

Agenda Item 3

West Area Planning Committee

8th October 2013

Application Number: (i): 13/01800/FUL
(ii): 13/01801/LBD

Decision Due by: 15th October 2013

Proposal: (i): 13/01800/FUL - Demolition and rebuilding of existing boundary walls. Erection of 53 study bedrooms, lecture theatre, library, seminar rooms and ancillary accommodation on 4 floor plus basement.

(ii): 13/01801/LBD - Demolition and rebuilding of existing boundary walls

Site Address: St Cross College, St Giles, **Appendix 1.**

Ward: Carfax

Agent: Terry Gashe

Applicant: St Cross College, Oxford

Recommendations:

(i): 13/01800/FUL: Committee is recommended to support the proposals in principle but defer the planning application in order to satisfactorily complete an accompanying legal agreement and to delegate to the Head of City development the issuing of the Notice of Permission upon its completion. Should however the Community Infrastructure Levy (CIL) charging schedule come into force prior to the completion of the legal agreement, then it shall exclude any items included on the list of infrastructure published in accordance with Regulation 123 of the CIL Regulations.

If the required legal agreement is not completed within a reasonable period, then the Committee is recommended to delegate the issuing of a Notice of Refusal to the Head of City Development on the grounds that the development is not adequately mitigated.

(ii): 13/01801/LBD: Grant listed building consent.

Reasons for Approval:

- 1 The proposed development provides student accommodation in a sustainable and appropriate location that preserves the special character and appearance of the conservation area in which it lies, the setting of St Cross College quad and adjacent listed buildings. The loss of existing trees is mitigated by new

planting. Consequently the proposals are considered to accord with the requirements of policies in the development plan.

- 2 The Council has considered the many comments raised in public consultation which are summarised below but consider that they do not constitute sustainable reasons sufficient to refuse planning permission and/or listed building consent and that the imposition of appropriate planning conditions will ensure a good quality form of development that will enhance the appearance of the street scene and relate satisfactorily to nearby properties, preserve the special interest of the listed building, its setting and the character and appearance of the conservation area.
- 3 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.
- 4 The Council considers that the proposal, subject to the conditions imposed, would accord with the special character and appearance of the conservation area and with the special character, setting, features of special architectural or historic interest of the listed building. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity.

Conditions: (i): 13/01800/FUL

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples in Conservation Area
- 4 SUDS drainage
- 5 Contamination
- 6 Arch - Implementation of programme
- 7 Construction Traffic Management Plan
- 8 Travel Plan
- 9 Student Accommodation - Out of Term Use
- 10 Student Accommodation - Management Controls
- 11 Students - No cars
- 12 Cycle parking provision – St Giles
- 13 NRIA Sustainability design/construction
- 14 Landscape Plan
- 15 Landscape implementation
- 16 Fire Hydrants
- 17 Public Art

Legal Agreement:

City Council:

- £3,160 towards Indoor Sport

County Council:

- £7314.00 towards cycle safety measures within the area in accordance with the standards for this type of student accommodation.

- £4,505 towards Libraries
- £265 towards Museum Resource Centre
- £3,392 towards Waste Management

These requirements can be secured by Unilateral Undertaking.

Conditions: (ii): 13/01801/LBD

- 1 Commencement of works LB/CAC consent
- 2 LB consent - works as approved only
- 3 7 days' notice to LPA
- 4 LB notice of completion
- 5 Repair of damage after works
- 6 Detailed method statement
- 7 No power tools
- 8 Stones replaced in existing locations
- 9 Additional stones to match
- 10 Sample panels stonework and pointing
- 11 Stone pile in garden, destination
- 12 Architectural recording
- 13 Stone cleaning

Principal Planning Policies:

Oxford Local Plan 2001-2016

- CP1 - Development Proposals
- CP6 - Efficient Use of Land & Density
- CP8 - Design Development to Relate to its Context
- CP9 - Creating Successful New Places
- CP10 - Siting Development to Meet Functional Needs
- CP11 - Landscape Design
- CP13 - Accessibility
- CP14 - Public Art
- CP17 - Recycled Materials
- CP18 - Natural Resource Impact Analysis
- CP21 - Noise
- NE14 - Water and Sewerage Infrastructure
- NE15 - Loss of Trees and Hedgerows
- NE16 - Protected Trees
- HE2 - Archaeology
- HE3 - Listed Buildings and Their Setting
- HE4 - Archaeological Remains Within Listed Blgs
- HE7 - Conservation Areas
- HE9 - High Building Areas
- HE10 - View Cones of Oxford

Core Strategy

- CS2 - Previously developed and greenfield land
- CS9 - Energy and natural resources
- CS10 - Waste and recycling
- CS11 - Flooding

CS13 - Supporting access to new development
CS14 - Supporting city-wide movement
CS17 - Infrastructure and developer contributions
CS25 - Student accommodation
CS18 - Urban design, town character, historic environment

Sites and Housing Plan

MP1 - Model Policy
HP5 - Location of Student Accommodation
HP6 - Affordable Housing from Student Accommodation
HP9 - Design, Character and Context
HP11 - Low Carbon Homes
HP13 - Outdoor Space
HP15 - Residential cycle parking

Other Planning Documents

- National Planning Policy Framework
- Planning Obligations Supplementary Planning Document
- Natural Resource Impact Analysis
- The application site lies within the Central (City and University) Conservation Area and affects the setting of Grade II* and Grade II listed building and structures.

Planning History:

- 55/04391/A H - Rear of Pusey House Pusey Street - 6 garages (demolished). PER 10th May 1955.
- 75/00916/HA H - Land at garden of Pusey House Pusey Street and St Giles - Outline application to erect a 2 or 3 storey building comprising 20 residents flats with parking and facilities for 26 cars (amended plans). PER 21st January 1976.
- 81/00907/NFH - Change of use of four rooms from College use to offices for a period of two years and retention of the whole building for that period. PER 12th January 1982.
- 86/01080/NRH - Rear extension with 3 storey range to St. Cross College to provide new accommodation including social facilities and 22 study bedrooms (Reserved Matters of NXH/925/85). REF 19th December 1986.
- 86/01081/L - Listed Building Consent for (1) Demolition of garages at rear and their enclosing walls. (2) Rear extension with 3 storey range to St. Cross College to provide new accommodation including social facilities and 22 study bedrooms. REF 19th December 1986.
- 87/01003/L - Demolition of garages. 3 storey extension to form quadrangle for study bedrooms/flat/guest suite/dining hall/kitchen/communal facilities. Lecture hall/dining hall / bookstack & offices/stores & guest rooms (amended plans). PER 16th February 1989.

- 87/01004/NFH - 3 storey extension & basement car park to form quadrangle for 44 study beds, 1-bed flat, guest suite, dining hall, kitchen & communal facilities. Lecture hall, dining hall, bookstack & offices, stores & guest rooms (amended plans). PER 16th February 1989.

Representations:

Statutory Consultees:

Environmental Development: With respect to contaminated land it is recommend that a condition requiring a phased risk assessment is attached to any planning permission. This recommendation has been made due to the sensitive nature of the proposed development, i.e. the creation of new residential properties with landscaping. As a minimum, a desk study and documented site walkover are required to ensure that there are no sources of contamination on or near to the site and that the site is suitable for its proposed use.

Environment Agency: No comments made, considered low environmental risk.

Thames Water: Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system. Water Comments - On the basis of information provided, Thames Water would advise that with regard to water infrastructure we would not have any objection to the planning application.

English Heritage: The chosen solution is ingenious and successful although its homage to the existing buildings, especially those of Temple Moore is indirect. The chief reserve about the design must concern its overall size, which at four storeys is taller, and more intensive, than the existing ranges of either date. Because of the way in which the architects have worked to break up the mass EH believes this amount of accommodation could be accepted: this 'busyness' might increase the apparent size, but at the same time it would break up the mass and humanise the building, especially by the use of splayed reveals. The external design, similarly broken up into bays, would echo the rhythm of the Chapel of Pusey House when seen from St Giles'. Concerned that the building might crowd the very fine western elevation of the Chapel and advised that vegetation should be kept to a minimum on the north side of this space to enable views still. English Heritage: originally advised that the existing listed wall should be incorporated in the scheme, then after further historical evidence was produced, it has agreed that the walls could be recorded and rebuilt.

Victorian Society: Objects: the new development will adversely affect setting of the grade II* listed chapel. New building too close and too high. Design is blocky, busy and assertive

County Drainage: Complaints from local residents concerning the existing surface drainage flows from the site discharging onto the Highway adding to local flooding. We require information of how the existing drainage is dealt with and proof that the new development will improve the situation.

County Highways Authority: No objection. The proposed site is within the Transport Central Area and as such has excellent accessibility and sustainability. No general private parking is proposed for the development and the removal of some off street parking is to be welcomed in this highly sustainable area of the City. Cycle parking is to be proposed as 58 spaces are to be provided in double deck cycle parking and this is satisfactory and adequate, although having inspected the site there is some shortfall in terms of other uses on the site, and it is considered to be essential to provide 6 cycle parking stands at the frontage of the proposal in St Giles. As is usual for this type of proposal within the Central Area for students, no student must own or bring a car in to Oxford. Before any work take place on the site a construction traffic management plan must be submitted and agreed with The Highway Authority. This is essential for this sensitive area in terms of traffic and HGV's.

County Asset Strategy: No objection subject to conditions, legal agreement and informative. The County Council considers that the effect of the application forming this development will place additional strain on its existing community infrastructure and therefore contributions are sought towards libraries, museum & waste management. Fire hydrants sought and secured by condition. Fire & Rescue Service recommends that new dwellings should be constructed with sprinkler systems (informative).

Neighbour/ Groups/ Association Comments:

The main points raised were:

- Concern over construction traffic; request traffic allowed down Pusey Street from St Giles, residents' parking should be safeguarded during construction.
- Flooding of drain system, soakaways cannot cope with more development, less garden area to absorb water, frequent standing water in Pusey Lane.
- Too high, large and bulky.
- Loss of light and overshadowing to Pusey Lane.
- Tunnelling/ canyon effect of Pusey Lane.
- Out of keeping with context, visual inconsistency to adjacent buildings and detrimental to character of the area and Conservation Area, including roofscape.
- Unsympathetic and detrimental to adjacent listed buildings: Chapel, St Johns Street etc.
- Loss of views of Chapel and the window. New building too close and should be pulled back. Eaves height should be lowered to match Chapels.
- Flat roof out of keeping.
- Architecturally uninteresting and unexciting. Aggressively angular & blockish. Lacks aesthetic synergy. Too assertive and busy.

- Direct overlooking
- Increase nuisance to residents from increased student numbers.
- Impact on potential archaeology.
- object to the principle of rebuilding the walls; the college intended to restore the walls in 2010 and this could still be done; there is a risk of architectural pastiche and that most of the wall material will be judged unsuitable for modern building purposes and would be discarded.
- Sedum roof will deteriorate without proper maintenance, no benefit over traditional roofing materials.
- Lift shaft rising above roof level.
- Areas of decking and glazing would be unattractive and inappropriate.
- Removal and rebuilding of (listed) boundary wall unacceptable. Its character cannot be replicated by rebuilding.
- Full length windows in wall unacceptable and out of character.
- Car and cycle parking provision inadequate; loss of 20 car spaces and replacement with just 5
- Inadequate bin storage.
- Loss of significant mature trees.
- Access points to Pusey Lane and Street; more pedestrian activity, cause 'smokers corners'.
- Increased serving and deliveries along Pusey Street and Pusey Lane.

In addition, the proposal was the subject of pre-application discussion with the City Council, County Council and English Heritage and presentation to two South East Region Design Panels, and community consultation and presentations to residents, Councillors and public amenity groups/ Associations.

Officers Assessment:

Site Description and Proposed Development.

1. The site lies within the rear of St Cross College which faces on to St Giles and is bounded by Pusey Street to the north, Pusey Lane to the west and Blackfriars College and the Oriental Institute to the south. The application site includes garaging and cycle shelter set behind an old brick wall to Pusey Street, and garden which contains two mature trees
2. The College lies within the Central Conservation Area and the early C20th Pusey House and Pusey Chapel are listed, the Chapel at Grade II*. The boundary walls along Pusey Lane and Pusey Street are Grade II listed. It is surrounded by large collegiate and institutional buildings, together with Georgian residential properties on St John Street and smaller scale mews type buildings along Pusey Lane. Currently this western corner of the college is open to views and Pusey House Chapel and its fine window can be afforded over the boundary walls, as can the mature trees within the college garden.
3. It is proposed to build an L-shaped building on the north/ west corner of the college to create the final element of a quad, providing 53 student study

bedrooms with shared kitchens, lecture theatre, meeting lecture rooms, dining and other associated facilities. Currently only 18 students can live on site and the additional 52 rooms would enable the College to provide dining facilities and more of a social hub.

4. The building is proposed on 4 storeys, with a flat roof with elevations to both Pusey Lane to the west and Pusey Street to the north. It is modern in its architectural design, with an articulated frontage and appearing as a cluster of buildings with glazed connections to reduce the massing. Windows would have distinctive deep reveals with the fourth floor designed as glazed pavillions enabling glimpses through and a lighter feel. It involves the taking down and rebuilding of the boundary walls and removal of two mature trees. Accommodation on the top floor has access to small decked terraces. A simple palette of materials is proposed using stone, reinforced concrete, render and wood.
5. Previous approval was given in the 1980's for a new quad and revised again in the late 1980's, proposed as two phases. The first phase on the south side of the quad was completed but Phase 2 on the western side was not. The permission for the phase 2 is still extant. The footprint of the proposed scheme is similar to that of the 1980s phase two.
6. Officers consider the principal determining issues in this case to be:
 - planning policy;
 - design and heritage;
 - amenities;
 - listed walls;
 - transport;
 - trees;
 - drainage;
 - NRA;
 - archaeology; and
 - public art.

Planning Policy

7. The principle of development on this site, in this location and for student accommodation and teaching etc. was accepted in granting approval in the 1990s and the site was allocated for such uses in Oxford Local Plan. However, this allocation has not been taken forward in the newly adopted Sites and Housing Plan (SHP). As such the proposal falls under, and is in accordance with, SHP Policy HP5 which states that permission will be granted for student accommodation on or adjacent to existing University or College academic site or in the City Centre.
8. SHP Policy HP6 sets out the requirement to either provide or contribute towards affordable housing on student accommodation of over 20 bedrooms, and also criteria for exemption. As the proposal is within an existing academic University site the proposed development is exempt from this Policy requirement.

9. Policy CS25 of the Core Strategy encourages the provision of high quality purpose-built student accommodation buildings that do not significantly harm the amenity enjoyed by local residents. The policy also states that the Council will seek appropriate management controls to restrict students from bringing cars to Oxford through the imposition of appropriate conditions or planning obligations. Such conditions are recommended by officers in the development is permitted.

Design and Heritage

10. Local planning authorities have a duty to have special regard to the preservation or enhancement of designated heritage assets, (e.g. listed buildings and conservation areas). In the NPPF the government has reaffirmed its commitment to the historic environment and its heritage assets which should be conserved and enjoyed for the quality of life they bring to this and future generations. It states that 'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of a heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification', measured in terms of the public benefits to be delivered through the proposal.
11. The NPPF encourages local planning authorities to look for opportunities to better reveal or enhance heritage assets and their settings and states that proposals that do make a positive contribution should be treated favourably.
12. Published guidance by English Heritage in *The Setting of Heritage Assets*, October 2011 provides a methodology for understanding the setting of a heritage asset and how it contributes to the heritage significance of that asset and explains how to assess the impact of development. English Heritage explains that the setting of a heritage asset is the surroundings in which it is experienced; and that the setting is not fixed and may change as the surrounding context changes.
13. Policy CP1 of the Oxford Local Plan states that planning permission will only be granted for development that shows a high standard of design that respects the character and appearance of the area and uses materials of a quality appropriate to the nature of the development, the site and its surroundings. Policy CP6 states that development proposals should make the best use of site capacity but in a manner that would be compatible with both the site itself and the surrounding area. Policy CP8 suggests that the siting, massing and design of any new development should create an appropriate visual relationship with the form, grain, scale, materials and detailing of the surrounding area.
14. Policy HE7 of the Oxford Local Plan states that planning permission will only be granted for development that preserves or enhances the special character

and appearance of conservation areas and their settings and policy CS18 of the Core Strategy emphasizes the importance of good urban design that contributes towards the provision of an attractive public realm.

15. In this case the site is visible from St John's Street and more obliquely from St Giles with the rear of St John's Street properties in the background. The site is bounded by a high stone wall enclosing the rear quad and in the corner a modern block of flat roofed garages replace the wall. The proposal will change this view with new student accommodation buildings above the walls. In particular the new buildings will close down (but not eliminate) the view of the west end of Temple Moore's Grade II* listed Chapel and stained glass window, which are currently prominent along Pusey Street. A 10m gap is retained between the new building and the chapel, which is a similar gap as previously approved in the 1980s scheme. The submitted sunlight/ daylight study shows that the new building would have very little impact on the window. This view would become similar to that seen elsewhere in the City, where views of buildings are revealed and glimpsed between buildings.
16. The height of the building is below that of the Chapel and the 1980s quad building on Pusey Lane. The architectural style is distinctively modern in style and makes no attempt to copy the gothic detailing of the listed buildings. It is informed by the structural logic of those buildings and the traditional collegiate staircase layout, which influences the external form of the proposed building. The supporting information explains that the design of solid to void and use of render and stone reflects that of St John's Street and the vertical rhythm of Regent's Park College and Oriental Institute, even the bays of the Chapel. The language of modern buildings sitting behind or over historic boundary walls is a familiar one on Oxford and almost inevitable where colleges seek to provide additional facilities on tightly constrained sites. The siting, height and use of a flat roof is not considered inappropriate in this instance.
17. It is considered that whilst the existing views of the site would change including how the west window of the chapel is experienced officers conclude that this change would not be harmful, introducing new buildings and views that would offer a different but not diminished experience of the heritage assets in the area and their context.

Amenities

18. Concern has been expressed that the building would overshadow Pusey Lane and create a tunnelling effect, to the detriment of the occupiers of the student accommodation opposite. The submitted sunlight / daylight study shows that due to orientation, the existing buildings on Pusey Lane would not be affected by overshadowing or loss of sun / daylight. Clearly the building would create a different aspect along the Lane but given the height of the Mews buildings opposite and the orientation Officers consider that it would not create a tunnelling effect.

19. The building would be approximately 6.8m away from the existing Mews buildings on Pusey Lane, which are used as student accommodation. The first floor sits above the rebuilt stone wall and the lower part of the window openings (approximately 80cm) are obscured where the study desks are located in similar fashion to those at the recently completed student accommodation for Somerville College at the former infirmary site by the same architects). This obscured element would be level with the top of the windows of the Mews buildings opposite. This means that there would be some overlooking created but it would not be direct, but rather oblique when standing behind the desk looking down towards the Mews Buildings. Furthermore as it is across a public space the Mews buildings already experience some degree of overlooking and they are used by students which are transient by nature. It is therefore considered that the new development would not cause a significant level of overlooking that would justify refusal in this case.

Listed Walls

20. Three boundary walls are present on the site. Firstly, the wall that runs east to west along Pusey Street; secondly, the wall enclosing the west end of the site along Pusey Lane; and thirdly a shorter wall within the site that runs east to west, inside of and parallel to Pusey Street.
21. The internal wall has large irregular stones with irregular coursing and has twelve courses of red bricks built on top of it. A length is missing where modern 20th century garages have been built between this and the wall to Pusey Street. It appears as a boundary on Agas' Map of Oxford, 1578, and as a wall on Loggan's Map of 1675, and Hoggar's Map, 1850, running into the buildings that faced onto St. Giles at the time. It is shown to follow the line of the parish boundary from Hoggar's 1850 map onwards.
22. The wall that runs east - west along Pusey Street abuts St Cross College on its west side and it is likely that this wall was built when Alfred Street was constructed in 1828. A large gateway for vehicles has been inserted into the wall towards the west to provide access to the 20th century garages.
23. The wall that runs north to south along Pusey Lane is on the same alignment as the late medieval boundary wall of the Beaumont Estate and it was thought that this partially dated to this period. The northern extent of the wall has been removed to insert garages into this western façade and the southernmost part replaced with a wooden gate in the 20th century.
24. The walls form an important part of the streetscape at Pusey Street and Pusey Lane and define the college boundaries. Their significance derives from their appearance with varying surface treatments and details. Their layout is important in understanding the evolution of the buildings and gardens at the site and of the college's growth. The condition of the walls is generally sound, although a stretch at Pusey Street near to the garages is bowing, probably due to the modern interventions and lack of support. Some sections have been repointed very poorly with cement-rich pointing, causing some damage.

25. An addendum to the archaeological evaluation has been submitted which assesses the archaeological interest of the Grade II listed western boundary wall fronting onto Pusey Lane. The report concludes of the western boundary that 'the wall at the north end appears to be a post-medieval wall associated with a lost garden building, and the wall further south was perhaps rebuilt for Pusey House in the early twentieth century. There is little reason to support the view that the wall is medieval. The loss of the wall followed by its rebuilding would not cause substantial harm, and of itself would not have a significant effect on the Conservation Area. The historic fabric should be investigated/recorded during removal, and much of the masonry can be re-used'. The findings of the report are accepted and it is therefore considered that its removal is acceptable. A condition should ensure that the wall is adequately recorded and every effort is made to secure the appropriate and sympathetic re-use of the existing stonework in the new scheme.
26. In terms of the impacts of the proposals, the ability to understand the history and the narrative values of the perimeter walls would remain, as the external surfaces to the streetscape would be retained. The inner wall would be removed but the college intends to incorporate markers or lines in the floor to show the location of the removed wall.
27. An important benefit would be the rebuilding of the walls where the later 20th century garages were built. On balance, the special historic and architectural importance of the perimeter historic walls would be retained. The character and appearance of that part of the conservation area would be retained with respect to the walls. Any loss would be mitigated by recording and by the rebuilding of the lost areas of wall.

Transport

28. The proposed site falls within the Transport Central Area and as such has excellent accessibility and sustainability. The site is close to all public transport modes including good walking and cycling facilities. The railway station is also not too far away at approximately 700m. Parking is controlled in this area and adjoining the site is the pay and display area of St Giles.
29. It is proposed to remove the vehicular access and 6 garages off Pusey Street and remove the informal parking for approximately 10 cars from Pusey Lane. No general private parking is proposed for the development and the removal of some off street parking is welcomed by the Highways Authority in this highly sustainable area of the City. The development would result in more residents' on street parking on Pusey Street as a result of the removal of the garages and access. The Highways Authority raises no objection to the proposed development. As is usual for this type of proposal within the Central Area for students the Highways Authority requests that no student must own or bring a car in to Oxford, which can be secured condition.

30. Cycle parking is to be proposed in the form of 58 spaces provided in double deck cycle parking system. The SHP requires a minimum of 3 spaces per 4 study bedrooms, which can be reduced to 1 space per 2 study bedrooms where they are located close to their main studying and teaching facilities, plus 1 space per resident staff. 58 spaces are therefore considered satisfactory and adequate. The Highways Authority does however consider that there is a shortfall in terms of parking provision for other uses on the site, and therefore requests some additional cycle parking on street at the frontage of the proposal in St Giles, which the applicant has agreed to provide. This can be secured by condition requiring 6 Sheffield cycle stands to be provided in the space between the car parking areas.
31. Concern has been raised by neighbouring residents however regarding construction traffic and the impact on the neighbouring properties / streets, and the ability to manoeuvre large construction vehicles. Whilst construction arrangements are normally dealt with post permission, some discussion has already taken place, and agreement reached with the Highway Authority that construction traffic could be routed via St. Giles for the duration of the construction period to avoid use of St. John Street. Pedestrians and cyclists would continue to use Pusey Street however and there would therefore be a need for “banksmen” at either end and possibly at Pusey Lane. During working hours a certain number of residents’ parking spaces would be displaced to facilitate the construction and consideration given to re-instating these spaces outside of normal working hours so that residents could continue to use them during the evenings and overnight. Such an arrangement would cause difficulties however if such vehicles were not removed early the following day. As such an alternative suggestion has been considered to provide temporary replacement car parking in Wellington Square, though this is not favoured by the Highway Authority. At the time of writing a dialogue continues between the parties, and members will be updated accordingly. Details of the finalised arrangements would be secured by condition as part of a Construction Traffic and Management Plan.

Trees and Landscaping

32. These proposals require the removal of an ash tree and a false acacia (Robinia) tree from the garden of St Cross College. These trees are prominent in public views from Pusey Street and Pusey Lane and while the ash is a low quality and value tree having poor form being multi-stemmed, the false acacia is a higher quality and value tree that makes a positive contribution to the appearance and character of this part of the Central Conservation Area. It should be noted that false acacia is a fast growing species and this specimen is relatively young tree i.e. less than 25 years old.
33. It is proposed to plant 3 new trees as mitigation, including an advanced nursery stock sized specimen tree that will be planted near to the location of the removed false acacia. Significantly, the new trees also include a tree that will be planted in the gap between the new building and the existing chapel adjacent to Pusey Street. The precise position and species of this tree must be carefully chosen to ensure that it is not overbearing on the chapel and its

window and it is therefore likely to be a small growing tree. However, it is considered important because as it grows its crown will spill out over the street into the public realm, (in a way that is typical of the secondary streets within Central Conservation Area such as at St Michael's Street and Turl Street), replacing some of the tree cover that has been lost in public views, and helping to mitigate the effect of the development on visual amenity in the area.

34. The loss of the existing trees, in particular the false acacia, is regrettable. However on balance the need for the building in its proposed form is otherwise acceptable. Given the new tree planting proposed the harm to public amenity is not considered significant and therefore their loss is not considered a reason to refuse planning permission in this case.

Flood Risk and Drainage

35. The site lies within Flood Zone 1 which has a low risk of River flooding. There is no watercourse on or adjacent to the site and due to the underlying clay soil and probable high water table the architects consider that it is not expected that soakaways would be effective. The surface water run off from the site will most likely need to connect to the public surface water sewer system.
36. In accordance with PPS 25, Development and Flood Risk, the surface water run off rate should be limited to no more than the existing by the incorporation of Sustainable Drainage Systems as the site area is less than 1.0ha. However as there appears to be no existing drainage it is assumed that the additional run off will need to be attenuated to a greenfield rate. A preliminary estimate of the required surface water attenuation has been undertaken. This includes the run off from the roofs and the proposed paving. Rainwater harvesting is proposed and this is likely to be combined with an attenuation tank. There does not appear to be an existing foul water drain on the site and therefore it is assumed that the new drainage will connect via a new gravity connection to the public foul water sewer either in Pusey Street or Pusey Lane.
37. Some residents have raised concern that the existing surface water drainage system cannot cope with additional development as there is frequent flooding and standing water in Pusey Lane. Thames Water however has raised no objection to the development and the Environment Agency consider it to be of low environmental risk and therefore have not commented. It is considered that a condition securing details and provision of sustainable drainage to ensure attenuation and rainwater harvesting would mitigate the potential risk of flooding and impact of the development on the drainage system. No objection is therefore raised.

Natural Resource Impact Analysis (NRIA)

38. An NRIA and Energy Strategy has been submitted with the planning application. The NRIA achieves a score of 8 out of a maximum of 11 points.

The building includes high thermal mass components, a mixed ventilation strategy (natural and heat recovery), sensory lighting, solar shading and internal blinds. Combined Heat and Power renewable technology has been chosen to reach the optimal renewable and low carbon technology providing heating and cooling. Rainwater harvesting will serve the WC's and sedum roof are being considered.

39. Officers consider that adequate energy efficiency measures are shown as being provided for both buildings, in accordance with the NRIA SPD and their implementation can be secured by condition.

Archaeology

40. The application site is of interest because of the potential for medieval and post-medieval remains associated with the development of settlement along St Giles from the 12th century onwards. An archaeological desk based assessment and subsequent field evaluation report have been submitted for this site (Oxford Archaeology 2013). The evaluation recorded a series of inter-cutting ditches, perhaps demarcating the eastern boundary of the lands of the former medieval royal palace of Beaumont and later Carmelite Friary. In addition to the upstanding stone built walls located within the St Cross College plot the evaluation noted a substantial wall foundation, a stoned-lined well that had been backfilled in the late 17th - mid 18th century, rubbish pits dating from the mid 18th and late 19th centuries and the corner of a mid-late 19th century subterranean structure (probably a basement). Previously in 1991-2 the Oxford Archaeological Unit undertook trench excavations and a watching brief at the college prior to building work. These investigations recorded features associated with a medieval tenement fronting onto St Giles and a possible plough soil (UAD Event No 359).

Public Art

41. The College wish to install public art incorporated in the development itself. However the exact location and details are yet to be finalised. A condition requiring these further details could secure this provision.

Conclusion

42. The proposals are considered to represent development that preserves the special character and appearance of the heritage assets with their context whilst providing good quality sustainably located student accommodation in a location that is unlikely to give rise to material harm to the living conditions of occupiers of residential properties. Consequently the proposals are considered to accord with all relevant policies of the development plan such that Committee is recommended to grant planning permission subject to the conditions set out at the beginning of this report.

Human Rights Act 1998

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

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

Section 17 of the Crime and Disorder Act 1998

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

Background Papers: 13/01800/FUL & 13/01801/FUL

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