

**WEST AREA PLANNING COMMITTEE**

8<sup>th</sup> October 2013

**Application Number:** 13/01637/FUL

**Decision Due by:** 27th September 2013

**Proposal:** Erection of new building on 5 floors plus basement to provide 78 student study rooms, offices, common rooms, ancillary facilities and landscaping improvements

**Site Address:** Mansfield College, Mansfield Road – Appendix 1

**Ward:** Holywell Ward

**Agent:** Mr Nik Lyzba

**Applicant:** Mansfield College

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## **Recommendation:**

APPLICATION BE APPROVED

## **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 the Mansfield College quad and nearby listed buildings and gardens. No loss of important trees will occur as a result of the development. Consequently the proposals are considered to accord with the requirements of policies CP1, CP6, CP8, CP9, CP10, CP11, NE15, NE16, HE2, HE3 and HE7 of the Oxford Local Plan 2001-2016 as well as policies CS2, CS18 and CS25 of the Oxford Core Strategy 2026.
- 2 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.
- 3 The Council considers that the proposal, subject to the conditions imposed, would accord with the special character and appearance of the conservation area. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity.

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

### **Conditions**

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples of materials in Central Conservation Area
- 4 Landscaping plan
- 5 Landscape completion
- 6 Landscape Management Plan
- 7 Tree Surgery Works
- 8 Car parking details
- 9 Cycle and refuse storage details
- 10 Mud on highway
- 11 Foul and surface water drainage
- 12 Underground services
- 13 Surface water drainage
- 14 Students - no cars
- 15 Limitation on occupancy
- 16 Energy efficiency
- 17 Archaeology
- 18 Outside term time

### **Legal Agreement:**

The impact of the development on public infrastructure has already been mitigated as a result of financial contributions made to the City and County Councils at the time of granting consent for the extant scheme back in 2008. No new financial contributions

are therefore required.

### **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
- HE7** - Conservation Areas
- HE3** - Listed Buildings and Their Setting
- HE2** - Archaeology
- NE15** - Loss of Trees and Hedgerows
- NE16** - Protected Trees
- CP11** - Landscape Design

#### Core Strategy

- CS18**\_ - Urb design, town character, historic environment
- CS2**\_ - Previously developed and greenfield land
- CS25**\_ - Student accommodation

#### Other Material Planning Considerations

National Planning Policy Framework  
Extant planning permission 11/02210/EXT

### **Relevant Planning History:**

89/00790/NFH – Erection of 40 bedroom student residential and ancillary accommodation in two storey building – Permitted February 1990

91/01340/NFH - Erection of three storey block (including roof space) to provide 36 study bedrooms and ancillary facilities (Amended Plans) – Permitted August 1992

94/01368/NFH - 4 levels for 35 study beds, 4 single bed sits, ancillary accommodation for Mansfield College & for Oxford Centre for the Environmental Ethics Society. (Research & administration/meeting/seminar rooms) (Revised NFH/790/89) – Permitted November 1996

01/01498/NXH - Erection of building on 4 levels (including basement and roofspace) to provide 35 study bedrooms, 4 single bedsits, ancillary accommodation for Mansfield College, and accommodation for the Oxford Centre for the Environment, Ethics and Society. (Research and ancillary administration/meeting/seminar rooms) (Extension of time granted under permission 94/1368/NFH) – Permitted September 2003

03/02412/FUL - Erection of 24 student study rooms on 4 floors, together with seminar rooms and ancillary accommodation – Withdrawn May 2004

04/00986/FUL - Erection of 4 storey building to house 24 student study rooms, 2 seminar rooms and ancillary facilities – Permitted October 2004

08/01741/FUL - Erection of new buildings over four floors and basement to provide student accommodation (78 rooms), meeting rooms, offices, common rooms and ancillary facilities. Associated landscaping and pedestrian access and landscaping improvements to existing main quadrangle – Permitted October 2008

11/02210/EXT - Application to extend the time limit of planning permission 08/01741/FUL for erection of new buildings over four floors and basement to provide student accommodation (78 rooms), meeting rooms, offices, common rooms and ancillary facilities. Associated landscaping and pedestrian access and landscaping improvements to existing main quadrangle – Permitted 16.12.2011

### **Public Consultation:**

#### Statutory Consultees:

- English Heritage – No comments to be made on the proposals.
- County Council – no objection, requirements for cycle parking, construction traffic management plan, SuDs condition, contribution towards cycle safety measures, library, waste management and museum resource centre

#### Third Parties

- Victorian Group of OAHS – objects. New building is excessively large and intrusive.

### **Officers' Assessment:**

#### Application Site and Locality

1. The development is proposed to take place on part of an area known as the Fellows Garden, an undeveloped and soft landscaped area to the south-west of the Mansfield College site. Mansfield College is situated to the north-east of Oxford city centre close to the University science department buildings and the University Parks. A site location plan is attached as Appendix 1.

2. The College is relatively small both in size and numbers of staff and students with a site area of 0.16 hectares and approximately 50 staff, 220 undergraduates, 50 graduates and 35 visiting students. Currently less than a third of graduates and undergraduates are accommodated on the site with the majority housed off-site in five College owned properties or in private rented accommodation.

3. The site is dominated by the northern range of Victorian stone buildings constructed by Basil Champneys (1887-1889) which are Grade II\* listed. The main public rooms of Mansfield College are located within these buildings and this includes the Hall, Chapel and Library as well as a number of common rooms. The Principal's

lodgings which are also Grade II\* listed are situated slightly set back from the main quadrangle and face Fellows Garden. Adjacent to the application site is the Garden building (constructed in March 2006) which provides accommodation for 24 undergraduates as well as conference and seminar rooms on the ground floor. This building is constructed of light colour ashlar stone with a timber clad upper storey and overhanging flat roof.

#### Description of Proposed Development

4. The application seeks consent for a five storey building set over six floors (as it incorporates a basement level) to provide 78 student rooms on the upper floors as well as seminar and conference rooms at ground and basement level. Associated landscaping works are also proposed to take place including the relocation of car parking facilities towards the entrance to the site.

#### Principle

5. Planning permission was granted in 2008 for a four storey building (over five floors) on the same site of near identical footprint, scale and form. This permission was extended in 2011 such that the scheme is extant. Consequently the principle of a building of similar size and in the same location has already been established. The application proposals differ only from that already approved by virtue of the addition of a large basement level which projects further out than the building itself. Consequently officers have no concerns about the principle of constructing a building in this location.

#### Design and Appearance

6. As set out above, a building of very similar form, scale and general appearance has already been approved in the same location such that no concern is raised about the impact of the building on the setting of the College grounds, listed buildings within the quadrangle as well as the wider Central Conservation Area. The creation of a basement level will have no impact on the appearance of the building or the College site and is thus an efficient and sensitive method of providing greater teaching accommodation on the site. Consequently officers are satisfied that the proposals preserve the character and appearance of the site as well as designated heritage assets in accordance with the requirements of policies HE3 and HE7 of the Local Plan.

#### Archaeology

7. The site has already been the subject of archaeological investigations and the development has the potential to have a damaging effect on known or suspected buried heritage assets including prehistoric, Roman and Civil War deposits (including the inner ditch of the inner defensive circuit). An enlarged basement level is unlikely to have any significant archaeological implications beyond the scheme already approved and the City Council's Archaeologist has not raised any particularly concerns subject to a written scheme of investigation being agreed prior to the commencement of development. A condition is recommended to achieve this.

#### Student Accommodation

8. Policies HP5 and HP6 of the SHP support student accommodation development where they are to be located on an existing University or College site. In such circumstances the impact on residential properties is considered likely to be lower

and the students more sustainably located close to teaching facilities and amenities. Financial contributions towards off-site provision of affordable housing are not required in this instance as policy HP6 specifically excludes such developments where they are located on existing university/college grounds. Consequently the principle of student accommodation on the site remains acceptable and officers therefore have no objection to the scheme in this respect.

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.

### Trees

10. The proposed development would result in the loss of 12 trees from the site consisting of: a copper beech, sycamore, Austrian pine, holly, 2 x Lawson cypress, laburnum, almond, common walnut, flowering cherry, Japanese larch tree, and a black mulberry tree. All of these trees are within or immediately adjacent to the footprint of the proposed building. This approach has already been agreed as part of the extant permission and so no objection is again raised to this element of the proposals.

11. The proposals will not result in any greater loss or harm to existing trees of importance than the scheme already approved and extant. Consequently no additional harm will occur to public amenity, the conservation area or the setting of the grade II\* listed gardens nearby at Wadham College. The City Council's Tree Officers have not raised any particular concerns about the proposals given the extant planning permission. Officers therefore have no objection to the scheme in this respect.

### Planning Obligations

12. The applicant has already made the necessary financial contributions to both the City and County Councils as a requirement of granting consent for the original planning application in 2008. This development has never been undertaken though its impact on public services/infrastructure has been 'mitigated' and the two Councils will have spent or saved the funds accordingly. Consequently there is no requirement to seek financial contributions again given the number of student rooms proposed remains unchanged.

### Sustainability

13. The development proposes a number of low carbon measures which contribute towards it achieving an impressive score of 11/11 on its Natural Resource Implications Analysis (NRIA) checklist. These include ground source heat pumps, efficient use of ventilation and solar gain as well as use of locally sourced and recycled buildings materials. A condition is recommended to be imposed requiring the development to be carried out in accordance with the specifications set out in the NRIA.

### Other Matters

14. The additional student rooms as well as teaching accommodation will give rise to a need for additional on-site cycle storage as well as bin storage. Details of such provision is recommended to be required by condition.

15. As part of the scheme it is proposed to relocate existing staff/visitor car parking (which occurs informally within the quadrangle to the detriment of its setting) to the entrance off Mansfield Road. This will help return the grassed quadrangle to its originally intended open and more picturesque landscape thus contributing positively towards the setting of the listed College buildings. Details of such provision is recommended to be required by condition as was the case on the previous planning permissions.

**Conclusion:**

16. 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, 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:**

**Contact Officer:** Matthew Parry  
**Extension:** 2160  
**Date:** 28th August 2013