

West Area Planning Committee

14th March 2017

Application Number: 16/02945/FUL

Decision Due by: 13th February 2017

Proposal: Demolition of units 1-15 Oxford Business Centre and redevelopment including erection of purpose built student accommodation with small-scale A1, A3, A4 and B1 units, with associated landscaping.

Site Address: Oxford Business Centre, Osney Lane (**site plan: appendix 1**)

Ward: Carfax Ward

Agent: Mr James Taylor

Applicant: SC Osney Lane 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. The redevelopment of this site for a mixed-use student accommodation / commercial scheme would make an efficient use of previously developed land within the West End Regeneration Area, in a manner that would be consistent with the aims of the Oxpens Masterplan Supplementary Planning Document without comprising the wider objectives for the remainder of the regeneration site. The development has been designed in a considered manner which has evolved through pre-application discussions resulting in significant changes to the density and scale of development in order to ensure that the scheme sits comfortably within the urban grain of the city's existing townscape while also not having a harmful impact on its important historic skyline. The development would not have a harmful impact upon residential amenities of the adjoining properties and would not create adverse impacts in terms of highways, flood risk, sustainability, archaeology, biodiversity, air quality and land contamination that could not be mitigated by appropriately worded conditions. Therefore the proposal is considered to comply with policies contained within the Oxford Local Plan, Oxford Core Strategy, Sites and Housing Plan and National Planning policy and

guidance and other material considerations for the site such as the Oxpens Masterplan Supplementary Planning Guidance.

2. Officers have considered carefully all objections to these proposals. Officers have come to the view, for the detailed reasons set out in the officer's report, that the objections do not amount, individually or cumulatively, to a reason for refusal and that all the issues that have been raised have been adequately addressed and the relevant bodies consulted.
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 Material Samples in Conservation Area
- 4 Further Design Details of the junctions between the building and ground
- 5 Details of the means of enclosure for all boundaries of the site
- 6 Landscape Plan
- 7 Landscape Implementation
- 8 Hard Surface Design – Tree Roots
- 9 Underground Services – Tree Roots
- 10 Tree Protection Plan Implementation
- 11 Arboricultural Method Statement Implementation
- 12 Student Accommodation – Full Time Courses
- 13 Student Accommodation - No cars
- 14 Student Accommodation - Out of Term Use
- 15 Student Accommodation Management Plan
- 16 Archaeology – Written Scheme of Investigation
- 17 Archaeology – Method statement for demolition
- 18 Details of access road to rear of development including parking controls
- 19 Travel Plan – including Student Information Packs
- 20 Details of the Cycle Parking and Refuse Areas
- 21 Construction Environmental & Traffic Management Plan
- 22 Noise Levels as stated in Noise Assessment Report
- 23 Further details of sustainability measures
- 24 Surface Water Drainage Strategy
- 25 Biodiversity Measures / Enhancements
- 26 Biodiversity – Lighting Scheme
- 27 Contaminated Land Risk Assessment
- 28 Contaminated Land Validation Report
- 29 Contaminated Land – Watching Brief (Unsuspected contamination)
- 30 Details of Fire Hydrants

Legal Agreement:

- The restriction on the occupancy of the student accommodation to students only
- Affordable Housing Contribution in accordance with Sites and Housing Plan

Policy HP6 and the Affordable Housing and Planning Obligations SPD

- The delivery and implementation of the temporary access route on the eastern side of the proposed building, including the specification of this route in terms of materials, appearance, routing, and landscaping. The details should be approved by the Local Planning Authority before development commences and implemented before occupation.
- Travel Plan Monitoring Fee

Principal Planning Policies:

Oxford Local Plan 2001-2016

CP1 - Development Proposals

CP6 - Efficient Use of Land & Density

CP8 - Design Development to Relate to its Context

CP9 - Creating Successful New Places

CP10 - Siting Development to Meet Functional Needs

CP11 - Landscape Design

CP13 - Accessibility

CP14 - Public Art

CP19 - Nuisance

CP20 - Lighting

CP21 - Noise

CP22 - Contaminated Land

CP23 - Air Quality Management Areas

TR1 - Transport Assessment

TR2 - Travel Plans

TR5 - Pedestrian & Cycle Routes

HE2 - Archaeology

HE7 - Conservation Areas

HE10 - View Cones of Oxford

Core Strategy

CS2_ - Previously developed and greenfield land

CS5_ - West End

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

CS25_ - Student accommodation

CS28_ - Employment sites

West End Area Action Plan

WE1 - Public realm

WE2 - New links

WE3 - Redesign of streets/junctions in W End

WE5 - Public spaces

WE10 - Historic Environment

WE11 - Design Code
WE12 - Design & construction
WE13 - Resource efficiency
WE14 - Flooding
WE16 - Affordable housing
WE18 - Student accommodation
WE20 - Mixed uses
WE23 - Retail

Sites and Housing Plan

HP5_ - Location of Student Accommodation
HP6_ - Affordable Housing from Student Accommodation
HP9_ - Design, Character and Context
HP11_ - Low Carbon Homes
HP14 – Privacy and Daylight
HP15_ - Residential cycle parking

Other Planning Documents

National Planning Policy Framework
Oxpens Masterplan Supplementary Planning Document
Affordable Housing and Planning Obligations Supplementary Planning Document

Public Consultation

Statutory Consultees

- Oxfordshire County Council

Highways Authority: The County Council originally objected to this application on the 14th December 2016 on grounds that the Transport Assessment significantly underestimated the potential for cycling and didn't provide sufficient cycle parking provision, and that the width of the footway along the access road to the rear was considered to be too narrow.

The Local Highways Authority have confirmed that further submissions including revised layout and access plans and Transport Statement have satisfactorily addressed all reasons for objection.

Drainage Authority: A condition should be attached requiring a detailed drainage strategy. The additional soakage tests are satisfactory but the detailed design will need to consider where the new soakaways are located and what the existing soakaways will be filled in with. The foundation design of the buildings will have to take into account the close soakaways. The use of green roofs is welcomed. There is no health and safety information on maintaining the green roofs

Fire and Rescue Service: The County has a duty to ensure that an adequate supply of water is available for fire-fighting purposes. There is likely to be a requirement to provide fire hydrants within the development site. Exact numbers and locations cannot be given until detailed consultation plans are provided showing highways, water main layout and size. The provision of hydrants in

accordance with the requirements of the Fire & Rescue Service will therefore need to be the subject of a planning condition if the application is approved.

Property: The following items are listed among the infrastructure types or projects that are to be funded from CIL:

1. Improved capacity and accessibility of early intervention centres
2. Improved facilities for adult learning at Headington and Cowley
3. Improved capacity and accessibility of existing library facilities
4. Remodelling of existing library at Headington
5. Improved capacity and accessibility of Westgate library
6. Adaptation/enhancement/replacement of Redbridge recycling facility, and
7. Older people day centre and learning disabilities day centre in West of Oxford.

Therefore, it is no longer possible to seek developer contributions towards such infrastructure through planning obligations under s106. Instead, funding from CIL will be required to address the impacts from this development.

- Thames Water Utilities Limited

With the information provided Thames Water, has been unable to determine the waste water infrastructure needs of this application. Should the Local Planning Authority look to approve the application ahead of further information being provided, we request that the following 'Grampian Style' condition be applied which requires details of the drainage strategy detailing any on and / or off-site drainage works which shall be developed in conjunction with Thames Water; and that no piling shall take place until a method statement has been provided..

- Natural England: No comments to make on the application

- Network Rail

In the near future Network Rail will be delivering a number of projects in very close proximity to this site which should be carefully considered in assessing the designs proposed and uses on this site to change the commercial use to a mix including residential.

Whilst there is no objection in principle to this proposal, it should be noted that Future Electrification of this route is planned so there will be Overhead Line Equipment and catenary installed in very close proximity in the near future. Network Rail is likely to four track the railway adjacent to this site under our permitted development rights which will increase rail movements in the vicinity, and there is the potential for additional noise & vibration from the current and future operational railway, this will need to be considered in any planning approval.

Network Rail is planning a like for like replacement of the Osney footbridge to facilitate gauge clearance for electrification with no additional features this bridge is a Network Rail structure. We note in the submitted Design and Access Statement, page 14 para 2.3.1 Oxford Station that there is an acknowledgement that there is a need for improvement. "*Oxford Station is a gateway to the city, but is in need of significant upgrading, in terms of operational performance and passenger provision*". New Railway Station and Bus Station "*Oxford City Council,*

Oxfordshire County Council and Network Rail, in conjunction with Department for Transport and First Great Western, are working together to deliver a rail hub and interchange for Oxford. The Station masterplan outlines the long-term vision for the station and its surrounding area with the intention to deliver a new high quality multi-modal interchange station that meets Oxford's long-term rail needs and importance as a gateway to the city This development will include the relocation of the Gloucester Green bus station onto the existing Becket Street car park, requiring the car park to be moved to a new multi-storey building currently anticipated to be positioned immediately to the north of the Student Castle site. During December 2015 a competition exhibition for the design the transport hub was displayed asking for public comment on the six proposals, with a preferred option being selected. Other works in this area are anticipated to include changes to the YMCA and additional commercial activity around the station, and the widening of Becket Street to the west to make it suitable for intensified bus usage”.

It should be noted that none of this work identified is funded and has no guarantee of delivery in the absence of public or private sector funding and therefore these comments could be deemed somewhat misleading in that the Station development is coming forward. However we therefore feel that if this development is approved it will result in an increased use of the station and therefore we believe that this development should make a financial contribution towards station improvements through a S106 contribution. In regard to the layout of the proposed development we would suggest that the area closest to Becket Street Car Park is retained open with no built development or tree planting on this boundary as this may have the potential to be used as an alternative vehicular access into a future development site on the existing station car park to also help fund station improvements. This development will create a trespass and vandalism risk on to the railway. In the interests of promoting public safety, it is recommended that a 1.8m high trespass resistant fence be erected parallel to but separate from the railway fence.

- Oxford Preservation Trust

Oxford Preservation Trust thanks you for the opportunity to comment on this application which is of particular importance as it is the first of a number of developments to come forward in Oxpens.

We are surprised and disappointed that this site does not include a substantial element of housing within the mix of uses. We are all well aware of the pressure for housing and the call on adjoining authorities to help meet Oxford's unmet housing needs on the edges of the City. There is a strong emphasis on housing in the West End Area Action Plan with this site falling within Area 17 Oxpens (page 5). We also note that in the table of uses for each area there is no reference to the provision of student accommodation at 17. At Paragraph 4.5 it states that it is vital that the amount of student accommodation should not jeopardise the objectives of creating a mixed and balance community and we ask if this is being considered when assessing if this is a suitable site for such a large amount of speculative student housing and whether it needs to have more individual housing included as, at least, part of the mix?

With reference to the site itself, it is particularly important as the first site to come forward in the area and therefore sets the bar for the standard and quality of future development here. In addition, it is a site which lies at the entrance to Oxford from the south, running parallel to the railway itself so that it is particularly visible, and the first thing that many hundreds of thousands of visitors and commuters will see as they approach Oxford by train from the London direction. It is for this reason that we are surprised that there is no photomontage provided of this elevation as this will be the side most visible and noticeable. Some idea of the size and massing is provided in the Heritage, Townscape and Visual Impact Assessment November 2016 HTVIA at Page 27 with the before and after views from Osney Cemetery at Pages 34 and 36 giving some idea of the considerable scale from ground level, as it were. The architects have gone to considerable lengths to employ techniques to break up the bulk and mass including separate blocks, articulated rooflines and use of materials, but nevertheless we must question whether it is right to put a development of this size, height and bulk here? We ask that photomontages from the railway are provided together with detailed elevations for this front of the building.

This highly sensitive site is within one of Oxford's protected view cones, Raleigh Park, which is fully described in the *Assessment of the Oxford View Cones 2015* prepared by the City Council and OPT in partnership with Historic England. Raleigh Park can be found at 2.1. This site sits in front of the view of the spires here, extending some 2/3rds of the way across the view as seen on Figure 2.1.3 *Illustration 2 annotated render of the view of Raleigh Park*. These Oxford views are publicly accessible and enjoyed by many, a well known way to see the views and spires of Oxford from the western hills, at Raleigh Park and beyond. Walks from the Park link with a well used walk across to Harcourt Hill and on to the Hinksey Nature Park and up to Boars Hill. Well known local man, Colonel Fennell bought the land at Raleigh Park in the 1920s for the importance of the view and gave it to the City Council to manage as a public park so that people could enjoy them. It is from here that JMW Turner painted *Oxford from North Hinksey* 1836 and OPT has recently bought land at Harcourt Hill to encourage more access and knowledge of these views.

We draw attention to the *Oxpens Master Plan Supplementary Planning Document* 2013 and Figure 6.5 which also shows the view from Raleigh Park, which view the HTVIA refers to at View 7 Raleigh Park (Upper). At paragraph 6.6 they state '...the proposals would be just visible and at this distance a small component in the overall view. There will be additional screening of the development in the summer months. The nature of change would be low.' At 6.61 they state that it '...would not obscure or distract from any of the key features in the overall view.' and go on to suggest that it would be 'visually inconspicuous' because of the breaking up of the massing and tonal qualities of the material palette, so that overall the effect on the visual amenity would be 'minor and neutral'. We must beg to differ. What is proposed will not only be highly visible in the view, changing its character and enjoyment but with a stretch from beyond Nuffield College Tower in the west, passing in front of the Radcliffe Camera, the University Church of St Mary the Virgin and the Town Hall, and reaching almost to Tom Tower and Christ Church to the east it cannot be described as a 'small component'. It is very wide and will

appear as over three times the width of the Newsquest Building at Osney Mead which has been recognised as a mistake in the past.

At present the Park is somewhat overgrown, which is unsatisfactory, and against the spirit of the gift to the City Council. We understand that over this Winter, the City are taking steps to open up the views so that more of the dreaming spires can be seen and enjoyed. It is a managed view that should be considered and not a view behind overgrowth and excess greenery with the trees in leaf. We are disturbed by the applicants suggestion that they should rely on tree screening in the Summer - public access and enjoyment is an all year round activity, and the buildings on this site need to be good enough to add to the view in a positive way at all times, Winter and Summer alike.

We are aware that there has been some work done on the views out from St. George's Tower and are concerned that Part 2 of the Oxford Views Study has not happened so that the assessment of these views is more difficult. We ask that further work is done to assess and understand the internal views looking outwards and suggest that this should include an assessment of the new public views that are to open up at the top of the new Westgate Shopping Centre in Autumn 2017 as this will be a place where many people go to enjoy them. The architects are well known and respected and we note their use of various techniques designed to break up the bulk of the building by the forming of different blocks, setting some elements back from the main building line, and the breaking up of the roofline. However, from any distance, the nuances of the articulation will be lost and the experience will be one of a single bulky building in the foreground. The lining up of the 'views through' with existing street patterns and vistas will be unseeable at a distance.

We cannot agree with the HTVIA summary and conclusion that 'the character of the view would not change as a result of the proposed development being introduced' and Paragraph 8.8 '...would ... maintain or enhance the character of the views from the surrounding areas.' With this as the precedent for the future development at Oxpens and the ideas for Osney Mead that are to come forward, we urge the City Council to take a strong line. Is this the right site for a single development of this nature? We ask that the applicants be asked to design something on an altogether smaller scale, with discrete buildings which will read as separate from another in the near and far view and which understand the prevailing vertical character of the centre of Oxford, adding interest and vitality within the view and at the entrance to our great city.

With much thought and some hesitation we must draw attention to the analogy of Castle Mill on Port Meadow, and of the impact on the view that would have happened had the University Depository in 2007 been allowed to go ahead, and ask that caution be exercised so that the impact of this building is fully assessed and understood before any permissions are given.

- St Ebbes New Development Residents Association [SENDRA]
The principle concern of SENDRA is that the proposal is not, in effect, complete and for this reason we suggest that the application is premature: we note that the applicant's buildings are to be built right up to the boundary of the applicant's land

ownership and their development will not include the road/footway/cycle tracks they show, or the trees and planting which are outside their site. For their building design really to work, therefore, the future development of all these features will have to be carried out by other developers.

We suggest that it is important to relate the proposal to the new version of the Oxpens Masterplan SPD, which, we understand was soon to be produced. Only when this is achieved will it be clear that the city council and Nuffield College (owners of the land in the vicinity of the applicant's proposal) will agree to an urban design which can be integrated with this proposal

- Oxford Civic Society

The Oxford Civic Society originally considered the planning application to be premature because of the need to relate it to the new version of the Oxpens Masterplan which they understood was soon to be published. The Civic Society followed this letter up with a further letter which stated:

Having examined this application in more detail the Society are now satisfied that the applicant has made a great effort to relate the east frontage of the development to the extension of Beckett Street which is expected to serve that side of the building. This is an imaginative and attractive approach to creating an active frontage which will potentially benefit the public. However, the applicant's buildings are to be built right up to the boundary of the applicant's land ownership, and (as they acknowledge) their development will not include the road/footway/cycle tracks they show, or the trees and planting which are outside their site. For their building design really to work, therefore, the future development of all these features will have to be carried out by other developers. It is therefore vital that this is taken fully into account in the new Masterplan being produced. Since the City Council and Nuffield College are understood to own the land in the vicinity of the applicant's proposal, it should be possible to achieve a successful outcome, with the proposed building and urban design of the adjacent area well integrated. We urge the planning officers to recognise that the success of this larger development, next to the applicant's site, is dependent upon their taking fully into account the relationship between the applicant's building and the area beyond which will be developed later.

Lastly, we commend the proposal to vary the facades by adopting three different and distinctive design types as well as varying the height of the constituent buildings.

- Oxford West End Development Ltd [OXWED]

Oxford West End Development Ltd (OXWED) owns land set within the red line boundary for this application. We are the major landowner on the Oxpens site and are committed to bringing forward a scheme in this area of the highest quality architectural design, landscaping and sustainability. We wish to work closely with neighbouring landowners to do this whilst ensuring that our objectives for the overall site are not compromised.

It is noted that the placement of buildings has moved further east than is shown in the adopted Oxpens Masterplan SPD. Thereby the development uses up the

prescribed 2-4m buffer zone indicated in the typical street section agreed for the Becket Street extension as selected from the West End Area Action Plan Design Codes. The typical street section in the SPD indicates a total minimum highway width of 16m (10m for carriageway inclusive of two 1.5m cycle ways, plus footpaths of 3m on both sides.) Where the scheme is proposed to be built up the edge of the footpath there will not be space for overspill of uses from commercial frontage as seems to be indicated on several drawings.

The design of the northern entrance area at the intersection of Becket Street/Osney Lane/ Becket Street Extension should be such that the scheme does not compromise flexibility for bus movements in the area nor the provision of safe cyclist and pedestrian routes from Oxpens Meadow and the Westgate centre through the site to the train station.

Drawing 1794092 and the Design and Access Statement indicate proposed landscaping and materials on OXWED's land which does not fit with our emerging thinking on the landscape strategy for the whole site. However, it is noted that the plan is illustrative only. We have had an initial landscaping meeting with the applicant and would expect to work closely to agree a suitable solution.

The street frontage is not well defined in the vertical plane - particularly on blocks B and C where the frontage is single storey and the set-back above first floor is very deep. We are also concerned about the first floor roof terrace on Block B in terms of the potential for overlooking and noise, as there will be residential development directly opposite. A terrace at third floor or higher would help address both the street definition and overlooking issues.

Alternatively, the terrace in Block B could be located on the west side of the building which would be sunnier and have views. We request that officers give full weight to the above points in consideration of this application.

Third Parties

Letters have been received from the following addresses.

- 6 Abbey Walk; 1 Barrett Street; 24 Hazel Road

Their comments are summarised as follows

Individual Comments:

The main points raised were:

- The proposal is too massive and will ruin views of historic Oxford from Raleigh Park direction and also from Oxford. Having allowed the Castle Mill development without regard to the effect of the scale of that development the council should be aiming to avoid a repeat.
- If this development is allowed on this scale then it will set a precedent and all the west area building will follow along the same lines.
- The development should also not be for students given the dire shortage of land for housing including affordable housing.
- The site is wedged between the railway line and the proposed transport hub which will generate significant amounts of large vehicle road traffic - this is a poor location for living accommodation, though surely ideal for commercial

services such as car hire.

- The proposed transport hub will generate significant amounts of large vehicle road traffic along Beckett Street and Osney Lane: the easiest way to prevent conflict between crossing pedestrians and buses would be to extend the Osney Lane footbridge from Becket Street to the south side pavement of Osney Lane (east). The proposed development does not leave any room for the latter, and could also block it through concerns about privacy and the overlooking of rooms.
- The Planning statement claims that fewer than 25 jobs could be lost if existing businesses relocate within the local area but there are few if any suitable locations. On the contrary, forcing those businesses out of Oxford could lead to consequential losses as other businesses depending on them would then need to bring in those services through the traffic from outside the city.
- There was no information provided to the residents within the Osney Mill area with regards to this development and the consultation process even though this is the largest residential community closest to the development. This must have been an oversight on the part of the developer.

Pre-Application Discussions / Oxford Design Review Panel

A Statement of Community Involvement has been submitted with the application which outlines the consultation that has been undertaken prior to the submission of the application.

The scheme has been developed following pre-application discussions with officers and meetings with the following national and local stakeholders

- Oxford Preservation Trust
- Oxford Civic Society
- Historic England
- Nuffield College
- Oxford West End Developments Ltd (OXWED)
- Oxfordshire County
- Oxford University

A public exhibition was held on the 3rd November 2015. In order to publicise the event leaflets were delivered to residents in close proximity to the site (Osney Island; Mill Street; Arthur Street; Millbank; Gibbs Crescent; Osney Lane; Beckett Street; Hollybush Row; St Thomas Street)

The proposal has also been reviewed by the Oxford Design Review Panel on the 2nd July 2015 and 8th September 2016. The responses of the panel are enclosed in **Appendix 2** of this report

Officers Assessment:

Background to Proposals

1. The site is located within Oxpens Regeneration Site, which is a strategic development site that forms part of the wider regeneration proposals for the West End which forms the south-west corner of the city centre. The site lies to

the south of the current alignment of Becket Street at the junction with Osney Lane. The site is bounded to the west by the Oxford – London railway line, and to the east by an enclosed plot of land that is currently in use as a temporary car park and compound for the Westgate Development, and finally the commercial unit (no.16) of the Oxford Business Centre to the south (**appendix 1**)

2. The site measures approximately 0.9ha and comprises the Oxford Business Centre which is made of 16 business units of varying sizes accessed from an access road which leads from Osney Lane. The units each have parking areas provided to the front of the unit. The development site excludes Unit 16 which lies at the southern end of the access road.
3. The development would be one of the first major developments to come forward within the Oxpens Regeneration Area and has been developed following extensive pre-application discussions with officers, Oxford Design Review Panel, and local stakeholders.
4. The application is seeking full planning permission for the demolition of the commercial units (nos.1-15) and the redevelopment of the site for a mixed use development that would be spread across three blocks comprising purpose-built student accommodation (514 bedrooms) across all floors and a number of small scale units (A1, A3, A4, and B1) located on the ground floor.
5. The proposal also includes a number of associated landscape works around the building, including the provision of a temporary footway along the eastern elevation as the first stage of an extension to Becket Street that will occur as part of the wider regeneration of the Oxpens site that will come forward in due course.
6. Officers consider the principal determining issues to be:
 - Principle of development;
 - Student Accommodation
 - Affordable Housing Provision
 - Loss of Employment
 - Site Layout and Built Form
 - Impact on Heritage Assets
 - Impact on Adjoining properties
 - Landscaping
 - Transport
 - Becket Street Extension / Oxpens Masterplan Phasing
 - Archaeology
 - Noise
 - Ecology
 - Land contamination
 - Air Quality
 - Flood risk and drainage;
 - Sustainability
 - CIL

Principle of Development

7. The National Planning Policy Framework [NPPF] has a presumption in favour of delivering sustainable development, which it sees as meaning planning for economic, environmental, and social progress (paragraphs 6 & 7). The NPPF makes clear in Paragraph 14 that this presumption should be seen as the golden thread running through plan-making and decision-taking, which for decision-taking means approving development proposals that accord with the development plan without delay.
8. Oxford Core Strategy Policy CS1 identifies the city centre as the main location for developments that attract a large number of people and that most major developments will be focussed within the West End. As a result Policy CS5 allocates the West End as a strategic location which will deliver mixed-use development.
9. The West End Area Action Plan has been developed to guide future development proposals within this area. Policy WE20 states that on sites of 0.2ha or greater, proposals will be required to incorporate more than one use with the mix of uses needing to exploit the opportunities that the site presents to provide a diversity and range of objectives to achieve the vision for the West End.
10. The West End Area Action Plan identified a number of development sites within the area that could be brought forward and the potential uses they could accommodate. However these are not specific site allocations which prescribe use in the same vein as those within the Site Allocations Policy. The site would form part of the Oxpens development site (no.17), which is one of the more significant development opportunities within the West End.
11. In addition to the above, the Oxpens Masterplan Supplementary Planning Document [OMSPD] was adopted in November 2013, which provides a development framework and masterplan for this specific site to help ensure the successful redevelopment of the site. This document would not form part of the development plan, but is a material consideration in the determination of planning applications for developments within the area.
12. The OMSPD vision is for the site to be developed in a comprehensive manner to deliver maximum benefit and a fully integrated scheme that properly responds to its surroundings, enhancing connections to the wider area. At the same time, the site should be developed in an effective and efficient way that maximises the use of land and promotes the principle of sustainable development, while also positively integrating Oxpens with its surroundings.
13. The OMSPD has a number of design principles that relates to the West End Area Action Plan, with DP9 stating that the area should include an appropriate mix of land uses – including student accommodation and A1-A5 uses – amongst others. The illustrative masterplan recognises that the site is an appropriate location for student accommodation given it is close to the University colleges

and campuses. It goes on to identify the application site as a suitable location for student accommodation, and that the ground floor of the blocks should include activity generating uses in order to create activity on the route of the Becket Street extension.

14. Therefore officers would advise members that the principle of redeveloping the site for a mix-use development including the proposed range of uses would be consistent with the aims of the masterplan and the policies of the West End Area Action Plan and Oxford Core Strategy.

Student Accommodation

15. Sites and Housing Plan Policy HP5 states that planning permission will only be granted for student accommodation that is on or adjacent to an existing university or college academic site; or in the city centre, district centre, or on a main thoroughfare; or on land that is allocated for student accommodation. This is also supported by West End Area Action Plan Policy WE18. Oxford Core Strategy Policy CS25 also encourages the provision of purpose-built accommodation for full time students on a course of an academic year or more so that colleges can house their students and limit the number of students living outside of such accommodation.
16. The proposal would provide a purpose-built student accommodation facility with 514 bedrooms that would be owned and operated by Student Castle who has 25 years' experience in the student sector. The student accommodation would be laid out around clusters of 5-6 rooms that share a kitchen and lounge, and includes a number of single and double studio rooms (including accessible rooms) which are interspersed amongst the clusters. The accommodation is accessed via a single reception with all residents having access to the shared amenities including the main lounge / common room at ground floor level, laundry, gym, café, and open spaces that are all connected through the central street.
17. Having reviewed the proposal, officers consider that the site is a suitable location for purpose-built student accommodation however given this will be a speculative scheme which does not serve a specific institution a condition should be imposed to ensure that it is only occupied by students on an academic course of a year or more. Although Policy CS25 limits occupation to full-time students this restriction does not apply outside the semester or term-time, provided that during term-time the development is occupied only by university students. This ensures opportunity for efficient use of the buildings for short-stay visitors, whilst providing permanent university student accommodation when needed. A condition should also be imposed which allows out of term use.
18. Sites and Housing Plan Policy HP5 also states that for student accommodation of 20 or more bedrooms the design will need to include some indoor and outdoor communal space, a management regime will need to be agreed, and the residents prevented from bringing cars into Oxford. The accommodation would be provided with open space in the form of outdoor gardens on roof terraces and also at ground floor level and indoor communal space through

lounges on each floor and a main lounge / common room at ground floor. A Management Plan has been submitted with the application which sets out that this would be a wholly managed facility including on site staff. . A condition should therefore be attached which secures the management plan for the facility and also to prevent students occupying the premises from bringing cars into the Oxford.

Affordable Housing from Student Accommodation

19. Sites and Housing Plan Policy HP6 states that new student accommodation of 20 or more bedrooms will be required to make a financial contribution towards delivering affordable housing elsewhere in Oxford. The Sites and Housing Plan also recognises that where student accommodation units are self-contained they would be likely to fall within the C3 use class and therefore subject to the policies relating to residential development including a requirement to provide on-site affordable housing in accordance with Policy HP3.
20. The development proposal would be a qualifying site for affordable housing provision irrespective of which policy it would fall under. Nevertheless officers have considered the matter and would take the view that the accommodation would not fall within the C3 use class despite there being some studios within the layout that would have a degree of self-containment.. The proposed accommodation would contain a mixture of student rooms with both cluster rooms and studio rooms provided. The studio flats differ from the cluster flats by virtue of having a kitchenette and marginally larger floor area, however these studios would typically measure around 18m² which is significantly below the national space standards for a 1 bedroom flat (39m²). The applicant has also confirmed that self-contained accommodation for students is either unmanaged or lightly managed and has little communal space thereby similar in character to a flatted development. In contrast the proposed accommodation within this scheme would be a fully managed facility, with a number of shared communal facilities all accessed through a single access point / reception. In addition to this the studios are interspersed throughout the layout along with the clusters in order to encourage integration amongst its occupants and preventing blocks of certain accommodation. The applicant also acknowledges that the occupation of the accommodation will be controlled by condition and legal agreement to students on an academic year or more. Therefore having regards to the layout, and managed and communal nature of the accommodation the studios would not be considered suitable for open-market C3 accommodation. As such officers are satisfied that in this instance the accommodation would fall within a C2 Use Class, and any affordable housing provision should be secured through Sites and Housing Plan Policy HP6.
21. In accordance with Sites and Housing Plan Policy HP6 the proposal would be required to provide a financial contribution of £2,509,245.06 (plus 5% admin fee of £125,462.25) towards affordable housing provision. This should be secured by legal agreement.

Loss of Employment

22. The Oxford Business Centre is not designated as a key protected employment site within the Oxford Core Strategy Policy CS28. This policy states that permission will be granted for the loss of the employment sites where there is overriding evidence that the uses have caused significant nuisance or environmental problems that could not be mitigated, or that future occupiers cannot be found despite evidence to show that the premises have been marketed for the existing use or modernisation; and the loss of jobs would not reduce the diversity and availability of job opportunities. Although the Oxpens SPD recognises this policy it does make clear that there should be no net loss of employment within Oxpens quarter and that this could be provided by non-Class B uses.
23. The proposal would result in the loss of 15 units within Oxford Business Centre (apart from No.16 which would be retained). The Oxford Business Centre has the potential to employ approximately 65 jobs although it is not anticipated that all these will be lost as part of the development as it is likely that some of this employment will be displaced to elsewhere within the city as a result of businesses on site finding alternative premises. The proposed development is likely to generate approximately 35 full time jobs through both the student accommodation (18 full time staff) and ground floor commercial units (17 full time staff). This would result in a short-term net loss of 30 Full-Time Equivalent jobs, however, the Oxpens Masterplan considers that the regeneration of this area will deliver circa 750 Full Time Jobs into the area, which would off-set this net loss.
24. Therefore having regards to this and the fact that the site has been identified for student accommodation within the Oxpens Masterplan, officers consider that the loss of employment on site would comply with Policy CS28.

Site Layout Built Form

25. 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.
26. The Oxpens Masterplan sets out a number of design principles for the site which relate to the above-mentioned development plan policies. The masterplan through Design Principles [DP] 1, 6, and 11 seek the highest quality of design for development within this area which would include ensuring that built form and public realm responds to the high quality architecture of the cite centre and enhance views of Oxford from the railway line; that contemporary architecture and design is encouraged with materials that reflect the local context. In addition to this DP10 requires buildings to be accessed from the streets and

encourage activity frontages through locating appropriate uses.

27. The proposal has been developed following extensive pre-application discussions with officers and the Oxford Design Review Panel. The comments of the panel are enclosed in **appendix 2** of this report. It should be acknowledged that the applicant has engaged positively in these discussions in order to achieve a thoughtful response to making the best and most efficient use of the site in a manner that would sit comfortably within the setting. This has resulted in significant reductions in the density of the scheme from that originally envisaged. The Oxford Design Review Panel recognise that the reduction in quantum and scale of development results in a building that sits more comfortably on the site and a layout that feels less cramped.
28. Layout: The layout has been designed as a group of three building blocks which are joined at ground level by a continuous corridor or 'internal street' off which sit the communal and shared facilities, retail space and the gymnasium. The three blocks are aligned with what the Oxpens masterplan envisages as an extension to Becket Street. The internal street allows for active frontages to be established onto the Becket Street extension, while also allowing for semi-public and private open space to be created between blocks and the private open space to the rear. This layout would allow for 100m of direct active frontage across the communal facilities of the student accommodation (Block A) and also the commercial elements – community hub, café, fitness centre, start-up business space (Block B). To the rear of the site an access road would be retained along the boundary with the railway in order to allow for servicing to the development and the commercial unit (no.16) of the Oxford Business Centre which is retained.
29. The proposed layout is similar to that shown in the Oxpens Masterplan 'illustrative layout' which also envisages three significantly sized blocks. The proposal has used this as the starting point for their scheme and spaced the blocks in a manner that would respect the street pattern for the illustrative masterplan layout. The development of a principal frontage onto what would become the newly aligned Becket Street frontage is also welcomed from a placemaking perspective in terms of creating an interface between the building and public realm which can then assist in setting the condition for the remainder of the Oxpens development site. The principal access to the student accommodation will be taken from the existing corner of Becket Street where it meets Osney Lane adjacent to the railway bridge, and a secondary entrance at the southern end of the site. The location of the main entrance would be sensible given that the Becket Street / Osney Lane junction would be a significant nodal point. The southern entrance at Block C is not as legible as it could be given it is likely to face onto an important open space in the wider Oxpens development however, this would not be so significant in the broad context of the development and the street condition around this entrance is likely to change as part of the wider masterplanning of the whole of Oxpens.
30. Size, Scale, and Massing: The scheme has been designed as three blocks with generous gaps between them in order to reduce the overall scale and massing of the buildings within the plot. Within the blocks a number of measures have

been employed to reduce and articulate the massing, such as variation in height (four to six storeys), green links and quads between blocks, setting back of larger built elements from the street, the modulation of framed elements within the facades to create vertical proportions. The buildings would have a variation of roof heights across the blocks with maximum heights ranging from four to six storeys in order to create a more varied and articulated roof line.

31. The overall size and scale of the blocks would be considered appropriate in this setting and reflective of the fact that the West End Area is transforming to a more urban scale as developments seek to make an efficient use of the available land in the centre. The Oxpens Masterplan envisages a group of large five storey blocks across this site, which was used by the design team as a starting point for the massing for the blocks. However through the reduction in quantum of development and consideration of the impact of the development upon views (long and short) range across the city a more articulated and varied roof form has been established. The heights would not exceed the maximum 18.2m limit set out in the Local Plan. While the blocks would include buildings with six storeys that would exceed the limits of the masterplan, this is counterbalanced by buildings of four storeys which allow a greater variation in roof form.
32. In response to the original Oxpens Masterplan the central block (B) has been designed with a single-storey element on the street front, which is enclosed by the rest of the block. This is considered to have a positive effect of breaking up what might otherwise be seen as a very long, unrelieved street façade, which will be helpful in terms of creating interest for those walking through the future Becket Street.
33. Appearance: The three blocks consist of four key façade types, which use a combination of masonry terracotta cladding, metal panels, and glazing. The palette of colours would have an earthy tone that has been chosen following a study of the character and materiality throughout the area. The façade types have been chosen in order to achieve a rhythm, simplicity, and variation to the external envelope in order to overcome the repetitive form and scale of development that is typically found in student accommodation.
34. The number of façade types has been reduced following discussions with officers in order to overcome the Oxford Design Review Panel's concerns that the elevations were overly-fussy. Aware of the potential monotony of the repeated study bedrooms, the architects have worked hard to try to create some variety in the building facades without it simply becoming a "pick and mix" scenario. The result is a variation on the theme of rhythm albeit in a simpler form. However there is a reliance on the internal activity activating the ground floor facades of the buildings which appear to have a similarity of treatment bordering on the monotonous. The detail of how these facades meet the ground will be critical to the appreciation of design quality for the development as a whole and this will need to be very carefully conditioned as detail to be approved given that it is distinctly missing at this stage. This together with the landscape design of the "gaps" courtyards and terraces will be absolutely crucial to the success or failure of this design given that from the perspective of the passer-by,

those going from the station to Westgate, perhaps or the future residents of the remaining areas in Oxpens the overall quality in detail and materials will define this development. This is a matter that could be dealt with by conditions that require further details of the junctions between the buildings and the ground.

35. Impact upon Heritage Assets: The site is not located within a conservation area, but has the potential to impact upon the setting of a number of heritage assets such as Osney Conservation Area, St Thomas a Becket Church and former school buildings. It also has the potential to impact on important protected view cones to the city both long and short range, the railway line both arriving and leaving Oxford, Oxpens and the cemetery on the west side of the railway line, and Frideswide Square and Station forecourt along Becket Street.
36. 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. As a result a Heritage, Townscape, and Visual Impact Analysis have been prepared.
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. This is supported by both the West End Area Action Plan and the Oxpens Masterplan.
38. The overall height of the building would not exceed the maximum 18.2m height stipulated by the policy. The views of the proposed buildings in both long and short range will be significant but through a considered development of the design, a proposal has been created which although of considerable mass and height will sit comfortably within the grain of the built form that sits beneath the city's recognised skyline profile from the important identified long views such as Raleigh Park, Boars Hill, Hinksey Golf Course, and a mass that will not be invisible in these views but that will sit within that existing urban grain. In public views out of the City from key, tall building point such as St Georges Tower, Carfax Tower, and St Mary's Church the building mass will also be evident but it has been articulated, broken down into smaller elements to mitigate its visual impact. The use of green roofs over part of the site will also be of benefit, and subject to careful design and specification that will ensure their sustainability, will provide an additional stepping stone of green between the city centre and the green spaces and woods of Hinksey and Boars Hill which is important in mitigating the impact of the built forms and reinforcing the existing linked green spaces that are so important an element of the city's character and appearance.
39. In terms of local views from places such as Osney Cemetery; Becket Street and the approach from Frideswide Square and Station which includes St Thomas Church; and Railway line, the Oxpens Masterplan anticipated a large development of 5 storeys on this site which would have an impact upon these local views. Again the development has been designed with these views in mind and the articulation of roof form and massing of the buildings would not have

such a significant impact upon spaces such as the Osney Cemetery. Similarly, given the presence of the existing business centre which does little to contribute to the area visually, and the fact that the Oxpens area is to undergo significant change the thoughtful design will add interest to the setting in terms of views from the railway line, and Becket Street in a manner that does not disrupt the setting of these streets or places.

40. In summary therefore, officers consider that on balance the proposed design would meet both national and local planning policy objectives. It is disappointing that there has not been a greater engagement with the neighbouring sites, Becket Street and the reworking of the masterplan for the remainder of the area, however the design has been carefully developed such that although the massing and overall heights of proposed buildings will render them visible they will sit comfortably within the urban grain of the City's existing townscape and will not have a harmful impact on the City's important, historic skyline.

Impact on adjoining properties

41. Policy HP14 of the Sites and Housing Plan states that development should provide reasonable privacy and daylight for the occupants of both existing and new dwellings. This is supported by Oxford Local Plan Policy CP10.
42. A Daylight and Sunlight Assessment has been submitted with the application which considers the impacts of the proposal on the closest existing buildings (Gibbs Crescent, Becket Street), along with the proposed student accommodation.
43. The residential properties within the apartment buildings of Becket Street and Gibbs Crescent are located closest to the proposed development. The apartments at Becket Street lie to the north-east on the opposite corner of the Becket Street / Osney Lane junction. The main elevations of these buildings face away from the development (i.e. to the south in the case of Osney Lane and to the west in the case of Becket Street), and it is only the corner of this block that faces onto the corner and main entrance of the student accommodation. This corner is sited some 28m from the development, which is a significant separation distance. As such it is considered that the proposal would not have a significant impact upon the amount of light received to this building, and nor would it create an adverse sense of enclosure. The main elevation of the student accommodation would face away from this building which would prevent any overlooking issues from occurring. The apartments at Gibbs Crescent lie even further from the proposed development (approx. 45m at its closest point) on the opposite side of the railway line. The crescent would curve away from the proposed building as it moves northwards. As such it is considered that the proposal would not create any adverse impact upon these properties in terms of loss of light, overbearing impact or privacy.
44. With respect to the proposed student accommodation, the assessment identifies that the majority of spaces and rooms will receive adequate levels of natural light, with only a few of the kitchens experiencing some form of overshadowing. The overall design has taken this into consideration and has designed the

window and glazing layout in order to help increase the amount of daylight received to the student rooms where possible.

45. As such officers consider that the proposal would comply with the aims of Policy HP14 and CP10 to ensure that they development and its neighbours receive reasonable daylight and privacy.

Landscaping

46. A Landscape Design Strategy and Arboricultural Impact Survey have been submitted with the application. There are no Tree Preservation Orders in place on site.
47. The proposals require the removal of a number of trees within the site. These include a moderate quality maple tree that is quite large and stands at a prominent location on the east side of the entrance to the site from Becket Street. This tree is a positive feature of public views in the area and although a new tree is proposed in the same area, the space provided will only accommodate a small growing tree which will not have the same effect in the area. Several other small trees that grow among the existing buildings and also the Leyland cypress hedge that grows along the eastern boundary of the application site will be removed, but these have low public amenity value and new tree planting proposed as part of the soft landscape strategy will fully mitigate their loss. A condition should be imposed which requires detailed planting plans and schedules for all replacement planting within the scheme.
48. The proposals retain existing trees growing along the western side of the existing access road, supplemented with new trees; while the existing group of trees on the west side of the road near to the entrance from Becket Street have some value, the cherry trees that are growing in the pavement further north are low quality and value and the development provides an opportunity to remove and replace them for the benefit of the appearance and character of the area. The 'Illustrative Block Plan' also shows tree planting along the eastern boundary which would also be very welcome, but this is not included on the 'Proposed Block Plan' drawing. It would be beneficial for this landscaping to be provided at an early stage in the process and should therefore be included within the Landscape Plan. It would be important for this planting to complement the proposals for the remainder of the Oxpens Site. As a result it proposes specimen street trees along the length of the extended Beckett Street frontage in order to create an avenue effect which can be extended into the wider development site.
49. The proposed temporary access road along the east side of the application site runs across the Root Protection Area of a mature poplar tree that is adjacent to the site within the land that is currently used as a car park. This road must be designed and constructed to avoid excavation i.e. no-dig, where it encroaches within the RPA of the poplar tree. Retained trees must also be adequately protected during development and underground utility services and drainage should be routed / located outside of their Root Protection Areas. These details should be secured by condition.

50. The Landscape Strategy also sets out that there will be planting treatments for the internal and external courtyards on the ground floor; biodiversity planting and habitat creation along the western and southern boundaries of the site and three roof terraces. The strategy for the roof terraces will differ depending on the function of these spaces. Green 'Sedum' roofs will be used on Level 4 of three blocks and Level 1 of Block A to improve biodiversity, visual amenity, and drainage. The roof garden on Level 1 of Block B will have a mixture of planting and decking / paving tiles in order to allow flexibility in its use by students. The proposals including the use of sedum roofs would be welcomed.
51. Therefore subject to appropriate conditions the landscaping proposals accords with Policies CP1, CP11, and NE15 of the Oxford Local Plan.

Transport Matters

52. The West End is a wholly sustainable location which is easily accessible by all modes of transport including walking, cycling and public transport as well as being located close to all facilities of the City Centre. A Transport Assessment has been submitted for the proposal which considers the highway impacts of the proposal
53. Traffic and trip generation: The Transport Assessment identifies that the loss of employee parking associated with Units 1-15 of the Business Centre and the fact that the proposed development is essentially 'car-free' would result in a reduction in the amount of vehicular traffic generated at the site.
54. The future traffic generated by the proposal should therefore be confined to deliveries and servicing, use of the 5 disabled bays, and traffic associated with students being dropped off / picked up at the beginning and end of terms. The latter is likely to be the most significant and has the potential to be the most disruptive given the size of the development.
55. The Local Highways Authority accepted these findings, but originally considered that the assessment had underestimated the amount of cycle trips that would be generated by the development. The applicant has acknowledged this, and following discussions with the Local Highways Authority has indicated that they will take into account the greater number of trips and will monitor the modal share of such trips when promoting the sustainable modes of transport as part of the Travel Plan.
56. Car-free development: The development is essentially car-free with only 5 disabled parking bays provided and so is in line with Policy HP16 of the Sites and Housing Plan. This policy also sets out that permission for car-free developments will be granted where such developments are located within a Controlled Parking Zone. The development itself is not within a Controlled Parking Zone however the roads surrounding the site are, including Osney Lane and Becket Street, and so future residents would not be eligible to apply for a permit to park in these streets. In addition, Oxpens Road already has restrictions

in place (double yellow lines) and other employment and education land uses within a convenient walking distance of the site have car parking which is gated and/or managed and so opportunities to park locally are very limited. The development will also be subject to the council's long standing policy that prevents students in purpose built accommodation from bringing cars into Oxford.

57. It is noted that 'illegal' parking currently takes place within the site and along the access road. It is not clear if these are just employees of units 1-16 and/or other commuters. Proposals are for the access road to be gated to enhance security and to prevent unauthorised parking to the rear of the student accommodation. This is welcomed and should be managed appropriately with no parking allowed on the access road except for the disabled bays provided. As this will be a private road, a condition shall be required to ensure that the management company put effective parking controls in place on this road.
58. Vehicle and cycle parking provision: Five disabled parking bays are to be provided near the entrance to the access road. The location of the disabled parking bays are within 50m of a main entrance and so are considered to be conveniently located and of an appropriate standard.
59. Sites and Housing Plan Policy HP15 requires cycle parking to be provided at a rate of 3 spaces for every 4 bedrooms, but acknowledges that this may be reduced to 1 space for every 2 bedrooms where the accommodation is located close to the institution in which its occupants are studying. Therefore for 541 rooms this would mean 405 cycle parking spaces assuming 3 paces for every 4 study rooms, or 270 spaces allowing for 1 space for every 2 study bedrooms. As this is a private development and not aligned to a specific university it cannot be guaranteed that most students will be at a local institution and even if they are most University of Oxford buildings are beyond a 15 minute walk of the site and so cycling might be preferred over other modes such as walking. Oxford Brookes sites are even further away, but within cycling distance, at Harcourt and Headington. It is noted that the minimum cycle parking requirements for the commercial/retail uses and staff within the scheme is 17 spaces.
60. The cycle parking provision has been increased since submission to provide a total of 403 cycle parking spaces including 386 spaces for the student bedrooms and the remainder for the commercial and community uses. This level of cycle parking is considered acceptable, and the Local Highways Authority removed their objection to the inadequate level of provision as a result.
61. The location of the cycle parking would include a combination of stores within the building and also in the 'service yard'. There is some concern over the use of the latter for cycle parking spaces and whether they will be perceived as convenient and safe, albeit more regular cyclists might find them more amenable. Officers would however recognise the difficulty in accommodating such a large number of spaces within the development and the Local Highways Authority have recommended that any issues or changes to the provision should be addressed through the on-going travel plan monitoring. A condition should be imposed which secures details of the size and layouts of the storage in order

to allow further consideration of this matter through the detailed design development of the proposal.

62. Access and layout: The Design and Access Statement suggests that the main access area adjacent to Becket Street/Osney Lane will be promoted as a “shared way and a pedestrian safe crossing”. The Local Highways Authority had raised concerns that the footway shown along the access road was too narrow given it would be used for two-way movements and have a large number of pedestrians using the space, including those accessing Unit 16. However the applicant has confirmed that the entire access road is to be a shared space area. Having regards to the nature of the road – cul-de-sac and low speed and very lightly trafficked - this is supported, however, given the length of the route (i.e. those accessing Unit 16) a delineated pedestrian margin should be provided through changes in the surfacing treatment including at the junction to the service area. These details could be secured by condition.
63. Deliveries and Servicing: The Transport Assessment has confirmed that large vehicles will be able to use the existing turning head within the service yard area to turn and leave the site in a forward gear. This is considered acceptable. It is noted that bin stores are located throughout the development but that some bedrooms will be more than 30m away from a store, albeit all wheelchair accessible flats are within approx. 23m of a bin store. As this is a wholly managed facility it is understood that this matter will be dealt with by the facilities management and secured by the Management Plan condition.
64. Construction traffic management: A Construction Traffic Management Plan (CTMP) has also been submitted in order to mitigate the impact of construction vehicles on the surrounding network, road infrastructure and local residents, particularly at peak traffic times. However there are a number of items which will need to be agreed in consultation with the Network Management team at the County Council before this could be approved. Therefore, the CTMP should be finalised in further detail before the commencement of construction works and so can be conditioned for agreement at a later date.
65. Travel Management Plan: A travel plan has been submitted with the application which the Local Highways Authority considered needed amending to make it more robust. The suggested amendments included strengthening the fact that this is a car-free scheme and parking off-site is very limited. The inclusion of an Oxford Cycle Map in the Student Travel information Pack as well as key university destinations on the location map. The provision of a mixture of short, medium and longer term actions. The need for bespoke information for employees at the facility compared to the students. The procedures for departing students to ensure no overspill parking on the highway including immediately within and beyond the Osney Lane/Becket Street access. The Travel Plan has been amended to reflect these comments and is considered acceptable. The Travel Plans Team at the county council is responsible for reviewing on-going travel plan monitoring and updates and a fee for this has been requested. The monitoring fee specifically covers biennial monitoring over five years (baseline, years 1, 3 and 5). This should be secured by legal agreement

Becket Street Extension / Phasing of Oxpens Masterplan

66. The Oxpens Masterplan SPD states that a comprehensive redevelopment is sought for this regeneration site, but acknowledges that it may have to proceed on a phased basis given the varying landowners across the site. The redevelopment of the Oxford Business Centre site is envisaged as one of the earlier phases of development but not necessarily the first phase as is the case with the submission of this application.
67. The proposal acknowledges that the redevelopment of the site as the first phase of this new quarter of Oxford will play an important part in achieving the wider objectives of the Oxpens Masterplan by helping to lever the first development phase and support the later phases of the masterplan. The site layout has been designed in a manner which reflects the illustrative masterplan however the Oxpens Masterplan also proposes to extend Becket Street southward from Osney Lane through the site in order to provide a primary connection through the site to Oxpens Road. As a result the development has been designed to have a principal frontage onto what would become part of the newly aligned Becket Street facing across to other parts of the Oxpens Development in order to activate this space, through the inclusion of entrances to the building, a publically accessible shop, café, bar, landscaping and seating in order to provide a community hub within Block B. However in developing the scheme, the building has been sited further east than shown in the masterplan and within full extent of the land in the applicant's control. This then relies on using land within the control of Oxford West End Development Ltd (OXWED), who is the major landowner on the Oxpens Site in order to provide the entire Becket Street extension including public realm outside the schemes primary frontage.
68. As the first phase of the Oxpens Masterplan, officers accept that the redevelopment of the site is not without problems, in particular that the extended Becket Street does not form part of the application site and is not likely to be completed until after this development which presents some hurdles in terms of the accessibility of the buildings and the design of the interface between the site and the public realm. The applicant has been encouraged to engage with the highways authority and adjacent landowner [OXWED] in order to gain clarity on how this part of the scheme will be delivered. However despite the suggestion within the planning statement that the project team have worked closely within OXWED through the pre-application discussions, it is clear to officers that this has not been an entirely fruitful exercise. Therefore the comments from OXWED that they wish to work closely with neighbouring landowners to develop the scheme whilst ensuring that their own objectives are not compromised is welcomed.
69. The Design and Access Statement has provided 'illustrative proposals' for how the proposed building and its activities would relate to the Becket Street extension and although it is understood that OXWED are in the process of developing a more detailed masterplan for the remainder of the site in accordance with the Oxpens SPD, the level of detail provided by the design

team for this application would not appear to compromise their design in any way and there would be sufficient space to provide a SPD compliant 20m carriageway (including footpaths, frontage space, and cycleways) between buildings.

70. Having regards to the fact that this development has come forward in advance of any other proposals for the remainder of the site, it is accepted that these proposals are only illustrative. However, the Oxpens Masterplan recognises that the redevelopment of this site will come forward in a phased approach. As a result a temporary access route is shown on the '*Proposed Ground Floor*' plan with a width of 5m, which would provide access to the primary eastern frontage of the development until the Becket Street extension and wider Oxpens development is built out. This temporary access would be included on land outside of the applicants control although it is included within the application site boundary but it will be imperative that this temporary access route is provided upon completion of the development in order to achieve the urban design and social benefits for the active uses on the ground floor. Therefore it is disappointing that the application has not included significant detail on how this access road will be formed (i.e. materials, landscaping) or its delivery. In order to ensure that this is provided upon occupation of the development, the provision of the temporary access route including details of its hard surfacing and landscaping, should be secured by legal agreement.

Archaeology

71. This application has been accompanied by an Archaeological Desk Based Assessment (Oxford Archaeology 2016) and Bore Hole survey report (Oxford Archaeology 2017) which considers the archaeological implications of the proposal.
72. This site is of interest because it lies within the projected extent of the walled precinct of Osney Abbey and on the line of one of the possible historic western approach routes into the late Saxon and Norman town (although this remains unproven). The Augustinian Abbey at Osney was founded as a priory in 1129 and assumed the status of Abbey in 1154. It grew rapidly in influence and became the wealthiest Oxfordshire monastery, with a substantial banking and finance business. By the 13th century the original buildings had been greatly enlarged and as a centre of learning and influence. Osney had become 'one of the first ornaments of this place and nation'. On the basis of the available information the east end of the Abbey Church is likely to lie beneath the retained car park area and will not be impacted by works, however there is potential for medieval features, including the remains of precinct buildings, waste pits and or burials to be preserved below the made ground within the new building footprint.
73. Post-Dissolution maps suggests that a farmhouse may have occupied the northern part of the site and a map of 1829 shows farms buildings and drainage channels in the vicinity. The site lies on a parcel of land truncated to the east by the construction of the Railway in the later 19th century. A railway goods shed was built on part of the site by the 1870s and subsequently demolished in 1983.

74. The borehole data within the survey suggest that there is between 1.4 and 2m of made ground associated with railway works and subsequent levelling beneath the site. The submitted foundation design involves keeping ground beam levels within the extent of modern made ground and restricting pile impacts below the 2% threshold recommended by Historic England Guidance. Given the constraints posed by the existing standing structures and services on site along with the depth of modern made ground officers would request that post demolition (to ground level only) trial trenching is undertaken on areas where pile clusters are to be concentrated in order to establish the character and significance of any surviving archaeology. This work may be followed by further mitigation by recording or foundation redesign as appropriate.
75. Therefore having reviewed the submitted desk based assessment and evaluation trenching, officers would recommend that in accordance with the requirements of the NPPF and Oxford Local Plan Policy HE2, a condition should be imposed securing a further written scheme of investigation including post investigation assessment, and a method statement for the demolition of the existing buildings on site.

Noise Impacts

76. An Environmental Noise Study has been submitted with the application. The survey has developed a noise and vibration model (including from the rail line) to predict the noise across the site and understand what mitigation measures will be required. The survey has identified that vibration from the railway is not significant and does not require specific mitigation measures. In order achieve adequate noise levels within the building the scheme proposes acoustic glazing with trickle vents to allow ventilation to achieve the limits identified within the model.
77. During the consultation process, Network Rail suggested that any noise and vibration modelling should take into account their future proposals for upgrading the mainline. In response to this, the authors of the Noise Study have confirmed that the calculations within the assessment are based on worse case maximum levels and that the findings of their assessment shouldn't be affected by modernisation works.
78. Having reviewed the survey, officers are satisfied that the internal noise levels within the accommodation could be met through the glazing and ventilation system. The details of the mechanical plant associated with the scheme have yet to be determined, however, it is recommended that the predicted noise value within the survey be revised to a level of 5dB below the background (L90) value. This would avoid the adverse impact of noise on nearest sensitive receptors and address the problem of 'noise creep' within Oxford. The latter is referred to specifically in the Oxford Local Plan as an adjunct to CP21 and it is important that this Council remains mindful of the long term effects of increasing ambient noise levels in the city.

Sustainability

79. An Energy Statement and follow up report has been submitted with the application in order to demonstrate how the development would be energy efficient and include at least 20% of their energy needs from on-site renewables or low carbon technologies in accordance with Sites and Housing Plan Policy HP11 and Oxford Core Strategy CS9
80. The Energy Statement proposes a design compliant scheme by using a fabric first approach through compliance with current Building Regulations and then comparing the predicted energy consumption from the facility with that from the intended design using renewable technologies and passive and low carbon approaches. This is considered to be an acceptable approach as the integration of such measures would deliver a significant reduction in energy demand when compared to the normal baseline standards. The Energy Strategy therefore utilises passive solar design and principles to minimise overshadowing from the development, limit air permeability through the scheme, and employ efficient ventilation and extraction and energy efficient lighting, highly efficient heating sources and controls. It is proposed to use a combination of a Micro-Combined Heat and Power Plant and photovoltaic panels as renewable technologies.
81. Officers consider that the Energy Strategy sets out an acceptable approach to meeting the requirements of the policy, and that this should be developed further through the detailed design phase of the development. As such a condition should be attached which secure the intentions of the strategy and the detailed design of the micro CHP and PV system.

Flood Risk and Drainage

82. A Flood Risk Assessment and Drainage Strategy has been submitted with the application, along with a further ground permeability investigation. The proposed development is located within Flood Zone 1. The Environment Agency's Surface Flood Mapping does indicate the development as being in an area with an intermediate susceptibility to surface water flooding due to the impermeable nature of the site.
83. The Flood Risk Assessment and Drainage Strategy indicates that the scheme will result in an overall reduction in hard area from the existing situation and proposed a drainage solution that included infiltration around soakaways to provide a Sustainable Drainage System. However further information was required with respect to water disposal to ensure that it could achieve the required discharge rates, and more consideration of onsite ground conditions to understand the required infiltration rates and any ground contamination issues.
84. A further geotechnical investigation was provided to demonstrate that a Sustainable Urban Drainage scheme was feasible. The survey has indicated that infiltration is feasible in some locations on the site, but not that it would be feasible in all areas where infiltration is proposed. However the information presented in the drainage strategy proposes an oversized system which should be able to accommodate the proposal. It has also been recommended that the proposal will provide geotechnical infiltration testing of the areas of the soakaways and an amended design or alternate from of water source control.

The scheme will also use green roofs as well as the proposed infiltration system to manage water disposal.

85. Having reviewed the details officers consider that a suitable drainage strategy could be provided for the site based on the principles set out in the FRA and Drainage Strategy. However it is understood that the presence of the existing business units have made it difficult to gain a more holistic picture across the site and therefore further testing will be undertaken at a late stage. Thames Water has also indicated that they require more details with respect to waste water and requested an appropriate condition. As such a condition should be imposed which requires the submission of a detailed drainage scheme

Ecology

86. An Ecology Report has been submitted with the application which considers the impacts. Officers consider that the development is unlikely to have an adverse impact on protected species or any sites of special interest. However it is recommended that an Ecological Clerk of Works (ECoW) or similar attends the site before and at intervals during demolition works to provide a toolbox talk to operatives and to check structures and vegetation to ensure that no protected species are adversely affected by any works. This should be secured by condition.
87. In addition to this Oxford Core Strategy Policy CS12 makes clear that opportunities will be taken to ensure the inclusion of features beneficial to biodiversity (or geological conservation) within new developments throughout Oxford. This supports the NPPF's requirements for proposals to encourage opportunities to incorporate biodiversity in and around developments. The proposal has potential to incorporate such features and therefore a condition should be attached which requires prior approval of the biodiversity enhancements which could take the form of bat and bird boxes, and also the provision of a suitable lighting scheme to minimise the adverse effects to nocturnal wildlife to acceptable levels to the east and south of the building.

Air Quality

88. The NPPF states that planning policies should sustain compliance with and contribute towards EU Limit Values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and the cumulative impacts on air quality from individual sites in local areas. Planning decisions should ensure that any new development in Air Quality Management Areas is consistent with the local Air Quality Action Plan. In addition to this Oxford Local Plan Policy CP23 states that permission will not be granted for development which would have a net adverse impact upon the air quality in the Air Quality Management Area, or in other areas where air quality objectives are unlikely to be met.
89. The application has been accompanied by an Air Quality Assessment; Screening Assessment for the Proposed Combined Heat and Power Plant; and an addendum letter to the Assessment. The assessment concludes that existing

air quality is such that the location is suitable for the proposed development and the pollutant levels associated with the operational phase vehicle exhaust emissions are not predicted to be above the relevant air quality objectives for any of the sensitive locations on site. The addendum letter and screening assessment consider the impacts of the proposed micro-CHP plant. After reviewing the CHP screening assessment and the proposed ground floor plan, officers accept that the instalment of this combustion process won't result of any potential degradation of the air quality in the area at the nearest receptor. A conservative approach has been used for this assessment, by using the spread sheet screening tool proposed by DEFRA (which considers worst case annual NO₂ concentration at the point of maximum impact, and assumes that total NO_x is oxidized into NO₂ when the plume hits the ground). Also, for the purpose of the modelling, another conservative approach was used, by assuming a total capacity of the CHP of 300kW (maximum level). Wind speed and direction from a representative met station were also taken into account on the assessment of the AQ impact on overall concentrations.

90. In terms of the potential negative air quality impacts on the development, resulting from the contribution of emissions from diesel vehicles in the Oxford rail line, these have been addressed in the addendum letter. The contribution from the rail source is not sufficient to result on an exceedance of the NO₂ annual mean nor indeed result in an annual mean of 60 $\mu\text{g m}^{-3}$, which is the indicative value provided by LAQM TG 16 to suggest that the one hour mean might be exceeded.
91. Therefore officers are satisfied that the proposal will comply with the aims of the NPPF and Oxford Local Plan Policy CP23

Land Contamination

92. The Preliminary Assessment Report along with Council records has identified numerous previously potentially contaminative activities on and around this site. This site was formerly used for rail sidings on built up ground, which extended east of the site, and there were also reported historical tanks on site. There was a historical scrap yard adjacent to the northern boundary of the site, a historic petrol station 50m east of the site, and infilled drainage ditches east of the site. The former Oxpens petrol station is 90m east of the site, and currently on site, three units are used for vehicle testing and repair.
93. The site investigation was undertaken at this site, was limited to 3 window samples from the west boundary and 6 trial pits from the east boundary. It was noted that the investigation was limited due to access issues on the site. Made ground was identified in all locations from between 0.1 – 2.7 mbgl, and groundwater was found in the window samples between 2.13 - 2.5 mbgl. Elevated arsenic was found in the topsoil and elevated benzo(a)pyrene was found in the made ground. Trace asbestos was found in three samples. Leachate testing showed elevated copper and PAHs, and no elevated contaminants were found in the groundwater. Two rounds of gas monitoring were undertaken which did not identify significant elevated gas on site. The revised conceptual site model and generic quantitative risk assessment

conclude that there is a low to moderate risk on site to future site users, construction workers and controlled waters due to the contamination on site. It recommends that a clean cover system is provided in soft landscaped areas, and additional chemical testing and detailed risk assessment is carried out on topsoil or made ground proposed for reuse on site.

94. Having reviewed these findings, officers understand that the site investigation was limited due to access issues on the site, and so samples were only available at the west and east boundaries of the site. The report identifies that there was a hydrocarbon odour and staining in sample WS4 between 1.85 – 2.3 mbgl, which was also evident from the photographs in the report. The source of this contamination has not been identified, but is possible that further hydrocarbon contamination may be present across the site. No assessment of this contamination was considered, and whether any mitigation in the buildings would be necessary. It is not clear what generic assessment criteria were used for the assessment of contaminants in the groundwater samples. The main report refers to Appendix I for the derivation of the assessment criteria, and Appendix I states that the assessment criteria are in the main text. Officers also note that the generic assessment criteria used for the soils has been updated since the time of sampling for which SGVs have been replaced with C4SLs, and LQM updated their assessment criteria in 2015. It is also noted that some of the laboratory samples were reported to have been received at the laboratory at greater than 9°C. However, no interpretation as to the effect this may have had on the results is provided. Only 2 rounds of gas monitoring were carried out at the site. The guidance recommends 6 rounds to adequately characterise the ground gas at a site. Given the presence of infilled ditches adjacent to the site, high soil organic matter in some locations, and the hydrocarbon staining, it is recommended that further gas monitoring is carried out.
95. Therefore given the limited spatial scope of the site investigation, the numerous previous potentially contaminative activities on and around this site, and the proposed sensitive end use, officers recommend further sampling is undertaken to characterise the rest of the site after site clearance and demolition of the existing structures on site. This could be secured by condition.

Community Infrastructure Levy

96. 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. Based on the floor area of the proposed development the proposal will be liable for a CIL payment of £1,263,904

Conclusion:

97. 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 2011-2026, West End Area Action Plan 2007-2016 and National Planning Policy Framework and 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 contributions 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.

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Date: 24th February 2017