

Agenda

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Planning Review Committee

Date: **Monday 20 August 2018**

Time: **6.00 pm**

Place: **The Old Library - Oxford Town Hall**

For any further information please contact the Committee Services Officer:

Catherine Phythian, Committee and Member Services Officer

Telephone: 01865 252402

Email: cphythian@oxford.gov.uk

If you intend to record the meeting, it would be helpful if you speak to the Committee Services Officer before the start of the meeting.

Planning Review Committee

Membership

Chair

Vice-Chair

Councillor Mohammed Altaf-Khan	Headington;
Councillor Jamila Begum Azad	St. Clement's;
Councillor Hosnieh Djafari-Marbini	Northfield Brook;
Councillor James Fry	North;
Councillor Stephen Goddard	apologies
Councillor Sajjad Malik	Cowley Marsh;
Councillor Dr Joe McManners	Headington Hill and Northway;
Councillor Chewe Munkonge	Quarry and Risinghurst;
Councillor Linda Smith	apologies
Councillor Mike Gotch	Substitute for Cllr Goddard

The quorum for this meeting is five members. Substitutes are permitted.

Copies of this agenda

Reference copies are available to consult in the Town Hall Reception. Agendas are published 6 working days before the meeting and the draft minutes a few days after.

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AGENDA

Pages

- 1 **Apologies for absence and substitutions**
- 2 **Election of Chair for the Council year 2018-2019**
- 3 **Election of Vice Chair for the Council year 2018-2019**
- 4 **Declarations of Interest**
- 5 **18/00258/FUL: Northgate House, 13 - 20 Cornmarket Street, Oxford, OX1 3HE**

9 - 78

Site Address:

Northgate House, 13 - 20 Cornmarket Street, Oxford, OX1 3HE

Proposal:

Application for planning permission for the demolition of the existing building to ground level and the erection of a replacement building to provide replacement commercial units on the basement, ground and first floors, and new teaching facilities, ancillary accommodation and student fellows rooms on the upper floors for Jesus College. (Amended Plans)

Reason at Committee:

This application was determined at the West Area Planning Committee meeting on 10 July 2018. That decision has been called-in to the Planning Review Committee by Councillors Harris, Gant, Goff, Goddard, Simmons, Bely-Summers, Haines, Upton, Gotch, Pressel, Rowley, Kennedy, Taylor, Altaf-Khan, and Henwood.

Recommendation:

The Planning Review Committee is recommended to:

- (a) Approve the application for the reasons given in the report and subject to the required planning conditions set out in section 7 of this report and grant planning permission:
- (b) Agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:
 1. Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary.

- 6 **Minutes**

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To approve as a true and accurate record the minutes of the meeting held

on 10 January 2018.

7 Date of Future Meetings

The following dates are scheduled for meetings of this Committee (if required):

2018

12 September

10 October

20 November

12 December

2019

17 January

27 February

19 March

16 April

Councillors 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. Advice on bias, predetermination and declarations of interest is available from the Monitoring Officer.

The following minimum standards of practice will be followed.

At the meeting

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 (in accordance with the rules contained in the Planning Code of Practice contained in the Council's Constitution).
2. At the meeting the Chair may 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;
 - (d) 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;
 - (e) 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 Officers and/or other speakers); and
 - (f) voting members will debate and determine the application.

Preparation of Planning Policy documents – Public Meetings

4. At public meetings Councillors should be careful to be neutral and to listen to all points of view. They should take care to express themselves with respect to all present including officers. They should never say anything that could be taken to mean they have already made up their mind before an application is determined.

Public requests to speak

5. Members of the public wishing to speak must notify the Democratic Services Officer by noon on the working day before the meeting, giving their name, the application/agenda item they wish to speak on and whether they are objecting to or supporting the application. Notifications can be made in person, via e-mail or telephone, to the Democratic Services Officer (whose details are on the front of the Committee agenda).

Written statements from the public

6. Any written statements that members of the public and Councillors wish to be considered should be sent to the planning officer by noon two working days before the day of the meeting. The planning officer will report these at the meeting. Material received from the public at the meeting will not be accepted or circulated, as Councillors are unable to view give proper consideration to the new information and officers may not be able to check for accuracy or provide considered advice on any material consideration arising. Any such material will not be displayed or shown at the meeting.

Exhibiting model and displays at the meeting

7. Applicants or members of the public can exhibit models or displays at the meeting as long as they notify the Democratic Services Officer of their intention by noon, two working days before the start of the meeting so that members can be notified.

Recording meetings

8. Members of the public and press can record the proceedings of any public meeting of the Council. If you do wish to record the meeting, please notify the Committee clerk prior to the meeting so that they can inform the Chair and direct you to the best place to record. You are not allowed to disturb the meeting and the chair will stop the meeting if they feel a recording is disruptive.
9. The Council asks those recording the meeting:
 - Not to edit the recording in a way that could lead to misinterpretation of the proceedings. This includes not editing an image or views expressed in a way that may ridicule, or show a lack of respect towards those being recorded.
 - To avoid recording members of the public present unless they are addressing the meeting.

Meeting Etiquette

10. 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.
11. 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; or
 - (d) seek to re-design, or negotiate amendments to, an application. The Committee must determine applications as they stand and may impose appropriate conditions.

Code updated to reflect Constitution changes agreed at Council in April 2017.

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PLANNING REVIEW COMMITTEE

20 August 2018

Application Number: 18/00258/FUL

Decision Due by: 3 May 2018

Extension of Time: To be agreed

Proposal: Application for planning permission for the demolition of the existing building to ground level and the erection of a replacement building to provide replacement commercial units on the basement, ground and first floors, and new teaching facilities, ancillary accommodation and student fellows rooms on the upper floors for Jesus College. (Amended Plans)

Site Address: Northgate House, 13 - 20 Cornmarket Street,

Ward: Carfax Ward

Case Officer Andrew
Murdoch

Agent: Mr Neil Warner **Applicant:** Jesus College

Reason at Committee: The application has been called-in to the Planning Review Committee by Councillors Harris, Gant, Goff, Goddard, Simmons, Bely-Summers, Haines, Upton, Gotch, Pressel, Rowley, Kennedy, Taylor, Altaf-Khan and Henwood.

1. RECOMMENDATION

1.1. The Planning Review Committee is recommended to:

(a) Approve the application for the reasons given in the report and subject to the required planning conditions set out in section 7 of this report and grant planning permission:

(b) Agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:

1. Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary.

2. EXECUTIVE SUMMARY

2.1. At the West Area Planning Committee on the 10 July 2018, Members resolved to approve planning permission for the demolition of the existing Northgate House building to ground level and the erection of a replacement building to

provide replacement commercial units on the basement, ground and first floors, and new teaching facilities, ancillary accommodation and student fellows rooms on the upper floors for Jesus College under reference 18/00258/FUL.

2.2. The decision of the West Area Planning Committee has been called-in to the Planning Review Committee by Councillors Harris, Gant, Goff, Goddard, Simmons, Bely-Summers, Haines, Upton, Gotch, Pressel, Rowley, Kennedy, Taylor, and Altaf-Khan for the following reasons:

- The height of the proposed tower in Market Street at over 21 metres substantially exceeds the normal height restrictions for new development in the city centre
- The tower would be situated in the heart of the old city centre
- The tower would be highly visible from many points
- The tower appears incongruous and incompatible with the historic buildings near it and so adversely affects the character of the area
- The tower does not appear to be an essential or integral part of the proposed development by Jesus College, the rest of which has been generally welcomed
- The Oxford Preservation Trust attended the West Area Planning Committee to object to the application on the grounds of the above features of the tower but the Trust's objections were rejected by the Committee
- The vote on the West Area Planning Committee was close and opposition was cross party. In view of the seriousness of the planning issue raised by the 3m disregard of the normal height restriction it is desirable that the matter should be reviewed by a differently constituted committee
- There was a question as to whether the correct public consultation was followed.

2.3. With specific regard to these individual reasons for the call-in, the main planning concerns relate to the design of the gatehouse element within the proposal and its impact upon the adjoining designated heritage assets including upon specific views from within the city centre.

2.4. A copy of the officer's committee report to the West Area Planning Committee is included in **appendix 1** of this cover report. The report provided a full assessment of how the proposal would accord with policies of the development plan when considered as a whole, fully cognisant that it would represent a departure from the Oxford Local Plan's High Buildings Policy HE9, and that the range of material considerations supported the grant of planning permission. The report also includes a full assessment of how the scheme would also accord with the aims and objectives of the National Planning Policy Framework (NPPF), in particular the impact upon the significance on designated an heritage assets, thereby constituting sustainable development, which, given conformity with the development plan as a whole, means that in accordance with paragraph 11 of the new NPPF the proposal should be approved without delay. (See paragraph 4.1 for a fuller explanation of the new NPPF.) It also sets out that there are not any material considerations that would outweigh the compliance with these

national and local plan policies.

- 2.5. Whilst the officer's committee report provides a full assessment of the matters relating to the impact of the proposed gatehouse, officers have provided further commentary on these matters for the committee in section 4 below.
- 2.6. In terms of the non-planning matters listed within the call-in, officers would confirm that the fact that the decision of the West Area Planning Committee was a close vote is not a material planning consideration for the determination of the application. Likewise the fact that Oxford Preservation Trust made representations at the committee which were not supported by members, is also not a material planning consideration in the determination of the application. The Trust made representations during the application and these are referenced within the officer's report and were taken into consideration within the officers' recommendation.

3. PUBLIC CONSULTATION

- 3.1. The officers' report provides details of the public consultation that was undertaken with respect to the application, and summarises all the responses received in relation to the application within section 8 of the report.
- 3.2. Full copies of the consultation responses listed within this section are available to view on the public access website and have been taken into consideration within the officers' report.
- 3.3. In order to clarify to Members the public consultation that was undertaken with respect to the application, officers would advise the following.
- 3.4. The proposal was developed following extensive pre-application discussions with officers, Oxford Design Review Panel, key stakeholders (Historic England, Oxfordshire County Council, Oxford Preservation Trust, and Oxford Civic Society), and wider public consultation. The details of this are set out within the statement of community involvement in section 6.0 of the Planning Statement. The public consultation included a public exhibition on the 17 and 18 November 2017 in the Ship Street Centre on Ship Street. It was advertised in the Oxford Times and on the College Website. The proposed development evolved prior to submission of an application as a result of these discussions.
- 3.5. The planning application has been subject to two statutory consultation periods prior to it being reported to the West Area Planning Committee. Site notices were originally displayed around the application site on the 27 February 2018. As stated within the committee report, the application was subsequently amended post this consultation period in order to address a number of comments received during the consultation period, and as such a further consultation was undertaken with site notices posted on the 25 May 2018.
- 3.6. Officers would make Members aware that full and proper public consultation has been undertaken through the pre-application discussions and also the determination of the application.

4. RELEVANT PLANNING POLICY

- 4.1. The government has revised the National Planning Policy Framework (NPPF) since the West Area Planning Committee meeting on the 10 July 2018. This replaces the version published in March 2012 which was quoted throughout the original committee report (**appendix 1**):
- 4.2. The following table has been updated to reflect this change in national policy and supersedes the one set out in paragraph 7.1 of the committee report.

Topic	National Planning Policy Framework (NPPF) (July 2018)	Local Plan	Core Strategy	Sites and Housing Plan
Design	12	CP8,CP9, CP10,	CS18_,	HP9_,
Conservation/ Heritage	16	HE2, HE3, HE7, HE9, HE10,		
Housing	5		CS24_ , CS25_ ,	HP5_ ,
Commercial	6, 7	CP5, RC3, RC5, RC12, RC13,	CS1_ , CS31_ ,	
Social and community			CS19_ ,	
Transport	9	TR1, TR4,		HP15_ , HP16_ ,
Environmental		CP19,CP20, CP21,	CS9_ , CS10_ , CS11_ , CS12_ ,	HP11_ ,
Misc		CP.13,CP.24, CP.25		MP1

- 4.3. In summary although the committee report in **appendix 1** makes reference to specific paragraphs within the previous NPPF (March 2012), the requirements set out in the report are all maintained within the revised NPPF (July 2018) albeit under different sections and paragraphs numbers. For ease of reference the changes should be as follows

Paragraphs in Committee report (appendix 1)	National Planning Policy Framework (NPPF) (March 2012) Relevant Paragraphs	Revised National Planning Policy Framework (NPPF) (July 2018) Revised Paragraphs
9.2	14 17	11 117 & 118
9.16	134	196
9.46	132 134	193 196
9.47	32	109 & 111
9.70	32	109
9.88	118	175
10.2	2	2
10.9	14	11
10.10	14	11

4.4. There are no additional implications when determining the application on the basis of the superseding paragraphs of the NPPF that would alter the recommendation set out within that report.

5. MATERIAL PLANNING CONSIDERATIONS

5.1. The call-in request listed the following matters of planning concern regarding the proposed application and its impact.

- The height of the proposed tower in Market Street at over 21 metres substantially exceeds the normal height restrictions for new development in the city centre
- The tower would be situated in the heart of the old city centre
- The tower would be highly visible from many points
- The tower appears incongruous and incompatible with the historic buildings near it and so adversely affects the character of the area
- The tower does not appear to be an essential or integral part of the proposed development by Jesus College, the rest of which has been generally welcomed

5.2. The committee report for the West Area Planning Committee considers all of these matters and sets out why planning permission should be granted for the proposal. A copy of the report is included within **appendix 1** of this addendum.

5.3. As stated within the report, the application for the redevelopment of Northgate House was submitted following extensive pre-application discussions with officers, Oxford Design Review Panel, Historic England, and other parties. It is considered that the proposal has been designed in a manner that has responded intelligently to the surrounding context. In doing so it has had full regard to the fact that the gatehouse would be situated within the heart of the city centre, and would be visible from points within and outside the city centre. In order to fully

understand its impact the design development of the scheme was informed by a Heritage Assessment and Landscape and Visual Impact Analysis that assessed its impact upon the recognised view points of the historic skyline from both within and outside the city.

- 5.4. The 'tower' subject to the points of concern listed in paragraph 5.1, has actually been designed as a College Gatehouse of similar height, character, and proportion to the other gatehouses that exist at Jesus College's entrances onto Turl Street and Ship Street. It has always been an integral part of the new building, announcing the new entrance to the college grounds from Market Street and including lodge facilities, social, meeting, and event space within its various floors. The provision of usable floorspace within the gatehouse has allowed the main building to be sited further away from the adjoining listed Fellows Library, while also allowing the re-opening of the Cloeburne's Lane (the Saxon lane that ran to the western edge of Jesus College). As such officers would make clear that the suggestion within the call-in that the tower is not an essential or integral part of the proposed development by Jesus College does not fully appreciate all that is involved in the proposed development before the committee.
- 5.5. It is fully accepted within the officers' report that the height of the Gatehouse would at 21.3m exceed the 18.2m height limit by approximately 3.1m within Oxford Local Plan Policy HE9 and so any approval would represent a departure from this policy.
- 5.6. However Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires development proposals to be determined in accordance with the development plan unless material considerations state otherwise. The policies of the development plan need to be considered as a whole in the determination of any application, and this includes an assessment of any material considerations that may outweigh conflict with these development plan policies. The National Planning Policy Framework (July 2018) (NPPF) acknowledges this point in Paragraph 12 by stating that '*Local Planning Authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed*'. As such Members should be clear that the fact that the gatehouse exceeds the height limit set out in Policy HE9 does not mean that planning permission should automatically be refused.
- 5.7. In this case the Oxford Local Plan recognises the importance of views of Oxford from surrounding high places from outside its boundaries but also in shorter views from prominent places within Oxford. Local Plan Policy HE9 (High Building Area) states that planning permission will not be granted for developments which exceed 18.2 metres (or ordnance datum height of 79.3 metres) within a 1,200 metre radius of Carfax Tower. The exception to this policy is where there are minor elements of "no great bulk". In addition to this the View Cones Policy (HE10) protects views from 10 recognised viewpoints on higher hills surrounding the City to the east and west and also within the City. There are also a number of public view points within the city centre that provide views across and out of it, for example Carfax Tower, St Georges Tower and St Marys Church.

- 5.8. In understanding the weight that should be attached to Policy HE9, it is necessary to understand that the current Local Plan was adopted in November 2005 prior to the adoption of the NPPF and therefore its consistency needs to be tested against this document. It should be noted that the wording of these policies does not allow for any assessment of the level of harm and a balancing exercise to be made which could be viewed as being inconsistent with the requirements of the NPPF.
- 5.9. The current Local Plan is to be superseded by the new Oxford Local Plan 2036 which is currently at the preferred options stage of the adoption process. The plan recognises that the pressure on land within the city means that taller buildings could contribute positively to increasing density and making a more efficient use of land. The historic skyline of the city means that particular care needs to be taken over the design and placement of taller buildings, to ensure that they do not negatively impact on the views of the skyline. With specific regard to High Buildings, View Cones, and High Building Area, the preferred options document recognises that placing a strong emphasis on a height restriction can lead to all buildings being built to the maximum height, without enough regard to what height works best in a particular location, and also with the potential consequence of creating a very flat, monotonous and uninteresting roofline. Importantly it also states that it risks preventing potentially positive interventions on the Oxford skyline from coming forward. As a result the preferred option for local plan policy moving forward is to not set a rigid height limit as in the case of HE9, but to have a criteria-based approach to allow full consideration as to how new development will impact on the skyline and allow taller buildings that will make a positive contribution to the skyline.
- 5.10. Whilst this is only an emerging policy and therefore should be afforded little weight in the determination of this application, it is a clear indication of the direction of travel for future development plan policy with respect to high buildings and acknowledges the shortfalls of strict adherence to the current development plan policy. The approach outlined within the preferred options document would also be more consistent with the aims of the NPPF which encourages development proposals that will impact on designated heritage assets to be based on an understanding of the significance of the assets and to ensure that proposals do not harm these assets, but also allowing a balancing exercise to be made where there would be substantial or less than substantial harm. As such it could be viewed that refusing this application on the basis that the development would exceed the current height limit for buildings within the city centre would not be consistent with national planning policy and or emerging local plan policies.
- 5.11. In terms of the context of the immediate area, the architects have pointed to the fact that the gatehouse is aligned or lower than the height of many existing historic and non-historic buildings within the vicinity including Debenhams, Clarendon Centre, and a number of other properties along Cornmarket. They have designed the gatehouse to be slender and carefully articulated in order to provide a vertical emphasis to the Northgate House site while also adding to the buildings within the skyline. With respect to views, the Landscape and Visual Impact Analysis (LVIA) has demonstrated that the gatehouse would only be

visible in a few views from within the city, notably from the towers of Carfax, St Michael at the Northgate, and St Mary's. The officers' report has considered the impact on these views in detail and has identified that the gatehouse would not have a harmful on these views not interrupting key landmarks or listed buildings.

- 5.12. The call-in has also suggested that the gatehouse would be incompatible with the historic buildings near it and so adversely affecting the character of the area. As the call-in has not provided details of the specific historic buildings that it considers are impacted, it is difficult to provide a fuller response to this matter. However, for the reasons set out within the committee report, officers have provided a full assessment of the impacts upon the relevant designated heritage assets. It concludes that the new building has been designed to introduce an interesting, well-articulated building that makes architectural references to existing, significant building forms and features in its immediate context and the wider context of the city and that will be positive in terms of its contribution to the building frontages (streetscapes) of both Cornmarket and Market Street and in immediate views at street level, both east and west along Market Street and north and south along Cornmarket. Moreover the call-in reason has not given proper regard or weight to the benefits that the development will have in relation to the adjoining listed buildings in Jesus College through opening up a new entrance from Market Street which will bring more activity to the Fellows Garden and also provide a more active setting around the existing Fellows Library than is currently the case with Northgate House and its service / loading bay on Market Street which it sits alongside.
- 5.13. Importantly the officers report concludes that the building will not create harm to any of the surrounding heritage assets despite the fact that the gatehouse would represent a departure from the high buildings policy, and as such the NPPF Paragraph 196 test of public benefits would not apply. Nevertheless should any harm be considered to arise from the presence of a more assertive, although entirely appropriate building element in the existing townscape of the city, officers consider that this would be substantially offset by the public benefits of a building which demonstrates outstanding architecture and makes positive contributions to the public realm of the city, in particular Market Street but also to Cornmarket. This view is also supported by Historic England who are the statutory consultee in relation to developments relating to listed buildings.
- 5.14. The West Area Planning Committee resolved to add two further conditions to the officer recommendation; to seek a phasing and materials plan for the surfacing works to Market Street and to seek active retail frontages onto Market Street. The former condition is included in the officer recommendation in this report (condition 27). Officers recognise the importance of ensuring an active retail frontage and will update the Planning Review Committee verbally as to whether an appropriately worded condition could secure this.
- 5.15. Therefore subject to conditions, the proposal as a whole is considered to comply with sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, paragraphs 193, 194 and 196 of the NPPF, policies CP1, CP8, HE3, HE7, and HE10 of the Oxford Local Plan 2001-2016 and policy CS18 of the Oxford Core Strategy, and HP9 of the Sites and Housing Plan. As such officers consider that there would be no material reason in

planning terms to object to the proposal.

6. CONCLUSION

- 6.1. Having regards to the matters set out within the call-in to Planning Review Committee, officers would make members aware that the starting point for the determination of this application is in accordance with Section 38 (6) of the

Planning and Compulsory Purchase Act 2004 which makes clear that proposals should be assessed in accordance with the development plan unless material considerations indicate otherwise.

- 6.2. The NPPF recognises the need to take decisions in accordance with Section 38(6) but also makes clear that it is a material consideration in the determination of any planning application. The main aim of the NPPF is to deliver Sustainable Development, with Paragraph 11 the key principle for achieving this aim. The NPPF also goes on to state that development plan policies should be given due weight depending on their consistency with the aims and objectives of the Framework. The relevant development plan policies are considered to be consistent with the NPPF despite being adopted prior to the publication of the framework.

Compliance with Development Plan Policies

- 6.3. In conclusion it would be necessary to consider the degree to which the proposal complies with the policies of the development plan as a whole and whether there are any material considerations, such as the NPPF, which is inconsistent with the result of the application of the development plan as a whole.
- 6.4. In summary, the proposed development would seek to make an efficient use of previously developed land by delivering a high-density development which protects the character of the historic core and will create high quality public realm in accordance with Oxford Core Strategy Policy CS1 and CS2. The redevelopment of the site to provide additional accommodation for Jesus College for their own campus is also supported by Sites and Housing Plan Policy HP5. The site layout and built form has been developed in a comprehensive and thoughtful manner following an extensive pre-application process which has considered the impact upon designated heritage assets, and results in a high quality development which would not harm these assets while also delivering a number of public benefits that would outweigh any harm that was derived from the scheme. As such it would accord with Local Plan Policies CP1, CP6, CP8, HE3, HE7, HE8 and HE10 along with Core Strategy Policy CS18. In transport terms, it is considered that the proposal would be acceptable in terms of access, parking, highway safety, traffic generation, and pedestrian and cycle movements in accordance with Local Plan Policy CP1, and HP15. Members need to be aware that there are other improvements to Market Street that are to be covered by a Section 278 legal agreement. This is a matter between the County Council and the Applicant and cannot be considered direct mitigation for the development or material to the determination of the application. It is, however, an important part of the delivery of the overall development. The development would not have an adverse impact upon biodiversity and would secure appropriate mitigation measures in order to ensure that there is no net loss of biodiversity in accordance with Core Strategy Policy CS12. The development would also be acceptable in terms of archaeology (Local Plan Policy HE2), Air Quality (Local Plan Policy CP23), Land Quality (Local Plan Policy CP22), and sustainability (Core Strategy Policy CS9). Where there are any adverse impacts in relation to these matters officers consider that these could be mitigated through appropriately worded conditions.

6.5. The main policy where there could be considered to be a departure from development plan policy would be with regard to Oxford Local Plan Policy HE9 which states that permission will not be granted for developments which exceed 18.2m (or ordnance datum height of 79.3m within a 1,200m radius of Carfax Tower). While it is accepted that the proposed Gatehouse would exceed the 18.2m height limit as prescribed by the policy and cannot reasonably be considered a 'minor element', and thus exempt from the policy, in terms of the impact on significant views and the settings of those key buildings that make up the valued "skyline" of the city, the proposed building could not be said to be harmful and in street views it would only be St Michael's Tower that would be directly impacted and the design of the proposed building would certainly not detract from the significance of this building. The LVIA submitted with the application has demonstrated that the gatehouse would not be an intrusive element within the skyline or detract from the significant views of the surrounding taller city spires that Policy HE9 seeks to protect and which would remain the prominent features within the views, thereby acceding with policies HE10 and CS18, and chapter 12, and 16 of the NPPF. Therefore the high quality contextual design approach for the gatehouse which has been informed by a Landscape Visual Impact Assessment considerably reduces the weight to be attached to the conflict with this policy.

6.6. Therefore officers consider that the proposal would accord with the development plan as a whole.

Material Considerations

6.7. The principal material considerations which arise are addressed below, and follow the analysis set out in earlier sections of this report.

6.8. National Planning Policy: The NPPF has a presumption in favour of sustainable development.

6.9. NPPF paragraph 11 states that proposals that accord with the development plan should be approved without delay, or where the development plan is absent, silent, or relevant plans are out of date, granting permission unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole; or specific policies in the framework indicate development should be restricted.

6.10. Officers consider that the proposal would accord with the overall aims and objectives of the NPPF for the reasons set out within the report. Therefore in such circumstances, Paragraph 11 is clear that planning permission should be approved without delay. This is a significant material consideration in favour of the proposal.

6.11. Officers would advise members that having considered the application carefully including all representations made with respect to the application, that the proposal is considered to be acceptable in terms of the aims and objectives of the National Planning Policy Framework, and relevant policies of the Oxford Core Strategy 2026, and Oxford Local Plan 2001-2016, when considered as a whole, and that there are no material considerations that would outweigh these policies.

- 6.12. Therefore it is recommended that the Committee resolve to grant planning permission for the development proposed subject to the conditions set out in Section 7 of this report.

7. CONDITIONS

- 1 The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

- 2 Subject to condition 9, the development permitted shall be constructed in complete accordance with the specifications in the application and approved plans listed below, unless otherwise agreed in writing by the local planning authority.

Reason: To avoid doubt and to ensure an acceptable development as indicated on the submitted drawings in accordance with policy CP1 of the Oxford Local Plan 2001-2016.

- 3 Samples of the exterior materials to be used shall be submitted to, and approved in writing by the Local Planning Authority before the start of work on the site and only the approved materials shall be used.

Reason: In the interests of the visual appearance of the Conservation Area in which it stands in accordance with policies CP1, CP8 and HE7 of the Adopted Oxford Local Plan 2001-2016.

- 4 Notwithstanding the Town and Country Planning (General Permitted Development) (England) Order 2015, the commercial floorspace in the basement, ground floor, and first floor shall be used for retail (Class A1) use only and for no other purpose (including any other purpose in Class A of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class revoking or enacting that Order).

Reasons: In the interests of preserving the primary and secondary shopping frontages within the city centre in accordance with Oxford Core Strategy Policy CS1, CS31, and Oxford Local Plan Policy RC5

- 5 The building(s) shall not be demolished before a legally binding contract for the carrying out of the works of redevelopment of the site is made and evidence of the contract has been produced to and agreed in writing by the Local Planning Authority, or in the absence of such a contract an alternative confirmation of commencement of the development has been submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure that the premature demolition of the buildings does not take place to the detriment of the special character and appearance of the Conservation Area, in accordance with policies CP1 and HE7 of the Adopted Oxford Local Plan 2001-2016 and policy CS18 of the Oxford Core Strategy 2026.

- 6 (i) The student accommodation hereby permitted shall only be occupied during term time by students in full time education on courses of an academic year or more.

(ii) Outside term time the permitted use may be extended to include accommodation for cultural and academic visitors and for conference and summer school delegates.

The buildings shall be used for no other purpose without the prior written approval of the Local Planning Authority.

Reason: In order to maintain the availability of appropriate student accommodation in accordance with policy CS25 of the Adopted Oxford Core Strategy 2026 and HP5 of the Sites and Housing Plan

- 7 The student study bedrooms comprised in the development shall not be occupied until the wording of a clause in the tenancy agreement under which the study bedrooms are to be occupied restricting students resident at the premises (other than those registered disabled) from bringing or keeping a motor vehicle in the city has been submitted to and approved in writing by the local planning authority; and the study bedrooms shall only be let on tenancies which include that clause or any alternative approved by the local planning authority.

Reason: To ensure that the development does not generate a level of vehicular parking which would be prejudicial to highway safety, or cause parking stress in the immediate locality, in accordance with policies CP1 of the Adopted Oxford Local Plan 2001-2016 and Policy HP5 of the Sites and Housing Plan 2011-2026

- 8 The development shall not be occupied until a Student Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall also include the control measures for ensuring that the movement of vehicles associated with the transport of student belongings at the start and end of term are appropriately staggered to prevent any adverse impacts on the operation of the highway. The approved management plan shall be implemented upon first occupation of the development and remain in place at all times thereafter unless otherwise agreed in writing beforehand by the Local Planning Authority.

Reason: To avoid doubt and in order to ensure the development is appropriately managed so as to protect the amenities of neighbouring occupiers, in accordance with policy CS25 of the Oxford Core Strategy 2026.

- 9 Notwithstanding the details submitted with the application, further large scale design details of the following shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of works above ground.

- Large scale details for all new windows, doors and glazing panels
- Large scale sections of roof junctions (eaves, fascias, soffits etc)
- Large scale details of roof railings and external stair
- details of the means of enclosure for the new entrance onto Market Street including railings, new wall etc

The development shall be carried out in accordance with these approved details

Reason: For the avoidance of doubt and so that the Local Planning Authority can agree these details in the interests of preserving the character and appearance of the conservation area, and in accordance with Policies CP1, CP8, and HE7 of the adopted Oxford Local Plan 2001-2016

- 10 A landscape plan shall be submitted to, and approved in writing by, the Local Planning Authority before development starts. The plan shall include a survey of

existing trees showing sizes and species, and indicate which (if any) it is requested should be removed, and shall show in detail all proposed tree and shrub planting, treatment of paved areas, and areas to be grassed or finished in a similar manner.

Reason: In the interests of visual amenity in accordance with policies CP1, CP11 and NE15 of the Adopted Local Plan 2001-2016.

- 11 The landscaping proposals as approved by the Local Planning Authority shall be carried out upon substantial completion of the development and be completed not later than the first planting season after substantial completion.

Reason: In the interests of visual amenity in accordance with policies CP1 and CP11 of the Adopted Local Plan 2001-2016.

- 12 Prior to the start of any work on site including site clearance, details of the design of all new hard surfaces and a method statement for their construction shall be submitted to and approved in writing by the Local Planning Authority. Details shall take into account the need to avoid any excavation within the rooting area of any retained tree and where appropriate the Local Planning Authority will expect "no-dig" techniques to be used, which might require hard surfaces to be constructed on top of existing soil levels using treated timber edging and pegs to retain the built up material. The works shall only be carried out in accordance with the approved details.

Reason: To avoid damage to the roots of retained trees. In accordance with policies CP1, CP11 and NE16 of the Adopted Local Plan 2001-2016

- 13 Prior to the start of any work on site, details of the location of all underground services and soakaways shall be submitted to and approved in writing by the Local Planning Authority (LPA). The location of underground services and soakaways shall take account of the need to avoid excavation within the Root Protection Areas (RPA) of retained trees as defined in the British Standard 5837:2012- 'Trees in relation to design, demolition and construction-Recommendations'. Works shall only be carried out in accordance with the approved details.

Reason: To avoid damage to the roots of retained trees; in support of Adopted Local Plan Policies CP1, CP11 and NE15.

- 14 Detailed measures for the protection of trees to be retained during the development shall be submitted to, and approved in writing by, the Local Planning Authority (LPA) before any works on site begin. Such measures shall include scale plans indicating the positions of barrier fencing and/or ground protection materials to protect Root Protection Areas (RPAs) of retained trees and/or create Construction Exclusion Zones (CEZ) around retained trees. Unless otherwise agreed in writing by the LPA the approved measures shall be in accordance with relevant sections of BS 5837:2012 Trees in Relation to Design, Demolition and Construction-Recommendations. The approved measures shall be in place before the start of any work on site and shall be retained for the duration of construction unless otherwise agreed in writing by the LPA. Prior to the commencement of any works on site the LPA shall be informed in writing when the approved measures are in place in order to allow Officers to make an inspection. No works or other activities including storage of materials shall take place within CEZs unless otherwise agreed in writing by the LPA.

Reason: To protect retained trees during construction. In accordance with policies CP1, CP11 and NE16 of the Adopted Local Plan 2001-2016

- 15 A detailed Arboricultural Method Statement setting out the methods of working within the Root Protection Areas of retained trees shall be submitted to and approved in writing by the Local Planning Authority (LPA) before any works on site begin. Such details shall take account of the need to avoid damage to tree roots through excavation, ground skimming, vehicle compaction and chemical spillages including lime and cement. The development shall be carried out in strict accordance with of the approved Arboricultural Method Statement unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect retained trees during construction. In accordance with policies CP1,CP11 and NE16 of the Adopted Local Plan 2001-2016.

- 16 No development shall take place until a written scheme of investigation (WSI) has been submitted to and approved in writing by the local planning authority. For land that is included within the WSI, no development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and

- The programme and methodology for archaeological recording and the nomination of a competent person(s) or organisation to undertake the agreed works.

- The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

Reason: Because the development may have a damaging effect on known or suspected elements of the historic environment of the people of Oxford and their visitors, including Saxon, medieval and post-medieval remains (Local Plan Policy HE2).

- 17 No work shall commence until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority. The CTMP should identify the following;

- The routing of construction vehicles and management of their movement into and out of the site by a qualified and certificated banksman,
- Access arrangements and times of movement of construction vehicles (to minimise the impact on the surrounding highway network),
- Details of wheel cleaning / wash facilities to prevent mud, etc from migrating on to the adjacent highway,
- Contact details for the Site Supervisor responsible for on-site works,
- Travel initiatives for site related worker vehicles,
- Parking provision for site related worker vehicles,
- Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours,
- Engagement with local residents, including the adjacent care home.

The development shall be carried out in accordance with the approved CTMP

Reason: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding network, road infrastructure and local residents, particularly at peak traffic times.

- 18 The development shall not be brought into use until details of the refuse and cycle storage for the development have been submitted to and approved in writing by the Local Planning Authority. These details shall include the method of storage to ensure that they are safe, secure, and sheltered. The refuse and cycle storage shall be provided in accordance with these approved details prior to the development being first occupied, and shall be retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of residential amenity, and in accordance with Policies CP1, and CP10 of the Oxford Local Plan 2001-2016 and Policy HP13 of the Sites and Housing Plan 2011-2026

- 19 A full Travel Plan shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the development. The approved Travel Plan shall be implemented on occupation and complied with thereafter.

Reason: To encourage the use of sustainable modes as a means of transport.

- 20 No development shall take place until a Construction Environmental Management Plan (CEMP), containing the specific dust mitigation measures identified for this development, has first been submitted to and approved in writing by the Local Planning Authority. The specific dust mitigation measures that need to be included and adopted in the referred plan can be found on chapter 7 of the Air Quality Assessment submitted with the application (document's project number:JAP9732, from February 2018). The development shall be carried out in accordance with the approved CEMP

Reason: To ensure that the overall dust impacts during the construction phase of the proposed development will remain as "not significant", in accordance with the results of the dust assessment, and with Core Policy 23 of the Oxford Local Plan 2001- 2016.

- 21 Prior to the commencement of the development, details of biodiversity enhancement measures including at least 4x bird nesting, 3x bat roosting devices and nectar rich planting shall be submitted to and approved in writing by the local planning authority. The approved measures shall be incorporated into the scheme and be fully constructed and planted prior to occupation of the approved development and retained as such thereafter.

Reason: In the interests of improving the biodiversity of the City in accordance with NPPF and policy CS12 of the Oxford Core Strategy 2026.

- 22 Prior to the commencement of development, plans, calculations and drainage details to show how surface water will be dealt with on-site through the use of sustainable drainage methods (SuDS) shall be submitted to and approved in writing by the Local Planning Authority. The plans, calculations and drainage details should be based on the surface water drainage strategy as outlined in Smith and Wallwork Engineers Foul and Surface Water Planning Report - December 2017.

The plans, calculations and drainage details submitted shall demonstrate that;

- (i) The drainage system is to be designed to control surface water runoff for all rainfall up to a 1 in 100 year storm event with a 40% allowance for climate change.
- (ii) The rate at which surface water is discharged from the site may vary with the severity of the storm event but must not exceed the greenfield runoff rate for a given storm event.

- (iii) Excess surface water runoff must be stored on site and released to receiving system at greenfield runoff rates.
- (iv) Where sites have been previously developed, betterment in runoff rates will be expected, with discharge at, or as close as possible to, greenfield runoff rates.

Any proposal which relies on Infiltration will need to be based on on-site infiltration testing in accordance with BRE365 or alternative suitable methodology, details of which are to be submitted to and approved in writing by the LPA. Consultation and agreement should also be sought with the sewerage undertaker where required.

The drainage scheme shall be carried out in accordance with the approved details.

Reason: To ensure compliance with Policy CS11 of the Oxford Core Strategy 2011-2026.

- 23 No work shall commence until a SuDS maintenance plan has been submitted to and approved in writing by the Local Planning Authority. The Sustainable Drainage (SuDS) Maintenance Plan will be required to be completed by a suitably qualified and experienced person in the field of hydrology and hydraulics. The SuDs maintenance plan will be required to provide details of the frequency and types of maintenance for each individual sustainable drainage structure proposed and ensure the sustainable drainage system will continue to function safely and effectively in perpetuity. The drainage scheme shall be carried out in accordance with the approved details.

Reason: To ensure compliance with Policy CS11 of the Oxford Core Strategy 2011-2026.

- 24 The Groundwater flooding mitigation measures outlined within Smith and Wallwork Engineers Foul and Surface Water Planning Report - December 2017 shall be implemented and brought into use before the development hereby approved is occupied and shall be retained thereafter.

Reason: To ensure compliance with Policy CS11 of the Oxford Core Strategy 2011-2026.

- 25 A Servicing and Delivery Management Plan for the retail units shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the respective units. The approved Servicing and Delivery Management Plans shall be implemented when the units are brought into use and retained in place thereafter.

Reason: In the interests of highway safety and network management.

- 26 No external lighting shall be installed on site unless details of such lighting, including the make/type of fittings, intensity of illumination, light source, the design calculations showing the lanterns geometry aiming angles and predicted lighting contours etc, have been first submitted to, and approved in writing by the Local Planning Authority, prior to first occupation of the site. Any external lighting that is to be installed shall be in accordance with British Standard 5489 for details to be approved. The approved lighting shall be provided before any part of the development is brought into use.

Reason: To maintain street lighting to adequate levels in accordance with Oxford Local Plan CP1.

- 27 The development shall not be commenced until a phasing, details and materials plan for the proposed works to Market Street has been submitted to and been approved

in writing by the Local Planning Authority. The phasing, details and materials plan shall provide details of the timing of the proposed works and the materials to be used on the surfacing of Market Street. The approved phasing shall be followed and the approved materials shall be used in carrying out the said works.

Reason: To mitigate the development's impact on Market Street and to ensure a consistent quality of finish to the highway in accordance with Policy CS18 of the Core Strategy 2016

8. APPENDICES

Appendix 1 – Officer's report to West Area Planning Committee

Appendix 2 – Extract from the minutes of the West Area Planning Committee meeting held on 10 July 2018

9. HUMAN RIGHTS ACT 1998

- 9.1. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to grant planning permission for 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.

10. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

- 10.1. 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.

WEST AREA PLANNING COMMITTEE

10th July 2018

Application Number: 18/00258/FUL

Decision Due by: 3rd May 2018

Extension of Time: To be agreed

Proposal: Application for planning permission for the demolition of the existing building to ground level and the erection of a replacement building to provide replacement commercial units on the basement, ground and first floors, and new teaching facilities, ancillary accommodation and student fellows rooms on the upper floors for Jesus College. (Amended Plans)

Site Address: Northgate House, 13 - 20 Cornmarket Street,

Ward: Carfax Ward

Case Officer Andrew
Murdoch

Agent: Mr Neil Warner **Applicant:** Jesus College

Reason at Committee: Major Application

1. RECOMMENDATION

1.1. West Area Planning Committee is recommended to:

(a) Approve the application for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and grant planning permission subject to:

(b) Agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:

1. Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary;

2. EXECUTIVE SUMMARY

2.1. This report considers an application for the demolition of the existing Northgate House to ground level and the erection of a replacement building to provide replacement commercial units on the basement, ground and first floors which will provide frontage onto Cornmarket and Market Street, and new teaching facilities, ancillary accommodation and student fellows rooms on the upper floors of the

building for Jesus College. A new access onto Market Street will also be provided.

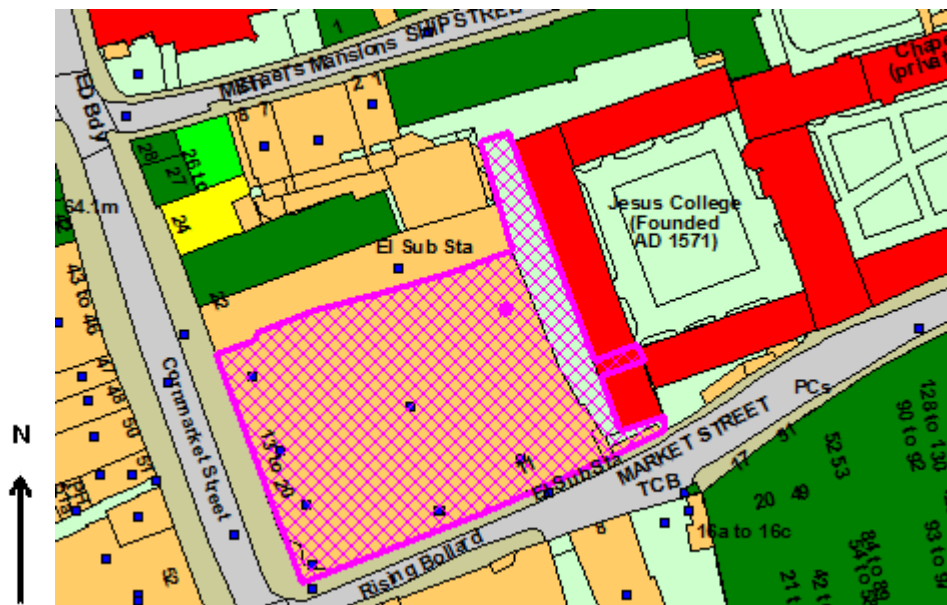
- 2.2. The key matters for assessment set out in this report include the following:
- Principle of development;
 - Design & Impact upon Designated Heritage Assets;
 - Landscaping
 - Transport
 - Sustainability
 - Flooding;
 - Biodiversity
 - Other Matters – Land contamination, archaeology, and air quality
- 2.3. The application has been developed following pre-application discussions with officers, including two reviews by the Oxford Design Review Panel. Copies of their comments are included within **Appendix 1** of this report. The panel were supportive of the scheme and considered that the proposals would integrate well with the local context. These comments were used to refine the design of the building prior to, and during, submission.
- 2.4. Officers consider that the proposal would represent a well-mannered and carefully designed contemporary response within its context which would provide better frontages to Market and Cornmarket Streets, while also providing a suitable extension to the existing Jesus College campus. The development would accord with the policies of the development plan when considered as a whole and the range of material considerations on balance support the grant of planning permission.
- 2.5. The scheme would also accord with the aims and objectives of the National Planning Policy Framework would constitute sustainable development, and, given conformity with the development plan as a whole, paragraph 14 advises that the development proposal should be approved without delay. Furthermore there are not any material considerations that would outweigh the compliance with these national and local plan policies.
- 2.6. The applicant has put forward a number of improvements to the public realm within Market Street and Cornmarket Street through resurfacing that will be required following the construction process, but also in terms of new surfacing around the proposed entrance to the college. The development is CIL liable and provision of public realm improvements in the city centre would be covered under this regime. However, in this case the Applicant has agreed to deliver these measures through a S278 agreement with the County Council. Whilst the commitment to providing highways works under a S278 agreement is beneficial to development it is a matter between the County Council and the Applicant and as the mechanism for raising such funds is via CIL, it cannot be considered direct mitigation for the development or material to the determination of the application.

3. COMMUNITY INFRASTRUCTURE LEVY (CIL)

3.1. The proposal is liable for a CIL contribution of £72,787.54

4. SITE AND SURROUNDINGS

- 4.1. The site is located directly within Oxford city centre on the northern corner of Cornmarket and Market Street. It comprises Northgate House, at 13-20 Cornmarket Street & 11-19 Market Street and lies between 23 Cornmarket Street to the North, and Jesus College to the east.
- 4.2. Northgate House is a three storey building (with basement) that contains 5 retail units which front onto both streets and a betting shop on part of the first floor. The upper floors of the buildings were previously used as storage for the respective commercial units at ground floor. These storage spaces are accessed from loading bay from Market Street.
- 4.3. The site also relates to Jesus College which lies to the east of Northgate House, and is sited between Turl Street to the east, Ship Street to the north, and Market Street to the south. The existing college buildings are made up of a number of Grade I and II listed buildings, which are arranged around three individual quads.
- 4.4. The site lies within the Central Conservation Area and City Centre Archaeological Area. The Cornmarket Street frontage is designated as primary shopping frontage, whilst the Market Street frontage is designated as secondary shopping frontage.
- 4.5. A site location plan is included below



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5. PROPOSAL

- 5.1. The application proposes the demolition of Northgate House and 21 Cornmarket Street, and replacement with a four and five storey building which fronts onto Cornmarket Street and Market Street. The building will be a mixed use scheme providing retail units for the central shopping area and student accommodation and academic space for Jesus College.
- 5.2. The proposal will also include the creation of a new entrance into the college from Market Street, and a new fourth quad for the college grounds.
- 5.3. In terms of the specific range of uses, the development will seek to provide the following
 - The provision of between 1-3 retail units with a total floor space of approximately 3,600m² which front onto Cornmarket Street and Market Street
 - The provision of 68 postgraduate rooms arranged around 9 clusters of varying size with shared kitchens and lounge that are accessed from the college quad. An additional 4 Fellows' sets are also proposed.
 - The provision of new teaching and research facilities to accommodate a range of uses from small tutorials, to larger classes, with individual and informal seating for up to 75 students, and café on the first and second floor level (580m²).
 - A new 'Digital Hub' which is a publically accessible venue over three floors, providing event space for approx. 200 people, break out areas, and exhibition space (560m²)
- 5.4. The development will also include the creation of new links between the academic elements of the proposal and the existing college in order to provide suitable level access to the new facilities. The provision of a new landscaped quad as a flexible space that can be used for gathering students. The creation of a new point of access to the college from Market Street that would link with the Fellows Garden.
- 5.5. The proposal also seeks to provide some improvements to the public realm in both Market Street and along Cornmarket Street as part of the development.
- 5.6. The application has been amended since it was originally submitted, with minor changes made to the Gatehouse element at the junction with Market Street.

6. RELEVANT PLANNING HISTORY

- 6.1. The table below sets out the relevant planning history for the application site:

60/10055/A_H - Demolition of existing buildings and redevelopment as a retail store (13-20 Cornmarket Street and 11 Market Street): Approved
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61/10055/A_H - Redevelopment as a retail shop (revised) (13-20 Cornmarket Street and 11 Market Street): Approved
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62/10055/AB_H - Redevelopment as a retail shop (revised) (13-20 Cornmarket Street and 11 Market Street): Approved

62/10055/AC_H - Retail shop (revised) (13-20 Cornmarket Street and 11 Market Street): Approved

65/10055/A_H - Redevelopment as a retail shop (revised) (13-20 Cornmarket Street and 11 Market Street): Approved.

80/01154/NF - 1) Additional storage accommodation at second floor level. 2) Extension of service corridor to form lift lobby at second floor level (13-20 Cornmarket Street): Approved

84/00844/NF - New shop fronts to Cornmarket and Market Street elevations. New means of escape access (a) through boundary wall to Jesus College (b) above second floor flat roof at rear, and (c) In Market Street elevation (Amended Plans). (13-20 Cornmarket Street): Approved

7. RELEVANT PLANNING POLICY

7.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework (NPPF)	Local Plan	Core Strategy	Sites and Housing Plan	Other Planning Documents
Design	7	CP8, CP9, CP10,	CS18_,	HP9_,	
Conservation/ Heritage	12	HE2, HE3, HE7, HE9, HE10,			
Housing	6		CS24_, CS25_,	HP5_,	
Commercial	1, 2	CP5, RC3, RC5, RC12, RC13,	CS1_, CS31_,		
Social and community			CS19_,		
Transport	4	TR1, TR4,		HP15_, HP16_,	Parking Standards SPD
Environmental		CP19, CP20, CP21,	CS9_, CS10_, CS11_,	HP11_,	Energy Statement TAN

			CS12_		
Misc		CP.13, CP.24, CP.25		MP1	Telecommu nications SPD, External Wall Insulation TAN,

8. CONSULTATION RESPONSES

- 8.1. Site notices were displayed around the application site on 27th February 2018 and an advertisement was published in The Oxford Times newspaper on 1st March 2018.
- 8.2. The consultation responses received in relation to the application are summarised below. Officers would make members aware that copies of all the consultation responses listed below are available to view in full on the Council's public access website.

Statutory and Non-Statutory Consultees

Oxfordshire County Council (Highways)

- 8.3. No objection subject to conditions. The applicant is required to enter into a S278 agreement to reinstate the surfacing on Cornmarket Street and Market Street.

Historic England

- 8.4. Historic England supports the application on heritage grounds. It would meet the requirements of the NPPF, in particular paragraph numbers 17, 131, and 137
- 8.5. Historic England has been closely involved with the preparation of this application, which has involved extensive pre-application consultation with ourselves and the City Council. We have no concerns about the demolition of the existing Northgate House, which is not of architectural merit. Its proposed replacement is in our view be a well-designed and careful contemporary response its context which presents much better frontages to Market and Cornmarket Streets than the building it is intended to replace. Careful analysis of views from both within and outside the city have confirmed that the proposals are unlikely to have an adverse impact on key views, indeed it would improve what at present is a rather disappointing area of roofscape. The proposed alterations to the fabric grade I listed Jesus College are minor and would not harm its significance.

Oxford Civic Society

- 8.6. This is a bold proposal to replace Northgate House and create a new quad for Jesus College. It would provide the college with more residential, meeting,

teaching and social facilities. It would additionally reinvigorate the retail facilities facing Cornmarket and Market Streets. The Oxford Civic Society's Planning Group gave the scheme a general welcome, subject to the further consideration of matters at the formal application stage.

- 8.7. The elements of the proposal that will have most impact on the general public are the developments facing Cornmarket Street and Market Street: namely, the facades facing these streets, the creation of a "tower" element, and a new entrance to the college from Market Street. These are dealt with below.
- 8.8. Cornmarket elevation: The proposed new form for the Cornmarket Street frontage would reflect the historic vertical emphasis of the street which originated from a long period when the street was occupied by buildings on long narrow plots following their establishment in the middle ages as merchants' houses and inns. The design also provides welcome variety along the frontage by providing a "bookend" structure at each end. These "bookends" and the vertical emphasis provide visual interest. Some doubts exist about the pairings of windows for the study bedrooms on the second and third floors which bear no relationship to any historical precedent on the street. Other questions include: are floor to ceiling windows on student rooms facing a major thoroughfare aesthetically desirable; and could the 'desk view' windows be resolved in a manner less disruptive or busy? These are points which merit consideration in relation to the impact on the public realm.
- 8.9. Market Street elevation: The street serves as a route connecting Cornmarket to Turl Street: it struggles to appear as a destination, even for the Covered Market. The proposed changes would introduce a "tower" element to mark a new principal entrance to Jesus College, would lower the high wall, and provide new and welcome views into the college. These changes would provide a more visually interesting streetscape as well as more street activity. This presents an opportunity to invigorate retail activity not only in the street but also in the Covered Market which would become a more obvious attraction. The "tower" is of modest height and would not detract from the importance of St Mary's church or any other of Oxford's spires.
- 8.10. Retail: It is encouraging that the proposal recognises, as was urged by the ODRP, that a "flexible and resilient approach to retail is needed to respond to the unpredictable and shifting demand and location of retail activity in Oxford... including accommodating different sizes of retail uses within the building." Given the relative inflexibility of large retail space, and the requirement for sustainability in designs, the question arises as to whether all the retail areas, and particularly the deep-plan retail use at first floor level, are likely to remain viable in the longer term. It is therefore important that the proposed spatial configurations are capable of meeting changing demands and uses over time.
- 8.11. Cycle parking: It is reassuring to note that the issue of cycle parking provision, so often little regarded in big developments, received mention in this proposal: 38 new cycle spaces would be provided and 26 spaces for Fellows' cycles in the replacement for Northgate House.

Oxford Preservation Trust

- 8.12. OPT have been pleased to be consulted by the applicants throughout the application process as the plans have evolved, so we have been able to develop a clear understanding of what is proposed.
- 8.13. It is difficult to think of another site that brings the town and the University/Colleges so closely together lying at the heart of the central conservation area and at the join between the shopping streets of Cornmarket, Market Street and the Covered Market, surely the most important of Oxford's town heritage assets, into the University and Colleges immediately to the east.
- 8.14. These plans come forward at an important time for the City centre, able to help to regenerate this part of the City where there are a number of empty shops and build on the success of the Westgate which has brought increased footfall and a greater variety of shoppers. Northgate House has a crucial role to play in this, bringing the opportunity to enliven Cornmarket Street at street level and to open up Market Street leading up to the access into the Covered Market which sits opposite. This then brings with it a further opportunity for a wider 'Market Quarter' to happen bringing interest, vitality and commercial success into the surrounding streets.
- 8.15. OPT are supportive of the overall intentions of this scheme for the reasons given. However, we do have some concerns over elements of the development, and in particular, the height onto Cornmarket and the massing and height of the tower entrance onto Market Street.
- 8.16. On the Cornmarket Street frontage, it is clear that the architects have used a variety of devices to try to make the building appear lower, setting back the top storey and introducing dormers and dropping the building down at either end. It is our opinion that it remains one storey too high within the street and in relation to other buildings adjoining the site to the north and south.
- 8.17. This site lies close to some of the City's most important heritage assets, a number of which have spires and towers which are an integral part of the dreaming spires view. Introducing a new element into the view here would need to be done with great care and sensitivity and an understanding of what any element would look like from all angles above and below, within its wider context and views through and across the City.
- 8.18. We applaud the College for appointing good architects who have come up with thoughtful designs and can understand and see the wish to introduce a tower to mark the new entrance from Market Street. Indeed, we are sure that a building of the quality and material being proposed could work well at street level, helping to enliven the street scene as we mention above. However, when looked at from above from other publicly accessible vantage points the full magnitude of introducing something of this height and bulk becomes apparent. For this is not a tower or spire introducing 'minor elements of no great bulk.' (Oxford Local Plan Policy HE.9) instead, it is a tower building, with a tower lounge on the 3rd floor and a 48sq. m. meeting and design space on the 4th floor which can take a 26-

seat table, and with each floor also having a stair and lift access, and catering/store space as per drawings 19314 and 19315.

- 8.19. We draw attention to the Visual Impact Assessment Viewpoint 2 Page 29 and the view from St Michael's in the Northgate. From here, there can be no pretence that this is a slender tower in the view, but instead a large and high building of some considerable bulk when compared with the tower of All Saints alongside, for instance. It is our view that this will dominate this view across the City towards Christ Church, and indeed it will block views of Christ Church's Library separating it from the Cathedral and Tom Tower.
- 8.20. In Viewpoint 3, Page 29 we note that from the spire of the University Church of St Mary the Virgin views of the Wesley Memorial Church spire to the west will be obscured.
- 8.21. We ask the City Council to continue their dialogue with the College to ensure that if they want to introduce a tower then what is added to the skyline is designed to enhance and add to the view, introducing something which can still act to herald the presence of this new development but which is fine, light and in character with other tall spires and towers at the very heart of Oxford, rather than seeking to make a too bold statement which imposes the development in the view.

Natural England

- 8.22. No objection

Public representations

- 8.23. Three letters of public comment have been received from the following addresses
- 8.24. St Michael at The North Gate Church: The church initially raised concerns and objected to the proposal. They were concerned that although the lower part of the building would be a vast improvement on the existing building, they were concerned about the visual impact of the tall tower section of the building when viewed from the top of St. Michael's tower.
- 8.25. Having reviewed the revised designs, the churchwarden has confirmed that they are happy to withdraw their original objection and offer our support of the latest designs.
- 8.26. The revised design of the tower and lower roof line of the upper part of the building is a great improvement on the original proposal. The view that will be seen from the top of St Michael's tower is of a modern building that sits well amongst the historic towers and spires of Oxford. The line of the flat roof of the main building now corresponds unobtrusively with the distant horizon and the fenestration in the tower compliments the vertical lines of many of the more traditional buildings in the area.

- 8.27. 7 Montagu Road: It is difficult to be critical of any replacement for the present Northgate House, but the proposed building should, I think, do more to remedy the serious harm that the former M&S store has done to the Central Conservation Area. The Heritage Assessment (p. 26) notes that the Cornmarket frontage historically consisted of 'several narrower, individual properties, all of varying heights, styles and proportions.' There were actually eight properties along this frontage, each varying in width from three to five yards, and their architectural variety reflected the history of the site and gave real character to the street. Old illustrations reproduced on page 26 of the Heritage Assessment clearly show this. The west elevation of the proposed building has so-called 'book-ends' at both ends to provide minimal variety, but the Market Street corner is not significantly different from the present one and the main section of the building is very evidently a single massive building, albeit with a profusion of narrow and repetitive vertical elements. The scale drawing in the application shows how out of scale and character this building would be compared with its neighbours to the north and south.
- 8.28. The proposed tower building in Market Street would be a bulky and unwelcome feature in street views from the Covered Market and appears to contravene Oxford Local Plan Policy HE 9 by intruding a substantial structure into views from St Michael at the Northgate Church, Carfax Tower and the University Church.
- 8.29. Arcadia, 4 St Michaels Street: The proposal represents a golden opportunity to put right the 'historic architectural abuse' that happened in the 60s. Having showed the design to visitors to the shop, many are shocked and saddened about the design. There is no excuse for bland, brutal architecture in the city centre. Again of course the street needs help but this is not the contemporary version of the 'Dreaming Spires'. It is functional and would look fine in a business park, but this is Oxford, a city of culture, beauty, and learning, and this ugly building, bland and formulaic will date very quickly. It is astonishing that the parties that are tasked with protecting the integrity of our city have given this Cornmarket development their blessing. On behalf of all the city's residents, small businesses, students, dons, and tourists, we have spoken to, we would ask that you stop for a minute and consider the possible long-term impact on all of us, the university, tourism and retail too. The Cornmarket begins and ends with the beauty of St Giles and the High and with its rich history deserves better than this.

Officer Response

- 8.30. The proposal has been revised since it was original submission, with the mass of the upper elements of the gatehouse reduced in order to address some of the comments set out above with respect to the impact of the development. The amended plans also seek to explain the visual impacts of the submitted scheme with amended verified views to show the impact upon the city skyline from the reduced massing and greater articulation to the upper elements of the gatehouse. These amendments were subject to further public consultation.

9. PLANNING MATERIAL CONSIDERATIONS

9.1. Officers consider the determining issues to be:

- i. Principle of development;
- ii. Design & Impact upon Designated Heritage Assets;
- iii. Impact on Neighbouring Amenity;
- iv. Landscaping
- v. Transport
- vi. Sustainability
- vii. Flooding;
- viii. Biodiversity
- ix. Other Matters – Land contamination, archaeology, and air quality

i. Principle of Development

9.2. The National Planning Policy Framework (NPPF) sets out a presumption in favour of sustainable development (paragraph 14) and the Core Principles (paragraph 17) encourage the efficient use of previously developed (brownfield) land, as well as the importance of high quality design.

9.3. The Oxford Core Strategy encourages development proposals to make an efficient use of previously developed land through Policy CS2. The strategy goes on to state that the city centre will continue to be the main focus for developments that attract a large number of people, as it serves a wide catchment area. Policy CS1 states that permission will be granted for development that supports its role as a Centre for Significant Change, such as major retail, leisure, cultural, and office development. It also states that the city centre and immediate surroundings are suitable for higher-density development, subject to the need to protect the character and setting of Oxford's historic core, and the creation of high quality public realm.

9.4. Therefore the principle of redeveloping the site for a mixed use development would be consistent with the aims of the NPPF and the above-mentioned policies of the Oxford Core Strategy. As the development proposed a mixed use scheme including commercial units for the main shopping centre, and student accommodation and academic space for Jesus College, then the principle of these uses needs to be considered in detail.

Academic and Student Accommodation

9.5. The new academic and student accommodation would effectively extend the Jesus College campus into the area currently occupied by Northgate House.

9.6. The Oxford Core Strategy encourages the provision of new academic floor space on existing University of Oxford sites through Policy CS29. It also states that high density schemes will be allowed where the proposals respect the character and setting of Oxford's historic core.

9.7. In terms of the student accommodation, Sites and Housing Plan Policy HP5 is supportive of locating student accommodation within the city centre, and on sites which are on or adjacent to an existing university academic site. Oxford Core

Strategy Policy CS25 requires the occupancy to be restricted to students in full time education on courses of an academic year or more. While Policy HP5 also requires developments of 20 or more bedrooms to have indoor and outdoor communal space; provide a suitable management regime; and an undertaking that prevents students from parking cars anywhere on site and in Oxford.

- 9.8. The Design & Access Statement includes a statement of need from Jesus College. The development forms part of the colleges' academic strategy to expand the core priorities and purpose of the college. The development will allow the college to make the best use of this site in order to provide additional space and facilities as part of their teaching and research requirements, and the ambition to grow postgraduate student numbers and related accommodation, along with creating a digital hub to bring together all the areas of study at the college and facilitate outreach beyond. The expiry of the retail leases in Northgate House in conjunction with the redevelopment the Westgate have provided a driver for change in the city centre. The college have therefore seen advantage in improving the quality of this building to meet the needs of the college to expand their campus and also to enhance the retail offer within Cornmarket St and Market St.
- 9.9. The student accommodation will become part of the existing campus, and will be provided with sufficient indoor and outdoor communal space within the cafeteria, tower buttry, and individual lounges as well as the fourth quad. A condition should be attached to secure the management plan for the facility in order to ensure it does form part of the wider campus management, and also to ensure that students do not bring cars into Oxford.
- 9.10. As such there would no conflict with the above-mentioned policies relating to student and academic accommodation.

Retail

- 9.11. The City Centre is at the top of the retail hierarchy as defined by the Oxford Core Strategy 2026, with Policy CS1 and CS31 encouraging proposals that support the role of the City centre as the main focus for retail, leisure, and cultural activities.
- 9.12. The City centre is separated into two types of shopping frontage, Primary and Secondary. In the case of the application, the Cornmarket Street frontage would form part of the Primary Shopping Frontage, whilst the Market Street frontage is Secondary Shopping frontage.
- 9.13. The existing building currently provides 4 retail (Class A1) units onto Cornmarket Street, and a further retail (Class A1) unit onto Market Street. At the current time, a number of these units are vacant following the tenants relocating to the Westgate. The proposed development is seeking to provide a flexible floor plan which could be used to provide a single commercial space, or provide up to 3 separate units. All of these would be accessed from Cornmarket Street, but with the block on the junction with Market Street including an active frontage onto this

street. which could also be used to provide a concentration of smaller ‘market stall’ sized units along Market Street

- 9.14. The proposal is seeking permission for the provision of retail (Class A1) units on the ground floor. The replacement of the existing retail (Class A1) units with up to 3 units within the Primary Shopping Frontage would accord with the aims of Oxford Local Plan Policy RC5 provided they are retained in retail (Class A1) use. This could be secured by condition.

ii. Design and Impact on Character of Surrounding Area

- 9.15. Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require local planning authorities to have special regard to the desirability of preserving a listed building and conservation area, their setting or any features of special architectural or historic interest which they may possess. In the Court of Appeal, Barnwell Manor Wind Energy Ltd v East Northants District Council, English Heritage and National Trust, 18th February 2014, it was made clear that to discharge this responsibility decision makers must give considerable importance and weight to the desirability of preserving the setting of listed buildings when carrying out the balancing exercise (of weighing harm against other planning considerations).
- 9.16. Oxford Local Plan Policies HE3 and HE7 seek to preserve or enhance the special character and appearance of Listed Buildings and Conservation Areas and their settings. Whilst the wording of these policies does not include the balancing exercise identified in NPPF Paragraph 134 which would be deemed inconsistent with the framework, they would be consistent with the above-mentioned legal requirements of Section 66 and 72, and must therefore carry considerable weight in the determination of this application.
- 9.17. In terms of design the NPPF requires high quality design and a good standard of amenity for all existing and future occupants of land and buildings. It suggests that opportunities should be taken through the design of new development to improve the character and quality of an area and the way it functions. Policies CP1, CP6 and CP8 of the Oxford Local Plan, together with Policy CS18 of the Core Strategy and Policies HP9 and HP14 of the Sites and Housing Plan in combination require that development proposals incorporate high standards of design and respect local character.
- 9.18. Published guidance by Historic England on ‘The Setting of Heritage Assets (Oct 2011) provides a methodology for understanding the setting of an asset and how it contributes to the heritage significance of that asset and explains how to assess the impact of development. The setting of a heritage asset is defined as the surroundings in which it is experienced. Furthermore the setting is not fixed and may change as the surrounding context changes. The Landscape Institute has also published guidance in ‘Landscape and Visual Impact Assessment’ (2013) to help identify the significance and effect of change resulting from development. Finally the Council published their own ‘View Cones Assessment’ in 2015, a document that was drawn up in partnership with Oxford Preservation Trust and Historic England which also references the Landscape Institute 2013

guidance and sets out its own guidance on how to assess development in views both from within and outside of Oxford.

Designated Heritage Assets

- 9.19. The application site is a significant site that lies within the heart of the city and the Central Conservation Area, and is adjacent to the setting of a group of buildings of exceptional interest. The site lies adjacent to the Grade I listed Jesus College Fellows Library, Second Quad, Fellows Garden, and the Grade II listed 23 Cornmarket Street.
- 9.20. Northgate House was built in 1963 to a design by Lewis Hickey Architect. It is currently covered by a “certificate of immunity from listing” which means that it has been assessed and is not considered to be of sufficient architectural or historic interest to be included in the list and will not be considered for inclusion by the Secretary of State for a period of five years from the date of issue.

Demolition

- 9.21. Northgate House, although architecturally competent is not of outstanding quality making a modest but neutral contribution to the architectural composition of Cornmarket and a lesser contribution to the architecture of Market Street. Beyond its street frontage the building has been substantially altered to adapt to changing functions and its roof scape is visually intrusive to views of significant elements of the city’s roof scape, including views of important listed buildings from key, high, publicly accessible viewpoints such as St Michael’s Tower, Carfax Tower and the tower of St Mary’s Church.
- 9.22. It is therefore considered that the loss of the building will not harm the character or appearance of the conservation area or have a harmful impact on the setting of adjacent listed buildings.

Impact on Character and Appearance of the Area

- 9.23. The proposal has been designed in a manner which has sought to respond intelligently to the surrounding context in order to respond to the urban and collegial context. It has also been informed through extensive pre-application discussions with officers, and also the Oxford Design Review Panel.
- 9.24. The design approach adopted in the development of this mixed-use building was to use the western range to provide the commercial development at basement, ground, and first floor level. Whilst the eastern range provides the extension to the college and focuses around a new quad at second floor level accessed from the existing Fellows Garden and the provision of a new entrance on Market Street to enable better connection to the city.
- 9.25. In terms of the character of the area, Cornmarket, distinctly a product of development and change throughout it’s history offers a mixed architecture and a varied roof/eaves line with horizontal parapet eaves both adorned and unadorned, steeply pitched gables, single and repeated and elaborate, late

C19/early C20 embellishment in the form of cupolas and domes. Importantly the views from both north and south down the street are terminated by extremely significant buildings, St Michael's tower, the former gate tower to the northern entrance into the medieval city marking the line of the city wall at the northern end of the street and Tom Tower, Wren's distinctive bell tower to Christchurch College to the south of Cornmarket which provides a centred stop-end in long views down the street. In between are buildings dating from C12 through to the mid C20 with representation of many different intervening architectural periods. Northgate House represents a more restrained example of a 1960's concrete framed building, ashlar stone faced with minimalist details.

9.26. The applicants have undertaken a thorough and careful analysis of the street which has contributed to a comprehensive evidence base which has informed the design process. The Cornmarket façade would have an appropriate height of five floors (including within the roof) above ground. It presents a strong retail frontage at ground and first floor that is an integral part of the whole façade. There is a strong vertical emphasis to the new building façade that picks up on the tight rhythms of the street, reflecting the medieval burgage plot pattern that originally defined the building frontages within the walls of the town. This rhythm is re-iterated in a series of gables which reprise the existing contribution that this roof form makes to Cornmarket. The vertical emphasis is reinforced at the upper roof level by a series of "framed" dormers which contribute to the undulating roof profile of the street. Through discussion the design has developed to strengthen the "grounding" of the building façade at street level by developing the design of the "apparent" colonnade, a reference to the collegiate building forms. The frontage offers flexibility for changing retail uses ensuring as far as possible viability in uncertain economic periods.

9.27. Market Street, again a mixed architectural street with its northern side, to which the new building contributes, is very much a composition of two halves. The western end of the street from the junction with Cornmarket is presently occupied by the mostly unrelieved wall of Northgate House's secondary frontage. A building façade, broken only by the entrance to upper floor administrative spaces and the harsh roller shutter for the loading bay makes little positive architectural contribution to the street. The eastern half of the street frontage is comprised of the facades of the College's southern building ranges commencing with the distinctive gable of Fellow's Library, a building of modest scale but strong street presence which is currently set behind a defensive, stone boundary wall which encloses the kitchen yard. This wall forms the College's southern boundary to Market Street and extends eastward down the street until it merges with the gabled element of the southern façade of Front Quad's southern range, one of two earliest formal building ranges of the college with C16 origins. This building range fronts hard onto the back-edge of pavement and is of modest height, two storeys to a strong parapet eaves line repeatedly punctuated by a series of decorated stone chimneys. These buildings set the scale for this part of Market Street, modest, essentially domestic with the strong, horizontal lines of the string courses/label moulds drawing the eye into the tightening, narrowing street as curves towards Brasenose Lane and the Turl.

9.28. The new building is designed to replace the western half of the northern street

façade turning the corner of Market Street and Cornmarket and redefining the presence of the college on Market Street at the junction between new and old. This definition is achieved by removing a section of the stone boundary wall and opening up the existing outside space which is presently squeezed between the west range of Second Quad and the rear of the Cornmarket building range. This opening will create a new entrance that will be a secondary, less formal entrance to College but that will provide a parallel, more public entrance to the “hub spaces” within the new building. The built form can be viewed in two parts. The southern range which provides a three storey building (including rooms in roof) and the gatehouse. These elements would be of an appropriate scale. The Hub with meeting and function rooms, seminar rooms and exhibition spaces is designed to showcase and develop the college’s research programmes and to provide the college with a more overt public face heralded by a new “gatehouse” to complement those at the other college entrances on the Turl and Ship Street. The open, formerly “squeezed” outside space will be landscaped to create a garden, glimpsed from Market Street in the tradition of Oxford college gardens through ironwork gates, a new, elongated or linear courtyard providing access, via a series of open staircases accompanied by water and changing light, to college rooms set around a new quad created on the upper levels of the new building. The linear courtyard will link through to existing college quads, by opening up staircase 9 in the south west corner of Second Quad and to the 1960’s common rooms at the northern end of the Cornmarket buildings accessed off a backyard/ service area fronting Ship Street.

- 9.29. The architects have responded thoughtfully to the dilemma of secondary retail frontage and the demands of making positive townscape, to create an interesting and active street frontage in Market Street. The positive contribution from the College to Market Street in the form of additional street space given by paring back the boundary wall at the new entrance marked by the gatehouse is encouraging and heralds collaborative work with City and County councils to elevate the profile of this street and the Covered Market. The Gatehouse, echoing and taking reference from the colleges existing ones forms a punctuation mark in the northern frontage to Market Street. This purposeful building element terminates the southern façade of the new building in views from Cornmarket and provides a stop-end marker in views up Brasenose Lane, terminating the sinuous curve of the Jesus Quad facades which echo the gentle curve of Market Street that only allows views of both the south side of Market Street with the oblique, repeated gables of the Covered Market buildings and glimpsed views through to Cornmarket to unfold gradually as the viewer walks towards them. Importantly, the upper window of the gatehouse by virtue of its size is designed to provide the onlooker with a generous exposé of the upper meeting room ceiling which is intended to be a metaphorical representation of the College’s intention that this facility, The Hub, should provide for an increased openness and sharing of the College’s work than may have existed or been perceived to have existed hitherto. The design of the ceiling is intended to offer a contemporary interpretation of the existing College interiors with the openness will also allow the external viewer a glimpse of the building’s beautifully crafted interior space, sharing with everyone the commitment to beautiful detail and a very high quality design response to both the College’s and the city’s existing outstanding architecture that is intended to run throughout the new building. This

high quality, contextual design response can be seen in the organisation of the series of external spaces and the design of the routes into these spaces which draws the participant upwards through enclosed and semi-open spaces into the open quad at the top with its beautiful, contemporary garden design reflecting the arrangement of existing college quads, the progression from one to another with the enticing glimpsed view of enchanting gardens and spaces framed by beautiful buildings beyond.

- 9.30. In terms of appearance the building will use materials appropriate to the local context. The main building will have a solid clipsham stone façade, with darker window frames in certain areas, along with frameless glazing. The roof will be formed from a darker coloured zinc roof. Overall the materials would be considered appropriate for the setting and sit comfortably in the surrounds and alongside the historic buildings.
- 9.31. A condition is recommended which seeks further large scale details of some of the details of the scheme, such as sections showing the detailing of windows, dormers, glazing panels, roof junctions etc. In addition to this, officers would also request details of the means of enclosure for the new entrance onto Market Street, which will include extending the extent of wall removal alongside the Fellows Library to improve its setting within the context of the street. It should also show details of the stone works and railings in order to ensure quality of treatment. These conditions are imposed purely as a means to ensure that the intended quality of detailing is secured through the detailed design phase of the development.

Impact upon views

- 9.32. The Oxford Local Plan recognises the importance of views of Oxford from surrounding high places, both from outside its boundaries but also in shorter views from prominent places within Oxford. Local Plan Policy HE9 (High Building Area) states that planning permission will not be granted for developments which exceed 18.2 metres (or ordnance datum height of 79.3 metres) within a 1,200 metre radius of Carfax Tower. The exception to this policy is where there are minor elements of “no great bulk”. In addition to this the View Cones Policy (HE10) protects views from 10 recognised viewpoints on higher hills surrounding the City to the east and west and also within the City. There are also a number of public view points within the city centre that provide views across and out of it, for example Carfax Tower, St Georges Tower and St Marys Church.
- 9.33. The scheme proposes a gatehouse at the new entrance in Market Street in order to provide an orienteering marker for the college, complimenting the other Jesus college gatehouses at their entrances on Ship Street and Turl Street. The new gatehouse would measure 21.3m in height, in comparison to the Ship Street gatehouse which measures 20m in height, and the Turl Street gatehouse which is 19m.
- 9.34. The site lies within 1,200m of Carfax Tower making Policy HE9 applicable. It is also within the central area which is viewed from the designated View Cones and

therefore Policy HE10 applies. A Visual Impact Assessment has been submitted with the application which considers the impact of the development on key views within and outside the city centre.

- 9.35. The new building will add to the city's significant roofscape contributing to existing views from high level publicly accessible vantage places, in particular from those closest to it from which there will be an uninterrupted view, namely Carfax Tower, St Mary's tower and St Michael's Tower. From these towers the existing building presents a picture of a jumble of unprepossessing elements, lift overruns, staircase enclosures and a series of flat roofs, linked by 'kee klamp' railed external stairs and covered with piecemeal accumulations of mechanical plant, all of which detract from views of those other distinctive spires and towers that make up Oxford's internationally recognised skyline. The contribution that the existing makes must therefore be considered to be negative and certainly to have no value that would warrant preservation.
- 9.36. Legislation and policies seek to "preserve" or "keep from harm" the settings of the listed buildings and the character and appearance of the conservation area within which the site is located, the Central (city and university) Conservation Area. Through case law it has been established that it is the significance of the setting and the contribution that this makes to the significance of the listed building or heritage asset (as defined by the NPPF) that it is important to preserve or "keep from harm". Oxford City itself is nationally important and a significant heritage asset and the views of the city from the view cones are kinetic and need to be considered in a broader sense than the view cone drawn within the local plan.
- 9.37. In terms of St Michael's Tower, its significance derives from its being a surviving, visible element of the medieval city. Dating from c1020 it is a late Saxon structure and was sited at the North Gate of the medieval city wall, functioning as a watchtower over the entrance to the city as well as being the church tower for the later, C13–C15 St Michaels Church. The new Jesus College building, although clearly changing the architectural language of part of the east side of Cornmarket and introducing what will be seen as a more assertive building than the existing Northgate House, will not diminish the value of the North Gate tower, it's important symbolic, historic meaning and visual prominence in the key views along Cornmarket from the south and from St Giles and more closely Magdalen Street from the north, in which the new building will be visible, will be preserved. In views from St Michael's Tower of the important city spires and towers and the aspect of Oxford's important architectural and historical heritage that is evident from this vantage the College's new building will make a different contribution to that presently offered by Northgate House (see description above) which is considered to be harmful. The contribution will be one of an interesting, pronounced roof profile, the repetition of the elongated dormers reflecting primarily the significant gable forms of surviving historic buildings on Cornmarket but also the repetitive rhythms of the collegiate buildings such as those of Jesus on Market Street and others in the immediate context. The "punctuation mark" of the new gatehouse with its simple, elegant, orthogonal form serving to bring together or unify the College's immediate estate by echoing the existing Jesus College gatehouses on the Turl and Ship Street as well as sitting comfortably

alongside the neighbouring gatehouses of Exeter, Lincoln and Brasenose which provide the contextual warp and weft of this view. This is clearly a building form that belongs and despite the difference in architectural language there is still a strong sense that this new addition is entirely appropriate. The profiles of key “skyline” buildings, St Mary’s church tower, the spire of the former All Saints Church, now Lincoln College Library, Carfax and in the middle distance, Tom Tower, Magdalen and Merton towers, will still be evident, with the addition of a distinctive, understated but potentially equally beautifully made expression etched into the overall composition. At night, there will potentially be light spill coming from the various upper storey windows both on Cornmarket frontage and in the upper quad however the potential effect of this has been limited through the careful design of window reveals and window setbacks. The potential light that would come from the new gatehouse will not be directed toward St Michael’s tower, the window openings face other ways and again the design of the window reveals and surrounds are such that the effect of this light spill has been minimised.

- 9.38. In key views of Carfax Tower from ground or street level, the proposed building would not be visible and therefore its presence would not have any impact. In views from the top of Carfax Tower the roofscape of the new building would sit in the context of St Michael’s Tower, The top of the Radcliffe Camera dome, Exeter College’s Chapel fleche and the contextual roofscape of Cornmarket and the High Street. As previously identified the new roof profile will be more articulated than that of the existing building and the elements visible across the upper levels of the building (see description of existing above) are proposed to be of a high design quality, and more contextually appropriate design, both in terms of their form and the materials that are proposed to be used than that of the existing building. The reference to the College’s existing gatehouses will be clearly evident in views from Carfax Tower as all three will be seen in close proximity and as with views from St Michael’s Tower the wider context of gatehouse towers in this case those at Lincoln, Brasenose and Exeter will reinforce the appropriateness of the use of this building form. At night there will be the additional impact of light spill however this must be considered against a backdrop of light from both background and foreground, street lighting in Cornmarket and the High Street but also the light from Exeter College, in particular from rooms on upper floors of the Thomas Wood Building at the corner of the Turl and Broad Street and from the Bodleian Library buildings beyond.
- 9.39. From St Mary’s Tower the changed view although including a new vertical element (the gatehouse) in the middle foreground would not be significantly altered. The importance of key buildings in the further distance, the Observatory tower, the tower of St Barnabas and the spire of St Phillip and St James in North Oxford would remain as visible and unaltered in significance as at present. The middle distant spires, Nuffield and St Peter in the East would remain just as visible with the more varied form of the new buildings roof scape in the foreground of the view and the closer spires of Lincoln College library and Exeter Chapel would still be clearly seen to either side of the new building whose articulated and varied form would make a positive architectural contribution to the view. Again the reference to the existing gatehouse forms of both Jesus College and those immediately surrounding it in the form of the new gatehouse

establishes the appropriateness of this architectural form and the overtly modular form of the different building elements at the new entrance or “Hub” will provide interest in contrast to the dull and fairly ubiquitous flat roofs of the later C20, mainly commercial buildings that surround the site.

- 9.40. Therefore in terms of the impact of the proposed new building on significant views and the settings of those key buildings that make up the valued “skyline” of the city, this could not be said to be harmful and in street views it would only be St Michael’s Tower that would be directly impacted and the design of the proposed building would certainly not detract from the significance of this building.

Neighbouring Amenity

- 9.41. National Planning Practice Guidance explains that in order to achieve good design consideration should be given to buildings and the spaces between them. The layout of developments whether existing or new should be considered in relation to adjoining buildings to ensure that new and existing buildings relate well to each other (Paragraph 24).
- 9.42. The Oxford Local Plan Policy seeks to safeguard the amenities of the occupiers of properties surrounding any proposed development. As a result Policy CP10 requires development to be sited in a manner which ensures that the amenities of the occupiers of properties surrounding any proposed development are safeguarded.
- 9.43. There are no private residential properties in close proximity to the site. The application site is situated within an area that is surrounded by other academic institutions or commercial properties. As such the development would not have an adverse impact upon any adjoining properties.

Summary

- 9.44. In assessing the impact of the development, officers have attached great weight and importance to the desirability of preserving or enhancing the character and appearance of the conservation area, long and short range views, and the settings of the surrounding listed buildings as designated heritage assets.
- 9.45. Having regards to all of the above, officers consider that the loss of the existing building would not result in harm to heritage assets or their settings or have a harmful impact on important views at street level or from key, publicly accessible vantage points in the city. The new building has been designed to introduce an interesting, well-articulated building that makes architectural references to existing, significant building forms and features in its immediate context and the wider context of the city and that will be positive in terms of its contribution to the building frontages (streetscapes) of both Cornmarket and Market Street and in immediate views at street level, both east and west along Market Street and north and south along Cornmarket. The building has the potential to act as an important catalyst to the positive development of the urban townscape of Market

Street as well as offering a more publicly accessible insight into the important academic and research work of the college.

- 9.46. It is considered that the building will not create harm to any of the surrounding heritage assets despite the fact that the gatehouse would represent a departure from the high buildings policy, and as such the NPPF Paragraph 134 test of public benefits would not apply. Nevertheless should any harm be considered to arise from the presence of a more assertive, although entirely appropriate building element in the existing townscape of the city, officers consider that this would be substantially offset by the public benefits of a building which demonstrates outstanding architecture and makes positive contributions to the public realm of the city, in particular Market Street but also to Cornmarket. Therefore subject to conditions, the proposal is considered to comply with sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, paragraphs 132 and 134 of the NPPF, policies CP1, CP8, HE3, HE7, and HE10 of the Oxford Local Plan 2001-2016 and policy CS18 of the Oxford Core Strategy, and HP9 of the Sites and Housing Plan.

iii. Transport

- 9.47. The NPPF states that all developments that generate significant amounts of movement should be supported by a Transport Statement (paragraph 32). The Oxford Local Plan 2001-2016 also requires Transport Assessments from development that is likely to have significant transport implications. Importantly it also states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe.
- 9.48. A Transport Statement [TS] has been submitted with the application that considers the highway impacts of the proposal.

Transport Sustainability

- 9.49. The site is located within the heart of the City centre. The City centre is designated within the local plan as a Transport Central Area as it is considered to be highly accessible by non-car modes of transport, services by a good range of shops and facilities.
- 9.50. The TS identifies that the development will not result in a material increase in students or staff attending college campus. The retail element on the ground and first floor would replace existing retail uses on site, and therefore would not have a material impact on the highways. The TS also states that the provision of increased accommodation on site would result in less students and staff residing off-site thus reducing the overall transport impact of the college.

Public Realm Improvements to Market Street

- 9.51. Although the Local Highways Authority has not raised an objection to the development in terms of traffic generation, they are of the view that the TS does not fully recognise the local impact of the development. The central location and lack of on-site parking will mean that the majority of those travelling to the site

are likely to do so by foot, cycle, or public transport. The development is seeking to introduce a new entrance to the college from Market Street. Although the entrance through the Porters Lodge on Turl Street will remain the main entrance to the college, a significant proportion of trips to the new accommodation and teaching facilities are likely to route via Market Street. Therefore, the level of pedestrian and cycle activity throughout Market Street is likely to increase as a result of the development. It is also recognised that the planning statement states that the proposed development could act as a catalyst for improving activity in Market Street for other users such as the Covered Market.

- 9.52. The Local Highways Authority considers that the conditions for pedestrians and cyclists in Market Street are poor and well below the standard that is envisaged in the Oxford Transport Strategy. Whilst the overall levels and speed of traffic are low, the footways, particularly in the eastern half of the street, are narrow and of poor quality often being obstructed by parked bicycles and vans loading at the Covered Market which overhang the footway. Vehicles delivering to the Covered Market also regularly perform convoluted turning manoeuvres in the street, preventing the free and comfortable movement of pedestrians. This causes particular problems for pedestrians with visual and mobility impairments or for those people pushing wheelchairs and children's buggies. It would therefore be unsatisfactory for this development to introduce additional pedestrian movements into the street when conditions are already substandard.
- 9.53. The Design and Access Statement recognises that there are a series of conditions that give Market Street a 'back of house' appearance, with the materiality of the public realm inconsistent and not complimentary of the historic facades that look onto it. Therefore development represents an excellent opportunity to enhance the public realm within Market Street, connecting Cornmarket Street with the historic landmarks of Oxford through Brasenose Lane. It would also improve the setting of the historic facades of Jesus College and extend the active frontages of the city centre through to the Covered Market.
- 9.54. Following discussions with officers, Jesus College are proposing to reinstate parts of the public highway on Cornmarket Street and Market Street that will need to be replaced following the construction phase of the development. The work will also include improving sections of Market Street to create a shared surface with wider footways, improved surfacing and provision of cycle parking. This is welcomed as it will provide the necessary improvements to the pedestrian environment on Market Street to accommodate the increased demand for movement as a result of the development. The extent of works proposed would extend from the junction with Cornmarket Street to the end of the new entrance to the college including the full width of the road. The applicant has also indicated that they are prepared to provide further funds towards improving more of Market Street, but recognise that these works would need to align to any future vision for the rest of the street. To undertake these works on the public highway, the applicant is required to enter into a Section 278 agreement.
- 9.55. In addition the development will also result in a section of wall along Market Street fronting the college being removed and the new building being set back from the existing building line. This will result in a new area being available in the

public realm which the applicant has indicated could be adopted to form part of the public highway. The Local Highways Authority has confirmed that the county council is willing to adopt this area provided there are no overhanging structures. This can form part of the Section 278 agreement process.

- 9.56. The development is CIL liable and provision of public realm improvements in the city centre would be covered under this regime. However, in this case the Applicant has agreed to deliver these measures through a S278 agreement with the County Council. Whilst the commitment to providing highways works under a S278 agreement is beneficial to development it is a matter between the County Council and the Applicant and as the mechanism for raising such funds is via CIL, it cannot be considered direct mitigation for the development or material to the determination of the application.

Cycle Parking

- 9.57. The development will provide an additional 34 cycle parking spaces within the main cycle store accessed off Turl Street. This would be in addition to the 131 cycle parking spaces that are provided on site for the users of the college. The level of cycle parking would accord with the respective standards set out within Sites and Housing Plan Policy HP16.
- 9.58. The Local Highways Authority has suggested that the existing cycle storage for the college is not in a convenient location to encourage use and avoid ad hoc parking on Market Street and Turl Street. In their view the cycle parking should be provided at the new entrance off Market Street. However, it is recognised that the main entrance to the college will still be via the Porters Lodge off Turl Street and the new buildings can be accessed via the upper floors of the existing buildings which provides a connection to the development.
- 9.59. Having regards to this matter, officers would have no reason to believe that the existing cycle parking arrangements for the college are unsatisfactory and that they would not be any less accessible for the new accommodation given that there is already accommodation in close proximity to the proposed development.

Refuse, Delivery and Servicing Arrangements

- 9.60. In terms of servicing, the existing retail units are serviced from Market Street with the provision of an internal loading bay. The development will remove this loading bay from Market Street to the benefit of the street. The new retail units would then be serviced from Cornmarket Street outside of the restricted hours which would be acceptable to the Local Highways Authority.
- 9.61. The TS states that the new student accommodation and teaching facilities will have their refuse collected from Market Street with all other servicing being undertaken in the same manner as the rest of the college.
- 9.62. As the occupiers of the retail units are not known at this stage and the servicing requirements of the new accommodation and teaching facilities are not clear, the county council recommends that a planning condition is attached which requires

the submission of a Servicing and Delivery Plan prior to occupation of the development.

Student Accommodation Traffic Management

- 9.63. A Student Accommodation Management Plan has been submitted as part of the TS. The Plan states that students moving in and out of the new accommodation will be restricted to two weekends as surrounding uses will be less busy. The site is located within the city centre surrounded by retail uses which will at peak usage during the weekend. The county council would recommend that the moving in / out of the accommodation is spread over weekday mornings when Market Street is less busy. This should be secured via a condition seeking a revised management plan.

Street Lighting

- 9.64. There is street lighting currently attached to the building of Northgate House. The proposals include for the replacement of the street lighting with new lamps. The replacement lighting would need to accord to the County Council standards and should be secured by a suitably worded condition which requires the submission of further details.

Construction Traffic Management

- 9.65. A Construction Traffic Management Plan has been included with the application. Although the CTMP covers many of the details required by the county council, it does not include details regarding some issues which are described in detail below. It is proposed that delivery and construction vehicles will travel to the site from the A34 via Banbury Road or Woodstock Road, Parks Road and Broad Street. Vehicles will then enter via Market Street or Cornmarket Street. The swept path analysis undertaken and presented in the CTMP confirms that larger vehicles including large tippers (10.2 metres) and articulated vehicles (16 metres) would overrun the kerb at the corner of Turl Street and Market Street. Therefore, larger vehicles will need to access the site from Cornmarket Street. The CTMP proposes that deliveries via Market Street will be undertaken before 0930 and after 1630 hours. Deliveries via Cornmarket Street will be undertaken before 0800 and after 1800 hours. Pedestrian activity in Cornmarket Street and Market Street is very high during the course of the day due to it being in the city centre therefore vehicles will need to avoid busy pedestrian periods. Vehicles will also need to avoid the road network's peak hours between 0730-0930 and 1630-1830 hours. The Local Highways Authority considers that deliveries to the site should be restricted further such deliveries are only made to the site after 1830 hours and before 0730 hours.
- 9.66. The applicant is seeking to provide hoardings surrounding the site during construction and for these to be pushed out to Cornmarket Street. This would allow vehicles to be stored on site thus reducing the need for vehicles to travel back and forth and any potential conflict with pedestrians. All vehicles entering via Cornmarket Street and Market Street will need to be met by a banksman and walked to site.

- 9.67. The CTMP states that the width restriction on Turl Street will need to be restricted. However, there is no such restriction. The restriction in place is a one-way restriction which requires vehicles entering Market Street from Turl Street to exit via Cornmarket Street when the bollard at the end of Market Street is down. No information has been provided with regard to the management of deliveries to the site. For instance, if unplanned vehicles are set to arrive during the restricted hours, details of laybys on the A34 or ring road need to be set out in the CTMP which can be used by the vehicles to wait. The CTMP does not confirm that a dilapidation survey will be carried out. This is required prior to construction to allow any remedial works to be agreed following construction.
- 9.68. Overall the Construction Traffic Management plan has provided some comfort in terms of setting out how the development will be implemented. However, there is further detail required and as such a condition should be imposed to require further approval of these details prior to construction.

Travel Plan

- 9.69. A Travel Plan has been submitted for the student / Fellows accommodation and teaching facilities. The Local Highways Authority have raised a number of queries with respect to the contents of this document, however, it should be recognised that this is just a draft plan and a more detailed document could be secured by condition.
- 9.70. Having regards to all these matters, officers consider that the Transport Statement has demonstrated that the proposal satisfies the aims of Paragraph 32 of the NPPF, and also Oxford Local Plan Policy CP1 which states that development should be acceptable in terms of access, parking, highway safety, traffic generation, and pedestrian and cycle movements.

iv. Landscaping

- 9.71. A landscape Strategy has been submitted with the application. The proposals would not affect any trees that are considered to be significant in terms of their contribution towards public amenity within the area.
- 9.72. The creation of a new access onto Market Street would open up views of the existing trees that are situated within the Fellow's Garden from Market Street. This is welcome and will enhance the appearance and character of the Central Conservation Area. The borrowed views of tree canopies which spill out from private college property into the public realm is characteristic of the area e.g. St Michael's Street, Turl Street.
- 9.73. Officers consider that great care will be needed to ensure that these trees are not damaged during the demolition phases of development and therefore any permission should be subject to conditions which require details of the tree protection measures and working methods around the trees in addition to details of hard surfaces and underground utility services and drainage which might affect them. However, officers recognise that there may be significant practical

challenges to this in the very confined working space (e.g. trees might obstruct erection of scaffolding, use of MEWPS), which could ultimately mean that removal and replacement with new trees is a more realistic option.

- 9.74. The Landscape Strategy is considered to be appropriate for the site, and subject to appropriate conditions listed in this report, would not conflict with Oxford Local Plan Policies CP1, CP11 and NE15.

v. Sustainability & Energy

- 9.75. Core Strategy Policy CS9 (Energy and Natural Resources) states that all developments should seek to minimise their carbon emissions and should demonstrate sustainable design and construction methods and energy efficiency through design, layout, orientation, landscaping and materials.
- 9.76. The proposed development would meet the definition of qualifying development and the applicant has submitted an Energy Statement in support of the application.
- 9.77. The energy statement sets out a comprehensive strategy for the scheme. The development will employ a 'be lean, be clean, be green' approach which means ensuring the building uses less energy and passive sustainable design measures, using decentralised energy production and renewables. A fabric first approach will minimise heat loss through the use of high efficiency insulating materials in walls, floor and roofs, and high efficiency double glazing for the windows. The built construction will minimise air leakage and thermal bridging.
- 9.78. The scheme proposed energy efficient appliances within the building, with heating provided from electric radiators. The retail units will have mechanical ventilation with heat recovery and cooling, whilst fan assisted ventilation and underfloor cooling via ground source heat pumps will be provided to the basement of the learning resource centre and digital hub. Natural lighting and ventilation is used throughout the scheme. In terms of renewable energy, on-site low and zero carbon technologies were to be utilised. This will include the use of Air Source Heat Pumps, Ground Source Heat Pumps, and Photovoltaics.
- 9.79. Overall the energy strategy achieves a 26.65% reduction in total energy consumption through the use of renewables, which exceeds the 20% minimum required by the policy. As such officers consider that the proposal would accord with the aims of Policy CS9.

vi. Archaeology

- 9.80. An archaeological desk based assessment has been submitted by Oxford Archaeology along with a Heritage Assessment by MICA Architects Ltd.
- 9.81. This site is of interest because it is located within this historic core of the late Saxon burh and subsequent medieval town. The main 1960s Northgate House site was subject to archaeological investigation revealing the remains on late Saxon buildings, pits and cellars. The 1960s building has a 5m deep basement

that will have removed any archaeological remains within its footprint. However the Jesus College Fellows Garden to the east has the potential to preserve significant multi-period remains from the late Saxon period onward.

- 9.82. In the 13th century the land now forming the Fellows Garden fell within tenements fronting onto Northgate Street (Cornmarket) and Cheney Lane (Market Street) owned by Oseney Abbey and the Priory of St Frideswide. This strip of land remained as part of a domestic holding until the expansion of Jesus College in the 17th century when the Inner (Second) Quadrangle was constructed (Grade I Listed).
- 9.83. In this case, bearing in mind the extent of previous disturbance and character of the proposed works officers would recommend that, in line with the advice in the National Planning Policy Framework, any consent granted for this application should be subject to an archaeological condition which requires the prior approval of a written scheme of investigation.
- 9.84. The scope of the archaeological investigation will depend of the design and location of the attenuation tank, crane base and new services for the building. It is anticipated that this will involve targeted excavation of deeper impacts and a watching brief during less intrusive works. The archaeological investigation should be undertaken by a professionally qualified archaeologist working to a brief issued by ourselves

vii. Other

- 9.85. Land Quality: The development involves demolition of the existing building and construction of a new building in broadly the same footprint – so there will be limited excavation of any new ground. It is apparent from our records that there have not been any significant historical contaminative uses of the site. Although the risk of any significant contamination being present on the site is low, I nevertheless recommend that the following informative is included on any permission granted in case any unexpected contamination is identified during development;
- 9.86. Air Quality: An Air Quality Assessment has been submitted with the application. This has been reviewed along with the Sustainability Statement, Transport Assessment, Construction Traffic Management Plan, and Travel Plan Management Strategy.
- 9.87. The above documents conclude that there will be not negative air quality impacts over current and future receptors as a result of the new development. However, and with regards to the potential emission from dust during the developments construction phase, it is extremely important to guarantee that the site specific mitigation measures that were identified in the dust assessment (integrating part of the air quality assessment) are put in place, and included on the site's construction environmental management plan, as only those will minimise those impact to the status of "*non significant*". A condition should therefore be imposed on the planning permission to secure necessary site specific mitigation of dust from construction:

- 9.88. Ecology: The NPPF states that development proposals should conserve and enhance biodiversity by applying the certain principles. These include, if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, the permission should be refused. Opportunities to incorporate biodiversity in and around developments should be encouraged (paragraph 118)
- 9.89. Oxford Core Strategy Policy CS12 states that development will not be permitted that result in a net loss of sites or species of ecological value. Where there is opportunity, development will be expected to enhance Oxford's biodiversity.
- 9.90. The Extended Phase 1 Habitat Survey submitted with the application concludes that the current building and site holds limited potential for supporting biodiversity including bats. Officers would concur with these findings however, the development does offer opportunities to enhance biodiversity. A condition should therefore be attached which seeks the provision of enhancement measures within the scheme. These should include at least 4 bird nesting and 3 bat roosting devices within the building, and the inclusion of nectar rich planting within the landscaping strategy.
- 9.91. Drainage: Oxford Core Strategy Policy CS11 states that develop mitigation measures must be implemented to mitigate risk and that schemes should incorporate sustainable urban drainage measures to limit run off, and preferably reduce the existing rate of run-off.
- 9.92. The Drainage and Planning Report contained within the application concludes that the site is not at significant risk of flooding from any sources, and provides a drainage strategy for the development. Officers consider that the principles of the drainage strategy are acceptable, with some details to be confirmed, which may be done by the use of a suitable condition.
- 9.93. The report states that the discharge from the site will be limited to 13.4 l/s for the 1 in 100y event. The Council would normally aim for reduction of discharge from previously developed sites to greenfield rates, however, given the constraints of the site, this reduction will be acceptable in this instance. A discharge rate for the 1 in 100y + 40% event should also be provided. It is not envisaged that this will be a problem, and so should be secured by condition.
- 9.94. The report also states that CCTV surveys are to be carried out once the building is vacated, in order to ascertain the location of any existing drainage features (pipes, pump stations etc.) that are currently obscured by the structure. Therefore, officers consider it would be appropriate to condition the final detailed drainage strategy for when all the recommended investigations etc. have been undertaken, and agreement with Thames Water as sewerage undertaker has been obtained. Details of the drainage components (green roofs, tanks etc.) should be submitted as part of this, along with the finalised calculations. In addition, there are many different SuDS components proposed as part of the drainage strategy, therefore there must be a robust maintenance plans with

defined responsibilities in order to ensure the upkeep and effective working of the drainage system. A drainage operation and maintenance document is mentioned in the Drainage Report, the provision of which can be secured as part of a suitably worded condition.

10. CONCLUSION

- 10.1. Having regards to the matters discussed in the report, officers would make members aware that the starting point for the determination of this application is in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 which makes clear that proposals should be assessed in accordance with the development plan unless material considerations indicate otherwise.
- 10.2. The NPPF recognises the need to take decisions in accordance with Section 38(6) but also makes clear that it is a material consideration in the determination of any planning application (paragraph 2). The main aim of the NPPF is to deliver Sustainable Development, with Paragraph 14 the key principle for achieving this aim. The NPPF also goes on to state that development plan policies should be given due weight depending on their consistency with the aims and objectives of the Framework. The relevant development plan policies are considered to be consistent with the NPPF despite being adopted prior to the publication of the framework.

Compliance with Development Plan Policies

- 10.3. Therefore in conclusion it would be necessary to consider the degree to which the proposal complies with the policies of the development plan as a whole and whether there are any material considerations, such as the NPPF, which is inconsistent with the result of the application of the development plan as a whole.
- 10.4. In summary, the proposed development would seek to make an efficient use of previously developed land by delivering a high-density development which protects the character of the historic core and will create high quality public realm in accordance with Oxford Core Strategy Policy CS1 and CS2. The redevelopment of the site to provide additional accommodation for Jesus College for their own campus is also supported by Sites and Housing Plan Policy HP5. The site layout and built form has been developed in a comprehensive and thoughtful manner following an extensive pre-application process which has considered the impact upon designated heritage assets, and results in a high quality development which would not create harm to these asset while also delivering a number of public benefits that would outweigh any harm that was derived from the scheme. As such it would accord with Local Plan Policies CP1, CP6, CP8, HE3, HE7, HE8 and HE10 along with Core Strategy Policy CS18. In transport terms, it is considered that the proposal would be acceptable in terms of access, parking, highway safety, traffic generation, and pedestrian and cycle movements in accordance with Local Plan Policy CP1, and HP15 and subject to a legal agreement will deliver substantial improvements to the public realm within Market Street. The development would not have an adverse impact upon biodiversity and would secure appropriate mitigation measures in order to ensure that there is no net loss of biodiversity in accordance with Core Strategy Policy

CS12. The development would also be acceptable in terms of archaeology (Local Plan Policy HE2), Air Quality (Local Plan Policy CP23), Land Quality (Local Plan Policy CP22), and sustainability (Core Strategy Policy CS9). Where there are any adverse impacts in relation to these matters officers consider that these could be mitigated through appropriately worded conditions.

- 10.5. The main policy where there could be considered a departure from development plan policy would be with regard to Oxford Local Plan Policy HE9 which states that permission will not be granted for developments which exceed 18.2m (or ordnance datum height of 79.3m within a 1,200m radius of Carfax Tower). While it is accepted that the proposed Gatehouse would exceed the 18.2m height limit as prescribed by the policy and cannot reasonably be considered a 'minor element', and thus exempt from the policy. In terms of the impact on significant views and the settings of those key buildings that make up the valued "skyline" of the city, the proposed building could not be said to be harmful and in street views it would only be St Michael's Tower that would be directly impacted and the design of the proposed building would certainly not detract from the significance of this building. The LVIA submitted with the application has demonstrated that the gatehouse would not be an intrusive element within the skyline or detract from the significant views of the surrounding taller city spires, that Policy HE9 seeks to protect and which would remain the prominent features within the views, thereby according with policies HE10 and CS18, and chapter 12 of the NPPF. Therefore the high quality contextual design approach for the gatehouse which has been informed by a Landscape Visual Impact Assessment considerably reduces the weight to be attached to the conflict with this policy.
- 10.6. Therefore officers consider that the proposal would accord with the development plan as a whole.

Material Considerations

- 10.7. The principal material considerations which arise are addressed below, and follow the analysis set out in earlier sections of this report.
- 10.8. National Planning Policy: The NPPF has a presumption in favour of sustainable development which should be viewed as the golden-thread running through decision taking.
- 10.9. NPPF paragraph 14 states that proposals that accord with the development plan should be approved without delay, or where the development plan is absent, silent, or relevant plans are out of date, granting permission unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole; or specific policies in the framework indicate development should be restricted.
- 10.10. Officers consider that the proposal would accord with the overall aims and objectives of the NPPF for the reasons set out within the report. Therefore in such circumstances, Paragraph 14 is clear that planning permission should be approved without delay. This is a significant material consideration in favour of the proposal.

- 10.11. Officers would advise members that having considered the application carefully including all representations made with respect to the application, that the proposal is considered to be acceptable in terms of the aims and objectives of the National Planning Policy Framework, and relevant policies of the Oxford Core Strategy 2026, and Oxford Local Plan 2001-2016, when considered as a whole, and that there are no material considerations that would outweigh these policies.
- 10.12. Therefore it is recommended that the Committee resolve to grant planning permission for the development proposed subject to the conditions set out in Section 12 of this report.

11. CONDITIONS

- 1 The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

- 2 The development permitted shall be constructed in complete accordance with the specifications in the application and approved plans listed below, unless otherwise agreed in writing by the local planning authority.

Reason: To avoid doubt and to ensure an acceptable development as indicated on the submitted drawings in accordance with policy CP1 of the Oxford Local Plan 2001-2016.

- 3 Samples of the exterior materials to be used shall be submitted to, and approved in writing by the Local Planning Authority before the start of work on the site and only the approved materials shall be used.

Reason: In the interests of the visual appearance of the Conservation Area in which it stands in accordance with policies CP1, CP8 and HE7 of the Adopted Oxford Local Plan 2001-2016.

- 4 The commercial floorspace in the basement, ground floor, and first floor shall be used for retail (Class A1) use only and for no other purpose.

Reasons: In the interests of preserving the primary and secondary shopping frontages within the city centre in accordance with Oxford Core Strategy Policy CS1, CS31, and Oxford Local Plan Policy RC5

- 5 The building(s) shall not be demolished before planning permission for redevelopment is granted and a legally binding contract for the carrying out of the works of redevelopment of the site is made and evidence of the contract has been produced to and agreed in writing by the Local Planning Authority, or in the absence of such a contract an alternative confirmation of commencement of the development has been submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure that the premature demolition of the buildings does not take place to the detriment of the special character and appearance of the Conservation Area,

in accordance with policies CP1 and HE7 of the Adopted Oxford Local Plan 2001-2016 and policy CS18 of the Oxford Core Strategy 2026.

- 6 (i) The student accommodation hereby permitted shall only be occupied during term time by students in full time education on courses of an academic year or more.
- (ii) Outside term time the permitted use may be extended to include accommodation for cultural and academic visitors and for conference and summer school delegates.

The buildings shall be used for no other purpose without the prior written approval of the Local Planning Authority.

Reason: In order to maintain the availability of appropriate student accommodation in accordance with policy CS25 of the Adopted Oxford Core Strategy 2026 and HP5 of the Sites and Housing Plan

- 7 The student study bedrooms comprised in the development shall not be occupied until the wording of a clause in the tenancy agreement under which the study bedrooms are to be occupied restricting students resident at the premises (other than those registered disabled) from bringing or keeping a motor vehicle in the city has been submitted to and approved by the local planning authority; and the study bedrooms shall only be let on tenancies which include that clause or any alternative approved by the local planning authority.

Reason: To ensure that the development does not generate a level of vehicular parking which would be prejudicial to highway safety, or cause parking stress in the immediate locality, in accordance with policies CP1 of the Adopted Oxford Local Plan 2001-2016 and Policy HP5 of the Sites and Housing Plan 2011-2026

- 8 The development shall not be occupied until a Student Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall also include the control measures for ensuring that the movement of vehicles associated with the transport of student belongings at the start and end of term are appropriately staggered to prevent any adverse impacts on the operation of the highway. The approved management plan shall be implemented upon first occupation of the development and remain in place at all times thereafter unless otherwise agreed in writing beforehand by the Local Planning Authority.

Reason: To avoid doubt and in order to ensure the development is appropriately managed so as to protect the amenities of neighbouring occupiers, in accordance with policy CS25 of the Oxford Core Strategy 2026.

- 9 Notwithstanding the details submitted with the application, further large scale design details of the following shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of works above ground.

- Large scale details for all new windows, doors and glazing panels
- Large scale sections of roof junctions (eaves, fascias, soffits etc)
- Large scale details of roof railings and external stair
- details of the means of enclosure for the new entrance onto Market Street including railings, new wall etc

The development shall be carried out in accordance with these approved details

Reason: For the avoidance of doubt and so that the Local Planning Authority can agree these details in the interests of preserving the character and appearance of the conservation area, and in accordance with Policies CP1, CP8, and HE7 of the adopted Oxford Local Plan 2001-2016

- 10 A landscape plan shall be submitted to, and approved in writing by, the Local Planning Authority before development starts. The plan shall include a survey of existing trees showing sizes and species, and indicate which (if any) it is requested should be removed, and shall show in detail all proposed tree and shrub planting, treatment of paved areas, and areas to be grassed or finished in a similar manner.

Reason: In the interests of visual amenity in accordance with policies CP1, CP11 and NE15 of the Adopted Local Plan 2001-2016.

- 11 The landscaping proposals as approved by the Local Planning Authority shall be carried out upon substantial completion of the development and be completed not later than the first planting season after substantial completion.

Reason: In the interests of visual amenity in accordance with policies CP1 and CP11 of the Adopted Local Plan 2001-2016.

- 12 Prior to the start of any work on site including site clearance, details of the design of all new hard surfaces and a method statement for their construction shall be submitted to and approved in writing by the Local Planning Authority. Details shall take into account the need to avoid any excavation within the rooting area of any retained tree and where appropriate the Local Planning Authority will expect "no-dig" techniques to be used, which might require hard surfaces to be constructed on top of existing soil levels using treated timber edging and pegs to retain the built up material.

Reason: To avoid damage to the roots of retained trees. In accordance with policies CP1, CP11 and NE16 of the Adopted Local Plan 2001-2016.

- 13 Prior to the start of any work on site, details of the location of all underground services and soakaways shall be submitted to and approved in writing by the Local Planning Authority (LPA). The location of underground services and soakaways shall take account of the need to avoid excavation within the Root Protection Areas (RPA) of retained trees as defined in the British Standard 5837:2012- 'Trees in relation to design, demolition and construction-Recommendations'. Works shall only be carried in accordance with the approved details.

Reason: To avoid damage to the roots of retained trees; in support of Adopted Local Plan Policies CP1,CP11 and NE15.

- 14 Detailed measures for the protection of trees to be retained during the development shall be submitted to, and approved in writing by, the Local Planning Authority (LPA) before any works on site begin. Such measures shall include scale plans indicating the positions of barrier fencing and/or ground protection materials to protect Root Protection Areas (RPAs) of retained trees and/or create Construction Exclusion Zones (CEZ) around retained trees. Unless otherwise agreed in writing by the LPA the approved measures shall be in accordance with relevant sections of BS 5837:2012 Trees in Relation to Design, Demolition and Construction-Recommendations. The approved measures shall be in place before the start of any work on site and shall be retained for the duration of construction unless otherwise agreed in writing by the LPA. Prior to the commencement of any works on site the

LPA shall be informed in writing when the approved measures are in place in order to allow Officers to make an inspection. No works or other activities including storage of materials shall take place within CEZs unless otherwise agreed in writing by the LPA.

Reason: To protect retained trees during construction. In accordance with policies CP1, CP11 and NE16 of the Adopted Local Plan 2001-2016.

- 15 A detailed statement setting out the methods of working within the Root Protection Areas of retained trees shall be submitted to and approved in writing by the Local Planning Authority (LPA) before any works on site begin. Such details shall take account of the need to avoid damage to tree roots through excavation, ground skimming, vehicle compaction and chemical spillages including lime and cement. The development shall be carried out in strict accordance with of the approved AMS unless otherwise agreed in writing by the LPA.

Reason: To protect retained trees during construction. In accordance with policies CP1,CP11 and NE16 of the Adopted Local Plan 2001-2016.

- 16 No development shall take place until a written scheme of investigation (WSI) has been submitted to and approved in writing by the local planning authority. For land that is included within the WSI, no development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and

- The programme and methodology for archaeological recording and the nomination of a competent person(s) or organisation to undertake the agreed works.
- The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

Reason: Because the development may have a damaging effect on known or suspected elements of the historic environment of the people of Oxford and their visitors, including Saxon, medieval and post-medieval remains (Local Plan Policy HE2).

- 17 No work shall commence until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority. The CTMP should identify the following;
- The routing of construction vehicles and management of their movement into and out of the site by a qualified and certificated banksman,
 - Access arrangements and times of movement of construction vehicles (to minimise the impact on the surrounding highway network),
 - Details of wheel cleaning / wash facilities to prevent mud, etc from migrating on to the adjacent highway,
 - Contact details for the Site Supervisor responsible for on-site works,
 - Travel initiatives for site related worker vehicles,
 - Parking provision for site related worker vehicles,
 - Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours,
 - Engagement with local residents, including the adjacent care home.

The development shall be carried out in accordance with the approved CTMP

Reason: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding network, road infrastructure and local residents, particularly at peak traffic times.

- 18 The development shall not be brought into use until details of the refuse and cycle storage for the development have been submitted to and approved in writing by the Local Planning Authority. These details shall include the method of storage to ensure that they are safe, secure, and sheltered. The refuse and cycle storage shall be provided in accordance with these approved details prior to the development being first occupied, and shall be retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of residential amenity, and in accordance with Policies CP1, and CP10 of the Oxford Local Plan 2001-2016 and Policy HP13 of the Sites and Housing Plan 2011-2026

- 19 A full Travel Plan shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the development. The approved Travel Plan shall be implemented on occupation and maintained thereafter.

Reason: To encourage the use of sustainable modes as a means of transport.

- 20 No development shall take place until a Construction Environmental Management Plan (CEMP), containing the specific dust mitigation measures identified for this development, has first been submitted to and approved in writing by the Local Planning Authority. The specific dust mitigation measures that need to be included and adopted in the referred plan can be found on chapter 7 of the Air Quality Assessment submitted with the application (document's project number: JAP9732, from February 2018). The development shall be carried out in accordance with the approved CEMP

Reason: To ensure that the overall dust impacts during the construction phase of the proposed development will remain as "not significant", in accordance with the results of the dust assessment, and with Core Policy 23 of the Oxford Local Plan 2001-2016.

- 21 Prior to the commencement of the development, details of biodiversity enhancement measures including at least 4x bird nesting, 3x bat roosting devices and nectar rich planting shall be submitted to and approved in writing by the local planning authority. The approved measures shall be incorporated into the scheme and be fully constructed prior to occupation of the approved dwellings and retained as such thereafter.

Reason: In the interests of improving the biodiversity of the City in accordance with NPPF and policy CS12 of the Oxford Core Strategy 2026.

- 22 Prior to the commencement of development, plans, calculations and drainage details to show how surface water will be dealt with on-site through the use of sustainable drainage methods (SuDS) shall be submitted to and approved in writing by the Local Planning Authority. The plans, calculations and drainage details should be based on the surface water drainage strategy as outlined in Smith and Wallwork Engineers Foul and Surface Water Planning Report - December 2017.

The plans, calculations and drainage details submitted shall demonstrate that;

- (i) The drainage system is to be designed to control surface water runoff for all rainfall up to a 1 in 100 year storm event with a 40% allowance for climate change.
- (ii) The rate at which surface water is discharged from the site may vary with the severity of the storm event but must not exceed the greenfield runoff rate for a given storm event.
- (iii) Excess surface water runoff must be stored on site and released to receiving system at greenfield runoff rates.
- (iv) Where sites have been previously developed, betterment in runoff rates will be expected, with discharge at, or as close as possible to, greenfield runoff rates.

Any proposal which relies on Infiltration will need to be based on on-site infiltration testing in accordance with BRE365 or alternative suitable methodology, details of which are to be submitted to and approved by the LPA. Consultation and agreement should also be sought with the sewerage undertaker where required.

A SuDS maintenance plan should also be submitted and approved by the LPA. The Sustainable Drainage (SuDS) Maintenance Plan will be required to be completed by a suitably qualified and experienced person in the field of hydrology and hydraulics. The SuDS maintenance plan will be required to provide details of the frequency and types of maintenance for each individual sustainable drainage structure proposed and ensure the sustainable drainage system will continue to function safely and effectively in perpetuity.

The drainage scheme shall be carried out in accordance with the approved details.

Reason: To ensure compliance with Policy CS11 of the Oxford Core Strategy 2011-2026.

- 23 Groundwater flooding should be mitigated by implementation of the measures outlined within Smith and Wallwork Engineers Foul and Surface Water Planning Report - December 2017.

Reason: To ensure compliance with Policy CS11 of the Oxford Core Strategy 2011-2026.

- 24 A Servicing and Delivery Management Plan shall be submitted for the retail units shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the respective units. The approved Servicing and Delivery Management Plans shall be implemented when the units are brought into use and retained in place thereafter.

Reason: In the interests of highway safety and network management.

- 25 No external lighting shall be installed on site unless details of such lighting, including the make/type of fittings, intensity of illumination, light source, the design calculations showing the lanterns geometry aiming angles and predicted lighting contours etc, have been first submitted to, and approved in writing by the Local Planning Authority, prior to first occupation of the site. Any external lighting that is to be installed shall be in accordance with British Standard 5489 for details to be approved. The approved lighting shall be provided before any part of the development is brought into use.

Reason: To maintain street lighting to adequate levels in accordance with Oxford Local Plan CP1.

12. APPENDICES

Appendix 1 – Letters of the Oxford Design Review Panel

13. HUMAN RIGHTS ACT 1998

- 13.1. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to grant planning permission for 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.

14. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

- 14.1. 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.

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JPPC Chartered Town Planners,
 Bagley Croft,
 Hinksey Hill,
 Oxford
 OX1 5BD

8 December 2017

Our reference: DCC/0870
Oxford Design Review Panel: Northgate House, Jesus College

Dear Neil Warner,

Thank you for attending the Oxford Design Review Panel (ODRP) Design Review for Northgate House, Jesus College on 9 November 2017.

We are supportive of the scheme in principle which will enhance two important streets within historic central Oxford as well as provide new accommodation and academic space. The proposed entrance to Northgate House from Market Street will strengthen and change the College's relationship with this street. The scheme presents an opportunity to support the function of Cornmarket as a retail destination, as well as open up views of historic buildings adjacent to the site.

Northgate House sits at a highly visible point at the heart of Oxford city centre. The historic setting within central Oxford presents challenges and opportunities that demand a sensitive response that carefully integrates the new building whilst preserving the setting of the surrounding Grade I and II listed buildings, including Jesus College and the Covered Market.

It is evident that thorough analysis and research has been undertaken since the last review and a number of positive changes made. We encourage the team to continue finessing the elevations to refine the composition and character of the building when viewed from both Cornmarket and Market Street. Whilst we welcome the reduction in scale since the last review, we think there may be slightly too much bulk at roof level and recommend exploring ways to reduce the prominence of the roof. Some further work on the elevations is also required to strike a balance between consistency and contrast. Whilst there is much to enjoy in the proposed elevations, the building at present appears busy. We would also recommend some further work on the landscape/ garden design for the raised quad/terrace to create a distinctive sense of character for this space.

Heights and massing

The reduction in the overall height and massing creates a better relationship with the neighbouring buildings but we have concerns about the prominence and massing of the roof form. Whilst they are an interesting feature, the size, frequency, positioning and

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materiality of the dormers make the roof appear very prominent and domineering within the elevation as a whole, and particularly when viewed from Cornmarket. We recommend exploring ways to create a calmer, more subservient roof treatment.

The size and scale of the tower is now more appropriate. We think its location could work well as a marker for the entrance to the building and in relation to the College's other towers, but it would benefit from more thorough contextual analysis to refine its design and better understand its role within the streetscape.

Architecture

Whilst we welcome the strong vertical emphasis in the façade and the lively articulation that is being explored, we think that the elevations appear busy and perhaps too fussy in their treatment. The elevation facing Cornmarket appears to compete with others within the streetscene and would benefit from a slightly calmer treatment, though not at the sacrifice of the current playfulness. We think there could be more refinement of the blocks to strike a balance between consistency and contrast in the materiality and detailing of the facades.

The connection with the neighbouring building on Cornmarket would benefit from further work, particularly at roof level, both to create a more effective transition and to ensure that the contrast between the setback and protruding elements of this primary façade treatment can be appreciated. We also recommend exploring ways to marry the two principal façades (facing Cornmarket and Market Street) as some elements of consistency across the two façades may benefit the overall design.

In terms of the changes to the listed Jesus College building required to provide access to the scheme via the quad, we think lowering the ground plain to create a taller opening, if required, rather than raising the arch in height might be more respectful to this historic building, more appropriate for this access and a more dramatic experience. A sensitive and creative approach to levels within this area has potential to create a subtle but exciting transition between the old and new architecture.

We think the design of the tower at roof level is working well as it will create a 'sparkle' within the streetscene on a night time and enable wider views of Oxford that the building benefits from to be enjoyed. It would be particularly beneficial to incorporate artwork within the new building to add interest but which could also be cleverly used to draw attention to the market and assist with way finding.

Quadrangle, Fellows' Garden and Public Spaces

We are concerned about the effectiveness of the proposed ground level courtyard which could feel dark and unwelcoming. Given the potential overshadowing issues, we are not convinced by the water feature within this space which could compound the feeling of a dark, damp environment, perhaps this space is trying to do too many things and not adequately achieving its various aims. We encourage reviewing the treatment of this area and considering alternatives such as enclosing this space and creating an internal atrium.

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The development will create a 'quad in the sky' which will have a different character to ground level quads within Oxford that should be reflected within the landscape design. We recommend working with a Landscape Architect in the development of this interesting new typology and looking at roof garden precedents rather than replicating other quads within the college.

More thought should be given to the longevity and resilience of planting in the new development given the varied levels and scale of spaces, and how any planting and landscaped features will be maintained in these environments. A perimeter approach to planting and/or water features for the new sky quad might improve the usability of amenity spaces and make them easier to maintain.

Some of the public realm proposed along Market Street is within the red line boundary. Widening the frontage in front of the Fellows' Library and around the new entrance into a public space, and incorporating features such as street trees or seating would be positive. We recommend engaging with wider stakeholders over opportunities to reduce noise and smells associated with the servicing of the Covered Market.

We hope you have found the review process and the content of this letter useful. Should you have any other queries please do hesitate to contact us.

Yours sincerely,

Annabel Osborne

Design Council Cabe Advisor

Email annabel.osborne@designcouncil.org.uk

Tel +44(0)20 7420 5207

Review process

Following a site visit, (and) discussions with the design team, the scheme was reviewed on 9 November 2017 by Gillian Horn (Chair), Ruth Butler, Jessica Byrne Daniel, Jon Rowland, Dan Jones and Kathryn Davies. These comments supersede any views we may have expressed previously.

Confidentiality

The advice contained in this letter is offered in confidence, on condition that we are kept informed of the progress of the project, including when it becomes the subject of a planning application. We reserve the right to make our views known should the views contained in this letter be made public in whole or in part (either accurately or inaccurately). If you do not require our views to be kept confidential, please write to cabe@designcouncil.org.uk.

Panel

Gillian Horn

Ruth Butler

Jessica Byrne Daniel

Jon Rowland

Dan Jones

Kathryn Davies

Cabe

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James Harris
Annabel Osborne

Design Council Caba
Design Council Caba

Attendees

Adrian Arnold
Andrew Murdoch
Gill Butter
David Stevenson
Stuart Woodward
Stuart Cade
Mandy Franz
Derek Farrow
Neil Warner

Oxford City Council
Oxford City Council
Oxford City Council
Jesus College
Jesus College
MICA Architects
MICA Architects
Bidwells
JPPC

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Northgate House, Jesus College Oxford Design Review Panel Design Workshop

Notes from 13 July 2017

Thank you for engaging in the ODRP Design Workshop for Northgate House, Jesus College in Oxford on 13 July 2017. We appreciate the opportunity to comment on the scheme at this early stage and to engage in a productive dialogue as the scheme progresses.

Summary

We welcome the principle of the redevelopment of Northgate House and the ambition of Jesus College in pursuing this project. It offers a unique opportunity to enhance two important streets within historic central Oxford, and to provide new accommodation and academic space for Jesus College.

The unique historic setting of Northgate House within central Oxford demands a sensitive response that also enhances the significance of the surrounding Grade I and II listed buildings including Jesus College and the Covered Market. At present, the configuration of the height and massing appears overbearing in relation to Jesus College, particularly the Fellows' Library, and surrounding buildings and streets. We recommend further analysis and testing of options for the height and massing within this historic context, regarding firstly the principle of the tower and its location on the site; and secondly, the overall building height and massing as it impacts upon views in and out of the site, across Oxford, and from street level. We welcome elements of the initial design approach but further resolution of the architectural approach is required to test the visibility and dominance of Northgate House in relation to the wider townscape.

The changing nature of 21st century retail creates unpredictability about future demand in Oxford city centre, compounded in and around Cornmarket and Market Streets by the redevelopment of the Westgate Centre. We recommend a flexible approach that places more emphasis on the retail culture along Market Street to further support the vitality of this part of the city centre.

We welcome the strategic steps taken to provide a series of outdoor spaces for users, including the widening of the Fellows' Garden, the creation of a new quadrangle, and the creation of active

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frontages on both streets. We recommend clarifying the desired function, look and feel of each of the proposed open spaces and how they relate to new and existing buildings, to ensure a coherent composition of buildings and open spaces and sense of place for different users. We suggest exploring further opportunities to activate the ground floor through the creation of a new public space around the entrance to the College and consideration of how uses, entrances, boundary treatment and architecture come together along Market Street.

We strongly encourage the applicant team, City Council and Historic England, along with relevant key stakeholders, to work collaboratively on this major scheme in the continued development of Oxford's historic city core, retail and academic future.

Historic context and townscape

Northgate House sits at a highly visible point at the heart of the internationally significant heritage context of Oxford city centre, and is adjacent to a series of Grade I and II listed buildings including Jesus College and the Covered Market. We recommend the design team consider in further detail how the scheme responds and contributes to this historic and sensitive context, particularly regarding the proposed height and massing. We note that:

- A detailed heritage assessment of Northgate House, Jesus College and the wider context is needed to provide a baseline against which to test the historic impact of the proposals and to build upon the analysis associated with the Central (University and City) Conservation Area
- A visual impact assessment, which explores the impact of the site layout, height and massing and design on the full range of existing and emerging views into, out of and across the city, including but not limited to the Oxford view cones, should be used as part of the iterative design process to ensure that the scheme protects and enhances its wider context
- A tower at the scale currently proposed could be justified, depending on further testing of its impact, but we question the rationale for its current location, which may not be necessary as a marker on the corner of Cornmarket Street and Market Street
- As the roof of the Northgate House will be highly visible from surrounding buildings, the design of the roofscape should be carefully considered, and steps taken to reduce the amount of visible plant and clutter
- A more appropriate relationship between the proposed Northgate House and its wider context could be achieved by slightly reducing the building height, particularly towards the east considering the proximity and building scale in relation to the Fellows' Library
- Pulling back the building frontage of Northgate House further would improve the setting of and views towards the Fellows' Library along Market Street.

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Future of retail in Oxford City Centre

A flexible and resilient approach to retail is needed to respond to the unpredictable and shifting demand and location of retail activity in Oxford, particularly in relation to the redevelopment of the Westgate Centre. In developing the character and function of the retail uses, we suggest considering ways to further improve the activity at street level and provide more resolution on the juxtaposition between the different uses within the building both internally and externally, including:

- Accommodating different sizes of retail units and/or understanding how the retail units could be reduced or increased in size as market demand changes
- Integrating the retail viability study being commissioned as part of the iterative design process to inform the design of units
- Exploring how smaller units, such as start-up business spaces, more retail entrances, and improved visibility into the shops can be integrated along Market Street to support activity at street level
- Exploring ways of concentrating active uses on the ground floor and to remove the need for a first floor retail space, which negatively impacts internal circulation and the relationship with student rooms within Northgate House. We think that that the basement could provide an opportunity to create a mezzanine level within the large volume between the floor level of the basement and ceiling level of the ground floor.

Access and circulation

The new entrance to Northgate House on Market Street will produce a stronger relationship between the Jesus College and Market Street, including the Covered Market. The nature of this relationship, the changing movement and circulation patterns around and into the College, and routes through the College into Northgate House require further work to ensure easy wayfinding, and active and welcoming routes and spaces. To achieve this, we recommend:

- A collaborative dialogue between the project team, Oxford City Council and the Covered Market regarding servicing arrangements for Northgate House and the Covered Market along Market Street. Considering the proximity to Northgate House, this should seek to reduce the noise, odour and congestion currently associated with the market servicing bay
- Assessing how the new entrance and access arrangements of Northgate House will impact on the current movement patterns across the Jesus College. Considering students and staff are likely to be directed through the main Porters' Lodge on Turl Street, we suggest looking for ways to maintain some level of activity at the Market Street entrance which will help to also activate the Digital Hub
- Exploring how the areas of public realm along Market Street within the red line boundary can support a public space in front of the new entrance, incorporating features such as

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street trees or seating and strengthening the relationship between the College and Digital Hub, Market Street and the Covered Market

- Assessing the benefits and drawbacks of options for circulation routes through Jesus College to Northgate House, including the impact of physical changes to the existing historic fabric such as the west range of the second quadrangle, the legibility and intuitiveness of routes, and how the route would contribute to the overall collegiate experience
- Investigating historical and recent precedents for college quadrangles on multiple levels to inform the resolution of access and circulation
- Exploring how the routes work from Northgate House to other important College spaces to the north, including the Junior Common Room, the Habbakuk Room and the Old Members' Building
- Explore whether access to the quadrangle could be simplified by locating it on the first instead of the second floor level
- Considering an external route or passageway to the quadrangle rather than internal access through the Digital Hub to improve wayfinding.

Quadrangle, Fellows' Garden and open spaces

We welcome the proposals for the creation of a new quadrangle and the reconfiguration of the Fellows' Garden which continue the historic sequence of spaces through Jesus College that define the collegiate experience for staff, students and visitors. Alongside the roof terraces, they provide important amenity space for these users. However, the function, look and feel of these spaces has not been clearly defined. We make the following suggestions to support the creation of well-integrated and usable spaces:

- Appoint a landscape architect at an early stage to support the project team in defining an overarching strategy and desired function, look and feel of each of the spaces within and around Northgate House
- Explore in more detail how the unique character of Jesus College could be incorporated in the design of the open space and surrounding buildings, including trees, planting and seating, the level of enclosure of each space, and the relationship between the building uses and adjacent spaces
- The majority of existing trees within the Fellows' Garden, except for the Acer, are of little value due to their poor quality and could be replaced in order to make the most of the reconfiguration of this space with new trees and planting. New trees should be of a variety of species, and should be resilient to this urban environment
- Explore ways of maximising the quadrangle as a space for interaction and meeting, in line with its historic function and identity. This could include enabling direct access to student rooms from the quadrangle through a revision of the internal layout of student accommodation

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Stuart Cade	Rick Mather Architects
Mandy Franz	Rick Mather Architects
David Stevenson	Jesus College
Stuart Woodward	Jesus College
Derek Farrow	Bidwells
Adrian Arnold	Oxford City Council
Andrew Murdoch	Oxford City Council
Gill Butter	Oxford City Council

Apologies

Tom Foxall	Historic England
------------	------------------

Design Council Cabe

Elli Thomas
Victoria Lee

Confidentiality

Since the scheme is not yet the subject of a planning application, the advice contained in this letter is offered in confidence, on condition that we are kept informed of the progress of the project, including when it becomes the subject of a planning application. We reserve the right to make our views known should the views contained in this letter be made public in whole or in part (either accurately or inaccurately). If you do not require our views to be kept confidential, please write to cabe@designcouncil.org.uk.

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- Consider in more detail how the staircases could become more active and welcoming places for sitting, gathering and interacting, such as through the orientation of the staircases to improve the level of natural daylighting.

Architecture

We recommend further analysis on the role Northgate House will play in the overall and existing streetscapes in the historic city centre. The existing building provides a quiet backdrop to Cornmarket and Market Streets, which enables it to sit more comfortably in its setting despite its large scale, location on a corner and key frontages. We encourage the design team to think more carefully about if and to what extent this building should stand out, and to test the balance of its visibility and prominence in the wider context through short and long range views. In clarifying its role and developing the proposals, we make the following suggestions:

- We support the intention for a strong vertical emphasis in the façade which echoes the vertical articulation of the existing buildings along Cornmarket Street and recommend considering other options which reinforce this effect. Currently, the horizontal banding and the pleated facade above the shop fascias overcomplicate this façade making it overly dominant along this key streetscape, and break the vertical emphasis of the existing buildings
- A pleated or angled façade providing views in different directions could potentially work on the more private eastern façade facing the Fellows' Library
- We recommend further information be provided at a later stage to enable the panel to comment on the material palette and the internal layout and arrangement.

Next steps

We recommend the applicant consult the Oxford Design Review Panel at a more detailed stage to ensure the best quality of design as the proposals develop. Should you have any questions regarding the content of this note, please do not hesitate to contact us.

Design Workshop Panel

Keith Bradley (Chair)
Jessica Bryne-Daniel
Kathryn Davies
Jon Rowland

Attendees

Nik Lyzba JPPC
Neil Warner JPPC

Minutes of a meeting of the WEST AREA PLANNING COMMITTEE on Tuesday 10 July 2018

www.oxford.gov.uk



Committee members:

Councillor Cook (Chair)	Councillor Arshad
Councillor Bely-Summers	Councillor Gant (for Councillor Gotch)
Councillor Harris	Councillor Hollingsworth
Councillor Iley-Williamson	Councillor Lygo (for Councillor Corais)
Councillor Upton	

Officers:

Sally Fleming, Lawyer
Robert Fowler, Planning Team Leader
Clare Golden, Team Leader, Urban Design and Heritage
John Mitchell, Committee and Member Services Officer
Andrew Murdoch, Planning Team Leader
Sarah Stevens, Planning Service Transformation Consultant

Apologies:

Councillors Gotch and Corais sent apologies.

18. Declarations of interest

18/00258/FUL and 18/00933/VAR

Cllr Cook - as a Council appointed trustee for Oxford Preservation Trust and as a member of the Oxford Civic Society stated that he had taken no part in those organisations' discussions or decision making regarding the applications and was approaching them with an open mind.

Cllr Upton - as a Council appointed trustee for Oxford Preservation Trust stated that she had taken no part in any discussions or decision making by those organisations that may have taken place regarding these applications.

Oxford Heritage Asset Register nominations 2018

Cllr Hollingsworth - as Vice Chair of the Cripsey Meadow Allotments Association said he had had no involvement in the proposals for Castle Mill Stream and Fiddlers Island Stream to be added to the Oxford Heritage Register but would not take part in the decision on those nominations.

19. 18/00258/FUL: Northgate House, 13 - 20 Cornmarket Street, Oxford, OX1 3HE

The Committee considered an application (18/00258/FUL) for planning permission for the demolition of the existing building to ground level and the erection of a replacement building to provide replacement commercial units on the basement, ground and first floors, and new teaching facilities, ancillary accommodation and student fellows' rooms on the upper floors for Jesus College. (Amended Plans)

The Planning Officer introduced the report, noting the addition of two additional conditions (to seek a phasing and materials plan for the surfacing works to Market Street and to seek active retail frontages onto Market Street) and the correction of the reference to Section 12 in recommendation 1.1 (a) which should read Section 11.

The proposal provided an excellent opportunity to reinvigorate that part of Market Street and Cornmarket. The current building gave a 'back of house' sense onto Market Street. The proposals would see a new principal entrance to the college from Market Street and open up the public realm. The report set out the reasons for the officer recommendation, the principal ones of which were:

- There was no material reason to object
- The deployment of the commercial element was flexible and would contribute to the need to re-energise Cornmarket following the Westgate development
- The scheme represented an important opportunity to redevelop the area and had the potential to act as a positive catalyst for other users in the immediate vicinity
- The expansion of the public realm
- The development of a 'front of house' sense in Market Street.
- The scheme would expose a grade one listed building which is currently hidden from view
- The scheme had been subject to extensive pre-application work and consultation, all views from which had been taken into account. This included positive support from both Historic England and Oxford Civic Society and two sessions with the Design Review Panel, both before and after publication of proposals.
- All anticipated views of the new building fitted well into the Cornmarket Street scene and represented a significant improvement in the case of Market Street.
- The "Gatehouse" tower element of the scheme had been subject to revision following the pre-application phase, notably a reduction in height to 21.3 m and some changes in design detail . This was above the City's benchmark of 18.2 m for new build but this was not an absolute limit . All cases had to be judged on their merits and assessments made of the harm that would be caused by height. Support for proposals in excess of the benchmark was not given lightly. In this case the anticipated skyline views from a variety of directions were considered improved by the scheme.

Debbie Dance, representing the Oxford Presentation Trust spoke against the application.

Professor Sir Nigel Shadbolt (Jesus College), Stuart Cade (Architect), and Simon Sharp (JPPC) spoke in favour of the application. David Stevenson (Jesus College) attended to respond to questions

The Committee discussion included, but was not limited to the following points:

- The extent to which the public had engaged with the various consultation elements of the proposal was questioned. It was explained that there had been every opportunity for the public to do so.
- Traffic management during construction would be dealt with by a condition and taking account of advice from the County Council as Highways Authority. The Committee sought assurance that the Market Street commercial frontage should be active and it was agreed that this should be added as a condition (which the applicant confirmed would be acceptable to them).
- The fact of the City's commitment to a Zero Emissions Zone was not a relevant planning consideration and should play no part in coming to a decision about this application.
- The scheme would have no material impact on current parking arrangements (including those for blue badge holders) in Market Street.
- Some Members of the Committee expressed concern about the height and bulkiness of the Gatehouse Tower while supporting all other elements of the scheme. Agreement to the height of the tower as proposed would not set a precedent in planning terms given the requirement for all proposals to be considered independently and on their merits.

In reaching a decision the Committee considered all the information put before it including the officer's report and presentation and the representations made by speakers.

On being put to a vote a majority of the Committee agreed with the officer recommendation as set out in the report, subject to the addition of two conditions to seek a phasing and materials plan for the surfacing works to Market Street and to seek active retail frontages onto Market Street.

The Committee resolved to:

- a) Approve the application for the reasons given in the report and subject to the required planning conditions set out in section 11 of the report and 2 additional conditions to seek a phasing and materials plan for the**

surfacing works to Market Street and to seek active retail frontages onto Market Street and grant planning permission; and

- b) Delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to finalise the recommended conditions as set out in the report and the two additional conditions referred to in (a) above including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary.**

Minutes of a meeting of the PLANNING REVIEW COMMITTEE on Wednesday 10 January 2018

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Committee members:

Councillor Fry (Chair)	Councillor Munkonge (Vice-Chair)
Councillor Brandt	Councillor Kennedy
Councillor Tanner (for Councillor Paule)	Councillor Chapman (for Councillor Sinclair)
Councillor Henwood (for Councillor Anwar)	Councillor Clarkson (for Councillor Turner)
Councillor Gant (for Councillor Altaf-Khan)	

Officers:

Adrian Arnold, Development Management Service Manager
Andrew Murdoch, Planning Team Leader
Anita Bradley, Monitoring Officer
Caroline Robins, Lawyer, Law & Governance
Catherine Phythian, Committee Services Officer

Apologies:

Councillor(s) Altaf-Khan, Anwar, Paule, Sinclair and Turner sent apologies.

No apologies were received

40. Declarations of Interest

16/02745/CT3

Cllr Brandt – as a signatory to the call-in stated that she came to the meeting with an open mind, would consider the arguments and weigh the relevant facts before coming to a decision.

Cllr Gant – as a signatory to the call-in stated that he came to the meeting with an open mind, would consider the arguments and weigh the relevant facts before coming to a decision.

41. 16/02745/CT3: Seacourt Park And Ride, Botley Road, Oxford

Adrian Rosser made a video recording of parts of the discussion of this item.

The Committee considered an application (16/02745/CT3) from the City Council for planning permission for an extension to the existing Seacourt Park and Ride to

accommodate new car parking spaces, a single storey building to provide a waiting area and toilets for customers, cycle parking, lighting, CCTV, ticket machines, new pedestrian and cycle access, landscaping together with reorganisation of the layout of existing car parking spaces, repositioning of turning circle, bus pickup and drop-off and other works incidental to the development.

On 13 December 2017 the West Area Planning Committee determined to approve the application. This decision had been called-in to the Planning Review Committee on grounds that: *the decision to approve the application on the Chair's casting vote did not take sufficient account of the fact that the application is not compliant with the National Planning Policy Framework and does not constitute 'essential infrastructure' as it will not remain operational and safe for users in times of flood as required by National Planning Policy Guidance.*

The Planning Officer gave a detailed presentation which illustrated the key points made in the report regarding:

1. Green Belt
2. Flood Risk
3. Transport
4. Ecology

The Planning Officer referred the Committee to the report which set out a detailed assessment of the application against the relevant national and local development plan policies, including the National Planning Policy Framework. The Planning Officer said that, for the reasons set out in the report, officers remained convinced that the application did constitute "essential transport infrastructure" as Oxford's park and ride system is an integral part of the city's transport policy and the Oxford Core Strategy and Local Plan have a presumption in favour of maintaining the role of park and ride sites including providing additional capacity.

The Planning Officer clarified that Highways England had raised no objections to the application.

In reference to an email that had been sent to members of the Planning Review Committee by the Mid-Counties Co-operative the Planning Officer explained that the Mid-Counties Co-operative site was not considered a viable alternative primarily because it forms an important part of the Oxford Flood Alliance Scheme. The Environment Agency had confirmed that they were looking to use Compulsory Purchase powers to secure the land in the event they are unable to work with the landowner. The use of this space for park and ride would compromise those plans which would have significant public benefits for the city as a whole. This would conflict with the advice in the National Planning Policy Framework which seeks to safeguard land that is required for future flood management.

The Chair increased the speaking time to 12 minutes for both sides to allow all speakers adequate time.

Adrian Rosser (local resident), Debbie Dance (Oxford Preservation Trust), Liz Sawyer (Oxford Flood Alliance), and Councillor Colin Cook (ward councillor and member of West Area Planning Committee) spoke against the application.

Caroline Green (Oxford City Council, applicant), Michael Lowndes (WYG, agent) and Paul Walker (Oxford Bus Company) spoke in favour of the application. Ian Hilton (WYG) and Steve Boden (WYG) also answered questions from the Committee relating to flood assessment and mitigation measures and transport matters.

In reaching its decision, the Committee considered all the information put before it including the officer's report and presentation, updated since the application was considered at West Area Planning Committee, and the answers to questions given by officers and the public speakers. The Committee were advised of the need to give greater weight to the adopted policies set out in the Oxford Core Strategy 2016 and Oxford Local Plan 2001-2016 rather than the County Council's Transport Strategy, which was not an adopted plan and thereby carries less weight.

During questions, and in debate, the Committee focussed on the arguments for and against the following issues:

- whether the application meets the NPPF test for *granting planning permission for inappropriate development within the Green Belt on the basis of very special circumstances*
- whether the application meets the requirements of the NPPF exception test for Essential Infrastructure within Flood Zone 3b
- whether the applicant had fully explored all possible options for alternative sites; for different solutions to provide additional capacity within the current site; for measures to encourage customers to use other park and ride sites in preference to Seacourt park and ride
- whether concerns about ground water flooding on the application site would be adequately addressed by the proposed flood mitigation measures
- the accuracy and validity of the transport modelling data and capacity assumptions used in the Transport Assessment when compared with anecdotal evidence of vacant spaces and recent media reports, drawing on official figures, showing reduced demand for Seacourt park and ride

In determining this application a majority of the Committee were satisfied that there was a proven need for an extension to the Seacourt park and ride to meet current and future demand and that the public benefit outweighed the harm caused to the Green Belt.

On the basis of the evidence presented a minority of the Committee were not persuaded that the case for the application had been made with regard to immediate need /demand; special circumstances for inappropriate development in the Green Belt; or the requirements of the exception test for "Essential Transport Infrastructure".

A motion to approve the officer's recommendation to grant planning permission with the conditions as set out in the report was moved and seconded.

On being put to the vote a majority of the Committee agreed with the officer recommendation to grant planning permission.

The West Area Planning Committee resolved to:

- (a) Agree to grant planning permission for the reasons given in the report and subject to:
 - 1. Decision subject to confirmation from the Secretary of State that the application is not required to be 'called in' in accordance with The Town and Country Planning (Consultation) (England) Direction 2009;
- (b) Agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:
 - 1. Finalise the 23 recommended conditions and 2 informatives as set out in section 11 of the report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary.

42. Minutes

The Committee resolved to approve the minutes of the meeting held on 13 December 2017.

43. Date of Future Meetings

The Committee noted the dates of the scheduled meetings.

The meeting started at 6.00 pm and ended at 8.15 pm

Chair

Date: