

West Area Planning Committee

12th November 2014

Application Number: 14/02256/FUL

Decision Due by: 11th November 2014

Proposal: Demolition of 4-5 Queen Street and rear of 114-119 St Aldates. Renovation and alteration of remaining properties at 114-119 St. Aldates with roof extension, plus erection of new building to Queen St on 5 levels plus basement. Change of use from offices and retail to form 2 Class A1 retail units plus further unit for either Class A1 (retail), Class A2 (offices) or Class A3 (restaurant) at basement and ground floor levels. Provision of 133 student study rooms at upper levels, plus ancillary facilities at basement level and cycle parking for 110 cycles at ground floor level.

Site Address: Site Of 4 To 5 Queen Street And 114 - 119 St Aldate's (**Site Plan: Appendix 1**)

Ward:

Agent: Philip Brown

Applicant: Reef Estates Ltd

Recommendation:

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

Reasons for Approval

- 1 That the principle of redeveloping this site for mixed-use student accommodation / commercial development would make an efficient use of previously developed land in the West End Regeneration Area. The student accommodation would be suitable for the site and would contribute towards creating a balanced and mixed community within the West End, and provide suitable contributions towards off-site affordable housing provision. The commercial uses would not have an adverse impact upon the retail hierarchy of the city. The City Council has given considerable weight and importance to the desirability of preserving or enhancing this conservation area, as a designated heritage asset. It considers that any harm that would result from the proposed development is justified by the public benefits that would result through a replacement building of better quality to the existing buildings that

sits comfortably within the local context and creates better quality accommodation, making full use of the site and providing a mix of uses that will contribute to the vitality and viability of the city centre. The development would also be acceptable in terms of highway considerations, sustainable design, archaeology noise and environmental health considerations subject to appropriately worded conditions.

- 2 In considering the application, officers have had specific regard to the comments of third parties and statutory bodies in relation to the application. However officers consider that these comments have not raised any material considerations that would warrant refusal of the applications, and any harm identified could be successfully mitigated by appropriately worded conditions.
- 3 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

Conditions

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Submission of design details for windows, roof extension, shop fronts etc
- 4 Material Samples in Conservation Area
- 5 No demolition before rebuilding contract
- 6 Student Accommodation – Full Time Courses / Management Plan
- 7 Student Accommodation - No cars
- 8 Student Accommodation - Out of Term Use
- 9 Archaeology - Design & method statement
- 10 Archaeology - WSI
- 11 Transport Assessment
- 12 Travel Plan
- 13 Cycle and Refuse Areas Provided
- 14 Construction Traffic Management Plan
- 15 Noise - insulation before use
- 16 Air conditioning plant
- 17 Scheme of extraction / treating cooking odours from restaurant
- 18 Detailed Energy Statement / NRIA
- 19 Drainage Strategy
- 20 Biodiversity Measures / Enhancements
- 21 Development of a Servicing Plan for all uses

Legal Agreement:

- £628,028.24 towards off-site affordable housing provision

Principal Planning Policies:

Oxford Local Plan 2001-2016

CP1 - Development Proposals

CP5 - Mixed-Use Developments

CP6 - Efficient Use of Land & Density
CP8 - Design Development to Relate to its Context
CP9 - Creating Successful New Places
CP10 - Siting Development to Meet Functional Needs
CP13 - Accessibility
CP14 - Public Art
CP19 - Nuisance
CP20 - Lighting
CP21 - Noise
TR1 - Transport Assessment
TR4 - Cycle Parking
HE2 - Archaeology
HE3 - Listed Buildings and Their Setting
HE7 - Conservation Areas
HE9 - High Building Areas
HE10 - View Cones of Oxford
RC3 - Primary Shopping Frontage
RC5 - Secondary Shopping Frontage
RC12 - Food & Drinks Outlets
RC13 - Shop Fronts

Core Strategy

CS1_ - Hierarchy of centres
CS2_ - Previously developed and greenfield land
CS5_ - West End
CS9_ - Energy and natural resources
CS10_ - Waste and recycling
CS11_ - Flooding
CS12_ - Biodiversity
CS13_ - Supporting access to new development
CS17_ - Infrastructure and developer contributions
CS18_ - Urban design, town character, historic environment
CS19_ - Community safety
CS24_ - Affordable housing
CS25_ - Student accommodation
CS31_ - Retail

West End Area Action Plan

WE10 - Historic Environment
WE11 - Design Code
WE12 - Design & construction
WE13 - Resource efficiency
WE18 - Student accommodation
WE20 - Mixed uses
WE23 - Retail

Sites and Housing Plan

HP5_ - Location of Student Accommodation
HP6_ - Affordable Housing from Student Accommodation

Other Planning Documents

- National Planning Policy Framework
- Affordable Housing and Planning Obligations SPD
- Natural Resource Impact Analysis SPD

Public Consultation

A summary of all comments received from statutory and third party consultees are set out in **Appendix 2** of this report.

Pre-Application Discussions / Oxford Design Review Panel

The applicant undertook detailed pre-application discussions through a series of meetings with Oxford City Council and English Heritage in order to develop the scheme. The applicant has also met with Oxford Preservation Trust separately.

The proposal was reviewed positively by the Oxford Design Review Panel on the 20th March 2014. Their comments were summarised as follows. The mixed use development is an excellent opportunity to enhance the Oxford Central conservation area. They stated that it is critical that the project should be seen as a single concept that combines both a clear idea grounded in the site and the desire to create high quality accommodation.

The panel took the view that the initial concept for the building was not as strong as the site merited. There needed to be more clarity about how the building will work internally to provide an excellent environment for student houses, and make the best use of the opportunities that the internal elevations and courtyards presented. If this was developed the external aspects of the project such as entrances, roofs, and facades would come together and help develop a more fitting building for central Oxford.

114-119 St. Aldates is a robust and good quality building that may benefit from a bold approach, with the insertion of a new internal layout and roof extension offering opportunities for creative design. A similar boldness should be adopted for the 4-5 Queen Street elevation, which should look to take architectural cues from Carfax and the east, rather than the heavily eroded plot boundaries of Queen Street to the west. The elevation of 4-5 Queen Street appears to have been conceived simply as a façade, as opposed to an integral part of a complete concept. Nonetheless, the emerging design integrity of that façade is encouraging and should be extended across the site as a whole. The proposal offers the opportunity to improve the immediate roofscape as viewed from Carfax, and the panel are encouraged by the commitment to achieving this. The choice of materials and design of a confident roof form which is informed by a single concept would help.

Officers Assessment:

Background to Proposal

1. The application site is located within the heart of the city centre to the south and west of Carfax Tower, and can be viewed in two parts with street frontages onto St Aldate's and Queen Street (**appendix 1**)

2. The first is 114-119 St Aldate's which comprises two 4 storey buildings that front onto the eastern side of the road with 2 and 3 storey buildings to the rear. There are two ground floor commercial units with basements that are currently occupied by Blacks (Class A1) and Santander (Class A2), whilst the upper floors of the building are currently vacant but were previously in office (Class B1) use.
3. The second is 4-5 Queen Street, which includes two 3 storey buildings that front onto Queen Street. There are two commercial units at ground floor level Swarovski (Class A1) and Eat (Class A1/A3). The basements and upper floors of the building are currently vacant.
4. The site is within the Central Conservation Area and the West End Regeneration Area. The commercial units on Queen Street form part of the Primary Shopping Frontage, while St Aldate's is within the Secondary Shopping Frontage in the retail hierarchy.
5. In December 2010, a report to committee was prepared relating to a comprehensive mixed-use redevelopment of a group of buildings in St Aldate's and Queen Street, which included the buildings subject to this application, under 08/02261/FUL and 08/02260/CAC. In determining this application, the general principle of a mixed-use retail led development which included student and office accommodation was accepted but the application was recommended for refusal on the basis that satisfactory arrangements to mitigate the impact of the proposal upon the transport network, public realm and other services in the West End Regeneration Area were not in place. The application was subsequently withdrawn shortly before the committee was due to meet to determine the case.
6. The current proposal is more modest but seeks planning permission for an extensive redevelopment of the site to create a mixed-use commercial and student accommodation development. The main frontage building to St Aldate's would be retained, with the rear additions and Queen Street buildings demolished. This would be replaced by a new four storey building that fronts onto Queen Street and links with the rear of the St Aldate's building, which would have an additional floor added at roof level.
7. The student accommodation would provide 133 rooms, 79 of which would provide accommodation for Christ Church with the remainder available for occupation by others. The accommodation would be accessed from Queen Street and generally arranged in clusters around shared kitchens and study rooms with some have communal facilities in the basement. The Christ Church Accommodation has been designed to meet the specific standards of the college.
8. The new building at 4-5 Queen Street will provide a single retail unit at ground and basement level, and there would be two ground floor units fronting onto St Aldate's.
9. The proposed development is to be car-free. There would be a designated space for 110 cycle spaces to the rear of the site at ground floor level which would be used by both the commercial and student accommodation.

10. Officers consider the principal determining issues to be:

- Principle of Development
- Student Accommodation
- Affordable Housing
- Commercial Use
- Impact on Heritage Assets
- Highway Matters
- Archaeology
- Ecology
- Sustainability
- Noise
- Drainage
- Community Infrastructure Levy

Principle of Development

11. The National Planning Policy Framework [NPPF] has a presumption in favour of sustainable development. The NPPF has a set of core principles which requires planning to proactively support sustainable economic development and encourage the effective use of previously developed land provided that it is not of high environmental value and to promote mixed use developments.

12. The Oxford Core Strategy encourages development proposals to make an efficient use of land in built up areas through Policy CS2. The site is within the West End Regeneration Area, which is a key location whose regeneration has been identified as fundamental to the overall long-term success of Oxford. Policy CS5 of the Oxford Core Strategy identifies this area as suitable for mixed-use developments.

13. The site is specifically allocated within the West End Area Action Plan as being suitable for redevelopment to a range of uses including retail and student accommodation

14. Therefore the principle of redeveloping the site for a mixed use development would be consistent with the aims of the NPPF and relevant policies of the West End Area Action Plan and the Oxford Core Strategy.

Student Accommodation

15. The West End Area Action Plan identifies the West End as being suitable for student accommodation as it contributes to creating a mixed and balanced community. The Sites and Housing Plan Policy HP5 is supportive of locating student accommodation within the city centre.

16. The proposed redevelopment would result in a loss of the existing office space on the upper levels of 114-119 St Aldates. This space is currently vacant, and is not considered a key protected employment site. The West End Area Action Plan has identified the site as being suitable for redevelopment to a range of uses such as student accommodation. Therefore there would be no objection to the resultant loss of office accommodation.

17. In terms of the general use of the student accommodation, the Oxford Core Strategy Policy CS25 restricts the occupancy to students that are in full-time education on courses of an academic year or more. Sites and Housing Plan Policy HP5 then goes on to state that developments of 20 or more bedrooms should provide both communal indoor space and outdoor space which would be available to all residents. The accommodation will need to include a management regime for the building and an undertaking that residents will be prevented from parking their cars anywhere on site, and in Oxford. A condition would be imposed accordingly.
18. The layout has been developed following pre-application discussions with officers and also the Oxford Design Review Panel. The student rooms are arranged in clusters with individual rooms with private ensuite bathrooms set around shared kitchens and study rooms. The accommodation would be of an appropriate size and designed in a manner to ensure that the rooms that do not face onto St Aldates or Queen Street benefit from good quality daylight. The internal corridors are wide and there are windows and lightwells to give these circulation areas access to natural light. The layout would be fully accessible for those with mobility problems and would accord with the standards required by Part M of the Building Regulations.
19. With regards to external space, it is recognised that this is a constrained site which restricts the ability to provide meaningful areas of amenity space. The proposed layout has sought to address this challenge to provide some outdoor space for residents. The shared kitchens and lounges have balconies and there is also a roof terrace that officers consider utilises well the available external space. The accommodation would also provide good quality communal facilities with the kitchens, lounges, and also a common room, cinema, gym, lounge, and laundry in the basement of the building. As such officers consider that the layout makes the best use of the site to provide external and internal communal space and is considered acceptable.
20. In terms of management the Christ Church accommodation will be managed by the college itself. As the remaining accommodation does not have a current end user, there are no details with respect to management. However the layout includes an office at basement level to allow for on-site supervision if required. Similarly the accommodation has its own refuse stores at ground floor level which is accessible and collected by private contractors. In accordance with Policy HP5 a condition should be attached which requires a management plan to be provided for both the Christ Church and remaining accommodation, and also includes provisions for preventing students from bringing cars into Oxford.

Affordable Housing

21. Sites and Housing Plan Policy HP6 states that new student accommodation that includes 20 or more bedrooms will be required to make a financial contribution towards delivering affordable housing elsewhere in Oxford.

22. The proposed student accommodation would qualify for an off-site affordable housing contribution. The student accommodation would have a gross internal floor area of 4485.96m², and therefore would attract an off-site contribution of £628,028.24. The applicant has agreed to meet this contribution, and this should be secured through legal agreement.

Commercial Use

23. The City Centre is at the top of the retail hierarchy as defined by the Oxford Core Strategy 2026, with Policy CS1 and CS31 encouraging proposals that support the role of the City centre as the main focus for retail, leisure, and cultural activities.

24. The City centre is separated into two types of shopping frontage, Primary and Secondary. The two commercial units - Swarovski (Class A1) and Eat (Class A1/A3) - at 4-5 Queen Street form part of the Primary Shopping Frontage, while the two units - Blacks (Class A1) and Santander (Class A2) – form part of the Secondary frontage. The proposed development would create 3 commercial units in total with a single retail unit (Class A1) on Queen Street and a retail unit (Class A1) and either a Retail (Class A1), Financial and Professional Services (Class A2), or Food and Drink (Class A3) on St Aldates. The retail (Class A1) unit on Queen Street would accord with the aims of Oxford Local Plan Policy RC5 which encourages the provision of retail uses within the Primary Shopping Frontage.

25. In terms of St Aldates, the proposed Class A1 use for 117-119 St Aldates and an Class A1 or A2 use for 114 St Aldates would maintain the status quo with respect to the current authorised use of the current premises and therefore there would be no change to the Secondary Frontage. The potential use of the current Santander unit (114 St Aldates) for retail (A1) would accord with the aims of Oxford Local Plan Policy RC5 which has a general presumption in favour of retail units. The potential use of this unit for food and drink (A3) outlet would not have any impact on the overall percentage of retail units within the Secondary Shopping Frontage given the authorised use of the existing premises is Class A2 use. Therefore the proposed uses for the St Aldates frontage would fully accord with the requirements of Policy RC5.

26. The Local Plan recognises that food and drink outlets (Class A3-5) uses make an important contribution to the vitality and viability of the City centre, but that they can give rise to environmental problems. Therefore Policy RC12 states that food and drink outlets should not give rise to unacceptable environmental problems or nuisance from noise, smell, or visual disturbance including the impact of any equipment or plant associated with the use. It also states that where necessary conditions will be imposed to control the impact of food and drink outlets.

27. Environmental Health Officers have identified that the proposed Food and Drink Outlet could give rise to possible odour nuisance for the residential accommodation above. Therefore a condition should be attached which ensures that cooking odours are discharged at or above roof level to allow dispersion of cooking fumes. Similarly the standard condition requiring prior approval of a scheme for the treatment of cooking fumes and odours shall also be added.

Impact on Heritage Assets

28. The site is in a sensitive location at the heart of the Oxford Central (City and University) Conservation Area, and within the setting of a number of listed buildings, all of which are defined as designated heritage assets. The Queen Street frontage lies in the south-west quadrant of the ancient crossing in the centre of the City opposite the Grade II listed Carfax Tower. This crossing has undergone major phases of redevelopment in the late C19th with the development of the Town Hall and widening of roads, and in the 1930s with the reconstruction of buildings around the crossroads. There are Grade II listed buildings on the north-west and north-east corners and the Grade II* listed Town Hall to the south-east. The northern part of St Aldate's has a city scale to its buildings derived from the Town Hall and the neo-classical buildings opposite erected during the 1930s. The site and its other adjoining building at 121 St Aldates are not listed. Queen Street was largely rebuilt in the C19th and has undergone further progressive and incremental changes over time. Its early medieval origins are still evident in the gentle curve of the street, widening in the central section, and narrow plots widths albeit some of which have been lost as part of C20th changes in retailing.
29. Conservation principles, policy and practice seek to preserve and enhance the value of heritage assets. With the issuing of the National Planning Policy Framework (NPPF) in March 2012 the Government has re-affirmed its aim that the historic environment and its heritage assets should be conserved and enjoyed for the quality of life they bring to this and future generations. The NPPF requires proposals to be based upon an informed analysis of the significance of any affected Heritage Asset and expects applicants to understand the impact of any proposal upon the asset with the objective being to sustain that significance. These aims are embodied in Local Plan Policy HE7 which seeks to preserve or enhance the special character and appearance of the conservation area or its setting. In considering the impact of development on the significance of Heritage Assets, the objective must be for new development to sustain that significance but where there is potential for harm, then the public benefits must clearly outweigh that harm.
30. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. 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 judging harm against other planning considerations).
31. The proposal involves the demolition of the Queen Street frontage buildings and rearward additions, and erection of a new building on the site of 4-5 Queen Street which wraps around to the rear of 115 St Aldates, and a new attic storey to 114-119 St Aldates. Officers consider that potential impact of the scheme upon Queen Street and surrounding views at street level, and the potential impact on the

important views of the distinctive city skyline are the two main issues that need to be considered when assessing the impact of the development upon the significance of the designated heritage assets and their setting.

32. The scheme has been developed following extensive pre-application discussions with the Local Planning Authority and English Heritage and also been presented to the Oxford Design Review Panel. It is supported by a Design and Access Statement, Local Character Assessment, Character Assessment Toolkit, Visual and Townscape Assessment, and Built Heritage Statement and Addendum which considers these two issues.

Impact upon Queen Street

33. During the consultation process, concerns have been raised about the impact the proposed development would have upon the significance of the remnant tenement boundaries within the historic core of the town and in particular Queen Street. The historic tenement character assessment in the Oxford Archaeological Action Plan (2013-2018) demonstrates that these boundaries remain a significant component of the townscape around central Carfax crossroads and that the width of frontages in this area contribute to the way residents and visitors can appreciate central Oxford as a historic medieval town. The area has already been affected by the new Brewer Street Quadrangle for Pembroke College which was one area of moderately well preserved tenement boundaries within the study area. The cumulative impact of these two developments on the remaining tenement boundaries could arguably be assessed as constituting harm to the character of the Central Conservation Area. This view has to some extent been echoed in the consultation response from Oxford Preservation Trust which expresses regret at the loss of the narrow plots of 4-5 Queen Street.
34. Officers and English Heritage had raised concerns at the pre-application stage that the proposals did not successfully reflect the narrow plot widths in Queen Street or handle the competing need to negotiate the transition from the city scale buildings surrounding Carfax. The applicants subsequently prepared options for the new development that sought to provide a memory of the narrow medieval plots. These options were subsequently considered by the Oxford Design Review Panel [ODRP] who raised concerns that the Queen Street frontage was being conceived as a façade rather than an integral part of a complete concept. The panel were encouraged by the emerging design treatments for this frontage but recommended that it be treated as one rather than two separate components. The panel concluded that the tenement boundaries of Queen Street had already been eroded and having reviewed some of the historic evidence and photographs in the Character Assessment, which illustrated phases of change to this part of Queen Street, suggested that the scheme should look to take cues from the civic scale of Carfax.
35. The challenge of how to meet modern retailing needs, preserve the historic narrow tenement boundaries and deliver a well designed building is evidenced in ODRP's comments. However, the comments that the scheme would benefit from a single design concept, which responds to the civic scale of the Carfax junction are valid given that site would be seen in that context when viewed from other streets such

as High Street and Cornmarket. As a result the pre-application discussions, which followed on from the design review panel meeting, focussed on a single plot concept for the Queen Street elevation and resulted in the scheme submitted in this application.

36. The proposed loss of the tenement boundaries exhibited in the existing buildings at 4-5 Queen Street would result in less than substantial harm to the historic interest of Queen Street and the significance of the Central Conservation Area. However, a significant proportion of medium and high quality examples of these tenement plots would remain throughout Queen Street and the other streets within the Central Conservation Area and the loss of above ground evidence (in the form of the buildings) can be mitigated by the preservation of the below ground references to these medieval burgage plots through the revised basement design, which officers have negotiated. Queen Street has undergone progressive change throughout the C19th/20th and the current proposal would represent part of this change. The harm that would result from the proposed development would be mitigated by the preservation of below ground evidence and justified by the public benefits that would be achieved through a well designed replacement building (and of better quality than the existing buildings) that would sit comfortably within the local context and make full use of the site with mixed commercial and residential accommodation. In that respects the proposal would accord with the aims of the National Planning Policy Framework and Oxford Local Plan Policy HE2 and HE7.

Impact upon Long and Short Distance Views

37. The Oxford Local Plan recognises the importance of views of Oxford from surrounding high places, both from outside Oxford's boundaries but also in shorter views from prominent places within Oxford. As a result there is a high buildings policy (HE9), which states that development should not exceed 18.2m in height or ordnance datum 79.3m, whichever is the lower, within a 1,200m radius of Carfax except for minor elements of no great bulk.
38. The manner in which the height of the new building and the proposed roof would impact upon views from high vantage points within and outside the city were considered at length during the pre-application process. At the design review, the ODRP recognised that the redevelopment of the plot was an opportunity to improve the immediate roofscape of the site as viewed from Carfax Tower and encouraged this.
39. In terms of the high buildings policy, the maximum height for the application site would be 79.3m as stipulated by the policy. The proposal would exceed this level, but would ensure that the majority of the roof would sit below the 18.2m limit with only the lift shafts protruding marginally beyond this limit. The application is accompanied by a Visual and Townscape Assessment, which considers the impacts of the scheme upon the skyline. It is clear from the applicant's analysis of the proposal upon these short and long distance views that there is potential for the scheme to have an impact on these views.
40. Carfax Tower: The existing view (6) demonstrates that the important features of the

view are the domes and spires of the Town Hall, Tom Tower, and St Aldates with the tenement plots of Pembroke Street and the green hills beyond. The existing buildings at 4-5 Queen Street and St Aldates Chambers are not particularly positive elements within the foreground of this view, and nor are the collection of roofs and plant from the other retail units.

The proposed view (6) shows how the series of mono-pitched roofs would provide a more varied and interesting roofscape than exists at present. Furthermore it would not interrupt views of the main elements of significance such as the Town Hall, Tom Tower, Christ Church, tenement blocks of Pembroke Street, and the green hills beyond.

41. St Mary's Tower: This is the highest viewing point within the city. The existing view (7) highlights the views across the roofs of the colleges and historic buildings in this part of the city including the spires and towers of Tom Tower, St Aldates, Town Hall, All Saints, Carfax Tower and Nuffield Tower. Again the green hills set the background for the city.

The proposed view (7) demonstrates that the proposed building will not interfere with these key elements and would form an integrated part of the existing lower level roofscape of the buildings within the view.

42. St Michaels at the Northgate: The existing view (8) looks southwards down Cornmarket and the prominent features are the Town Hall, St Aldates, and Carfax Tower. 121 St Aldates is clearly visible at Carfax junction. The green hills beyond the city are less prominent.

The proposed view (8) shows that there will be little impact upon the existing roofline with all of the prominent features visible in the view and the attic extension of 114-119 St Aldates only marginally visible.

43. St Georges Tower: The existing view (6) highlights the importance of the tower as a defensive position with the city surrounded by hills and trees. The view has site of Carfax Tower and other prominent features of St Mary's, All Saints, Town Hall, Tom Tower and St Aldates. The viewer has the sense of being within an environment of more domestic scale, albeit with the bulk of County Hall obscuring the view of the centre.

The proposed view (8) shows that the building will protrude above the existing undistinguished roof line and directly in front of the Town Hall. The loss of a view of the Town Hall would not be so significant although this does highlight the importance of ensuring that the material treatment for the roof and its scale will help to integrate the building into the setting of rooftops that frame the foot of the view.

44. Castle Mound: The existing view (10) again shows how the castle mound provided a 360° view of the surrounding landscape. The towers of St Mary's, All Saints, Town Hall, Tom Tower, and St Aldate's are visible but far less prominent than in other views. The foreground has more of a domestic scale, but again is largely dominated by County Hall.

The proposed view (10) shows that the new building would not interfere with these elements and would be hardly visible from this vantage point.

45. Raleigh Park View Cone: The existing views (11 & 12) highlight that the view of Oxford from Raleigh Park is framed by trees within parkland. The high buildings within the city are set within the middle distance across the framed area, above the lower scale roofscape of the city suburbs. The foreground preserves the elements of the hillside and meadows, and Headington Hill provides the backcloth against which the historic buildings are seen.

The proposed view (11 & 12) shows that the roofline of the proposed building would not obscure the important elements of this view. It would be set within the existing roofline of the buildings just above the existing Westgate shopping centre (which has outline planning permission for redevelopment). There would be no material impact upon this view.

46. South Park View Cone: This is a 'close-up' view of the city from South Park. The existing view (13) shows the belt of trees that provides a green fringe which separates the historic city centre buildings from the low rise suburbs of St Clements and East Oxford. Wytham Hill and Hinksey Hill provide a green backcloth with prominent dip that focuses the view of the city centre. The spires, towers and domes break the skyline.

The proposed view (13) shows that the roofline of the building will be obscured by the gable of the Main Hall of the Town Hall, with small elements protruding either side that sit within the general roofscape of the buildings in that view.

47. Boars Hill View Cone: The existing view (14 and 15) show that the city is seen at a distance with the city set above green fields and woodlands. The hills of Elsfield and Woodeaton form a green backcloth. The limestone churches and university and college buildings are a prominent feature in the south east of the city centre, whilst the rest of the city centre is mainly comprised of a mix of small, pitched rooftops. The towers of Carfax and the Town Hall are set to the west of these college buildings.

The proposed view (14 and 15) highlights that the building will be more prominent in this view cone than Raleigh Park and South Park. The building will sit below Exeter College Chapel and between Carfax Tower and the Town Hall and within the collection of roofs that form the base to which these towers protrude. The building will not have a significant impact upon the prominent features of this view cone however the roof form would be likely to provide some order to the collection of roofs that it would sit within. That said the colour of the roof and choice of material will be an important element for integrating the building into this view.

48. The views into and across Oxford from the various viewing places identified above hold interest for the buildings in the view (aesthetic and historic value), the history of the view and the green backcloth in the views (which help understanding of Oxford's location as a crossing point within the Thames Valley). In summary, officers recognise that the proposed building would exceed the maximum height for new buildings as set out in Local Plan Policy HE9 and that the proposed buildings

would be visible in the views.. However, officers recognise that views are dynamic and subject to change over time. Indeed change is a part of the history of the view. The challenge is to ensure that the change adds interest, rather than depletes it. The design of the roof has created a visually interesting high quality roofscape, which as recognised by English Heritage,would sit comfortably amongst its surrounding buildings in long views from protected view cones and short views such as Carfax Tower and would add interest. As such the projection beyond the high buildings policy is considered to be an acceptable exception.

Form and Appearance

49. Policy CS18 of the Oxford Core Strategy 2026 requires development to demonstrate high-quality urban design responding appropriately to the site and surroundings; creating a strong sense of place; contributing to an attractive public realm; and providing high quality architecture. The Local Plan requires new development to enhance the quality of the environment, with Policy CP1 central to this purpose. Policy CP8 requires development to relate to its context with the siting, massing and design creating an appropriate visual relationship with the form, grain and scale of the surrounding area. This is supported through Policy HP9 of the Sites and Housing Plan, and the West End Area Action Plan design codes.

50. Layout: The proposal is designed to make use of the two main street frontages with the existing retail frontage onto St Aldates maintained and a single retail unit onto Queen Street provided. The student accommodation not intended for Christ Church would be accessed from Queen Street via the archway between 4-5 Queen Street and 121 St Aldates. The existing archway currently provides service access to the rear of the Queen Street buildings, and so using this as the main point of entrance would provide a more legible access that responds well to the activity within Carfax. This would also provide access to the cycle and refuse stores for the main uses within the proposed development. The Christ Church accommodation would be accessed via St Aldates using the existing access to the upper floors of the building. The application site is a constrained site in the city centre and as such the upper levels of the building have been designed to ensure that as many aspects face out onto the street and to the rear in order to maximise the outlook for the accommodation. Where smaller courtyards / atriums are proposed consideration has been given to light and outlook by locating some of the communal rooms in these areas.

51. Size, Scale, and Massing: The overall size and scale of the proposed development would respond to the city scale of the Carfax junction. The Queen Street building would be four storeys high with a recessed roof level extension which follows the building line of Queen Street. There would be a return frontage that faces towards High Street and creates a stronger corner junction than the existing buildings. The overall massing of the building would be reduced by the recessed roof, which would only be visible in glimpsed views from the surrounding streets. The building would confidently handle the transition between the city scale Carfax buildings and the smaller scale and narrower building plots that exist as the street runs westwards. The Visual and Townscape Assessment submitted with the application demonstrates in the existing and proposed street views (3-5) how the building would frame both Carfax and Queen Street.

52. The proposal would maintain the existing St Aldates frontage and preserve the positive contribution they make to the appearance of St Aldates. The roof extension would again be recessed to maintain an appropriate scale. The overall roof design comprises a series of mono-pitched roofs, which will be an improvement on the existing roofscape and help to break up the built form and scale of the development while not harming long and short distance views of the city's skyline.
53. Appearance: The proposed building would have a contemporary appearance. Officers would concur with English Heritage's views that the Queen Street building would have a well-ordered and rational frontage which would work well in its setting. The additional relief of the elevation proposed by the deep window openings and projecting bands create a visually interesting elevation that reflects the more intricate modelling of buildings in the surrounding area. The one concern officers would raise would relate to the return frontage on the Queen Street elevation, where the windows should be reduced in size to better reflect the scale of openings in the adjoining building at 121 St Aldates. This should be controlled by a condition on any consent to secure amendments.
54. The Queen Street frontage would be formed from stone, whilst the rear elevations would be facing brick. The roof structure would be copper with standing seams extending to wall cladding, and the windows would be of a bronze finish. The material treatments for the main elevations would be acceptable in principle subject to a condition requiring prior approval of these details. The main concern with the materials would relate to the choice of copper for the roof, which may appear too strident in this context and as such needs further consideration to ensure the building successfully integrates into its local setting and so as not to adversely impact upon long and short range views. This should be secured by condition which would allow for a more detailed consideration of the alternatives available.
55. Overall officers consider that the size, scale and massing of the development would be appropriate for the site and would not harm the significance of the Central Conservation Area or the setting of the listed buildings surrounding the site. This would accord with the aims of the NPPF and also the above-mentioned policies of the Oxford Core Strategy 2026, Oxford Local Plan 2001-2016, Sites and Housing Plan 2026, and West End Area Action Plan.

Highway Matters

56. A Transport Assessment has been submitted with the application which has demonstrated that the uses proposed within the development would result in a net reduction of 194 vehicle wide trips across the city's road network when compared to the trips that would be generated by the existing office and retail uses on site.
57. The existing building currently provides pedestrian access to the retail elements from St Aldate's and Queen Street, with the offices on the upper levels accessed via St Aldate's. The proposed development would maintain this existing situation with respect to the ground floor commercial uses, whilst the student accommodation would be accessed from both St Aldate's and Queen Street in order to disperse pedestrian demand.

58. The proposal will not provide any vehicle parking on site, and would maintain its existing 'car-free' status. The West End is an appropriate location for car-free development given the excellent walking, cycling and public transport opportunities that exist in this central location. It is also recognised that Sites and Housing Plan Policy HP5 requires a condition that prevents occupants of the student accommodation from bringing cars into Oxford.
59. In order to help encourage the uptake in sustainable modes of transport to the site, the scheme will provide 110 cycle parking spaces for both the commercial use and student accommodation. This would comfortably exceed the minimum cycle parking standards set out within the Oxford Local Plan 2001-2016 Policy TA4. A condition should be attached which requires this cycle parking provision to be provided and made available for use before the development is first occupied.
60. The Oxfordshire County Council have highlighted the potential for servicing of the development to have a negative impact upon the operation of St Aldate's and Queen Street particularly during the daytime hours where there are a large numbers of buses arriving and departing from St Aldates. St Aldate's is a narrow street which conveys a high number of passengers bound for East and South Oxford and beyond. It has 10 heavily used bus stops including two outside the application site. The footway in St Aldate's adjacent to the site is also narrow and is used by a large number of pedestrians and passengers waiting for buses. As a result it is imperative that the proposed development does not result in any reduction in the width of the footway, and that deliveries and servicing of the proposed development are properly considered.
61. There is currently no direct servicing to 114-116 St Aldates from Queen Street and all servicing for this retail unit is via St Aldate's. The servicing for the remainder of the site is via Queen Street. As the majority of the servicing will take place from Queen Street. There may be a requirement for some servicing of 114-116 & 117-119 St Aldates as is currently the case given the entrance location of these units are onto St Aldate's. However all servicing of the site is to be between 1800 and 1000 hours, and would comply with all local loading / unloading restrictions. The refuse storage for the proposal is located on the ground floor and is fully accessible through the cycle store, and will be collected via a private (commercial) collection contractor. It is not proposed to alter the footway onto St Aldates as part of the scheme.
62. The County Council as Highways Authority has raised no objection to the development but recommended a service plan be developed which prevents routine deliveries and servicing from disrupting the operation of buses on St Aldate's or pedestrian amenity on Queen Street. The plan would also need to address how student's belongings can be dropped off and picked up at either end of university terms without impacting negatively on the operation of the streets. This should be secured by an appropriately worded condition.
63. A Framework Construction Traffic Management Plan has also been submitted at the request of the Local Highways Authority to ensure that the potential disruption

from the construction phase is considered at an early stage. The Highways Authority has raised no objection in principle to this document but recommend that the formal plan should ensure that all construction traffic is routed via Queen Street (outside the core trading hours, i.e. 1000 to 1800hours) and that St Aldate's should not be used for loading/unloading or stationary construction/contractor vehicles at any time. In addition the Highway Authority also seeks that the full width of the footway in St Aldate's is maintained for pedestrian use at all times. Any temporary relocation of bus stops would be required to be agreed in advance with the Highways Authority.

64. Overall the proposed development is considered acceptable in highway terms, subject to the above conditions in accordance with the aims of Oxford Local Plan Policies CP1, CP10, TR1 and TR4

Archaeology

65. The application involves a substantial ground works in an area of high archaeological sensitivity. An archaeological desk based assessment (Heritage Assessment) has been submitted for this site by CgMs Ltd (2014) along with a subsequent addendum (September 2014).

66. The site is centrally located within the historic core of the city, central to the Late Saxon burh, fronting onto the medieval market which encompassed Queen Street (Great Bailey) and St Aldates (Fish Street) and located partly within the 13th century Jewish 'Quarter' in the vicinity of suggested high status Jewish dwellings of likely stone construction. The site has previously produced evidence for significant Late Saxon and medieval remains including in-situ Late Saxon street surfaces and medieval floor levels. The site as a whole has the potential to preserve a wide range of features, ecofacts and artefacts that may be of national significance in terms of the study of the development of early towns.

67. The importance of Late Saxon urban sites, such as Oxford, at a regional level is recognised by the Thames Solent Research Assessment which notes that the Late Saxon urban remains of the region represent a nationally important resource (Dodd and Crawford 2014: 230). In the post-Conquest period the national significance of Oxford in economic terms increased significantly, until a period of decline in the 14th century. By 1066 it was '*one of the largest towns in England, exceeded in size only by London, York, Norwich, Lincoln, and Winchester*' (Victoria County History 1979). The town's rising prosperity in the later 12th and early 13th centuries, reflected in tallage contributions, in 1176-7 it paid the same as Exeter, Gloucester, Norwich, Bedford, Dover, and Canterbury, but less than London, Northampton, York, or Lincoln, Winchester, and Dunwich. In 1227 Oxford paid the same amount as York, and more than any other town except London. In 1334 Oxford ranked 8th among English provincial towns on the basis of taxable wealth. The potential archaeological significance of well-preserved deposits along the principal market frontages of the central crossroads is therefore clear.

68. Officers initially raised concerns that the submitted basement design would have a likely impact upon archaeological remains. The basement designs have been

significantly amended to secure the preservation in-situ of Late Saxon and medieval street frontage remains known to be present at Nos 4 and 5 Queen Street. Officers welcome these amendments which will secure Oxford's important below ground heritage. Therefore officers would raise no objections to the proposal subject to conditions which ensure that a sympathetic demolition and construction methodology is employed and that post demolition evaluation of the remaining impacted areas be undertaken in order to guide subsequent mitigation by archaeological excavation and/or localised redesign, if appropriate.

Ecology

69.A Bat Survey has been included with the application. The survey found no evidence that the application site was being used by roosting bats. The location is considered too far into the centre of Oxford for bats to commute to find roost sites, and there are more optimal roost sites in surrounding buildings and closer to green space which they are more likely to use. The Survey recommends a precautionary approach is followed during construction to monitor for the presence of bats.

70. Officers are satisfied with the conclusions and recommendations contained within the survey and recommend a condition be attached which requires these recommendations to be carried out.

Community Infrastructure Levy

71. The Community Infrastructure Levy (CIL) is a standard charge on new development. The amount of CIL payable is calculated on the basis of the amount of floor space created by a development and applies to developments of 100 square metres or more. The reason that CIL has been introduced is to help fund the provision of infrastructure to support the growth of the city, for example transport improvements, additional school places and new or improved sports and leisure facilities.

72. The proposal will be liable for a CIL payment of £231,123.62. The Oxfordshire County Council have requested this money be spent on a number of schemes. There are no longer any direct allocations towards specific infrastructure projects from applications. The CIL contribution from this application will go into a central fund and the Council will decide the spending priorities in consultation with the County Council through the infrastructure planning and budget setting process.

Sustainability

73. Sites and Housing Plan Policy HP11 requires development proposals for student accommodation to include at least 20% of their energy needs from on-site renewable or low carbon technologies where practical. This is supported by Oxford Core Strategy Policy CS9 which states that all development should optimise energy efficiency by minimising the use of energy through design, layout, orientation, landscaping and materials.

74.A Natural Resource Impact Analysis (NRIA) and Energy Strategy have been

submitted with the application. The NRIA scores 9/11 which exceeds the minimum score of 6. The Energy Strategy sets out how the proposed accommodation intends to reduce energy consumption through efficient design and utilising renewable technology. It focuses upon using low energy lighting and lighting control to optimise lighting efficiency; small power management systems in student bedrooms to minimise power consumption; improved building fabric thermal properties to reduce heating loads and solar shading to minimise the risk of overheating during summer months; and an energy efficient ventilation strategy and installation of heat recovery to ventilation systems. The proposal will use air source heat pumps in order to meet the energy target of 20% required by the policy. Similarly the commercial units will be fitted out to ensure that they achieve the 20% renewable energy target.

75. Having reviewed these documents, officers consider that they have provided a good baseline for optimising energy efficiency within the building but have not entirely demonstrated how the 20% target for total energy needs will be met. In terms of renewable technologies the NRIA scores poorly as only Air Source Heat Pumps have been proposed. A number of other technologies such as Solar Water Heating Systems, Biomass Boilers, Grey and Rain Water Harvesting have seemingly been discounted on the basis that they may not be permitted in a Conservation Area. The location of the site within a Conservation Area should not necessarily preclude such technologies if they are appropriately designed.
76. A more detailed energy statement would therefore be required which properly considers all options and sets out firm commitments as to how the building will optimise energy efficiency to meet the 20% target for energy needs would be required in accordance with the above-mentioned policies. This could reasonably be secured by an appropriately worded condition.

Drainage

77. A Drainage Statement has been submitted with the application which indicates that all drainage will utilise the existing connections from the existing buildings to the public network.
78. Thames Water have raised concerns with the strategy and made clear that it would not be appropriate to allow surface water from the site to be discharged via the existing connection into the public foul sewer in Queen Street. St Aldates and Queen Street are serviced by separate foul and surface water sewers that the development could connect to provided that all other surface water disposal methods have been demonstrated as being impractical. The foul sewer system in the city is not intended to convey surface water and therefore it is imperative that new developments actively seek to separate foul and surface water flows and control the rate of surface water flows by incorporating sustainable urban drainage into their design. Thames Water have therefore reiterated their comments that a separate foul and surface water drainage strategy should be submitted which calculates peak foul and surface water discharge rates at each existing connection to the public sewer system, calculated peak foul and surface water discharge rates at each proposed connection (post development) to the public sewer system, Sustainable Urban Drainage methods to be incorporated

into the development's drainage with attenuation capacity requirement and associated calculations and proof that the surface water disposal methods hierarchy has been investigated. The Drainage Authority have raised no objections to the proposal, but have acknowledged that the drainage flow from the existing hard surfaces on site drain to the existing sewers. These flows could be reduced by the use of grey water recycling.

79. It is clear that the current drainage strategy is not sufficient to demonstrate that the proposed drainage will not have an impact upon the existing sewerage network. However, as originally recommended by Thames Water this could be dealt with by imposing a condition which requires a more detailed drainage strategy to be developed before development commences.

Noise

80. A Noise Impact Assessment has been submitted which has been developed in conjunction with Oxford City Council Environmental Health. The noise assessment criteria meet recognised guidance levels and are therefore appropriate.

81. In order to ensure that the residential accommodation is designed to meet the agreed criteria, a condition should be attached which recommends the following.

- All residential accommodation to meet agreed noise level of 30 dB LAeq in living rooms and bedrooms prior to occupation with no single noise event to exceed 45dB LAmax.
- In addition all applicable rooms to be capable of meeting these levels with windows in the open position. Where windows need to remain in the closed position to achieve agreed levels, applicant to install an acoustic ventilation to ensure that an adequate supply of fresh air is provided.

82. In addition to the above, a condition should also be attached which requires a Demolition and Construction Management Plan in order to ensure any adverse impact on local and residential amenity is reduced to a minimum.

Conclusion:

83. The proposal is considered to be in accordance with the relevant policies of the Oxford Core Strategy 2026, Oxford Local Plan 2001-2016, Sites and Housing Plan 2011-2016, and West End Area Action Plan. Therefore officer's recommendation to the Members of the West Area Planning Committee is to approve the development in principle, but defer the application for the completion of a legal agreement to secure the necessary financial contribution towards off-site affordable housing as set out above.

Human Rights Act 1998

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

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

Section 17 of the Crime and Disorder Act 1998

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

Contact Officer: Andrew Murdoch

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Date: 3rd October 2014

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