

Agenda

www.oxford.gov.uk



West Area Planning Committee

Date: **Wednesday 15 August 2012**

Time: **6.00 pm**

Place: **The Old Library, Town Hall**

For any further information please contact:

Sarah Claridge, Democratic and Electoral Services Officer

Telephone: 01865 252275402

Email: lstock@oxford.gov.uk

Please note: If items are not heard on Wednesday 15 August they will be considered on Thursday 23 August 2012

If you would like help to understand this document please call Sarah Claridge, Democratic and Electoral Services Officer on or email lstock@oxford.gov.uk in advance of the meeting.

West Area Planning Committee

Membership

Chair	Councillor Oscar Van Nooijen	Hinksey Park;
Vice-Chair	Councillor John Goddard	Wolvercote;
	Councillor Elise Benjamin	Iffley Fields;
	Councillor Anne-Marie Canning	Carfax;
	Councillor Bev Clack	St. Clement's;
	Councillor Colin Cook	Jericho and Osney;
	Councillor Graham Jones	St. Clement's;
	Councillor Shah Khan	Cowley;
	Councillor John Tanner	Littlemore;

HOW TO OBTAIN AGENDA

In order to reduce the use of resources, our carbon footprint and our costs we will no longer produce paper copies of agenda over and above our minimum internal and Council member requirement. Paper copies may be looked at the Town Hall Reception and at Customer Services, St Aldate's and at the Westgate Library

A copy of the agenda may be:-

- Viewed on our website – mycouncil.oxford.gov.uk
- Downloaded from our website
- Subscribed to electronically by registering online at mycouncil.oxford.gov.uk
- Sent to you in hard copy form upon payment of an annual subscription.

AGENDA

Pages

1 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

2 DECLARATIONS OF INTEREST

Councillors serving on the Committee are asked to declare any personal or personal prejudicial interests they may have in any of the following agenda items.

3 ST CLEMENTS CAR PARK - 12/01369/FUL & 12/01370/CAC

1 - 62

The Head of City Development has submitted a report which details a planning application for the demolition of public toilets AND

The redevelopment of St Clement's car part to provide 140 student study rooms and ancillary accommodation in two blocks on 3, 4 and 5 floors. Replacement car park with 80 spaces, public toilets, landscaping and ancillary works

Officer's recommendation: Support the proposals in principle but defer the applications in order to secure an accompanying legal agreement, and delegate to officers the issuing of the notices of conservation consent and planning permission on its completion.

4 FORMER TRAVIS PERKINS SITE - CHAPEL STREET - 12/01388/FUL

63 - 92

The Head of City Development has submitted a report which details a planning application for the demolition of existing buildings on site. Erection of 190 student study rooms in two blocks on 3 and 4 levels together with 2 bedrooms in gatehouse buildings, 5 car parking spaces, 100 cycle parking spaces, landscaping and ancillary works.

Officer recommendation: Approve the application subject to the conditions listed in the report.

5 LUTHER COURT - 12/01228/FUL

93 - 112

The Head of City Development has submitted a report which details a planning application for

1) Demolition of the existing Luther Court housing

2) Erection of new buildings fronting Thames Street comprising 42 self

contained flats (13x1 bed, 29x2 bed) and 82 student study rooms on 5 and 6 storeys. Provision of cycle parking, bin storage and shared amenity areas. Closure of footpath linking Luther Street to Butterwyke Place

Officer recommendation: Approve the application subject to the conditions listed in the report

6 220 & 222 COWLEY ROAD 12-01383-FUL

113 - 122

The Head of City Development has submitted a report which details a planning application for the demolition of existing buildings. Erection of 3 storey building comprising retail shop and Class B1 offices on ground floor and 18 student study rooms on upper floors. Provision of cycle and bin stores.

Officer recommendation: Refuse the application due to the reason given in the report.

7 RADCLIFFE CAMERA, RADCLIFFE SQUARE - 12/01737/LBC & 12/01736/FUL

123 - 130

The Head of City Development has submitted a report which details a planning application for

(i): 12/01737/LBC External alterations to provide new access point and internal alterations to provide librarian space, draught lobby and access and security controls to Radcliffe Camera

(ii): 12/01736/FUL Construction of new pedestrian access path steps and doorway to Radcliffe Camera and including new partitions on the first floor of the Old Bodleian

Officer recommendation: Approve the application subject to the conditions listed in the report

8 FORMER RADCLIFFE INFIRMARY, WOODSTOCK ROAD - 12/01508/FUL

131 - 138

The Head of City Development has submitted a report which details a planning application for the replacement of existing Triton statue with new Coade stone statue. (Existing to be salvaged and displayed in alternative location)

Officer recommendation: To grant listed building consent subject to the conditions listed in the report.

DECLARING INTERESTS

General duty

You must declare any disclosable pecuniary interests when the meeting reaches the item on the agenda headed "Declarations of Interest" or as soon as it becomes apparent to you.

What is a disclosable pecuniary interest?

Disclosable pecuniary interests relate to your* employment; sponsorship (ie payment for expenses incurred by you in carrying out your duties as a councillor or towards your election expenses); contracts; land in the Council's area; licenses for land in the Council's area; corporate tenancies; and securities. These declarations must be recorded in each councillor's Register of Interests which is publicly available on the Council's website.

Declaring an interest

Where any matter disclosed in your Register of Interests is being considered at a meeting, you must declare that you have an interest. You should also disclose the nature as well as the existence of the interest.

If you have a disclosable pecuniary interest, after having declared it at the meeting you must not participate in discussion or voting on the item and must withdraw from the meeting whilst the matter is discussed.

Members' Code of Conduct and public perception

Even if you do not have a disclosable pecuniary interest in a matter, the Members' Code of Conduct says that a member "must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself" and that "you must not place yourself in situations where your honesty and integrity may be questioned". What this means is that the matter of interests must be viewed within the context of the Code as a whole and regard should continue to be paid to the perception of the public.

*Disclosable pecuniary interests that must be declared are not only those of the member her or himself but also those member's spouse, civil partner or person they are living with as husband or wife or as if they were civil partners..

CODE OF PRACTICE FOR DEALING WITH PLANNING APPLICATIONS AT AREA PLANNING COMMITTEES AND PLANNING REVIEW COMMITTEE

Planning controls the development and use of land in the public interest. Applications must be determined in accordance with the Council's adopted policies, unless material planning considerations indicate otherwise. The Committee must be conducted in an orderly, fair and impartial manner.

The following minimum standards of practice will be followed. A full Planning Code of Practice is contained in the Council's Constitution.

1. All Members will have pre-read the officers' report. Members are also encouraged to view any supporting material and to visit the site if they feel that would be helpful
2. At the meeting the Chair will draw attention to this code of practice. The Chair will also explain who is entitled to vote.
3. The sequence for each application discussed at Committee shall be as follows:-
 - (a) the Planning Officer will introduce it with a short presentation;
 - (b) any objectors may speak for up to 5 minutes in total;
 - (c) any supporters may speak for up to 5 minutes in total;

(Speaking times may be extended by the Chair, provided that equal time is given to both sides. Any non-voting City Councillors and/or Parish and County Councillors who may wish to speak for or against the application will have to do so as part of the two 5-minute slots mentioned above;

 - (d) voting members of the Committee may raise questions (which shall be directed via the Chair to the lead officer presenting the application, who may pass them to other relevant Officer/s and/or other speaker/s); and
 - (e) voting members will debate and determine the application.
4. Members of the public wishing to speak must send an e-mail to planningcommittee@oxford.gov.uk before 10.00 am on the day of the meeting giving details of your name, the application/agenda item you wish to speak on and whether you are objecting to or supporting the application (or complete a 'Planning Speakers' form obtainable at the meeting and hand it to the Democratic Services Officer or the Chair at the beginning of the meeting)
5. All representations should be heard in silence and without interruption. The Chair will not permit disruptive behaviour. Members of the public are reminded that if the meeting is not allowed to proceed in an orderly manner then the Chair will withdraw the opportunity to address the Committee. The Committee is a meeting held in public, not a public meeting,
6. Members should not:-
 - (a) rely on considerations which are not material planning considerations in law;
 - (b) question the personal integrity or professionalism of officers in public;
 - (c) proceed to a vote if minded to determine an application against officer's recommendation until the reasons for that decision have been formulated; and
 - (d) seek to re-design, or negotiate amendments to, an application. The Committee must determine applications as they stand and may impose appropriate conditions.

West Area Planning Committee

15th August 2012

Application Nos. (i): 12/01370/CAC
(ii): 12/01369/FUL

Decision Due by: 30th August 2012

Proposal: (i): 12/01370/CAC: Demolition of public toilets.

(ii): 12/01369/FUL: Redevelopment of St Clement's car park to provide 140 student study rooms and ancillary accommodation in two blocks on 3, 4 and 5 floors. Replacement car park with 80 spaces, public toilets, landscaping and ancillary works. (Additional information)

Site Address: St Clement's Car Park, St Clement's St, **Appendix A.**

Ward: St Clement's Ward

Agent: Savills

Applicant: Watkin Jones Group

Recommendation: Committee is recommended to support the proposals in principle but defer the applications in order to secure an accompanying legal agreement, and delegate to officers the issuing of the notices of conservation consent and planning permission on its completion.

Reasons for Approval

(i): 12/01370/CAC:

The local planning authority considers that the demolition of the public toilets, would be consistent with the special character and appearance of the conservation area in which they are located, subject to the conditions imposed. It has taken into account all other material matters, including matters raised in response to consultation and publicity.

(ii): 12/01369/FUL

1. The principle of development of the site for student accommodation is established by policy DS82 of the adopted Oxford Local Plan and policy SP52 of the emerging Sites and Housing Plan (Submission Version). On balance the proposals are not considered to have an unacceptable impact on residential or visual amenity or the character and appearance of the conservation area or the setting of the nearby listed buildings. The arrangements for the provision of car parking on a permanent basis following construction of the student accommodation is considered acceptable, as is the provision of temporary

parking at Marston Road with shuttle bus link during construction which will provide continuity in the provision of public parking.

2. The local planning authority has considered the many comments raised in public consultation which are summarised below, but consider that they are not sufficient as to warrant the refusal of planning permission subject to the imposition of appropriate conditions where required.
3. The local planning authority therefore considers that the proposal accords with the policies of the development plan as summarised below and National Planning Policy Framework. It has taken into consideration all other material matters and concluded that any material harm that the development would otherwise give rise to can be offset by the conditions imposed and / or accompanying planning obligations.

Conditions.

(i): 12/01270/CAC

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples of materials in Conservation Area
- 4 Architectural and constructional details
- 5 Landscape plan
- 6 Landscaping carried out on completion
- 7 Landscape: hard surface design - tree roots
- 8 Landscape: underground services - tree roots
- 9 Tree Protection Plan
- 10 Arboricultural Method Statement
- 11 Ecological mitigation
- 12 Student Accommodation: Full time / Management Controls
- 13 Students no cars in Oxford
- 14 Student Accommodation: Out of Term Use
- 15 Temporary car parking
- 16 Car park available on completion of development
- 17 Temporary pedestrian access to meadow
- 18 Cycle store available on occupation
- 19 Construction Travel Plan
- 20 Amended Travel Plan
- 21 Removal of site from Controlled Parking Zone.
- 22 Construction Environmental Management Plan
- 23 Contribution to affordable housing
- 24 Contaminated land
- 25 Ground remediation
- 26 Development in accordance with Flood Risk Assessment
- 27 Surface water drainage details
- 28 Management of public toilets
- 29 Scheme of CCTV
- 30 Temporary public toilets during construction
- 31 Archaeology - Implementation of programme of archaeological work

(ii): 12/01369/FUL.

- 1 Buildings subject to Conservation area consent
- 2 No demolition before rebuilding contract

Planning Obligations

1. Indoor sports facilities - £8,460 (City)
2. Environmental improvements in the locality - £50,000 (City).
3. Library Infrastructure within City - £8,883 (County).
4. Cycle safety measures - £19,458 (County).
5. Oxford Transport Strategy - £19,950 (County).
6. Public transport Infrastructure - £10,000 (County).
7. Travel Plan monitoring - £960 (County).

Main Planning Policies.

Oxford Local Plan 2001-2016:

- CP1 - Development Proposals
- CP6 - Efficient Use of Land & Density
- CP8 - Design Development to Relate to its Context
- CP9 - Creating Successful New Places
- CP10 - Siting Development to Meet Functional Needs
- CP11 - Landscape Design
- CP13 - Accessibility
- CP14 - Public Art
- CP17 - Recycled Materials
- CP18 - Natural Resource Impact Analysis
- CP20 - Lighting
- CP21 - Noise
- NE14 - Water and Sewerage Infrastructure
- NE15 - Loss of Trees and Hedgerows
- NE16 - Protected Trees
- HE2 - Archaeology
- HE3 - Listed Buildings and Their Setting
- HE7 - Conservation Areas
- HE9 - High Building Areas
- HE10 - View Cones of Oxford
- HS19 - Privacy & Amenity
- TR1 - Transport Assessment
- TR3 - Car Parking Standards
- TR4 - Pedestrian & Cycle Facilities
- TR11 - City Centre Car Parking
- DS82 - Part of St. Clement's Car Park - Ox University Use

Core Strategy 2026:

- CS2 - Previously developed and greenfield land
- CS4 - Green Belt
- CS9 - Energy and natural resources
- CS11 - Flooding
- CS13 - Supporting access to new development
- CS14 - Supporting city-wide movement

CS17 - Infrastructure and developer contributions
CS18 - Urban design, town character, historic environment
CS19 - Community safety
CS25 - Student accommodation

Sites and Housing Plan – Submission Document:

HP5 - Location of Student Accommodation
HP6 - Affordable Housing from Student Accommodation
HP9 - Design, Character and Context
HP11 - Low Carbon Homes
HP13 - Outdoor Space
HP15 - Residential cycle parking
SP52 - St Clements Car Park

Other Material Considerations:

- National Planning Policy Framework (NPPF).
- St. Clements & Iffley Road Conservation Appraisal.
- Planning Obligations Supplementary Planning Document (SPD)
- Parking Standards, Transport Assessment and Travel Plans SPD
- Natural Resource Impact Analysis SPD
- The application site lies within the St. Clement's and Iffley Road Conservation Area.

Public Consultation

In formulating their recommendation Officers have taken into account all public comments received, summarised below, plus two recent addresses by local residents to the 16th July 2012 meeting of Council.

Statutory and Other Bodies:

- Environment Agency: (i): Object; Flood Risk Assessment (FRA) does not demonstrate there would be no loss of flood storage and impedance of flood flows up to the 1 in 100 year plus climate change flood event. (ii): Objection withdrawn; suggest conditions that development be carried out in accordance with FRA; ground contamination and remediation; surface water drainage.
- Thames Water: Prior approval from TW required in relation to surface water drainage; informatives suggested.
- County Council, Highways: Submitted Travel Plan required; details of street lighting required; S.278 agreement required for changes to access; Construction Travel Plan required; some parking spaces difficult to access; disabled spaces need to be identified; drainage discharge rates acceptable; permeable surfaces required; details of car park lighting, especially near entrance - may impact road users.
- County Council, Developer Funding: contribution of £8,820 required to library facilities; funding of fire hydrants required.
- English Heritage: Do not wish to comment in detail; significant improvement on previous application; local planning authority should ensure quality materials and implementation monitored to secure high quality development; application should be determined in accordance with national and local guidance.

- Natural England: Updated ecological surveys required; likely to have impact on bat habitat – measures to prevent detrimental light spillage required; impact on local wildlife should be understood before determination; opportunities to enhance wildlife through bat and bird boxes.
- Thames Valley Police: (i): East Oxford suffers from anti social behaviour including the immediate area of St. Clements car park in and around the “hot spot” of public toilets; requests various conditions relating to CCTV, design of toilets etc; recommend removal of seating from outside toilet area and adjacent to entrance to Angel and Greyhound Meadow; seating should be designed to discourage rough sleeping; western entrance to buildings from car park has potential to be isolated, increasing fear of crime – entrance should be made non operable to encourage students to utilise main entrances off Penson’s Gardens. (ii): Request funding of £69,070 towards Police Community Support Officers (PCSOs). (See text above).
- Environmental Development: Suggest ground contamination and remediation condition

Interested Organisations:

- Twentieth Century Society: Welcome obvious improvement to proposals; remain concerned about impact on Florey building; object to these proposals; improvements from earlier proposals is remarkable and commendable; development would introduce a long term if not permanent new setting that misinterprets the design of the listed building; disappointed riverside is line with car parking; and access to meadow limited to one point; concerns supported by NPPF; recommend more studies that show the relationship of Florey building to proposed development.
- Anchor Court: Development very large; height overdevelops site; if site suitable for development, it should be affordable housing; noise, dust and fumes will be a nuisance to residents; uncontrolled and inconsiderate parking would increase.
- London Place Residents Association: Not substantially different to previous proposals; buildings of greater architectural quality; common room etc should be moved to first floor to create more parking; phased development has previously been suggested; some parking is short term for which use of Marston Road site is not appropriate; on completion of development Marston Road site could be retained; unfortunate that largest and best tree on site is lost; no provision of temporary toilets; if these points not addressed, then permission should be refused.
- Oxford High Street Association: Temporary car park too far away from St. Clements; strong case for more car parking in St. Clements, not less; loss of car parking would harm businesses in High Street; retail, sector already vulnerable; responsibility to community has to come before financial gain.
- Queen’s College: does not object to the development in principle; new plans a significant improvement; combined access shown requires use of college land which the college has not agreed to and is unlikely to do so for security reasons and to retain access.
- Bucks, Berks and Oxon Wildlife Trust (BBOWT): Opportunity should be taken to maintain and add to network of unimproved flood meadows, and to deliver a biodiversity action plan.
- Turnberry Consulting (on behalf of University of Oxford): University welcomes

additional student accommodation for the 2 universities; unacceptable impact on University's 47 graduate flats at Alan Bullock Close; development has not resulted in reduction in student rooms; blocks 3 and 4 are essentially same height as previously; block 3 actually closer than previously; proposals do not address concerns; loss of light to a number of rooms; significant overlooking;

- East Oxford Residents Associations Forum: Design improved but disappointed number of rooms not declined; no justification for new student housing as both universities have achieved or are about to achieve target of no more than 3000 students in non - provided accommodation; more student accommodation would lead to unbalanced community; small scale residential development preferred; insufficient car parking remaining; temporary car park too far away; adverse impact on local economy; concerns about layout of parking spaces; contrary to urban design guidance; lack of natural surveillance of undercroft parking; would form cramped, dense development which would damage conservation area and harm listed Florey building; development would be overbearing to adjacent properties; preventing students owning cars not enforceable; loss of trees; inadequate cycle parking; if permitted recommend conditions on 24 hour supervision, no loud music after 11.00 pm and scheme of management for the proposed roof garden.
- Divinity Road Area Residents Association: Loss of parking; temporary car park too far away; temporary loss of parking would affect local businesses; disabled parking during construction impossible; students may own cars and have visitors with cars; design improved but still unneighbourly; affect character of area; loss of trees; pedestrian route would not create welcoming or safe environment.
- Cllr Simmonds on behalf of St Clements Residents & Independent Businesses: Survey conducted in July of 43 users of car park and 17 local businesses; 90,000 people use car park annual; 86% of car park users spend money in local businesses with average spend of £34; 91% would go elsewhere or visit less frequently during construction leading to estimated loss of 79% of income to businesses; or £2.4m; development could be constructed in phases to retain part of car park during construction.
- Jack Straw's Lane Association: Car parking should be retained in the area; local businesses badly affected; opposed to the density of development and loss of trees; flood risk assessment does not comply with requirements.

Private Individuals:-

Main comments raised:

- Would unbalance local community.
- Too many students in local area already.
- Use of temporary car park welcomed.
- No provision for public toilets during construction.
- Loss of public car parking.
- Disruption during building works.
- Development too large.
- No suitable alternative parking.
- Change in character of area.
- Loss of trees.
- Poor relationship to Florey Building.
- Detrimental to conservation area.

- Comprehensive redevelopment with St. Clements frontage would be preferable.
- Insufficient cycle parking.
- Undercroft areas could lead to antisocial behaviour.
- Adverse impact on neighbouring properties.
- Loss of daylight to neighbouring properties.
- Lack of natural surveillance of car park.
- Increase in noise and disturbance and rowdy behaviour.
- Adverse impact on local economy.
- Temporary car park would not be used.
- Layout of car park poor.
- Buildings would be overbearing.
- Students will bring cars to area.
- Inadequate flood risk assessment.
- Inadequate cycle parking.
- Impacts adversely on ecology and biodiversity.
- Plans of access to car park misleading.
- Views towards Angel and Greyhound meadow impaired.
- Crime likely to increase.
- Customers will take business elsewhere.
- Development should be undertaken in phases
- Problems with sewers locally.
- Increased congestion at bus stop for London services.
- Danger of providing too much student accommodation.
- Economic impact assessment should be undertaken.
- Development could be occupied by private institutions.
- No improvement on previous proposals.
- Car park currently used for deliveries to several local businesses.
- University does not need more student rooms.
- Should be no reduction in car parking in St. Clements.
- Loss of access to Angel and greyhound meadow during construction.
- No building on site until Florey building removed.

In addition prior to the submission of the planning application the applicant circulated local residents advising of an exhibition of the proposals which was to take place at the Town Hall on Friday 11th and Saturday 12th May 2012. Over 40 people attended the exhibition with 9 questionnaires completed. There was some support for the new designs and for the better relationship to the conservation area though others retained concerns. Most respondents felt that the temporary and permanent car parking arrangements were inadequate but that if a temporary car park was to be provided it should be served by a shuttle bus service.

Officers Assessment:

Background to Case.

1. The planning application relates to the St. Clements car park which occupies a site of approximately 0.38 ha (1.0 acre) set behind 27 to 44 St. Clements. Vehicular access is taken from a point between no.22 and the Grade II listed

no. 27 St. Clements with a pedestrian access also via the narrow Pension's Gardens located between nos. 38 and 39 St. Clements. This pedestrian route extends through the car park and via a footbridge across a channel of the River Cherwell to the large expanse of Angel and Greyhound Meadow to the north beyond. Angel and Greyhound Meadow is a Site of Local Interest for Nature Conservation (SLINC), a protected open space, and undeveloped floodplain.

2. To the east is Alan Bullock Close, a development of graduate student accommodation for the University of Oxford constructed on 2, 3 and 4 storeys, whilst to the west is the striking and dominating Grade II listed 1960s Florey Building by Sir James Stirling housing students of Queen's College. The Florey building is constructed to an equivalent of 6 storeys whilst Anchor Court to its south rises to 5 floors with a pitched roof. Currently the public car park provides 112 parking spaces, public toilets and recycling facilities. The site slopes down to the River Cherwell to its northern side and although hard surfaced possesses a number of mature trees. **Appendix A** to this report refers.
3. The site is allocated in the adopted Local Plan for student accommodation under policy DS.82 which states:

"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. Part of the site is low - lying land so development proposals must be subject to appropriate flood protection and sustainable drainage measures (see policies Ne.8, NE.9 and NE.10.)"

4. Prior to the adoption of the current Local Plan in November 2005 the previous adopted Local Plan of 1997 had also allocated the site for student accommodation under policy HO.27 of that document, whilst the emerging Sites and Housing Plan due to come to examination in September of this year reiterates again use of the site for that purpose (or for residential use as an alternative) under policy SP.52. The principle of development of the site for student accommodation is therefore long established.
5. Despite these allocations development proposals for the land did not come forward until the latter part of 2010 when proposals were received to demolish the toilet block on site and construct 141 student study rooms and ancillary facilities in 3 blocks with 65 replacement car parking spaces, under references 10/02848/CAC and 10/02790/FUL. Following concerns about the design and layout of the development however the applications were withdrawn and fresh applications submitted in the early part of 2011 under references 11/01044/CAC and 11/01040/FUL. In these proposals the form of the development had been amended and the amount of car parking to be retained increased from 65 to 72 spaces. In processing these applications amendments were made and reconsultation undertaken before presenting them to the West Area Planning Committee on 14th September 2011. The

officers' report on the applications is reproduced in full for ease of reference as **Appendix B**.

6. Although the officers' recommendation at committee had been for approval the applications were refused on a vote of 5 to 4. The reasons for refusal of the planning application were:

(i): The development is unacceptable because it relates poorly to its general context and the setting of nearby listed buildings in respect of its height, scale, form and massing. The proposed development would have an adverse impact on views into and out of the St. Clements and Iffley Road Conservation Area - to the detriment of the character and appearance of both the conservation area in question and the adjacent Central Conservation Area - as well as on the setting of the grade II listed Florey Building and 27 St. Clements Street. This adverse impact would affect the conservation areas and listed building settings to an unacceptable extent. The application is contrary to policy CP1, CP8, CP10, HE3 and HE7 of the Oxford Local Plan 2001 - 2016 and policy CS18 of the Oxford Core Strategy 2026.

(ii): The development is unacceptable because it would have an overbearing impact on and result in a loss of privacy to neighbouring properties, to the detriment of residential amenity in respect of its height, scale, bulk and proximity to site boundaries. The overbearing impact would impinge on residential amenity to an unacceptable extent. The application is contrary to policy CP1, CP10 and HS19 of the Oxford Local Plan 2001- 2016.

(iii): The development is unacceptable because it fails to provide satisfactory car park facilities as required by policy DS82 and TR11 of the Oxford Local Plan 2001 to 2016. The number of proposed car parking spaces on site, and the location of the proposed temporary replacement car park do not represent a satisfactory replacement for the current parking provision at the development site. The application is contrary to policy DS82 and TR11 of the Oxford Local Plan 2001- 2016

7. The conservation area consent was also refused in the absence of an acceptable scheme of development:

(i): In the absence of an acceptable redevelopment proposal, it is considered that the removal of the existing building is not justified and would be contrary to national guidance and Policy HE7 of the Oxford Local plan 2001- 2016.

8. Subsequently the refusals were appealed but later withdrawn and the current application pursued instead

Current Proposals.

9. In these latest proposals the student accommodation is housed in two pairs of

parallel accommodation blocks located either side of the pedestrian route leading to the footbridge to Angel and Greyhound Meadow, recreating in a new form the historic alignment of Penson's Gardens. This new "street" is some 8m wide including a 1.2m wide "colonnade" running along its western side, blocks 1 and 2. This western range contains supporting facilities for the student accommodation at ground floor level including a cycle store, plant room and refuse store. Also located here are the replacement public toilets, including disabled facilities. An entrance lobby to the student accommodation located at upper levels separates blocks 1 and 2 whilst to the western side of the blocks public car parking is provided in an undercroft arrangement. A secondary entrance to this western range of student accommodation is also located here. This could be used solely as an emergency escape if necessary however, in response to the concerns of Thames Valley Police.

10. The eastern range, blocks 3 and 4, is arranged in a similar fashion with student common room, laundry, sub station and management suite located at ground floor level with a further lobby area giving access to the student accommodation above. Again undercroft parking is located to the rear. The eastern and western ranges are linked at first floor level by a glazed external walkway across the central pedestrian route.
11. The student accommodation blocks possess flat, sedum roofs and are arranged on 2, 3 and 4 levels above the ground floor, stepping up overall from 3 floors from south to north, before stepping down again at the northern end where they face towards Angel and Greyhound Meadow. The accommodation is arranged internally off central corridors with study bedrooms measuring approximately 18 sq m, each possessing an en suite and kitchenette. Two are to full disabled standard and all levels are accessible by lifts in each range of accommodation.
12. Within the central street leading to Angel and Greyhound Meadows the surface treatment is intended to be York stone with granite detailing, with raised grey granite planters with integrated timber seating. Thames Valley Police have indicated some concern in relation to the location of some of the seating however which they fear could attract antisocial behaviour. An alternative to the permanent, fixed seating proposed may be a design form which would allow the seating to be removed if their concerns prove to be founded.
13. In addition to the 48 cycle parking spaces provided within the building, a further 28 are provided externally at the southern end of the new buildings near the entrance from Penson's Gardens. In respect of car parking, some 80 spaces are provided, located either in the undercroft sections referred to or around the perimeter of the site. Parking areas are proposed to be laid with permeable block paving to blend with the brickwork of the new buildings, with only roadways constructed of tarmac. Although not part of this planning application, the proposals would allow for the entrance from St. Clements to be rationalised in the future so that a single access could serve both this development and also Queen's College's Florey Building, allowing a tree lined avenue to be created from St. Clements. Although Queen's College have

lodged a formal objection to the current application, officers would support the continuing dialogue with Queen's if permission is granted in order that a more attractive and appropriate access arrangement can be delivered for both parties.

14. In architectural terms the buildings are of contemporary design with the cellular arrangement of internal rooms expressed externally by vertical brickwork piers separated by horizontal pre cast concrete beams. The fenestration to the majority of rooms is expressed as vertical slot windows set either side of timber clad angled bays to assist privacy. The bays are angled to the north to allow occupiers to have longer views towards Angel and Greyhound Meadows beyond the Cherwell. All these windows are full height with the larger ones 0.7m wide as fixed units and the narrower ones 0.35m wide but openable for ventilation.
15. There is some variation to this general pattern in the flank (south and north) elevations. In the former the study bedrooms possess additional narrow slit windows approximately 0.3m wide (but not full length) to provide further lighting to these rooms whilst adding interest to the elevations which would otherwise consist of facing brickwork alone. These windows are fixed however and obscure glazed to provide privacy not only for its occupiers, but for those of nearby residential properties. To the northern elevations full height windows measuring 1.3m by 2.0m are included, again with narrow openable sections, and with narrow fixed units also on their return sides facing east and west to provide additional light. At ground floor level vertical strips of glazing are also introduced to the external walls overlooking the undercroft parking to provide a degree of passive surveillance.
16. Overall the architects have sought to provide a clean expression of built forms which would allow the buildings to sit comfortably with the diverse collection of building styles, ages and forms to be found in the immediate locality, and in particular mediating between the form and bulk of the Florey Building and the vernacular character of other buildings. In doing so the development varies considerably from the refused 2011 planning application. The principle differences can be summarised as follows:
 - contemporary architectural design solution;
 - student accommodation set within 2 linked buildings rather than 3;
 - height, scale and massing of buildings reduced;
 - accommodation blocks facing Angel and Greyhound Meadows lower than previously and in part further away, in part closer;
 - accommodation blocks facing rear of St. Clements' properties set further back and lowered in height;
 - angled bay windows introduced to improve privacy for residents of Alan Bullock Close;
 - obscure glazing to secondary windows facing rear of St. Clements' properties;
 - enhanced views along Penson's Gardens;
 - creation of space west of accommodation blocks to improve setting of Florey Building, including additional landscaping and provision of a

- public space;
- future potential to rationalise access from St. Clement's by combining with separate access serving the Florey Building;
- increased score on Natural Resource Impact Analysis (NRIA);
- number of car parking spaces increased;
- improved layout to car park;
- larger temporary car park provided at former Government Buildings site, Marston Road;
- better access to temporary car park.

17. A fuller account of the differences between this latest planning application and the earlier refusal appears in a letter received from the applicants' agents which appears now as **Appendix C** to this report.

18. Although the form of the development has changed in this latest planning application compared to earlier proposals, the content of 140 student study rooms has remained the same. This report does not therefore seek to repeat detailed consideration of those matters not previously in contention but seeks instead to examine the response to each of the reasons for refusal referred to earlier in this report.

Relationship to Nearby Listed Buildings and Conservation Areas.

19. Published guidance by English Heritage in *The Setting of Heritage Assets* of October 2011 explains that the setting of a heritage asset is the surroundings in which it is experienced. The setting is not fixed and may change as the surrounding context changes. The significance of the heritage asset is derived not just from its physical fabric but also from its setting. In examining potential impacts of a proposal the guidance explains that change need not be harmful and suggests that possible outcomes of a development could be:

- removing or re-modelling an intrusive building or feature;
- replacement of a detrimental feature by a new and more harmonious one;
- restoring or revealing a lost historic feature;
- introducing a wholly new feature that adds to the public appreciation of the asset;
- introducing new views (including glimpses or better framed views) that add to the public experience of the asset; or
- improving public access to, or interpretation of, the asset including its setting.

20. With the issuing of the National Planning Policy Framework (NPPF) in March this year the Government has re-affirmed its aim that the historic environment and its heritage assets should be conserved and enjoyed for the quality of life they bring to this and future generations, stating:

"When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given

to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification."

21. The Florey Building was listed Grade II (a designated heritage asset) in 2009 and is one of a trilogy of similar designed buildings by Sir James Stirling, the other two being the Engineering block at Leicester University and the History Faculty building at Cambridge. When the Florey building was erected the future of the area, which had recently been cleared of derelict properties, was uncertain. There was an aspiration for a riverside walk into the city centre and for further development on the remainder of the cleared area, including the possibility of a multi-storey car park. Contemporary records suggest that the Florey Building was intended to be a contemporary interpretation of traditional collegiate forms and designed to face outwards towards Angel and Greyhound Meadows but with a stair turret and entrance visible through a narrow gap between existing buildings fronting St Clement's Street. This narrow gap has subsequently been widened and the majority of the remaining area retained as a surface car park.
22. In its representations on these applications the Twentieth Century Society have suggested that the provision of open space around the Florey Building, opening up views, is not what the original design had intended and have suggested that new buildings should come closer, to reduce the angle of view. The refused 2011 proposals attempted this approach, creating a 'lane' lined by new buildings. However, the reasons for refusal explain that such an arrangement would have been harmful to the setting of the Florey Building and hence this latest proposal's different approach to create space around the building instead, and create new views and viewing experience.
23. Given the reasons for refusal of the previous proposals and the need to retain surface car parking the approach pursued in this application to create space and a higher quality public realm seems the only realistic alternative. It may not conform to the designer's original vision for the site, but given the existing circumstances and development constraints it would be an improvement on the existing setting of both the Florey Building and 27 St. Clements, when experienced in views from St Clement's Street and from within the application site. In adopting this approach the proposal would meet the criteria in English Heritage's advice on assessing the impact of development on the setting of heritage assets with the result that English Heritage has not raised objection to the planning application.
24. In terms of the wider St. Clement's and Iffley Road Conservation Area the Council's recent conservation area appraisal describes the key characteristics of this part of the conservation area, drawing attention to the narrow alleys that form a strong sense of enclosure and provide glimpsed views down to the meadows. The car park is not readily visible, only its access, which also allows views of the Florey Building, described as having nothing in common with the traditional architecture of the locality. Furthermore historic maps show that Penson's Gardens was once lined by buildings and this has provided the cue for the

proposed new blocks, reflecting the urban framework of 'lanes' leading off the main street down towards the meadows. The proposed development is shown as a series of blocks, with a varied roof line and beam and post facades articulated with three different types of window to add interest and to design out overlooking and privacy issues. This grid has a human scale that helps to mediate between the brutalist form of the Florey Building and the traditional vernacular qualities of the other surrounding buildings in the St. Clements area.

25. The new buildings would not be readily visible from St Clements, other than in glimpsed views down Penson's Gardens and from the car park access. They would be visible from the meadows however, but the verified views accompanying the application show that the views would be filtered by existing tree cover, even in winter. The proposed landscaping, which is shown to include evergreen species should ensure that this filtered view is maintained.
26. In longer distance views the application site falls within three of Oxford's defined View Cones - South Park, Morrell Allotments and Doris Field's Field. Analysis submitted with the application shows that the proposed buildings would not be visible from the viewing point in the two latter views, hidden by the landscape, topography or existing buildings, but would be seen in the view from South Park. The view from here is an elevated one that looks over the Cherwell flood plain and St Clements towards the city's towers, domes and spires. The view is characterised by the green foreground setting of the public park, a dense band of trees which filters views of the buildings in St Clements, and the wooded hills of Botley and Wytham in the background. St Clements consists of buildings of varying heights, the Florey building just being visible amongst the trees whilst the painted render of the terrace of houses in London Place also catch the eye. Because the historic core of the city is raised above the suburbs on a gravel terrace, buildings in St Clement's do not compete with them.
27. The verified views submitted show that the new buildings would be visible from South Park but to a similar degree that other buildings in the suburb are experienced, and filtered by the existing tree cover. The height of the proposed building is also shown to be lower than the Florey building, being viewed in front of it and Anchor House with its stepped form helping to fragment the roof lines. The cluster of city centre spires and domes is seen in the view to the right of the Florey building and the car park site and would not be obscured. The view from South Park is a dynamic not static one however, and the relationship of the historic core to the foreground and middle ground objects will vary from different viewing points in the Park. It is concluded that at no point would the proposed development obscure views of the historic core. The overall character of the view would remain one of a public park in an urban environment in the foreground with the varied roofscape of St. Clement's in the middle ground acting as a positive element which helps to understand this wider historic urban context. The proposed development would not harm this character.
28. Lastly, from within the application site itself its character and appearance would change dramatically as a consequence of the development. The existing tree cover softens the appearance of the surface car park, but nevertheless the visual qualities of the site are currently poor. The proposed

development would create a more urban feel to the site similar in terms of the density of building to the site before it was cleared for redevelopment in the 1960s. Had the vision for the redevelopment of the area been delivered as originally intended, then this area would already have buildings on it. The passage of time has allowed the newly planted trees to mature and the memory of buildings occupying the site to fade.

29. Overall the site as it is at present does not make a positive contribution to the character or appearance of the conservation area and on balance therefore the proposals as submitted are not considered to be harmful to its heritage significance.

Impact on Neighbouring Properties.

30. As stated above, these latest proposals indicate the overall height, scale and massing of the development to be reduced and a more contemporary, tiered style of architecture brought forward than previously which allows the relationships which gave rise in part to refusal of the 2011 application to be addressed.
31. In the previous proposal the rear of the residential properties at the upper levels of 31 to 38 St. Clements Street backing onto the application site were some 9.4m away from the flank wall of the student accommodation at its closest point, with the flats at no. 33 some 26.6m away from the block of accommodation then running at right angles. **Paragraphs 49 to 54 of Appendix C** refer. In these proposals the student accommodation is located at approximately the same position at ground to second floor level but is in part set back by approximately 2.0m opposite nos. 37 and 38 to the nearest point of a circular stair tower, and drawn further away at higher levels as the building scales back.
32. There would be no loss of privacy to these flats as only secondary windows with obscure glazing in a narrow, slit form would be present in the facing elevation of the student block. If necessary these secondary windows could be deleted entirely though Officers would regret that as they provide interest to the elevation without impinging on privacy. Previously Officers had also concluded that the upper floor flats here would still possess a sufficient degree of outlook with acceptable lighting conditions retained, and that remains their view. In sum whilst the siting of the development in relation to the properties at 31 to 38 St. Clements Street remains similar to the previous application, there are improvements in these latest proposals. Officers remain of the view that such relationships would not be uncommon in an urban environment and can therefore be accepted.
33. Further to the east no. 1 Penson's Gardens is a student residence located to the rear of the St. Clements Street properties which would have been located as close as 2.2m away from the development as previously proposed. **Paragraphs 55 to 58 of Appendix C** refer. This tight relationship is eased by setting the south block of the eastern range back by between 3.8m and 6.8m, whilst the building itself is lower overall than previously. Again obscure glazed

slit windows are inserted into the flank elevation of the new development which could be deleted. Whilst these eased relationships again remain tight, they are not uncommon in what would be adjacent blocks of student accommodation, and can be accepted.

34. The remaining neighbouring properties potentially affected by the development are the University graduate flats at Alan Bullock Close to the east of the application site. As **paragraph 59 of Appendix C** and subsequently indicates, this development currently has uninterrupted views across the public car park and its stepped form is such that it not only falls in height from 4 to 2 floors from south to north, but also lies closer the application site at its northern end as it does not run parallel to the common boundary. Previously distances between the facing elevations of Alan Bullock Close and the nearest point of the new development were approximately 13m at its closest, widening to over 30m at its furthest point at the southern end. These represent generous distances for separate blocks of student accommodation in an urban context.
35. In these proposals, whilst lower in height overall, the eastern range of proposed accommodation is located closer to Alan Bullock Close where distances are more generous than elsewhere around the site so that facing elevations now vary from approximately 9.0m apart at the closest point at the northern end where the eastern range is extended, to over 25m to the south. Privacy is maintained however by the use of the proposed angled bay windows referred to earlier in this report. These separation distances are in fact similar to those between the eastern arm of Alan Bullock Close and the residential terraces at Boulter Street to its east. Thus whilst the outlook from Alan Bullock Close as proposed is undoubtedly impacted, it is not so serious in the officers opinion as to warrant refusal of planning permission.
36. In terms of lighting conditions the University has questioned the conclusions of the Daylight and Sunlight Report based on BRE Guidelines which accompanied the planning application, that good levels of natural light would be maintained for Alan Bullock Close. These have been rebutted by the applicants' consultants, indicating that the form of Alan Bullock Close with its unusual recesses, lightwells and irregular stepped design are also relevant considerations affecting lighting conditions, and that in any event some of the rooms listed as affected have dual aspects with more than one source of light. The applicants' consultants conclude that the lighting values achieved for Alan Bullock Close with its westerly aspect in this direction and the development in place would still exceed typical conditions for an inner city environment.
37. From the officers' own experience the relationships as proposed are not unusual or unacceptable for adjacent blocks of student accommodation, even allowing for the fact that Alan Bullock Close consists of graduate flats rather than typical undergraduate study bedrooms. The context here is not one of leafy suburbia but of a relatively tight urban environment. As with the residential flats at upper floor levels to the St Clements Street properties, on balance officers have concluded that the relationships are reasonable in their

context such that refusal of planning permission on this basis would not be justified and the proposed development can therefore be accepted.

38. Attached as **Appendix D** is an annotated sketch which illustrates the relationship of the proposed building to its neighbours.

Replacement Car Parking.

39. In the withdrawn 2010 planning application a 65 space car park was proposed to serve as a permanent replacement if that development had proceeded. This was increased to 74 spaces in the refused 2011 case, and is increased again now to 80, including 4 disabled spaces, two of which are suggested to be set aside for use by the student accommodation. This not only represents a welcome increase in numbers but the layout of spaces is also more logical and easily understood by users of the car park. Although there would still be a reduction of 32 spaces from the existing on - site provision of 115 spaces, Officers consider this to be a reasonable level bearing in mind that the current layout is below standard in terms of turning and manoeuvring space etc, and that to bring it up to standard would lead to a reduction to 98 spaces in any event.
40. Further, the Transport Assessment accompanying the planning application confirms that 80 spaces would be sufficient to meet current demands, other than for the Saturday afternoon peak when the car park would be at capacity. However given the local planning authority's long established commitment to traffic and parking restraint; St Clement's accessibility by other modes of transport; and that some users of the car park at this time are likely to be accessing the city centre where other parking facilities are available, then officers conclude that the provision of 80 spaces is acceptable and a positive and reasonable response to committee's previous concerns. Other public parking is also available at Union Street off Cowley Road and at various short term on - street locations scattered within the Controlled Parking Zone. The Highway Authority has been approached as to the possibility of removing some of the on - street parking restrictions in the locality on a temporary basis during construction of the development, but do not favour the possibility as parking facilities for permanent residents are already heavily subscribed.
41. Cycle parking for the student accommodation is provided in the form of 48 cycle stands within the ground floor of the western range, with a further 28 external spaces provided which could also be used by the wider public. Whilst this is less than previously provided it is at about the standard of 1 space per 2 bedrooms required by the Local Plan. If that were felt to be insufficient however space exists to provide additional facilities if required.
42. During the construction period a temporary car park is proposed at the former Government Buildings site off Marston Road where, subject to planning permission being granted, a 76 space facility would be provided with a linking shuttle bus service to St. Clements. Although the site is approximately 750m from St. Clements and marginally further than a temporary facility proposed at Harcourt House if the 2011 application there had been successful, the site is

more suitable as there are existing bus stops serving the city centre immediately adjacent, and wide footways which were absent on the eastern side of Marston Road at Harcourt House. At 76 spaces this facility would provide some 21 more on a temporary basis than was the case for Harcourt House, again responding positively to committee's previous concerns.

43. The separate proposals for the Government Buildings site come before East Area Planning Committee for determination on 14th August 2012. A condition is suggested to the (St. Clement's Car Park) application if permitted that no development should commence until acceptable temporary car parking facilities are fully in place for the construction period whether at the Government Buildings site or elsewhere.

Other Matters.

44. Planning Obligations and Contributions. As the development consists of 140 student study rooms as previously, the same contributions are sought towards supporting facilities in relation to this latest application. These are based on the adopted Planning Obligations Supplementary Planning Document (SPD) and all index linked. They are as follows.

- Indoor sports facilities - £8,460 (City)
- Environmental improvements in the locality - £50,000 (City).
- Library Infrastructure within City - £8,883 (County).
- Cycle safety measures - £19,458 (County).
- Oxford Transport Strategy - £19,950 (County).
- Public transport Infrastructure - £10,000 (County).
- Travel Plan monitoring - £960 (County).

45. In addition, since the refusal of the 2011 proposals the emerging Sites and Housing Plan has progressed to submission stage with its public examination due to take place in September. Policy HP6 of the Plan seeks to secure financial contributions to affordable housing from student accommodation on the basis of £140 per sq m of gross internal floorspace. This amounts to £594,000 in this case. Agreement has been reached with the applicant accordingly and the sum would be paid on commencement of the development on receipt of the agreed sale price for the land and secured by planning condition.

46. In addition to the above Thames Valley Police have also requested a financial contribution for £69,070 to fund 2 Police Community Support Officers (PCSOs) for a period of 4 years, on the basis that 140 additional students living at the application site may lead to additional crime as student populated areas are often targeted by criminals. However legal advice has been taken on the matter and confirmed Planning Officers' views that such funding falls outside the terms of Core Strategy policy CS.17 and / or any mechanism agreed within the current Planning Obligations Supplementary Planning Document (SPD) where S.106 contributions should properly relate to capital rather than revenue expenditure. Moreover the emerging arrangements under the Community Infrastructure Levy (CIL) would also suggest funding of physical infrastructure rather than the provision of a service, but these arrangements are not yet in place in any event.

For these reasons Officers cannot support the request of Thames Valley Police on this occasion.

47. Economic Impact and Phasing of Development. Lastly, whilst this report has sought to concentrate on the previous reasons for refusal, two other matters in particular have been raised during public consultation relating to the possibility of an economic impact assessment to accompany the planning application, and a suggestion of a phased development such that half of the existing public car park could remain available whilst the other half was under construction.
48. On the first point, this site has been allocated for student accommodation in the current (2005 adopted) Local Plan as well as the previous (1997 adopted) Local Plan and proposed Sites and Housing Plan. In none of these documents was there a requirement for an economic impact assessment, nor is there any such requirement in the recently published National Planning Policy Framework (NPPF). It is not justified therefore for the Planning Authority to undertake such an assessment, though the applicants could have provided such information if they had chosen to do so. Rather it falls to the Planning Authority to consider the application as submitted. Moreover the absence of such a document did not form a reason for refusal to the previous proposal which in terms of its content, (140 student study rooms), was the same as this latest application
49. On the possibility of a phased development which would allow one half of the site to be redeveloped whilst the other half remained in use as a public car park, that would be unusual for a development of this size and the imposition of a condition to require it would need to meet certain tests in planning terms - it would have to be necessary; relevant to planning; relevant to the development to be permitted; enforceable; precise; and reasonable in all other respects. As with a refusal of planning permission, there is a right of appeal to such a condition imposed, and unreasonable behaviour is specifically a ground for costs to be awarded against a local planning authority. It goes without saying that the grant of planning permission with such conditions which effectively mean the development could not proceed would be unreasonable.
50. In this case the logistics of undertaking such an arrangement would require the gaining of access for construction vehicles over third party land via Caroline Street which has not been obtained; which would have to be shared with others; and which is not supported by the Highway Authority. The construction period for the development is currently set at between 10 and 12 months, but that would extend to 18 to 20 months if phased. In turn that would considerably increase the costs and potentially make the development unviable. Moreover whilst one half of the development were being constructed access would be required to the other half for works relating to drainage and underground services etc across the site. Cranes would also be required to be moved around the site resulting in oversailing which would be contrary to health and safety regulations and uninsurable. Lastly there would be health and safety issues for users of the remaining part of the car park and for incoming students having to live adjacent to a construction site. Taking all these factors into account, it is the officers' conclusion that the imposition of a condition requiring phased development would fail the test of reasonableness and if appealed would be likely to be allowed.

51. Tree Planting. In the 2011 proposals some 8 trees would have been lost to allow that development to proceed. In the event although the application was refused permission, no objection was raised to the loss of tree coverage. The trees involved included a number of London planes and ash standing within the main part of the car park, including a prominent London Plane near the entrance from Penson's Gardens. In these latest proposals one further tree is lost, a field maple, to the northern side. This is a low value tree however and its loss would not have a significant additional effect. All other trees within the application site are retained. In replacement for those trees lost 6 semi mature London planes are proposed, including one at either end of the Penson's Gardens route with 2 Turkish hazels planted at key locations in between. Two further London planes are planted to the south - east corner and two more to the south - west corner at the rear of the Angel and Greyhound PH. In both cases the pairs of trees are planted to maximise their initial visual impact, but with the intention that one within each group be removed eventually to allow the other to mature. In addition 3 evergreen trees (2 holm oaks and a holly) are proposed to the north - east corner along the boundary to the river and Angel and Greyhound Meadow beyond to provide low level screening from the meadows. Overall the proposed planting in mitigation of those trees lost is supported.

52. Sustainability. In the 2011 proposals the development was assessed as reaching a score of 9 out of a possible 11 on the Natural Resource Impact Analysis (NRIA) and achieve a BREEAM rating of "very good". A revised energy strategy and NRIA are submitted with this latest application which extends the NRIA score to 10 out of 11 with the minimum score in each of the categories of energy efficiency, renewable energy, use of materials and water resources exceeded. This would be achieved by a variety of means. The primary source of renewable energy would be air source heat pumps located at roof level. High levels of insulation would be incorporated throughout with double glazed window units and materials with a high thermal mass to reduce energy requirements. "A rated" appliances would be used throughout wherever possible plus controlled lighting systems. Timber would be acquired from sustainable sources and materials generally sourced locally wherever possible. Dual flush WCs, aerated taps etc would be fitted throughout. A BREEAM "very good" rating would again be achieved.

53. Biodiversity. Whilst the application site is of little wildlife interest, the location of the new buildings close to the Angel and Greyhound Meadow may affect fly ways for bats etc. In this context the lighting arrangements for the proposed roof garden to the western block of accommodation and for windows facing this direction may be relevant. Details are requested by condition. Although a bat survey in 2010 revealed no bats present in the current toilet block, the survey should be repeated before any development were to proceed. The new development brings with it the potential for bat and bird boxes to be incorporated within the development. All these matters can be addressed by suitable conditions in the event of planning permission being granted.

Conclusion.

54. The current proposals represent the culmination of a lengthy dialogue on how this site allocated for development since the late 1990s could best be laid out to respond to its unusual but sensitive setting. The siting of new buildings along the line of Penson's Gardens restores an historic "street" lost since the 1960s and reintroduces buildings where they previously existed. In doing so the setting of nearby listed buildings and the wider conservation area will change, but not in the officers' view to their detriment. Architecturally the new buildings are of a superior quality to the refused 2011 planning application, whilst the relationship with neighbouring properties is close but acceptable in its context and temporary arrangements set in hand whilst the public car park is closed during construction. Overall the current application has responded positively to the reasons for refusal of the 2011 proposals and can be supported accordingly.

Human Rights Act 1998

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions and an accompanying legal agreement. 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

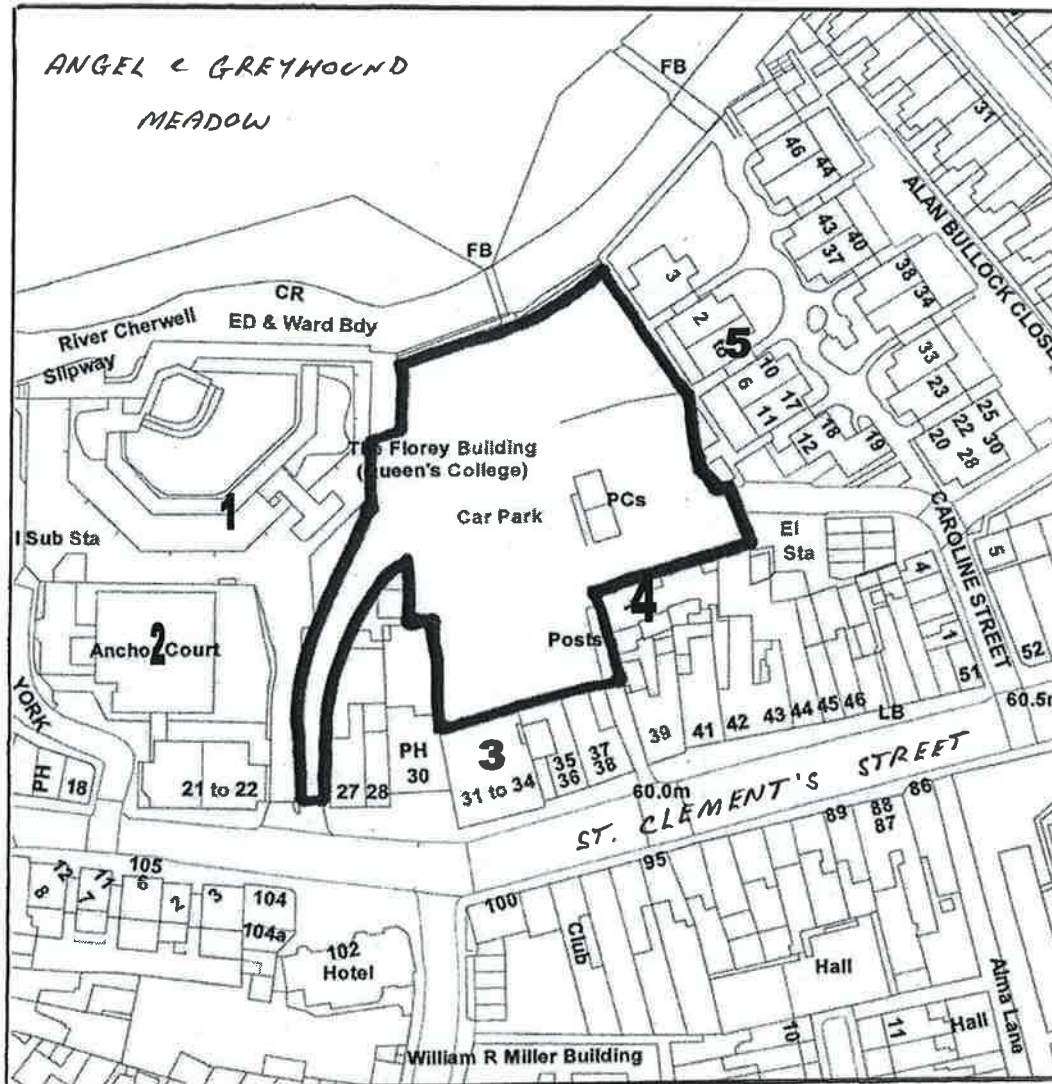
Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to grant planning permission subject to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

Background Papers: Applications 10/02848/CAC, 10/02790/FUL, 11/01044/CAC, 11/01040/FUL, 12/01370/CAC, 12/01369/FUL.

Contact Officers: Murray Hancock / Nick Worlledge

Extension: 2153 / 2147

Date: 2nd August 2012



- 1 – Florey Building
- 2 – Anchor Court
- 3 – 33 St Clement's
- 4 – 1 Penson's Garden's
- 5 – Alan Bullock Close

West Area Planning Committee

- 14th September 2011

(1) Application Number: 11/01040/FUL

Decision Due by: 18th July 2011

Proposal: Demolition of public toilets. Redevelopment of St Clements car park to provide student accommodation (140 bedrooms) and ancillary facilities over 3 blocks. Replacement car park (74 spaces), public toilets and landscaping and ancillary works. (Amended Plans, Additional Information)

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

Ward: St Clement's Ward

(2) Application Number: 11/01044/CAC

Decision Due by: 18th 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 conditions and obligations set out below and to delegate authority to officers to issue the notice of permission following satisfactory completion of the legal agreement for the following reasons:

- 1 The principle of development is established by Local Plan policy DS82. In consideration of the site and development constraints, as well as its sustainable location, the general layout of the proposal, along with its number of car parking spaces, is considered to be acceptable on balance. The impact of the proposal on neighbouring residential properties and the character and

appearance of the conservation area, and the setting of the nearby listed buildings, is not considered to be unacceptable, in accordance with Local Plan policy CP1, CP8, CP10, HS19, HE3 and HE7 and Core Strategy policy CS18. Matters of the management of the proposed student accommodation and restrictions on residents bringing cars into the City can be secured by planning condition or obligation in accordance with Core Strategy policy CS25.

- 2 The Council has had regard to all the comments received through the consultation process. The matters raised have been addressed within the report and when taken on balance are not considered 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 issues, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

Conditions:

- 1 Development begun within time limit
- 2 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 Arboicultural Method Statement (AMS) 1
- 18 Archaeology - Implementation of programme
- 19 Temporary car park 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 Controlled Parking Zone
- 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
- 36 3rd floor south facing windows of Building B to be omitted

Application for Conservation Area Consent

It is recommended that the West Area Planning Committee 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.

Conditions:

- 1 No demolition prior to contract for redevelopment

Planning Obligations:

In accordance with the Councils Planning Obligations SPD the following contributions are required to mitigate the impact of the proposals on City and County Services and infrastructure and have been agreed by the applicants. 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:

The site lies within the St Clements and Iffley Road Conservation Area
PPS 1 – Delivering Sustainable Development
PPS 4 – Planning for Sustainable Economic Growth
PPS 5 - Planning for the Historic Environment
PPS 9 - Biodiversity and Geological Conservation
PPG 13 – Transport
PPS25 – Development and Flood Risk
Regional Spatial Strategy for the South East
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
Manual for Streets

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

11/01993/CT3 - Temporary change of use of existing car park at Harcourt House to public car park. Provision of two pay machines (Note: This application is to provide a temporary replacement car park during closure of St Clement's Car Park during construction works) – pending decision at time of writing this report. It is intended to report the application to the East Area Planning Committee on the 7th September 2011.

Representations Received: A total of 643 comments have been received, including a 2929 signature petition. Following concerns raised by officers the original submission was amended and formal re-consultation undertaken on the 15th July 2011 at the request of the West Area Planning Committee. A summary of the comments received under both consultations is set out below.

Third Party Comments on Original Plans

- 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
- Significant impact on vitality of St Clements businesses
- 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
- Adverse impact on servicing of shops and restaurants from existing car park

Third Party Comments on Amended Plans

- Redevelopment for student housing will damage future health of City
- Development does not follow mixed and open pattern of development and uses seen in the East Oxford area
- Buildings provide no outlook of meadow, and when seen from Meadow are ugly
- Poor design compromises Florey Building rather than complimenting it
- Arbitrary assortment of colours, shapes, styles, fenestration and roof patterns conceal any sense of integrity and do not relate to context
- Inadequate cycle parking
- Unfortunate no shared access with Florey Building
- Adverse impact on light to and outlook from Alan Bullock Close
- Inadequate level of car parking retained contrary to policy DS82
- Temporary solution at Harcourt House is not adequate due to number of spaces, distance from St Clements and its isolated and insecure location
- Alterations to buildings result in increased height in contravention with policy HE9
- Design changes incorporate large areas of flat roof and uncharacteristically steep pitch roofs which fail to harmonise with character of area
- Destruction of open space, trees and wildlife
- Daylight/Sunlight Assessment submitted by applicant is inaccurate
- Significant adverse impact on daylight and privacy to, and outlook from, the flats at No 33 St Clements
- Poor level of consultation
- Loss of parking would have significant adverse impact on vitality of St Clements, Cowley Road and the High Street
- Overbearing impact on St Clements properties
- Loss of privacy and light to, and over bearing impact on, No 1 Pensons Gardens
- Creation of student ghetto
- Proposed parking inadequate in number and layout
- Noise and disturbance
- Impact on access to rear of shops and fire escape of St Clements flats
- Out of keeping with character and appearance of conservation area
- Loss of trees is detrimental to wildlife and appearance of area
- No end user has been specified
- Overdevelopment. Buildings too big and dense for site
- Negative impact on mental health and literary and intellectual production of neighbouring residents on St Clements
- Student accommodation not needed
- Negative impact on views of the Dreaming Spires
- No car status of development unenforceable
- Fence attached to No1 Penson's Gardens not acceptable

Statutory and Internal Consultees:

Comments Received Regarding Original Plans

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) – Application should accord with Core Strategy policy. Recommend that development carried out in accordance with Ecology Report and the mitigation and biodiversity enhancements as specified there in, in order to comply with policy

Natural England – No objection

Oxford Preservation Trust – Essential that concerns of stakeholders are 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.

Comments Received Regarding Amended Plans

Highways And Traffic – No objection subject to conditions

Thames Water Utilities Limited – No objection

Environment Agency Thames Region – Deemed to be low risk (see previous comments and recommendations)

Thames Valley Police – No further comments to make (see previous comments and recommendations)

Natural England – No further comments to make (see previous comments)

Oxford Civic Society – Buildings provide no outlook to meadow and would appear ugly in views from the meadow. The design incorporates an arbitrary assortment of colours, shapes, styles, fenestration and roof patterns which conceal any sense of integrity and which do not relate to the context. Fails to compliment the Florey Building. This is a wasted opportunity of this site. Cycle parking is inadequate. A missed opportunity to improve the access. No proposal for management of the accommodation, 24hr supervision is essential. No temporary replacement car park provided.

Twentieth Century Society – Welcome principle of developing site, because the existing car park constitutes very poor setting for Florey Building. However, the proposal lacks architectural distinction and represents a wasted opportunity for this special part of the City. The scheme does not resolve the concerns raised by the Society in the past nor do they reflect a significant improvement as far as the setting of the Florey Building is concerned.

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 include an acceptable Natural Resource Impact Analysis that sets out the sustainable credentials of the proposal in terms of its resource and energy efficiency.

Officers Assessment:

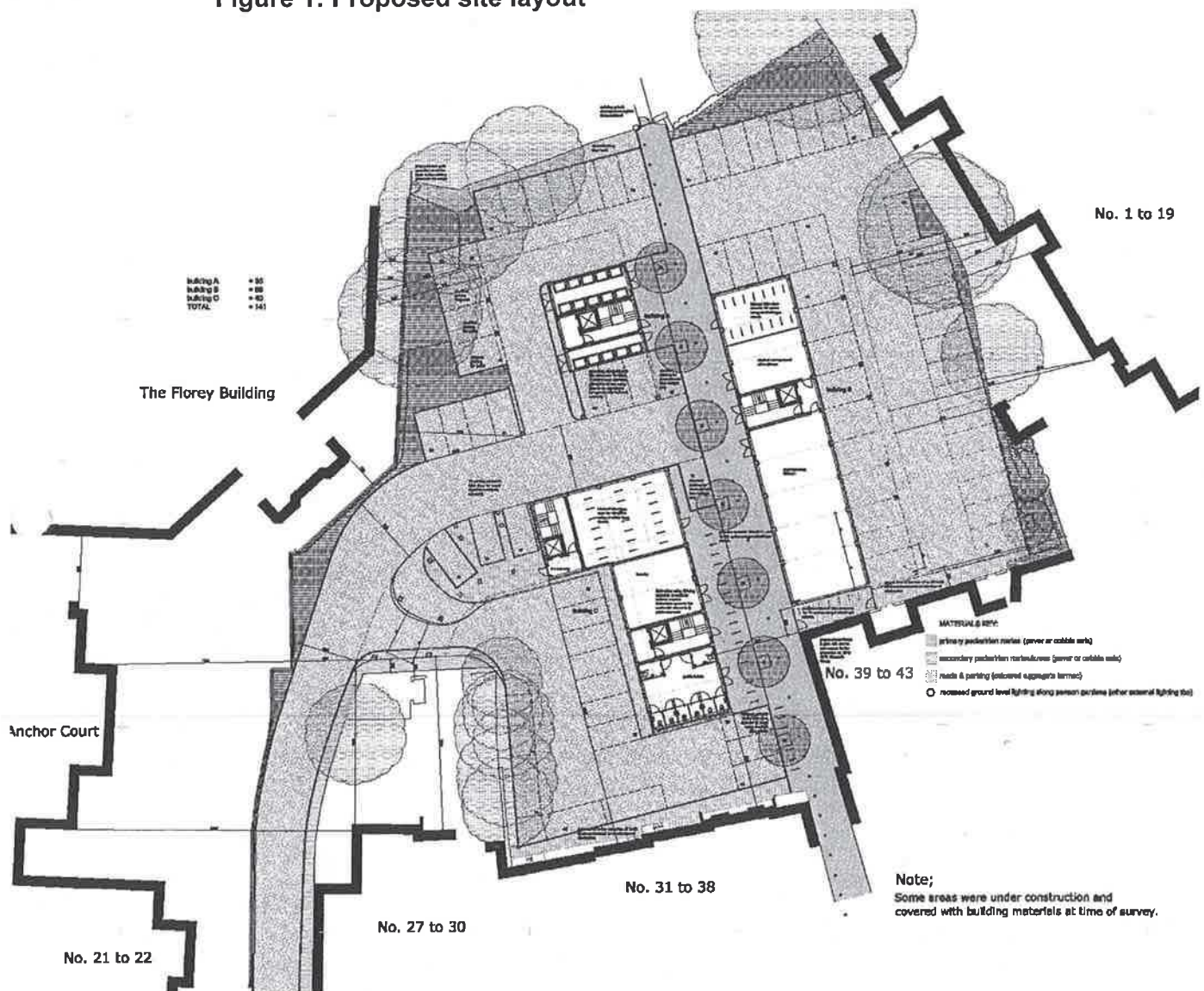
Site Description and Proposal

1. The application site comprises St Clement's Car Park, a public car park located approximately 50m to the east of the Plain. The site is accessed from the south off St Clement's Street via a vehicular access adjacent to that of the Florey Building, and Pensons Gardens a pedestrian route which is approximately 50m to the east. The site provides 112 parking spaces, public toilets and recycling facilities. There is also a small number of cycle stands. The Penson's Gardens route runs northwards through the site leading from St Clement's to the Angel and Greyhound Meadow.
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 part 2/3/4 storey graduate student development. The southern boundary abuts the rear of the St Clement's and Penson's Gardens properties, which range from 3 to 4 storeys in height, and to the west is the 5-storey Anchor Court building and the Grade II Listed Florey Building which stands at 6-storeys in height.
3. The site is within the St Clement's 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 which leads to the meadow, and those that line the northern edge of the site. To the north the Angel and Greyhound Meadow is a Site of Local Interest for Nature Conservation (SLINC) a protected open space and undeveloped flood plain.

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, a laundry room, and a cycle parking and bin storage area. The proposals retain 72 public car parking spaces, with 2 further spaces for disabled residents, and public 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
 - Biodiversity
 - Archaeology
 - Impact on Residential Amenities of Neighbouring Properties
 - Parking and Highways
 - Temporary Replacement Car Park
 - Impact on Vitality of St Clement's
 - Energy and Resource Efficiency
 - Planning Obligations
6. Following concerns raised by officers regarding the scale, bulk and architectural treatment of the buildings, the original plans have been amended. The following changes have been made to the buildings, **Appendix 2** shows all elevations, as originally submitted and as amended.

Building A

- The roof form has changed and now reads as two separate ranges, one side has a flat roof (facing the Florey Building), whilst the other is seen with a pitch roof;
- The ridge height of the building has increased by 3.15m while the eaves level and flat roof side have been lowered by 1.4m and 1.1m respectively;
- Windows have been inserted in the north elevation, these constitute narrow landing windows and small porthole style windows. The top floor of the flat roof element is now glazed. There is also a step in the elevation where the flat and pitch roof sections meet;
- The building is treated in two different facing materials providing distinction between the two forms.

Building B

- The 6th storey has been omitted;
- The roof form has been simplified, with the roof plane that fronts onto Penson's Gardens now running front to back. Like Building A, Building B is seen as two ranges, with a pitched roof fronting Penson's Gardens and a flat roof element facing Alan Bullock Close;
- The height of building B has been reduced by 3.6m, while the eaves level has been reduced by 3.3m;
- The southernmost element that is closest to No 1 Penson's Gardens now has a flat roof design to match the elevation that

faces Alan Bullock Close, this results in new windows at 3rd floor level;

- Windows have been inserted in the north elevation, these constitute narrow landing windows and small porthole style windows. The top floor of the flat roof range is now glazed. There is also a step in the elevation where the flat and pitched roof sections meet;
- The palette of materials has been simplified, omitting the double level render section previously seen facing Penson's Gardens.

Building C

- The roof form have been simplified. The entire building now has a flat roof;
 - The palette of materials has been altered, omitting the double storey render section that previously faced Penson's Gardens. The language of the 'contemporary' wing (closest to the vehicular entrance) has been extended further into the eastern part of the building;
 - The height of the eastern part of the building has been reduced by 0.5m.
7. The Committee in resolving to defer the application at the July meeting to allow public re-consultation on the amended plans, also requested that the matter of the temporary replacement car park be resolved. The Councils Corporate Assets Services have identified a site and a planning application has been submitted for the temporary change of use of the Harcourt House car park to a public car park. This application is due to be considered by the East Area Planning Committee on the 7th September 2011. Officers would point out that if the Harcourt House application is approved it is for the West Area Planning Committee to consider as part of its deliberations of this application whether it would provide an acceptable temporary replacement car park during construction works at St Clement's car park.

Background

8. 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 required for the development to be delivered.
9. Following the withdrawal of planning application reference 10/02790/FUL, officers have had lengthy discussions with the applicants 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

been increased to 72 and the number of those provided in undercroft locations has been greatly reduced.

10. The overall layout has been revised, pulling the buildings away from the boundary and also creating 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, staff office, cycle and bin store, and laundry. This has improved the extent of active street frontage.
11. The design principles have been reviewed, with the intention of establishing a more appropriate architectural language for the development, using contemporary and traditional detailing, to help the building forms assimilate with their surroundings.

Principle of Development

12. Local Plan policy DS82 relates specifically to the St Clement's Car Park site and 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.'* It is policy DS82 that sets out the principle of redeveloping the site to accommodate student accommodation and surface level car parking and in this respect it is considered in broad terms acceptable.

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

- Heritage significance
13. In the C17th St Clement's 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.
 14. The existing car park is visible from St Clement's 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 Penson's 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.

15. 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.
16. 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.
17. 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 Gardens is an alley characterised by a strong sense of enclosure;
- Outside of normal working hours the car park feels less safe.

Heritage Policy Framework

18. 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

19. 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'.
20. 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

21. 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 Penson's 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

22. 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 No27 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.

23. 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

24. 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.
25. 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, Local Plan policy HE9 does not rule out this approach where these elements are of no great bulk. The view from South Park 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.
26. 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

27. 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 are:

- 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.

28. 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

29. 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.

30. 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

31. 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.
32. 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.
33. 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
34. 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 Pension'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 Pension'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.
35. 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.

Biodiversity

36. Policy CS12 of the Core Strategy states development that results in the net loss of sites or species of ecological value will not be supported. The policy goes on to state that opportunities for biodiversity enhancements should be taken within new development. Local Plan policy NE21 states that planning permission will not be granted for developments that would harm animal species specifically protected by law, unless the harm can be overcome by appropriate mitigation through compliance with planning conditions or planning obligations.

37. The application site is to the south of the Angel and Greyhound Meadow which is a Site of Local Importance for Nature Conservation (SLINC) and a designated wildlife corridor. Further north is a Site of Special Scientific Interest (SSSI) designated for its geological value. The river corridor to the north and the tree band also has potential to support bats.

Statutory Designated Sites

38. The Extended Phase 1 Ecological Assessment concludes that the application site is of no ecological value and that although it is adjacent to designated sites, i.e. Angel and Greyhound Meadow, the application site is not suitable to support features or species for which nearby sites are designated. The proposals would not therefore adversely affect those sites.

Non Statutory Designated Sites

39. Due to the location of Angel and Greyhound Meadow and the River Cherwell the Extended Phase 1 Ecological Assessment concludes that new lighting on the site may give rise to a conflict with the wildlife corridor. The report therefore recommends that any lighting scheme not increase light levels within the meadow and river corridor.

Birds

40. There was no evidence of nesting birds within the trees on site. However, the Extended Phase 1 Ecological Assessment indicates that the trees may be a foraging resource. In the light of this the report recommends that the trees be removed outside breeding season and that bird boxes are erected elsewhere in the site.

Bats

41. A Bat Survey and Assessment accompanied the application. It concludes that there was no evidence to suggest that the toilet block and trees on site provide roosting opportunities. It did consider however that the neighbouring urban context would provide opportunities for roosting in roof voids. Bats were recorded foraging adjacent to, across within the application site. The site itself was not considered to be of any ecological value, however the wildlife corridor to the north was deemed to be a key foraging resource.
42. In the light of the above the Bat Survey and Assessment recommends that lighting level within the wildlife corridor should not increase. Officers therefore recommend a condition requiring details of a lighting scheme to be submitted prior to the commencement of development.

Other Biodiversity Matters

43. The Extended Phase 1 Ecological Assessment recommends that a Construction Environmental Management Plan be agreed prior to work commencing on site in order to protect the wildlife corridor. It is also recommended that planting proposals and other biodiversity enhancements be incorporated into the development. All of the above

recommendations can be secured by condition, and officers have recommended one accordingly.

44. No objection was received from Natural England or the Berks, Bucks And Oxon Wildlife Trust. In the light of this, and the conclusions of the Extended Phase 1 Ecological Assessment and Bat Survey and Assessment, officers raise no objection with regard to biodiversity.

Archaeology

45. The application site lies within the historic core of St Clement's 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.
46. 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

47. 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.
48. Given the character 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 Clement's Street Properties

49. Of the properties fronting St Clements, No 31-38 St Clement's would be the most affected by the proposals, and in particular by Building C which is closest to those buildings. 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 belong to the flats at No 33 St Clements and all serve habitable rooms. There is also a roof terrace.

Figure 2: Rear of No 31-38 St Clement's



50. 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 Clement's. The highest part of the building (5 storeys) is parallel to the flats at 33 St Clements and is approximately 26.6m away. As the building turns at a right angle and moves closer to the St Clements properties it steps down in height, and where closest (approximately 9.4m) is 3 storeys, which is lower than the St Clements buildings. At this point Building C would be directly opposite windows which serve office and store space.
51. Officers recognise that the view out of the windows of the flats at 33 St Clement's 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 the flats.
52. In regard to the impact on daylight, officers have applied the 45° vertical plane from the cill of the 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 on daylight to these windows is not considered to be unacceptable. Further, due to the position of the roof terrace in relation to the proposal officers consider this relationship to be acceptable.
53. Although there would be new windows facing those of No 33 St Clement's, they serve a corridor and due to the separation distance between them and the windows of 33 St Clements there would not be an unacceptable loss of privacy.

54. The Angel and Greyhound Public House and No 40-44 St Clement's 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, the impact on light and privacy to, and outlook from habitable room windows or outdoor space is not considered to be unacceptable. However, the introduction of windows at 3rd floor level on the southern end of Building B may result in a perception of overlooking of the outdoor space of No 41A St Clements. The student development at 39/40 St Clements already has floor to ceiling height windows overlooking the rear terrace of No 41A and any increase in this is likely to affect the enjoyment of the outdoor space of No 41A St Clements. Officers would therefore recommend a condition to omit these windows.

Impact on No 1 Penson's Gardens

55. No 1 Penson's Gardens is a student residence located to the rear of No 40 and 41 St Clement's. The building, which abuts the application site, has windows serving study bedrooms at 1st and 2nd floor level facing north, east and west. There is also a dining room window at ground level and lounge window at 1st floor level facing north, both of these are set back within a recess and are approximately 2.65m from the northernmost edge of the building.

56. Building B is between 2 and 2.2m away from No 1 Penson's Gardens. The windows in the north elevation (facing building B) has slit windows which are secondary, those facing east and west are the primary source of light and outlook to the study bedrooms. In the light of this officers do not consider the impact on light to and outlook from the study bedrooms of No 1 Penson's Gardens to be unacceptable.

57. The communal room windows which are set within the buildings recess are approximately 4.8m away from building B. Despite of these windows being double width and full height, due to the height of Building B, and its proximity to the windows, the proposal would result in a reduction of light to and outlook from both sets. In balancing this harm officers would ask the committee to be mindful that student accommodation is not subject to the same amenity standards as normal housing, this is the reason why it is not a suitable form of accommodation for non-student occupants. To this end in applying the standards set out in policy HS19 and Appendix 6 of the Oxford Local Plan, officers would consider it reasonable if the Committee concluded that No 1 Penson's Gardens should not be treated in the same manner as normal residential accommodation.

58. No 1 Penson's Gardens has raised concern about the location of a gate between it and Building B. Officers do not consider it necessary to erect a gate in this location and take the view that it would be visually detract from the environment being created. Windows can be easily inserted at ground floor to provide natural surveillance of this space which would negate the need for it to be gated. If the Committee are in agreement officers would

recommend that the 'boundary treatment' condition be amended accordingly.

Impact on Alan Bullock Close

59. Alan Bullock Close is a graduate 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 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.
60. 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.
61. At its closest Building B is approximately 13.2m away from Alan Bullock Close, however this distance sharply increases to as much as 33m as Alan Bullock Close tapers away from the boundary. The impact of the proposal on the outlook of Alan Bullock Close is therefore 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 at certain points.
62. 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.
63. As regards the impact on privacy, the separation distance between Alan Bullock Close and Building B, being between 13.2m and in excess of 33m, 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

64. The Florey Building is a student residence built in the 1960's. With the exception of the dual aspect duplex study bedrooms on the 4th and 5th floor, the building 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 habitable student room windows facing the application site on the lower levels. There is however a ground floor caretaker's flat in the north eastern corner of the building. This flat is adjacent to Building A.

65. 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.
66. 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. The flat has three rooms facing 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.
67. 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.
68. 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 which stand between. 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.
69. The duplex study bedrooms have windows at 5th floor level overlooking the site. These are high enough to not be adversely affected by the proposals and are in any event dual aspect rooms.

General Impact of Student Use

70. 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 or other management matters.

Parking and Highways

Replacement Car Parking

71. 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.'*
72. The site currently accommodates 112 car parking spaces arranged in a substandard layout. The proposal would result in this being reduced to 72 public 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.
73. 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

74. A planning application has been submitted for a temporary replacement car park at Harcourt House on Marston Road. This application will be reported to the East Area Planning Committee on the 7th September 2011 with an officers' recommendation to support the application. The report concludes that the Highway Authority consider the site to be suitable in terms of highway safety, and that it is also acceptable in terms of crime and safety. The change of use of the site would also not adversely impact upon the character and appearance of the conservation area or biodiversity.
75. In selecting Harcourt House the Councils Corporate Assets Service has reviewed alternative sites, including South Park and St Clements Church, both of which are not suitable due to potential adverse heritage impacts, and Oxford University Rugby Club which is of insufficient capacity. Harcourt House can accommodate 55 car parking spaces and is approximately 800m away from St Clements. Whilst, this is not comparable to St Clements Car Park in terms of number of parking spaces and proximity to the amenities in St Clements, a more suitable site is not available. In this regard, Harcourt House would not be a like for like replacement but it will nevertheless provide a temporary solution that is acceptable in terms of highway and crime safety.

76. Concern has been raised regarding the inappropriateness of Harcourt House for people with disabilities. Harcourt House is 800m from St Clement's and this distance may prove problematic for less able bodied persons. There is existing on street car parking provision on St Clements and at the bottom end of Morrell Avenue, both of which have unrestricted parking in the evening. The Highway Authority have also confirmed that Blue Badge Holders are be permitted to park on the residential side streets off St Clement's.
77. Should the West Area Planning Committee deem Harcourt House to be an acceptable temporary solution and grant planning permission for the St Clement's redevelopment, officers would recommend a condition to ensure that Harcourt House is operational prior to closure of St Clement's Car Park.

Student Parking

78. Officers acknowledge the concerns raised in regard to student cars and the potential impact this can have on the highway network. However, the site is situated within a Controlled Parking Zone (CPZ) which extends a considerable distance. Officers would recommend that the site be removed from the CPZ removing any resident entitlement to park on street.
79. As a further level of protection the applicant has submitted details of how they prevent residents keeping car at their other developments. The details provided are too lengthy to go into details here, suffice to say that the approach would accord with the requirements of policy CS25 of the Core Strategy which requires management controls and an undertaking that residents do not bring car into the City. The latter can be secured by condition and/or as an obligation.

Impact on Vitality of St Clements

80. 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.
81. The Committee have before them a proposal for a temporary replacement car park.
82. 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.
83. 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 fully appreciate the concerns of the local business community 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 is likely to be unacceptable. It is considered that the proposed scheme achieves a satisfactory balance between these competing issues.

Energy and Resource Efficiency

- 84.** 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.
- 85.** 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.
- 86.** Officers therefore consider that the proposals are satisfactory in terms of resource and energy efficiency in accordance with policy CS9.

Planning Obligations

- 87.** In accordance with the Councils 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

88. The broad principle of developing the site is established by Local Plan policy DS82 and the matters of management, including the restriction on residents keeping cars in the City, can be secured by condition and/or obligation as advocated by Core Strategy policy CS25.
89. 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 the proposal would provide purpose-built student accommodation within a sustainable location, which is supported by both the Core Strategy and the Local Plan. The scheme would also provide a new public car park and toilet facilities within a more secure and active environment.
90. The proposals will also offer the opportunity to improve the setting of the Florey Building and would be a catalyst to future improvements to the vehicular access, which would enhance the appearance of this part of the St Clement's and Iffley Road Conservation Area.
91. 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.

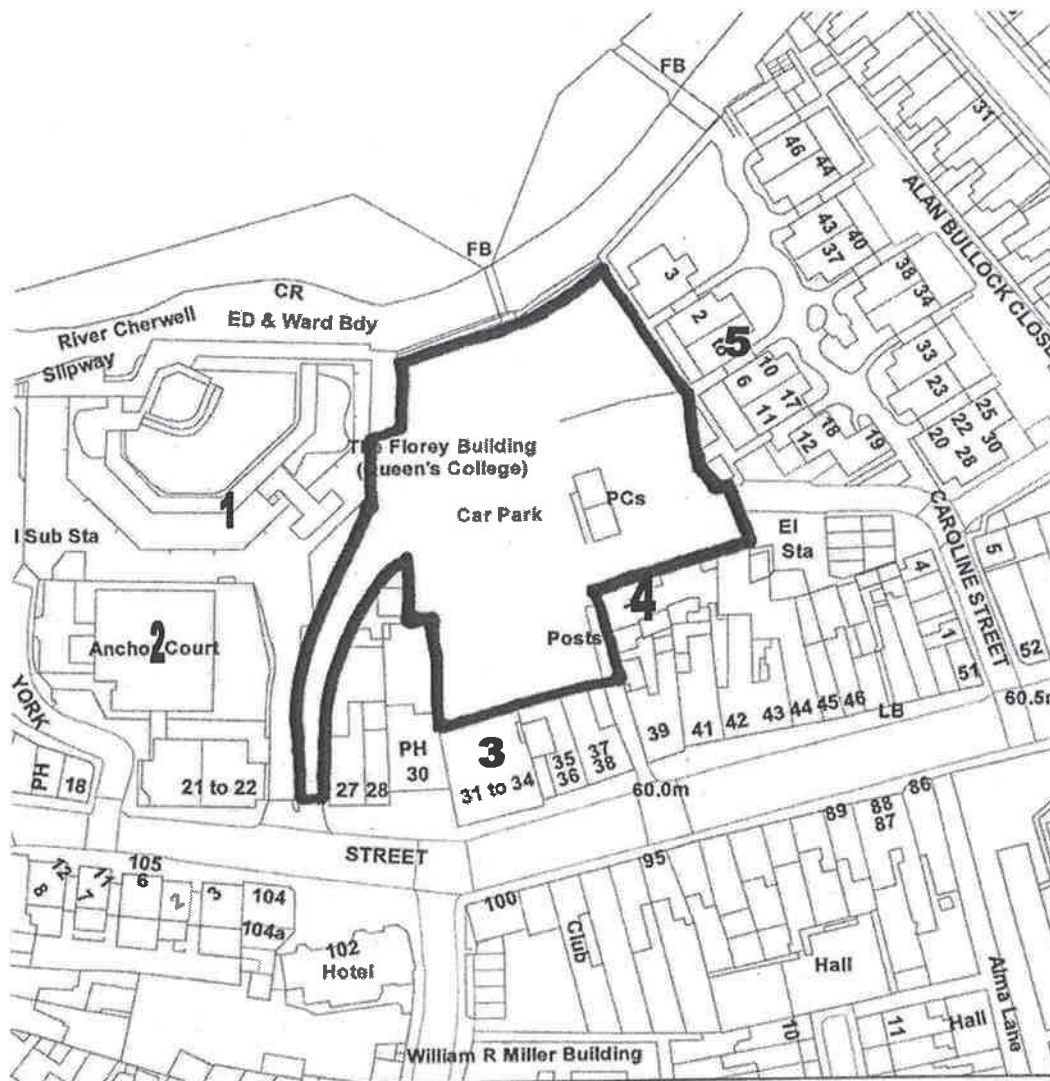
Background Papers: 11/01040/FUL, 11/01044/CAC

Contact Officer: Steven Roberts

Extension: 2221

Date: 30th August 2011

Appendix 1

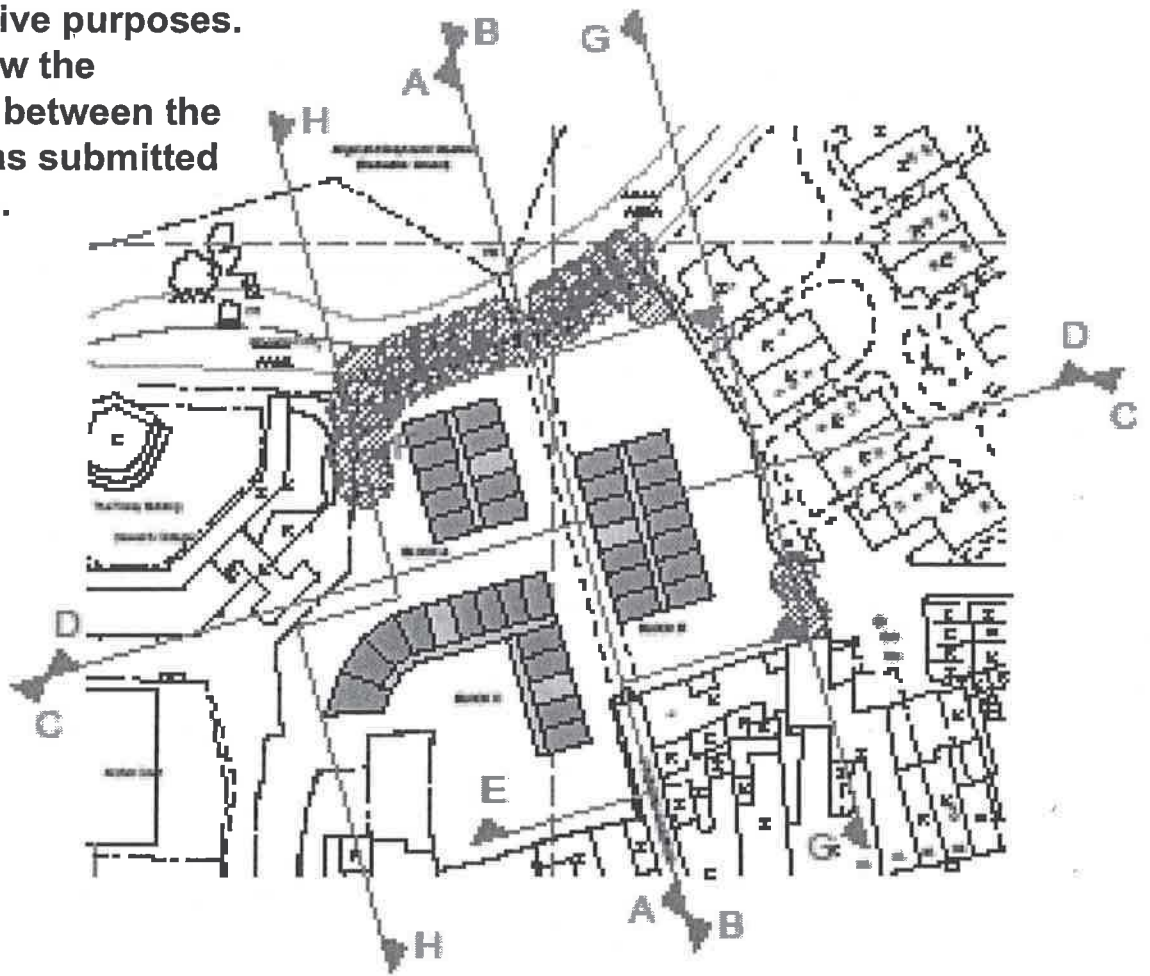


- 1 – Florey Building
- 2 – Anchor Court
- 3 – 33 St Clement's
- 4 – 1 Penson's Garden's
- 5 – Alan Bullock Close

Appendix 2 (illustrative)

Site sections

For illustrative purposes. Images show the differences between the elevations as submitted and revised.



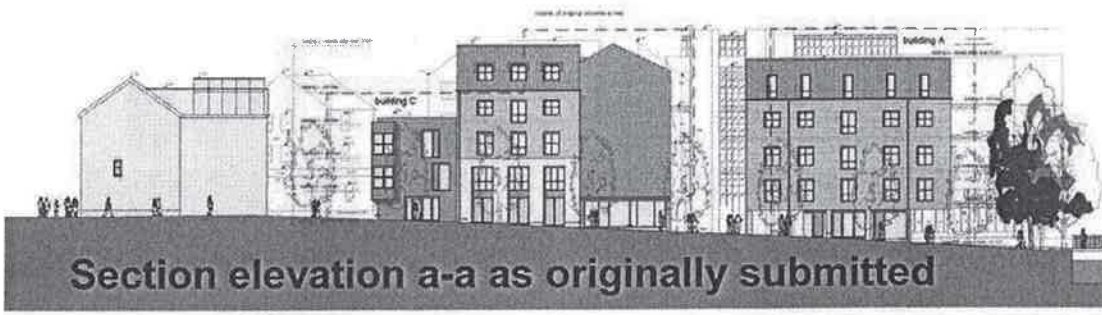
Images produced using plans originally drawn by the



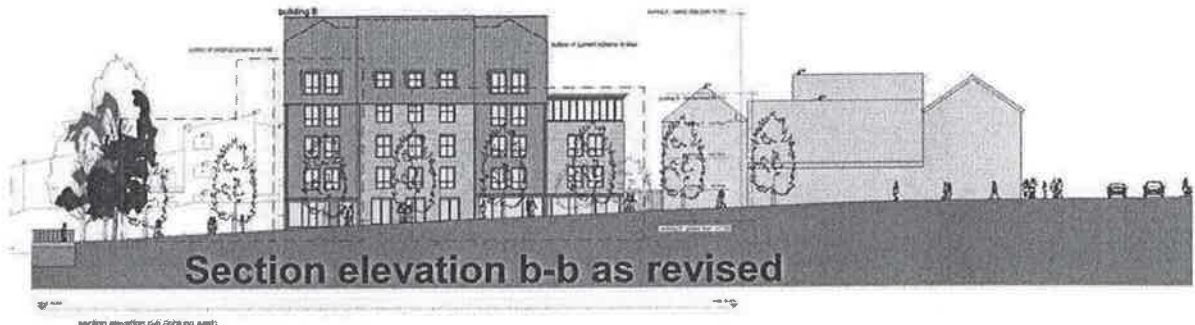
Illustrative



section elevation a-a (looking west)



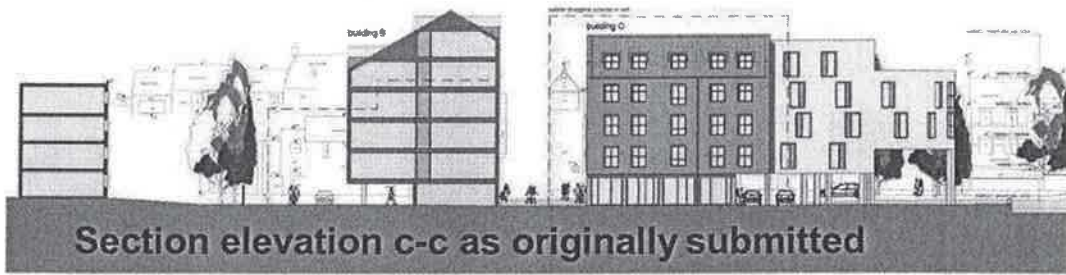
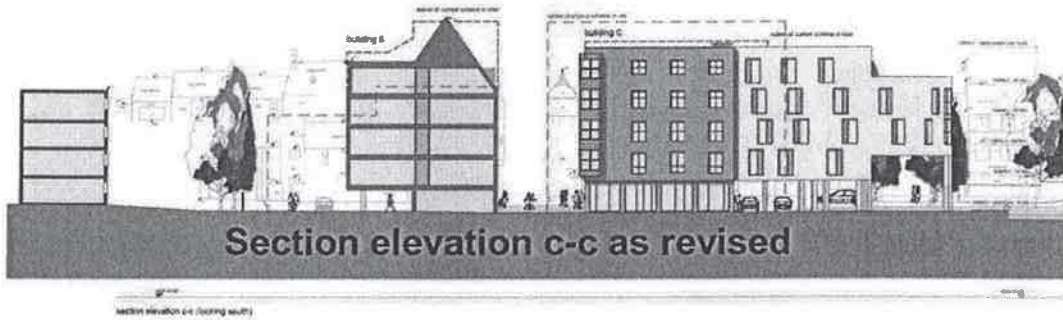
Illustrative



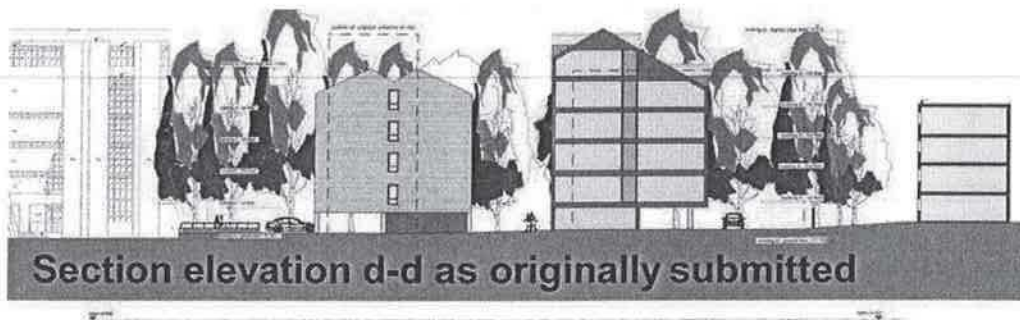
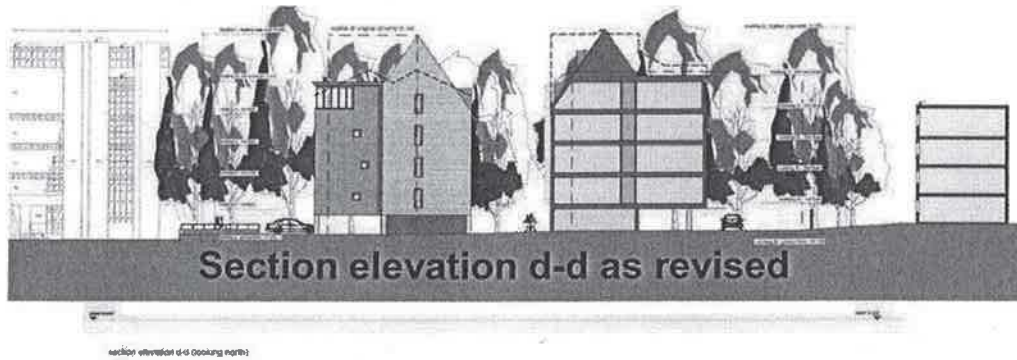
section elevation b-b (looking east)



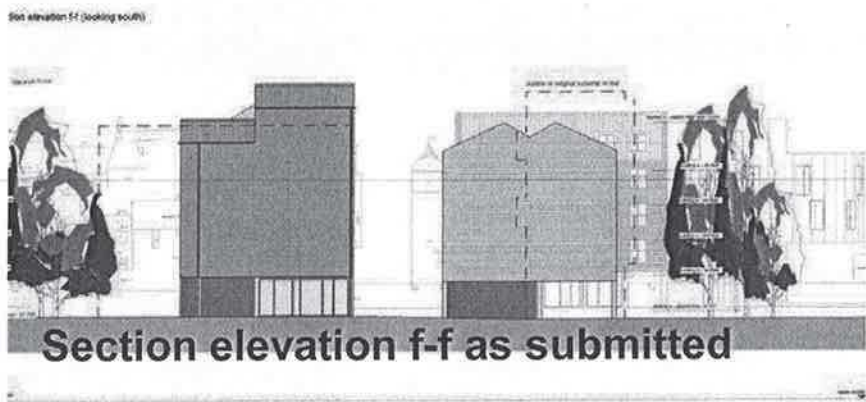
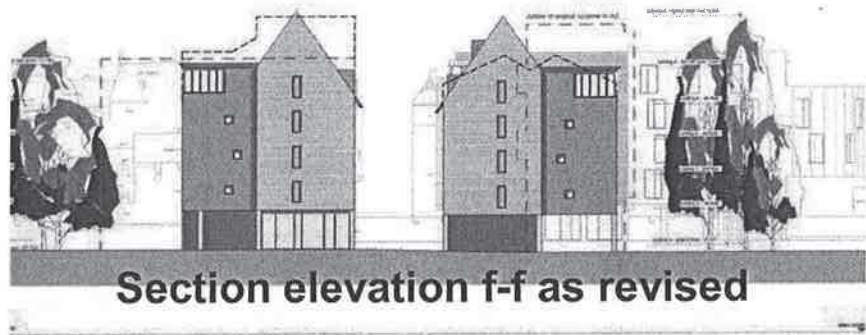
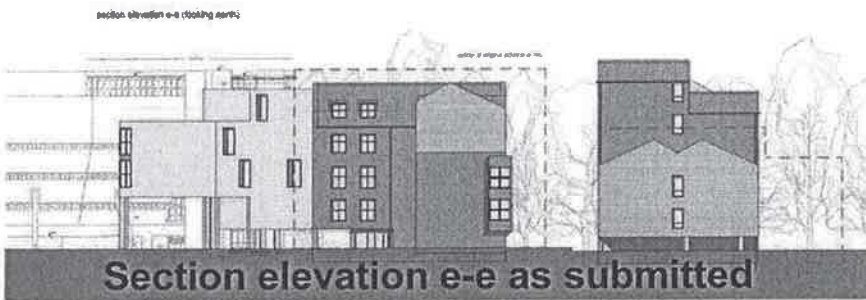
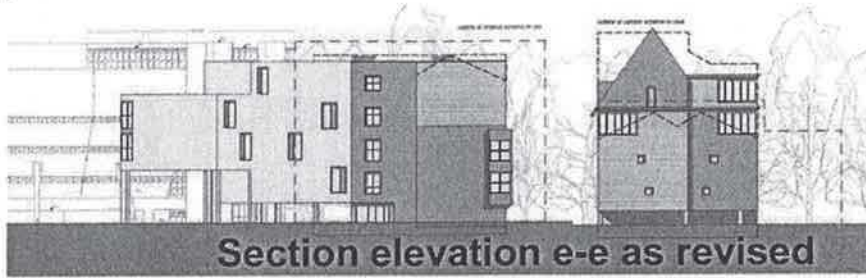
Illustrative



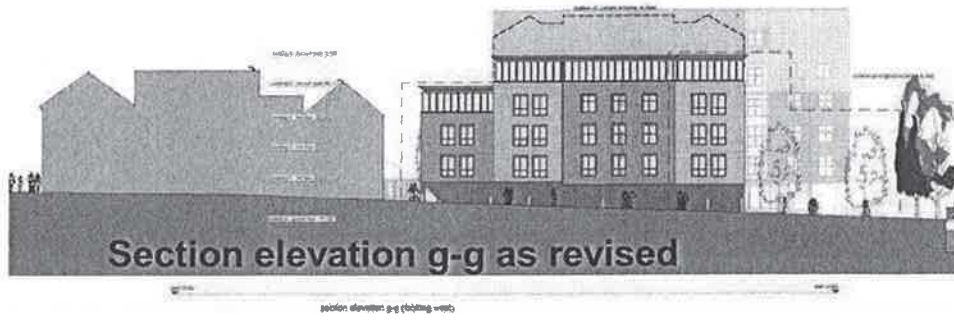
trative



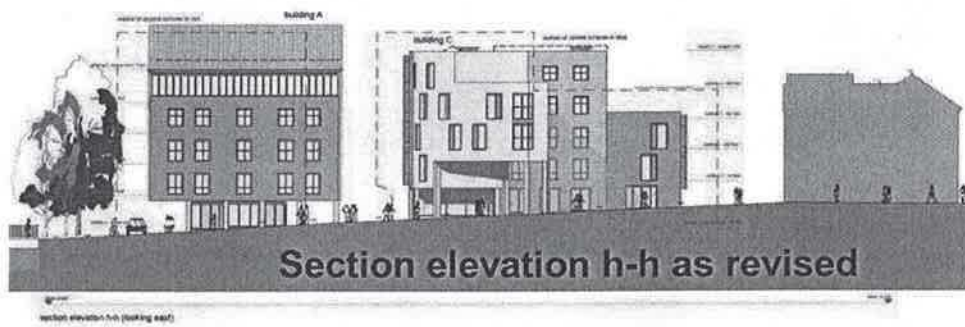
itive



Illustrative

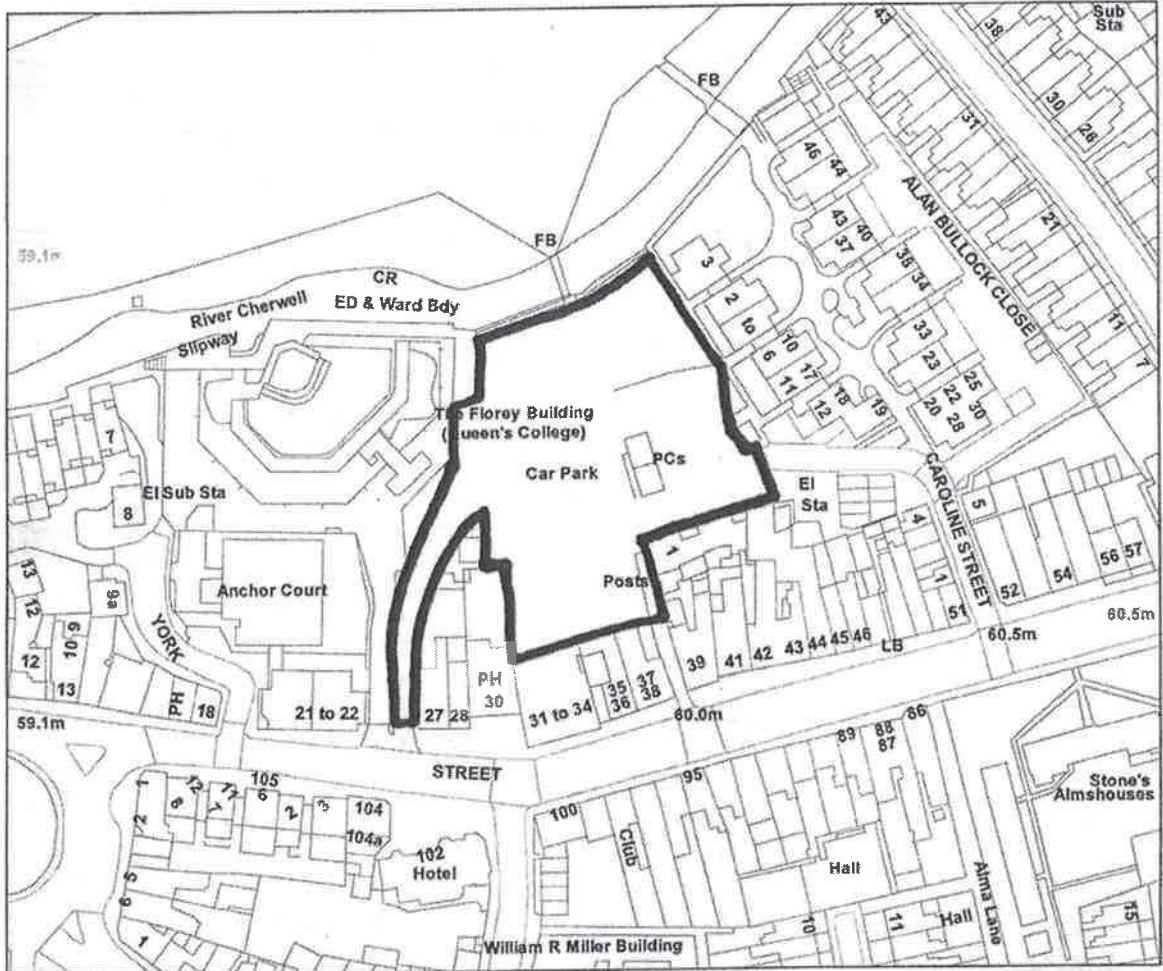


ustrative



11/01040/FUL

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



Legend

Scale: 1:1250



© Crown Copyright and database right 2011. Ordnance Survey 100019348.

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



26 July 2012
L AW 120725 Letter to Murray Hancock.docx

Mr. Murray Hancock
Chief Principal Planner
City Development
Oxford City Council
St. Aldates Chambers
109 - 113 St. Aldates
Oxford
OX1 1DS

Roger Smith
E: rasmith@savills.com
DL: +44 (0) 1865 269057
F: +44 (0) 1865 269001

Wytham Court
11 West Way
Oxford OX2 0QL
DX 96205 - Oxford West
T: +44 (0) 1865 269 000
savills.com

Dear Murray

DEMOLITION OF PUBLIC TOILETS. REDEVELOPMENT OF ST CLEMENT'S CAR PARK TO PROVIDE 140 STUDENT STUDY ROOMS AND ANCILLARY ACCOMMODATION IN TWO BLOCKS ON 3, 4 AND 5 FLOORS. REPLACEMENT CAR PARK WITH 80 SPACES, PUBLIC TOILETS, LANDSCAPING AND ANCILLARY WORKS. (ADDITIONAL INFORMATION)

ST CLEMENT'S CAR PARK AND PUBLIC CONVENIENCE ST CLEMENT'S STREET OXFORD OXFORDSHIRE

REF: 12/01369/FUL

Further to recent correspondence and in preparation for the West Area Planning Committee, I would like to take this opportunity to outline how the proposed scheme addresses the three reasons for refusal in the previous applications for the site.

How has the scheme address previous Reason for Refusal 1

Height, scale and massing

- The overall height, scale and massing of the development has been reduced (as confirmed in the submitted drawings and Design and Access Statement)
- The building has also been designed in a tiered form, with those sections nearest the river (pavilions 2 and 3) being half a storey lower
- The submitted Heritage Statement (verified views) confirms that the proposed development is not of a height or scale that would result in any impact on the designated view cones

Setting of nearby listed buildings (Grade II Listed Florey Building and No. 27 St Clements Street)

- The building will extend to five storeys adjacent to the galleries in the centre of the site but will remain subservient in height to the adjacent Florey Building
- The setting of the Florey Building will also be enhanced by the creation of a new area of public realm or square between pavilions 1 and 2 and the Florey Building
- The development uses a limited palette of materials to better reveal the significance and setting of the neighbouring listed buildings
- The scheme offers the potential to rationalise the existing access arrangement to provide a single entrance to the site. This would significantly enhance the entrance to the site and the setting of both the Florey Building and No. 27 St. Clements. However, whilst this is an aspiration, these works are not achievable under the current application, being outside the red line. It is therefore intended that it

will form the subject of a separate application submitted by Queens College (landowners of the Florey Building) in the near future.

- The developer is committed to delivering this combined access, subject to the agreement of Queens College. Whilst Queens has publically objected to a combined access, further discussions are being undertaken which may result in the ability to create a combined access.

Views into and out of the St. Clements and Iffley Road Conservation Area / Impact on adjacent Central Conservation Area

- In terms of views from the Angel and Greyhound Meadow and the Central Conservation Area, the development will be largely screened by existing tree coverage on the riverside. Despite changes in seasonal coverage of the trees, which will make the proposed development visible during winter months, the magnitude of impact will be imperceptible/none as the ability to appreciate the setting of the Florey building and amenity space of the meadows within the Central Conservation Area will not be affected. The impact on the setting of the Florey Building and both Conservation Areas will therefore be negligible
- Pavillions 2 and 3 are also nearly 7 metres lower than the previous scheme as presented to the Angel and Greyhound Meadows, and 2.2 metres further away from the river at its nearest point
- In terms of views from the entrance to Penson's Gardens from St. Clements, the proposed development will enhance the views down the street from St Clement's Street towards the river and Meadows by reintroducing the former historic street pattern to the site

How has the scheme address previous Reason for Refusal 2

- As referred to above, the overall height, scale and massing of the development has been reduced
- Furthermore, the building has been designed in a tiered form, with those sections nearest to the backs of the buildings of St. Clement's Street being 3 storeys in height, in comparison to 5 storeys at the centre of the building
- The building, in part, has been sited further away from backs of the buildings to St. Clement's Street. The gable of Pavillion 1 is in part 6 metres further away than the previous scheme and Pavillion 4 is 3 metres lower and variously 2.1 metres and 5 metres further away from No.s 39 – 43 St. Clements Street
- The introduction of Oriel windows will ensure that residential amenity is protected, in particular with reference to the flats at Alan Bullock Close.

How has the scheme address previous Reason for Refusal 3

Proposed replacement car parking provision

- The site falls within the Transport Central Area and Policy TR.11 of the Local Plan states that the City Council will not allow any significant increase in the overall number of parking spaces in the Transport Central Area
- The Council has previously clarified in their design guidance for the site that 80 spaces will need to be provided. This application will provide for 80 public car parking spaces including for two public disabled parking spaces, as opposed to 74 spaces including two public disabled spaces proposed in the previous scheme
- The accompanying Transport Assessment includes details of a series of traffic surveys at the site. The results confirmed that the maximum demand for the car park was 70 spaces at 1pm - 2pm on a weekday. The proposal will retain 80 public spaces and therefore the car park will still accommodate the typical weekday demand.
- However, Saturday data showed a higher requirement for parking after 12.15pm. Therefore, there will be some parking displaced to other areas of the City during this period as a result of the development proposal. Based on the surveys, between 12.30pm – 5pm, there would be up to 38 cars displaced in this period, with an average displacement of 29 vehicles.



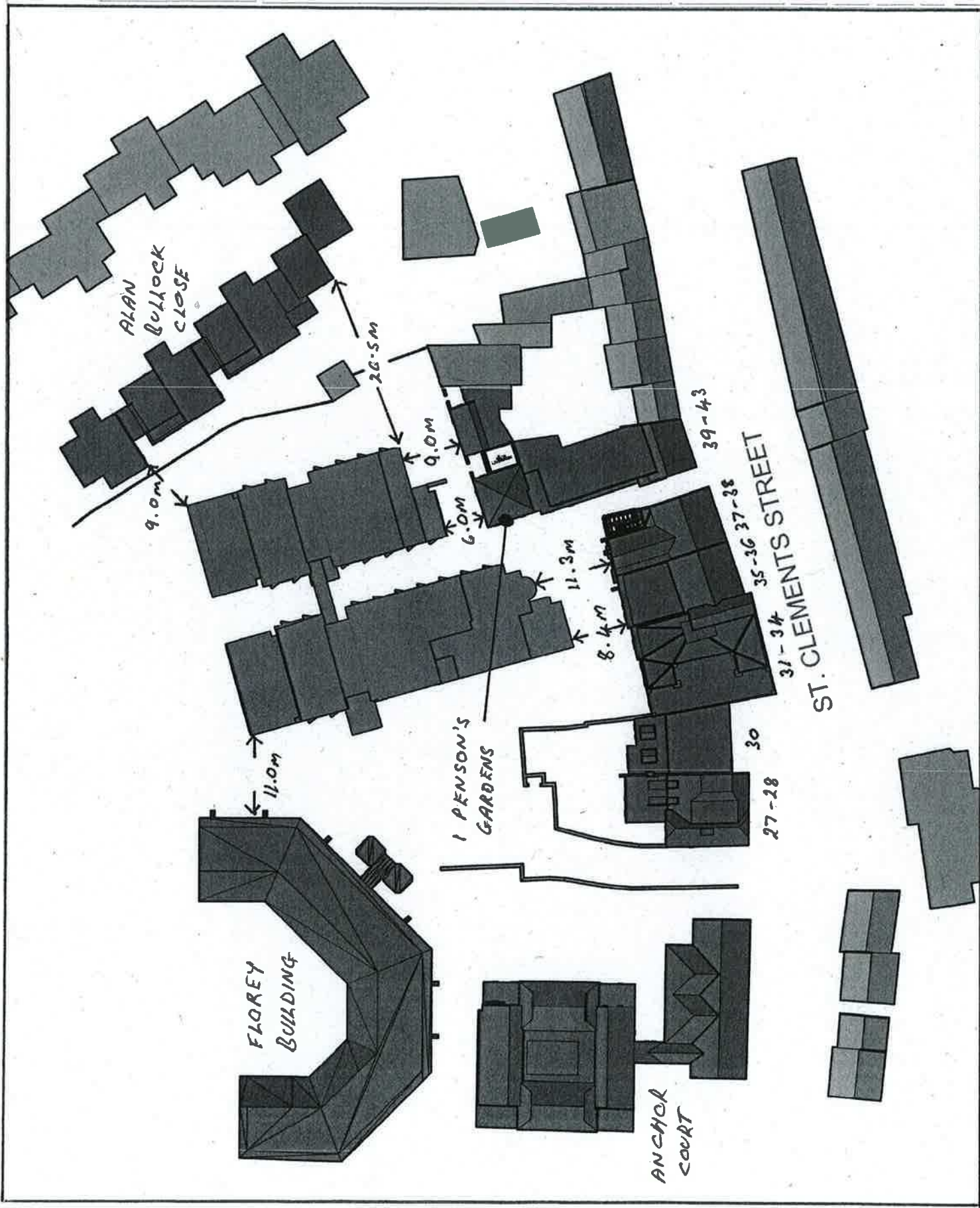
- Whilst 80 spaces is a reduction from the existing number of car parking spaces on site (112), such a level of provision would not be achievable with the current standards for the size of car parking spaces and the turning areas located between car parking spaces. If the existing car park were brought up to standard, with correct sized spaces and aisle widths, then only 98 spaces could be accommodated, i.e. 14 spaces less than presently used.
- Considering the above, if the car park was 'to standard', then the maximum displacement drops to 10 cars, with an average of 6 vehicles. Furthermore, some of the spaces have been lost due to the City Council's desire to increase landscaping in the site and not as a direct result of the student accommodation itself. If the existing car park landscaping was increased and the spaces were designed to accord with current standard, there could be approximately 90 spaces available. Therefore, the loss of car parking due to the student accommodation is only circa 10 spaces.

Location of proposed temporary replacement car park

- Prior to the submission of the application, Watkin Jones Group and the City Council's Estate Department were actively working to secure alternative temporary car parking during the construction period. The proposed location on Marston Road is the only available site within close proximity to the application site. This is very close to the site that was previously considered, at Harcourt House
- The proposed temporary car park can accommodate 65 car parking spaces, which is an increase when compared to the previous scheme of 55 car parking spaces.
- The site also benefits from a clearly defined, safe pedestrian access route which is separate from the vehicular access. Furthermore, the No. 13 bus travels directly to the city centre from the site, via St Clement's
- Watkin Jones Group and the Estates Department of the City Council have met to discuss the possibility of providing a bus shuttle service from the temporary car park to the application site. The developer is currently in detailed discussions to seek to ensure that details of the shuttle bus are provided prior to committee

Yours sincerely

Roger Smith
Director
Savills



West Area Planning Committee

15th August 2012

Application Number: 12/01388/RES

Decision Due by: 31st August 2012

Proposal: Demolition of existing buildings on site. Erection of 190 student study rooms in two blocks on 3 and 4 levels together with 2 bedrooms in gatehouse buildings, 5 car parking spaces, 100 cycle parking spaces, landscaping and ancillary works. (Reserved Matters of outline planning permission 09/02518/OUT seeking approval of details of layout, scale, appearance, access and landscaping) (Amended plans)

Site Address: Former Travis Perkins site, Chapel St, **Appendices A & B.**

Ward: St Clement's Ward

Agent: John Phillips Planning
Consultancy

Applicant: Dominion Developments
2005 Ltd.

Recommendation: Approve with conditions.

Reasons for Approval

- 1 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.
- 2 The design and layout of the development, and its architectural treatment are appropriate to the site and relate well to the existing grain of development in East Oxford. It is sited at a sustainable location convenient to local services. It replaces a builders yard which has relocated to a more appropriate site elsewhere and as such heavy vehicle movements associated with that use are deleted. Officers consider the development to be acceptable at this location.
- 3 Having considered the public comments made in response to the proposals officers have come to the view, for the reasons set out in this report, that the concerns raised are already addressed in the application or can be addressed either by conditions to this permission; those already imposed on the outline planning permission; or by the legal agreement which accompanied it. The

relationships to neighbouring residential and other properties are acceptable and appropriate. As such it is considered that the reserved matters application should be supported and that refusal of permission would not be justified.

Conditions.

Some 28 planning conditions accompanied outline planning permission 09/02518/OUT granted in September 2010. These relate, inter alia, to materials, the positioning of buildings, occupation of the accommodation, management controls, car and cycle parking, construction arrangements, drainage, ground contamination measures, noise attenuation, public art, habitat creation etc.

These all remain in force and need only to be supplemented by conditions relating to the reserved matters if permission is granted:

1. Time limits.
2. Approved plans.
3. Reserved matters approved.
4. Details of boundary wall to eastern side of site.
5. Boundary to B1 Business land.
6. Obscure glazing to secondary windows in end elevations.

Legal Agreement.

A legal agreement accompanied the outline planning permission securing £12,000 from the student accommodation towards public realm works in the locality, plus the costs of excluding the site from the Controlled Parking Zone (CPZ) in operation in the area. It also secured various financial contributions on a formulaic basis per student study room in accordance with the Planning Obligations Supplementary Planning Document (SPD). For this reserved matters application of 190 student study rooms the following index linked financial contributions are therefore secured:

- County Council costs of exclusion from CPZ: £1,000.
- Public realm works: £12,000.
- Cycling improvements in the locality: £26,220.
- Library services: £11,970.
- Indoor sports facilities: £11,400.

NB: If the previous combination of outline and reserved matters permissions 09/02518/OUT and 11/01712/RES respectively had proceeded as intended, and St. Hilda's College acquired an interest in the land to allow the development to accommodate its postgraduate students, then the agreement would also have required the college to return its properties on Iffley Road housing those students back onto the open housing market. As the college no longer intend to take such an interest in the land however, then this clause within the agreement would not come into force in the event of this alternative reserved matters application being permitted.

Principal Planning Policies:

Oxford Local Plan 2001-2016

CP1 - Development Proposals
CP5 - Mixed-Use Developments
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 Analysis
CP19 - Nuisance
CP21 - Noise
CP22 - Contaminated Land
TR1 - Transport Assessment
TR3 - Car Parking Standards
TR4 - Pedestrian & Cycle Facilities
TR12 - Private Non-Residential Parking
TR13 - Controlled Parking Zones
TR14 - Servicing Arrangements
NE21 - Species Protection
NE23 - Habitat Creation in New Developments
HE10 - View Cones of Oxford
HS19 - Privacy & Amenity
HS20 - Local Residential Environment

Core Strategy

CS2 - Previously developed and greenfield land
CS9 - Energy and natural resources
CS10 - Waste and recycling
CS12 - Biodiversity
CS13 - Supporting access to new development
CS17 - Infrastructure and developer contributions
CS18 - Urban design, town character, historic environment
CS19 - Community safety
CS25 - Student accommodation
CS28 – Key employment sites.

Sites and Housing Plan: Submission Draft

HP5 - Location of Student Accommodation
HP6 - Affordable Housing from Student Accommodation
HP9 - Design, Character and Context
HP14 - Privacy and Daylight
SP58 - Travis Perkins, Chapel Street

Other Material Considerations:

1. National Planning Policy Framework (NPPF).
2. LDF Supplementary Planning Documents.

Public Consultation

Statutory Undertakers etc.

Environment Agency: No objection.

Thames Water: No objection.

Oxfordshire County: Highways: No objection.

Oxfordshire County: Strategic Planning: Consultation not required.

Environmental Development: Recommend condition relating to ground contamination.

Third Parties:

Main comments received:-

- Development too high.
- Development too dense.
- Potential for noise and disturbance.
- Potential for illegally parked cars.
- Pressure on public utility services.
- Loss of privacy.
- Too high a concentration of students.
- Increase in traffic.
- Loss of daylight.
- Increased pollution.
- Impact on character of area.
- Overdevelopment.
- Prefer to see housing and employment on site.
- Concern about supervision of students.

Officers Assessment:

Background to Case.

1. In 2010 planning permission was granted in outline for the construction of up to 200 student study rooms and 2,100 sq m of Class B1 office accommodation on the site of the Travis Perkins builders' yard at Chapel Street. The planning application was accompanied by a legal agreement securing the various matters referred to above. The builders yard site measures approximately 0.71ha. (1.75 acres). This current application represents the reserved matters submission for the student accommodation only and relates to the greater part of the site, measuring some 0.45 ha. (1.11 acres). The remainder of the land fronting Collins Street is intended for the office accommodation but is not the subject of this application. **Appendices A and B** refer. The builders merchants occupying the yard have now relocated to a site at Sandy Lane West and the site is currently unoccupied.
2. The outline permission secured the principle of student accommodation on the land but with all details of the development to follow later. This reserved matters application is not therefore an opportunity to revisit the principle of student accommodation at this site or to reconsider the conditions previously

imposed. Nor is the current designation of the land as a key employment site under policy CS28 of the Core Strategy as the grant of outline planning permission pre dated the adoption of that policy. Rather only matters relating to layout, scale, appearance, access and landscaping are before committee for determination. The outline permission did impose various restrictions on the way the site could be laid out however and these are respected in this latest application, plus requirements that occupation be limited to students of Brookes University or the University of Oxford and its constituent colleges, and that they would not be permitted to bring private vehicles to Oxford or be eligible for residents' parking permits.

3. This latest reserved matters application was preceded by a similar one where the intended occupiers were St. Hilda's College. In the period since consideration of that previous reserved matters application the *Sites and Housing Plan* has been progressed and will now come to examination in September of this year. In the emerging Plan policies HP5 and HP6 seek to impose additional requirements on proposals for purpose built student accommodation, for example that such developments should be located at allocated sites or along principal routes, and that they should contribute to the provision of affordable housing. These requirements cannot be applied to the current case however as an extant outline planning permission already exists and it is only the remaining details which are before committee for determination. Similarly the intended allocation of the site in the Sites and Housing Plan for a mix of residential development and employment use under policy SP58 is not relevant to committee's consideration of the remaining details now before it.
4. The application is, then, essentially a revised version of the very similar reserved matters permission granted in 2011 which is not now envisaged to proceed. That permission proposed 172 student study rooms plus 4 fellows' flats as graduate accommodation for St. Hilda's College. A copy of the officers' report on that proposal is attached in full now as **Appendix C**. However the college no longer intend to acquire an interest in the land and the current application is brought forward as an alternative proposal by the A2 Dominion Housing Group with no named occupier indicated at the time of writing. Supporting information supplied by the applicant is set out in **Appendix D** to this report.
5. Details of the current planning application compared to that previously approved are referred to later in this report, but generally the development remains much as before but with the space between the two residential blocks reworked; the internal arrangements modified; and external appearance adjusted. This report therefore seeks to concentrate on those elements of the development as now presented which vary from the previous reserved matters permission of 2011.
6. Officers consider the key determining issues in this case to be:
 - built forms;
 - residential amenities;
 - highways, access and parking;

- landscaping; and
- sustainability.

Built Forms

7. The form and layout of the previously permitted development is described in detail in **paragraphs 6 to 11 of Appendix C** and is repeated in large measure in these latest proposals. The basis of the development remains as outlined there with two wings of student accommodation running parallel with Collins Street to the south and Ablett Close to the north, separately by an enclosed, landscaped courtyard where students can gather and linger. Access to the site from Collins Street is via a porter's lodge at the eastern end of that street. From here entry into the student blocks is via the central courtyard, and then two stair wells or lifts in each block to upper floor levels. Along the eastern side of the site to the common boundary with the East Avenue properties, the existing brick boundary wall is retained with a series of single storey structures constructed off it containing ancillary facilities such as cycle stores, laundry, building services room, bin stores and workshop.
8. The two main blocks of accommodation rise to 3 floors to their eastern end and four to the western end in response to conditions imposed at the outline stage. The intention in creating blocks of accommodation set away from common boundaries is not just to ease the relationship with surrounding properties, but to create quiet and calm environments within which students can live and study. Internally the accommodation is re ordered to now provide 190 student study rooms, arranged in the main in clusters of 6 with a shared kitchen / amenity room for each cluster. Some 19 of the rooms are suitable for use by disabled students.
9. These features are supported as a logical response to student needs and the particular constraints of the site. In these proposals however the previous centrally located gym, meeting room and amphitheatre are replaced by a simple landscaped courtyard or quad with a central lawn flanked by tree planting and paving to the perimeter.
10. In summary the principal external modifications to the application compared to the previous reserved matters permission can be listed as follows:
 - meeting rooms, gym and amphitheatre removed from between the main accommodation blocks and replaced by a landscaped courtyard;
 - height of development at highest 4 storey elements reduced from 12.5m to 12.1m, and 3 storey elements from 9.7m to 9.2m;
 - elevations modified, to include amendments to solar shading arrangements; timber and cladding introduced at end elevations; some windows to end elevations omitted; and downpipes etc mounted externally;
 - photovoltaic panels added at roof level; and
 - entrance area layout amended and doors changed.
11. A full listing of the changes as included in the planning application is attached as **Appendix E**. Overall these modifications do not change the development

in concept from that previously accepted and officers are therefore satisfied that the development can be supported in the built form now proposed.

Residential Amenities.

12. In the outline planning permission matters relating to layout, scale, appearance, access and landscaping were reserved to future reserved matters applications. Nevertheless various restrictions were imposed on how the development could be laid out. These required that the residential blocks should be at least 10m from the eastern boundary with the residential properties in East Avenue, and 16m from the boundary to those in Ablett Close. This would result in window to window distances to East Avenue of between 25 m to 28m and to Ablett Close of 23m to 24m, well in excess of the usual requirement of 21m. Similarly the requirement that no part of the development should be more than 12.5m in height and that any 4 storey development should be confined to the western side of the site are also respected. Moreover the ground level at the northern end of the site is lower than that of the properties adjacent in Ablett Close by approximately 1.3m, reducing any visual impact further.
13. With these parameters in place good standards of residential amenity in terms of privacy and lighting conditions or any perception of overdominance from the development are addressed, with landscaping along the northern side of the site also assisting in allowing the development to sit more easily with its neighbouring properties. In addition, whilst windows serving student study rooms are present within the end elevations of the residential blocks facing East Oxford School and East Avenue, these are secondary windows which as before it is suggested should be conditioned to be fitted with obscure glazing so as to allow additional light to enter those rooms and more interesting elevations to be created, whilst still retaining privacy for all parties.
14. A condition of the outline permission requiring the submission of noise attenuation measures remains in place, as does a requirement for a resident warden.
15. In sum these elements of the development are much as in the previously approved reserved matters application and as referred to in **paragraphs 12 to 20 of Appendix C.**

Highways, Access and Parking.

16. As previously access to the site is taken from the south off Chapel Street to 5 operational car parking spaces and 100 cycle parking spaces, in line with current policy requirements. If required space is available on site to provide additional cycle parking facilities. The reduction in heavy vehicle movements as a consequence of the builders' yard transferring to Sandy Lane West means that traffic conditions within local streets will improve whilst a contribution is also secured towards public realm improvements. There are no changes to the street closures in Chapel Street and East Avenue as a consequence of the development, though a contribution towards public realm

improvements is secured.

17. In addition a requirement of the outline planning permission is that students would not be eligible for parking permits within the Controlled Parking Zone in operation, whilst a clause in students' tenancy agreements would not permit them to bring private vehicles to the city.
18. These arrangements are all as approved in the previous reserved matters permission and described in **paragraphs 21 to 23 of Appendix C**.

Landscaping.

19. The largest area of planting is to the northern side of the site between the northern block of accommodation and the rear gardens of the Ablett Close properties. The planting here is made up of some 19 new trees planted in a sinuous arrangement, made up of a mix of hornbeam, common hornbeam, common beech, rowan, and small leaved lime. The species were chosen to provide both screening of the development from Ablett Close whilst not introducing so many large trees and leaf coverage as to create an inappropriate amount of shading. This tree planting is again proposed to be supplemented by informal shrub planting and lawned areas creating a mix of contoured amenity lawn and longer wildflower areas. **Paragraphs 24 to 28 of Appendix C** refer.
20. To the central courtyard however the removal of the gym, meeting rooms and amphitheatre has allowed a more conventional central, quad like space to be created, varying between 19m and 30m in width and measuring approximately 65m in length. Again as previously, sweet gum trees are proposed to the eastern and western ends of the space, whilst the largely lawned areas between the accommodation blocks are planted with some 14 ornamental pears. Some low hedges are proposed adjacent to ground floor windows to student study rooms to provide a degree of privacy for ground floor student study rooms, whilst longer lengths of hedge and shrub planting is proposed along the common boundary with the office site to the south.
21. In terms of hard landscaping, surfaces are of varying types of paving, interspersed with the lawned areas and tree coverage. Bound gravel abuts the immediate area next to external facades, whilst seating is provided at various points around the central courtyard.

Sustainability

22. In the previous reserved matters permission a score of 6 out of a possible 11 was achieved on the NRIA checklist with good levels of energy efficiency achieved by passive measures, supplemented by the use of gas fired condensing boilers, ground source heat pumps, roof mounted solar thermal and photovoltaics concealed from view behind parapets and away from roof edges. **Paragraphs 29 to 33 of Appendix C** refer. However As a consequence of omitting the central buildings containing gym and meeting rooms, improved thermal insulation, sourcing timber from FSC sources etc it

has been possible to increase the environmental measures included in the development and improve the overall NRIA score to 8 out of 11 with the minimum score in each category of energy efficiency, renewable energy, use of materials and water resources achieved or exceeded.

Conclusion

23. This latest reserved matters planning application really represents a variation to that granted permission in 2011. That previous permission was designed specifically with postgraduate students of St. Hilda's College in mind. As that is no longer the case then Dominion Developments seek an amended permission. The loss of supporting facilities such as a gym and meeting room is regretted to some extent, though it does allow a large enclosed courtyard to be created where the 190 students can spill out from the accommodation blocks, meet and relax. Access arrangements, cycle parking and restrictions on car usage remain in place as previously, whilst the accommodation blocks are lowered in height slightly and landscaping adjusted accordingly. Other matters required to be agreed such as the choice of materials, supervision of students, boundary treatment and sound attenuation measures all remain as previously.

24. Committee is recommended to support the proposals accordingly.

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: Applications 04/02259/OUT, 09/02518/OUT, 11/01712/RES, 12/01388/RES.

Contact Officer: Murray Hancock

Extension: 2153

Date: 27th July 2012

APPENDIX A



- TRAVIS PERKINS, CHAPEL STREET
- 12/01388/RES

APPENDIX B



- TRAVIS PERKINS, CHAPEL STREET
- 12/01388/RES

West Area Planning Committee

-12th October 2011

Application Number: 11/01712/RES**Decision Due by:** 23rd September 2011

Proposal: Demolition of existing buildings on site. Erection of 166 student study rooms and 4 fellow's flats in two blocks on 3 and 4 levels, together with sunken gym, single storey pavilion amphitheatre, 5 car parking spaces, 100 cycle parking spaces, landscaping and ancillary works.
(Reserved Matters as part of Outline planning permission 09/02518/OUT seeking approval of details of layout, scale, appearance, access and landscaping)

Site Address: Travis Perkins Builders Yard, Chapel Steet, **Appendices 1 & 2.**

Ward: St Clement's Ward

Agent: John Philips Planning
Consultancy

Applicant: W.E.Black Ltd

Recommendation: Approve with conditions

Reasons for Approval.

- 1 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.
- 2 The design and layout of the development, and its architectural treatment are appropriate to the site and relate well to the existing grain of development in East Oxford. It is sited at a sustainable location convenient to St. Hilda's College whose graduates would occupy the development. It replaces a builders yard which is relocated to a more appropriate site elsewhere and as such heavy vehicle movements associated with that use are deleted. Officers consider the development to be acceptable at this location.
- 3 Having considered the public comments made in response to the proposals officers have come to the view, for the reasons set out in this report, that the

concerns raised are already addressed in the application or can be addressed either by conditions to this permission; those already imposed on the outline planning permission; or by the legal agreement which accompanied it. The relationships to neighbouring residential and other properties are acceptable and appropriate. As such it is considered that the reserved matters application should be supported and that refusal of permission would not be justified.

Conditions.

Some 28 planning conditions accompanied outline planning permission 09/02518/OUT granted in September 2010. These relate, inter alia, to materials, the positioning of buildings, occupation of the accommodation, management controls, car and cycle parking, construction arrangements, drainage, ground contamination measures, noise attenuation, public art, habitat creation etc.

These all remain in force and need only to be supplemented by standard conditions relating to the reserved matters if permission is granted:

1. Time limits.
2. Approved plans.
3. Reserved matters approved.
4. Details of boundary wall to eastern side of site.

Legal Agreement.

A legal agreement accompanied the outline planning permission securing £12,000 from the student accommodation towards public realm works in the locality, plus the costs of excluding the site from the Controlled Parking Zone (CPZ) in operation in the area. It also secured various financial contributions on a formulaic basis per student study room in accordance with the Planning Obligations Supplementary Planning Document (SPD). For this reserved matters application of 170 student study rooms the following matters are therefore secured:

- County Council costs of exclusion from CPZ: £1,000
- Public realm works: £12,000.
- Cycling improvements in the locality: £23,460.
- Library services: £10,700.
- Indoor sports facilities: £10,200.

In addition, in the event of the accommodation being occupied by graduate students of St. Hilda's College as intended, then the college would return its properties on Iffley Road currently occupied by its graduate students back onto the open housing market.

No further legal agreement is required to secure these matters.

Main Planning Policies:

Oxford Local Plan 2001-2016.

CP1 - Development Proposals

CP5 - Mixed-Use Developments

CP6 - Efficient Use of Land & Density
CP8 - Design Development to Relate to its Context
CP9 - Creating Successful New Places
CP10 - Siting Development to Meet Functional Needs
CP11 - Landscape Design
CP13 - Accessibility
CP14 - Public Art
CP17 - Recycled Materials
CP18 - Natural Resource Impact Analysis
CP19 - Nuisance
CP21 - Noise
CP22 - Contaminated Land
TR1 - Transport Assessment
TR3 - Car Parking Standards
TR4 - Pedestrian & Cycle Facilities
TR12 - Private Non-Residential Parking
TR13 - Controlled Parking Zones
TR14 - Servicing Arrangements
NE21 - Species Protection
NE23 - Habitat Creation in New Developments
HE10 - View Cones of Oxford
HS19 - Privacy & Amenity
HS20 - Local Residential Environment

Oxford Core Strategy 2026.

CS2 – Development on previously developed land
CS9 - Energy and natural resources
CS10 - Waste and recycling
CS12 - Biodiversity
CS13 - Supporting access to new development
CS17 - Infrastructure and developer contributions
CS18 - Urban design, town character, historic environment
CS19 - Community safety
CS25 - Student accommodation

Other Material Considerations.

PPS1: Delivering Sustainable Communities.
PPS4: Planning for Sustainable Economic Growth.
PPG13: Transport.
PPG24: Planning and Noise.

Public Consultation.

Prior to the submission of the planning application the applicant held a public exhibition in the Cross Street Family Centre on 5th July 2011. Approximately 20 members of the public attended the exhibition with four leaving written comments. The main issues raised were as follows:

- concern over increased height of rear block;
- need for effective tree species and landscaping strategy;
- loss of privacy;

- loss of light;
- concern at location of bin stores – too close to Ablett Close.

In response to consultation on the planning application as submitted the following comments have been received:

- Thames Water: No comments.
- Environment Agency: No observations.
- Thames Valley Police Crime Prevention: Recommendations made prior to submission of planning application have been incorporated.
- Oxfordshire County Council, Planning: No comments.
- Oxfordshire county Council, Highways: Layout satisfactory; conditions imposed at outline stage apply.
- Third Parties: Main points raised:
 - does not make best use of land;
 - development too dense;
 - too many students in local area already;
 - potential for anti social behaviour;
 - development should be located more centrally to site / too close to existing housing;
 - adverse impact on sunlight and daylight for existing residents;
 - new tree planting would lead to loss of light;
 - would lead to overlooking and loss of privacy;
 - overlooking of school play area;
 - noise and light pollution;
 - three story buildings would be preferred / should be fewer storeys;
 - cross sections through site misleading;
 - recycling bins etc adjacent to common boundary / should be closer to entrance;
 - fear future change of use;
 - fear use of central courtyard for external events;
 - no indication of what becomes of office site;
 - would prefer to see housing on the site;
 - may not be possible to control car ownership by students;
 - well managed student accommodation preferable to students living in HMOs in residential streets;
 - not opposed to principle of development.

Following amendments to the planning application the following additional comments were received:

- no reference is made to the office development;
- no sunlight and daylight impact statement has been carried out;
- does not comply with Local Plan policies HS19 (privacy) or CP10 (functional needs);
- does not comply with 25% rule;
- issues of noise, pollution and waste collection not resolved;
- may not be possible to control private car ownership.
- other facilities included as well as student rooms.

Officers Assessment.

Background to Case.

1. In 2010 planning permission was granted in outline for the construction of up to 200 student study rooms and 2,100 sq m of Class B1 office accommodation on the site of the Travis Perkins builders' yard at Chapel Street. The planning application was accompanied by a legal agreement securing the various matters referred to above. The builders yard site measures approximately 0.71ha. (1.75 acres). This current application represents the reserved matters submission for the student accommodation only and relates to the greater part of the site, measuring some 0.45 ha. (1.11 acres). The remainder of the land fronting Collins Street is intended for the office accommodation but is not the subject of this application. **Appendices 1 and 2** refer. The builders yard is intended to relocate to a site at Sandy Lane West for which planning permission already exists.
2. The outline permission secured the principle of student accommodation on the land but with all details of the development to follow later in this submission. This reserved matters application is not therefore an opportunity to revisit the principle of development or to reconsider the conditions previously imposed. Rather this application relates to the outstanding matters of layout, scale, appearance, access and landscaping only. The outline permission did impose various restrictions on the way the site could be laid out however and these are referred to later in this report.
3. As submitted the planning application sought reserved matters permission for 172 student study rooms plus 4 fellows' flats as graduate accommodation for St. Hilda's College which is located approximately half a mile away at Cowley Place. Subsequent to submission the application was amended however such that it now proposes 166 student study rooms plus 4 fellow's flats. The reduction in student rooms is achieved by reducing the amount of accommodation at third floor level to the northern block of accommodation.
4. The college currently houses its graduates in a number of individual properties, in the main along Iffley Road. These properties would be given up accordingly. In concentrating its graduates at this site the college would provide a small number of supporting facilities in the form of a gymnasium and some general meeting rooms. There would not be a bar or other social facilities on the site however other than common rooms. The site would be supervised on a day to day basis by a resident warden.
5. Officers consider the key determining issues in this reserved matters application to be:
 - built forms;
 - residential amenities;
 - highways, access and parking;
 - landscaping; and
 - sustainability.

Built Forms.

6. At the outline application stage various alternatives of how the site might be laid out were presented, though in the event none of these was fixed in the permission granted. Rather all these details were reserved for further consideration in this reserved matters submission. The basis of the development as now presented is in the form of two wings of student accommodation running parallel with Collins Street to the south and Ablett Close to the north, separately by an enclosed and partly sunken courtyard where students can gather and linger. Officers support such an approach which responds positively to the general grain of urban development in the locality. In these orientations the study rooms each receive direct sunlight for a significant proportion of the day, helping to reduce heating costs and reduce dependency on heating and lighting. It also provides natural surveillance around the development
7. Access to the site from Collins Street is via a porter's lodge at the eastern end of that street. From here entry into the student blocks is via the central courtyard, and then two stair wells or lifts to upper floor levels. This allows access to all 166 student study rooms at the various levels, including 13 adapted for full disabled use, plus the 4 fellows' flats. Within the central courtyard a sunken "amphitheatre" is created with a small gymnasium to the western side contained within a single storey crescent shaped building. Also within this central space is a single storey pavilion building which contains two general purpose meeting rooms. Along the eastern side of the site to the common boundary with the East Avenue properties, the existing brick boundary wall is retained with a series of single storey structures constructed off it containing cycle stores, laundry, building services room, bin stores and workshop. These structures are all contained under a flat sedum roof.
8. The two main blocks of accommodation rise to 3 floors to their eastern end and four to the western end in response to conditions imposed at the outline stage. Since this application was submitted the western end of the northern block has been amended so that the four storey element is drawn away from the northern façade along part of its length in order to ease the relationship with properties in Ablett Close. It is within the remaining third floor accommodation at this point that the 4 fellows' flats are located. Essentially they are made up of an amalgamation of study rooms, with two of the flats being one bed roomed and two of them two bed roomed. They are set out in a more self contained manner than the student study rooms however which are arranged in clusters of perhaps 6 or 7, with each cluster sharing a kitchen / common room space. Each student study room measures approximately 18 sq m and kitchen / common room 23 sq m.
9. The intention in creating blocks of accommodation set away from common boundaries is not just to ease the relationship with surrounding properties, but to create quiet and calm environments within which the college's postgraduate students can live and study. This is supported as a logical response to the college brief and the constraints of the site

10. Architecturally the main student blocks would be constructed essentially of brick punctuated by large, rectangular window openings containing the glazed elements but also a zinc panel and vertically hung timber battens. The use of brick as a common vernacular material is also supported as an appropriate material for the development, the more so perhaps as coincidentally the application site is located on the site of a former brickworks. The final choice of materials would be subject to condition in the normal way.

11. In summary officers regard the design approach adopted to be rational and entirely supportable in its context. It carries with it the potential to create a calm and relaxing collegiate environment within a correspondingly quiet but striking architectural solution.

Residential Amenities

12. Although the outline planning permission granted in September 2010 reserved matters relating to layout, scale, appearance, access and landscaping to this reserved matters application, it nevertheless imposed certain restrictions on how the site could be laid out, but without attempting to be overly prescriptive. The outline permission therefore required that:

- the development generally be to a maximum of 3 storeys or 10.0m in height whichever were the lower;
- that greater heights were only permitted to the western side of the site, to a maximum of 4 storeys or 12.5m in height whichever were the lower;
- no student accommodation block should be constructed within 10m of the common boundary with properties in East Avenue; and 16m of the common boundary with properties in Ablett Close.

13. The intention of these requirements was to ensure that an acceptable relationship would be created with neighbouring properties whilst still allowing some flexibility as to how the site might be laid out. As proposed the 3 storey elements extend to 9.7m in height, including a low parapet at roof level, and the four storey element to 12.5m, both thereby complying with the restrictive condition. The 4 storey element is confined to the western side of the site where it adjoins larger buildings beyond the site, as again required by the outline permission. Within the northern block the 4 storey element is also in part set back from the northern edge of the building, as described above.

14. The new accommodation blocks also comply with the distance restrictions imposed, with the nearest point along the eastern side being 10.0m from the common boundary with the East Avenue properties, and 16m from the common boundary with Ablett Close.

15. Privacy. With these restrictions in place the typical window to window distances between the rear of properties in East Avenue and the end residential blocks would be in the range of 25m to 28m. This compares to a typical minimum distance usually sought of 20m or 21m. The study rooms to the eastern end of the accommodation blocks have their main window openings facing to the north or south, but with secondary units facing eastwards towards the East Avenue properties. These are shown obscure

glazed up to a height of 1.6m in any event to prevent direct overlooking. Moreover the rear brick wall to the storage buildings along this eastern side of the builders yard is intended to remain, as requested by a number of local residents. This would be set at a height to be agreed but could be to the present height in places of 5m. At such a height the accommodation blocks would only be visible beyond the wall from positions nearer the houses themselves in any event and would not be visible from the lower parts of gardens.

16. To the northern side the rear gardens to the Ablett Close properties are relatively short at about 7m or 8m only. However with the new buildings drawn away from the common boundary window to window distances of approximately 23m to 24m are achieved. At the third floor level the north facing windows to study bedrooms would also possess privacy screens. In addition the land in between would be landscaped accordingly to provide additional means of privacy as well as an appropriate setting for the development.
17. To the end (west) elevations of the accommodation blocks where they face an all weather pitch and primarily school, again the secondary windows here are fitted with obscure glazing above 1.6m to prevent any loss of privacy.
18. In sum officers are satisfied that good levels of privacy are maintained for all neighbouring occupiers whilst similarly providing privacy for students resident in the new accommodation.
19. Lighting Conditions. As indicated above the new accommodation blocks are located well away from the boundaries to the site, with 3 storey elements to east and 4 storey elements to the west. In terms of the west facing gardens to East Avenue which currently enjoy the evening sun, conditions would be little changed in view of the distances between these properties and the "bookends" to the accommodation blocks which rise to 3 storeys only at this point. This is especially so if the existing high brick wall is maintained.
20. To the northern side the eastern section of the northern wing is set at 3 storeys with only the western half at 4 storeys, with this in part this set back from the northern façade. This results in the full 4 storey element present directly opposite the parking and turning court at Ablett Close only. Moreover there is currently a 1.25m retaining wall between the application site and the gardens to Ablett Close with fencing above. In these proposals the ground level on the application site is lowered by 0.6m, so that the difference in ground levels becomes approximately 1.95m. Thus although the new accommodation block rises to 9.7m opposite the Ablett Close houses compared to a height of 4.8m for the existing storage shed at this point, bearing in mind the orientation of these gardens towards the south - west, the lowering in ground level, and that the new structures are set 5m further away, then officers have concluded that good lighting conditions will remain for these properties. Moreover at these distances and with an intermediate landscaped garden to the student accommodation officers do not consider that the outlook from the Ablett Close properties would appear overbearing but rather would

be enhanced as the tree planting matures.

Highways, Access and Parking

21. Vehicular and pedestrian access to the application site is taken from its south - east corner. A control point within the caretaker's accommodation at this point would regulate its use with some 5 operational and service parking spaces only provided. Beyond these parking spaces gated access would allow for collections from a refuse / recycling store located at the southern end of the single storey service building, and for occasional maintenance access elsewhere. Also located within this service building is covered, secure storage for 100 cycles which is in excess of Local Plan requirements of 1 space per 2 student study rooms.
22. In terms of traffic generation, at the outline stage it had been suggested that some 27 car parking spaces would be provided in the proposals then before committees, 20 for the office accommodation (not the subject of this reserved matters application) and 7 for the student accommodation. At this level of provision it was concluded that overall traffic volumes would remain much as existing but with the proportion of HGV and LGV vehicles reduced dramatically by 60% to just 2% of all movements. In the event the outline permission restricted overall parking to 20 spaces rather than 27, with 15 intended for the office development and 5 only for the student accommodation. At this level of parking provision traffic movements would be considerably less than existing and the type and size of vehicles reduced accordingly. In any event as the office development permitted is not included in this submission and would be the subject of a future reserved matters application, then in the interim period traffic volumes resulting from the student accommodation would be at very low levels.
23. At the outline stage control of car parking was secured by excluding occupiers of the development from eligibility for residents parking permits within the Controlled Parking Zone in operation in the area whilst a clause imposed on students' tenancy agreement would require that they did not bring private cars to Oxford. The college already impose such a restriction on its graduates and none of those occupying college premises at its Iffley Road premises currently possess a car. As these matters were all secured by legal agreement or planning condition to the outline planning permission, they are not required to be revisited at this reserved matters stage. As a consequence the Highway Authority raises no objection to the proposals in traffic generation or other terms.

Landscaping.

24. Currently the application site contains no tree planting or soft landscaping, being given over entirely to buildings or hard surfaces for the external storage of materials for the builders yard. As such the opportunity exists within these proposals to bring forward a landscaping scheme which would provide both a setting for the new buildings themselves and introduce a more appropriate and pleasing relationship for neighbouring properties. It also allows the

creation of wildlife habitats within the site as required by the outline permission.

25. In terms of the entrance area and central courtyard, the landscaping in the main consists of hard surfaces, though with some turfed small areas, shrubs and a green sedum roof to the various cycle and other storage buildings along the eastern side of the site. Some 6 sweet gum trees (*Liquidambar styraciflua* Worplesdon) are located to the western and eastern edges of the site and a hedge provided along the common boundary with the office site.
26. The largest area for new planting however is along the northern side of the site along the common boundary with the rear gardens of Ablett Close. An area measuring approximately 40m by 16m exists here where substantial planting can take place. As originally submitted it was intended that the soft landscaping be laid out in a rather formal fashion with linear arrangements of trees and shrubs in an east - west alignment. Some 19 trees were proposed forming two lines of birch trees, (*Betula ermai* and *Betula jacquemonti* respectively). Officers felt such an approach was rather too formal however and the landscaping was subsequently amended accordingly. As now proposed much less formal shrub planting is proposed with larger lawned areas created in a mix of contoured amenity lawn and longer wildflower areas.
27. Some 19 trees are still proposed along this northern side of the application site but now in a sinuous arrangement from east to west consisting of greater varieties of species intended to provide a setting for the buildings and a degree of screening when viewed from Ablett Close. The choice of species has been conditioned with this in mind but also by the need to not introduce so many large trees and leave coverage as to create inappropriate amounts of shading. The tree coverage is therefore made up of a mix of hornbeam (*carpinus betula*), common hawthorn (*Crataegus monogyna*), common beech (*Fagus sylvatica*), rowan (*Sorbus acuparia*) and small leaved lime (*Tilia cordata*).
28. An ecological report accompanies the planning application but concludes that the site is currently of negligible nature conservation interest with no semi natural habitats present. A survey for bats revealed some evidence of activity probably related to foraging or commuting, but no evidence of roosts. It concludes that there are no suitable habitats for bats. The new development and amended landscaping scheme would create the potential to introduce an amount of local wildlife therefore, in addition to bird and bat boxes which can also be usefully introduced into the new buildings themselves.

Sustainability.

29. The application site is located at a very sustainable location immediately adjacent to the Cowley Road District Centre with frequent bus services to the city centre and to Cowley. It is within a few minutes walk of St. Hilda's College.
30. A Natural Resource Impact Analysis (NRIA) has been submitted with the

planning application and seeks to minimise energy consumption, in particular by passive measures. Solar gain would be maximised but minimised where appropriate with windows consisting of naturally ventilated double glazed units fitted with trickle vents. Gas fired condensing boilers would be utilised with all appliances to high efficiency AAA ratings, whilst lighting would be by controlled systems utilising high efficiency fittings. In terms of renewables, a ground source heat pump system in the form of a vertical closed loop system would be incorporated with roof mounted solar thermal and photovoltaics being considered for hot water and electricity production respectively.

31. Building materials would be sourced from within the UK wherever possible with timber from sustainable sources and material salvaged from existing buildings on site crushed and reused for the piling mat. Rainwater harvesting would be incorporated and a green sedum roof included to the service buildings along the eastern side of the site.
32. These measures would meet the minimum requirements of the NRIA in terms of energy efficiency, renewable energy, use of materials and water resources to produce an overall score 6 out of a possible 11. Upon completion of the development composting and recycling facilities would be provided on site.
33. The applicant would also commit to the Considerate Contractors Scheme.

Conclusion.

34. The reserved matters application before committee responds positively to the conditions and parameters established for the site in granting outline planning permission in September 2010. It provides purpose built student accommodation for St. Hilda's whose graduates currently occupy a number of single properties in East Oxford, particularly along Iffley Road. The design solutions seek to reflect the general grain of development in the locality and utilise facing brick as an appropriate vernacular material. The relationships to neighbouring properties are dealt with skilfully and the potential laid for introducing good quality tree planting, soft landscaping and wildlife habitats where none currently exist. The development is at a sustainable location, close not only to St. Hilda's main campus, but also to local shops and services. It is also located close to frequent bus services, whilst car parking is kept to a minimum and covered, secure cycle parking provided.
35. Committee is recommended to support the proposals accordingly.

Human Rights Act 1998

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant reserved matters 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 reserved matters planning permission subject to conditions, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Background Papers: Planning applications nos. 04/02259/OUT, 09/02518/OUT, 11/01712/RES.

Contact Officer: Murray Hancock

Extension: 2153

Date: 27th September 2011

APPENDIX I



Km 0.05 0.1 0.15 0.2 0.25

- 11/01712/RES
- TRAVIS PERKINS, CHAPEL STREET



Produced using ESRI (UK)'s MapExplorer 2.0 - <http://www.esriuk.com>

APPENDIX 2



Km 0.02 0.04 0.06 0.08 0.1 0.12

- 11/01712/RES
- TRAVIS PERKINS, CHAPEL STREET



Produced using ESRI (UK)'s MapExplorer 2.0 - <http://www.esriuk.com>

Chapel Street Development

1.0 Student Accommodation at A2Dominion Housing Group**A2Dominion Housing Group**

- 1.1 A2Dominion Housing Group was formed in 2008 when A2Housing and Dominion Housing Group merged. A2Dominion now owns and manages a total of 34,000 properties including General Needs properties, Supported Housing, Key Worker, Shared Ownership and Student Accommodation and covers an area from Bristol up to London and down into Surrey, Kent and Hampshire. In the North region A2Dominion provides housing in Bristol, Oxfordshire, Wiltshire and Berkshire.

Student Accommodation

- 1.2 A2Dominion has been managing student accommodation since 2000 and currently has just over 800 units of student accommodation, mainly in large developments of around 200-350 occupants. In Oxford A2Dominion was formerly known as Cherwell Housing Trust and has worked in partnership with Oxford Brookes University over the past 12 years to provide purpose built high specification student accommodation in accordance with the local plan.
- 1.3 As well as working with Oxford Brookes University we also provide student accommodation for Bristol University and for medical students from various other Universities at our Key Worker sites. In Oxford we currently have just over 260 units of student accommodation split over 2 schemes at Windmill Road, Headington and Southfield Road.
- 1.4 With all our schemes we work with the relevant university to ensure we are managing the accommodation in a way that is agreeable to them and also with our neighbours to ensure we address any concerns they may have around scheme management. The A2Dominion management team have regular monitoring meetings with the Universities where performance and areas of concern can be addressed, if necessary, and also hold events where our neighbours are invited to visit the scheme.
- 1.5 A2Dominion are also accredited with Accreditation Network UK (ANUK), an accreditation body comprising representatives from local authorities, national and local landlord associations, the Chartered Institute of Environmental Health and the Department for Communities and Local Government among others. Accreditation is the voluntary compliance by private landlords with good standards in the condition and management of their properties and their relationship with their tenants.

2.0 Management proposals for Chapel Street scheme

- 2.1 The Chapel Street scheme will have a management office at the entrance to the scheme staffed from 9 a.m. to 5 p.m. Monday to Friday. In addition to this we will have a team of student wardens living on site who will provide out of hours cover on a rotational basis. They will be contactable outside office

Scheme Management information

Chapel Street Development

hours to deal with emergency issues and their mobile phone number will be published to allow neighbours to contact them in the event of an emergency situation or a possible nuisance issue which occurs.

A2Dominion also have a 24 hour Customer Service Centre who provide back up to the student wardens or can be contacted directly if necessary.

- 2.2 A2Dominion are also contactable via their website, details of which are freely available.
- 2.3 A2Dominion recognise the need to address security in large student schemes and the Chapel Street scheme will have CCTV cameras on site and entrance to the scheme will be via gates and entrance doors on an electronic access system.

3.0 Neighbourhood issues

- 3.1 A2Dominion takes the issue of noise from our student tenants and the possible effect on the local community very seriously. All our tenants receive information about keeping noise to a minimum and respecting the local community in their handbooks. There are also notices displayed around site reminding tenants they are in a residential area and to keep noise down when coming home late at night.
- 3.2 Students at our schemes are not permitted to bring cars onto site except for loading/unloading at the start/end of term. Access to the site at these times is controlled as part of our moving in/out process with appointment times being made to ensure traffic flow into the site does not have an adverse effect on the surrounding roads. The only exception to this is disabled tenants who have the required parking badge and can demonstrate a need to have a car in Oxford.
- 3.3 Part of the Non-Assured tenancy agreement entered into by the student residents has a clause around noise nuisance and anti-social behaviour. If the tenant, or their visitors, cause a nuisance they are in breach of tenancy and a Notice to Quit can be served requiring them to vacate the property within 28 days.
- 3.4 A2Dominion have a complaints procedure where complaints can be logged by telephone, visiting the site office or via the website. All complaints are acknowledged within 1-2 working days and we aim to resolve the issues in as short a time as possible.
- 3.5 A2Dominion have found that inviting our neighbours into our schemes has been beneficial in helping to create an understanding of how the students living on site can fit into the local community. Our Southfield Road scheme became part of the local residents' association and has held functions on site such as Film on the Street and a Children's Play Day which the local community have attended. We have also started annual charitable events which our neighbours are invited to attend.

Tanya Reddick
Regional Housing Manager
May 2012

2.0 Background

2.1 DESIGN

This document describes the revisions to approved Reserved Matters submission Ref 11/01712/RES.

The revisions are only in very limited areas, and the volume and principles of the architectural design of the scheme remain consistent with the previously approved scheme.

The following is a list of key changes from that scheme:

- Internal layouts of Buildings A and B changed.
- Meeting rooms, gym and amphitheatre removed, and replaced with landscape scheme.
- Floor to floor heights lowered from 3.075m to 2.925m.
- Floor to ceiling heights in rooms lowered to 2.410m
- Overall highest parts of the 4 storey buildings changed from 12.5m to 12.075m (with only lift/stair tower at 12.5m) above existing ground levels. Height of 3 storey parts 9.225 m above existing ground levels. Same envelope as previous approved reserved matters.
- Building A and B ground floor levels amended to be at -25mm to existing site ground levels.
- Dual pitch flat roof changed to monopitch.
- Elevations amended, brick coursing to match new floor build-up and solar shading layout amended to improve prevention of solar overheating in summer.
- Zinc cladding panels on facades changed to metal finish rainscreen cladding.
- Timber and cladding zone at end facades introduced to accommodate gas riser and vents from boilers to be added to façade elevations discretely.
- Rainwater goods changed from internal drainage to external façade – PPC aluminium hoppers and downpipes.
- Electrical substation added to ground floor ancillary buildings.
- Some windows in end-elevations omitted
- Entrance area layout amended and doors changed.
- Environmental performance of the scheme enhanced, improved thermal insulation and airtightness, including PV panels added to third floor roof building A.
- Fire services vehicle circulation amended.

This page is intentionally left blank

West Area Planning Committee

15th August 2012

Application Number: 1) 12/01223/CAC
2) 12/01228/FUL

Decision Due by: 24th August 2012

Proposal: 1) Demolition of the existing Luther Court housing
2) Erection of new buildings fronting Thames Street comprising 42 self contained flats (13x1 bed, 29x2 bed) and 82 student study rooms on 5 and 6 storeys. Provision of cycle parking, bin storage and shared amenity areas. Closure of footpath linking Luther Street to Butterwyke Place

Site Address: Luther Court, Luther Street (**site plan: appendix 1**)

Ward: Carfax Ward

Agent: Mr Michael Cross

Applicant: A2 Dominion Homes Ltd

Recommendation:

The West Area Planning Committee is recommended to support the development in principle but defer the application in order to draw up a legal agreement in the terms outlined below, and delegate to officers the issuing of the notice of permission, subject to conditions on its completion:

Reasons for Approval

- 1 That the principle of redeveloping this site for mixed-use residential / student accommodation would make an efficient use of previously developed land in the West End Regeneration Area. The residential development would improve the overall quality of the area's affordable housing stock, in a manner that would provide a suitable level and type of affordable housing that meets the priority need for the city as a whole and also provide good standard living accommodation for future occupants. At the same time, the student accommodation would be suitable for the site and would contribute towards creating a balanced and mixed community within the West End. The demolition of the existing Luther Street Housing would not have a detrimental impact upon the character and appearance of the central conservation area. On balance the replacement buildings would be of a size, scale, and design appropriate to the city centre whilst contributing to the provision of affordable housing. The proposed development has been designed in a manner that

would not have a material adverse impact upon the residential amenities of the surrounding properties, and would address the current anti-social problems that exist between the current housing and the adjacent night shelter and medical centre. It would also be considered acceptable in highway terms.

- 2 In considering the application, officers have had specific regard to the comments of third parties and statutory bodies in relation to the application. However officers consider that these comments have not raised any material considerations that would warrant refusal of the applications, and any harm identified could be successfully mitigated by appropriately worded conditions.
- 3 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

Conditions (12/01223/CAC):

- 1 Development begun within time limit
- 2 Contract for re-development

Conditions (12/01228/FUL):

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Submission of design details
- 4 Samples in Conservation Area
- 5 Details of means of enclosure
- 6 Details of refuse and cycle storage
- 7 Landscape Plan
- 8 No felling lopping cutting
- 9 Landscape carried out after completion
- 10 Landscape management plan
- 11 Landscape underground services - tree roots
- 12 Tree Protection Plan (TPP) 1
- 13 Arboricultural Method Statement (AMS) 1
- 14 Student Accommodation Management Plan
- 15 Students Accommodation - No cars
- 16 Student Accommodation - Out of Term Use
- 17 Design to 'Secure by Design' Standards
- 18 Framework Travel Plan
- 19 Construction Traffic Management
- 20 Exclusion from Residents Parking
- 21 Alterations to the highway
- 22 Details of Flood Risk Assessment carried out
- 23 Drainage Scheme Carried Out
- 24 NRIA and Energy Measures
- 25 Archaeology - mitigation
- 26 Biodiversity Measures
- 27 Contaminated Land

Legal Agreement:

- £118,944 (plus £5,972 admin fee) West End Streamlined Contributions
- Secure affordable housing provision

Main Planning Policies:

Saved Oxford Local Plan 2001-2016

- CP1** - Development Proposals
- CP6** - Efficient Use of Land & Density
- CP8** - Design Development to Relate to its Context
- CP9** - Creating Successful New Places
- CP10** - Siting Development to Meet Functional Needs
- CP11** - Landscape Design
- CP18** - Natural Resource Impact Analysis
- CP19** - Nuisance
- CP21** - Noise
- TR1** - Transport Assessment
- TR3** - Car Parking Standards
- TR4** - Pedestrian & Cycle Facilities
- HE2** - Archaeology
- HE7** - Conservation Areas
- HE9** - High Building Areas
- HE10** - View Cones of Oxford
- HS10** - Loss of Dwellings
- HS4** - Gen Requirement - Provide Affordable Housing
- HS10** - Loss of Dwellings
- HS19** - Privacy & Amenity
- HS20** - Local Residential Environment
- HS21** - Private Open Space
- ED10** - Private Colleges - Student Accommodation

Oxford Core Strategy

- CS2_** - Previously developed and greenfield land
- CS5_** - West End
- CS9_** - Energy and natural resources
- CS10_** - Waste and recycling
- CS11_** - Flooding
- CS12_** - Biodiversity
- CS18_** - Urban design, town character, historic environment
- CS19_** - Community safety
- CS23_** - Mix of housing
- CS24_** - Affordable housing
- CS25_** - Student accommodation

West End Area Action Plan

- WE1** - Public realm
- WE3** - Redesign of streets/junctions in W End
- WE4** - Public Parking
- WE10** - Historic Environment

WE11 - Design Code
WE12 - Design & construction
WE13 - Resource efficiency
WE14 - Flooding
WE15 - Housing mix
WE16 - Affordable housing
WE18 - Student accommodation
WE20 - Mixed uses
WE29 - Pooled contributions & forward funding

Sites and Housing Plan

HP3_ - Affordable Homes from Large Housing Sites
HP5_ - Location of Student Accommodation
HP6_ - Affordable Housing from Student Accommodation
HP9_ - Design, Character and Context
HP12_ - Indoor Space
HP13_ - Outdoor Space
HP14_ - Privacy and Daylight
HP15_ - Residential cycle parking
HP16_ - Residential car parking

Other Material Considerations:

- National Planning Policy Framework
- The application site lies within the Central Conservation Area.
- Balance of Dwellings Supplementary Planning Document
- Affordable Housing Supplementary Planning Document
- Natural Resource Impact Analysis Supplementary Planning Document
- Parking Standards Supplementary Planning Document

Relevant Site History:

83/00807/NOH: Buildings for single person accommodation on 2 & 3 floors comprising 26 one person flat / bedsitters; 3 two & 3 four person flats. Closure of Luther St. 20 car parking spaces (with access from Luther Street: Approved

84/00074/NOH: Outline application for accommodation for single persons in 19x1 bed flats and 5 bedsits. 17 car parking spaces, access road, plus dustbin and cycle stores: Approved

84/00627/NRH: 56 single person accommodation units, incl. caretaker (total 68 persons) on 2 & 3 floors. 36 car parking spaces, ancillary accommodation & access from Luther St. (Reserved Matters of NOH/807/83 & NOH/74/84): Approved

Representations Received:

Letters have been received from the following addresses, all on behalf of the Luther Street Medical Centre.

Luther Street Medical Centre (x15); JWPC Planning Consultants; 15 Cave Street;

103 Cromwell Way, Kidlington; and 10 Albert Place, Banbury

- The medical centre provides a comprehensive primary care service for homeless and vulnerably-housed people. The entrance to the medical centre shares a common approach from Luther Street to that of the O'Hanlon House night shelter.
- The centre is accessed via a controlled access system enabling staff to oversee admissions. There is also an emergency exit / fire door which give access from Luther Court via Butterwyke Place.
- This provides the centres staff with an important route whereby staff can escort vulnerable patients out of the building and away from the centre and also enables staff themselves to exit the building when there are potential issues with patients or people congregating outside the Centres entrance adjacent to O'Hanlon House, some with the psychological or alcohol related issues that heighten their behaviour.
- It is the removal of the link with Butterwyke Place that is the centres reason for objecting to the scheme. The removal of this link would not accord with Policy CS19 of the Core Strategy, and Policies CP1 and CP9 of the Oxford Local Plan
- The existing footpath is a functional and vital link to the surrounding area for staff of the medical centre and it should be retained. Its loss reduces the permeability of the area to all pedestrians and poses serious operation and health and safety issues for staff and some of the vulnerable persons who attend the centre.
- Although the applicant has had pre-application discussions with the centre, regarding the removal of this link, no common ground as been achieved. The submitted plans show a service link between Luther Street and Thames Street which will be controlled by secure gates at either end and its mid point and this has been identified as a potential alternative route for staff and patients (when required). No conclusion has been reached about how this could be used, and from the medical centres point it wishes to see the existing footpath retained or an alternative route of equal or enhanced quality provided
- Gated access directly through the development onto Thames Street might be a possible acceptable solution does not feature in the plans
- The housing association should amend the plans to retain the footpath
- Should the health and safety advice contained within the comments of the TVP be heeded then the developer should ensure installation of appropriately placed CCTV with both installation and ongoing costs financed by the developer. This should be conditioned, although it will not completely reduce the threat
- The 5 or 6 storey building would remove all direct sunlight from the Luther Street medical centre from 1pm onwards. The medical centre will be hemmed in by four tall buildings on 4 sides.
- The existing buildings are in a good state and of reasonable height and therefore should be maintained

Statutory and Other Consultees:

Oxfordshire County Highways Authority: No objection subject to conditions

Thames Water Utilities Limited: No objection

Thames Valley Police:

The proposed development has incorporated the recommendations given during our pre-application discussions. Due to the high level of anti-social behaviour and

reported crime in this area we would request that a condition be imposed which requires the development to incorporate the principles of secure by design. Research has shown that developments that incorporate the principles of secured by design are 50% less likely to suffer from burglary, and 25% less likely to suffer car crime and criminal damage.

Environment Agency: The site lies in Flood Zone 2 and therefore the Environment Agency standing advice applies.

English Heritage Commission:

The proposal involves the demolition of some 1980s terraced housing within the Central Conservation Area and its replacement with larger housing units plus two large speculative student accommodation blocks, required to fund the project. English Heritage's brief is to comment on the impact this will have on the significance of the conservation area. The scale, design and detailing of the proposed development is entirely alien to the character of this part of the conservation area and it will have a negative impact on views within and into the Central Conservation Area including those from the Abingdon Rd, a main approach to the city. The City Council should satisfy itself, *inter alia*, that the wider benefits of the proposal outweigh this harm. English Heritage recommends that the Council negotiates a revised scheme that retains the existing buildings, albeit remodelled or, if demolition can be demonstrated to be necessary, that a more sensitive development is sought as discussed above. If the existing scheme is to be considered for approval, the Council should satisfy itself that there are wider public benefits to be gained from the redevelopment of this site in this manner which outweigh the harm to the significance of the conservation area.

Oxford Civic Society:

The objectives of this application, namely to increase and improve the provision of affordable housing on this site, to create an active and interesting frontage to Thames Street as a significant gateway to the southern edge of the central city area, and to attempt to design out some of the social problems of Luther Courts proximity to the Medical Centre and O'Hanlon House, are to be welcomed. The need for some enabling development to achieve this is understood. Nevertheless the current proposals present a number of problems, and unresolved questions, which require that further significant modifications are necessary before approval should be given, and this application should be deferred or refused for the following reasons

- (1) Core 1: The opportunity to site a landmark building on the corner is good. The positioning of the entrance onto this busy part of Thames Street is questionable, when a quieter and more domestic location in Butterwyke Place is available. It is not clear how defensible or private the ground floor outside spaces will be in which full length windows and doors open onto. If protected by high walls, these small spaces will be dark and claustrophobic. Flats 11 and 12 appear to have no amenity space
- (2) Core 2: Some set back from Thames Street provides the interesting variation to the overall frontage scene, but the extent proposed seems unnecessary, creates front border areas which may be difficult to maintain to high standard, and reduces the rear shared amenity space to an area which is undesirably small for such a comparatively dense development.
- (3) Student Block: The attempt to fit accommodation for 82 students on this

restricted part of the site, with quite inadequate space for relaxation or any outdoor activity represents serious over-development – in the case of Bellerbys as the proposed end user for 14-18 year old school pupils it is entirely inappropriate. Though 24 hour supervision is mentioned, there is no resident or other warden accommodation, the dining hall only provides for 56 places at any one time, when school-age pupils work to stricter timetables than more senior students. Cycle storage appears inadequate – (but is Thames Street and its surroundings a safe cycling environment for 14 year olds) In addition, noise disturbance from younger pupils, particularly from a crowded courtyard, will have an adverse impact on the quiet lives of the neighbouring residents just over the wall, and reflected from the high walls of the surrounding buildings. The parking of coaches for organised outings, a frequent part of younger pupils programmes, would impede traffic flows in Thames Street – often at off peak periods.

In general, the need for purpose-built accommodation for undergraduate and post-graduate students in the city central area should take precedence over that for younger pupils, not on senior courses of study, whose needs can be accommodated elsewhere.

- (4) Has the alternative of further car-free market housing on the site as enabling development, been fully considered?
- (5) The serious concerns of the staff of the medical centre and O'Hanlon House for the provision of a second access for them appears not to have been resolved.
- (6) In general appearance, special attention needs to be paid to the materials of construction, particularly the final colours of rendered type surfaces in this sensitive location.
- (7) In accordance with normal practice, the application for demolition (12/01223/CAC) should not be approved until an acceptable proposal for redevelopment of the site has been approved.

Officers Assessment:

Site Location and Description:

1. The site is situated within the West End Regeneration Area, which forms the south west corner of the city centre. It is also just within the Central Conservation Area (**site plan: appendix 1**)
2. The site is bordered to the east, south, and west by residential accommodation at Butterwyke Place, Thames Street, and Stephenson House. The BT Telephone Exchange, Luther Street Medical Centre, and O'Hanlon House all lie to the north.
3. The site comprises a three-storey terraced block, which provides 56 units of accommodation that are owned by A2 Dominion Homes Limited. The terraced row abuts the public footpath of Thames Street, but is accessed from Luther Street.

Proposal

4. The proposed development is seeking conservation area consent for the demolition of the existing terraced row within the site.

5. Planning permission is then sought for the erection of new buildings that would front onto Thames Street and provide a mixed-use development of 42 affordable homes in the form of self-contained flats (13x1 beds, and 29x2 beds), and 82 student study rooms for use by Bellerbys College.
6. The development would also include the provision of cycle and refuse storage, shared amenity areas, and the closure of the footpath that links Luther Street to Butterwyke Place.
7. Officers consider the principle determining issues in this case to be:
 - Principle of Development
 - Residential Accommodation
 - Student Accommodation
 - Impact upon the conservation area
 - Siting, size, scale, and design
 - Impact upon adjoining properties
 - Landscaping
 - Community Safety
 - Residential Amenity
 - Highway Matters
 - NRIA
 - Ecology
 - Flood Risk
 - Archaeology
 - Streamlined Contribution

Principle of Development

8. The National Planning Policy Framework and Policy CS2 of the Oxford Core Strategy require development proposals to make an efficient use of previously developed land in built up urban areas.
9. The site is within the West End Area which is a key location whose regeneration has been identified as priority and fundamental to the overall long-term success of Oxford. Policy CS5 of the Oxford Core Strategy identifies this area as suitable for mixed-use developments.
10. Therefore the principle of redeveloping the site for a mixed use development would be consistent with the relevant policies of the West End Area Action Plan and the Oxford Core Strategy.

Residential Development

11. The existing accommodation at Luther Court provides 56 one bedroom affordable bedsits for A2 Dominion Housing Association. The housing was built in the late 1980s, but no longer provides suitable living accommodation for the occupants of the dwellings.

12. The West End Area Action Plan acknowledges that the area contains affordable housing, which is in need of modernisation, although in cases where redevelopment is the only option, the same number of affordable units should be provided. The plan also seeks to establish a balanced and mixed community within the area, which is consistent with Policy CS23 of the Core Strategy and the Balance of Dwellings Supplementary Planning Document. These policies acknowledge that the City centre is more suited to higher-density residential development with a greater number of smaller units of accommodation than would be sought in other locations.
13. The proposed development would replace the existing accommodation with 42 flats (13x1 beds and 29x2 beds). This results in the loss of 14 affordable units and provides a mix of housing that does not exactly strictly meet the policy requirements for the city centre. Nevertheless the applicant has identified specific site circumstances, which justifies the proposed level of development. The existing accommodation has single bedsits, whereas the proposal would increase the number of bed spaces on site (e.g.56 to 71) and the number of persons housed. The draft Oxford City Council Housing Strategy 2012-2015 has identified that the highest demand for social housing in the city is for one and two bedroom units of accommodation (82%). The scheme has been developed in consultation with Oxford City Council Community Housing and amended to provide 2 bed 4 person units rather than 2 bed 3 person units in order to meet the most pressing need. In addition the constrained site is more suitable for smaller units of accommodation as there is limited space to provide the level of amenities required for family dwellings. Therefore although the proposal would result in net loss of units from the site, and provide a level of development that does not exactly meet the prescribed mix of residential units for the city centre, officers consider that the proposal would improve the overall quality of affordable housing within the site and meet the most current and up-to-date housing need. Therefore it would satisfy the general aims of the West End Area Action Plan and the Balance of Dwellings Supplementary Planning Document.
14. Policy WE16 of the West End Area Action Plan makes clear that a minimum of 50% affordable housing will be sought from residential developments on qualifying sites in this area. This is consistent with the affordable housing policy within the Oxford Core Strategy. The residential element within the scheme would provide 100% affordable housing, with 50% social rented and 50% intermediate rent. This would satisfy the aims of the West End Area Action Plan, Oxford Core Strategy, and the emerging Sites and Housing Plan, and would be secured by a legal agreement accompanying the permission if granted.

Student Accommodation

15. The West End Area is suitable for student accommodation as it also contributes to a mixed and balanced community. Policy CS25 of the Oxford Core Strategy states that student accommodation will be restricted in occupation to students that are in full-time education on courses of an academic year or more, and subject to conditions requiring appropriate management controls, including an undertaking that students do not bring any cars into Oxford. This is also supported by Policy WE18 of the West End Area Action Plan and Policy HP5 of

the Sites and Housing Plan.

16. The student accommodation is intended to be occupied by students of Bellerbys College, whose students are on full-time courses of an academic year or more. The college intends to house students between the ages of 14-17 in the accommodation (although the bulk will be 16 and 17 year olds). In terms of management the college have confirmed that a resident supervisor will be based on site 24 hours a day. A condition should therefore be attached requiring a management plan to be provided, and also includes the method to be used to prevent students from bringing cars into Oxford.
17. The emerging Sites and Housing Plan now requires student accommodation of 8 rooms or more to provide a financial contribution towards affordable housing elsewhere in the city. This would be a qualifying site for such a contribution, however, in this case the student accommodation is subsidising the affordable housing within the scheme with the level of subsidy higher than the financial contribution that would be sought from scheme of this size. Therefore officers consider that this provides a robust justification for not seeking an affordable housing contribution from the student element on this occasion.

Impact upon the Conservation Area

18. The site is on the western edge of the Central Conservation Area, and in accordance with the National Planning Policy Framework a Heritage Assessment has been submitted which uses the Councils Conservation Area Toolkit to assess the significance of the site upon the conservation area.
19. Having reviewed this assessment, officers would agree with the conclusions that Luther Court and surrounding area is a relatively poor quality urban environment in comparison to the rest of the conservation area. The redevelopment of the St Ebbes suburb provided a new street layout (including Thames Street) which removed most remnants of the original urban grain. The nature of Thames Street is that of a wide and busy arterial link road, with 1980s housing that provides no activity or interest within the streets. Therefore officers consider that the demolition of the existing Luther Street housing would not have a significant impact upon the conservation area in these terms, but provides an opportunity for new development to address Thames Street in a more appropriate fashion.
20. During the consultation process, English Heritage have suggested that the scale, design, and detailing of the proposed development would be entirely alien to the character of this part of the conservation area and have a negative impact upon views within and into the conservation area from the Abingdon Road which is a main approach to the city. They go on to acknowledge that there may be wider benefits from the proposal that the Council would need to satisfy itself outweighs this harm.
21. The site could be viewed as a transitional site where the urban scale of the city centre meets the suburban scale of the residential areas that lead southwards from the centre beyond the River Thames. The West End Area has aspirations to transform this under utilised area of the city in a manner which makes a more

efficient use of land. In terms of local context the existing housing has become engulfed by larger building blocks to the north especially the ugly BT Exchange Building fronting Speedwell Street. These big blocks are visible in longer views and therefore the development would to some extent screen the views of these buildings improving longer views of the site, provided of course that they are of a quality appropriate to this part of the Conservation Area. Overall officers consider that the site can accommodate larger buildings without having an adverse impact upon the conservation area, and any such impact would not be so harmful as to outweigh the undoubted benefits of improving the current affordable housing stock within the city.

Siting, Size, Scale, and Design

22. The West End Area Action Plan establishes a framework of design codes for proposals to follow in this area, and the proposal has been designed to follow these codes. The design codes identify Thames Street as a main street, which is appropriate for larger buildings. The buildings have been separated to provide a sense of space between structures and improve the aspects of the individual properties within them while also responding to the adjacent buildings of Stephenson House and O'Hanlon House. The siting of Core 1, 3, and the Student Block provide focal points for the different segments of Thames Street, with the courtyards providing some breathing space at street level and also establishing a rhythm with the courtyard to Stephenson House. The units would vastly improve the active frontage onto Thames Street and level of pedestrian activity within this part of the street.
23. The size and scale of the buildings would reflect the context of the area, and meet the maximum scale of five-storeys as recommended by the West End Area Design Code for this type of street. A sixth storey would be added to the blocks of Core 1 and 2 in order to provide a variation of roof heights throughout the scheme. While this would not necessarily reflect the requirements of the design code, the overall height would not exceed the 18.2m high buildings local plan policy of the local plan and is considered acceptable in this instance. The use of separate buildings rather than one larger block, along with the variations in height is supported in assisting in breaking up the visual impact of the increased massing of the buildings within the street scene. In addition given the position of the buildings in relation to the street, the increased scale would not have a detrimental impact upon the visual appearance of the street scene given there would be limited views from Abingdon Road and also as one travels through Thames Street.
24. In terms of the architectural detailing, officers agree with views of English Heritage that the submitted drawings do not help convey the detailing and variety of materials to be used in the facades as well as they might. While there would be no objection to the more modern appearance of the buildings, it is recommended that a condition be attached which requires prior approval of the range of materials that will be used and also window details etc in order to ensure that the development achieves the high quality of design required by Policy WE12 of the West End Area Action Plan

25. In summary officers consider that while the proposal would clearly result in larger scale buildings than the existing terrace, the overall size, scale, and design of these buildings would suit the context of the site and not have an adverse impact upon the character and appearance of the conservation area. As a result it would accord with the aims of the relevant policies of the West End Area Action Plan, Oxford Core Strategy and Oxford Local Plan.

Impact upon Adjoining Properties

26. There is potential for the proposed development to have an impact upon the amenities of the residential properties surrounding the site in Thames Street, Butterwyke Place, Shirelake Close, and Stephenson House. A Daylight and Sunlight Report has been submitted with the application.

27. There is a terraced row of residential dwellings on the southern side of Thames Street, which have their main frontages that address the river but rear elevations and small rear gardens that face directly towards the site. The rear elevations are staggered throughout the row and have a mixture of first floor windows or roof lights that serve habitable rooms or circulation space for the dwellings. It is considered that the orientation of the dwellings to the site would mean that the proposal would not result in a significant loss of light to the habitable rooms in the rear of these dwellings. The buildings would be larger than the existing housing, but would be generally set some 19m-27m away and given the fact that there are other buildings of more urban scale within the area it is considered that the development would not unduly overbear these properties. The proposed buildings would have a number of windows facing onto the Thames Street properties however these would not give rise to an increase in overlooking which could normally be expected for a central urban location such as this.

28. The residential terrace at Butterwyke Place lies to the west of the site, and although the majority of the block fronts onto Thames Street, one of the dwellings has a return frontage onto this road with habitable room windows which face onto the site. Again the orientation of the plot and the urban scale of the surrounding buildings, particularly, the BT Exchange would mean that the size, scale, and siting of the new building (Core 1) would not lead to a loss of light to these habitable rooms or have an overbearing impact. In addition although there would be windows in the elevation of the new building facing this site, they would not increase the level of overlooking that exists between the two sites. Similarly with respect to the residential development of Shirelake Close that lies south-east of the site, officers consider that the orientation of these apartments to the site would mean that the student accommodation would not create any adverse privacy or amenity issues for these properties.

29. Stephenson House lies to the east of the site, and was an old school building that was converted into flats in 1999. There are habitable room windows in the front elevation that face onto Thames Street, and also double height windows in the western elevation that serve both the living room and bedrooms. The existing accommodation at Luther Court has a three storey element sited directly on the boundary with Stephenson House which extends to the rear of the site. The proposed student accommodation would increase the bulk of the building in this

location, but it would be pulled away from the boundary increasing the separation distance. There would be a single storey ground floor element that extends the full depth of the plot, but the upper floors would extent no further into the rear than existing. The sunlight and daylight study has indicated that the proposed development would not result in a material loss of light to the habitable room windows in the front of Stephenson House or on the western end. The windows in the western end in particular are double height and so have more scope to receive natural light. While the student accommodation would be taller than the existing buildings in this part of the site, it would not materially alter the sense of bulk and massing adjacent to these properties. At the same time, the windows of the student accommodation are angled away to prevent any adverse overlooking.

30. During the consultation process, the medical centre has raised concerns that the proposal will lead to the centre being enclosed by tall buildings and will result in a loss of light to the windows of the centre. The Local Plan does not have any policies that deal with the loss of light to uses such as the medical centre, or indeed the night shelter. Nevertheless the centres windows are primarily facing north-west away from the development and as such it is unlikely that the new buildings would have a significant impact upon the centre in this regard. Similarly with respect to the windows in the rear of the night shelter, the proposed student accommodation would not significantly alter the existing back to back relationship that exists between this and the Luther Court buildings. Therefore the development would not have a significant impact overall.

Landscaping

31. The proposed development would result in the loss of all 11 of the flowering cherries from the site. They have no great significance beyond their current context and their loss could be adequately mitigated through replacement tree planting which could be secured by condition. The proposed development should not adversely affect the health and condition of the Norway Maple that is sited outside the application site alongside the Telephone Exchange, provided suitable tree protection measures are in place during construction.
32. The landscaping proposals for the areas to the frontage are appropriate and the block bedding planting augmented by Hornbeans are at well spaced intervals in the frontage will provide the visual effect of trees punctuating the street scene. Therefore subject to appropriate conditions the landscaping proposals accords with Policies CP1, CP11, and NE15 of the Oxford Local Plan.

Community Safety

33. The Oxford Core Strategy states that new development should promote safe and attractive environments which reduce opportunities for crime and disorder. Policy CS19 states that the principles of 'secured by design' should be met including well-designed public spaces and access routes, which are integrated into the surrounds; maximise natural surveillance; and provide appropriate lighting of public spaces and access.

34. The Luther Court Housing currently has an unsatisfactory relationship with the adjacent night shelter and medical centre, as persons congregating around these uses has caused social problems for the residents. The proposed development has sought to address these problems by orientating the buildings towards Thames Street with the creation of a physical barrier between the site and Luther Street. The scheme has been designed to 'Secure by Design Principles' following discussions with the Thames Valley Policy and involves the closure of the footpath between Luther Court and Butterwyke Place, and the provision of additional lighting and CCTV to the service access created at the rear.
35. The Luther Street Medical Centre has objected to the closure of the footpath to Butterwyke Place as it provides a second exit point for its staff which is important for their safety. While officers are sympathetic to the concerns of the medical centre, there is a clear need to address the existing problems experienced by the residents of the Luther Court accommodation. The proposal has attempted to address these problems and been designed in consultation with Thames Valley Policy to 'Secure by Design' standards. The Thames Valley Policy support the closure of the footpath, as they consider it will improve safety and their ability to police the area. The provision of habitable room windows and balconies from the buildings overlooking this space will improve natural surveillance of this area, and improved lighting and CCTV system is also proposed. The applicant has discussed the possibility of providing staff of the medical centre with access to a secure footpath that leads to Thames Street, which would represent a more practical solution, and they are prepared to enter into an agreement to this effect. This is supported by officers as a means of addressing the medical centres concerns. Having regards to the lack of objection from the Thames Valley Policy officers are satisfied that the proposal would accord with the aims of Policy CS19 of the Oxford Core Strategy.

Residential Amenity

36. The residential units within the scheme would all have good quality internal living environments, which would certainly represent an improvement on the existing accommodation and accord with Policy HS20 of the Oxford Local Plan, and Policy HP12 of the emerging Sites and Housing Plan.
37. In terms of the amenity space provision, the existing accommodation at Luther Court has no designated amenity space for its occupants. The proposed development would provide all units (apart from Flat 11 and 12 in Core 1) with private balconies. In addition to this there would be a reasonable sized shared amenity space which would be available to all occupants. Although the shared space would be relatively enclosed, it would be adequate for this central location and would represent an improvement on the existing provision for Luther Court. This would satisfy Saved Policies CP10, HS20, and HS21 of the Oxford Local Plan 2001-2016, and Policy HP13 of the emerging Sites and Housing Plan.
38. The refuse and cycle storage is in an accessible and practical location in accordance with Policies CP10, HS19, and HS20 of the Oxford Local Plan 2001-2016, and Policy HP13 of the emerging Sites and Housing Plan.

Highways Matters

39. A Transport Assessment (TA) has been submitted for the proposal which the Local Highways Authority considers acceptable. The West End is a sustainable location with good walking, cycling and public transport opportunities as well as all facilities of the City Centre, and therefore a car free scheme is appropriate. A Framework Travel Plan for the proposed development should be submitted for approval within 6mths of occupation and then in years 1, 3 & 5. The monitoring fee for this will be advised separately.
40. The proposed closure of the footpath between Luther Court and Butterwyke Place is acceptable to the Local Highways Authority however this requires a stopping up order which is a separate process to the planning application. The proposed loading/unloading bays and new turning area would be acceptable but requires amendments to the Traffic Regulation order (TRO), which should also include exclusion of the premises from the controlled parking zone in order to deliver the car-free scheme.
41. The cycle parking provision would meet the local plan standards and the storage should be secured by condition, including confirmation that the 'Sheffield' type stands are at least 1.0m apart.
42. Having regards to the strategic nature of Thames Street, a Construction Traffic Management Plan (CTMP) will be essential. This will need to take account of all significant/large deliveries being catered for within a 0930-1630hrs 'window', that is outside of the Highway Network peak traffic periods. This should be secured by condition along with other conditions requiring no windows opening onto the highway
43. The proposed development would be considered acceptable in highway terms, subject to the above conditions, and standard conditions which require a sustainable urban drainage scheme to be provided, and that no windows or doors open onto the highway.

NRIA

44. A Natural Resource Impact Analysis (NRIA) and Energy Statement has been submitted as required by Local Plan Policy CP18 and Policy CS9 of the Core Strategy, and the NRIA Supplementary Planning Document.
45. The NRIA scores 9/11 and focuses on using a centralised gas fired Combined Heat and Power to meet the NRIA renewable energy target. The energy statement also predicts a total reduction in carbon dioxide emissions against a baseline through the use of the Combined Heat and Power System which will be employed in both the residential and student element. Therefore officers would raise no objection to this aspect of the proposal.

Ecology

46. A Phase 1 Habitat Survey and Initial Bat Survey have been submitted with the

application. These surveys have raised no major concerns in terms of the impact upon biodiversity. The Bat Survey found no evidence of bat roosts, but recommended that two further surveys be carried out. These are currently underway although officers consider it unlikely that these buildings will be used given the urban setting.

47. A condition should be attached requiring the recommendations within these surveys to be carried out. In addition a further requirement would be to include the provision of bat boxes and roosts and bird boxes into the building design.

Flood Risk

48. The site is identified by the Oxford City Council Strategic Flood Risk Assessment as being within Flood Zone 2, and therefore the Environment Agencies advise is that an assessment is provided which identifies how the development will be designed to minimise flood risk, manage surface water, and provide flood resilience and resistance measures.

49. A Flood Risk Assessment and Surface Water Drainage Scheme has been submitted with the application. This measures contained within these documents would accord with the Environment Agencies advise and therefore in order to ensure that the development minimises flood risk, a condition should be attached to ensure that the recommendations of this report are carried out.

Archaeology

50. An archaeological desk based assessment has been produced which notes that the site has the potential to preserve waterlogged features from the medieval and post-medieval periods relating to waterside activity including fishing, water management and dumping. In order to mitigate any potential archaeological impact, a condition should be attached which requires a scheme of archaeological investigation to be carried out.

Streamlined Contributions

51. The renaissance of the West End Area requires investment in significant infrastructure projects. These fall into 3 categories, strategic infrastructure to enable the West End to function (e.g. transport and utilities); service infrastructure, to meet the day-to-day needs of the population (e.g. schools, affordable housing, community facilities, open space, sewerage etc); and transformational infrastructure (e.g. public realm improvements).

52. Policy WE29 states that contributions will be calculated for the increased impact of the scheme, and in this case regard has been given to the fact that the proposal is effectively replacing existing housing on the site. A contribution of £118,944 (plus £5,972 admin fee) is sought as a global sum from the development towards these infrastructure projects. During the consultation process the Oxfordshire County Council and Local Highways Authority has requested contributions towards infrastructure improvements however the global sum already takes these requested contributions into consideration.

53. Thames Valley Police have also requested a financial contribution of £69,070 to fund 2 Police Community Support Officers (PCSOs) for a period of 4 years, on the basis that 82 additional students living in the area may lead to additional crime as student populated areas are often targeted by criminals. However legal advice has been taken on the matter and confirmed that such funding falls outside the terms of Core Strategy Policy CS17 and / or any mechanism agreed within the current Planning Obligations Supplementary Planning Document (SPD) where in any event S106 contributions should properly relate to capital rather than revenue expenditure. Moreover the emerging arrangements under the Community Infrastructure Levy (CIL) would also suggest funding of physical infrastructure rather than the provision of a service, but these arrangements are not yet in place in any event. For these reasons Officers cannot support the request of Thames Valley Police on this occasion.

Conclusion:

54. The proposal is considered to be in accordance with the relevant policies of the Oxford Core Strategy 2026, Oxford Local Plan 2001-2016 and West End Area Action Plan and therefore officer's recommendation to the Members of the West Area Planning Committee is to approve the development in principle, but defer the application for the completion of a legal agreement to secure the necessary financial contributions as set out above.

Human Rights Act 1998

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

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

Section 17 of the Crime and Disorder Act 1998

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

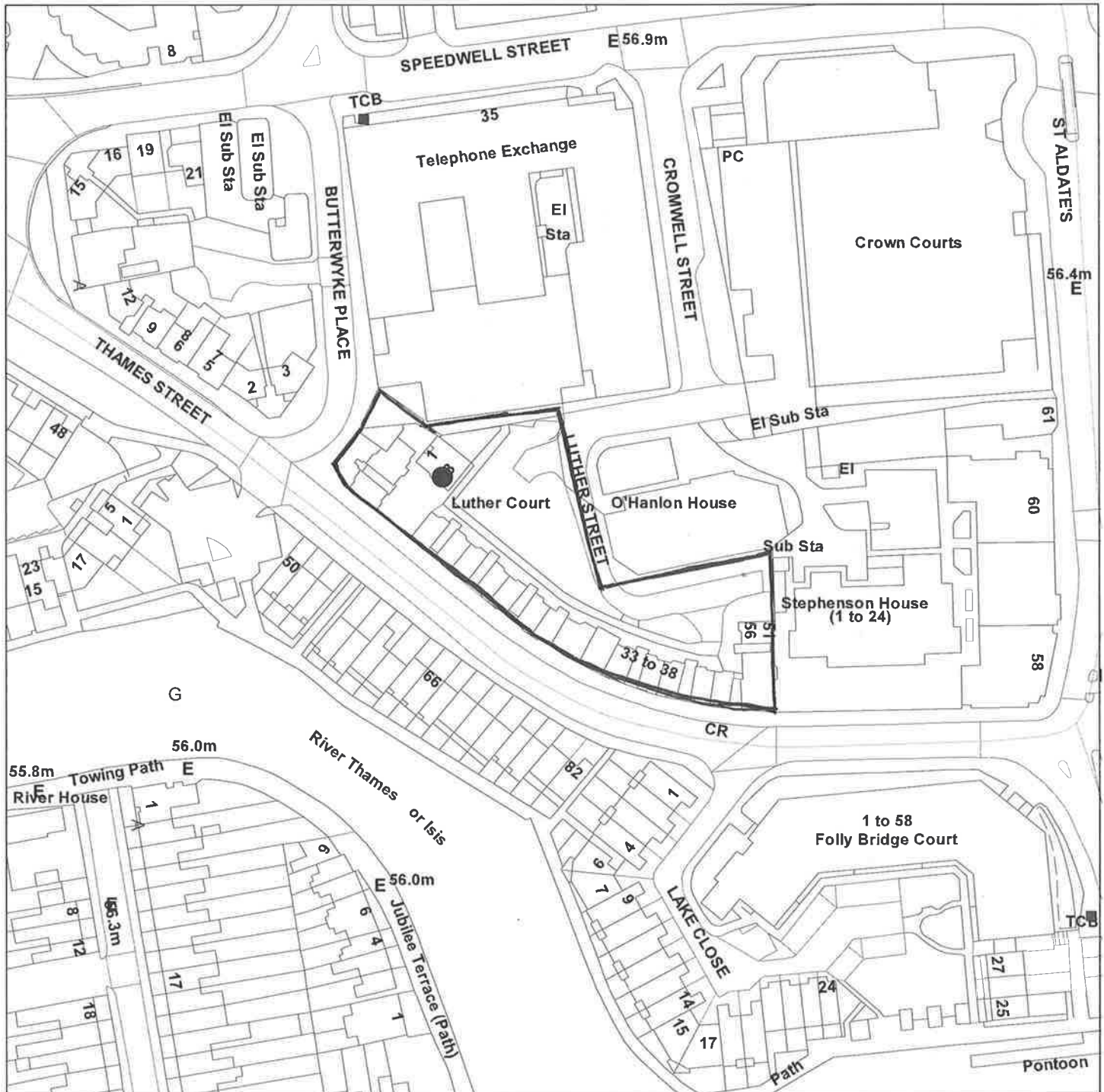
Contact Officer: Andrew Murdoch

Extension: 2228

Date: 25th July 2012

Appendix 1

Luther Court (12/01223/CAC & 12/01228/FUL)



Scale : 1:1250

Reproduced from the Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2000.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Organisation	Not Set
Department	Not Set
Comments	
Date	03 August 2012
SLA Number	Not Set

This page is intentionally left blank

WEST AREA PLANNING COMMITTEE

15th August 2012

Application Number: 12/01383/FUL

Decision Due by: 27th July 2012

Proposal: Demolition of existing buildings. Erection of 3 storey building comprising retail shop and Class B1 offices on ground floor and 18 student study rooms on upper floors. Provision of cycle and bin stores.

Site Address: 220 And 222 Cowley Road, Oxford (Appendix 1)

Ward: St Marys Ward

Agent: John Philips Planning
Consultancy

Applicant: RMA Properties

Recommendation:

To refuse planning permission for the following reason:

- 1 The development would result in the loss of a self-contained dwelling and fails to provide any replacement residential accommodation within the scheme and, as such, would have a detrimental impact upon the balance and distribution of dwelling types within the area contrary to policies HS10 of the Oxford Local Plan 2001-2016 and HP1 of the Sites and Housing Plan Submission Document.

Planning Obligations:

In the event that the application is supported and in accordance with the Council's Planning Obligations SPD and the emerging Sites and Housing Plan (Proposed Submission), the following contributions would be required to mitigate the impact of the proposals on City and County Services and affordable housing. The contributions set out below are indexed linked to values at 2006 levels and should be increased accordingly at the time of payment.

- £62,190 towards affordable housing
- £1,080 towards indoor sports facilities
- £1,134 towards library infrastructure
- £2,484 towards cycle safety measures

Main Local Plan Policies:

Oxford Local Plan 2001-2016

CP1 - Development Proposals
CP6 - Efficient Use of Land & Density
CP8 - Design Development to Relate to its Context
CP9 - Creating Successful New Places
CP10 - Siting Development to Meet Functional Needs
HS19 - Privacy & Amenity
HS10 - Loss of Dwellings
TR3 - Car Parking Standards
TR4 - Pedestrian & Cycle Facilities
TR13 - Controlled Parking Zones
RC5 - Secondary Shopping Frontage

Core Strategy

CS18_ - Urb design, town character, historic env
CS25_ - Student accommodation
CS31_ - Retail
CS23_ - Mix of housing
CS17_ - Infrastructure and developer contributions
CS9_ - Energy and natural resources
CS2_ - Previously developed and greenfield land

Sites and Housing Plan - Submission

HP1_ - Changes of use to existing homes
HP5_ - Location of Student Accommodation
HP6_ - Affordable Housing from Student Accommodation
HP15_ - Residential cycle parking
HP16_ - Residential car parking

Other Material Considerations:

National Planning Policy Framework
Balance of Dwellings SPD
Planning Obligations SPD
Parking Standards, Transport Assessments and Travel Plans SPD
Manual for Streets

Relevant Site History:

11/03035/FUL - Demolition of existing buildings. Erection of 3 storey building comprising retail shop and Class B1 Business use on ground floor and 18 student study rooms on upper floors. Provision of cycle parking and bin stores – Refused 23rd February 2012

Representations Received:

One comment received from 6 Randolph Street:

- Whilst the scheme looks well designed and makes a better use of the space, there is already a high concentration of students living in the area and the balance would further tipped in this direction by the development proposed harming the mix and balance of residents living locally.

Statutory and Internal Consultees:

Highway Authority – No objection subject to conditions relating to cycle parking and a scheme to prevent student residents bringing cars into the City. Financial contributions also required towards cycle safety measures as set out above.

Thames Water Utilities Limited - No objection

Environmental Development – No objection subject to a phased contamination risk assessment being carried out prior to the commencement of development on the site.

Oxfordshire County Council – Contributions required towards library infrastructure and bookstock.

Officers' Assessment:

Site Description and Proposal

1. The application site is identified on the plan attached as Appendix 1. It comprises Nos. 220 and 222 Cowley Road, a pair of two storey properties (with accommodation in the basement) of no real architectural distinction located on the corner of Randolph Street. No 220 comprises a shop on the ground floor with ancillary office/storage space above whilst No. 222 is a 5 bedroom house currently occupied as a Class C4 HMO. There is a two storey extension to the rear of No. 222 which is occupied as Class B1 offices though it is currently in a somewhat poor state of repair.

2. The application proposes the demolition of Nos. 220 and 222 Cowley Road and the erection of a two storey building with accommodation in the roofspace comprising retail and office uses on the ground floor with 18 student study bedrooms provided on the first and second floors along with associated communal living room/kitchen space. Covered bin and cycle storage is provided for all uses within the building in an area to the side accessed from Cowley Road.

3. Officers consider the principle determining issues in this case to be:

- Design and appearance;
- The loss of residential accommodation;
- Retention of retail space;
- Student accommodation;
- Affordable Housing;
- Impact on neighbouring amenity;

- Parking/Highway Implications.

Design and Appearance

4. Policy CP8 of the Oxford Local Plan 2001-2016 requires the siting, massing and design of development to create an appropriate visual relationship with the form, grain, scale, materials and details of the surrounding area and CP10 states that planning permission will only be granted where proposed developments are sited to ensure that street frontage and streetscape are maintained or enhanced. Policy CS18 of the Core Strategy echoes this.

5. Cowley Road is a busy commercial frontage and thoroughfare characterised by large two and three storey buildings built hard up to the pavement edge along a strong building line. The buildings are generally of a traditional form and appearance, constructed of brick, tile or slate, with a pitch roof and conventional features such as sash windows and roofed bays. The uses at ground floor are a mix of retail premises, restaurants and bars, with some office accommodation. On the upper floors the buildings are mostly residential or ancillary office or storage accommodation.

6. In contrast to the scale and use of the buildings fronting Cowley Road, the side roads are narrower, predominantly residential in character with buildings of a more domestic scale and mass. In many cases the side roads see a relatively undeveloped return to the Cowley Road frontage or where an infill development has taken place the buildings step down from Cowley Road to meet the scale of the properties fronting the side road.

7. The character of Randolph Street is no exception and is characterised by a narrow road with two storey terrace houses built hard up to the pavement. The terraces on each side of the road are long and only broken by the junction of Green Street and Hawkins Street. The rear of 224 Cowley Road has been recently redeveloped for student accommodation and this has seen the conversion of an existing workshop building and erection of a new two storey building. The scale and mass of this new development respects the domestic characteristics of Randolph Street, albeit with a more contemporary use of materials and detailing.

8. The application proposes a new two storey building with roof accommodation. The Cowley Road elevation would have a greater degree of symmetry than that existing at present which would help it to relate to this part of the Cowley Road in terms of scale and mass though does have a somewhat plain front elevation. Indeed when viewed from Cowley Road, the building's overall dimensions would not appear dissimilar to the existing buildings.

9. The previous application proposals raised concern amongst officers and Members about the appearance from Randolph Street rather than Cowley Road. Following the refusal of the previous scheme this elevation has been given more distinction with opportunities taken to reduce its overall mass and the visual impact resulting from such a significant degree of flat roofed timber clad bays positioned close together. The use of different materials including brick and render, the varying of eaves heights as well as slightly recessing elements of the external walls has enabled this elevation to appear less stark and, ultimately, result in a more appropriate visual

relationship with its surroundings. It is also noted that the proposed ridge height steps up slightly from 1 Randolph Street and this continues the steadily increasing height of the properties on the western side of Randolph Street helping the building to be in keeping with the existing pattern of built development. Overall therefore, the current proposals are considered to overcome officer objections to the design of the previous scheme such that, in this regard, the proposals are considered acceptable.

Impact on Neighbouring Amenity

10. Local Plan policy CP10 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.

11. With regard to the impact on daylight, officers have applied the 45 degree/25 degree guidance to the sill of habitable room windows that would potentially be affected by the proposal as advised by Appendix 6 of the Local Plan. Due to the position of the proposal in relation to the windows of No 1 Randolph Street there would be no breach of the 45 degree guidance. In addition, the layout and dimensions of the proposed building ensure that it does not project beyond the rear of 1 Randolph Street and therefore materially affect the outlook enjoyed by its occupiers from the rear garden. Some windows to the rear of the proposed building will allow some overlooking of the rear garden of 1 Randolph Street though these windows are located in corridors only and therefore unlikely to attract prolonged overlooking. In addition, Randolph Street properties should be seen in the context of their terraced nature and, as a result, there is already the potential to significantly overlook neighbouring gardens from first floor level of houses along the street.

12. With respect to the neighbouring 218 Cowley Road, there are two potentially affected windows in the rear of No 218 Cowley Road, one serving a kitchen and the other a bedroom. Both of these rooms form part of a self-contained flat. However, the current revised proposals reduce the overall bulk of the roof facing into the site, omit the previous two storey kitchen element and alter the siting of the external staircase element such that the revised proposals do result in a contravention of the Council's daylight guidance or result in significant harm to the outlook from 218 Cowley Road.

13. Policy CS25 of the Core Strategy states that the management of the site should be controlled by the submission of appropriate measures, to be secured by planning condition in the event of permission being granted. This would adequately address any concerns there are about potential for noise and disturbance or other management matters. If the proposals were to be supported by Committee, officers would therefore suggest that a condition be imposed requiring details of site management to be submitted for subsequent approval.

Loss of residential accommodation

14. 222 Cowley Road is an existing family sized dwelling albeit in use as a small HMO. Given that the use of the building could easily revert back to a dwellinghouse without the benefit of planning permission and provide family accommodation its loss should be treated, in planning policy terms, as the same as the loss of a typical

dwellinghouse. Policy HS10 of the Local Plan seeks to prevent the loss of self-contained dwellings (i.e. No. 222 Cowley Road) and policy HP1 of the Sites and Housing Plan requires at least a 75 sq m dwelling to be retained and that it should be of adequate internal and external quality.

15. The application proposals however neither retain the existing dwelling nor make provision for a replacement dwelling and as such would result in the net loss of residential accommodation in the City to the detriment of the area's housing mix and balance.

Retention of retail space

16. The site lies within a designated secondary shopping frontage as set out in policy RC5 of the Local Plan. Shopping units such as that on the ground floor of 220 Cowley Road are protected from loss by the policy. However, whilst the proposals include demolition of the existing shop they also provide for a larger more modern shopping unit at ground floor level fronting Cowley Road. Consequently officers have no objection to this element of the proposals.

Student Accommodation

17. The City Council wishes to see an increase in the proportion of students housed in purpose built accommodation. Core Strategy policy CS25 supports the provision of purpose built student accommodation subject to it being of appropriate standard and states that matters of site management and the prevention of students bringing cars into the City can be controlled by planning condition.

18. Policy HP5 of the Sites and Housing Plan states that planning permission will only be granted for student accommodation unless it is on an existing campus, in the city or a district centre, on allocated sites or on a main thoroughfare. The site is located within a designated district centre and on a main thoroughfare such that it fulfils the requirements of this emerging policy.

19. Consequently, and in light of the policy context, officers consider that there is no objection to the principle of student accommodation at this location.

Affordable Housing

20. Policy HP6 of the Site and Housing Plan (Submission Document) states that "planning permission will only be granted for new student accommodation that includes 8 or more bedrooms if a financial contribution is secured towards delivering affordable housing elsewhere in Oxford". The application proposes 18 student bedrooms and therefore triggers the requirement for affordable housing delivery (this figure is set out above under the planning obligations heading). Committee should be mindful that whilst the document is not adopted it is a material planning consideration and does carry weight in determining the planning application. The applicant has agreed to make the contribution subject to the policy being formally adopted following the public examination later this year. Officers would therefore recommend that, if permission is granted, that authority be delegated to officers to issue the permission on completion of a legal agreement to secure the affordable housing contribution along with that also required to offset the impact on indoor sport, libraries and cycle safety.

Parking/Highway Implications

21. Core Strategy policy CS25 requires a condition to prevent future residents of student accommodation bringing cars into the City and, if imposed, this ensures that student occupiers would not add to existing parking pressure in the locality and encourages more sustainable modes of travel. If planning permission is granted officers would recommend that the committee impose a condition requiring details of how this will be achieved and enforced as well as a condition requiring submission and approval of a Travel Plan. If such conditions are imposed the Highway Authority would not object to the proposal.

22. The scheme proposes 18 covered and secure cycle parking spaces and this meets the requirements of the Council's relevant Local Plan policy (TR4) as well as policy HP15 of the Sites and Housing Plan (Submission Document).

Sustainability

23. The application site lies within a sustainable location on the edge of the Cowley Road District Centre. The site therefore allows excellent access to shops, services and public transport. The proposal will make efficient use of the site. Policy CS9 states that all applications for development are expected to minimise carbon emissions by incorporating sustainable design and construction methods into the development. The application is silent on this issue however parts of the Building Regulations, in particular Part G (Sanitation, Hot Water Safety and Water Efficiency) and Part L (Conservation of fuel and power), aim to help reduce carbon emissions and protect the environment.

24. Notwithstanding the requirements of the Building Regulations, officers would recommend that if the Committee is minded to grant planning permission a condition be attached requiring details of how sustainable design and construction methods would be incorporated into the building and how energy efficiency has been optimised through design and by utilising technology that helps achieve Zero Carbon Development.

Conclusion:

25. The development would result in the net loss of a self-contained dwelling to the detriment of the overall mix and balance of residential accommodation within the area and the city as a whole. Officers would therefore recommend that Committee refuse planning permission for the proposed development. However, if Members are minded to grant planning permission, officers would ask that authority be delegated to officers to allow the decision notice to be issued following the completion of a legal agreement to secure the required contributions set out at the beginning of this report.

Human Rights Act 1998

Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to refuse this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection of the rights and

freedom of others or the control of his/her property in this way is in accordance with the general interest.

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 refuse, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Background Papers: 11/03035/FUL & 12/01383/FUL

Contact Officer: Matthew Parry

Extension: 2160

Appendix 1

220 & 222 Cowley Road



Scale : 1:1250

Reproduced from the Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2000.

Unauthorized reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings

121

Organisation	Not Set
Department	Not Set
Comments	12/01383/FUL
Date	10 July 2012

This page is intentionally left blank

West Area Planning Committee

12th August 2012

Application Nos. i) 12/01737/LBC
ii) 12/01736/FUL

Decision Due by: 30th August 2012

Proposal: (i): 12/01737/LBC External alterations to provide new access point and internal alterations to provide librarian space, draught lobby and access and security controls to Radcliffe Camera

(ii): 12/01736/FUL Construction of new pedestrian access path steps and doorway to Radcliffe Camera and including new partitions on the first floor of the Old Bodleian

Site Address: Bodleian Library
Radcliffe Square
Oxford

Ward: CARFAX - Carfax Ward

Agent: Purcell

Applicant: Oxford University Estates Directorate

Recommendation: APPLICATIONS BE APPROVED

For the following reasons:

1. The Council considers that the proposal accords with the policies of the development plan and Government advice on the management of the historic environment as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any harm to the heritage assets that the works would otherwise give rise to can be justified and mitigated by detailed design, which the conditions imposed would control.
2. The proposals have evolved through informed analysis of the architectural and historic interest of the buildings and through pre-application discussions with officers and English Heritage and in consultation with local groups. Whilst there will be some impacts on the heritage assets it is considered that these impacts have been minimised by design. Overall the benefits that will be delivered, ensuring the buildings remain suitable for continued storage of these important collections allowing improved access for the whole community and encouraging the public's understanding and enjoyment of the heritage assets, justify granting planning permission and listed building consent.

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

a) 12/01737/LBC

- 1 Commencement of works LB/CAC consent
- 2 LB/CAC consent - approved plans
- 3 7 days notice to LPA
4. LB notice of completion
5. Further works - fabric of LB - fire regs

- 6 Repair of damage after works
- 7 Materials - samples
- 8 Internal features
- 9 Further Details
- 10 Gate details, security devices, colour and finish, fixing, dimensions etc

b) 12/01736/FUL

- 1 Development begun within time limit
- 2 Develop in accordance with approved plns
- 3 Samples in Conservation Area
- 4 amended plans
- 5 further details
- 6 Gate details, security devices, colour and finish, fixing, dimensions etc

Main Local Plan Policies:

Oxford Local Plan 2001-2016

CP1 - Development Proposals

CP8 - Design Developmt to Relate to its Context

HE3 - Listed Buildings and Their Setting

HE7 - Conservation Areas

CP13 - Accessibility

Core Strategy

CS19 - Urban design townscape char & hist env

Other Material Considerations: This application is in or affecting the Central Conservation Area. The development is affecting a Grade I Listed Building.

Public Consultation

Note: At the time of writing this report the consultation period for representations to be received had not expired. The time limit will have expired by the time the Committee considers this proposal and officers will provide an update of any additional comments at the committee meeting. Comments received will be posted on the Council's web site and members and the public will have the opportunity to see any additional comments received before the meeting.

Statutory and Other Bodies:

English Heritage – have raised no objections to the works

Private Individuals:-

Main comments raised:

- questions the need for the new entrance
- consider access via the new lift from the book stacks for wheelchair users adequate
- Camera is a listed building which should retain its character
- Wheelchair user numbers have not been established
- Wheelchair access to upper floors still not possible
- Consider the upheaval do not justify major changes to the listed building
- Consider the security changes will put the collections are greater risk

Relevant Site History:

10/01109/LBC - Listed Building Consent,

a) Internal alterations to Old Bodleian Library involving removal of lift and lift grilles, modern partitions , book conveyor, installation of new lift, WC's and kitchenette .

b) Internal alterations to Radcliffe Camera involving removal of modern stairs, insertion of

new lift and stairs. Temporary removal of window and grille to allow contractors access.

c) Internal alterations to underground book store involving removal of static shelving, installation of rolling stacks, carrels, lifts and provision of reading/ study areas.

Officers Assessment:

History of development

1. The Bodleian Library complex includes the Clarendon Building, the Schools Quadrangle with the attached Divinity School and Convocation House, Duke Humphrey Library, Arts and Selden Ends. To the south is the Radcliffe Camera and underneath part of Radcliffe Square is the Underground Bookstore (UBS). To the north is the new Bodleian. A tunnel links the Camera, UBS, Old Bodleian and New Bodleian. Appendix 1.
2. The Radcliffe Camera was built between 1737 and 1749 to designs by James Gibbs and is one of Oxford's most recognised buildings. Originally, the ground floor of the building was an open arcade, with the access on the south side of the building, but was later enclosed in 1863 to provide additional library space. Below is a time line of key dates

1737-49	Radcliffe Camera built, designed by James Gibbs
1824	Radcliffe Square lawns put in and iron railings erected
1860-61	Radcliffe Camera given to the Bodleian Library as a new Reading Room
1861	Acland proposes a covered walkway between the Camera and Old Bodleian, which is not carried out
1863	The open ground floor of the Radcliffe Camera enclosed and refurbished to become a bookstore. Windows glazed and new north stepped entrance added.
1888	Trial of movable shelving in the Radcliffe Camera which were draw forward by handles and run in grooves cut into the floor
1936	Railings around Radcliffe Square removed
1940	Lower Reading Room in Radcliffe Camera created when books stored there were moved into the New Bodleian bookstack. Opened to readers May 1941
1959	Seven steel windows in the lower arches of the Radcliffe Camera replaced by Godfrey Allen with new frames in aluminium. Wrought iron grilles in lower arches repainted and tips gilded
1993	Railings put in again around Radcliffe Camera and additional paving installed
2010	Insertion of new lift and stairs into Bay 1 of the Radcliffe Camera

3. The ground floor is rusticated and there are eight arched and pedimented bays with eight intermediate bays. The upper floor has coupled Corinthian columns with the bays alternating between a niche and a window over two tiers. The large windows are pedimented. Above is a balustrade and finial parapet and then the drum and dome, the drum pierced with sash windows.

4. Internally the spaces comprise the Lower Camera, Upper Camera and Staircase. The Lower Camera, originally open, has a shallow central stone dome supported on 8 pendentives and around which lies an ambulatory, consisting of a series of groin vaults and small domes. The original floor was in stone laid in a radiating pattern. This was covered with a wooden floor in 1863, when the space was enclosed and a new stepped access provided on the north side.
5. The Upper Camera is a double height space with ambulatory and gallery enclosing it. Piers with Ionic pilasters support the drum and dome (constructed in timber with a decorative plastered finish). Portland and Bremen stone were used for the floor, though it is now covered with several layers of more modern flooring. There is a modern raised floor within the ambulatory and one of the bays has been adapted for library office and administration use.
6. The stairwell with spiral staircase rises from the ground floor to gallery level, interrupted by the 1863 inserted doorway and invigilators platform.

Heritage Significance

7. The Radcliffe Camera is one of Oxford's best known buildings and contributes to the historic skyline. It is a focal point within the group of listed buildings in Radcliffe Square, and with the other library buildings represents the core to the University of Oxford and one of the most visited sites. The Bodleian library is considered to be the first major public library in Britain founded to serve the University of Oxford and "the republic of the learned" (Sir Thomas Bodley). It has national and international significance and status as a library of legal deposit and has a collection accumulated over four centuries placing it in the first rank of international libraries. Its buildings are by architects of national significance and it is highly valued by the academic community, resident community, visitor and business community.
8. The Camera is grade I listed and has high architectural, aesthetic and historical significance. It was built to designs of the prominent 18th Century architect James Gibbs between 1737 and 1749. The rotunda design is said to be the earliest example in England of a circular library and an exemplar of baroque architecture. The entrance was originally on the south side, the new stepped access being added on the north side in 1863 when the building was loaned to the Bodleian, perhaps attempting to provide a stronger visual link with the library. The Camera is not on axis with the Bodleian, offset slightly to the right, curtailing what otherwise would have been a sightline from the steps through the schools quad and Clarendon building to the George VI entrance on the corner of the New Bodleian.
9. There is no doubting the Camera's architectural and aesthetic significance, internally and externally, and its historical interest and association with the Bodleian. Its continued use for the purpose for which it was originally designed, as a reading room, also has significance and is rare. The building is not as originally designed and its continuous adaptation to meet the needs of the academic community and growing storage needs of the Bodleian is an important part of its interest. This change has continued right through to modern times, the Lower Camera only adopting its current function in the 1940s.
10. The setting of the Camera has also changed with railings first being introduced around a lawn in 1824. These were removed in 1936, to open up the space and then reinstated in 1993.

Policy Framework

11. Conservation principles, policy and practice seek to preserve and enhance the value of heritage assets. The National Planning Policy Framework (NPPF) explains the government's aim that the historic environment and its heritage assets should be conserved and enjoyed for the quality of life they bring to this and future generations.

In relation to development affecting a designated heritage asset (e.g. a listed building) the NPPF states that

'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification'.

12. Relevant Local Plan policies include those that seek to sustain the historic environment (HE.3 and HE.7) and CP.13, which encourages making provision for access by all members of the community. Core Strategy policy CS19 explains the need to preserve and enhance the historic environment and to deliver a high quality public realm.

Brief description of proposals:

13. The proposals involve the provision of level access to the camera by forming a new entrance to the south side of the building, on axis with the existing north stepped access. This involves a ramped access, including new gate and piers in the boundary railing, new external door and internal lobby.

Further Internal alterations are proposed to reconfigure librarian space, access and security controls and furniture layout in the Camera and Old Bodleian. The new entrance will provide a serviced reception and enquiry point for readers and will allow the removal of the invigilator's metal platform in the staircase and removal of existing modern partitions and furniture.

Assessment of Impact

14. Works have recently taken place to expand reader space into the underground book store and to improve access with the provision of new stairs and a lift for wheelchair users and ambulant disabled to access to and exit from the Gladstone link. However, to meet fire safety requirements people with restricted mobility can only use the Lower Camera as an emergency exit route and not for study.
15. These proposals to provide level access have been brought forward to coincide with the transfer of the lending collections and subject support services of the History Faculty Library so that they can join other provision for History already situated in the Camera and Old Bodleian.
16. Book security remains an issue and this proposal seeks to provide a more integrated and discreet security system that will allow existing sensors to be removed. The use of book sensors is necessary, but are visually intrusive. These proposals offer the opportunity to provide a single point of access that allows a reduction in the number of sensors and for those that are needed, for them to be more effectively integrated as part of the fittings and furniture.

17. The provision of an inclusive access is an important priority as is the need to ensure that the Camera can continue to function as part of a modern working library. As with many historic buildings this presents a number of challenges, to ensure the heritage significance of the place is not diminished. Improving access to the building improves access to and enjoyment of our historic environment and the learning environment and resources the building holds. The building has a history of adaptation and alteration illustrating its capacity to meet changing needs. This proposal represents another stage that involves change to elements of the building's fabric that have already undergone alteration, or are 'new' elements.
18. The proposed entry point reinvents the original access into the building and will allow readers and visitors to experience access via the stairs to the upper levels as originally intended and allows wheelchair users to use the Lower Camera. This involves closing the existing stepped access as a primary entrance changing the arrangement that has been in place since 1863. To meet the fire safety requirements and allow use of the Lower Camera by wheelchair users the new access is required to be at the southern end. Re-opening the original access point and maintaining the north south axis as proposed responds to the history of the place and the original design intent and are changes that are considered acceptable to facilitate provision of an inclusive access..
19. Internally the changes will be beneficial allowing the removal of modern intrusive elements and rationalising the library staff accommodation. Disturbance to readers from noise is a concern of the University and the provision of partitions as proposed to provide discrete librarian accommodation in Bay 1 will help resolve these issues. Bay 1 is already used as a librarian work station and storage area. Modern bookcases in this bay obscure the window at the back of the bay and there is a counter to the front. The proposal replaces these modern and intrusive interventions with glass partitions and new bookcases that will better respect the qualities of the space, balancing the architectural qualities of the building with the user needs.
20. These proposals are part of a long programme of changes to the Bodleian Library accommodation including the works to the New Bodleian, currently in progress, the provision of a new lift in the Old Bodleian and changes to the underground bookstore. The changes are part of the delivery of the University's Library Strategy and have evolved following detailed analysis of the heritage significance and vulnerability of the historic building stock and the library collections.

Conclusion:

The stepped access is a significant physical constraint to the provision of an inclusive access and this proposal, which seeks to minimise the impacts and secure heritage benefits represents a balanced solution. Approval is recommended

Human Rights Act 1998

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant listed building consent and 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 approve, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Contact Officer: Sarah Billam/Nick Worledge

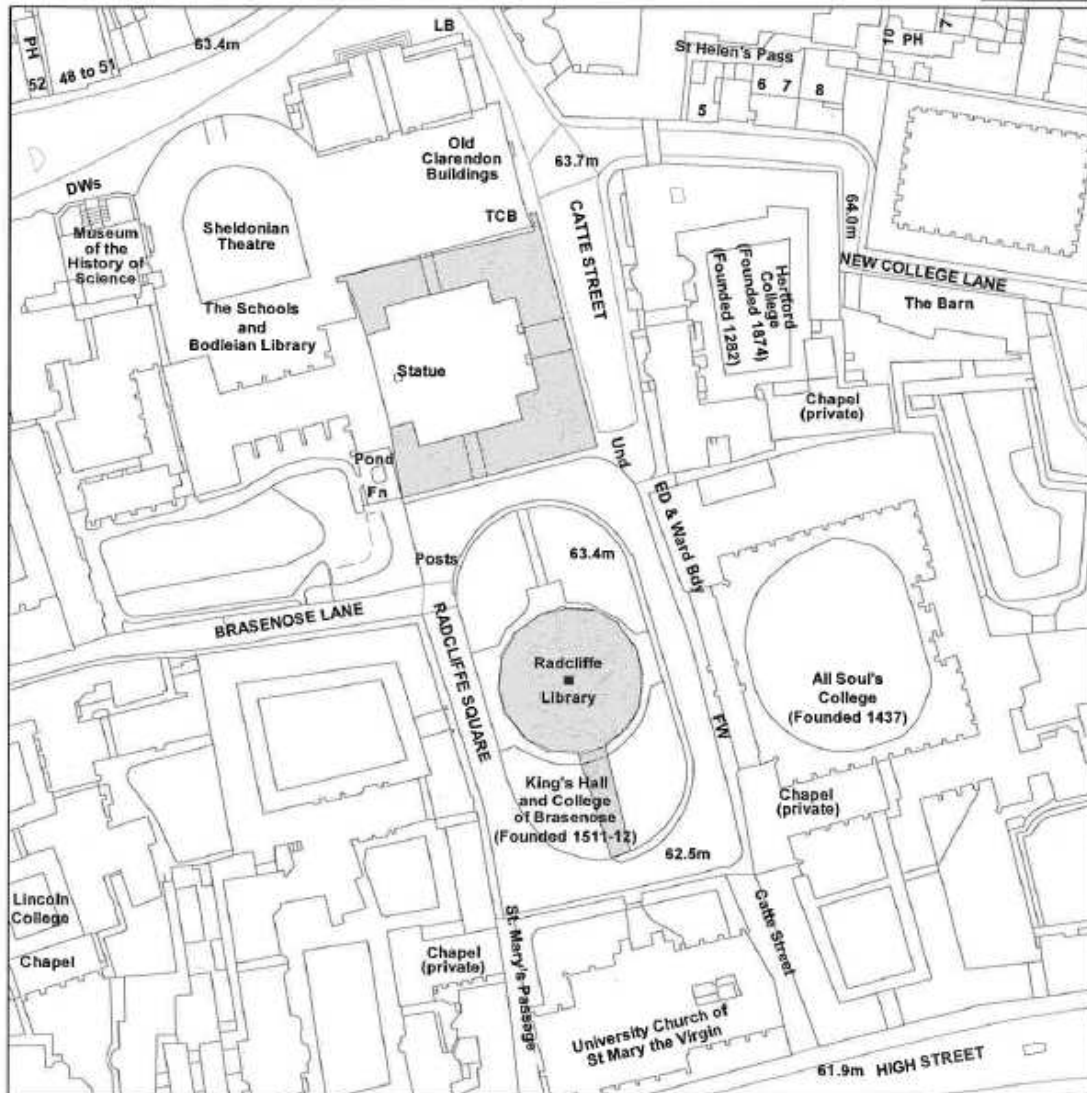
Extension: 2640/2147

Date: 2nd August 2012

Appendix 1

12/01737/LBC & 12/01736/FUL - APPENDIX 1

Radcliffe Cameral, Radcliffe Square



Scale : 1:1250



© Crown Copyright and database right 2011.
Ordnance Survey 100019348.

Organisation	Oxford City Council
Department	Planning
Comments	
Date	02 August 2012
SLA Number	100019348

West Area Planning Committee

12th August 2012

Application No. 12/01508/LBC

Decision Due by: 10th August 2012

Proposal: Replacement of existing Triton statue with new Coade stone statue. (Existing to be salvaged and displayed in alternative location)

Site Address: Radcliffe Observatory Quarter
Woodstock Road
Oxford

Ward: NORTH - North Ward

Agent: Oxford University Estates **Applicant:** University of Oxford
Directorate

Recommendation: Grant listed building consent

Reasons for Approval

- 1 The Council considers that the proposal accords with Government advice on the management of the historic environment as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any harm to the heritage assets that the works would otherwise give rise to can be justified and mitigated by detailed design, which the conditions imposed would control.
- 2 The proposals have developed through informed analysis of the architectural and historic interest of the structure, examination of its condition by conservators and through pre-application discussions with officers. The impact on the significance of the heritage significance is considered acceptable and justified by the public benefits of the proposed works. Overall the benefits that will be delivered, ensuring the fountain's continued use, encouraging the public's understanding and enjoyment of the heritage assets, justify granting listed building consent.

Conditions.

1. Development begun within time limit
2. Develop in accordance with approved plns
3. Sample panel on site
4. Drawings and specification showing detailed design and installation details,
5. Further details of pool lining, mechanical services for fountain,
6. External lighting
7. Details to secure appropriate relocation for existing Triton statue
8. Programme for ongoing maintenance and repair

Other Material Considerations:

- National Planning Policy Framework (NPPF).

Public Consultation

Oxford Civic Society – are sad that the original fountain statue is in such a dilapidated state but welcome a replica to replace it with, and with the assurance that the original will be preserved.

Oxfordshire Architectural and Historical Society (OAHS) – regret that the Triton fountain has been deemed irreparable and will not be returned to its original position. The society consider that approval should not be granted until a statement has been submitted by the conservators outlining the condition of the statue and why it cannot be reinstated, a precise drawing of the proposed replacement statue has been received and a definitive statement of where the original statue will be on display and able to be viewed by the public. They add that they are disappointed that the application was validated without these statements in place and ask that no decision is made until they have been received and the public re-consulted.

Statutory Consultees:

Highways & Transport – Have not objections to the development

Private Individuals:-

Main comment raised: Loss of original statue

Planning History

Planning permission and listed building consent have been granted for the alteration, extension and conversion of the hospital buildings to educational use in connection with Oxford University's proposal for the Radcliffe Observatory Quarter. The permitted proposals included a landscaping scheme for the front courtyard and repairs to the Triton Fountain. The consents have been implemented and it is only on close examination of the statue by conservators that the University has concluded it is beyond repair and needs replacing, hence this application.

Officers Assessment:

1. The statue is the fountain centrepiece in the front courtyard of the Radcliffe Infirmary building, installed in 1857, north of the city centre, on the west side of Woodstock Road. The courtyard is framed by the Radcliffe Infirmary (Main Block) to the west; the Outpatient's building to the south, St Luke's Chapel to the north and the boundary wall and railings onto Woodstock Road. In the centre of this courtyard is the fountain. (appendix 1)
2. The fountain statue sits in the centre of a circular stone basin. It is a six foot statue of Triton, in terracotta which has been coated with hard cementitious grey slurry. The statue sits on fibreglass coated rubble fill and puddle clay plinth. The Conservators' cleaning process has identified that the statue has been damaged by water ingress and frost action in the past which has damaged the fragile terracotta clay. This has been compounded by inappropriate repairs with cement mortars. The statue was *not* originally

intended to be used as a fountain, but was modified for this purpose following acquisition.

3. The statue is a copy of the original Fontana del Tritone fountain in Piazza Barberini, Rome, commissioned in 1642. The Artist, Gian Lorenzo Bernini, was a renowned Architect and Sculptor it is said that his work demonstrated a "unity of the visual arts". In Greek mythology Triton was a Merman, half man half dolphin, the son of Poseidon and Amphitrite. He dwelt with his mother and father in a golden palace at the bottom of the sea and blew his conch like trumpet, on command of Poseidon, to calm the restless waves of the sea. It is not known why Triton was chosen as a centrepiece for the fountain, but it is likely that it was chosen to complement the space and architecture of neighbouring buildings. The Radcliffe Observatory designed by James Wyatt and completed in 1762 is based on the Tower of Winds in Athens. The Ashmolean, is another Greek revival building of mid C19th date and suggests that perhaps the choice was simply a reflection of Victorian fashion and interest in the antiquities.
4. The Radcliffe Triton was modelled by the distinguished Victorian sculptor John Bell. Recent restoration works have also discovered the castings were produced by the sculptor J.M. Bashfield in his Millwall, London workshop. The statue is seen in Bashfield's 1857 trade catalogue with a list price of £50.
5. The fountain was not part of the original scheme for the hospital. It was commissioned as part of an overall plan to improve the entrance to the Infirmary, including the removal of a section of the high wall and the erection of cast iron railings fronting Woodstock Road. Interestingly, the fountain also provided water used for flushing the drains or in case of fire. The nozzles of the fountain were silver catheters provided by one of the Infirmary surgeons. On the 17th June 1857 at a meeting of the Board of Governors it was stated

'permission was given to place a fountain in the centre bed of the grass plot provided none of the expense falls upon the funds of the Infirmary'.

6. It is likely that the statue may have been a gift from a patron, possibly Thomas Briscoe, who is recorded as providing the largest contributions to the fountain scheme, with two payments of £20 each. In August of 1857, after the erection of the fountain in front of the infirmary, comments from the annual report are as follows;

'A great improvement has been effected in the external appearance of the Infirmary by the erection of a Fountain and the substitution of iron railings for the dead wall in front. The increased cheerfulness of the place has already been felt by patients.'

Heritage Significance:

7. The fountain is grade II listed and forms part of the group of listed buildings which make up the Radcliffe Infirmary site. Its Triton statue has both aesthetic and historic value, designed by eminent Victorian sculptor John Bell and produced by London sculptor J.M. Bashfield and reflected C19th interest in the Antiquities. Bell was involved in the revival of terracotta as an artistic medium in the 1850s.
8. The fountain holds communal value as a local landmark having greeted visitors to the hospital site for over 150 years and is a part of the history of development of the site, helping understanding of Victorian values and ideals about public art and perceptions of good quality design in the 19th century. Its aesthetic value lies in its accomplished design, although this has been compromised by the subsequent inappropriate and uninformed repairs, and adaptation of the base, using fibreglass.
9. The porous nature of Terracotta, which expands and contracts with moisture and fluctuations in temperature adds weight to the notion that the statue was not designed as a fountain, but was adapted to meet the brief set down by the Board of Governor's meeting in June 1857. The later coating of cement mortar was an attempt to protect the fragile terracotta underneath, which in fact probably accelerated the decay.
10. In addition to the cement coating the statue has undergone other repairs over the years which has both altered the appearance of the statue, with the loss of the fine detailing and caused further deterioration of the glazed terracotta clay.

Policy Framework

11. Conservation principles, policy and practice seek to preserve and enhance the value of heritage assets. The National Planning Policy Framework (NPPF) explains the government's aim that the historic environment and its heritage assets should be conserved and enjoyed for the quality of life they bring to this and future generations.
12. The NPPF is supported by a Practice Guide that gives advice on the application of the historic environment policies. Paragraph 78 of the guide explains the expected outcomes

There are a number of potential heritage benefits that could weigh in favour of a proposed scheme:

- *It sustains or enhances the significance of a heritage asset and the contribution of its setting.*
- *It reduces or removes risks to a heritage asset.*
- *It secures the optimum viable use of a heritage asset in support of its long term conservation.*
- *It makes a positive contribution to economic vitality and sustainable communities.*
- *It is an appropriate design for its context and makes a positive contribution to the appearance, character, quality and local*

distinctiveness of the historic environment. It better reveals the significance of a heritage asset and therefore enhances our enjoyment of it and the sense of place.

13. In relation to development affecting a designated heritage asset (e.g. a listed building) the NPPF states that

'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification'.

Brief description of proposals:

- Replacement and reinterpretation of the existing Triton statue with new Coade stone statue inspired by the Fontana del Tritone in Rome
- Repair and restoration of the existing 1857 Triton statue involving the application of additional slurry coat to the surface of the statue, containing a terracotta coloured pigment. The proposal also includes for the long term preservation of the existing statue by its relocation to a site protected from the elements
- Replacement of existing pool lining, mechanical services and associated infrastructure.

Impact on heritage assets:

14. The fountain pool, including the existing pool lining, pipe work, pump etc, are also in a poor state of repair. The plinth on which the statue sits has been replaced in fibreglass coated rubble and puddle clay. Intervention is required to ensure appropriate repair. Repair work to the pool is proposed and was to be part of the consented landscaping works for the whole site, with conditions requiring a schedule of repairs. This application for a replacement Triton statue has been submitted as a separate item of work, only because the University has concluded, after specialist examination of the statue, that repair, as originally planned for, and reinstallation was not an appropriate course of action to preserve the structure and that a replacement statue would be necessary.
15. Conservators have cleaned the existing statue. The cleaning process has found the existing statue is in a much worse condition than previously thought and is such that it cannot be re-used. The porous nature of Terracotta means that the clay has contracted and expanded over time through the absorption of moisture and attrition from changing weather conditions and temperature. The ensuing water ingress and frost action has contributed to significant areas of cracking. Where repairs have been undertaken and a cementitious mortar used to cover the terracotta, the terracotta has cracked underneath. Indeed, the slurry coat may have been applied to the surface of the statue to conceal previous repairs in an attempt to provide a degree of weather protection.

16. It is not possible to remove the slurry coat without damaging the terracotta underneath. Instead a further protective coating will be applied to the surface of the statue, containing a terracotta coloured pigment to conceal the previous repairs and restore the colour of the original finish. The harm to the quality and appearance of the existing statue has already taken place. These works of salvage, conservation repair and reinstallation in a covered location will save the original statue from being lost entirely. It is intended that the statue will be relocated to Osler House, which is the social club for medical sciences division. They are very keen to have the statue, because of the association with the Radcliffe infirmary.
17. As with the existing statue, the replacement statue will be a reinterpretation inspired by the original Fontana del Tritone fountain in Piazza Barberini, Rome, Using the same techniques as Bashfield would have used in 1857. The new statue will be created using a plaster mould with final detailing carried out by sculptors prior to firing. It will be a copy of a triton statue, recently installed on the North Terrace of Ferne Park, for Lord and Lady Rothemere, which has the same scale, composition and aesthetic as the Radcliffe Infirmary one.
18. The new statue will be produced in Coade Stone so will last 150- 200 years. Coade Stone is a composition of clay fired in a kiln at a very high temperature to produce a versatile and highly durable sculptural medium that is impervious to both rain and frost. Coade stone was introduced in 1769 and the ease with which it could be moulded made it suitable to meet a demand for large statues, sculptures and sculptural facades that would be resistant to weathering. Its constituents are grog, crushed flint, fine quartz, crushed soda lime glass and ball clay and fired at very high temperatures. Coade stone was by used by Wyatt for the sculptural friezes on the Radcliffe Observatory.
19. The new statue is proposed to have a creamy buff colour finish to reflect surrounding building stone. As part of the restoration works it is also intended to replace the modern fibreglass coated rubble fill and puddle clay plinth and replace it with block work faced with stone to provide a 'rocky outcrop' similar to the one at Ferne Park in Wiltshire.
20. The fountain and the courtyard represent the University's shop front and appropriate maintenance and management of the quasi public realm will be a high priority for the University. It is intended that the landscape around the ROQ site will be managed by the University Parks team and a condition is attached to the existing permission requiring details of the management plan, but to be clear about the extent of this management regime in relation to the fountain a condition is recommended here to require details and implementation strategy.

Conclusion

As a part of the current permitted works for restoration of the fountain it has become clear that the existing Triton statue is in very poor condition and the appropriate course of action to preserve it is to display it under cover (after conservation works

are completed). This application is for a replacement of the statue with another that has a very similar aesthetic and scale, but using a different historic material and one that is designed specifically to withstand weathering.

Officers are satisfied that replacement of the existing Triton statue is justified, that a publicly accessible location for the repaired existing statue can be secured, that the proposed replacement and its colour is appropriate, that the use of Coade stone will make the statue durable in the conditions in which it will sit and that there will be an effective management regime for the fountain. To ensure its proper maintenance

Approval is recommended

Human Rights Act 1998

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant listed building consent, 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 consent subject to conditions, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Background Papers: 12/01508/LBC

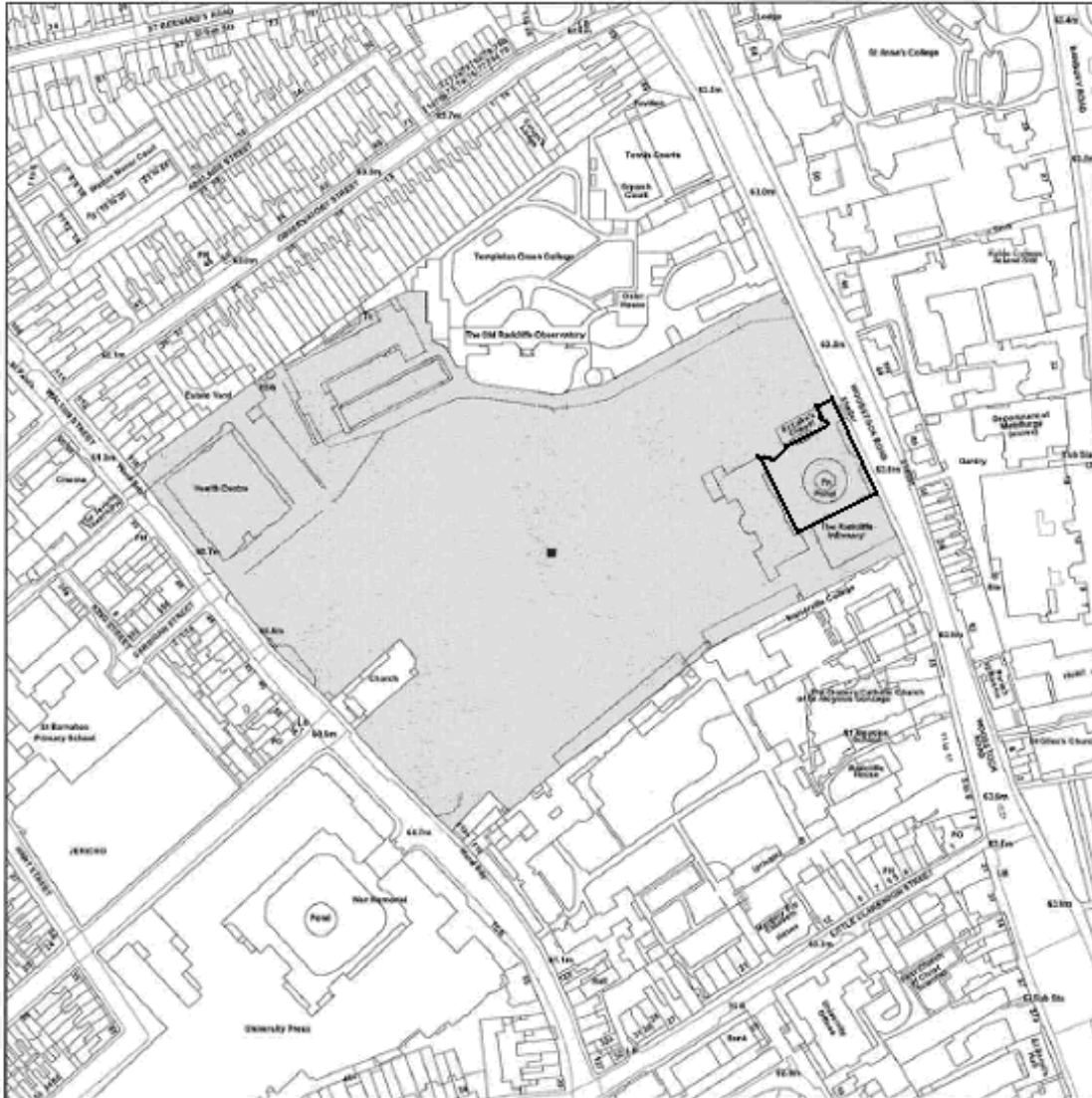
Contact Officers: Nick Worlledge/Sarah Billam

Extension: 2147/2640

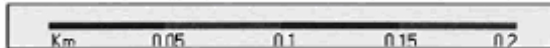
Date: 2nd August 2012

12/01508/LBC - APPENDIX 1

Radcliffe Observatory Quarter, Woodstock Road



Scale : 1:2500



© Crown Copyright and database right 2011.
Ordnance Survey 100019348.

Organisation	Oxford City Council
Department	Planning
Comments	
Date	02 August 2012
SLA Number	100019348