

Agenda

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West Area Planning Committee

Date: **Tuesday 14 March 2017**

Time: **6.00 pm**

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

For any further information please contact the Committee
Services Officer:

Catherine Phythian, Committee and Member Services Officer

Telephone: 01865 252402

Email: democraticservices@oxford.gov.uk

If you intend to record the meeting, it would be helpful if you speak to the Committee Services Officer before the start of the meeting.

West Area Planning Committee

Membership

Chair	Councillor Louise Upton	North;
Vice-Chair	Councillor Tom Landell Mills	St. Margaret's;
	Councillor Colin Cook	Jericho and Osney;
	Councillor Steven Curran	Iffley Fields;
	Councillor Jean Fooks	Summertown;
	Councillor Alex Hollingsworth	Carfax;
	Councillor Jennifer Pegg	Northfield Brook;
	Councillor Bob Price	Hinksey Park;
	Councillor John Tanner	Littlemore;

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

Copies of this agenda

Reference copies are available to consult in the Town Hall Reception. Agendas are published 6 working days before the meeting and the draft minutes a few days after.

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- downloaded from our website
- viewed using the computers in the Customer Services, St Aldate's, or
- subscribed to electronically by registering online at mycouncil.oxford.gov.uk

AGENDA

Pages

1 **Apologies for absence and substitutions**

2 **Declarations of interest**

3 **16/02945/FUL: Oxford Business Centre Osney Lane OX1 1TB**

13 - 56

Site Address: Oxford Business Centre, Osney Lane

Proposal: Demolition of units 1-15 Oxford Business Centre and redevelopment including erection of purpose built student accommodation with small-scale A1, A3, A4 and B1 units, with associated landscaping.

Recommendation:

West Area Planning Committee is recommended to support the development in principle but defer the application in order to draw up a legal agreement in the terms outlined below, and delegate to officers the issuing of the notice of permission, subject to conditions on its completion:

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Material Samples in Conservation Area.
4. Further Design Details of the junctions between the building and ground.
5. Details of the means of enclosure for all boundaries of the site.
6. Landscape Plan.
7. Landscape Implementation.
8. Hard Surface Design – Tree Roots.
9. Underground Services – Tree Roots.
10. Tree Protection Plan Implementation.
11. Arboricultural Method Statement Implementation.
12. Student Accommodation – Full Time Courses.
13. Student Accommodation - No cars.
14. Student Accommodation - Out of Term Use.
15. Student Accommodation Management Plan.
16. Archaeology – Written Scheme of Investigation.
17. Archaeology – Method statement for demolition.
18. Details of access road to rear of development including parking controls.
19. Travel Plan – including Student Information Packs.
20. Details of the Cycle Parking and Refuse Areas.

21. Construction Environmental & Traffic Management Plan.
22. Noise Levels as stated in Noise Assessment Report.
23. Further details of sustainability measures.
24. Surface Water Drainage Strategy.
25. Biodiversity Measures / Enhancements.
26. Biodiversity – Lighting Scheme.
27. Contaminated Land Risk Assessment.
28. Contaminated Land Validation Report.
29. Contaminated Land – Watching Brief (Unsuspected contamination).
30. Details of Fire Hydrants

Legal Agreement:

- The restriction on the occupancy of the student accommodation to students only
- Affordable Housing Contribution in accordance with Sites and Housing Plan Policy HP6 and the Affordable Housing and Planning Obligations SPD
- The delivery and implementation of the temporary access route on the eastern side of the proposed building, including the specification of this route in terms of materials, appearance, routing, and landscaping. The details should be approved by the Local Planning Authority before development commences and implemented before occupation.
- Travel Plan Monitoring Fee

4 16/03062/FUL: Somerville College, Woodstock Road, Oxford, OX2 6HD

57 - 82

Site Address: Somerville College, Woodstock Road, Oxford

Proposal: Demolition of existing buildings including 120-121 Walton Street, rear of 25-31 Little Clarendon Street, part rear of Bedford House and Penrose flat. Erection of five storey student accommodation block (The Catherine Hughes Building) to provide 68 student rooms fronting Walton Street and rear extension/refurbishment of 25-31 Little Clarendon Street (The Shaw Lefevre Building) to provide 42 student rooms. Provision of 135 cycle parking spaces. Provision of one disabled parking space accessed off Little Clarendon Street. Landscaping and planting, including replacement iron railing gates to existing entrances on Walton Street.

Recommendation:

West Area Planning Committee is recommended to **grant** planning permission with the following conditions:

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Material Samples in Conservation Area.
4. Further Design Details of the junctions of the new and existing buildings and other features of the development.
5. Architectural recording of the buildings to be demolished.
6. Landscape Plan – including design of the new quad.
7. Landscape Implementation.
8. Hard Surface Design – Tree Roots.
9. Underground Services – Tree Roots.
10. Tree Protection Plan Implementation.
11. Arboricultural Method Statement Implementation.
12. Student Accommodation – Full Time Courses.
13. Student Accommodation - No cars.
14. Student Accommodation - Out of Term Use.
15. Management Plan – including traffic management plan.
16. Archaeology – Written Scheme of Investigation.
17. Archaeology – Method statement for demolition.
18. Travel Plan.
19. Details of the Cycle Parking and Refuse Areas.
20. Construction Environmental & Traffic Management Plan.
21. 21 No windows opening onto Walton Street .
22. Noise Levels as stated in Noise Assessment Report.
23. Sustainability Statement Implementation.
24. Drainage Strategy Implemented.
25. Biodiversity Measures / Enhancements.
26. Contaminated Land Risk Assessment.
27. Details of Fire Hydrants.

5 16/03189/FUL: 8 Hollybush Row, Oxford, OX1 1JH

83 - 92

Site Address: 8 Hollybush Row Oxford OX1 1JH

Proposal: Demolition of existing public house. Erection of a four storey building to create 7 flats (5 x 2-bed and 2 x 1-bed flats (Use Class C3)). Provision of bin and cycle store.

Recommendation:

West Area Planning Committee is recommended to **grant** planning permission for the reasons below, subject to conditions and the satisfactory completion of a Section 106 agreement to secure a contribution to affordable housing and to delegate authority to the Head of Planning and Regulatory Services to issue the permission

1. Development begun within time limit.
2. Develop in accordance with approved plans.

3. Variation of Road Traffic Order: Hollybush Row.
4. Materials as approved.
5. Salvage of material.
6. Screening.
7. Construction Traffic Management Plan.
8. Contaminated Land - Watching Brief.
9. Surface Water Drainage Statement.
10. Surface Water Drainage Maintained.
11. Cycle storage.
12. Bin Storage.
13. Energy efficiency.
14. Archaeological Investigation.

6 16/02293/FUL: 40 St Thomas Street, Oxford, OX1 1JP

93 - 104

Site address: 40 St Thomas Street, Oxford, OX1 1JP

Proposal: Demolition of existing building. Erection of a part two, part three storey building with basement to provide 1 x 2-bed and 8 x 1-bed apartments (amended plans)

Recommendation:

West Area Planning Committee is recommended to **refuse** the application for the reasons stated in the report.

7 17/00188/FUL: Eastgate Hotel, 73 High Street, Oxford, OX1 4BE

105 - 114

Site address: Eastgate Hotel, 73 High Street, Oxford, OX1 4BE

Proposal: Erection of part two storey, part three storey, detached building to provide 17 additional bedrooms. Erection of outdoor terrace and platform lift. Alterations to car parking layout.

Recommendation:

West Area Planning Committee is recommended to **grant** planning permission for the reasons set out in the report and subject to the following conditions:

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Samples in Conservation Area, Central City and University.
4. Implement archaeological works.
5. Parking as per plan.
6. Use of terrace until 21.45 hrs.

7. Cycle parking.
8. Bin stores.
9. SUDS.
10. Construction Travel Plan.
11. No construction during exam period.
12. Secured by Design.
13. Sustainable Design and Construction.

8 16/02894/FUL: 4 North Parade Avenue, Oxford, OX2 6LX 115 - 126

Site address: 4 North Parade Avenue, Oxford, OX2 6LX

Proposal: Part change of use of ground floor and first floor from restaurant (Use Class A3) to form 1 x 2-bed flat at ground floor and an additional 1 x 1-bed flat at first floor (Use Class C3). Alterations to windows and doors. Provision of private amenity space and bin store.

Recommendation:

West Area Planning Committee is recommended to **grant** planning permission for the reasons set out in the report and subject to the following conditions:

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Cycle parking details required.
4. Parking Permits.
5. Roof cladding.

9 17/00214/CT3: 144 - 146 Covered Market, Market Street, Oxford, OX1 3DZ 127 - 132

Site address: 144 - 146 Covered Market, Market Street, OX1 3DZ

Proposal: External alterations to shopfront to enable insertion of double doors and removal of internal shelving.

Recommendation:

West Area Planning Committee is recommended to **grant** planning permission for the reasons set out in the report and subject to the following conditions:

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Materials.
4. Joinery Details.

10 16/03067/CT3: 144-146 Covered Market, Market Street, Oxford 133 - 138

Site address: 144 - 146 Covered Market, Market Street, OX1 3DZ

Proposal: External alterations to shopfront to enable insertion of double doors and removal of internal shelving.

Recommendation:

The West Area Planning Committee is recommended to **grant** Listed Building Consent for the reasons set out in the report and subject to the following conditions:

1. Commencement of works LB/CAC consent.
2. LBC approved plans.
3. Joinery details.
4. Finish to match.

11 17/00209/CT3: 161 - 161B Iffley Road, Oxford 139 - 144

Site address: 161 - 161B Iffley Road, Oxford

Proposal: Replacement timber windows.

Recommendation:

West Area Planning Committee is recommended to **grant** planning permission for the reasons set out in the report and subject to the following conditions:

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Further details.

12 Minutes 145 - 152

To approve as a true and accurate record the minutes of the meeting held on 21 February 2017.

13 Forthcoming applications

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

15/01601/FUL: 26 Norham Gardens, Oxford, OX6 6QD	Called in
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17/00155/FUL: The Hollybush Inn, 106 Bridge Street, Oxford, OX2 0BD	
Chiltern Line - East West Rail link - all applications	
16/03056/FUL: Balliol College Sports Ground, Jowett Walk, Oxford, OX1 3TN	Major application
16/02689/FUL: Unither House, 15 Paradise Street, Oxford, OX1 1LD (was Cooper Callas)	Major application
17/00250/FUL: Castle Mill, Roger Dudman Way, OX1 1AF	
16/02745/CT3: Seacourt Park And Ride, Botley Road, Oxford	Major application Council application
15/03524/FUL: Oxford Spires Four Pillars Hotel, Abingdon Road, Oxford, OX1 4PS	Major application
16/03318/FUL: Galilee Rooms, 28 St Thomas' St	Call in
16/01220/FUL & 16/01221/FUL: 16 Northmoor Road, Oxford, OX2 6UP	Called in
16/01541/FUL: The Honey Pot, 8 Hollybush Row, OX1 1JH	Non-delegated application

14 Dates of future meetings

The Committee will meet at 6.00pm on the following dates:

2017	2018
11 Apr 2017	
9 May 2017	16 January 2018
13 June 2017	21 February 2018
11 July 2017	13 March 2018
1 August 2017	10 April 2018
12 Sept 2017	21 May 2018
10 October 2017	12 June 2018
14 November 2017	
12 December 2017	

Councillors 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. Advice on bias, predetermination and declarations of interest is available from the Monitoring Officer.

The following minimum standards of practice will be followed.

At the meeting

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 (in accordance with the rules contained in the Planning Code of Practice contained in the Council's Constitution).
2. At the meeting the Chair may 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.

Preparation of Planning Policy documents – Public Meetings

4. 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.

Public requests to speak

5. Members of the public wishing to speak must notify the Democratic Services Officer before the meeting starts 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.

Written statements from the public

6. Members of the public and councillors can send the Democratic Services Officer written statements and other material to circulate to committee members, and the

planning officer prior to the meeting. Statements and other material are accepted and circulated by noon, two working days before the start of the meeting.

7. Material received from the public at the meeting will not be accepted or circulated, as Councillors are unable to view give 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. Any such material will not be displayed or shown at the meeting.

Exhibiting model and displays at the meeting

8. 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 by noon, two working days before the start of the meeting so that members can be notified.

Recording meetings

9. 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 place to record. You are not allowed to disturb the meeting and the chair will stop the meeting if they feel a recording is disruptive.
10. 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.

Meeting Etiquette

11. 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.
12. 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; or
 - (d) seek to re-design, or negotiate amendments to, an application. The Committee must determine applications as they stand and may impose appropriate conditions.

Code updated to reflect changes in the Constitution agreed at Council on 25 July 2016.

West Area Planning Committee

14th March 2017

Application Number: 16/02945/FUL

Decision Due by: 13th February 2017

Proposal: Demolition of units 1-15 Oxford Business Centre and redevelopment including erection of purpose built student accommodation with small-scale A1, A3, A4 and B1 units, with associated landscaping.

Site Address: Oxford Business Centre, Osney Lane (**site plan: appendix 1**)

Ward: Carfax Ward

Agent: Mr James Taylor

Applicant: SC Osney Lane Ltd

Recommendation:

The West Area Planning Committee is recommended to support the development in principle but defer the application in order to draw up a legal agreement in the terms outlined below, and delegate to officers the issuing of the notice of permission, subject to conditions on its completion:

Reasons for Approval

1. The redevelopment of this site for a mixed-use student accommodation / commercial scheme would make an efficient use of previously developed land within the West End Regeneration Area, in a manner that would be consistent with the aims of the Oxpens Masterplan Supplementary Planning Document without comprising the wider objectives for the remainder of the regeneration site. The development has been designed in a considered manner which has evolved through pre-application discussions resulting in significant changes to the density and scale of development in order to ensure that the scheme sits comfortably within the urban grain of the city's existing townscape while also not having a harmful impact on its important historic skyline. The development would not have a harmful impact upon residential amenities of the adjoining properties and would not create adverse impacts in terms of highways, flood risk, sustainability, archaeology, biodiversity, air quality and land contamination that could not be mitigated by appropriately worded conditions. Therefore the proposal is considered to comply with policies contained within the Oxford Local Plan, Oxford Core Strategy, Sites and Housing Plan and National Planning policy and

guidance and other material considerations for the site such as the Oxpens Masterplan Supplementary Planning Guidance.

2. Officers have considered carefully all objections to these proposals. Officers have come to the view, for the detailed reasons set out in the officer's 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.

Conditions

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Material Samples in Conservation Area
- 4 Further Design Details of the junctions between the building and ground
- 5 Details of the means of enclosure for all boundaries of the site
- 6 Landscape Plan
- 7 Landscape Implementation
- 8 Hard Surface Design – Tree Roots
- 9 Underground Services – Tree Roots
- 10 Tree Protection Plan Implementation
- 11 Arboricultural Method Statement Implementation
- 12 Student Accommodation – Full Time Courses
- 13 Student Accommodation - No cars
- 14 Student Accommodation - Out of Term Use
- 15 Student Accommodation Management Plan
- 16 Archaeology – Written Scheme of Investigation
- 17 Archaeology – Method statement for demolition
- 18 Details of access road to rear of development including parking controls
- 19 Travel Plan – including Student Information Packs
- 20 Details of the Cycle Parking and Refuse Areas
- 21 Construction Environmental & Traffic Management Plan
- 22 Noise Levels as stated in Noise Assessment Report
- 23 Further details of sustainability measures
- 24 Surface Water Drainage Strategy
- 25 Biodiversity Measures / Enhancements
- 26 Biodiversity – Lighting Scheme
- 27 Contaminated Land Risk Assessment
- 28 Contaminated Land Validation Report
- 29 Contaminated Land – Watching Brief (Unsuspected contamination)
- 30 Details of Fire Hydrants

Legal Agreement:

- The restriction on the occupancy of the student accommodation to students only
- Affordable Housing Contribution in accordance with Sites and Housing Plan

Policy HP6 and the Affordable Housing and Planning Obligations SPD

- The delivery and implementation of the temporary access route on the eastern side of the proposed building, including the specification of this route in terms of materials, appearance, routing, and landscaping. The details should be approved by the Local Planning Authority before development commences and implemented before occupation.
- Travel Plan Monitoring Fee

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

CP19 - Nuisance

CP20 - Lighting

CP21 - Noise

CP22 - Contaminated Land

CP23 - Air Quality Management Areas

TR1 - Transport Assessment

TR2 - Travel Plans

TR5 - Pedestrian & Cycle Routes

HE2 - Archaeology

HE7 - Conservation Areas

HE10 - View Cones of Oxford

Core Strategy

CS2_ - Previously developed and greenfield land

CS5_ - West End

CS10_ - Waste and recycling

CS11_ - Flooding

CS12_ - Biodiversity

CS13_ - Supporting access to new development

CS17_ - Infrastructure and developer contributions

CS18_ - Urban design, town character, historic environment

CS25_ - Student accommodation

CS28_ - Employment sites

West End Area Action Plan

WE1 - Public realm

WE2 - New links

WE3 - Redesign of streets/junctions in W End

WE5 - Public spaces

WE10 - Historic Environment

WE11 - Design Code
WE12 - Design & construction
WE13 - Resource efficiency
WE14 - Flooding
WE16 - Affordable housing
WE18 - Student accommodation
WE20 - Mixed uses
WE23 - Retail

Sites and Housing Plan

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

Other Planning Documents

National Planning Policy Framework
Oxpens Masterplan Supplementary Planning Document
Affordable Housing and Planning Obligations Supplementary Planning Document

Public Consultation

Statutory Consultees

- Oxfordshire County Council

Highways Authority: The County Council originally objected to this application on the 14th December 2016 on grounds that the Transport Assessment significantly underestimated the potential for cycling and didn't provide sufficient cycle parking provision, and that the width of the footway along the access road to the rear was considered to be too narrow.

The Local Highways Authority have confirmed that further submissions including revised layout and access plans and Transport Statement have satisfactorily addressed all reasons for objection.

Drainage Authority: A condition should be attached requiring a detailed drainage strategy. The additional soakage tests are satisfactory but the detailed design will need to consider where the new soakaways are located and what the existing soakaways will be filled in with. The foundation design of the buildings will have to take into account the close soakaways. The use of green roofs is welcomed. There is no health and safety information on maintaining the green roofs

Fire and Rescue Service: The County has a duty to ensure that an adequate supply of water is available for fire-fighting purposes. There is likely to be a requirement to provide fire hydrants within the development site. Exact numbers and locations cannot be given until detailed consultation plans are provided showing highways, water main layout and size. The provision of hydrants in

accordance with the requirements of the Fire & Rescue Service will therefore need to be the subject of a planning condition if the application is approved.

Property: The following items are listed among the infrastructure types or projects that are to be funded from CIL:

1. Improved capacity and accessibility of early intervention centres
2. Improved facilities for adult learning at Headington and Cowley
3. Improved capacity and accessibility of existing library facilities
4. Remodelling of existing library at Headington
5. Improved capacity and accessibility of Westgate library
6. Adaptation/enhancement/replacement of Redbridge recycling facility, and
7. Older people day centre and learning disabilities day centre in West of Oxford.

Therefore, it is no longer possible to seek developer contributions towards such infrastructure through planning obligations under s106. Instead, funding from CIL will be required to address the impacts from this development.

- Thames Water Utilities Limited

With the information provided Thames Water, has been unable to determine the waste water infrastructure needs of this application. Should the Local Planning Authority look to approve the application ahead of further information being provided, we request that the following 'Grampian Style' condition be applied which requires details of the drainage strategy detailing any on and / or off-site drainage works which shall be developed in conjunction with Thames Water; and that no piling shall take place until a method statement has been provided..

- Natural England: No comments to make on the application

- Network Rail

In the near future Network Rail will be delivering a number of projects in very close proximity to this site which should be carefully considered in assessing the designs proposed and uses on this site to change the commercial use to a mix including residential.

Whilst there is no objection in principle to this proposal, it should be noted that Future Electrification of this route is planned so there will be Overhead Line Equipment and catenary installed in very close proximity in the near future. Network Rail is likely to four track the railway adjacent to this site under our permitted development rights which will increase rail movements in the vicinity, and there is the potential for additional noise & vibration from the current and future operational railway, this will need to be considered in any planning approval.

Network Rail is planning a like for like replacement of the Osney footbridge to facilitate gauge clearance for electrification with no additional features this bridge is a Network Rail structure. We note in the submitted Design and Access Statement, page 14 para 2.3.1 Oxford Station that there is an acknowledgement that there is a need for improvement. "*Oxford Station is a gateway to the city, but is in need of significant upgrading, in terms of operational performance and passenger provision*". New Railway Station and Bus Station "*Oxford City Council,*

Oxfordshire County Council and Network Rail, in conjunction with Department for Transport and First Great Western, are working together to deliver a rail hub and interchange for Oxford. The Station masterplan outlines the long-term vision for the station and its surrounding area with the intention to deliver a new high quality multi-modal interchange station that meets Oxford's long-term rail needs and importance as a gateway to the city This development will include the relocation of the Gloucester Green bus station onto the existing Becket Street car park, requiring the car park to be moved to a new multi-storey building currently anticipated to be positioned immediately to the north of the Student Castle site. During December 2015 a competition exhibition for the design the transport hub was displayed asking for public comment on the six proposals, with a preferred option being selected. Other works in this area are anticipated to include changes to the YMCA and additional commercial activity around the station, and the widening of Becket Street to the west to make it suitable for intensified bus usage”.

It should be noted that none of this work identified is funded and has no guarantee of delivery in the absence of public or private sector funding and therefore these comments could be deemed somewhat misleading in that the Station development is coming forward. However we therefore feel that if this development is approved it will result in an increased use of the station and therefore we believe that this development should make a financial contribution towards station improvements through a S106 contribution. In regard to the layout of the proposed development we would suggest that the area closest to Becket Street Car Park is retained open with no built development or tree planting on this boundary as this may have the potential to be used as an alternative vehicular access into a future development site on the existing station car park to also help fund station improvements. This development will create a trespass and vandalism risk on to the railway. In the interests of promoting public safety, it is recommended that a 1.8m high trespass resistant fence be erected parallel to but separate from the railway fence.

- Oxford Preservation Trust

Oxford Preservation Trust thanks you for the opportunity to comment on this application which is of particular importance as it is the first of a number of developments to come forward in Oxpens.

We are surprised and disappointed that this site does not include a substantial element of housing within the mix of uses. We are all well aware of the pressure for housing and the call on adjoining authorities to help meet Oxford's unmet housing needs on the edges of the City. There is a strong emphasis on housing in the West End Area Action Plan with this site falling within Area 17 Oxpens (page 5). We also note that in the table of uses for each area there is no reference to the provision of student accommodation at 17. At Paragraph 4.5 it states that it is vital that the amount of student accommodation should not jeopardise the objectives of creating a mixed and balance community and we ask if this is being considered when assessing if this is a suitable site for such a large amount of speculative student housing and whether it needs to have more individual housing included as, at least, part of the mix?

With reference to the site itself, it is particularly important as the first site to come forward in the area and therefore sets the bar for the standard and quality of future development here. In addition, it is a site which lies at the entrance to Oxford from the south, running parallel to the railway itself so that it is particularly visible, and the first thing that many hundreds of thousands of visitors and commuters will see as they approach Oxford by train from the London direction. It is for this reason that we are surprised that there is no photomontage provided of this elevation as this will be the side most visible and noticeable. Some idea of the size and massing is provided in the Heritage, Townscape and Visual Impact Assessment November 2016 HTVIA at Page 27 with the before and after views from Osney Cemetery at Pages 34 and 36 giving some idea of the considerable scale from ground level, as it were. The architects have gone to considerable lengths to employ techniques to break up the bulk and mass including separate blocks, articulated rooflines and use of materials, but nevertheless we must question whether it is right to put a development of this size, height and bulk here? We ask that photomontages from the railway are provided together with detailed elevations for this front of the building.

This highly sensitive site is within one of Oxford's protected view cones, Raleigh Park, which is fully described in the *Assessment of the Oxford View Cones 2015* prepared by the City Council and OPT in partnership with Historic England. Raleigh Park can be found at 2.1. This site sits in front of the view of the spires here, extending some 2/3rds of the way across the view as seen on Figure 2.1.3 *Illustration 2 annotated render of the view of Raleigh Park*. These Oxford views are publicly accessible and enjoyed by many, a well known way to see the views and spires of Oxford from the western hills, at Raleigh Park and beyond. Walks from the Park link with a well used walk across to Harcourt Hill and on to the Hinksey Nature Park and up to Boars Hill. Well known local man, Colonel Fennell bought the land at Raleigh Park in the 1920s for the importance of the view and gave it to the City Council to manage as a public park so that people could enjoy them. It is from here that JMW Turner painted *Oxford from North Hinksey 1836* and OPT has recently bought land at Harcourt Hill to encourage more access and knowledge of these views.

We draw attention to the *Oxpens Master Plan Supplementary Planning Document 2013* and Figure 6.5 which also shows the view from Raleigh Park, which view the HTVIA refers to at View 7 Raleigh Park (Upper). At paragraph 6.6 they state '...the proposals would be just visible and at this distance a small component in the overall view. There will be additional screening of the development in the summer months. The nature of change would be low.' At 6.61 they state that it '...would not obscure or distract from any of the key features in the overall view.' and go on to suggest that it would be 'visually inconspicuous' because of the breaking up of the massing and tonal qualities of the material palette, so that overall the effect on the visual amenity would be 'minor and neutral'. We must beg to differ. What is proposed will not only be highly visible in the view, changing its character and enjoyment but with a stretch from beyond Nuffield College Tower in the west, passing in front of the Radcliffe Camera, the University Church of St Mary the Virgin and the Town Hall, and reaching almost to Tom Tower and Christ Church to the east it cannot be described as a 'small component'. It is very wide and will

appear as over three times the width of the Newsquest Building at Osney Mead which has been recognised as a mistake in the past.

At present the Park is somewhat overgrown, which is unsatisfactory, and against the spirit of the gift to the City Council. We understand that over this Winter, the City are taking steps to open up the views so that more of the dreaming spires can be seen and enjoyed. It is a managed view that should be considered and not a view behind overgrowth and excess greenery with the trees in leaf. We are disturbed by the applicants suggestion that they should rely on tree screening in the Summer - public access and enjoyment is an all year round activity, and the buildings on this site need to be good enough to add to the view in a positive way at all times, Winter and Summer alike.

We are aware that there has been some work done on the views out from St. George's Tower and are concerned that Part 2 of the Oxford Views Study has not happened so that the assessment of these views is more difficult. We ask that further work is done to assess and understand the internal views looking outwards and suggest that this should include an assessment of the new public views that are to open up at the top of the new Westgate Shopping Centre in Autumn 2017 as this will be a place where many people go to enjoy them. The architects are well known and respected and we note their use of various techniques designed to break up the bulk of the building by the forming of different blocks, setting some elements back from the main building line, and the breaking up of the roofline. However, from any distance, the nuances of the articulation will be lost and the experience will be one of a single bulky building in the foreground. The lining up of the 'views through' with existing street patterns and vistas will be unseeable at a distance.

We cannot agree with the HTVIA summary and conclusion that 'the character of the view would not change as a result of the proposed development being introduced' and Paragraph 8.8 '...would ... maintain or enhance the character of the views from the surrounding areas.' With this as the precedent for the future development at Oxpens and the ideas for Osney Mead that are to come forward, we urge the City Council to take a strong line. Is this the right site for a single development of this nature? We ask that the applicants be asked to design something on an altogether smaller scale, with discrete buildings which will read as separate from another in the near and far view and which understand the prevailing vertical character of the centre of Oxford, adding interest and vitality within the view and at the entrance to our great city.

With much thought and some hesitation we must draw attention to the analogy of Castle Mill on Port Meadow, and of the impact on the view that would have happened had the University Depository in 2007 been allowed to go ahead, and ask that caution be exercised so that the impact of this building is fully assessed and understood before any permissions are given.

- St Ebbes New Development Residents Association [SENDRA]
The principle concern of SENDRA is that the proposal is not, in effect, complete and for this reason we suggest that the application is premature: we note that the applicant's buildings are to be built right up to the boundary of the applicant's land

ownership and their development will not include the road/footway/cycle tracks they show, or the trees and planting which are outside their site. For their building design really to work, therefore, the future development of all these features will have to be carried out by other developers.

We suggest that it is important to relate the proposal to the new version of the Oxpens Masterplan SPD, which, we understand was soon to be produced. Only when this is achieved will it be clear that the city council and Nuffield College (owners of the land in the vicinity of the applicant's proposal) will agree to an urban design which can be integrated with this proposal

- Oxford Civic Society

The Oxford Civic Society originally considered the planning application to be premature because of the need to relate it to the new version of the Oxpens Masterplan which they understood was soon to be published. The Civic Society followed this letter up with a further letter which stated:

Having examined this application in more detail the Society are now satisfied that the applicant has made a great effort to relate the east frontage of the development to the extension of Beckett Street which is expected to serve that side of the building. This is an imaginative and attractive approach to creating an active frontage which will potentially benefit the public. However, the applicant's buildings are to be built right up to the boundary of the applicant's land ownership, and (as they acknowledge) their development will not include the road/footway/cycle tracks they show, or the trees and planting which are outside their site. For their building design really to work, therefore, the future development of all these features will have to be carried out by other developers. It is therefore vital that this is taken fully into account in the new Masterplan being produced. Since the City Council and Nuffield College are understood to own the land in the vicinity of the applicant's proposal, it should be possible to achieve a successful outcome, with the proposed building and urban design of the adjacent area well integrated. We urge the planning officers to recognise that the success of this larger development, next to the applicant's site, is dependent upon their taking fully into account the relationship between the applicant's building and the area beyond which will be developed later.

Lastly, we commend the proposal to vary the facades by adopting three different and distinctive design types as well as varying the height of the constituent buildings.

- Oxford West End Development Ltd [OXWED]

Oxford West End Development Ltd (OXWED) owns land set within the red line boundary for this application. We are the major landowner on the Oxpens site and are committed to bringing forward a scheme in this area of the highest quality architectural design, landscaping and sustainability. We wish to work closely with neighbouring landowners to do this whilst ensuring that our objectives for the overall site are not compromised.

It is noted that the placement of buildings has moved further east than is shown in the adopted Oxpens Masterplan SPD. Thereby the development uses up the

prescribed 2-4m buffer zone indicated in the typical street section agreed for the Becket Street extension as selected from the West End Area Action Plan Design Codes. The typical street section in the SPD indicates a total minimum highway width of 16m (10m for carriageway inclusive of two 1.5m cycle ways, plus footpaths of 3m on both sides.) Where the scheme is proposed to be built up the edge of the footpath there will not be space for overspill of uses from commercial frontage as seems to be indicated on several drawings.

The design of the northern entrance area at the intersection of Becket Street/Osney Lane/ Becket Street Extension should be such that the scheme does not compromise flexibility for bus movements in the area nor the provision of safe cyclist and pedestrian routes from Oxpens Meadow and the Westgate centre through the site to the train station.

Drawing 1794092 and the Design and Access Statement indicate proposed landscaping and materials on OXWED's land which does not fit with our emerging thinking on the landscape strategy for the whole site. However, it is noted that the plan is illustrative only. We have had an initial landscaping meeting with the applicant and would expect to work closely to agree a suitable solution.

The street frontage is not well defined in the vertical plane - particularly on blocks B and C where the frontage is single storey and the set-back above first floor is very deep. We are also concerned about the first floor roof terrace on Block B in terms of the potential for overlooking and noise, as there will be residential development directly opposite. A terrace at third floor or higher would help address both the street definition and overlooking issues.

Alternatively, the terrace in Block B could be located on the west side of the building which would be sunnier and have views. We request that officers give full weight to the above points in consideration of this application.

Third Parties

Letters have been received from the following addresses.

- 6 Abbey Walk; 1 Barrett Street; 24 Hazel Road

Their comments are summarised as follows

Individual Comments:

The main points raised were:

- The proposal is too massive and will ruin views of historic Oxford from Raleigh Park direction and also from Oxford. Having allowed the Castle Mill development without regard to the effect of the scale of that development the council should be aiming to avoid a repeat.
- If this development is allowed on this scale then it will set a precedent and all the west area building will follow along the same lines.
- The development should also not be for students given the dire shortage of land for housing including affordable housing.
- The site is wedged between the railway line and the proposed transport hub which will generate significant amounts of large vehicle road traffic - this is a poor location for living accommodation, though surely ideal for commercial

services such as car hire.

- The proposed transport hub will generate significant amounts of large vehicle road traffic along Beckett Street and Osney Lane: the easiest way to prevent conflict between crossing pedestrians and buses would be to extend the Osney Lane footbridge from Becket Street to the south side pavement of Osney Lane (east). The proposed development does not leave any room for the latter, and could also block it through concerns about privacy and the overlooking of rooms.
- The Planning statement claims that fewer than 25 jobs could be lost if existing businesses relocate within the local area but there are few if any suitable locations. On the contrary, forcing those businesses out of Oxford could lead to consequential losses as other businesses depending on them would then need to bring in those services through the traffic from outside the city.
- There was no information provided to the residents within the Osney Mill area with regards to this development and the consultation process even though this is the largest residential community closest to the development. This must have been an oversight on the part of the developer.

Pre-Application Discussions / Oxford Design Review Panel

A Statement of Community Involvement has been submitted with the application which outlines the consultation that has been undertaken prior to the submission of the application.

The scheme has been developed following pre-application discussions with officers and meetings with the following national and local stakeholders

- Oxford Preservation Trust
- Oxford Civic Society
- Historic England
- Nuffield College
- Oxford West End Developments Ltd (OXWED)
- Oxfordshire County
- Oxford University

A public exhibition was held on the 3rd November 2015. In order to publicise the event leaflets were delivered to residents in close proximity to the site (Osney Island; Mill Street; Arthur Street; Millbank; Gibbs Crescent; Osney Lane; Beckett Street; Hollybush Row; St Thomas Street)

The proposal has also been reviewed by the Oxford Design Review Panel on the 2nd July 2015 and 8th September 2016. The responses of the panel are enclosed in **Appendix 2** of this report

Officers Assessment:

Background to Proposals

1. The site is located within Oxpens Regeneration Site, which is a strategic development site that forms part of the wider regeneration proposals for the West End which forms the south-west corner of the city centre. The site lies to

the south of the current alignment of Becket Street at the junction with Osney Lane. The site is bounded to the west by the Oxford – London railway line, and to the east by an enclosed plot of land that is currently in use as a temporary car park and compound for the Westgate Development, and finally the commercial unit (no.16) of the Oxford Business Centre to the south (**appendix 1**)

2. The site measures approximately 0.9ha and comprises the Oxford Business Centre which is made of 16 business units of varying sizes accessed from an access road which leads from Osney Lane. The units each have parking areas provided to the front of the unit. The development site excludes Unit 16 which lies at the southern end of the access road.
3. The development would be one of the first major developments to come forward within the Oxpens Regeneration Area and has been developed following extensive pre-application discussions with officers, Oxford Design Review Panel, and local stakeholders.
4. The application is seeking full planning permission for the demolition of the commercial units (nos.1-15) and the redevelopment of the site for a mixed use development that would be spread across three blocks comprising purpose-built student accommodation (514 bedrooms) across all floors and a number of small scale units (A1, A3, A4, and B1) located on the ground floor.
5. The proposal also includes a number of associated landscape works around the building, including the provision of a temporary footway along the eastern elevation as the first stage of an extension to Becket Street that will occur as part of the wider regeneration of the Oxpens site that will come forward in due course.
6. Officers consider the principal determining issues to be:
 - Principle of development;
 - Student Accommodation
 - Affordable Housing Provision
 - Loss of Employment
 - Site Layout and Built Form
 - Impact on Heritage Assets
 - Impact on Adjoining properties
 - Landscaping
 - Transport
 - Becket Street Extension / Oxpens Masterplan Phasing
 - Archaeology
 - Noise
 - Ecology
 - Land contamination
 - Air Quality
 - Flood risk and drainage;
 - Sustainability
 - CIL

Principle of Development

7. The National Planning Policy Framework [NPPF] has a presumption in favour of delivering sustainable development, which it sees as meaning planning for economic, environmental, and social progress (paragraphs 6 & 7). The NPPF makes clear in Paragraph 14 that this presumption should be seen as the golden thread running through plan-making and decision-taking, which for decision-taking means approving development proposals that accord with the development plan without delay.
8. Oxford Core Strategy Policy CS1 identifies the city centre as the main location for developments that attract a large number of people and that most major developments will be focussed within the West End. As a result Policy CS5 allocates the West End as a strategic location which will deliver mixed-use development.
9. The West End Area Action Plan has been developed to guide future development proposals within this area. Policy WE20 states that on sites of 0.2ha or greater, proposals will be required to incorporate more than one use with the mix of uses needing to exploit the opportunities that the site presents to provide a diversity and range of objectives to achieve the vision for the West End.
10. The West End Area Action Plan identified a number of development sites within the area that could be brought forward and the potential uses they could accommodate. However these are not specific site allocations which prescribe use in the same vein as those within the Site Allocations Policy. The site would form part of the Oxpens development site (no.17), which is one of the more significant development opportunities within the West End.
11. In addition to the above, the Oxpens Masterplan Supplementary Planning Document [OMSPD] was adopted in November 2013, which provides a development framework and masterplan for this specific site to help ensure the successful redevelopment of the site. This document would not form part of the development plan, but is a material consideration in the determination of planning applications for developments within the area.
12. The OMSPD vision is for the site to be developed in a comprehensive manner to deliver maximum benefit and a fully integrated scheme that properly responds to its surroundings, enhancing connections to the wider area. At the same time, the site should be developed in an effective and efficient way that maximises the use of land and promotes the principle of sustainable development, while also positively integrating Oxpens with its surroundings.
13. The OMSPD has a number of design principles that relates to the West End Area Action Plan, with DP9 stating that the area should include an appropriate mix of land uses – including student accommodation and A1-A5 uses – amongst others. The illustrative masterplan recognises that the site is an appropriate location for student accommodation given it is close to the University colleges

and campuses. It goes on to identify the application site as a suitable location for student accommodation, and that the ground floor of the blocks should include activity generating uses in order to create activity on the route of the Becket Street extension.

14. Therefore officers would advise members that the principle of redeveloping the site for a mix-use development including the proposed range of uses would be consistent with the aims of the masterplan and the policies of the West End Area Action Plan and Oxford Core Strategy.

Student Accommodation

15. Sites and Housing Plan Policy HP5 states that planning permission will only be granted for student accommodation that is on or adjacent to an existing university or college academic site; or in the city centre, district centre, or on a main thoroughfare; or on land that is allocated for student accommodation. This is also supported by West End Area Action Plan Policy WE18. Oxford Core Strategy Policy CS25 also encourages the provision of purpose-built accommodation for full time students on a course of an academic year or more so that colleges can house their students and limit the number of students living outside of such accommodation.
16. The proposal would provide a purpose-built student accommodation facility with 514 bedrooms that would be owned and operated by Student Castle who has 25 years' experience in the student sector. The student accommodation would be laid out around clusters of 5-6 rooms that share a kitchen and lounge, and includes a number of single and double studio rooms (including accessible rooms) which are interspersed amongst the clusters. The accommodation is accessed via a single reception with all residents having access to the shared amenities including the main lounge / common room at ground floor level, laundry, gym, café, and open spaces that are all connected through the central street.
17. Having reviewed the proposal, officers consider that the site is a suitable location for purpose-built student accommodation however given this will be a speculative scheme which does not serve a specific institution a condition should be imposed to ensure that it is only occupied by students on an academic course of a year or more. Although Policy CS25 limits occupation to full-time students this restriction does not apply outside the semester or term-time, provided that during term-time the development is occupied only by university students. This ensures opportunity for efficient use of the buildings for short-stay visitors, whilst providing permanent university student accommodation when needed. A condition should also be imposed which allows out of term use.
18. Sites and Housing Plan Policy HP5 also states that for student accommodation of 20 or more bedrooms the design will need to include some indoor and outdoor communal space, a management regime will need to be agreed, and the residents prevented from bringing cars into Oxford. The accommodation would be provided with open space in the form of outdoor gardens on roof terraces and also at ground floor level and indoor communal space through

lounges on each floor and a main lounge / common room at ground floor. A Management Plan has been submitted with the application which sets out that this would be a wholly managed facility including on site staff. . A condition should therefore be attached which secures the management plan for the facility and also to prevent students occupying the premises from bringing cars into the Oxford.

Affordable Housing from Student Accommodation

19. Sites and Housing Plan Policy HP6 states that new student accommodation of 20 or more bedrooms will be required to make a financial contribution towards delivering affordable housing elsewhere in Oxford. The Sites and Housing Plan also recognises that where student accommodation units are self-contained they would be likely to fall within the C3 use class and therefore subject to the policies relating to residential development including a requirement to provide on-site affordable housing in accordance with Policy HP3.
20. The development proposal would be a qualifying site for affordable housing provision irrespective of which policy it would fall under. Nevertheless officers have considered the matter and would take the view that the accommodation would not fall within the C3 use class despite there being some studios within the layout that would have a degree of self-containment.. The proposed accommodation would contain a mixture of student rooms with both cluster rooms and studio rooms provided. The studio flats differ from the cluster flats by virtue of having a kitchenette and marginally larger floor area, however these studios would typically measure around 18m² which is significantly below the national space standards for a 1 bedroom flat (39m²). The applicant has also confirmed that self-contained accommodation for students is either unmanaged or lightly managed and has little communal space thereby similar in character to a flatted development. In contrast the proposed accommodation within this scheme would be a fully managed facility, with a number of shared communal facilities all accessed through a single access point / reception. In addition to this the studios are interspersed throughout the layout along with the clusters in order to encourage integration amongst its occupants and preventing blocks of certain accommodation. The applicant also acknowledges that the occupation of the accommodation will be controlled by condition and legal agreement to students on an academic year or more. Therefore having regards to the layout, and managed and communal nature of the accommodation the studios would not be considered suitable for open-market C3 accommodation. As such officers are satisfied that in this instance the accommodation would fall within a C2 Use Class, and any affordable housing provision should be secured through Sites and Housing Plan Policy HP6.
21. In accordance with Sites and Housing Plan Policy HP6 the proposal would be required to provide a financial contribution of £2,509,245.06 (plus 5% admin fee of £125,462.25) towards affordable housing provision. This should be secured by legal agreement.

Loss of Employment

22. The Oxford Business Centre is not designated as a key protected employment site within the Oxford Core Strategy Policy CS28. This policy states that permission will be granted for the loss of the employment sites where there is overriding evidence that the uses have caused significant nuisance or environmental problems that could not be mitigated, or that future occupiers cannot be found despite evidence to show that the premises have been marketed for the existing use or modernisation; and the loss of jobs would not reduce the diversity and availability of job opportunities. Although the Oxpens SPD recognises this policy it does make clear that there should be no net loss of employment within Oxpens quarter and that this could be provided by non-Class B uses.
23. The proposal would result in the loss of 15 units within Oxford Business Centre (apart from No.16 which would be retained). The Oxford Business Centre has the potential to employ approximately 65 jobs although it is not anticipated that all these will be lost as part of the development as it is likely that some of this employment will be displaced to elsewhere within the city as a result of businesses on site finding alternative premises. The proposed development is likely to generate approximately 35 full time jobs through both the student accommodation (18 full time staff) and ground floor commercial units (17 full time staff). This would result in a short-term net loss of 30 Full-Time Equivalent jobs, however, the Oxpens Masterplan considers that the regeneration of this area will deliver circa 750 Full Time Jobs into the area, which would off-set this net loss.
24. Therefore having regards to this and the fact that the site has been identified for student accommodation within the Oxpens Masterplan, officers consider that the loss of employment on site would comply with Policy CS28.

Site Layout Built Form

25. Policy CS18 of the Oxford Core Strategy 2026 requires development to demonstrate high-quality urban design responding appropriately to the site and surroundings; creating a strong sense of place; contributing to an attractive public realm; and providing high quality architecture. The Local Plan requires new development to enhance the quality of the environment, with Policy CP1 central to this purpose. Policy CP8 requires development to relate to its context with the siting, massing and design creating an appropriate visual relationship with the form, grain and scale of the surrounding area. This is supported through Policy HP9 of the Sites and Housing Plan, and the West End Area Action Plan design codes.
26. The Oxpens Masterplan sets out a number of design principles for the site which relate to the above-mentioned development plan policies. The masterplan through Design Principles [DP] 1, 6, and 11 seek the highest quality of design for development within this area which would include ensuring that built form and public realm responds to the high quality architecture of the cite centre and enhance views of Oxford from the railway line; that contemporary architecture and design is encouraged with materials that reflect the local context. In addition to this DP10 requires buildings to be accessed from the streets and

encourage activity frontages through locating appropriate uses.

27. The proposal has been developed following extensive pre-application discussions with officers and the Oxford Design Review Panel. The comments of the panel are enclosed in **appendix 2** of this report. It should be acknowledged that the applicant has engaged positively in these discussions in order to achieve a thoughtful response to making the best and most efficient use of the site in a manner that would sit comfortably within the setting. This has resulted in significant reductions in the density of the scheme from that originally envisaged. The Oxford Design Review Panel recognise that the reduction in quantum and scale of development results in a building that sits more comfortably on the site and a layout that feels less cramped.
28. Layout: The layout has been designed as a group of three building blocks which are joined at ground level by a continuous corridor or 'internal street' off which sit the communal and shared facilities, retail space and the gymnasium. The three blocks are aligned with what the Oxpens masterplan envisages as an extension to Becket Street. The internal street allows for active frontages to be established onto the Becket Street extension, while also allowing for semi-public and private open space to be created between blocks and the private open space to the rear. This layout would allow for 100m of direct active frontage across the communal facilities of the student accommodation (Block A) and also the commercial elements – community hub, café, fitness centre, start-up business space (Block B). To the rear of the site an access road would be retained along the boundary with the railway in order to allow for servicing to the development and the commercial unit (no.16) of the Oxford Business Centre which is retained.
29. The proposed layout is similar to that shown in the Oxpens Masterplan 'illustrative layout' which also envisages three significantly sized blocks. The proposal has used this as the starting point for their scheme and spaced the blocks in a manner that would respect the street pattern for the illustrative masterplan layout. The development of a principal frontage onto what would become the newly aligned Becket Street frontage is also welcomed from a placemaking perspective in terms of creating an interface between the building and public realm which can then assist in setting the condition for the remainder of the Oxpens development site. The principal access to the student accommodation will be taken from the existing corner of Becket Street where it meets Osney Lane adjacent to the railway bridge, and a secondary entrance at the southern end of the site. The location of the main entrance would be sensible given that the Becket Street / Osney Lane junction would be a significant nodal point. The southern entrance at Block C is not as legible as it could be given it is likely to face onto an important open space in the wider Oxpens development however, this would not be so significant in the broad context of the development and the street condition around this entrance is likely to change as part of the wider masterplanning of the whole of Oxpens.
30. Size, Scale, and Massing: The scheme has been designed as three blocks with generous gaps between them in order to reduce the overall scale and massing of the buildings within the plot. Within the blocks a number of measures have

been employed to reduce and articulate the massing, such as variation in height (four to six storeys), green links and quads between blocks, setting back of larger built elements from the street, the modulation of framed elements within the facades to create vertical proportions. The buildings would have a variation of roof heights across the blocks with maximum heights ranging from four to six storeys in order to create a more varied and articulated roof line.

31. The overall size and scale of the blocks would be considered appropriate in this setting and reflective of the fact that the West End Area is transforming to a more urban scale as developments seek to make an efficient use of the available land in the centre. The Oxpens Masterplan envisages a group of large five storey blocks across this site, which was used by the design team as a starting point for the massing for the blocks. However through the reduction in quantum of development and consideration of the impact of the development upon views (long and short) range across the city a more articulated and varied roof form has been established. The heights would not exceed the maximum 18.2m limit set out in the Local Plan. While the blocks would include buildings with six storeys that would exceed the limits of the masterplan, this is counterbalanced by buildings of four storeys which allow a greater variation in roof form.
32. In response to the original Oxpens Masterplan the central block (B) has been designed with a single-storey element on the street front, which is enclosed by the rest of the block. This is considered to have a positive effect of breaking up what might otherwise be seen as a very long, unrelieved street façade, which will be helpful in terms of creating interest for those walking through the future Becket Street.
33. Appearance: The three blocks consist of four key façade types, which use a combination of masonry terracotta cladding, metal panels, and glazing. The palette of colours would have an earthy tone that has been chosen following a study of the character and materiality throughout the area. The façade types have been chosen in order to achieve a rhythm, simplicity, and variation to the external envelope in order to overcome the repetitive form and scale of development that is typically found in student accommodation.
34. The number of façade types has been reduced following discussions with officers in order to overcome the Oxford Design Review Panel's concerns that the elevations were overly-fussy. Aware of the potential monotony of the repeated study bedrooms, the architects have worked hard to try to create some variety in the building facades without it simply becoming a "pick and mix" scenario. The result is a variation on the theme of rhythm albeit in a simpler form. However there is a reliance on the internal activity activating the ground floor facades of the buildings which appear to have a similarity of treatment bordering on the monotonous. The detail of how these facades meet the ground will be critical to the appreciation of design quality for the development as a whole and this will need to be very carefully conditioned as detail to be approved given that it is distinctly missing at this stage. This together with the landscape design of the "gaps" courtyards and terraces will be absolutely crucial to the success or failure of this design given that from the perspective of the passer-by,

those going from the station to Westgate, perhaps or the future residents of the remaining areas in Oxpens the overall quality in detail and materials will define this development. This is a matter that could be dealt with by conditions that require further details of the junctions between the buildings and the ground.

35. Impact upon Heritage Assets: The site is not located within a conservation area, but has the potential to impact upon the setting of a number of heritage assets such as Osney Conservation Area, St Thomas a Becket Church and former school buildings. It also has the potential to impact on important protected view cones to the city both long and short range, the railway line both arriving and leaving Oxford, Oxpens and the cemetery on the west side of the railway line, and Frideswide Square and Station forecourt along Becket Street.
36. The manner in which the height of the new building and the proposed roof would impact upon views from high vantage points within and outside the city were considered at length during the pre-application process. As a result a Heritage, Townscape, and Visual Impact Analysis have been prepared.
37. The Oxford Local Plan recognises the importance of views of Oxford from surrounding high places, both from outside Oxford's boundaries but also in shorter views from prominent places within Oxford. As a result there is a high buildings policy (HE9), which states that development should not exceed 18.2m in height or ordnance datum 79.3m, whichever is the lower, within a 1,200m radius of Carfax except for minor elements of no great bulk. This is supported by both the West End Area Action Plan and the Oxpens Masterplan.
38. The overall height of the building would not exceed the maximum 18.2m height stipulated by the policy. The views of the proposed buildings in both long and short range will be significant but through a considered development of the design, a proposal has been created which although of considerable mass and height will sit comfortably within the grain of the built form that sits beneath the city's recognised skyline profile from the important identified long views such as Raleigh Park, Boars Hill, Hinksey Golf Course, and a mass that will not be invisible in these views but that will sit within that existing urban grain. In public views out of the City from key, tall building point such as St Georges Tower, Carfax Tower, and St Mary's Church the building mass will also be evident but it has been articulated, broken down into smaller elements to mitigate its visual impact. The use of green roofs over part of the site will also be of benefit, and subject to careful design and specification that will ensure their sustainability, will provide an additional stepping stone of green between the city centre and the green spaces and woods of Hinksey and Boars Hill which is important in mitigating the impact of the built forms and reinforcing the existing linked green spaces that are so important an element of the city's character and appearance.
39. In terms of local views from places such as Osney Cemetery; Becket Street and the approach from Frideswide Square and Station which includes St Thomas Church; and Railway line, the Oxpens Masterplan anticipated a large development of 5 storeys on this site which would have an impact upon these local views. Again the development has been designed with these views in mind and the articulation of roof form and massing of the buildings would not have

such a significant impact upon spaces such as the Osney Cemetery. Similarly, given the presence of the existing business centre which does little to contribute to the area visually, and the fact that the Oxpens area is to undergo significant change the thoughtful design will add interest to the setting in terms of views from the railway line, and Becket Street in a manner that does not disrupt the setting of these streets or places.

40. In summary therefore, officers consider that on balance the proposed design would meet both national and local planning policy objectives. It is disappointing that there has not been a greater engagement with the neighbouring sites, Becket Street and the reworking of the masterplan for the remainder of the area, however the design has been carefully developed such that although the massing and overall heights of proposed buildings will render them visible they will sit comfortably within the urban grain of the City's existing townscape and will not have a harmful impact on the City's important, historic skyline.

Impact on adjoining properties

41. Policy HP14 of the Sites and Housing Plan states that development should provide reasonable privacy and daylight for the occupants of both existing and new dwellings. This is supported by Oxford Local Plan Policy CP10.
42. A Daylight and Sunlight Assessment has been submitted with the application which considers the impacts of the proposal on the closest existing buildings (Gibbs Crescent, Becket Street), along with the proposed student accommodation.
43. The residential properties within the apartment buildings of Becket Street and Gibbs Crescent are located closest to the proposed development. The apartments at Becket Street lie to the north-east on the opposite corner of the Becket Street / Osney Lane junction. The main elevations of these buildings face away from the development (i.e. to the south in the case of Osney Lane and to the west in the case of Becket Street), and it is only the corner of this block that faces onto the corner and main entrance of the student accommodation. This corner is sited some 28m from the development, which is a significant separation distance. As such it is considered that the proposal would not have a significant impact upon the amount of light received to this building, and nor would it create an adverse sense of enclosure. The main elevation of the student accommodation would face away from this building which would prevent any overlooking issues from occurring. The apartments at Gibbs Crescent lie even further from the proposed development (approx. 45m at its closest point) on the opposite side of the railway line. The crescent would curve away from the proposed building as it moves northwards. As such it is considered that the proposal would not create any adverse impact upon these properties in terms of loss of light, overbearing impact or privacy.
44. With respect to the proposed student accommodation, the assessment identifies that the majority of spaces and rooms will receive adequate levels of natural light, with only a few of the kitchens experiencing some form of overshadowing. The overall design has taken this into consideration and has designed the

window and glazing layout in order to help increase the amount of daylight received to the student rooms where possible.

45. As such officers consider that the proposal would comply with the aims of Policy HP14 and CP10 to ensure that they development and its neighbours receive reasonable daylight and privacy.

Landscaping

46. A Landscape Design Strategy and Arboricultural Impact Survey have been submitted with the application. There are no Tree Preservation Orders in place on site.
47. The proposals require the removal of a number of trees within the site. These include a moderate quality maple tree that is quite large and stands at a prominent location on the east side of the entrance to the site from Becket Street. This tree is a positive feature of public views in the area and although a new tree is proposed in the same area, the space provided will only accommodate a small growing tree which will not have the same effect in the area. Several other small trees that grow among the existing buildings and also the Leyland cypress hedge that grows along the eastern boundary of the application site will be removed, but these have low public amenity value and new tree planting proposed as part of the soft landscape strategy will fully mitigate their loss. A condition should be imposed which requires detailed planting plans and schedules for all replacement planting within the scheme.
48. The proposals retain existing trees growing along the western side of the existing access road, supplemented with new trees; while the existing group of trees on the west side of the road near to the entrance from Becket Street have some value, the cherry trees that are growing in the pavement further north are low quality and value and the development provides an opportunity to remove and replace them for the benefit of the appearance and character of the area. The 'Illustrative Block Plan' also shows tree planting along the eastern boundary which would also be very welcome, but this is not included on the 'Proposed Block Plan' drawing. It would be beneficial for this landscaping to be provided at an early stage in the process and should therefore be included within the Landscape Plan. It would be important for this planting to complement the proposals for the remainder of the Oxpens Site. As a result it proposes specimen street trees along the length of the extended Beckett Street frontage in order to create an avenue effect which can be extended into the wider development site.
49. The proposed temporary access road along the east side of the application site runs across the Root Protection Area of a mature poplar tree that is adjacent to the site within the land that is currently used as a car park. This road must be designed and constructed to avoid excavation i.e. no-dig, where it encroaches within the RPA of the poplar tree. Retained trees must also be adequately protected during development and underground utility services and drainage should be routed / located outside of their Root Protection Areas. These details should be secured by condition.

50. The Landscape Strategy also sets out that there will be planting treatments for the internal and external courtyards on the ground floor; biodiversity planting and habitat creation along the western and southern boundaries of the site and three roof terraces. The strategy for the roof terraces will differ depending on the function of these spaces. Green 'Sedum' roofs will be used on Level 4 of three blocks and Level 1 of Block A to improve biodiversity, visual amenity, and drainage. The roof garden on Level 1 of Block B will have a mixture of planting and decking / paving tiles in order to allow flexibility in its use by students. The proposals including the use of sedum roofs would be welcomed.
51. Therefore subject to appropriate conditions the landscaping proposals accords with Policies CP1, CP11, and NE15 of the Oxford Local Plan.

Transport Matters

52. The West End is a wholly sustainable location which is easily accessible by all modes of transport including walking, cycling and public transport as well as being located close to all facilities of the City Centre. A Transport Assessment has been submitted for the proposal which considers the highway impacts of the proposal
53. Traffic and trip generation: The Transport Assessment identifies that the loss of employee parking associated with Units 1-15 of the Business Centre and the fact that the proposed development is essentially 'car-free' would result in a reduction in the amount of vehicular traffic generated at the site.
54. The future traffic generated by the proposal should therefore be confined to deliveries and servicing, use of the 5 disabled bays, and traffic associated with students being dropped off / picked up at the beginning and end of terms. The latter is likely to be the most significant and has the potential to be the most disruptive given the size of the development.
55. The Local Highways Authority accepted these findings, but originally considered that the assessment had underestimated the amount of cycle trips that would be generated by the development. The applicant has acknowledged this, and following discussions with the Local Highways Authority has indicated that they will take into account the greater number of trips and will monitor the modal share of such trips when promoting the sustainable modes of transport as part of the Travel Plan.
56. Car-free development: The development is essentially car-free with only 5 disabled parking bays provided and so is in line with Policy HP16 of the Sites and Housing Plan. This policy also sets out that permission for car-free developments will be granted where such developments are located within a Controlled Parking Zone. The development itself is not within a Controlled Parking Zone however the roads surrounding the site are, including Osney Lane and Becket Street, and so future residents would not be eligible to apply for a permit to park in these streets. In addition, Oxpens Road already has restrictions

in place (double yellow lines) and other employment and education land uses within a convenient walking distance of the site have car parking which is gated and/or managed and so opportunities to park locally are very limited. The development will also be subject to the council's long standing policy that prevents students in purpose built accommodation from bringing cars into Oxford.

57. It is noted that 'illegal' parking currently takes place within the site and along the access road. It is not clear if these are just employees of units 1-16 and/or other commuters. Proposals are for the access road to be gated to enhance security and to prevent unauthorised parking to the rear of the student accommodation. This is welcomed and should be managed appropriately with no parking allowed on the access road except for the disabled bays provided. As this will be a private road, a condition shall be required to ensure that the management company put effective parking controls in place on this road.
58. Vehicle and cycle parking provision: Five disabled parking bays are to be provided near the entrance to the access road. The location of the disabled parking bays are within 50m of a main entrance and so are considered to be conveniently located and of an appropriate standard.
59. Sites and Housing Plan Policy HP15 requires cycle parking to be provided at a rate of 3 spaces for every 4 bedrooms, but acknowledges that this may be reduced to 1 space for every 2 bedrooms where the accommodation is located close to the institution in which its occupants are studying. Therefore for 541 rooms this would mean 405 cycle parking spaces assuming 3 paces for every 4 study rooms, or 270 spaces allowing for 1 space for every 2 study bedrooms. As this is a private development and not aligned to a specific university it cannot be guaranteed that most students will be at a local institution and even if they are most University of Oxford buildings are beyond a 15 minute walk of the site and so cycling might be preferred over other modes such as walking. Oxford Brookes sites are even further away, but within cycling distance, at Harcourt and Headington. It is noted that the minimum cycle parking requirements for the commercial/retail uses and staff within the scheme is 17 spaces.
60. The cycle parking provision has been increased since submission to provide a total of 403 cycle parking spaces including 386 spaces for the student bedrooms and the remainder for the commercial and community uses. This level of cycle parking is considered acceptable, and the Local Highways Authority removed their objection to the inadequate level of provision as a result.
61. The location of the cycle parking would include a combination of stores within the building and also in the 'service yard'. There is some concern over the use of the latter for cycle parking spaces and whether they will be perceived as convenient and safe, albeit more regular cyclists might find them more amenable. Officers would however recognise the difficulty in accommodating such a large number of spaces within the development and the Local Highways Authority have recommended that any issues or changes to the provision should be addressed through the on-going travel plan monitoring. A condition should be imposed which secures details of the size and layouts of the storage in order

to allow further consideration of this matter through the detailed design development of the proposal.

62. Access and layout: The Design and Access Statement suggests that the main access area adjacent to Becket Street/Osney Lane will be promoted as a “shared way and a pedestrian safe crossing”. The Local Highways Authority had raised concerns that the footway shown along the access road was too narrow given it would be used for two-way movements and have a large number of pedestrians using the space, including those accessing Unit 16. However the applicant has confirmed that the entire access road is to be a shared space area. Having regards to the nature of the road – cul-de-sac and low speed and very lightly trafficked - this is supported, however, given the length of the route (i.e. those accessing Unit 16) a delineated pedestrian margin should be provided through changes in the surfacing treatment including at the junction to the service area. These details could be secured by condition.
63. Deliveries and Servicing: The Transport Assessment has confirmed that large vehicles will be able to use the existing turning head within the service yard area to turn and leave the site in a forward gear. This is considered acceptable. It is noted that bin stores are located throughout the development but that some bedrooms will be more than 30m away from a store, albeit all wheelchair accessible flats are within approx. 23m of a bin store. As this is a wholly managed facility it is understood that this matter will be dealt with by the facilities management and secured by the Management Plan condition.
64. Construction traffic management: A Construction Traffic Management Plan (CTMP) has also been submitted in order to mitigate the impact of construction vehicles on the surrounding network, road infrastructure and local residents, particularly at peak traffic times. However there are a number of items which will need to be agreed in consultation with the Network Management team at the County Council before this could be approved. Therefore, the CTMP should be finalised in further detail before the commencement of construction works and so can be conditioned for agreement at a later date.
65. Travel Management Plan: A travel plan has been submitted with the application which the Local Highways Authority considered needed amending to make it more robust. The suggested amendments included strengthening the fact that this is a car-free scheme and parking off-site is very limited. The inclusion of an Oxford Cycle Map in the Student Travel information Pack as well as key university destinations on the location map. The provision of a mixture of short, medium and longer term actions. The need for bespoke information for employees at the facility compared to the students. The procedures for departing students to ensure no overspill parking on the highway including immediately within and beyond the Osney Lane/Becket Street access. The Travel Plan has been amended to reflect these comments and is considered acceptable. The Travel Plans Team at the county council is responsible for reviewing on-going travel plan monitoring and updates and a fee for this has been requested. The monitoring fee specifically covers biennial monitoring over five years (baseline, years 1, 3 and 5). This should be secured by legal agreement

Becket Street Extension / Phasing of Oxpens Masterplan

66. The Oxpens Masterplan SPD states that a comprehensive redevelopment is sought for this regeneration site, but acknowledges that it may have to proceed on a phased basis given the varying landowners across the site. The redevelopment of the Oxford Business Centre site is envisaged as one of the earlier phases of development but not necessarily the first phase as is the case with the submission of this application.
67. The proposal acknowledges that the redevelopment of the site as the first phase of this new quarter of Oxford will play an important part in achieving the wider objectives of the Oxpens Masterplan by helping to lever the first development phase and support the later phases of the masterplan. The site layout has been designed in a manner which reflects the illustrative masterplan however the Oxpens Masterplan also proposes to extend Becket Street southward from Osney Lane through the site in order to provide a primary connection through the site to Oxpens Road. As a result the development has been designed to have a principal frontage onto what would become part of the newly aligned Becket Street facing across to other parts of the Oxpens Development in order to activate this space, through the inclusion of entrances to the building, a publically accessible shop, café, bar, landscaping and seating in order to provide a community hub within Block B. However in developing the scheme, the building has been sited further east than shown in the masterplan and within full extent of the land in the applicant's control. This then relies on using land within the control of Oxford West End Development Ltd (OXWED), who is the major landowner on the Oxpens Site in order to provide the entire Becket Street extension including public realm outside the schemes primary frontage.
68. As the first phase of the Oxpens Masterplan, officers accept that the redevelopment of the site is not without problems, in particular that the extended Becket Street does not form part of the application site and is not likely to be completed until after this development which presents some hurdles in terms of the accessibility of the buildings and the design of the interface between the site and the public realm. The applicant has been encouraged to engage with the highways authority and adjacent landowner [OXWED] in order to gain clarity on how this part of the scheme will be delivered. However despite the suggestion within the planning statement that the project team have worked closely within OXWED through the pre-application discussions, it is clear to officers that this has not been an entirely fruitful exercise. Therefore the comments from OXWED that they wish to work closely with neighbouring landowners to develop the scheme whilst ensuring that their own objectives are not compromised is welcomed.
69. The Design and Access Statement has provided 'illustrative proposals' for how the proposed building and its activities would relate to the Becket Street extension and although it is understood that OXWED are in the process of developing a more detailed masterplan for the remainder of the site in accordance with the Oxpens SPD, the level of detail provided by the design

team for this application would not appear to compromise their design in any way and there would be sufficient space to provide a SPD compliant 20m carriageway (including footpaths, frontage space, and cycleways) between buildings.

70. Having regards to the fact that this development has come forward in advance of any other proposals for the remainder of the site, it is accepted that these proposals are only illustrative. However, the Oxpens Masterplan recognises that the redevelopment of this site will come forward in a phased approach. As a result a temporary access route is shown on the '*Proposed Ground Floor*' plan with a width of 5m, which would provide access to the primary eastern frontage of the development until the Becket Street extension and wider Oxpens development is built out. This temporary access would be included on land outside of the applicants control although it is included within the application site boundary but it will be imperative that this temporary access route is provided upon completion of the development in order to achieve the urban design and social benefits for the active uses on the ground floor. Therefore it is disappointing that the application has not included significant detail on how this access road will be formed (i.e. materials, landscaping) or its delivery. In order to ensure that this is provided upon occupation of the development, the provision of the temporary access route including details of its hard surfacing and landscaping, should be secured by legal agreement.

Archaeology

71. This application has been accompanied by an Archaeological Desk Based Assessment (Oxford Archaeology 2016) and Bore Hole survey report (Oxford Archaeology 2017) which considers the archaeological implications of the proposal.
72. This site is of interest because it lies within the projected extent of the walled precinct of Osney Abbey and on the line of one of the possible historic western approach routes into the late Saxon and Norman town (although this remains unproven). The Augustinian Abbey at Osney was founded as a priory in 1129 and assumed the status of Abbey in 1154. It grew rapidly in influence and became the wealthiest Oxfordshire monastery, with a substantial banking and finance business. By the 13th century the original buildings had been greatly enlarged and as a centre of learning and influence. Osney had become 'one of the first ornaments of this place and nation'. On the basis of the available information the east end of the Abbey Church is likely to lie beneath the retained car park area and will not be impacted by works, however there is potential for medieval features, including the remains of precinct buildings, waste pits and or burials to be preserved below the made ground within the new building footprint.
73. Post-Dissolution maps suggests that a farmhouse may have occupied the northern part of the site and a map of 1829 shows farms buildings and drainage channels in the vicinity. The site lies on a parcel of land truncated to the east by the construction of the Railway in the later 19th century. A railway goods shed was built on part of the site by the 1870s and subsequently demolished in 1983.

74. The borehole data within the survey suggest that there is between 1.4 and 2m of made ground associated with railway works and subsequent levelling beneath the site. The submitted foundation design involves keeping ground beam levels within the extent of modern made ground and restricting pile impacts below the 2% threshold recommended by Historic England Guidance. Given the constraints posed by the existing standing structures and services on site along with the depth of modern made ground officers would request that post demolition (to ground level only) trial trenching is undertaken on areas where pile clusters are to be concentrated in order to establish the character and significance of any surviving archaeology. This work may be followed by further mitigation by recording or foundation redesign as appropriate.
75. Therefore having reviewed the submitted desk based assessment and evaluation trenching, officers would recommend that in accordance with the requirements of the NPPF and Oxford Local Plan Policy HE2, a condition should be imposed securing a further written scheme of investigation including post investigation assessment, and a method statement for the demolition of the existing buildings on site.

Noise Impacts

76. An Environmental Noise Study has been submitted with the application. The survey has developed a noise and vibration model (including from the rail line) to predict the noise across the site and understand what mitigation measures will be required. The survey has identified that vibration from the railway is not significant and does not require specific mitigation measures. In order achieve adequate noise levels within the building the scheme proposes acoustic glazing with trickle vents to allow ventilation to achieve the limits identified within the model.
77. During the consultation process, Network Rail suggested that any noise and vibration modelling should take into account their future proposals for upgrading the mainline. In response to this, the authors of the Noise Study have confirmed that the calculations within the assessment are based on worse case maximum levels and that the findings of their assessment shouldn't be affected by modernisation works.
78. Having reviewed the survey, officers are satisfied that the internal noise levels within the accommodation could be met through the glazing and ventilation system. The details of the mechanical plant associated with the scheme have yet to be determined, however, it is recommended that the predicted noise value within the survey be revised to a level of 5dB below the background (L90) value. This would avoid the adverse impact of noise on nearest sensitive receptors and address the problem of 'noise creep' within Oxford. The latter is referred to specifically in the Oxford Local Plan as an adjunct to CP21 and it is important that this Council remains mindful of the long term effects of increasing ambient noise levels in the city.

Sustainability

79. An Energy Statement and follow up report has been submitted with the application in order to demonstrate how the development would be energy efficient and include at least 20% of their energy needs from on-site renewables or low carbon technologies in accordance with Sites and Housing Plan Policy HP11 and Oxford Core Strategy CS9
80. The Energy Statement proposes a design compliant scheme by using a fabric first approach through compliance with current Building Regulations and then comparing the predicted energy consumption from the facility with that from the intended design using renewable technologies and passive and low carbon approaches. This is considered to be an acceptable approach as the integration of such measures would deliver a significant reduction in energy demand when compared to the normal baseline standards. The Energy Strategy therefore utilises passive solar design and principles to minimise overshadowing from the development, limit air permeability through the scheme, and employ efficient ventilation and extraction and energy efficient lighting, highly efficient heating sources and controls. It is proposed to use a combination of a Micro-Combined Heat and Power Plant and photovoltaic panels as renewable technologies.
81. Officers consider that the Energy Strategy sets out an acceptable approach to meeting the requirements of the policy, and that this should be developed further through the detailed design phase of the development. As such a condition should be attached which secure the intentions of the strategy and the detailed design of the micro CHP and PV system.

Flood Risk and Drainage

82. A Flood Risk Assessment and Drainage Strategy has been submitted with the application, along with a further ground permeability investigation. The proposed development is located within Flood Zone 1. The Environment Agency's Surface Flood Mapping does indicate the development as being in an area with an intermediate susceptibility to surface water flooding due to the impermeable nature of the site.
83. The Flood Risk Assessment and Drainage Strategy indicates that the scheme will result in an overall reduction in hard area from the existing situation and proposed a drainage solution that included infiltration around soakaways to provide a Sustainable Drainage System. However further information was required with respect to water disposal to ensure that it could achieve the required discharge rates, and more consideration of onsite ground conditions to understand the required infiltration rates and any ground contamination issues.
84. A further geotechnical investigation was provided to demonstrate that a Sustainable Urban Drainage scheme was feasible. The survey has indicated that infiltration is feasible in some locations on the site, but not that it would be feasible in all areas where infiltration is proposed. However the information presented in the drainage strategy proposes an oversized system which should be able to accommodate the proposal. It has also been recommended that the proposal will provide geotechnical infiltration testing of the areas of the soakaways and an amended design or alternate from of water source control.

The scheme will also use green roofs as well as the proposed infiltration system to manage water disposal.

85. Having reviewed the details officers consider that a suitable drainage strategy could be provided for the site based on the principles set out in the FRA and Drainage Strategy. However it is understood that the presence of the existing business units have made it difficult to gain a more holistic picture across the site and therefore further testing will be undertaken at a late stage. Thames Water has also indicated that they require more details with respect to waste water and requested an appropriate condition. As such a condition should be imposed which requires the submission of a detailed drainage scheme

Ecology

86. An Ecology Report has been submitted with the application which considers the impacts. Officers consider that the development is unlikely to have an adverse impact on protected species or any sites of special interest. However it is recommended that an Ecological Clerk of Works (ECoW) or similar attends the site before and at intervals during demolition works to provide a toolbox talk to operatives and to check structures and vegetation to ensure that no protected species are adversely affected by any works. This should be secured by condition.
87. In addition to this Oxford Core Strategy Policy CS12 makes clear that opportunities will be taken to ensure the inclusion of features beneficial to biodiversity (or geological conservation) within new developments throughout Oxford. This supports the NPPF's requirements for proposals to encourage opportunities to incorporate biodiversity in and around developments. The proposal has potential to incorporate such features and therefore a condition should be attached which requires prior approval of the biodiversity enhancements which could take the form of bat and bird boxes, and also the provision of a suitable lighting scheme to minimise the adverse effects to nocturnal wildlife to acceptable levels to the east and south of the building.

Air Quality

88. The NPPF states that planning policies should sustain compliance with and contribute towards EU Limit Values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and the cumulative impacts on air quality from individual sites in local areas. Planning decisions should ensure that any new development in Air Quality Management Areas is consistent with the local Air Quality Action Plan. In addition to this Oxford Local Plan Policy CP23 states that permission will not be granted for development which would have a net adverse impact upon the air quality in the Air Quality Management Area, or in other areas where air quality objectives are unlikely to be met.
89. The application has been accompanied by an Air Quality Assessment; Screening Assessment for the Proposed Combined Heat and Power Plant; and an addendum letter to the Assessment. The assessment concludes that existing

air quality is such that the location is suitable for the proposed development and the pollutant levels associated with the operational phase vehicle exhaust emissions are not predicted to be above the relevant air quality objectives for any of the sensitive locations on site. The addendum letter and screening assessment consider the impacts of the proposed micro-CHP plant. After reviewing the CHP screening assessment and the proposed ground floor plan, officers accept that the instalment of this combustion process won't result of any potential degradation of the air quality in the area at the nearest receptor. A conservative approach has been used for this assessment, by using the spread sheet screening tool proposed by DEFRA (which considers worst case annual NO₂ concentration at the point of maximum impact, and assumes that total NO_x is oxidized into NO₂ when the plume hits the ground). Also, for the purpose of the modelling, another conservative approach was used, by assuming a total capacity of the CHP of 300kW (maximum level). Wind speed and direction from a representative met station were also taken into account on the assessment of the AQ impact on overall concentrations.

90. In terms of the potential negative air quality impacts on the development, resulting from the contribution of emissions from diesel vehicles in the Oxford rail line, these have been addressed in the addendum letter. The contribution from the rail source is not sufficient to result on an exceedance of the NO₂ annual mean nor indeed result in an annual mean of 60 $\mu\text{g m}^{-3}$, which is the indicative value provided by LAQM TG 16 to suggest that the one hour mean might be exceeded.
91. Therefore officers are satisfied that the proposal will comply with the aims of the NPPF and Oxford Local Plan Policy CP23

Land Contamination

92. The Preliminary Assessment Report along with Council records has identified numerous previously potentially contaminative activities on and around this site. This site was formerly used for rail sidings on built up ground, which extended east of the site, and there were also reported historical tanks on site. There was a historical scrap yard adjacent to the northern boundary of the site, a historic petrol station 50m east of the site, and infilled drainage ditches east of the site. The former Oxpens petrol station is 90m east of the site, and currently on site, three units are used for vehicle testing and repair.
93. The site investigation was undertaken at this site, was limited to 3 window samples from the west boundary and 6 trial pits from the east boundary. It was noted that the investigation was limited due to access issues on the site. Made ground was identified in all locations from between 0.1 – 2.7 mbgl, and groundwater was found in the window samples between 2.13 - 2.5 mbgl. Elevated arsenic was found in the topsoil and elevated benzo(a)pyrene was found in the made ground. Trace asbestos was found in three samples. Leachate testing showed elevated copper and PAHs, and no elevated contaminants were found in the groundwater. Two rounds of gas monitoring were undertaken which did not identify significant elevated gas on site. The revised conceptual site model and generic quantitative risk assessment

conclude that there is a low to moderate risk on site to future site users, construction workers and controlled waters due to the contamination on site. It recommends that a clean cover system is provided in soft landscaped areas, and additional chemical testing and detailed risk assessment is carried out on topsoil or made ground proposed for reuse on site.

94. Having reviewed these findings, officers understand that the site investigation was limited due to access issues on the site, and so samples were only available at the west and east boundaries of the site. The report identifies that there was a hydrocarbon odour and staining in sample WS4 between 1.85 – 2.3 mbgl, which was also evident from the photographs in the report. The source of this contamination has not been identified, but is possible that further hydrocarbon contamination may be present across the site. No assessment of this contamination was considered, and whether any mitigation in the buildings would be necessary. It is not clear what generic assessment criteria were used for the assessment of contaminants in the groundwater samples. The main report refers to Appendix I for the derivation of the assessment criteria, and Appendix I states that the assessment criteria are in the main text. Officers also note that the generic assessment criteria used for the soils has been updated since the time of sampling for which SGVs have been replaced with C4SLs, and LQM updated their assessment criteria in 2015. It is also noted that some of the laboratory samples were reported to have been received at the laboratory at greater than 9°C. However, no interpretation as to the effect this may have had on the results is provided. Only 2 rounds of gas monitoring were carried out at the site. The guidance recommends 6 rounds to adequately characterise the ground gas at a site. Given the presence of infilled ditches adjacent to the site, high soil organic matter in some locations, and the hydrocarbon staining, it is recommended that further gas monitoring is carried out.
95. Therefore given the limited spatial scope of the site investigation, the numerous previous potentially contaminative activities on and around this site, and the proposed sensitive end use, officers recommend further sampling is undertaken to characterise the rest of the site after site clearance and demolition of the existing structures on site. This could be secured by condition.

Community Infrastructure Levy

96. The Community Infrastructure Levy (CIL) is a standard charge on new development. The amount of CIL payable is calculated on the basis of the amount of floor space created by a development and applies to developments of 100 square metres or more. Based on the floor area of the proposed development the proposal will be liable for a CIL payment of £1,263,904

Conclusion:

97. The proposal is considered to be in accordance with the relevant policies of the Oxford Core Strategy 2026, Oxford Local Plan 2001-2016, Sites and Housing Plan 2011-2026, West End Area Action Plan 2007-2016 and National Planning Policy Framework and therefore officer's recommendation to the Members of the West Area Planning Committee is to approve the development in principle, but

defer the application for the completion of a legal agreement to secure the necessary financial contributions as set out above.

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.

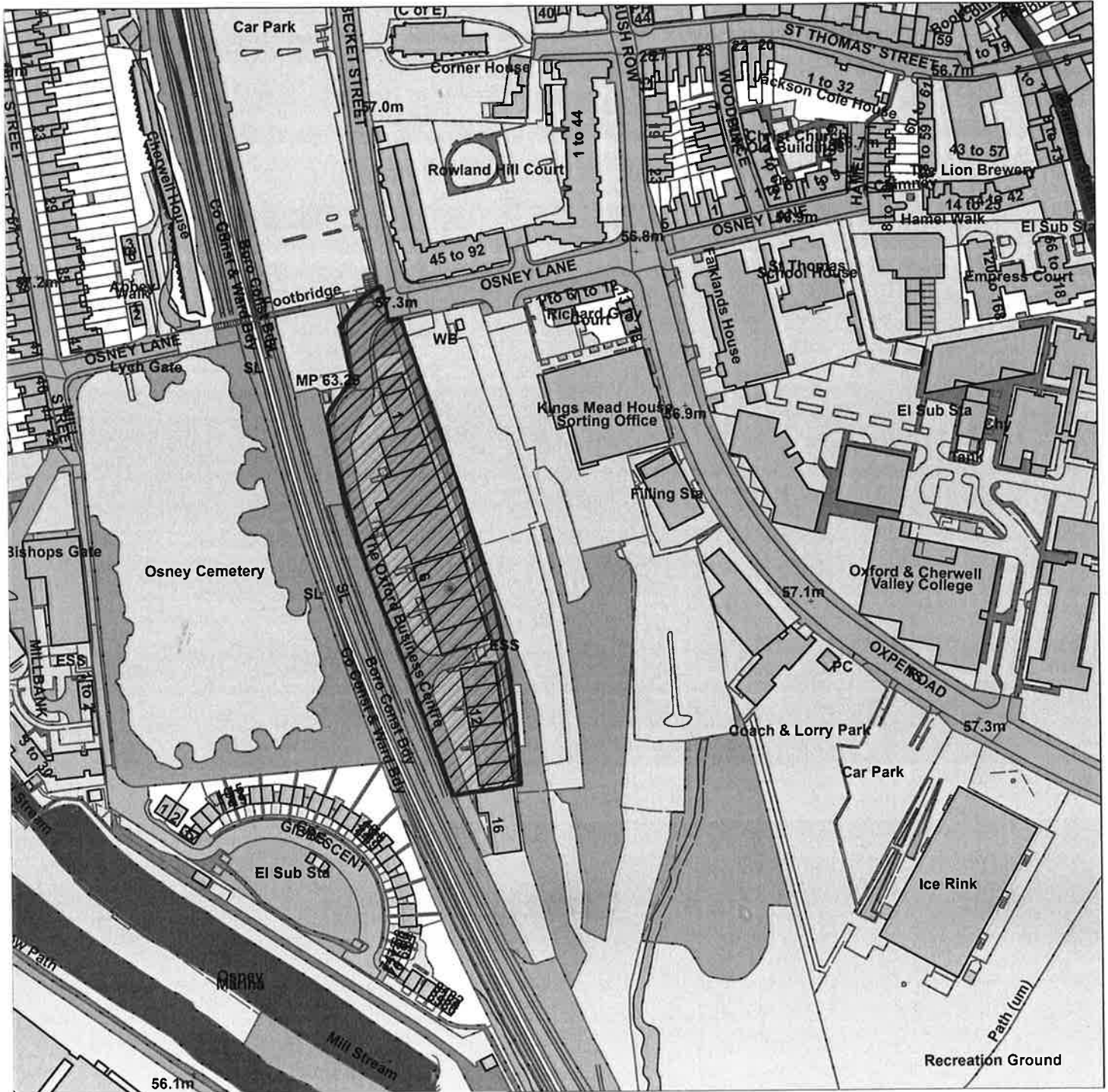
Contact Officer: Andrew Murdoch

Extension: 2228

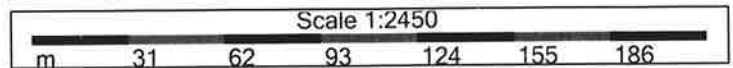
Date: 24th February 2017

Appendix 1

Oxford Business Centre 16/02945/FUL



1:2450



Organisation	Oxford City Council
Department	City Development
Comments	Not Set
Date	06 March 2017
SLA Number	100019348

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22 September 2016

James Taylor
 Nathaniel Lichfield & Partners
 Generator Studios
 Trafalgar St
 Newcastle upon Tyne
 NE1 2LA

Our reference: DCC/0696

Oxford City Council: Student Castle, Oxford

Dear Mr Taylor,

Thank you for providing the Oxford Design Review Panel with the opportunity to advise on this proposal at the Design Review on 8 September 2016.

Summary

The current proposal for the former Oxford Business Centre site has the potential to create a sense of arrival to Oxford and act as a catalyst for the delivery of the Oxpens Masterplan. A substantial amount of work to address the panel's previous concerns has been undertaken since the last review in July 2015, including consideration of strategic city views and the quality of the new environment.

The reduction in the quantum and scale of development results in a building that sits more comfortably on the site and a layout that feels less cramped, but we have concerns that some open spaces within the site may be overshadowed. We advise that overshadowing studies are carried out to further refine the configuration of the site and building.

The proposed elevations are overly-fussy in terms of their articulation, the detailing and palette of materials should be simplified to ensure that the building will relate well to the other buildings that will be delivered within the masterplan area. The northern entrance to the building will form a 'gateway' to the site and should create a greater sense of arrival. Permeability across the site, particularly from the central pedestrian spine, should be provided.

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We acknowledge that there are challenges in developing the first site within the Oxpens Masterplan area and support the applicant's proactive approach in taking responsibility for initiating the delivery of this strategy through a separate outline application. Further consideration needs to be given to the delivery of the Beckett Street extension which is key in achieving a successful scheme.

Masterplanning

The new development would kick start the delivery of the Oxpens Masterplan and should promote Oxford as a green, inspiring city and generate a feeling of inclusivity. Sustainability and ecology could feature more strongly in the vision for this site and building design, for example, in the use of green walls, roofs, climbing plants, to better differentiate Oxpens from other neighbourhoods in Oxford.

There is a narrow range of users of this site who may feel isolated from the local community and vice-versa. The proposal should seek to widen the range of users and attract visitors of different ages in order to create a destination and make this site a hub of activity. The proposed amenities, such as the café/juice bar, are beginning to provide street front activation and a reason for a variety of people to visit the site but this should be further explored and expanded. The building should be also adaptable to alternative land uses and occupiers in the long term and flexible to changing demands, needs and economic conditions.

The creation of a high quality, pedestrian friendly Beckett Street extension route would greatly contribute to the success of the redevelopment of the area. Accepting the challenges of delivering this route which will need to be delivered in conjunction with the adjacent landowner and may not come forward for some time, it is important to set down the key principles and markers of quality of space, such as the width of pavement and paving materials, at this early stage, via discussions with the adjacent site owner and Oxfordshire County Council. To create wider pavements and accommodate sufficient space for planting and street furniture, the proposed building should be set back from Beckett Street. It should also be activated at ground floor level with lively uses and a bold and eye catching entrance to include passive surveillance of this route. Whilst a separate outline planning application for Beckett Street is a positive move, we would recommend that these works are accommodated within the planning application for the Student Castle site to ensure the vision for this street is delivered.

Access and movement

Enhancing movement routes within and beyond the site will be key in creating a development that is successful. We recommend progressing and refining links with the wider area and in particular that more thought is given to the following:

- Pedestrian and cycle access to/from and within the site and connectivity and links with nearby transport links. In particular how different members of the community (including wheelchair users and people with disabilities) will move around and beyond the site.

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- Options to make the route to the site from the railway station more coherent and welcoming. This can include more space and wider movement routes from the pedestrian footbridge. It would also be beneficial to engage in discussions with the Council and Network Rail to ascertain whether disabled access to the Oxford train station via this footbridge could be improved.
- Nodes of activity, the location of the reception area and how the associated vehicle drop-off point could be accommodated. For example, the reception area may generate a high volume of visitors at the start and finish of term times and people may choose to stop near the entrance rather than utilising the car park at the rear resulting in congestion. We advise considering where and how these vehicles might be accommodated and strategies for drop-offs and deliveries. A traffic management plan would identify how best to manage the impacts on the wider transport network.
- Consideration should be given to boundary treatments to ensure the site connects well with the wider area, particularly the boundary facing Beckett Street, which will be a main hub of activity and key to create a successful new street.

Heights and massing

The site layout and height and massing of blocks result in a development that sits more comfortably on the site in visual terms, compared to the previous scheme. However, the gaps between blocks are very narrow and will be flanked by buildings considerable in mass. This will potentially create poor quality amenity spaces that are likely to be heavily over-shadowed, particularly between the middle and northern blocks. We would therefore recommend carrying out over-shadowing studies to further inform the configuration of the blocks and open spaces, and if required explore alternative building massings and layouts to introduce more light and open space within the site.

Further street level investigation and analyses of ground floor level integration is required throughout the site to progress this proposal. Particular consideration should be given as to how the proposed building would be viewed and experienced on foot, by train, vehicle and bike from different movement routes around the site and an analysis of long and close up and street level views carried out to inform the design, form and massing of the building at a human scale.

Open spaces and landscape design

The landscaping strategy should continue to be developed in conjunction with the block design to ensure attractive, usable amenity spaces for residents and visitors. We recommend producing a site wide masterplan to inform the landscape design, to cover in particular the following:

- Explore and investigate locations for green infrastructure, taking into account their cost and maintenance requirements. Include food growing opportunities which could provide an educational and agronomic resource for students and local residents.

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- A greater degree of hierarchy and distinction between the spaces is needed to highlight different character areas and uses.
- The current site configuration creates a redundant pocket of land in the south of the site adjacent to the new building which could become neglected and under-utilised. It would be beneficial to explore options that better utilise this space.

Building Design

In terms of its appearance the block has an overly varied palette of materials and fenestration detailing. The elevational treatment could lead to the proposed building competing with other buildings that may come forward for development within the masterplan area. We would strongly recommend that a more refined and elegant design is adopted for the new block with a consistent theme and a more harmonious approach for each façade, including the fenestration pattern and detailing.

In terms of overarching architectural design, we would recommend the following:

- Explore alternative roof forms that add interest whilst forming part of a more refined building design, and adopt a consistent theme for the roofscape. The red roof is over-complicated and does not relate well to the site or context.
- Simplify the vertical windows to create a calmer elevation. The elevation with staggered/scattered windows is overly complicated.
- Use a simpler palette of materials – concentrate detailing in specific parts of the building such as the 'book ends'.

With regard to the detailed design of the building's facades:

- Differentiate the east and west facades which will front different routes and have different functions. Once the Beckett Street extension has been delivered, the eastern elevation will be a key focal point and should create a stronger sense of arrival. To take advantage of this key elevation, this part of the site could be more distinct by creating an attractive entry point, providing an open space, or introducing a vibrant and lively community use.
- The southern elevation appears to have been an afterthought in the formulation of the scheme and requires more detailed design work. It could be a good location for additional green infrastructure such as a green wall.
- The curved feature wall at the northern elevation where the entrance is located should create a gateway to the site and masterplan area. Make this wall a key façade in design terms and include greenery such as climbing plants to add interest.

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Review process

Following a site visit, and discussions with the design team and local authority and a pre-application review, the scheme was reviewed on 8 September 2016 by Mike Hayes – Chair, Alan Berman, Dan Jones, Deborah Nagan and Jon Rowland. These comments supersede any views we may have expressed previously.

Confidentiality

Since the scheme is not yet the subject of a planning application, the advice contained in this letter is offered in confidence, on condition that we are kept informed of the progress of the project, including when it becomes the subject of a planning application. We reserve the right to make our views known should the views contained in this letter be made public in whole or in part (either accurately or inaccurately). If you do not require our views to be kept confidential, please write to cabe@designcouncil.org.uk.

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Central pedestrian spine

The central pedestrian spine between the buildings is a sound design concept as it facilitates circulation within the block. We think more permeability in terms of access and views from this route into the open spaces are needed to facilitate movement around the site and include long views. As it is a space for people to meet and interact, we suggest widening this route and including more communal meeting points. Examples of buildings with attractive internal landscaped amenity spaces which link long corridors are St George's Hospital in Tooting, London and Guy's Hospital in London Bridge.

Internal Layouts

The initial concept of room clusters with a shared kitchen and dining space in the corridor and separate studio flats appears to work well in principle.

It will be important to consider the benefits offered by the design of each room, as some rooms appear to be more appealing and pleasant than others based on their location and aspect. The rooms with faceted windows create unusual shaped spaces that may be difficult to furnish and we recommend simplifying their configuration. Explore alternative internal layouts and room sizes to rationalise the positioning of the internal furniture such as the bed which may be better located away from the window. Locating the desks adjacent to windows would allow students to enjoy and appreciate the surrounding views and benefit from natural light whilst they are studying.

Sustainability

The sustainability drivers for the site should be identified at this stage and the environmental strategy should be developed in conjunction with the building design. For example the location of any required plant, ventilation and service runs and how water will be managed should be established and assessed. This will affect the building form and elevational treatment, in particular the location and positions of the combined heat and power plant.

Thank you for consulting us and please keep us informed of the progress of the scheme. If there is any point that requires clarification, please telephone us.

Yours sincerely,

Annabel Osborne

Design Council Cabe Advisor
Email Annabel.Osborne@designcouncil.org.uk
Tel +44(0)20 7420 5270

Oxford Business Centre, Oxford

Design Workshop

Notes from 2 July 2015

Thank you for attending the ODRP's Design Workshop on 2 July 2015. We welcome the opportunity to offer our advice and look forward to engaging in future dialogue as the proposal develops. The redevelopment of the Oxford Business Centre will set the precedent for design quality of the Oxpens masterplan as it is the first phase of this highly anticipated new quarter of Oxford. We commend the client and design team on beginning to tackle the complex masterplanning and design issues for new student accommodation on this site. However, the strategic city views and quality of the new environment for all users of this site are negatively impacted upon by the proposed quantum of student housing. We urge the client and design team to respond more creatively to the brief and more sensitively to the site, ensuring that the commercial risk in the scheme is not overly compensated by the proposed density. In order to address the shortcomings of the Oxpens masterplan, Oxford City Council should lead the discussions with key landholders, particularly on the extension of Beckett Street, and take the necessary steps detailed below to help achieve a coherent, high quality masterplan development. We offer the following suggestions in taking the design forward.

Masterplanning

- The success of the Oxpens masterplan is dependent on the strategic discussions with the landholders and Oxford City Council, particularly in terms of clarifying the street infrastructure across the masterplan. We strongly urge Oxford City Council to lead these discussions at the earliest possible stage. Confirmation on the proposed extension to Beckett Street as identified in the Oxpens masterplan is especially crucial as it will help lever the first development phase and consequently support latter phases of the masterplan. The extension of Beckett Street will wield significant urban design and social benefits for the masterplan as a whole. If needed, the city council should consider the possibility of adopting the extension to Beckett Street, providing that it is built to adoptable standards, at a later stage if it were to be implemented by Student Castle to help kickstart the first phase and masterplan.
- We encourage the city council to provide more analysis, diagrams and detail to help guide the design of the Oxpens masterplan and allow design decisions to be made early in the process by the relevant client and design teams of each scheme. In continuing to develop the masterplan, knowledge and experience from these clients and design teams could prove beneficial given their design analysis and studies.
- Placemaking in the Oxpens masterplan should be stronger to ensure a strong community spirit is instilled at each future phase of the masterplan. We encourage Oxford City Council to lead on this aspect of the masterplan. Defining the quantum, location and quality of green spaces and squares will help support and underpin a strong community feel. For example, an open space or square at the junction of Beckett Street and Osney Lane could be an attractive local hub for the new and existing community and visitors to meet and interact.

- Some urban design analysis and exploration by the Oxford Business Centre design team on the Oxpens masterplan is needed to create a successful scheme on this site. The ideal scheme should be imagined and sketched beyond the redline boundary of the Oxford Business Centre site without the existing masterplanning constraints and requirements of the brief, for example, where users would like to enter and leave the scheme, places to meet etc. Identify the key design aspects that make the ideal proposal successful and identify the benefits of these aspects to the city council and landholders.
- Consider how phasing the Oxford Business Centre development could help address and overcome the current masterplanning issues, particularly the Beckett Street extension.

Access and connections

- Strengthen the relationship between the site and the Oxpens masterplan in the proposed street layout for the site. The eastern side of the scheme presents a great opportunity to connect with the other sites in the Oxpens masterplan, the Westgate Centre and city centre. At present the eastern side is a rigid barrier that separates the site from the masterplan. Investigate how access could be improved from the east by extending the proposed masterplan street network into the site. Consider also the site boundary treatment and if the eastern fence is needed.
- The ambition to provide a car free scheme is highly commendable. Take more advantage of the great connections for cyclists and pedestrians across the site and to the wider area to make the scheme feel fully connected with the city. Consider how the existing footbridge to the north of the site could be integrated with the proposed access routes to connect neighbourhoods across the railway to the west.
- Where car access needs to be provided for servicing and Unit 16, explore more creatively if/how one or more vehicular routes could be provided, such as from the north and the east if the new extension to Beckett Street is built.

Height and massing

- The large quantum of student accommodation on the narrow site of the Oxford Business Centre results in an uncomfortable arrangement of tall buildings that is likely to impede the quality of the internal and external environment for its users. We recommend reducing the height and massing, and providing more height variation across the site to create more interesting buildings and spaces.
- Reducing the width of these blocks and/or providing strategic breaks in the blocks will help the scheme relate better to the conservation area and strategic views. The wide blocks that run parallel to the railway line have a negative impact on the key long range views across the site, particularly from Raleigh Park. Explore in more detail how the balance between perforations in the blocks and noise from the railway.
- Learn and take design cues from the redevelopment of Westgate Centre to help create a scheme that maximises the great potential of this site and achieves high quality design. For example, consider commissioning more than one architect to design a varied scheme.

Building layout

- Envisage and develop this scheme as a new neighbourhood for students, visitors and staff. Consider the needs of mature students in more detail who may spend more time studying in their apartments and/or may require larger apartments, if they are married for example. International students may also spend more time throughout the year in their student accommodation if they do not return regularly to their home country. A broader mix of amenities and services are needed to sustain these students, and visitors and staff throughout the year and at different times of the day. Providing some shared amenities will foster a sense of connectedness with the other schemes in the masterplan and Oxford city.
- A single point entry to a student housing scheme on this site is not sufficient for the large number of residents, visitors and staff moving through the site on a daily basis. It is helpful to reference and incorporate the design approach to other Oxford colleges that have primary and secondary entrances of varying sizes. The current entrance to the north is too far away for the residents at the far south of the site for example.
- “Loosen up” the site layout as at present it feels too rigid and constrained on this narrow site. We support the concept of building closer to the railway line to help provide more open space and connectivity to the eastern side of the site.
- Create more “episodes” in the site layout to create a stronger sense of delight and charm across the scheme, using the landscape design or changes in the topography for example. A series of repeated blocks and spaces could appear mundane on this long site.
- Experiment with the horizontality and verticality of the blocks more to help alleviate the impact of a long building. The layered plains of the elevations are beginning to achieve this.
- Think more carefully about the site layout in terms of its orientation. At present the courtyard spaces are likely to be overshadowed for long periods of the day resulting in unpleasant outdoor spaces for a large number of users.
- The concept of a central pedestrian spine from north to south connecting to a series of outdoor courtyard spaces on the ground floor is appealing. A double height space over this spine would give this route more prominence. The clusters of student accommodation around these courtyard spaces have the potential to be pleasant and inspiring. Some courtyard spaces could be open to the public to create a livelier, communal atmosphere with the rest of the masterplan and wider area.
- In keeping with the concept of the central pedestrian spine, continue to develop the concept of connectivity within the site to help the scheme feel more active and lively. We suggest integrating two or three streets that transect the central pedestrian street from east to west and that also link to the proposed streets in the masterplan.
- Think more creatively about the buildings and spaces around the substation so that it does not appear obscure, and if possible, relocate the substation elsewhere on/off the site.



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Attendees

Design Workshop Panel

John Lyall (chair)
Eddie Booth
Dan Jones
Deborah Nagan

Scheme presenters

Edward Cade	Student Castle
Dominic Smith	Nathaniel Lichfield + Partners
James Taylor	Nathaniel Lichfield + Partners
Bruce Cockburn	FJMT Architects
Christine Kwong	FJMT Architects

Local Authority

Murray Hancock	Oxford City Council
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Cabe at Design Council staff

Thomas Bender
Victoria Lee

Confidentiality

Since the scheme is not yet the subject of a planning application, the advice contained in this letter is offered in confidence, on condition that we are kept informed of the progress of the project, including when it becomes the subject of a planning application. We reserve the right to make our views known should the views contained in this letter be made public in whole or in part (either accurately or inaccurately). If you do not require our views to be kept confidential, please write to cabe@designcouncil.org.uk.

West Area Planning Committee

14th March 2017

Application Number: 16/03062/FUL

Decision Due by: 26th February 2017

Proposal: Demolition of existing buildings including 120-121 Walton Street, rear of 25-31 Little Clarendon Street, part rear of Bedford House and Penrose flat. Erection of five storey student accommodation block (The Catherine Hughes Building) to provide 68 student rooms fronting Walton Street and rear extension/refurbishment of 25-31 Little Clarendon Street (The Shaw Lefevre Building) to provide 42 student rooms. Provision of 135 cycle parking spaces. Provision of one disabled parking space accessed off Little Clarendon Street. Landscaping and planting, including replacement iron railing gates to existing entrances on Walton Street.

Site Address: Somerville College, Woodstock Road, Oxford (**site plan: appendix 1**)

Ward: North Ward

Agent: Mr Huw Mellor

Applicant: Somerville College

Recommendation:

The West Area Planning Committee is recommended to grant planning permission for the following reasons:

Reasons for Approval

- 1 The development proposals represent an appropriate response to the issues of increasing student accommodation on site. The City Council has given considerable weight and importance to the desirability of preserving or enhancing designated heritage assets and their settings, including the listed building and conservation area, and consider that whilst there will be some harm to the setting of the conservation area and adjacent listed buildings, this harm will be mitigated by the thoughtful and considered design of the development and that further mitigation could be achieved through appropriately worded conditions. The proposal would not create any adverse impacts in terms of highways, flood risk, sustainability, archaeology, biodiversity and land contamination that could not be mitigated by appropriately worded conditions. Therefore the proposal is considered to comply with policies contained within the Oxford Local Plan, Oxford Core Strategy, Sites and Housing Plan and National Planning policy and guidance.

- 2 Officers have considered carefully all objections to these proposals. Officers have come to the view, for the detailed reasons set out in the officer's 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.

Conditions:

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Material Samples in Conservation Area
- 4 Further Design Details of the junctions of the new and existing buildings and other features of the development
- 5 Architectural recording of the buildings to be demolished
- 6 Landscape Plan – including design of the new quad
- 7 Landscape Implementation
- 8 Hard Surface Design – Tree Roots
- 9 Underground Services – Tree Roots
- 10 Tree Protection Plan Implementation
- 11 Arboricultural Method Statement Implementation
- 12 Student Accommodation – Full Time Courses
- 13 Student Accommodation - No cars
- 14 Student Accommodation - Out of Term Use
- 15 Management Plan – including traffic management plan
- 16 Archaeology – Written Scheme of Investigation
- 17 Archaeology – Method statement for demolition
- 18 Travel Plan
- 19 Details of the Cycle Parking and Refuse Areas
- 20 Construction Environmental & Traffic Management Plan
- 21 No windows opening onto Walton Street
- 22 Noise Levels as stated in Noise Assessment Report
- 23 Sustainability Statement Implementation
- 24 Drainage Strategy Implemented
- 25 Biodiversity Measures / Enhancements
- 26 Contaminated Land Risk Assessment
- 27 Details of Fire Hydrants

Principal Planning Policies:

Main Local Plan 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
CP13 - Accessibility
CP19 - Nuisance
CP20 - Lighting
CP21 - Noise
TR1 - Transport Assessment
TR4 - Pedestrian & Cycle Facilities
HE2 - Archaeology
HE3 - Listed Buildings and Their Setting
HE7 - Conservation Areas
NE15 - Loss of Trees and Hedgerows

Core Strategy

CS2_ - Previously developed and greenfield land
CS11_ - Flooding
CS25_ - Student accommodation
CS12_ - Biodiversity
CS18_ - Urban design, town character, historic environment

Sites and Housing Plan

HP5_ - Location of Student Accommodation
HP6_ - Affordable Housing from Student Accommodation
HP15 – Residential Cycle Parking

Other Material Considerations:

- National Planning Policy Framework
- This application is within the Central Conservation Area and the setting of a number of Listed Buildings.
- Planning Practice Guidance

Public Consultation

Statutory Consultees

- Natural England: No objection
- Thames Water Utilities Limited:

Wastewater: With regards to foul water discharge from this site, Thames Water has no concerns with the disposal plan outlined in the Drainage Strategy

Surface Water: Further information is required on the surface water run-off management plan for the scheme. According to the documentation provided most of the surface water is to be managed via soakaway. However, due to lack of attenuation volume, it is proposed to discharge some of the surface water into the existing public sewer on Little Clarendon St. Thames Water require details of proposed flow into the public sewer (peak flow rate and connection point) to

enable us assess the impact on the public sewers.

- Historic England Commission

In general this is a carefully considered and high quality proposal. While there would be a degree of harm to the significance of the conservation area we accept this is justified in order to produce a workable scheme that meets the College's needs. There is however room for refinement in the way in which the proposed Shaw Lefevre Building addresses the Vaughan building and Little Clarendon Street.

Historic England recommends that the design of the Shaw Lefevre Project is refined where it addresses the Vaughan Building to ensure that the architectural opportunities to create distinctive and high quality townscape in this sensitive area are taken. Provided this is done we would not object if, when applying paragraph 134 of the NPPF and balancing harm to significance against public benefit, the Council concluded that the balance weighed in favour of the scheme.

- Oxfordshire County Council

Highways Authority: No objection subject to conditions

Property: CIL contributions will be required for Local Library, Central Library, and Strategic Waste Management

Fire & Rescue Services: A condition is required to provide fire hydrants within the site

- Oxfordshire Architectural & Historical Society

The general point we would make relates to the inadequacy of the 'Heritage Statement'. This seems to be more concerned with visual impact than with the consequences of the loss of historic fabric that the proposal envisages. The comments of Historic England are also noted, and are concerned with 'architectural quality' rather than historic interest. The Heritage Impact Assessment is flawed in respect to its Figs. 11 and 12 where the site boundary is drawn incorrectly, too far to the east. It also refers to the demolition of 20-21 Walton Street – while obviously an error, this lack of attention to detail is worrying.

It is in relation to these matters that we wish to comment.

1. **The former sanatorium (1932).** No attempt seems to have been made to understand the history of this unusual building. Although it has been converted into flats, some work should be done to record its history and original arrangement – it seems very much part of the college's history, and it would be unfortunate if it were lost without a record being made.

2. **120-1 Walton Street (ca. 1850).** Following the demolition of the row to the south a few years ago, this pair of houses is the last vestige of the Victorian commercial and domestic development of the east side of Walton Street between Little Clarendon Street and St Paul's church. The façade is largely in red Flemish Bond brickwork using yellow headers, but there are two features which suggest

that it might be a skin to a timber-framed building: the fact that near the edges of the façade are small 'queen closer' bricks rather than quoins or returning brickwork to the gable walls; and a 'pattress plate' for an iron tie in the southern half, again often indicating an additional skin rather than a structural feature. If this building does turn out to be timber-framed, its loss would be highly regrettable, as there are now a very few examples left in Jericho. Moreover, as with the sanatorium, no attempt seems to have been made to study the interior of these houses to find out what remains of the original layout and features. The ground floor rooms – shops for a butcher and confectioner in 1895 – have clearly been considerably altered, but a full investigation of the upper floors should be carried out.

Policy HE.7 states that any work within a Conservation Area will not be permitted if the proposal involves the substantial demolition of a building that contributes to the Conservation Area. We consider that this policy should apply to 120-1 Walton Street, especially if it turns out that they are timber-framed.

3. **Bedford School (1873)** with later extensions. We are told that the interior of this building has been 'stripped of any features', but it is likely that the roof structure will be of interest. Clearly, there is also an opportunity here to study this building in more detail, and in such a way that restoration can be carried out in an informed manner.

4. **25-27 Little Clarendon Street.** These shops with accommodation above retain much of their original character externally, and it is clear from examination of the shop interiors that no. 25 in particular has a number of early features, including tiling. No mention is made of what a 'refurbishment' of these shops will entail, but we would ask that such features are retained, as well as any original features in the upper floors. The rear extensions should be recorded before demolition.

Third Parties

None

Pre-Application Discussions / Oxford Design Review Panel

Details of pre-application and public consultation are set out within the Statement of Community Involvement. There were two public consultation events held in July and November 2016. In addition to the general public other community stakeholders and individuals were consulted

- Oxford Preservation Trust,
- Oxford Civic Society,
- Jericho Community Association,
- St Barnabas Church
- Blavatnik Centre.

The development was also considered by the Oxford Design Review Panel in July 2016. A copy of their response is included in **appendix 2**.

Officers Assessment:

Background to Proposals

1. The application site is Somerville College which is on the western side of Woodstock Road and is bordered by Radcliffe Observatory Quarter to the north, Little Clarendon Street to the south, and Walton Street to the west (**appendix 1**)
2. The proposal itself relates to the south-western corner of the college, and would first involve the demolition of existing buildings that front onto Walton Street (120-121), the rear of 25-31 Little Clarendon Street, part of the rear of Bedford House, and Penrose flat. These buildings would be replaced by a five storey 68 room student accommodation block (The Catherine Hughes Building) which would form part of the College's boundary with Walton Street and a rear extension, refurbishment of 25-31 Little Clarendon Street (The Shaw Lefevre Building) to provide 42 student rooms.
3. In addition, other ancillary works are proposed including the provision of 135 cycle parking spaces, one disabled parking space accessed from Little Clarendon Street, Landscaping and planting including replacement iron railing gates to existing entrances on Walton Street.
4. Officers consider the principal determining issues to be:
 - Principle of Development
 - Student Accommodation
 - Built Form & Impact upon Designated Heritage Assets
 - Impact on adjoining properties
 - Landscaping
 - Transport
 - Flood Risk & Drainage
 - Sustainability
 - Archaeology
 - Biodiversity
 - Contaminated Land
 - CIL
 - Other matters

Principle of Development

5. The National Planning Policy Framework (NPPF) states that planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed. This is reiterated in Oxford Core Strategy Policy CS2.
6. Policy CP6 of the Oxford Local Plan requires development proposals to make maximum and appropriate use of land and the best use of a site's capacity in a manner compatible with the site itself as well as the surrounding area. Larger scale and higher density proposals are encouraged in appropriate locations.

7. The proposal would seek to make better use of an existing college site by replacing existing buildings to make better use of the available land to improve the overall standard of accommodation. The principle of the development would therefore accord with the above-mentioned aims of the National Planning Policy Framework and also local development plan policies.

Student Accommodation

8. Sites and Housing Plan Policy HP5 states that planning permission will only be granted for student accommodation that is on or adjacent to an existing university or college academic site; or in the city centre, district centre, or on a main thoroughfare; or on land that is allocated for student accommodation. Oxford Core Strategy Policy CS25 also requires purpose-built accommodation to be restricted to full time students on a course of an academic year or more so that colleges can house their students and limit the number of students living outside of such accommodation. The proposal would provide purpose built student accommodation on an existing college site for its students which would accord with both policies.
9. Although Policy CS25 limits occupation to full-time students enrolled on courses of an academic year or more this restriction does not apply outside the semester or term-time, provided that during term-time the development is occupied only by university students. This allows an opportunity for the efficient use of the buildings for short-stay visitors, whilst providing permanent university student accommodation when needed. A condition should be imposed restricting the use to full time students on a course of an academic year or more, and also allowing out of term use.
10. Sites and Housing Plan Policy HP5 also requires student accommodation schemes of 20 or more bedrooms to be provided with communal indoor space and outdoor space which would be available to all residents. The accommodation will need to include a management regime for the building and an undertaking that residents will be prevented from parking their cars anywhere on site, and in Oxford. Somerville College already has some indoor and outdoor communal space within its grounds. The management plan and restriction on students bringing cars into the city would be secured by condition.
11. Sites and Housing Plan Policy HP6 states that new student accommodation of 20 or more bedrooms will be required to make a financial contribution towards delivering affordable housing elsewhere in Oxford. However, it goes on to state that an exception to this requirement will be made where the proposal is within an existing university or college campus and the proposal is necessary to enable the university to maintain its 3,000 student numbers threshold. It is clear that the proposed development would qualify for this exception to the requirement to provide an affordable housing contribution.

Built Form & Impact upon Designated Heritage Assets

12. The site lies within the Central Conservation Area and would also form part of

the setting of the Jericho Conservation Area whose south eastern tip encloses the corner of the Oxford University Press building coinciding with the northern boundary of the Central Conservation Area. The site is also within the setting of a number of listed buildings such as the Oxford University Press building which sits opposite the Somerville boundary wall; Somerville's Wolfson building which sits inside the same boundary wall; and St Pauls Church.

13. Conservation principles, policy and practice seek to preserve and enhance the value of heritage assets. The NPPF re-affirmed the aim for the historic environment and its heritage assets to be conserved and enjoyed for the quality of life they bring to this and future generations and requires proposals to be based upon an informed analysis of the significance of any affected Heritage Asset and expects applicants to understand the impact of any proposal upon the asset with the objective being to sustain that significance. These aims are embodied in Local Plan Policy HE3 and HE7 which seeks to preserve or enhance the special character and appearance of the conservation area or its setting along with the setting of Listed Buildings. In considering the impact of development on the significance of Heritage Assets, the objective must be for new development to sustain that significance but where there is potential for harm, then the public benefits must clearly outweigh that harm. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.
14. Policy CS18 of the Oxford Core Strategy 2026 requires development to demonstrate high-quality urban design responding appropriately to the site and surroundings; creating a strong sense of place; contributing to an attractive public realm; and providing high quality architecture. The Local Plan requires new development to enhance the quality of the environment, with Policy CP1 central to this purpose. Policy CP8 requires development to relate to its context with the siting, massing and design creating an appropriate visual relationship with the form, grain and scale of the surrounding area.
15. The proposal involves the demolition of a pair of late C18 early C19 three storey plus semi-basement buildings, survivals of a larger group that fronted the east side of Walton Street between Little Clarendon Street and the continuation of the street frontage to the north of the Health Centre. Demolition of the rear two bays of the former, single-storey school building that is set back from the street between the C18 pair and the new co-op building/ student accommodation. Demolition of the rear wings to the late C19 building group that fronts Little Clarendon Street. Demolition of a number of early C20 buildings that sit to the rear of the Walton Street Pair and the former school building buildings that formerly housed the College's Sanatorium and associated Fellow's lodgings. Demolition of a C19 boundary wall currently enclosing the rear boundaries to Little Clarendon Street buildings/yards. Removal of tree in rear yard to LCS buildings
16. These buildings will be replaced by a new, three, four and five storey building that would run east to west parallel to the rear wing of the Penrose building, with

the western boundary at the back-edge of the pavement on Walton Street and wrapping around the remaining bays of the former school building the building in order to accommodate 68 study bedrooms with ancillary spaces and teaching rooms. A new five storey building would also be provide to the rear of 25-31 Little Clarendon Street which would be linked to associated internal alteration of the upper floors of the remaining parts of the C19 buildings to accommodate 48 study bedrooms with associated ancillary spaces. The development will also include associated landscape design of the spaces around the new and existing buildings and access to existing terrace adjacent to Vaughan building.

17. Significance of the site and impact of demolitions: The site proposed for development falls into two parcels, the land in the northern part which comprises a strip of land running from Walton Street in the west to the Fellows Garden in the east. This area of the site is currently occupied by a number of buildings, perhaps the most significant being a pair of probably late C18 early C19 three storey “town houses” the surviving remnant of buildings that fronted onto Walton Street north of its junction with Little Clarendon Street. The pair of buildings have been much altered from their original state and indeed evidenced early C20 form and whilst clearly they have some significance as the only survivors on this stretch of Walton Street their alteration has been such that the small elements of surviving internal fabric, staircases and in some parts floor boards are insufficient to give weight for their retention. Immediately to the south of these townhouses lies a late C19, former school building whose distinctive form, street façade and the former garden to the front makes an important contribution to both character and appearance of this part of Walton Street. The initial proposals for the site sought to simply retain the façade and space to the front of this building. However this would have diminished this contribution and the current proposal to retain a substantial part of the original building although still a compromise would offer a greater authenticity to the “retained element”. Furthermore, the proposed use of this space having been through a number of iterations does offer more to the community in the spirit of the existing building which is a positive response by the College. The remaining buildings that occupy this part of the site are C20, probably inter-war buildings of a single-storey, domestic scale and a domestic revival architecture which bears some relationship to the Penrose building but which feel distinctly ancillary. Whilst the interiors retain some of their original architectural language in their surviving detail they are probably not sufficiently significant when considered against the Somerville campus as a whole to justify an objection to their removal.

18. The second part of the site comprises the rear wings and back yards of 25-31 Little Clarendon Street, a group or terrace of late C19, three-storey rich red brick buildings accommodating retail uses at ground floor and various accommodations above. These buildings retain much of their original character and appearance, including their original service wings to the rear. They form one of a number of similar groups that run along the north side of Little Clarendon Street, the southern side having been altered by the University during the second half of the C20, and they inform the historic and social development of the street thus making an important contribution to the character and appearance of this part of the Central Conservation Area. The loss of the rear wings is regrettable in that it diminishes the importance of the building group as

a whole. The rear wings are evident in a glimpsed view from the street above the strong concrete arches of the lower floor retail arcade and across the upper terrace of the Vaughan building. The “garden” boundary brick wall that separates the two areas of the site appears to run on the line of the original boundary despite having been, in the main, rebuilt. The boundary line is significant in defining the northern enclosure of the surviving, individual plots of Little Clarendon Street and the loss of this boundary definition will therefore be of some harm to that significance.

19. New buildings and their impact on the significance of heritage assets: The new building would include a building running from Walton Street parallel to the Penrose Building through to the Fellows Garden in the east; a new building replacing the rear wings of the Little Clarendon Street C19 terrace; and new landscaping for the service yard that currently exists to the rear of Barbara Craig House an insignificant, C20 framed building to be refurbished for student accommodation, and the block of building that turns the corner and fronts onto Walton Street would create a “quad” more appropriate to the college setting.
20. Across the northern part of the site, the new building has been designed to have a distinct presence on both Walton Street where it will sit as a “stop-end” to the view back down the street from 119a and the north-western tip of the Somerville Campus and in the Main Quad of the College where a similarly proportioned façade emerges alongside the Fellows Garden, all but filling the existing gap between the east façade of the Penrose Building and the northern western corner of the Vaughan Building. In replacing the pair of C18/C19 terrace buildings the new building is intended to give the College a more physical presence on Walton Street. At present the distinctive, elemental façade of Phillip Dowson’s Wolfson Building is restrained by being set back behind the impenetrable, tall, stone boundary wall that encloses the entire Walton Street boundary of the campus. In contrast the new building (Catherine Hughes Building) also elemental in its architectural language but less exuberant in its expression of elements than Wolfson will have an equal presence by virtue of its more prominent siting in relationship to the street. The new building has not been designed to compete with Wolfson but rather to sit purposefully alongside it. The design of the building has developed through discussion and presentation at Design Review and some of the functional elements, the arrangement of rooms, double loaded corridors and the design of the movement and communal spaces has evolved to produce an arrangement that will function well with natural room groupings but that also has some interesting spaces that offer glimpsed views and connection to the outside world. Throughout the design process there has been concern about the relationship of the new building to the Penrose building. The space around the new building is tight but again the design evolution has resulted in a more satisfactory relationship between the two with narrow gaps either side of the east façade of the new building creating a sense of interest for the “visitor” drawing people through into the relatively small but carefully designed outdoor spaces that despite their size provide a singularly enhanced setting for the southern side of Penrose and that offer places to stop on the journey through from the Quad out to Walton Street, a route that is intended to be part of the “opening-up” of the College to its western neighbours. The new building will be five storeys in part and together

with its proximity to Penrose there was some concern that it would dominate, however this does not appear to be the case. The simplicity of the design, broken down into the key elements but emphasising the solid, brickwork elements of the building and the articulation or breaking down of the building mass into a series of smaller, elemental boxes, with the taller elements set back helps to reduce the sense of the overall building mass and allows the building to relate to key heights in the adjacent buildings. Details within the brickwork of the facades provide subtle reference to the brickwork detailing in the immediate and indeed wider surroundings of the City. The vertical brick courses pick up key levels in adjacent buildings on Walton Street allowing the observer's eye to follow through the strong curve of the street and give the sense that the building sits comfortably in its surroundings. The paired windows with their stepped brickwork surrounds creating interest and depth to the building façade in a restrained rather than elaborate manner set up strong rhythms to the facades that give the building its architectural identity. The additional work proposed to open up the boundary wall in order to allow the Somerville Campus to address Walton Street will be a positive change as will be the introduction of some trees as there have been trees along this frontage in the past and this section of Walton Street, particularly on the eastern side is currently much devoid of trees. Whilst not entirely replacing the loss of the tree that is currently to the rear of the Little Clarendon Street terrace and whose canopy makes some contribution to both character and appearance of the conservation area here, the replacement trees will clearly be of some benefit.

21. On the southern part of the site, the proposed new building has been designed to replace the rear wings of the late C19 terrace that fronts Little Clarendon Street. The existing rear wings are evidently subservient building elements to the front, principal range of buildings. The height of the new building is proposed to be significantly higher than the existing building and the relationship of the new building in spite of having been designed as a principally glazed building in this part will still be evident. Through discussion the design of this building has also evolved and the relationship to the Vaughan Building is much improved from the earliest design iteration. However the building's eastern façade in particular the element that is proposed to be principally glazed still appears awkward and the massing of this part of the building appears crude in juxtaposition with the very simple form of the roof of the front building range. It is this that will be seen from Little Clarendon Street looking west and that will be harmful to the character (lack of subservience in massing) and appearance (what appears to be an oversimplification of the building façade treatment) of the conservation area and appear over simplified in comparison to the restrained expression of Dowson's concrete grid in the Vaughan Building and the elegant detailing of the late C19/early C20 brick terrace with its charming, surviving, traditional shop fronts. In principle the proposed replacement building is acceptable but the detailed design needs to provide greater mitigation for the harm that will result from the removal of the buildings' rear wings, the demolition of the boundary wall and the loss of a large tree whose canopy contributes to the character and appearance of the conservation area. However officers consider that this could be resolved by further detailing of junctions, materials and construction details through conditions.

22. The landscape design for the new courtyard/quad is extremely limited being dominated by the bicycle in what appears to be a rather inefficient layout of stands. If there were to be some space found for some seating and more planting then the space could provide a better setting for the buildings around it. Again this may be able to be covered by a condition to allow further design development of this space.
23. In summary whilst it is clear that the amount and type of structures to be demolished will result in harm to both character and appearance of the conservation area and to some extent the setting of the Wolfson Building it is also evident that some of that harm would be mitigated as a result of the thoughtful and considered design of much of the new development. On balance it is considered that by virtue of some of the design mitigation and with the proviso that further mitigation may be achieved through approval of more detailed elements of part of the development the proposal taken as a whole would be considered to preserve the character and appearance of the conservation area and not to harm the setting of a number of listed buildings in proximity to the site.

Landscaping

24. A Landscape Strategy has been submitted with the scheme. There are no Tree Preservation Orders that apply to the site, but the scheme is within a Conservation Area which offers protection to certain trees.
25. Having reviewed the landscape strategy, officers consider that as an artefact of the City's medieval pattern of development canopy cover within the Central Conservation Area is relatively low; the Oxford i-Tree Canopy Cover Assessment 2015 identifies that tree cover in the Carfax Ward is just over 15% as compared to the 21% city average (the site is actually just within North Area Ward but this ward only slightly overlaps the Central Conservation Area). Despite or because of this sparsity large individual trees make a significant contribution to the special character of the Central Conservation Area's landscape. Trees are often just glimpsed in partial views between gaps in buildings or over roof tops, or else as patches of green canopy billowing out between buildings into street views; this is one of the facets of the Central Conservation Area's special character and appearance.
26. The scheme involves the loss of one mature sycamore tree situated to the rear of 27 Little Clarendon Street. The tree is set back from Little Clarendon Street but the top of its canopy is visible in the sky-line from the eastern end of Wellington Square, and in long views above the roofline along Walton Street. In this context the loss of the sycamore could be considered to involve a significant but not substantial harmful impact to the character and appearance of the conservation area and to public visual amenity in local views. This harmful impact needs to be balanced against other relevant policies and wider social benefits in order to be justified, taking into account also what degree of mitigation that can be achieved through replacement tree planting in landscape proposals.

27. The proposed replacement planting has been developed in conjunction with Tree Officers. The scheme originally proposed 2x Sweetgum trees in the courtyard to the rear of 21-25 Little Clarendon Street. However concerns that this species would not reach a significant height to mitigate the loss of the existing canopy have resulted in these being replaced by a fastigate tulip tree which would provide better height in this location.
28. The most important area, and opportunity, for new landscaping is associated with the strip of land to the east of Walton Street, to the north of the proposed Porters Lodge/Reception Room entrance. The northern elevation of this end of the building will be seen in a long vista along Walton Street looking south. The scheme originally suggested 3 of the silver birch cultivar however, officers considered that this is 'underpowered' for the situation and would recommend that a Callery pear would be an ideal foil to the building, the tree's compact conical form would not obscure the building and it is attractive in its own right (spectacular spring white flowering and vivid orange autumn colours) so as to make an impact in the Walton Street vista. The applicant has agreed to change the species and to plant 2 trees at wider spacing in order to achieve the best visual impact.
29. On this basis the proposal is considered to be acceptable in arboricultural terms under Oxford Local Plan Policy NE15 subject to conditions requiring the revised landscape plans to be submitted and the work carried out on completion

Transport

30. The site is within the Transport Central Area as defined by the Oxford Local Plan, which is an area of the city centre that is considered to be highly accessible by non-car modes of transport, and serviced by a range of shops and facilities. A Transport Statement has been submitted with the application which considered the highway impacts of the proposed development.

Access: The proposed development is contained within the existing college campus and the main entrance to the college from the Woodstock Road will remain the primary means of access to the site handling the majority of pedestrian, cycle and vehicle movements. This would include pick up and drop offs. The proposal would make the existing vehicle and pedestrian access from Walton Street, pedestrian only. The Local Highways Authority have welcomed this proposal, because it reduces the potential for vehicle and pedestrian conflict on Walton Street and also discourages this street to be used for pick-up / drop-off of students at the beginning and end of terms.

31. The access to the Shaw Lefevre Building is to be retained through Barbara Craig House and the access to the Catherine Hughes Building (for deliveries and servicing) is to be through the main college access from Woodstock Road. The Local Highways Authority have raised a concern that this would require deliveries to be walked through the Main Quad gardens and Penrose Building which is a long distance for delivery arrangements to take place, and may encourage delivery activity on Little Clarendon Street / Walton Street. The Local

Highways Authority recognises that refuse vehicles will need to use Walton Street to access bins on the west side of the campus, however such collections should not occur during peak hours. Therefore a Traffic Management Plan should be secured by condition which deals with how servicing and deliveries will be managed and the use of the main college access enforced and that no refuse collections should take place during peak network hours.

32. Traffic Generation: The development is essentially car-free except for vehicular activity associated with deliveries and servicing/maintenance, use of the disabled parking bay, and when students arrive/depart at the beginning/end of terms.
33. As the site is situated within a wholly sustainable area then it is considered appropriate as a car free scheme. The Transport Assessment estimates that the development will generate an additional 2 daily vehicle movements albeit there will be a reduction of 2 vehicles movements in the AM peak. This is an insignificant amount of additional traffic which is also generated outside the peak
34. Car Parking: Oxford Core Strategy Policy CS25 and Sites and Housing Plan Policy HP5 state that, for student accommodation, the Council will secure an undertaking to ensure that students do not bring cars to Oxford. Policy HP16 and Appendix 8 of the Sites and Housing Plan states that no student parking spaces are permitted for new student accommodation other than some limited operational and disabled parking space. In order to ensure that students do not bring a car to Oxford, a condition should be imposed requiring this to be included in the tenancy agreement.
35. The proposal will reduce the amount of car parking provided on the existing site with only 1 car parking space provided for the remaining retail unit. There are currently 9 car parking spaces which are for both the retail units and 3 flats. The reduction in spaces is considered acceptable given the site is within a very sustainable/accessible location and the potential for overspill parking on the highway can be controlled. One accessible parking space is to be provided, which will be accessed from Little Clarendon Street. This is space should only be used for this purpose.
36. Cycle parking: A total of 135 additional cycle parking spaces are to be provided; 51 spaces for the Catherine Hughes Building behind the chapel for this building, and 84 spaces for the Shaw-Lefevre Building, retail units and Lincoln College student flats in the courtyard accessed from Little Clarendon Street. It is not known how many students flats are at Lincoln College, but if the proposal is to comply with Policy HP15 the development should provide 83 cycle parking spaces for the additional 110 student rooms. The location of cycle parking spaces as shown is considered acceptable, and a condition should be imposed to ensure that the cycle parking is secure and covered.
37. Travel Plan: A travel plan has been submitted with the application. The Local Highways Authority have requested additional information which outlines how student arrival and departures at the beginning and end of term will be handled

so that it does not cause problems in and around the sites.

38. Construction Traffic Management Plan: A Traffic Management Plan has been submitted which sets out how vehicle movements and access will be managed during demolition and construction works. The Local Highways Authority have indicated that this does not provide all the information they would normally seek for such a document, however, this could be revised by condition.
39. Other Highway Matters: The proposed plan indicates that the windows of the Seminar Room at the front of the building would open outwards onto Walton Street, albeit they are almost flush with the line of the building. The Local Highways Authority have requested that these windows do not open outwards as this would raise concerns over the potential for pedestrians to catch themselves on the windows when passing by.
40. Overall the proposed development is considered acceptable in highway terms, subject to the above conditions in accordance with the aims of Oxford Local Plan Policies CP1, CP10, TR1 and TR4 and Sites and Housing Plan Policies HP15.

Flood Risk & Drainage

41. A Flood Risk Assessment and Drainage Strategy has been submitted with the application, which indicates that the site is located within Flood Zone 1. Furthermore the Environment Agency's Surface Flood Mapping suggests the development as being in an area susceptible to surface water flooding, however the risk of flooding from surface water is considered low.
42. The proposal includes a new storm water system for the newly constructed 68 student accommodation block which will ensure all rainfall events for this building will be infiltrated. A separate system is then proposed for the refurbishment of 25-31 Little Clarendon Street (Shaw Lefevre Building) which will ensure surface water flows from the proposal are reduced significantly.
43. The Drainage Strategy identifies that infiltration of surface water to new soakaways will not be sufficient to deal with a 1 in 30 year storm event, and recommends that a high level overflow to the existing surface water system is provided. With respect to the Shaw Lefevre Building it is noted that the peak run off discharged to the existing surface water system will be lower than current flow rates for the 1 in 30 year and 1 in 100 year rainfall events. As such Drainage Officers have reviewed the strategy and consider that the proposal will offer betterment in terms of storm water discharge and complies with Oxford Core Strategy Policy CS11. These drainage details should be secured by condition.

Archaeology

44. This application is of interest because of the potential for prehistoric, early-Saxon and post-medieval remains in this location, including part of the Royalist Civil War defence line. The site is located within an extensive landscape of late

Neolithic-early Bronze Age funerary monuments that are recorded across the Summertown-Radley gravel terrace, the nearest recorded monuments are recorded within the Radcliffe Observatory Quarter to the north. The ROQ site also produced evidence for dispersed early Saxon settlement focused on the still at that time extant prehistoric earthworks. The full extent of this settlement is unknown the closest recorded feature is located 100m to the north of the application site. The full extent of settlement along Walton Street during the medieval period is unknown the available information suggests that the application site was located within open fields during this time, however by the 18th century there was settlement activity along Little Clarendon Street when villas and associated formal garden plots are shown at the western end of the street. Furthermore based on Bernard De Gomme's 1644 map of the Royalist Civil War defences of Oxford the projected line of the defences runs through or close to the application site.

45. Having reviewed the Archaeological Desk Based Assessment submitted with the application, officers consider that any archaeological impacts could be dealt with by imposing two conditions. The first requiring a demolition statement to ensure that the demolition works are undertaken in a way that avoids unnecessary below ground impacts to archaeological remains, and another that secures a written scheme of investigation to be carried out.

Biodiversity

46. Officers consider that there is not a reasonable likelihood of protected species or habitats being impacted by the proposals. A Bat Survey Report was provided which identified that the existing tree on site does not have suitable space for bats.
47. However, the National Planning Policy Framework and Oxford Core Strategy Policy CS12 both make clear that opportunities should be taken to include features beneficial to biodiversity within new developments. As such the site and development offer an opportunity for enhancements, and therefore a condition should be imposed which seeks details of these measures. The measures could include the provision of bat roosting devices and swift roosting devices.

Sustainability

48. A Sustainability Energy Strategy has been submitted with the application in accordance with the requirements of Sites and Housing Plan Policy HP11 and Core Strategy Policy CS9.
49. The energy strategy indicates that the building will be designed to reduce energy demand, reduce heating and cooling loads, and maximise the reclaiming of energy by ensuring compliance with current Building Regulations, improving the thermal fabric elements, implementation of efficient and well controlled heating, cooling and ventilation services and low energy lighting linked to controlling energy demand. The strategy sets out that this aspect of the scheme will be further developed through the detailed design stages of the project.

50. Therefore officers would recommend imposing a condition which requires approval of the detailed design of the sustainability measures for the building in accordance with the above-mentioned policies.

Other Matters

51. Contaminated Land: A Phase 1 and 2 site investigation has been submitted, which was limited to 3 soil sample locations, and did not include the entire area for the proposed development. The investigation found that there was elevated lead found in one sample (IP04) and elevated dibenzo (ah) anthracene generally in the made ground. The report recommends further sampling is undertaken on site to better characterise the ground conditions and potential risks across the development site. This will help to determine whether mitigation measures will be necessary in the soft landscaped areas. Officers would agree with the recommendations for additional sampling and updated conceptual site model and risk assessment to inform any remediation requirements. This should be secured by condition.

52. Noise: A Noise Assessment has been submitted with the application. Oxford City Council Environmental Health Officers accept, as with other parts of central Oxford that high ambient noise levels preclude the use of opening windows in many cases and proposals will therefore base their proposals around trickle vents and additional ventilation systems either natural or mechanical.

53. Considering the information presented in this report in respect of noise from mechanical plant officers are satisfied, on the understanding that noise levels do not rise above the values stated in this document, that there will be no adverse impact on nearest sensitive receptors.

54. Air Quality: An Air Quality Assessment has been submitted which has considered the impacts of the development. The assessment considers that the operation of the development will not give rise to significant impacts on existing receptors in the vicinity of the development and that it is unlikely that future occupants will be exposed to unacceptable air quality within the two buildings. With respect to impacts from construction works, it is recommended that a construction environmental management plan is secured by condition.

55. Fire Service: The Oxfordshire County Council Fire and Rescue Service have indicated that there is likely to be a requirement to provide fire hydrants within the development site. The number and location of these should be secured by condition.

56. Community Infrastructure Levy: The Community Infrastructure Levy (CIL) is a standard charge on new development. The amount of CIL payable is calculated on the basis of the amount of floor space created by a development and applies to developments of 100 square metres or more. Based on the floor area of the proposed development the proposal will be liable for a CIL payment of £348,684.75.

Conclusion:

57. The proposal is considered to be acceptable in terms of the aims and objectives of the National Planning Policy Framework, and relevant policies of the Oxford Core Strategy 2026, Sites and Housing Plan 2011-2026, and Oxford Local Plan 2001-2016 and therefore officer's recommendation to Members would be to approve the application.

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.

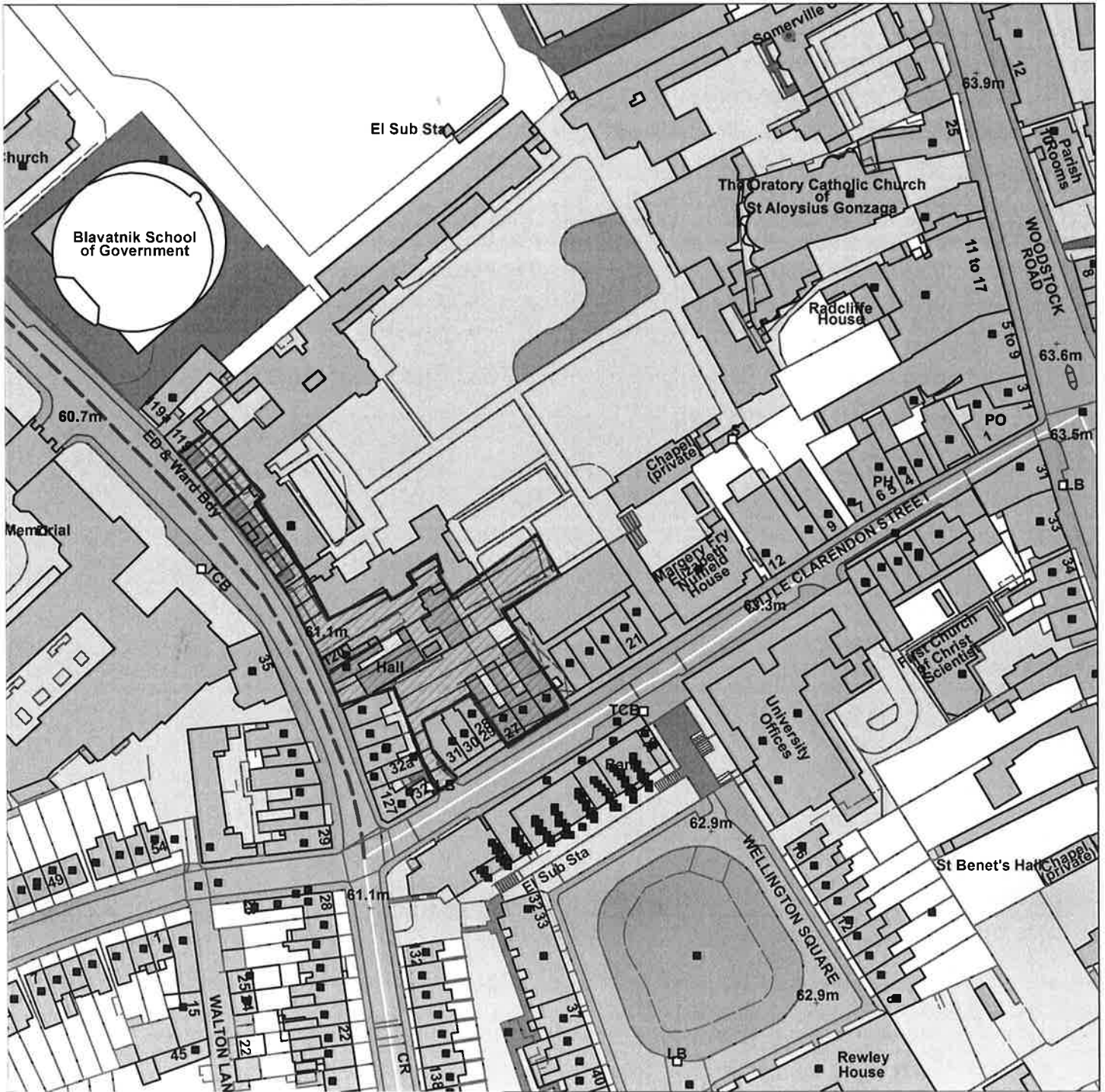
Contact Officer: Andrew Murdoch

Extension: 2228

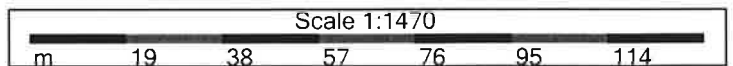
Date: 24th February 2017

Appendix 1

Somerville College 16/03062/FUL



1:1470



Organisation	Oxford City Council
Department	City Development
Comments	Not Set
Date	06 March 2017
SLA Number	100019348

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11 July 2016

Huw Mellor
 Kemp and Kemp
 1-3 Ock Street
 Abingdon on Thames
 OX14 5AL

Our reference: DCC/0770

Oxford City Council: Somerville College

Dear Huw Mellor,

Thank you for providing the opportunity for the Oxford Design Review Panel to advise on the proposals for the Catherine Hughes building (Phase 1) by Somerville College and Shaw Lefeyre building (Phase 2) by Shirehall at the Design Review on 23 July 2016. The collaboration between the clients to develop and deliver these schemes through a joint planning application is to be commended.

Summary (Catherine Hughes and Shaw Lefeyre proposals)

New student accommodation on the sites at Walton Street and Little Clarendon Street provides the opportunity to enhance the built character and vibrancy of this part of Oxford. The demolition of existing buildings to enable the College and Shirehall to achieve this ambition is potentially justified by the quality of the proposals, as evidenced by the street views of both buildings that demonstrate a sound approach to the height and massing.

The Catherine Hughes building mediates the transition between the civic and residential characters along Walton Street. However, the north-facing rooms and the buildings overshadowing of the adjacent open spaces are issues that need addressing through detailed daylight analysis, which could lead to the conclusion that the site needs to be developed less intensively.

The design of the Shaw Lefeyre building as a background building is on the right path, however the thinking and detail of this building are not yet fully developed, particularly in terms of its elevational treatment. The input of a landscape architect is urgently needed, to help ensure the shared courtyard between the proposed Catherine Hughes and Shaw Lefeyre buildings is safe and welcoming for students.

We recognise the community value of Bedford House, and the council's ambition to retain the building on this basis. However, to improve the character of Walton Street and provide more

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facilities for the College or the local community, redeveloping this site could prove more beneficial in the long term.

Relationship to the wider context

Somerville College, with its exceptional historic and contemporary buildings, and its plans for further growth, makes a significant contribution to the city of Oxford. The proposals are in keeping with the College's ambition to create buildings and spaces that contribute positively to the evolving character of the local area.

Good pedestrian connections into the city from both schemes have been achieved in these proposals. To strengthen way-finding, we suggest looking for opportunities to further strengthen the character of the edges of the campus, and enhance views and pedestrian routes into and across it. In the current proposal, the layout of pedestrian routes creates some key views to buildings, but a clearer indication or view of the buildings and open spaces that lie beyond would also be helpful for way-finding. For instance, there is no indication that the Fellows Garden can be accessed from Walton Street. We encourage the creation of a varied and informal character to the College in this part of Oxford, in contrast to its Woodstock Road character. This could be achieved not only in the architecture of the new buildings, but also in hard and soft landscaping and boundary treatments on Walton Street, for example with a shared surface and new trees. Green walls on the buildings could be a modern interpretation of the existing hedges along the street, which could also help in the transition from civic to residential buildings. Given the increasing vehicular and pedestrian traffic in this area, due to the developments within the Radcliffe Observatory Quarter and Jericho Conservation Area, we recommend that the city council develops a strategy to manage movement on Walton Street.

Landscape

The external spaces alongside the proposed buildings are concerning as currently they have no defined character or purpose, and appear to be leftover spaces from the buildings. We strongly recommend using the expertise of a landscape designer to work with the architects to give definition to these spaces, and to ensure pleasant and safe outdoor environments for students and staff, incorporating strategies for lighting, use of external spaces, and careful choice of tree species.

Removing the existing Sycamore tree on the site appears appropriate given its age and location. To help strengthen identity of the site, new trees which are smaller in size and distinctive in appearance could be incorporated in key locations. We would also suggest incorporating more vegetation across the sites, using green roofs for example, particularly over lower roofscapes to avoid unpleasant views from rooms onto roofs.

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Shared courtyard between the Catherine Hughes and Shaw Lefeyre buildings

The small size of the courtyard, its use for cycle storage and the access and service requirements of the buildings surrounding it make the space feel overcharged and present challenges to creating an attractive and pleasant entrance space. We urge the design team to look for ways to make this space feel larger and less cluttered, by relocating some of the cycle parking for instance. Cycle parking could be provided elsewhere on the masterplan or in the basement of the blocks, for example. We understand that covered bike storage helps make cycling comfortable, but are concerned that roofs over the bike racks would make the courtyard look and feel more cramped.

Catherine Hughes Building (Phase 1)

Site layout, height and massing

The Catherine Hughes building makes the most of the available space on the site. However, there seems to be poor levels of daylight to some external and internal spaces, specifically the external spaces to the north of the Catherine Hughes building, and rooms looking onto this space from both the existing and proposed buildings. To address these issues, a detailed daylight analysis is required and the possibility of developing the site less intensely should be explored. The efforts to allow light into the internal spaces, through the stepped roofline and dormer-like windows and the glazed stair cores help to create more pleasant sun-lit spaces are welcome. In townscape terms, we are convinced by the placement of the building's west façade at back-of-pavement line, to line with the Co-op building on the corner of Walton Street and Little Clarendon Street.

Bedford House

We acknowledge the ambition of the council to retain Bedford House given the townscape value of the building and open space that is currently used by local people. In our view, there are greater benefits in removing the building given its unlisted status, and because a new building in this location would enable a more efficient use of this part of the site for the college and/or community, and a better street frontage.

If Bedford House is retained, we would recommend community or college uses that directly relate to Somerville College and its students, such as a gym. We question the suitability of a nursery in this building, particularly given the access and vehicular drop off at this point will be awkward and the overshadowing of the open space in front of the building. It would be worth engaging further with the local community on the character and use of Bedford House to help ensure the proposals for the building and open space also respond to their needs and concerns.

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Ground floor

In our view, a more active internal use is needed for what is planned to be a ground floor seminar room, in order to better activate Walton Street. Views into and out of the seminar room are likely to be periodic, depending on the usage of the meeting room, whereas a porters lodge or a community room would be more outward facing in terms of its operation. To provide views along Walton Street and to the pedestrian entrance into the site, glazing at the corners of the building at ground floor level could be explored. We suggest looking for ways to improve privacy for bedrooms at ground floor in the building design.

Elevations

The elevational design of the Catherine Hughes buildings responds well to the street and neighbouring buildings. The details of the fenestration and brickwork, along with other features, give the appearance of an attractive, characterful and robust building. The use of metals and other materials with golden tones work well in creating a coherent look and feel in relation to other Somerville College buildings. To strengthen the character and integrity of Catherine Hughes building, we suggest enhancing the distinction from the existing Penrose building, for example in the choice of brick.

Internal environment

Within the building, strong visual connections with the outdoors have been created by views from the internal corridors and glazed stair cores. To ensure appropriate internal living conditions for students, testing of the levels of daylighting for rooms facing north and overheating to glazed cores is strongly recommended. The team should consider how changes to the internal layout could help address these issues, for example, relocating the internal corridor to the north and moving the rooms to the south to increase daylighting to rooms. We suggest reconsidering the use of floor-to-ceiling height windows, which exposes clutter in the rooms and would not provide significantly more daylight, for example those facing the Fellows Garden.

Shaw Lefeyre Building (Phase 2)

Site layout, height and massing

The overall design approach to the Shaw Lefeyre building has promise but needs developing. The retention of the retail spaces on the ground floor provides active frontages along Little Clarendon Street and the part demolition of the existing building creates new student accommodation in this location. The proposed height and massing of the Shaw Lefeyre building works well in its context and the views of the building from Little Clarendon Street appear appropriate. We strongly recommend using the internal building uses and treatment of the

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external landing to further strengthen the connection that has been created with the proposed external staircase between the Shaw Lefeyre and Vaughn buildings. Currently, the Shaw Lefeyre building does not appear to relate well to the Fellows Garden, in terms of access and the entrance lobby on the ground floor. Continued development of the design in relation to the courtyard is recommended.

Elevations

The proposed approach taken to create an architectural 'backdrop' to the existing buildings appears suitable for this site and building. The design team have started to achieve this look and feel in the treatment and materiality of the proposed building. We suggest continuing to draw cues from the existing context, to ensure the building responds well to its surroundings and recommend a stronger rationale for the fenestration, as the proposed window placement currently appears somewhat incidental and sizes could be more generous. To satisfy the local planning authority requirement for a high quality building, more detailed drawings and all building elevations are needed.

Internal layout

To help simplify the room layout and provide more equally sized rooms, some of which seem small, we suggest continuing to develop the internal layout.

Servicing

Across both the Catherine Hughes and Shaw Lefeyre buildings, we welcome the ambition to hide the external servicing to reduce excess clutter and storage. To provide a more efficient use of space across both sites and for a more sustainable approach to servicing, it is recommended that efforts are made to overcome the barriers to providing a single shared CHP to serve both blocks.

Yours sincerely,



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cc (by email only)

Andrew Parker	Somerville College
Kevin Minns	Shirehall
Niall McLaughlin	Niall McLaughlin Architects
Alastair Browning	Niall McLaughlin Architects
Nick Caldwell	Oxford Architects
Brian Donnelly	Oxford Architects
Sue Ilman	Ilman Young
Richard Todd	Bidwells
Felicity Byrne	Oxford City Council
Gill Butter	Oxford City Council

Review process

Following a site visit, and discussions with the design team and local authority, the scheme was reviewed on 23 July 2016 by Joanna van Heyningen (chair), Jessica Byrne-Daniel, Paul Appleby, Sophia de Sousa, Dan Jones and Clare Wright. These comments supersede any views we may have expressed previously.

Confidentiality

Since the scheme is not yet the subject of a planning application, the advice contained in this letter is offered in confidence, on condition that we are kept informed of the progress of the project, including when it becomes the subject of a planning application. We reserve the right to make our views known should the views contained in this letter be made public in whole or in part (either accurately or inaccurately). If you do not require our views to be kept confidential, please write to cabe@designcouncil.org.uk.

West Area Planning Committee

14th March 2017

Application Number: 16/03189/FUL

Decision Due by: 10th February 2017

Proposal: Demolition of existing public house. Erection of a four storey building to create 7 flats (5 x 2-bed and 2 x 1-bed flats (Use Class C3)). Provision of bin and cycle store.

Site Address: 8 Hollybush Row Oxford OX1 1JH

Ward: Carfax Ward

Agent: Mr H Venners

Applicant: Linea OX1 Ltd

Recommendation:

The West Area Planning Committee is recommended to GRANT planning permission for the reasons below, subject to conditions and the satisfactory completion of a Section 106 agreement to secure a contribution to affordable housing and to delegate authority to the Head of Planning and Regulatory Services to issue the permission

Reason:

- 1 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 plns
- 3 Variation of Road Traffic Order Hollybush Row,
- 4 Materials as approved
- 5 Salvage of material
- 6 Screening
- 7 Construction Traffic Management Plan
- 8 Contaminated Land - Watching Brief
- 9 Surface Water Drainage Statement
- 10 Surface Water Drainage Maintained

- 11 Cycle storage
- 12 Bin Storage
- 13 Energy efficiency
- 14 Archaeological Investigation

Main Local Plan Policies:

Oxford Local Plan 2001-2016

- CP1** - Development Proposals
- CP10** - Siting Developmnt to Meet Functionl Needs
- CP11** - Landscape Design
- CP13** - Accessibility
- CP19** - Nuisance
- CP21** - Noise
- CP22** - Contaminated Land
- CP6** - Efficient Use of Land & Density
- CP8** - Design Developmt to Relate to its Context
- RC18** - Public Houses
- TR3** - Car Parking Standards

Core Strategy

- CS10_** - Waste and recycling
- CS11_** - Flooding
- CS18_** - Urb design, town character, historic env
- CS23_** - Mix of housing
- CS24_** - Affordable housing

Sites and Housing Plan

- HP11_** - Low Carbon Homes
- HP12_** - Indoor Space
- HP13_** - Outdoor Space
- HP14_** - Privacy and Daylight
- HP15_** - Residential cycle parking
- HP16_** - Residential car parking
- HP4_** - Affordable Homes from Small Housng Sites
- HP9_** - Design, Character and Context

Other Material Considerations:

- National Planning Policy Framework
- Planning Practice Guidance
- Balance of Dwellings Supplementary Planning Document
- Affordable Housing and Planning Obligations Supplementary Planning Document

Relevant Site History:

15/02694/FUL - Demolition of existing public house. Erection of four storey building to provide 5 x 1-bed and 2 x 2-bed flats (Use Class C3). Provision of private amenity space, bin and cycle storage. Permission 27th May 2016.

16/01541/FUL - Demolition of existing public house. Erection of four storey building to provide 5 x 2-bed and 2 x 1-bed flats (Use Class C3). Provision of private amenity space, bin and cycle storage. Current Appeal against Non-determination

16/01655/VAR - Variation of condition 2 (approved plans) of planning permission 15/02694/FUL to allow amendments to approved plans including insertion of windows to south elevation, alteration to window position on front elevation, amendments to internal layout and amendments to bin and cycle store to provide individual store.. Pending consideration

15/02694/CND - Details submitted in compliance with conditions 5 (Sample materials), 6 (Existing materials), 9 (Construction Traffic Management Plan) and 12 (Drainage) of planning permission 15/02694/FUL. Approve 24th October 2016..

15/02694/CND2 - Details submitted in compliance with conditions 7 (Development to salvage existing material) and 11 (Details of underground services and soak) of planning permission 15/02594/FUL.. Approved 24th October 2016.

Representations Received:

No public comments received.

Statutory and Internal Consultees:

North Hinksey Parish Council: No response received.

Highways Authority: No objection subject to conditions; site in highly accessible location and should be car free; flats should be excluded from CPZ; adequate bin and bike storage provided; construction traffic management plan required given city centre location.

Archaeologist: No objection subject to condition to ensure written scheme of investigation prior to commencement of works.

Land Quality Officer: No objection subject to condition for watching brief.

Flood Risk and Drainage Officer: No objection subject to condition to ensure that development carried out in accordance with surface water drainage details.

Issues:

Principle of Development
Scale and Design

Quality and mix of residential units
Affordable housing
Parking and transport
Impact on neighbouring properties
Other Matters

Officers Assessment:

Site Description and Surrounding Area

1. The application site and its surroundings fall within the city centre and the West End (city centre commercial area) as depicted on the Local Plan Policies Map. The site falls within the Carfax ward. The area is of a predominantly mixed-use in character, a built form comprising of both two and three storey buildings, ranging from terrace to detach. A character appraisal reveals that buildings in the locality are not necessarily uniform in architectural style, with disparities shown by way of detailed fenestration and use of materials, building heights, roofshape/roofslope.
2. The site comprises a closed public house known as 'The Adventurer', a partly two-storey, partly single-storey building. The building comprises a roof-shape that is pitched with two end-gables, constructed of glazed red brick, dark grey plain roof tiles, and painted timber cladding. The upper floor has three windows with a painted pebbledash finish to the upper floor elevation. The fascia is full-width with brackets.

Proposed Development

3. Permission is sought for the replacement of the existing public house with a contemporary four-storey building containing 7 flats (5.No, 2-bed and 2.No. 1-bed self-contained flats), to include provisions for internal bin and bicycle storage.
4. The proposal differs from the previously consented scheme in the following:
 - New windows to southern elevation
 - Increased and depth of upper storey
 - Creation of new bin and bicycle storage spaces to ground floor rear
 - Reconfiguration of units and terraces to upper floors
 - Realignment of windows on elevations

Principle of Development

5. The principle of development has been established by the previous planning permission which is extant and is therefore a material consideration in the determination of this application. The previous permission established the acceptability of the demolition of the building, the loss of the public house and the creation of residential units on this site. It is not considered that there has been any change planning policy or circumstance since that decision. The principle of development is considered acceptable and complies with policies RC18, CP1 and CP6 of the Local Plan.

Design and Scale

6. As noted above, the demolition of the building and the overall design approach of the replacement building have been accepted under the previous planning permission. Conditions are recommended to ensure that the development is carried out in accordance with previously approved document on the salvage of existing materials at the site.
7. The changes to the design proposed under the current building are considered acceptable. The increase in height and depth would be very modest in the context of the overall building. The new building would remain subordinate to the neighbouring block at King Charles House and the changes would not make it overly visually prominent in the context of the surrounding area.
8. The changes to the rear of the building at the ground floor and upper floors would not harm the visual appearance of the area. The high boundary walls and relationship to surrounding development will mean that these changes are not readily visible from outside the site. The minor changes to the fenestration on the front elevation would respect the overall form of the building and the context. The introduction of new windows on the southern elevation are small in scale and set back from the main facades of the building. Although the side elevation of the building would be visible in public realm the new windows would not detract from the overall visual amenity of the area.
9. The details of the materials for the building have been previously approved as part of the conditions for the original planning permission. Conditions are recommended to be attached to the current application to ensure that the build is carried out in accordance with these details.
10. The design and scale of the building would comply with the relevant policies of the Local Plan, Sites and Housing Plan and Core Strategy.

Quality and mix of residential units

11. The mix of the proposed residential units remains the same as in the existing permission. There is no specific requirement for mix of units in small developments within the City Centre. The proposed mix therefore complies with policy CS23 and the Balance of Dwellings Supplementary Planning Document.
12. The proposed residential units would all have internal space standards in excess of the minimums set out in the Nationally Described Space Standard. They provide a good standard of internal accommodation. All units have access to private external amenity space. The space provided is acceptable for the size of units in a city centre location. The proposed units comply with policies HP12 and 13 of the Sites and Housing Plan.

Affordable housing

13. Policy HP4 requires small sites such as this to make a financial contribution towards the provision of affordable housing within the city. The application was originally submitted with information seeking to demonstrate that the scheme would not be viable if any affordable housing contribution was made.
14. This viability information has been independently reviewed on behalf of the Council. The conclusion of that review is that the scheme can support a fully policy compliant affordable housing contribution. Following that review, the applicant has now agreed to enter into a legal agreement to provide an affordable housing contribution in line with policy HP4. The application is recommended for approval subject to the legal agreement being completed.

Parking and transport

15. No car parking is proposed with the application. Given the city centre location, this is acceptable and replicates the extant permission. A condition is recommended to ensure that the development is excluded from the Controlled Parking Zone to make sure that the development does not add pressure to parking in the local area.
16. Individual bike storage is provided for each unit. The storage would be secure and covered. A condition requiring it to be built prior to occupation is recommended. A further condition is recommended to ensure that the development is carried out in accordance with the approved Construction Traffic Management Plan. Subject to these conditions, the proposal would comply with policies TR3 of the Local Plan and HP15 and HP16 of the Sites and Housing Plan.

Impact on neighbouring properties

17. The impact on the adjoining properties was fully considered as part of the previous application. The changes to the building would not create any additional harmful impacts to neighbouring sites. As noted above, the changes to height and footprint are modest and remain subordinate to surrounding buildings. There would be no loss of light nor overbearing impact to neighbouring sites. The introduction of windows to the side elevation would look towards neighbouring properties, the distance involved and small size of the windows would prevent any material loss of privacy. Overall, the proposals comply with policy HP14 of the Sites and Housing Plan.

Other Matters

18. The application is considered acceptable in relation to contaminated land and archaeology subject to the recommended conditions. The site lies in Flood Zone 1 and is not at a high risk of flooding. The scheme is acceptable subject to the recommended conditions to ensure that surface water drainage is dealt with correctly.

Conclusion:

19. The Committee are recommended to Grant planning permission for the reasons set out in the report above, subject to the recommended conditions and the legal agreement to secure an affordable housing contribution.

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:

Contact Officer: Sian Saadeh

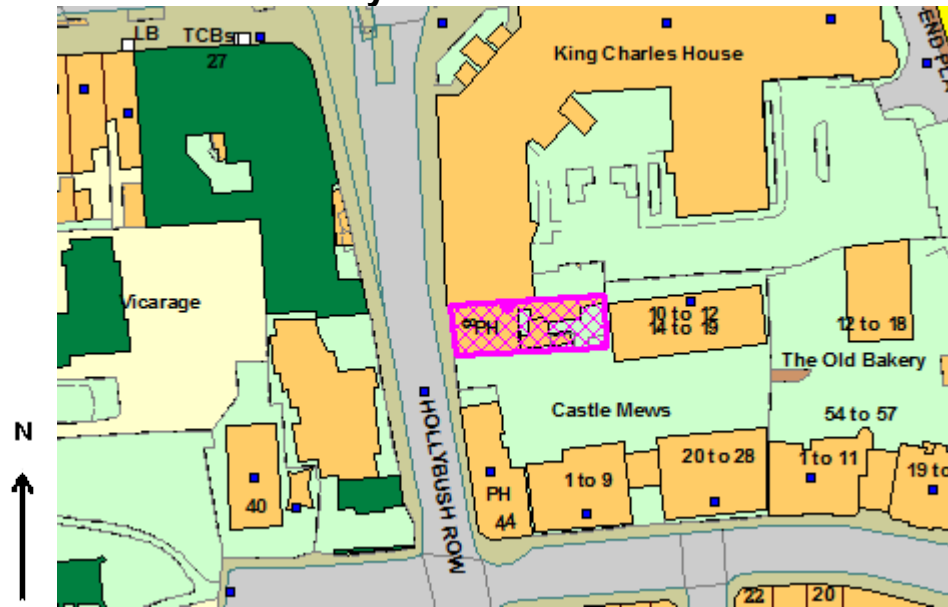
Extension: 2809

Date: 3rd March 2017

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Appendix 1

16/03189/FUL - 8 Hollybush Row



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Ordnance Survey 100019348

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West Area Planning Committee

14th March 2017

Application Number: 16/02293/FUL

Decision Due by: 27th October 2016

Proposal: Demolition of existing building. Erection of a part two, part three storey building with basement to provide 1 x 2-bed and 8 x 1-bed apartments.(Amended plans)

Site Address: 40 St Thomas Street Oxford OX1 1JP

Ward: Carfax Ward

Agent: Mr Alex Cresswell

Applicant: RHHS Repository Limited

The application is before the Committee because the number of residential units that are proposed means that it cannot be dealt with as a delegated decision.

Recommendation:

West Area Planning Committee is recommended to refuse the application for the following reasons:

For the Following Reasons:-

- 1 The proposed development, by virtue of its prominent siting, its increase in visual mass and its radically different external appearance that fails to adequately consider the context of the surrounding area would represent an alien and visually jarring addition to the streetscene as well as harm the setting of the nearby Listed Buildings (and in particular, the Church of St Thomas the Martyr and Coombe House). The development also fails to provide any landscaping that would soften the appearance of the development or contribute positively to the overall appearance of the site. As a result the development is contrary to Policies CP1, CP8, CP11 and HE3 of the Oxford Local Plan 2001-2016.
- 2 The application seeks the development of more than three dwellings; as a result a financial contribution is required towards the provision of affordable housing as set out in Policy HP4 of the Sites and Housing Plan (2013). The applicant has indicated that they are not willing to provide a financial contribution. The development also fails to provide any on-site provision of affordable housing and no evidence has been provided to indicate that on-site provision or a financial contribution towards affordable housing would make the scheme unviable. As a result, the development is contrary to Policy HP4 of the Sites and Housing Plan (2013) and Policy CS24 of the Core Strategy (2011).

- 3 The proposed shared outdoor amenity space that is proposed for the occupiers of the flats would be unacceptable for the number of flats it would serve and would provide a cramped and largely overlooked area that would have a very inconvenient and indirect access from the majority of dwellings in the building. As a result, the proposed development fails to provide acceptable provision of outdoor amenity space as required by Policy CP10 of the Oxford Local Plan 2001-2016 and Policy HP13 of the Sites and Housing Plan (2013).
- 4 The existing building is in use as a nursery which is considered to be a community facility for the purposes of Policy CS20 of the Core Strategy (2011). There is no information provided with the application to show that an alternative facility exists within equally accessible distance by walking, cycling and public transport. As a result, the development is contrary to Policy CS20 of the Core Strategy (2011).

Main Local Plan Policies:

Oxford Local Plan 2001-2016

HE3 - Listed Buildings and Their Setting

HE2 - Archaeology

CP1 - Development Proposals

CP6 - Efficient Use of Land & Density

CP8 - Design Development to Relate to its Context

CP10 - Siting Development to Meet Functional Needs

CP11 - Landscape Design

CP13 - Accessibility

CP19 - Nuisance

CP20 - Lighting

CP21 - Noise

Core Strategy

CS2_ - Previously developed and greenfield land

CS9_ - Energy and natural resources

CS10_ - Waste and recycling

CS11_ - Flooding

CS12_ - Biodiversity

CS17_ - Infrastructure and developer contributions

CS18_ - Urban design, town character, historic environment

CS20_ - Cultural and Community Facilities

CS23_ - Mix of housing

CS24_ - Affordable housing

Sites and Housing Plan

HP2_ - Accessible and Adaptable Homes

HP4_ - Affordable Homes from Small Housing Sites

HP9_ - Design, Character and Context

- HP10_ - Developing on residential gardens
- HP11_ - Low Carbon Homes
- HP12_ - Indoor Space
- HP13_ - Outdoor Space
- HP14_ - Privacy and Daylight
- HP15_ - Residential cycle parking
- HP16_ - Residential car parking

Other Material Considerations:

National Planning Policy Framework
Planning Practice Guidance

Legal Agreements and CIL

An affordable housing contribution would be required for this development in order that it would accord with Policy HP4 of the Sites and Housing Plan (2013). Further consideration of this is set out in the report.

Relevant Site History:

10/00522/FUL - Installation of 8M x 5M shade sail. - PER

15/02403/FUL - Retention of existing use as a day nursery (Use Class D1) on a permanent basis. – PER

Statutory and Internal Consultees:

Oxfordshire County Council: No objections subject to adequate provision of cycle parking, the submission of a Construction Traffic Management Plan and a condition to ensure that future occupiers are no eligible for parking permits.

Representations Received:

St Barnabus Vicarage, comment in support:

- Development would represent opportunity to develop church land
- Support the development of this site which would allow for the development of Galilee rooms site

Officers Assessment:

Site Description

1. The application site is at the end of St Thomas Street adjacent to St Thomas' Church, Hollybush Lodge and Coomb House (a former schoolhouse), these buildings are Grade II Listed. At the rear of the site is student accommodation (built for Brasenose College) and the vicarage for St Thomas' Church. There is a wall in front of Hollybush Lodge that is also listed in its own right. To the south of the application site there is a three storey brick built modern apartment building.
2. The application site itself contains a two storey 1970s building that is in use as a nursery (Use Class D1). The building itself has a low pitched roof and is clad with tiles; there is a large external staircase at the front of the building and a canopy that covers the adjacent small playground area at the front. The boundary at the front of the building is a low natural stone

wall; there are some shrubs and trees along the western boundary of the site and at the northern end of the site.

3. The area around the application site is characterised by a mix of uses and properties. Despite its central location it retains a peaceful and pleasant character which contributes positively to the setting of the Church and Coombe House.
4. The application site lies outside of the Central (University and City) Conservation Area.

Proposed Development

5. Planning permission is sought to demolish the existing building on the site and erect a three storey (plus basement level) building to contain nine flats. The basement level is proposed to be used for storage, laundry and plant rooms with the nine apartments arranged over three floors. Eight of the proposed flats would be one bedroom units and a further two bedroom flat is proposed at the ground floor.
6. Part of the application proposes the relocation of the existing nursery to a building that falls within the ownership of the church. However, there is no extant planning permission for that building to be used as a nursery, the building lies outside of the application site and there is no legal agreement in place to ensure that the nursery use is re-provided.

Issues

- Officers consider the main issues in determining this application are:
- Principle
- Affordable Housing Contribution
- Design
- Impact on Listed Buildings
- Impact on Neighbouring Residential Amenities
- Access and parking
- Flooding and surface water drainage
- Biodiversity

Principle of Development

Location of Development

7. The application site lies within the City Centre as defined in Policy CS1 of the Oxford Core Strategy (2011). City Centre sites are considered suitable for a range of uses and high density development, subject to the need to protect and enhance the character and setting of Oxford's historic core and to deliver high quality public realm. The application site is considered to constitute previously developed land for the purposes of the National Planning Policy Framework (NPPF) and Policy CS2 of the Core Strategy; previously

developed land should be the main focus of development subject to design and other considerations. The proposed development would involve increasing the efficient use land by providing a more high density use on the site; this approach is generally supported by Policy CP6 of the Oxford Local Plan 2001-2016. As a result, officers recommend that the proposed development is acceptable in terms of the location of the development and the requirements of Policy CS1 and CS2 of the Core Strategy (2011).

Loss of Community Facility

8. The existing building is in use as a nursery which is considered to be a community facility for the purposes of Policy CS20 of the Core Strategy (2011). The policy requires that such facilities can only be lost if equivalent new or improved facilities can be provided at a location equally or more accessible by walking, cycling and public transport. Although the submitted planning statement makes reference to another site being in control of the landowner that can be used to re-provide the existing nursery use there is no extant planning permission for that building to be used in that way. As a result, officers recommend that the proposals fail to meet the requirements of Policy CS20 of the Core Strategy (2011) and this should form a basis of refusal.

West End Area Action Plan

9. The application site lies within the West End Area Action Plan (AAP) area. The application site is not identified for any specific uses within the AAP and the development proposed would not prejudice any specific redevelopment sites that are identified.

Balance of Dwellings

10. The application site lies in the City Centre where there is no specific requirement to provide a mix of dwellings sizes on sites for 9 or fewer residential units. The proposed development would not result in the loss of any family dwellings. The proposed development therefore meets the requirements of Policy CS23 of the Core Strategy (2011) and the Balance of Dwellings Supplementary Planning Document (SPD).

Affordable Housing

11. Policy HP4 of the Sites and Housing Plan (2013) requires that on sites of between four and nine dwellings the Council requires that developments provide a financial contribution towards affordable housing. Alternatively, there is scope in some circumstances to provide on-site affordable housing provision on small sites. A reduced contribution or no contribution can be considered acceptable where the Council is satisfied that is evidence to suggest that it would make the development unviable.
12. This application does not propose to provide a financial contribution towards affordable housing or provide any on-site provision. There has also been no evidence relating to viability submitted with the application.

Instead, the submitted design and access statement states that no contribution is required as a result of the National Planning Policy Guidance which requires that no contributions towards affordable housing can be sought from developments of ten units or less (or which have a maximum combined gross floorspace of no more than 1000sqm). Officers recommend that this position is not accepted and an affordable housing contribution should be required; the absence of a contribution (or viability evidence to demonstrate a lack of viability) is recommended as a reason for refusal. Officers have informed the applicant's agent that we would require an affordable housing contribution and they have confirmed (on behalf of their client) that they are not willing to provide one. The development is therefore contrary to Policy CS24 of the Core Strategy (2011) and Policy HP4 of the Sites and Housing Plan (2013). This forms a recommended reason for refusal as set out above.

13. It is important to provide more clarification of the affordable housing policy context with specific consideration to the changes to national policy and our own position. Officers have included an extract below from the recent report to Council (25th July 2016); this dealt specifically with affordable housing and the revisions to the National Planning Policy Guidance. This position reflects the recent Court of Appeal Decision where the changes to national policy requiring that there are no contributions towards affordable housing from small sites were considered. :

Officers are of the view that being the most unaffordable area of the Country coupled with a higher than normal dependence upon smaller sites must be precisely the sort of local circumstances contemplated by the Secretary of State as justifying departure from his national policy.

The Council will continue to determine applications for planning permission in accordance with the development plan unless material considerations indicate otherwise. It will specifically take account of national policy as to affordable housing contributions from smaller sites and the vacant building credit and the scope for exceptions justified by local circumstances.

The decision as to the weight to be applied to the national policy has to be made in the determination of each individual application. On the basis of the evidence as to local circumstances currently available officers are of the view that those circumstances justify the continued application of HP3 and HP4 consistently with the Secretary of State's explanation of his policy's effect.

The Council will also have full regard to the up-to-date evidence with regard to the local situation as well as both the government's National Planning Policy Framework and its Planning Practice Guidance in considering the inclusion of policies relating to the provision of, and contributions to, affording housing in formulating the local plan.

Design and Impact on the Setting of Listed Buildings

Streetscene and Visual Appearance

14. The proposed development would create a building with a substantially greater visual mass in the streetscene. The proposed development would also be sited further forward than the current building on the site. As a result of the introduction of the larger building would intrude on the setting of the adjacent Church of St Thomas the Martyr and Coomb House in particular; whilst also appearing to close the gap at the end of the road which currently has a more open aspect. The result of this change would harm the sensitive historic nature of this location and amount to a visually intrusive change to the setting of the listed buildings.
15. In reaching the above view, Officers have had regard to the existing building on the site which is not a building of particularly high architectural merit. Despite the current building not being particularly sensitively considered in the streetscene or the context of listed buildings it is discretely sited and its visual mass is concentrated in such a way that it does not intrude on the setting of listed buildings.
16. Officers recommend that the design of the building is unacceptable in terms of its impact on the streetscene and setting of listed buildings and this should form a basis for refusing planning permission.

Materials

17. The proposed materials for the development would be grey stone cladding and coloured silicone render panels. Officers have concerns that the appearance of this material would be at odds with surrounding buildings and would compound the harmful impact of the proposed development on the setting of the adjacent listed buildings.

Internal Living Space and Accessibility

18. The proposed development would provide an acceptable amount of internal floorspace that would meet the requirements of the national space standards. Officers also consider that the proposed development would provide an acceptable quality of internal floorspace and is acceptable for the purposes of Policy HP12 of the Sites and Housing Plan (2013).
19. The proposed development would have a sensible internal layout with ground floor flats providing accommodation that may be suitable for occupiers with reduced mobility. Despite a lack of car parking provided with the development the site is in a highly accessible location and in close proximity to the City Centre. As a result, Officers consider that the development would meet the requirements of Policy HP2 of the Sites and Housing Plan (2013) and Policy CP13 of the Oxford Local Plan 2001-2016.

Outdoor Amenity Space

20. A shared amenity space is proposed at the rear of the site. This would be accessed from a shared path around the side of the building. Officers consider that the proposed shared amenity space would be very small, considering it would be shared by nine flats. The amenity space would also be overlooked by a ground floor bedroom which would provide some privacy issues. The proposed amenity space would not be conveniently accessed from any of the flats; none of the flats would benefit from direct access to this space. Officers recommend that the amenity space proposed is not acceptable as a result of its constrained size and accessibility and the development is unacceptable in relation to Policy HP13 of the Sites and Housing Plan (2013).

Refuse and Recycling Storage

21. The proposed development would have refuse and recycling storage provided at the front of the building. This would be screened by the wall at the front of the building. Officers recommend that if planning permission was granted for the development then conditions would be required to ensure that refuse and recycling bins were adequately screened by the boundary and that screening was provided prior to occupation.

Impact on Neighbours

Impact on Light

22. The proposed development would not impact on the light conditions for neighbouring properties, specifically Hollybush Lodge and the adjacent student accommodation (Brasenose College). Parts of the proposed building would impact upon light conditions for some rooms within the modern part of the student accommodation at ground floor level but these rooms would already be impacted by the existing building on the site. The development proposed is therefore acceptable in the context of Policy HP14 of the Sites and Housing Plan (2013).

Impact on Privacy

23. The proposed development has been designed to ensure that it would not lead to direct overlooking into the adjacent student accommodation. Windows on the proposed building would face north, west and south with the exception of a ground floor window. This would ensure that there is no loss of privacy for the adjacent Hollybush Lodge and student accommodation. The vicarage to the north-west and residential buildings to the south would be sufficiently separated from the proposed building to ensure that there would be no loss of privacy.

Access and Parking

Access

24. There is no car parking proposed for the site and no alterations to access

arrangements. The County Council's Highway Officers have raised no objections, subject to conditions relating to the submission of a Construction Traffic Management Plan, ensuring that occupiers are not eligible to parking permits and provision of cycle parking.

Car Parking

25. The proposed development would be car free; this is acceptable in the context of the site being in a Controlled Parking Zone (CPZ) and within the Transport Central Area (TCA). The site has excellent access to public transport and is within very close proximity to Oxford Railway Station. The site is also within walking distance of the City Centre. If planning permission was granted then Officers recommend that a condition would be required to ensure that occupiers are no eligible for parking permits.

Cycle Parking

26. The proposed development would provide cycle parking along the eastern boundary of the site. This area would be covered by upper floors but would not be particularly secure or enclosed. Officers recommend that if planning permission was granted for the development the revised details would be required to provide alternative cycle storage that would meet the requirements of Policy HP15 of the Sites and Housing Plan (2013).

Flooding and Surface Water Drainage

27. The application site does not lie in an area of high flood risk. A detailed drainage strategy has been provided with the application which would be acceptable in the context of Policy CS11 of the Core Strategy (2011). If planning permission is granted then a condition is recommended that would require the development to be built in conformity with the specifications of the submitted drainage strategy (2011).

Biodiversity

28. The application site lies within an urbanised setting and it is considered that the existing building would not lend itself to occupation by bats. However, if planning permission is granted for the development then a condition would be required to ensure that biodiversity enhancements measures are provided in order that the development complies with the requirements of Policy CS12 of the Core Strategy (2011).

Archaeology

29. The site lies in an area where there is archaeological interest. If planning permission is granted then a condition could be required to ensure that a written scheme of investigation is provided and the stone wall at the frontage is retained.

Land Quality

30. Officers recommend that if planning permission is granted then a condition would be required to ensure that adequate survey work is carried out of the site and any subsequent mitigation is carried out prior to occupation.

Conclusion

31. West Area Planning Committee is recommended to refuse the application as a result of its design, impact on the setting of listed buildings, poor quality of outdoor amenity space proposed and a lack of affordable housing contribution.

Human Rights Act 1998

Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to refuse this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection of the rights and freedom of others or the control of his/her property in this way is in accordance with the general interest.

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 refuse planning permission officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Background Papers:

16/02293/FUL

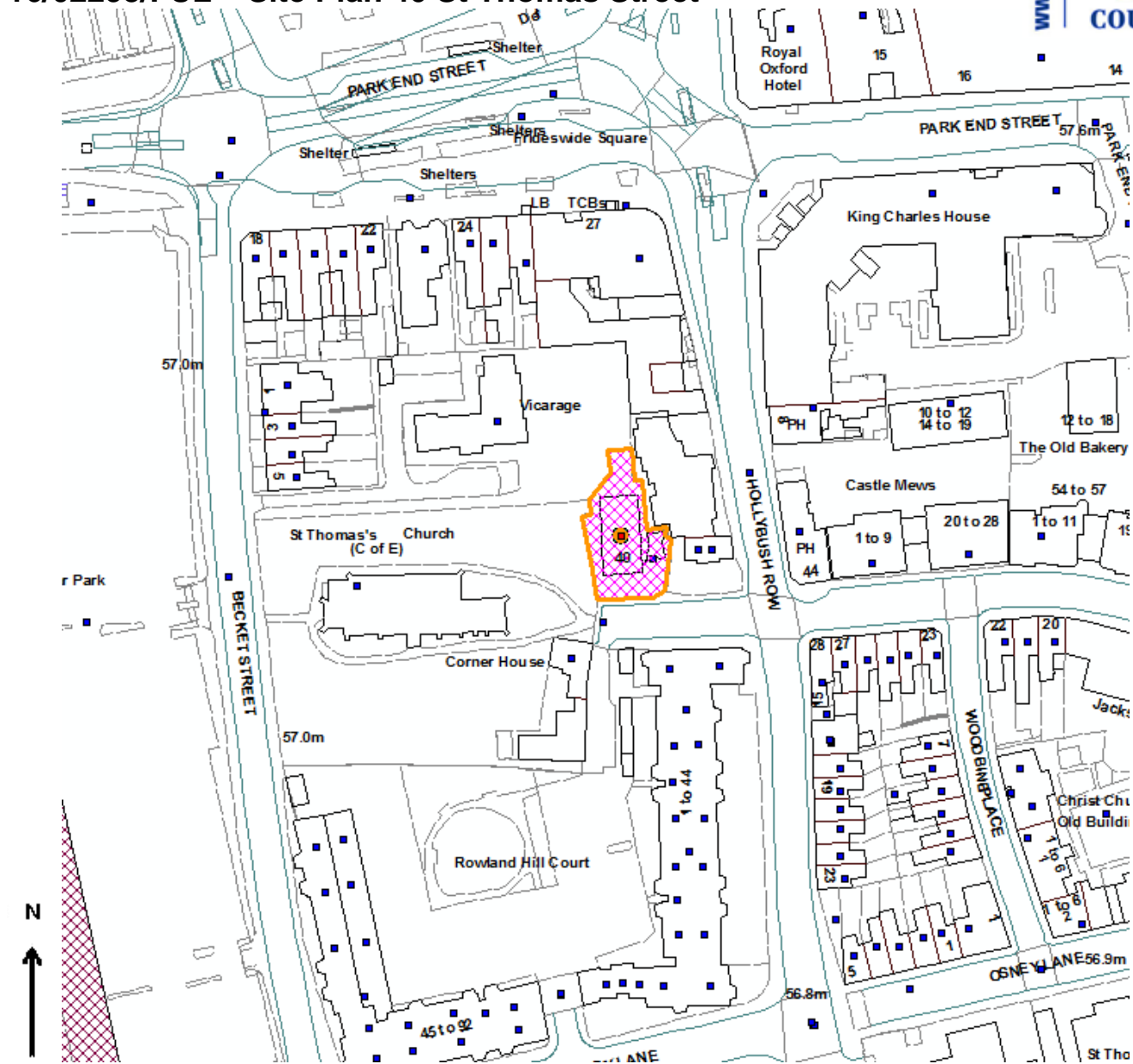
Contact Officer: Robert Fowler

Extension: 2104

Date: 24th February 2017

Appendix 1

16/02293/FUL – Site Plan 40 St Thomas Street



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Ordnance Survey 100019348

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West Area Planning Committee

14th March 2017

Application Number: 17/00188/FUL

Decision Due by: 24th March 2017

Proposal: Erection of part two storey, part three storey, detached building to provide 17 additional bedrooms. Erection of outdoor terrace and platform lift. Alterations to car parking layout.

Site Address: Eastgate Hotel 73 High Street, Oxford **Appendix 1**

Ward: Holywell Ward

Agent: Ms Katie Brown

Applicant: Eastgate Hotel Ltd

Recommendation:

The West Area Planning Committee is recommended to GRANT planning permission for the reasons set out below in the report and subject to the suggested conditions.

For the following reasons:

- 1 The proposed new hotel annexe forms an appropriate visual relationship with the existing hotel building and the surrounding development and would preserve and enhance the special character and appearance of the Central City and University Conservation Area. No objections have been received from third parties or statutory consultees and it is considered that the proposal complies with the policies of the adopted Oxford Local Plan 2001 - 2016, the adopted Core Strategy 2026 and the Sites and Housing Plan 2011-2026.
- 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 in Conservation Area Central City and University,
- 4 Implement archaeological works
- 5 Parking as per plan
- 6 Use of terrace until 21.45 hrs.
- 7 Cycle parking

- 8 Bin stores
- 9 SUDS
- 10 Construction Travel Plan
- 11 No construction during exam period
- 12 Secured by Design
- 13 Sustainable Design and Construction

Main Local Plan 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
- TR3** - Car Parking Standards
- TR4** - Pedestrian & Cycle Facilities
- HE2** - Archaeology
- HE3** - Listed Buildings and Their Setting
- HE7** - Conservation Areas
- TA4** - Tourist Accommodation

Core Strategy

- CS10** - Waste and recycling
- CS20** - Cultural and community development
- CS9** - Energy and natural resources
- CS10** - Waste and recycling
- CS12** - Biodiversity
- CS13** - Supporting access to new development
- CS18** - Urban design, town character, historic environment
- CS19** - Community safety
- CS32** - Sustainable tourism

Sites and Housing Plan

- HP14** - Privacy and Daylight

Other Material Considerations:

National Planning Policy Framework
This application is in or affecting the Central Conservation Area.
Planning Practice Guidance

Legal Agreement and CIL

The proposal is liable for a CIL payment of £13,933.44.

Relevant Site History:

90/00246/NFH - Construction of a 19 bedroom hotel extension block with bathrooms ensuite, incorporating electricity sub-station enclosure and a new lounge/link to existing hotel. PER 5th July 1990.

97/00008/LH - Conservation Area consent for demolition of existing outbuildings.. PER 27th February 1997.

97/00009/NFH - Erection of 4 storey extension at rear to provide additional 19 bedrooms.. PER 27th February 1997.

11/00320/FUL - Erection of 2/3 storey detached building to provide 17 additional bedrooms. Erection of outdoor terrace and platform lift. Alterations to car parking layout.. PER 16th March 2011.

11/00320/CND - Details submitted in accordance with conditions 3 (archaeological mitigation), 4 (exterior materials), 5 (external terrace details), 6 (bin stores), 9 (cycle parking) and 12 (drainage) of planning permission 11/00320/FUL. PER 18th June 2012.

11/00320/CND2 - Details submitted in compliance with condition 10 of planning permission 11/00320/FUL. PER 18th June 2012.

11/00320/NMA - Non material amendment to planning permission 11/00320/FUL to make alterations to the roofline of the 2 storey section to form a lower roof. PER 5th November 2012.

13/02982/FUL - Erection of part two storey, part three storey, detached building to provide 17 additional bedrooms. Erection of outdoor terrace and platform lift. Alterations to car parking layout. PER 23rd December 2013.

13/02982/CND - Details submitted in compliance with conditions 3 (Samples) and 4 (Archaeology Report) of planning permission 13/02982/FUL. SPL 20th October 2016.

Representations Received:

None

Statutory and Internal Consultees:

County Highways – no objections subject to provision of cycle parking

Officers Assessment:

Site Description

1. The Eastgate Hotel is housed in a series of 4/5 storey historic buildings set around the east corner of the junction of Merton Street with High Street. The

application site extends to 0.15 hectares and is the tarmac hotel car park at the rear of the hotel. It is accessed off Merton Street through an archway. It is within the Central and University Conservation Area. Historically the site was rear gardens to properties fronting High Street.

2. The site is not prominent in the street scene: it can be seen through the access archway; from Rose Lane there is a glimpsed view of the site. Through the archway from Merton Street and from the hotel car park there are views of Magdalen College Tower to the east.

Proposed Development

3. The application seeks permission to erect a detached building on part of the existing car park to provide 17 en-suite guest bedrooms; waste, recycling, and cycle storage; an external decked seating terrace; and external platform lift to the terrace. 13 car parking spaces would be retained.
4. The scale of the proposed building is 2½ storeys with rooms in the roof (with dormers). The ridge line is varied to break up the bulk and allow the building to relate to the scale of surrounding buildings. The architecture has a traditional but not pastiche style with simple uncluttered features.
5. It is to be faced with red brick with stone window cills and heads and natural roof slates.

Issues

6. This proposal is identical to proposals approved twice before:
 - 11/00320/FUL approved in March 2011 and subsequently amended by way of a Non-material Amendment (11/00320/NMA) approved in November 2012. All the pre-commencement conditions were discharged by letter dated 18th June 2012. Delays associated with discussions with neighbouring landowners, combined with the need not to carry out construction during the examinations period meant that it was not possible to implement the permission before the expiry of the permission in 2014: a renewal application was therefore submitted in 2013;
 - 13/02982/FUL approved 23rd December 2013, a scheme identical to that approved above but which has not been implemented prior to expiry of the permission.
7. The principal determining issues are:
 - Principle of development
 - Form appearance and impact on the conservation area
 - Archaeology
 - Impact on neighbours
 - Sustainability

Principle of Development

8. There is an acknowledged need for short stay hotel accommodation within the City. Policy CS32 of the Core Strategy (2011) seeks to achieve sustainable tourism by encouraging longer stays and greater spend in Oxford. The amount and diversity of short-stay accommodation to support this aim will be achieved by permitting new sites in the city centre (including the West End) and on Oxford's main arterial roads, and by protecting and modernising existing sites to support this use.
9. Policy TA4 of the Oxford Local Plan 2001-2016 states that permission will be granted for development that maintains, strengthens and diversifies the range of short-stay accommodation provided that a) it is located in the City Centre or on a main route into the City; b) that it is acceptable in terms of access, parking, highway safety, traffic generation, pedestrian and cycle movements; c) part of any existing dwelling to be changed to short stay accommodation is retained for residential use; and d) it will not result in an unacceptable level of noise and disturbance to nearby residents. The hotel is located within the City Centre and Officers are satisfied that the development would be acceptable in terms of its access, parking, highway safety and traffic generation impacts. Adequate measures can be put in place to ensure that the development would not cause a detrimental impact in terms of noise and disturbance.
10. Officers recommend that the development would comply with the requirements of Policy TA4 of the Oxford Local Plan 2001-2016 and Policy CS32 of the Core Strategy (2011). The development is therefore acceptable in principle.

Design

Form appearance and impact on the conservation area

11. The NPPF urges the highest standards of design and the protection of heritage assets. This is echoed in Policy CS18 of the Core Strategy and in more detail in policies CP1, CP6, CP8 and CP10 of the Local Plan.
12. The current proposal originally resulted from a series of pre-application meetings which took place over 2 years in 2009-2011. The scheme approved in 2011 and renewed in 2013, determined an appropriate scale, form and detailing of the development which integrates the new building with the existing hotel and the surrounding area. The new building appears as a subservient addition to the main hotel and as a traditional outbuilding commonly found at the rear of large buildings in the centre of Oxford. As much as possible of the existing views of Magdalen College Tower through the archway on Merton Street is retained.
13. Although it is in a sensitive site in the conservation area and close to heritage assets of national significance, the scheme is discrete and shows proper regard for those assets. Officers are satisfied that the development would not

cause harm to the character, appearance and special significance of the Conservation Area.

14. The scheme has not changed since the 2011 and 2013 approvals and remains in conformity with the Council's relevant adopted design and heritage policies. Following this fresh review of the proposals however, a pre-commencement condition is proposed requiring submission and approval of a landscaping scheme for the retained car park:
 - i. to create a proper courtyard to the rear of the buildings: a public space rather than just a car park particularly in relation to the view from Merton Street; and,
 - ii. to articulate the rationale for the use and appearance of the spaces immediately adjacent to the building (on the north, south and east sides).

Archaeology

15. The site is of interest because it involves groundworks in the vicinity of the medieval town wall, the projected extent of the late-Saxon and later medieval town ditch and the within the extent of medieval suburban settlement located outside the East gate of the walled town. The footprint of the proposed new accommodation block lies within a plot associated with the Trinitarian Friars, who occupied land outside the East Gate in the 13th and 14th century. The footprint also has the potential to preserve remains associated with backyard activity relating to subsequent medieval and post-medieval occupation along Bridge Street (now High Street).
16. An archaeological evaluation at this site by Cotswold Archaeology in 2010 revealed pits of late 13th or 14th-century date located below the depth of the proposed ground beams. Subsequent mid-17th century building remains were recorded at a shallower depth and these may be impacted by the proposed ground beams. No trace of the town ditch was recorded - the 2010 trenches did not however definitively prove its absence in this area given the depth of excavation.
17. A condition is proposed stating that the programme of archaeological work set out in the submitted Archaeological Written Scheme of Investigation (Prospect Archaeology 2012) is carried out prior to the commencement of any development.

Impact on Neighbours

18. Policy HP14 of the Sites and Housing Plan resists development which would detract from the amenities of existing properties; similarly CP8 and CP10 of the adopted Local Plan.
19. The properties most affected by the proposals are Merton College and North Lodge to the south; and 67 High Street to the north.

20. A daylight and sunlight assessment was submitted; and a detailed assessment was presented in the Committee Report when the scheme was approved in 2011. No issues of loss of daylight, sunlight or privacy were found; nor of overbearing. Some concern was expressed that use of the external terrace may have the potential to create disturbance and so the same condition restricting its use after 21.45 hours is recommended in this case.

Sustainability

21. The site is in a sustainable location in the heart of the city. It is ideally located to promote movement around the city on foot or by bike.

22. The proposed new building is designed to minimize heat loss and to be as energy efficient as possible in terms of its energy consumption. The design and access statement sets out the measures to minimize energy consumption including west and east facing bedrooms to optimize natural heat and light, high levels of air-tightness and insulation, use of energy efficient appliances and lighting, and water saving devices. A condition is recommended requiring submission of further details of these measures.

Access and Parking

23. The proposed development would result in a loss of car parking spaces from 36 to 13 on-site car parking spaces. Officers consider that this loss of parking is acceptable having had regard to the sustainable nature of the site and the close proximity to high quality public transport connections. The application site is within the Transport Central Area (TCA) and the associated Controlled Parking Zone (CPZ) would ensure that there would not be a detrimental impact on parking conditions in the area.

Flooding and Drainage

24. The application site does not lie in a high risk area for flooding. The site is currently tarmac and therefore the development proposed would not increase surface water runoff. Officers are satisfied that the development complies with the requirements of Policy CS11 of the Core Strategy (2011).

Conclusion

25. The proposal forms an appropriate visual relationship with the existing hotel, surrounding buildings and the conservation area. It is recommended that the West Area Planning Committee grant planning, permission 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: 11/00320/FUL; 13/02982/FUL; 17/00188/FUL

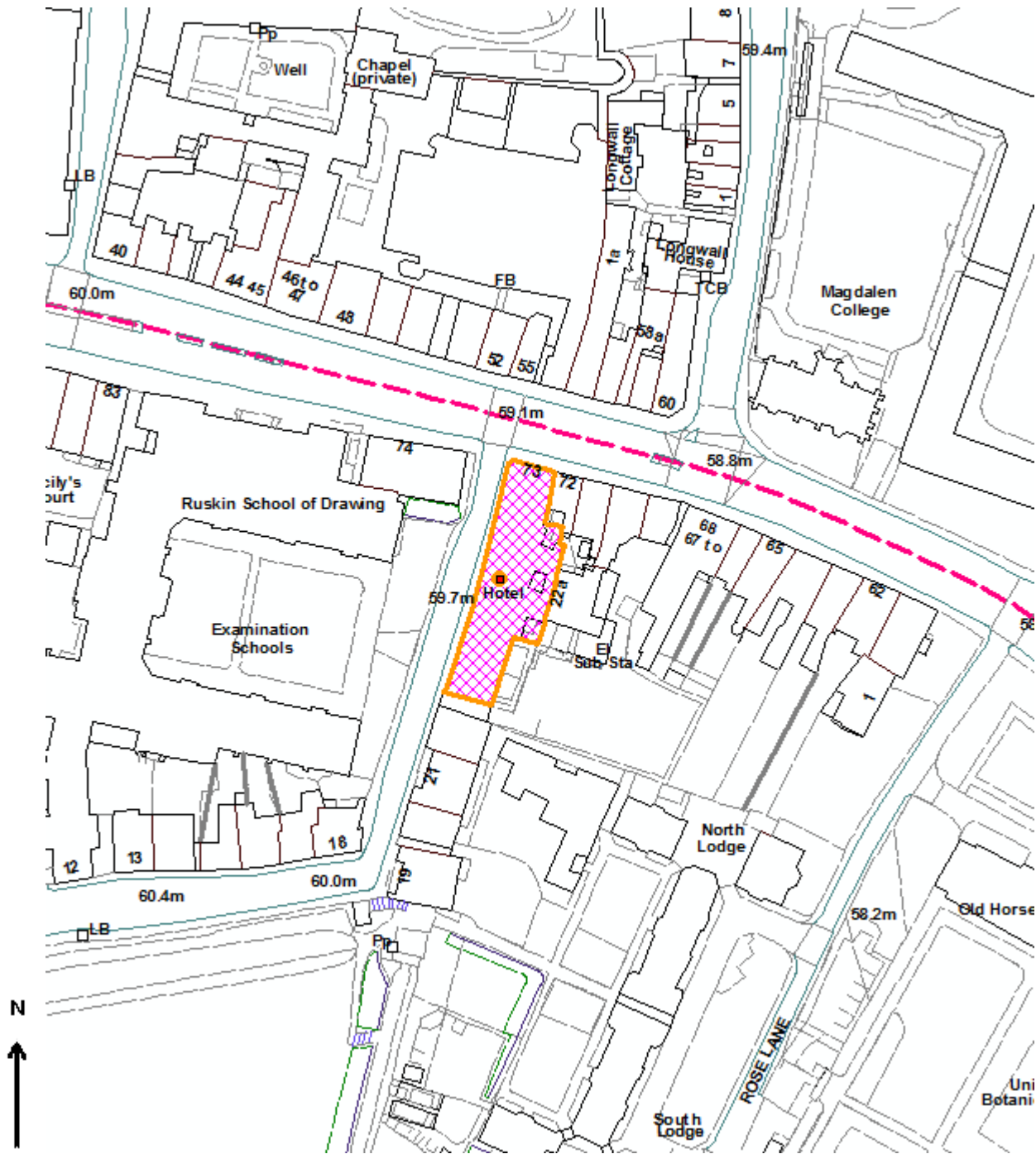
Contact Officer: Fiona Bartholomew

Extension: 2774

Date: 1st March 2017

Appendix 1

17/00188/FUL – Eastgate Hotel



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West Area Planning Committee

14th March 2017

Application Number: 16/02894/FUL

Decision Due by: 2nd January 2017

Proposal: Part change of use of ground floor and first floor from restaurant (Use Class A3) to form 1 x 2-bed flat at ground floor and an additional 1 x 1-bed flat at first floor (Use Class C3). Alterations to windows and doors. Provision of private amenity space and bin store.

Site Address: 4 North Parade Avenue Oxford OX2 6LX

Ward: North Ward

Agent: Mr Peter Eldridge

Applicant: Mr Paul Featherstone

The application is before the committee because it was a call in from Councillors Fry, Price, Pressel and Upton

Recommendation:

The West Area Planning Committee is recommended to GRANT planning permission for the reasons set out below in the report and subject to the suggested conditions.

For the following reasons:

- 1 The proposals would form an acceptable residential environment providing suitable facilities for the intended occupation and would not result in material harm to the amenities of nearby residential properties. The proposals would retain a ground floor A3 use which would retain the special character of the locality. The proposed external modifications would preserve the character of the conservation area.
- 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 Cycle parking details required

- 4 Parking Permits
- 5 Roof cladding

Main Local Plan 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
- CP22** - Contaminated Land
- HE7** - Conservation Areas

Core Strategy

- CS11_** - Flooding
- CS18_** - Urban design, town character, historic environment
- CS23_** - Mix of housing
- CS24_** - Affordable housing

Sites and Housing Plan

- MP1** - Model Policy
- HP2_** - Accessible and Adaptable Homes
- HP9_** - Design, Character and Context
- HP11_** - Low Carbon Homes
- HP12_** - Indoor Space
- HP13_** - Outdoor Space
- HP14_** - Privacy and Daylight
- HP15_** - Residential cycle parking
- HP16_** - Residential car parking

Other Material Considerations:

National Planning Policy Framework

This application is in or affecting the North Oxford Victorian Suburb Conservation Area.

Planning Practice Guidance

Relevant Site History:

56/00543/P_H - Hanging Signs. TEM 24th July 1956.

61/11521/A_H - Extension of cafe. PER 12th December 1961.

62/01003/P_H - Fascia lettering and sign on front elevation. PER 8th May 1962.

62/11521/A_H - Extension of cafe and kitchen with stores and cloakroom (revised). PER 13th February 1962.

64/15874/A_H - Extension to existing restaurant kitchen. REF 22nd December 1964.

65/01391/P_H - Illuminated vertical name box sign at first floor level. REF 13th April 1965.

65/01415/P_H - Illuminated name box sign on restaurant front (revised). PER 13th July 1965.

65/15920/A_H - Extension to existing restaurant to form kitchen and stores at rear. REF 12th January 1965.

65/16065/AA_H - 2/3/4 North Parade Avenue - Extension of existing kitchen with new covered area and service entrance. PER 13th April 1965.

65/16065/AB_H - 2/3/4 North Parade Avenue - Extension to kitchen and new covered area and a service entrance. PER 22nd June 1965.

65/16065/A_H - 2/3/4 North Parade Avenue - Extension to kitchen and new covered area. PER 23rd February 1965.

66/17877/A_H - Change of use of first floor from flat to additional dining area for restaurant and new windows. REF 16th August 1966.

68/20498/A_H - Conversion of bedrooms over restaurant into new lounge bar with provision of staircase and alterations to form residential accommodation for staff. PER 20th August 1968.

69/21072/AB_H - Conversion of existing bedroom over restaurant into two new lounge bar and provision of new stair. Provision of new residential accommodation for staff over existing kitchen and office accommodation (revised). PER 9th September 1969.

69/21072/A_H - Conversion of existing bedrooms over restaurant into new lounge bar and provision of new stair. Provision of new residential accommodation for staff over existing kitchen/office. PER 28th January 1969.

13/03296/PDC - PERMITTED DEVELOPMENT CHECK - Replacement of front frosted glass door to normal glass door.. PNR 24th December 2013.

Representations Received:

Thirteen representations have been received from local residents objecting to the application and one representation has been received neither objecting nor supporting the application. The following material concerns have been raised;

- The proposals would not leave sufficient space left for an A3 use to operate at the site which would be detrimental to the character of the area.
- The proposals would lead to harm to the character of the North Oxford Victorian Suburb conservation area.

- The proposal would result in an overdevelopment of the site.
- The proposal would result in a harmful loss of privacy.

Statutory and Internal Consultees:

Highways:

Proposals are to part change of use of ground floor and first floor from restaurant (Use Class A3) to form 1 x 2-bed flat at ground floor and an additional 1 x 1-bed flat at first floor (Use Class C3). No details of car parking are provided. It is therefore assumed that the proposal would be reliant on parking on the highway. This would not be acceptable given the limited parking in North Parade Avenue and pressure for parking in the local area more generally. The development is ideally situated to be car-free being located within very close proximity of local shops and other services, walking distance of bus stops on Banbury Road and walking and cycling distance of Oxford city centre. The Traffic Regulation Order may need to be updated and so this is conditioned.

No details of cycle parking have been provided. This should be policy compliant and is again conditioned.

The county council does not object to this application subject to the following condition:

Parking Permits: The whole development shall be excluded from eligibility for parking permits prior to occupation. A cost of £2000 to amend the Traffic Regulation Order shall be met by the applicant through a Unilateral Undertaking (Contact Mike Ruse - mike.ruse@oxfordshire.gov.uk).

Cycle Parking Provision: Prior to the first use or occupation of the development hereby permitted, covered cycle parking facilities shall be provided on the site in accordance with details which shall be firstly submitted to and approved in writing by the Local Planning Authority. Thereafter, the covered cycle parking facilities shall be permanently retained and maintained for the parking of cycles in connection with the development.

Issues

Officers consider that the principal considerations for the determination of this application are:

- Principle
- Design and impact on conservation area.
- Retention of ground floor A3 unit
- Residential Environment
- Outdoor Space and Bin Storage
- Cycle and Car Parking
- Neighbouring Amenity

Officers Assessment:

Site Description and Proposed Development

The application site is a two storey mid-terrace property within an undesignated shopping frontage in the North Oxford Victorian Suburb Conservation Area. The site consists of a currently vacant ground floor restaurant unit (Use Class A3) and a residential flat at first floor (Use Class C3). The rear of the site is not currently in use. There is a covered side access to the main street that runs along the side of the existing restraint, bins are kept in this passage. There are properties either side with similar restaurant uses (Use Class A3) at ground floor with residential at first floor.

The application proposes the change of use of part of the ground floor of the property from a restaurant (A3) use to a flat (Use Class C3) to accommodate a 1x2 bedroom flat at ground floor and an additional 1x1 bedroom flat at first floor. The restaurant (A3) use is proposed to be retained in a smaller unit. The application also proposes some alterations to windows and doors, a replacement zinc clad roof with roof lights to the rear store (which would be converted into living space) and the creation of two terraces to form amenity space.

Principle of Development

The National Planning Policy Framework explains that planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value. This is reiterated in Policy CS2 of the Oxford Core Strategy (OCS) which states development will be focused on previously developed land. Policy CP6 of the Oxford Local Plan (OLP) also supports the most effective and appropriate use of land density at a site. The principle of the development of this previously developed land to provide residential units is therefore supported by these policies

North Parade Avenue is characterized by a range of shops, public houses, small restaurants and cafés. The area is a neighbourhood shopping centre as defined by Policy RC.8 of the OLP. The City Council aims to protect Neighbourhood Shopping centres and individual small shops outside the main shopping frontages. They fulfil an important retailing function and are compatible with the residential areas in which they are normally found. The submitted information states that the existing use of the property is a restaurant with associated facilities which would fall within the A3 Use Class. As the proposals would retain a significant portion of the existing restaurant they would not result in a loss of an A class unit and can therefore be seen to be in accordance with policy (further details on the viability of sustaining the ground floor A3 use are set out further in the report below).

Officers recommend that the principal of the change of use is acceptable in planning terms.

Design and Impact on the Conservation Area

Policy CS18 of the OCS states planning permission will only be granted for development that demonstrates high quality urban design. This is reiterated in policies CP1 and CP8 of the OLP and HP9 of the SHP. Policy CP1 states that planning permission will only be granted for development that respects the character and appearance of the area and which uses materials of a quality appropriate to the nature of the development, the site and its surroundings. Policy CP8 suggests the

siting, massing and design of the proposed development creates an appropriate visual relationship with the form, grain, scale, materials and details of the surrounding area. Policy HP9 of the SHP states planning permission will only be granted for residential development that responds to the overall character of the area, including its built and natural features.

The site is also within the North Oxford Victorian Suburb conservation area. Policy HE7 of the OLP states that planning permission will only be granted for development which preserves or enhances the special character of the conservation area. The external alterations to the property will be limited to a new mono-pitch roof featuring roof lights, to what are currently storage buildings ancillary to the restaurant use. This would improve the appearance of the building which is not of particular architectural value. The materials would not be reflective of the existing materials of the building but as the roof would not be visible from the public realm or have a dominant impact on the character of the building as a whole the impact on the conservation area is considered to be negligible.

The other proposed alterations, to windows and doors, and introducing horizontal boarding below windows would be limited to the rear and sides of the property and would not impact the façade. They would be minimal in scale and not harmfully impact upon the character of the property and would preserve the special character of the conservation area.

The proposals are therefore acceptable in terms of design.

Retention of Ground Floor Restaurant Unit (Use Class A3)

The proposals would result in the loss of some floor space which has previously served the ground floor restaurant unit. There have been concerns raised regarding whether the restraint unit will remain viable following this loss of floor space. North Parade Avenue has a distinctive and unique character due to its attractive shop and restaurant frontages featuring typically smaller units. The retention of functional units in the avenue is therefore critical for the distinctive local character and the special character of the North Oxford Conservation area.

The ground floor A3 unit at no.4 has been vacant for around two years. The proposals would result in the loss of a rear area of the unit which appears to have been predominantly used for storage. The remaining floor space would amount to around 84 square meters with no loss of seating area and the retention of a spate food preparation and storage area.

During the processing of this application the applicants have sought advice as to the commercial viability of the proposed unit to be retained as a restaurant. The Commercial Agents (Chancellors) stated the following in regards to the unit proposed to be retained:

“Should you ask Chancellors to market the property then I expect to achieve an annual rent of between £23k - £27k per-annum. Commercial space in Oxford is in high demand and I would anticipate that we would have a pre-qualified list of tenants who would be keen to take the space.”

The proposed reduction in the floor space, meaning a more achievable rent, has meant that the premises have become more attractive to restaurant operators. This is confirmed by the success of the applicants securing a lease with an operator. A ten year lease has been agreed with a restaurant operator. Officers are aware of the operator's identity and consider that the restaurant will be in-keeping with the unique and charming character of the street; though this cannot be presented publicly in the interests of commercial confidentiality.

The Principal Economic Development and Spatial Officer has made the following comments in regards to the viability of operating an A3 use in the unit;

"Firstly the previous tenant went into receivership, which appears partly to do with the internal configuration of the unit. Since then the property has been vacant for 2 years it would be good to see some future occupier taking it on to run a business.

Whilst in fairness this is a small unit, but when it comes to the 'test of viability' essentially this is where the 'market' steps in to test whether following a marketing exercise whether any potential occupiers are willing to make an offer. In this case it does appear that according to the consultants letter from CBRE 'three offers from A3 occupiers' have already been made, which as they rightly say does 'in itself demonstrate that this property is suitable' and indeed viable for an operator to take on the premises for this use. It does also appear from the commercial agents (Chancellors) that they already have a 'tenant lined up' to take the property for a reasonable market rent (£23,000 - £27,000). The architect has also now confirmed that 'the applicant has now agreed a 10 year lease with this operator.' In these circumstances I do feel that this does indeed demonstrate the viability of this use, notwithstanding the small size of the unit."

In summary the proposals would result in a loss of floor space which would make the premises more attractive to restaurant operators. The bringing of this unit back into a functional A3 use will be to the benefit of the unique character of the street and will enhance the character of the conservation area.

Residential Environment

Policy HP14 states that planning permission will only be granted for new residential development that provides reasonable privacy and daylight for the occupants of new homes. The proposed development would allow for a suitable amount of daylight provision to each habitable room in both flats on the first floor. The living room of the proposed first floor flat to the front of the property would be served by a large roof light which would not afford decent outlook but would provide the room with reasonable natural light.

The ground floor flat contains a kitchen and bedroom which would not have access to a good degree of natural light. In the case of the kitchen, it would not feature any windows and has a door which opens up onto the living room, served by roof lights and a set of glazed doors. This kitchen is small and would only provide the essential functions of its use, opening up onto the living room it is considered on balance that the natural light from the living room would be enough to serve this kitchen for its

required use. The bedroom would be served by a door which opens up to a small courtyard between the dwelling and the neighbouring dwelling. The outlook from this bedroom would therefore be very poor and the natural light would be limited. This being considered, as the flat would also feature a bedroom with access to suitable light and outlook and a living room which would also have good access to light and outlook, on balance it is considered that the home would afford reasonable light and outlook to its occupants as a whole.

All proposed habitable rooms and bathrooms in the flats would be afforded good level of privacy.

Policy HP12 sets out minimum standards for the internal space required in new flats and houses in Oxford. In March 2015, the Government introduced a 'Nationally Described Space Standard' (or National Standard for short). This sets out more detailed minimum standards than the earlier SHP policy for Oxford. In a Ministerial Statement, the Government set out how they wished local planning authorities to implement the new National Standard.

In light of this statement, the City Council will apply the National Space Standard to new residential (Use Class C3) development, in preference to the more basic standard set out in Policy HP12 of the SHP. Each one bedroom flat for one person requires at least 37 square meters of floor space and each two bedroom flat requires 61 square meters of floor space. Flat no.1 would have a single bedroom which could accommodate a single person. The flat would have 38 square meters of gross internal floor space with additional room for storage, this is acceptable. Flat no.2 would have two bedrooms and could accommodate up to three persons. It would have an internal floor space of around 64 square meters, this would be acceptable. As a result, Officers consider that the proposed development would be acceptable in terms of its overall internal floorspace.

Flat no.3 features two bedrooms and has a gross internal floor space of around 50 square meters which is below the national space standards. However flat no.3 is an existing flat in residential use with the only alterations proposed being the relocation of the staircase to the inside and as such the internal floor space would not be altered (in terms of the National Space Standards). As such this is not a material consideration in the processing of the application.

Outdoor Space and Bin Storage

Policy HP13 of the SHP states planning permission will only be granted for new dwellings that have direct and convenient access to an area of private open space. 1 or 2 bedroom flats and maisonettes should provide either a private balcony or terrace of useable level space, or direct access to a private or shared garden.

Paragraph A3.23 of the SHP states that private terraces and balconies should have be a minimum size of 3m in length x 1m in depth. The proposed terraces which would serve flats no.1 and no.3 would be larger than this and would have access to suitable natural light while being afforded a good degree of privacy. Flat no.2 would have access to a private garden area with a floor space of 8.34 square meters. This is also acceptable.

The policy (HP13) also states planning permission will not be granted for residential dwellings unless adequate provision is made for the safe, discrete and conveniently accessible storage of refuse and recycling, in addition to outdoor amenity space. There is an area proposed for residential bin storage outside of flat 3, in a convenient and easily accessible locality. This is acceptable in terms of the requirements of HP13.

Cycle and Car Parking

The application site is within the Walton Manor CPZ (Controlled parking zone) as defined in policy HP16. The City Council encourages car-free and low-parking developments in this area for flats. As such the proposal being car free is acceptable.

Core Strategy Policy CS13 states that planning permission will only be granted for development that prioritises access by walking, cycling and public transport. The cycle parking standards set out in Policy HP15 of the SHP are minimum standards. For houses and flats up to 2 bedrooms at least 2 spaces per dwelling will be required. All residential cycle storage must be secure, undercover, preferably enclosed, and provide level, unobstructed external access to the street.

The application does propose cycle parking for two spaces but no more than this. It is considered suitable to request further details of cycle storage by condition to satisfy the requirements of HP15.

Neighbouring Amenity

Policy HP14 of the SHP states planning permission will only be granted for new residential development that provides reasonable privacy and daylight for the occupants of both existing homes and planning permission will not be granted for any development that has an overbearing effect on existing homes.

The proposed development includes would not result in any overbearing or loss of light as there are no structural changes proposed which would increase the footprint or bulk of the building.

Flat no.3 features a first floor bedroom window and a first floor living room window which would face onto the adjacent neighbouring property no.3 North Parade Avenue and these windows would be slightly modified, however these are existing windows and serve the existing first floor flat. As such there is no loss of privacy being created.

The proposals would therefore be compliant with Policy HP14.

Conclusion:

The proposals would form an acceptable residential environment providing suitable facilities for the intended occupation and would not result in material harm to the amenities of nearby residential properties. The proposals would retain a ground floor

A3 use which would retain the special character of the locality. The proposed external modifications would preserve the character of the conservation area. As such the application is 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:

16/02894/FUL

Contact Officer: Kieran Amery

Extension: 2186

Date: 1st March 2017

Appendix 1

16/02894/FUL – 4 North Parade Avenue



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West Area Planning Committee

14th March 2017

Application Number: 17/00214/CT3

Decision Due by: 23rd March 2016

Proposal: External alterations to shopfront to enable insertion of double doors and removal of internal shelving.

Site Address: 144-146 Covered Market, Market Street, Oxford Oxfordshire

Ward: Carfax Ward

Agent: N/A

Applicant: Oxford City Council

The application is before the committee because Oxford City Council is the applicant

Recommendation:

The West Area Planning Committee is recommended to GRANT planning permission for the reasons set out below in the report and subject to the suggested conditions.

For the following reasons:

- 1 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 Materials
- 4 Joinery Details

Main Local Plan Policies:

Oxford Local Plan 2001-2016

CP1 - Development Proposals

HE3 - Listed Buildings and Their Setting

CP8 - Design Development to Relate to its Context

CP10 - Siting Development to Meet Functional Needs

HE7 - Conservation Areas

RC13 - Shop Fronts

Core Strategy

CS18_ - Urban design, town character, historic environment

Relevant Site History:

16/03067/CT3 – External alterations to shopfront to enable insertion of double doors and removal of internal shelving. – PENDING CONSIDERATION

Statutory Consultees

Representations Received

None

Officers Assessment:

Site Description and Proposal:

1. The application site is units 144-146 Covered Market, which is located along the eastern edge of the Covered Market in the City Centre. The application site lies in the Central (University and City) Conservation Area and the entire Covered Market is Grade II Listed.
2. The existing units feature a 20th century timber shopfront with a fascia above. The front of the units are mostly glazed. The units are currently occupied by a temporary occupier.
3. Planning permission is sought for the replacement of the two kiosk style openings with two sets of double doors. The doors would feature top glazed panels with timber panels below to match and follow the existing proportions and appearance of the surrounding shopfronts. A separate application for Listed Building Consent has also been submitted (16/03067/CT3).

Issues:

7. Officers recommend that the main considerations for this application are:
 - Design
 - Impact on Listed Building
 - Conservation Area

Design

8. The existing shopfront does not contribute to the significance of the market place, and as such, the principle of their removal would not be considered harmful to the special interest of the Covered Market and is acceptable in design terms. The removal of the roller shutters is welcomed as these fixtures detract from the character and appearance of the market.

1. The installation of double doors is considered appropriate to the character and appearance of the shop units and the market place. However, it is considered necessary to apply a condition requiring large scale joinery details to be approved prior to their installation, and for the colour finish details to match that of the existing shopfront. The submitted drawing titled 'Door Sectional Detail' ref: 1000/003/2 Rev.B, which shows joinery details different to those of the existing shopfront is not considered acceptable.
2. The development is acceptable in terms of its impact on the character and appearance of the Conservation Area subject to the conditions above.

Conclusion:

3. The West Area Planning Committee is recommended to grant planning permission subject to conditions.

Human Rights Act 1998

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant listed building consent, 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:

17/00214/CT3

Contact Officer: Rob Fowler

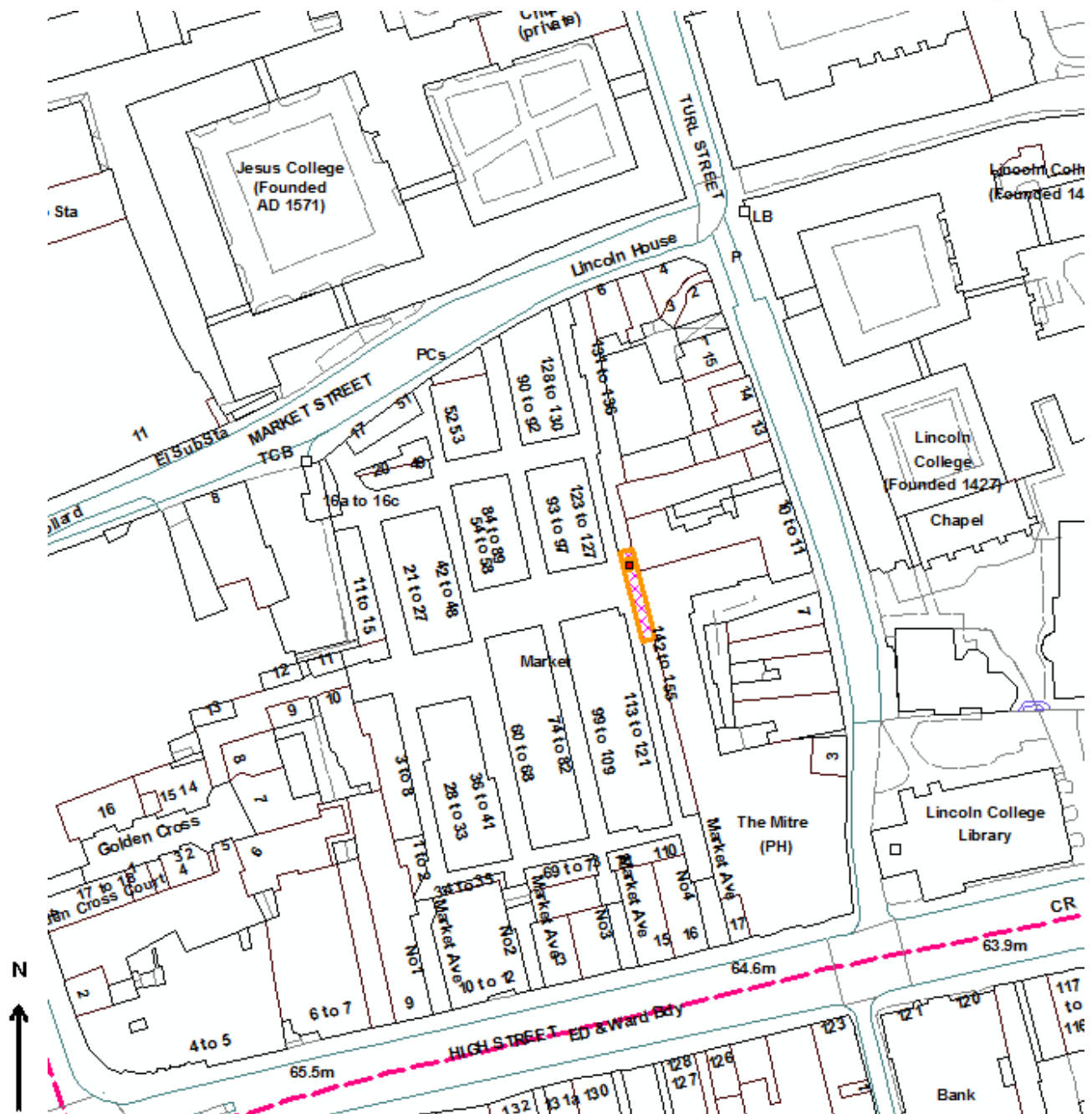
Extension: 2104

Date: 2nd March 2017

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Appendix 1

17/00214/CT3 – 144-146 Covered Market



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West Area Planning Committee

14th March 2017

Application Number: 16/03067/CT3

Decision Due by: 28th March 2017

Proposal: External alterations to shopfront to enable insertion of double doors and removal of internal shelving.

Site Address: 144-146 Covered Market, Market Street, Oxford Oxfordshire

Ward: Carfax Ward

Agent: N/A

Applicant: Oxford City Council

The application is before the committee because Oxford City Council is the applicant

Recommendation:

The West Area Planning Committee is recommended to GRANT Listed Building Consent for the reasons set out below in the report and subject to the suggested conditions.

For the following reasons:

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

Conditions

- 1 Commencement of works LB/CAC consent
- 2 LBC approved plans
- 3 Joinery details
- 4 Finish to match

Main Local Plan Policies:

Oxford Local Plan 2001-2016

CP1 - Development Proposals

HE3 - Listed Buildings and Their Setting

Core Strategy

CS18 - Urban design, townscape character and the historic environment

Other Material Considerations:

- The development is affecting a Grade II Listed Building.
- This application is in or affecting the Central Conservation Area.
- Statutory duties set out in section 16(2) of the Planning (Listed Buildings and Conservation areas) Act 1990
- National Planning Policy Framework
- Planning Practice Guidance

Relevant Site History:

17/00214/CT3 - Alterations to shopfront to insert 2No. double doors. Pending consideration.

Statutory Consultees

Historic England

'On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.'

Oxfordshire County Council (Transport)

No comment

Representations Received

None

Officers Assessment:

Site Description and Proposal:

1. The Covered Market is a grade II listed building sited in the core of the Central Conservation Area. The market dates back to the 18th century, but underwent extensive reconstruction works and extensions throughout the 19th century. The architectural interest of the market is derived from its composition of 19th century lofty arcades and shopfronts which are characteristic of its function and contributory to its appearance. Its historic interest is as evidence of the evolution of contemporary sensibilities towards public health and it helps understanding of the commercial development of Oxford which was particularly active in the 18th and 19th centuries. The market also has rarity value as a covered market occupied by predominantly local businesses which is still in use today.
2. No's 144-146 are part of the linear row of shop units that run along the eastern side of Avenue 4. The units are sited in a prominent location, facing onto the central cross avenue within the market. The majority of the shopfront is suspected to be of 20th century construction, featuring large areas of glazing with fluted timber framing, timber panelled stall risers,

kiosk style openings with roller shutters, and the metal frame of a canopy sited on the fascia of No.144-145. Situated at a higher level is an earlier fascia with moulding cornice, and the section above No.144-145 features a timber fascia board with evidence of former signage (former positions of wall-mounted lettering can be seen, reading 'Oxford Electricity Supply').

3. Listed building consent is sought for the replacement of the two kiosk style openings with two sets of double doors. The doors would feature top glazed panels with timber panels below to match and follow the existing proportions and appearance of the surrounding shopfronts. Also included in the application is the removal of the internal shelving units.

Issues:

7. Officers recommend that the main considerations for this application are:
 - The impact on the architectural and historic significance of the grade II listed building

Impact on Special Interest of Listed Building:

8. The existing kiosk openings with roller shutters and internal shelving units are not elements of the shopfronts which contribute to the significance of the market place, and as such, the principle of their removal would not be considered harmful to the special interest of the Covered Market. The removal of the roller shutters is welcomed as these fixtures detract from the character and appearance of the market.
9. The installation of double doors of the proposed design is considered appropriate to the character and appearance of the shop units and the market place. To ensure the detailing of the doors matches as closely as possible that of the existing shopfront, it is considered necessary to apply a condition requiring large scale joinery details to be approved prior to their installation, and for the colour finish details to match that of the existing shopfront. The submitted drawing titled 'Door Sectional Detail' ref: 1000/003/2 Rev.B, which shows joinery details different to those of the existing shopfront is not considered acceptable.

Conclusion:

10. The proposed installation of shopfront doors and removal of internal shelving units would not harm the special architectural or historic interest of the grade II listed building. Subject to conditions, the application would comply with sections 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, paragraph 132 of the NPPF, policies CP1 and HE3 of the Oxford Local Plan 2001-2016 and policy CS18 of the Oxford Core Strategy

Human Rights Act 1998

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant listed building consent, 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 listed building consent, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Background Papers: NPPG, 17/00214/CT3

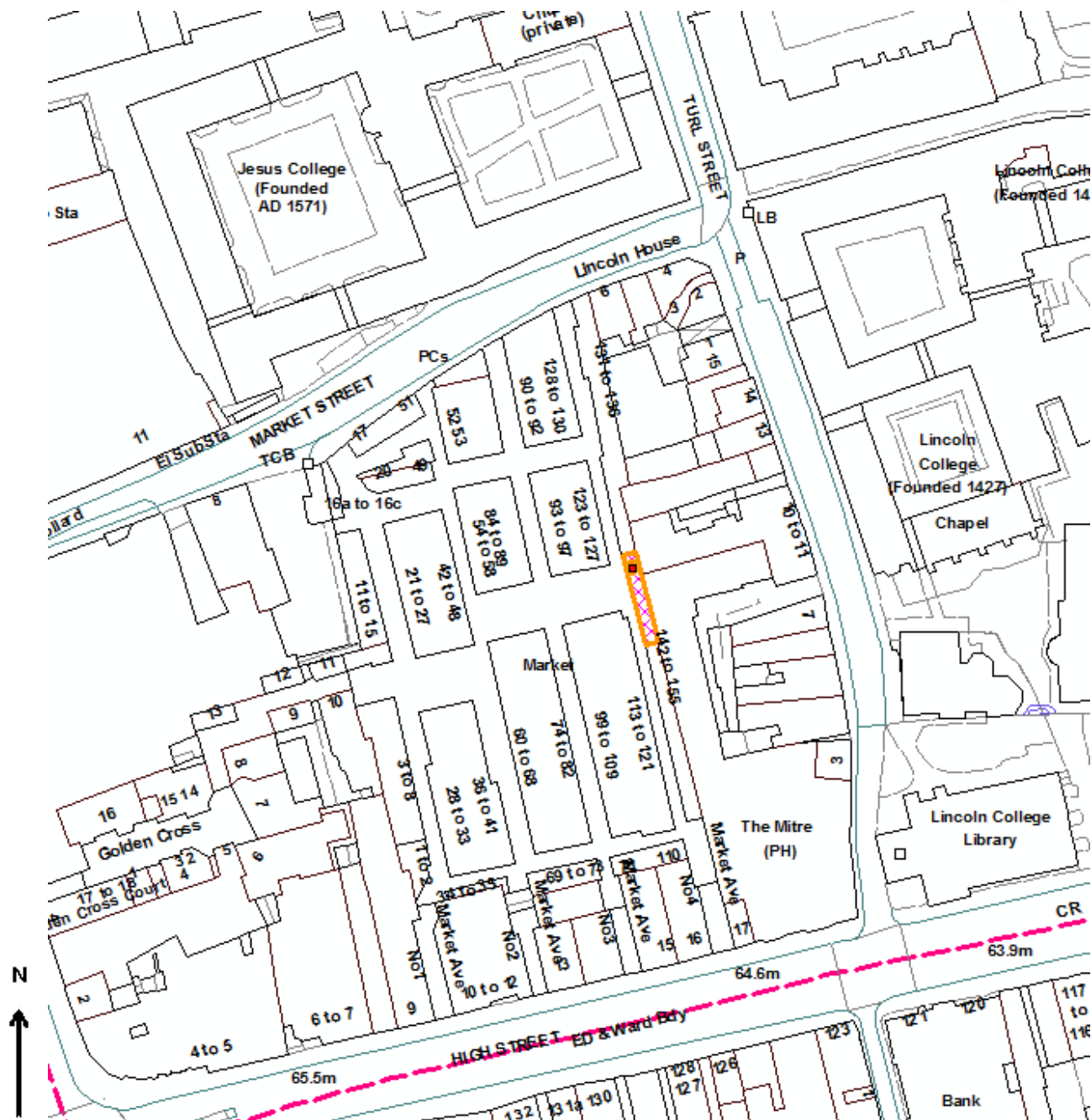
Contact Officer: Amy Ridding

Extension: 2640

Date: 22nd February 2017

Appendix 1

16/03067/CT3 - 144-146 Covered Market



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West Area Planning Committee

14th March 2017

Application Number: 17/00209/CT3

Decision Due by: 23rd March 2017

Proposal: Replacement timber windows.

Site Address: 161 - 161B Iffley Road Oxford Oxfordshire

Ward: St Marys Ward

Agent: N/A

Applicant: Oxford City Council

The application is before the committee because the applicant is Oxford City Council

Recommendation:

The West Area Planning Committee is recommended to grant planning permission for the reasons set out below in the report and subject to the suggested conditions.

For the following reasons:

- 1 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 Further details

Main Local Plan Policies:

Oxford Local Plan 2001-2016

CP1 - Development Proposals

CP8 - Design Development to Relate to its Context

CP10 - Siting Development to Meet Functional Needs

HE7 - Conservation Areas

Core Strategy

CS18_ - Urban design, town character, historic environment

Sites and Housing Plan

HP14_ - Privacy and Daylight

Other Material Considerations:

National Planning Policy Framework

This application is in or affecting the St. Clement's And Iffley Road Conservation Area.

Planning Practice Guidance

Relevant Site History:

None

Statutory Consultees

Oxfordshire County Council: No comments

Representations Received:

None

Officers Assessment:

Site Description

1. 161-161B Iffley Road is a Victorian brick built residential property on Iffley Road. The site is located adjacent to the Fir Tree Pub and the corner of Bullingdon Road. The application site lies within the St Clement's and Iffley Road Conservation Area.

Proposed Development

2. It is proposed to replace all of the windows in the building with timber replacement sash windows with a single glazing bar and for the dormer windows these would be replaced with sash units with fixed side lights. The proposed windows would replace existing single and double glazed painted timber and aluminium windows which are in poor condition and have a poor energy performance.

Issues

3. Officers recommend that the main considerations with this application are:
 - Design
 - Conservation Area

Design and Impact on Conservation Area

4. The proposed development would provide replacement of a number of different window types with timber windows that would be similar in appearance to those originally used in this type of building. As a result, the development would represent an improvement in design terms.
5. Officers also consider that the proposed development would improve the

energy performance of the existing property which is welcomed in planning terms.

6. The proposed development would be within the Conservation Area and the site is highly visible in the streetscene. The choice of windows and the exact dimensions of glazing bars and joinery are recommended to be subject to the requirement of further details to be dealt with by condition.
7. Officers recommend that the development is acceptable in terms of its design and its impact on the character, appearance and special significance of the Conservation Area. The proposed development would not cause harm to the Conservation Area and would preserve its appearance.

Impact on Neighbouring Amenity

8. The proposed development would only replace existing windows and would not materially impact upon the amenity of any neighbouring occupiers.

Conclusion

9. On the basis of the above, Officers recommend that the West Area Planning Committee grant planning permission for the proposed development 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:

17/00209/CT3

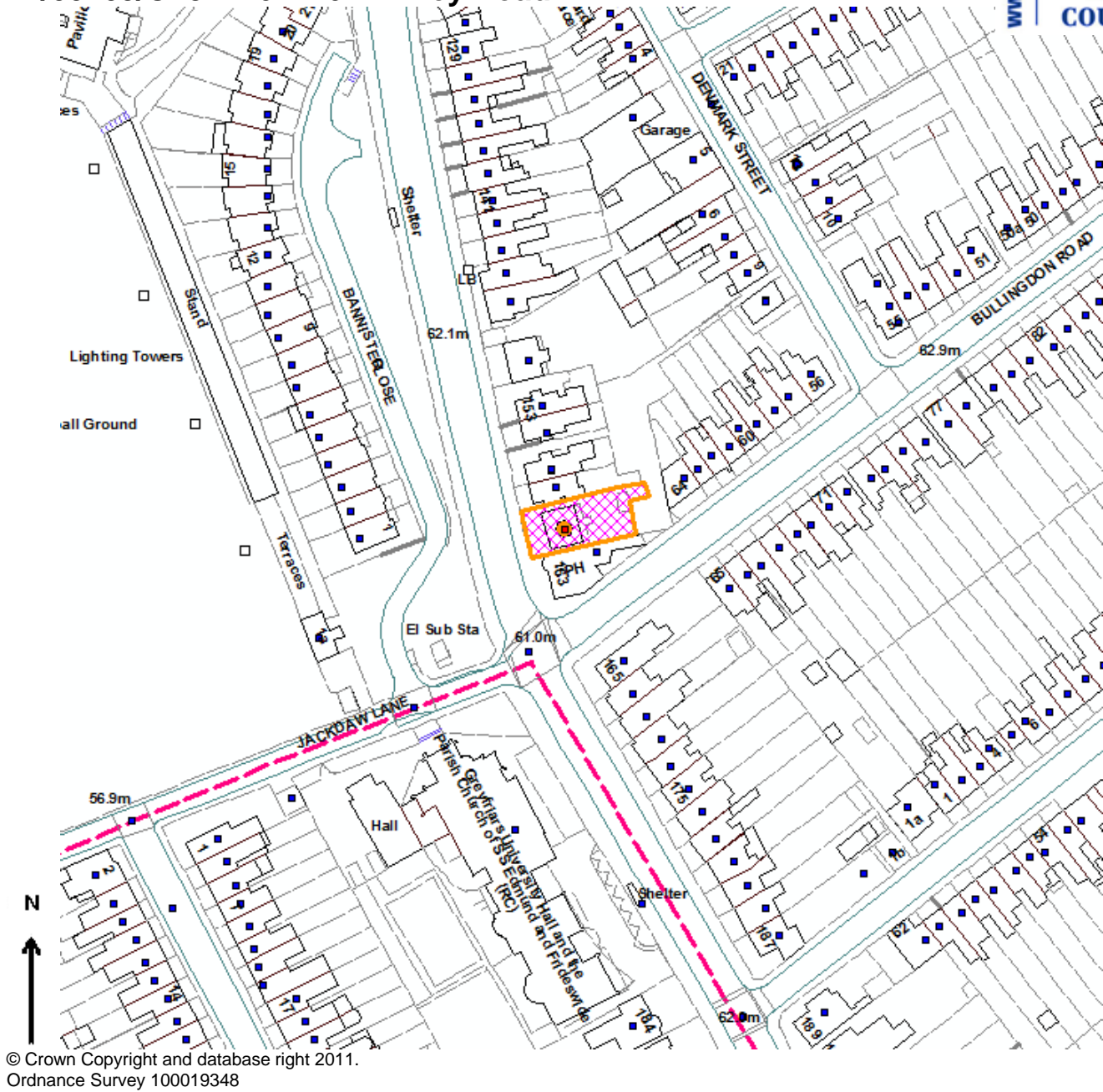
Contact Officer: Robert Fowler

Extension: 2104

Date: 28th February 2017

Appendix 1

17/00209/CT3 – 161–161B Iffley Road



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Minutes of a meeting of the WEST AREA PLANNING COMMITTEE on Tuesday 21 February 2017

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Committee members:

Councillor Upton (Chair)	Councillor Landell Mills (Vice-Chair)
Councillor Cook	Councillor Curran
Councillor Fooks	Councillor Pegg
Councillor Price	Councillor Tanner
Councillor Henwood (for Councillor Hollingsworth)	

Officers:

Michael Morgan, Lawyer
Adrian Arnold, Development Management Service Manager
Robert Fowler, Planning Team Leader
Fiona Bartholomew, Principal Planner
Patsy Dell, Head of Planning & Regulatory Services
David Stevens, Principal Environmental Health Officer
Catherine Phythian, Committee Services Officer

Apologies:

Councillor(s) Hollingsworth sent apologies.

100. Declarations of interest

Agenda items 4 & 5

Councillor Upton drew the Committee's attention to a statement in the North Oxford Labour News Winter 2016 leaflet which referenced local Labour councillors' insistence that NR honours its mitigation commitments. She explained that the leaflet was specifically about the track south of Aristotle Lane (section I-2) which was not part of the current applications before the Committee.

Agenda item 6

Councillor Upton and Councillor Cook as Oxford City Council appointed trustees for the Oxford Preservation Trust.

101. East West Rail Phase 1 - 2 applications

Discussion

The Committee considered two applications for the Noise Scheme of Assessments: H 16/02507/CND for route section H and 16/02509/CND for route section I-1.

The Planning Officer presented the report. In summary she explained the nature of the applications and the officer advice as set out in the report to committee. She explained that Network Rail (NR) had resubmitted the approved Noise Scheme of Assessments with additional information so that the issues around the conditions imposed on previous approvals of those schemes concerning rail damping and restricting rail services can be reconsidered. This was regarded as best practice being an attempt to eliminate or minimise outstanding differences between the applicant and the planning authority.

The Planning Officer explained that the Council had consulted Queen's Counsel on the two applications and had asked Arup to comment on specific technical matters in NR's Supplementary Statement. That technical advice from Arup was taken into account by Queen's Counsel.

The Planning Officer then referred the Committee to the key points in the advice from Queen's Counsel:

Rail damping

- The NVMP does not require 'at source' mitigation if the other measures already provided will achieve the objectives of the NVMP
- "At source" is preferred but where it is not sufficient to mitigate noise impacts or not reasonably practicable, other measures will be considered – there is no suggestion that if not sufficient "at source" has to be used first and then additions to it provided"
- [the NVMP] "cannot be construed as requiring both [barriers and rail damping] to be provided"
- In respect of residual noise a "significant impact" means 5dB or above
- Rail damping may mitigate noise impacts by 2.5dB
- A 3dB difference is at the margin of perceptibility
- The NVMP standards concern internal, not external noise levels
- For those who already have noise insulation, open window noise will be reduced
- At one house there will be noise reduction from 5db to less than 3db

Train services

- the NVMP does not require any assessments to address any future increases in service and these potential changes do not need to be modelled

- NR can increase services without being in breach of condition 19 of the deemed planning permission, and do not need to seek further consent

The following residents spoke against the two applications: Mike Gotch, Michael Drolet, Jackie Gray, Adrian Olsen, Jeremy Thorowgood and Paul Buckley.

Representatives from Network Rail, Ian Gilder and Paul Panini, were present to answer questions relating to the application.

The Committee asked questions of the officers and Network Rail representatives about the details of the two applications.

In reaching its decisions, the Committee considered all of the information put before it.

In debate members of the Committee indicated that they were not minded to accept the officer recommendation to approve the schemes of assessment without conditions relating to rail damping and restriction of train services. This was because they did not consider that NR had demonstrated to the satisfaction of the Council that the provision of rail damping was not reasonably practicable and they were concerned that the modelling did not reflect the possible future increase in train services.

The meeting adjourned at 7.35pm to allow officers to consider the likely consequences should the Committee reject the officer recommendation to approve the two applications and to provide advice as to the risks and issues that might arise in that event.

Councillor Price left the meeting at 7.35pm.

The meeting reconvened at 7.45pm.

Decisions

When the meeting resumed the Planning Officer advised the Committee that if they were minded to go against the officer recommendation then rather than refuse the applications it would be more procedurally appropriate to approve the Noise Scheme of Assessment applications subject to the original conditions requiring rail damping and a restriction on train services. It was also clarified that a condition requiring the development to be carried out in accordance with the submitted details should also be imposed.

The Head of Planning & Regulatory Services reminded the Committee that a vote against the officer recommendation was likely to prompt NR to launch an appeal and that there were potential risks of an adverse award of costs against the Council from the decision. If that was the case then the officers involved in the NR applications would not be able to support those decisions at appeal as the position of the Council at appeal would be irreconcilable with the professional advice provided by those officers. The Council would need to appoint a new team of advisers to support those members of the Committee presenting the Council's case at appeal.

A proposal was made and seconded that the two applications be approved subject to the previous conditions on rail damping, restricting train services and works in accordance with the submitted details, the reasons for imposition for those conditions being the same as provided in the context of the previous approvals.

On being put to the vote a majority of the Committee agreed that proposal.

102. East West Rail Phase 1 - 16/02507/CND for route section H

The Committee resolved to **approve** application 16/02507/CND and condition 19 be partially approved in relation to the Noise Schemes of Assessment for route section H for the reasons stated in the report and subject to the following amended conditions which have been imposed for the reasons stated:

1. Development in accordance with submitted details

The development is to be carried out strictly in accordance with the documents titled "Noise Scheme of Assessment for Route Section H" (ref 0221083/11/H06) dated 6 March 2015; the ERM further technical note submitted to the Council on 5 May 2015 titled "Technical Note to Provide Information on the Effect of Relocating the Woodstock Road Crossover (ref 0221083/H07) and drawing numbers 0221083_SecH_Sheet24_Ver1, 0221083_SecH_Sheet25_Ver1, 0221083_SecH_Sheet26_Ver1 and 0221083_SecH_Sheet27_Ver1 all dated May 2015. In the event of conflict between these drawings and other documents the four May 2015 drawings shall prevail and as between the other documents the later produced document shall prevail.

Reason: the Noise Scheme of Assessment has been prepared upon the basis of these details and deviation from them would not necessarily result in the standards of vibration mitigation required by the Noise and Vibration Mitigation Policy (January 2011) being achieved.

2. Within three months of this partial approval under condition 19 of the deemed planning permission, proposals shall be submitted for the written approval of the local planning authority showing how at-source noise attenuation by rail dampening to at least the standard achievable by the use of Tata Silentrail can be incorporated into the scheme. The development to which this approval relates shall not be brought into operation EITHER without that written approval having been obtained and other than in accordance with such approved details OR without the Council having given written confirmation that it is satisfied that the provision of such rail dampening is not reasonably practicable.

Reason: The local planning authority is not satisfied that rail dampening as an at source mitigation measure has been shown to not be reasonably practicable in the absence of any attempt on the part of the applicant to secure approval for the use of such a measure.

3. Passenger train movements on Section H between 0700 hours and 2300 hours shall not be in excess of 8 movements per hour. Freight train movements between 2300 hours 0700 hours on the following day shall not exceed 8.

Reason: to ensure compliance with condition 19 of the planning permission deemed to have been granted (ref TWA/10/APP/01)

103. East West Rail Phase 1 - 16/02509/CND for route section I-1

The Committee resolved to **approve** application 16/02507/CND and condition 19 be partially approved in relation to the Noise Schemes of Assessment for route section H for the reasons stated in the report and subject to the following amended conditions which have been imposed for the reasons given:

1. The development is to be carried out strictly in accordance with the documents titled "Noise Scheme of Assessment for Route Section 1/1, Main Report" and "Annexes A-E and G" (ref 0221083/11.11-07) dated 2nd December 2015; "East-West Rail: Baseline Acoustic Survey, Network Rail" (ref 5114534 2015/May/06) dated 20th July 2015; the further details contained in the report (and Appendix 1 to the report) of the Independent Expert darea- 1st December 2015; and Figures 1.1 (version A01, dated 04/08/2015) 5.1a (version A02 dated 06/08/2015) 5.1b (version A02 dated 28/09/2015) and 5.2 (version A01, dated 06/08/2015). In the event of conflict between these drawings and other documents the four August/September 2015 drawings shall prevail; and as between the other documents, the later produced document shall prevail.

Reason: the Noise Scheme of Assessment has been prepared upon the basis of these details and deviation from them would not necessarily result in the standards of noise mitigation required by the Noise and Vibration Mitigation Policy (January 2011) being achieved.

2. Within three months of this partial approval under condition 19 of the deemed planning permission, proposals shall be submitted for the written approval of the local planning authority showing how at-source noise attenuation by rail dampening to at least the standard achievable by the use of Tata Silenttrack can be incorporated into the scheme. The development to which this approval relates shall not be brought into operation EITHER without that written approval having been obtained and other than in accordance with such approved details OR without the Council having given written confirmation that it is satisfied that the provision of such rail dampening is not reasonably practicable.

Reason: The local planning authority is not satisfied that rail dampening as an at source mitigation measure has been shown to not be reasonably practicable in the absence of any attempt on the part of the applicant to secure approval for the use of such a measure.

3. Passenger train movements on Section I-1 between 0700 hours and 2300 hours shall not be in excess of 8 movements per hour. Freight train movements between 2300 hours 0700 hours on the following day shall not exceed 8.

Reason: to ensure compliance with condition 19 of the planning permission deemed to have been granted (ref TWA/10/APP/01)

104.16/03166/FUL: Junction Of Headington Road and Morrell Avenue, Oxford

The Committee considered a report detailing an application (16/03166/FUL) for planning permission for the installation of a stone memorial at the junction of Headington Road and Morrell Avenue, Oxford.

The Planning Officer presented the report. He referred the Committee to paragraph 7 of the officer's report and advised them that the main determining issues for the application were:

- Principle
- Location, form & design and impact heritage assets
- Trees
- Highways

He said that planning permission was granted in 1981 for a statue of an Ox on this land which supported officers' view that this would be a suitable location for a piece of art work or memorial. The memorial at 1.8m high, 1m wide and 30cm deep was considered appropriately proportioned in size in relation to its setting within this open area.

He referred the Committee to the additional comments that were received since the publication of the report. Firstly, an additional response was received in support of the application from Colin Carritt from the International Brigade Memorial Trust. Additional objections and comments were also received from Councillor Wade, the Friends of South Park, Oxford Preservation Trust and Councillor Hollingsworth. All of these responses were circulated to the Committee in advance of the meeting.

The Committee noted that the application had been called-in on the following grounds:

1. it is a controversial application and should be considered in public
2. size, design, materials and impact on views into and out of Oxford

The following individuals spoke against the application: Debbie Dance (Oxford Preservation Trust), Cllr Wade, Alexander Haydon, Alison Boulton, Barbara Foran, Cllr Azad, Richard Martin and Trevor Mostyn.

Colin Carritt (agent) and Cllr Hayes spoke in support of the application.

In reaching their decision, the Committee considered the officers' report and presentation and the address of the public speakers. In debate the Committee noted the following points:

- that the style, design and location of the proposed memorial had, as was often the case with public art installations, generated considerable public debate
- the strength of opinion both for and against the proposed memorial in terms of its political and religious context while recognising that this was not a material planning consideration

- notwithstanding the grant of planning permission the applicant would still require approval from the City Council, as landowner, to actually site the memorial
- that the current application did not include the provision of benches
- concerns that the subsequent introduction of benches might lead to an increase in anti-social behaviour
- the City Council, as landowner, had permitted development rights to install benches at the site

On being put to the vote a majority of the Committee agreed with the officer recommendation.

The Committee resolved to **approve** planning permission (16/03166/FUL) for the proposed memorial stone at the junction of Headington Road and Morell Avenue, for the reason(s) set out in the report and subject to the (amended) conditions and informative listed below:

Conditions:

1. Development begun within time limit
2. Develop in accordance with approved plans
3. Materials as approved
4. Landscape plan - as approved
5. Landscape - carry out by completion
6. ~~Benches – further details required: *condition removed*~~
7. Tree Protection Plan – details required

Informative: that the applicant and landowner should seek to come to an agreement regarding a maintenance regime.

105.Minutes

The Committee resolved to **approve** the minutes of the meeting held on 24 January 2017 as a true and accurate record.

106.Forthcoming applications

The Committee noted the list of forthcoming applications.

107.Dates of future meetings

The Committee noted the dates of future meetings.

The meeting started at 6.00 pm and ended at 9.00 pm

