

West Area Planning Committee

14th March 2017

Application Number: 17/00188/FUL

Decision Due by: 24th March 2017

Proposal: Erection of part two storey, part three storey, detached building to provide 17 additional bedrooms. Erection of outdoor terrace and platform lift. Alterations to car parking layout.

Site Address: Eastgate Hotel 73 High Street, Oxford **Appendix 1**

Ward: Holywell Ward

Agent: Ms Katie Brown

Applicant: Eastgate Hotel Ltd

Recommendation:

The West Area Planning Committee is recommended to GRANT planning permission for the reasons set out below in the report and subject to the suggested conditions.

For the following reasons:

- 1 The proposed new hotel annexe forms an appropriate visual relationship with the existing hotel building and the surrounding development and would preserve and enhance the special character and appearance of the Central City and University Conservation Area. No objections have been received from third parties or statutory consultees and it is considered that the proposal complies with the policies of the adopted Oxford Local Plan 2001 - 2016, the adopted Core Strategy 2026 and the Sites and Housing Plan 2011-2026.
- 2 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

Conditions

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples in Conservation Area Central City and University,
- 4 Implement archaeological works
- 5 Parking as per plan
- 6 Use of terrace until 21.45 hrs.
- 7 Cycle parking

- 8 Bin stores
- 9 SUDS
- 10 Construction Travel Plan
- 11 No construction during exam period
- 12 Secured by Design
- 13 Sustainable Design and Construction

Main Local Plan Policies:

Oxford Local Plan 2001-2016

- CP1** - Development Proposals
- CP6** - Efficient Use of Land & Density
- CP8** - Design Development to Relate to its Context
- CP9** - Creating Successful New Places
- CP10** - Siting Development to Meet Functional Needs
- TR3** - Car Parking Standards
- TR4** - Pedestrian & Cycle Facilities
- HE2** - Archaeology
- HE3** - Listed Buildings and Their Setting
- HE7** - Conservation Areas
- TA4** - Tourist Accommodation

Core Strategy

- CS10** - Waste and recycling
- CS20** - Cultural and community development
- CS9** - Energy and natural resources
- CS10** - Waste and recycling
- CS12** - Biodiversity
- CS13** - Supporting access to new development
- CS18** - Urban design, town character, historic environment
- CS19** - Community safety
- CS32** - Sustainable tourism

Sites and Housing Plan

- HP14** - Privacy and Daylight

Other Material Considerations:

National Planning Policy Framework
This application is in or affecting the Central Conservation Area.
Planning Practice Guidance

Legal Agreement and CIL

The proposal is liable for a CIL payment of £13,933.44.

Relevant Site History:

90/00246/NFH - Construction of a 19 bedroom hotel extension block with bathrooms ensuite, incorporating electricity sub-station enclosure and a new lounge/link to existing hotel. PER 5th July 1990.

97/00008/LH - Conservation Area consent for demolition of existing outbuildings.. PER 27th February 1997.

97/00009/NFH - Erection of 4 storey extension at rear to provide additional 19 bedrooms.. PER 27th February 1997.

11/00320/FUL - Erection of 2/3 storey detached building to provide 17 additional bedrooms. Erection of outdoor terrace and platform lift. Alterations to car parking layout.. PER 16th March 2011.

11/00320/CND - Details submitted in accordance with conditions 3 (archaeological mitigation), 4 (exterior materials), 5 (external terrace details), 6 (bin stores), 9 (cycle parking) and 12 (drainage) of planning permission 11/00320/FUL. PER 18th June 2012.

11/00320/CND2 - Details submitted in compliance with condition 10 of planning permission 11/00320/FUL. PER 18th June 2012.

11/00320/NMA - Non material amendment to planning permission 11/00320/FUL to make alterations to the roofline of the 2 storey section to form a lower roof. PER 5th November 2012.

13/02982/FUL - Erection of part two storey, part three storey, detached building to provide 17 additional bedrooms. Erection of outdoor terrace and platform lift. Alterations to car parking layout. PER 23rd December 2013.

13/02982/CND - Details submitted in compliance with conditions 3 (Samples) and 4 (Archaeology Report) of planning permission 13/02982/FUL. SPL 20th October 2016.

Representations Received:

None

Statutory and Internal Consultees:

County Highways – no objections subject to provision of cycle parking

Officers Assessment:

Site Description

1. The Eastgate Hotel is housed in a series of 4/5 storey historic buildings set around the east corner of the junction of Merton Street with High Street. The

application site extends to 0.15 hectares and is the tarmac hotel car park at the rear of the hotel. It is accessed off Merton Street through an archway. It is within the Central and University Conservation Area. Historically the site was rear gardens to properties fronting High Street.

2. The site is not prominent in the street scene: it can be seen through the access archway; from Rose Lane there is a glimpsed view of the site. Through the archway from Merton Street and from the hotel car park there are views of Magdalen College Tower to the east.

Proposed Development

3. The application seeks permission to erect a detached building on part of the existing car park to provide 17 en-suite guest bedrooms; waste, recycling, and cycle storage; an external decked seating terrace; and external platform lift to the terrace. 13 car parking spaces would be retained.
4. The scale of the proposed building is 2½ storeys with rooms in the roof (with dormers). The ridge line is varied to break up the bulk and allow the building to relate to the scale of surrounding buildings. The architecture has a traditional but not pastiche style with simple uncluttered features.
5. It is to be faced with red brick with stone window cills and heads and natural roof slates.

Issues

6. This proposal is identical to proposals approved twice before:
 - 11/00320/FUL approved in March 2011 and subsequently amended by way of a Non-material Amendment (11/00320/NMA) approved in November 2012. All the pre-commencement conditions were discharged by letter dated 18th June 2012. Delays associated with discussions with neighbouring landowners, combined with the need not to carry out construction during the examinations period meant that it was not possible to implement the permission before the expiry of the permission in 2014: a renewal application was therefore submitted in 2013;
 - 13/02982/FUL approved 23rd December 2013, a scheme identical to that approved above but which has not been implemented prior to expiry of the permission.
7. The principal determining issues are:
 - Principle of development
 - Form appearance and impact on the conservation area
 - Archaeology
 - Impact on neighbours
 - Sustainability

Principle of Development

8. There is an acknowledged need for short stay hotel accommodation within the City. Policy CS32 of the Core Strategy (2011) seeks to achieve sustainable tourism by encouraging longer stays and greater spend in Oxford. The amount and diversity of short-stay accommodation to support this aim will be achieved by permitting new sites in the city centre (including the West End) and on Oxford's main arterial roads, and by protecting and modernising existing sites to support this use.
9. Policy TA4 of the Oxford Local Plan 2001-2016 states that permission will be granted for development that maintains, strengthens and diversifies the range of short-stay accommodation provided that a) it is located in the City Centre or on a main route into the City; b) that it is acceptable in terms of access, parking, highway safety, traffic generation, pedestrian and cycle movements; c) part of any existing dwelling to be changed to short stay accommodation is retained for residential use; and d) it will not result in an unacceptable level of noise and disturbance to nearby residents. The hotel is located within the City Centre and Officers are satisfied that the development would be acceptable in terms of its access, parking, highway safety and traffic generation impacts. Adequate measures can be put in place to ensure that the development would not cause a detrimental impact in terms of noise and disturbance.
10. Officers recommend that the development would comply with the requirements of Policy TA4 of the Oxford Local Plan 2001-2016 and Policy CS32 of the Core Strategy (2011). The development is therefore acceptable in principle.

Design

Form appearance and impact on the conservation area

11. The NPPF urges the highest standards of design and the protection of heritage assets. This is echoed in Policy CS18 of the Core Strategy and in more detail in policies CP1, CP6, CP8 and CP10 of the Local Plan.
12. The current proposal originally resulted from a series of pre-application meetings which took place over 2 years in 2009-2011. The scheme approved in 2011 and renewed in 2013, determined an appropriate scale, form and detailing of the development which integrates the new building with the existing hotel and the surrounding area. The new building appears as a subservient addition to the main hotel and as a traditional outbuilding commonly found at the rear of large buildings in the centre of Oxford. As much as possible of the existing views of Magdalen College Tower through the archway on Merton Street is retained.
13. Although it is in a sensitive site in the conservation area and close to heritage assets of national significance, the scheme is discrete and shows proper regard for those assets. Officers are satisfied that the development would not

cause harm to the character, appearance and special significance of the Conservation Area.

14. The scheme has not changed since the 2011 and 2013 approvals and remains in conformity with the Council's relevant adopted design and heritage policies. Following this fresh review of the proposals however, a pre-commencement condition is proposed requiring submission and approval of a landscaping scheme for the retained car park:
 - i. to create a proper courtyard to the rear of the buildings: a public space rather than just a car park particularly in relation to the view from Merton Street; and,
 - ii. to articulate the rationale for the use and appearance of the spaces immediately adjacent to the building (on the north, south and east sides).

Archaeology

15. The site is of interest because it involves groundworks in the vicinity of the medieval town wall, the projected extent of the late-Saxon and later medieval town ditch and the within the extent of medieval suburban settlement located outside the East gate of the walled town. The footprint of the proposed new accommodation block lies within a plot associated with the Trinitarian Friars, who occupied land outside the East Gate in the 13th and 14th century. The footprint also has the potential to preserve remains associated with backyard activity relating to subsequent medieval and post-medieval occupation along Bridge Street (now High Street).
16. An archaeological evaluation at this site by Cotswold Archaeology in 2010 revealed pits of late 13th or 14th-century date located below the depth of the proposed ground beams. Subsequent mid-17th century building remains were recorded at a shallower depth and these may be impacted by the proposed ground beams. No trace of the town ditch was recorded - the 2010 trenches did not however definitively prove its absence in this area given the depth of excavation.
17. A condition is proposed stating that the programme of archaeological work set out in the submitted Archaeological Written Scheme of Investigation (Prospect Archaeology 2012) is carried out prior to the commencement of any development.

Impact on Neighbours

18. Policy HP14 of the Sites and Housing Plan resists development which would detract from the amenities of existing properties; similarly CP8 and CP10 of the adopted Local Plan.
19. The properties most affected by the proposals are Merton College and North Lodge to the south; and 67 High Street to the north.

20. A daylight and sunlight assessment was submitted; and a detailed assessment was presented in the Committee Report when the scheme was approved in 2011. No issues of loss of daylight, sunlight or privacy were found; nor of overbearing. Some concern was expressed that use of the external terrace may have the potential to create disturbance and so the same condition restricting its use after 21.45 hours is recommended in this case.

Sustainability

21. The site is in a sustainable location in the heart of the city. It is ideally located to promote movement around the city on foot or by bike.

22. The proposed new building is designed to minimize heat loss and to be as energy efficient as possible in terms of its energy consumption. The design and access statement sets out the measures to minimize energy consumption including west and east facing bedrooms to optimize natural heat and light, high levels of air-tightness and insulation, use of energy efficient appliances and lighting, and water saving devices. A condition is recommended requiring submission of further details of these measures.

Access and Parking

23. The proposed development would result in a loss of car parking spaces from 36 to 13 on-site car parking spaces. Officers consider that this loss of parking is acceptable having had regard to the sustainable nature of the site and the close proximity to high quality public transport connections. The application site is within the Transport Central Area (TCA) and the associated Controlled Parking Zone (CPZ) would ensure that there would not be a detrimental impact on parking conditions in the area.

Flooding and Drainage

24. The application site does not lie in a high risk area for flooding. The site is currently tarmac and therefore the development proposed would not increase surface water runoff. Officers are satisfied that the development complies with the requirements of Policy CS11 of the Core Strategy (2011).

Conclusion

25. The proposal forms an appropriate visual relationship with the existing hotel, surrounding buildings and the conservation area. It is recommended that the West Area Planning Committee grant planning, permission subject to conditions.

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: 11/00320/FUL; 13/02982/FUL; 17/00188/FUL

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Date: 1st March 2017