

## Appendix 1 to the report of 1 December 2015

West Area Planning Committee

9th June 2015

**Application Number:** 15/00760/FUL

**Decision Due by:** 15th May 2015

**Proposal:** Change of use and extension of existing thatched barn to provide accommodation for a visitor shop and ticket office, a café, storage, staff accommodation, interpretation space. Demolition of existing buildings and erection of new works building and service yard including workshops, garages, storage, staff facilities and WCs, parking area and established landscaping.

**Site Address:** Christ Church College St Aldate's Oxford Oxfordshire  
(Appendix 1)

**Ward:** Holywell Ward

**Agent:** Terry Gashe

**Applicant:** Mr James Lawrie

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### Recommendation:

Resolve to approve subject to completion of a legal agreement. Delegate to officers to issue decision.

For the following reasons:

- 1 The proposals represent a sensitive and well-considered response to the issues of managing visitors to the site and propose opportunities to enhance the tourist attraction and experience. Whilst the proposed new buildings would be located within the Greenbelt, where national and local policies restrict new development to maintain its openness, the City Council considers that the very special circumstances of this proposal and the overall benefits that would flow from the development are sufficient for it to be considered an exception within the terms of the policy set out in the National Planning Policy Framework and thus it is considered that the proposal accords with the policies of the development plan. 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.
- 2 The City Council has given considerable weight and importance to the desirability of preserving or enhancing designated heritage assets and their settings, including the listed building(s), conservation area and registered park. It is considered that the net effect of the proposals will not result in harm to the designated heritage assets or their settings and result in new buildings

and a use that will give greater opportunity for the public to access and enjoy the historic environment of Oxford.

subject to the following conditions, which have been imposed for the reasons stated:-

- 1 Development begun within time limit
- 2 Development in accordance with approved plans
- 3 Further construction and design details to be submitted
- 4 Samples of materials
- 5 Sample panels on site
- 6 Archaeological investigation and mitigation
- 7 Building recording and details of salvage/reuse of internal features of interest
- 8 Tree protection and root protection zone mitigation measures
- 9 Proposed landscaping and tree planting
- 10 Landscaping scheme implementation
- 11 Landscape management plan and implementation (including area outside ticket office and café)
- 12 Ecological mitigation measures
- 13 Flood risk mitigation measures
- 14 Cycle parking
- 15 Informative: Considerate Contractors Scheme

**Legal Agreement** s106 Heads of Terms, County:

- to contribute £2,000 towards establishing a new scheduled coach set-down stop, to include the cost of a pole/flag/information case unit and appropriate road markings.
- The developer to provide some form of wayfinding within or outside the thatched barn

**Main Local Plan Policies:**

**Oxford Local Plan 2001-2016**

- CP8** - Design Development to Relate to its Context
- CP9** - Creating Successful New Places
- CP11** - Landscape Design
- CP13** - Accessibility
- NE15** - Loss of Trees and Hedgerows
- NE16** - Protected Trees
- HE2** - Archaeology
- HE3** - Listed Buildings and Their Setting
- HE7** - Conservation Areas
- HE8** - Important Parks & Gardens
- TA3** - Tourist Information
- TR3** - Car Parking Standards
- TR2** - Travel Plans
- TR4** - Pedestrian & Cycle Facilities

## **Core Strategy**

**CS18\_** - Urban design, town character, historic environment

**CS4\_** - Green Belt

**CS11\_** - Flooding

**CS12\_** - Biodiversity

**CS32\_** - Sustainable tourism

**CS20\_** - Cultural and community development

**CS29\_** - The universities

**CS21\_** - Green spaces, leisure and sport

**CS9\_** - Energy and natural resources

**CS13\_** - Supporting access to new development

**CS19\_** - Community safety

**CS20\_** - Cultural and community development

**CS27\_** - Sustainable economy

## **Other Material Considerations:**

National Planning Policy Framework

This application is in or affecting the Central Conservation Area. The development is affecting the setting of Grade I and Grade II Listed Building and a Grade I Registered Garden

Planning Practice Guidance

## **Relevant Site History:**

15/00227/ENT - Fell 1no. Leylandii and 1no. Alnus tree in the Central Conservation Area. RNO 26th January 2015.

15/00276/ENT - Fell 1no. Populus Balsmaifera in the Central Conservation Area..  
PCO .

## **Representations Received:**

**Historic England:** Supports proposal, the harm that would result is outweighed by the public benefits that would flow from the development. Recommends careful attention to landscaping proposals

**Environment Agency:** no objection, recommends condition to deliver mitigation measures

**Highways Authority:** recommends additional cycle provision and a s106 agreement to secure improved bus stop provision and wayfinding.

**Oxford Civic Society:** supports

## **Statutory and Internal Consultees:**

Environment Agency Thames Region, Historic England Commission, Garden History Society, Internal - Conservation - Trees, Internal - Conservation - Archaeology, Oxford Civic Society,

## **Issues:**

Greenbelt

Heritage

Flood Risk

**Sustainability:**

The re-use of existing buildings  
Energy efficient new buildings  
Sustainable building materials

**Officers Assessment:**

**Background**

- 1 The College first commissioned studies of visitor attraction and staff facilities for the Cathedral in 2009, followed up by wider studies of and a masterplan for the whole Christ Church site. The Cathedral attracts around 400,000 visitors each year and the Meadow attracts 1,000,000 visitors. The studies have highlighted particular issues of:
  - Congestion for visitors in peak months and poor visitor offer
  - Disturbance to the academic life of Christ Church
  - Inappropriate use of the Cathedral Chapter House as a shop and for Treasury displays
  - Inadequate public toilet facilities
  - Unsightly maintenance yard facilities and buildings
- 2 This application has been submitted as part of the College's implementation of its masterplan, to address these deficiencies with the conversion of the Meadow barn, its extension and a new thatched building to provide a new visitor centre with new maintenance and storage facilities to replace the existing substandard ones.
- 3 The College has already started to implement other elements of the masterplan; very relevant to this proposal are the landscaping proposals for the Meadow, including tree removals and replanting and realignment of the Meadow railings.

**The site and its history**

- 4 The thatched Meadow Barn is located in the north-west corner of the Meadow alongside the Trill Mill Stream. The Shire Ditch (the historic boundary between Oxfordshire and Berkshire until 1974) runs east west across the bottom of the application site. The barn, which is not listed, dates from 1851, subsequently extended later in the C19th/early C20th.
- 5 To the south of the thatched barn is a car park for staff and college members, a number of garages, a storage yard with steel containers and a timber store. The barn is also used for storage. To the north-west of the barn is a row of single storey buildings used by the Clerk of Works.
- 6 The Meadow has a long history dating back to its early creation by the

amalgamation of two separate water meadows around 1346 and the formation of a circular walk around the meadow in the 1570s. Though it has been subject to some alteration, extension and various regimes of avenue planting Broad Walk formed part of this original walk. New Walk was introduced later, in the 1860s at the same time as the Meadow Buildings were completed.

- 7 The layout of the meadow and the changes that have taken place are recorded in paintings, sketches and historic maps from the C16th. J.M.W. Turner for example records in one of his paintings (Christ Church c1794) stables on the site of the present barn and a variety of other service buildings. Early maps record the barn record the stables and a rick yard, and early Ordnance Survey maps show a track from the barn (which replaced the stables) leading out to the Meadow, all illustrating that this part of the meadow from the C18th served a functional purpose associated with the management of the meadow.
- 8 The introduction of the Memorial Garden in the early C20th (commemorating the lives of those associated with Christ Church lost during the Great War) introduced further changes to this part of the Meadow creating a new, prominent and now well used 'public' entrance.

### **The Proposals**

- 9 The application proposes the introduction of new visitor facilities and the reordering and improvement of maintenance facilities in a series of linked building that pursue a rural buildings typology – including the use of thatch, timber cladding and stone.
- 10 The Thatched barn will be restored and used as part of a new café and interpretation space, with a thatched extension on the east elevation. The new ticket office is proposed to the north of the barn, linked to it by a service range providing toilets, plant room, storage and service spaces for the café and ticket office.
- 11 A series of single storey works and ground staff/clerk of works buildings are proposed along the east boundary of the works compound, looking into the site with a 'Dutch barn' vehicle store on the southern edge of the compound. To the south of this on the other side of the Shire Ditch an existing composting area will be redesigned to better manage the decaying process of the green waste. The staff car park is proposed along the west boundary, where it currently is laid out to provide 36 parking spaces plus two disabled spaces.
- 12 The landscaping strategy for the proposed new buildings and uses is integrated with the wider landscape management strategy for the meadow and seeks to better integrate the immediate setting with the wider meadow, removing 'domestic' planting and introduces more appropriate tree species and planting to help assimilate the new buildings into the wider landscape.
- 13 The proposals have been subject to pre-applications discussions and engagement with local groups and key stakeholders and it is worth noting that the comments received from formal consultation have all been positive, with no objections received.

## **Policy Context**

- 14 The application site is located within the Greenbelt, within a Grade 1 Registered Garden, within the setting of the listed buildings of Christ Church, within an archaeologically sensitive area, in an area of local nature conservation interest and within Flood zones 2 and 3a. Policies that are relevant to this proposal are listed at the beginning of this report but the focus will be on those matters that require some explanation; officers having concluded that the development is in accordance with other relevant policies not explicitly discussed here.

## **Impact of the proposed development**

### **Greenbelt**

- 15 The fundamental aim of the greenbelt is to keep land permanently open and harm can be caused by development that reduces that openness. Paragraph 89 of the National Planning Policy Framework (NPPF) identifies those uses that would not be inappropriate, and includes facilities for outdoor recreation, extensions and alterations of a building provided that it does not result in disproportionate additions and partial or complete redevelopment of previously developed sites. Paragraph 87 of the NPPF states that inappropriate development should not be approved except in very special circumstances explaining in paragraph 88 that

*‘Very special circumstances will not exist unless the potential harm to the Greenbelt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations’*

- 16 The applicant has erred on the side of caution concluding that the proposed development is inappropriate and has thus gone on to explain the very special circumstances of this case that justify supporting this proposal. The special circumstances have been explained in the supporting documents (Ferax Planning) and include:
- The harm being caused by the present arrangements – harm to the aesthetic and historic qualities of this part of the meadow, the inappropriate use of the Chapter House, the poor quality visitor offer;
  - The combination of circumstances – challenges and opportunities presented by the historic site and its context is unique to Christ Church;
  - The applicant has explored all other opportunities for addressing the existing deficiencies of the tourist offer and the impact on academic life in the College, concluding that this proposal is the most appropriate, with the least harm and most benefits.
  - The re-use of the barn helps to ensure its long term viability and sustain its heritage significance;
  - The relocation of the shop from the Chapter House will ensure that it can be put to more appropriate uses and that its architectural and historic qualities

can be better accessed, understood and enjoyed by the public.

- Improvement to the appearance of the Meadow and enhancement of the setting it provides for the historic buildings that abut it;
- Enhanced experience for all visitors to the Meadow and Christ Church;
- Improvements in the tourist offer, supporting and adding to the local economy;
- In all other respects it is a sustainable development with economic social and environmental benefits being delivered simultaneously.

- 17 As discussed briefly below officers consider that the design and scale of the buildings are appropriate for the site – measured against other policies of the development plan, and involve in part the redevelopment of a previously developed site, the re-use of an existing building and the provision of facilities that in part will be used by people pursuing outdoor recreation in the Meadow. There will be an impact on the openness of the Greenbelt but officers consider that the benefits (the very special circumstances) outweigh the harm. It is worth noting that Historic England also recognises that the public benefits of the proposal would outweigh the harm to the Registered Garden.

### **Historic Environment**

- 18 The National Planning Policy Framework in Annex 2 defines heritage significance as:

*‘The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting.’*

and defines the setting of a heritage asset as:

*‘The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.’*

- 19 Conservation principles, policy and practice seek to preserve and enhance the value of heritage assets. The National Planning Policy Framework explains 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.

- 20 The Government sets out a presumption in favour of sustainable development and explains that the purpose of the planning system is to contribute to the achievement of this. The NPPF sets out twelve core planning principles that should underpin decision making (paragraph 17.). Amongst those are:

- *not simply be about scrutiny, but instead be a creative exercise in finding*

*ways to enhance and improve the places in which people live their lives;*

- *proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs;*
- *conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generation.*

- 21 The historic environment policies of the NPPF are supported by Historic England's Good Practice Advice Notes, which give more detailed advice about gathering the information on significance, assessing the impact and assessing harm with an emphasis on the proactive management of heritage assets.
- 22 The application site is located within the Central (City and University) Conservation Area and within a registered garden and is thus part of a designated heritage asset. The NPPF and accompanying Practice Guide (NPPG) explain that great weight should be given to the asset's conservation and '*the more important the asset, the greater the weight should be*'. Recent case law (Barnwell) has demonstrated that this responsibility, rooted in the legislative requirements of the Planning Acts, should be given special consideration when considering the balance between any harm and the planning merits of the proposal.
- 23 The application proposals are supported by a body of research and a historic landscape appraisal that sets out in detail the history of the development of the site and the Meadow, which also seeks to define the heritage significance of the site and the nature and extent of the heritage impacts that would result from this proposal.
- 24 Clearly the site as a whole has high heritage significance including:
- a very long history dating back to the Priory of St Frideswide, founded in the C9th and association with important people and events (Cardinal Wolsey, Henry VIII, Lewis Carroll, Joseph Addison and many others, Civil War etc.).
  - The buildings of Christ Church have high architectural significance and contribute to the iconic views of Oxford from the River Thames and from outside and across the city;
  - The picturesque rural character of the Meadow is heightened by its juxtaposition with the city and represents a well preserved water meadows planned and used for recreation (and agriculture) since the C16th
  - High communal value in the site's association with artists, authors, scholars and many others;
  - Archaeological significance in the long history of use and defensive role



during the Civil War.

- 25 The thatched barn is a relatively late arrival in the history of the Meadow, but provides evidence of the agricultural uses that took place and the associated 'service' role in managing the whole site. The evidence of change, including the introduction of the Memorial Garden is part of its history and part of the story.
- 26 It is this service role and the agricultural roots to the application site that have informed the design approach, a contemporary interpretation of traditional rural buildings. The disaggregation of the new floor space into various building blocks results in a collection of relatively small-scale buildings that would have a presence in the Meadow similar to those that once existed and the character of a small farmstead. The vernacular form of the buildings is accentuated by the architect's choice of materials – timber and stone walls, natural slate and thatch (probably almost unique in modern history for a new thatched building to be proposed within a city centre).
- 27 The proposals have received positive responses from statutory and other consultees. Historic England comments that the limited degree of harm that would result to the Grade I Registered Garden would be outweighed by the public benefits of the scheme and gives its support to the scheme, with advice that the landscaping and management of the area around the ticket office should be kept simple to maintain the pastoral qualities of the area. Officers agree with this and recognise that it will be important to ensure that the commercial/retail activity associated with the café and ticket office will need to be carefully managed to ensure that it does not detract from the rural experience that draws people to the site in the first place. A landscape management and visitor management condition is proposed to give effect to this.
- 28 The application is also supported by a visual impact assessment and officers have tested the visibility of the site and the predicted impacts on various viewpoints around the Meadow.
- 29 From more distant points around the perimeter path (i.e. around the eastern and southern perimeter walks the site is seen against the backdrop of St Aldate's, the views filtered by the planted avenues of trees (the view is more open now than shown in the application details because some trees have since been removed as a part of the delivery of the landscape strategy for the Meadow). The Meadow Building, Tom Tower and the Cathedral are prominent in these views, where the Meadow provides an important and picturesque foreground.
- 30 The view from the Memorial Garden gradually opens up as one progresses along the path and at the point near the existing steps a view of the Meadow opens up underneath the canopy of the trees. The proposed ticket office will foreshorten this view and this is where officers have concluded that the proposal could result in some harm. Changing the experience of a view need not necessarily be harmful, particularly if the 'new' viewing experience is an improvement on the existing one. The applicant has sought to mitigate the nature of the impact by designing a building and proposing materials that help to root it in a rural context. Given the existing conditions officers conclude that

the nature of the approach to the Meadow through the Memorial Garden will be improved, with the new ticket office acting as a 'frame' to the view, rather than an obstruction.

### **Archaeology**

- 31 This application is of interest because the site is located close to the projected line of the Royalist Civil War defences, in the vicinity of an 18<sup>th</sup> century coach house and also on the projected route of a post-medieval water course. The application will also impact on a mid-19<sup>th</sup> century thatched barn that may have an early 19<sup>th</sup> century antecedent. The geophysical survey and a test pit to the north of the current barn have produced results suggesting the presence of archaeological features likely to be associated with the 18<sup>th</sup> century coach house. A full evaluation of the current proposal footprint was not possible because of the presence of mature trees over part of the proposed building footprint.
- 32 In this case, bearing in mind the small scale of the proposed works, no further predetermination evaluation is required, but a condition should be attached to any permission granted requiring the submission of details of further investigation and proposed mitigation with completion of a building record of the thatched barn prior to its conversion.

### **Trees**

- 33 As explained above the landscaping details for this site have been considered as a part of the wider landscape strategy for the Meadow and propose the removal of inappropriate tree species. The proposal will also involve the removals of those trees within the footprint of the proposed buildings. New tree planting is proposed to mitigate the impact of those losses and to help settle the new buildings in to the wider landscape. What is less clear from the submitted details is the nature of the impact on the retained trees and their root protection zones. The buildings have been designed and sited to take account of these constraints, but officers have requested additional information to ensure that the impacts can be managed. The committee will be updated at the meeting with the results of any findings. In any event conditions are proposed to ensure that the viability of retained trees will not be compromised by any aspect of the proposed development.

### **Ecology**

- 34 Key features of ecological interest within the site include: the stream corridor and scattered mature trees. Survey have been carried out which demonstrate that there are no bat roosts, badger setts, water voles or otters but possibly low numbers of relatively common and widespread reptile species such as Grass Snake and Slow Worm.
- 35 The Ecology report suggests various mitigation measures and practices during construction to avoid unnecessary disturbance to wildlife and the provision of

water ways management, bat boxes and tree planting as a means to introduce reinforce existing and to introduce new habitats. Officers are satisfied that the ecological findings is accurate and will include a condition that will secure the mitigation measures proposed in the Ecology Report.

## **Highways**

- 36 The application site is a highly sustainable location and the Highways Authority welcome that the proposal is accompanied by a small reduction in the number of car parking spaces as well as the provision of 10 cycle parking spaces. It comments though that, given how well located the site is for cycling and walking, there would seem to be scope to provide more cycle parking spaces to encourage even more cycling by Christ Church staff to the site.
- 37 The proposed floor space is below the threshold to require the submission of a travel plan, but given the constrained nature of the site the Highways Authority encourage the applicant to prepare and agree a construction traffic management plan.
- 38 Given that the proposal focuses on the management of visitors to the site the Highways Authority has recommended a legal agreement to secure improvements to the bus stop provision and wayfinding in St Aldate's. This recommendation is embedded in the Officer recommendation. The Highways Authority is suggesting the provision of an additional bus stop and flag further down St Aldate's, closer to the entrance to the Meadow. This will have to be managed carefully, because although it may help secure more efficient working arrangements for the buses it could have an adverse effect on the quality of the public realm (St Aldate's) by extending the presence of buses further down the street and encouraging more tourist coaches to enter the city centre, rather than dropping off/picking up on the edges. Further discussions are being held with Highways Authority officers to ensure that there is a balanced and proportional response to addressing this issue and the Committee will be updated with any further advice that comes forward.

## **39 Flooding**

- 40 The Environment Agency (EA) Flood Zone map shows the site lies mainly within Flood Zone 2 'Medium Probability' of the River Thames, defined as follows:

*Flood Zone 2 'Medium Probability' (between 1 in 100 (1%) and 1 in 1000 (0.1%) annual probability of river flooding)*

The south-eastern part of the site (i.e. the work compound area) currently lies within the 'High Probability' Flood Zone 3a (greater than 1 in 100 (1%) annual probability of river flooding).

- 41 The proposals are classed as 'Less Vulnerable' development ("*Buildings used for shops, financial, restaurants, cafes... general industry, storage and distribution...*"), which is considered acceptable in Flood Zones 2 and 3a without requiring the Exception Test.

- 42 The Flood risk assessment report explains the level of risk and the proposed mitigation measures stating

*The proposed ground floor level of the redeveloped thatched barn and extension is constrained by the existing building fabric but is still set at a minimum of 56.50m AOD; 220mm above the modelled 1 in 100 (1%) annual probability plus allowance for climate change fluvial flood level.*

*The work compound units are set at a minimum of the reference flood level of 56.28m AOD due to the need to provide level access. These floor levels are considered acceptable given the 'less vulnerable' nature of the proposals.*

*Continuous safe access from the site is available at the 1 in 100 annual probability plus climate change flood level via the primary pedestrian route north out of the site.*

*The proposed development includes ground raising in the work compound area and the provision of compensatory floodplain storage as part of the ground remodelling around the composting area. This results in an increase in floodplain storage capacity, on a level-for-level basis up to the 1 in 100 annual probability plus climate change flood level.*

- 43 The Environment Agency has confirmed its agreement with the findings of the Flood Risk Assessment and does not object to the proposals, recommending the imposition of a condition to ensure that the mitigation measures proposed are delivered.

### **Sustainability**

- 44 The proposal fall below the threshold to require a Natural Resource Impact Assessment. However, as good practice the applicant has explored a range of energy efficiency measures and renewables. In order to ensure that the maximum reduction in energy usage is achieved the applicant has focused on insulation and airtightness. A Passivhaus level of detail is proposed to maximise this aspect. The applicant claims that this will ensure that the building has one of the lowest energy requirements for its type in Oxfordshire.
- 45 Due to the restriction of the site (tree cover and heritage interests) and the demand type all forms of renewable are unlikely to be significantly beneficial, though their viability has been explored.
- 46 The proposals involve the re-use of an existing building, which has the added benefit of capturing the embodied energy of that building.

### **Design details.**

- 47 There are a number of detailed design issues that are still subject to some discussion with officers or that have yet to be fully translated into construction drawings (for example the details for the ramped access next to the Memorial Garden/Broad Walk steps and the construction details for the barn and ticket office windows and doors). These are detailed matters that can be resolved by the imposition of a condition. The absence of any finally agreed details at this

stage does not present an impediment to making a decision on the application.

**Conclusion:**

This is a very sensitive and high profile site and context, which has recognised national and international importance for its history, architecture and landscape. This heritage significance attracts large numbers of visitors and the Meadow is used by residents and tourists alike. Its popularity is threatening to undermine the qualities that attract people in the first place and action is required to manage the flow of people and access arrangements, but also to improve the visitor experience. The proposals have been developed from a lengthy dialogue with key stakeholders and the detail informed by comprehensive studies of the history and landscape qualities of the place. The proposals offer the opportunity to add a new chapter in the history of the Meadow and Christ Church, which will bring important and sustainable benefits. Subject to the conditions imposed to secure appropriate design details and mitigation measures officers recommend approval.

**Human Rights Act 1998**

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

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

**Section 17 of the Crime and Disorder Act 1998**

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

**Background Papers: None**

**Contact Officer:** Nick Worlledge

**Extension:** 2147

**Date:** 31st May 2015