via a new entrance off Capel Close.
11. The main teaching accommodation is provided within the new 3 storey structure (with partial basement) which occupies a similar footprint to the building it replaces. The main student entrance is to the south side of the building at about its midpoint. The refurbished villa mostly contains the office and support accommodation and staff room facilities, whilst the new building to the south side of the site contains the main hall with removable seating and viewing gallery at upper level. A kitchen is also included which would provide meals taken within the hall during the school week. As it contains the school hall this building is a double height structure equivalent to 2 storeys, but with a single storey element to its south side close to the boundary of the site. Both the hall and main building are intended to be constructed of a light coloured buff / yellow brick with pre - cast concrete detailing under a low pitched zinc roof with aluminium windows. Timber fences and hedges are proposed to the boundaries.
12. For the new spaces created the central courtyard would be paved with a permeable brick in a Flemish bond, whilst the car park areas to the Banbury Road side of the site would be finished in resin bonded gravel with a gravel path around the important Wellingtonia tree situated to the street frontage. The rear staff car park off Capel Close would be constructed of permeable block paving.
13. Architecturally the buildings are of contemporary design with a mix of window styles, sizes and proportions punctuating the elevations. By introducing a low pitched roof to the new buildings the height and bulk of the buildings is reduced, whilst the recessed second floor level to the larger northern block of accommodation results in the building reading more as a two storey structure

when viewed from ground level in this direction. At ground floor level this building also has large full length windows to this south side facing onto the central courtyard and wrapping around the corners to produce light and airy internal spaces, including at the entrance points. Similarly the hall building possesses full length window openings to its northern elevation, some of which open out as doors to the central courtyard which in turn afford glimpses of the interior. The semi circular western end to the hall building would also possess full length windows where they overlook the garden area, whilst a large oriel window framed in bronzed aluminium at first floor level facing Banbury Road introduces interest and a focal point when viewed from this direction.

Relationships to Neighbouring Properties.

14. In terms of the development's relationship to neighbouring residential properties to the north, the three storey main range is located approximately 6m from the common boundary with 6 Capel Close, and approximately 26m from the southern flank of the house itself. To avoid overlooking of the property the first floor windows here are obscure glazed to a height of 1.8m from floor level whilst at second floor level the windows are narrow slid features no more than 0.4m wide with the main light source to individual rooms being from roof lights. Although not indicated to be so, these slit windows could similarly be obscure glazed to avoid overlooking.
15. Also along this northern boundary the two storey structure linking the new building with the villa possesses 3 first floor windows in the north facing elevation towards 337 Banbury Road. They are presented as projecting architectural features in timber however, with glazing facing eastwards only towards Banbury Road, such that there is no direct overlooking of the garden to no.337. This two storey linking structure is approximately 2m from the common boundary with the window features themselves projecting 0.6m. This compares with the flank wall to the existing building which is set 4.0m from the boundary but is 1.1m taller at eaves than the proposed building at this point. The relationship to no.337 therefore remains much as now.
16. Along this northern boundary there are also single storey elements to the new main 3 storey building in the form of a conservatory and staff common room at approximately 5m and 2m respectively from the boundary. With existing planting along this boundary already, and the potential to add to it, no objection is raised to these features of the development.
17. To the south side the nearest potentially affected properties are at 1 and 1A Summerhill Road. No.1 is a detached house with a large single storey rear extension. That single storey extension is located approximately 16m from the common boundary, with the southern side of the hall building located between 4 and 5m further back. The main two storey element of the hall building is approximately 25.5m from the single storey extension. Since the submission of the planning application these distances have been eased so that the hall is now some 1.2m further from the common boundary than previously, and lowered by 0.3m. Officers consider the 25.2m distance acceptable in its

context, with a greater potential also to now supplement the landscaping between the hall and the boundary. The occupier of that property has been consulted by the applicant accordingly and is content with the relationships. 1A Summerhill Road is a smaller property with a longer rear garden extending 29.5m from the rear of the house to the boundary, or approximately 12m further away than no.1. At these distances the relationship of the hall building to that property is again considered to be acceptable.

Heritage Considerations.

18. The original late Georgian villa on the application site was constructed in 1829 as the home and workplace of the local Moberley family of butchers. It was later occupied by Frank Ryman, of the Oxford printing and publishing company. The building is in the Regency style with some surviving external and internal architectural detailing. It represents one of a series of villas built for well-to-do Oxford tradesmen in the area between Banbury Road and Woodstock Road from 1820 until the later 19th century, which contributed to the development of Summertown as a distinct neighbourhood of the city prior to the development of North Oxford in the later 19th century. As such it provides associations with Oxford's historical mercantile elite, who influenced the development of the city in the early and mid - 19th century and illustrates the expansion of the city to accommodate them through the establishment of a specialist suburban settlement.
19. Despite many internal and external changes to the villa over its lifetime the building has retained architectural detailing and a scale and mass that were designed to be aesthetically pleasing in the early 19th century. In spite also of poor later extensions for the Masonic Hall the building contributes to the wider aesthetic value of Summertown and the Banbury Road whilst the mature tree coverage within the grounds contributes to the setting of the house as well as to the wider public realm. Although the property is not "listed", in considering an earlier proposal to redevelop the current application site for residential purposes in 2013, committee resolved to include the building on the Oxford Heritage Assets Register.
20. Externally many of the alterations to the villa have been crudely achieved, resulting in the loss of chimneys for example and a truncated west - facing veranda which now sits uncomfortably with the 20th century extension. The planning application provides an opportunity therefore to redress some of the inappropriate acquired features of the building and bring its principle rooms back into active use. The junction of the retained veranda with the new link extension remains a little awkward for example but is much improved over current arrangements and does seek to announce the passage from one building to another. On balance its retention and the refurbishment of this western elevation is therefore supported.
21. Internally the villa has been substantially altered along its northern side in particular. The much changed arrangement of rooms here is intended to be rationalised to create functional spaces based on historic layouts as much as possible. To the southern side rooms are more intact, though with features such as chimney breasts removed. These spaces are proposed to be

repaired and conserved. In the main the rooms within the villa are intended to be for administrative offices and the like rather than teaching spaces, though with the largest single room at ground floor level given over to a classroom. The original south - facing door to the villa would be retained, as would the more visible east - facing door to Banbury Road. They would give access to the administrative accommodation in the main however rather than the teaching spaces.

22. Specifically in terms of archaeology, a desk based assessment has been produced for this site which notes moderate to good potential for Palaeolithic remains associated with to the Wolvercote Channel (A Lower Palaeolithic palaeochannel running through the Wolvercote gravel terrace), although the only recorded exposure of finds associated with this channel was located 800m to the north-west of the application site (County HER 1379). The assessment also notes moderate potential for Roman remains and notes the interest of the Regency period (1823) Summerhill Villa.
23. No objection is raised to the development in archaeological terms, but a condition is suggested requiring the implementation of a scheme of mitigation of any significant impacts identified.

Highways, Traffic and Parking.

24. The application site is situated mid way between Summertown and the A.40 Oxford ring road. At this point Banbury Road is protected by double yellow line restrictions in both directions, with a north bound cycle lane and southbound bus lane in operation. Near directly opposite the site is a southbound bus stop located outside a modern flatted development at 378 Banbury Road. The immediate area lies within a Controlled Parking Zone requiring permits for on - street parking between the hours of 10.00am and 4.00pm Monday to Friday. Short stay limited waiting parking spaces exist nearby in Squitchey Lane near its junction with Banbury Road to the north and within Summerhill Road near its junction with Banbury Road to the south. Access to the application site is currently taken from two separate vehicular access points off Banbury Road, plus a pedestrian access. A further disused vehicular access and dropped kerb exists in Capel Close to the eastern side of the site. A total of 88 car parking spaces currently exist on site.
25. In these proposals the total amount of car parking is reduced to 27 spaces, with the bulk of them (17) accessed from Capel Close at a point south of the unused current access which would be permanently closed. These spaces would be for staff only. A smaller staff car park of 7 spaces would be accessed from the existing northern access point on Banbury Road, with 3 spaces for visitor / delivery vehicles accessed from the existing southern access. There would be no vehicular route through the site between Banbury Road and Capel Close. 60 cycle stands are indicated to the southern side of the site. Currently the school's Sixth Form engages 75 staff, which could rise to a maximum of 96 in future years, but not in the immediate future. The corresponding figures for students are 257 and 330.
26. As part of the planning submission, in January 2015 a survey was undertaken of staff and student modes of transport. The survey was undertaken over two

days and resulted in a response rate of 67% and 71% for students over the two days of the survey and 84% and 93% for staff, giving a high response rate overall. As the sites surveyed were the applicant's Ewert Place and Swan Building premises at 111 / 113 Banbury Road which are both within relatively close proximity to the current application site, then it was thought the results would be similar to those to be expected at 333 Banbury Road without intervention.

27. In brief the survey found that the main means of transport for the 75 staff based here were private car, cycle and bus and for the 257 students walking and bus use. The detailed results in Table 2.2 of the survey are indicated below.

Table 2.2: Existing Modal Split

Main Mode of Travel	Students				Staff			
	19 January		20 January		19 January		20 January	
	No.	%	No.	%	No.	%	No.	%
Walk	57	31%	47	27%	4	6%	2	3%
Bus	78	42%	81	48%	14	20%	15	24%
Train	9	5%	11	6%	1	1%	1	2%
Car Driver	7	4%	6	4%	30	43%	24	38%
Car Passenger	13	7%	9	5%	2	3%	0	0%
Cycle	13	7%	14	8%	19	27%	21	33%
Park & Ride	3	2%	1	1%	0	0%	0	0%
Other	3	2%	1	1%	0	0%	0	0%
Total	183	100%	171	100%	70	100%	63	100%

Notes: 'Other' for students includes a combination of cycle with another mode (walk or cycle).
Slight errors due to rounding.

28. The survey also indicated that only 13 and 14 students were dropped off by private car for each day surveyed, and that none of them were dropped off directly onto Banbury Road, but in nearby side streets. Factoring up the response rate to 100% would give rise to some 18 students being dropped off each day. The survey indicates that the majority arrived between 8.30am and 9.00am, though departure times varied rather more due to timetabling and after school activities.

29. On one of the survey days it was indicated that more staff arrived by car than parking spaces are to be provided at the current application site. At the full Local Plan requirement of 1 space per 60 sq m of accommodation, or 1 space per 2 staff some 54 or 48 spaces respectively would be needed at full standard for the 3,220 sq m of accommodation or maximum number of 96 staff which could be based here in the years ahead. In order to address this point and to encourage modes of transport other than the private car a draft Travel Plan accompanies the planning application which seeks to ensure that:

- before first occupation of the development and subsequently all students and staff are provided with sustainable travel information;
- on first occupation no students are to drive to the site by private car; and
- on first occupation no more than 24 staff are to drive to the application site each day.

30. It is also proposed that a Travel Plan Coordinator be appointed before first occupation and that subsequently he / she liaises with students, parents and staff in respect of travel options. Whilst the commitment of the school to sustainable modes of transport is much welcomed, the Travel Plan remains at an early stage of preparation with specific objectives, targets and timescales for their achievement required to be worked up in more detail, and with monitoring arrangements in place. It is suggested that then Travel Plan should also encapsulate arrangements for the accompanying planning school boarding house at 376 Banbury Road. A condition is suggested accordingly
31. In terms of cycle parking, at present D'Overbroeck's has some 257 sixth formers who would transfer to this site, with a potential capacity in years to come of 330, with up to 96 staff also based at the site at that time. Taking these figures as a "worse case" scenario and applying Local Plan cycle standards of 1 space per two students and 1 per 5 staff, then some 165 and 20 cycle parking spaces would be required respectively, or 185 in total. However some 58 students are intended to be resident at the proposed new boarding school at 376 Banbury Road which can be discounted from the student figure, whilst information provided by the applicant on current arrangements indicates that typically only 70% of students would be on site at any one time. Therefore some 190 students are required to be catered for. This translates as 95 cycle spaces. Together with the 20 for staff, this results in a total requirement of 115 cycle spaces. Allowing for some staff transferring to cycle use, and to provide incentives and an allowance for changed future circumstances, it is suggested that 125 cycle spaces are provided on site in covered secure conditions. A condition is therefore suggested requiring alternative details to the cycle parking provision currently indicated. This is likely to mean relocation to some point to the rear of the site. Transferring the cycle parking here would also allow a turning space to be provided for delivery vehicles as requested by the Highway Authority partly on the current cycle parking site. The submitted plans indicate changing and shower facilities for staff and students within the basement area of the main teaching block which is supported.
32. In terms of specific on - site management arrangements, the Highway Authority would not wish to see cycle access to the school site nor students dropped off along the Banbury Road, in order not to impede traffic at peak times or to create hazardous conditions on this heavily trafficked radial route. For that reason it would wish to see cycle access from the much quieter and safer Capel Close entrance, together with access to the main 17 space staff car park. Planning Officers would concur with that view, though equally would not wish to see pedestrian access from Capel Close where there may be significant numbers arriving simultaneously at the start of the school day in particular. It is suggested therefore that all staff and students arriving on foot should enter via the Banbury Road frontage. In that regard it is encouraging that the recent survey at the applicants Ewert Place and Banbury Road sites identified so few students being dropped off by private car. Nevertheless where it occurs in respect of the application site, drop off and pick up should not be from Capel Close but only from the limited waiting spaces at Squitchey Lane and Summerhill Road with students proceeding from there the short distance to the Banbury Road entrance. This and the other on - site control

mechanisms should be captured in an On - Site Traffic Management Plan secured by condition.

33. In summary, in assessing the highways, access and parking implications of the development, officers have taken into account the authorised use of the site as a Masonic Lodge and conference centre and the traffic and other characteristics associated with it. The characteristics of the proposed Sixth Form accommodation would be very different in these terms, and would provide an opportunity to reduce on - site parking by 70%, and remove late evening traffic and other movements entirely. To accommodate the needs of the new use however a clear strategy is required, to be embedded in an agreed Travel Plan plus an On - Site Traffic Management Plan, the basis of the latter being that:
- all cycle and staff vehicle access to the main 17 parking spaces should be from Capel Close only;
 - all access by pedestrians should be from Banbury Road only; and
 - drop off / pick up to be from the limited waiting spaces at Squitchey Lane and Summerhill Road near their junctions with Banbury Road only.
34. Conditions to be applied to the permission if granted would require the submission of these documents for agreement prior to any commencement of development.
35. Lastly, the applicant is suggesting that a pedestrian crossing to link the site to the boarding school to the east side of Banbury Road should be provided. Officers acknowledge the benefits of such a facility for the school and wider community if a safe and convenient location can be found. However it is not a requirement of the Highway Authority, and its provision would therefore be a matter for further dialogue between those parties. As it is not a highway requirement, if agreement is reached on its provision then it would be funded entirely by the applicant at no cost either Highway or Planning Authority.

Trees and Landscaping.

36. One of the key features of the application site is its mature tree coverage which in the main this development seeks to retain. Relatively few trees are planned for removal and where they are lost officers assess that no harm is done to the setting of the villa or to the site generally. Rather the existing tree coverage supplemented by new planting provides an appropriate context within which the new buildings can be grouped in order to relate to each other and create attractive and functional new spaces. Protection of the existing trees is already provided by a Tree Preservation Order (TPO).
37. An arboricultural assessment has been made of all the trees on and adjacent to the application site in accordance with the principles established in BS 5837: 2012, "*Trees in Relation to Design, Demolition and Construction: Recommendations*". Five trees are required for removal as they would fall within the footprint of the proposed buildings. Four are category C trees of poor visual form consisting of a yew, ash, Irish yew and Lawson Cypress. The other is a class B tree of moderate form, an incense cedar. Four further trees not within the footprint of any of the buildings are also proposed for removal.

These are also category C trees, 2 yews, a Lawson Cypress and a small cherry. One further tree indicated for removal is a young Wellingtonia. This appears to have been planted as an eventual replacement for an existing mature Wellingtonia. Its removal is acceptable however as it has been planted too close to the mature Wellingtonia and its growth has been suppressed by it.

38. Of the remaining trees, one not listed for removal but which should be is a small copper beech to the Banbury Road frontage of the site. This is a category B tree but appears to be infected with heartwood decay causing fungus, *Kretzschmaria deusta*. If this is confirmed it would have a short life expectancy and should be removed irrespective of whether the current proposals were to proceed. Conversely it is proposed to remove a yew tree as it is growing close to the boundary wall of the existing garage building and is indicated to have poor vitality and protecting it during construction would be difficult. However this tree has some presence in public views from Banbury road and its removal would be detrimental to the amenity of the site and wider area. It is recommended that it be retained.
39. In addition to these removals some 9 other trees are indicated for pruning as good arboricultural practice, which is supported and would not be detrimental to public amenity.
40. To mitigate the loss of trees, a Landscape Framework Plan accompanies the planning application and provides an indication of the locations for the new planting proposed to supplement that retained. This includes new trees, hedges to the boundaries of the site, low level shrub planting, and two small areas of more formal lawns, one to the Banbury Road frontage set behind the existing boundary wall and frontage trees, and one to the rear to the southern side of the site, to the rear of the new hall building. The easing of the hall building away from the southern boundary described earlier in this report allows a good sized strip of land to be available to allow tree and hedge planting to be provided at this point, to soften and screen the development from the residential properties at 1 and 3 Summerhill Road and 331 Banbury Road.
41. Conditions to be imposed on the permission if granted would require details of all new specimen trees and other planting, plus their species and sizes, to be submitted for subsequent approval. A raft of conditions is therefore suggested at the head of this report to achieve this and ensure the protection of all retained trees on the site and adjacent to it.
42. Lastly the owner of 337 Banbury Road has previously made a request for a TPO to include the trees in the rear garden of that property which stand along the boundary with the application site. The proposed construction works along that boundary would be undertaken within the footprint of existing buildings however and therefore the risk of significant root damage appears to be low. Nevertheless crowns of some of these trees overhang the boundary and if planning permission is granted then it would be prudent to make a TPO to give weight to conditions which require the trees to be protected from harm during construction.

Biodiversity.

43. An ecological survey accompanies the planning application which concludes that there is not a reasonable likelihood of protected or priority species or habitats being negatively impacted by the proposals. Nevertheless given the extent of the site, its tree coverage and proposed new buildings, an opportunity exists to both preserve and enhance local biodiversity interests in the event of planning permission being granted, in line with the NPPF and Core Strategy policy CS12. Appropriate measures to enhance wildlife in this case would be through the provision of 4 habitat integrated bat roosting boxes situated to the south - western end of the proposed buildings, as close to the ridgeline as possible and free of light pollution, plus 4 integrated swift nesting boxes in the north facing aspect of the courtyard building, at the north - east corner and again as close to the ridgeline as possible. These features can be secured by planning condition.

Sustainability.

44. A sustainability statement accompanies the planning application which adopts a "fabric first" approach, in order to meet and exceed all Building Regulation requirements. This emphasises energy efficiency and translates into measures such as windows being triple glazed with high levels of air tightness, and buildings orientated such as to optimise the provision of daylight whilst protecting from unwanted solar gain and heat loss through windows. Energy efficient fittings and lighting with automatic controls would be utilised throughout.

45. A more broadly based Natural Resource Impact Analysis (NRIA) as required by Local Plan policy CP18 also accompanies the planning application and includes features which include a gas fired Combined Heat and Power (CHP) system which would represent a 35% energy saving on other methods.

46. On other measures, all timber would be sourced with FSC certification with locally sourced materials wherever possible. Materials arising from demolitions would also be reused wherever possible and sanitaryware chosen with low flush and spray taps and heads used throughout. Rainwater would be collected from downpipes and stored for reuse in the garden areas where planting would be selected from native species.

47. In sum these measures amount to a score of 8 out of a possible 11 on the NRIA checklist, exceeding the minimum score of 6 and with a maximum score of 3 for energy efficiency.

Other Matters.

48. As a development located within a predominantly residential area, it is important that it sits comfortably with its neighbours and does not become a source of nuisance. To this extent it is noted that the main buildings would not be in use late into the evening as was the Masonic Lodge and conference centre, and that the potential for noise nuisance is therefore much reduced at these times. That said it is envisaged that facilities would be made available to the wider community in some fashion yet to be explored and agreed,

presumably in relation to the main hall in particular. Even in the event that some car parking were to take place in relation to community use, this again would be much less than previously as parking spaces are reduced from 88 to 27 in these proposals. Officers support the initiative for community use and a condition is suggested requiring details to be submitted and approved accordingly. It is nevertheless suggested that a noise attenuation condition also be imposed.

49. On a related point, the potential for light breakout from the main teaching accommodation would also be much reduced as very few of the classroom spaces would be in use beyond the early evening, and automatic lighting systems would be in operation in any event. External lighting would be required to the grounds however, though this is envisaged to be in the form of low level columns. Details are not provided at this stage and a further condition would require details to be submitted and approved.
50. Moreover, although the land comprising the application site is not known to be contaminated, in view of the large area of car parking on the site and sensitive nature of the development in these terms, it is suggested that a condition be imposed requiring details to be submitted of a phase 1 risk assessment to identify any potential contaminants. Details of the piling methods to be employed, (if required), would also be subject to conditions.
51. Lastly, as a development of over 2,000 sq m the development generates a requirement for public art. A condition is imposed accordingly.

Conclusion.

52. The planning application provides an opportunity to bring back into active use an existing unallocated brownfield site where its 1820s villa has been subject to poor and inappropriate extensions in the past. It also provides the means by which the fine landscaped setting of the site can be retained and enhanced. The contemporary architecture of the new buildings would enhance the setting of the refurbished villa and grounds and create functional and attractive spaces for the school, whilst the previous late evening use of the site would be extinguished and replaced by a degree of community use of the new facilities. Controls can be put in place to secure sustainable modes of transport to the site, and if permitted the new boarding house proposed for 376 Banbury Road would anchor the school's sixth form at this location.
53. Subject to the conditions listed, committee is recommended to support the proposals.

Human Rights Act 1998

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions. Officers have considered the potential interference with the rights of the owners/occupiers of surrounding properties under Article 8 and/or Article 1 of the First Protocol of the Act and consider that it is proportionate.

Officers have also considered the interference with the human rights of the applicant under Article 8 and/or Article 1 of the First Protocol caused by imposing conditions. Officers consider that the conditions are necessary to protect the rights and freedoms of others and to control the use of property in accordance with the general interest. The interference is therefore justifiable and proportionate.

Section 17 of the Crime and Disorder Act 1998.

Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to grant planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Background Papers: Applications 13/01319/FUL, 14/03255/FUL

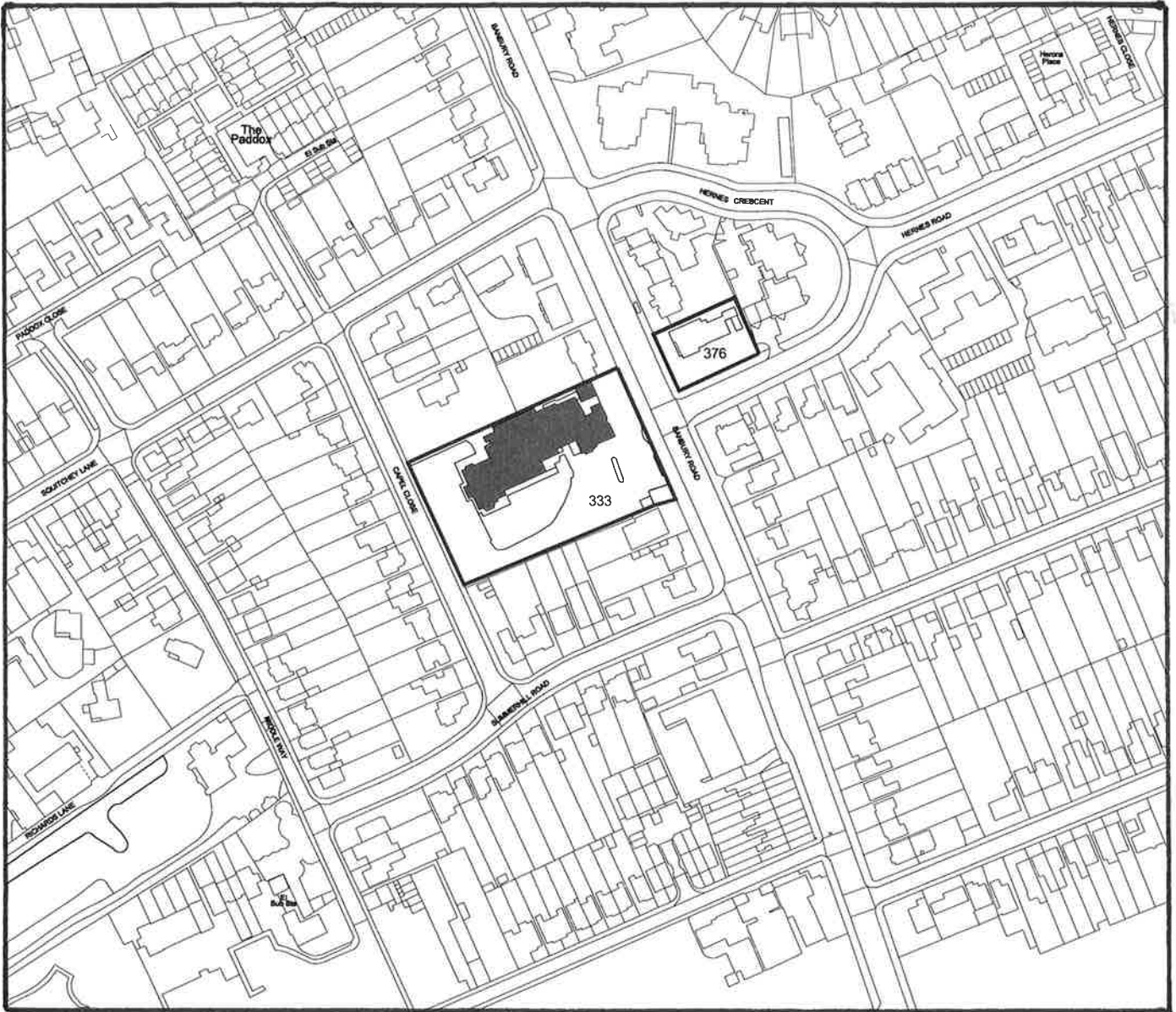
Contact Officer: Murray Hancock

Extension: 2153

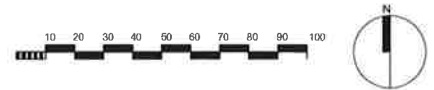
Date: 27th February 2015

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APPENDIX I



Location Plan
Existing 1:1250



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West Area Planning Committee

10 March 2015

Application Number: 14/03445/FUL

Decision Due by: 20th March 2015

Proposal: Demolition of existing building. Erection of school boarding house on 3 and 4 storeys, plus basement. Provision of 2 car parking spaces, cycle and bin stores, landscaping and ancillary works.

Site Address: 376 Banbury Road, **Appendix 1**

Ward: Summertown

Agent: TSH Architects

Applicant: D'Overbroecks and
Carnegie Capital Estates

Recommendation: Approve subject to conditions

Reasons for Approval

1. The application site has been used as a hostel of various kinds since the 1960s but is currently vacant. The present planning application involves the demolition of an attractive but unremarkable building and its replacement by a distinctive, contemporary designed structure providing good quality accommodation for its intended purpose close to the proposed sixth form teaching accommodation to which it would relate. The architecture of the building exploits its prominent corner location and relates well to its more traditionally designed neighbours. Car and cycle parking is provided at an appropriate level supported by a Travel Plan. Conditions relating to materials and landscaping would ensure the development is of a quality appropriate to the site, whilst other conditions would mitigate any potentially adverse impacts. The proposal is therefore considered to accord with the requirements of the relevant policies of the Oxford Local Plan and Core Strategy.
2. The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

Conditions

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples of materials
- 4 Boundary treatment
- 5 External lighting
- 6 Obscure glazing to north facing windows
- 7 Landscape plan required
- 8 Landscape carry out after completion
- 9 Landscape management plan
- 10 Landscape hard surface design - tree roots
- 11 Landscape underground services - tree roots
- 12 Tree Protection Plan
- 13 Arboricultural Method Statement
- 14 Landscape top soil retention
- 15 Amendment to parking spaces
- 16 Cycle parking - details
- 17 Variation of Road Traffic Order
- 18 Travel plan
- 19 Students - No cars
- 20 Full time students
- 21 Supervision of students
- 22 Use as boarding school only
- 23 Contamination - risk assessment
- 24 Archaeology - evaluation
- 25 Biodiversity - bird and bat boxes
- 26 Construction management plan
- 27 Ground resurfacing - SUDS compliant
- 28 Piling methods
- 29 Mechanical plant
- 30 Extraction equipment
- 31 Noise attenuation
- 32 Drainage strategy
33. Repeat bat survey.

Legal Agreement / Community Infrastructure Levy (CIL)

Policy HP6 of the Sites and Housing Plan describes the circumstances under which a financial contribution is required from student accommodation towards affordable housing provision. The policy is silent on school boarding houses however, which in many cases exist on the same site as the school to which they relates. Whilst there are similarities between student accommodation and a school boarding house, (which may be considered to be a variation of that use), the latter typically accommodates younger people normally in the range of 16 to 18, as is the case here, with on - site residential supervision by house parents etc. At this age the students are unlikely to occupy open market accommodation which could be otherwise available to permanent residents, and in this case all of the school's existing students currently live at their normal home address; with host families; or in its existing boarding house accommodation at 106 and 338/340 Banbury Road.

Moreover there is no loss of family accommodation in this case, and indeed the existing accommodation could be used for the intended purpose without further permission. A contribution towards affordable housing would not therefore be required in this case.

The development does however generate a contribution of £80,100 under Community Infrastructure Levy arrangements.

Principal Planning Policies:

Oxford Local Plan 2001-2016

- CP1 - Development Proposals
- CP6 - Efficient Use of Land & Density
- CP8 - Design Development to Relate to its Context
- CP9 - Creating Successful New Places
- CP10 - Siting Development to Meet Functional Needs
- CP11 - Landscape Design
- CP14 - Public Art
- CP17 - Recycled Materials
- CP19 - Nuisance
- CP21 - Noise
- TR1 - Transport Assessment
- TR2 - Travel Plans
- TR12 - Private Non-Residential Parking
- TR14 - Servicing Arrangements
- NE14 - Water and Sewerage Infrastructure
- NE15 - Loss of Trees and Hedgerows
- NE23 - Habitat Creation in New Developments
- HE2 - Archaeology

Core Strategy

- CS9 - Energy and natural resources
- CS10 - Waste and recycling
- CS12 - Biodiversity
- CS13 - Supporting access to new development
- CS17 - Infrastructure and developer contributions
- CS18 - Urban design, town character, historic environment
- CS19 - Community safety
- CS24 - Affordable housing
- CS25 - Student accommodation

Sites and Housing Plan

- MP1 - Model Policy
- HP5 - Location of Student Accommodation
- HP6 - Affordable Housing from Student Accommodation
- HP9 - Design, Character and Context
- HP11 - Low Carbon Homes
- HP14 - Privacy and Daylight
- HP15 - Residential cycle parking
- HP16 - Residential car parking

Other Planning Documents

- National Planning Policy framework (NPPF).
- Planning Policy Guidance.
- Affordable Housing and Planning Obligations SPD.
- Parking Standards, Transport Assessment and travel Plans SPD.

Public Consultation

Statutory Consultees Etc.

- County: Highway Authority: Recommend approval subject to conditions to exclude site from eligibility for parking permits in CPZ; students not to bring cars to Oxford; Travel Plan (required to relate in particular to arrangements at the start and end of term); provision of cycle parking and Construction Travel Plan; notes that deliveries would be from street and that one parking space lost to provide extended dropped kerb; no objection of principle to pedestrian crossing, but separate to planning application.
- Environment Agency: No objection.
- Thames Water: Waste: Condition suggested requiring drainage strategy. Water: No objection; suggest condition on any piling to be undertaken; prefer use of sustainable drainage.

Individual Comments:

The main points raised were:

- disproportionate height;
- overdominate area / too large;
- not beneficial to area;
- object to demolition of existing building;
- out of character of area;
- development should be in character within Victorian architecture;
- will generate additional parking requirement;
- insensitive design;
- traffic generation at start and end of term;
- staffing arrangements unclear;
- design different to those displayed at public exhibition;
- appearance muddled;
- overlooking across Hemes Road;
- increased comings and goings;
- support proposals;
- support: will consolidate architecture of this part of north Oxford.

Only a limited number of responses have been received to normal consultation procedures on the planning application as submitted, with the majority of respondents having some concerns about the form of the development and access arrangements etc. There are also some comments supporting the development.

In addition to the above the applicant undertook two public consultation events on the proposals as then emerging on 5th September and 13th November 2014,

which included its separate proposals for sixth form teaching accommodation for D'Overbroeck's at 333 Banbury Road, since when both proposals have been amended in their designs.

Lastly, on 11th September 2014, a presentation was also made to the Oxford Design Review Panel on the emerging proposals. Generally the Panel supported direct access from Banbury Road and suggested investigating a pedestrian crossing at this point, linking the site to 333 Banbury Road. It suggested private amenity space be provided for the two houseparent's flats and if possible increasing the landscaping on the site. In building terms the Panel suggested that the development would benefit from a wider context analysis, testing massing, height and roof profile. The design could be bolder, to respond to the Victorian and Edwardian buildings along Banbury Road but with a simpler but bold roof. It was suggested that there be some cross referencing with the proposals for 333 Banbury Road in terms of materials, details and boundary treatment. The Panel supported the provision of a landscaped courtyard.

Officers Assessment:

Background to Proposals

1. The planning application relates to a rectangular parcel of land to the north side of the junction of Hernes Road with Banbury Road. It has a site area of approximately 0.9 ha. (0.22 acre) and falls within a triangle of land bounded by Banbury Road, Hernes Crescent and Hernes Road. **Appendix 1** refers. The other properties within the triangle are all flatted developments constructed in relatively recent times. The application site is located to the east side of Banbury Road equidistant between the Summertown District Centre to the south and the Oxford Ring Road / A40 to the north. The locality generally is residential in character with a mix of two storey housing interspersed with larger blocks of flats and houses on 3 and 4 levels.
2. The building currently occupying the site will have been built in the inter War years as a domestic house. It is constructed of brick and render under a tiled roof with gable features to its frontage onto Banbury Road. The accommodation is generally laid out on two floors with some additional floorspace within the roof space. In 1960 planning permission was granted for its use as a hostel for Oxfordshire County Council, with the property extended along the return frontage to Hernes Road in 1966. It continued in hostel use for the County Council for many years but has been occupied by students of Oxford Tutorial College and Oxford International College in more recent times. As the 1960 hostel permission was unrestricted, no further permission was required for such occupation. The property is currently vacant.
3. In August 2008 planning permission was granted for demolition of the property and construction in its place of a small hotel providing some 34 guest bedrooms on 4 levels. Car parking was provided in an underground car park. That permission was renewed in 2011 but lapsed in December of last year. Also in 2011 planning permission had been refused for a large block of 9 flats on 5 floors with underground car park.

4. The current proposals are for a school boarding house to operate in conjunction with new sixth form accommodation for D'Overbroeck's sought under separate planning application 14/03255/FUL. A report on that proposal appears elsewhere on this agenda.
5. D'Overbroecks is an independent school offering courses for 11 to 19 year olds, including international students, based at a number of separate sites, at Leckford Place, 111/113 Banbury Road, St. Giles and Ewert Place. It currently has approximately 257 sixth form students enrolled who would transfer to 333 Banbury Road if that application were successful. Of its 257 sixth formers, approximately 160 are boarders, 38 of whom currently live in existing boarding accommodation at 338/340 and 106 Banbury Road, and the remainder with host families. These proposals would provide accommodation for 58 students adjacent to the new sixth form teaching accommodation. Currently all D'Overbroeck's students are housed either in boarding school accommodation, with host families, or at their normal family address. During vacational periods, it is intended that the accommodation be occupied by the applicant's short course summer school students.
6. Officers consider the principle determining issues in this case to be:
 - use of land;
 - built forms;
 - relationship to neighbouring properties;
 - highways, access and parking;
 - trees and landscaping; and
 - sustainability

Use of Land.

7. Policy HP5 of the Sites and Housing Plan identifies locations where student accommodation may be located subject to other considerations, namely on or adjacent to existing academic or research sites; in the city centre or district centres; on a main thoroughfare; or at an allocated site. The policy is silent on school boarding houses however which would most usually be found on existing school sites. In this case the proposal has much in common with student accommodation, but differs insofar as it is designed specifically for younger pre university students sharing rooms. There would be a high degree of supervision in the form of 2 resident house parents plus two further resident assistants, with all meals provided for students. The boarding school would operate specifically in conjunction with the teaching accommodation at 333 Banbury Road if permitted where amongst other things main weekday meals for the students would be served.
8. In these circumstances where there is no loss of family residential accommodation, and where the existing unrestricted hostel could be used for a school boarding house without any further permission, then no objection of principle is raised to the use of the site for the intended purpose. However in view of its use specifically in connection with no.333 Banbury Road, it is suggested that a condition be imposed that it be permitted only as a school

boarding house in conjunction with the teaching accommodation there. In the event that future use as an unrestricted student hostel were contemplated, then a fresh planning permission would then be required.

Built Forms

- 9.** The planning application seeks to demolish the existing building on site and construct in its place a building on 3 and 4 floors plus part basement to accommodate up to 58 boarders at D'Overbroeck's College, together with two house parent's flats and two assistant house parents rooms. Two car parking spaces and 38 cycle parking spaces would also be provided plus outdoor amenity spaces at ground floor and first floor levels. The building would be laid out almost as two linked L shaped arms, the first on 4 floors addressing the Banbury Road / Hernes Road corner, and the second on 3 floors to the rear. Between them would be a single storey link.
- 10.** In terms of the accommodation, the building has a clear vertical division in its various spaces with shared and support spaces generally at basement and ground floor level, and individual student rooms at upper levels.
- 11.** The part basement would provide a plant room, laundry and storage areas, linked to the upper floors by lift and stairs at the corner point of the four storey element. The main accommodation would be accessed via a gated main entrance off Banbury Road and lobby area leading to ground floor communal areas consisting of common room, dining area, kitchen, office and two house parents flats. At over 70 sq m in area each house parent's flat is of good size and possesses two bedrooms, kitchen, bathroom, living room and a small amount of external amenity space. It is intended that breakfasts would be served to students in the dining room each day, plus main meals at the weekend. During school days main meals would be taken at 333 Banbury Road. Also located on the ground floor is a single bedroom with en suite available as a rest room / sick room, or as an occasional overnight bedroom for a relief house parent. Externally an enclosed courtyard allows students to spill out from the ground floor common room to the south side of the building where is fronts Hernes Road.
- 12.** The student rooms are located at the upper levels, one half given over to male students, and the other to female students. Each room has its own en suite and would be occupied by two students sharing, with the exception of one single room located on the second floor. Also located at upper levels are two assistant house parents rooms, one on the first floor and one on the third. These assistants also have supervisory responsibilities and are most usually junior members of the teaching staff, often graduates in their first year of teaching. At first floor level are also located two smaller house common rooms, with access to an enclosed roof terrace above the single storey link. As well as lift access, two sets of stairs are located to the south - west and north - east of the building.
- 13.** Architecturally the proposal is of contemporary design, constructed of brick (probably buff / yellow) with timber and concrete detailing under a low pitched

zinc roof. Windows and doors would be of polyester powder coated aluminium. Externally permeable paving would be utilised for hard surfaces. The pallet of materials would be similar to that intended for the teaching accommodation at 333 Banbury Road, thereby providing a visual as well as functional link between the two buildings.

14. The detailed form of the building has emerged following a productive dialogue with officers and the Oxford Design Review Panel and now responds to accepted urban design and architectural principles by, for example, positioning its main entrance to Banbury Road, and creating an architectural feature at the corner of Banbury Road and Hernes Road which announces the presence of the building in longer distance views from the south in particular. The corner feature which is the building's most prominent element conceals a stair tower with full length glazing at upper levels, separated by slim protruding vertical columns which reduce an amount of solar gain whilst introducing an unusual but attractive feature to the building's architecture. The use of verticality in the elevations is repeated elsewhere, particularly in the fenestration of the upper levels of each L shaped block, giving a lightness of touch to the upper floor accommodation.
15. In terms of its height and massing the building is similar to that of the recently lapsed hotel permission, albeit that its architecture is very different. To its Banbury Road frontage the building rises to 11.9m to the top of its shallow pitched zinc roof, which is marginally lower than to the apex of the steeply pitched gable features of the hotel at this point. It is also taller by approximately 1.1m than the 1980s flats at 378 Banbury Road to the north. The corner architectural feature rises a little taller to 13.3m which is appropriate at this prominent corner. On the return frontage to at Hernes Road the building remains a little taller than the hotel, but then scales down to be lower than it as it approaches 1 Hernes Road. At this point the 3 storey element to the boarding house is approximately 0.45m lower than the apex of the pitched roof to the modern flats there. The building is also similar in its footprint to the hotel permission, though extending further to the south - west corner, but drawing in the centre point where the courtyard is indicated to the south side facing Hernes Road.
16. Overall therefore the proposed school boarding house is consistent with previous permissions on the site in terms of its relationship to nearby buildings, and in its height, scale and massing whilst being sympathetic in respect of its architecture and use of materials. The whole represents an attractive addition to the Banbury Road and Hernes Road streetscene, responding positively to the requirements of policies CP1, CP6, CP8, CP9 of the Local Plan and policy CS18 of the Core Strategy which seek to achieve well designed developments which relate to their context in an appropriate and efficient manner. The development can be supported accordingly

Relationship to Neighbouring Properties

17. Overshadowing. In order to establish any impact on neighbouring properties in terms of shading and overshadowing a shadow analysis accompanies the

planning application which examines the impact on the nearest neighbours at 1 Hernes Road and 378 Banbury Road under 3 scenarios, ie at 9.00am, 12.00noon and 3.00pm for 21st March, 21st June and 21st December. It then compares the results for each of these conditions with those for the recently lapsed hotel permission. As the current proposals possess a very similar height and massing to the hotel permission, then the impacts are almost identical. In terms of 1 Hernes Road which is to the east of the new boarding school, there is very little impact as the main part of that development is set beyond a smaller two storey element built over the vehicle access to the rear car park there. Overall there is some overshadowing of that rear car park during the afternoon, but very little different to existing conditions. For 378 Banbury Road, there is some overshadowing of the rear garden, but during the afternoon period this is caused by the flats themselves which are to the west of its garden fronting directly onto Banbury Road. At other times some shadowing is produced by the trees on that site and at no time is the shadowing impact greater than for the hotel permission.

18. Privacy and Overlooking. As indicated earlier in this report the boarding school has its main orientation towards Banbury Road and to Hernes Road. As such whilst there are windows facing the rear gardens to 378 Banbury Road, they all serve non - habitable spaces such as corridors, or in a few cases secondary windows to bedrooms where their main windows face in other directions. A condition is suggested that all these windows be obscure glazed so as to protect the privacy of neighbouring occupiers, and indeed that of the occupiers of the boarding school itself.
19. Noise. With permanent house parents on site at all times, it is not anticipated that noise breakout from the development should cause nuisance to neighbouring occupiers, and indeed where there are external ground and first floor courtyards they are south facing towards Hernes Road and screened by the building itself from 378 Banbury Road and 1 Hernes Road. Nevertheless on the precautionary principle it is suggested that a condition be imposed that the residential accommodation should not exceed an internal noise level of 30 dB LAeq with no single event to exceed 45dB LAm_{ax}. A separate condition is also suggested in respect of noise emanating from any mechanical part required.

Highways, Access and Parking

20. Currently there is one vehicle parking space on site accessed via a vehicle crossover to the eastern end of the site adjacent to 1 Hernes Road. In these proposals 2 spaces are indicated in the same location, requiring an extended dropped kerb. Whilst there is no specific parking standard for a school boarding house, student accommodation is required by policy HP16 and Appendix 8 of the Sites and Housing Plan to provide for operational needs only. Officers have applied the same approach to this proposal.
21. Whilst the sixth formers occupying the boarding school would be required not to bring vehicles to Oxford it is also suggested that the site be excluded from eligibility for residents parking permits within the Controlled Parking Zone in

operation. Moreover as the site enjoys good public transport links and students are unlikely to be car drivers in any event, then two car parking spaces are considered to be adequate. Although it is nominally anticipated that the parking spaces would be available to the two house parents, it is suggested that priority use should be given to the requirements of any disabled student if the need arises with amendments to the laying out of one of the spaces being made accordingly. All these matters can be secured by conditions imposed on any permission granted.

22. In respect of cycle parking policy HP15 of the Sites and Housing Plan suggests a minimum of 3 cycle stands per 4 student rooms, but that this requirement may be relaxed to 1 stand per 2 rooms where the student accommodation is located in close proximity to the institution where its students would be studying. In this case the boarding school is intended to operate in conjunction with the new teaching accommodation to the west side of Banbury Road at no.333. The 38 stands indicated near the gated entrance to the boarding school off Banbury Road is therefore assessed as being sufficient for the likely demands of students and house parents and can be accepted accordingly. The facilities should be in covered, secure conditions however, no details of which are supplied with the planning application. A condition is suggested requiring details to be submitted and agreed.
23. Whilst this level of provision for car and cycle parking is considered to be appropriate for the normal operation of the school boarding house, arrangements for students arriving and departing at the beginning and end of term need also to be considered. In this regard Hernes Road is not a heavily parked up street and there are limited waiting spaces available here and in neighbouring streets. Also at these out of term times use can be made of the parking spaces at 333 Banbury Road which would not then be in full use. Nevertheless in reporting on the teaching accommodation at 333 Banbury Road officers had suggested a condition requiring a Travel Plan to be submitted and approved before occupation with an emphasis on arrangements at the beginning and end of term. It is suggested that the Travel Plan should be extended to also encapsulate the boarding school site within a single document, secured by condition and in place before first occupation of either development.
24. Lastly the applicant would wish to see this site linked to no. 333 by a pedestrian crossing at a suitable location. Whilst Highways and Planning Officers would not be opposed to such a facility in principle, it is not a requirement of the Highway Authority and as such the costs of providing a crossing (if agreement is reached with the Highway Authority) must fall solely on the applicant.

Trees and Landscaping

25. An arboricultural report accompanies the planning application which indicates only large mature shrubs - elders, Philadelphus and lilacs - on the application site, but some 7 trees of various sizes and species just beyond its boundaries, including false acacia, yew, Lawson Cypress and cotoneaster shrub. None of

these are indicated for removal and indeed those within 374 Banbury Road and 1 Hernes Road are protected by Tree Preservation Order.

- 26.** The most significant of the trees surrounding the site are the two false acacia within 1 Hernes Road to the immediate east of the application site which are of high visual quality. The position of the building footprint indicates that the root protection areas of these trees should not be adversely affected however providing the ground is not disturbed there. Neither are the trees outside the site to the north likely to be adversely affected as their crowns do not cross substantially into the application site and they stand on ground approximately 1.5m higher than that of the application site, indicating that the proposed design will not impact on their roots.
- 27.** This part of North Oxford between Summertown and the City's boundaries is distinctively suburban in character reflecting the spacious and sylvan qualities of the North Oxford Victorian Suburban to the south of Summertown. Although there are a number of flatted developments in the immediate vicinity of the application site, more typically this part of North Oxford displays conventional two storey family houses within good sized plots with trees and greenery set behind well defined boundaries. The locality's character is defined more by this leafy suburban feel than by its architectural quality which in most cases is attractive but unremarkable. In these proposals the new building footprint is set far enough back from the boundaries of the site to Banbury Road and Hernes Road that sufficient space exists to allow replacement planting in the form of new shrubs and perhaps 2 specimen trees to enhance the setting of the building itself and the wider leafy suburban character in which it would be located.
- 28.** In response to Local Plan policies CP1, CP11 and NE15 a raft of conditions is therefore recommended to protect existing landscaping in and around the application site and allow for appropriate additions.

Sustainability

- 29.** The requirement to deliver low carbon, energy efficient and sustainable residential buildings is established in policy HP11 of the Sites and Housing Plan and policy CS9 of the Core Strategy which require an energy statement to accompany relevant developments. This is separate to the revised Part L of the Building Regulations which has its own requirements. The emphasis in this case is on producing a highly efficient building envelope which exceeds minimum requirements by the use, for example, of insulation, triple glazing and window positioning to the south side where heat loss can be balanced by solar gain through shading devices. To the north only small secondary windows are proposed, or windows serving non habitable spaces such as corridors. Rooms are naturally ventilated. In winter months a combination of mechanical ventilation with heat recovery with opening windows would operate, with ventilation systems to some areas such as the kitchen.
- 30.** In terms of renewable energy a gas combined heat and power (CHP) system is envisaged which would provide 35% of the energy requirement of the

development.

31. Other features of the development would include automatic light controls, and low flow sanitaryware, whilst all timber would be sourced with FSC certification

Other Matters

32. Contamination. A short contaminated land survey accompanies the planning application. Whilst the questionnaire does not identify any contaminants on the land, and the Council's own records do not indicate as such either, nevertheless on the precautionary principle and in view of the sensitive nature of the development a condition is recommended by Environmental Development colleagues requiring a phased risk assessment to be carried out in accordance with government and Environment Agency guidance. On a related matter, as the development involves a small basement area, if piling is required for its construction, then details should be submitted for approval to ensure that there are no adverse impacts in terms of contaminants (if detected) and that no nuisance or damage is caused to neighbouring properties through the use of piling techniques.
33. Biodiversity. In April 2014 a survey of the property was undertaken to establish if any bat roosts were present within the building. The survey identified a number of potential sites but no actual roosts, or evidence of bat usage. However it was not possible to gain access to all parts of the building at that time. In the event of planning permission being granted a full, repeat survey would be required, together with a mitigation strategy in the event of any finds. In terms of the new building, due to its particular design with flat or low pitched roofs and an upper level courtyard, the City's ecologist advises that the development does not lend itself to enhancement features.

Conclusion

34. The planning application represents an opportunity to provide a purpose built sixth form school boarding house which would operate in conjunction with teaching accommodation nearby to the west side of Banbury Road at no. 333, thus consolidating its position in this part of North Oxford. The contemporary architecture of the proposed building is supported and would possess a visual as well as a functional relationship to no. 333. The school boarding house would be subject to a management regime consisting of house parent staff on site at all times with controls in place to encourage sustainable modes of transport to the site. Conditions imposed on the permission would mitigate any adverse impacts.
35. Subject to the conditions listed at the head of this report committee is recommended to support the proposals accordingly.

Human Rights Act 1998

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions. Officers have considered the potential interference with the rights of the owners/occupiers of surrounding properties under Article 8 and/or Article 1 of the First Protocol of the Act and consider that it is proportionate.

Officers have also considered the interference with the human rights of the applicant under Article 8 and/or Article 1 of the First Protocol caused by imposing conditions. Officers consider that the conditions are necessary to protect the rights and freedoms of others and to control the use of property in accordance with the general interest. The interference is therefore justifiable and proportionate.

Section 17 of the Crime and Disorder Act 1998

Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to grant planning permission, Officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Background Papers: Applications 60/09557/AH, 04/00276/FUL, 07/02903/FUL, 08/02720/FUL, 11/00755/FUL, 11/01928/EXT, 11/03008/FUL, 14/03445/FUL.

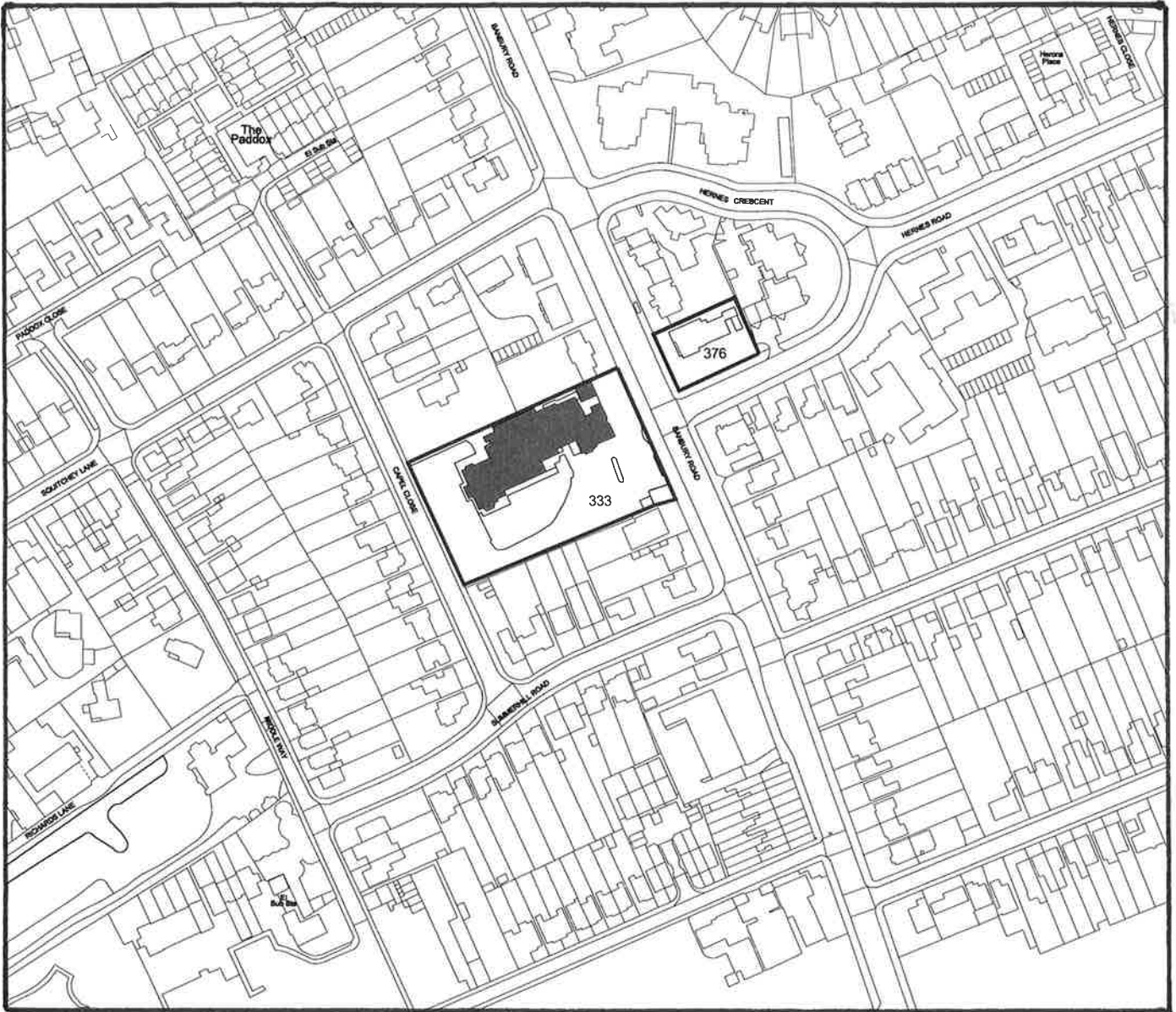
Contact Officer: Murray Hancock

Extension: 2153

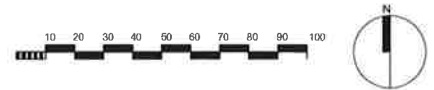
Date: 27th February 2015

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APPENDIX I



Location Plan
Existing 1:1250



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WEST AREA PLANNING COMMITTEE

10 March 2015

Application Number: 15/00096/PA11

Decision Due by: 9 March 2015

Proposal: Application seeking prior approval for development comprising extension to the length of existing north bay platforms, replacement platform canopies, new re-locatable rail staff accommodation building and reconfiguration of short stay and staff car parking under Part 11 Class A Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995. (PLEASE NOTE THIS IS NOT A PLANNING APPLICATION BUT A NOTIFICATION SUBMITTED BY NETWORK RAIL FOR PRIOR APPROVAL BY OXFORD CITY COUNCIL)

Site Address: Oxford Railway Station, Park End Street **Appendix 1**

Ward: Jericho And Osney

Agent: N/A

Applicant: Network Rail

Recommendation:

PRIOR APPROVAL REQUIRED - Siting and design acceptable

For the following reasons:

- 1 The proposals constitute works needed to improve capacity and services at Oxford Station and to implement the first phase of the Oxford Station Masterplan. The location, design and external appearance of the proposals are acceptable subject to concerns about the impact on residential and neighbourhood amenity being addressed by the imposition of conditions dealing with the submission of materials samples, land contamination assessments, the removal of the temporary TOC building after 3 years, and the submission of applications to authorise the development works associated with the Oxford Station Masterplan. The proposal is therefore considered to accord with the requirements of the relevant policies in the Oxford Local Plan, Core Strategy, Sites and Housing Plan, and West End Area Action Plan.
- 2 Officers have considered carefully all objections to these proposals. Officers have come to the view, for the detailed reasons set out in the officers report, that the objections do not amount, individually or cumulatively, to a reason for refusal and that all the issues that have been raised have been adequately addressed and the relevant bodies consulted.

- 3 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

Subject to the following conditions, which have been imposed for the reasons stated:-

- 1 Materials samples
- 2 Windows in east and north facing elevations
- 3 Contamination risk study
- 4 Remediation Strategy
- 5 Unexpected contamination
- 6 Surface water disposal
- 7 Time limit of 3 years

Main Local Plan Policies:

Oxford Local Plan 2001-2016

CP1 - Development Proposals

CP8 - Design Development to Relate to its Context

CP25 - Temporary Buildings

TR10 - Oxford Station Improvements

Core Strategy

CS1_ - Hierarchy of centres

CS2_ - Previously developed and greenfield land

CS5_ - West End

CS9_ - Energy and natural resources

CS10_ - Waste and recycling

CS13_ - Supporting access to new development

CS14_ - Supporting city-wide movement

CS18_ - Urban design, town character, historic environment

CS27_ - Sustainable economy

West End Area Action Plan

WE6 - Frideswide Square & railway station forecourt

Sites and Housing Plan

HP14_ - Privacy and Daylight

Other Material Considerations:

National Planning Policy Framework
Planning Practice Guidance

Representations Received:

The Rewley Park Management Committee and numbers 1, 8, 12 17 and 19 Stable Close comment that there will be:

- an unacceptable loss of sunlight to houses and gardens in Stable Close which are already overshadowed by the Said Business School extension;
- overlooking and loss of privacy;
- increased noise and air pollution from vehicles, buses, roof plant, and cooking smells and extractor fans; and,
- loss of house values as a result of significantly diminished local amenities.
- Any obtrusive signage should be avoided.

25 and 34 Abbey Place object to this development and comment that the Oxford Station Masterplan is not a foregone conclusion and there needs to be proper public consultation in order to plan this area correctly.

Railfuture, Thames Valley Branch - has commented that this is an important development which should be supported as part of much needed improvements to rail facilities and services in this area.

Statutory and Internal Consultees:

Environment Agency – no objections, subject to conditions concerning assessment of risk from contaminated land.

Natural England – no objections.

Officers Assessment**Site and Surroundings**

1. The site is adjacent to the north side of the main Oxford Station building and extends to 0.73 ha. It is currently occupied by a single-storey, flat roofed, brick building (6.5 metres high) used by the Train Operating Companies (TOC) as staff accommodation, stores and catering facilities; together with external storage (some covered), existing platforms, platform canopies and a surface car park (public rail users short stay: 36 + 8 disabled; and rail staff: 46 + 4 disabled).
2. The site slopes gently from trackside eastwards and is partly elevated above the surrounding residential areas (Rewley Road, Stable Close, Rickyard Close) to the east, and the Said Business School. It has a ramped vehicle access up from the bus interchange in front of the station supported by a retaining wall on its eastern boundary to a lower level footpath/cycleway leading into the adjacent residential areas. Residential properties in Cripsey

Road and Abbey Road face or back onto the site from the west across the rail lines.

The Proposals

3. It is proposed to demolish the existing single storey TOC building, and the two-sided canopy to platforms 1 and 3 (north of the pedestrian over bridge).

Track and platform lengthening and new platform canopies

4. The track running into Platform 3 is to be lengthened southwards (into part of the current short stay car park) by some 35 metres bringing its southern end closer to the main station building (to a point just by the pedestrian over bridge – see comparison drawing at **Appendix 2**). Platform 3 is to be widened (eastwards) and will encompass the bottom of the pedestrian over bridge. A new (northbound) platform to the east of the new track is to be built. These proposals are required in order to accommodate the longer trains which will be operated by Chiltern Railways between Oxford and Marylebone.
5. Cantilever gull wing type canopies suspended off steel columns are proposed over the extended and reconfigured Platforms 1 and 3; and over the new northbound platform and gate line enclosure. The canopies are to be of steel frame construction with single skin profile metal cladding in a mid-grey colour.

Temporary TOC building

6. The existing TOC building needs to be demolished to make way for the track lengthening and platform modifications described above. The proposed temporary TOC will replace the existing accommodation (see comparison drawing at **Appendix 2**).and will allow implementation of the first phase of the Oxford Station Masterplan.
7. A new rectangular, two-storey, flat roofed, re-locatable temporary building is to be erected providing a gross internal area of 1400m² for TOC accommodation and food processing space for the three catering companies already operating at the station. It is to be a modular construction, much of which is to be constructed off-site and assembled on-site. It is proposed to have a footprint of some 56.4m x 12.2m and is to be 8.3 metres high.
8. The east elevation of the new temporary building is to be articulated through dark grey window panels, doors, and 'brise soleil'; separated by vertical panels of buff facing brick slips and high quality light/mid grey horizontal metal cladding attached to the exterior of the modular units. The roof is to be a single skin profiled metal cladding but is not expressed in the external appearance: a low parapet is proposed. The staff entrances are on the east elevation accessed via a metal ramp and steps.
9. The elevations at the south end (visible from the Station forecourt) and north end (visible from Rewley Road) are to be articulated through panels of buff

facing brick slips and high quality light/mid grey horizontal metal cladding with limited fenestration.

10. The west elevation (facing the platforms and tracks) is of a more utilitarian appearance designed with metal cladding but with some buff facing brick slip panels. Staff access doors directly onto the new platform are proposed, and part of a new canopy is located adjacent to this west flank of the new temporary building.
11. The temporary TOC building is to be constructed in two phases – the first replacing that which will be lost when the existing TOC building is demolished, and the second when further buildings are demolished in the wider station site in accordance with the Station Masterplan. The modular units proposed are suited to this phased construction and are manufactured off-site limiting noise and disruption in the construction phase.

Car park modifications

12. The main access ramp up from the bus forecourt is proposed to remain as it is, but the public short stay and staff car parking area is to be remodelled leading to a reduction in public parking of 15 spaces and a reduction in staff parking of 4 spaces. The TOC considers that this level of provision meets their needs. A new external pedestrian platform access is to be provided direct from the short stay parking area via a new gate in the southeast corner of the site adjacent to the main station building.

Sustainability

The modular construction means that these units can be removed and re-used elsewhere. Fenestration is laid out to maximise natural daylight.

Determining Issues

- The Prior Approval Process
- Location
- Design and external appearance

The Prior Approval process

13. In making these proposals, Network Rail intends to rely upon planning permission granted by Part 11 Class A to Schedule 2 of the General Permitted Development Order 1995 (as amended). Where development consists of or includes the erection, construction alteration or extension of a building this permission is subject to a condition requiring the Prior Approval of the Local Planning Authority to the detailed plans and specifications. These proposals include the erection of a building.
14. The General Permitted Development Order 1995 (as amended) states that Prior Approval is not to be refused by the Local Planning Authority, nor are conditions to be imposed, unless the Local Planning Authority is satisfied that:

- i. the development should and could reasonably be carried out elsewhere on the land; or,
 - ii. the design and external appearance would injure the amenity of the neighbourhood and is reasonably capable of modification to avoid such injury.
15. The determining issues in this case are therefore (i) the location/siting of the developments; and, (ii) their design and external appearance.
16. As already noted, these works are proposed in order to replace the existing TOC building, and to allow for the phased development of Oxford Station within the parameters of the Oxford Station Masterplan. The Masterplan is however still being developed and has not been the subject of a formal planning application process. The Council is working with the County Council, Network Rail and other partners and stakeholders to progress it to implementation. In these circumstances the City Council would like to see early submission of applications for the Transport and Works Act Orders needed to progress the Station Masterplan so that there can be reassurance that the temporary TOC building will not be required into the long term. In the light of concerns expressed later as to the design and external appearance of the building such that, but for the wider scheme, the recommendation would be that the application be refused, conditions to be applied to the Prior Approval are suggested that seek the removal of the temporary TOC building within 3 years should that justification cease to apply.

Track and platform modifications and new platform canopies

17. Under the Prior Approval process there is no objection to the location and design of these modifications. They are of necessity located contiguous with the existing tracks. The canopies are of a contemporary design and will not harm the amenity of the area.

Temporary TOC building – location/siting

18. The temporary TOC building is located in a position on this site which allows for the phased development of Oxford Station within the parameters of the Masterplan. Other locations within this site, or within the wider station site, including on the west side of the tracks, would interfere with that process. Its siting adjoining the proposed new platform is an operational requirement to allow staff access directly onto the platform.
19. The applicant has indicated that the building needs to be 2 storeys high in order to replace the existing TOC floor space and allow for staff numbers to grow with the growth of services and passenger numbers at the station, while at the same time retaining adequate on-site car parking for staff and a short stay/disabled public parking facility. A single storey building would occupy too much of the site area to meet all the external space requirements.

20. The location of the temporary TOC building close to residential properties, combined with the fact that it is proposed to be 2 storeys high has however raised concerns of overlooking, loss of sunlight and additional shading of adjacent houses and gardens in Stable Close (12 properties back onto the site).
21. In order to prevent overlooking, the applicant has confirmed that the windows facing Stable Close will be obscure glazed and non-opening below 1.7metres from finished floor level. This will be reinforced by condition.
22. In respect of sunlight and shading, residents have commented that currently they receive no winter sun from the east because of overshadowing from the Said Business School extension, and only very limited late afternoon winter sun from the west. A Sunlight and Shadow Analysis has therefore been submitted which shows that compared to the existing situation there will be:
- no change to the sunshine available to any of the rooms or gardens at these properties at any time of the year at 9am, 12 noon or 3pm;
 - no change to garden shading but possibly some additional room shading from 6pm onwards in April;
 - additional garden shading and possibly additional room shading from 6pm onwards in May and August;
 - additional garden shading in June and July from 6pm onwards but no additional room shading; and,
 - in September the gardens and rooms are shaded currently and as proposed.
23. Penetration of sunlight into gardens and rooms is very important to help minimise energy use, and promote good health and wellbeing. In this case however, while any loss of sunlight to properties is extremely regrettable, the loss of sunlight to these (12) properties is limited to the period from 6pm to sunset for 5 spring/summer months only. This is not considered to be so injurious to the amenity of the neighbourhood that Prior Approval should be withheld for this temporary building on the grounds of its location. The recommendation would have been otherwise for a permanent structure.
24. Concerns have also been raised about noise from people using the metal ramps/stairs, about noise/smell from increased vehicle movements, and about smells from catering facilities, in close proximity to residential properties.
25. The applicant has offered to apply noise-dampening materials to the metal ramps/stairs and this can be secured by condition. The applicant prefers to use metal ramps/stairs, as these are re-locatable and recyclable rather than concrete, which would not be a sustainable alternative. The applicant has also confirmed that buses will not use this area, and that the proposals will not generate any additional vehicle movements, indeed fewer given the loss of parking spaces. Food preparation will be largely making sandwiches with limited on-site cooking. A domestic scale fan is all that is required: this activity is already taking place in the same location on the site.

Temporary TOC building - external appearance

26. At the pre-application stage officers stated that, in accordance with national and local planning policy, a building of much higher quality design would be required in this location if it were to be a permanent building. As a temporary building it is of fair design, to which Prior Approval can be given subject to conditions (i) requiring the submission of materials samples; and, (ii) requiring removal once the building has served its purpose or that purpose ceases to be relevant.

Conclusion

27. The proposals constitute works needed to improve capacity and services at Oxford Station and to implement the first phase of the Oxford Station Masterplan. Under the Prior Approval process there is no objection to the track and platform modifications. Subject to conditions including the removal of the temporary TOC building within time limits specified, it is concluded that the location, design and external appearance of the proposed temporary TOC building is acceptable. The granting of Prior Approval for these proposals is therefore recommended.

Human Rights Act 1998

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions. Officers have considered the potential interference with the rights of the owners/occupiers of surrounding properties under Article 8 and/or Article 1 of the First Protocol of the Act and consider that it is proportionate.

Officers have also considered the interference with the human rights of the applicant under Article 8 and/or Article 1 of the First Protocol caused by imposing conditions. Officers consider that the conditions are necessary to protect the rights and freedoms of others and to control the use of property in accordance with the general interest. The interference is therefore justifiable and proportionate.

Section 17 of the Crime and Disorder Act 1998

Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to grant Prior Approval subject to conditions, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Background Papers: 15/0096/PA11; Oxford Station Masterplan

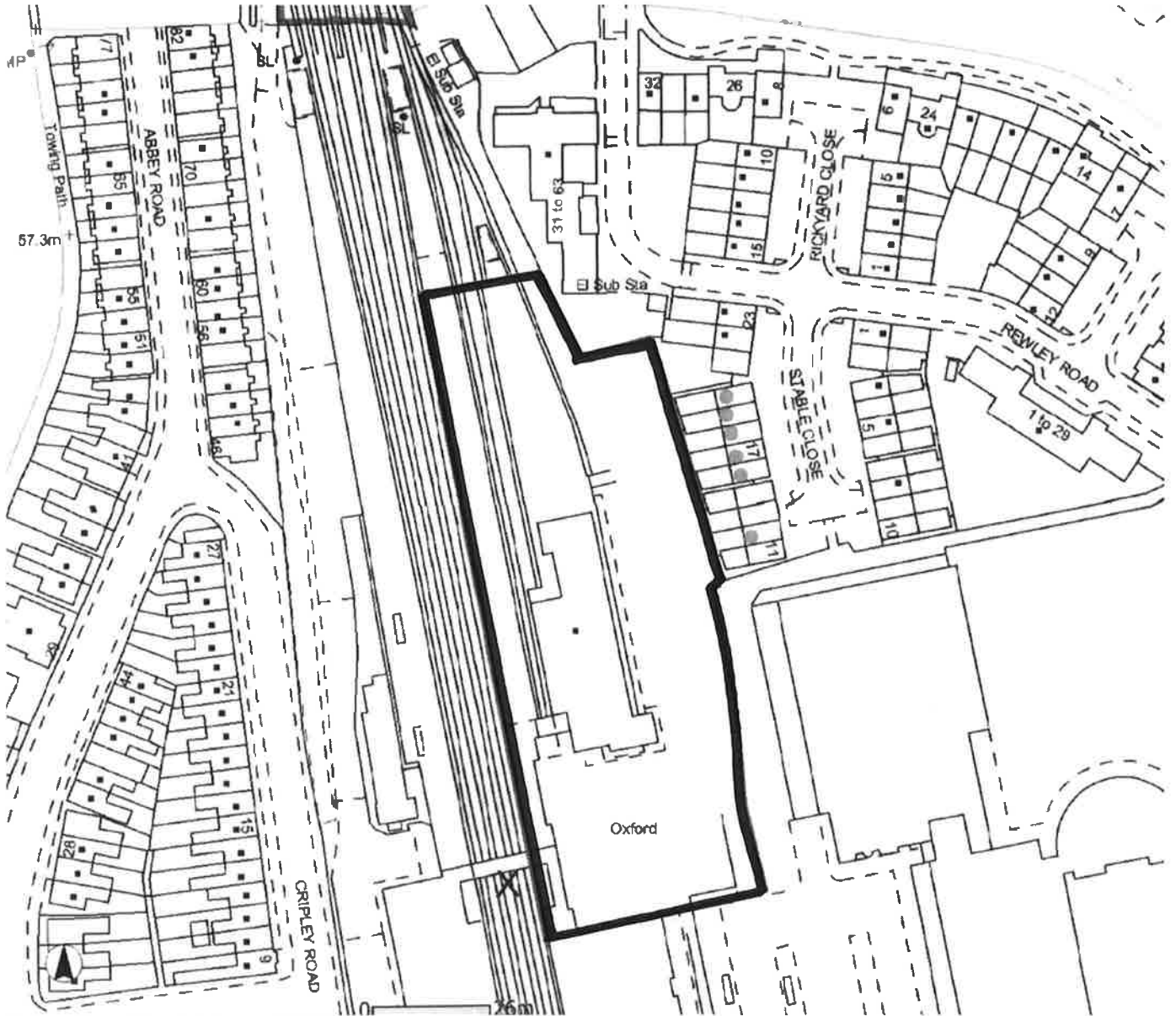
Contact Officer: Fiona Bartholomew

Extension: 2774

Date: 26th February 2015

Appendix 1

15/00096/PA11 - Oxford Railway Station



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Ordnance Survey 100019348

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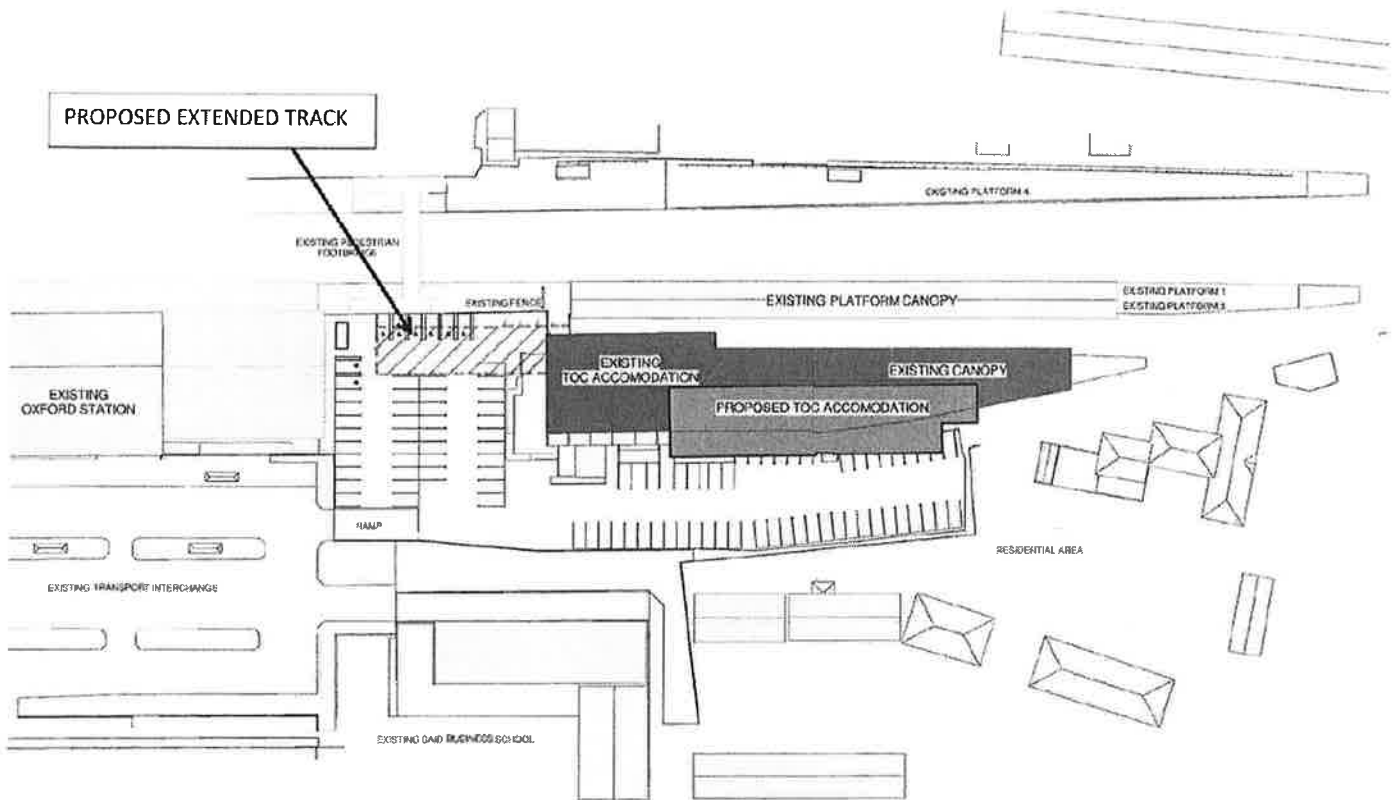


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Appendix 2

15/00096/PA11 - Oxford Railway Station

Comparison drawing – existing and proposed



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Ordnance Survey 100019348



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West Area Planning Committee

10th March 2015

Application Number: 14/01348/FUL

Decision Due by: 8th September 2014

Proposal: Demolition of existing footbridge. Erection of replacement footbridge with ramped approaches and new stepped access. Provision of 12 No car parking spaces and change of use of part of land adjacent to railway lines for educational purposes as part of SS Phillip and James School. (Amended plans)

Site Address: Aristotle Lane Footbridge, Aristotle Lane, **Appendix 1.**

Ward: Jericho And Osney Ward

Agent: N/A

Applicant: Network Rail

Recommendation: Approve subject to conditions.

Reasons for Approval

- 1 The proposed bridge replacement is necessary to deliver strategic railway network improvements. The electrification of the railway between Oxford and Paddington delivers substantial public and economic benefits, and as part of the proposals it will also benefit the adjacent SS Philip and James School Primary School in relation to an extension of its school grounds. Safer access and parking arrangements for the allotment holder users is also provided. To address safety and access requirements necessitates design solutions that will affect the appearance of the area. These can be satisfactorily mitigated to minimise any adverse impacts by conditions to control such matters as the construction and design details, the use of materials and hard and soft landscaping proposals. The proposal is therefore considered to accord with the requirements of the relevant policies in the Oxford Local Plan, Core Strategy and National Planning Policy Framework and Practice Guide.
- 2 The Council has considered responses raised in public consultation and by statutory consultees and the proposals have been amended to address the issues raised and as proposed to be controlled by the conditions imposed. Any residual concerns do not constitute sustainable reasons sufficient to refuse planning permission and any harm that might result to interests of acknowledged importance are outweighed by the public benefits the proposal will deliver.

Conditions

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Boundary and abutment details, including spur ramp, handrails and boundary walls
- 4 Flood plain storage
- 5 Contamination and remediation
- 6 Demolition and Construction Travel Plan
- 7 Sustainable drainage
- 8 Tree protection
- 9 Landscape plan required
- 10 Landscape carry out after completion
- 11 Landscape management plan
- 12 Hard surface design.
- 13 Underground services
- 14 Tree protection plan
- 15 Arboricultural method statement
- 16 Samples of materials
- 17 Sample panels
18. Biodiversity
- 19 Archaeology

Legal Agreement.

No CIL contributions or s106 agreement required

Principal Planning Policies:

Oxford Local Plan 2001-2016

- CP1 - Development Proposals
- CP8 - Design Development to relate to its context
- TR4 - Pedestrian & Cycle Facilities
- TR8 - Guided Bus/Local Rail Service
- HE1 - Nationally Important Monuments
- HE10 - View Cones of Oxford
- CP11 - Landscape Design
- CP13 - Accessibility
- NE15 - Loss of Trees and Hedgerows
- NE21 - Species Protection

Core Strategy

- CS11 - Flooding
- CS12 - Biodiversity
- CS18 - Urban design, town character, historic environment

Other Documents.

- National Planning Policy Framework (NPPF)
- Planning Policy Guidance.

Statutory Designations

- The application site is partly within the Oxford Meadows Special Area of Conservation (SAC) which is a European site,
- This application is in close proximity to Port Meadow with Wolvercote Common and Green Site of Special Scientific Interest (SSSI),
- The site is in close proximity to Port Meadow Scheduled Ancient Monument,
- Common Land.

Public Consultation

Statutory Consultees.

- Thames Water Utilities Limited. No objections. Reminder that easement for access to sewers is required
- Berks, Bucks and Oxon Wildlife Trust (BBOWT). No objection subject to not raising the western ramp.
- Environment Agency Thames Region. No objection subject to conditions
- County Council and Highways Authority: No objection subject to conditions and clarification of details on parking
- English Heritage Commission. No objection to proposal in relation to the nearby scheduled ancient monument.
- Natural England. Requires clarity on the proposed levels for the western ramp and on the supports for the link bridge to the allotments to allow local planning authority to carry out Habitats Regulations Assessment, and to assess impact on habitats of Oxford Meadows SAC. On the basis of the above concerned that proposal is likely to damage or destroy the features of interest at Port Meadow with Wolvercote Common and Green SSSI.

Third Parties

- Oxford Waterside Residents' Association
- Oxford Waterside Management Company
- Oxford Civic Society
- Port Meadow Protection Group
- Friends of the Trap Grounds
- Oxford Fieldpaths Society
- St Margaret's Area Society
- One Voice Oxford
- Councillor Pressell

13 Individual Comments: 24 Lathbury Road, 7 Rawlinson Road, 71 Hayfield Road, 93 Kingston Road, 30, 47, 49 and 57 Plater Drive, 1 Osborne Close, 17 and 23 Chalfont Road, 8 St Aldate's, 14 Adelaide Street.

The main points raised were:

- EIA screening opinion flawed, photomontages inaccurate,
- Questions the legal right to consent to the works and to carry out development or landscaping without Secretary of State consent because its common land,
- Closure of level crossing will allow train speeds to increase with consequent

- increase in noise and vibration,
- Replacement parking will be more visible and not secure,
 - Parking spaces are too narrow and short, not compliant with highway standards
 - Concerned about the direct and indirect effects on Oxford Meadows SAC,
 - The increased height of the bridge and the supporting trusses and lattice work will be visually intrusive,
 - Appearance of barrier fencing from Port Meadow will be shocking and path will have engineered appearance. Generally concerned about effect on views from Port Meadow,
 - Proposed hard surfaces will lead to conflict between potential users of the route. Concern about the proposed surface materials will look too urban. Ramp gradients may discriminate against less able,
 - Concern about privacy and security for properties in Plater Drive that back onto east ramp,
 - Proposed handrail should be deleted or free standing, not attached to wall. Wall height should be increased in brickwork to compensate for increased height of ramp,
 - Southern footpath entrance to Trap Grounds should be retained, concern about effects of infilling ditch,
 - Semi-rural character should be retained, new planting should be native species and not urban/suburban in character,
 - Any soil contamination needs to be remediated,
 - Western ramp should be raised to improve access, especially during flooding,
 - Recommend condition on drainage strategy so that no significant effect on hydrological status,
 - Construction work should avoid bird nesting season,
 - Siting and access to construction site compound and storage of materials should be restricted to existing tracks and concrete areas to avoid adverse impacts on nature conservation interests,
 - Concerned about effect of extension of school grounds on sparrow population,
 - Suggestion of steps to allotments rather than spur ramp,
 - Concerned about lack of ecological assessment,
 - Suggestion that scheduled monument consent is required.

The proposals have been subject to pre-application discussions with the City Council, involving lengthy consultation with stakeholders and public meetings.

Officers' Assessment:

Background to Proposals.

1. This application was reported to the West Area Planning Committee on 10th February with a recommendation to approve the application. The committee report, which provided background information and assessment of the proposals, is attached as **Appendix 2**. The committee resolved to defer determination and requested additional information so that the nature of the development as currently proposed and the impacts could be properly understood.

2. The applicant has now updated the application with further details of the proposed works. This report has been prepared to clarify detailed aspects of the scheme and should be read together with the earlier report (**Appendix 2**). The slide presentation to committee will include the latest visual material and updated drawings.
3. Network Rail is delivering a number of infrastructure improvements in the Oxford area that will increase the frequency and number of trains using this section of railway line. Some of these separate projects include a gauge clearance project (reconstruction of over bridges) to facilitate the transportation of larger freight containers between Southampton and the Midlands, a re-instated passing loop to the north of Aristotle, electrification of the railway from Oxford Station (and sidings to the north of the station) to Paddington as part of Great Western Electrification Project and Phase 1 of East West Rail (previously known as Evergreen 3). Due to the increase in number of train movements along this stretch of the railway, for safety reasons Network Rail, DfT and the Office of Rail Regulation wish to see the closure of the Aristotle Lane pedestrian level crossing.

Details of the proposal

East Ramp

4. The works seek to improve accessibility, with the provision of platforms along the length of the ramp and a path width of 3.0m. The effect of this is to raise the height of the footpath, at its maximum by 750mm (approximately). The boundary wall alongside forms the rear garden boundary to properties in Plater Drive. It is a stepped wall, which as a result of these works would be 0.85m high at its lowest point towards the top part of the ramp, increasing to 1.5m high (more or less as existing) towards the bottom of the ramp. For those properties towards the top of the ramp the effective resulting height of the wall would be insufficient to maintain privacy and security and additional screening would be required. Increasing the height of the existing brick boundary wall would be the logical solution, (this may require associated remedial works to ensure the structural integrity of the wall) or solid timber fencing, but would require agreement of the property owners, which it is understood has not yet been secured (there has been further discussion between a resident and Network Rail where solid fencing was under discussion). Increasing the height with trellising (which would have limited longevity) is not considered to be a sufficiently long term solution, leaving responsibility for renewing the trellis in due course with the property owners. A condition is proposed to secure agreement for and provision/installation of additional screening, in a suitably durable and visually appropriate material, before the engineering works to raise the level of the footpath commence.
5. It is proposed to provide a single handrail on the other side of the footpath fixed to a new railing. Normally the handrail should be a contrasting colour, but there will be scope for a contrast that would not be too strident. There will be no handrail fixed to the existing boundary wall. There are a number of options for the new railing that would represent an appropriate response to the location (as well as providing appropriate safety measures). At the time of writing the report

these railing details have yet to be fixed, so a condition is proposed to control these matters.

6. Sheet piling is proposed to the northern edge of the path, involving the excavation of the slope below the path, to allow space for the allotment parking, new steps up to the path and to facilitate the new raised footpath levels. This sheet piling will not be visible, being backfilled with soil and faced with brickwork, but involves the loss of trees and shrubs. New planting of native species is proposed in the back filled area, as appropriate to the location and growing conditions. The sheet piling and brick facing is shown to connect to the existing bridge brick abutment.
7. The adjoining area to the north, which is proposed to form part of the extension to the school grounds, will be enclosed with school railings and gates. The design and colour of this has yet to be agreed between the parties, as has any proposed landscaping. These matters can be controlled by condition, but require further detailed consideration to ensure they provide for the safety and security of pupils.
8. Alongside the school grounds the southern access to the Trap Grounds will be retained and resurfaced.
9. The works proposed to the east ramp area go beyond the operational requirements of Network Rail, seeking to
 - resolve existing footpath access issues for certain groups;
 - provide car parking for allotment holders;
 - extend the school grounds;
 - maintain access to the Trap Grounds.

Delivery of these elements will be a public benefit and would justify the proposed changes (subject to mitigation in planting and screening, as discussed above)

Bridge

10. The bridge will be single span supported by new brick buttresses on either side of the track. The height from track to the soffit of the bridge would be 4.78m (improved from 4.2m). The bridge structure will be taller than the existing with a maximum height from rail track to the top of the bridge (top chord) of just over 8.5 metres and 3.5 metres wide. Because the route is a bridleway there is a requirement for solid panels to a minimum height of 1.8 metres on either side of the bridge. Above that is the open latticework of the bridge structure. In other similar locations new bridges have been painted 'Holly Green' and this colour is proposed here. Red brickwork is shown for the new abutments and a condition is proposed to ensure that samples are submitted to agree an appropriate tone and texture. For comparison the applicant has submitted details of where this green colour has been used elsewhere. The examples will be included in the committee slide presentation.

West Ramp

11. The ramp has two sections, a length leading up from the Port Meadow concrete causeway to the gated entrance then a further section from the gate leading up to the bridge. Following concerns expressed by the Environment Agency and Natural England it is not now proposed to change the levels on the first section. However, as a requirement of the Highway Authority - to help ensure inclusive access, it is proposed to increase the height between gate and bridge to allow the incorporation of 'platforms' at regular intervals. An engineering solution has been devised that would ensure works to increase the height do not extend beyond the limits of the existing path, utilising a 'structural mattress' that can be shaped to fit, sown so that after a season it would blend with the existing grass banks. Within the first 14 metres of the ramp the height of the footpath would increase by a maximum of 300mm. Along the remaining length the height will increase by a maximum of 500mm.

Conclusion.

The replacement of the bridge is necessary to enable the electrification of the railway, which is of strategic importance. The application also proposes additional works which will benefit the local community and address issues associated with the safety of the existing level crossing. During the application process the applicant has introduced a variety of amendments and supplied additional supporting information to address the concerns raised. The precise detail of certain elements of the proposals and the extent of amendments has now been clarified and whilst there are still some details yet to be agreed, officers are satisfied that the application can be recommended for approval, subject to conditions.

Human Rights Act 1998

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions. Officers have considered the potential interference with the rights of the owners/occupiers of surrounding properties under Article 8 and/or Article 1 of the First Protocol of the Act and consider that it is proportionate.

Officers have also considered the interference with the human rights of the applicant under Article 8 and/or Article 1 of the First Protocol caused by imposing conditions. Officers consider that the conditions are necessary to protect the rights and freedoms of others and to control the use of property in accordance with the general interest. The interference is therefore justifiable and proportionate.

Section 17 of the Crime and Disorder Act 1998

Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a

recommendation to grant planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Background Papers: 14/01348/FUL

Contact Officer: Nick Worledge

Extension: 2147

Date: 26th February 2015

West Area Planning Committee

10th February 2014**Application Number:** 14/01348/FUL**Decision Due by:** 8th September 2014

Proposal: Demolition of existing footbridge. Erection of replacement footbridge with ramped approaches and new stepped access. Provision of 12 No car parking spaces and change of use of part of land adjacent to railway lines for educational purposes as part of SS Phillip and James School. (Amended plans)

Site Address: Aristotle Lane Footbridge, Aristotle Lane, **Appendix 1.**

Ward: Jericho And Osney Ward

Agent: N/A

Applicant: Network Rail

Recommendation: Approve subject to conditions.

Reasons for Approval

- 1 The proposed bridge replacement is necessary to deliver strategic railway network improvements. The electrification of the railway between Oxford and Paddington delivers substantial public and economic benefits, and as part of the proposals it will also benefit the adjacent SS Philip and James School Primary School in relation to an extension of its school grounds. Safer access and parking arrangements for the allotment holder users is also provided. To address safety and access requirements necessitates design solutions that will affect the appearance of the area. These can be satisfactorily mitigated to minimise any adverse impacts by conditions to control such matters as the construction and design details, the use of materials and hard and soft landscaping proposals. The proposal is therefore considered to accord with the requirements of the relevant policies in the Oxford Local Plan, Core Strategy and National Planning Policy Framework and Practice Guide.
- 2 The Council has considered responses raised in public consultation and by statutory consultees and the proposals have been amended to address the issues raised and as proposed to be controlled by the conditions imposed. Any residual concerns do not constitute sustainable reasons sufficient to refuse planning permission and any harm that might result to interests of acknowledged importance are outweighed by the public benefits the proposal will deliver.

Conditions

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Boundary and abutment details, including spur ramp, handrails and boundary walls
- 4 Flood plain storage
- 5 Contamination and remediation
- 6 Demolition and Construction Travel Plan
- 7 Sustainable drainage
- 8 Tree protection
- 9 Landscape plan required
- 10 Landscape carry out after completion
- 11 Landscape management plan
- 12 Hard surface design.
- 13 Underground services
- 14 Tree protection plan
- 15 Arboricultural method statement
- 16 Samples of materials
- 17 Sample panels
18. Biodiversity
- 19 Archaeology

Legal Agreement.

No CIL contributions or s106 agreement required

Principal Planning Policies:

Oxford Local Plan 2001-2016

- CP1 - Development Proposals
- CP8 - Design Development to relate to its context
- TR4 - Pedestrian & Cycle Facilities
- TR8 - Guided Bus/Local Rail Service
- HE1 - Nationally Important Monuments
- HE10 - View Cones of Oxford
- CP11 - Landscape Design
- CP13 - Accessibility
- NE15 - Loss of Trees and Hedgerows
- NE21 - Species Protection

Core Strategy

- CS11 - Flooding
- CS12 - Biodiversity
- CS18 - Urban design, town character, historic environment

Other Documents.

- National Planning Policy Framework (NPPF)
- Planning Policy Guidance.

Statutory Designations

- The application site is partly within the Oxford Meadows Special Area of Conservation (SAC) which is a European site,
- This application is in close proximity to Port Meadow with Wolvercote Common and Green Site of Special Scientific Interest (SSSI),
- The site is in close proximity to Port Meadow Scheduled Ancient Monument,
- Common Land.

Public Consultation

Statutory Consultees.

- Thames Water Utilities Limited. No objections. Reminder that easement for access to sewers is required
- Berks, Bucks and Oxon Wildlife Trust (BBOWT). No objection subject to not raising the western ramp.
- Environment Agency Thames Region. No objection subject to conditions
- County Council and Highways Authority: No objection subject to conditions and clarification of details on parking
- English Heritage Commission. No objection to proposal in relation to the nearby scheduled ancient monument.
- Natural England. Requires clarity on the proposed levels for the western ramp and on the supports for the link bridge to the allotments to allow local planning authority to carry out Habitats Regulations Assessment, and to assess impact on habitats of Oxford Meadows SAC. On the basis of the above concerned that proposal is likely to damage or destroy the features of interest at Port Meadow with Wolvercote Common and Green SSSI.

Third Parties

- Oxford Waterside Residents' Association
- Oxford Waterside Management Company
- Oxford Civic Society
- Port Meadow Protection Group
- Friends of the Trap Grounds
- Oxford Fieldpaths Society
- St Margaret's Area Society
- One Voice Oxford
- Councillor Pressell

13 Individual Comments: 24 Lathbury Road, 7 Rawlinson Road, 71 Hayfield Road, 93 Kingston Road, 30, 47, 49 and 57 Plater Drive, 1 Osborne Close, 17 and 23 Chalfont Road, 8 St Aldate's, 14 Adelaide Street.

The main points raised were:

- EIA screening opinion flawed, photomontages inaccurate,
- Questions the legal right to consent to the works and to carry out development or landscaping without Secretary of State consent because its common land,
- Closure of level crossing will allow train speeds to increase with consequent

- increase in noise and vibration,
- Replacement parking will be more visible and not secure,
 - Parking spaces are too narrow and short, not compliant with highway standards
 - Concerned about the direct and indirect effects on Oxford Meadows SAC,
 - The increased height of the bridge and the supporting trusses and lattice work will be visually intrusive,
 - Appearance of barrier fencing from Port Meadow will be shocking and path will have engineered appearance. Generally concerned about effect on views from Port Meadow,
 - Proposed hard surfaces will lead to conflict between potential users of the route. Concern about the proposed surface materials will look too urban. Ramp gradients may discriminate against less able,
 - Concern about privacy and security for properties in Plater Drive that back onto east ramp,
 - Proposed handrail should be deleted or free standing, not attached to wall. Wall height should be increased in brickwork to compensate for increased height of ramp,
 - Southern footpath entrance to Trap Grounds should be retained, concern about effects of infilling ditch,
 - Semi-rural character should be retained, new planting should be native species and not urban/suburban in character,
 - Any soil contamination needs to be remediated,
 - Western ramp should be raised to improve access, especially during flooding,
 - Recommend condition on drainage strategy so that no significant effect on hydrological status,
 - Construction work should avoid bird nesting season,
 - Siting and access to construction site compound and storage of materials should be restricted to existing tracks and concrete areas to avoid adverse impacts on nature conservation interests,
 - Concerned about effect of extension of school grounds on sparrow population,
 - Suggestion of steps to allotments rather than spur ramp,
 - Concerned about lack of ecological assessment,
 - Suggestion that scheduled monument consent is required.

The proposals have been subject to pre-application discussions with the City Council, involving lengthy consultation with stakeholders and public meetings.

Officers' Assessment:

Background to Proposals.

12. Network Rail is delivering a number of infrastructure improvements in the Oxford area that will increase the frequency and number of trains using this section of railway line. Some of these separate projects include a gauge clearance project (reconstruction of over bridges) to facilitate the transportation of larger freight containers between Southampton and the Midlands, a re-instated passing loop to the north of Aristotle, electrification of the railway from Oxford Station (and sidings to the north of the station) to Paddington as part of Great Western Electrification Project and Phase 1 of

East West Rail (previously known as Evergreen 3). Due to the increase in number of train movements along this stretch of the railway, for safety reasons Network Rail, DfT and the Office of Rail Regulation wish to see the closure of the Aristotle Lane pedestrian level crossing.

13. The replacement of the Aristotle Lane footbridge is required to allow sufficient height over the main line tracks to accommodate overhead line equipment associated with the electrification. Part of the application also proposes a change of use of adjacent land to extend the school grounds of SS Philip and James Primary School with new boundary fencing to form a safe enclosure and a new route off the western ramp to give access to the allotments upgrading the southern access to the Trap Grounds
14. It is proposed to replace the existing three span bridge, along its existing alignment with a single span structure, removing the existing two piers and providing headroom of 4.78m (improved from 4.2m). The new bridge will be cambered with a maximum gradient along its length of 1:15 and with a clear width of 3.0m between handrails. The bridge is proposed to be painted green. The bridge structure will be taller than the existing with a maximum height from rail track to the top of the bridge (top chord) of just over 8.5 metres.

Site Description.

15. The Aristotle Lane Bridge is an over-bridge of the railway to the north of Oxford Station. The existing footbridge forms part of the County Council's bridleway network (reference 320/12). The western part is the existing footpath/ bridleway from Port Meadow. An entrance to Council owned allotments exists just to the north of this western ramp. The ramp consists of a gravel path with timber post and rail fencing on its sides. The central part of the application site is the existing three span bridge with two concrete piers over the operational railway, incorporating brick abutments. The bridge is a metal structure 2.5m in width. The eastern part of the application site consists of an existing gravel pathway extending from Aristotle Lane with a brick wall on the southern boundary with residential properties at Plater Drive beyond and an embankment to the north with mixed planting. To the north of the embankment is an existing gravel access road leading to an informal parking area accommodating approximately eight parking spaces used by allotment holders and to the Aristotle Lane level crossing, which forms a private users crossing and second entrance to the allotment site. To the north east of the access road is SS Philip and James Primary School. There is also a footpath along the school grounds boundary to the Trap Grounds to the north.

Consent Regime.

16. Network Rail benefits from the use of permitted development rights by virtue of the Town and Country Planning (General Permitted Development) Order 1995 (GDPO) which grants consent for "*development by railway undertakers on their operational land required in connection with the movement of traffic on rail*". The works to replace the bridge span and works to access ramps could ordinarily rely upon the use of these GDPO powers via the '*prior*

approval procedure but since the proposal includes works beyond the needs of the railway, (eg spur ramp to allotments, allotment holders car park and extension of school grounds), then Network Rail has submitted a single planning application for the whole project rather than discrete applications under separate consent regimes. Related proposals to facilitate the railway infrastructure works described above were submitted under the “*prior approval*” procedure at Hinksey Lake and White House Road and were granted planning permission on appeal.

17. Concern has been expressed through consultation responses about the legal issues associated with the Port Meadow Common, in determining this application and implementing any permission granted. Officers have taken legal advice on this matter and have been advised that in relation to the Common there is no impediment to the City Council determining this application.
18. The principle determining issues in this case are considered under the following headings:
 - planning policy;
 - design and built forms;
 - heritage;
 - highways and parking;
 - landscaping;
 - flood risk and drainage; and
 - biodiversity.

Planning Policy.

19. Development plan policies recognise the importance of the rail transport infrastructure, with policies in the Core Strategy and Local Plan that safeguard the transport corridor to facilitate future investment and improvement. Policies CS17 and TR8 refer respectively.
20. The site is in a sensitive location, alongside and leading into Port Meadow, host to statutory designations that recognise its nature conservation and heritage interest. Core Strategy and Local Plan policies seek to ensure that the special interest the site holds is not harmed, policies CS21 and NER22. Considerable weight and importance needs to be paid to the objective of preservation and enhancement in considering any harm against other planning priorities.
21. The site is not in a conservation area but the policies in the Core Strategy and Local Plan seek to ensure that the positive characteristics and appearance of the local context are respected and that new development should be designed to take account of local character.
22. The site is within an area of flood risk and development will not be permitted if it will result in an increased risk of flooding

Design and Built Forms.

23. The nature of the proposals will involve some change to the existing appearance of the area. The engineering requirements to provide the eastern ramp, car park and access stairs to it from the bridge will serve to 'formalise' what are currently slightly haphazard and informal areas. It is proposed that the effect of this is mitigated by soft landscaping and careful selection of hard surfacing and other external materials. Officers consider the overall benefits associated with the proposal justify the changes. The existing characteristics of the bridge and ramps have an association with the nature of the railway corridor and these proposals will retain that character. The bridge, as a larger structure than that existing, will have more prominence, but only in the immediate locality. From longer distances views its presence will be filtered by the retained and proposed landscaping; the colour (and tone) of the bridge structure; and the skeletal form of the upper parts which assist it to assimilate into its surroundings. The introduction of electrification of the railways and overhead gantries that will form part of that investment are likely to be more visible elements characterising the railway corridor as it passes alongside Port Meadow.
24. There are a variety of detailed design matters that are not finalised at this stage including railing details and the detailed design for the allotment bridge connection. It is considered that these matters can be satisfactorily controlled by condition.

Heritage.

25. Port Meadow is a scheduled ancient monument (SAM) and provides a publicly accessible area that also allows views over Oxford's historic city centre skyline. The National Planning Policy Framework states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. In this case it is only the SAM which is a designated heritage asset however, due to its important below ground archaeology. The remainder of Port Meadow is a non designated asset. Nevertheless the effect of an application on the significance of a non-designated heritage asset should still be taken into account in determining planning applications. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement is be required having regard to the scale of any harm or loss and the significance of the heritage asset.
26. Port Meadow is of interest as a SAM because of its location on the Northmoor Thames gravel terrace adjacent to an extensive prehistoric landscape of late Neolithic / Early Bronze Age barrows and Iron Age settlement remains. However none of the bridge works now proposed fall within the confines of the of the SAM, with the nearest archaeological feature being a possible stock enclosure located 150m from the western end of the existing bridge. Previously stray finds of worked flint and a Roman coin have been recovered from the area of allotments to the north

of the footbridge. An archaeological condition requiring a programme of work to be undertaken is suggested.

27. For its part English Heritage has confirmed that it does not consider the proposal will have any harmful impacts on the SAM or its setting. Officers concur with that view and concluded that there would be no adverse impact.

Highways and Parking.

28. The proposals include the provision for a car park for allotment holders, to rationalise the existing informal parking area, organised to relate to the new access arrangements for allotment holders. It is designed to be SUDS compliant and a condition is proposed to secure this.
29. The demolition and construction methodology is complicated, designed to minimise interruption to rail traffic, to maintain public access across the bridge for as long as practicably possible and also to protect nature conservation interests. The site is also constrained in terms of access for plant and equipment and a demolition and construction travel plan has been recommended by the Highways Authority to ensure managed impacts on the road network and to safeguard residential amenity. A condition is proposed to secure this and should include details of compound and working areas.

Landscaping.

30. As now proposed tree works on the western side of the railway line which include the removal of a mature sycamore and pollarding of a large willow would have a detrimental impact on the appearance of the landscape and reduce the softening and screening effect of existing trees of the footbridge and embankment. These impacts are required to be weighed in the balance against the important benefits to the strategic rail network, services to and from Oxford, and economic performance if the proposals were to be approved. Officers have concluded that in view of the importance of improvements to rail infrastructure that the balance of advantage in these terms lies with supporting the proposals.
31. Elsewhere within the application site, additional information has been submitted on existing trees and soft landscaping since submission of the original application. This confirms the extent of tree removal and replacement planting. The landscaping scheme submitted has therefore been amended to reflect the desirability of maintaining the informal character of the area, proposing native tree species such as hazel, hawthorn, field maple etc. A raft of conditions are proposed to secure protection of existing trees, delivery of the landscaping proposals to the north side of the eastern embankment and ongoing management.

Flood Risk and Drainage.

32. The Environment Agency (and others) expressed concerns that the submitted proposals would have unacceptable impacts on flooding and flood storage capacity. The applicant subsequently submitted a Flood Risk Assessment and has been in ongoing negotiation with the Agency and officers to address the concerns raised. This has involved some minor changes to the proposals, but in particular in order to satisfy the Environment Agency's requirements the ramp from Port Meadow (western ramp) will no longer be raised, but will maintain its existing levels. Having considered the additional information supplied and the proposed amendments the Environment Agency has now withdrawn its objection, subject to the imposition of conditions (which have been included in the recommendation).

Biodiversity.

33. Natural England objected to the planning application on the grounds that the application, as submitted, did not demonstrate that it would not damage interest features for which Port Meadow with Wolvercote Common and Green SSSI has been notified. It expressed concerns about the level of evidence and assessment that had been submitted with the original application. Officers have been in ongoing consultation with Natural England Network Rail and undertaken their own assessment.
34. As a competent authority the City Council must assess the impacts on the SAC in accordance with Regulations 61 and 62 of the Conservation of Habitats and Species regulations 2010. The applicant has supplied supplementary information which addresses concerns raised by consultees, including BWONT, the Environment Agency and Natural England. The latter would however wish to see further constructional details. After consideration of this information Officers have concluded that there would be no negative impact on the SAC. To ensure this is the case protective measures should be conditioned regarding details of the western ramp and construction details for the allotments spur ramp.

Other Matters.

35. Through consultation responses a number of concerns have been raised about the nature and appearance of hard surfaces. The desirability is to ensure that they do not appear over engineered, reflect the informal character of the area and do not encourage misuse or anti-social behaviour. Officers have recommended a condition to review and control the execution of this element of the proposals. Concern has also been expressed about privacy and security for residents in Plater Drive, whose properties back onto the eastern ramp. The introduction of a handrail along the wall and the increase in height of the ramp are the concerns. Proposals have been suggested that could mitigate these concerns – namely excluding the handrail or installing separate posts and rail and increasing the height of the boundary wall. These matters are included in

the proposed conditions.

36. Conclusion.

37. The replacement of the bridge is necessary to enable the electrification of the railway, which is of strategic importance. The application also proposes additional works which will benefit the local community and address issues associated with the safety of the existing level crossing. During the application process the applicant has introduced a variety of amendments and supplied additional supporting information to address the concerns raised and officers are satisfied that the application can be recommended for approval.

Human Rights Act 1998

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions. Officers have considered the potential interference with the rights of the owners/occupiers of surrounding properties under Article 8 and/or Article 1 of the First Protocol of the Act and consider that it is proportionate.

Officers have also considered the interference with the human rights of the applicant under Article 8 and/or Article 1 of the First Protocol caused by imposing conditions. Officers consider that the conditions are necessary to protect the rights and freedoms of others and to control the use of property in accordance with the general interest. The interference is therefore justifiable and proportionate.

Section 17 of the Crime and Disorder Act 1998

Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to grant planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Background Papers: 14/01348/FUL

Contact Officer: Nick Worlledge

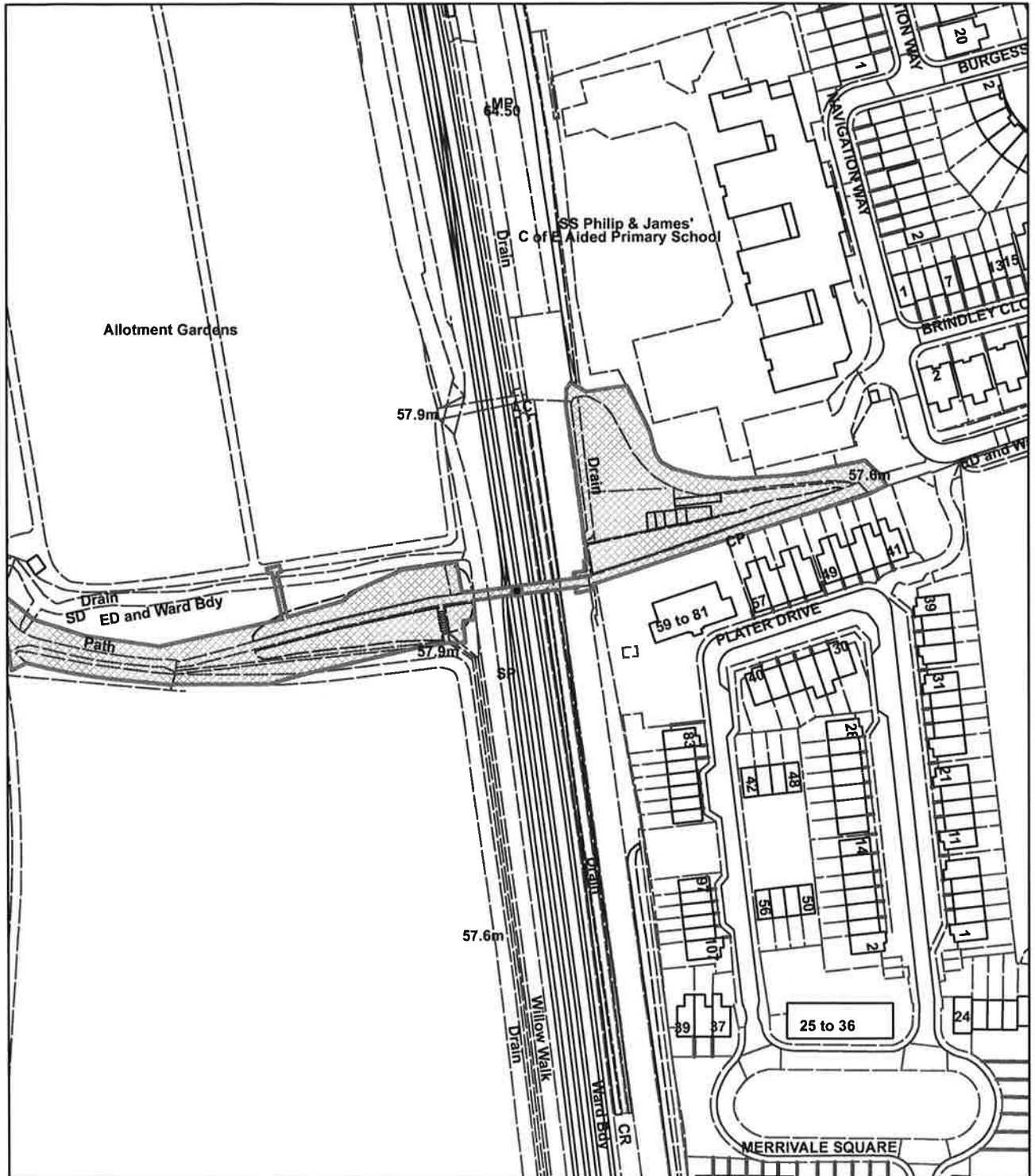
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Date: 29th January 2015

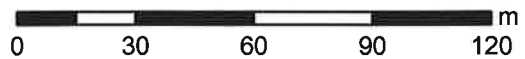
14/01348/FUL

Aristotle Lane Footbridge, Aristotle Lane

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Oxford City Council

Planning

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West Area Planning Committee

10 March 2015

Application Number: 13/00832/CND10 & CND11, 13/01075/CND8

Decision Due by: 10 March 2015

Proposal: Details submitted in compliance with condition 3 (materials samples) of planning permission 13/00832/FUL.

Details submitted in compliance with conditions 9 (samples materials) and 10 (sample panels) of Listed building Consent 13/01075/LBD.

Site Address: Exeter College Walton Street, Site Plan **Appendix 1**

Ward: Jericho And Osney

Agent: Mr Chris Pattison

Applicant: The Rector And Scholars
Of Exeter College In The
University of Oxford.

Recommendation:

West Area Planning Committee is recommended to approve the proposed materials as set out in the materials schedule submitted in compliance with condition 3 of approval 13/00832/FUL and conditions 9 & 10 of 13/01075/LBD, and delegate to Officers to agree further sample panels of stone and bricks.

Background:

The development was reported to West Area Planning Committee on 10th December 2013. Officers informed the Committee that the new building would be constructed using stone, brick and stainless steel roof tiles. The building was approved with a curved roof and the stainless steel tiles in part covering the front façade to Worcester Street to first floor level. Below are extracts from the Committee report:

“The new building will be erected using Ashlar stone, brick with stainless steel roofing tiles. The windows in the new build will be bronze externally with timber doors and matching stone walls to boundaries...”

As regards the roofing materials, the [Design & Access] statement goes on to say that the proposal utilises a traditional metal tile roofing pattern in two colours; metal tiles set in a diagonal format suit the proposed curved roof form and a subtle checkerboard patterning adds another layer of reference and meaning to the new roof, reflecting the latticed diagonal lead work of the

Exeter Turl Street Chapel spire and the patterned tiles of the Chapel floor. The proposed coloured and textured stainless steel tile has been chosen to reduce reflectivity; the tile goes through a manufacturing process where it is patterned, textured, bead blasted and formed into the individual tiles which are installed on site....

The choice of material and how it is used will be a critical element in this. The applicant has selected a metal roof, cut into diamond shaped tiles (not unlike the roof at the University Museum) as a modern iteration of the historic use of metal as a roof covering, which has led to a lot of disquiet through the public and statutory consultation responses. Colour, reflectivity and patina are important characteristics (and ones not easy to illustrate accurately) that the applicant wishes to exploit, but to date the sample panels tested do not satisfy officers that these characteristics are successfully demonstrated. The wrong finish and the roof material would appear too strident and cause harm. Suffice to say that if approval of these applications is agreed then a condition is recommended to require further sample panels of the proposed roofing material to be agreed. This will allow the potential for harm by virtue of the colour, patina and reflectivity to be resolved”.

Committee approved the application subject to conditions and requested that the final approval of the materials be brought back to Committee for their determination. The use of stainless steel roofing tiles, stone and brick have therefore been agreed in principle.

Condition 3 of the planning permission and Condition 9 of the listed building consent state as follows:

‘Samples of exterior materials proposed to be used shall be made available for inspection on site and approved in writing by the Local Planning Authority before the start of that work on the site and only the approved materials shall be used.

Reason: To enable the Local Planning Authority to give further consideration to the external appearance of the approved works/building, in the interest of visual amenity, in accordance with policies CP1, CP8, HE3 and HE7 of the Adopted Oxford Local Plan 2001-2016 and policy CS18 of the Oxford Core Strategy 2026’.

Condition 9 of the listed building consent states:

‘Sample panels of stonework/brickwork and roofing material demonstrating the colour, texture, face bond and pointing 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: 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 CP1, CP8, HE3 and HE7 of the Adopted Oxford Local Plan 2001-2016 and policy CS18 of the Oxford Core Strategy 2026’.

Since issuing the permission in the Architects have done further extensive research to establish the exact colour and patina finish of stainless tiles to be used in order to achieve their architectural aspirations for the building whilst minimising reflectivity in response to Officers report above and providing an appropriate response to context and setting of the listed building.

Since 2012 sample roofing panels have been put up on site and monitored over time to see how they weather and change in the light during the day. The last one was erected in June 2014.

Officers and some Members of the WAPC attended a site visit and presentation in October 2014 to review the tiles. Ward Members and local residents had a separate similar presentation and site visit.

Officer's Assessment:

The Architects have submitted details of their chosen materials and detailed analysis and assessment of the proposed the stainless steel tiles. The Executive Summary is attached at **Appendix 2**.

The materials are listed in the Materials Schedule and are summarised as follows:

- Stone: Bath stone from Hartham Park Quarry in Corsham
- Walls: Brick: reuse existing bricks from existing façade
- Walls: Timber weatherboarding on the roof terrace
- Stainless steel tiles: Rimex Stainless steel tiles in Bronze and in champagne with a paladin pattern and bead blasted.
- Windows: retain existing on listed building, new windows and dormers in Anodised Aluminium in RAL 'Analok' bronze colour (shades nos. 541 & 543)
- Roof glass dormer: in frameless glass
- Curtain glazing metallic bronze steel and Anodised Aluminium in RAL 'Analok' bronze colour (shades nos. 541 & 543)
- Plant room screen: powder coated steel in RAL 'Analok' bronze colour (shades no. 543)
- New guttering in Rimex Stainless steel in Bronze
- External doors and gates in anodised aluminium to Synthia Pulvin metallics, in RAL 'Analok' bronze colour (shades nos. 541 & 543);
- Balustrades: toughened laminated glass and brushed stainless steel.
- Exterior hard landscaping materials include resin bound gravel in 'Dorset Gold', timber decking, Jura Beige stone flooring and Hartham Park Stone

Further to the feedback from the pre-submission presentations and site visits, the Architects have sought to demonstrate further that the proposed stainless steel tiles would not cause significant harm to neighbouring properties from light or heat reflection during the day. A detailed Sun Light and Reflectivity Study has been done as part of the submission, examining the resulting diverging reflections from a convex curve (of the roof). The Study focuses on the vertical section of the Worcester Place elevation including the central learning commons block and the hall, where concerns about impact are focused.

The study also analyses the difference between a smooth finish would result in a specular or mirror like reflection and a textured or rough finish, as proposed, which would result in a diffuse reflection and alter how this reflection is experienced.

Using 3D analysis software (Vasari), the Architects have been able to locate a computer model of the proposed building and its adjacent context, in its true GPS coordinates. This has allowed them to record the months of the year and the hours of the day in which the sun obliquely hits the north facing Worcester Place elevations when setting from the west. Depending on the time of year the sun would be at its lowest angle at 38 degrees (from the horizontal) in the months of March and September and highest at 62 degrees in June. Calculations have been made on the average of 48 degrees from the horizontal.

The findings show that part of the main front façade (central learning commons block) would receive oblique sun light on it on average for 2.3 hours a day at approximately 6.30pm over 7 months (March and September). Time ranges between 20 minutes in March to 4 hours in June and based on perfect clear and sunny weather conditions. This element of the façade is also broken up by windows. The sunlight will be reflected in a north east direction and the Study concludes that there would be no impact on any viewpoint within the local environment.

The sun would also hit the front façade of the hall for approximately 1.7hrs per day over 6 months (April to September) at approximately 6pm, again assuming no clouds. The sunlight would be reflected to the north east, above the local roof line and again concludes that therefore there would be no impact on any viewpoint within the local environment.

The Worcester Place facade is north facing, convex and made of a material that will diffuse and scatter this light. This is due to the texture applied to the material and the bead blasting finish. The scattering effect of the light across the convex roof shape will mean that any reflected sunlight will be diffused and should not generate glare.

The diffuse light shadow study shows that at noon any light hitting the pitched section of the roofs, over the 6 months of the year will not impact the adjacent properties, due to the angles of the proposed roofs. The properties along Worcester Place have south facing elevations, the point in which the sun is hitting the roofs from a southerly angle at noon, the sun itself is in fact the greatest source of light directly affecting these properties and the roof cladding will leave no greater impact than the ambient environmental conditions, caused by the direct sunlight.

With regard to heat generation the roof with a patterned finish would result in low reflectivity, resulting in a diffusion of light and little directional heat on adjacent buildings. The convex shape of the roof on this building and material means that any reflected light is scattered rather than concentrated so the façade will not cause 'hot spots'. In relation to heat radiation, due to the relative temperatures involved the amount of radiated heat will be small and similar to that from other construction material.

With regard to the southern rear elevations facing Worcester College and Garden, only the roof is covered in the metal tiles. There are 14 mature Holmoak trees along

the boundary that are approximately 17m high (the same height as the new roof at its highest) and will screen and also shade most of the building from approximately 7am till 12 noon in summer and 2pm in winter months. On the winter solstice (21st December) the sun would be at 14 degrees rising to 62 degrees on the summer solstice on 21st June. It follows that the sun would therefore have most impact on this part of the building between approximately 10.30am and 12noon in the summer months when the sun is at its highest and on a cloudless day. However, it would only be the vertical element of the roof as it curves down to the façade that would reflect the sun, approximately 17sqm, which is also broken up by windows. The light hitting the top of the roof would be reflected back up skywards and from the photos submitted in the Study the top part of the roof appears darker and non-reflective.

Officers accept the findings of the materials analysis and Sun Light and Reflectivity Study and further to the site visit to view the proposed sample panel, conclude that the visual effect of the proposed stainless steel roofing/ cladding material will not cause harm to the setting of the listed building, the Conservation Area and street scene or have an unacceptable adverse impact neighbouring properties in term of light reflection, glare or heat gain.

In respect of the other proposed materials Officers are of the view that these are also acceptable. The Bath stone would match the existing listed building and compliment the coloured metal tiles proposed, as would the bronze coloured fenestration and doors. However, the nature of the Bath stone does depend on the bed as well as quarry and therefore it is appropriate to see a further sample panel on site to assess the exact bedding joint colour, grain and texture, together with how it is crafted and constructed, as required under condition 10 of the listed building consent. The re-use of brick is also acceptable, and of course encouraged, yet sometimes it may be that the bricks are not be suitable for re-use due to damage and would not give a good end result. Furthermore there may possibly not be enough. Consequently again it is appropriate to see a sample panel with the proposed mortar to ensure the end result is appropriate, as required under condition 10 of the listed building consent and should there be insufficient bricks, agree a suitable matching brick . Officers recommend that Committee delegate this to Officers to view and agree.

Residents Comments:

There is no statutory requirement to consult the public on conditions compliance. However, residents may view the details and comment on them. Two letters of comment from Worcester Place residents and a letter of comments from the South Jericho Street Residents Association have been received and can be summarised as follows:

2 letters of comment from residents:

- The use of curved, textured high-gloss stainless steel as the material for much of the surface finishing material does not preserve or enhance the conservation area and could easily be addressed by replacing the steel with more appropriate materials, eg: copper, stone and or similar red brick.

- Roofing material proposed is incredibly industrial for this historic, incredibly narrow street.
- Brick or stone or a material that would blend into existing buildings would create a structure that enhances rather than detracts from the neighbourhood.

Jericho Residents Association:

- Verified views should have been included; this is a matter of public interest given the public outcry and apology that resulted from the Castle Mill flats development. History may repeat itself otherwise.
- The curved textured shiny stainless steel metal cladding material might be suitable for municipal and commercial settings but is totally inappropriate for the building's residential setting. It does not respect the context within a conservation area with adjoining grade 1 and 2 listed properties.
- The vertical wall elevation and hall elevation, below roof level, should use stone instead of textured stainless steel given the very close proximity to the front of the houses in Worcester Place.
- The limited visuals indicate that it will look similar to the Bullring in Birmingham, or possibly Cardiff's Millennium centre, so therefore is incongruous in the narrow and low built residential streets of Jericho.
- A more appropriate material such as copper would make a considerable improvement.

Conclusion:

Officers consider that the proposed materials are acceptable and specifically in relation to the stainless steel tiles the colour, patina and finish proposed would not be harmful. The information on sun light and reflectivity, as set out in the Sun Light and Reflectivity Study, satisfy any concerns regarding reflectivity. It is also considered that a great deal of thought, care and consideration to Officers and residents' concerns has been demonstrated by the Applicant and Architects.

It is therefore recommended that the materials submitted are approved in compliance with the Condition 3 of 13/00832/FUL and conditions 9 & 10 of 13/01075/LBD, subject to approval of further sample panels of stone and bricks, delegated to Officers to agree.

Human Rights Act 1998

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions. Officers have considered the potential interference with the rights of the owners/occupiers of surrounding properties under Article 8 and/or Article 1 of the First Protocol of the Act and consider that it is proportionate.

Officers have also considered the interference with the human rights of the applicant under Article 8 and/or Article 1 of the First Protocol caused by imposing conditions. Officers consider that the conditions are necessary to protect the rights and freedoms of others and to control the use of property in accordance with the general interest. The interference is therefore justifiable and proportionate.

Section 17 of the Crime and Disorder Act 1998

Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to approve, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Background Papers: 13/01075/LBD, 13/01075/CND8, 13/00832/FUL, 13/00832/CND10, 13/00832/CND11.

Contact Officer: Felicity Byrne

Extension: 2159

Date: 25th February 2015

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Extract from submitted information by Alison Brookes Architects

Executive Summary:

This document has been produced by Alison Brooks Architects, as supplementary information in response to the Exeter College, Walton Street Quadrangle planning conditions and stakeholder feedback; to describe the final proposed finish for the external roofing material and vertical sections of metal cladding.

Over the last two years Alison Brooks Architects alongside the Project Team, Planning and Conservation Officers and Stakeholder Groups, have carefully developed the final proposed material finish, the colour and pattern of the metal rainscreen cladding.

The first chapter of this document will explain the proposed rainscreen cladding specification, with a brief description of the manufacturing processes undertaken in order to achieve the proposed finish, colour, pattern and texture of the stainless steel shingles.

The second chapter of this document will address stakeholder feedback in relation to the reflectivity of the material, by explaining the fundamental principles of reflectivity and addressing stakeholder concerns with regards to solar heat radiation onto Worcester Place.

As the law of reflection means that the angle of incidence is equal to the angle of reflection, light will reflect according to this law, regardless of whether the reflection occurs off a flat surface or a curved surface. A convex surface will result in the light splaying off a surface, this is commonly known as a 'diverging reflection'. The second chapter of this document will concentrate on identifying whether there is any significant effect of oblique sun light hitting the vertical elevations of the metal rainscreen cladding, primarily focusing, on the north facing elevations to Worcester Place.

Therefore due to the principle of reflectivity, there is no possibility of reflected light from curved surfaces impacting the local context and streetscape.

In response to local stakeholder feedback, the second section of this chapter will analyse the southerly angle of the sun

Over...

hitting the pitched sections of the sloping roof, facing north. The third chapter of this document will analyse the southern elevation of the New Walton Street Quadrangle adjacent to the Worcester College's Grade I listed Gardens, looking at the extent of the visible roofing material and vertical cladding. This roof is interspersed with windows and dormers, and is shaded by the evergreen Holm Oak trees of Worcester College Gardens".

Monthly Planning Appeals Performance Update – February 2015

Contact: Head of Service City Development: Michael Crofton-Briggs

Tel 01865 252360

1. The purpose of this report is two-fold:
 - i. To provide an update on the Council's planning appeal performance; and
 - ii. To list those appeal cases that were decided and also those received during the specified month.

Best Value Performance Indicator BV204

2. The Government's Best Value Performance Indicator BV204 relates to appeals arising from the Council's refusal of planning permission and telecommunications prior approval refusals. It measures the Council's appeals performance in the form of the percentage of appeals allowed. It has come to be seen as an indication of the quality of the Council's planning decision making. BV204 does not include appeals against non-determination, enforcement action, advertisement consent refusals and some other types. Table A sets out BV204 rolling annual performance for the year ending 23 February 2015, while Table B does the same for the current business plan year, ie. 1 April 2014 to 23 February 2015.

Table A	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	16	36%	9	7
Dismissed	29	64%	9	20
Total BV204 appeals	45	100%	18	27

**Table A. BV204 Rolling annual performance
(1 March 2014 to 23 February 2015)**

Table B	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	17	39%	9	8
Dismissed	27	61%	7	20
Total BV204 appeals	44		13	14

**Table B. BV204: Current business plan year performance
(1 April 2014 to 23 February 2015)**

All Appeal Types

3. A fuller picture of the Council's appeal performance is given by considering the outcome of all types of planning appeals, i.e. including non-determination, enforcement, advertisement appeals etc. Performance on all appeals is shown in Table C.

Table C	Appeals	Performance
Allowed	17	35%
Dismissed	32	65%
All appeals decided	49	
Withdrawn	4	

**Table C. All planning appeals (not just BV204 appeals)
Rolling year 1 March 2014 to 23 February 2015**

4. When an appeal decision is received, the Inspector's decision letter is circulated (normally by email) to the committee chairs and ward councillors. If the case is significant, the case officer also subsequently circulates committee members with a commentary on the appeal decision. Table D, appended below, shows a breakdown of appeal decisions received during February 2015.
5. When an appeal is received notification letters are sent to interested parties to inform them of the appeal. The relevant ward members also receive a copy of this notification letter. Table E, appended below, is a breakdown of all appeals started during February 2015. Any questions at the Committee meeting on these appeals will be passed back to the case officer for a reply.
6. All councillors receive a weekly list of planning appeals (via email) informing them of appeals that have started and been decided, as well as notifying them of any forthcoming hearings and inquiries.

Table D

Appeals Decided Between 27/01/15 And 23/02/15

DECTYPE KEY: COMM - Area Committee Decision, DEL - Delegated Decision, DELCOM - Called in by Area Committee, STRACM - Strategic Committee;
 RECM KEY: PER - Approve, REF - Refuse, SPL - Split Decision; NDA - Not Determined; APP DEC KEY: ALC - Allowed with conditions, ALW - Allowed
 without conditions, ALWCST - Allowed with costs, AWD - Appeal withdrawn, DIS - Dismissed

DC CASE	AP CASE NO.	DECTYPE:	RECM:	APP DEC	DECIDED	WARD:	ADDRESS	DESCRIPTION
14/02942/H42	14/00068/PRIOR	DEL	7PA	DIS	09/02/2015	QUARIS	61 Green Road Oxford Oxfordshire OX3 8LD	Application for prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 6.0m, for which the maximum height would be 2.80m, and for which the height of the eaves would be 2.60m.
14/00873/TPO	14/00042/REFUSE	DEL	SPL	DIS	12/02/2015	HINKPK	Land To The South Of 5 Folly Bridge Oxford Oxfordshire	Fell 1 No Willow Tree as identified in Oxford City Council Oxford City Council - Folly Bridge (No.1) Tree Preservation Order, 2013.
14/01802/FUL	14/00064/REFUSE	DEL	REF	DIS	20/02/2015	RHIFF	6 And 8 Mortimer Road Oxford OX4 4UQ	Erection of two storey side extension to form 1x1-bed dwelling. Provision of car parking and bin and cycle stores.

Total Received: 3

Enforcement Appeals Decided Between 27/01/15 And 23/02/15

APP DEC KEY: ALC - Allowed with conditions, ALW - Allowed without conditons, AWD - Appeal withdrawn, DIS – Dismissed

EN CASE	AP CASE NO.	APP DEC	DECIDED	ADDRESS	WARD:	DESCRIPTION
14/0003/5/ENF	14/00021/ENFORC	DIS	10/02/2015	195 The Slade	CHURCH	Appeal against enforcement notice for unauthorised outbuilding And walkway

Total Decided: 1

Table E

Appeals Received Between 27/01/15 And 23/02/15

DECTYPE KEY: COMM - Area Committee Decision, DEL - Delegated Decision, DELCOM - Called in by Area Committee, STRACM - Strategic Committee;
RECMND KEY: PER - Approve, REF - Refuse, SPL - Split Decision, NDA - Not Determined; **TYPE KEY:** W - Written representation, I - Informal hearing, P - Public Inquiry, H – Householder

DC CASE	AP CASE NO.	DEC TYPE	RECM	TYPE	ADDRESS	WARD:	DESCRIPTION
14/01670/OUT	15/00004/REFUSE	COMM	REF	W	Parking Area William Morris Close Oxford Oxfordshire OX4 2SF	COWLYM	Outline application (seeking approval of access, appearance, layout and scale) for the erection of new buildings consisting of 2 x 2 bed flats (Use Class C3), 1 x 3 bed flat (Use Class C3), 2 x 3 bed house ((Use Class C3) and 2 x 4 bed house (Use Class C3).
14/03061/FUL	15/00005/REFUSE	DEL	REF	W	151 Walton Street Oxford OX1 2HG	CARFAX	Amendments to planning permission 13/02228/FUL (Change of Use from Estate Agent to Residential) to allow alterations to front elevation.

Total Received: 2

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WEST AREA PLANNING COMMITTEE

Tuesday 10 February 2015

COUNCILLORS PRESENT: Councillors Van Nooijen (Chair), Gotch (Vice-Chair), Cook, Gant, Price, Henwood, Coulter and Pressel.

OFFICERS PRESENT: Michael Crofton-Briggs (Head of City Development), Felicity Byrne (City Development), Nick Worlledge (City Development), Michael Morgan (Law and Governance) and Sarah Claridge (Committee Services Officer)

106. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Councillor Clack (substitute Councillor Henwood), Councillor Hollingsworth (substitute Councillor Pressel), Councillor Tanner (substitute Councillor Coulter) and Councillor Benjamin.

107. DECLARATIONS OF INTEREST

No declarations of interest were received.

108. LAND AT JERICHO CANAL SIDE: 14/01441/FUL

The Head of City Development submitted a report (previously circulated now appended) which detailed an application to demolish various structures 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.

The Planning Officer presented the report, she outlined the four further letters of representation received.

- Correspondence from the Jericho Wharf trust (JWT) who were seeking deferral until all the elements of the s106 agreement had been clarified;
- Agreement from the Canal and River Trust (CRT), as land owners, for the site of the proposed bridge.
- A letter from Price Waterhouse Copper on behalf of Spring Residential (in administration) in support of the proposal and
- A letter from St Barnabas PCC who confirmed their enthusiasm for the proposal and if their concerns regarding the bridge were allayed then they would support the proposal; they noted the officers' report regarding the level of affordable housing.

Dr Phyllis Starkey (Chair, Jericho Wharf Trust), Charlotte Christie (Chair, Jericho Community Association), Bruce Heagerty (Director, Jericho Community Boatyard), Henry Gibbon (St Barnabas Parochial Church Council), Adrian Arbib, Rukhsana Ali Moughal and Edward ~~105~~ Edge spoke against the application.

Johnny Sandelson (the applicant) spoke in favour of the application. The applicant had offered a unilateral contribution of £150,000 towards the fund raising to assist with the construction of the new community centre. The email confirming this contribution will be added to the planning portal on the council's website.

In answer to a Member question, Allison Blakeway (Evolution PDR Ltd) spoke on the viability issues of the site. No direct comparisons could be made as the canal site is quite unique however comparing a 'similar' residential development she had concluded that an indicative price would be between £430- 860 per sqft.

Officers were asked to negotiate with the applicant to seek a reduction in the height of the chandlery to mitigate the impact of excessive overshadowing and overbearing to the gardens of 7 and 9 Coombe Road; and to arrange a meeting between St Barnabas Parochial Church Council and the Canal and River Trust to discuss the bridge location.

The Committee requested a further report to agree the full completed legal agreement to include the following matters as changes to the draft terms of the s106 agreement:

Legal Agreement: Indicative S106 Heads of Terms:

City:

1. Affordable Housing: 40% all social rent (9 flats);
2. Bridge & maintenance: Exact figures to be confirmed. Bridge fully automated with a call out mechanism in the event of mechanical failure, in conjunction with CRT as Landowner;
3. Canal works (bank and winding hole (and boatyard docks)) in conjunction with CRT;
4. Transfer of land to Community Body to receive £150,000 unilateral contribution from applicant, with cascade mechanisms to ensure community facilities provision. Jericho Wharf Trust to be preferred receiving body for unencumbered title to the land.
5. Public open space works, details of hard surfacing and street furniture and maintenance use and management strategy: by Applicant;
6. Moorings: Replacement moorings will need to be created on the canal bank to the north of the Mount Place Bridge on the Western bank as a result of the new bridge, at Applicant's expense (which has been agreed);
7. Dog bin and Sign: Contribution towards provision of dog litter bins and an information board at the Walton Well Road entrance to Port Meadow in order to comply with the Habitat Regulations and to mitigate the impact of the development. Applicant agreed, sum to be confirmed (indicative £1000);
8. Triggers for construction/ phasing of the development; residential units not occupied until the construction of the public open space, works to the Canal, docks/ boatyard etc. has been completed.
9. Restaurant site to revert to social affordable housing if restaurant usage fails.

County:

1. Monitoring fees of £1240 for the Framework Travel Plan - other elements of the scheme may trigger additional fees if they are large enough to require individual travel plans;
2. £1,000 for a new pole/flag/information case unit at the Canal Street Bus Stop

(if required to be relocated);

3. £5,000 to amend the existing Traffic Regulation Order (TRO) - to include changes to existing short stay parking bays in the area and the exclusion of the residential dwellings from parking permit eligibility.

The Committee requested this report to also provide further information on:

- Outcome of talks with applicant over the chandlery design
- Outcome of meeting between St Barnabas Parochial Church Council and the Canal and River Trust

The Committee also requested the details under the compliance application for Condition 28 – Landscape Management Plan is put to Committee for determination when submitted.

The Committee resolved to:

1. NOTE the additional information in the addendum report
2. SUPPORT the proposal in principle subject to and including the conditions listed below, and subject to the s106 agreement being agreed by the Committee and only once agreed to defer to Offices to issue the permission.

If a legal agreement is not completed then Committee authorises Officers to refuse the planning application.

Conditions

1. Time – outline / reserved matters.
2. Plans – in accordance with approved plans.
3. Materials – samples agree prior to construction.
4. Contamination, phased risk assessment – prior to construction.
5. Strategy for control of dust and dirt from demolition and construction; prior to demolition.
6. Drainage Strategy & SUDS Strategy– Implement in accordance with DS & SUDS S. Further SUDs details required.
7. Biodiversity - 6 integrated bat roosting devices.
8. Biodiversity - A lighting scheme designed to minimise disturbance to foraging bats.
9. Biodiversity - Vegetation clearance will only take place outside of the bird nesting season or following an inspection from a suitably qualified ecologist and under guidance arising from that inspection.
10. Archaeology – Watching Brief - Prior to demolition/ Construction.
11. Public open Space; no parking; access only except in exceptional circumstances (e.g. deliveries, emergency services/ in conjunction with events).
12. Parking -Residents exclude from CPZ.
13. Parking layout in accordance with plan; for Church and disabled use only.
14. Deliveries Strategy for Community Centre/ Nursery/ Boatyard and Restaurant.
15. Construction Traffic Management Plan – details prior to construction.
16. Restaurant – Restrict opening hours: 09:00hrs to 22:30hrs Mon-Fri; 09:00hrs to 23:00hrs Saturday only; 09:00hrs to 22:00hrs Sundays.
17. Cycle & bin storage – further details.
18. Windows – obscure glazing, as on approved plans; at all times.
19. PD rights removed – houses.

20. NRIA – build in accordance with; provide further details of PV's (size, location), CHP prior to that phase of construction of development.
21. Details of boundary treatment prior to occupation inc. pre-school railings.
22. Vicarage – construct rear extension prior to restaurant/flats.
23. Vicarage – rear extension: first floor bathroom window obscure glazed, revised details of sitting room window to avoid overlooking.
24. Landscape plan – details required prior to substantial completion.
25. Landscape carried out.
26. Landscape Management Plan
27. Trees- hard surfaces –tree roots.
28. Trees -underground services –tree roots.
29. Trees - tree protection plan Prior Demolition.
30. Trees -Arboricultural Method statement – to include details of the suspended, cantilevered floor slab for the house at the southern end of the site which is required to ensure that roots of trees that stand adjacent to the site within the ground of Worcester College are not damaged during construction.
31. Noise- details of air conditioning.
32. Noise- mechanical ventilation or associated plant.
33. Noise- restriction on noise in relation to neighbouring residential properties.
34. Noise- details of a scheme for treating cooking odours.
35. Noise - details of a management plan for the boatyard including how noise from operational procedures will be mitigated in practice.
36. Flooding -Implement in accordance with revised FRA Rev C
37. Phased contamination risk assessment and remediation
38. Details of scheme to dispose of surface water
39. Heritage - programme of architectural recording of the buildings and structures on the site by measurement, drawing and photography before work commences.
40. Heritage -architectural features and structures exposed by demolition and/or during the progress of the works shall be preserved in situ or relocated in accordance with submitted details, prior to demolition.
41. Heritage- a written scheme of investigation, details of architectural salvage prior to demolition.
42. Heritage - details of a scheme for protection of heritage assets during demolition and construction (hoarding etc) prior to demolition.
43. Details of visual improvements to the existing metal enclosure of the sub station
44. Detail of trellises on the south and western wall of 9 Coombe Road

Community Infrastructure Levy requirements

The CIL contribution will be £272,978.79.

109. LAND AT JERICHO CANAL SIDE: 14/01442/LBD

The Head of City Development submitted a report (previously circulated now appended) detailing a listed building consent for the demolition of boundary walls on north and west elevations as part of the re-development of canal site (14/01441/FUL) and involving provision of ramped access to south entrance of church.

The Committee resolved to APPROVE listed building consent subject to conditions listed below:

1. Commencement of works LB consent.

2. LB consent - works as approved only.
 3. 7 days' notice to LPA.
 4. LB notice of completion.
 5. Repair of damage after works.
 6. Recording.
 7. Re-use of stone and brick.
 8. Metal finish.
 9. Handrail and posts iron.
- Paint colour.

110. ARISTOTLE LANE: 14/01348/FUL

The Head of City Development submitted a report (previously circulated now appended) detailing an application for planning permission to demolish the existing footbridge and erection of replacement footbridge with ramped approaches and new stepped access. Provision of 12 car parking spaces and change of use of part of land adjacent to railway lines for educational purposes as part of SS Phillip and James School.

Emma Dadson, Ian Salisbury and Dr Tim King spoke against the application.

Colin Field (Network Rail) and Corinna Redman (Head of Governors at St Philip and St James School) spoke in favour of the application.

The Committee resolved to DEFER the application so that more detailed information could be sought from the applicant regarding the handrails, wall, tree treatment and design of bridges.

111. 8 CHARLBURY ROAD:14/03198/FUL

The Head of City Development submitted a report (previously circulated now appended) detailing an application for planning permission for the erection of single storey rear extension and formation of a basement. Raising roof height, hip to gable extension to allow formation of second floor. Installation of solar panels.

Steve Harris (applicant) spoke in favour of the application.

The Committee resolved to APPROVE the planning application subject to the following conditions:

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Materials
- 4 SUDs

112. PLANNING APPEALS

Cllr Price noted that appeals against the Committee were increasing. He urged Committee to be more mindful of the reasons for going against officer

recommendations, especially when relying on reasons that are subjective such as impact on streetscape.

The Committee NOTED the report on planning appeals received and determined during January 2015.

113. MINUTES

The Committee resolved to APPROVE the minutes of the meeting held on 13 January 2015 as a true and accurate record.

114. FORTHCOMING APPLICATIONS

The Committee noted the list of forthcoming applications.

115. DATE OF NEXT MEETING

The Chair gave his apologies for the next meeting.

The Committee noted that the next meeting would be held on 10 March 2015.

The meeting started at 6.30 pm and ended at 9.21 pm