

West Area Planning Committee

13th June 2017

Application Number: 17/00719/RES

Decision Due by: 10th July 2017

Proposal: The outline planning application (13/02557/OUT) was an Environmental Impact Assessment application and an Environmental Statement was submitted. This application seeks approval of amended reserved matters for the appearance of the southern elevation of Building 4 in respect of a revised window design, including the introduction of a door.

Site Address: Westgate Centre And Adjacent Land Encompassing The Existing Westgate Centre And Land Bounded By Thames St, Castle Mill Stream, Abbey Place, Norfolk St, Castle St, Bonn Square, St Ebbes St, Turn Again Lane And Old Greyfriars St. (**appendix 1**)

Ward: Carfax Ward

Agent: Mr Jon Bowen

Applicant: Westgate Oxford Alliance

Recommendation:

The West Area Planning Committee are recommended to grant planning permission for the following reasons

Reasons for Approval

- 1 The revised window design, including introduction of a door in the southern elevation of the ground floor of building 4 would constitute a minor addition to the approved development, and would be of a size, scale, and appearance that would create an appropriate visual relationship with Building 4 and also views from Turn Again Lane. The alterations would create an active frontage to this part of the building, allowing for a better relationship between the interior and exterior of the commercial unit which is to be a communal food hall. The proposal would therefore accord with the aims and objectives of the relevant policies of the Oxford Core Strategy, Oxford Local Plan and West End Area Action Plan. No third party representations have been received.

- 2 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

Conditions

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Materials as specified

Principal Planning Policies:

Oxford Local Plan 2001-2016

CP1 - Development Proposals

CP6 - Efficient Use of Land & Density

CP8 - Design Development to Relate to its Context

CP9 - Creating Successful New Places

CP10 - Siting Development to Meet Functional Needs

HE7 - Conservation Areas

Core Strategy

CS18_ - Urban design, town character, historic environment

West End Area Action Plan

WE1 - Public realm

WE10 - Historic Environment

WE12 - Design & construction

Public Consultation

Statutory Consultees

- Historic England Commission: No comment to make on the application
- Environment Agency Thames Region: No comment to make on the application
- Natural England: No comment to make on the application.
- Oxfordshire County Council Highways Authority: No comment to make on the application

Third Parties

None

Officers Assessment:

Background to Proposals

1. The site relates to the Westgate Oxford development which measures approximately 5.9ha, and extends from Bonn Square in the north to Thames Street in the south and from Castle Mill Stream in the west to Old Greyfriars Street and Pennyfarthing Place in the east (**appendix 1**).
2. In March 2014 outline planning permission with all matters reserved was granted by the West Area Planning Committee for a retail-led mixed use development of the former Westgate Shopping Centre, Multi-Storey and Surface Level Car Park and Abbey Place Car Park under reference 13/02557/OUT. The reserved matters for the layout, scale, appearance, and landscaping of the development was subsequently approved under reference number 14/02402/RES by the West Area Planning Committee meeting on the 25th November 2014. The outline permission and reserved matters are currently being implemented on site.
3. The current application is an additional reserved matters application that is seeking permission for the approval of a revised window design, including the replacement of a window with a door, on part of the ground floor of the southern elevation of Building 4 facing Turn Again Lane.
4. The reserved matters (layout, scale, appearance, and landscaping) previously approved under application 14/02402/RES will be unaffected by this application which would relate solely to the ground floor of the southern elevation of Building 4 facing Turn Again Lane.
5. The principle determining issues in this case would therefore relate solely to the impacts of the proposed changes in design outlined above:
 - Visual Impact
 - Conformity to the Environmental Statement and its addendum

Visual Impact

6. Policy CS18 of the Oxford Core Strategy 2026 requires development to demonstrate high-quality urban design that responds appropriately to the site and surroundings; creates a strong sense of place; attractive public realm; and high quality architecture.
7. The Oxford Local Plan 2001-2016 requires development to enhance the quality of the environment, with Policy CP1 central to this purpose. Policy CP8 states that the siting, massing, and design of new development should create an appropriate visual relationship with the built form of the surrounding area. While Policy HE7 requires proposals to preserve and enhance the special character and appearance of the conservation area.
8. The revised window arrangement proposes five bi-fold windows and one glazed double entrance doors to the Turn Again Lane elevation of the object building in the ground floor of Block 4. These would replace the six non-opening windows previously approved. The revised windows are the same proportions and materiality as those previously approved with the primary difference in appearance being the introduction of glazing bars to what was previously a single pane of glass in each window. The proposed door would be the same width as

the window with the top of the door remaining level with the adjacent windows.

9. The purpose of the change is to allow this section of the frontage along Turn Again Lane to be further activated by connecting the inside of the unit, which is to be the 'Oxford Social' food hall, with the outside areas. This will allow more activity to this part of the centre. The entrance door will allow customers to access exterior seating and increase footfall into the communal food hall which would operate within the unit.
10. Having considered the proposal, officers are of the view that the proposed alterations to the building would constitute a minor amendment to the reserved matters approval. The changes to the windows would not be significant to alter the visual appearance of the building. Moreover the intention of the proposal to create more activity at this entrance point into the centre and linkage with the interior of the communal food hall would be welcomed. As such the proposals would accord with the aims of the above-mentioned policies.

Environmental Impact Assessment

11. The outline planning application for the Westgate development was accompanied by an Environmental Statement (September 2013) and Environmental Statement Addendum (January 2014). The reserved matters application was also accompanied by an Environmental Statement (August 2014) and Environmental Statement Addendum (September 2014).
12. This reserved matters application would constitute a 'subsequent application' under Regulation 2(1) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. As such the likely significant effects of the proposed development need to be considered.
13. The application has assessed the impact of the revised window design, including the introduction of the door against the baseline date in the approved Environmental Statement and its Addendum and identified that the development does not give rise to any new or different significant effects to those identified and assessed previously.

Conclusion

14. The proposal is considered to be acceptable in terms of the relevant policies of the Oxford Core Strategy 2026, Oxford Local Plan 2001-2016, and West End Area Action Plan and therefore officer's recommendation to the committee is to approve the development subject to the conditions listed above.

Human Rights Act 1998

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

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

Section 17 of the Crime and Disorder Act 1998

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

Contact Officer: Andrew Murdoch

Extension: 2228

Date: 30th May 2017

This page is intentionally left blank