

Application Number: 05/00893/FUL

Decision Due by: 20th June 2005

Proposals: (i) 05/893/FUL: Erection of new boathouse, involving demolition of fire damaged remains of existing, to provide 3 boat bays and repair bay, club room and bar facility, gym and wc's, residential flat and 6 student study bedrooms. Provision of 3 car parking spaces, upgrading existing access and footpath involving new main gates and height barrier. Provision of cycle and bin storage area and replacement landscaping.

(ii) 05/894/LBD: Listed building consent for demolition of remains of fire damaged boathouse.

Site Address: University College Boathouse, off Abingdon Road,
Appendix 1.

Agent: Nick Paterson, Barton
Willmore

Applicant: Estates Bursar, University
College

Recommendation: Committee is recommended to support the proposals subject to conditions but to defer application 05/893/FUL for an accompanying legal agreement and 05/894/LBD for referral to the Government Office for the South East (GOSE). It is further recommended that on completion of the legal agreement and clearance by GOSE that Officers be granted delegated authority to issue the Notices of planning permission and listed building consent accordingly.

Reason for Approval

The Council considers that the proposal, subject to the conditions imposed, would accord with the special character, setting, features of special architectural or historic interest of the listed building. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity.

Conditions

(i) 05/893/FUL :

1. Development begun within 5 years
2. Development in accordance with approved plans.
3. Samples.
4. Architectural details.

5. Details of boundary walls and gates.
6. Amendments to access for disabled.
7. Landscape plan required.
8. Landscape protection of trees.
9. Landscape carry out after completion.
10. Further bat survey.
11. Protection of water vole habitats during construction
12. Water vole conservation statement.
13. Details of construction of access road / footpath.
14. Construction of access road before occupation.
15. Means of control of access road / footpath.
16. Details of external lighting to access road / footpath and building.
17. Directional signs for access road / footpath.
18. Car and cycle parking provision prior to occupation.
19. Additional cycle stands to forecourt.
20. Institutions provided for students.
21. Use of student accommodation.
22. Students no cars.
23. Land and water contamination.
24. No raising of ground level.
25. Flood risk management plan.
26. Details of grill to void beneath building.

(ii) 05/894/LBD:

1. Commencement of works LB/CAC consent
2. 7 days notice to LPA
3. LB notice of completion
4. 1 months notice to EH
5. No Dem/Alteration until photo survey.

Legal Agreement

1. Amendment to existing legal agreement permitting use of footpath from Abingdon Road to Thames Towpath.
2. Financial contribution of £10,000 to Oxfordshire County Council towards surface improvements to Thames Towpath.

Main Local Plan Policies:

Oxford Local Plan 1991-2001

- GEN1:** Minimising demand for travel
GEN2: Accessibility to maximise choice
GEN3: Access for people with disabilities
EN2: Green Belt - inappropriate development
EN11: Planting of more trees
EN12: Tree surveys
EN13: Protection of trees and hedgerows
EN18: Wildlife and geological features
EN19: Ecological survey

EN20: Plant & animal species protected by law
EN22: Habitat creation
EN26: Views from the city
EN34: Listed buildings - demolition
EN40: Archaeological remains - impact assessment
EN43: Archaeological remains - preserving and recording
EN44: Archaeological remains - listed buildings
EN76: Development - character of surroundings
EN95: Energy conservation in buildings
EN101: Maintenance of water courses
EN102: Groundwater or surface water courses
HO20: Student accommodation
RE1: Recreational facilities - people with disabilities
RE8: Open air sports facilities
RE25: Footpaths, bridleways and rights of way
RE27: Bridleways & footpaths - access to the countryside
RE28: Thames path national trail
RE32: Organised non-commercial boating
CS26: Floodplain and wash land
CS27: Floodplain and wash land
TR8: On and off-street parking outside the Central area
TR10: Parking standards
TR24: New cycle routes
TR26: Cycle parking
TR38: Developer contribution to transport measures

Second Draft Oxford Local Plan 2001-2016

CP2: Development proposals
CP3: Planning obligations
CP4: Limiting the need to travel
CP8: Urban design
CP9: Design development to relate to context
CP10: Creating successful New Places
CP11: Siting of Development to meet functional need
CP12: Landscape Design
CP13: Designing out crime
CP14: Accessibility
CP16: Energy efficiency
CP22: Contaminated Land
TR3: Car Parking Standards
TR4: Pedestrian & Cycle Facilities
TR5: Pedestrian & Cycle Routes
NE1: Purposes of Oxford's Green Belt
NE2: Control of Development within Oxford's Green Belt
NE4: Landscapes of Key Significance
NE7: Oxford's Watercourses
NE8: Development in the Undeveloped Flood Plain
NE10: Flood Risk Assessment

NE11: Sustainable Drainage
NE15: Loss of Trees & Hedgerows
NE17: Biodiversity
NE20: Wildlife Corridors
NE21: Species Protection
NE23: Habitat Creation in New Developments
HE2: Archaeology
HE3: Re-use and Demolition of Listed Buildings
HE11: Setting
HS17: Institutional Student Accommodation
SR3: New Indoor and Open Air Sports Facilities
SR9: Footpaths and Bridleways
SR13: Protection of Water-bases Recreation Facilities

Other Material Considerations: The application site falls within the Oxford Green Belt and within a Landscape of Key Significance as defined by the emerging Local Plan. It also falls within the undeveloped floodplain. What remains of the fire damaged Victorian boathouse on the site is a Grade II listed building. An extract from the statutory listing is attached as **Appendix 2**.

Access Issues: Disabled access is provided to both floors of the building with a lift to the upper floor. However stepped access only is provided direct from the towpath to the ground floor lobby area though space appears to exist to provide an appropriate ramp. It is suggested that a suitable condition is imposed requiring alternative details. One of the parking spaces is of a size suitable for disabled use.

Relevant Site History: See text

Notified Parties: Ancient Monuments Society, Council For British Archaeology, Society For The Protection Of Ancient Buildings, Victorian Society, Georgian Group, Oxford Green Belt Network, Iffley Fields Community Nature Plan Group, Hinksey Park Area Residents' Association, South Oxford Residents' Association, South Oxford Community Association, Oxford Preservation Trust, Ancient Monuments Society, Council for British Archaeology, Society for the Protection of Ancient Buildings, Victorian Society, Georgian Group, Thames Valley Police, English Nature, Oxfordshire Fire Service, Highways And Traffic, Eastwyke House Abingdon Road, Oxford Spires Four Pillars Hotel Abingdon Road,

Representations by Statutory and Internal Consultees: Highway Authority : Private access drive will be improved and resurfaced with pedestrian and cycle access; 3 off street parking spaces are adequate for proposed use; cycle storage should be in safe, secure, sheltered conditions and overlooked by boathouse. Oxfordshire Fire Service: Should satisfy full requirements of Building Regulations; access road needs to be improved to meet standards; use of fire suppression system could be seen as additional feature and compensation for any delay that may occur in Fire and Rescue attendance; this approach coupled with suitable access roadway would be seen as a positive move by the Fire and Rescue Service for supporting this development. English Nature: Satisfied with follow up survey (for bats); mitigation recommendations must be adhered to in ensure bats are not detrimentally affected

by proposed works. English Heritage: Do not wish to make any representations; case should be determined in accordance with government guidance. Environment Agency: No objection on flood storage or flood flow grounds; object to absence of “dry access” for increased numbers living at site (see text).

Other Representations: Oxford Green Belt Network: Prefer the modern design to a Victorian pastiche; appreciate security considerations but additional 6 student study rooms excessive and a means of getting accommodation in Green Belt; would not wish to see more than 3 car parking spaces which may be difficult to control which would be to the detriment of openness of Green Belt. Thames Valley Police Crime Prevention Officer: Main concern is isolated nature of site which lead to previous disaster; have offered services to applicant on crime prevention and design advice. Oxfordshire Architectural and Historical Society: Oppose the application; believe college should be required to reinstate lost structure; reinstatement can allow necessary alterations to take account of modern requirements for access and safety and redesign of internal space; would also allow local craftsmen to re create the main features of building; end result would be more worthwhile than proposed new building. Oxford Preservation Trust: Regret loss of previous boathouse; would have preferred a replacement as per the original; new building better suited to needs of rowing; a contemporary design preferred to a pastiche of the original; proposal designed to have minimal impact on river and surroundings; in favour of extra accommodation to provide better security. 89 Divinity Road: No strong objections of principle; opposed to choice of materials; blue bricks would create a hard mass which would be industrial and out of character; red or yellow bricks would better reflect natural earth tones of towpath and river and better reflect local style; harsh horizontality of building does not seem to be appropriate and would be obtrusive; choice of materials must be just right.

Officers Assessment:

Background

1. The application site is located to the west side of the River Thames approximately half mile south of Folly Bridge and immediately south of the point at which the Hogacre Ditch flows into the river. It is accessed on foot via the Thames towpath. Pedestrian and occasional vehicle access is also available from Abingdon Road from a point to the north of the former Eastwyke Farm site, now the Four Pillars Hotel.
2. In September 1999 the Victorian boathouse of 1880 was effectively destroyed by fire with the remains of the building still on site but cordoned off from the towpath. Following protracted discussions on its replacement, including an architectural competition, the current package of proposals has been submitted for a replacement facility on the same site. In the intervening period since the fire planning permission has been granted for a temporary boathouse on land to the rear of the original one which would be removed on the grant of listed building consent and planning permission for a permanent replacement.

Proposals

3. The design solution chosen for the replacement facility is modernist in its approach and does not seek to replicate its predecessor in any way. At ground floor the layout is conventional with four boat storage and repair bays accessed from the towpath via sliding timber doors. Changing rooms and a small gym are also provided at ground floor with entrance lobby, stairs and lift giving access to the upper level. At the first floor are the clubroom and terraces, 6 student study rooms for the college and a two bedroom flat to be let to a person who would have day to day management responsibilities for the boathouse.
4. In architectural terms the building would be constructed of brick, cedar boarding and large areas of glazing under a copper / bronze alloy roof. With its slender roof structure and cedar boarding arranged horizontally, the architectural emphasis of the building generally becomes horizontal. At first floor level the building is bold and innovative in linking two terraces serving the flat and clubroom facilities by a bridgeway; by the introduction of a full length glazed lounge area to the clubroom overlooking the river; and by the use of a cantilevered projecting roof extending over the terraces.
5. The application site is located at some distance from other properties, the nearest being the Four Pillars Hotel approximately 200m to the south and west at its nearest point. Abingdon Road is approximately 400m to the east. The elongated wedge of land bounded by Abingdon Road, Donnington Bridge Road and the towpath of the river Thames is characterised by its openness with some of the land given over to playing fields and allotments, and to the hotel site, but much of it also consisting of more informal meadowland interspersed with ditches and watercourses liable to periodic flooding.
6. Officers consider that the principle determining issues in this case are:
 - Green belt policy;
 - the replacement of the listed Victorian boathouse by a contemporary styled alternative;
 - flooding and safety issues;
 - footpath improvements;
 - nature conservation; and
 - sustainability

Green Belt Policy

7. The principle national guidance relating to development in the Green Belt is contained within Planning Policy Guidance Note 2 (PPG2) of 1995: "*Green Belts*", supported locally in the County Structure Plan and more particularly policies EN2 and NE2 of the adopted and emerging Local Plans respectively. The purpose of Green Belts is defined in PPG2 as being:

- to check urban sprawl;
 - to prevent coalescence;
 - to assist in safeguarding the countryside from development;
 - to preserve the setting and special character of historic towns; and
 - to assist in urban regeneration by encouraging the recycling of derelict and other urban land.
8. Advice at paragraphs 3.4 and 3.5 of PPG2 is that “*essential facilities for outdoor sport and recreation*” are appropriate in the Green Belt but that they “*should be genuinely required for uses of land which preserve the openness of the Green Belt and do not conflict with the purposes of including land in it. Possible examples of such facilities include small changing rooms or unobtrusive spectator accommodation for outdoor sport, or small stables for outdoor sport and outdoor recreation.*”
 9. Supporting advice is provided by Planning Policy Guidance Note No. 17 (PPG17) of 2002: “*Planning for Open Space, Sport and Recreation*” where it advises that “*Planning permission should be granted in Green Belts for proposals to establish or to modernise essential facilities for outdoor sport and recreation where the openness of the Green Belt is maintained. Development should be the minimum necessary and non essential facilities (eg additional function rooms or indoor leisure) should be treated as inappropriate development. Very special circumstances which outweigh the harm to the Green Belt will need to be demonstrated if such inappropriate development is to be permitted.*”
 10. In this context the new boathouse facilities are a direct replacement for those lost by the 1999 fire, but supplemented by the addition of student rooms plus flat. The previous boathouse also possessed accommodation for 4 students, often drawn from the rowing fraternity, though the rooms and the boathouse generally were rather run down. Moreover in view of its relatively isolated location away from other residential property the boathouse was vulnerable to damage of one sort or another out of term time. It is thought that the 1999 fire may have been caused accidentally or otherwise by persons congregating or sleeping rough in the vicinity and clearly the college are anxious to avoid the possibility of repetition of that event. Hence the introduction of space for 2 more students, probably graduates, plus a two bedroom flat. In this form and at these numbers there is likely to be a presence on the site throughout the year which greatly reduces the vulnerability of the boathouse to vandalism or other damage.
 11. Whilst it could be argued that the proposals represent an intensification of activity contrary to Green Belt policy, insofar as there is such an intensification, then Officers are satisfied that it is minimal and justified in the very unusual and special circumstances of the case. Moreover the building itself is of similar proportions to that it replaces in terms of footprint, and lower in its overall height. Officers are not therefore inclined to oppose the development on Green Belt grounds.

12. The site also falls within an area defined in the emerging Local Plan as a *Landscape of Key Significance* where policy NE4 seeks to support Green Belt designation where appropriate. In these defined areas development which would have an adverse impact on the landscape character of the area would not be permitted. Officers do not believe this to be the case in this instance however. Indeed, despite the modernity of its design, there is a strong argument for suggesting that the proposed building is rather more discreet and low key than the one it replaces. Certainly it is less tall, and less imposing when viewed from most public vantage points. Again Officers do not feel there is any conflict with policy.

Replacement of Listed Building

13. The boathouse was designed by John Oldrid Scott, 2nd son of George Gilbert Scott, and completed in 1880. Shortly after its construction it was burnt out in 1881, but rebuilt to its original designs in 1884. Its listed Grade II status probably derives in part from its connections with the Gilbert Scott family of architects but also from its contribution to the history of the development of boathouses in the late 19th century. Early history in college rowing depended on the use of rowing ‘barges’ of which very few now survive. The University College Boathouse was one of the early examples of the move of the boathouse onto dry land. Rather ironically in 1999 the boathouse was once again subject to fire which effectively destroyed it and has led to these proposals to remove what is left and rebuild on the same site, but in a contemporary design.
14. The destroyed building was constructed in brickwork to first floor with upper floors in a timber frame with tall brick chimney stacks and a tiled pitched roof. The fire destroyed the building down to first floor level. Structural engineer’s advice accompanying the application advises that the surviving structure is also badly affected by fire and heat, to the extent that substantial rebuilding would be required. Any proposal to incorporate this surviving fabric within any rebuild would require it to be underpinned. As a further complication the applicant’s engineers also advise that the site is contaminated and the whole area will need to be excavated as part of any remediation work. These matters do not weigh in favour of retaining any of the remaining parts of the existing building.
15. The proposal under consideration is the demolition of the remaining parts of the listed building. There is no government advice in Planning Policy Guidance Note 15 (PPG15), “*Planning and the Historic Environment*” that covers these specific circumstances. Rather the general presumption is in favour of retaining listed buildings, and proposals for demolition should be measured against key issues of: the intrinsic interest of the building; its condition and capability of repair and reuse; the adequacy of efforts made to retain the building in use; and the merits of alternative proposals. The arguments for rebuilding fire - damaged parts of properties such as Uppark House or Windsor Castle are fairly clear. The arguments for saving the very limited remains of this single building are much less so however. English Heritage as

the Government's advisors on historic buildings does not object to the proposal to demolish in this instance.

16. Based on the evidence that what little remains cannot realistically be saved and as there is no reason to question the structural engineers advice, the conclusion officers have come to is that there are no convincing reason to object to the proposed works of demolition. Nevertheless some responses from consultation promote the 'rebuilding' of the boathouse to recreate the original listed building. The evidence suggests that repair of the original building is not structurally feasible however and officers' advice is to accept the evidence. The form and design of any replacement structure as proposed in the accompanying planning application represents a separate issue as once consent has been given for the demolition of the listed building it no longer bears listed status. As such, if the committee is not persuaded that the evidence favours demolition then there is the option of refusing listed building consent. It should be noted however that in these circumstances rebuilding would not be secured and other than pursuing compulsory purchase there would be little the City Council could do to enforce restoration. The key issue in this respect is therefore less about whether the building should be 'restored' or 'repaired', as the evidence makes clear that this is not feasible, but more about whether the new building should look like the old one or be to a different design.
17. As explained in the supporting documentation to its submissions, University College has given very careful consideration to the options for the design of the replacement boathouse and has involved officers in pre-application discussions throughout this process. The option that is being pursued is to design a new building in a contemporary style rather than produce a facsimile of the listed building or a copy of another historicist design.
18. The interest in the listed building lay in part in the age of its construction, materials and techniques and its associations with the history of the Thames and college rowing of the time. To produce a facsimile would merely reproduce an architectural style, which, in complying with the modern demands of use and the strictures of the Building Regulations and fire safety, may not even be a faithful copy. As indicated above English Heritage has similar concerns about reproducing the Scott design and does not object to the design of the new building.
19. Moreover a new design can reflect the modern history of the Thames and of the college and represent in its own right a significant historical event in the continuing life of the boathouse. PPG15 referred to above and Planning Policy Guidance Statement No. 1 (PPS1), "*Delivering Sustainable Development*" do offer advice on design issues, to the effect that local authorities should not attempt to impose particular or favoured architectural styles. Rather it advises that whether a traditional or modern design, the important principles of scale, height, massing and materials are the matters to focus on. A good modern design should be capable of integrating with its surroundings and adding quality to the local environment as well as any traditional solution.

20. The proposal as submitted includes a palette of materials designed to reflect the rural riverside setting, has very simple, clean cut lines to avoid any over fussy or clumsy detailing and is kept deliberately low to avoid intruding into the rural setting. The juxtaposition of glass and brick is for dramatic effect, the transparency of the glazing 'mirroring' the water and providing a visual connection between meadow and river. The roof, in a copper composite (to avoid oxidisation), is slender and cantilevered to minimise bulk, to emphasise the lines of the building and to protect the open terraces at the front. It is proposed for the lower walls to be in a blue brick, as a contrast to the timber cladding and to reflect the watery context. However the flank walls and front elevation contain extensive areas of unrelieved walling and in a dark brick there is the possibility that the elevations may appear very foreboding close up. Officers would therefore advise that a way forward would be to test this by requiring sample panels of brickwork to be erected on site for inspection prior to final selection. This is a normal and common procedure at sensitive sites. It is suggested therefore that a condition be attached to reserve all matters relating to external materials, (ie colour, form, texture, finish), for further consideration in the event that listed building consent and planning permission is granted.

Flooding and Safety Issues

21. In the adopted and emerging Local Plans the boathouse site falls within land defined by policies CS26 and NE8 respectively as floodplain or underdeveloped floodplain where new building would only be permitted in wholly exceptional circumstances. Even then there should be no raising of ground levels, no impeding of flood flows, no worsening of flood conditions elsewhere, and (where appropriate) flood compensation measures. National guidance is contained within Planning Policy Guidance Note No. 25 (PPG25) of 2001: "*Development and Flood Risk*" where the land involved would be classed as "*functional floodplain*", or areas which may be suitable for recreation and sport etc but where any building works should be wholly exceptional.
22. Both local and national guidance is therefore stringent and for sound reasons in the context of the risk from flooding, as experienced locally in 2000 and 2003. However there are caveats contained in the PPG which may permit the development of land which has been previously developed in certain circumstances: "*A balanced, flexible approach is required which addresses the risk of flooding whilst recognizing the benefits of recycling previously developed land and the damage to urban regeneration caused by underinvestment and urban blight. The acknowledged risks of flooding might be mitigated by confirmed good levels of protection, including protected access, prudent design of development and effective public warning mechanisms.*"
23. In this case of course the land constitutes a previously developed, brownfield site where a boathouse stood 119 years prior to the fire which destroyed it in 1999. Moreover the new building is constructed on the

same or very similar footprint and is raised above the natural ground level on short columns to allow a “freeboard” or void of 570mm between ground and slab levels. The effect of this is that the development would be no worse, and perhaps slightly better in flooding terms than previously and would not impede flood water flows. The Environment Agency does not therefore oppose the development on these grounds, though does request that the void be kept free of obstructions at all times and that there should not be any grill for example where litter and debris could accumulate. On this point the college have some concerns as it is anxious to improve security in comparison to the previous boathouse and would not wish it possible for vagrants or children for example to be able to get under the building. Officers feel that a compromise can be reached however with suitable large openings or railings perhaps, supported by an appropriate management regime ensuring that a passage for water is kept clear at all times. A condition is suggested requiring the submission of further details.

24. Of more concern to the Environment Agency is the fact that there would be some residential occupation of the boathouse and that numbers it perceives to be at risk would increase from 4 previously to perhaps a maximum of 8, (or 9 if three people occupied the warden’s flat). Their concern centres on the fact that these numbers could become isolated in the event of serious flooding as the access footway from Abingdon Road would be under water, in parts perhaps to a depth of 1m. The Agency has suggested that a way of providing “dry access” in times of flood would be to construct a causeway above flood level. Aside from the very considerable cost of doing so, such a structure would need to be 400m long and rise to a height of 2.5m in places. It would also need to be equipped with lighting, handrails and to allow the free passage of water underneath. Officers do not believe such a structure would be acceptable in the Green Belt and in a defined “Landscape of Key Significance”. Nor is it likely to be used other on the very rarest of occasions as the improved access road would still be required and used in most circumstances.
25. The college for its part considers that it was the lack of a presence on the site at all times previously which lead to the Victorian boathouse being vulnerable, and it does not wish to be such a position again. Moreover the presence of a warden on site with responsibilities for day to day management and safety, plus the installation of modern safety equipment and other measures is likely to ensure that the danger from fire is much reduced and that the danger from flooding can be managed much more effectively than previously. The college proposes a package of safety measures accordingly:
 - provision and training of two resident flood wardens;
 - a flood risk management plan;
 - a flood alarm system which can be linked by telemetry to the flood warden’s telephone;
 - use of the Environment Agency’s flood warning service;
 - a suitable boat for use in a flood event; and
 - provision of alternative accommodation if evacuation is required.

26. In short the college feels that with these safeguards in place the 8 or 9 persons resident at the site would be considerably less at risk than the 4 students who previously occupied the building, and that such risk as there would be is acceptable. It also gains comfort in that view from the comments of the Fire and Rescue Service referred to above who appear more relaxed and content with the arrangements than the Environment Agency.
27. Officers fully acknowledge that this is a challenging issue but one which the applicant has responded to in appropriate fashion by the adoption of a raft of mitigation measures which address not only risk arising from flooding but also from fire, vandalism and malicious damage. On this occasion Officers are not therefore inclined to accept the Environment Agency's advice on this point, and would not seek to oppose the development for this reason.

Footpath Improvements

28. Access to the application site is available for pedestrians and cyclists from the Thames towpath, but also from Abingdon Road via a footpath running north of the Four Pillars Hotel. The path was secured as a "permissive route" following agreement with the college in the early 1980s. The route is hard surfaced for approximately half its 400m length, with the eastern half being a simple, unmade up footpath. Occasional vehicle access was required to the previous boathouse for deliveries and servicing, and for the movement of boats by trailer. Access on these occasions was poor however and required vehicles to cross the meadow to the rear of the boathouse for the purpose. At certain times during the winter months it may not have been possible to gain access at all across the meadow.
29. As part of these proposals the access is improved to a width of 3m along its full length to allow a better surface for pedestrians, cyclists and occasional vehicles. As submitted a "Geoblock" system was proposed for the eastern section which would have an informal appearance and allow grass to grow between its cells. This sort of surface is discreet and otherwise appropriate for sensitive locations, but is poor for cycling. Discussions are therefore continuing with the applicant on alternative surface treatments which are sensitive to their location but suitable for cycling and occasional vehicle use. A simple tarmac surface for example would not be acceptable here. No raising of ground levels would be involved for the route in order to not impede the flow of water during times of flooding.
30. As the previous legal agreement only granted rights over a footpath some 1.5m wide, a fresh legal agreement is required to extend rights to its extra width. The applicant is also prepared to contribute to improvements to the surface treatment of the towpath to the river as part of the works proceeding there, and a sum of £10,000 would be secured from the same agreement. Such a contribution is reasonable and proportion to the

development under consideration and to be welcomed.

31. At the boathouse itself some 3 parking spaces are provided, one of them suitable for disabled use, to cater for deliveries, disabled visitors and for students' belongings being transported to and from the site. It is not envisaged that students would be allowed to be car owners, though one space is set aside for the use of the permanent resident occupying the flat. Appropriate conditions are suggested to control access and parking. Covered and secure cycle storage is to be provided for residents and casual stands for visitors. It is suggested that some additional facilities are provided to the frontage however, for those using the boat facilities or clubroom.
32. One other issue which has arisen in relation to the access from Abingdon Road is the fact that it is currently unlit and whether there should be some form of lighting. Discussions with the applicant and the Thames Valley Police Crime Prevention Officer are continuing but the officers' view is that it would be wise to incorporate some discreet lighting along the route. Officers could not support conventional street lighting at such a sensitive location within the Green Belt however, and recent discussions have centred on the possibility of low level columns which are either activated by movement or which are turned on manually at a point either end of the route and remain lit for a fixed period of time only whilst the route is being used. A condition is suggested requiring the formal agreement to an appropriate scheme of lighting being implemented prior to the boathouse being brought into use. It is also suggested that a simple sign is erected at either end of the route indicating the Thames towpath or Abingdon Road accordingly.

Nature Conservation

33. Supporting documentation with the planning application recounts survey work undertaken in respect of protected species at or adjacent to the site. Two species are involved, bats and water voles.
34. All species of bats and their roosts are protected by the Wildlife and Countryside act 1981, and the Conservation (Natural Habitats etc) Regulations 1994. Development affecting bat roosts can only be permitted under licence from the Department of Environment, Food and Rural Affairs (DEFRA). Surveys for bat roosts were undertaken in November 2003 and again in February 2005. Although some evidence of bat droppings was found at the first survey, no actual bats or bat roosts were identified on either occasion despite potential habitats being available. The consultants' report therefore recommends that an emergence survey is carried out immediately before the start of work on site to identify if any bats are present at that stage. That survey like the previous ones would include the adjacent trees as well as the remains of the boathouse. Timing of the survey will be critical however in order to avoid the bird breeding season as the consultants report does identify some breeding birds in the building remains.

35. The other species potentially affected are water voles as a small colony exists along the Hogacre Ditch to the north of the application site. In order to protect their future wellbeing, the consultants recommend that the new building is constructed 5m and preferably 6 m away from the ditch and that some scrub clearance and intermittent mowing along the remainder of the ditch is undertaken. As indicated on the submitted drawings the new building is proposed to be located some 5m away from the nearside bank of the ditch along the line of the northern façade of the previous boathouse. Officers feel this is acceptable bearing in mind flooding considerations discussed elsewhere, but would suggest that temporary fencing should be erected during construction work to prevent any encroachment towards the ditch. It is recommended that a condition is imposed requiring the submission and agreement of a conservation statement for the water vole colony prior to commencement which fully addresses these issues.

Sustainability

36. Insofar as the proposal is a direct replacement for a previous facility on the same site, and with good access by foot and cycle within a relatively short distance of the city centre, then the development can be said to be located at a sustainable location. As a relatively modest proposal however no Natural Resource Impact Assessment is required by the relevant policies of the emerging Local Plan. Nevertheless the applicants have gone some way towards addressing principles of sustainability and a statement accompanies the planning application, attached now as **Appendix 3**.
37. The statement makes reference to the issue of sustainability in the wider sense but also includes references, for example, to insulation and grey water usage, and the use of appropriate materials including cedar boarding from sustainable sources. Some assessment was made of the possibility of using renewable energy sources, but the applicants have had to conclude that they are probably impractical in this instance.
38. In view of the site's low lying position and presence of tree coverage nearby, it is unlikely to be suitable for wind powered generation of energy for example. Solar energy has been investigated however but appears difficult to reasonably achieve. The design and architecture of the development in many ways is discreet in an attempt not to prejudice the openness of the Green Belt at this point. As such overall heights are kept down and the roof structure set at a shallow pitch. Solar panels have to enjoy a southerly aspect and be angled accordingly. To the southern side of this building the potential is limited as the boathouse has its longest elevation the towpath for obvious reasons and on much the same footprint as previously so as not to increase the risk of flooding, (discussed elsewhere in this report). There are also a number of trees on the southern side of the site which are to be retained and supplemented, and the efficiency of solar panels is dramatically reduced even if they are only partially overshadowing by trees as would be the case here. A small

section of flat roof is proposed to the boathouse where solar equipment could perhaps be mounted, but notwithstanding the damaging visual effect this would have on the building as the equipment would be very visible, even if the area were fully covered it would not produce enough energy to meet the needs of the building. It has been estimated that the maximum amount of energy which could be produced in this way would probably be approximately 4000 kwh. This compares with an average need for a domestic property of 3000 kwh, and would be well below the needs of the building.

39. The applicants have therefore concluded that it would be not be practical or viable in this instance to include such features as the development is of insufficient size to achieve the required economies of scale.

Other Matters

40. Ground Contamination: Ground investigations of the application site and surroundings were undertaken by consultants prior to the submission of the planning application, though it was not possible to survey those parts of the site where the remnants of the listed building remain. The results indicated that levels of contaminants found were not generally high though there were elevated levels of lead across the site, probably as a consequence of the 1999 fire. In order to prevent exposure to users of the site it was recommended that following further testing, a cover of clean material of about 300mm would be probably be required, though this in turn would require the removal of the equivalent layer of material as it would not be acceptable to raise ground levels for flooding reasons. In relation to landfill gas, the risk assessment undertaken indicates that there is no risk from the migration of landfill gas from landfill sites, the nearest of which is 500m away to the east of the Thames which in any event also acts as a natural barrier to migration.
41. Landscaping: There are a number of trees in the immediate vicinity of the application site whose future now needs to be addressed. The trees involved are mostly crack willow and common ash but there are also common hawthorn and horse chestnut. Of these only one has to be removed as a direct consequence of the development proposals, a crack willow in poor condition whose removal is needed to provide proper access to the site. However there are some 7 other trees which the applicants' arboricultural consultants recommend for removal, one common ash and 6 crack willows of various sizes. Although these trees are not directly affected by the building works they are either neglected or fire damaged such that 5 are now dead and the others in a dangerous condition. The arboricultural consultant advises they should be removed regardless of whether the proposed development proceeds or not. Whilst their removal is to be regretted, but necessary as good arboricultural practice, and there will be some short term impact on the immediate environment as a consequence of their loss, replacement planting will be required which will enhance the setting of the development in due course.

Conclusion

The Victorian boathouse of 1880 was destroyed by fire in 1999 and following a protracted delay Officers very much welcome proposals now to replace the listed building sadly lost. The architecture of the new structure is dramatic, unashamedly contemporary, honest to its age, and represents an appropriate and acceptable approach to providing the new facility. The development will also improve access to the towpath and contribute to the improvements now taking place there, whilst safeguarding wildlife and providing accommodation which in turn aids security at the building. The development is essentially neutral in its impact on flooding conditions across the floodplain locally.

Subject to conditions and an accompanying legal agreement committee is recommended to support the proposals.

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 and listed building consent officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Background Papers: Applications 05/893/FUL & 05/894/LBD

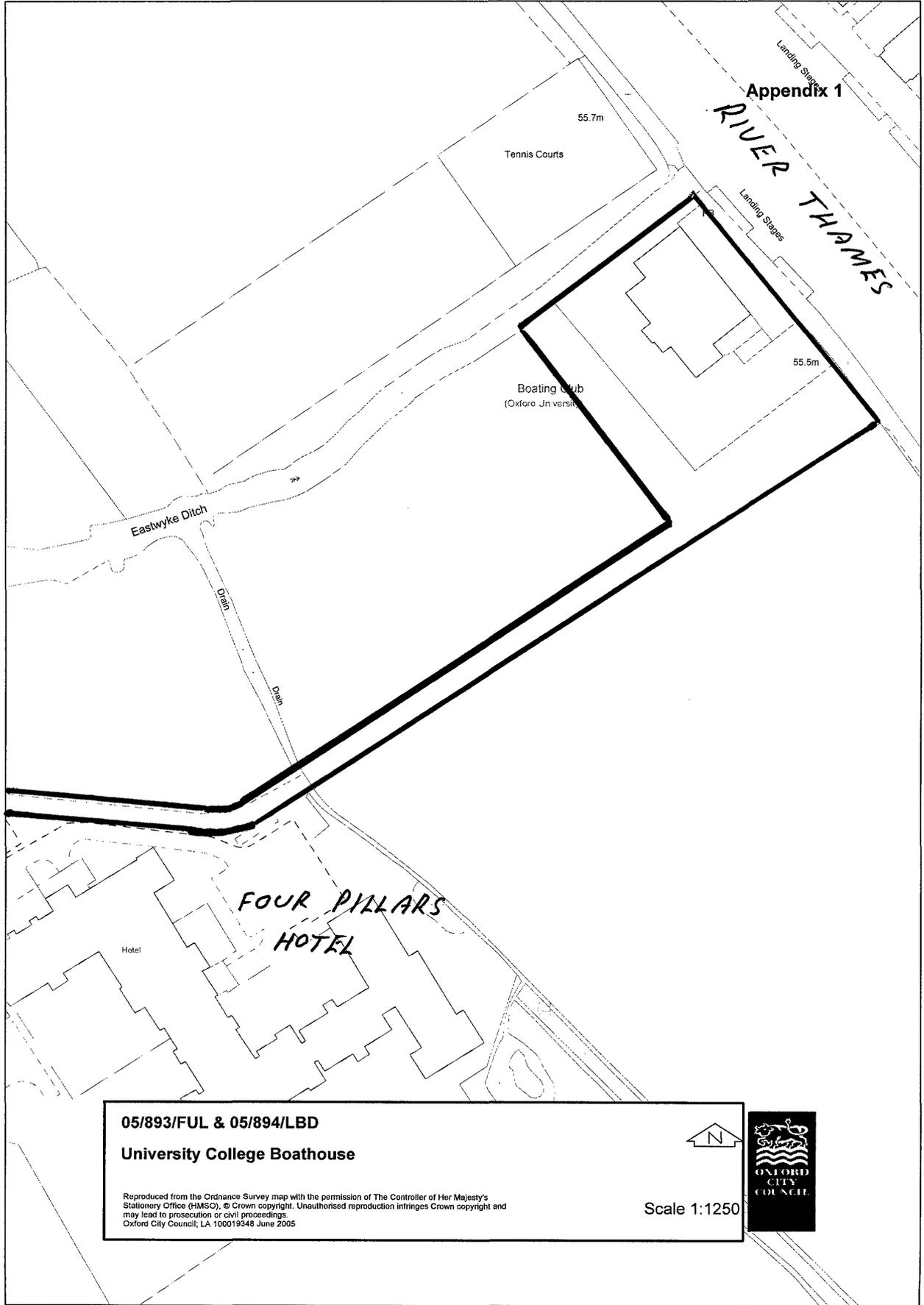
Contact Officers: Murray Hancock / Nick Worlledge

Extension: 2153 / 2147

Date: 9th June 2005

Appendix 1

RIVER THAMES



05/893/FUL & 05/894/LBD

University College Boathouse

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Oxford City Council; LA 100019348 June 2005



Scale 1:1250



1.
1485

ABINGDON ROAD
(East Side)

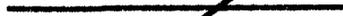
APPENDIX 2

Wall of Grandpont House

SP 50 NW 24/605A

II

2.
Cl8. Stone wall fronting Abingdon Road.



1.
1485

ABINGDON ROAD
(East Side)

Wall of Holy Rood
Roman Catholic Church

SP 50 NW 24/654

II

2.
Cl8/Cl9. Stone wall fronting Abingdon Road.

1.
1485

ABINGDON ROAD
(East Side)

Oxford University
Boat Club

SP 50 NW 24/655

II

2.
Dated 1881. By J O Scott. Red brick on the ground floor, red brick and half-timbered above. Terrace with wooden balustrade over 5-door boathouse. 2 storeys above with casement windows. Tiled roof with brick chimneys.

25th May 2005**Boathouse, University College**
Sustainability Statement**Materials**

- Copper: Copper as roof covering is environmentally compatible and sustainable. It has a long history of extensive recycling, low embodied energy and safety in use. Attached is a PDF copy of a literature titled copper and environment.

- Cedar Timber slats: Western Red Cedar as a soft wood is a sustainable material. British Columbia has an aggressive replanting programme of Western Red Cedar and only 1% of total growing stock volume is harvested each year. With high resistance to decay, cedar is one of the most durable coniferous species.

Additionally the horizontal timber slats, by providing shade over walls and windows, reduce the thermal impact internally.

- Bricks: Baggeridge bricks, as specified, are produced under vigorous studies of environmental impact. Attached is a copy of the manufacturers environmental study impact.
- Glazing: The windows are proposed to be double-glazed. The clubroom would be made of double glaze units with 20 mm air gap which would increase the thermal insulation properties. The glass is proposed to be Insulight Suncool glass by Pilkington, which reduces heat gain by about 30%.

Insulation

- External Wall Insulation: External insulation is proposed to the external body of the habitable areas of the boathouse. This is the most efficient way of conservation of fuel as the heat and cold are stopped at the outset and do not get into the perimeter fabric of the building.
- Roof Insulation: Warm roof construction is proposed which means that the insulation is immediately under the copper. This method also helps to reduce the impact of the weather internally.

Additionally it is proposed to have insulation to underside of the floor in the boat storage and repair area. This way the entire habitable accommodation would be fully insulated from all sides.

(1)

Use of Water Resources

- Rainwater: The proposal is for the rainwater to be directed to the river.
- Grey water for WC: The proposal is to incorporate usage of grey water for flushing system. Additionally there will be two-button system for flushing WCs to save water.
- Access Road: A permeable Geoblock Grassway surface is proposed for the access road, which allows for rainwater to soak into the ground to avoid surface water run-off. Additionally the surface would allow for grass to grow over the access road.

Siting & Accessibility

- The building is to be located on the site of the former boathouse, thus making efficient use of an existing previously developed site as a land resource.
- The development promotes access by foot, cycle and public transport, providing only minimal parking for loading and unloading and for those with restricted mobility.

Sound Arboricultural Management

- An Arboricultural Impact Assessment has been produced by CBA Trees, and sets out the impact of the development on trees within the site, together with the strategy for mitigation of impact and sound arboricultural management.
- A small number of predominantly fire damaged trees (willow and ash) are proposed for removal to facilitate construction and the provision of a new vehicular and pedestrian access.

Biodiversity – Protection of the favourable conservation status of European protected species

- Two protected species have been identified on this site, bats and water voles.
- Water vole and bat surveys have been undertaken by ecologists Bioscan and Greena Ecological Consultancy.
- The proposed works will stand off the bank of the Eastwyke Ditch by at least 5m to protect the habitat of the water vole population and improvements are proposed to manage and enhance their existing habitat.
- The bat habitat will be enhanced through a combination of tree retention, artificial bat roosts and an emergence survey prior to any tree felling as well as a watching brief and demolition method statement for the original boathouse structure

Remediation of Land Contamination

- Structural Soils have identified the presence of a high concentration of lead (probably a by-product of the fire), but have identified a suitable method of mitigation and remediation strategy to remove this contaminant material from the site.
- The former landfill site at Jackdaw Lane across the River Thames accepted inert, semi-inert and biodegradable household waste, Peter Brett Associates have submitted a Landfill Gas Risk Assessment report which demonstrates no evidence of gas migration and requires no remedial actions nor monitoring to take place

Flood Risk Assessment

- Peter Brett Associates have produced a Flood Risk Assessment in accordance with PPG25 and Environment Agency requirements.
- The building is to be raised on stilts with a sufficient freeboard, taking account of climate change, above the level advised by the Environment Agency as a 1% annual probability i.e. the 1 in 100 year flood level.
- A flood compensation scheme proposed will result in a net gain of flood plain storage and this is accomplished primarily by the use of the void underneath the building as a flood water containment area and to enable the free flow of water.

Flood Risk Management Plan

- The Oxfordshire County Fire Safety Officers have confirmed that the development would not place an additional burden on the Fire and Emergency Services.
- Peter Brett Associates have produced a Flood Risk Management Plan (which can be secured through a planning condition) which includes the following elements in the management of risk to occupants and residents of the building:
 - Provision and training of two flood wardens;
 - A Flood Risk Management Plan;
 - A flood alarm system which can be linked by telemetry to the flood warden's telephone;
 - Use of the Environment Agency's flood warning service;
 - A suitable boat for use in a flood event;
 - Provision for alternative accommodation if evacuation is required.

end