

Agenda

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West Area Planning Committee

Date: **Tuesday 13 March 2018**

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 Colin Cook	Jericho and Osney - apologies
	Councillor Jamila Begum Azad	St. Clement's
	Councillor Jean Fooks	Summertown
	Councillor Alex Hollingsworth	Carfax
	Councillor Dan Iley-Williamson	Holywell - apologies
	Councillor Mark Lygo	Churchill
	Councillor Bob Price	Hinksey Park
	Councillor Elizabeth Wade	St. Margaret's
	Councillor Mary Clarkson	Marston – as substitute
	Councillor John Tanner	Littlemore – as substitute

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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AGENDA

Pages

1 Apologies for absence and substitutions

2 Declarations of interest

3 17/02537/FUL: St Hilda's College, Cowley Place, Oxford, OX4 1DY

11 - 64

Site address: St Hilda's College, Cowley Place, Oxford, OX4 1DY

Proposal: Proposed demolition of existing buildings and redevelopment comprising: erection of new building to provide student accommodation (59 bedrooms), porters lodge, middle common room, fellows' accommodation and academic and administrative offices; erection of new pavilion building; removal of existing porch to old hall building and provision of replacement; creation of new pedestrian access from Cowley Place; replacement bin and bicycle parking.

Recommendation:

West Area Planning Committee is recommended to:

(a) Approve the application for the reasons given in the report and subject to the required planning conditions set out in section 11 of this report and grant planning permission subject to:

(b) Agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:

1. Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary.

4 17/03086/FUL: 1A Cranham Street, Oxford, OX2 6DD

65 - 92

Site address: 1A Cranham Street, Oxford, OX2 6DD

Proposal: Erection of three storey building to provide 1x1bed flat at first floor and 1 x 2 bed duplex flat (both Use Class C3) to first and second floor and office accommodation (Use Class A2) at the ground floor. Provision of bin/cycle stores. (amended plans and description).

Reason at Committee: Called-in by Cllrs Cook, Turner, Smith, Pressel and Rowley On the grounds that this is an application on a controversial site and has been the subject of at least three previous withdrawn applications.

Recommendation:

West Area Planning Committee is recommended to:

(a) Approve the application for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and grant planning permission.

(b) Agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:

1. Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary

5 17-00005-ORDER - Cripsey Road (No.1) Tree Preservation Order 2017 - Land On The East Side Of Cripsey Road Oxford

93 - 102

Site address: Land On The East Side Of Cripsey Road, Oxford

Proposal: To confirm without modification a Tree Preservation Order (TPO) to protect trees along the east side of Cripsey Road.

Reason at Committee:

Objection received to the Tree Preservation Order

Recommendation:

West Area Planning Committee is recommended to confirm the Oxford City Council – Cripsey Road (No.1) Tree Preservation Order, 2017 without modification.

6 17/02893/RES: Westgate Shopping Centre, Bonn Square, OX1 1NX

103 -
112

Site address: Westgate Shopping Centre, Bonn Square, OX1 1NX

Proposal: The outline planning application (13/02557/OUT) was an Environmental Impact Assessment application and an Environmental Statement was submitted. Approval of all reserved matters was granted (14/02402/RES) under condition 5 of the outline planning permission.

This application seeks approval of amended reserved matters in respect to the public realm and the removal of four approved street trees along the south end of Castle Street.

Recommendation:

West Area Planning Committee is recommended to:

- (a) **Approve the application for the reasons given in the report and subject to the required planning conditions set out in section 10 of this report and grant planning permission subject to:**
- (b) **Agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:**
 - 1. Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary

7 18/00095/FUL: 9 Union Street, Oxford, OX4 1JP

113 -
122

Site address: 9 Union Street, Oxford, OX4 1JP

Proposal: Change of use of dwellinghouse (Use Class C3) to a House in Multiple Occupation (Use Class C4).

Reason at Committee:

This application is being determined by the committee as the applicant is an officer of the Council. The report has been cleared by the Council's monitoring officer.

Recommendation:

West Area Planning Committee is recommended to:

- (a) Approve the application for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and grant planning permission
- (b) Agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:
 - 1. Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary

8 Minutes

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To approve as a true and accurate record the minutes of the meeting held on 21 February 2018.

9 Forthcoming applications

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

18/00322/CT3: Oxford City Council Parks Depot, Cutteslowe Park, Harbord Road, Oxford, OX2 8ES	Council application
15/03524/FUL: Oxford Spires Four Pillars Hotel, Abingdon Road, Oxford, OX1 4PS	Major application - awaiting response from applicant
17/02229/FUL: 12 Crick Road, Oxford, OX2 6QL	Called in by Cllrs Upton, Pressel, Fry, and Clarkson
17/02447/FUL: 8 Chadlington Road Oxford OX2 6SY	Called in by Cllrs Fry, Pressel, Upton, Tanner and Chapman
17/02817/FUL: 472 - 474 Banbury Road, Oxford, OX2 7RG	Committee level decision
17/02832/FUL: 276 - 280 Banbury Road, Oxford, OX2 7ED	Major development
17/03330/FUL: 2 Savile Road, Oxford, OX1 3UA	Major development
17/03258/FUL: Oriel College, Oriel Square, Oxford, OX1 4EW	Committee level decision
17/03259/LBC: Oriel College Oriel Square, Oxford, OX1 4EW	Committee level decision
17/03427/FUL: 38 West Street, Oxford, OX2 0BQ	Called in by Cllrs Pressel, Lygo, Chapman, Fry and Rowley
18/00294/FUL: 25 Richmond Road, Oxford, OX1 2JL	Called in by Cllrs Pressel, Turner, Fry, Rowley and Azad
18/00258/FUL: Northgate House, 13 - 20 Cornmarket Street, Oxford, OX1 3HE	
18/00259/LBC: Northgate House, 13 - 20 Cornmarket Street, Oxford, OX1 3HE	

10 Dates of future meetings

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

2018
10 April 2018
21 May 2018
12 June 2018



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 by noon on the working day before the meeting, giving their name, the application/agenda item they wish to speak on and whether they are objecting to or supporting the application. Notifications can be made in person, via e-mail or telephone, to the Democratic Services Officer (whose details are on the front of the Committee agenda).

Written statements from the public

6. Any written statements that members of the public and Councillors wish to be considered should be sent to the planning officer by noon two working days before the day of the meeting. The planning officer will report these at the meeting. 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

7. 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

8. 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.
9. 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

10. 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.
11. 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 Constitution changes agreed at Council in April 2017.

WEST AREA PLANNING COMMITTEE

13th March 2018

Application Number: 17/02537/FUL

Decision Due by: 26th December 2017

Extension of Time: 23rd March 2018

Proposal: Proposed demolition of existing buildings and redevelopment comprising: erection of new building to provide student accommodation (59 bedrooms), porters lodge, middle common room, fellows' accommodation and academic and administrative offices; erection of new pavilion building; removal of existing porch to old hall building and provision of replacement; creation of new pedestrian access from Cowley Place; replacement bin and bicycle parking.

Site Address: St Hilda's College, Cowley Place (**site plan: appendix 1**)

Ward: St Marys Ward

Case Officers N Dobraszczyk /
A Murdoch

Agent: JPPC **Applicant:** St Hilda's College

Reason at Committee: Major Application

1. RECOMMENDATION

1.1. West Area Planning Committee is recommended to:

(a) Approve the application for the reasons given in the report and subject to the required planning conditions set out in section 11 of this report and grant planning permission subject to:

(b) Agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:

1. Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary;

2. EXECUTIVE SUMMARY

- 2.1. This report considers an application for the demolition of existing buildings within the college campus, and the erection of a new building to provide student accommodation (59 bedrooms), porters lodge, middle common room, fellows' accommodation and academic and administrative offices; erection of new pavilion building; removal of existing porch to old hall building and provision of replacement; creation of new pedestrian access from Cowley Place; replacement bin and bicycle parking.
- 2.2. The key matters for assessment set out in this report include the following:
 - Principle of development;
 - Design & Impact upon Designated Heritage Assets;
 - Impact on Neighbouring Amenity;
 - Landscaping
 - Transport
 - Sustainability
 - Flooding;
 - Biodiversity
 - Other Matters – Land contamination, archaeology, and air quality
- 2.3. The application has been developed following pre-application discussions with officers, including two reviews by the Oxford Design Review Panel. Copies of their comments are included within **Appendix 2** of this report. The panel were supportive of the scheme and considered that the proposals would integrate well with the context and would improve the quality of the campus environment.
- 2.4. Officers consider that the proposal would accord with the policies of the development plan when considered as a whole and the range of material considerations on balance support the grant of planning permission.
- 2.5. The scheme would also accord with the aims and objectives of the National Planning Policy Framework would constitute sustainable development, and, given conformity with the development plan as a whole, paragraph 14 advises that the development proposal should be approved without delay. Furthermore there are not any material considerations that would outweigh the compliance with these national and local plan policies.

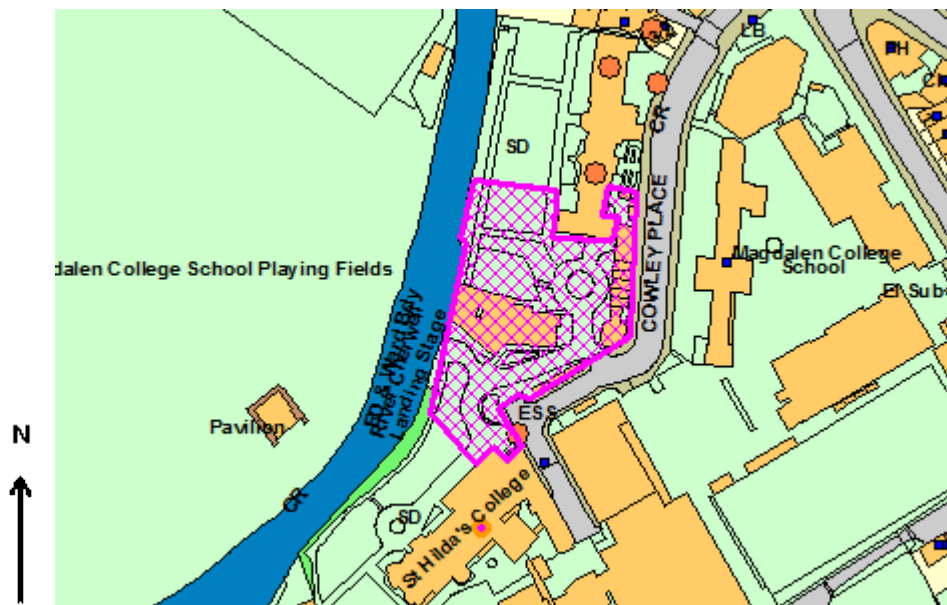
3. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 3.1. The proposal is liable for a CIL contribution of £53,750.18.

4. SITE AND SURROUNDINGS

- 4.1. The St Hilda's College site is located within the St Clement's and Iffley Road Conservation Area. The Central Conservation Area borders the college site to the north-west with its boundary following the line of the River Cherwell which itself forms the western boundary. Cowley Place forms its eastern boundary.

- 4.2. The site of St Hilda's College comprises five grade II listed structures; The Old Hall, Library and the wall and gate piers which run parallel to Cowley Place, the piers and gates to the South Building, and the Garden Building sited to the south of the South Building. The other principle buildings on the site, namely the South Building, Milham Ford building and Porters Lodge are considered buildings of local significance which make a positive contribution to the conservation area.
- 4.3. Other surrounding listed buildings include 2 & 3 Cowley Place and the grade II listed Magdalen College School building on the corner of Cowley Place and The Plain.
- 4.4. The Grade I registered park and gardens of Christ Church and the Oxford Botanic Garden are situated to the north and west of St Hilda's. The site is highly visible and prominent in views from these registered park and gardens, with views afforded across the open landscapes and rivers, interrupted only by the frequently broken line of trees along the river banks. Views of the site in the context of Magdalen Tower are seen from the Broad Walk in Christ Church. Glimpses of the site are also visible from the grade II* listed Magdalen Bridge. The site is visible in wider / more long distant views from key viewing points within the city, including St Mary's Tower, where it is viewed in the context and setting of the grade I listed church, St John the Evangelist on Iffley Road.
- 4.5. Most of the application site is located within Flood Zones 1 with the exception of the proposed Pavilion Building which is located within Flood Zone 3.
- 4.6. A site location plan is included below:



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Ordnance Survey 100019348

5. PROPOSAL

5.1. The application proposes the demolition of the Milham Ford building, Porters Lodge, MCR, storage buildings, entrance gates and the existing porch to the Hall Building. It also proposes the redevelopment of this area comprising:

- Erection of a part 4 storey, part 5 storey building on Cowley Place to provide student accommodation (59 bedrooms); new porters lodge; new middle common room; Fellows' accommodation and academic and administrative offices ('The Boundary Building');
- Replacement porch to the Hall Building;
- Erection of new pavilion building;
- Creation of new pedestrian access from Cowley Place;
- Replacement bin and bicycle parking;
- Landscaping.

5.2. The proposed development will include 50 standard student bedrooms, 2 accessible student bedrooms and 7 visiting student bedrooms. The Gross Internal Area (GIA) of the existing Milham Ford Building is 885m² and the GIA of the existing MCR/ Porters' Lodge/ Lodge Manager's Apartment is 369m². The proposed Boundary Building development will demonstrate a GIA of 3,213m². There are currently 293 cycle parking spaces provided on site. The application proposes the loss of 175 spaces with 118 covered cycle parking spaces will be provided within the red line boundary.

5.3. The College has currently 585 students of which 192 are graduates and 393 undergraduates. It currently provides accommodation for 246 undergraduate students in various properties both within the main site and in outlying areas, primarily the Iffley and Cowley Roads. The proposed development would enable the College to provide on-site accommodation for a further 32 undergraduate students who would otherwise take up accommodation in the City's private housing stock.

5.4. The Boundary Building also includes a proposed tower element to be located on the eastern boundary of the site along Cowley Place. The tower element would stand at a height of 19.3 metres above street level with an additional 1.5 metre high decorative metal element sitting above the tower.

5.5. For clarity the proposed accommodation schedule for the Boundary Building is included below:

Floor	Type		Quantity			Area Per Type (m ²)	Area Per Floor (m ²)
			Standard Rooms	Accessible Rooms	Visiting Student Rooms		
Ground Floor	Residential	Standard	8			165	
	Residential	Accessible		2		52	

	Rooms					804
	Residential Kitchens				23	
	Residential: Linen/ Cleaner's Store				4	
	Residential: Laundry				14	
	Multi-Functional Room/ Chapel				32	
	Porters' Lodge				116	
	Administrative Offices				140	
	Plant				58	
Upper Ground Floor	Residential Standard Rooms	13			267	402
	Residential Kitchens				23	
	Residential Linen/ Cleaner's Store				4	
First Floor	Residential Standard Rooms	13			267	834
	Residential Kitchens				23	
	Residential Linen/ Cleaner's Store				4	
	Residential: Visiting Student Rooms			2	41	
	Lodge Manager's Apartment				63	
	Academic Clusters				204	
Second Floor	Residential Standard Rooms	13			249	805
	Residential Kitchens				23	
	Residential: Visiting Student Rooms			5	104	
	Middle Common Room				199	
Third Floor	Residential Standard Rooms	3			61	244
	Residential Kitchens				11	
	Residential Linen/ Cleaner's Store				45	
	Residential: Visiting Student Rooms				32	
	Plant				3	
Fourth Floor	Multi-Functional Room/ Belvedere				27	34
Totals		50	2	7	2,254	3,123

- 5.6. The proposed Pavilion Building would include a multi-functional room/ teaching space with 50+ seats on the ground floor with ancillary facilities being located on the first floor. The proposed GIA for the Pavilion Building would be 279m².
- 5.7. The proposed materials would comprise tumbled brick, pre-cast concrete with a range of finishes and bronze coloured metalwork.
- 5.8. Extensive re-landscaping of the application site is proposed including the creation of a new route and terrace between the river and the Pavilion Building and planting inspired by the surrounding habitats and nearby Botanical Gardens.

- 5.9. Up-lighting of the tower element and a new tree along Cowley Place is proposed as well as external lighting along surface pathways and at entrances.
- 5.10. The application proposes to move the existing vehicle access from its location on Cowley Place further south west through the listed gates. This access would be used for emergency vehicles. The 18 existing car parking spaces provided on site would be lost with no re-provision as a result of the proposed development.

6. RELEVANT PLANNING HISTORY

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

60/09381/A_H - Porter's lodge, garage and cycle sheds, new entrance gate and boundary wall with additional students' accommodation. Approved 14th June 1960.

63/11788/A_H - New college building for students' and fellows' accommodation with caretaker's flat. Approved 12th November 1963.

68/19908/AA_H - Erection of four-storey residential building to provide study bedrooms, one tutor's flat and ancillary accommodation (revised). Approved 11th June 1968.

68/19908/A_H - Erection of 5 storey residential building to provide 65 study bedrooms, one tutor's flat and ancillary accommodation. Approved 26th March 1968.

91/00149/L - Extensions to east of existing library in Burrow's Building & Old Hall (Cowley House) to provide additional library accommodation. Alterations to boundary wall fronting Cowley Place & demolition of length to form new access gates. Approved 17th June 1991.

91/00150/NFH - Extensions to east & west of existing library in Burrow's Building & Old Hall (Cowley House) to provide additional library accommodation. Alterations to boundary wall fronting Cowley Place & demolition of length to form new access gates. Approved 17th June 1991.

99/01678/NFH - Construction of 4 storey building consisting of 12 covered and 2 open parking spaces, 36 cycle stands, workshop, and - Wolfson Yard. Approved 14th June 2000.

03/00499/FUL - Planning permission for single and two storey extension on front elevation. Excavation of forecourt to provide additional library facilities at basement and ground floor, staircase and lift; dismantling and re-erection of stone boundary wall, including new entrance and ramped access for the disabled. Approved 17th June 2003.

17/02538/LBC - Removal of porch to Hall Building, MCR, Storage Buildings and Porters Lodge; erection of new bin and bicycle store and replacement porch to Hall Building. Connection of new boundary building to South Building Entrance gate piers. Pending Consideration.

6.2. On 18th May 2016 following a screening request, the Local Planning Authority issued confirmation that the proposed development would be classed as an “urban development project” under paragraph 10 (b) of Schedule 2 of the Environmental Impact Assessment (EIA) Regulations (2015). The site was not found to be within a “sensitive area” and the site area is below the 1ha threshold for this type of development. As such, Officers concluded that the development would not constitute Schedule 2 development which required screening as to whether an EIA should be required.

7. RELEVANT PLANNING POLICY

7.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework (NPPF)	Local Plan	Core Strategy	Sites and Housing Plan	Other Planning Documents
Design	7 (Paragraphs 56 – 68)	CP1, CP8, CP9,	CS18_	HP9_	
Conservation/ Heritage	(Paragraphs 126 – 141)	HE2, HE3, HE7, HE8, HE9, HE10,			
Housing	6 (Paragraphs 47 – 55)	CP6, CP10,	CS2_ , CS25_	HP5_ , HP6_	
Natural Environment	11 (Paragraphs 79 -92); 11 (Paragraphs 109 – 125)	CP11, CP17, CP18, NE15, NE16, NE21, NE23, CP23,	CS9_ , CS11_ , CS12_		
Social and community	8 (Paragraphs 69 – 78)		CS19_ , CS29_		
Transport	4 (Paragraphs 29 – 41)	TR1, TR2, TR12	CS13_	HP15_	Parking Standards SPD

Environmental	10 (Paragraphs 93 – 108)	CP19, CP.20, CP.21, CP.22, CP.23	CS10		Energy Statement TAN
Misc	Core Planning Principles (paragraph 17); Achieving Sustainable Development (paragraphs 6 – 16)	CP.13,		MP1	

8. CONSULTATION RESPONSES

- 8.1. Site notices were displayed around the application site on 13th October 2017 and 22nd November 2017 and an advertisement was published in The Oxford Times newspaper on 19th October 2017 and 23rd November 2017.
- 8.2. Following a review of the submitted plans the application was re-advertised as a departure from the development plan policy HE9 by site notice on 22nd November 2017 and in the Oxford Mail on 23rd November 2017.
- 8.3. The consultation responses received in relation to the application are summarised below. Officers would make members aware that copies of all the consultation responses listed below are available to view in full on the Council's public access website.

Statutory and Non-Statutory Consultees

Oxfordshire County Council (Highways)

- 8.4. The county council had previously objected to the application for the following reasons:
- The number of cycle parking spaces proposed is below the recommended number of cycle parking spaces and therefore does not meet Policy HP15 of the Sites and Housing Plan adopted by Oxford City Council.
 - A revised swept path analysis of fire and rescue vehicles is required as the current swept path analysis submitted shows that these types of vehicles cannot safely manoeuvre within the site.
 - A large number of the cycle parking spaces in the proposed two-tier stores will not be accessible due to insufficient space allowed for the lowering of the two tiered racks and the loading of bikes onto those racks.
- 8.5. The application identified that 175 cycle parking spaces would be lost on the site and that 118 cycle parking spaces would be replaced. This is significantly below the minimum number required under policy HP16. Areas have been identified

for the re-provision of the lost spaces, raising the total provision to 316 cycle parking spaces. The county council would welcome such a provision and is agreeable to the approach that the development should not commence until details of such a provision have been approved in writing and the schemes implemented.

- 8.6. Further details have also been submitted to demonstrate that the specific type of two-tier cycle parking racks to be installed within the proposed bicycle store can be accommodated within the dimensions of that store according to the manufacturer's specifications.
- 8.7. An updated site plan showing a swept path analysis for the manoeuvring of fire and refuse vehicles within the site has been submitted. This demonstrates that such a vehicle can safely enter and turn within the site and reach a point within 45m of the pavilion.
- 8.8. For these reasons the county council no longer objects to the application.

Historic England

- 8.9. This application has been submitted following extensive pre-application discussions with Oxford City Council, CABE and ourselves.
- 8.10. The proposals involve rationalising the College's entrance, teaching and student accommodation by dramatically altering the central portion of the riverside buildings. To do this three existing buildings, The Lodge, MCR and the 19th century Milham Ford building would be demolished. None are of any great architectural merit; though the lodge by Richardson and Houfe is a competent neo-classical design but it is not outstanding. Their loss would cause some harm to the significance of the conservation area because the story of St Hilda's occupation of the site and the way they appropriated earlier buildings would be compromised. However, we assess the level of harm entailed by their demolition to be low and think this is justified by the very real need to rationalise the space to meet the College's needs.
- 8.11. In their place two larger buildings are proposed. The first would be a three/four storey building containing a porters lodge, student and fellows sets, an MCR and a function room in a tower. The building would have a kinked footprint which followed the line of Cowley Place with the tower placed on the east side beside the porters' lodge. The scale of this building would be on a par with the adjacent riverside villas, though the tower would be higher. The second building is a riverside pavilion with function and teaching rooms.
- 8.12. The design of the new buildings has been refined during the pre-application process and is now an elegant and attractive set of buildings which is well adapted to its context. Particular attention has been given to the tower, which has been reduced in bulk and the elevational treatments have become much more coherent. We now are content that has assumed an appropriate form and could be a welcome addition to Oxford's skyline.

- 8.13. The decorative treatment on the top of the tower needs further refinement. Topping the tower with sculptural decoration of a diaphanous nature that would catch the light has great potential and could make this building truly distinctive but the form it takes in current illustrations is not wholly satisfactory. It feels a little too insubstantial and does not relate well enough to the rest of the elevation, making the composition as a whole appear a little incoherent. We are aware that this aspect of the design is still in development. As this is the only element of the proposals we are concerned about and it is the form rather than the principle of a decorative cap that needs resolving we would be content with this issue to be dealt with by condition should the Council resolve to grant planning permission.
- 8.14. Historic England has no objection to the applications on heritage grounds and consider the applications meet the requirements of the NPPF, in particular paragraph numbers 17, 131, 132 and 134. In determining these applications you should bear in mind the statutory duty of sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Environment Agency

- 8.15. No objections to the proposal in terms of flood risk subject to a condition requiring the proposal to be carried out in accordance with the submitted Flood Risk Assessment.
- 8.16. The Agency has raised an objection on ecological grounds as the proposals offer no ecological buffer between the River Cherwell and development. It has advised that the objection may be overcome if the development was moved back from the bank to provide a small high value buffer.
- 8.17. **NB:** It is understood that the Environment Agency have removed their objection following discussions with the applicant regarding the provision of some biodiversity enhancements within the river. A copy of their updated response has not been provided at the time of publishing this report. Officers will update members verbally at the meeting.

Natural England

- 8.18. Natural England has raised no objection to the proposal.

Public representations

Twentieth Century Society

- 8.19. Expressed concerns at the loss of the Milham Ford buildings, especially the river elevation. It was felt that the porch on the Hall Building should be retained in situ as it ties different periods of development together across the College site.

Victorian Group of the Oxford Architectural and Historical Society

- 8.20. Objected to the proposals on the basis that they would contrast with the existing buildings and would be at odds with the sensitive nature of the site. It was felt that the existing Porter's Lodge and Milham Ford Building represent attractive and significant works by Sir Albert Richardson. The comments also state that the existing porch on the Hall Building should be retained and not removed as proposed.

Oxford Preservation Trust

- 8.21. Commented that the application needed to be advertised as a departure from the development plan due to the height of the proposed tower element which would conflict with Local Plan Policy HE.9 (High Buildings).
- 8.22. The Trust understand and support St Hilda's aspiration to having a better presence and sense of arrival, and have reviewed the documentation in a positive way to assess the impact of what is proposed. The Trust is not opposed to the principle of new spires or towers being added to the Oxford skyline, but any such addition needs to be handled with greatest care. It should be of an exceptional design; it should also make a positive contribution to the views of the dreaming spires of Oxford when viewed from anywhere within and outside Oxford and should also enhance the setting of the Central Conservation Area.
- 8.23. The existing towers and spires of Oxford are solid stone and robust structures in character, bell towers and spires. If they are lit then they are done so externally. The St Hilda's tower differs in design to Magdalen Tower. The latter is a bell tower akin to a church tower, and has external lighting and no internal accommodation. St Hilda's appears to be designed as a 'beacon' to shine out. It is different in character and therefore a full assessment of the night time impact within the view is needed and whether this would harm the view which forms the setting of the Central Conservation Area. The Trust is also concerned that this Tower will adversely impact on the character and public's enjoyment of Christ Church Meadows and the Botanic Gardens in the day and into evening.
- 8.24. The Heritage Statement has underestimated the impact upon the highly significant heritage assets. For the college to create a greater presence and sense of arrival, requires a significant and bold piece of architecture which, no matter how sympathetic and acceptable the proposals might be of themselves, will have a significant impact on heritage assets located in close proximity to the site. The Trust are concerned that the LVIA assesses the impact of the development from a landscape and not a heritage viewpoint. The assessment should have been based on the Assessment of the Oxford View Cones (2015) document, which provides a better methodology to assess visual effects of new development.
- 8.25. The NPPF para 132 states that the more important the asset, the greater weight should be given to its conservation. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.

The PPG provides more detailed advice as to how the assessment of the level of harm impacts upon the significance of the asset, rather than the size of the development. In this case we would advise the Council of case law (Barnwell Manor) which drew attention to the importance and significance of the setting of a heritage asset.

- 8.26. The LVIA suggests that the proposed development will not be visible from South Park. This is not correct. The description on Page 35 of the LVIA does not seem to accord with View 7, as it refers to *'The Christ Church group of buildings is seen as an uninterrupted view'*, yet this is not visible in the photo. The words describe the view as having an overall rating of 'Very High' Visual Sensitivity, yet it is not possible to see the trio of Christ Church Towers and therefore assess the impact that the proposals may have on this important cluster. We are concerned that the proposed tower may well sit in the middle of this cluster but without this proper assessment and view, it is impossible to determine whether this is the case and, if it is, what the impact it will have in heritage terms. We ask that this view is redone.
- 8.27. Christ Church Meadows and the Botanic Gardens are Grade I registered Park and Gardens of national importance which the City Council endeavour to protect in the current Oxford Local Plan, 2001-2016 through Policy HE.8 (Important Parks and Gardens) which states planning permission will not be granted for any development that will adversely affect the visual, historical or horticultural character of an historic park or garden, or its setting.' It is clear from photo visual View 9 through to View 15 and subsequently View 23 from the LVIA photography, that there will be varying degrees of impact on these designated heritage assets. However, in the views chosen, the development is diminished in height and bulk. In OPT's view, these proposals will sit up prominently and appear as a large block in the back drop of both of these registered park and gardens. In order for any adverse effects to be fully considered, we ask for these views to be retaken and to depict what the eye truly sees in these locations.
- 8.28. View 28 (Appendix 3) from St Mary's on the High is also concerning. The proposed view depicts these buildings as a large mass, sitting up prominently. The tower does not appear as a standalone structure; it is lost in the continuous line of buildings which adjoin to the tower at a high level, but below the 18.2m threshold. While the rather bright MCS roof is now obscured from this view, this is not justification for such a solid mass of buildings in such a prominent position.
- 8.29. We now turn to the decorative treatment proposed on the top of the tower. We note the design is yet to be finalised. If a tower of this height is to be considered, above the Local Plan height limits, and is designed to be seen in the view of the dreaming spires, then nothing must be left to chance. Full details of the design are needed in order to make a full assessment of its impact in the view, and the setting of the Central Conservation Area. It is not satisfactory to leave such an important and potentially prominent detail to be decided later.
- 8.30. With the questions that remain over this application, OPT have no option but to object to this application in its current form.

- 8.31. **NB:** Following clarification from officers that the Trusts comments regarding the assessment of View 7 (South Park) within the LVIA were not correct and that the document does provide an assessment of the view, the following further representations were made on the 8th February 2018.
- 8.32. *Thank you for highlighting that you will be able to see the proposed tower at St Hilda's from South Park, as demonstrated in LVIA Appendix 4 View 7. However, it is rather hidden due to its colour and is also some way from the central cluster of towers in the Oxford skyline which is why we missed it.*
- 8.33. *Unfortunately this has not allayed our fears, but rather magnified them as the Tower stands up and away from the cluster. The towers are a set piece and to allow this to be built set apart would be to profoundly change the way in which the dreaming spires relates each to one another, particularly when viewed from South Park where the towers are easily read as a tight cluster around the central medieval city. This is highlighted in the Local Plan Para 5.7 High Buildings and View Cones as one of the three main characteristics. The LVIA, Page 74 highlights that 'The new tower extends the characteristic Oxford skyline of towers, dreamy spires and domes further south, creating a new vertical element.' Is this really the right thing to do and how does this impact and harm the character of the older set piece? How will the City defend the issue of the precedent as other colleges will surely seek to follow? We debated here, the Radcliffe Observatory but of course that was deliberately built away from other buildings due to its function so that it's character and position and closely related which would not be the case here.*
- 8.34. *We are disappointed that the City Council is not asking the applicants to provide more information on the effect of the internal illumination of the tower. For instance, long vertical glazed areas are a feature of the eastern side of the development which will surely be visible from South Park a very different character to existing towers and spires and something that surely needs to be taken into account in assessing the application, as the distraction of an isolated bright light shining high up and away from the main cluster of towers will distract and harm the enjoyment of the view, not add to it.*

Oxford Civic Society

- 8.35. The first phase of the proposed St Hilda's redevelopment has been the subject of public exhibition and significant City and neighbour consultation. Although we applaud the proposals in general, we have reservations regarding what is described as the 'atrium' above the lodge area, the design of which does little for the scheme.

Christ Church College

- 8.36. Christ Church College is a close neighbour of St Hilda's. It comprises an important collection of 33 listed buildings and structures, of which 10 are Grade I, 3 Grade 2*, and 2- Grade 2 listed buildings and structures. The proposal will have significant implications for the setting of the college.

- 8.37. The redevelopment, especially the Tower, will have an impact on the setting of the Grade I Christ Church registered park and garden. The site is protected by a great many statutory and non-statutory designations. The built areas, the meadow and Merton Field are within the Grade I landscape included in the English Heritage Register of Historic Parks and Gardens of special historic interest in England. Registration is a material consideration in the planning process and the impact of the development that could affect the special character of the area must be considered. The NPPF is clear on how to assess the impact on this importance.
- 8.38. The college believe that the proposed structure is inelegant and bulky. In its current form, it will spoil the view from the path along the Cherwell over Milham Mede as well as from the end of the Botanic Garden. In addition, it will intrude into longer views to the east from the New Walk, which leads down to the Isis from the Meadow Building. The impact on view cones including Christ Church, such as from South Parks, is not adequately explored in the application and should be the subject of additional examination.
- 8.39. Moreover, the proposed Tower, which would be lit internally, will represent significant light pollution of the Meadow after dusk. The Tower exceeds current high building's guidance in Oxford as it is 19.6m or 8% higher than the guidance (18.2m). It would seem sensible for the council to complete its current review of high buildings in Oxford and, following public consultation, decide on its policy rather than pre-empt and undercut such a review by approving at this stage an application to erect a non-compliant building in an extremely sensitive setting. The development will conflict with the historic environment policies of the Local Plan and Core Strategy.
- 8.40. Christ Church is acutely aware of the problems faced by colleges with small footprints in providing appropriate facilities. However we are also aware of our role as custodians of a special landscape, which we have successfully maintained and defended for many centuries, for example against plans 50 years ago to put a road across it. The application should not be approved in its current form.

Cyclox

- 8.41. Cyclox objects to this development as designed on grounds that the cycle parking is grossly inadequate for students and college staff; the rise to safety of cycle users at the junction of Cowley Place with the plain whether they are travelling to or from St Hilda's specifically, or simply using The Plain passing the mouth of the junction; a wholly inadequate Transport Statement; retention of on-street parking on the St Hilda's side of Cowley Place; the absence of any proposals significantly to reduce motor vehicle trip generation to the St Hilda's site.

9. PLANNING MATERIAL CONSIDERATIONS

9.1. Officers consider the determining issues to be:

- i. Principle of development;
- ii. Design & Impact upon Designated Heritage Assets;
- iii. Impact on Neighbouring Amenity;
- iv. Landscaping
- v. Transport
- vi. Sustainability
- vii. Flooding;
- viii. Biodiversity
- ix. Other Matters – Land contamination, archaeology, and air quality

i. Principle of Development

9.2. The National Planning Policy Framework (NPPF) sets out a presumption in favour of sustainable development (paragraph 14) and the Core Principles (paragraph 17) encourage the efficient use of previously developed (brownfield) land, as well as the importance of high quality design.

9.3. Core Strategy Policy CS2 also supports the use of brownfield land while Policy HP5 (Location of Student Accommodation) of the Sites and Housing Plan sets out the locations where student accommodation would be appropriate. The policy states that proposals for additional accommodation would be acceptable on or adjacent to an existing university/ college campus.

9.4. As the proposal would be located on the existing campus of St. Hilda's College the proposal is found to comply with paragraph 17 of the NPPF, Core Strategy Policy CS2 and Policy HP5 of the Sites and Housing Plan. Therefore, the principle of development is considered to be acceptable.

ii. Design & Impact upon Designated Heritage Assets

9.5. The NPPF requires proposals to be based upon an informed analysis of the significance of all affected heritage assets and expects applicants to understand the impact of any proposal upon those assets with the objective being to sustain their significance (paragraphs 128 & 131). In making any such assessment great weight should be given to the asset's conservation. While there is a general presumption that development proposals should not substantially harm, or result in total loss of the significance of a designated heritage asset, Paragraph 134 of the NPPF advises that where development proposals will harm the significance of a designated heritage asset but that harm would be less than substantial then this harm should be weighed against any public benefits the proposed development may offer, including securing its optimum viable use.

9.6. Section 66 and 72 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. In the Court of Appeal, Barnwell Manor

Wind Energy Ltd v East Northants District Council, English Heritage and National Trust, 18th February 2014, Sullivan LJ made clear that to discharge this responsibility means that decision makers must give considerable importance and weight to the desirability of preserving the setting of listed buildings when carrying out the balancing exercise (of weighing harm against other planning considerations).

- 9.7. Oxford Local Plan Policies HE3, HE7, and HE8 which seek to seek to preserve or enhance the special character and appearance of Conservation Areas and their settings; the settings of Listed Buildings; and the settings of historic parks and gardens. Whilst the wording of these policies does not include the balancing exercise identified in paragraphs 134 of the NPPF and that they would therefore be deemed to be out-of-date with the framework, they would be consistent with the above-mentioned legal requirements of Section 66 and 72, and they must therefore carry considerable weight in the determination of this application.
- 9.8. The NPPF requires that local authorities seek high quality design and a good standard of amenity for all existing and future occupants of land and buildings. It suggests that opportunities should be taken through the design of new development to improve the character and quality of an area and the way it functions. Policies CP1, CP6 and CP8 of the Oxford Local Plan, together with Policy CS18 of the Core Strategy and Policies HP9, HP13 and HP14 of the Sites and Housing Plan in combination require that development proposals incorporate high standards of design and respect local character.
- 9.9. Published guidance by Historic England on 'The Setting of Heritage Assets (Oct 2011) provides a methodology for understanding the setting of an asset and how it contributes to the heritage significance of that asset and explains how to assess the impact of development. Historic England explains that the setting of a heritage asset is the surrounding in which it is experienced. Furthermore the setting is not fixed and may change as the surrounding context changes. The Landscape Institute has also published guidance in 'Landscape and Visual Impact Assessment' (2013) to help identify the significance and effect of change resulting from development. Finally the Council published their own 'View Cones Assessment' in 2015, a document that was drawn up in partnership with Oxford Preservation Trust and Historic England which also references the Landscape Institute 2013 guidance and sets out its own guidance on how to assess development in views both from within and outside of Oxford.
- 9.10. The Design and Access Statement sets out clearly that the application has been developed following pre-application discussions with officers and the Oxford Design Review Panel. The design of the scheme has been informed throughout its development by an understanding of the historic environment which provides the context for the proposal in a Heritage Statement. This heritage statement has considered the significance of the heritage assets within and surrounding the site. The design has also been informed by the findings of a Landscape and Visual Impact Assessment which considers the impacts of the proposed design on significant views.

Designated Heritage Assets

- 9.11. St Hilda's College lies to the east of the River Cherwell, within the St Clement's and Iffley Road Conservation Area. The Conservation Area Appraisal document states that 'the variety of architecture, the railings and greenery, together with the strong sense of learning, characterise Cowley Place, contrasting with the more commercial and vibrant nature of the Plain.' The Central Conservation Area borders the college site to the north-west, with its boundary following the line of the river.
- 9.12. The college site comprises five grade II listed structures; The Old Hall, Library and the wall and gate piers which run parallel to Cowley Place, the piers and gates to the South Building, and the Garden Building sited to the south of the South Building. The other principle buildings on the site, namely the South Building, Milham Ford building and Porters Lodge are considered to be buildings of local significance which make a positive contribution to and are evidence of the historic development of the conservation area and the college.
- 9.13. Other surrounding listed buildings include the grade II listed 2 & 3 Cowley Place and Magdalen College School building which sits on the corner of Cowley Place and The Plain.
- 9.14. The grade I registered parks and gardens of Christ Church and the Oxford Botanic Gardens are situated to the north and west of St Hilda's, across the River Cherwell. The site is clearly visible and will appear as a distinct element in views from both of these registered park and gardens. Open views are afforded across both historic landscapes and the various streams of the Cherwell only interrupted by the frequently broken line of trees that border both the banks of the streams. Views to the site from Christ Church's Broad Walk include the grade I listed Magdalen Tower and the site can be glimpsed from standing on the grade II* listed Magdalen Bridge.
- 9.15. The site can be seen in both panoramic and more focussed long views from key public viewing places within the city including from St Mary's Tower and South Park.

Demolition

- 9.16. The proposed development will result in the removal of the Milham Ford building and the JCR & Porters Lodge (c.1960 by Richardson and Houfe). However, the selection of these buildings for removal is considered to be logical and justified in facilitating the comprehensive redevelopment of this constrained campus.
- 9.17. These buildings comprise local significance and contribute to the special interest of the conservation area, due to their architectural interest (particularly the Porters Lodge), and their historic interest in demonstrating the development and evolution of this part of the conservation area and the college. Historic England has concluded that these buildings are not of great architectural merit, with the lodge by Richardson and Houfe being a competent but not outstanding neo-classical design. They have concluded that level of harm entailed by their

demolition would be low and justified by the very real need to rationalise the space to meet the College's needs.

- 9.18. Having considered this, officers are also of the view that the loss of these buildings would cause a degree of harm to the character, appearance and special interest of the conservation area but that this would be assessed as less-than-substantial harm.
- 9.19. It is also noted that a concurrent application has been submitted to the Local Planning Authority (LPA) for Listed Building Consent (17/02538/LBC) which seeks consent for the demolition of the buildings on the application site. This application is currently pending consideration.

Site Layout

- 9.20. The Design and Access Statement sets out that the vision for the development is to connect the north and south parts of the Campus into a single, continuous landscape, while at the same time providing a more legible main entrance onto Cowley Place. The development can be separated into a number of elements. Firstly there is the 'Boundary Building' which provide a new main entrance and Porters Lodge onto Cowley Place, and administrative and academic offices, middle common room and 59 ensuite residential rooms for students in a structure that links the north and south parts of the campus. A riverside 'Pavilion Building' which provides a multi-functional space, for teaching and events. A 'Curved Wall Building' which accommodates cycle and refuse storage and forms part of the entrance from Cowley Place.
- 9.21. In developing this vision it is recognised that the campus is a constrained and narrow plot, sandwiched between the River Cherwell on one side and Cowley Place on the other. The grouping of buildings largely follow a linear pattern along the line of Cowley Place, and facing onto the mature landscaped garden that leads to the River Cherwell to the west. The proposal has sought to reinforce the relationship between these buildings and their landscaped garden setting and also to Cowley Place.
- 9.22. In terms of site layout, officers consider that the creation of two separate buildings two of which are orientated to follow the line of Cowley Place (Boundary Building, Curved Wall Building) and another directly fronting onto the river (Pavilion Building) is an appropriate and well-informed approach for the site. It allows benefits to the street scene of Cowley Place through the creation of a more legible and active entrance to the street, which is enhanced through the creation of a tower to provide prominence to the entrance and site the college within the university and city. It would also help to enhance the garden setting of the college grounds, by improving circulation and permeability around the college site. The riverside pavilion building would then act as focal point for the campus linking the gardens on either side in a more active manner than the current Milham Ford building which acts as a barrier between the two parts of the site.

Scale and Massing

- 9.23. The proposed boundary building would be predominately four storeys, but include a smaller scale roof top extension and tower. It would be larger in scale and massing than the existing buildings on the plot and would introduce a new element of built form into the linear plot, including a tower, which would have a visual impact on the character and appearance of the conservation area and settings of the surrounding listed buildings and registered parks and gardens. However, officers consider that the positioning of the Boundary Building would continue the historic linear form of development of the campus and be comparable in scale to the existing villas (Hall and South Buildings) on the site, and positioned in front of the existing Magdalen College buildings when viewed from the west and north west. Therefore the form of development is not considered inappropriate within this location.
- 9.24. The proposed Pavilion Building is considered to be of an appropriate siting, scale, massing and high quality design that it would not cause harm to the character and appearance of the conservation area and setting of the surrounding heritage assets.
- 9.25. The curved wall building would be sited alongside the Boundary building and would be of a comfortable size and scale alongside the main boundary building.

Appearance/Materials

- 9.26. The proposed buildings appearance has been refined throughout the pre-application process with more detailing provided to the third and fourth floors of the boundary building, the tower design, and also riverside pavilion, in order to better integrate the building into the site and help reduce the scale of the structures. They would have a contemporary appearance that would sit comfortably alongside the adjoining college buildings.
- 9.27. The building would utilise a range of materials including tumbled brick, pre-cast concrete with a range of finishes and bronze coloured metalwork. The material palette borrows from the adjoining buildings in order to better integrate the building into their setting.

Impact upon Views

- 9.28. The Oxford Local Plan recognises the importance of views of Oxford from surrounding high places, both from outside its boundaries but also in shorter views from prominent places within Oxford. Local Plan Policy HE9 (High Building Area) states that planning permission will not be granted for developments which exceed 18.2 metres (or ordnance datum height of 79.3 metres) within a 1,200 metre radius of Carfax Tower. The exception to this policy is where there are minor elements of “no great bulk”. In addition to this the View Cones Policy (HE10) protects views from 10 recognised viewpoints on higher hills surrounding the City to the east and west and also within the City. There are also a number of public view points within the city centre that provide views across and out of it, for example Carfax Tower, St Georges Tower and St

Marys Church.

- 9.29. The application site is approximately 915 metres from Carfax, and the scheme proposes a tower element measuring 20.8 metres in height, thereby making Policy HE9 applicable. The application site does not fall within any of the designated View Cones and therefore Policy HE10 does not strictly apply. Nevertheless, Oxford City itself is nationally important and a significant heritage asset and the views of the city from the view cones are kinetic and need to be considered in a broader sense than the view cone drawn within the local plan. It is worth reiterating the NPPF which states that significance can be harmed or lost through alteration or destruction of a heritage asset or development within its setting and also Historic England advice that ‘...setting is not fixed and may change as the surrounding context changes’.
- 9.30. The application proposes a tower to the boundary building in order to provide a marker for the colleges’ entrance onto Cowley Place, and also to orientate the college amongst the others within the city. Prior to submission the application proposals were subject to extensive pre-application review, including input from Historic England, and the Oxford Design Review Panel (ODRP). These reviews recognised the merits of including a tower as part of the development, both in making a positive contribution to the wider context and to aid wayfinding.
- 9.31. The design advice given through the pre-application process resulted in amendments to the visual appearance and massing of the tower structure in long and medium distance views from across the river and to make the tower’s proportions more slender than as shown previously to fit more comfortably within the skyline. Amendments to make the structure more slender subsequently resulted in slight increases in the structure’s height. However, in this instance Officers consider that the decreased footprint and increased height results in a structure which adds to the variety of towers within the City, ranging from smaller gate towers to taller examples with increased richness in decoration and devices such as pinnacles. Officers note Historic England’s pre-application advice which supported the principle of having a taller element to the College building, as long as it would contribute positively to the quality and variety of the City’s roofscape. Historic England has reiterated their support in comments provided for the application stating “we now are content that has assumed an appropriate form and could be a welcome addition to Oxford’s skyline.”
- 9.32. The most recent guidance from the Oxford Design Review Panel (issued on 30th May 2017, following the review of the amendments to the proposal on 25th May) also supported the scale and massing. The panel identified that:
- “The proposed tower is on its way to becoming a successful and distinctive element within the Oxford skyline...and an identifying marker for the College at roof level. Its scale and proportions work well with the surrounding buildings, particularly when viewed from the Christ Church Meadows”.*
- 9.33. A Landscape and Visual Impact Assessment has been submitted with the application which assesses the impact of the proposal upon a range of views both into and out of the city along with views from within heritage assets such as

the. It is also recognised that concerns have been raised during the consultation process by Christ Church College and Oxford Preservation Trust about the impact of the development upon a number of these views and also the significance of the Grade I registered parks and gardens of Christ Church and Oxford Botanic Gardens.

- 9.34. As is evidenced by the LVIA, the Boundary and Pavilion Building would be visible in views from the grade I registered parks and gardens of the Botanic Gardens and Christ Church Meadow. The scheme would introduce more prominent built form into the views from these designated heritage assets, however due to the Boundary Building being situated along the building line of the college site, and being of an comparable scale and massing to the neighbouring buildings with its impact mitigated by the variation in its roofscape and high quality design, it is considered that it would be subsumed into the existing backdrop of college buildings within St Hilda's campus and as such the level of harm caused would be less-than-substantial.
- 9.35. The Boundary Building and its tower would also be visible in longer distance views from key viewing locations within the city, including St Mary's Tower and South Park, along with other more private views such as Magdalen and Merton Tower. It is evident that from these key viewing points the development would not be a substantial addition to the skyline which would detract from the more prominent, historically and architecturally significant cluster of spires within the city. In the case of the view from South Park, the LVIA identifies that the tower would be set well away from the cluster of main cluster of spires including those of Christ Church and is bedded into a tree line that disrupts a number of rooftops of buildings that lie in between the park and the central core of the city. Oxford Preservation Trust has commented that the image within the LVIA is not taken from the official view point which is further up the hill. Having reviewed views from this location it confirms the point that views of the skyline change considerably dependant on where they are viewed. In views from further up the hill, the collection of spires within the skyline are more spread out than seen in the LVIA image. Nevertheless the Design and Access Statement includes an image from this point in South Park which again highlights that the tower would be sited well away from the main skyline, and considerably lower than the other spires so as not to compete with the main skyline but still assist in marking the college within the view. It is clear that from this image that the towers and spires within the main skyline would still be read as a set piece across the view, and the proposed tower would not alter that perception to any demonstrable degree, and certainly not in profoundly change the way in which the dreaming spires relate to each other as suggested through the public consultation process. Therefore, officers consider that the visual impact of the tower is relatively low and would not cause harm to the significance of these, and other views identified in the LVIA.
- 9.36. The tower does exceed the 18.2m height limit as prescribed by policy HE9, and cannot reasonably be considered a 'minor element' and thus exempt from the policy. However, the solid element of the tower, to the top of the concrete fins, would breach the 18.2m limit by only 1.1m measuring 19.3m in height, with the lighter decorative metal crown on top adding a further 1.5m in height measuring

20.8m high in total. As discussed above it is considered the tower would not be an intrusive element within the conservation area or the view cones, and would not detract from the significant views of the surrounding taller city spires, which would remain the prominent features within the views, thereby according with policies HE10 and CS18, and chapter 12 of the NPPF.

- 9.37. Whilst it is considered that the tower in its overall form would be an elegantly designed piece with high quality detailing, officers recognise that the impact of the tower and boundary building at night needs to be considered further due to the large amounts of proposed glazing. The Design and Access Statement has confirmed that the tower would be illuminated, and that an external lighting scheme has been developed mindful of the need to mitigate the potential impact to the wider environment. It goes on to state that although a potentially prominent night time feature, the strategy for the tower is intended to have a more subtle glow from within, lantern-like, rather than externally lit. It recognises that this would be in contrast to Magdalen College tower which has brighter floodlighting.
- 9.38. Having regards to the potential impact upon night time views, officers note that the LVIA work has not provided an assessment of night time views of the tower from the chosen locations. However, in the case of the views from Christ Church Meadow it is clear from the LVIA that the boundary building and pavilion is largely screened by the mature trees throughout the setting, and would be viewed alongside the existing college campus buildings. It is also clear that the tower is not easily viewable from these locations which reduce the extent of impact in the night time. In other locations where the boundary building and its tower, and pavilion building are more visible such as from closer views from the Botanic Gardens across the Magdalen College Sports Ground, or views from St Marys, Magdalen, and Merton Towers' the illumination from the windows in the buildings and also the Tower would be viewed against the existing college buildings on either side which all have significant windows and openings that have the potential for illumination at night. Similarly when considering the view from South Park, it is clear that any illumination of the tower would be seen alongside the street lighting and buildings in St Clements, Morrell Avenue etc. As such it is unlikely that subtle illumination of the boundary building and its tower would have a significant impact on the character and appearance of the conservation area, the setting of the surrounding designated heritage assets and the view cones. Nonetheless while it would be unreasonable to object to some form of lighting from the boundary building, its tower, and the riverside pavilion, the exact design of this illumination needs further development and refinement and as such could be dealt with by condition.

Balancing Public Benefits

- 9.39. As the proposal will result in less than substantial harm this will need to be justified against the public benefits, including the optimum viable use, in accordance with Section 12 paragraph 134 of the NPPF.
- 9.40. In redeveloping the site the proposal would make a positive contribution to Oxford's significant housing need by effectively releasing existing housing stock

back into circulation for the general population. This would constitute a public benefit. Additionally, the proposed redevelopment would create a more flexible and logical site arrangement which has the potential to facilitate future site improvements and increasing the potential for further student accommodation to be provided on the wider campus (also complying with Policy HP5 (Location of Student Accommodation)).

- 9.41. In accordance with Historic England's 'Good Practice Advice in Planning Note 2: Managing Significance in Decision-Taking in the Historic Environment', it is considered that the less-than-substantial harm has largely been adequately mitigated by the high quality contextual design response, which has been refined through the pre-application advice and design review process, and the proposed landscaping scheme which would be an enhancement to the college site.
- 9.42. The proposal would significantly improve the street frontage along Cowley Place, increasing the amount of active frontage and street scene adjacent to the public highway. Likewise, the proposals are not considered to harm views from Christchurch Meadows and the Botanical Gardens which are important vistas when viewed from the public footpaths. Officers consider that while the site itself will not include public access the improvements to Cowley Place would demonstrate a public benefit.
- 9.43. Officers consider that the combined weight of the public benefits arising from the development would outweigh the less than substantial harm created by the proposals. The proposals therefore accord with relevant policies of the Local Development Framework and in balancing the less than substantial harm that has been identified against any public benefits that the development proposal offers the local planning authority would meet the requirements of policy set out in paragraph 134 of the NPPF.
- 9.44. In assessing the impact of the development, officers have attached great weight and importance to the desirability of preserving or enhancing the character and appearance of the conservation area, and the settings of the surrounding listed buildings and registered parks and gardens as designated heritage assets. It is considered that the less than substantial harm that would be caused by the proposed development including a departure from the high buildings policy (HE9) has been adequately mitigated by high quality design and is justified by the public benefits that would result, namely the need of the college to expand, grow and rationalise the space to provide additional on-site student accommodation, the improvements to the street scene and college entrance along Cowley Place, and the improvements to the setting of the grade II listed Hall Building. Subject to conditions, the proposal is considered to comply with sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, paragraphs 132 and 134 of the NPPF, policies CP1, CP8, HE3, HE7, HE8 and HE10 of the Oxford Local Plan 2001-2016 and policy CS18 of the Oxford Core Strategy.
- 9.45. To ensure that the detailed design of the buildings is of a suitably high quality conditions have been included to secure the following
- Historic Building Recording – level 2

- Schedule of work and method statement for work to the retaining river wall
- External material samples and details
- Brickwork sample panels
- Tower:
 - Large scale detailed design
 - Details of internal and external lighting type / luminance levels
- Further design details:
 - Large scale joinery details for all new windows, doors and glazing panels
 - Large scale sections of roof junctions (eaves, fascias, soffits etc)
 - Large scale details of roof railings and external stair
- External lighting strategy, including architectural lighting and roof terrace lighting

iii. **Impact on Neighbouring Amenity**

- 9.46. National Planning Practice Guidance explains that in order to achieve good design consideration should be given to buildings and the spaces between them. The layout of developments whether existing or new should be considered in relation to adjoining buildings to ensure that new and existing buildings relate well to each other (Paragraph 24).
- 9.47. The Oxford Local Plan Policy seeks to safeguard the amenities of the occupiers of properties surrounding any proposed development. As a result Policy CP10 requires development to be sited in a manner which ensures that the amenities of the occupiers of properties surrounding any proposed development are safeguarded.
- 9.48. There are no private residential properties in close proximity to the site. The application site is situated within an area that is surrounding by other academic institutions, such as Magdalen School to the north, east and south-east respectively. As such the development would not have an adverse impact upon any adjoining residential properties.

iv. **Landscaping**

- 9.49. A landscape strategy for the development has been submitted with the application, and forms an integral part of this scheme given it seeks to better redress the manner in which the buildings on site respond to the garden setting. The strategy attempt to build upon the relaxed and naturalistic planting within the College grounds, employing a seasonal palette of species to offer year-round enjoyment for all College users and visitors, including winter interest. Extensive new planting areas are proposed to complement the new communal space, connect the existing gardens of the College to north and south, and to views out across the Cherwell. The planting has been selected to find a balance between the exposed south-facing planters and the more sheltered, north-facing areas. The influence of the Cherwell is extended with a tree characteristic of the riverside brought to the entrance of the College from Cowley Place. Elsewhere, the greater species variety will add interest and enhance the biodiversity of the river edge and offer a range of landscape experiences for the user. A drier

landscape approach is proposed for intensive roofscapes. The planting is designed for all year interest, with a maintenance regime to suit. The species choices are influenced by College's historic association with the collections of the botanic garden nearby, celebrating the garden's importance, at the same time enhancing the sense of space and identity.

- 9.50. The proposals require the removal of several existing trees as identified in the submitted arboricultural report. Other retained trees will require careful pruning, most significantly the large mature cedar no. 2863. Due to their location and the presence of other trees these works will not have a significant detrimental effect on public visual amenity in the area.
- 9.51. The proposals include a landscape strategy which includes outline planting proposals. New tree planting, which includes a cut-leaved alder that will feature in public views along Cowley Place, is appropriate to the existing landscape character and will add interest to the college gardens and help provide an attractive setting for the new and existing buildings to the benefit of public visual amenity in the area.
- 9.52. The landscape strategy also identifies a long term need to plant new cedar and willow trees in order to eventually replace the existing retained trees of these species that are in late-maturity within the garden. However, these plantings appear not to have been included on the various plans that show new tree planting and should be included in detailed planting plans and schedules that should be required for approval by condition if planning permission is granted.
- 9.53. It will be important to ensure that retained trees are adequately protected during the demolition and construction phases of development. The application includes detailed Tree Protection Plans and an Arboricultural Method Statement which are appropriate to ensure trees are adequately protected and these should be strictly implemented. Some new constructed elements encroach within the Root Protection Areas of the retained cedar and lime but the application includes details that show that designs include special measures that are intended to minimise root damage. An Arboricultural Clerk of Works should be appointed to oversee tree protection including construction activities within the RPAs. Details of underground utility services and drainage should be required for approval to ensure that the roots of retained trees are not damaged.
- 9.54. The Landscape Strategy is considered to be appropriate for the site, and subject to appropriate conditions listed in this report, would not conflict with Oxford Local Plan Policies CP1, CP11 and NE15.

v. Transport

- 9.55. A Transport Statement has been submitted with the application that considers the highway impacts of the proposal.
- 9.56. The site is considered to be in a sustainable location, within 2km of the city centre and all the shops and services that this has to offer. Likewise the Cowley Road District Centre is only 1.4km to the west of the site which provides a

number of shops and services. There are also excellent public transport links to the city centre and beyond in close proximity.

Transport Sustainability

- 9.57. There are currently 221 students residing on the application site which will increase to 259 students under the proposed development. In addition, there are currently 116 full time staff and 39 part time staff. The application does not propose an increase in the number of staff and therefore would not increase the number of staff journeys to site.
- 9.58. The application proposes that the 18 on-site staff car parking spaces within the red line boundary are to be removed. A further 22 spaces are provided elsewhere on site and include a minimum of 2 disabled parking spaces. Officers and the Local Highways Authority support the reduction in the number of car parking spaces in accordance with Local Plan Policy TR.3 (Car Parking Standards). The area is within a Controlled Parking Zone and therefore any potential for over-spill parking from the site will be restricted and students would not be eligible for parking permits. Therefore, any potential increase in on-street parking resulting from the additional number of students will be restricted.
- 9.59. Therefore, given that students would not be permitted to bring cars onto the site and that there would be a reduction in the number of staff car parking spaces it is not considered that the development will lead to an increase in vehicular trips.
- 9.60. The submitted Transport Statement states that temporary car parking arrangements are proposed to cater for end of term drop offs and collections. Students will be permitted to park within the College Estate at the start and end of terms to facilitate with the delivery and removal of belongings. To prevent any adverse impacts on the operation of the highway a condition has been included to secure the submission of a Student Accommodation Plan to ensure that the movement of vehicles associated with the transport of student belongings are appropriately staggered.

Cycle Parking

- 9.61. The Transport Statement identifies that the development would result in the loss of 175 cycle parking spaces from the site. The college has confirmed that these are of a poor quality with only 25% of these spaces within the colleges' estate being covered.
- 9.62. The proposal is seeking a more holistic response to providing cycle parking throughout the campus as a whole. It is intending to provide a total of 316 covered spaces, with 118 provided as part of the proposed development. A further two spaces will be provided with two stores providing 94 and 104 spaces. No objection would be raised to this level of provision which would accord with the minimum standards.
- 9.63. A condition should be imposed which seeks approval of the cycle parking provision.

Refuse and Access Arrangements

- 9.64. It is proposed that delivery and refuse vehicles would utilise a new restricted on-street parking area opposite the proposed pedestrian access to the west of the site which would measure 18 metres in length. The application proposes to change to the parking bays from 'permit holders only / 3 hours no return' to '20 minutes no return'. The proposed '20 minutes no return' parking bays cannot be enforced. Therefore the parking bays can only be changed to a minimum '30 minutes no return'. These changes would require a change to the Traffic Regulation Order and Officers note that a change to the TRO will be subject to consultation with the Local Highways Authority and would be at the expense of the applicant.
- 9.65. An updated site plan showing a swept path analysis for the manoeuvring of fire and refuse vehicles within the site has been submitted. This demonstrates that such a vehicle can safely enter and turn within the site and reach a point within 45m of the pavilion.
- 9.66. In addition, the application proposes dropping the kerb next to the parking bays, to aid with deliveries and wheelchair users. No details have been provided relating to the location and length of the dropped kerb so a condition has been included to secure the submission of a plan showing the location and length of the proposed dropped kerb.
- 9.67. The submitted Design and Access Statement outlines that an existing lamppost will be relocated. An informative has been included to advise the applicant to contact the Street Lighting team to arrange this.

vi. Sustainability and Energy

- 9.68. Core Strategy Policy CS9 (Energy and Natural Resources) states that all developments should seek to minimise their carbon emissions and should demonstrate sustainable design and construction methods and energy efficiency through design, layout, orientation, landscaping and materials. Qualifying developments, i.e. 10 or more dwellings or developments for over 2000m², should be energy efficient, deliver a proportion of renewable or low-carbon energy and incorporate recycled or reclaimed materials.
- 9.69. The proposed development would meet the definition of qualifying development and the applicant has submitted an Energy Statement in support of the application.
- 9.70. The submitted document sets out that energy reduction would be secured through passive initiatives, PV panels and Combined Heat and Power (CHP). The proposal would utilise south facing bedrooms as well as the building positioning of the Atrium and the Pavillion to take advantage of solar gains in winter, with blinds and suitable glazing mitigating against overheating in the summer months. PV Panels are proposed to provide 2.5% of the total energy requirements and CHP 20.8%.

9.71. Considering the measures taken through the construction of the building that would contribute towards energy efficiency and sustainability and the site wide improvements gained through the replacement boilers Officers consider that the proposal would minimise the carbon emissions resulting from the development and does demonstrate sustainable design and construction methods and energy efficiency through design and materials. As such, Officers do not consider the proposal to conflict with the aims of Core Strategy Policy CS9.

vii. Flooding

9.72. The NPPF states that when determining planning applications, Local planning authorities should ensure that flood risk is not increased elsewhere and only consider development appropriate in areas at risk where informed by a site specific flood risk assessment following the Sequential Test, and if required an Exception Test which aims to make the development safe without increasing flood risk elsewhere (paragraph 103).

9.73. At a local level, Oxford Core Strategy Policy CS11 states that permission will not be granted for development in the functional flood plain (Flood Zone 3b) except for water compatible uses and essential infrastructure. It requires Flood Risk Assessments from developments over 1ha and in any area of flood risk from rivers (Flood Zone 2 and above) and other sources, and that such assessments shall show how the proposed development will not increase flood risk. That mitigation measures must be implemented to mitigate risk and that schemes should incorporate sustainable urban drainage measures to limit run off, and preferably reduce the existing rate of run-off. Development will also not be permitted that will lead to increased flood risk elsewhere, or where the occupants will not be safe from flooding.

9.74. A Site Specific Flood Risk Assessment has been submitted with the application, which identifies that the site is bordered by the River Cherwell to the west. The FRA sets out that the boundary building is located within Flood Zone 1, and that a small part of the pavilion building is within Flood Zone 3a.

9.75. In terms of flood risk vulnerability, the Boundary Building would be classified a 'more vulnerable' use which would be appropriate within Flood Zone 1. The pavilion building would be a 'less vulnerable use' compared to the Milham Ford Building which is already sited in this location and would be classed as a 'more vulnerable use', thereby reducing the extent of flood risk vulnerability. A less vulnerable use is considered to be appropriate use within Flood Zone 3a. The FRA has demonstrated that both uses are considered appropriate within the flood zones.

9.76. The FRA has identified that the Pavilion Building which has part of its footprint within the area of most risk, will employ flood resilient measures such as setting the ground floor above the flood levels (plus climate change allowance) so as to ensure that the internal areas of the building do not flood. The scheme will also provide Flood Compensation within a void under the pavilion building, cutting into the footprint of the existing Milham Ford buildings foundations, and lowering the

ground in the Punt area. The FRA identifies that the site currently provides flood storage of 260.8m³, while the new building layout and layout will provide 284.9m³. Therefore the flood storage will be increased by 24m³ as a result of the development. The void below the pavilion building will allow water in through a hit-and-miss stone wall.

- 9.77. The Environment Agency sought further clarification on the void below the pavilion building to ensure that it could provide satisfactory flood compensation. Having reviewed further details relating to the hit and miss wall, they are satisfied that the void below the building will perform as intended. Moreover they are also satisfied that the finished floor levels within the pavilion building will prevent flood risk. The Environment Agency has not objected on grounds of flood risk subject to a condition requiring the recommendations of the flood risk assessment being carried out.
- 9.78. The Flood Risk Assessment also proposes a sustainable drainage system for surface water which will achieve a reduction of 20% compared to existing brownfield runoff rates. For a previously developed site, officers would expect a reduction as close as possible to greenfield runoff rates, or 50% reduction if this is not possible.
- 9.79. This notwithstanding, the principle of the drainage strategy is considered reasonable at this stage of the design process, as acknowledged in the FRA, the strategy is subject to detailed design. Given this, full details of the drainage strategy should be provided prior to commencement of the development. It should also be noted that the discharge to the river in times of raised water/flood levels should be considered, and modelled as a 'surcharged outfall', with attenuation volumes taking this into consideration.

viii. Biodiversity

- 9.80. The NPPF states that development proposals should conserve and enhance biodiversity by applying the certain principles. These include, if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, the permission should be refused. Opportunities to incorporate biodiversity in and around developments should be encouraged (paragraph 118)
- 9.81. Oxford Core Strategy Policy CS12 states that development will not be permitted that result in a net loss of sites or species of ecological value. Where there is opportunity, development will be expected to enhance Oxford's biodiversity.
- 9.82. A Phase 1 Habitat Survey and Bat Survey Report (EcoConsult, September 2107) have been submitted, along with the Design and Access Statement and planting plans which also consider the impact of the proposal on biodiversity.
- 9.83. In terms of statutory designations the site is 5km away from the Oxford Meadows Special Area of conservation, and 1km from the Magdalen Grove Site of Scientific Interest. There are also a number of non-statutory designated sites

within 1km of the site – St Hilda’s College, Magdalen Meadow, Long Meadow, and Great Meadow Local Wildlife Sites, and Sites of Local Importance of Astons Eyot and The Kidneys and St Cross Cemetery. The development would not have an adverse impact upon these sites.

- 9.84. The Habitat Survey and Bat Survey Report identified bat roosts in one building, plus otter activity along the river nearby. In addition, trees and shrubs, plus buildings may be used as nest sites for birds. In order to provide mitigation for their loss two bat boxes are to be installed in trees. In addition, the proposed landscaping would primarily be native or nectar-producing species, and green and brown roofs are proposed to the main building, which are welcomed in order to provide replacement habitat.
- 9.85. With regards to external lighting the Design and Access Statement describes a generally low-key approach but does intimate that there would be some landscape and planting lighting. Officers consider that trees and buildings away from the main entrance and particularly those facing the river should not be lit to minimise disturbance to wildlife (bats and otters). The new buildings are unlikely to provide bat roost opportunities, and officers would suggest that there would be scope to provide more mitigation / species enhancements than is proposed. Additional bat boxes of similar type could be installed in the stone wall (to be rebuilt) facing the river, where they would stand a good chance of being relatively undisturbed and used. This location would be less likely to compromise building design, and built-in box types may be considered to be less obtrusive. The new buildings also provide an opportunity to install swift nest boxes within north-facing brickwork, which would provide a good contribution to Oxford Swift City. An example might be the low-cost Manthorpe box which is available in a range of brick colours; other boxes may be customised to match exactly. This should be secured by condition.
- 9.86. The Environment Agency had objected to the proposal on the grounds that the development did not offer an ecological buffer zone to the River Cherwell. In doing so reference was made to Oxford Local Plan NE6 should seek to provide a wildlife buffer alongside water courses. They suggested that the development provided an opportunity to restore, enhance and protect this degraded part of the Cherwell and provide more habitat connectivity.
- 9.87. The applicant has subsequently provided a further drawing which shows how the River bank will be softened in front of the Riverside Pavilion in order to provide more connectivity. It is proposed to use Coir rolls fixed to the stone wall in order to provide planting and habitat that can link the two sides of the river bank together. At the time of preparing this report, it is understood that these plans for additional planting on the River Bank have addressed the Environment Agency’s concerns.

ix. Other

- 9.88. Air Quality: An Air Quality Assessment has been submitted which concludes that the site is already below the key long and short term levels and is therefore suitable for residential use.
- 9.89. The transport assessment states that development proposals shall not result in an increase in staff numbers. It also states that the proposed development trip generation is unlikely to increase the existing vehicular traffic movements associated with the site, and that will be a reduction of 18 parking places on site.
- 9.90. The energy statement also seeks to minimise emissions from nitrogen oxides (NOx) from the new gas-fired heating systems and new boilers which have high class minimum emissions. An appropriate target of <40 mgNOx/kWh has been set. Ventilation exhausts from catering kitchens, WCs and laundries are routed to roof level to avoid contamination of air local to occupants and neighbours.
- 9.91. Emissions during the construction phase were also considered, and a dust assessment has been conducted following EPUK IAQM guidelines, and site specific mitigation measures have been developed and proposed according to the level of significance of the impact risks discovered.
- 9.92. Officers are satisfied that the development will not have an adverse impact on Air Quality in accordance with Local Plan Policy CP23.
- 9.93. Land Quality: A Ground Investigation Report has been submitted. Having reviewed this document and the historic records for the site, officers are satisfied that the risk of any significant contamination being present on site is low. A condition should be attached requiring further phased risk assessment and any necessary remediation strategy to be secured.
- 9.94. Archaeology: This site is of interest because it is located near the historic crossing point of the Cherwell where there is potential for prehistoric, Saxon, Viking, medieval and post-medieval activity including Civil War remains. The site has specific interest because it is close to the likely location of the medieval Boys Mill, medieval and post medieval farm buildings, the post medieval Milham Bridge, a ford and Royalist Civil War defensive outworks.
- 9.95. The field evaluation at this site was restricted in scope by standing structures and existing services. It recorded several pits of indeterminate date, a large deep 17th century pit and several natural tree boles on an area of higher gravel in the eastern part of the site. A trench located closer to the river further down the gravel slope failed to identify and mill or bridge remains but encountered a stone lined culvert of post-medieval/ modern date probably associated with the former school building in the area of the existing Milham ford building.
- 9.96. In this case, bearing in mind the constraints placed on field evaluation by existing structures and services and the results of the evaluation trenching officers would recommend that, in line with the advice in the National Planning Policy Framework, a condition should be imposed securing further archaeological

investigation. The archaeological investigation should consist of 1) careful demolition to ground level 2) targeted strip and record excavation (the extent of which will be subject to the details of the foundation design and ground reduction works) and 3) a targeted watching brief. The archaeological investigation should be undertaken by a professionally qualified archaeologist working to a brief issued by ourselves

10. CONCLUSION

- 10.1. Having regards to the matters discussed in the report, officers would make members aware that the starting point for the determination of this application is in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 which makes clear that proposals should be assessed in accordance with the development plan unless material considerations indicate otherwise.
- 10.2. The NPPF recognises the need to take decisions in accordance with Section 38(6) but also makes clear that it is a material consideration in the determination of any planning application (paragraph 2). The main aim of the NPPF is to deliver Sustainable Development, with Paragraph 14 the key principle for achieving this aim. The NPPF also goes on to state that development plan policies should be given due weight depending on their consistency with the aims and objectives of the Framework. The relevant development plan policies are considered to be consistent with the NPPF despite being adopted prior to the publication of the framework.

Compliance with Development Plan Policies

- 10.3. Therefore in conclusion it would be necessary to consider the degree to which the proposal complies with the policies of the development plan as a whole and whether there are any material considerations, such as the NPPF, which is inconsistent with the result of the application of the development plan as a whole.
- 10.4. In summary, the proposed development would seek to make an efficient use of previously developed land in accordance with Oxford Core Strategy Policy CS2. The redevelopment of additional accommodation for the college within their own campus is also supported by Sites and Housing Plan Policy HP5. The site layout and built form has been developed in a comprehensive and thoughtful manner following an extensive pre-application process which has considered the impact upon designated heritage assets, and results in a development which would mitigate the less than substantial harm to these assets by high quality design and a number of public benefits would be derived that would outweigh said harm. As such it would accord with Local Plan Policies CP1, CP6, CP8, HE3, HE7, HE8 and HE10 along with Core Strategy Policy CS18. It has also been designed in a manner that would preserve the amenities of the adjoining residential properties in accordance with Local Plan Policy CP10. In transport terms, it is considered that the proposal would be acceptable in terms of access, parking, highway safety, traffic generation, and pedestrian and cycle movements in accordance with Local Plan Policy CP1, and HP15. While part of the proposed expansion would be located within Flood Zone, officers consider that it has been designed in a manner that would not increase flood risk as supported by Core

Strategy Policy CS11. The development would not have an adverse impact upon biodiversity and would secure appropriate mitigation measures in order to ensure that there is no net loss of biodiversity in accordance with Core Strategy Policy CS12. The proposed landscaping would accord with Local Plan Policies CP1, CP11, and NE15. The development would also be acceptable in terms of archaeology (Local Plan Policy HE2), Air Quality (Local Plan Policy CP23), Land Quality (Local Plan Policy CP22). Where there are any adverse impacts in relation to these matters officers consider that these could be mitigated through appropriately worded conditions.

- 10.5. The main policy where there could be considered a departure from development plan policy would be with regard to Oxford Local Plan Policy HE9 which states that permission will not be granted for developments which exceed 18.2m (or ordnance datum height of 79.3m within a 1,200m radius of Carfax Tower). While it is accepted that the proposed tower would exceed the 18.2m height limit as prescribed by the policy and cannot reasonably be considered a 'minor element', and thus exempt from the policy. The solid element of the tower, to the top of the concrete fins, would breach the 18.2m limit by only 1.1m measuring 19.3m in height, with the lighter decorative metal crown on top adding a further 1.5m in height measuring 20.8m high in total. The LVIA submitted with the application has demonstrated that the tower would not be an intrusive element within the skyline or detract from the significant views of the surrounding taller city spires, that Policy HE9 seeks to protect and which would remain the prominent features within the views, thereby according with policies HE10 and CS18, and chapter 12 of the NPPF. Therefore the high quality contextual design approach for the tower which has been informed by a Landscape Visual Impact Assessment considerably reduces the weight to be attached to the conflict with this policy.
- 10.6. Therefore officers consider that the proposal would accord with the development plan as a whole.

Material Considerations

- 10.7. The principal material considerations which arise are addressed below, and follow the analysis set out in earlier sections of this report.
- 10.8. National Planning Policy: The NPPF has a presumption in favour of sustainable development which should be viewed as the golden-thread running through decision taking.
- 10.9. NPPF paragraph 14 states that proposals that accord with the development plan should be approved without delay, or where the development plan is absent, silent, or relevant plans are out of date, granting permission unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole; or specific policies in the framework indicate development should be restricted.
- 10.10. Officers consider that the proposal would accord with the overall aims and objectives of the NPPF for the reasons set out within the report. Therefore in such circumstances, Paragraph 14 is clear that planning permission should be

approved without delay. This is a significant material consideration in favour of the proposal.

- 10.11. Officers would advise members that having considered the application carefully including all representations made with respect to the application, that 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, and Oxford Local Plan 2001-2016, when considered as a whole, and that there are no material considerations that would outweigh these policies.
- 10.12. Therefore it is recommended that the Committee resolve to grant planning permission for the development proposed subject to the conditions set out in Section 11 of this report.

11. CONDITIONS

- 1 The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

- 2 The development permitted shall be constructed in complete accordance with the specifications in the application and approved plans listed below, unless otherwise agreed in writing by the local planning authority.

Reason: To avoid doubt and to ensure an acceptable development as indicated on the submitted drawings in accordance with policy CP1 of the Oxford Local Plan 2001-2016.

- 3 (i) Samples of the exterior materials to be used shall be submitted to and approved in writing by the Local Planning Authority before the start of work on (excluding demolitions) the site.

(ii) Sample panels of the stonework/brickwork demonstrating the colour, texture, face bond and pointing shall be erected on site and approved in writing by the Local Planning Authority before relevant parts of the work are commenced.

The development shall be completed in accordance with the approved details.

Reason: In the interests of the visual appearance of the St Clements and Iffley Road Conservation Area in which it stands in accordance with policies CP1, CP8 and HE7 of the Adopted Oxford Local Plan 2001-2016.

- 4 (i) The student accommodation hereby permitted shall only be occupied during term time by students in full time education on courses of an academic year or more.

(ii) Outside term time the permitted use may be extended to include accommodation for cultural and academic visitors and for conference and summer school delegates.

The buildings shall be used for no other purpose without the prior written approval of the Local Planning Authority.

Reason: In order to maintain the availability of appropriate student accommodation in accordance with policy CS25 of the Adopted Oxford Core Strategy 2026 and HP5 of the Sites and Housing Plan..

- 5 The student study bedrooms comprised in the development shall not be occupied until the wording of a clause in the tenancy agreement under which the study bedrooms are to be occupied restricting students resident at the premises (other than those registered disabled) from bringing or keeping a motor vehicle in the city has been submitted to and approved by the local planning authority; and the study bedrooms shall only be let on tenancies which include that clause or any alternative approved by the local planning authority.

Reason: To ensure that the development does not generate a level of vehicular parking which would be prejudicial to highway safety, or cause parking stress in the immediate locality, in accordance with policies CP1 of the Adopted Oxford Local Plan 2001-2016 and Policy HP5 of the Sites and Housing Plan 2011-2026

- 6 The development shall not be occupied until a Student Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan should also include the control measures for ensuring that the movement of vehicles associated with the transport of student belongings at the start and end of term are appropriately staggered to prevent any adverse impacts on the operation of the highway. The management plan shall be implemented upon first occupation of the development and remain in place at all times thereafter unless otherwise agreed in writing beforehand by the Local Planning Authority.

Reason: To avoid doubt and in order to ensure the development is appropriately managed so as to protect the amenities of neighbouring occupiers, in accordance with policy CS25 of the Oxford Core Strategy 2026.

- 7 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work including historic building recording in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority. All works shall be carried out and completed in accordance with the approved written scheme of investigation, unless otherwise agreed in writing by the Local Planning Authority.

The historic building recording should consist of a level II building survey (Historic England, Understanding Historic Buildings: A Guide to Good Recording Practice, 2016) undertaken prior to the demolition works. The recording should be undertaken by a professionally qualified archaeologist working to a brief issued by ourselves.

Reason: Because the development may have a damaging effect on known or suspected elements of the historic environment of the people of Oxford and their visitors, in accordance with policies HE3 and HE4 of the Adopted Oxford Local Plan 2001-2016.

- 8 Notwithstanding the details submitted with the application, further large scale design details of the following shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of works above ground.

- Large scale joinery details for all new windows, doors and glazing panels
- Large scale sections of roof junctions (eaves, fascias, soffits etc)
- Large scale details of roof railings and external stair

The development shall be carried out in accordance with these approved details

Reason: For the avoidance of doubt and so that the Local Planning Authority can agree these details in the interests of preserving the character and appearance of the conservation area, and in accordance with Policies CP1, CP8, and HE7 of the adopted Oxford Local Plan 2001-2016

- 9 Notwithstanding the details submitted with the application, further large scale design details of the Tower shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of works above ground. The details shall include the following

- Large scale detailed design of the Tower including sections and details
- Details of internal and external lighting type / luminance levels

The development shall be carried out in accordance with these approved details

Reason: For the avoidance of doubt and so that the Local Planning Authority can agree these details in the interests of preserving the character and appearance of the conservation area, and in accordance with Policies CP1, CP8, and HE7 of the adopted Oxford Local Plan 2001-2016

- 10 Details of any proposed floodlighting or external lighting for the development (including architectural lighting and roof terrace lighting) shall be submitted to, and approved in writing by, the Local Planning Authority before the building(s) is occupied.

The lighting design strategy shall also consider the impact on biodiversity for buildings, trees and frontage of River Cherwell shall be submitted to and approved in writing by the local planning authority. The strategy shall:

a) identify those areas/features on site that are particularly sensitive for bats and otter and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: In the interests of amenity and in the absence of information, in accordance with policies CP1, HE3 and HE11 of the Adopted Oxford Local Plan 2001-2016 and policy CS18 of the Oxford Core Strategy 2026 and to in the interests of improving the biodiversity of the City in accordance with NPPF and policy CS12 of the Oxford Core Strategy 2026.

- 11 A landscape plan shall be submitted to, and approved in writing by, the Local Planning Authority before development starts. The plan shall include a survey of

existing trees showing sizes and species, and indicate which (if any) it is requested should be removed, and shall show in detail all proposed tree and shrub planting, treatment of paved areas, and areas to be grassed or finished in a similar manner. The detailed planting plans and schedules should include the provision of new cedar and willow trees as eventual long-term replacements for the retained trees of these species that are now in late maturity;

Reason: In the interests of visual amenity in accordance with policies CP1, CP11 and NE15 of the Adopted Local Plan 2001-2016.

- 12 The landscaping proposals as approved by the Local Planning Authority shall be carried out upon substantial completion of the development and be completed not later than the first planting season after substantial completion.

Reason: In the interests of visual amenity in accordance with policies CP1 and CP11 of the Adopted Local Plan 2001-2016.

- 13 Prior to the start of any work on site including site clearance, details of the design of all new hard surfaces and a method statement for their construction shall be submitted to and approved in writing by the Local Planning Authority. Details shall take into account the need to avoid any excavation within the rooting area of any retained tree and where appropriate the Local Planning Authority will expect "no-dig" techniques to be used, which might require hard surfaces to be constructed on top of existing soil levels using treated timber edging and pegs to retain the built up material.

Reason: To avoid damage to the roots of retained trees. In accordance with policies CP1, CP11 and NE16 of the Adopted Local Plan 2001-2016.

- 14 The development shall be carried out in strict accordance with the approved tree protection measures contained within the planning application details unless otherwise agreed in writing by the LPA.

Reason: To protect retained trees during construction. In accordance with policies CP1, CP11 and NE16 of the Adopted Local Plan 2001-2016.

- 15 The development shall be carried out in strict accordance with the approved methods of working and tree protection measures contained within the planning application details unless otherwise agreed in writing by the LPA.

Reason: To protect retained trees during construction. In accordance with policies CP1, CP11 and NE16 of the Adopted Local Plan 2001-2016.

- 16 Prior to the start of work on site a Tree Protection Monitoring Plan shall be submitted to and approved in writing by the Local Planning Authority which includes details of:

- (i) The role and responsibilities on site of an arboricultural clerk of works (ACoW) or similarly competent person;
- (ii) Responsible persons and lines of communication and reporting including with the LPA Tree Officer;
- (iii) The times during construction when ACoW will be present on site to oversee works;

The approved monitoring plan shall be implemented before the start of work on site and maintained throughout the construction phase of the development.

Reason: To protect retained trees during construction. In accordance with policies CP1, CP11 and NE16 of the Adopted Local Plan 2001-2016.

- 17 No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones", specifically River Cherwell.
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction, for example silt pollution to river (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of improving the biodiversity of the City in accordance with NPPF and policy CS12 of the Oxford Core Strategy 2026.

- 18 Prior to the commencement of the development, details of biodiversity enhancement measures including at least 10 x bird nesting and 5 x bat roosting devices shall be submitted to and approved in writing by the local planning authority. The approved measures shall be incorporated into the scheme and be fully constructed prior to occupation of the approved dwellings and retained as such thereafter.

Reason: In the interests of improving the biodiversity of the City in accordance with NPPF and policy CS12 of the Oxford Core Strategy 2026.

- 19 Prior to the commencement of the development a phased risk assessment shall be carried out by a competent person in accordance with relevant British Standards and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR11) (or equivalent British Standards and Model Procedures if replaced). Each phase shall be submitted in writing and approved by the local planning authority.

Phase 1 shall incorporate a desk study and site walk over to identify all potential contaminative uses on site, and to inform the conceptual site model and preliminary risk assessment. If potential contamination is identified in Phase 1 then a Phase 2 investigation shall be undertaken.

Phase 2 shall include a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present, the risks to receptors and to inform the remediation strategy proposals.

Phase 3 requires that a remediation strategy, validation plan, and/or monitoring plan be submitted to and approved by the local planning authority to ensure the site will be suitable for its proposed use.

Reason- To ensure that any ground and water contamination is identified and adequately addressed to ensure the site is suitable for the proposed use in accordance with the requirements of policy CP22 of the Oxford Local Plan 2001-2016.

- 20 The development shall not be occupied until any approved remedial works have been carried out and a full validation report has been submitted to and approved by the local planning authority.

Any contamination that is found during the course of construction of the approved development that was not previously identified shall be reported immediately to the local planning authority. Development on that part of the site affected shall be suspended and a risk assessment carried out by a competent person and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the local planning authority. These approved schemes shall be carried out before the development (or relevant phase of development) is resumed or continued.

Reason- To ensure that any ground and water contamination is identified and adequately addressed to ensure the site is suitable for the proposed use in accordance with the requirements of policy CP22 of the Oxford Local Plan 2001-2016.

- 21 Prior to the commencement of development, plans, calculations and drainage details to show how surface water will be dealt with on-site through the use of sustainable drainage methods (SuDS) shall be submitted to and approved in writing by the Local Planning Authority. The plans, calculations and drainage details will be required to be completed by a suitably qualified and experienced person in the field of hydrology and hydraulics. The plans, calculations and drainage details shall be undertaken in accordance with the following document;

- Solid Structures - Flood Risk Assessment and SUDS Statement - Project Number 1180m - 22/09/17

The plans, calculations and drainage details submitted shall demonstrate that;

- (i) The drainage system must have been designed to control surface water runoff for all rainfall up to a 1 in 100 year storm event + 40% allowance for climate change
- (ii) A betterment to the brownfield runoff rate should be agreed with the Local Planning Authority
- (iii) The rate at which surface water is discharged from the site may vary with the severity of the storm event but must not exceed the agreed betterment to brownfield runoff rate for a given storm event.
- (iv) Excess surface water runoff must be stored on site and released to receiving system at the rates as agreed.

Reason: To ensure compliance with Policy CS11 of the Oxford Core Strategy 2011-2026.

- 22 Prior to commencement of the development, details of a Sustainable Drainage (SuDS) Maintenance Plan shall also be submitted to and approved in writing by the Local Planning Authority, and adhered to for the lifetime of the development. The

Sustainable Drainage (SuDS) Maintenance Plan will be required to be completed by a suitably qualified and experienced person in the field of hydrology and hydraulics, and will be required to provide details of the frequency and types of maintenance for each individual sustainable drainage structure proposed and ensure the sustainable drainage system will continue to function in perpetuity

Reason: To ensure that the proposed development is maintained in perpetuity and to avoid increasing surface water run-off and thereby attenuating flood risk in accordance with Policy CS11 of the Oxford Core Strategy 2011-2026.

- 23 Prior to the occupation of the development the drainage infrastructure shall be constructed in accordance with the approved details and thereafter retained. The development is to be maintained in accordance with the approved Sustainable Drainage (SUDs) Maintenance Plan.

Reason: To ensure compliance with Policy CS11 of the Oxford Core Strategy 2011-2026.

- 24 The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment & SUDS Statement (FRA) produced by Solid Structures, dated September 2017 and the following mitigation measures detailed within the FRA:

(i) The finished floor levels will be at no less than 58.28 AOD as per section 5.6 Pavilion Building Design in the FRA.

(ii) A void is provided in the form of a hit and miss stone wall as per section 5.10 of the FRA.

Reasons 1. To reduce the risk of flooding to the proposed development and future occupants, 2. To prevent flooding elsewhere by ensuring that the flow of flood water is not impeded and the proposed development does not cause a loss of flood plain storage.

- 25 No development shall take place until a written scheme of investigation (WSI) has been [submitted to and] approved by the local planning authority in writing. For land that is included within the WSI, no development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and

(i) The programme and methodology for demolition of the existing structures and subsequent site archaeological recording and the nomination of a competent person(s) or organisation to undertake the agreed works. The archaeological investigation should consist of (1) careful demolition to ground level, (2) targeted strip and record excavation (the extent of which will be subject to the details of the foundation design and ground reduction works) and (3) a targeted watching brief. The archaeological investigation should be undertaken by a professionally qualified archaeologist working to a brief issued by ourselves

(ii) The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

Reason: Because the development may have a damaging effect on known or suspected elements of the historic environment of the people of Oxford and their

visitors, including Saxon, medieval and post-medieval remains (Local Plan Policy HE2).

- 26 A full Travel Plan shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the development. The approved Travel Plan shall be implemented on occupation and maintained thereafter.

Reason: To encourage the use of sustainable modes as a means of transport.

- 27 No work shall commence until details of the refuse and cycle storage for the development have been submitted to and approved in writing by the Local Planning Authority. These details shall include the method of storage to ensure that they are safe, secure, and sheltered. The refuse and cycle storage shall be provided in accordance with these approved details prior to the development being first occupied, and shall be retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of residential amenity, and in accordance with Policies CP1, and CP10 of the Oxford Local Plan 2001-2016 and Policy HP13 of the Sites and Housing Plan 2011-2026

- 28 (i) A Plan showing location and length of the proposed dropped kerb should be submitted to and approved by the Local Planning Authority.

(ii) The existing access will be closed by the applicant prior to occupation and the dropped kerb reinstated. A highway drawing showing the closure must be submitted to and agreed by the Planning Authority.

Any alterations to the public highway will be at the applicant's expense and to Oxfordshire County Council's standards and specifications the works shall be completed before the development hereby permitted is brought into use.

Reason: In the interest of highway safety in accordance with Oxford Local Plan Policy CP1

- 29 A Construction Traffic Management Plan should be submitted to the Local Planning Authority and agreed prior to commencement of works. This should identify;
- The routing of construction vehicles and management of their movement into and out of the site by a qualified and certificated banksman,
 - Access arrangements and times of movement of construction vehicles (to minimise the impact on the surrounding highway network),
 - Details of wheel cleaning / wash facilities to prevent mud, etc from migrating on to the adjacent highway,
 - Contact details for the Site Supervisor responsible for on-site works,
 - Travel initiatives for site related worker vehicles,
 - Parking provision for site related worker vehicles,
 - Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours,
 - Engagement with local residents, including the adjacent care home.

Reason: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding network, road infrastructure and local residents, particularly at peak traffic times.

12. APPENDICES

Appendix 1 – Site Plan

Appendix 2 - Oxford Design Review Panel Letters

13. HUMAN RIGHTS ACT 1998

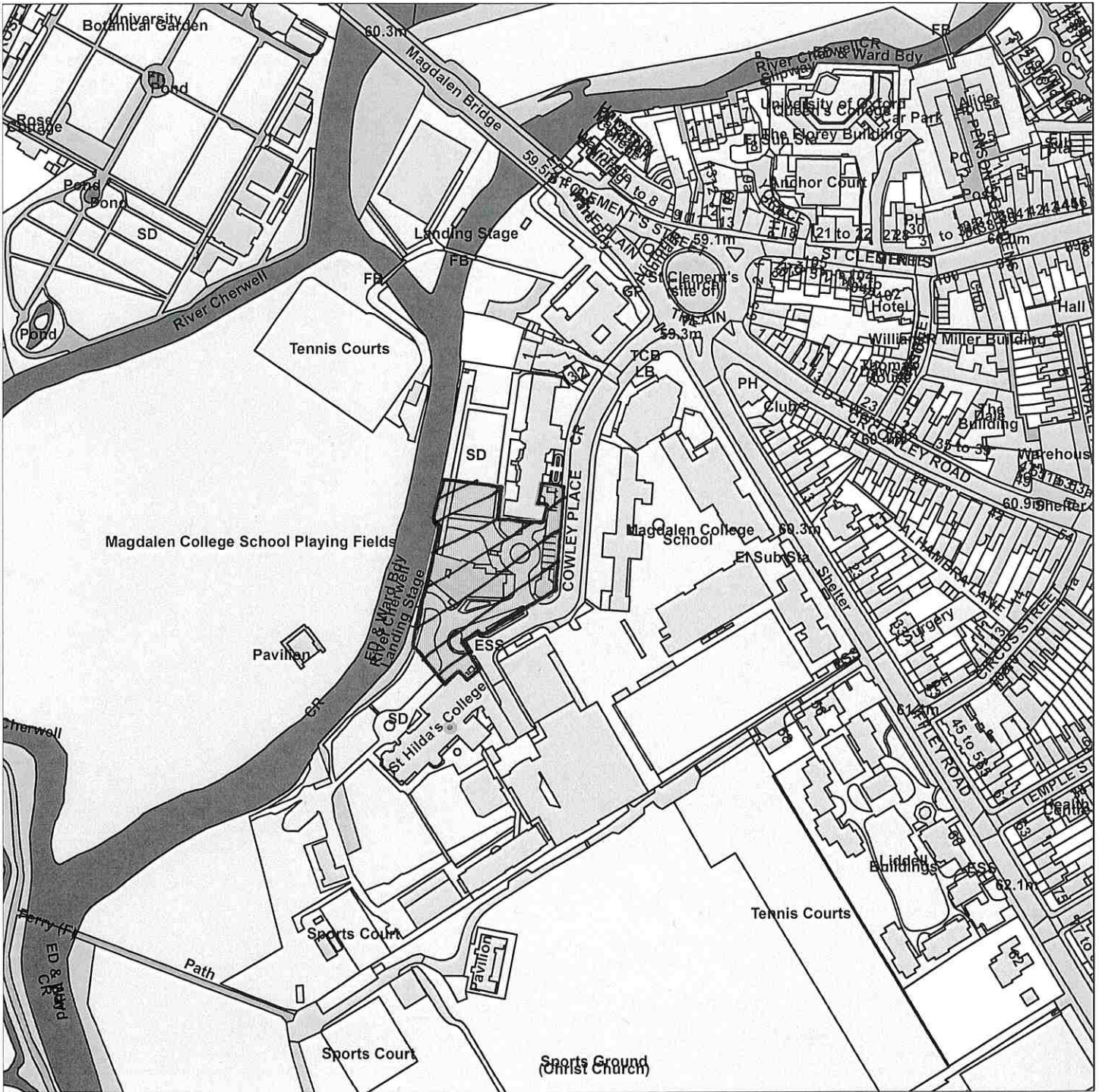
- 13.1. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to grant planning permission for this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate 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.

14. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

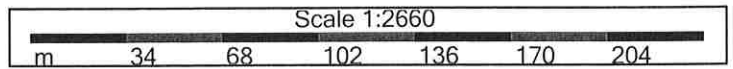
- 14.1. Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to grant planning permission,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

Appendix 1

St Hildas College 17/02537/FUL



1:2660



Organisation	Oxford City Council
Department	City Development
Comments	Not Set
Date	05 March 2018
SLA Number	100019348

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Nik Lyzba
 JPPC Chartered Town Planners
 Bagley Croft
 Hinksey Hill
 Oxford
 OX1 5BD

30 May 2017

Our reference: DCC/0819

Oxford City Council: St Hilda's College, Oxford

Dear Nik Lyzba,

Thank you for the opportunity to continue engaging in the proposals for St. Hilda's College and for attending the Oxford Design Review Panel (ODRP) follow-up review of this high-profile project on 25 May 2017. The previous design review of this scheme took place on 16 December 2016 and the respective review letter was dated 8 December 2016. As stated in the previous review letter, we continue to support the demolition of the existing building on the site and welcome the steps taken by St Hilda's College and Magdalene College School to explore the potential to adopt Cowley Place.

Summary

We are supportive the overall design of this scheme. The proposal for St. Hilda's College has been progressed with a high level of skill and care, and an impressive amount of contextual analysis and work to address previous comments has been undertaken since the last review. We are thankful for the careful consideration of the points raised in the review letter and think that the design changes as a result of this analysis have led to a much more successful proposal.

The scheme better integrates within its context and capitalises on opportunities to improve the quality of the campus environment as a result of the changes to the site layout and building design. The changes to the building footprints improve key views and connections across the site and wider area, and due to the reduction in heights of the Pavilion Building and tower, the scheme fits well into its natural and historic setting. We welcome the elevational studies which better balance the serene site character and aspiration for confident, contemporary new buildings in this context. Landscape is now a more prominent and positive feature of the proposal which helps in unifying the proposed buildings and existing waterside environment, creating an attractive setting for students, staff and visitors alike.

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To achieve the high level of design excellence that this proposal is in reach of, we encourage the design team to continue to balance the fine line between design detail and decoration in the approach to architecture and landscape. There is a slight risk that the detailed architectural elements, specifically of the tower and elevations, will appear over-designed and fussy which may undermine the restrained and calm character of the scheme and setting. As a result, we suggest exploring the narrative and design of the tower a bit further and fine-tuning elements of the elevations and landscape design.

Landscape

Overall, the landscape strategy progressed substantially since the last review, particularly the treatment of the open space at ground level. A significant amount of thought has been given to the use of spaces and soft landscaping, resulting in an improved green setting. The creation of an ornamental water feature to enliven the landscape is a sound concept which could be extended across the site and at the entrance in particular. Opening up of the river pathway is one of the key benefits the new site layout will deliver to the local area and Oxford, and therefore it is unfortunate that this route is not accessible by wheelchair users.

There is scope to further improve the relationship of the scheme and wider area, and also that of the buildings and open space through the landscape design. At the rooftop level, we suggest continuing to soften the long range views of the building with more delicate planting and to simplify the pathways and landscape treatment within the roof garden as it currently appears overly fussy. A greater relationship between the landscape on the rooftop and ground floor level could also be attained.

At ground level, a stronger relationship between the soft landscaping and planting in the college and the near-by Botanical Gardens could be established. The vegetation and the landscaping should also form a key part of the overall sustainability strategy for the site, for example, by utilising harvested water to irrigate the garden. A lighting strategy would be beneficial to enhance the character and feeling of safety of the open space and circulation routes at night time. We think the hard landscaping/paving elements will benefit from equal attention to that of the proposed buildings and suggest continuing to explore the colour of the surface materials to ensure that they harmonise with the buildings.

Pavilion Building

We welcome the amendments to the Pavilion Building, particularly the reduction in the building height, which now frames the key views within the site well and provides a more pavilion-like appearance in terms of its size and form. To refine the massing and footprint of the Pavilion Building, particularly from the south of the site, we welcome the analysis of short range views which will be experienced when walking through the site.

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In terms of the elevations, the slimmer fins and lightweight framing elements create an elegant building that contrasts well with the solidness of the Boundary building. The internal layout appears sound but we encourage the design team to assess screening systems that help to reduce overheating within the building and ensure the auditorium could be used effectively during performances and rehearsals given the significant proportion of glazing.

Boundary Building

The splayed footprint of the Boundary Building successfully opens up views within the campus and to the wider area enhancing the sense of wayfinding and feeling of permeability. Great care and attention has been given to the articulation of the façades and we are impressed with the detailed drawings and options that were presented at the review. We encourage the design team to allow the building design to express itself through elements such as lighting and shading rather than solely architectural design. In addition, we suggest continuing to fine-tune the elevations to ensure that they are calm and well-mannered. At present, the polychrome colour detailing and the articulation/projecting elements appear to complicate the façade treatment at the roof level.

Tower

The proposed tower is on its way to becoming a successful and distinctive element within the Oxford skyline to the south of the river and an identifying marker for the College at roof level. Its scale and proportions work well with the surrounding buildings, particularly when viewed from the Christ Church Meadows. In the design approach, it might be beneficial to allow the tower to be appreciated as a distinct element within the street-scene by perhaps separating the tower and the Boundary building and continuing the vertical treatment and detailing. It will also be helpful to consider how the tower will be perceived by local people, and the references they may draw to it.

The distinctiveness of the tower, however, is at risk of being undermined by two elements. Firstly, the decorative 'halo' to the top of the tower overcomplicates the strong, clear form of the tower. Secondly, the external staircase adjacent to the tower at the rooftop level appears like an 'add-on' in terms of its design and positioning in relation to the tower. We suggest reconsidering the benefit and added value of the 'halo' to the tower and scheme. If it is to be retained, we recommend reviewing its design and materiality, and unifying the design language of the 'halo' and other key elements across the scheme, such as the entrance gate, outdoor furniture and the college crest.

Next steps

We support the overall design of this scheme. The comments described above are suggestions for minor amendments to further improve the design excellence of the scheme. We are confident the design team can progress these key aspects in conjunction with Oxford City Council and Historic

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England. If, however, a follow-up desktop review of the tower and/or other elements is required, please do not hesitate to contact us.

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,

A. Osborne

Annabel Osborne

Design Council Cabe Advisor

Email annabel.osborne@designcouncil.org.uk

Tel +44(0)20 7420 5238

cc (by email only)

Neil Hyatt	St Hilda's College
Jay Gort	Gort Scott
Fiona Scott	Gort Scott
Chris Neve	Gort Scott
Marcus Beale	Marcus Beale Architects
David Hawkins	Skelly & Couch
Jonathan Cook	JCLA
Nik Lyzba	JPPC
Andrew Murdoch	Oxford City Council
Alice Brockway	Historic England

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 25 May 2017 by Jo van Heyningen (Chair), Dan Jones, Deborah Nagan, Colin Haylock and Dorian Crone. 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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St Hilda's College, Oxford Design Workshop

Notes from 8 December 2016

Thank you for attending the Oxford Design Review Panel (ODRP) Design Workshop on 8 December 2016. The site visit and presentation were well thought through, giving the panel a clear understanding of the site context. This assisted greatly in providing constructive design advice.

We recognise the high-profile nature of the project and the successful competition undertaken to select an ambitious design and a skilful design team. It is evident that significant thought and work has been given to the environmental and sustainability strategy and incorporating these objectives into the design for the scheme at an early stage.

The proposed demolition creates a number of opportunities, in particular the rationalisation of the site layout, safer movement routes for pedestrians and a more outward-looking face for the College with a better quality landscape. To justify the proposed demolition and achieve the architectural ambitions of the project, the new buildings will need to be of a very high standard of design.

We are particularly pleased to have had the opportunity to comment on plans and drawings at the appropriate level of detail for this stage in the design development process. The design development is promising but the site layout and the design of new buildings needs significant refinement to resolve the relationship between buildings on the site and the impact they have on views within the city. We welcome the opportunity to offer our advice and look forward to engaging in future dialogue as the proposal develops. We make the following observations in taking the scheme forward.

Context/ views

The city skyline is comprised of a rich tapestry of roofs interspersed with towers and spires. The height of the Boundary building is acceptable within this context, but we feel that the roof scape requires some re-thinking. We are supportive of the proposal to create a tower as a point of interest/identification marker for the College but more thorough contextual analysis is required, including the following:

- The impact/contribution of the proposed tower element of the Boundary building on Oxford's skyline requires careful consideration. In its current form we are concerned that it is too bulky. We suggest investigating making the tower less integrated in the architectural treatment of the Boundary building. We recommend carrying out a landscape and visual impact assessment to inform the next design stage.
- The proposed demolition of the existing buildings is supported in principle given the opportunities it creates to improve the layout, landscape and overall architectural composition of the site.

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- We encourage you to think about the sequence of shorter views that will be experienced when walking through the site. A number of potential views within the site are obstructed by the proposed design of the Pavilion building. We think the proposal could better respond to views across the site and those looking in to and out of the site by refining the positioning, scale, massing and materiality of this building.
- We recommend reviewing the relationship of the proposed buildings with the existing on site buildings. In particular we think there are opportunities to refine the relationship between the new Boundary building and the existing South building.

Landscape

To achieve the greatest long-term benefits from the changes being made to the campus landscape, we think the landscape should be the driving factor in the design of this scheme and make the following comments:

- To provide a rich and stimulating environment for students, staff and visitors, a greater hierarchy and differentiation in the new external spaces of the campus would be of benefit.
- We recommend defining whether external spaces are primarily for movement/circulation or are static/gathering spaces.
- A planting scheme should be developed to maximise biodiversity and ecological value. This should take seasonality and the resilience of species to disease and climate change in the long term into account. Reference in the planting to the historical relationship between the college and the near-by Botanical Gardens could be fruitful.
- The roof terrace presents an opportunity to provide a place for people to enjoy views of Oxford. We would advise that any planting at this level should be minimal in order to avoid creating visual clutter at roof level.
- The site appears to comprise a large amount of hard paving. Taking into account the surface requirements for different areas, opportunities to include more permeable landscaping should be maximised where possible to assist with surface water drainage.
- The site's relationship with the riverside requires more thought, particularly with regards to the functioning of the riverside footpath in the short and long term.

Site planning and relationship of buildings

The scheme presents an opportunity to enhance the site's relationship with Cowley Place and create a more active frontage that establishes a stronger outward-looking face for the College as well as generating a sense of arrival for its visitors. We are supportive of the shaping of the Boundary Building to embrace the site, and to strengthen its unique linear nature. The re-configuration of the site and removing blind-spots will also make the movement routes within and beyond this site much safer. However, we think some further work is required for the site layout to achieve a successful level of integration with existing buildings within and outside the site.

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- It will be important for the final architecture to sit comfortably with the existing buildings on site. We recommend continuing to explore the dialogue between buildings.
- Of the buildings proposed for demolition the character and shape of the existing Porter's Lodge is the most individual and characterful. If possible it would be good to retain this building or for the proposed replacements to make an architectural reference to it.
- The space between the Hall Building and the new Boundary building is no longer required for vehicular access. This provides a good opportunity for the design team to reconsider the relationship between these two buildings, and new opportunities to develop the landscape strategy.
- This project provides a good opportunity to consider other improvement opportunities within the site. For example, it would be worth exploring if the lean-to structure on the South building could be adapted in order to maximise the potential of that part of the site. We welcome the fact that the College and Magdalene College School are jointly exploring the potential of adopting Cowley Place.

Pavilion

The Pavilion will have an important role in place-making, connecting the other buildings within the wider site and as a space from which to appreciate the site and wider area. We think the relationship of the Boundary and Pavilion buildings needs further work to achieve a successful level of integration across the site, particularly regards to the scale and design of the Pavilion.

- We think the Pavilion needs considerable further development. It might make a better contribution to the composition of the site were it to be more modest in terms of size and height.
- The depth of the Pavilion's fins make the building look bulky and it might contrast better with the solidness of the Boundary building if it were less so.

Boundary building

The proposal presents an opportunity to enhance the site and expand the amenities and accommodation offered by the College. The simple and elegant brick design and window treatment of this building will work well with the surrounding architecture, and the heights (for the tower and main block) are appropriate within this context. We think some further work is required and advise considering how greater visual interest could be achieved through the articulation of the elevations and refining the proportions and detailing of the tower element.

Tower

We recognise the merits of a tower in principle which will form part of the site's visual contribution to the wider context and to aid wayfinding. However, the profile of this building within prominent viewpoints requires careful analysis and refinement. We suggest:

- Continuing to explore the distribution of massing through an analysis of long and medium views and the tower's visual appearance from across the river.

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- A tower of more slender proportions is likely to sit more comfortably within the city's skyline. In achieving this there is scope to be more adventurous (including, perhaps) with height.
- It might be beneficial to consider making the tower element appear more detached from the Boundary Building, and, as suggested earlier, taking a cue from the existing Porter's Lodge.

Elevation Design

We support the proposed materials for the new building and the use of a distinctive brick colour and pattern. We recommend further work is undertaken to refine the façade treatment for this building, including:

- Refining the size and rhythm of fenestration
- Refining the roofline to introduce more interest and articulation
- Refining the southern-end of the Boundary building and developing the potential of its relationship to the South Building

Conclusion

We strongly support this project's ambitions and welcome the general architectural approach being pursued. We suggest a further review of the scheme following the next stages of design development and exploration of the issues raised through this design workshop.

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 8th December 2016. 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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Attendees

Jonathan Cook	JCLA
Nik Lyzba	JPPC
Jay Gort	Gort Scott
Fiona Scott	Gort Scott
Alice Brockway	Historic England
Marcus Beale	Marcus Beale Architects
Andrew Murdoch	Oxford City Council
Amy Ridding	Oxford City Council
David Hawkins	Skelly & Couch
Jose Castillo-Bernaus	St Hilda's College

Panel Members

Jo van Heyningen	(chair)
Jessica Bryne-Daniel	
Dan Jones	
Jon Rowland	

Cabe Staff

Annabel Osborne	Cabe
James Harris	Cabe

WEST AREA PLANNING COMMITTEE

Application Number: 17/03086/FUL

Decision Due by: 17th January 2018

Extension of Time: 31st March 2018

Proposal: Erection of three storey building to provide 1x1bed flat at first floor and 1 x 2 bed duplex flat (both Use Class C3) to first and second floor and office accommodation (Use Class A2) at the ground floor. Provision of bin/cycle stores. (amended plans and description).

Site Address: 1A Cranham Street, Oxford, Oxfordshire, OX2 6DD

Ward: Jericho And Osney Ward

Case Officer Tobias Fett

Agent: Mr Stephen Broadley **Applicant:** Mr Ramsell

Reason at Committee: Called-in by Cllrs Cook, Turner, Smith, Pressel and Rowley On the grounds that this is an application on a controversial site and has been the subject of at least three previous withdrawn applications.

1. RECOMMENDATION

1.1. West Area Planning Committee is recommended to:

(a) Approve the application for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and grant planning permission.

(b) Agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:

1. Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary;

2. EXECUTIVE SUMMARY

2.1. This report considers the erection of a small residential and office development in an urban infill plot. A small office unit is proposed on the ground floor with visitor cycle parking to the front of the shop window. The two upper levels would contain a one bed unit with a balcony and a two bed unit with a terrace. Cycle

and bin storage would be contained within a communal entrance area to the side.

2.2. The key matters for assessment set out in this report include the following:

- i. Principle of development;
- ii. Design;
- iii. Heritage;
- iv. Archaeology;
- v. Quality of Residential/Living Environment;
- vi. Neighbour Impact;
- vii. Parking and Highways Safety;
- viii. Energy Efficiency;
- ix. Drainage;
- x. Land Contamination.

3. LEGAL AGREEMENT

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

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. The proposal is liable for CIL at an amount of £21,290.72.

5. SITE AND SURROUNDINGS

- 5.1. The application site is a small plot within the Jericho Conservation Area, which was left empty after the recent development of the part three part four storey Grantham House and adjacent site. The site has most recently been used for short term rental of car parking.
- 5.2. The site is adjacent the Phoenix Picturehouse cinema rear elevation and two residential dwellings that front Walton Street, one of those with its entrance on Cranham Street.
- 5.3. Cranham Street is comprised of a mix of dwellings of various architectural styles, mostly terraced, and no taller than four storeys at the western end, with a slight change in level, sloping westwards. This part of Cranham Street is dominated by the modern Grantham House development on the southern side and the now vacant Jericho health centre, which is part of a 1960s development on the northern side of the street. This now dated development comprised the 1-3 storeyed health centre and flats on the corner with Walton Street and the two storey terraced dwellings on Cranham Street.
- 5.4. The application site is close to the corner of Cranham Street and Walton Street, this part of Walton Street is a vibrant neighbourhood centre that includes a mix of commercial, community and other uses.
- 5.5. The site is quite small with a 105 sqm and constrained by existing neighbouring developments.

5.6. The site is bounded by fencing of residential gardens to the east, an existing wall with a side access passage to the west and the cinema wall to the south.

5.7. Site Location Plan:

N



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Ordnance Survey 100019348

6. PROPOSAL

6.1. The application proposes the erection of a three storey building to provide 1x1bed flat at first floor and 1 x 2 bed duplex flat (both Use Class C3) at first and second floor as well as office accommodation (Use Class A2) at the ground floor. It is also proposed to provide refuse and recycling stores.

6.2. Revised plans have been received that show a reduced amount of occupants as well as a reduction of scale and a green roof.

6.3. The form of the building is replicating and continuing the building lines and design of the adjacent Grantham House development. The design is set back at ground and roof level, and provides strong angular building lines to appear as a two storey continuation of the adjacent development, with a smaller roof element as a third storey.

6.4. The proposed materials would also mirror those of the neighbouring development, such as grey aluminium frames for the fenestration and doors, a zinc flat roof with the walls built of brick at the ground floor, rendered at first floor level and clad with zinc at roof level.

7. RELEVANT PLANNING HISTORY

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

75/01060/A_H - Dual use of land for residential parking and for operational parking in connection with St. Barnabas Clinic - Albert Street. PER 7th January 1976.

79/00889/GT_H - Renewal of temporary consent for use of land for resident's parking and for operational parking in connection with St. Barnabas clinic, Albert Street.. TEM 7th November 1979.

16/00470/FUL - Erection of three storey building to create 1 x 1bedroom and 2 x 2bedrooms flats (Use Class C3). Provision of private amenity space, bin and cycle store.. WDN 6th July 2016.

16/02170/FUL - Erection of 2 x 2-bed dwellinghouses (Use Class C3). Provision of bin and cycle store.. WDN 19th October 2016.

16/02768/FUL - Erection of 2 x 2-bed dwellinghouses (Use Class C3). Provision of private amenity space and bin and cycle store.. WDN 12th January 2017.

17/00873/FUL - Erection of a 3 storey building to provide student accommodation (Sui Generis) with one office unit (Use Class B1) on ground floor. Provision of bin and cycle store. (Amended description). REF 20th June 2017.

17/00874/FUL - Erection of part two, part three storey building to provide 2 x 1-bed and 1 x 2-bed flats (Use Class C3).. REF 20th June 2017. APPEAL ALLOWED. 1st March 2018.

17/03086/FUL - Erection of three storey building to provide 2 x 2 bed duplex apartments (Use Class C3) to first and second floor and office accommodation (Use Class A2) to ground floor. Provision of car parking and bin/cycle stores.. PDE .

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework (NPPF)	Local Plan	Core Strategy	Sites and Housing Plan	Other Planning Documents
Design	7 para 56-58	CP8, CP1,	CS18_	HP9_	
Conservation/ Heritage	12 para 126, 131-132	HE2, HE7,			
Housing	6	CP6, CP10,	CS2_	HP12_ , HP13_ , HP14_	
Commercial	1, 2	RC13			
Natural Environment	9, 11, 13		CS9_	HP11_	

Social and community	8			CS19_	
Transport	4		CS13_	HP15_, HP16_	Parking Standards SPD
Environmental	10				Energy Statement TAN
Misc	5	CP.13, CP.24, CP.25		MP1	Telecommunications SPD, External Wall Insulation TAN,

9. CONSULTATION RESPONSES

- 9.1. Site notices were displayed around the application site on 1st December 2017 and an advertisement was published in The Oxford Times newspaper on 7th December 2017. Revised plans have been received and revised pink site notices were displayed at the site on 13th February 2018; providing an opportunity for a further consultation until 4th March 2018.

Statutory and Non-Statutory Consultees

Oxfordshire County Council (Highways)

- 9.2. No objection, but request for three conditions covering drainage, removal of parking eligibility and construction traffic management plan.

Public representations (26.02.2018)

- 9.3. 7 local people commented on this application from addresses in Cranham Street, South Street and Kennett Road
- 9.4. 4 people from further afield commented on this application from Deacon Way and Crouch Hill Road, Banbury, Northampton Road, Croydon, and Branch Place, London.
- 9.5. One resident has commented on the original and the revised application.
- 9.6. In summary, the main points of objection (11 people) were:
- Amount of development on site
 - Effect on adjoining properties
 - Effect on privacy
 - Effect on character of area
 - Effect on traffic
 - Height of proposal
 - Information missing from plans

- Light - daylight/sunlight
- Noise and disturbance
- Parking provision
- Open space provision
- Access
- On-street parking
- Effect on existing community facilities
- General dislike or support for proposal
- Not enough info given on application

Officer Response

9.7. Officers consider that those matters raised as part of the consultation that have a material planning impact are considered as part of the following report.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- i. Principle of development;
- ii. Design;
- iii. Heritage;
- iv. Archaeology;
- v. Quality of Residential/Living Environment;
- vi. Neighbour Impact;
- vii. Parking and Highways Safety;
- viii. Energy Efficiency;
- ix. Drainage;
- x. Land Contamination.
- xi. Office unit

i. Principle of Development

10.2. The application site is a brownfield site that is currently used for car parking. For the purposes of planning it is considered that this site would be previously developed land. Policy CS2 of the Core Strategy (2011) and Paragraph 17 of the NPPF require that the majority of new development should take place on previously developed land. The application site is in a highly sustainable location given its close proximity to a local neighbourhood shopping centre and would be considered easy walking or cycling distance to the City Centre and railway station. As a result, proposals for a residential and commercial mixed use development on this site would be considered acceptable in principle.

10.3. Policy CP6 of the Oxford Local Plan 2001-2016 requires that developments should make more efficient use of land. It is arguably the case that the existing use of the site as an informally used car parking area does not maximise the development opportunities of this site. The proposals would make more efficient use of land that would be supported by the requirements of Policy CP6 of the Oxford Local Plan 2001-2016.

- 10.4. The application site lies in a location where there is a mixture of plot types, uses and size of buildings. The context of this site will be an important consideration for this application. Officers have considered the requirements of Policy CP8 of the Oxford Local Plan 2001-2016 and Policy HP9 of the Sites and Housing Plan (2013) as part of the assessment of this application.
- 10.5. At the ground floor level there is proposed to be an office unit. The proposed use would fall within Use Class A2 which is an office visited by members of the public. Whilst the application site lies within a residential road it is close to the commercial activity that takes place on Walton Street; an area which lies within a neighbourhood centre for the purposes of Policy CS31 of the Core Strategy (2011). Having had regard to the location it is considered that this site would be an acceptable site for a small office unit and represents a further opportunity to make most efficient use of the site.
- 10.6. The proposed development would not result in a loss of a family dwelling and there are no specific requirements for a mix of dwellings on this site. The development therefore meets the requirements of Policy CS23 of the Sites and Housing Plan (2013).
- 10.7. There is no requirement for an affordable housing contribution on this site as the proposals relates to a scheme of less than four residential units.
- 10.8. As the application lies within the Jericho Conservation Area it is also necessary to consider the requirement of paragraphs 132-134 of the NPPF as well as Policy HE7 of the Oxford Local Plan 2001-2016; this is assessed later on in the report.
- 10.9. Officers recommend that the principle of the development proposed on this site would be considered acceptable.

ii. Design

Size, Scale, Siting and Massing

- 10.10. The proposed development would be a three storey building; though the perceived scale of the building would be reduced in the streetscene as a result of the upper floor being set behind a parapet and the third floor accommodation being a lighter weight glazed element. At the ground floor the proposals include a shop-front with a contemporary and mainly glazed appearance. The first floor includes a small balcony on the front elevation and fenestration with a similar appearance to the neighbouring contemporary properties in Cranham Street. Officers consider that the proposed development would make an acceptable addition to the streetscene and would successfully emulate the adjacent dwellings in Cranham Street.
- 10.11. The ground floor retail unit would be set back slightly from the overlying upper floor; this is a similar approach to that taken with adjacent properties which incorporate undercroft areas for car parking. The retail unit would have a contemporary and high quality appearance which would be visually appropriate

in the context of the site.

- 10.12. The overall height to the top of the roof is the same as the adjacent properties in Cranham Street and slightly below the height to the ridge of No. 60 Walton Street.
- 10.13. The proposed development would take place on a smaller plot than adjacent properties in Cranham Street which are deeper and incorporate small gardens. Officers have considered the acceptability of the proposals in the context of Policy HP9 of the Sites and Housing Plan (2013). Whilst the site is constrained in comparison to adjacent properties and this limits the opportunity to provide gardens the proposals provide balconies in a way that is not uncharacteristic in the immediate context of modern properties in Cranham Street. The siting of the proposed development would have an acceptable relationship in the streetscene and would be in line with adjacent properties.
- 10.14. Further to the above, officers have considered whether or not the development would make an acceptable addition in terms of its visibility from Walton Street. Whilst the proposed development would be visible as a result of being closer to the corner it would not be uncharacteristic in appearance as a result of the presence of similar contemporary properties in Cranham Street and an already diverse mix of architectural styles in the streetscene.
- 10.15. On the basis of the above, officers recommend that the proposed development would be acceptable in design terms. The proposals have been carefully considered to emulate the appearance of other contemporary properties in the streetscene and sensitively introduce other elements (including a shopfront). The proposals would be acceptable in terms of their design and impact on the streetscene and the development therefore represents a high quality design. Officers recommend that the proposals meet the requirements of Policies CP1, CP8, CP10 and RC13 of the Oxford Local Plan 2001-2016, Policy CS18 of the Core Strategy (2011) and Policy HP9 of the Sites and Housing Plan (2013).

Materials

- 10.16. The proposed development would be constructed from materials that would be similar to adjacent contemporary buildings on Cranham Street. This would include render at first floor and zinc cladding at the second floor level. Officers consider that the pallet of materials would be appropriate in this location, having had regard to the use of contemporary materials elsewhere in the vicinity of the site and the Jericho Conservation Area. Despite this it is recommended that a condition is included that would require the submission of material samples prior to commencement. This would ensure that the development has a visually acceptable impact on the streetscene and complies with the requirements of Policies CP1, CP8 and HE7 of the Oxford Local Plan 2001-2016 and Policy CS18 of the Core Strategy (2011).

iii. Heritage Impact on Character of Surrounding Area

- 10.17. The application site is located within the Jericho Conservation Area. The proposed scheme has evolved over a number of applications and pre-application discussions, where the impact on the Conservation Area has been thoroughly considered. As suggested above, the application site presents some challenges in terms of its context between the predominantly Victorian character of nearby properties on Walton Street and the more contemporary properties that are adjacent to the application site on Cranham Street. The proposed development would incorporate the use of contemporary materials which in some parts of the Conservation Area would be out of character and give rise to harm. However, having had regard to the immediate vicinity of the application site and the wider context of Jericho that incorporate some high quality contemporary buildings it is considered that the use of modern materials would not result in harm in this case. In considering the impact of the proposed development on the Conservation Area, officers have carefully considered the great weight that is placed on the Jericho Conservation Area as a designated heritage asset.
- 10.18. It is considered that the proposed development would have an acceptable relationship in the streetscene and responds adequately to the context in terms of its siting, mass and appearance and therefore would not give rise to an intrusive development that would be harmful to the character, appearance and special significance of the Conservation Area. On this basis the proposals meet the requirements of Policy HE7 of the Oxford Local Plan, Policy CS18 of the Core Strategy and Paragraphs 131 to 134 of the NPPF.

iv. Archaeology

- 10.19. This application is of interest because it involves development on a brownfield site located at the western end of a linear barrow cemetery of Late Neolithic – early Bronze Age date that encompasses in its design at least one significant Middle Age enclosure. A previous archaeological trench located 50m to the south-east did not locate and significant remains and it is possible that the cemetery stops where the Summertown-Radley gravel terrace ends and the land slopes towards the Northmoor terrace to the south. The current site has the potential to further clarify this matter.
- 10.20. If planning permission is granted then a programme of archaeological work is recommended to be secured by condition in accordance with Policy HE2 of the Oxford Local Plan 2001-2016.

v. Quality of Residential/Living Environment

Internal Spaces

- 10.21. Policy HP12 of the Sites and Housing Plan requires the provision of good quality internal accommodation. The proposed accommodation would provide adequate floor space and layout meeting the minimum national space standards for a one person, one bedroom single storey unit with 37 sqm and a four person, two bedroom two storey dwelling at 79 sqm.
- 10.22. Despite the above, the one bed unit shows a bedroom with two bed spaces.

Technically this would mean that the dwelling would be below the minimum size standards, officers consider that due to the practical layout and design, this unit could be able to comfortably accommodate a couple and would therefore be acceptable as a two person unit despite the slight deficiency in overall floorspace.

- 10.23. The quality of internal space provided is of a rational size and practical layout, with access to light and privacy to allow the reasonable enjoyment of the proposed dwellings.
- 10.24. On the basis of the above, officers recommend that the development would provide an acceptable amount and quality of internal space to meet the requirements of Policy HP12 of the Sites and Housing Plan (2013).

Accessibility

- 10.25. The building has been designed to be fully compliant with part M of the building regulations with respect to disabled access. The entrance into the office building would have level access. The proposal is designed to be adaptable and can be adjusted to meet the needs of future occupiers
- 10.26. The proposal would meet the needs of users with disabilities in accordance with Policy CP13 of the adopted Oxford Local Plan and HP2 of the Sites and Housing Plan. Conditions are recommended to adequately address these requirements.

External Spaces

- 10.27. The proposals include a balcony at first floor level for the one bed unit, which is 3.5 sqm, which is smaller than the 4.5 sqm required by Policy HP13 but would provide a basic area of outdoor amenity space. A bigger balcony would increase opportunities for overlooking and would lead to a design not fitting in with the neighbouring developments. Officers are confident that future occupiers have sufficient outdoor recreational areas nearby, such as the Canal Towpath and Port Meadow.
- 10.28. The two bed unit would have direct access to a very generous roof terrace. There is separate discreet bin provision proposed as well as secure and covered cycle storage space which would be ensured by condition.
- 10.29. The proposal meets requirements of HP13 of the Sites and Housing Plan and is therefore acceptable.

vi. Impact on Neighbouring Amenity

Privacy

- 10.30. The development has been designed in a way to minimise impact on neighbours despite the site constraints. Due to the shape and size of the plot, the development has been sited to make full use of the width of the plot. All side

facing windows would be obscured glazed. The balconies and terrace would include glazed glass screens to the side to prevent overlooking and preserve privacy for existing and future occupants.

- 10.31. The roof terrace has been pulled back from the rear of 59/60 Walton Street by more than 3m and now also includes a section of green roof, which increases the distance to the back gardens, which contain a natural screen of mature planting and a shed in each garden at the boundary line.
- 10.32. The roof terrace is 0.9m away from building line at 4 Cranham Street, and also fitted with an obscure glass screen to protect privacy. Due the location and design of 4 Cranham Street and the proposed development and the window placement to the rear of the second floor in the proposed dwelling, the overlooking will be very minimal. And the majority of garden space will not be visible.
- 10.33. The proposal conforms to the Council's 45/25 guideline in protecting access to light and overlooking.
- 10.34. The proposal is likely to reduce some light for one second floor bedroom window at 4 Cranham Street; however the room has dual aspect windows, which will still provide an acceptable amount of light. The proposal is located north of the property that would be impact by the development and the light impact is therefore limited due to the orientation.
- 10.35. Officers are confident that the proposed development will not give rise to unacceptable levels of overlooking. The proposal is in accordance with Policy HP14 of the Sites and Housing Plan and the NPPF, and is therefore acceptable.

Overbearing

- 10.36. The proposed development will be clearly seen and experienced from the neighbouring dwellings and gardens at 59/60 Walton Street and 4 Cranham Street. Officers have been given the opportunity to meet with residents and a local councillor to visit two of the impacted dwellings and inspect the rooms and amenity spaces concerned. In setting out the assessment below, officers have been mindful of those visits and the comments made in public consultation.
- 10.37. Officers acknowledge the substantial change in outlook and views especially for 60 Walton Street and 4 Cranham Street. However, views and outlook are not protected as such and a reasonable change such as that proposed cannot be considered a reason for refusal in this case.
- 10.38. The proposal has been designed to appear as a two storey building with a converted roof element in the same style as the neighbouring recent developments at Grantham House.
- 10.39. The scale and massing has been adjusted, and set back from the boundary with 59/60 Walton Street, which have a means of screening themselves with an outbuilding and mature planting each.

- 10.40. The proposed side elevation facing 59/60 Walton Street now includes a section of green roof which would further minimise the visual impact upon neighbours and provide a more pleasant and softer outlook for the proposed development.
- 10.41.4 Cranham Street has a balcony and a terrace adjacent the proposed new development. There is a gap of between 0.9m and 0.4m walls surrounding the balcony and terrace. The proposed development would undoubtedly have its biggest impact on this neighbour, and will be very visible at the balcony and the terrace as well as dramatically change views from some windows. However it is considered that due to the amount of different outside amenity spaces, existing and future occupiers of 4 Cranham Street have sufficient quality amenity space.
- 10.42. An existing rear garden will remain largely unaffected, with glimpses of the proposed development possible, but not harming the opportunity to enjoy this space.
- 10.43. The proposal is considered to have a strong visual impact and will have a less pleasant outlook from some angles and views. The proposal will cause some impact in terms of being overbearing from some of these views, but officers consider that the amount of harm caused to amenity is not sufficient to warrant a refusal to grant planning permission. Neighbouring properties would continue to be able to enjoy privacy within their dwellings and private rear garden areas, albeit with a changed outlook.
- 10.44. On balance it is recommended that the proposal accords with Policy HP14 of the Sites and Housing Plan and the NPPF, and is therefore acceptable.

vii. Parking and Highways Safety

Transport Sustainability

- 10.45. The proposal is for a car-free development. The location is very sustainable and within a short walking distance to a variety of local amenities as well as the City Centre.
- 10.46. The small office unit would be within the reach of the local neighbourhood centre, and staff and visitors would likely walk, cycle or use public transport but there is limited public car parking in the wider area that would provide an opportunity for car parking if required.
- 10.47. The Highways Authority have not objected, and conditions would be imposed to mitigate the development's impact on highways; a drainage condition, removal of eligibility for parking and a construction and traffic management plan due to the constrained nature of this location.
- 10.48. The proposal can be mitigated through the above conditions in accordance with HP16 of the Sites and Housing plan and is acceptable.

Cycle Parking

- 10.49. The proposed development contains covered and secure cycle storage for a maximum of nine cycles, which is above the required provision. This would be located in the entrance area.
- 10.50. The proposal also contains four visitor bike spaces to the front of the office accommodation to encourage sustainable travel methods, especially by visitors.
- 10.51. The proposal is in line with Policy HP15 of the Sites and Housing Plan and therefore acceptable in terms of cycle provision. A condition is recommended to ensure that cycle parking provision is required.

viii. Sustainability and Energy

- 10.52. The proposal would make a more efficient use of a previously developed site within a sustainable urban location in accordance with Core Strategy Policy CS2.
- 10.53. The applicant confirmed that where possible thermal performance of the building fabric would use insulation and measures to improve air-tightness as well as meeting or exceeding building control regulations, all in accordance with Policy CS9 of the Core Strategy.
- 10.54. The proposal would make use of low carbon materials where possible, which is in accordance with Policy HP5 of the Sites and Housing Plan (2013).

ix. Drainage

- 10.55. The application site is not within a designated flood zone and does not require drainage mitigation due to the small scale of the development; however any drainage must be sustainable.
- 10.56. The proposal will be connected to the existing main foul drainage and the development will be treated with sustainable permeable finishes.
- 10.57. The proposal is acceptable, as conditions would be attached to ensure sustainable drainage methods are incorporated, in accordance with the NPPF and local planning policies.

x. Land Contamination

- 10.58. The development involves the creation of residential dwellings. Residential dwellings are considered to be sensitive uses. The risk of any significant contamination being present on the site is low. However, it is the developer's responsibility to ensure that the site is suitable for the proposed use. Therefore an informative can be issued with the decision outlining what to do if unexpected contamination is found to be present on site during the construction process.

xi. Office Unit

- 10.59. The proposal includes a small scale office unit (Use Class A2). The location is just adjacent to the local bus stop and within a short walk of the commercial neighbourhood centre.
- 10.60. The area has a good provision for retail, commercial and other community uses.
- 10.61. A small professional services office unit is not considered to cause unacceptable harm to the neighbourhood or its residents amenities. The site is within views and reach of the existing commercial centre and Jericho has a generous provision of small offices, studios and other special opportunities for business and enterprising, which in turn helps to create the unique and popular character and atmosphere within this part of the city.
- 10.62. The proposal is in accordance with CP1, CP6, CP8 and CP10 of the OLP and CS18 of the Core Strategy and is therefore acceptable.

xii. Other matters

- 10.63. The site has been subject to a recent appeal following the recent refusal of planning permission by the City Council. The planning inspector allowed the appeal and has granted planning permission for the erection of a part two, part three storey building to provide 2 x 1-bed and 1 x 2-bed flats (Use Class C3).
- 10.64. The proposed development had some similarities with the proposals in this application. The proposed development was for a modern building with balconies. The main difference was that the scheme provided an additional residential unit and there was no office unit at the ground floor. The proposed development was also sited further forward of the adjacent properties (at upper floor levels). The Inspector found the appeal proposal acceptable, and that it did not harmfully impact on the character of the Conservation Area and neighbouring amenities. Officers recommend that members should be aware of this extant approval that now exists on the site and the fallback position that this gives rise to.

11. CONCLUSION

- 11.1. The proposal for a three storey building comprising two flats and a ground floor office unit are considered acceptable in the context of local planning policies and the NPPF. The proposed development would be acceptable in design terms, not give rise to a harmful impact on a designated heritage asset and would not lead to unacceptable harm to the amenity of neighbouring residential occupiers.
- 11.2. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the conditions recommended below.

12. CONDITIONS

- 1 The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

- 2 The development permitted shall be constructed in complete accordance with the specifications in the application and approved plans listed below, unless otherwise agreed in writing by the local planning authority.

Reason: To avoid doubt and to ensure an acceptable development as indicated on the submitted drawings in accordance with policy CP1 of the Oxford Local Plan 2001-2016.

- 3 Samples of the exterior materials to be used shall be submitted to, and approved in writing by the Local Planning Authority before the start of work on the site and only the approved materials shall be used.

Reason: In the interests of the visual appearance of the Jericho Conservation Area in which it stands in accordance with policies CP1, CP8 and HE7 of the Adopted Oxford Local Plan 2001-2016.

- 4 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority. All works shall be carried out and completed in accordance with the approved written scheme of investigation, unless otherwise agreed in writing by the Local Planning Authority.

Reason: Because the development may have a damaging effect on known or suspected elements of the historic environment of the people of Oxford and their visitors, including prehistoric remains (Local Plan Policy HE2).

Scope of recording: The archaeological investigation should consist of either a trial trench or a targeted watching brief during development depending on the character of the proposed foundations. I would be happy to discuss this matter directly with the applicant. The archaeological investigation should be undertaken by a professionally qualified archaeologist working to a brief issued by ourselves

- 5 All developments which increase the size of the hard areas must be drained using SUDs methods, including porous pavements to decrease the run off to public surface water sewers and thus reduce flooding. Soakage tests should be carried out to prove the effectiveness of soakaways or filter trenches.

Reason: To prevent flooding affecting the highway

- 6 The development hereby permitted shall not be occupied until the Order governing parking at has been varied by the Oxfordshire County Council as highway authority to exclude the site, subject to this permission, from eligibility for resident's parking permits and residents' visitors' parking permits unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development does not generate a level of vehicular parking which would be prejudicial to highway safety, or cause parking stress in the immediate locality, in accordance with policies CP1, CP6, CP10 and TR13 of the Adopted Oxford Local Plan 2001-2016.

- 7 Prior to the commencement of the development a Construction Travel Plan, which shall include routing arrangements for construction vehicles, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken strictly in accordance with the Construction Travel Plan as approved at all times.

Reason: In the interests of local amenity and the free flow of traffic on the public highway in accordance with policies CP1, CP19, CP21 and TR2 of the Adopted Oxford Local Plan 2001-2016.

- 8 The obscured glazed windows in the side elevations and the obscure glazed glass screens to the balcony and terrace should be maintained and retained obscure glazed for perpetuity.

Reason: To protect and ensure adequate residential amenities in accordance with HP14 of the Sites and Housing Plan.

- 9 Prior to the first occupation of the approved development the approved cycle parking and storage areas as outlined in the approved site plan shall be installed and retained thereafter.

Reason: To provide adequate cycle parking as required by Policy CP10 and TR4 of the Oxford Local Plan 2001-2016 and Policy HP15 of the Sites and Housing Plan 2001-2016.

- 10 Prior to the first occupation of the approved development, the refuse and recycling area as shown on the approved plans shall be installed. This area shall be retained for the purposes of providing refuse and recycling storage.

Reason: To ensure that there is adequate refuse and recycling storage as required by Policy CP10 of the Oxford Local Plan 2001-2016 and Policy HP13 of the Sites and Housing Plan (2013).

13. APPENDICES

Appendix 1 – Site Location Plan

Appendix 2 - Appeal decision (17/00874/FUL)

14. HUMAN RIGHTS ACT 1998

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

15. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

- 15.1. 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.

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Appendix 1

17/03086/FUL

1A Cranham Street, Oxford



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Appeal Decision

Site visit made on 19 February 2018

by Claire Searson MSc PGDip BSc (Hons) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 1st March 2018

Appeal Ref: APP/G3110/W/17/3184277

1 Cranham Street, Jericho, Oxford, OX2 6BY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by J Gebbells against the decision of Oxford City Council.
 - The application Ref 17/00874/FUL, dated 3 April 2017, was refused by notice dated 20 June 2017.
 - The development proposed is the erection of part two, part three storey building to provide 2 x 1-bed and 1 x 2-bed flats (Use Class C3).
-

Decision

1. The appeal is allowed and planning permission is granted for the erection of part two, part three storey building to provide 2 x 1-bed and 1 x 2-bed flats (Use Class C3) at 1 Cranham Street, Jericho, Oxford, OX2 6BY in accordance with the terms of the application, Ref 17/00874/FUL, dated 3 April 2017 subject to the attached schedule of conditions.

Procedural Matter

2. I have taken the description of the development from the submitted appeal form, as this is more precise than the description given in the original application form.

Main Issues

3. The main issues are:
 - (a) The effect of the proposed development upon the character and appearance of the area, including the Jerico Conservation Area.
 - (b) The effect of the proposed development upon the living conditions of future occupants in respect of outdoor amenity space and neighbouring occupants in respect of privacy.
 - (c) Whether the proposed development is acceptable in respect of energy efficiency.

Reasons

Character and appearance

4. The appeal site is a vacant and open plot located between the rear garden area of Nos 59 and 60 Walton Street and a modern 3-storey housing development at 4 and 5 Cranham Street.

5. The site is located within Jerico Conservation Area (CA), and as set out in the accompanying Conservation Area Designation Study 2010 (CADS), Jerico forms Oxford's first industrial suburb which developed during the 18th and 19th Centuries around the canal and railway. The area has a mix of residential and commercial properties, with many shops, cafes and other uses found along Walton Street. The appraisal notes that residential architecture in the area is simple but embellished with architectural detailing often unique to an individual property or property group. Streetscapes are typified by a uniformity of building line, roofscape, fenestration and materials which give a consistency of character.
6. During the 20th Century, the area was in poor condition and led to a number of clearance schemes. Properties along Cranham Street were said to be of the poorest quality in the area and were demolished and the subsequent redevelopment of Cranham Street took place over a number of phases during the latter part of the 20th Century. Today, Cranham Street contains a mix of houses and flats. Nos 4 and 5, as well as the Grantham House development, which are close to the site, are in a contemporary design, 3-storey in height with mono-pitched roofs and brick and rendered elevations. Although modern, these form a distinct and unique grouping consistent with other dwellings within the CA.
7. The proposed development would be 3-storey in height with a profiled zinc roof. It would be slightly lower than the roof at Nos 4 and 5. While I note that the second floors to Nos 4 and 5 as well as the Grantham House development are recessed, the second floor of the proposed development also has a small set back. I therefore find the proposed building to be consistent in terms of its scale and height. Its massing would also be broken up by the small set back of the second floor accommodation.
8. In terms of its siting, the building would be set forward from Nos 4 and 5. However, as noted within the CADS, buildings along Cranham Street are set back from the road and are staggered meaning that there is not a consistent building line. In visual terms, the top part of the street scene has a degree of enclosure afforded by the former Jerico Health Centre building (now vacant) opposite the site being located at pavement edge, as well as the tall side boundary wall, serving No 60 Walton Street, also located at the pavement edge. The proposed development would be set back from this boundary wall, but would be set forward of No's 4 and 5 and would incorporate projecting balconies at first and second floor level.
9. Accordingly, I consider that its positioning within the site would mark the transition between the enclosure at the top of Cranham Street towards the staggered set back of the modern buildings. The balconies, while projecting out from the front elevation, would be broadly in line with the front boundary of the appeal site, and would assist in this transitioning.
10. The appeal site is a small infill plot. However, there is relatively high density of development, including both modern and historic buildings, within the vicinity of the site. Moreover, in light of my findings relating to the buildings scale, height and positioning, I am satisfied that the proposed scheme would not appear cramped within its plot.
11. While the Council also consider that the development would not represent a sympathetic addition to the area and fails to provide a visual link between

Cranham Street and Walton Street, given the mixed and contemporary character of Cranham Street, I find that the proposed building will successfully assimilate into the street scene in terms of its scale, mass, form and positioning. Based upon my analysis of the CA, as set out above, and the CADS, I am thus satisfied that there would be no harm to the character and appearance of the Jerico Conservation Area.

12. Materials are also consistent with the adjacent modern developments and I find that the development would comfortably assimilate into these as a group. The roof form would be in contrast to adjacent dwellings, but again I find that this would not be out of place and would mark a transition along the street scene as well as helping to reduce the buildings massing.
13. Overall, I consider that there would be no harm to the character and appearance of the area and that the character and appearance of the CA would be preserved. The development would not conflict with Policy CS18 of the Oxford Core Strategy 2011 (CS), and saved policies CP1, CP6, CP8, CP9, CP10 and HE7 of the Oxford Local Plan 2001 (LP) and policies CP9 and HP13 of the Sites and Housing Plan 2013 (SHP) which set heritage protection and detailed design aims.

Living conditions

14. The proposed development would comprise of 2 no 1 bedroom flats and a 2 bedroomed flat. The ground floor flat would be served by a rear patio area which would also incorporate cycle parking. The first and second floor units would have external balconies.
15. As set out within SHP Policy HP13, new 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. The Council consider that the balcony area for the second floor flat would not meet the minimum size required of 4.5 sqm, but no such minimum size requirements are specified within Policy HP13. While all of the spaces as proposed may be small, I consider that these areas would allow future occupants to enjoy fresh air and light, and there would be room for a table and chairs and for drying clothes.
16. In respect of privacy, while the balconies project forward of the front elevation, only oblique views of the rear private garden areas to Nos 59 and 60 would be gauged. In light of their central positioning to the building, such views would be further limited. The balconies serving No 4 Cranham Street are recessed, and again, given the central position of the proposed balconies, only limited and oblique views would be gauged.
17. The area is high in density and a degree of overlooking inevitable. In light of my evaluation above, I am satisfied that there would be no material harm to the privacy of the occupants of these dwellings.
18. While outlook was not specifically referenced in the reasons for refusal, the Council also cite concerns in respect of this issue within their Officer Report. I accept that the ground floor private garden area would be enclosed due to the presence of the flank wall of the cinema, and outlook from the ground floor bedroom would also be affected. In light of the scale of the accommodation, its open aspect to the front and the reasonable size of the proposed rear

garden area serving this unit, I do not consider that the outlook would be so poor as to warrant refusal.

19. I also consider that there is adequate separation distance between the proposed dwelling and Nos 59 and 60 Walton Street properties at around 15m, as specified on the plans. This would avoid any overbearing effects. I also note that the development would adhere to 45/25 degree guidelines in respect of light, again as depicted by the submitted plans.
20. On this matter, I therefore conclude that there would be no harm to the living conditions of neighbouring and future occupants in respect of amenity space, privacy and outlook. The proposed development is in accordance with SHP Policy HP13 as well as Policies CP1, CP10, CP20 and CP21 of the LP and Policy HP14 of the SHP which seek to protect residential amenity in respect of privacy, outlook, and light.

Energy Efficiency

21. Policy CS9 of the CS requires that all developments should seek to minimise their carbon emissions. SHP Policy HP11 requires that all developments must submit an energy statement to show how efficiencies have been incorporated into the development, using an energy template set out within appendix 6 of the plan. Low carbon technologies should also be incorporated, where practical.
22. Appendix 1 of the Design and Access Statement sets out an Energy Statement, in accordance with Policy HP11. Further detail has been provided as part of the appeal in this regard within a separate appeal statement by a13d Projects (September 2017). In light of the site constraints, I am satisfied that it would not be possible to incorporate low carbon technologies such as heat pumps. I am however, satisfied that the development would employ sustainable building techniques and would promote efficiencies in terms of exceedance of insulation 'U' values as prescribed by Part L of the Building Regulations and would offer other benefits in respect of solar gains.
23. On this basis, I consider that the development would be acceptable in respect of energy efficiency and would comply with CS Policy CS9 and SHP Policy HP11 in this regard.

Other Matters

24. While I note the concerns in respect of the capacity of local services and in respect of inclusive communities, the development would provide 3 modest units and as such there is no firm evidence to suggest that the development would adversely affect these.
25. Ownership issues in respect of the boundary wall are a private matter between parties and not within my jurisdiction. I note the concerns regarding the enclosed right of way, but again, planning permission would also not override any legal rights of access.

Conditions

26. I have had regard to the Council's suggested conditions. I have attached a condition limiting the life of the planning permission, in accordance with the

requirements of the Act. I have also specified the approved plans as this provides certainty.

27. On street parking is restricted along Cranham Street; directly outside of the site there are double yellow lines and parking bays further south are time limited to a maximum of 2hrs between certain hours. However, the development is located in an area which has good access to public transport and in proximity to local shops and services, along Walton Road. It is therefore reasonable and necessary to impose a condition which restricts the units from eligibility for parking permits in the local area, to secure the development as car-free, and in the interests of highway safety in accordance with Policy HP15 of the SHP. The mechanism for this would be by way of an amended Traffic Regulation Order. I have however amended the Council's suggested wording as the cost burden of any amended to orders is a separate matter and it is not necessary to prescribe this in a condition. In light of the urban location of the site and in the interests of highway safety and residential amenity, I have also conditioned a construction traffic management plan.
28. Three separate conditions are proposed in respect of drainage. I have imposed a single condition in this respect, to avoid repetition.
29. A condition relating to obscure glazing to the east and western elevations elevation is necessary in order to protect living conditions of neighbouring occupants. I have amended the Council's suggested wording, for precision and to include an implementation clause, prior to occupation.
30. In respect of my findings in respect of privacy and energy efficiency, I do not consider that the Council's requested conditions in respect of privacy screens or an energy statement are reasonable or necessary, and I have not included these.
31. Finally, the Council also reference the need for a condition in respect of archaeology within their Officer Report, although no wording was provided as part of the conditions submitted for this appeal. Given that the site is located to the western end of a Late Neolithic/Early Bronze Age barrow cemetery, and excavation of the site could clarify previous archaeological work in this area, I consider it necessary to impose a condition in this regard. Due to the nature of the works, this is necessary to be undertaken pre-commencement.

Conclusion

32. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be allowed.

C Searson

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, 249/100_O, Proposed sketch elevations, 249/111_O, Proposed rear elevations, 249/110_O, Proposed front elevations, 249/109_1, Proposed plans – second floor, 249/108_O, Second floor plan – flat 3, 249/107_O, First floor plan – flat 2, 249/106_O, Ground floor plan – flat 1, 249/105_O, Survey – elevations, 249/102_O, Survey – site plan, 249/101_O, Proposed site layout, 249/103_O.
- 3) The development hereby permitted shall be excluded from eligibility for parking permits prior to occupation.
- 4) A Construction Traffic Management Plan should be submitted to the Local Planning Authority and agreed prior to commencement of works. This should identify
 - (a) The routing of construction vehicles,
 - (b) Access arrangements for construction vehicles,
 - (c) Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours (to minimise the impact on the surrounding highway network)
- 5) No building hereby permitted shall be occupied until surface water drainage works shall have been implemented in accordance with details that shall first have been submitted to and approved in writing by the local planning authority. Before any details are submitted to the local planning authority an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system, having regard to Defra's non-statutory technical standards for sustainable drainage systems (or any subsequent version), and the results of the assessment shall have been provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:
 - i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - ii) include a timetable for its implementation; and,
 - iii) provide, a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The sustainable drainage system shall be implemented and thereafter managed and maintained in accordance with the approved details.
- 6) The building hereby permitted shall not be occupied until the windows to the east and west elevations have been fitted with obscured glazing, and no part of that/those windows that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Once installed the obscured glazing shall be retained thereafter.

- 7) No development shall take place until a Written Scheme of Investigation shall have been submitted to and approved in writing by the local planning authority. The scheme shall include an assessment of significance and research questions and:
- i) the programme and methodology of site investigation and recording;
 - ii) the programme for post investigation assessment;
 - iii) the provision to be made for analysis of the site investigation and recording;
 - iv) the provision to be made for publication and dissemination of the analysis and records of the site investigation;
 - v) the provision to be made for archive deposition of the analysis and records of the site investigation;
 - vi) the nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation.

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WEST AREA PLANNING COMMITTEE

13th March 2018

TPO Name: Oxford City Council - Cripsey Road (No.1) Tree Preservation Order 2017

Decision Due by: 25th April 2018

Site Address: Land On The East Side Of Cripsey Road Oxford

Ward: Jericho And Osney Ward

Case Officer: Kevin Caldicott

Reason at Committee: Objection received to the Tree Preservation Order

1. RECOMMENDATION:

1.1. West Area Planning Committee is recommended to confirm the Oxford City Council – Cripsey Road (No.1) Tree Preservation Order, 2017 without modification.

2. EXECUTIVE SUMMARY:

2.1. This report considers a Tree Preservation Order (TPO) that has been made to protect trees that are along the east side of Cripsey Road. The TPO is currently 'provisional' and must be 'confirmed' before 25th April 2018 if it is to be made permanent.

2.2. Network Rail has objected to the TPO and this report considers that objection and also the comments that have been received in support of the TPO.

2.3. Officers consider that it is expedient in the interests of amenity for the TPO to be confirmed without modification.

3. BACKGROUND:

3.1. On 16th July 2017 the Council received a request from the Abbey and Cripsey Residents' Association (ACRA), for a TPO to be made to protect trees that grow along the east side of Cripsey Road. This request was a response to the public consultation on the (draft) Oxford Station Supplementary Planning Document (SPD). A report from arboricultural consultant's Landmark Trees, submitted in support of the request, highlighted the amenity value of the trees and the expediency for the Council to use its powers to make a TPO.

3.2. The Oxford City Council – Cripsey Road was made on 26th October 2017. It protects four individual lime trees (T1-T4) and a linear area of mixed species

trees (A1) growing along the east side of Cripsey Road. The map and schedule which form part of the TPO are at paras 4.1 and 4.2 of this report.

3.3. The TPO took immediate effect but is provisional for 6 months unless it is confirmed and thereby made permanent. In deciding whether or not to confirm a provisional TPO the Council must consider the consultation responses it received during the statutory 28 day consultation period that follows it being made.

3.4. Confirmation of provisional TPOs is delegated to the Head of Planning, Sustainable Development and Regulatory Services when no objections have been received. However, objections are reported to the Area Planning Committee for consideration.

4. TPO MAP & SCHEDULE

Location Plan



4.2 TPO Schedule

Trees specified individually
(Represented by a solid black circle on the map)

Reference on Map	Description	Situation
T.1	Lime	East side of Cripsey Road, Oxford.
T.2	Lime	East side of Cripsey Road, Oxford.
T.3	Lime	East side of Cripsey Road, Oxford.
T.4	Lime	East side of Cripsey Road, Oxford.

Trees specified by reference to an area
(within a dotted black line on the map)

Reference on Map	Description	Situation
A.1	All trees of whatever species	East side of Cripsey Road, Oxford.

5. REASONS FOR MAKING TPO:

5.1. In the interests of amenity, to protect 4 individual lime trees and a liner area of mixed species trees growing along the east side of Cripsey Road, Oxford that are significant in public views from Abbey Road, Botley Road and Cripsey Road and/or in the private outlook of multiple residential properties. The trees are visually attractive, offering a range of ornamental attributes and environmental services which vary according to the seasons and they act to screen and/or soften the appearance of the railway, its associated buildings, service and parking areas and also the road of Roger Dudman Way, thus enhancing both the appearance and character of the area for the benefit of amenity. It is expedient to make the Tree Preservation Order because the Oxford Station site is being considered for development.

6. CONSULTATION RESPONSES:

Objection:

- 6.1. Network Rail has objected to the provisional TPO. In summary the main points of objection area:
- Trees in area A1 do not meet the criteria for TPO protection because of their size;
 - TPO it will affect Network Rail's ability to deliver station improvements (if funding becomes available) and rail capacity required to deliver a new through platform at the western side of the station.
 - TPO reduces the ability for the Councils own aspirations to deliver improvements to Botley Road underneath the railway as if those works are delivered the junction of Cripsey Road/ Roger Dudman Way and Botley Road will need to change ground levels (reduced) to meet the lower level wider Botley Road and inevitably require removal of some of the trees.

Support:

- 6.2. 66 letters of support have been received for the TPO to be confirmed as made; including 6 from addresses in Cripsey Road, 14 from addresses in Abbey Road and 11 from other addresses. 34 of the support letters included no address. In summary, the main reasons for supporting the order are:
- The trees are important to public amenity in the area; including visual amenity, habitat for wildlife and environmental services such as reducing air pollution, noise and dust;

- The trees are at risk from development of the railway station site and should be retained in accordance with the principles of 'sustainable development'.

7. OFFICER COMMENTS ON ISSUES:

Amenity:

- 7.1. 'Amenity' is not defined in law, so the Council needs to exercise judgment when deciding whether it is within its powers to make an Order.
- 7.2. Government advice is that TPOs should be used to protect selected trees and woodlands if their removal would have a significant negative impact on the local environment and its enjoyment by the public. Before the Council makes or confirms an Order it should be able to show that protection would bring a reasonable degree of public benefit in the present or future.
- 7.3. Protected trees can be any size or species.
- 7.4. The extent to which the trees or woodlands can be seen by the public will inform the Council's assessment of whether the impact on the local environment is significant. The trees, or at least part of them, should normally be visible from a public place, such as a road or footpath, or accessible by the public.
- 7.5. Public visibility alone will not be sufficient to warrant a TPO. The Council is advised to also assess the particular importance of an individual tree, of groups of trees or of woodlands by reference to its or their characteristics including:
- size and form;
 - future potential as an amenity;
 - rarity, cultural or historic value;
 - contribution to, and relationship with, the landscape; and
 - contribution to the character or appearance of a conservation area.
- 7.6. Other factors can also be considered, such as the positive contribution the trees make to environmental quality or biodiversity, but these factors alone are unlikely to merit a TPO.
- 7.7. The lime trees, T.1, T.2, T.3 and T.4, are 4no. very large (around 20metres tall with crown spreads of about 10metres), mature, high quality and value trees, that have pleasing visual form and interest. The trees stand in the highway verge along the east side of Cripsey Road and they are visually attractive and prominent in various wide ranging public views from Abbey Road, Cripsey Road and Botley Road. The tops of some of the tree can be seen above the railway station buildings from Frideswide Square. All of the trees have some dead branches in their crowns, but this is typical for trees of this species and age and is not indicative of any significant ill-health. T.3 has some evidence of root damage and decay, while T.4 appears to have a regrown crown following historic pollarding. Overall however, the age,

health and condition of the trees suggest that if appropriately managed they could make a valuable contribution to public visual amenity in the area for 20-40 years.

- 7.8. The trees in linear area, A.1, are of mixed species of varying age and quality, but are predominantly mature wild cherry trees. Although individual trees in the area are smaller than the lime trees, generally having heights of between 5 and 7 metres, the linear area is extensive along the length of Cripsey Road. Collectively, the trees are visually attractive, offering a range of ornamental attributes which vary according to the seasons. They act to screen and/or soften the appearance of the railway, its associated buildings, service and parking areas and also the road of Roger Dudman Way, thus enhancing both the appearance and character of the area for the benefit of amenity. Some of the trees grow in the highway verge of Cripsey Road, but some are on top of a retaining wall and embankment that is between Cripsey Road and Roger Dudman Way (there is a change in levels between Cripsey Road and Roger Dudman Way with the latter on higher ground). The trees that are on top of the retaining wall present various management challenges which possibly limits their life expectancy and amenity value as individuals, but if appropriately managed the important functional screening benefits provided by the trees collectively in the area could be sustained much longer.
- 7.9. The West Oxford Character Statement and Heritage Assets Survey: Part 1 St Ebbe's Suburb and Osney Island identifies 'Pockets of greenery' amongst the Key Historic Character Features of the area. It states; "These help to provide a suburban character; suggesting the countryside is only a street away. A notable tree line marks the former boundary of the station yard (now Roger Dudman Way) along with iron GWR railings. These help to screen the later 20th century railway buildings in views of the Victorian housing preserving the historic character of Cripsey Road." (p80).
- 7.10. While officers are not aware of any protected habitats or species, collectively the trees more generally provide habitats in the urban environment for insects, birds, and other wildlife.
- 7.11. Although the environmental services provided by the trees cannot currently be quantified, collectively the trees potentially benefit air quality locally and also reduce dust and noise for local residents to the benefit of human health and well-being.
- 7.12. For all these reasons officers advise that the trees merit inclusion in the TPO on amenity grounds.

Expediency:

- 7.13. The Oxford Station SPD is evidence that the railway station has potential for development and the trees which are included in the TPO must therefore be

considered to be at risk from development.

- 7.14. In this context the TPO is a valuable tool to manage change in the area. It is not however, intended to obstruct acceptable development in the future.
- 7.15. The 4 individual lime trees and some of the trees in the linear area stand on Highway land and are therefore owned by the Oxfordshire County Council and managed by the Council. It is unusual for the Council to make a TPO to include trees that are already under its control, but nothing prevents a TPO being to protect trees in the ownership of Local Authorities and the County Council has not objected.
- 7.16. Government advice is that the use of 'area' TPO designations should be temporary. Officers consider that the flexibility provided by the area designation, which does not identify specific trees, is appropriate at this time. However, this will be kept under review and it may become appropriate to amend the designation to include groups of specified trees, or individual trees, in the future.
- 7.17. For all these reasons officers advise that it expedient to for the Council to use its powers to make a TPO in this case.

Oxford Station SPD:

- 7.18. The Oxford Station SPD was taken to City Executive Board on 16th October 2017 where members resolved to adopt the SPD in its amended from subject to some additional changes, with delegated authority given to the Head of Planning. Following discussions with interested parties about the proposed further amendments to the SPD the decision to adopt the SPD was taken on the 28th November 2017.
- 7.19. The SPD sets out an indicative Masterplan that was developed in partnership between Oxford City Council, Oxfordshire County Council and Network Rail in conjunction with the train operating companies and the Department for Transport.
- 7.20. The vision for the SPD is that *"the Oxford Station area development will create a distinctive new gateway to Oxford, contributing to a vibrant new quarter and a fully integrated transport hub linking the station area with the City and beyond.."*
- 7.21. The SPD provides advice on some key design principles which would inform the urban form, views and accent buildings; the potential scale and massing of future buildings; the land use mix; public realm and amenity space; together with guidance on pedestrian, cycle and vehicle access and movements and the need for new development to respond positively to climate change. The illustrative masterplan has been developed from the design principles and includes an illustrative layout along with possible variants that would respond to different design approaches to allow flexibility

and the future operational requirements of Network Rail.

- 7.22. Since the SPD is indicative it does not include enough detail about specific developments to be able to assess effects on existing trees; so it is not currently known, for example, how the difference in ground levels between Botley Road/Cripley Road/Roger Dudman Way might be resolved to deliver ambitions for improvements to Botley Road under the railway bridge and what the resulting impact on existing trees might be. Similarly, until there are more detailed designs for a new through platform on the west side of the station it is not possible to know what the impact on the trees might be.
- 7.23. However when granting planning permission for any development a LPA is under a duty to ensure, whenever it is appropriate, that adequate provision is made, by the imposition of conditions, for the preservation or planting of trees.
- 7.24. In the Oxford Station SPD area therefore, the impact of any proposed development on existing trees will be a material consideration for the Council when it decides whether or not planning permission should be granted.
- 7.25. The TPO will ensure that the trees and their amenity value will be appropriately weighed and balanced in the more detailed development planning, design and decision processes. However, it does not *per se* prevent planning permission being granted for development that removes trees included in the TPO, if the Council decides, on balance, that is appropriate and acceptable.
- 7.26. For these reasons officers advise that there is no conflict with the adopted Oxford Station SPD by confirming the TPO.

8. CONCLUSION:

- 8.1. Taking account of the objection and other duly made representations received in response to the provisional Oxford City Council – Cripley Road (No.1) Tree Preservation Order 2017, and for the all the reasons stated in this report, the officer recommendation is that the Oxford City Council – Cripley Road (No.1) Tree Preservation Order 2017 should be confirmed without modification.

Human Rights Act 1998

Officers have considered the Human Rights Act 1998 in reaching a recommendation to confirm this TPO without modification. 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.

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 confirm this TPO without modification, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Appendix 1

17/00005/ORDER

Land On The East Side Of Cripsey Road Oxford



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WEST AREA PLANNING COMMITTEE

13th March 2018

Application Number: 17/02893/RES

Decision Due by: 31st January 2018

Extension of Time: 23rd March 2018 (TBA)

Proposal: The outline planning application (13/02557/OUT) was an Environmental Impact Assessment application and an Environmental Statement was submitted. Approval of all reserved matters was granted (14/02402/RES) under condition 5 of the outline planning permission. This application seeks approval of amended reserved matters in respect to the public realm and the removal of four approved street trees along the south end of Castle Street,

Site Address: Westgate Shopping Centre, Bonn Square (**site plan: appendix 1**)

Ward: Carfax Ward

Case Officer Andrew
Murdoch

Agent: Mr Rory McManus **Applicant:** Westgate Oxford Alliance

Reason at Committee: This is a committee item

1. RECOMMENDATION

1.1. West Area Planning Committee is recommended to:

(a) Approve the application for the reasons given in the report and subject to the required planning conditions set out in section 10 of this report and grant planning permission subject to:

(b) Agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:

1. Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary;

2. EXECUTIVE SUMMARY

2.1. This report considers an additional reserved matters application relating to the outline planning permission (with all matters reserved) for a retail-led mixed-use

development of the former Westgate Shopping Centre, Multi-storey and Surface level car-park under reference 13/02557.

- 2.2. The application is seeking permission with respect to the omission of four street trees along Castle Street which were approved as part of the landscaping proposals for the development.
- 2.3. The key matter for assessment set out in this report is the acceptability of removing these trees from the approved scheme.
- 2.4. Officers consider that the proposal would accord with the policies of the development plan and the range of material considerations on balance support the grant of planning permission.
- 2.5. The scheme would also accord with the aims and objectives of the National Planning Policy Framework would constitute sustainable development, and, given conformity with the development plan as a whole, paragraph 14 advises that the development proposal should be approved without delay. Furthermore there are not any material considerations that would outweigh the compliance with these national and local plan policies.

3. SITE AND SURROUNDINGS

- 3.1. The site relates to the Westgate Shopping Centre which covers an area of approximately 5.9ha, and extends from Bonn Square in the north to Thames Street in the south and from Castle Mill Stream in the west to Old Greyfriars Street and Pennyfarthing Place in the east
- 3.2. The application relates to the landscaping proposals for a section of the public realm in the southern section of Castle Street. The area in question lies to the north of the junction with Paradise Street and to the south of the emergency access into the Castle Quarter.
- 3.3. A copy of the site plan is set out in **Appendix 1** of this report.

4. PROPOSAL

- 4.1. In March 2014 outline planning permission with all matters reserved was granted by the West Area Planning Committee for a retail-led mixed use development of the former Westgate Shopping Centre, Multi-Storey and Surface Level Car Park and Abbey Place Car Park under reference 13/02557/OUT. The reserved matters for the layout, scale, appearance, and landscaping of the development was subsequently approved under reference number 14/02402/RES by the West Area Planning Committee meeting on the 25th November 2014.
- 4.2. The reserved matters application gave approval for the location of four street trees along the southern end of Castle Street. The four trees were proposed as large specimens (2 x *Acer rubrum* 'Armstrong' 40-50cm and 2 x *Carpinus betulus* 'Frans Fontaine' 35-40cm) each of which should have a recommended minimum root area volume of 15m³ to promote growth and the long-term health of the tree.

- 4.3. During the course of the construction works, it has been established that due to constraints from the services that run through the area, it is not possible to provide the required growing conditions in this locations for the trees to establish.
- 4.4. The application is therefore seeking permission for a revised landscaping scheme which omits these trees from the approved drawings. The reserved matters (layout, scale, appearance, and landscaping) previously approved under application 14/02402/RES will be unaffected by this application which would relate solely to the omission of these trees within the landscaping.

5. RELEVANT PLANNING HISTORY

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

13/02557/OUT - Demolition of southern part of Westgate Centre, 1-14 Abbey Place and multi-storey car park, retention of library, refurbishment of remainder of the existing Westgate Centre and construction of a retail-led mixed use development together providing A1 (retail), A2 (finance and professional services) and/or A3 (restaurants and cafes) and/or A4 (public house, etc.) and/or A5 (hot food takeaways) uses, C3 (residential) use and D2 (assembly and leisure) uses, public toilets, associated car and cycle parking, shopmobility facility, servicing and access arrangements together with alterations to the public highway (Amended plans and further information). APPROVED

14/02402/RES - Demolition of southern part of Westgate Centre, 1-14 Abbey Place and multi-storey car park, retention of library, refurbishment of remainder of the existing Westgate Centre and construction of a retail-led mixed use development together providing A1 (retail), A2 (finance and professional services), and/or A3 (restaurants and cafes and/or A4 (public houses, etc.) and/or A5 (hot food takeaways), uses, C3 (residential) use and D2 (amenity and leisure) uses, public toilets, associated car and cycle parking, shopmobility facility, servicing and access arrangements together with alterations to the public highway (Reserved matters of outline planning permission 13/02557/OUT seeking permission for detailing of appearance, landscaping, layout and scale). APPROVED

16/01495/RES - The outline planning application (13/02557/OUT) was an Environmental Impact Assessment application and an Environmental Statement was submitted. Approval of all reserved matters was granted (14/02402/RES) under condition 5 of the outline planning permission. This application seeks approval of amended reserved matters for the appearance of a proposed canopy over Bridge 13 (connecting Buildings 3 and 4) only. All other reserved matters previously approved remain unaffected. APPROVED

16/02139/RES - The outline planning application (13/02557/OUT) was an Environmental Impact Assessment application and an Environmental Statement was submitted. Approval of all reserved matters was granted (14/02402/RES) under condition 5 of the outline planning permission. This application seeks approval of amended reserved matters for the appearance, landscaping, layout

and scale of part of the rooftop garden space of Building 3: APPROVED

16/02620/RES - The outline planning application (13/02557/OUT) was an Environmental Impact Assessment application and an Environmental Statement was submitted. Approval of all reserved matters was granted (14/02402/RES) under condition 5 of the outline planning permission. This application seeks approval of amended reserved matters for the appearance of the east elevation of Building 2 and 3 in respect of a revised window arrangement. APPROVED

17/00460/RES - The outline planning application (13/02557/OUT) was an Environmental Impact Assessment application and an Environmental Statement was submitted. Approval of all reserved matters was granted (14/02402/RES) under condition 5 of the outline planning permission. This application seeks approval of amended reserved matters in respect of the use and internal reconfiguration of floorspace located in Building 2 (Second Floor), Building 3 (Lower Ground, Upper Ground, First and Second Floors) and Building 4 (Lower Ground and Upper Ground Floors). APPROVED

17/00719/RES - The outline planning application (13/02557/OUT) was an Environmental Impact Assessment application and an Environmental Statement was submitted. This application seeks approval of amended reserved matters for the appearance of the southern elevation of Building 4 in respect of a revised window design, including the introduction of a door. APPROVED

17/02495/RES - The outline planning application (13/02557/OUT) was an Environmental Impact Assessment application and an Environmental Statement was submitted. Approval of all reserved matters was granted (14/02402/RES) under condition 5 of the outline planning permission. This application seeks approval of amended reserved matters in respect of the use and internal reconfiguration of floorspace located in building 2 (upper ground), building 3 (upper ground) and building 4 (first and second floors): APPROVED

6. RELEVANT PLANNING POLICY

6.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework (NPPF)	Local Plan	Core Strategy	Other Planning Documents
Design	7	CP1, CP8, CP9,	CS18_	
Natural Environment		NE15,		

7. CONSULTATION RESPONSES

- 7.1. Site notices were displayed around the application site on the 16th November 2017 and an advertisement was published in The Oxford Times newspaper on 16th November 2017.

Statutory and Non-Statutory Consultees

Oxfordshire County Council (Highways)

- 7.2. The Local Highways Authority have no objection to the development
- 7.3. The information submitted confirms that four street trees cannot be planted along Castle Street.
- 7.4. The County council initially had concerns that planters were to be used for the replacement trees. The County Council has concerns with the use of tree planter particularly near the entrance to the Castle development as it blocks emergency access. However, it is now understood that the applicant does not intend to use tree planters therefore the county council has no objection to this proposal.

Natural England

- 7.5. No objection

Historic England

- 7.6. No comments

Public representations

- 7.7. No public representations have been made in relation to the application

8. PLANNING MATERIAL CONSIDERATIONS

- 8.1. Officers consider the main determining issues to be as follows
- i. **Principle of removing the trees from the approved landscaping scheme.**
- 8.2. The reserved matters application for the Westgate redevelopment (14/02402/RES) approved the landscape strategy for the scheme including the public realm. The approved landscaping included four large specimen trees (2 x Acer rubrum 'Armstrong' 40-50cm and 2 x Carpinus betulus 'Frans Fontaine' 35-

40cm) towards the southern end of Castle Street. These trees were in addition to three others proposed for Castle Street and Norfolk Street.

- 8.3. The overall landscaping strategy for the Westgate Oxford development provides new tree planting throughout the public realm surrounding the development. The new planting is provided within the paved areas and is designed to have structural cells that allow a minimum root area volume of 15m³ to promote growth and the long-term health of the tree. However during the course of the construction works, a number of service runs not previously identified were found to be present within the location of the proposed trees and as such it has not been possible to provide the structural cells in these locations to enable the required growing conditions for the trees.
- 8.4. In considering this matter, the applicant and officers considered alternative options including alternative locations or use of raised planters in order to determine whether the four trees could still be provided despite the identified constraints.
- 8.5. The applicant has considered alternative locations throughout Castle Street to ascertain whether any replacement trees could be placed within the ground using the agreed structural cell to ensure the success of the trees. These locations have included those proposed by the applicant and also officers. None of these locations have been considered suitable for a number of reasons. These include above ground constraints such as avoiding compromising the highways layout, narrowing footpath widths, need to maintain emergency access to the Castle Quarter, pedestrian circulation around the centre etc, along with below ground constraints from services, such as low voltage cables, communications ducting, drainage, inspection chambers, historic foul and storm water manholes, and the Block 4 basement.
- 8.6. In short the two main reasons why the approved trees, and no others in alternative locations in Castle Street, can be provided are that it is not possible to create the space within the ground for the tree rootballs because of the intensity of services within the ground, and also that the new roots will likely cause damage to existing services because of their close proximity to said services and future growth.
- 8.7. In addition to this, the applicant has sought to investigate the option to plant trees in raised planters rather than directly into the ground. This has been discounted for a number of reasons. The use of a planter would constrain the tree specification in terms of size and growth and as such there is not considered to be sufficient space. Moreover, there is a concern that the use of planters is not typical to the Oxford street scape, with few examples (i.e Frideswide Square) where they have been used. In addition to this, the use of a planter would act as a major obstruction to pedestrian movement throughout the public realm of Castle Street. The County Council through the Local Highways Authority and Road Agreements team, have both raised concerns about the use of planters for this reason. In the case of the western side of Castle Street, there is a need to maintain a suitable emergency access into the Castle Quarter. The presence of planters could effect this emergency access, as the planter could not be moved

in haste to allow fire engine / ambulance access. There is little space elsewhere to use a planter on the western side of Castle Street to avoid impacting on the emergency access and then not introducing other highway concerns such as interfering with visibility from the junction with Paradise Street. Similarly on the opposite side of the road there would also be concerns with how a planter would disrupt pedestrian movement, key highway sightlines etc. As a single planter on its own it would also be more obvious as an anomaly in the street scene.

- 8.8. Having reviewed the submitted details, officers consider that the omission/loss of the originally proposed trees is highly regrettable, especially given they had replaced some mature trees within Castle Street that were removed to accommodate the changes to the highway layout. However the application has demonstrated to an adequate degree of detail that the provision of these 4 trees as approved is not physically feasible due to the presence of numerous underground services and utilities, and also concerns with regards to highway impact. As such officers consider that there are reasonable grounds to support their omission from the approved plan. The landscape strategy should be read as a whole for the development in general, and the removal of these four trees would not materially alter the approved scheme which would still accord with Oxford Local Plan Policy CP1, CP8, CP9, and NE15.
- 8.9. Notwithstanding this however, officers consider that this application would allow an opportunity to insert an element of landscape interpretation for the other trees within the Westgate development by way of offering some mitigation through increasing understanding of what the trees within the scheme are. Therefore a condition is recommended that would have the botanical and common name tags on each of the trees (except the avenues in verges) so that people who might be interested can learn what these trees are. For example there is the specimen Scholars tree (*Sophora japonica*) south of Paradise Square which may not get the reference without a label explaining this to them.

ii. Conformity to the Environmental Statement and its addendum

- 8.10. The outline planning application for the Westgate development was accompanied by an Environmental Statement (September 2013) and Environmental Statement Addendum (January 2014). The reserved matters application was also accompanied by an Environmental Statement (August 2014) and Environmental Statement Addendum (September 2014).
- 8.11. This reserved matters application would constitute a 'subsequent application' under Regulation 2(1) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. As such the likely significant effects of the proposed development need to be considered.
- 8.12. The covering letter submitted in support of this application confirms that all details remain as previously approved under the outline planning permission (in terms of use) and subsequent reserved matters (in terms of details of appearance, landscaping, layout and scale) with the exception of the minor public realm changes associated with the removal of the street trees. As such the Application proposals do not give rise to any new or different likely significant

effects to those identified and assessed previously.

9. CONCLUSION

- 9.1. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the satisfactory completion (under authority delegated to the Head of Development Management) of a legal agreement under section 106 of the Town and Country Planning Act 1990.

10. CONDITIONS

- 1 The development permitted shall be constructed in complete accordance with the specifications in the application and approved plans listed below, unless otherwise agreed in writing by the local planning authority.

Reason: To avoid doubt and to ensure an acceptable development as indicated on the submitted drawings in accordance with policy CP1 of the Oxford Local Plan 2001-2016.

- 2 Within 3 months of the date of this permission, a landscape interpretation scheme shall be implemented on site following approval by the Local Planning Authority of the proposed scheme. The interpretation scheme shall include details of the botanical and common name of each street tree (except the avenue planting in verges) throughout the scheme.

Reason: In the interests of offering some mitigation for the lost trees within the landscape strategy in accordance with Oxford Local Plan Policy NE15.

11. APPENDICES

Appendix 1 – Site Location Plan

12. HUMAN RIGHTS ACT 1998

- 12.1. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to grant planning permission for 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.

13. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

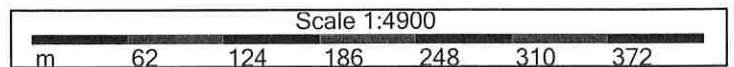
- 13.1. Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to refusal of planning permission,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

Appendix 1

Westgate 17/02893/RES



1:4900



Organisation	Oxford City Council
Department	City Development
Comments	Not Set
Date	05 March 2018
SLA Number	100019348

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- Cycle Parking

2.3. The change of use to a three bedroom House in Multiple Occupation is considered acceptable in terms of policy and should therefore be approved.

3. LEGAL AGREEMENT

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

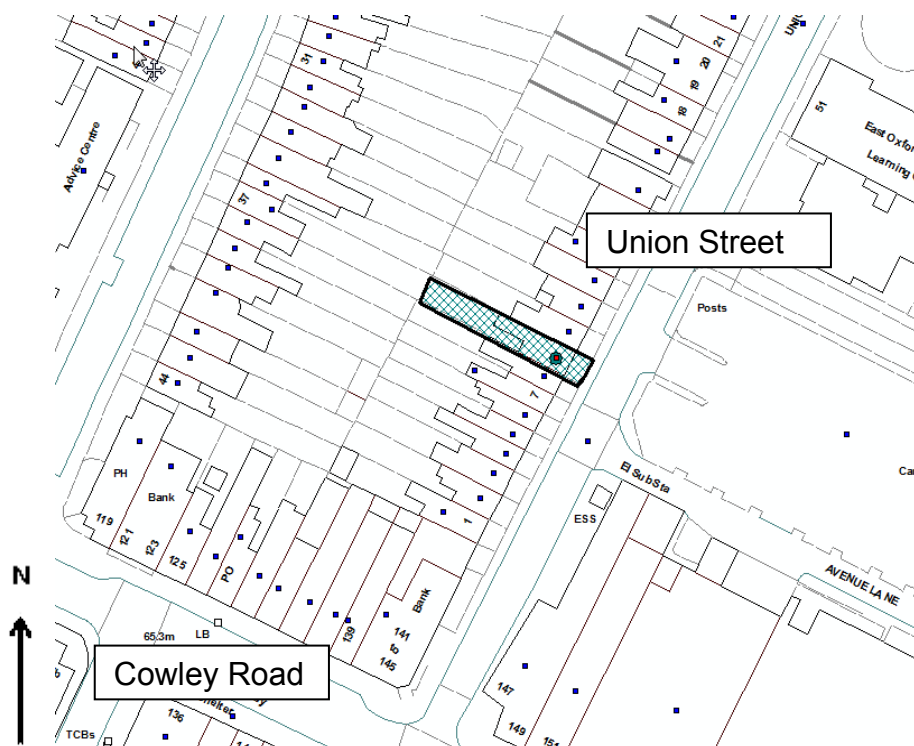
4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. The proposal is not liable for CIL.

5. SITE AND SURROUNDINGS

5.1. 9 Union Street is a mid-terraced Victorian property located on the north-western side of Union Street just off the Cowley Road. The property is in a very accessible location to the city centre. The property benefits from a small courtyard area to the front and modest sized garden to the rear. The application is seeking planning permission for a change of use from a dwellinghouse (Use Class C3) to a house in multiple occupation (Use Class C4) for up to 4 people.

5.2. Site location plan is set out below:



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Ordnance Survey 100019348

6. PROPOSAL

- 6.1. The application proposes the change of use from a family dwelling (Use Class C3) to a House in Multiple Occupation (Use Class C4), which based on the number and size of bedrooms provided, has a restricted use for up to the maximum of 4 people.

7. RELEVANT PLANNING HISTORY

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

58/06809/A_H- PERMITTED DEVELOPMENT CHECK - Extension to form bathroom 18 th March 1958
93/01232/NF - First floor rear extension. Installation of glazed roofing to existing ground floor extension. PER 26 th January 1994.
16/01511/FUL - Erection of single-storey rear extension. PER 25 th July 2016.
17/01860/FUL - Erection of a single storey rear extension. PER 19 th September 2017.

8. RELEVANT PLANNING POLICY

- 8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework (NPPF)	Local Plan	Core Strategy	Sites and Housing Plan	Other Planning Documents
Design	7	CP1, CP6			
Conservation/Heritage					
Housing	6	CP10		HP7, HP12, HP13, HP15, HP16	
Misc	5			MP1	

9. CONSULTATION RESPONSES

- 9.1. Site notices were displayed around the application site on 22nd January 2018.

Statutory and Non-Statutory Consultees

Oxfordshire County Council (Highways)

- 9.2. *The property is located within the East Oxford CPZ within which all properties are restricted to eligibility to two residents' parking permits. The potential for the change of use to generate an increase in on-street parking demand is therefore restricted to that which could be generated under the existing use.*

I note that cycle parking is to be provided for up to four bicycles. This is in line with the requirements of policy HP15. HP15 also sets out that cycle parking must be secure and undercover. We would recommend that details of the means of enclosure for the cycle parking provision be agreed by the Local Planning Authority.

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

Cycle Parking

Before the development permitted is commenced details of the cycle parking areas, including dimensions and means of enclosure, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall not be brought into use until the cycle parking areas and means of enclosure have been provided within the site in accordance with the approved details and thereafter the areas shall be retained solely for the purpose of the parking of cycles.

Reason: To encourage the use of sustainable modes of transport in line with policy HP15.

Public representations

- 9.3 20 Warneford Road: Objection,

- Effect on character of area
- Noise and disturbance

Enough HMOs in the area already.

Oxford Civic Society: Objection,

We consider the provision for storage of bicycles and refuse bins in this application to be inadequate. The front garden of the property could not accommodate two bicycles and the necessary refuse bins without obstructing the entrance (exit) to the property. There is no rear access to the property thus any movement of bicycles or bins would be through the property via a narrow corridor and through the living room and kitchen. A further concern relates to the internal dimensions of the bedrooms which only just comply with minimum requirements – bedroom 2 = 7.5m; bedroom 1 (2 persons) = 12.5M. We urge refusal of this application.

Officer Response

9.4. Issues of increased noise and disturbance would typically be addressed through the management of the property and through the HMO licensing and environmental health teams. Officers have specifically addressed the concerns relating to the amount of HMO's already in the area, the provision of bin and cycle storage and compliance of bedroom sizes within the property.

10. **PLANNING MATERIAL CONSIDERATIONS**

10.1 Officers consider the determining issues to be:

- i. Proportion of HMOs
- ii. Amenities & Facilities
- iii. Bin Store/Outdoor Space
- iv. Cycle Parking
- v. Car Parking

i. Proportion of HMOs

10.2. Policy HP7 of the Sites and Housing Plan (2013) states that planning permission will only be granted for the change of use of a dwelling in Use Class C3 to a HMO where the proportion of buildings used in full or part as a HMO within 100 metres of the street length either side of the application site does not exceed 20%.

10.3. A calculation of the street length as set out in Appendix 5 of the Sites and Housing Plan has been undertaken and the percentage of HMOs within 100 metres of the application site is under 20%. The proposal would therefore not result in an over concentration of Houses in Multiple Occupation within the relevant 100m area, which would not have a detrimental impact upon the balance and mix of dwelling types within the surrounding area, and retains the objective of creating balanced and sustainable communities. The development is therefore considered to comply with Policy HP7 of the Sites and Housing Plan 2011-2026.

ii. Amenities and Facilities

10.4. Policy HP7 states that planning permission will only be granted for the change of use of a dwelling house in Use Class C3 to a HMO where the applicant has demonstrated compliance with the City Council's good practice guide "Amenities and Facilities for Houses in Multiple Occupation", and that the development would not therefore have detrimental impact upon the living conditions for the future occupants.

10.5. The proposed floor plan shows 1 bedroom at ground floor and 2 bedrooms at first floor. The three bedrooms all comply with the minimum space standard of 6.5m² for HMOs, with bedroom 1 at first floor measuring approximately 12.5m enabling this bedroom to accommodate 2 occupants, so the property could accommodate up to the maximum of four people. There is a separate kitchen/dining space and living room which all exceed the requirements for a HMO. A bathroom is provided at first floor level which meets the required ratio of one bath/shower to every five persons sharing, with the requirement of one toilet for four or fewer occupiers

which can be located within the bathroom. The bathroom is also considered to be of adequate size.

- 10.6. The property is therefore considered to provide good living accommodation in line with the Council's good practice guide.

iii. Bin Store/Outdoor Space

- 10.7. Policy HP13 of the Sites and Housing Plan states that planning permission will only be granted for dwellings where adequate provision is made for appropriate storage for refuse and recycling and access to private open space. Also Policy CP10 of the Oxford Local Plan states that permission will only be granted where outdoor needs are properly accommodated, including refuse and recycling storage.

The bins are proposed to be located to the front courtyard of the property on paved hard standing concealed by the front boundary wall. This location provides good access to the street when required and is not considered to prevent access to and from the property, with adequate space considered to the front of the property to accommodate the bins.

- 10.8. The property has a private rear garden with direct and convenient access through the kitchen/dining space and through the living space to the rear, which would provide adequate outdoor amenity space for residents. It is therefore considered acceptable in terms of Policy HP13 of the Sites and Housing Plan (2013).

iv. Cycle Parking

- 10.9. Policy HP15 of the Sites and Housing Plan states planning permission will only be granted for residential development that complies with the following minimum cycle parking provision for HMOs of at least 1 space per occupant. It is also stated that all residential cycle storage must be secure, under cover preferably enclosed, and provide level, unobstructed external access to the street.

- 10.11 The proposal provides 2No. Sheffield hoops for 4No. bicycles to the front courtyard of the property. These stands shall be undercover and enclosed on three sides, with the stands enabling secure locking up of the bikes. The lean-to cycle store will have a height of no more than 1.2m along the boundary with No.8 Union Street and as such is not considered to impact on the neighbouring property or impact on access to the property. Oxfordshire County Council state a requirement for a condition to provide details of the cycle store, which have now been submitted prior to the determination of the application, in which the design is considered to be in accordance with the requirements of policy HP15 of the Sites and Housing Plan.

v. Car Parking

- 10.12. In accordance with Policy HP16 of the Sites and Housing Plan planning

permission will only be granted for residential development where the relevant maximum car parking standards set out in Appendix 8 are complied with. The maximum parking standards required by policy HP16 for this type of property is for 1 off-street car parking space per two habitable rooms.

- 10.13. There are no off-street car parking spaces serving the host property. However Union Street is located within the East Oxford Controlled Parking Zone, in which all properties in this area are restricted to two residents' parking permits per property. Oxfordshire County Council Highways Authority have noted therefore that any potential for the change of use to generate an increase in on-street parking demand will be restricted to that which could be generated under the existing use. Given the highly accessible location of the property (close to public facilities, public transport and the city centre), the current car parking provision would be considered adequate. As a result the development complies with Policy HP16 of the Sites and Housing Plan.

11. CONCLUSION

- 11.1. The development is considered acceptable having had regard to the concentration of HMOs, quality of accommodation, cycle and refuse storage and impact on highway safety.
- 11.2. It is recommended that the West Area Planning Committee resolve to grant planning permission for the development proposed subject to the below conditions.

12. CONDITIONS

1. The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

2. The development permitted shall be constructed in complete accordance with the specifications in the application and approved plans listed below, unless otherwise agreed in writing by the local planning authority.

Reason: To avoid doubt and to ensure an acceptable development as indicated on the submitted drawings in accordance with policy CP1 of the Oxford Local Plan 2001-2016.

3. Prior to the commencement of the approved use the covered cycle store shown on the approved plan, Drawing No. S_002 and in accordance with the design shown on (Drawing No. S_003) shall be provided and made available for the occupiers of the dwellinghouse and be so retained.

Reason: To ensure that there is adequate covered and secure cycle storage as required by Policy HP15 of the Sites and Housing Plan (2013).

4. Prior to the commencement of the approved use, the proposed paved hard standing for storage of bins as shown on the approved plan (Drawing No. S_002 and S_003) shall be installed and made available for the occupiers of the dwellinghouse and be so retained.

Reason: To ensure that there is adequate refuse and recycling storage as required by Policy HP13 of the Sites and Housing (2013).

13. APPENDICES

Appendix 1 – Site Location Plan

14. HUMAN RIGHTS ACT 1998

Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to grant 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.

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

APPENDIX 1

18/00095/FUL 9 Union Street



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Minutes of a meeting of the WEST AREA PLANNING COMMITTEE on Wednesday 21 February 2018

www.oxford.gov.uk



Committee members:

Councillor Upton (Chair)	Councillor Cook (Vice-Chair)
Councillor Azad	Councillor Fooks
Councillor Hollingsworth	Councillor Iley-Williamson
Councillor Lygo	Councillor Price
Councillor Wade	

Officers:

Adrian Arnold, Development Management Service Manager
Robert Fowler, Planning Team Leader
Tobias Fett, Planning Officer
Amy Ridding, Senior Conservation Officer
Nadia Robinson, Planning Officer
Anita Bradley, Monitoring Officer
Sally Fleming, Lawyer
Catherine Phythian, Committee Services Officer

Apologies:

No apologies were received

66. Declarations of interest

17/03182/CT3 and 17/03182/LBC

Cllr Cook - as a Council appointed trustee for Oxford Preservation Trust; and as a member of the Oxford Civic Society. He stated that he had taken no part in those organisations' discussions or decision making regarding the applications and was approaching them with an open mind.

Cllr Upton - as a Council appointed trustee for Oxford Preservation Trust. She stated that she had taken no part in the OPT discussions or decision making regarding the applications and was approaching them with an open mind.

Cllr Price – as a member of the City Executive Board he had been closely involved with the proposals for the Covered Market. As such he had a pre-determined position on the applications and would leave the room and take no part in their determination.

67. 17/03148/FUL: Oxford High School Belbroughton Road Oxford OX2 6XA

The Committee considered an application (17/03148/FUL) for planning permission for the proposed demolition of existing Art, Design and Healthcare Building and erection of new building including Sixth Form, Art & Design and Wellbeing facilities.

The Planning Officer presented the report and made the following verbal updates:

- Condition 12 requires the development to be carried out in accordance with the details set out in the Natural Resource Impact Assessment. In fact, further details are needed to ensure the development meets policy requirements for on-site renewables, taking into consideration both regulated and unregulated energy. The condition therefore will be reworded to require additional information.
- An additional condition is recommended to secure a travel plan. Although there is no change to staff or student numbers, nor a change in car parking space numbers, as part of wider sustainability objectives, a travel plan is required that would set out strategies to discourage and reduce car use over time.
- A condition is required to secure community uses of facilities, referred to in the officer report.

David Hughes (local resident) spoke against the application.

Philip Hills (Headmaster), Richard Alonso (Architect) and Susie Byrne (Planning Consultant) spoke in favour of the application.

The Committee asked questions of the officers and public speakers about the details of the application.

The Committee noted the concerns about overlooking raised by the local resident but was satisfied that these concerns would be addressed by the applicant's proposals to apply privacy film to the windows on the southern stairwell and that this would be addressed by condition.

The Committee asked that the planning officers check the detail of Condition 10 to ensure that it provided for wheel washing for construction vehicles. This was especially important in view of the volume of cyclists using the cycle paths in the vicinity of the application site.

In reaching its decision, the Committee considered all the information put before it noting that the proposed design of the building and the landscape strategy have evolved positively through a period of pre-application advice including a review by the Oxford Design Review Panel.

The Committee agreed with the officer's conclusion that the application was a sympathetic response to the site's constraints and assets, including the conservation area, southern tree belt, as well as to the school's needs.

On being put to the vote the Committee agreed with the officer recommendation subject to the rewording of Condition 12 and the inclusion of two further conditions:

1. Submission of a Travel Plan intended to promote a reduction in car use
2. To secure community use of the sixth form social and lecture space consistent with Policy CS16

The West Area Planning Committee resolved to:

- (a) approve the application for the reasons given in the report and subject to the 19 required planning conditions set out in section 12 of the report and the addition of two further conditions as detailed above and grant planning permission; and**
- (b) Delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:**
 1. finalise the recommended conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary;
 2. Issue the planning permission.

68. 17/02979/FUL: Wadham College, Parks Road, Oxford, OX1 3PN

The Committee considered an application (17/02979/FUL) for planning permission for the proposed demolition of the existing JCR and Goddard Building and erection of new collegiate development comprising an Access Centre and Undergraduate Centre (existing basement to be retained) including 20 accessible student bedrooms and social and academic facilities.

The Planning Officer presented the report and in particular referred the Committee to the arrangements for access to the site during the construction phase. The proposals are to use the Elephant Gate which is the gate onto Parks Road between two listed buildings as the main construction entrance. Plans from the agent indicate that this is possible, despite the constrained nature of that construction entrance. A specially constructed path through the quad is also proposed to get construction vehicles to the site between protected trees. Condition 4 on page 56 deals with the submission of a construction traffic management plan but officers have considered this further and given the sensitive nature of the proposed construction route it was recommended that this matter should be checked in terms of additional information to be submitted by the applicant's agent prior to a planning permission being issued to demonstrate that there would be no damage to the listed buildings in terms of structural issues and no damage to tree roots.

Ken MacDonald (Warden, Wadham College), Eoin O'Dwyer (Architect) and Chris Pattison (Planning Consultant) spoke in favour of the application and answered questions.

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

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

The West Area Planning Committee resolved to:

- (a) Approve the application for the reasons given in the report and subject to the 25 required planning conditions set out in section 11 of this report; and**
- (b) Delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:**
 1. Finalise the recommended conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary; and
 2. Issue the planning permission at such time as officers are satisfied that the construction phase of the development can be carried out without harm to the entrance onto Parks Road and adjacent buildings or any trees in the Back Quad.

69. 17/03400/FUL - Land At The Rear Of 478 And 480 Banbury Road, Oxford (Riddell Place)

The Committee considered an application (17/03400/FUL) for planning permission for the erection of 2 x 4-bed dwellinghouse (Use Class C3) and the provision of car parking, bin and bike storage.

The application had been called-in to Committee by Councillors Goddard, Wilkinson, Goff and Fooks on behalf of concerned residents on the grounds of potential overdevelopment, overlooking, adverse effect on neighbouring properties, and parking concerns.

The Planning Officer presented the report and referred the Committee to the following corrections to the report:

- Paragraph 9.40 page 77 under Car parking – the word “not” is missing from the 10th line. For clarity it should read: *The manoeuvring space that would be provided for four cars is acceptable and although it would create a fairly constrained arrangement if four vehicles were parked it would NOT be detrimental to highway safety and would be appropriate having had regard to the low vehicle speeds.*
- Para 9.41 mentions that the Banbury Road properties have sufficient parking within their plots, accessed from Banbury Road. This is not correct. In fact only one property benefits from vehicular access from Banbury Road. Regardless of this all three properties have garages accessed from Riddell Place that are considered sufficient provision within their own plots for this sustainable location. As a result this does not change the officer’s recommendation or the view on adequate parking provisions. There are no objections from the Local Highway Authority.

Beryl Knotts and Ann Fallows (local residents) spoke against the application.

Chris Bright (applicant) spoke in favour of the application.

The Committee discussion included, but was not limited to, the following points:

- That any concerns about the ownership and use of the private road (Riddell Place) were private civil matters and not relevant to the planning application
- The residual amenity space at the rear of 480 Banbury Road (within the application site) was considered acceptable and would not constitute grounds for refusal of the application
- That the parking and safety concerns raised by the local residents were addressed in the officer report and that although the arrangements were constrained they met the required standards and there were no objections from the Highway Authority
- That although the limited scope for landscaping in the public realm was regrettable and replacement tree planting in the private gardens could not be secured by condition it was hoped that the applicants would be mindful of the Committee's observations

The Committee expressed concern about the traffic and safety implications of access to the application site during the construction phase and, having taken advice from the Senior Planning Officer, determined that a further condition should be included to require the submission of a construction traffic management plan.

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

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

The West Area Planning Committee resolved to:

- (a) Approve the application for the reasons given in the report and subject to the 11 required planning conditions set out in section 11 of the report and the inclusion of a further condition requiring a construction traffic management plan and grant planning permission; and**
- (b) Delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:**
 1. Finalise the recommended conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary.

Councillor Price left the meeting before the vote on this item.

Councillor Lygo left the meeting following the vote on this item.

70. 17/03182/CT3: 18-19 Covered Market, Market Street, Oxford

The Committee considered two applications (17/03182/CT3) and (17/03182/LBC) for planning permission and listed building consent for the demolition of the existing stall and replacement with a new stall subdivided to create three smaller market stall units.

The Planning Officer presented the two reports and the Senior Conservation Officer was available to answer questions relating to the heritage aspects of the two applications. The Planning Officer explained that the report for planning application 17/03182/CT3 should have cited paragraphs 131 – 132 of the NPPF; the application has been considered against those paragraphs. The correct references were included in the report for the listed building application.

Helen Wilkinson (Oxford Preservation Trust) spoke against the applications.

Elaine Philip and Julia Castle (Oxford City Council) were present to answer questions from the Committee, particularly in relation to the strategic and operational aspects of the applications.

The Committee discussion included, but was not limited to, the following points:

- That the market had never been of a uniform character and the Victorian grid-layout had not extended to the application area so there was no requirement to replicate that style
- That although the proposed units would take up the same footprint as the existing stall and the width of Avenue 1 would remain at 1.8m this might feel smaller and more crowded as a consequence of the more enclosed design of the proposed units; and that this perception might be compounded if the popularity of the new units resulted in queues
- That the final design of the shutters would be secured by condition
- That the decision to offer three small units reflected the demand for starter units on short leases with lower rents and business rates; and that this was consistent with the Council's Covered Market retail strategy

In reaching its decision, the Committee considered all the information put before it and noted that as the Covered Market was actively managed by the Council this would not be an irreversible decision if the proposed units did not prove successful.

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

The West Area Planning Committee resolved to:

- (a) Approve the application for the reasons given in the report and subject to the 6 required planning conditions set out in section 12 of the report and grant planning permission; and**
- (b) Delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:**

1. Finalise the recommended conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary.

71. 17/03182/LBC: 18-19 Covered Market, Market Street, Oxford

This officer presentation and Committee discussion of this application for listed building consent was taken as part of the previous item.

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

The West Area Planning Committee resolved to:

- (a) Approve the application for the reasons given in the report and subject to the 6 required planning conditions set out in section 12 of the report and grant listed building consent; and**
- (b) Delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:**
 1. Finalise the recommended conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary.

72. Minutes

The Committee resolved to approve the minutes of the meeting held on 16 January 2018 as a true and accurate record.

73. Forthcoming applications

The Committee noted the list of forthcoming applications.

74. Dates of future meetings

The Committee noted the dates of future meetings.

The meeting started at 6.00 pm and ended at 8.10 pm

Chair

Date: Tuesday 13 March 2018

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