

West Area Planning Committee

13 July 2011

(1) Application Number: 11/01040/FUL

Decision Due by: 18 July 2011

Proposal: Demolition of public toilets. Redevelopment of St Clements car park to provide student accommodation (141 bedrooms) and ancillary facilities over 3 blocks. Replacement car park (74 spaces), public toilets and landscaping and ancillary works.

Site Address: St Clements Car Park And Public Convenience St Clement's Street Oxford (**Site Location – Appendix 1**)

Ward: St Clement's Ward

(2) Application Number: 11/01044/CAC

Decision Due by: 18 July 2011

Proposal: Demolition of public toilets

Site Address: St Clements Car Park And Public Convenience St Clement's Street Oxford

Ward: St Clement's Ward

Agent: N/A

Applicant: Watkin Jones Group

Recommendation:

Application for Planning Permission

It is recommended that the West Area Planning Committee resolve to grant planning permission subject to the below conditions, but to delegate authority to officers the power to issue the notice of permission following completion of the legal agreement for the following reasons:

- 1 The principle of development is established by Local Plan policy DS82 and the matters of management and prevention of student car use within the City can be secured by planning condition in accordance with Core Strategy policy CS25. The proposals are considered on balance to not have an unacceptable impact on residential or visual amenity or the character and appearance of the

conservation area and the setting of the nearby listed buildings, in accordance with Local Plan policy CP1, CP8, CP10, HS19, HE3 and HE7. The provision of car parking is considered to be reasonable in the light of the accessible nature of the site and a temporary car park, to be provided prior to closure of the existing car park, will be secured by condition. In the light of this the application is not considered to be unacceptable.

- 2 The Council has had regard for the comments received through the consultation process. The issues set out below have been addressed within the report and are not considered to be significant enough to warrant refusal of the application.
- 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.

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

- 1 Development begun within time limit
- 2 In accordance with approved plans
- 3 Students in full time education only
- 4 Details of educational establishment /Management company
- 5 Student Accommodation – Management Controls
- 6 Scheme to prevent students bringing cars into the City
- 7 Samples of Materials in Conservation Area
- 8 Submit further architectural & construction details
- 9 Boundary details before commencement
- 10 Public Art - Scheme Details & timetable
- 11 Landscaping plan required (including areas of hard
- 12 Landscaping carry out by completion
- 13 Landscape hard surface design - tree roots
- 14 Landscape underground services - tree roots
- 15 Tree Protection Plan (TPP) 1
- 16 Mitigation and enhancement in accordance with Ecological Assessment
- 17 Arboricultural Method Statement (AMS) 1
- 18 Archaeology - Implementation of programme
- 19 Temporary car par provided before closure of existing car park (including relevant signage)
- 20 Construction Traffic Management Plan
- 21 Travel Plan
- 22 Provision of pedestrian access to Angel and Greyhound Meadow during construction period
- 23 Bin and cycle storage in accordance with plans
- 24 Land contamination study
- 25 Design of vehicular access (application site only)
- 26 Develop in accordance with FRA
- 27 Remediation Verification report
- 28 Disposal of Surface Water

- 29 Fire Hydrant
- 30 Removal of site from CPZ
- 31 Translucency of glazing in north elevation
- 32 Temporary public toilets during construction
- 33 Details of CCTV
- 34 Lighting scheme for site
- 35 In accordance with NRIA

Application for Conservation Area Consent

The West Area Planning Committee is recommended to grant conservation area consent for the following reasons:

1. The Council considers that the proposal, subject to the conditions imposed, would accord with the special character and appearance of the conservation area. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity.

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

- 1 No demolition prior to contract for redevelopment

Planning Obligations:

The following contributions are required to mitigate the impact of the proposals on City and County Services and infrastructure. The contributions set out below are indexed linked to values at 2006 levels and should be increased accordingly to the real value at the time of payment.

- £8,460 towards indoor sports facilities
- £50,000 towards general environmental improvements in the local area
- £8,883 towards library infrastructure
- £19,458 towards cycle safety measures
- £19,950 towards the Oxford Transport Strategy
- £10,000 towards public transport infrastructure
- £600 as a travel plan monitoring fee

Main Local Plan Policies:

Oxford Local Plan 2001-2016 (OLP)

CP1 - Development Proposals

CP6 – Efficient Use of Land and 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

CP17 – Recycled Materials

CP18 – Natural Resource Impact Assessment

CP20 – Lighting
CP21 - Noise
NE14 – Water and Sewage Infrastructure
NE15 – Loss of Trees and Hedgerows
NE16 – Protected Trees
HE2 – Archaeology
HE3 – Listed Buildings and Their Setting
HE7 – Conservation Areas
HE9 – High Building Area
HE10 – View Cones of Oxford
HS19 – Privacy and Amenity
TR1 - Transport Assessment
TR2 – Travel Plans
TR3 - Car Parking Standards
TR4 - Pedestrian & Cycle Facilities
TR11 – City Centre Car Parking
DS82 – Part of St Clements Car Park – University of Oxford Use

Oxford Core Strategy 2026

CS2 – Previously Developed and Greenfield Land
CS4 – Green Belt
CS9 – Energy and Natural Resources
CS11 – Flooding
CS12 – Biodiversity
CS13 – Supporting Access to New Development
CS14 – Supporting City-wide Movement
CS17 – Infrastructure and Developer Contributions
CS18 – Urban Design, Townscape Character and the Historic Environment
CS19 – Community Safety
CS25 – Student Accommodation

Other Material Considerations:

This application is in or affecting the St Clement's And Iffley Road Conservation Area.

National Guidance:

- PPS 1 – Delivering Sustainable Development
- PPS 4 – Planning for Sustainable Economic Growth
- PPS 5 - Planning for the Historic Environment
- PPG 13 – Transport
- PPS25 – Development and Flood Risk

Local Policy and Guidance:

- St Clements and Iffley Road Conservation Area Appraisal
- Planning Obligations Supplementary Planning Document
- Parking Standards, Transport Assessments and Travel Plans Supplementary Planning Document
- Natural Resource Impact Analysis Supplementary Planning Document

Relevant Site History:

10/02848/CAC - Demolition of public toilets - withdrawn

10/02790/FUL - Redevelopment of St Clement's car park to provide student accommodation (141 bedrooms) and ancillary facilities over 4 blocks. Replacement car park (65 spaces), public toilets and waste recycling facilities. Student cycle parking provision (with buildings). Retention of public footpath to Angel and Greyhound meadow - withdrawn

Representations Received: 506 comments have been received. Those comments have been summarised below. Officers have not reconsulted on the amended plans received which sought to address concerns regarding the architecture.

- Loss of trees harmful to ecology and character of conservation area
- Adverse impact on the Setting of the Listed Florey Building
- Inadequate replacement car parking
- No temporary car park during construction would be detrimental to vitality and viability of St Clements shops and restaurants
- Proposed parking is not safe due to cramped layout
- Cramped overdevelopment of the site
- Design and density out of keeping with and harmful to the character and appearance of the conservation area
- Poor quality public realm due to lack of activity at ground level and undercroft parking
- Loss of light and outlook to St Clements properties
- Loss of light and outlook to Florey Building
- Loss of light and outlook to Allan Bullock Close
- No agreed end user for the student accommodation
- Student car parking in area. No realistic way to prevent this
- More students will adversely affect balance of community
- Poor quality architecture
- Adverse impact on Angel and Greyhound Meadow
- Lack of community engagement
- Adverse impact on residential amenity due to noise and nuisance from development
- Negative impact on mental health and literary and intellectual production of neighbouring residents on St Clements
- Loss of privacy to adjoining property
- Flood concerns
- Impact on servicing of shops and restaurants from existing car park

Statutory and Internal Consultees:

Highways And Traffic – No objection subject to conditions

English Heritage Commission – Changes to the scheme help to mitigate the impact on setting of conservation area. However, due to increased activity associated with development the nature of the site will change when seen from Angel and

Greyhound Meadow. Planning Authority should satisfy itself that the wider benefits of the scheme outweigh this harm to the conservation area.

Thames Water Utilities Limited – No objection

Environment Agency Thames Region – No objection subject to conditions

Thames Valley Police – Concern raised about community cohesion due to lack of defensible space between public realm and buildings. If undercroft parking to Building B can not be removed would recommend CCTV. Adequate lighting needed. No details at this stage to comment on. CCTV needed. Surveillance of public toilets needed and should not be open 24 hours a day.

Berks, Bucks And Oxon Wildlife Trust (BBOWT) – No objection subject to condition to secure mitigation and biodiversity enhancements as specified in the applicants ecology report

Natural England – No objection

Oxford Preservation Trust – Essential that concerns of stakeholders re considered given the vital role this plays to vibrancy of area. Proposals have addressed main concerns of Trust.

Oxford Civic Society – Design and position of blocks improved from last scheme. Still too large and overwhelming. Overdevelopment of site in conservation area. Attention to temporary car park needed. Increase in permanent parking if possible.

Oxford Green Belt Network – Concern about views of site from Angel and Greyhound Meadow.

Sustainability: The application proposes the more efficient use of a brownfield site within an existing urban context with access to shops, services and public transport. The proposals have submitted a Natural Resource Impact Analysis that sets out the highly sustainable credentials of the proposal in terms of its resource and energy efficiency.

Officers Assessment:

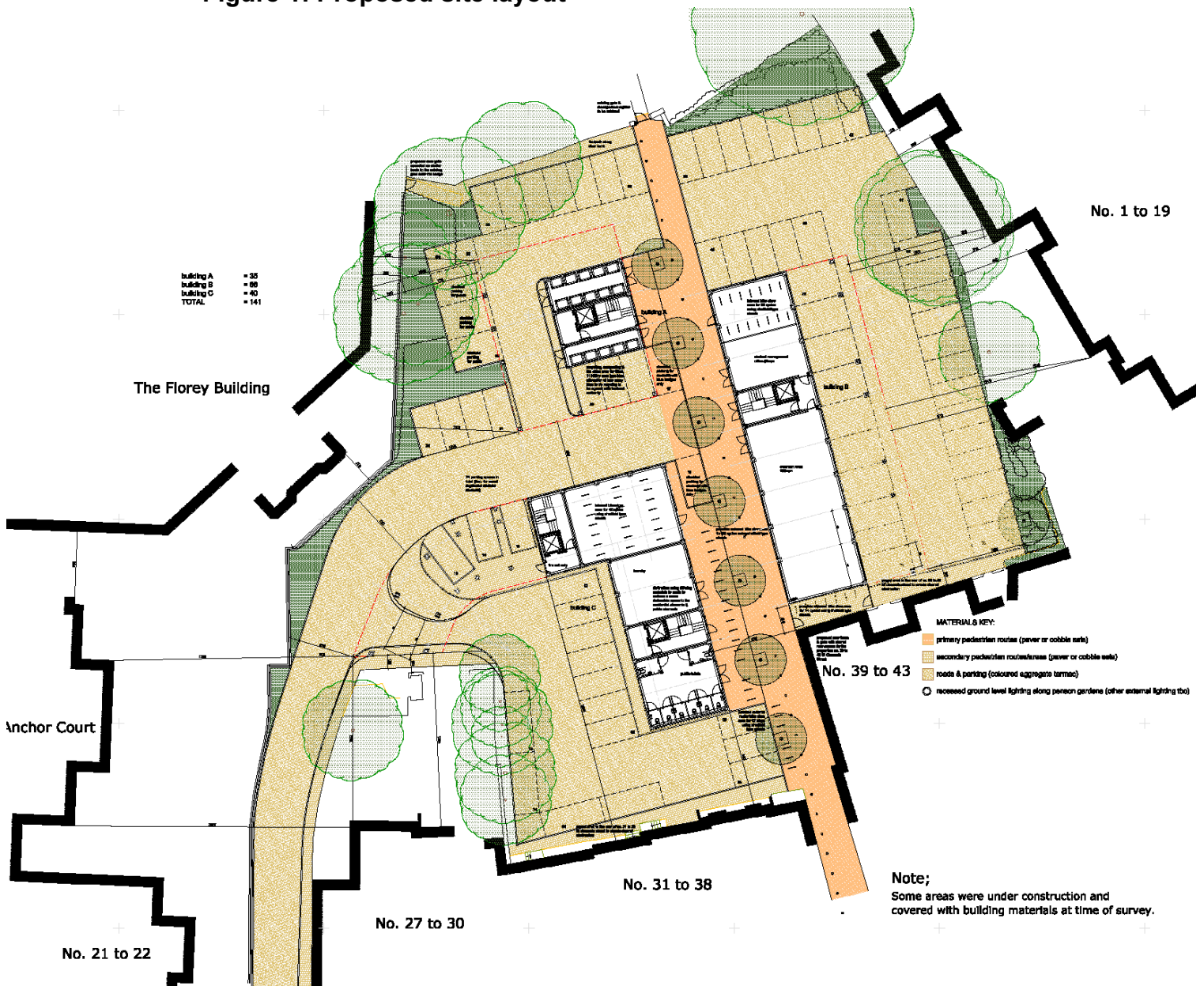
Site Description and Proposal

1. The application site comprises a public car park which is accessed from St Clements Street to the south and provides 112 parking spaces, public toilets and recycling facilities.
2. The site is tightly constrained. To the north is the tree lined bank of the River Cherwell, and the Angel and Greyhound Meadow beyond, to the east is Alan Bullock Close, a 2 and 3 storey student development, along the southern boundary are the rear of the St Clements and Penson's Gardens properties, which range from 3 to 4 storey's in height, and to the

west is the 5 storey Anchor Court building and the Grade II Listed Florey Building which stands at 6 storey's in height.

3. The site is within the St Clements and Iffley Road Conservation Area and the northern portion of the car park is located within Flood Zone 3. There are a number of mature trees on the site, most notably those that create an informal edge to the footpath to the meadow.
4. The applications seek conservation area consent for the demolition of the public toilet block and planning permission for the erection of three buildings, ranging from 3 to 5 storeys in height, to provide 140 studio bedrooms, including common room facilities, laundry, cycle and bin storage area. The proposals retain 72 public car parking spaces and toilet facilities. Figure 1 shows the proposed site layout.

Figure 1: Proposed site layout



5. Officers consider the principal issues in this case to be:
- Principle of Development
 - Impact on the Character and Appearance of the Conservation Area and the Setting of Listed Buildings
 - Layout and Public Realm
 - Scale, Built Form and Appearance
 - Trees
 - Archaeology
 - Impact on Residential Amenities of Neighbouring Properties
 - Parking and Highways
 - Impact on Vitality of St Clements
 - Energy and Resource Efficiency
 - Planning Obligations

Background

6. The Committee will be aware that the Council marketed the site in 2008 for disposal to provide student accommodation, with replacement car parking and public toilets. Although the disposal of the land is not a planning matter, officers consider it important that the Committee is aware that the proposal has been to a great extent shaped by the development constraints of the site, i.e. relationship with neighbouring buildings and land, and the requirements of the brief, i.e. number of student rooms and car parking spaces that must be delivered.
7. Following the withdrawal of planning application reference 10/02790/FUL, officers have had lengthy discussions with the applicant to resolve the concerns previously raised. Those discussions have seen the proposals evolve from four separate blocks of up to 6 storeys in height, to three blocks ranging from 3 to 5 storeys. The buildings have moved away from the edges of the site, whilst the number of public car parking spaces has increased to 72 and the number of those provided in undercroft locations has greatly reduced.
8. The overall layout has been revisited, not just to pull the buildings away from the boundary but to create a more cohesive environment. The route to the Angel and Greyhound Meadow has therefore been strengthened by the planting of new trees, albeit at the expense of the existing ones, and with the reduction in the number of undercroft parking spaces the ground floor space now comprises an enlarged common room, office, cycle store, and laundry. This has improved the extent of active street frontage.
9. The design principles have been reviewed, with the intention of establishing a more appropriate architectural language, using contemporary and traditional detailing, to help the building forms assimilate with their surroundings.

Principle of Development

10. Local Plan policy DS82 states that *'Planning permission will be granted on part of St Clements car park for the development of purpose built student accommodation. The development of this site will be subject to the provision of satisfactory replacement car parking. Planning permission will not be granted for any other uses.'*
11. Policy CS25 of the Oxford Core Strategy supports the provision of purpose built student accommodation, and states that a scheme of management and prevention of students bringing cars into the City can be controlled by planning condition. In the light of the policy context officers consider that there is no objection to the principle of the proposal.

Impact on the Character and Appearance of the Conservation Area and the Setting of Listed Buildings

- Heritage significance
12. In the C17th St Clements was demolished as part of the campaign to defend Oxford during the civil war. It faced wholesale demolition again during the 1960s and 1970s as part of a programme of redevelopment. The Florey Building is part of that programme to redevelop and followed the clearance of C19th terraced housing and other workshop buildings that occupied the site of the car park and Florey Building. All evidence of the former street pattern on the site is gone.
13. The existing car park is visible from St Clements at the point of access (shared with the access to the Florey Building) and has a negative impact with poor quality surfaces and boundary treatments. There is a view of the 'bastion' towers to Florey building (a grade II listed building) from this access, but the setting the car park provides is not attractive. The appearance of the site, as an expanse of tarmac is mitigated by the tree coverage with the view down Pensons Gardens towards the meadows framed by trees. In longer distance views the tree canopies are an important characteristic that blend with the sylvan qualities of the river bank and meadow.
14. Remaining 'backland areas' have already been developed with C19th terraces, C20th student and other housing and the Florey building. The car park remains one of the few undeveloped areas (earlier C19th buildings having been demolished as part of the slum clearance in the 1960s). In views from the Meadows the site is obscured by the tree lined banks of the river, but the glazed north elevation of the Florey building, rising to 5 storeys is visible, as a dramatic foil to the natural landscape of the riverside.
15. Of the trees on the site (probably planted following the slum clearance of the 1960s) The ash (T4) and 2 of the planes (T2 and T3) are poor quality trees with low amenity value, but the other plane trees (T1, G2 and G3) are large mature trees that are prominent in internal views from within the

car park site and in external views into the site from surrounding properties. Plane tree T1 is particularly valuable as an individual amenity tree standing adjacent to and overhanging the Penson's Gardens pedestrian route that links St Clements to the Angel and Greyhound meadow.

16. The city council's conservation area appraisal identifies the glimpse views down to the meadow *through an intimate space that originally led to Penson's Gardens, the building height and narrow width of the alley forming the strong sense of enclosure*. The appraisal also identifies the simplicity in the design of buildings with facades 'unadorned' and generally of brick or render. It concludes that there is a general character to the north side of St Clement's, generally three stories with buildings of differing heights to create a streetscape of stepped roofs with varying pitches.

Summary of character and appearance of the site

- Historic street pattern is lost
- The grade II listed Florey building, a modern re-interpretation of the traditional college quadrangle, is a prominent part of the context of the application site
- The site access has a negative impact on the appearance of the conservation area
- The trees add colour and texture and frame views and access to the meadows
- Penson's Garden is an alley characterised by a strong sense of enclosure
- Outside of normal working hours the car park feels less safe

Heritage Policy Framework

17. Planning Policy Statement No. 5: "*Planning for the Historic Environment*" (PPS5) explains the government's commitment to the protection of the historic environment and provides a policy framework on its effective management. The guidance asks that applicants and the local planning authority have sufficient information to understand the significance of a heritage asset and to understand the impacts that any proposal would have. It advises in particular that local planning authorities should take into account the desirability of sustaining and enhancing the significance of heritage assets and the positive role that their conservation can make to the establishment and maintenance of sustainable communities and economic viability. PPS 5 recognises that intelligently managed change is necessary if heritage assets are to be maintained for the long term, but equally that it is desirable for development to make a positive contribution. Where there are impacts that will cause harm, that harm must be justified, and the greater the harm, the greater the justification. This makes clear that some harm can be accepted, particularly if there are wider public benefits that would follow from a development.

Heritage Impacts

18. The applicants have undertaken a detailed analysis of the character and appearance of the area to inform the layout and design of buildings. The site is a challenging one with a development that has to:
- mediate between the scale of the Florey Building and the lower frontage development onto St Clement's,
 - secure an appropriate setting for the listed Florey Building,
 - accommodate a sloping site,
 - respond to the contribution the tree cover makes,
 - relate to the broader urban context in views from the meadows and South Park (roofscape)
 - provide some 'active frontages'
19. The initial submission, which was withdrawn, missed a lot of these opportunities and would have resulted in buildings that were unrelated to their context, too bulky and of poor quality appearance, with a poor quality public realm.

Layout

20. Officers have given advice explaining the need to deliver a layout that has a relationship to the surrounding street pattern, seeks to provide a more appropriate setting for and views of the Florey Building and delivers a tree lined approach down Pensons Gardens to the meadows. This proposal shows evidence that this can be achieved with a 'street' and alley with buildings fronting them and space in front of Florey. It involves the loss of trees and the replanting of suitable replacements (covered separately in the report). Retaining the trees has been explored but to do so would compromise the layout.

Setting of Listed Buildings

21. There is a statutory duty for the City Council to have regard to the setting of listed buildings as well as the preservation or enhancement of the character or appearance of the conservation area. 27 St Clement's is a grade II late C17th stone building and Florey a Grade II 1960s building. The setting of 27 relates more to the street than the car park, but the quality of the access and the location of the existing ticket machines do little to enhance views from the car park. The Florey building commands a wider setting and again is compromised by the present access arrangements and quality of the car park area.
22. The new buildings provide the opportunity of creating a streetscape for the Florey Building to sit within and to frame views of it, which will help to improve its setting. In addition there is an opportunity that arises from this proposal to rationalise and significantly improve the visual quality of the existing access arrangements. Queens College is supportive of this ambition and has indicated its willingness to collaborate on a suitable alternative single access. Such works would improve the setting of the Florey Building when viewed from St Clements, improve the quality of experience for pedestrians and improve perceptions of safety and crime,

enhancing this part of the conservation area. It is thought that the new access arrangements would provide opportunity for additional tree planting and soft landscaping. Although part of the land is not in control of the applicant or the Council, there is a commitment from all parties to drive these improvements forward. These improvements would enhance the character and appearance of this part of the conservation area.

Bulk and height

23. Officers have had long and detailed discussions with the applicant to secure a design solution that delivers a viable development yet does not have an unacceptable adverse impact on the character and appearance of this part of the conservation area, including views of it from close by or in more distant views (e.g. South Parks). This has not been easy, given the need to retain surface level parking, which effectively adds an extra storey to the height of the buildings. Lower buildings will have a larger footprint and result in the loss of car parking, taller buildings retain car parking spaces but will be more prominent, making the design challenge even greater.
24. Through discussions with officers the height has been reduced from earlier proposals and by careful design of the roof forms the apparent height is also reduced (pitched roofs with attic storeys). The revised site layout, which responds more positively to the existing street pattern, will help the development to appear a more integrated part of the townscape with pitched roof elements that have a similar form to traditional roofs. These elements break through the Carfax height limit and in longer distance views from South Park the ridges will be visible. However, this view will be of a cluster of buildings with varied roof forms that will in part mask the present views of the Florey Building and integrate it more seamlessly into the townscape. Although visible the proposed buildings will not harm the view of Oxford's skyline or dominate foreground or middle ground views.
25. The site has few buildings on it at the moment and any development would become more prominent in views from the meadow. The view will change and there is a need to ensure that the visibility of buildings (by virtue of the design, siting height and bulk) does not lessen the experience of the viewer or understanding of Oxford's green setting. In this respect the proposed avenue of trees leading up to St Clement's from the meadow will be important.

Design and use of materials

26. Critical to the success of the scheme is the quality of the design and use of materials. Officers and others have been very disappointed in the earlier design proposals which showed little evidence of delivering the quality required. Through a process of iteration the building design has improved. Key issues that officers have sought to address is:
 - the treatment at street level, creating as much of an active frontage as possible,

- a fenestration pattern that adds interest and a finer grain detail to the building envelopes, blending the traditional and the contemporary, adding elements where there is a functional and aesthetic necessity,
 - a roofscape with finished roof levels that have variety and an eaves line that has an acceptable height relationship to the context.
- 27.** The revised plans now include detail that shows that officers' concerns have been adequately addressed. There remain some details (e.g. bay windows, eaves details) that require some further refinement, but it is proposed that these smaller elements can be controlled by condition.

Streetscape

- 28.** Retaining the car parking creates challenges in the provision a high quality public realm, in design, use of materials and in the way it is managed to ensure that this development is successful and that the users of the area are and feel safe. The vision is to create a tree lined avenue to the meadow, lined with buildings that have some active frontages and arrange the building blocks so that the car park access has the sense of being part of a street. This will help in the pattern of movement for cars and pedestrians and will be reinforced with a simple palette of materials using textures and colour to suggest informality and shared spaces, rather than a car park. Lighting is an important and integral part of the streetscape and is proposed to include some architectural lighting.
- 29.** As stated earlier the existing access arrangements are harmful to the character and appearance of the conservation area, spoiling the streetscape of St Clements and this proposed development offers a rare opportunity to deliver significant enhancements. Queens College have expressed an interest in addressing the access issues, which could involve additional tree planting and soft landscaping at the entrance. The separate details have yet to be finalised but discussions with Queens College are ongoing.

Tree Matters

- 30.** These amended proposals have sought to resolve the deficiencies in the earlier submitted scheme (10/02790/FUL), these were:
- the visual impacts resulting from the removal of removing existing trees;
 - the lack of new trees which are necessary to mitigate these impacts;
 - the pruning of retained trees; and
 - the inappropriate retention of existing trees.
- 31.** In order to accommodate the revised layout, it is proposed to remove 8 existing trees (from 10 that stand within the application site). These include 7 London planes (T1, T2, T3, G2 and G3) and 1 ash (T4) that stand within the car park site. The removal of T1, G2 and G3, which are prominent in internal views from within the car park site and in external views into the site from surrounding properties, would adversely affect visual amenity and the character and appearance of this part of the

conservation area.

32. All other trees within the site, including the large ash (T5) along the eastern boundary, the group of trees (G1) which stand along the boundary with the Angel and Greyhound Public House and the group of trees (T7-11 inclusive; 2 ash, 2 field maple and a Norway maple) in the north western corner of the site, near the Florey Building, will be retained
33. The revised layout includes additional new trees to mitigate for the loss of existing trees. Most significantly, it is proposed to plant a row of 7 Turkish hazel trees along the length of Penson's Gardens. It is commonly planted in paved areas as a street tree and should be well suited to the location along Penson's Gardens, which is a relatively narrow pedestrian route between tall buildings, and at the spacing proposed can be expected to provide a nearly continuous canopy above head height when mature. The new trees will be advanced nursery stock sized specimen trees which will be about 5.5 metre tall so that they will make some contribution to visual amenity in the area as soon as they are planted. In local views along Penson's Gardens the trees will be important, however wider views of the trees will be limited by the tall buildings either side of Penson's Gardens so that the contribution these trees make to visual amenity in the area will be very localised.
34. The mitigation provided by the proposed new trees is welcome but will be limited in extent, particularly in the early years post construction when the new trees are relatively small. However, as the new trees mature they will make a valuable contribution to visual amenity in the area, to the benefit of the character and appearance of this part of the conservation area.

Archaeology

35. The application site lies within the historic core of St Clements where there is potential for Late Saxon/Scandinavian, medieval and post medieval remains. An archaeological evaluation has been carried out by Southampton City Council Archaeology. This has identified a number of shallow medieval and post medieval pits and gully's along with two prehistoric flints that may indicate Mesolithic activity in the vicinity. The size and character of the medieval and post medieval features suggests non intensive use of this area, likely associated with rubbish deposition to the rear of properties on St Clements Street.
36. In the light of this, officers would recommend that a condition be attached to any grant of permission for a written scheme of investigation to be provided prior to commencement of development.

Impact on Residential Amenities of Neighbouring Properties

37. Core policy CP10 of the Local Plan states that development should be sited to ensure that the *'use or amenity of other properties is adequately safeguarded'*. Local Plan policy HS19 goes further and states that

planning permission will only be granted for developments that adequately provide for the protection of the privacy or amenity of the occupants of the proposed and existing neighbouring residential properties.

38. Given the nature and use of the application site, any redevelopment that would involve a more intensive use would inevitably have an impact on neighbouring properties. However, this is not to say that the impact would be unacceptable.

Impact on St Clements Street Properties

39. No 31-38 St Clements would be most affected by the proposals, and in particular by Building C which is closest. Figure 2 below shows the rear elevation of No 31-38, on the left hand side of the image are office and store room windows, although the conservatory type addition at 4th floor level is residential. The windows on the right hand side of the image are residential and all serve habitable rooms. There is also a roof terrace.

Figure 2: Rear of No 31-38 St Clements



40. As can be seen from figure 1 Building C has an L-shaped footprint and has been designed to minimise its impact on No 31-38 St Clements. The highest part of the building (5 storeys) runs parallel to the St Clements properties, being approximately 26.6m away. The building steps down in height as it moves closer to the St Clements properties, and where closest, approximately 9.4m, the building steps down in height to 3 storeys, which is lower than the St Clements building. At this point Building C would be directly opposite windows which serve office and store space.
41. Officers recognise that the view out of the residential windows would change, however, due to the distance between these windows and highest part of Building C, as well as its stepped roofline, it is considered that a sufficient degree of outlook would be retained and that the proposal would not have an unacceptably overbearing impact on No 31-38 St Clements.
42. In regard to the impact on daylight, officers have applied the 45° vertical plane from the cill of habitable room windows as advised by Appendix 6 of the Local Plan. Officers can confirm that it would not be breached by any part Building C and as such the impact is not considered to be unacceptable. Further, due to the position of the roof terrace in relation to the proposal, officers consider the relationship to be acceptable.
43. Although there would be new windows facing those of No 31-38 St Clements, due to the separation distance between Building C and habitable rooms of the flats there would not be an unacceptable loss of privacy. This relationship would also not be dissimilar to back to back distances between many houses within the area.
44. The Angel and Greyhound Public House and No 40-44 St Clements have flats on their upper floors. The development would potentially be visible from windows and outdoor spaces, however due to the separation distances, and in some cases the intervening trees and buildings, officers consider any impact on light and privacy to, and outlook from, habitable room windows or outdoor space to be reasonable and acceptable.

Impact on Alan Bullock Close

45. Alan Bullock Close is a University of Oxford student residence. It is positioned in close proximity to the site boundary and has a number of habitable room windows looking across the site. Due to the undeveloped nature of the car park the residents of Alan Bullock Close have uninterrupted views across the car park, with the exception of the occasional tree that slightly obscures some views. In this regard it is accepted that any meaningful redevelopment of the site would curtail existing views enjoyed by residents of Alan Bullock Close. In response to this like Building C, Building B, which is closest to Alan Bullock Close, has been designed so as to minimise the impact and deliver an acceptable form of development.
46. The form of Building B effectively appears as two ranges, both running north to south. The westernmost range has a pitch roof and is therefore

higher, whilst the easternmost range, which faces Alan Bullock Close, has a flat roof. The elevation has a slight stagger, which seen along side the variation in materials serves to break up the bulk of the elevation. The top floor is also treated in a different material, being glazed, and as such appears more as an attic storey, thus reducing the perceived height and bulk of the building.

47. At its closest Building B is approximately 13.2m away from Alan Bullock Close, however this distance sharply increases as Alan Bullock Close tapers away from the boundary. The impact of the proposal on the outlook of Alan Bullock Close is not considered to be unacceptable due to the careful treatment of the east elevation of Building B and the reasonable separation distance. In addition the intervening vegetation, albeit limited, helps to soften the view so that the outlook would not be unacceptably affected.
48. In regard to the impact on daylight, officers have again applied the 45° rule in the vertical plane from the cill of habitable room windows as advised by Appendix 6 of the Local Plan. Officers can confirm that it would not be breached by Building B and as such it is not considered to have an unacceptable impact on daylight to Alan Bullock Close.
49. As regards the impact on privacy, the separation distance between Alan Bullock Close and Building B, being between 13.2m and in excess of 23m, is considered reasonable to ensure that there would not be an unacceptable loss of privacy to the existing student accommodation as a result of facing windows.

Impact on the Florey Building and Anchor Court

50. The Florey Building is a student residence built in the 1960's. It has a single aspect, with the landings located along the car park side of the building and the bedrooms facing north towards the Angel and Greyhound Meadow. As a result of this layout there are no student bedroom windows facing the application site. There is however a ground floor caretaker's flat in the north eastern corner of the building. This flat is adjacent to Building A.
51. The flat benefits from floor to ceiling height windows along its entire car park elevation, although the living room also has windows facing north. Between the flat and the car park is an area of hardstanding that is used as an amenity space, the living room also opens out onto an area of decking to the north of the flat.
52. Building A is 5 storeys in height and has a similar design approach to Building B. This sees the elevation facing the Florey Building lower in height with its top floor glazed. At its closest Building A is approximately 10m away from the flat.
53. The flat has three rooms that face towards the car park. A bedroom, which also has an outlook to the south, a kitchen, and a living room which also

has an outlook towards the north. Due to the undeveloped nature of the car park and the proximity of Building A to the flat, as well as its height, the outlook from the flat, and in particular the kitchen would significantly change.

54. In regard to the impact on daylight, officers have again applied the 45° rule in the vertical plane from the midpoint of the full height windows of the flat. Officers can confirm that it would not be breached by Building A and it is therefore considered to not have an unacceptable impact on the flat. It is also noted that the flat is served by floor to ceiling height windows that extend across the entire width of the car park elevation. This arrangement would allow more daylight in to the flat than conventional windows. The flat is also to the west of Building A and given the orientation of the site, Building A would not unacceptably curtail the amount of direct sunlight.
55. The flat is positioned beneath the main bulk of the Florey Building, with its upper levels projecting out above. At ground level Building A has no windows facing the flat, whilst any view down to the flat from the 1st, 2nd, 3rd and 4th floor windows would to an extent be curtailed by the upper levels of the Florey Building and in particular the canopy of the trees. As a result, despite the relatively close proximity between the caretaker's flat and Building A, any overlooking and effect on privacy would not be unacceptable.

General Impact of Student Use

56. Concern has been raised regarding the proposed use of the site. Notwithstanding policy DS82 which allocates the site for student accommodation, officers would highlight the terms of policy CS25 of the Oxford Core Strategy which states that the management of the site can be adequately controlled by condition. This would adequately address any concerns there are about potential for noise and disturbance.

Parking and Highways

Replacement Car Parking

57. Further to the replacement car parking requirements of Local Plan policy DS82, policy TR11 states that the *'City Council will not allow any significant increase in the overall number of parking spaces in the Transport Central Area, and will maintain approximately the present number of off street parking spaces.'*
58. The site currently accommodates 112 car parking spaces arranged in a substandard layout. The proposal would result in this being reduced to 72 spaces which would be provided to adopted standards. The site is located within the Transport Central Area and as such is highly accessible by non-car modes of transport. The application has been supported by a Transport Assessment which indicates that during the week only 62% of the car park is used. The same assessment however acknowledges that on the weekend this usage increases.

59. The site is located within a Controlled Parking Zone and as such if parking displacement occurs as a result of the reduced level of car parking it is unlikely that this would result in an adverse impact on the highway network as parking controls are present in the area. On this basis and in the light of the accessibility of the site, the Highway Authority raises no objection to the reduction in the number of car parking spaces.

Temporary Car Parking

60. Officers can confirm that a temporary car park will be provided. Details of this have not been finalised, however officers would suggest that if planning permission is granted this should be conditional upon the provision of a temporary replacement car park prior to the closure of the existing car park.

Student Parking

61. Officers acknowledge the concerns raised in regard to student cars and the impact this can have on the highway network. Officers can confirm that in accordance with the requirements of Core Strategy policy CS25 the applicant will be required to prepare a 'Scheme for Preventing Students from Bringing Cars into the City' a condition is proposed accordingly. The site is also within a Controlled Parking Zone, from which the development will be excluded, and as such residents of the development would not be entitled to parking permits.

Impact on Vitality of St Clements

62. The local business community has raised concerns about how the proposals will affect their livelihood. This concern largely relates to the need for a temporary replacement car park during construction and the level of car parking to be provided in the new development.
63. As already mention, the Council is committed to providing a temporary car park during the construction period. Details of this temporary solution are at this stage unavailable but officers can confirm that any grant of planning permission will be conditional upon the provision of a temporary car park prior to the closure of the existing car park.
64. In regard to the level of replacement car parking, the Highway Authority has already confirmed that due to the sustainable location, a reduction in the number of car parking spaces is acceptable. Officers have studied the survey produced by the applicant and also have a survey carried out by the City Councils Parking and Shopmobility team. The latter was conducted between November and December 2010 and included evening surveys. This survey showed an average 58% spare capacity during this period.
65. Whilst officers do not have any survey information to explain for what purpose people use the car park, the site is in a highly sustainable location, with excellent public transport connections. It is also worth noting

that if the car park were laid out to meet current adopted standards, the number of existing spaces would be reduced from 112 to 98. Officers appreciate the concerns of the local businesses in respect of the eventual reduction in the total number of car parking spaces, however increasing the number of spaces would have adverse design implications, i.e. building height or undercroft car parking would need to increase, which would be unacceptable. It is considered that the proposed scheme achieves a satisfactory balance between these competing issues.

Energy and Resource Efficiency

- 66.** The City Council encourages all development to combine resource efficiency and renewable energy into their design. The development due to its size exceeds the threshold where a Natural Resource Impact Analysis (NRIA) is required. In this regard policy CS9 of the Oxford Core Strategy states that planning permission will only be granted for developments where, if through the NRIA, the proposal demonstrates careful attention to a) minimise energy use, b) delivery of a portion of renewable or low carbon energy on site, c) use of recycled or reclaimed materials, and minimise water consumption.
- 67.** A Natural Resource Impact Analysis has been submitted and the development scores highly, attaining 9 out of 11 on the checklist score (a minimum of 6 /11 required). The proposals would achieve a 34% reduction in CO₂ omissions and 37% of onsite energy requirements will be provided through the use of Air Source Heat Pumps. Further to the NRIA the development also achieves a 'Very Good' BREEAM score.
- 68.** Officers therefore consider that the proposals are satisfactory in terms of resource and energy efficiency in accordance with policy CS9.

Planning Obligations

- 69.** In accordance with the Planning Obligations Supplementary Planning Document contributions are required to mitigate the impact of the proposals on City and County Services and infrastructure. The contributions set out below are indexed linked to values at 2006 levels and should be increased accordingly to the real value at the time of payment.

City Council:

- £8,460 towards indoor sports facilities
- £50,000 towards general environmental improvements in the local area

County Council:

- £8,883 towards library infrastructure
- £19,458 towards cycle safety measures
- £19,950 towards the Oxford Transport Strategy
- £10,000 towards public transport infrastructure
- £600 as a travel plan monitoring fee

County and City Council monitoring and administration fees also apply.

Conclusion

- 70.** The principle of development is established by Local Plan policy DS82 and the matters of management and prevention of student car use within the City can be secured by planning condition as advocated by Core Strategy policy CS25.
- 71.** Considering the characteristics of the site, it is recognised that any redevelopment would give rise to some adverse impacts, however as set out above this should be balanced against the benefits of the proposal. In this instance there is the benefit of providing purpose built student accommodation within a sustainable location, as supported by the Local Plan and Core Strategy. There is also the benefit of securing a new public car park and toilet facilities within a more secure and active environment.
- 72.** The proposals will also offer the opportunity to improve the setting of the Florey Building and would provide a catalyst to future improvements to the vehicular access which would enhance the appearance of this part of the St Clements and Iffley Road Conservation Area.
- 73.** Weighing all the above in the balance, officers would conclude that the proposal would not be unacceptable and as such would recommend that the Committee resolve to grant planning permission but delegate authority to officers to issue the notice of permission, following completion of the s106 agreement and subject to the above conditions.

Human Rights Act 1998

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

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

Section 17 of the Crime and Disorder Act 1998

Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this

application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to grant planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Background Papers: 11/01040/FUL, 11/01044/CAC

Contact Officer: Steven Roberts

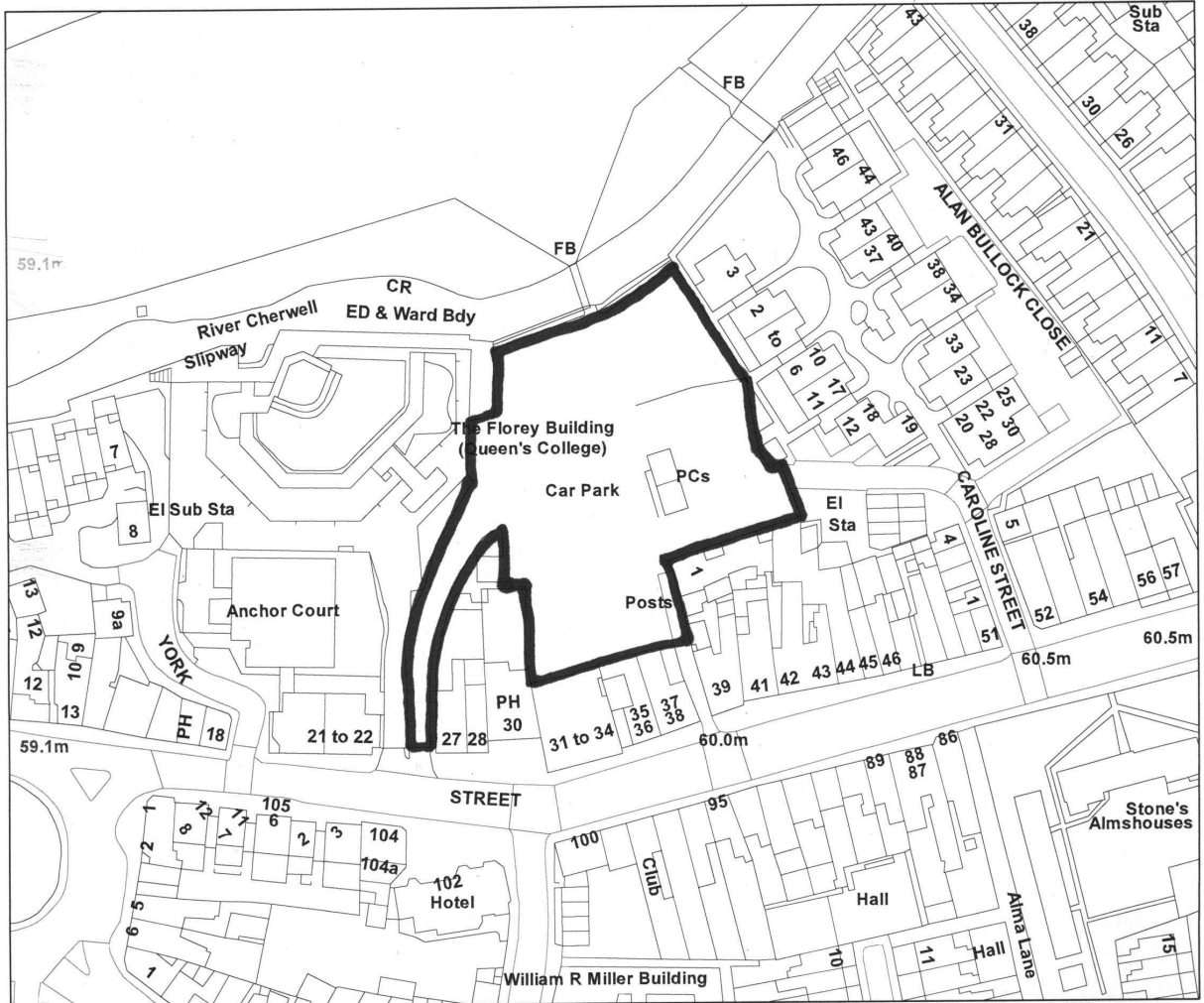
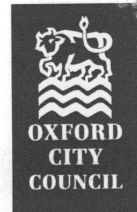
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Date: 30 June 2011

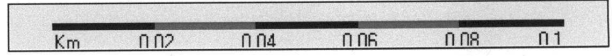
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11/01040/FUL

St. Clement's Car Park and Public Convenience, St. Clement's Street



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Organisation	Not Set
Department	Not Set
Comments	Appendix 1
Date	01 July 2011
SLA Number	Not Set

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