

# Agenda

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## West Area Planning Committee

This meeting will be held on:

Date: **Tuesday 9 June 2020**

Time: **3.00 pm**

Place: **Zoom - Remote meeting**

**For further information** please contact:

Catherine Phythian, Committee and Member Services Officer, Committee Services Officer

📞 01865 252402

✉️ [democraticservices@oxford.gov.uk](mailto:democraticservices@oxford.gov.uk)

### **Members of the public can attend to observe this meeting and**

- may register in advance to speak to the committee in accordance with the [committee's rules](#)
- may record all or part of the meeting in accordance with the Council's [protocol](#)

Information about speaking and recording is set out in the agenda and on the [website](#)

Please contact the Committee Services Officer to register to speak; to discuss recording the meeting; or with any other queries.

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*All public papers are available from the calendar link to this meeting once published*

## Committee Membership

Councillors: Membership 9: Quorum 5: substitutes are permitted.

Councillor Colin Cook	Jericho and Osney;
Councillor Michael Gotch	Summertown;
Councillor Tiago Corais	Littlemore;
Councillor Paul Harris	St. Margaret's;
Councillor Alex Hollingsworth	Carfax;
Councillor Richard Howlett	Carfax;
Councillor Dan Iley-Williamson	Holywell;
Councillor Marie Tidball	Hinksey Park;
Councillor Louise Upton	North;

Apologies and notification of substitutes received before the publication are shown under *Apologies for absence* in the agenda. Those sent after publication will be reported at the meeting. Substitutes for the Chair and Vice-chair do not take on these roles.

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# Agenda

		Pages
	<b>Public access and speaking</b>	
	This meeting will be held remotely on Zoom. For details about public access and speaking at the meeting, please see the information towards the end of the agenda frontsheet.	
	<b>Planning applications - background papers and additional information</b>	
	To see representations, full plans, and supplementary information relating to applications on the agenda, please <a href="#">click here</a> and enter the relevant Planning Reference number in the <input type="text"/> search box.	
	Any additional information received following the publication of this agenda will be reported and summarised at the meeting.	
<b>1</b>	<b>Apologies for absence and substitutions</b>	
<b>2</b>	<b>Election of Chair for the Council year 2020-21</b>	
<b>3</b>	<b>Election of Vice Chair for the Council year 2020-21</b>	
<b>4</b>	<b>Declarations of interest</b>	
<b>5</b>	<b>19/03106/FUL: Lucy Faithfull House, 8 Speedwell Street, Oxford, OX1 1PX</b>	15 - 56
	<b>Site address:</b> Lucy Faithfull House, 8 Speedwell Street, Oxford, OX1 1PX	
	<b>Proposal:</b> Full Planning Application for the erection of 36no. dwellings (C3 Use Class) including 50% affordable housing with associated access, parking and landscaping on the site of the former Lucy Faithfull House	

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**Recommendation:**

The West Area Planning Committee is recommended to:

1. Delegate authority of the Head of Planning Services to **approve the application** following the expiry of the notice period of 21 days and completion of the appropriate certificate relating to the requisite serving of certificate B, as required under the Town and County Planning (Development Management Procedure) (England) Order 2015; for the reasons given in the report and subject to the required planning conditions set out in section 12 of the report.
2. **Agree to delegate authority** to the Head of Planning Services to:
  - Finalise the recommended conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary.
  - Decide whether to refer the application back to the West Area Planning Committee following the expiry of the notice period, if considered reasonably necessary.

**6      19/02531/FUL: St Pauls House , Walton Street, Oxford, OX2 6ER**

57 - 90

**Site address:** St Pauls House, Walton Street, Oxford, OX2 6ER

**Proposal:** Partial demolition of existing buildings. External alterations and additions to St Pauls House, including external cladding and roof extension to form a fourth floor. Erection of new four storey building fronting Cranham Street. Change of use of extended ground floor to Class A1 (retail), Class A2 (professional and financial services) and Class B1 (office), and provision of nine new Class C3 dwellings (including 4x2 bedroom flats and 5x3 bedroom flats). Provision of four car parking spaces.

**Recommendation:**

The West Area Planning Committee is recommended to:

1. approve the application for the reasons given in the report and subject to the required planning conditions set out in section 12 of the report and grant planning permission subject to;
  - a. Confirmation from the Lead Local Flood Authority that

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they have no outstanding objections to the proposed development; and

2. agree to delegate authority to the Head of Planning Services to:
  - a. finalise the recommended conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary.

## 7      **19/03149/FUL: Site Of Oxford University Science Area, South Parks Road, Oxford**

91 - 124

**Site address:**                      Site Of Oxford University Science Area,  
South Parks Road, Oxford

**Proposal:**                          Public realm works, including hard and soft landscaping, rationalisation of car and cycle parking, provision of new cycle store buildings and creation of public spaces.

### **Recommendation:**

The West Area Planning Committee is recommended to:

1. **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 grant planning permission; and
2. **agree to delegate authority** to the Head of Planning Services to:
  - finalise the recommended conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary

## 8      **Minutes**

125 -  
130

**Recommendation:** to approve the minutes of the meeting held on 19 May 2020 as a true and accurate record.

## 9      **Forthcoming applications**

Items currently expected to be considered by the committee at future

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meetings are listed for information. This is not a definitive list and applications may be added or removed at any point. These are not for discussion at this meeting.

19/00608/FUL: Jurys Inn, Godstow Road, Oxford, OX2 8AL	Committee decision
19/01662/FUL: 75 Botley Road, Oxford, OX2 0EZ	Called in
18/02989/FUL: 269 Cowley Road, Oxford, OX4 2AJ (Bartlemas Nursery)	Committee decision
19/02306/FUL: Castle Hill House, 9 New Road, Oxford, OX1 1LT	Committee decision
19/02307/LBC : Castle Hill House, 9 New Road, Oxford, OX1 1LT	
19/02578/OUT: Land Forming The Site Of Former Cold Arbour Filling Station, 281 Abingdon Road, Oxford, OX1 4US	
19/02601/FUL: Frewin Quad, New Inn Hall Street, Oxford, OX1 2DH	
20/00549/LBC:Town Hall, St Aldate's, Oxford OX1 1BX	
19/02815/FUL: Land Between 45 And 51 Hill Top Road, Oxford, Oxfordshire	Called in
19/02816/FUL: Land Between 45 And 51 Hill Top Road, Oxford, Oxfordshire	
19/02817/FUL: Land Between 45 And 51 Hill Top Road, Oxford, Oxfordshire	
19/02926/FUL: Land Adjacent The Old School, Gloucester Green, Oxford, OX1 2BU	Committee decision
19/03013/FUL: 8 Hollybush Row, Oxford, OX1 1JH	
19/02723/FUL: 20 Blenheim Drive,	

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Oxford, OX2 8DG	
20/00166/FUL: Rhodes House, South Parks Road, Oxford, OX1 3RG	
20/00167/LBC: Rhodes House, South Parks Road, Oxford, OX1 3RG	
20/00116/FUL: Fairfield, 115 Banbury Road, Oxford, OX2 6LA	
20/00182/VAR: Oxford Railway Station, Park End Street, Oxford, OX1 1HS	
20/00259/FUL: 33-37 Offices, Stockmore Street, Oxford, OX4 1JT	
20/00549/LBC: Town Hall, St Aldate's, Oxford, OX1 1BX	
20/00747/VAR: The White Rabbit,	Called in
20/00970/FUL: 18 Victoria Rd, Summertown, Oxford	Called in

## 10 Dates of future meetings

Future meetings of the Committee are scheduled on:

2020		2021
	8 September	19 January
	13 October	9 February
7 July	10 November	9 March
11 August	8 December	13 April

These meetings will be held remotely until further notice.

Remote meetings will commence at 3pm; joining details will be provided nearer the time and published on the website.

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## 11 Public access to this meeting and members of the public speaking

**Remote meetings will be held on Zoom.**

### **Public access to remote meetings**

1. You can watch the meeting remotely by clicking on the link in the comments section or under 'media' sited just above the agenda items.
2. The live link will appear on this page just as the meeting starts. This will launch a YouTube video of the live meeting. If it does not, then follow the link to the council's YouTube channel where the video will be playing.

### **Registering to speaking**

3. Members of the public can register to speak at a meeting in accordance with the Procedure Rule within Council's Constitutions.
4. **For this committee you must register to speak before noon on the working day before the meeting**, giving the application name/number and whether you are supporting or objecting. You must also supply an email address and phone number.
5. **Members of the public registering to speak are recommended to submit their contribution in writing to [democraticservices@oxford.gov.uk](mailto:democraticservices@oxford.gov.uk) not less than 24 hours before the meeting is due to start.** This will ensure that their contribution can be taken into account and, where necessary, responded to, in the event that the connection is poor or they are otherwise unable to join the meeting. Members of the public who register to speak will be advised of any word limit for their written submission.

### **Public attendance and speaking at remote meetings**

6. Members of the public viewing the meeting should do this through the weblink to the live stream as above.
7. Members of the public may register to speak at the meeting in accordance with the procedure rules (see 4 and the notes at the end of the agenda frontsheet)
8. Those registering to speak will be provided with joining instructions and guidance on public participation in remote meetings by the

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Committee and Member Services Team.

9. When the meeting starts, or during the agenda item before the one they are speaking on, they should follow these instructions and join the meeting. When joining a meeting members of the public with a right to speak must ensure that they can be identified as a registered speaker otherwise their access to the meeting will be blocked.
10. They will be held as an 'attendee' and be able to see and hear the meeting but not take part.
11. The Meeting Host will 'enable' their microphone when they are called to speak, or may admit them to the meeting. They must not speak until are invited to do so by the Chair. Speeches are timed from the first words of the speech: there is no penalty for delays caused by the technology.
12. The member of the public may remain as an attendee or in the meeting to hear the remainder of the agenda item. Once their contribution has been heard the Meeting Host will mute their microphone and it must remain muted for the remainder of the meeting unless the Chair invites them to speak again, at which point the microphone will be enabled again.
13. At the end of the agenda item, the Chair may ask speakers attending for that item to disconnect from the remote meeting and the Meeting Host may remove their access to the meeting. Members of the public may continue to observe the meeting by watching the live stream accessed via a link on the Council's [meetings webpages](#).
14. If a member of the public exercising their right to speak at a remote meeting loses connectivity during their contribution, they should immediately dial back in to the meeting using the telephone number provided in the joining instructions.
15. If a member of the public exercising their right to speak at a remote meeting loses connectivity and is unable to re-join the meeting their previously submitted written contribution will be considered (it will be read out by an officer who will keep strictly to the allocated time limit). If no written contribution has been submitted the meeting will proceed without considering their contribution.

#### **Press access to remote meetings**

16. Journalists wishing to attend a remote meeting are advised to inform [pressoffice@oxford.gov.uk](mailto:pressoffice@oxford.gov.uk) not less than 24 hours before the

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meeting is due to start to be issued with joining instructions.

17. Journalists in remote attendance are asked to keep their microphone muted and their video camera turned off.
18. Alternatively journalists can access meetings by viewing the live stream as set out in 1 and 2 above.

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## **Information for those attending**

### **Recording and reporting on meetings held in public**

Members of public and press can record, or report in other ways, the parts of the meeting open to the public. You are not required to indicate in advance but it helps if you notify the Committee Services Officer prior to the meeting so that they can inform the Chair and direct you to the best place to record.

The Council asks those recording the meeting:

- To follow the protocol which can be found on the Council's [website](#)
- Not to disturb or disrupt 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, even inadvertently, unless they are addressing the meeting.

Please be aware that you may be recorded during your speech and any follow-up. If you are attending please be aware that recording may take place and that you may be inadvertently included in these.

The Chair of the meeting has absolute discretion to suspend or terminate any activities that in his or her opinion are disruptive.

### **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". 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.

## **Procedure 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 interests is available from the Monitoring Officer.

### **The following minimum standards of practice will be followed:**

1. All members of the Committee will have pre-read the officers' report. Committee 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 guidance at 24.15 (Planning Code of Practice) in the Council's Constitution).
2. At the meeting the Chair may draw attention to this procedure. The Chair may 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.
4. In determining an application Committee 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 overturning the officer's recommendation have been formulated including the reasons for refusal or the wording of any planning conditions; 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.

### **Public requests to speak**

**Members of the public wishing to speak must notify the Committee 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 via e-mail or telephone, to the Committee Services Officer (details are on the front of the Committee agenda).

### **Written statements from the public**

**Any written statement that members of the public or 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 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**

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

### **Recording meetings**

This is covered in the general information above.

### **Meeting Etiquette**

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.

**This procedure is detailed in the Annex to part 24 of the Council's Constitution as agreed at Council in January 2020.**

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## West Area Planning Committee

9<sup>th</sup> June 2020

<b>Application number:</b>	19/03106/FUL		
<b>Decision due by</b>	4 <sup>th</sup> March 2020		
<b>Extension of time</b>	TBA		
<b>Proposal</b>	Full Planning Application for the erection of 36no. dwellings (C3 Use Class) including 50% affordable housing with associated access, parking and landscaping on the site of the former Lucy Faithfull House		
<b>Site address</b>	Lucy Faithfull House , 8 Speedwell Street, Oxford, OX1 1PX – see <b>Appendix 1</b> for site plan		
<b>Ward</b>	Carfax Ward		
<b>Case officer</b>	Michael Kemp		
<b>Agent:</b>	Mr Mark Cooke	<b>Applicant:</b>	Oxford City Housing Limited
<b>Reason at Committee</b>	The proposals are major development		

## 1. RECOMMENDATION

1.1. West Area Planning Committee is recommended to:

1.1.1. Delegate authority of the Head of Planning Services to **approve the application** following the expiry of the notice period of 21 days and completion of the appropriate certificate relating to the requisite serving of certificate B, as required under the Town and County Planning (Development Management Procedure) (England) Order 2015; for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report.

1.1.2. **Agree to delegate authority** to the Head of Planning Services to:

- Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary.
- Decide whether to refer the application back to the West Area Planning Committee following the expiry of the notice period, if considered reasonably necessary.

## 2. EXECUTIVE SUMMARY

- 2.1. This report considers the redevelopment of the presently vacant site of the former Lucy Faithfull House Hostel on the corner of Faulkner Street and Speedwell Street to provide 36 residential flats within a building ranging from four to six storeys.
- 2.2. The proposals would see the redevelopment of a currently vacant brownfield site in a prominent location in the West End area of the City Centre. The proposals would provide a total of 36 new homes, 50% of which would be affordable, of which 83% of the affordable homes would be socially rented accommodation. The proposals would provide an important windfall contribution of 36 dwellings towards meeting the City Council's housing needs, particularly the need for affordable accommodation which would represent a significant public benefit of the scheme.
- 2.3. The site is in a highly sustainable location and as required under Policy HP16 of the Sites and Housing Plan, the development would be car free, with the exception of two disabled parking bays which would be provided. A minimum of 76 cycle parking spaces will be provided and shall be secured by condition.
- 2.4. The development would be sited in close proximity to a number of existing residential dwellings in Faulkner Street, Speedwell Street and Albion Place. The impact on these adjacent properties has been objectively assessed through a daylight/sunlight study and officers are satisfied that the development would not have a significant detrimental impact on the amenity of adjacent occupiers with respect to existing levels of natural light enjoyed by adjacent residents. The impact of overlooking has also been assessed and officers are satisfied that the siting of the proposed housing would not adversely affect the privacy of adjacent occupiers. Likewise the scale of development is considered commensurate with existing development in the immediate vicinity of the site and the general scale of development, which may be typically expected in a City Centre location. The scale and massing of the building ensures there is a transition between the larger scale development fronting Speedwell Street and the smaller scale, two storey properties in Faulkner Street. Officers consider that the overall scale of the building would not be overbearing in the context of the surrounding residential properties.
- 2.5. The overall height of the building at the highest point would be 19.4 metres, this would exceed the height limit of 18.2 metres specified within Policy HE9 of the Council's Existing Local Plan and Policy DH2 of the Emerging Local Plan which relate to the development of high buildings within 1200 metres of Carfax. In this regard the proposals would represent a departure from the Council's development framework. Overall officers are satisfied that the scale, design and massing of the building is acceptable in the context of the surrounding area which includes some sizeable existing development throughout. The application is accompanied by a Visual Impact Assessment, which includes an assessment of the height and massing of the building, as viewed from key verified internal and external viewpoints, as well as key public views from street level, including important views from within and into the Conservation Area.
- 2.6. The development would impact on the setting and significance of both the Central Conservation Area in terms of the prominence of the building and how



this is experienced principally in public views from Littlegate Street to the north of the site and views from Carfax Tower and the Westgate roof terrace. The development would result in less than substantial harm to the setting of the Central Conservation Area, principally as a result of the minor loss of views of the green backdrop from the roof terrace of the Westgate terrace and to a lesser extent from Carfax. The scale of the building would also mean that the building has some prominence in public views, though the building would not break the skyline to a significant extent given the extent of the existing development in the area, the exception being in select views from the Westgate terrace.

- 2.7. The development would also impact on the significance of the adjacent Grade II listed Deaf and Hard of Hearing Centre, namely in terms of the impact of the scale and massing of the building and how this is perceived, particularly in public views from Littlegate Street. Overall, accounting for each of the aforementioned factors, the level of harm caused to the setting and significance of the Central Conservation Area and the Grade II listed building is considered to be less than substantial. Great weight has been given to the conservation of these designated heritage assets as required by paragraph 193 of the NPPF and when assessed under the balancing exercise required under paragraph 196 of the NPPF, it is considered that the public benefits of the scheme, particularly in terms of the provision of 36 homes, 18 of which would be affordable would outweigh this less than substantial harm.
- 2.8. For the reasons outlined in the report, officers recommend approval of this planning application.

### **3. LEGAL AGREEMENT**

- 3.1. This application would not be subject of a legal agreement as the site is owned by the City Council. The provision of the affordable housing would therefore be controlled through a planning condition.

### **4. COMMUNITY INFRASTRUCTURE LEVY (CIL)**

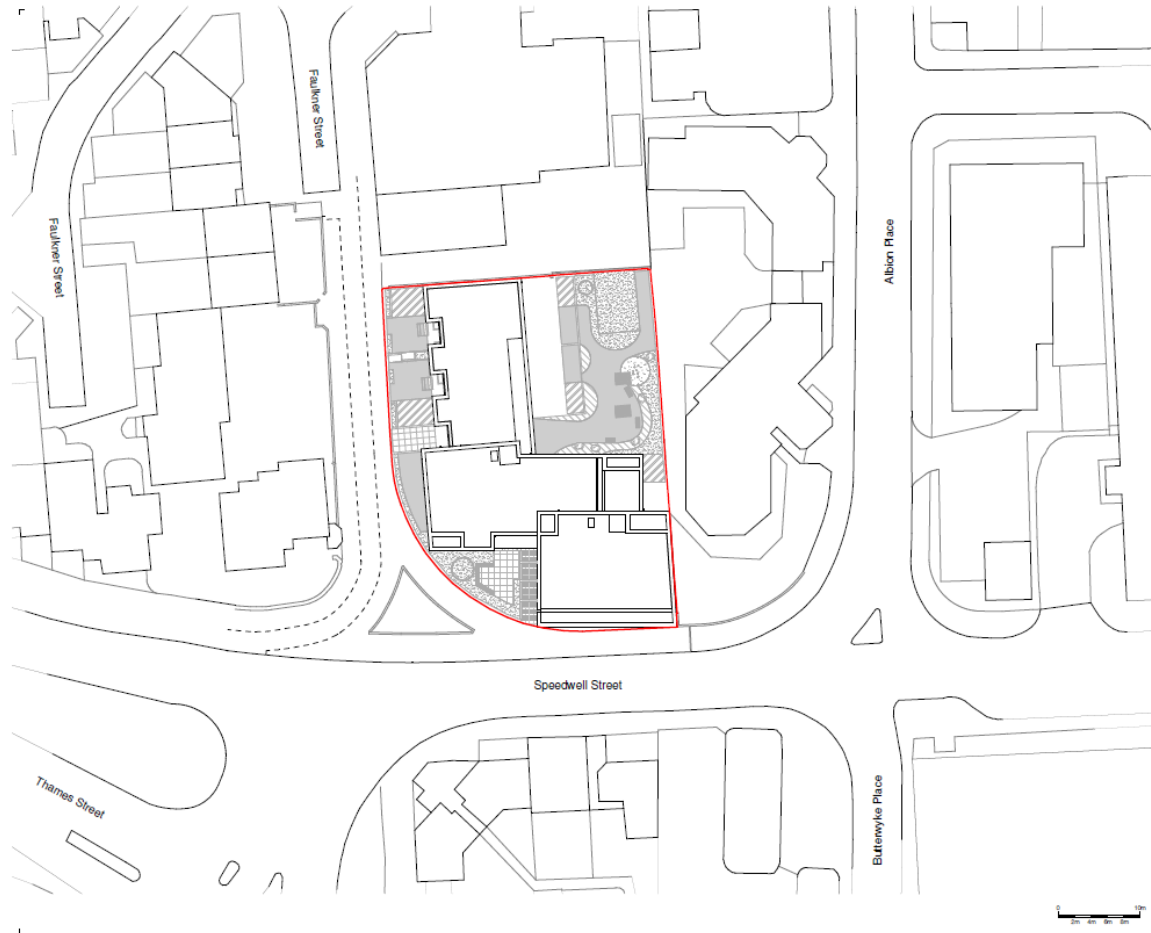
- 4.1. The proposals would be liable for a CIL contribution.

### **5. SITE AND SURROUNDINGS**

- 5.1. The site is located in the south of Oxford City Centre on the corner of Faulkner Street and Speedwell Street. The site is vacant and surrounded by metal security fencing. Lucy Faithfull House, which was formerly on the site was a four storey buff brick building which operated as a hostel. The main part of the former Lucy Faithfull House extended along the eastern and northern edges of the site, with the blank façade of the south and east facing elevations extending up to the Speedwell Street and Faulkner Street respectively. A single storey element of the building extended up to the corner of Speedwell Street and Faulkner Street, enclosing a central landscaped courtyard. The hostel building was demolished in 2018 and the site cleared.
- 5.2. There is existing residential development to the east of the site consisting of a three storey block of flats, constructed from dark brick, which lies on the opposite

corner plot of Speedwell Street and Faulkner Street. The other residential properties opposite the site, on the eastern side of Faulkner Street are two storey 1980's dark brick houses. Two of these properties front Faulkner Street behind small front gardens.

- 5.3. To the north of the site is the Oxford Deaf and Hard of Hearing Centre. This building is used principally for a community based use, with ancillary office space. This is a Grade II listed building, which comprises a number of elements, of differing age, the oldest of which is a 16<sup>th</sup> Century Cottage, which forms the northernmost part of the building range. The closest elements to the application site are the 19<sup>th</sup> century Baptist Church Hall which is used by the Deaf and Hard of Hearing Centre and Trinity Church. The Baptist Church Hall is a two storey building which includes later extensions consisting of two projecting south facing gables. The Central Oxford Conservation Area extends up to the southern boundary of the site and includes the Oxford Deaf and Hard of Hearing Centre. Though the application site does not fall within the parameters of the Conservation Area, the site is within the immediate setting of the Conservation Area.
- 5.4. Brooks Taylor Court is located to the east of the site, this is a four storey residential building used as retirement accommodation and is constructed from light brown brick. The corner of the four storey element of the building extends close to the eastern boundary of the application site, this drops down to a single storey element which forms the southernmost range of this building, which houses amenity facilities associated with this building. The southernmost part of the site contains an area of outdoor amenity space which is surrounded by a perimeter wall. The area to the rear of the building, adjoining the application site is currently used as surface level car parking accessed via Albion Place to the East.
- 5.5. Speedwell Street adjoins the southern boundary to the site and is a principal city centre through route. Opposite the site is a two storey dark brick apartment building, which is located on the corner plot of Speedwell Street and Thames Street. There is also a substation building which lies on the corner with Butterwyke Place which is principally enclosed, but also includes external electrical services surrounded by metal security fencing. There is currently no vehicular access from Speedwell Street to Faulkner Street. The corner junction of these two roads currently contains a raised planted bed and tree.
- 5.6. See block plan below:



## 6. PROPOSAL

- 6.1. The application proposes the erection of a Class C3 residential apartment building ranging between four and six storeys, comprising 36 flats, along with associated landscaped amenity space, access and disabled parking provision. The building would extend to a maximum height of 19.4 metres to the roof ridge.
- 6.2. A boundary wall would enclose the perimeter of the site along Speedwell Street and Faulkner Street. This would enclose a central entrance courtyard to the flats as well as external terrace areas serving as external amenity spaces for three of the ground floor flats. Two internal bike stores would be located adjacent to Speedwell Street and would be accessed from Speedwell Street. A rear landscaped area of shared amenity space is proposed.
- 6.3. The City Council has an existing right of access across the parking area of the adjacent Brooks Taylor Court, access from this point would be used to serve the two disabled parking spaces which are proposed. With the exception of the disabled parking spaces the development would be car free.

## 7. RELEVANT PLANNING HISTORY

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

00/01933/NF - New entrance to ground floor elevation. Permitted 20th December 2000.

72/26599/A\_H - Hostel for Church Army 8 Speedwell Street - Erection of a new hostel for Church Army, accommodating 80 people. Permitted 6th November 1972.

73/00882/A\_H - Erection of new welfare hostel (reserved matters). Permitted 10th July 1973.

17/03395/DEM - Application to determine whether prior approval is required for the method of demolition – Prior approval granted for demolition

## 8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Core Strategy	Sites and Housing Plan	West Area Action Plan	Emerging Local Plan
Design	12	CP1 Development Proposals CP6 Efficient Use of Land & Density CP8 Designing Development to Relate to its Context CP9 Creating Successful New Places CP10 Siting Development to Meet Functional Needs CP11 Landscape Design CP13 Accessibility	CS18 Urban design, townscape, character, historic environment,		WE11 WE12	DH1
Conservation/Heritage	16	HE2 HE3 HE7			WE10	DH2 DH3 DH4

Housing	5		CS22 Level of housing growth CS23 Mix of housing CS24 Affordable housing CS2 Previously developed and greenfield land	HP2 Accessible and Adaptable Homes HP3 Affordable Homes from Large Housing Sites HP9 Design, Character and Context HP11 Low Carbon Homes HP12 Indoor Space HP13 Outdoor Space HP14 Privacy and Daylight HP15 Residential cycle parking	WE15 WE16	H1 H2 H4 H10 H14 H15 H16
Natural environment	15	NE15 Loss of Trees and Hedgerows	CS12 Biodiversity			G8
Transport	9		CS13 Supporting access to new development			M1 M2 M3 M4 M5
Environmental	15	CP19 Nuisance CP21 Noise CP22 Contaminated Land CP23 Air Quality Management Areas	CS9 Energy and natural resources CS10 Waste & Recycling CS11 Flooding		WE13 WE14	RE1 RE2 RE3 RE6 RE8 RE9
Miscellaneous		CP.13 CP.24 CP.25		MP1		SP1

## 9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 11<sup>th</sup> December 2019 and an advertisement was published in the Oxford Times newspaper on 12<sup>th</sup> December 2019.

9.2. Following receipt of amended plans, the application was re-advertised by site notice on the 18<sup>th</sup> March 2020 and in the Oxford Times Newspaper on the 19<sup>th</sup> March 2020.

### **Statutory and non-statutory consultees**

#### Oxfordshire County Council (Highways)

##### Site Location and Accessibility

9.3. The site is in a highly sustainable location with good access to public transport hubs and the amenities within the city centre. Residents are within walking/cycling distance to the train station employment areas. The site has good pedestrian permeability which is beneficial for multi-directional travel.

9.4. Emergency refuse and delivery vehicles can access the site from Faulkner Street, the refuse store is within acceptable distance and therefore no objection has been raised. Due to the sensitivity of the area at peak times, a Construction Traffic Management Plan is required and has been conditioned.

##### Car and Cycle Parking

9.5. The site is to be car-free other than 2 disabled bays accessed from the north of the site. Although the site is not within a Controlled Parking Zone (CPZ) there are on-street parking restrictions on all local streets that are enforced. Therefore, the car-free nature is deemed acceptable.

9.6. The applicant has quoted Policy HP15 of the Sites and Housing Plan but has not provided this level of cycle parking. 1 & 2-bed properties are required to provide a minimum of 2 spaces whilst 3-bed properties should provide a minimum of 3. Therefore, a minimum of 73 covered, secure and accessible cycle spaces should be provided.

#### Oxfordshire County Council (Drainage)

9.7. No objection following the provision of further details, this is subject to the submission of a drainage scheme requested by condition.

#### Thames Water Utilities Limited

9.8. No objection with regard to Foul Water Sewerage Capacity. A condition requiring further details relating to surface water drainage is recommended.

#### Natural England

9.9. No comments

#### Environment Agency

9.10. Do not wish to comment

#### Historic England

9.11. Do not wish to comment.

Oxford Preservation Trust

9.12. Comments were received on the 8<sup>th</sup> January 2020 in relation to the originally submitted proposals.

9.13. Support was expressed in respect of the principle of development and the desire to maximise development on the site, however concerns were expressed regarding the mass and height of the proposed building. It was stated that the development site is within the area that is capable of 'playing a trick' on the eye, so that it is scarcely believable that a building here when viewed from the ground, can have such a profound impact in the distant view.

9.14. It was queried whether the building would simply sit behind the British Telecom building as described rather than stretching out to the west. Some concerns were expressed regarding the adequacy of the applicant's views assessment and quality of the imagery used.

9.15. Following the re-advertisement of the amended plans its further comments were received on the 14<sup>th</sup> May 2020. Concerns were expressed about the impact of the height and massing of the building on views into and out of Oxford. Concern was expressed regarding the visual impact of the building as viewed from the Westgate.

9.16. Concern was expressed that the development when viewed from this position would appear highly visible and alien. Concern was expressed that the development will cut through the skyline hiding the green backdrop. It is also considered that Lucy Faithfull House will appear to be visible in distant views from the western hills, as the BT Building and Luther Court are, sitting in the foreground of the dreaming spires, harming their setting and enjoyment of them.

Thames Valley Police

9.17. Welcome the applicant's proactive approach to crime prevention design and consider that the development is likely to meet the requirements of Paragraph 127 of the NPPF. No objections are raised and recommend attaching a condition requiring an application for Secured by Design (SBD) accreditation.

**Public representations**

9.18. No public comments have been received in relation to the originally submitted plans or in relation to the amended plans.

**10. PLANNING MATERIAL CONSIDERATIONS**

10.1. Officers consider the determining issues to be:

- Principle of development
- Affordable housing
- Housing mix

- Design and Impact on heritage assets
- Archaeology
- Amenity
- Transport
- Flooding
- Ecology
- Air Quality
- Contamination
- Noise

### **Principle of development**

- 10.2. In relation to the national planning policy requirements, Paragraph 59 of the NPPF requires that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed; that the needs of groups with specific housing requirements are addressed; and that land with permission is developed without unnecessary delay.
- 10.3. NPPF Paragraph 11 outlines the overarching requirement that in applying a presumption in favour of sustainable development Local Authorities should be approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 10.4. The application is for residential development on a previously developed brownfield site. Paragraphs 117 and 118 of the NPPF give substantial weight to the redevelopment of brownfield sites for the purposes of providing new homes and this should be viewed as one of the significant public benefits of the proposed scheme.
- 10.5. The Councils Emerging Local Plan outlines that provision will need to be made over the Local Plan period 2016-2036 for the delivery of 10,884 new homes. Over the period of 2016 to 2021 this equates to a stepped trajectory of 475 dwellings per annum. The application proposes a total of 36 dwellings, which would provide an important windfall contribution towards meeting local housing need. Notably 50% (18) of these units would be made available as affordable housing and this should be viewed as a significant public benefit of the proposed scheme.



- 10.6. The site is located within the West End Area of the City Centre. Policy CS5 of the Core Strategy outlines that the West End is a strategic focus within the City Centre for regeneration. The provision of new housing within the West End forms an important strand of Policy CS5 and the proposals would therefore be consistent with the Council's aims for regeneration in the West End area.
- 10.7. The former Lucy Faithfull House Hostel has since been demolished and was vacant for a period of time prior to its removal. The need for emergency accommodation for the homeless in Oxford is recognised and following the closure of Lucy Faithfull House provision has been made elsewhere in the city, which includes Matilda House in Rymers Lane in Cowley and Floyds Row in the City Centre. Accounting for these recent developments, there would not be a requirement to re-provide a similar facility on the site of the former Lucy Faithfull House.
- 10.8. Overall the principle of development is justified and would be beneficial in bringing forward the redevelopment of a vacant and prominent brownfield site consistent with the provisions of Paragraph 117 and 118 of the NPPF. The proposals would provide an important windfall contribution of 36 new homes, 18 of which would be provided as affordable homes. This would assist in meeting the Council's housing needs as outlined in Policy H1 of the Emerging Local Plan. Furthermore the proposals are consistent with the aims for the regeneration of the West End Area of the City Centre as outlined under Policy CS5 of the Core Strategy.

### **Affordable Housing**

- 10.9. Policy HP3 of the Sites and Housing Plan and Policy CS24 of the Core Strategy specifies that Planning permission will only be granted for residential development on sites with capacity for 10 or more dwellings, or which have an area of 0.25 hectares or greater, if a minimum 50% of dwellings on the site are provided as affordable homes. In terms of the tenure split of affordable housing, it would be expected that 80% of these affordable units should be socially rented.
- 10.10. Policy H2 of the Emerging Local Plan requires that 50% of units on all sites of 10 or more dwellings should be provided as affordable housing, with 40% of the total number of dwellings being made available as socially rented accommodation. Socially rented accommodation is defined within the Council's Emerging Local Plan as Homes that are let at a level of rent set much lower than those charged on the open market. The rent will be calculated using the formula as defined in the Rent Standard Guidance of April 2015 (updated in May 2016) or its equivalent or replacement guidance (relevant at the time of the application). It serves as accommodation for those in the greatest housing need for persons who would typically be unable to afford to rent alternative accommodation. Intermediate housing or shared ownership accommodation is partly sold and partly rented to the occupiers, with a Registered Provider (normally a housing association) being the landlord. Shared ownership housing should normally offer a maximum initial share of 25% of the open market value of the dwelling.

10.11. Of the 36 units proposed 18 of these (50%) would be affordable, whilst the remaining 18 units (50%) would be available for private sale. Of the 18 affordable units 15 of these would be socially rented (83%), whilst 3 of the units would be available as affordable rented units (17%). The tenure split of affordable/private units and social/affordable rent complies with the requirements of Policy HP3 of the Sites and Housing Plan. As the site is owned by Oxford City Council, the provision of affordable housing would be controlled by planning condition, rather than being secured through a legal agreement.

## Mix of Units

10.12. Policy CS23 of the Core Strategy states that new residential development should comply with the Balance of Dwellings Supplementary Planning Document (SPD) housing mix. The site is located within the City Centre, Table 4 of the Balance of Dwellings SPD, listed below outlines the target housing mix for the City Centre for developments of more than 10 units.

Table 4: Mix for City centre

Dwelling types	Dwelling mix for sites of 10 and above (percentage range)	Dwellings of 1-9 units
1 bed	15-25 %	No specific mix
2 bed	40-50 %	
3 bed	20-25 %	
4+bed	10-18 %	

10.13. The applicants proposed housing mix is listed in the table below which is included in the submitted design and access statement. It is noted that the proposed mix of units comprises almost entirely of one and two bedroom units, with the exception of a single three bedroom apartment. Consequently the housing mix would not comply with the requirements of Policy CS23 of the Core Strategy or the Councils Balance of Dwellings SPD.

Accommodation Schedule						
Tenure	1B2P	1B2PW	2B3P	2B4P	3B6P	Total
Target GIA	50m <sup>2</sup>	58m <sup>2</sup>	64m <sup>2</sup>	70m <sup>2</sup>	108m <sup>2</sup>	
Private Sale	8	0	4	5	1	18
Affordable Rent	0	0	0	3	0	3
Social Rent	8	2	0	5	0	15
Overall Totals	16	2	4	13	1	36
	44%	6%	11%	36%	3%	100%

10.14. The Oxford Local Plan 2036 hearings took place in December 2019. Following the public hearings the Council submitted a series of modifications in March 2020. Following consideration of the modifications the Council received the local plan inspectors' report on the 18<sup>th</sup> May 2020. The Inspectors concluded that with

the recommended main modifications set out in the Appendix to their report, the Local Plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework. Accounting for these matters it would therefore be correct to give the policy provisions of the 2036 Local Plan significant weight.

- 10.15. The Emerging Local Plan reflects a shifting direction in terms of the target housing mix on larger housing sites of 25+ dwellings reflecting the need to make best use of sites to deliver an optimum number of dwellings. Policy H4 of the Emerging Plan requires a target housing mix on new developments of 25 or more units, this is limited to only the affordable homes and does not apply to sites in the City Centre. Sites below the threshold or within the city centre or a district centre should demonstrate how the proposal has had regard to local housing demand, including for affordable housing demonstrated by the housing register.
- 10.16. The site is within the City Centre, so there would be no specific requirement to provide three or four bedroom homes on this site, though as clarified under Policy H4 regard should be given to local housing demand, as demonstrated by the housing register. In this respect, the City's Housing Register identifies that the principle requirement for affordable housing is for 1 and 2 bedroom dwellings. The provision of smaller units also has the joint benefit of making available larger properties which are currently under occupied for persons in need of these larger properties.
- 10.17. Emerging Local Plan Policy RE2 places specific emphasis that development should make efficient use of sites. This includes high density developments of 100dph in the City Centre. NPPF Paragraph 123 states that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimum use of the potential of each site. The delivery of a scheme which provides a substantial number of larger (3+ bedroom) units on this site, whilst also making efficient use of the site is unlikely to be feasible given the size of the site and the additional amenity requirements in terms of outdoor space which would typically be expected for 3+ bedroom units. The proposed housing mix is therefore considered to be appropriate accounting for the site specific constraints and the City Centre location of the site.
- 10.18. The Council's Core Strategy and Balance of Dwellings SPD predates the NPPF and as such the policy provisions of the existing framework must be read in conjunction with the NPPF in terms of compatibility. Policy H4 of the Emerging Local Plan, unlike the Balance of Dwellings SPD does not predate the NPPF and as such takes into account all other material planning considerations outlined within the framework. In officers' view there a clear requirement to balance the provision of a mix of housing in order to achieve balanced communities with other fundamental material planning considerations, including the need to make effective use of land which forms a fundamental element of the NPPF (Chapter 11).

10.19. In summary, whilst the proposals conflict with Policy CS23 of the Core Strategy and the target housing mix identified within the Balance of Dwellings Supplementary Planning Document, officers consider that the proposed mix would be consistent with the provisions of Policy H4 of the Emerging Local Plan, which is now afforded significant weight and is not restrictive of housing mix within City Centre locations.

### **Design, building height and Heritage Impacts**

10.20. 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. This is also reflected within Policy DH1 of the Emerging Local Plan, which specifies that planning permission will only be granted for development of high quality design that creates or enhances local distinctiveness.

10.21. The Oxford Local Plan recognises the importance of views of Oxford from surrounding high places, both from outside Oxford's boundaries but also in shorter views from prominent places within Oxford. As a result there is a high buildings policy (HE9), which states that development should not exceed 18.2m in height or ordnance datum 79.3m, whichever is the lower, within a 1,200m radius of Carfax except for minor elements of no great bulk and a View Cones Policy (HE10) which 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. This requirement is similarly reflected in Policy DH2 of the Emerging Local Plan, which states that regard should be given to the design guidance outlined within the High Buildings Study TAN.

10.22. The proposed building is located within a 1200 metre radius of Carfax and exceeds the 18.2 metre height limit, therefore the development is technically contrary to Policy HE9 of the Oxford Local Plan and Policy DH2 of the Emerging Local Plan and the application has been advertised as a departure from the development plan for this reason. As the development involves the erection of a building of a significant height, within 1200 metres of Carfax, which also lies within a number of the view cones identified within the existing and emerging local plan policies maps, an assessment must be made as to the impact of the new building on the setting of the Central Conservation Area in the context of the identified internal and external key views and the impact on historic built environment of Oxford.

10.23. The site itself does not fall within the Central Oxford Conservation Area, however the boundary of the Central Conservation Area lies 10 metres to the north of the application site. Furthermore given the proposed height of the building and its potential prominence of the building in key public views, the

building's potential impact on immediate and longer distance views into and out of the Conservation Area must be afforded careful consideration, particularly in relation to considering the potential impact of the development on the city's historic skyline and setting.

10.24. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that: "In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

10.25. For development within or affecting the setting of Conservation Areas, the NPPF requires special attention to be paid towards the preservation or enhancement of the Conservation Area's architectural or historic significance. Paragraph 193 of the NPPF requires that: When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

10.26. Policy DH3 of the Emerging Local Plan similarly requires that development respects and draws inspiration from Oxford's unique historic environment, responding positively to the significance, character and distinctiveness of the heritage asset and locality. For all planning decisions for planning permission or listed building consent affecting the significance of designated heritage assets, great weight will be given to the conservation of that asset and to the setting of the asset where it contributes to that significance or appreciation of that significance. Policy HE7 of the Oxford Local Plan also requires that development should preserve or enhance the setting of the Conservation Area.

10.27. In order to properly assess the impact associated with the height, scale and massing of the building the applicants have prepared a 'Tall Buildings Assessment', which provides a visual analysis of the scale and massing of the building in relation to key internal and external public views from within and outside of the city. Officers are satisfied that the selection of public viewpoints at street level and elevated viewpoints is satisfactory, however for the purposes of robustness it was requested that a further view study was commissioned in order to assess the impact of the development from Boars Hill during the winter, at a time when tree cover was less dense, as the submitted view taken in the summer was potentially misleading. The additional view study has since been provided. In terms of the external views, including the additional views from Boars Hill, officers are satisfied that the development would not be visible or would only be visible to such a minimal extent that the development would have a negligible impact and would not break the skyline or obstruct views of important heritage assets.

10.28. The comments from Oxford Preservation Trust dated May 2020 in respect of the applicant's views assessment are noted, however officers are satisfied that the views assessment prepared by the applicants in terms of distant views correctly follows the guidance outlined in the Council's High Buildings Technical

Advice Note. The views assessment suggests that the building would not be seen within the view cones of Boars Hill, Raleigh Park or Hinksey Hill or at least to an extent where there would be any significant impact, this is partly due to the siting of existing buildings and significant tree cover. No evidence has been provided to the contrary to suggest that the building would be seen and would have a significant impact on these important external views of the historic skyline of the city.

- 10.29. In terms of the majority of internal elevated views from within the city, the proposed building would either not be visible as this would sit behind existing development or visible to such a minor extent that the visual impact would be negligible. In the case of views from St Mary's Tower and St George's Tower, whilst the building would be partially visible, the visual impact from these vantage points would be negligible. From these vantage points, views are limited to high level sections of the roof of the upper sections of the sixth storey, which merge with the ridge line and upper sections of the surrounding buildings and the building would not appear incongruous and would not break the skyline.
- 10.30. In terms of internal elevated views, the greatest magnitude of impact would be in views from the Westgate Centre Roof Terrace, as the majority of the building would be visible, given the relative distance to the site and accounting for the low height of the two storey houses in the foreground on Faulkner Street. The highest sixth storey element of the building would exceed the height of the surrounding buildings in the vicinity of the site, including Brooks Taylor Court and the BT telephone exchange building. The lower four storey sections do not break the skyline and in the case of the fifth storey element this does not appear to exceed the ridge height of the telephone exchange building or at least to any significant degree.
- 10.31. The originally submitted proposals, whilst not directly obstructing views of important and highly significant heritage assets including Tom Tower and Christchurch Tower, did break the verdant backdrop of the tree canopies of Christchurch Meadows and distant views of the wider landscape. This interruption has now been reduced through breaking the massing at the upper levels and the consequent increased variation in the profile of the southern section of the building. The more detailed articulation, through breaking up the apparent extent of the building facades and different material tones will mitigate the intrusion of the building in the views from the Westgate.
- 10.32. It is noted that the building, principally the fourth and fifth floors would also be visible in views from Carfax Tower as there are largely unobstructed views towards the site. The proposed buildings will disrupt the green tree canopies of St Ebbes that sit in the mid-ground of this view but will not intrude into the significant view of the distant green edge and wooded hills that lie to the south-west of the city which will remain as the skyline in this view from Carfax Tower.
- 10.33. The case for the need for and use of Photovoltaic Panels has been clearly and convincingly made as this is required to satisfy the energy needs of the building. There has been considerable study and investigation of the visibility and consequently impact of the proposed PV installation on rooftops. The angle of panels has been reduced to the minimum possible for optimum energy

generation. The design of the panels is proposed to use low reflective glass to reduce any impact of glare from solar impact which might be intermittently visually intrusive and distract from the significant Oxford skyline in views from the high ground to the south and south-west of the city.

10.34. When viewed from street level, the surrounding area consists of a mix of buildings of varying scale and architectural design. The Eastern end of Speedwell Street consists of large buildings including the four storey Speedwell House and five storey Telephone exchange as well as the three storey Magistrates Court. Adjacent to the application site is the four storey Brooks Taylor Court, a large block of retirement housing. There is a three storey block of flats on the opposite corner of Speedwell Street and Faulkner Street. The scale of some of these much larger buildings contrasts with the modest scale of the 1980's two storey houses immediately to the west of the site on the opposite side of Faulkner Street. It should also be noted that the former Lucy Faithfull House was a sizeable four storey building.

10.35. The public realm and urban environment in the vicinity of the site is considered to be very poor at present as a result of the poor architectural quality of a number of buildings which do not positively address the street and public realm creating blank frontages along much of the length of the street. Furthermore the general appearance of the street scene in the area is somewhat poor and neglected. The application site is a prominent corner plot which is very visible in public views. A positive redevelopment of the site therefore offers the opportunity to provide a landmark building which sets a positive precedent in enhancing design standards in what is a neglected part of the City Centre.

10.36. The amendments to the design of the scheme alter the massing, breaking it up to reduce the extent of facades and thereby giving a reduced sense of size and scale. This is particularly important in the views from Speedwell Street both from east and west. Whilst the scale of the building is substantial, officers consider that this is not inappropriate within the context of a prominent corner plot on a wide city centre road and when considered in the context of other sizeable surrounding buildings in the area. The larger elements of the building are sited along the Speedwell Street frontage, whilst the massing of the west facing elements is responsive to the notably lesser scale of the adjacent two storey dwellings in Faulkner Street. The building is considered to be of a good design standard and the proposals to bring forward the redevelopment of a vacant brownfield plot within a focus area for regeneration in the City Centre would be an enhancement to the overall character of the area.

10.37. The amended design offers some animation of the street whilst maintaining a defensible space with an enclosed front garden to the ground floor street facing apartments. The addition of blocks of varying texture in the fabric of the boundary wall that encloses the development breaks up the solidity of this boundary and combined with the designed gaps that offer glimpsed views to the landscaped spaces and courtyards within the development helps to significantly animate the surrounding public realm. The amended design also ensures some activation of the enclosed courtyard garden at the rear through making access to ground floor apartments directly off this space, again through enclosed gardens that offer some defensible space.

- 10.38. The greater articulation of the building facades, breaking them down into differently treated/finished elements that would have the impact of reducing the overall sense of size would result in a building that will sit more comfortably with the domestic residential scale which provides the most significant contribution to the character and appearance of the conservation area. The breaking up of the building mass would enable the building to sit more comfortably alongside the existing residential buildings in views into and out of the conservation area.
- 10.39. The site is adjacent to 10 Littlegate Street (Oxford Deaf and Hard of Hearing Centre) which is a Grade II listed building and lies immediately to the north of the application site. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 10.40. 10 Littlegate Street consists of a 16<sup>th</sup> Century Cottage, which incorporates a 13<sup>th</sup> Century Archway, as well as a number of later extensions of varying age, including the 19<sup>th</sup> Century Baptist Church Hall and a further late 19<sup>th</sup> Century two storey extension which are the closest in terms of their proximity to the site and the new building. The cottage and archway form the most historic and significant elements of the listed building.
- 10.41. The massing of the proposed building is responsive to the setting of the listed building in terms of the reduced scale of development along the Faulkner Street frontage, which achieves a relatively comfortable relationship with the scale of the two storey church hall and attached 19<sup>th</sup> Century extension. Consequently it is considered that these elements of the proposed building would not be overbearing in terms of their visual relationship with the listed building, thereby preserving the significance of these elements of the listed building.
- 10.42. The building, particularly the fifth and sixth storey elements would be visible in public views from the north in Littlegate Street, where the development would also impact on the setting of the Grade II listed 10 Littlegate Street as the backdrop of the larger elements of building would sit to the rear of the listed building, albeit that these larger elements of the proposal would be set back. The setting of the listed building makes some contribution to the building's significance, however this is considered to be very small. The amendments to the design of the proposed development and in particular to the design of the spaces around the building and the boundaries of the site would have a positive impact on the setting of the listed building and consequently any harm to the significance of the building is considered to be at the lower end of less than substantial harm.
- 10.43. The overall level of harm to the Central Conservation Area is considered be less than substantial. This is principally as a result of the overall height of the building and its visual presence and prominence in public views, including the elevated public views from Carfax Tower and the Westgate Terrace. The design amendments to the massing of the upper floors of the building would however lessen the visual intrusiveness of the upper sections of the building as viewed



from the Westgate terrace. This would impact on how the historic skyline, including views of Tom Tower and the historic spires are experienced from this important, relatively new public vantage point. In selected views from the Westgate Terrace, the development would disrupt some views of the green backdrop to the east, given the height and the massing of the building.

- 10.44. The building given its height would be visible in the foreground from the Westgate roof terrace, though it should be noted that any building larger than two storeys would be relatively prominent given the uncharacteristically low rise development to the west of the site and despite having some visual presence officers consider that the scale and massing would not be incongruous as it relates to the varied scale of buildings in the immediate vicinity of the site. It should be noted that the principal impact would be from the southern end of the roof terrace in terms of the scale of development and how this is perceived in relation to key views. The submitted visual impact assessment would indicate that the impact on the setting of the Conservation Area, as experienced in views from the mid terrace and northern end of the terrace is likely to be limited given the massing of the building. The presence of the building in the foreground, particularly when viewed from the southern end of the roof terrace would have a minor impact on the significance of the Conservation, namely in terms of the impact on public views of the historic skyline and the harm is assessed to be at the lower end of less than substantial harm.
- 10.45. Assessed against Policy DH2 of the Emerging Local Plan and the High Buildings TAN, the development would cause a minor element of visual obstruction to the green backdrop of Christchurch Meadows when viewed mainly from the southern end of the Westgate terrace. When viewed from Carfax the extent of any obstruction of the green backdrop would be minimal. From any assessed aspect the development would not directly obstruct views of the historic skyline and spires. The height of the building would break the skyline to a minor extent when viewed from the Westgate roof terrace mainly at the southern end, however the building is seen against the backdrop of other sizeable buildings. When viewed from Carfax the development would not be perceived as breaking the skyline when set against the scale and massing of the existing development to the south of Speedwell Street.
- 10.46. In terms of the impact on the Grade II listed Deaf and Hard of Hearing Centre, there would be a low level of less than substantial harm to the significance of this heritage asset as a result of the scale and siting of the higher sections of the proposed building and the visual impact on the setting of the listed building and how this is experienced. This is most prevalent when also considering key public views of the building from the north and Littlegate Street, where the upper sections of the fifth and sixth floor of the building would be clearly visible to the rear of the building. This would impact on how the most significant elements of the listed building, namely the 16<sup>th</sup> Century cottage are experienced and there would also be a low level of less than substantial harm to the setting and significance of the Conservation Area.
- 10.47. Taking all of the above factors into consideration, officers would conclude that the development would by reason of its scale, height and massing result in less than substantial harm to the setting and significance of the Central Conservation

Area and the Grade II listed Deaf and Hard of Hearing Centre (10 Littlegate Street). The application has been reviewed in depth by the Councils Conservation Officers who have similarly assessed the level of harm to be less than significant in respect of the impact on both the Conservation Area and the adjacent listed building.

10.48. In accordance with the requirements of Paragraph 193 of the NPPF, great weight is given to the Conservation of the Heritage assets which would be affected, namely in this instance the adjacent Grade II listed 10 Littlegate Street and the Central Conservation Area. The National Planning Policy Framework (Paragraph 196) states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

10.49. Officers consider that the localised and low level of less than substantial harm to the significance of the Grade II listed building and the Central Conservation Area would be justified in planning terms as this would be outweighed by the public benefits of the proposed development. The principal public benefit being the provision of an additional 36 dwellings to the city housing stock, 18 of which would be affordable accommodation, which would make a significant contribution windfall contribution towards meeting the city's urgent housing needs. Furthermore there would be substantial public benefits arising from the positive redevelopment of a prominent, derelict City Centre brownfield site which would provide localised visual benefits when viewed in Speedwell Street and other surrounding streets, where the site is substantially prominent. For these reasons officers consider the development is justified in accordance with the provisions of Paragraph 196 of the NPPF and when weighed against the relevant requirements of Policies HE3, HE7 and HE9 of the Oxford Local Plan and Policies DH2 and DH3 of the Emerging Local Plan.

10.50. The design of the proposed development is considered to relate appropriately to the context of the surrounding development within the vicinity of the site and there would be significant benefits to the overall character and appearance of the area which would arise from the redevelopment of a prominently sited, presently vacant City Centre brownfield site within a focus area for regeneration. For these reasons the development is considered to comply with Policies CP1, CP8, CP9 and CP10 of the Oxford Local Plan; Policy HP9 of the Sites and Housing Plan; Policy CS18 of the Core Strategy; and Policy DH1 of the Emerging Local Plan and the statutory tests outlined in Sections 66 and 72 of the of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

#### Archaeology

10.51. Policy H2 of the Existing Local Plan states that where archaeological deposits that are potentially significant to the historic environment of Oxford are known or suspected to exist anywhere in Oxford but in particular the City Centre Archaeological Area, planning applications should incorporate sufficient information to define the character and extent of such deposits as far as reasonably practicable.

- 10.52. Policy DH4 of the Emerging Local Plan states that applications should include sufficient information to define the character, significance and extent of such deposits so far as reasonably practical. The Policy states that proposals that will lead to harm to the significance of non-designed archaeological remains or features will be resisted unless a clear and convincing justification through public benefit can be demonstrated to outweigh that harm, having regard to the significance of the remains or feature and the extent of harm.
- 10.53. The site is located within the former walled precinct of the Oxford Blackfriars, which was of particular importance as a Studium Generale (place of higher education) for the order. The asset is not a scheduled monument but can be assessed as of equivalent significance. Aside from part of the precinct gateway (located within an adjacent listed building) nothing survives of the friary buildings above ground and the wider precinct has seen extensive development over the years resulting in localised and cumulative disturbance.
- 10.54. A field evaluation has been undertaken at this site by Museum of London Archaeology which has established that the footprint of the former Lucy Faithfull House was heavily disturbed when the building was constructed but that well-preserved walls and burials related to the friary church and adjoining buildings survive in the northern part of the site. The evaluation also recorded a pit full of cattle horn providing evidence for the use of the site for industrial processes, possibly tanning, following the dissolution of the friary in the 16th century.
- 10.55. The applicant has proposed a pile supported raft to bridge across the northern part of the site to avoid damaging below ground remains however a row of piles and caps will be required which will require careful archaeological excavation. The impact of the development is likely to result in harm to the significance of the asset which can be assessed as equivalent in status to a scheduled monument as a well-studied Dominican friary and Studium General for the order. The harm will be localised and less than substantial and should be weighed against the public benefits and merits of the application.
- 10.56. Where appropriate local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. Considering the results of the archaeological evaluation and the proposed foundation design, a foundation condition and an archaeological condition are recommended.
- 10.57. In accordance with the requirements of Paragraph 193 of the NPPF, great weight is given to the Conservation of the Heritage assets this includes archaeological assets. The National Planning Policy Framework (Paragraph 196) states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. The level of harm to archaeological deposits will be mitigated and therefore minimised through the construction design. Officers consider that the localised and low level of less than substantial harm to this heritage asset will be outweighed by the public benefits of the proposed development, namely the provision of an additional 36 houses, 18 of

which would be affordable accommodation, which would make a significant contribution towards local housing needs. Furthermore there would be substantial public benefits owing to the positive redevelopment of a prominent, derelict City Centre brownfield site.

## **Amenity**

### Existing Occupiers

- 10.58. To be acceptable, new development must demonstrate that it can be developed in a manner that will safeguard the residential amenities of the adjoining properties in terms of loss of amenity, light, outlook, sense of enclosure, and loss of privacy in accordance with Policy CP10 of the Oxford Local Plan 2001-2016 and Policy HP14 of the Sites and Housing Plan.
- 10.59. Policy H14 of the Emerging Local Plan outlines the requirement that new redevelopments must preserve a good quality environment for existing residents. This includes ensuring that new development provides reasonable privacy, daylight and sunlight for occupants of both existing and new homes.
- 10.60. There are several residential properties within close proximity to the site. To the west of the site are two residential apartment buildings (No.6 to 11 and No.12 to 17 Faulkner Street) and to the north west are a pair of semi-detached properties Nos. 4 and 5 Faulkner Street. Brooks Taylor Court is a four storey building comprising residential retirement and care accommodation which lies to the east and north east of the site, immediately adjacent to the site boundary. To the south of the site is a two storey apartment building on the corner plot of Thames Street and Speedwell Street, there are a number of north facing flats in this building which face the application site. The building to the north is owned by the Oxford Deaf and Hard of Hearing Centre and is used for non-residential uses falling within use Classes B1 and D1 of the Use Classes Order.
- 10.61. The semi-detached pair of two storey houses fronting Faulkner Street are set behind small front gardens and are to the north east of the four storey element of the apartment building at a separation distance of 17.6 metres. This is a relatively substantial separation distance and furthermore the windows in the proposed building would be offset in relation to the front facing windows serving Nos.4 and 5 Faulkner Street. The windows serving the upper floor flats in the proposed building would not therefore result in a significant loss of privacy to the occupiers of these properties by reason of overlooking.
- 10.62. The first, second and third floor flats in the proposed building would directly overlook Nos.6 to 17 Faulkner Street, which is a three storey apartment building. The rear elevation of this building faces the west elevation of the proposed building which would front Faulkner Street. There is a rear area of communal amenity space which would also be overlooked. There is a separation distance of 24.8 metres between the rear elevation of Nos. 6 to 11 Faulkner Street and the west facing elevation of the proposed apartment building. This is considered to be a significant separation distance and in officer's view, this would be acceptable in ensuring that existing occupiers are afforded appropriate levels of privacy. There would be a notable increase in the overlooking of the communal

garden areas of the flats, however communal areas of amenity space for flats would not typically be afforded the same level of protection as individual private amenity spaces serving houses. In any event these spaces are currently overlooked at ground level from the street and are not afforded significant privacy at the present time. Any development above single storey level would result in some loss of privacy to the adjacent communal gardens and in officers view it would be impractical or unreasonable to restrict development entirely on this basis. The proposed separation distances would ensure that the internal spaces of these flats would not be significantly overlooked.

10.63. In relation to the two storey houses and three storey flats to the west in Faulkner Street (Nos.4 to 17) it is noted that the massing of the building steps down to four storeys in order to negotiate the variance in the scale of the surrounding built form. The scale of the lower four storey section of the building, combined with the set back of the development from the eastern boundary of the site would ensure that the development would not have a significant overbearing impact on these adjacent properties.

10.64. There is a set of six windows on the east facing gable end of Nos. 12 to 17 Faulkner Street, which is a three storey block of flats. It is understood that these are secondary windows serving habitable rooms. Within the proposed building, there would be flats at levels 1 to 4 which would face this side elevation at a separation distance of 12.1 to 10.9 metres. The proposed building is set back into the site so as to minimise the extent of overlooking so much as is practically possible. When considering the densely developed context of the site and surrounding area and the spatial relationship between the proposed flats and the existing secondary windows, officers consider that the proposals would not result in an unacceptable loss of privacy to the occupiers Nos. 12 to 17 Faulkner Street.

10.65. Brooks Taylor Court to the East of the site has several west facing rooms serving flats which face the application site. Between the proposed sets of windows serving the apartments and the west facing windows serving the flats at Brooks Taylor Court, there would be a separation distance of between 19 and 30 metres, which is considered to be sufficient in ensuring that the internal spaces of the flats would not be unacceptably overlooked. There is a single storey section of Brooks Taylor Court which is located close to the site boundary and is used as a communal area for residents of the housing block. There is also an area of external communal amenity space associated with Brooks Taylor Court to the south of the single storey element of the building. The highest element of the proposed building would abut the site boundary and this area of communal amenity space.

10.66. When considering the impact of the proposed development on Brooks Taylor Court, it should be noted that the former Lucy Faithfull House immediately abutted the boundary with Brooks Taylor Court and included a number of east facing windows which overlooked the ground floor internal and external amenity spaces associated with Brooks Taylor Court. Whilst the development would enclose the amenity area, the impact of the development in terms of the scale of built form and its relationship with the amenity area associated with Brooks Taylor Court would not be dissimilar to the former Lucy Faithfull House building.

- 10.67. Care has been taken to limit the number of windows on the east facing elevation of the proposed building closest to Brooks Taylor Court, so as to avoid overlooking of the communal amenity areas and also the two sets of windows in the south west facing gable end of Brooks Taylor Court, which serve upper level flats. The upper floor windows in the proposed building would be limited to bathroom windows, in addition to secondary bedroom windows which are not directly facing the windows in the south west facing gable end of Brooks Taylor Court. The extent of overlooking of these windows is likely to be of a lesser extent than was previously the case, when the east facing elevation of Lucy Faithfull House included a number of east facing windows, directly overlooking the south west facing flats in Brooks Taylor Court. Notwithstanding this it should be conditioned that the east facing sides of the rear balconies serving the flats adjacent to Brooks Taylor Court, including the roof terrace serving the sixth floor flat, should be fitted with privacy screening to limit the extent of overlooking, in the interests of protecting the privacy of the occupiers of Brooks Taylor Court.
- 10.68. There is an existing two storey block of flats south of the site which fronts Speedwell Street (Nos. 15 to 21). The north facing elevation of this building features windows at ground and first floor level. The ground floor windows are immediately adjacent to the street and consequently do not benefit from any substantial degree of privacy at the present time, it is also noted that a number of these windows are obscure glazed and do not serve living spaces. There are a number of windows at first floor level which serve habitable rooms though it is noted that there is a separation distance of between 13.4 and 16.5 metres between the proposed south facing windows of the front elevation of the proposed building and the north facing windows serving Nos. 15 to 21 opposite, which are also separated by Speedwell Street. It is therefore considered that the proposed development would not result in an undue loss of privacy to the occupiers of these properties by reason of overlooking. The relatively significant separation would also ensure that the development does not have an overbearing impact on these properties, by reason of the scale of the proposed development.
- 10.69. The application is supported by a Daylight, Sunlight and Overshadowing Assessment which assesses the potential impact of the proposed development on the adjacent surrounding properties in accordance with BRE guidelines. The Sunlight and Overshadowing Assessment provides an assessment of the impact of the development on 206 windows serving buildings surrounding the site. Of the 206 windows tested 189 (90.8%) are compliant with the BRE criteria with 11 (5.4%) impacted to a low extent, 4 (1.9%) to a medium extent and 4 (1.9%) to a high extent.
- 10.70. There would be a notable impact on the east facing windows on the side gable of Nos.12 to 17 Faulkner Street, where the impact would be medium for three of the windows and low for three windows. It should be noted that these are secondary windows, which although these windows serve habitable rooms there are larger windows which also provide natural light to the internal living spaces of these flats, therefore in officers view it is considered that the proposed siting of the building would not significantly disadvantage the existing occupiers of these properties with respect to the amount of natural light received to the internal spaces of these properties.

- 10.71. In terms of the light to the existing rooms in Brooks Taylor Court, the position of the apartment building would ensure that the impact on the rear facing rooms in Brooks Taylor Court would be negligible. The siting of the proposed building would be an improvement on the previous situation where the largest elements of the former Lucy Faithfull House building were located on the boundary of the site immediately adjacent to Brooks Taylor Court, resulting in a situation where the majority of the rear facing ground and first floor windows were below the BRE criteria in terms of the amount of natural light received to the internal rooms in Brooks Taylor Court. The siting of the proposed building would ensure that the impact of the development on the west and south west facing windows in Brooks Taylor Court would be negligible in terms of the impact on natural light to these internal spaces. The applicant's assessment of Daylight/Sunlight impacts assesses that the level of natural light to the rear amenity spaces at Brooks Taylor Court would also remain BRE compliant.
- 10.72. It is noted that the proposed development would result in a loss of light and overshadowing of the first floor windows of the south facing elevation in the adjacent Deaf and Hard of Hearing Centre. These two spaces serve non-residential uses, namely office space, rather than residential space and it is considered that the impact on the function of these spaces would not be detrimental. It is however recommended that the side facing windows of the facing flats are fitted with obscure glazing in order to protect the privacy of the occupiers of these units.
- 10.73. In respect of the residential apartment building to the south of the site, it is noted that this would face the largest element of the proposed building. It is noted that whilst there are windows in the elevation of the building facing the proposed development which serve habitable spaces, these windows also are north facing and do not benefit from natural light at present, therefore the siting of the proposed development would not alter the existing situation in this regard.
- 10.74. It should be noted that paragraph 123 of the NPPF outlines that when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards). This is in order to ensure that planning decisions avoid homes being built at a low density and to ensure that developments make optimal use of the sites where there is an existing shortage of land to meet housing needs.
- 10.75. Any development on this site, which is in close proximity to several residential dwellings of varying scale would have some inevitable impact on the amenity of surrounding properties. Officers consider that an appropriate balance is achieved which ensures that the development makes best use of the site and achieves an optimum number of dwellings on the site, whilst also preserving the amenity of adjoining occupiers. The impact of the building in terms of overlooking, scale and impact on natural light has been limited through the scale and siting of the building and the location of the proposed windows in the upper floors of the building. Overall officers consider that the development would comply with Policy CP10 of the Oxford Local Plan 2001-2016; Policy HP14 of the Sites and Housing Plan and Policy H14 of the Emerging Local Plan.

## Future Occupiers

- 10.76. Policy HP12 of the Sites and Housing Plan sets internal space standards for new residential development. Compliance with the Government's Nationally Described Space Standards is also required. This requirement is similarly reflected in Policy H15 of the Emerging Local Plan. Each of the individual units has been assessed to be compliant with Nationally Described Space Standards and the proposed units would consequently comply with Policy HP12 of the Sites and Housing Plan.
- 10.77. Policy HP13 of the Sites and Housing Plan requires that planning permission will only be granted for new dwellings that have direct and convenient access to an area of private outdoor space, to meet the following specifications. For houses this would generally be an area of private garden space, whilst for flats of 1 and 2 bedrooms this would consist of an external balcony and/or access to an area of private communal amenity space. Policy H16 of the Emerging Local Plan outlines a similar requirement in terms of the quantity of outdoor amenity space expected within new residential developments.
- 10.78. Each of the proposed flats would be served by an area of outdoor amenity space. For the ground floor flats outdoor amenity space is proposed in the form of external terraces. For the front facing flats these would be large spaces varying between 14.5 and 27.5 square metres. In the case of the front facing flats, the amenity spaces serving these properties would be enclosed by the perimeter boundary wall to ensure that these spaces benefit from security and privacy, whilst limiting the extent of noise. For the rear flats amenity spaces would be sited to the rear of the block, adjacent to the private communal space. All residents would also have access to the front and rear courtyards, which would function as areas of communal amenity space.
- 10.79. The upper floor flats would each be served by external balconies. The fifth floor 3 bedroom flat would be served by two external roof terraces measuring 57.3 square metres in total area, which is considered to be adequate relative to the size of the proposed unit.
- 10.80. Overall it is considered that future occupiers would benefit from an acceptable standard of internal and external amenity space, which would comply with the provisions of Policy HP12 of the Sites and Housing Plan and Policy H16 of the Emerging Local Plan.

## **Transport**

- 10.81. The provisions of Policy HP16 of the Sites and Housing Plan set maximum standards relating to vehicle parking provision; these requirements are outlined within Appendix 8 of the document. Car free and low parking developments are encouraged in appropriate locations, though this is dependent on evidence that low parking and the car free nature of development can be enforced such as within a CPZ and particularly within the Transport Central Area, which includes the application site.



- 10.82. Policy M3 of the Emerging Local Plan requires that in Controlled Parking Zones (CPZs) or employer-linked housing areas (where occupants do not have an operational need for a car); where development is located within a 400m walk to frequent (15minute) public transport services and within 800m walk to a local supermarket or equivalent facilities (measured from the mid-point of the proposed development), planning permission will only be granted for residential development that is car-free.
- 10.83. The application site is in the City Centre and is a very sustainable location in relation to existing services and facilities as well as bus and rail links. Consequently car free development in this location would be expected in line with Policy HP16 of the Sites and Housing Plan and Policy M3 of the Emerging Local Plan. The proposed development would be car free which is supported in line with these aforementioned policies.
- 10.84. Disabled parking is required at 5% of the total number of units proposed. Two disabled parking spaces are proposed which complies with these requirements. The two disabled parking spaces would be provided to the rear of the site and would be accessed via an undercroft area beneath Brooks Taylor Court, which currently serves as an access to the parking area for the retirement housing. The applicants have confirmed that they have a right of access over this land ensuring that this is feasible.
- 10.85. Policy HP15 of the Sites and Housing Plan requires the provision of cycle parking within all new residential developments in line with specified standards. The majority of cycle parking would be within two internal cycle parking stores, which would be accessed from Speedwell Street. Three of the ground floor flats would also benefit from individual cycle stores. A condition is recommended to secure the provision of at least 76 cycle stores to serve the accommodation, which officers consider can be realistically achieved within the parameters of the site.

## **Flooding**

- 10.86. The majority of the site falls within Flood Zone 1 and would be considered to be at a low overall risk of flooding, though a small section of the north west of the site and the adjacent Faulkner Street are located in Flood Zone 2 and would be at a high risk of flooding.
- 10.87. In accordance with the requirements of Policy RE3 of the Emerging Local Plan and Paragraph 163 of the NPPF a Flood Risk Assessment has been provided. The FRA has been reviewed by the County Council's drainage engineers and has been deemed to be acceptable subject to the provision of an acceptable surface water drainage strategy, which is requested by condition.
- 10.88. The proposals are therefore considered to comply with the provisions of Policy RE3 of the Emerging Local Plan.

## **Ecology**

- 10.89. Policy CS12 of the Oxford Core Strategy requires that Development will not be permitted where this results in a net loss of sites and species of ecological value. Similarly Policy G2 of the Emerging Local Plan specifies that Development that results in a net loss of sites and species of ecological value will not be permitted. The policy also requires that compensation and mitigation measures must offset the loss and achieve an overall net gain for biodiversity. For all major developments proposed on greenfield sites or brownfield sites that have become vegetated, this should be measured through use of a recognised biodiversity calculator. To demonstrate an overall net gain for biodiversity, the biodiversity calculator should demonstrate an improvement of 5% or more from the existing situation.
- 10.90. The application is accompanied by a Bat Survey report and Ecological Assessment. The bat survey relates to the former Lucy Faithfull House building, which has since been demolished and finds no evidence of bats or roosts.
- 10.91. Since the demolition of the former Lucy Faithfull House the site has been cleared and consists solely of hardstanding and is of low ecological value. At the request of officers and the Council's Ecologist, amendments have been made to the approved plans to add a sedum/brown roof which provides biodiversity benefits. A scheme of ecological enhancements is sought by condition, in accordance with the recommendations outlined within the Ecological Assessment and in order to achieve a net gain in biodiversity. Subject to the provision of these details by condition, the proposals would comply with Policy G2 of the Emerging Local Plan and Policy CS12 of the Core Strategy.

## **Air Quality**

- 10.92. A quantitative assessment of the exposure of future residents to air pollution was undertaken using ADMS Roads and local road traffic data to predict concentrations of NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> across the Application Site. The results showed that annual mean NO<sub>2</sub> concentrations at two ground floor receptors where the annual mean NO<sub>2</sub> objective would apply are in exceedance. As such, mechanical ventilation into the affected residential units will be required by condition.
- 10.93. A qualitative assessment of the potential impacts on local air quality from construction activities has been carried out for this phase of the Proposed Development using the IAQM methodology. This identified that there is a Low Risk of dust soiling impacts and a Negligible Risk of increases in particulate matter concentrations due to construction activities. However, through good site practice and the implementation of suitable mitigation measures, the effect of dust and PM<sub>10</sub> releases would be significantly reduced.
- 10.94. It is therefore mandatory that the outcomes of the dust assessment, (which allowed the identification of site specific dust mitigation measures) are incorporated in the site's Construction Environmental Management Plan (CEMP). This will be required by condition. Subject to the provision of these details, the development would comply with Policy CP23 of the Oxford Local Plan.

## **Sustainability**

- 10.95. Policy CS9 of the Core Strategy requires that all developments should seek to minimise their carbon emissions. Proposals for development are expected to demonstrate how sustainable design and construction methods will be incorporated. All development must optimise energy efficiency by minimising the use of energy through design, layout, orientation, landscaping and materials, and by utilising technologies that help achieve Zero Carbon Developments.
- 10.96. Policy HP11 of the Sites and Housing Plan requires that developments of 10 or more dwellings are accompanied by an Energy Statement in order to demonstrate that 20% of all energy needs are obtained from renewable or low carbon resources.
- 10.97. Policy RE1 of the Emerging Local Plan requires the incorporation of sustainable design and construction principles in all developments. All new build major residential developments should achieve at least a 40% reduction in carbon emissions. This would be secured through on-site renewable energy and other low carbon technologies. Policy RE1 also requires the submission of an Energy Statement in all new major residential developments.
- 10.98. In order to demonstrate compliance with the above policies an Energy Statement has been prepared. The recommendations include extensive areas of Solar PV on the proposed building, along with the following recommendations to be incorporated in the design.
- Optimised glazing g value
  - Improved insulation levels
  - Accredited thermal bridging details
  - Improved air tightness
  - High efficiency combination gas boilers in dwellings with time and temperature zone controls and smart thermostats
  - High efficiency LED lighting throughout
  - High efficiency heating, time controls and lighting presence detection controls in communal areas
- 10.99. The submitted Energy Statement has been revised to account for the addition of green roofs to the building and design amendments to the scheme, however the statement demonstrates compliance with the Council's target for 20% energy/carbon reduction, below a base case which satisfies Building Regulations. The development is therefore considered to comply with the requirement of Policy CS9 of the Core Strategy; Policy HP11 of the Sites and Housing Plan and Policy RE1 of the Emerging Local Plan.

## **Trees**

- 10.100. Policy NE15 of the Oxford Local Plan states that planning permission will not be granted for development proposals which include the removal of trees, hedgerows and other valuable landscape features that form part of a

development site, where this would have a significant adverse impact upon public amenity or ecological interest. Planning permission will be granted subject to soft landscaping, including tree planting, being undertaken whenever appropriate.

10.101. Policy G8 of the Emerging Local Plan similarly affords protection to the protection of trees and states that important green infrastructure should not be lost where this would have a significant adverse impact on public amenity of ecological interest.

10.102. The application site has been cleared following the demolition of the former Lucy Faithfull House building. Two mature trees which were formerly located in the centre of the site were removed at the time of demolition; the trees were not subject of a TPO so prior consent was not required for their removal.

10.103. The application is accompanied by an Arboricultural Assessment which includes a tree protection plan. There are two trees within close proximity of the site boundary; these are a Category B Beech Tree which is in the car parking area of Brooks Taylor Court and a Category C Ash Tree which is located within a raised planted area to the south west of the site on the corner of Faulkner Street and Speedwell Street.

10.104. Officers are satisfied that providing appropriate tree protection measures are implemented then there would not be harm to these adjacent trees neither of which would need to be removed to facilitate development. Additional planting is proposed within the site, further details of additional tree planting would be controlled by a landscaping condition. It is considered that the development complies with Policy NE15 of the Oxford Local Plan and Policy G8 of the Emerging Local Plan.

## **Contamination**

10.105. Due to identified potential risks from asbestos containing materials and other contamination within the made ground at the site as result of various historical uses, an intrusive ground investigation is required to quantify potential risks to human health and the surrounding environment. A phased risk assessment would therefore be required by planning condition prior to the commencement of development in order to satisfy the requirements of Policy CP22 of the Oxford Local Plan and Policy RE9 of the Emerging Local Plan.

## **Noise**

10.106. The applicants have submitted a noise assessment in order to analyse the impact of the proposed development on future occupiers as well as adjacent occupiers in close proximity to the site. The noise assessment has been reviewed by the Councils Environmental Health Team who have raised no objection to the proposed development subject to the submission of an Environmental Noise Test Report which would be required by condition. Overall it is considered that unlikely that occupants of the dwellings will experience significant noise effects providing that suitably noise mitigated passive means of whole dwelling ventilation is provided. The development is not considered to

conflict with the requirements of Policy CP21 of the Oxford Local Plan and Policy RE9 of the Emerging Local Plan.

## **11. CONCLUSION**

- 11.1. On the basis of 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 it clear that proposals should be assessed in accordance with the development plan unless material considerations indicate otherwise.
- 11.2. In the context of all proposals paragraph 11 of the NPPF requires that planning decisions apply a presumption in favour of sustainable development, this means approving development that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 11.3. The proposals would bring forward the positive redevelopment of a prominently sited and vacant brownfield site in the West End area of the City Centre and would provide 36 new homes, 50% of which would be available as affordable accommodation, of which 83% would be socially rented. The proposals would provide a valued windfall contribution towards meeting Oxford's Housing needs, in particular the need for affordable homes. The proposals would also provide significant visual benefits in bringing forward the development of a currently vacant brownfield site in a prominent area of the City Centre which is outlined as a focus area for regeneration, as outlined in Policy CS5 of the Core Strategy. The provision of new housing is consistent with the Council's aims for regeneration in the West End area.
- 11.4. The proposals are for car free development, with the exception of disabled parking and would include policy compliant levels of cycle parking which meets the Council's sustainability objectives relating to the delivery of new housing in the City Centre, as outlined in Policies HP15 and 16 of the Sites and Housing Plan.
- 11.5. The development would be sited in close proximity to a number of existing residential dwellings in Faulkner Street, Speedwell Street and Albion Place. The impact on these adjacent properties has been objectively assessed through a daylight/sunlight study and officers are satisfied that the development would not have a significantly detrimental impact on the amenity of adjacent occupiers with respect to existing levels of natural light enjoyed by adjacent residents. The impact of overlooking has also been assessed and officers are satisfied that the siting of the proposed housing would not adversely affect the privacy of adjacent occupiers. Likewise the scale of development is considered commensurate with

existing development in the immediate vicinity of the site and the general scale of development, which may be typically expected in a City Centre location. The scale and massing of the building ensures there is a transition between the larger scale development fronting Speedwell Street and the smaller scale, two storey properties in Faulkner Street. Officers consider that the overall scale of the building would not be overbearing in the context of the surrounding residential properties.

11.6. The overall height of the building at the highest point would be 19.4 metres, this would exceed the height limit of 18.2 metres specified within Policy HE9 of the Council's Existing Local Plan and Policy DH2 of the Emerging Local Plan which relate to high buildings within 1200 metres of Carfax. In this regard it would represent a departure from the Council's development framework. Overall officers are satisfied that the scale, design and massing of the building is acceptable in the context of the surrounding and in some cases sizeable built form. The application is accompanied by a Visual Impact Assessment, which includes an assessment of the height and massing of the building, as viewed from key verified internal and external viewpoints, as well as key public views from street level, including important views from within and into the Conservation Area.

11.7. The development would impact on the setting and significance of the Central Conservation Area in terms of the prominence of the building and how this is experienced, particularly in views from Littlegate Street to the north of the site and views from Carfax Tower and the Westgate roof terrace. The development would result in less than substantial harm to the setting of the Central Conservation Area principally as a result of the minor loss of views of the green backdrop from the roof terrace of the Westgate terrace and to a lesser extent from Carfax Tower. The scale of the building would result in the building having some visual prominence, though the building would not be perceived to break the skyline when viewed from Carfax given the extent of the existing development in the area. There is some perception of the building breaking the skyline to a minor extent in select views from the Westgate terrace. The development would impact on the significance of the adjacent Grade II listed Deaf and Hard of Hearing Centre, namely in terms of the impact of the scale and massing of the building and how this would be perceived, particularly in public views from Littlegate Street. Overall the level of harm caused to the setting and significance of the Central Conservation Area and Grade II listed building is considered less than substantial and when assessed under the balancing exercise required under Paragraph 196 of the NPPF, it is considered that the public benefits of the scheme, particularly the provision of 36 homes, 18 of which would be affordable would be sufficient to outweigh this less than substantial harm.

11.8. For the reasons expressed within this report, it is recommended that the Committee resolve to grant planning permission for the development proposed subject to the conditions set out in section 12 below.

## **12. 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 referred to shall be constructed strictly in complete accordance with the specifications in the application and the submitted plans.

Reason: To avoid doubt as no objection is raised only in respect of the deemed consent application as submitted and to ensure an acceptable development as indicated on the submitted drawings.

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 visual amenity in accordance with policies CP1 and CP8 of the Adopted Oxford Local Plan 2001-2016.

4. A Construction Traffic Management Plan should be submitted to and approved in writing by the Local Planning Authority prior to commencement of works. The development shall be carried out in accordance with the approved CTMP, which shall be adhered to during the period of construction. The CTMP should follow Oxfordshire County Council's template if possible. This should identify;
  - 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.

*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.*

5. Prior to the use or occupation of the development hereby permitted, covered and secure cycle parking for a minimum of 76 bicycles in accordance with Policy HP15 of the Sites and Housing Plan shall be provided within the curtilage of each dwelling and thereafter retained for that sole purpose.

*Reason: To encourage the use of sustainable modes of transport.*

6. Prior to first occupation a Travel Information Pack shall be submitted to and be approved in writing by the Local Planning Authority. The approved pack shall be issued to all new occupiers prior to first occupation of the development.

*Reason: To promote sustainable modes of transport.*

7. Prior to the commencement of the development a phased risk assessment shall be carried out by a competent person in accordance with relevant British Standards and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR11) (or equivalent British Standards and Model Procedures if replaced). Each phase shall be submitted in writing and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Phase 1 has been completed and is approved (WSP Preliminary Geo-Environmental Risk Assessment).

Phase 2 shall include a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present, the risks to receptors and to inform the remediation strategy proposals.

Phase 3 requires that a remediation strategy, validation plan, and/or monitoring plan be submitted to and approved in writing by the Local Planning Authority to ensure the site will be suitable for its proposed use.

Reason - To ensure that any soil and water contamination is identified and adequately addressed to ensure the site is suitable for the proposed use in accordance with the requirements of policy CP22 of the Oxford Local Plan 2001-2016.

8. The development shall not be occupied until any approved remedial works have been carried out and a full validation report has been submitted to and been approved in writing by the Local Planning Authority.

Reason - To ensure that any soil and water contamination is identified and adequately addressed to ensure the site is suitable for the proposed use in accordance with the requirements of policy CP22 of the Oxford Local Plan 2001-2016.

9. Any contamination that is found during the course of construction of the approved development that was not previously identified shall be reported immediately to the Local Planning Authority.

Development on that part of the site affected shall be suspended and a risk assessment carried out by a competent person and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These approved



schemes shall be carried out before the development (or relevant phase of development) is resumed or continued.

Reason - To ensure that any soil and water contamination is identified and adequately addressed to ensure the site is suitable for the proposed use in accordance with the requirements of policy CP22 of the Oxford Local Plan 2001-2016.

10. No development shall take place until a written scheme of investigation (WSI) has been submitted to and approved by the Local Planning Authority in writing. 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 of site investigation, recording and public outreach and the nomination of a competent person(s) or organisation to undertake the agreed works.
- The programme for post-investigation assessment and subsequent analysis, public outreach, 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 medieval and postmedieval remains (Local Plan Policy HE2 and Submission Draft Policy DH4).

11. No work on site shall take place until a detailed design and method statement for the extent and design of all foundation and groundwork has been submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall only take place in accordance with the detailed scheme agreed pursuant to this condition.

Reason: To ensure that the foundation design minimises harm to the remains of the Dominican Friary (Local Plan Policy HE2, Local Plan Submission Draft Policies DH3 & 4).

12. No properties shall be occupied until confirmation has been submitted to, and approved in writing by, the Local Planning Authority that either:

- Capacity exists off site to serve the development; or
- A housing and infrastructure phasing plan has been agreed with Thames Water. Where a housing and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan; or
- All wastewater network upgrades required to accommodate the additional flows from the development have been completed.

13. No development shall take place until a Construction Environmental Management Plan (CEMP), containing the site 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 pages 25-27 of the reviewed Air Quality Assessment that was submitted with this application. The measures listed in the approved CEMP shall be adhered to during the programme of construction.

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.

14. No development shall take place until specific details of the proposed mechanical ventilation system with NOx filtration has been submitted to and approved in writing by the Local Planning Authority. This shall include details of the proposed maintenance and monitoring schedule for the installed system, which is expected to be installed at the properties of receptors 11 and 16.

Reason: to protect the occupiers of the development from exposure to air pollutants in exceedance of the National Air Quality Objectives.

15. The development shall not be occupied until the ventilation system which has been approved pursuant to condition 14 has been installed and evidence provided to the Local Planning Authority that it is working in accordance with its specification and air quality does not present a risk to site users.

Reason: to protect the occupiers of the development from exposure to air pollutants in exceedance of the National Air Quality Objectives.

16. Prior to commencement of development, an application shall be made for Secured by Design accreditation on the development hereby approved. The development shall be carried out in accordance with the approved details, and shall not be occupied or used until confirmation of SBD accreditation has been received by the Local Planning Authority.

Reason: To create a safe environment for existing and future occupiers which reduces opportunities for crime in accordance with Policies CP1 and CP9 of the Oxford Local Plan.

17. 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.

18. The development shall be carried out in strict accordance with the approved tree protection measures contained within the planning application details 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.

19. The landscaping proposals as approved in writing by the Local Planning Authority pursuant to condition 17 shall be carried out in the first planting season following substantial completion of the development if this is after 1st April. Otherwise the planting shall be completed by the 1st April of the year in which building development is substantially completed. All planting which fails to be established within three years shall be replaced.

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

20. The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definitions and requirements for affordable housing as set out within the Sites and Housing Plan 2011-2026 or any future guidance that amends or replaces it unless otherwise agreed in writing by the Local Planning Authority. The scheme shall include:

- i) The numbers, type, and location on site of the affordable housing provision to be made which shall consist of not less than 50% of the housing units as detailed in the application.
- ii) Details as to how the affordable tenure split for the affordable housing accords with the requirements of the policies of the Sites and Housing Plan 2001-2026 and the Affordable Housing and Planning Obligations Supplementary Planning Document 2013 or any future guidance that amends or replaces it unless otherwise agreed in writing by the Local Planning Authority.
- iii) The arrangements for the transfer of the affordable housing to an affordable housing provider, or for the management of the affordable housing (if no Registered Social Landlord involved);
- iv) The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- v) The occupancy criteria to be used for determining the identity of the occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced

Reason: In order to secure the affordable housing provision on site in accordance with Policy CS24 of the Oxford Core Strategy 2026, and Policy HP3 of the Sites and Housing Plan 2011-2026.

21. Notwithstanding the amendments to the approved scheme, the development shall be carried out in accordance the energy strategy outlined within the approved Energy Statement (Energy Statement ref 70037512 dated April 2020) and the development shall not be occupied until written confirmation that the energy systems within the approved statement have been implemented to achieve the target performance has been submitted to and been approved in writing by the Local Planning Authority.

Reason: In the interests of energy efficiency in accordance with Sites and Housing Plan Policy HP11

22. Prior to first occupation of the development an environmental noise test report shall be submitted for acceptance by the Local Planning Authority. This report shall demonstrate that significant noise effects on occupants of the proposed development have been avoided and that all reasonable measures have been taken to achieve the following internal ambient noise levels in any occupied habitable space whilst maintaining an adequate standard of whole dwelling ventilation:

L<sub>Aeq, 16hr</sub> (0700-2300) of 35 dB  
L<sub>Aeq, 8hr</sub> (2300-0700) of 30 dB

The installed glazing and ventilation systems shall be retained and maintained at all times thereafter to ensure that this level of performance continues to be achieved. The development shall not be occupied until the measures listed in the approved report have been implemented.

Reason: In the interests of the amenity of occupiers, in accordance with policies CP1, CP19 and CP21 of the Oxford Local Plan 2001-2016.

23. Prior to the first occupation of the development, the proposed north facing windows serving flat numbers 7, 15 and 23 shall be fitted with obscured glazing and shall be retained in that condition thereafter.

Reason: In the interests of preserving the amenity of existing and future occupiers, in accordance with Policy CP10 of the Oxford Local Plan.

24. A design and specification of privacy screening to be installed on the balconies and roof terrace area, serving flat numbers 12, 20, 28, 33 and 36 shall be submitted to and be approved in writing by the Local Planning Authority before first occupation of the development. The approved screening shall be retained thereafter.

Reason: In the interests of preserving the amenity of existing residential occupiers, in accordance with Policy CP10 of the Oxford Local Plan.

25. No development shall take place until a Detailed Design and associated management and maintenance plan of surface water drainage for the site using sustainable drainage methods has been submitted to and approved in

writing by the Local Planning Authority. The approved drainage system shall be implemented in accordance with the approved detailed design prior to the use of the building commencing.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal.

26. No building or use hereby permitted shall be occupied or the use commenced until the sustainable drainage scheme for this site has been completed in accordance with the submitted details. The sustainable drainage scheme shall be managed and maintained thereafter in perpetuity in accordance with the management and maintenance plan approved pursuant to condition 24.

The Maintenance and Management Company details shall be provided to the Lead Local Flood Authority and Local Planning Authority prior to first occupation of the development.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal and maintained thereafter.

27. Prior to the commencement of development, a scheme of ecological enhancements shall be submitted to, and approved in writing by, the Local Planning Authority to ensure an overall net gain in biodiversity will be achieved. The scheme shall include any landscape planting of known benefit to wildlife, including nectar resources for invertebrates. Details shall be provided of artificial roost features, including bird and bat boxes, and a minimum of four dedicated swift boxes. Specific details shall be provided of the green roof system to be installed. The approved scheme shall be implemented prior to first occupation of the development.

Reason: To comply with the requirements of the National Planning Policy Framework, the Conservation of Habitats and Species Regulations 2017, Wildlife and Countryside Act 1981 (as amended) and Policy CS12 of the Oxford Core Strategy 2026.

### **13. APPENDICES**

- **Appendix 1 – Site Plan**

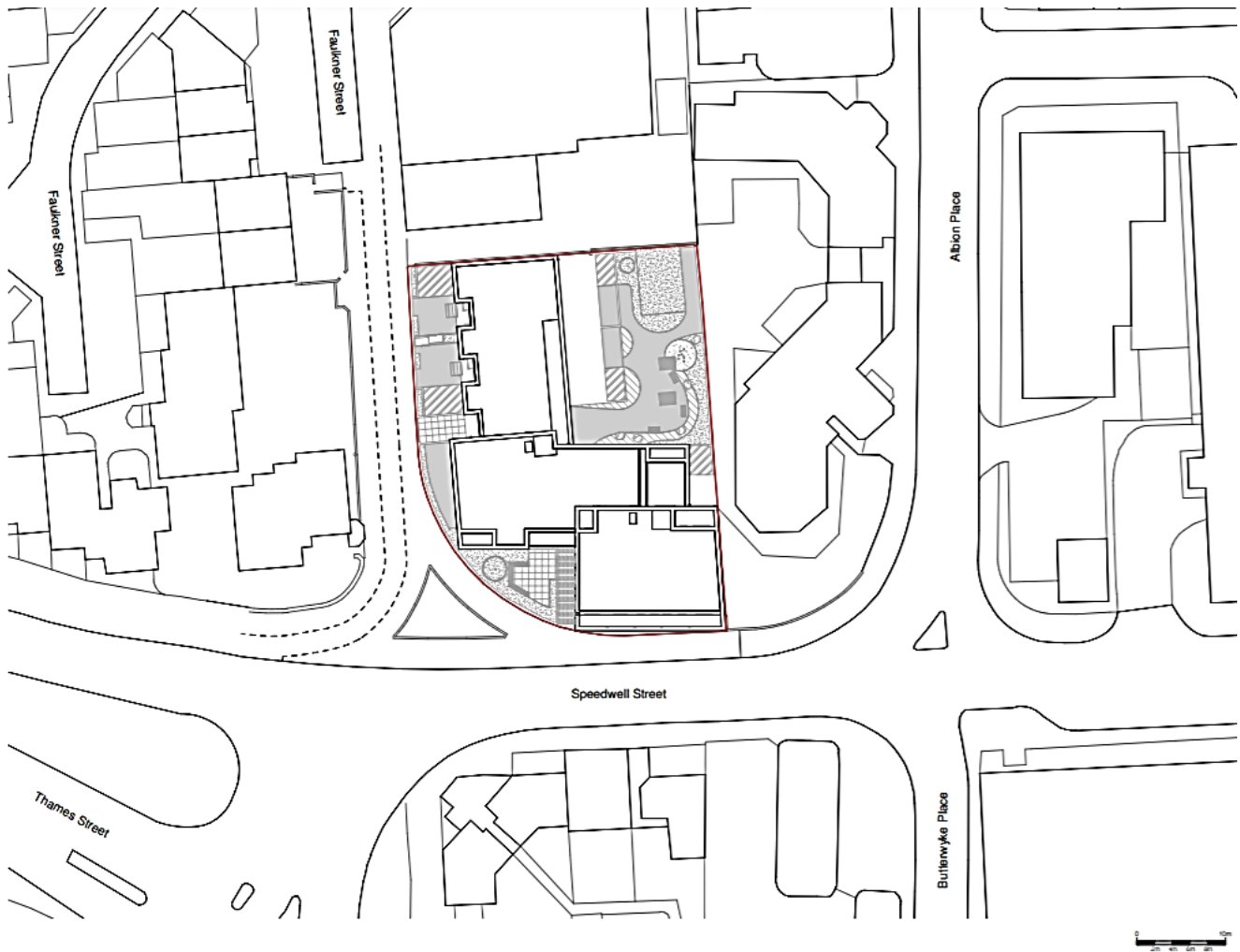
### **14. HUMAN RIGHTS ACT 1998**

- 14.1. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to approve 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.

### **15. SECTION 17 OF THE CRIME AND DISORDER ACT 1998**

15.1. 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.

## 19/03106/FUL – Appendix 1 – Site Plan



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## WEST AREA PLANNING COMMITTEE

<b>Application number:</b>	19/02531/FUL		
<b>Decision due by</b>	26th November 2019		
<b>Extension of time</b>	TBA		
<b>Proposal</b>	Partial demolition of existing buildings. External alterations and additions to St Pauls House, including external cladding and roof extension to form a fourth floor. Erection of new four storey building fronting Cranham Street. Change of use of extended ground floor to Class A1 (retail), Class A2 (professional and financial services) and Class B1 (office), and provision of nine new Class C3 dwellings (including 4x2 bedroom flats and 5x3 bedroom flats). Provision of four car parking spaces.		
<b>Site address</b>	St Pauls House , Walton Street, Oxford, OX2 6ER – see <b>Appendix 1</b> for site plan		
<b>Ward</b>	Jericho And Osney Ward		
<b>Case officer</b>	Natalie Dobraszczyk		
<b>Agent:</b>	Mr Steven Roberts	<b>Applicant:</b>	Mr Ashcroft
<b>Reason at Committee</b>	The application proposes over 5 new dwellings.		

## 1. RECOMMENDATION

1.1. West Area Planning Committee is recommended to:

1.1.1. **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;

- Confirmation from the Lead Local Flood Authority that they have no outstanding objections to the proposed development; and

1.1.2. **agree to delegate authority** to the Head of Planning Services to:

- finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary.

## 2. EXECUTIVE SUMMARY

2.1. This report considers the proposal to demolish the existing two storey caretakers flat fronting Cranham Street along with the former Jericho Health Centre and part of the ground floor of the St Paul's House, formally occupied by Jericho Health Centre. Following the partial demolition the application proposes the erection of a new 4no. storey building fronting Cranham Street to provide 9no. new residential dwellings. The use of the existing ground floor to be retained, and the proposed ground floor of the new building, would be Class A1 (retail), Class A2 (professional and financial services) and Class B1(a) (office).

2.2. This report considers the following material considerations:

- Principle of development;
- Impact on conservation area;
- Design;
- Affordable housing;
- Housing mix;
- Impact on neighbouring amenity;
- Transport;
- Sustainability;
- Flooding and drainage;
- Other matters.

2.3. The proposal is considered to comply with the development plan as a whole. The proposal would not have an unacceptable impact on heritage assets, the neighbouring amenity, public highways and sustainability. It has been concluded that the development would preserve the character and appearance of the Conservation Area. Conditions have been included to ensure this remains the case in the future.

### **3. LEGAL AGREEMENT**

3.1. This application is not subject to a legal agreement.

### **4. COMMUNITY INFRASTRUCTURE LEVY (CIL)**

4.1. The proposal is liable for a CIL contribution of £103,729.27.

### **5. SITE AND SURROUNDINGS**

5.1. The site is located on a corner plot fronting Walton Street and Cranham Street within. The site comprises 3no. buildings which are all physically linked. This includes a three storey block fronting Walton Road and a two storey building in the southern corner fronting Cranham Street, which are linked by a single storey element. To the south west of the site is a rear courtyard providing parking spaces for 7no. vehicles and 7no. garages. To the rear of the site a 1.6 metre high brick wall (with 0.7 metre retaining element) forms the boundary to

Venables Close. The north-west boundary to no.67 Walton Street is formed by a recently completed red brick single storey rear extension.

5.2. The ground floor of the existing building operated as a Doctors Surgery run by the NHS Primary Care Trust for around 40 years but became vacant in 2012 as its function relocated to the New Radcliffe House, opposite and to the south along Walton Street.

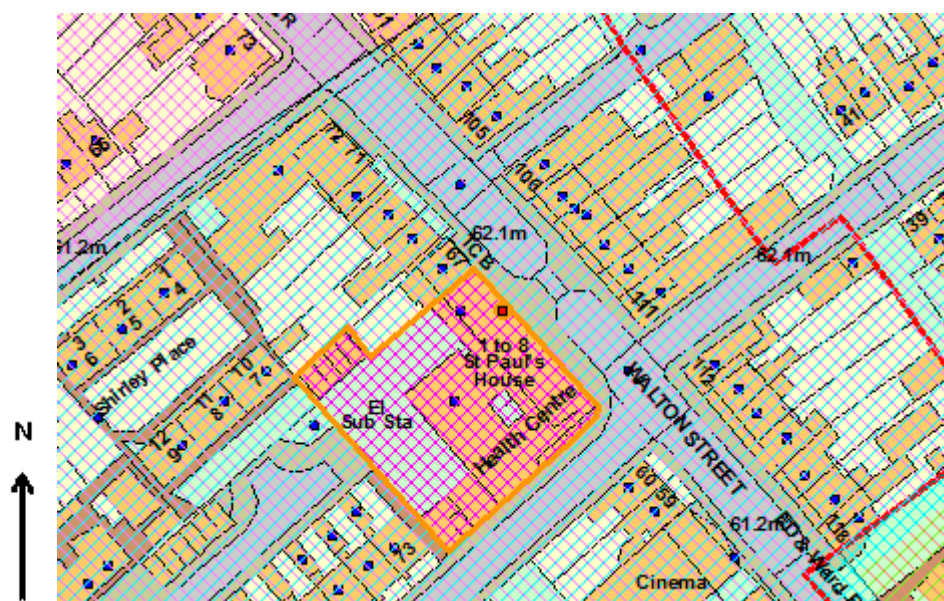
5.3. The upper floors accommodate 8no. residential units of which 5no. units are owned by Oxford City Council, 1no. unit is privately owned and 2no. units are owned by Lucy Group Limited. The table below details the existing floorspace:

Level	Use	GIA (m <sup>2</sup> )	Bedrooms
Ground and Garages	Former Health Centre	652	-
	Garages and Parking	107	-
	Existing Residential Core	68	-
First	Circulation	28	-
	Flat 1	74	3
	Flat 2	73	3
	Flat 3	61	2
Second	Flat 4	61	2
	Circulation	28	-
	Flat 5	74	3
	Flat 6	73	3
	Flat 7	61	2
	Flat 8	61	2

5.4. The site is located within Jericho Conservation Area and the Walton Street frontage is defined as a Street Specific Shopping Frontage under Policy RC.6 of the Local Plan 2001-2016 and emerging Local Plan Policy V4. The site is within the High Buildings Area and the Port Meadow View Cone. There are a number of listed buildings within close proximity to the application site including the Radcliffe Observatory (Grade I); the University Printing House, Walton Street (Grade II\*) and St. Paul's Church, Walton Street (Grade II).

5.5. The site is located within Flood Zone 1.

5.6. See block plan below:



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Ordnance Survey 100019348

## 6. PROPOSAL

- 6.1. The application proposes the demolition of the existing two storey caretakers flat fronting Cranham Street along with the former Jericho Health Centre (which forms a single storey element linking the caretakers flat and main part of St Paul's House) and part of the ground floor of the St Paul's House, formally occupied by Jericho Health Centre.
- 6.2. Following the partial demolition the application proposes the erection of a new 4no. storey building fronting Cranham Street to provide 9no. new residential dwellings.
- 6.3. The use of the existing ground floor to be retained, and the proposed ground floor of the new building, would be Class A1 (retail), Class A2 (professional and financial services) and Class B1(a) (office).
- 6.4. The table below shows the existing and proposed floorspace (proposed elements shown in bold):

Level	Use	GIA (m <sup>2</sup> )	Bedrooms	Amenity Space (m <sup>2</sup> )
Ground	Retail Tenancy - Upper	380	-	-
	Retail Tenancy - Lower	281		
	Existing Circulation A	79		
	<b>New Circulation B</b>	<b>16</b>		

First	Bin Store	25	-	-
	Parking/ Courtyard/ Undercroft	294	-	-
	Existing Circulation A	25	-	-
	<b>New Circulation B</b>	<b>32</b>		
	Flat 1	73	3	-
	Flat 2	76	3	<b>8.3 (Patio)</b>
	Flat 3	61	2	<b>8.3 (Patio)</b>
	Flat 4	61	2	
	<b>Flat 9</b>	<b>91.5</b>	<b>3</b>	<b>10.2 (Balconies)</b>
	<b>Flat 10</b>	<b>71</b>	<b>2</b>	<b>7.9 (Patio)</b>
	<b>Flat 11</b>	<b>101</b>	<b>3</b>	<b>4.5 (Balcony)</b>
Second	<b>Podium Amenity Area</b>	<b>247</b>		
	Existing Circulation A	25	-	-
	<b>New Circulation B</b>	<b>28</b>		
	Flat 5	73	3	
	Flat 6	76	3	
	Flat 7	61	2	
	Flat 8	61	2	
	<b>Flat 12</b>	<b>91.5</b>	<b>3</b>	<b>12(Balconies)</b>
	<b>Flat 13</b>	<b>71</b>	<b>2</b>	<b>5.4 (Balcony)</b>
	<b>Flat 14</b>	<b>99</b>	<b>3</b>	<b>6.2(Balcony)</b>
	<b>New Circulation A</b>	<b>28</b>		
Third	<b>Flat 15</b>	<b>77</b>	<b>2</b>	<b>15 (Terrace)</b>
	<b>Flat 16</b>	<b>78</b>	<b>2</b>	<b>42 (Terrace)</b>
	<b>Flat 17</b>	<b>118</b>	<b>3</b>	<b>45 (Terrace)</b>

6.5. Additionally, the application proposes external alterations and additions to St Paul's House, including external cladding and a roof extension. It is proposed that the retained residential units are upgraded and enhanced including the following:

- Replacement and upgrade of windows;
- Provision of Juliette balconies (to Flats 1, 2, 4, 5,6,7 and 8 where currently there is no outdoor space);
- Access and use of the communal podium amenity area;
- Provision of a covered refuse and recycling store;
- Provision of covered and secure cycle parking;
- Retention of the ground floor storage cupboards and removal of bikes etc. from this space;
- A new secure entrance door to Walton Street;
- Thermal improvements through the insulating of the roof associated with the rooftop extension.

## 7. RELEVANT PLANNING HISTORY

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

69/21306/A\_H - Demolition of 6 houses and shops with existing buildings and garden walls. Erection of Health Centre , caretakers flat , lock up shop , eight flats and seven garages , car park and access yard. Approved 25th March 1969.

72/21306/A\_H - Demolition of 6 houses and shops with existing outbuildings and garden walls. Erection of a health centre, caretakers flat, lock-up shop, 8 flats and 7 garages, car park and access yard. Approved 25th January 1972.

## 8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Core Strategy	Sites and Housing Plan	Local Plan 2036
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<b>Design</b>	Paragraphs 124 - 132	CP1, CP6, CP8, CP9, CP10, CP11, CP13, CP19, CP20	CS2, CS18	HP9, HP12, HP13, HP14	DH1, DH2, DH6, DH7, H10, H14, H15, H16
<b>Conservation / Heritage</b>	Paragraphs 184, 189 - 202	HE.2, HE.6, HE7, HE.11			DH3, DH4, DH5
<b>Housing</b>	Paragraphs 59 – 76		CS24, CS25	HP2,HP5, HP6	H2, H4,
<b>Community/ Commercial</b>	Paragraphs 91 – 95 / Paragraphs 85 - 90	HH.1, RC.6			V7, V4
<b>Natural environment</b>	Paragraphs 148-165, 170 – 183	NE15, NE16	CS10, CS11, CS12		RE1, RE2, RE3, RE4, RE6, RE7, RE8, RE9, G8
<b>Transport</b>	Paragraphs 102-111			HP15, HP16	M1, M2, M3, M5
<b>Miscellaneous</b>	Paragraphs 7 – 12, 47 – 48	CP.13 CP.22		MP1	S1

8.2. Regard should also be had to the emerging Oxford Local Plan 2036 which is nearing the final stages in the plan making process. The final public consultation was undertaken between 1st November 2018 until 13th December 2018 and the representations have been processed. The Local Plan was submitted to the Secretary of State for examination on 22nd March 2019. A series of questions were put to the council between May and September and the Council also produced Matters statements to respond to specific questions from the Inspector. These Matters formed the basis of the hearing sessions which were held in December 2019. The modifications following the hearings were consulted on in February- March 2020. The final Inspector's Report was received on 15th May 2020. The Council expects that the Oxford Local Plan 2036 will be approved on 8<sup>th</sup> June 2020. The emerging policies listed above are relevant to this application and now carry significant weight in decision making. If the Local Plan is adopted on 8<sup>th</sup> June 2020 the policies contained within it will gain full weight.

## 9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 1st November 2019 and 20<sup>th</sup> March 2020 and an advertisement was published in The Oxford Times newspaper on 10th October 2019 and 19<sup>th</sup> March 2020.

## **Statutory and non-statutory consultees**

### Oxfordshire County Council – Highways Authority

- 9.2. No objections subject to a condition requiring the submission of a Construction Traffic Management Plan (CTMP) and further details of the proposed bin store.

### Oxfordshire County Council – Lead Local Flood Authority (LLFA)

- 9.3. Initially the LLFA objected to the proposals however following the review of additional information submitted by the applicant Officers have had correspondence with the LLFA indicating that they now have no objections subject to conditions relating to sustainable drainage (SuDS). At the time of writing a formal response from the LLFA to confirm this view has not been received.

### Royal Society for the Protection of Birds (RSPB)

- 9.4. No objections raised but requested a condition to secure the inclusion of 10 swift bricks into the proposed development.

### Thames Water

- 9.5. No objections subject to a condition requesting wastewater network upgrades.

### Energy/ Sustainability

- 9.6. No objection subject to build in accordance with the details provided in the submitted energy statement.

### Flood Mitigation

- 9.7. No objection subject to conditions relating to drainage and sustainable urban drainage (SuDS).

### Land Quality

- 9.8. No objection subject to a condition relating to unexpected contamination.

### Archaeology

- 9.9. No objection subject to conditions requiring a written scheme of investigation

- 9.10. The following were consulted but did not provide a response:

- Jericho Community Centre
- North Oxford Association
- William Lucy Way Residents Association

## **Public representations**



9.11. 1 local person commented on this application from an address in Cranham Street.

9.12. In summary, the main point of objection was:

- Concerns about the impact on Walton Street arising from deliveries to the proposed retail unit. Specific mention was made in terms of safety implications of having vehicles parked on the road. It was suggested that using the space for several smaller units rather than one large unit would be better.

## **10. PLANNING MATERIAL CONSIDERATIONS**

10.1. Officers consider the determining issues to be:

- Principle of development;
- Impact on conservation area;
- Design;
- Affordable housing;
- Housing mix;
- Impact on neighbouring amenity;
- Transport;
- Sustainability;
- Flooding and drainage;
- Other matters.

### **a. Principle of development**

10.2. The National Planning Policy Framework (NPPF) sets out a presumption in favour of sustainable development (paragraph 11) and encourages the efficient use of previously developed (brownfield) land (paragraph 117), as well as the importance of high quality design (section 12).

10.3. Policy CS2 of the Oxford Core Strategy requires that the majority of development takes place on previously developed land where appropriate. Emerging Local Plan Policy RE2 advocates the efficient use of land. The proposals would retain part of the existing building to the north of the site and would erect a building on previously developed land along Walton Street and Cranham Street.

10.4. As such, the principle of development is considered to be acceptable and compliant with the relevant NPPF paragraphs, Core Strategy Policy CS2 and emerging Local Plan Policy RE2.

10.5. Local Plan Policy HH.1 (Protection of Health Care Facilities) states that permission will not be granted that results in the loss of premises used for the

provision of medical or primary health services except where alternative, accessible facilities are provided. Emerging Local Plan Policy V7 (Infrastructure and Cultural and Community Facilities) also supports the retention of existing health care facilities and resists the loss of these facilities unless new or improved facilities can be provided at a location equally or more accessible by walking, cycling and public transport.

- 10.6. The application site previously housed the Jericho Health Centre however; this use has not been active since its closure in 2012. In 2012 the former health centre was relocated to New Radcliffe House, Woodstock Road following the approval of planning consent 11/00513/FUL. As such, the proposed development would not result in the loss of medical or primary health services and therefore is considered to be acceptable in principle.

**b. Impact on Conservation Area**

*Demolition and Impact on Jericho Conservation Area*

- 10.7. The NPPF requires proposals to be based upon an informed analysis of the significance of all affected heritage assets and expects applicants to understand the impact of any proposal upon those assets with the objective being to sustain their significance (paragraph 189). In making any such assessment great weight should be given to the asset's conservation (paragraph 193). When assessing the impact of a proposal on a designated heritage assets the NPPF states where a development proposal will lead to less than substantial harm this harms should be weighed against the public benefits of the proposal (paragraph 196).
- 10.8. The NPPF requires that local authorities seek 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, CP8 and HE.6 of Oxford Local Plan, together with Policy CS18 of the Core Strategy require that development proposals incorporate high standards of design and respect local character. The aims of these policies have been carried through into emerging policies DH1, DH2 and DH5 of the Oxford Local Plan 2036.
- 10.9. The site is located within Jericho Conservation Area. There are a number of listed buildings within close proximity to the application site including the Radcliffe Observatory (Grade I); the University Printing House, Walton Street (Grade II\*) and St. Paul's Church, Walton Street (Grade II).
- 10.10. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. Additionally, section 72(1) requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.
- 10.11. The Jericho Conservation Area Study (October 2010) details the character of the conservation area and includes specific reference to the application site:

*“To the north of Cranham Street on the west and the Infirmary site on the east many of buildings are constructed in a series of blocks. The buildings are Victorian with the exception of the Health Centre and Kingston Court that were added in the second half of the 20th Century. The proposed move of health service provision to the Radcliffe Observatory Quarter does open the possibility of redevelopment of this site. Any development here needs careful consideration given its prominent corner position... There have been a number of alterations to windows and other features above the ground floor that have had an impact on the character of the buildings. There are a number of original and sympathetic examples of shop fronts and signage. The design of shop fronts and signage should be seen as an important feature of the character of the street and enhancement opportunities should be encouraged as part of the planning process.”*

- 10.12. The significance of Jericho Conservation Area derives from its history as Oxford's first industrial suburb with development influenced by the proximity to the canal and railway as well as property ownership patterns. There is a distinctive townscape character featuring late Georgian and Victorian working class cottages and artisan housing interspersed with landmark buildings of significant architectural importance. The area has retained a mixture of residential and commercial properties that hark back to its development as an industrial suburb. Residential architecture is simple but embellished with architectural detailing often unique to an individual property or property group. Streetscapes are typified by a uniformity of building line, roofscape, fenestration and materials, all of which give a consistency of character.
- 10.13. There is a common aesthetic of building characteristics within each character area, including building line, plot sizes, scale, position, roofscape, brickwork and other materials. Architectural details play a key part in the formation of the character of the area and these include, original sash windows, doors, chimneys and garden walls. Overall there is a vibrant urban character defined by its built form, mix of uses, mixed tenure and independent businesses. Much of the 20th Century development relates to the post war drive to create better living standards for residents.
- 10.14. There are a number of listed buildings within the surrounding area including Radcliffe Observatory (Grade I); the University Printing House, Walton Street (Grade II\*) and St. Paul's Church, Walton Street (Grade II). The closest to the application site is a row of terraced houses at 96-101 Walton Street which are Grade II listed and are approximately 45 metres to the north west of the application site.
- 10.15. The application proposes the demolition of the two storey caretakers flat fronting Cranham Street, the former Jericho Health Centre (which forms a single storey element linking the caretakers flat and main part of St Paul's House) and part of the ground floor of the St Paul's House, formally occupied by Jericho Health Centre.
- 10.16. Officers consider that the current building is currently underused and note that the health centre has been vacant for a number of years following the relocation of these facilities in 2012. It is considered that the partial demolition and

redevelopment of the site would result in a more efficient use of land and that a replacement building, demonstrating sensitive and high quality design, would be successful in responding to the existing architectural context. As such, officers consider the principle of the demolition of Jericho Health Centre to be acceptable. An assessment of the proposed design is set out in the relevant sections below.

### **c. Design**

#### *Siting and Layout*

- 10.17. The existing site has developed with the former Jericho Health Centre, and residential units above, sited along the Walton Street frontage with a largely underutilised area for parking and access at the rear of the site and along Cranham Street.
- 10.18. The proposed development would utilise the ground floor for commercial uses and create a more accessible retail frontage which would wrap around from Walton Street to Cranham Street. The proposals would help to strengthen the Street Specific Shopping Frontage which is supported by Officers.
- 10.19. On the upper floors the retained residential units would be enhanced by the proposed alterations and additional shared communal amenity facilities. The proposed side and roof extensions would maximise the use of the site and deliver additional residential units while rationalising the access and parking areas.
- 10.20. It is considered that the proposals will rationalise the existing built form and contribute towards making the most efficient use of land on this prominent brownfield site. Therefore, the proposed layout is considered to be acceptable.

#### *Scale and Massing*

- 10.21. The application site fronts onto both Walton Street, which is characterised by predominantly 3 storey mixed use properties, and Cranham Street, which is typically more residential with 2 and 3 storey properties.
- 10.22. In terms of scale and massing the proposed building would include an additional storey compared to the existing building. However, the proposed roof extension would be set back to ensure a subservient appearance and, as the overall height of the extension would be no greater than the existing roof pitch the impact of this would be limited when viewed from Walton Street.
- 10.23. The scale of the building would be larger, on its Cranham Street front, in comparison to smaller domestic scale that characterises this street however there is merit in following through the design principles of the front building range in order to present a holistic approach to the overall design and to unify the site. The proposals would provide the building with a strong identity, within a context where the existing character and appearance of Cranham Street has become more disparate towards its junction with Walton Street.

10.24. Following discussions with Officers the applicant has amended the design of the proposed building by successfully reinforcing the corner of the building and it's verticality as well as reducing the impact on Cranham Street by breaking up the massing of the second floor and simplifying the architecture. Subsequently, Officers consider the proposed designs to be appropriate, successful at responding to the existing street scene and representing an effective transition between the residential properties on Cranham Street and the larger scale building on Walton Street.

#### *Materials and Appearance*

10.25. The existing building is constructed from buff and dark stock blend brick, laid in stretcher bond with pale mortar, and exposed concrete panels. The brickwork and concrete panels on the retained building are proposed to be cleaned and repaired.

10.26. Where the existing residential units are retained it is proposed that the bay windows will be upgraded and Juliette balconies installed. The application proposes to re-clad the concrete parts of the bay windows with solid metal cladding and include a perforated vertical cladding element which creates a large floor to ceiling square section of glass to the front facade. A further perforated metal balustrade provides the horizontal band. The balustrade is to have larger perforations offering a view through from the flat and privacy from street level.

10.27. Officers acknowledge the limitations arising from the retention of the structure of the existing building range that fronts Walton Street. However, despite this, the design principles of the proposed street façade to Walton Street are carried through to Cranham Street and provide a more appropriate rhythm that responds more closely, within the restrictions of the existing building structure to the existing, characteristic vertical rhythms that the smaller, tighter plot widths fronting Walton Street have.

10.28. Officers consider that the partial retention of the existing building result in a low level of less than substantial harm to the character and appearance of the Jericho Conservation Area. Due to the separation distance between the application site and nearby listed buildings and the fact that there would be no impact on important views Officers consider that the proposal would not impact on the setting of nearby listed buildings.

10.29. The materials proposed in the extension have been designed to mimic the existing building. A brick bay (as opposed to a glass bay) is proposed with recessed balconies in contrast to the existing building which aims to create a clear distinction between the existing and proposed structures. The articulation of the brick bays proposes to follow the formula and design of the existing re-clad bays as well as replicating the horizontal and vertical elements in brickwork. Between each of the brick bays, perforated metal balustrades are proposed which match those used on the glass bay Juliette balconies. At roof level full height glazing and recessed metal cladding panels are proposed.

10.30. At ground floor level new aluminium and full height glazed curtain walling is proposed to the new retail and commercial uses. An area for shop signage is

proposed above the glazing and below a new metal clad canopy which aims to both tie the ground floor uses together and separate the commercial use from the upper floor residential accommodation.

- 10.31. Officers consider that the proposed materials are acceptable subject to a condition requiring the submission and approval of sample materials.

#### *Residential Internal Amenity*

- 10.32. Sites and Housing plan Policies HP12 (Indoor Space) sets out the requirements for new dwellings to ensure they provide good-quality living accommodation. This has also been carried forward into emerging Policy H15 (Internal Space Standards) Officers have considered the proposals against the Technical Housing Standards - Nationally Described Space Standard (NDSS) and the extent to which the proposed units would have access to daylight and ventilation.

- 10.33. All of the proposed new units would comply with the NDSS in terms of overall floor area and room size. The existing units which are to be retained would comply with the overall floor area requirements but there are some bedrooms which would fail to comply with the NDSS in terms of the specific floor area requirements for bedrooms. However, officers have taken into account the fact that these units are existing with limited scope for significant alteration and on this basis it is considered that it would be unreasonable to refuse the application on this basis.

- 10.34. The proposed demolition of the internal wall between the kitchen and living room in existing Flats 2 and 6, although fundamentally required in order to facilitate the new development and ensure that these units retain adequate levels of daylight quality, would be beneficial for occupiers of these units by creating a more usable living space and allowing access to the proposed communal amenity space. As such, this element of the proposal is considered to be acceptable. In all other regards, the internal arrangement of the existing units would be unchanged.

- 10.35. The proposed units would demonstrate window openings that would be able to provide sufficient light and ventilation for residential occupiers. Therefore, the proposals are considered to comply with Policy HP12 and emerging Policy H15.

#### *Residential External Amenity*

- 10.36. The requirements for external residential amenity space are set out in Sites and Housing Plan Policy HP13 (Outdoor Space) and emerging Local Plan Policy H16 (Outdoor Amenity Space Standards). Both the adopted and emerging policies state that planning permission will only be granted for dwellings which provide direct and convenient access to an area of private open space.

- 10.37. The application proposes that all new residential dwellings will benefit from balconies, patios or terraces. The proposed amenity spaces meet or exceed the minimum space standards set out in the policies and supporting text. Existing Flats 2 and 3 would benefit from additional outdoor patios which would be a

significant improvement considering these units currently do not have any external amenity space.

10.38. Additionally, communal amenity space has been proposed at first floor level which would be accessible for all existing and proposed units. While this space would not be directly accessible for Flats 1, 4, 8 and 5 it would still provide them with external amenity space where currently there is none. Officers have considered whether it would be possible to provide direct access to the podium for these flats however it transpired that there would need to be significant internal alterations required to facilitate this, further complicated by the mixed ownership arrangement of the building. Therefore, on balance, officers find the proposed arrangement acceptable.

10.39. A condition has been included to secure further landscaping details to ensure that the private and semi-private communal areas function effectively.

10.40. Finally, despite not providing policy compliant external amenity space, the proposed Juliette balconies for Flats 1, 2, 4, 5, 6, 7 and 8 are considered to represent an improvement to the living conditions of occupiers of the existing residential units.

10.41. Therefore, officers conclude that the proposals would comply with Policy HP13 and emerging Policy H16.

#### *Design and Heritage Conclusion*

10.42. Officers have carefully considered the proposals, including the resultant potential impact on the character and appearance of the Jericho Conservation Area and nearby listed buildings, and conclude that:

- i. the existing building, due to its unsympathetic design, fails contribute towards the significant character and appearance of the conservation area, and in particular those parts of the conservation area that make up the immediate surroundings of the site. As such the existing building makes no positive contribution to that significance and therefore loss of this architecture through redevelopment would not be harmful to that significance.
- ii. The partial retention of the existing unsympathetic building means that the proposed designs are constrained by the limitations of the existing built form. As such, while Officers accept the need to retain part of the existing building and are satisfied that the proposed designs are acceptable within the scope of this arrangement, and mitigate some of this harm, the development would nevertheless result in a low level of less than substantial harm.

10.43. The NPPF, in dealing with cases where there is less than substantial harm, states:

“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where

appropriate, securing its optimum viable use (paragraph 196).”

- 10.44. In terms of public benefits the proposed development would provide additional Class A1, Class A2 and Class B1 floorspace, with the potential to accommodate between 32 and 54 operational jobs. The development would also provide 9 additional homes which would contribute positively to meeting Oxford’s unmet housing need. Additionally, the proposed renovations of the existing dwellings would improve the quality of the existing residential accommodation provided, deliver improved sustainability in upgrading building fabric and introduction of more efficient heating and improved energy use, and improve the overall aesthetic quality of the building.
- 10.45. In accordance with paragraph 193 of the NPPF Officers have given great weight to the conservation of the designated heritage assets. The impact on the Jericho Conservation Area would be a low level of less than substantial harm. There would be no impact on important views and subsequently no harm to 96 – 101 Walton Street (Grade II); Radcliffe Observatory (Grade I); the University Printing House and St. Paul’s Church, Walton Street (Grade II). Officers consider that the public benefits arising from the development would outweigh the low level of less than substantial harm arising from the proposals.
- 10.46. As such the proposal is found to be acceptable in accordance with paragraphs 196-197 of the NPPF, Local Plan Policy HE.7, Core Strategy Policy CS18 and emerging Local Plan 2036 Policy DH3.

**d. Affordable Housing**

- 10.47. The application proposes 9 additional new dwellings although following the proposed comprehensive redevelopment of the site there will be 17 dwellings in total. Sites and Housing Plan Policy HP4 (Affordable Homes from Small Housing Sites) applies to residential developments on sites with capacity for 4-9 homes and requires a financial contribution towards affordable housing.
- 10.48. Sites and Housing Plan Policy HP3 (Affordable Homes from Large Housing Sites) and emerging Policy H2(a) (Delivering Affordable Homes) apply to residential development on sites with capacity for 10 or more dwellings (or which have an area of 0.25ha or greater). These policies require that a minimum of 50% on dwellings on the site are affordable homes.
- 10.49. Officers consider that the proposals should be considered against policy HP4 rather than HP3 and H2(a) as the 8 existing dwellings which are proposed to be retained will not be significantly altered by the proposals. The alterations will comprise the removal of internal walls between kitchen and living areas and external alterations. Consequently, it is considered that it would be unreasonable to include the existing dwellings when assessing the affordable housing contribution.
- 10.50. Sites and Housing Plan Policy HP4 has not been carried forward into the emerging Local Plan 2036 as Inspectors found it to be in conflict with the NPPF and unsound. The Local Plan 2036 is at an advanced stage and therefore policies within it now carry significant weight in decision making. The Council



expects that the Oxford Local Plan 2036 will be approved on 8<sup>th</sup> June 2020. If the Local Plan is adopted on 8<sup>th</sup> June 2020 the policies contained within it will gain full weight. Given the decision of the Inspectors on the soundness of policies requiring contributions from small scale sites and in light of legal advice, the Head of Planning advises that the Local Planning Authority can no longer reasonably continue to attach material weight to, and rely upon, policy HP4 in its decision making. This means that the Local Planning Authority would no longer seek affordable housing contributions when determining applications for planning permission for development on sites with capacity for between four and nine homes unless the site is greater than 0.5 hectare.

10.51. As the proposed development of 9 dwellings falls below the threshold whereby a contribution towards affordable housing can be sought in accordance with Paragraph 63 of the NPPF, officers would no longer require the applicants to enter into a Section 106 agreement to provide a financial contribution towards off-site affordable housing.

10.52. Notwithstanding, the above decision taken by officers, it is noted that the proposal would result in 8 (existing) social rented units, which would continue to be managed by Oxford City Council, and 9 new market dwellings. The fundamental aim of Policies HP3 and HP4 and emerging Policies H2(a) is to ensure that the appropriate amount of affordable housing is delivered in new developments. When taken as a single development, effectively 47% of the dwellings on site would be affordable dwellings under the proposed arrangement. Therefore, even if the proposal was to be considered against the affordable housing requirement for larger sites it would only fall slightly short of the 50% requirement.

#### **e. Housing Mix**

10.53. Core Strategy Policy CS32 (Mix of Housing) states that planning permission will only be granted for residential development that delivers a balanced mix of housing. The policy continues that appropriate housing mixes are set out in the Balance of Dwellings SPD.

10.54. The application is located within an “amber” area. The Balance of Dwellings SPD (BoDS) states that the target housing mix within developments of 4-9 units in amber areas should be as shown in the table below. The final two columns shows how the proposed development would compare to these targets:

Dwelling Type	BoDS Percentage (4-9 units)	Target Range	Proposed Mix (new dwellings)	Proposed Mix (including existing dwellings)
<b>1 bed</b>	0-30%		0%	0%
<b>2 bed</b>	0-50%		44%	47%
<b>3 bed</b>	30-100%		56%	53%
<b>4+ bed</b>	0-50%		0%	0%

10.55. As shown above, the proposed development would meet the requirements of Policy CS23 and is found to be acceptable in terms of its housing mix.

10.56. Policy H4 (Mix of Dwelling Sizes) of the Emerging Local Plan also carries through the requirement for a balanced mix of housing. As such, the proposals are also found to comply with emerging Policy H4.

**f. Density**

10.57. Local Plan Policy CP6 (Efficient Use of Land and Density) requires development proposals to make maximum and appropriate use of land. This has been carried through into emerging Policy RE2 (Efficient Use of Land). Developments are expected to demonstrate an appropriate density, scale, built form and layout.

10.58. The proposal, as a result of the partial demolition and redevelopment of the site would provide 9 additional dwellings and 17 dwellings in total. The proposed units would meet the minimum required internal and external amenity standards and the height of the proposed building is considered to be appropriate considering the surrounding context and sensitivities of the Jericho Conservation Area. Additionally, the amount of car parking provision would be significantly reduced to accommodate the redevelopment which demonstrates a more efficient use of the site than under the current arrangement.

10.59. Therefore, officers conclude that the proposals would demonstrate efficient use of land which would accord with Local Plan Policy CP6 and emerging Local Plan Policy RE2.

**g. Impact on Neighbouring Amenity**

10.60. The Oxford Local Plan Policy seeks to safeguard the amenities of the occupiers of properties surrounding any proposed development. As a result Policy CP10 (Siting of development to Meet Functional Needs) requires development to be sited in a manner which ensures that the amenities of the occupiers of properties surrounding any proposed development are safeguarded. Additionally, Sites and Housing Plan Policy HP14 (Privacy and Daylight) states that new residential developments must provide reasonable privacy and daylight for the occupants of both existing and new homes. This has been carried through into emerging Local Plan Policy H14 (Privacy, Daylight and Sunlight) and Policy RE7 (Managing the Impact of Development).

10.61. The application site is bounded by a number of properties to the north and east (Walton Street), to the south/ south-west (Cranham Street) and to the north-west (Shirley Place). Additionally, the impact on the retained flats within St. Paul's House will be considered.

*St Paul's House*

10.62. The proposed redevelopment of the Jericho Health Centre would be immediately adjacent to, and in some cases physically connected to, the retained flats within St. Paul's House however Flats 1, 4, 5 and 8, because of

their position facing onto Walton Street, will be unaffected in terms of daylight/sunlight, overlooking and overbearing.

10.63. Flats 3 and 7 would not be significantly impacted by the proposals in terms of daylight and sunlight. The proposed development would result in an increase in built form compared to the existing arrangement however, the new block would be positioned at a 90 degree angle so there would be no direct overlooking issues arising from the development. Likewise, the separation distance of a minimum of 6.5 metres and improved landscaping would be beneficial in terms of outlook and would mean that there would not be any significant overbearing impacts.

10.64. Flats 2 and 6 have internal alterations proposed to remove the existing internal wall between the kitchen and living rooms. This will mitigate against the impact of the proposed development and will ensure that the living/ kitchen areas achieve sufficient levels of daylight quality.

10.65. In terms of overlooking Officers are satisfied that the proposed fenestration arrangements would not result in significant harmful overlooking to Flats 2 and 6. Restricted oblique views would be possible between the stair core of circulation B and the kitchens of these units but considering the angle of the windows this would be minimal and the relationship is found to be acceptable. Likewise, there would be the potential for overlooking between the stair core of circulation B and the bedrooms of Flats 2 and 6 however to mitigate this officers have included a condition to ensure the stair core windows are obscure glazed.

#### *Walton Street*

10.66. The properties which are closest to the application site are no. 60 (which occupies the corner plot to the south east of the application site), no. 67 (immediately adjacent to the site to the north) and nos.107, 108, 109, 110 and 111 Walton Street (opposite the application site).

10.67. The proposals will not represent a significant change to the existing relationship with no. 67. The extent of the existing building will not change, the only exception being the creation of the podium amenity space. Considering the existing flat roof extension at no.67 officers consider that this arrangement would be acceptable subject to a condition to secure details of the proposed boundary treatment along the northern boundary with no. 67. Additionally, the proposals would pass the 45 degree test and as such officers are satisfied that the development would not result in a harmful loss of light to occupiers at no. 67.

10.68. The properties directly opposite the development site have a separation distance of approximately 15 metres. Officers consider that this distance would be sufficient to ensure there was no harmful overlooking over overbearing impacts. The submitted daylight and sunlight assessment has demonstrated that the proposal would not have a significant detrimental impact on the light available to these properties.

10.69. No. 60 Walton Street is a two storey residential dwelling with its primary access located off Cranham Street and a rear conservatory opposite the

application site. The site elevation facing the proposed building includes the entrance door and a ground floor and first floor window. Historic plans indicate that the ground floor window serves a study to the rear of the property and is a secondary source of light, with a rear window and the conservatory also serving this room. The first floor window serves the landing.

10.70. At ground, first and second floor levels the relationship between the application building and no.60 will remain predominantly unchanged as a result of the proposed retail units and retained residential units above. The proposal would introduce additional residential units onto a third floor and consequently the kitchen/ living/ balcony space for Flat 16 would face no.60. The separation distance between the building footprint and no. 60 would remain unchanged. The separation distance between the new balcony for Flat 16 and no. 60 would be approximately 13 metres. Additionally, the balcony would be set back from the building edge by approximately 1.5 metres. Therefore, officers consider that on balance there would not be any harmful overlooking or overbearing impacts arising from the proposed development with regard to no. 60 Walton Street.

10.71. The submitted daylight and sunlight assessment has demonstrated that the proposal would not have a significant detrimental impact on the light available to this property.

#### *Cranham Street*

10.72. The properties closest to the proposed development would be no. 73, nos. 4 and 5 and the currently undeveloped site known as no. 1a which benefits from two extant schemes (17/00874/FUL which was allowed at appeal and 17/03086/FUL).

10.73. The proposed development would include two south west facing bedroom windows within Flat 11 and Flat 14 and a balcony to Flat 17. These windows would front onto the blank flank wall of no. 73 and as such would not be harmful to the residential amenity of the occupiers of no. 73. Equally, the proposed balcony would be set back from the building edge by approximately 5 metres which would mitigate against overlooking of the rear garden of no. 73. In terms of daylight and sunlight, the proposals would pass the 45 degree test and as such officers are satisfied that the development would not result in a harmful loss of light to occupiers at no. 73.

10.74. The proposed development would be sited approximately 13 meters from the properties at no. 4 and 5 Cranham Street. The closest balconies to these properties would serve Flats 11 and 14 however due to the significant separation distance officers consider that the proposals would not result in harmful overlooking to these properties nor have a significant overbearing impact. The submitted daylight and sunlight assessment has demonstrated that the proposal would not have a significant detrimental impact on the light available to these properties.

10.75. As mentioned above, the site at no. 1a is currently a vacant plot but has consented residential and a mixed use (Use Class A2 and C3) schemes. The submitted Daylight and Sunlight Assessment considers the impact on the

consented developments and concludes that there would be negligible changes to the daylight availability to these properties. Officers consider that the proposed development would not be harmful to the amenity of the future occupiers of the site at no. 1a.

#### *Shirley Place*

10.76. Nos. 7 and 10 Shirley Place bound the red line of the application site to the north west however due to the separation distance of approximately 15 metres officers consider there will not be any significant impacts to these properties in terms of loss of light, overlooking or overbearing.

#### *Conclusion*

10.77. It is considered in light of the assessment detailed above that the development would not have a significant adverse impact upon any adjoining residential properties and therefore is found to be compliant with Policy CP10 of the Local Plan, Sites and Housing Plan Policy HP14 and emerging Policies H14 and RE7 of the emerging Local Plan 2036.

### **h. Transport**

#### Access

10.78. Vehicular access is currently off Cranham Street and leads into a rear courtyard, parking and turning area.

10.79. The existing access to the residential flats would be retained as part of the proposals albeit slightly relocated further west along Cranham Street to maximise building space. The access and would continue to be accessed via a separate core from Walton Street. Accesses to the proposed flexible Class A1 retail, A2 professional services and Class B1 office use units on the ground floor would all be along the respective frontages on either Cranham Street or Walton Street.

#### Car and Cycle Parking

10.80. The number of car parking spaces on site is proposed to be reduced from 14 spaces (made of seven surface spaces and seven garages) to 4 unallocated parking spaces.

10.81. The provision of 4 car parking spaces is in line with the standard set out within the Adopted Parking Standards SPD and is considered appropriate considering the highly accessible location of the site and the fact that the site is within a Controlled Parking Zone (CPZ). The Highways Authority have indicated that the proposed low-level parking provision would not adversely affect the local network.

10.82. Vehicle tracking analysis for the 4 parking spaces has not been submitted, however, it is considered that there is sufficient space in the courtyard for medium to large sized vehicles to complete a turning manoeuvre.

10.83. The redevelopment of St Paul's House would result in a provision of 18 covered Sheffield cycle stands (to accommodate 36 bikes) and 3 vertical bike racks, all for residents and staff. In addition to this, 13 Sheffield stands are proposed along the building frontage on both Walton Street and Cranham Street. This provision (in type and scale) accords with the County Council's requirements for cycle parking.

10.84. Therefore, the car and cycle parking provision proposed in this application is found to be acceptable and compliant with the relevant policies.

#### Refuse Storage

10.85. In terms of refuse storage, Officers consider that the doors to the proposed bin store should be designed to avoid opening on the outside contrary to those shown on the submitted plans. Following discussions with the applicant it was agreed that a condition should be included to secure revised details of the bin store.

#### Traffic Impact

10.86. Officers have considered the proposal and are satisfied that the proposed redevelopment would not result in a significant increase in trips over and above those that were experienced by the current building at full occupation.

#### Construction Traffic

10.87. To mitigate the impact of construction vehicles on the surrounding network, road infrastructure and local residents a condition has been included to secure the submission of a Construction Traffic Management Plan (CTMP).

#### Delivery and Servicing

10.88. The application proposes commercial uses on the ground floor of the building. Officers consider that due to the proposed floor area deliveries and servicing vehicles would likely be small vans or HGVs no larger than 10 metres in length. Taking into account the existing nature of Walton Street, Officers are satisfied that the proposed development would not result in a harmful traffic impacts.

### **i. Sustainability**

10.89. 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. This requirement has been carried through into emerging Local Plan 2036 Policy RE1.

10.90. The submitted Energy and Sustainability Statement demonstrates an acceptable approach to carbon/ energy reduction in line with the City Council's 20% target for energy/carbon reduction for major developments.

10.91. Officers have included a condition requiring that the proposed development would be built in accordance with the strategy set out in the submitted Energy and Sustainability Statement.

**j. Flooding and Drainage**

10.92. The NPPF states that when determining planning applications Local Planning Authorities should ensure that flood risk is not increased elsewhere and only consider development appropriate in at risk areas where informed by a site specific flood risk assessment following the Sequential Test. If required an Exception Test may also be necessary to make the development safe without increasing flood risk elsewhere (paragraph 157).

10.93. Additionally, Core Strategy Policy CS11 (Flooding) requires that qualifying developments are accompanied by a full Flood Risk Assessment (FRA), which includes information to show how the proposed development will not increase flood risk. Development will not be permitted that will lead to increased flood risk elsewhere and unless it is shown not to be feasible, all developments will be expected to incorporate sustainable drainage systems or techniques to limit and reduce run-off rates. This has been carried through into emerging Local Plan 2036 Policy RE3 (Flood Risk Management) and RE4 (Sustainable and Foul Drainage, Surface and Groundwater Flow).

10.94. In addition to the above policies Oxfordshire County Council, the Lead Local Flood Authority (LLFA), have their own guidance on surface water drainage which requires that surface water management must be considered from the beginning of the development planning process and throughout – influencing, and not limited by, site layout and design. Likewise, wherever possible, runoff must be managed at source (i.e. close to where it falls) with residual flows then conveyed downstream to further storage or treatment components, where required. The proposed drainage should mimic the existing drainage regime of the site and existing drainage features on the site should to be retained, utilised and enhanced wherever possible.

10.95. The application site is located with Flood Zone 1 and is less than 1 hectare in size and therefore a Flood Risk Assessment is not required. The LLFA and the LPA have considered the submitted details. Initially the LLFA objected to the proposals however following the review of additional information submitted by the applicant officers have had correspondence with the LLFA indicating that they now have no objections subject to conditions relating to sustainable drainage (SuDS). However, at the time of writing a formal response from the LLFA to confirm this view has not been received. Therefore, officers have recommended approval of the application subject to final confirmation from the LLFA that they raise no objections to the proposals.

**k. Other matters**

10.96. Officers consider that it is necessary to secure the submission of a phased risk assessment at the site with regards to potential ground contamination risks. This is because the site has had historical uses that may have given rise to ground contamination. In addition, the development proposals include

residential accommodation which is considered to be a sensitive use. This means that there remains the potential for workers and end users of the site to be exposed to potential contaminants which could cause harm.

10.97. As the application proposes the partial demolition of the existing building a condition relating to the control of construction dust has been included.

10.98. In terms of archaeology the application site is of interest because it is located within the likely historic core of the historic hamlet of Walton in within close proximity to sites known to have archaeological value. As such conditions relating to demolition and requiring the submission of a Written Scheme of Investigation (WSI) have been included.

## **11. CONCLUSION**

11.1. Having regard 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.

11.2. In the context of all proposals Paragraph 11 of the NPPF requires that planning decisions apply a presumption in favour of sustainable development, this means approving development that accords with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

### *Compliance with Development Plan Policies*

11.3. Therefore, in conclusion, it is 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.

11.4. The proposal is considered to comply with the development plan as a whole. The principle of development and the partial demolition of the existing building are both found to be acceptable.

### *Material considerations*

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



- 11.6. Officers consider that the proposal would accord with the overall aims and objectives of the NPPF for the reasons set out within the report.
- 11.7. The proposal will not have an unacceptable impact on heritage assets, the neighbouring amenity, public highways and sustainability. It has been concluded that the development would preserve the character and appearance of the Conservation Area and not impact on the setting of listed buildings. Conditions have been included to ensure this remains the case in the future.
- 11.8. Therefore, it is recommended that the Committee resolve to grant planning permission for the proposed development subject to the conditions set out in section 12 of this report.

## **12. CONDITIONS**

### **1. Development Time Limit**

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. Development in Accordance with Approved Plans**

Subject to conditions 3, 4 and 5 the development hereby 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. Material Samples**

Notwithstanding the details submitted with the application, prior to commencement of above ground works on the site samples of all external materials and finishes to be used shall be submitted to and approved in writing by the Local Planning Authority. Material samples to be submitted shall include as a minimum:

- Sample panels of the brickwork and cladding demonstrating the colour, texture, face bond and pointing.
- Glass, frame, door frames and roof materials.
- Samples proposed for front aprons at pavement level; railings and screens to window and balconies.

- Samples of boundary treatments and screening.

The development shall be completed in accordance with the approved details unless otherwise agreed in writing.

Reason: In the interests of the visual appearance of the designated heritage assets and in accordance with policies CP1, CP8, HE6 and HE7 of the Adopted Oxford Local Plan 2001-2016 and Core Strategy Policy CS18.

#### **4. Large Scale Details**

Notwithstanding the details submitted with the application, prior to commencement of development large scale design details shall be submitted to and approved in writing by the Local Planning Authority. These shall include as a minimum:

- Details of horizontal projection above shopfronts ( canopy);
- Details of shopfronts and signage including lighting for signs.
- Details of screen wall shown as part of the street frontage.

The development shall be completed in accordance with the approved details unless otherwise agreed in writing.

Reason: In the interests of the visual appearance of the designated heritage assets and in accordance with policies CP1, CP8, HE6 and HE7 of the Adopted Oxford Local Plan 2001-2016 and Core Strategy Policy CS18.

#### **5. Lighting Strategy**

Notwithstanding the details submitted with the application, no architectural lighting, security lighting or other external means of illumination of the site shall be provided, installed or operated in the development, except in accordance with a detailed Lighting Strategy which has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details and retained thereafter.

Reason: In the interests of the visual appearance of the designated heritage assets and in accordance with policies CP1, CP8, HE6 and HE7 of the Adopted Oxford Local Plan 2001-2016 and Core Strategy Policy CS18.

#### **6. Construction Traffic Management Plan (CTMP)**

Prior to commencement of works a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority. The CTMP should follow Oxfordshire County Council's template if possible. This should identify;

- 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.

The development shall be completed in accordance with the approved CTMP unless otherwise agreed in writing by the Local Planning Authority.

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.

## **7. Construction Dust**

The commencement of the development shall not take place until a programme for the suppression of dust during the construction of the development has been submitted to and approved in writing by the Local Planning Authority. The specific dust mitigation measures to follow should be aligned with the recommendations IAQM Guidance on the assessment of dust from demolition and construction for medium risk sites. No building works shall commence until such approval in writing has been given by the Local Planning Authority. The approved measures shall be employed throughout the entire period of the construction of the development.

Reason: In accordance with Core Policy CP23 of the Oxford Local Plan 2001- 2016.

## **8. Obscure Glazing**

The north-west facing window in the circulation B stair cores shown on the approved plans shall be glazed in obscure glass, be non-opening and thereafter retained as such.

Reason: To safeguard the amenities of the adjoining occupiers in accordance with policies CP1, CP10 and HS19 of the Adopted Oxford Local Plan 2001-2016.

## **9. Bin Store**

Before the development permitted is occupied details of bin storage, including means of enclosure, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall not be brought into use until the bin storage areas and means of enclosure have been provided within the site in

accordance with the approved details and thereafter the areas shall be retained solely for the purpose of the storage of bins.

Reason: In accordance with the requirements of Policy HP13 of the Sites and Housing Plan.

## **10. Energy Statement**

The development shall be carried out in accordance with the Energy Statement (dated 16/04/2019 Edition 01 from ERS Consultants).

Reason: In accordance with Core Strategy policy CS9.

## **11. Unexpected Contamination**

A watching brief shall be undertaken throughout the course of the development to identify any unexpected contamination. Any unexpected contamination that is found during the course of construction of the approved development shall be reported immediately to the Local Planning Authority. Development on that part of the site affected shall be suspended and a risk assessment carried out by a competent person and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These approved schemes shall be carried out before the development (or relevant phase of development) is resumed or continued.

Reason: To ensure that any soil and water contamination is identified and adequately addressed to ensure the site is suitable for the proposed use in accordance with the requirements of policy CP22 of the Oxford Local Plan 2001-2016.

## **12. Archaeology**

No development shall take place until the applicant, or their agents or successors in title, has submitted a method statement for the sensitive demolition of standing structures at this site in such a manner as to avoid unnecessary disturbance to potential below ground archaeological remains. All works shall be carried out and completed in accordance with the approved written scheme of investigation, unless otherwise agreed in writing by the Local Planning Authority.

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 medieval and postmedieval remains, in accordance with Local Plan Policy HE2.

## **13. Archaeology - WSI**

No development shall take place until a written scheme of investigation (WSI) for Stage1) archaeological trial trenching and Stage 2) Mitigation has been [submitted to

and] approved by the Local Planning Authority in writing. 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 of site investigation and 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 medieval and postmedieval remains, in accordance with Local Plan Policy HE2.

#### **14. Landscape Plan**

A landscape plan shall be submitted to, and approved in writing by, the Local Planning Authority prior to first occupation or first use of the development hereby approved. The plan shall show details of treatment of paved areas, and areas to be grassed or finished in a similar manner, existing retained trees and proposed new tree, shrub and hedge planting. The plan shall include a schedule detailing plant numbers, sizes and nursery stock types.

Reason: In the interests of visual amenity in accordance with policies CP1, CP11, NE15, NE16 of the Oxford Local Plan 2001-2016 and CS12 of the Oxford Core Strategy 2011-2026.

#### **15. Landscape Proposals: Implementation**

The landscaping proposals as approved by the Local Planning Authority pursuant to condition 14 shall be carried out no later than the first planting season after first occupation or first use of the development hereby approved unless otherwise agreed in writing beforehand by the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with policies CP1 and CP11 of the Oxford Local Plan 2001-2016 and CS12 of the Oxford Core Strategy 2011-2026.

#### **16. Landscape Proposals: Reinstatement**

Any existing retained trees, or new trees or plants planted in accordance with the details of the approved landscape proposals that fail to establish, are removed, die or become seriously damaged or defective within a period of five years after first occupation or first use of the development hereby approved shall be replaced. They shall be replaced with others of a species, size and number as originally approved during the first available planting season unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with policies CP1 and CP11 of the Oxford Local Plan 2001-2016 and CS12 of the Oxford Core Strategy 2011-2026.

## **17. SUDS**

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 (LPA).

The plans, calculations and drainage details will be required to be completed by a suitably qualified and experienced person in the field of hydrology and hydraulics. 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. 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. III. Excess surface water runoff must be stored on site and released to receiving system at greenfield runoff rates.
- IV. IV. Where sites have been previously developed, discharge rates should be at greenfield 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 shall also be sought with the sewerage undertaker where required.

The development shall be completed in accordance with the approved details unless otherwise agreed in writing.

Reason: To ensure compliance with Oxford Core Strategy Policy CS11

## **18. SuDS – Maintenance Plan**

Prior to the commencement of development a SuDS maintenance plan shall be submitted and approved in writing by the Local Planning Authority. The Sustainable Drainage (SuDS) Maintenance Plan is required to be completed by a suitably qualified and experienced person in the field of hydrology and hydraulics. The SuDS maintenance plan shall 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 development shall be completed in accordance with the approved details unless otherwise agreed in writing.

Reason: To ensure compliance with Oxford Core Strategy Policy CS11

## **19. RSPB – Swift Bricks**

A minimum of 10 Swift Bricks shall be incorporated into the construction of the approved building unless otherwise agreed in writing by the Local Planning Authority. The type of Swift Bricks used shall be in accordance with the document “Facts About Swift Bricks” (Royal Society for the Preservation of Birds, dated August 2013).

Reason: In accordance with paragraph 170(d) of the NPPF

## **20. Thames Water**

No properties shall be occupied until confirmation has been submitted to, and approved in writing by, the Local Planning Authority that either:

1. Capacity exists off site to serve the development; or
2. A housing and infrastructure phasing plan has been agreed with Thames Water. Where a housing and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan; or
3. All wastewater network upgrades required to accommodate the additional flows from the development have been completed.

Reason: Network reinforcement works may be required to accommodate the proposed development.

### **INFORMATIVES :-**

- 1 The development hereby permitted is liable to pay the Community Infrastructure Levy. The Liability Notice issued by Oxford City Council will state the current chargeable amount. A revised Liability Notice will be issued if this amount changes. Anyone can formally assume liability to pay, but if no one does so then liability will rest with the landowner. There are certain legal requirements that must be complied with. For instance, whoever will pay the levy must submit an Assumption of Liability form and a Commencement Notice to Oxford City Council prior to commencement of development. For more information see: [www.oxford.gov.uk/CIL](http://www.oxford.gov.uk/CIL)
- 2 Alterations to the Public Highway Any alterations to the public highway will be at the applicant's expense and to Oxfordshire County Council's standards and specifications. Written permission must be gained from the Oxfordshire County Council (Contact – 0845 310 1111 or refer to <https://www.oxfordshire.gov.uk/cms/content/dropped-kerbs> for this action).
- 3 There are water mains crossing or close to the development. Thames Water do NOT permit the building over or construction within 3m of water mains. If the applicant is planning significant works near our mains (within 3m) Thames Water will need to check that the development doesn't reduce capacity, limit

repair or maintenance activities during and after construction, or inhibit the services they provide in any other way. The applicant is advised to read the guide [working near or diverting our pipes](https://developers.thameswater.co.uk/Developing-a-large-site/Planning-yourdevelopment/Working-near-or-diverting-our-pipes).  
<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-yourdevelopment/Working-near-or-diverting-our-pipes>

- 4 The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-yourdevelopment/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk)

### **13. APPENDICES**

- **Appendix 1 – Site location plan**

### **14. HUMAN RIGHTS ACT 1998**

- 14.1. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to approve 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.

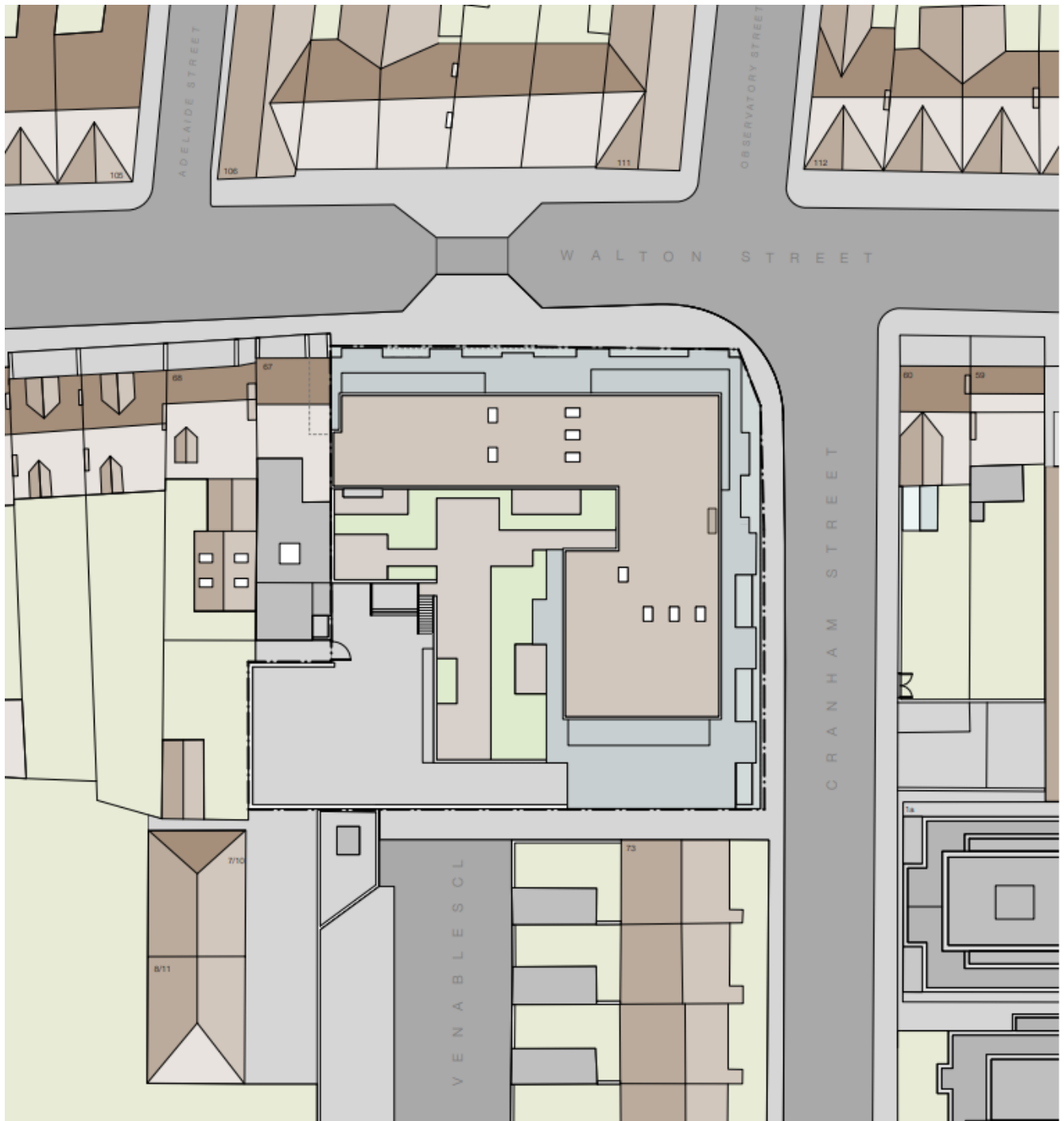
### **15. SECTION 17 OF THE CRIME AND DISORDER ACT 1998**

- 15.1. 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.



## Appendix 1 – Site Plan

19/02531/FUL – St. Paul's House, Walton Street



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## WEST AREA PLANNING COMMITTEE

<b>Application number:</b>	19/03149/FUL		
<b>Decision due by</b>	28th February 2020		
<b>Extension of time</b>	19 <sup>th</sup> June 2020		
<b>Proposal</b>	Public realm works, including hard and soft landscaping, rationalisation of car and cycle parking, provision of new cycle store buildings and creation of public spaces.		
<b>Site address</b>	Site Of Oxford University Science Area, South Parks Road, Oxford, Oxfordshire – see <b>Appendix 1</b> for site plan		
<b>Ward</b>	Holywell Ward		
<b>Case officer</b>	Natalie Dobraszczyk		
<b>Agent:</b>	Steven Roberts	<b>Applicant:</b>	The Chancellor, Masters And Scholars Of The University Of Oxford
<b>Reason at Committee</b>	Large scale application		

## 1. RECOMMENDATION

1.1. West Area Planning Committee is recommended to:

1.1.1. **approve the application** for the reasons given in the report and subject to the required planning conditions set out in section 11 of this report and grant planning permission; and

1.1.2. **agree to delegate authority** to the Head of Planning Services to:

- finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary; and

## 2. EXECUTIVE SUMMARY

2.1. This report considers public realm works, including hard and soft landscaping, rationalisation of car and cycle parking, provision of new cycle store buildings and creation of public spaces at the site of the University Science Area.

2.2. The report considers the following material planning considerations:

- Principle of development;
- Impact on heritage assets;
- Design
- Transport
- Biodiversity
- Drainage
- Other matters.

2.3. On balance the proposal is considered to comply with the development plan as a whole. The principle of development, changes to access and proposed improvements to the public realm are found to be acceptable.

2.4. The proposals would result in a moderate level of less than substantial harm to heritage assets. Great weight has been given to the conservation of those heritage assets, however it is considered that, on balance, the public benefits would outweigh the less than substantial harm that would be caused to the significance of heritage assets by the development. As such, the proposal would meet the test of paragraph 196 of the NPPF and would accord with Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2.5. Officers conclude that the proposal would not have an unacceptable impact on public highways, ecology or drainage. Conditions have been included to ensure this remains the case in the future.

### **3. LEGAL AGREEMENT**

3.1. This application is not subject to a legal agreement.

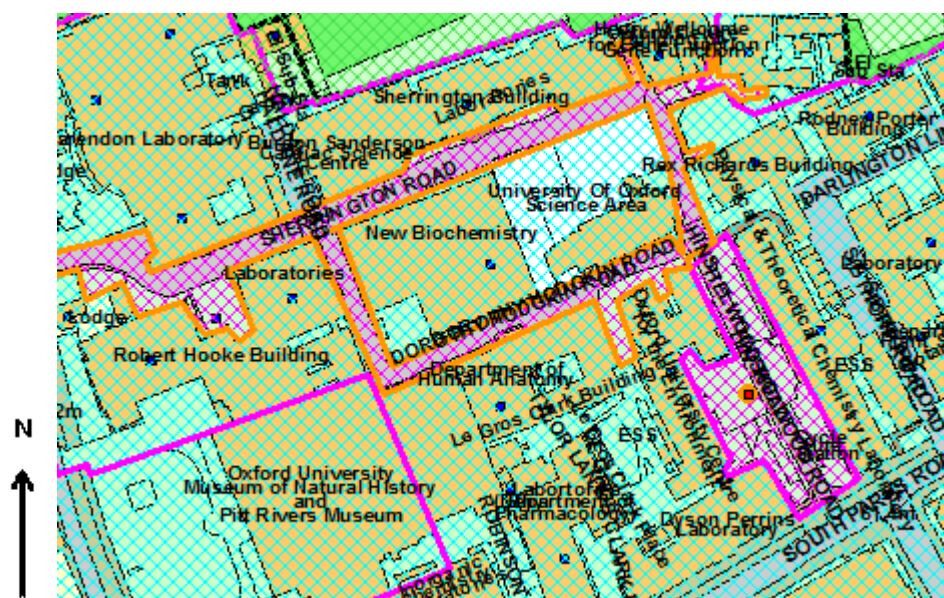
### **4. SITE AND SURROUNDINGS**

4.1. The application site is a 0.9ha area of public realm located between Parks Road and South Parks Road. The site encompasses Sherrington Road, Haldane Road, Dorothy Hodgkin Road and Hinshelwood Road and the land between the existing and consented buildings within this area.

4.2. The application site is located within the Central (University and City) Conservation Area. To the immediate north of the site is the University Parks Grade II Registered Park and Garden. The red line area abuts a number of listed buildings, namely:

- The University Museum and Pitt Rivers Museum (Grade I)
- The Townsend Building (Grade II)
- Museum Lodge (Grade II)
- Dyson Perrins Chemistry Laboratory (Grade II)

- 4.3. There are a number of Sites of Special Scientific Interest (SSSI) within a 2km radius of the site, including: within 1km – New Marston Meadows SSSI east and Magdalen Grove SSSI to the south; and within 2km – Port Meadow with Wolvercote Common & Green SSSI to the northwest.
- 4.4. The site is currently characterised by hardstanding, services, car and cycle parking and access to the adjacent buildings. However, there are some areas which benefit from planting such as outside of the Physical Chemistry Laboratory to the south east of the site; at the entrance to the site from Parks Road into Sherrington Road at the east of the site; and a small seating area adjacent to the new Biochemistry Building at the south west of the site. Pedestrian and cycle access are taken as the existing access points on Parks Road and South Parks Road.
- 4.5. The site is located within Flood Zone 1.
- 4.6. See block plan below:



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Ordnance Survey 100019348

*Figure 1: Block Plan*

## 5. PROPOSAL

- 5.1. The application proposes public realm works, including hard and soft landscaping, rationalisation of car and cycle parking, provision of new cycle store buildings and creation of public spaces.
- 5.2. The proposal includes the creation of two new amenity spaces and shared streets with additional lighting, street furniture and wayfinding.
- 5.3. The application proposes 47 car parking spaces, 4 cycle shelter buildings and a total of 411 covered and 646 uncovered cycle parking spaces.

5.4. The proposed hard landscaping materials include granite stone and concrete block paving, natural stone setts, pigmented tarmac and bound gravel.

5.5. The proposed planting includes meadow planting, climbers and shrub and seasonal planting for both sunny and shaded areas.

## 6. RELEVANT PLANNING HISTORY

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

04/02502/FUL - Erection of 2.2m high steel paling perimeter fencing and gates, rota spikes fixed to an existing wall and new emergency exit to the University Sports Ground. Approved 25th February 2005.

06/01005/FUL - Erection of 2 metre high steel gates and railings and 3 metre high posts, outside Clarendon Laboratories. Approved 11th July 2006.

11/00940/CONSLT - Masterplan for University Science Area : Please note this is NOT a planning application. (Amended Plans). Responded 22nd January 2013.

6.2. In March 2011 the University prepared a masterplan for the University Science Area and submitted it to Oxford City Council for consideration ('2011 Masterplan'). The masterplan area was a much larger area than that currently included in this submission and, for reference, it is outlined in red in the image below:



Figure 2: Science Area Masterplan Area

6.3. The 2011 Masterplan aimed to develop a framework within which the University could manage change across the Science Area through future major redevelopment projects.

6.4. The Council's West Area Planning Committee considered the 2011 Masterplan on 16 January 2013 and resolved to "welcome the plan, and asked to be kept informed of its progress in the long term". This application is the first major project in the University Science Area since the 2011 Masterplan was endorsed by the City Council. It follows a series of major projects in this area over the last 10/15 years, including the Beecroft building on Parks Road (reference: 10/03207/FUL) and the Biochemistry Building on Sherrington Road (Phase 1 complete, Phase 2 due to complete in December 2020) (reference: 05/00643/FUL).

6.5. Also of relevance to this application are a number of smaller consents which, despite falling outside of the red line of this application, have shaped the development of the public realm in recent years. These include:

- 05/00643/NMA - Non-Material amendment to planning permission 05/00643/FUL to allow changes to the ground floor including: reduction of main North entrance and atrium; alterations to east and west cafe, erection of external cycle parking; glazing on the south facade, updating of landscaping, relocation of south entrance to west elevation and reduction from two storey to single storey. Changes to the Roof including: alterations to atrium rooflight, relocation of roof terrace to East. Replacement of greenhouse with photovoltaic cells. Approved 27<sup>th</sup> July 2018.
- 14/00081/FUL - Erection of a waste store building. (Additional information). Approved 11<sup>th</sup> April 2014.
- 17/03411/FUL - Installation of 294 cycle parking spaces and means of enclosure. Approved 15<sup>th</sup> March 2018.

## 7. RELEVANT PLANNING POLICY

7.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Core Strategy	Sites and Housing Plan	Local Plan 2036
<b>Design</b>	Paragraphs 124 - 132	CP1, CP6, CP8, CP9, CP10, CP11, CP13, CP19, CP20	CS2, CS18		DH1,
<b>Conservation / Heritage</b>	Paragraphs 184, 189 - 202	HE.2, HE.3, HE7, HE.11			DH3, DH4



<b>Natural environment</b>	Paragraphs 148-165, 170 – 183	NE15, NE16	CS10, CS11, CS12		RE1, RE2, RE3, RE4, RE6, RE7, RE8, RE9, G8
<b>Transport</b>	Paragraphs 102-111				M1, M2, M3, M5
<b>Miscellaneous</b>	Paragraphs 7 – 12, 47 – 48	CP.13, CP.20, CP.22		MP1, SP58	S1, SP61

7.2. Regard should also be had to the emerging Oxford Local Plan 2036 which is nearing the final stages in the plan making process. The final public consultation was undertaken between 1st November 2018 until 13th December 2018 and the representations have been processed. The Local Plan was submitted to the Secretary of State for examination on 22nd March 2019. A series of questions were put to the council between May and September and the Council also produced Matters statements to respond to specific questions from the Inspector. These Matters formed the basis of the hearing sessions which were held in December 2019. The modifications following the hearings were consulted on in February- March 2020. The final Inspector's Report was issued on 15th May 2020. The Council intends to adopt the Local Plan 2036 on 8<sup>th</sup> June 2020. The emerging policies listed above are relevant to this application and now carry significant weight in decision making. If the Local Plan is adopted on 8<sup>th</sup> June 2020 the policies contained within it will gain full weight.

## 8. CONSULTATION RESPONSES

8.1. Site notices were displayed around the application site on 11th December 2019 and advertisements were published in The Oxford Times newspaper on 12th December 2019 and 18<sup>th</sup> March 2020.

### **Statutory and non-statutory consultees**

#### Oxfordshire County Council (Highways Authority)

8.2. No objections subject to conditions requiring a car parking layout plan and a construction traffic management plan.

#### Oxfordshire County Council (Lead Local Flood Authority)

8.3. No objections subject to conditions relating to the installation of sustainable urban drainage (SuDS).

#### Heritage Officer

8.4. Objected to the proposals due to the moderate level of less than substantial harm to the significance of the listed buildings and Central Conservation Area.

#### Tree Officer



8.5. Objected to the proposals due to the inclusion of car parking within an area of existing green space. Raised some concern over the proposed tree species.

#### Land Quality

8.6. No objections subject to conditions relating to the discovery of unexpected contamination.

#### Air Quality

8.7. No objection subject to a condition relating to dust during construction.

#### Archaeology

8.8. No objection subject to a condition requiring the development to be carried out in accordance with the written scheme of investigation.

8.9. The following responded with no objections:

- Biodiversity/ Ecology

8.10. The following were consulted but provided no comment:

- Historic England

8.11. The application was discussed by the Oxford Design Review Panel (ODRP) on 22nd August 2019. The comments provided stated that the Panel welcomed the aspirations to create a better environment which focused on greening and pedestrian and cyclist improvements. The following steps were suggested to improve the proposals:

- A narrative and vision that incorporates consideration of climate change and sustainability and explains design choices as well as the long-term aspirations for the site;
- Undertake greater analysis of the area to inform the design, such as understanding sunlight and daylight patterns;
- Greater analysis of movement and circulation within the site, as well as in relation site to the wider environment;
- Developing a hierarchy of spaces with a function and identity for each, and complementary materiality and lighting.

#### **Public representations**

8.12. No comments received.

### **9. PLANNING MATERIAL CONSIDERATIONS**

9.1. Officers consider the determining issues to be:

- Principle of development;
- Impact on heritage assets;
- Design
- Transport
- Biodiversity
- Drainage
- Other matters.

**a. Principle of development**

- 9.2. The National Planning Policy Framework (NPPF) sets out a presumption in favour of sustainable development (paragraph 11) and emphasises that the creation of high quality places is fundamental to the planning and development process (paragraph 124). The importance of creating well designed, visually attractive spaces which establish or maintain a strong sense of place and are sympathetic to local character and history is highlighted in paragraph 127.
- 9.3. These principals are also reflected within numerous policies within Oxford City's Local Development Framework. Oxford's Local Plan Policies CP1 (Development Proposals), CP9 (Creating Successful Places), CP11 (Landscape Design) along with Core Strategy Policy CS18 (Urban Design, Townscape and Character of the Historic Environment) all highlight the importance of high quality design in creating successful places. Likewise, these requirements are within Policies S1 (Presumption in Favour of Sustainable Development) and DH1 (High Quality design and Placemaking) of the emerging Local Plan 2036.
- 9.4. The NPPF requires proposals to encourage sustainable modes of travel by increasing opportunities for walking, cycling and public transport use (paragraphs 108 – 111). Local Plan Policies TR3 (Car Parking Standards), TR11 (City Centre Car Parking), TR12 (Private Non-Residential Parking), TR4 (Pedestrian and Cycle Facilities) and Core Strategy Policy CS13 (Supporting Access to New Development) set out the standards for car and cycle parking and support sustainable transport modes. These requirements are carried through in emerging Local Plan 2036 Policies M1 (Prioritising Walking, Cycling and Public Transport), M3 (Motor Vehicle Parking) and M5 (Cycle Parking).
- 9.5. Sites and Housing Plan Policy SP58 (University of Oxford Science Area and Keble Road Triangle) states that development must retain and enhance the listed buildings, contribute towards the character of the conservation area and minimise car parking spaces on site while mitigating traffic impacts and maximising access by alternative means of transport.
- 9.6. The approach taken in Policy SP58 is predominantly carried through into emerging Local Plan 2036 Policy SP61 (University of Oxford Science Area and Keble Road Triangle). Developments within this site are expected to mitigate against traffic impacts and maximise access by alternative means of transport. Likewise, the supporting text states that due to both the archaeological and

heritage interest of the site, development should demonstrate compliance with Policies DH3 (Designated Heritage Assets) and DH4 (Archaeological Remains).

- 9.7. The application proposes improvements to the public realm including hard and soft landscaping, alterations to vehicle movement and access, rationalisation of car and cycle parking, provision of new cycle store buildings and the creation of public spaces. As such the proposal is considered to be acceptable in principle. The extent to which the proposal complies with specific policy requirements is considered in more detail in the sections below.

**b. Impact on Heritage Assets**

- 9.8. The NPPF requires proposals to be based upon an informed analysis of the significance of all affected heritage assets and expects applicants to understand the impact of any proposal upon those assets with the objective being to sustain their significance (paragraph 189). In making any such assessment great weight should be given to the asset's conservation (paragraph 193). When assessing the impact of a proposal on a designated heritage assets the NPPF states where a development proposal will lead to less than substantial harm this harms should be weighed against the public benefits of the proposal (paragraph 196).
- 9.9. The NPPF requires that local authorities seek 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, CP8 and HE.6 of Oxford Local Plan, together with Policy CS18 of the Core Strategy require that development proposals incorporate high standards of design and respect local character. The aims of these policies have been carried through into emerging policies DH1 (High Quality Design and Placemaking) and DH5 of the Oxford Local Plan 2036.
- 9.10. The application site lies within the University Science Area in the area between South Parks Road, to the south and the University Parks to the north. The area is within the boundary of the Central (City and University) Conservation Area and there are a number of listed buildings whose settings fall within the site
- 9.11. The site comprises a series of contiguous outdoor spaces, including roads that lie between the University Museum in the west and the Physical Chemistry building in the east. The spaces are essentially the principal vehicular routes and spaces adjoining them that run through this part of the University Science Area. The spaces are framed by a number of large, academic, teaching and research, departmental buildings that date from the early C20 through to currently being constructed Biochemistry II Building. There are also a number of small pockets, and more significant strips, of soft landscape, shrub and tree planting that relates to the existing adjacent buildings.
- 9.12. The existing site arrangement has developed in a piecemeal manner over a number of years without any coherent narrative or unified approach. The result is that the site is characterised by ad-hoc parking and servicing arrangements and an abundance of hardstanding that have eroded the historic parkland setting of this area. Consequently, officers consider that the current harm to the

significance via the settings of the listed buildings and to the character and appearance of the Central Conservation Area would be a high level of less than substantial harm.

9.13. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 provides that:

*“In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”*

9.14. Under Section 72(1) the Act states that with regard to development in Conservation Areas, the Local Planning Authority should:

*“...with respect to any buildings or other land in a conservation area...pay special attention to the desirability of preserving or enhancing the character or appearance of that area”.*

9.15. The applicant suggests that against a backdrop of existing harm the proposals would, by virtue of the removal of poor-quality features or reduction of existing detracting features therefore present an enhancement and by default “preserve” the heritage assets, however, this is incorrect.

9.16. Preservation, as set out in the Historic England guidance means not harming the interest in the building (heritage asset) or conservation area, as opposed to keeping it utterly unchanged. In the case of the listed buildings that fall within the site, or whose settings fall within the site, this means that the following should be considered:

- i. The contribution of the aspect of the setting that would be impacted by the proposed development needs to be identified; and
- ii. The nature of that impact, i.e. whether or not it would be harmful to the setting and thus the significance of the listed building needs to be assessed.

9.17. It is the interest in the listed building or conservation area that the local planning authority is required to preserve, not the current condition of the building’s surroundings (setting) or the present character or appearance of the conservation area. It is acknowledged that there are aspects of the present character and appearance of the site that do not contribute positively to the special interest of the conservation area (its significance). Yet, it would be incorrect to say that any alteration of these aspects would preserve the special interest of the area.

9.18. The heritage values of a place can be divided into:

- Evidential value: the potential of a place to yield evidence about past human activity;

- Historical value: the ways in which past people, events and aspects of life can be connected through a place to the present;
- Aesthetic value: the ways in which people draw sensory and intellectual stimulation from a place; and
- Communal value: the meanings of a place for the people who relate to it or for whom it figures in their collective experience or memory. These values tend to be bound closely to the historical (particularly associative) and aesthetic values but have specific and additional aspects.

9.19. The following sections identify the significance of this area of the Central Conservation Area and the relevant listed buildings:

#### Central Conservation Area

- 9.20. The significance of the application site is derived from the evidential value i.e. the evidence about past human activity including the surviving evidence of the more extensive University Parks, as well as the historic value of area. In the case of the science area the past scientists, discoveries and internationally important research projects connect us to the past, this associative value includes the names that have been given to particular buildings, associating them with key scientific figures who worked here.
- 9.21. The few surviving elements of the wider extent of the University Parks are illustrative of the past use of this place, for example the “avenue” of lime trees on South Parks Road which marked the southern edge of the University Parks and the visual connections that have been gradually lost but which might potentially be re-established or strengthened in order to “preserve” this illustrative, historical value.
- 9.22. Additionally the setting of a number of the older buildings, including the listed buildings, are illustrative of their original designed placing in a parkland setting, with formal or particularly aligned approaches which were a part of the buildings’ significance.
- 9.23. Furthermore, communal value can be derived from the events that are important in the development of scientific endeavour and practice over the period in which the science area has existed but also the association with the University Parks and the surviving elements of this (as is notable from the name ‘South Parks Road’).
- 9.24. The application proposes the creation of 5 car parking spaces within an existing grass verge adjacent to the Physical Chemistry Laboratory. This grass verge, while relatively modest in appearance does have value in providing a visual connection between the tree lined South Parks Road to the University Parks beyond. As such, the inclusion of car parking within this area further erodes the historic parkland setting of this area.
- 9.25. By failing to respond to the references to the historic park the proposal would result in less than substantial harm to the identified heritage assets. The character of the conservation area is still informed by the connection of the area

to the University Parks with significant trees on Parks Road but particularly the lime avenue on South Parks Road. The opportunity to make a new public realm that reinforces and strengthens this character with appropriate new tree planting and green spaces has not been taken and in contrast the design proposes the introduction of a number of new structures and parking spaces that limits the potential for a significant green space that might achieve such preservation or enhancement. The weight to be ascribed to the harm should be moderate because the site and particularly the eastern portion of it makes a contribution to the character and appearance to the conservation area and the historic park, however, there are other aspects and elements that also make a contribution.

#### Clarendon Laboratory (Townsend Building)

- 9.26. The significance of this listed building derives from its architecture, including the composition of its principal façade. The building was originally designed to sit within the Park surrounded by parkland however this arrangement has changed over time.
- 9.27. The application proposes the retention of car parking at the front of the building. Officers consider that the existing car parking harms the setting of this building and as such retaining this arrangement, would not preserve the building's special interest or significance, despite the change in surfacing material.
- 9.28. The impact of the proposal would be one of less than substantial harm to the significance of the Clarendon Laboratory (Townsend Building). The level of harm must be considered to be moderate in that the siting of parking bays together with their associated visual elaboration (markings and signs changes in pattern/alignment of pavements) and the visual obstruction that would occur when occupied would result in harm to part of the setting of the listed building an aspect which only makes a contribution to the building's overall significance the remainder of which is derived from its surviving architectural composition, the fact that it was a radical departure in style at the time (the importance of its Architect) and its historical value by association.

#### The Museum Lodge

- 9.29. The Museum Lodge was designed to sit within a landscaped setting on the edge of the University Parks with a relatively generous garden to the rear enclosed by hedgerow. Vestiges of the garden survive and the original design intention is still evident.
- 9.30. The application proposes the introduction of roads, hard surfacing and ranks of bicycle parking which would not preserve the setting of the building as it contributes to the buildings architectural significance i.e. as a building sitting in landscape.
- 9.31. The proposed design would result in less than substantial harm to the setting of the Museum Lodge through its further truncation and the introduction of a homogenous hard surface in place of soft landscape. The weight of harm must be considered to be moderate in that it would result in the loss of part of the

garden thus impacting on part of the setting of the listed building a substantial part of whose significance derives from its architecture and association with the Museum.

#### Dyson Perrins Building

- 9.32. The Dyson Perrins building was originally sited at the southern edge of and encroaching into the University Parks. The Parks, including a distinctive avenue of lime trees that was originally the formal southern boundary of the Parks that still survives running down South Parks Road and extending east into Mesopotamia Walk, contributed to the setting of the listed building as originally conceived.
- 9.33. The design of the proposed public realm proposes a cycle store immediately adjacent to and in front of the eastern façade of the listed building. When viewed from South Parks Road, although set back with a future green front, the relationship of the building intervention so closely to the former laboratory building will appear as an intrusive intervention. The size of the bicycle store to be sited to the east of the building will be such that it will be visible alongside the principal façade of the building in views from South Parks Road.
- 9.34. The harm would be less than substantial and the weight of this harm would be considered to be moderate in that it would result in an incongruous structure that would be sited directly alongside and in front of two of the important facades of the listed building that make an important contribution to the listed building's architectural significance, however, the significance of the listed building is also derived from historical and group values.

#### *Assessment of Harm and Public Benefits*

- 9.35. As set out above, Officers conclude that the proposals would result in a moderate level of less than substantial harm to the Clarendon Laboratory (Townsend Building), the Museum Lodge, the Dyson Perrins building and the Central Conservation Area.
- 9.36. In respect to development that will lead to 'less than substantial harm' to the significance of a designated heritage asset, of the NPPF states:

*"Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use" (paragraph 196).*

- 9.37. In conducting this balancing exercise, considerable importance and weight must be given to the statutory test of preserving the setting of listed buildings or their setting or any features of special architectural or historic interest which they possess, and special attention has to be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area in accordance with Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which it is accepted is a higher duty. Likewise, great weight should be given to the asset's conservation irrespective of whether the potential

harm amounts to substantial harm, total loss or less than substantial harm to its significance (paragraph 193).

9.38. Officers have considered the principal public benefits of the proposal:

#### Economic

9.39. The University Science Area makes a considerable contribution to Oxford's economy through its research, education and as a large employer within the area. The proposed public realm works will directly support this and the growth agenda of the University by enhancing the physical environment of the science area for staff and visitors. While the proposals would not significantly alter the existing use of the buildings within the site, they would rationalise the current underutilised and cluttered arrangement, improve the aesthetics of the area and provide benefits in terms of the overall function and servicing of the site which would fundamentally support the important work being conducted. Officers therefore attribute significant weight to this benefit.

9.40. Additionally the proposal, if approved, will provide some economic public benefits arising from the construction and supply chain jobs generated. Officers attribute moderate weight to this benefit.

#### Social

9.41. The proposals would create two new civic centres located proposed between the Dyson Perrins Building and the Physical Chemistry Laboratory and at the front of the Sherrington Building. These new areas of public realm would enhance the experience for staff and visitors to the science area by providing additional planting and seating. Currently, opportunities for outdoor amenity within the site are extremely limited with the only formal area being located to the rear of the Biochemistry Building. Therefore, there will be a significant enhancement compared to the existing provision. Officers therefore attribute significant weight to this benefit.

9.42. More widely the proposals would create a pedestrian and cycle priority zone by increasing cycle parking and reducing permit car parking. The result would be the promotion of health and wellbeing for visitors and staff. Officers attribute significant weight to this benefit.

9.43. Additionally, the proposed enhancements to wayfinding and connectivity through the site would contribute to the public understanding of the important work being undertaken at this site. Officers attribute moderate weight to this benefit.

#### Environmental

9.44. The proposals would significantly reduce the amount of car parking available on site and would increase the opportunities for sustainable transport such as walking and cycling. As such the proposal would contribute to reducing air pollution and moving towards a low carbon economy. Officers therefore attribute significant weight to this benefit.



9.45. The proposed soft landscaping would provide some additional benefits in terms of increasing biodiversity and providing additional greening. Officers attribute moderate weight to this benefit.

#### *Heritage Impacts Conclusion*

9.46. It is considered that on balance these public benefits would outweigh the less than substantial harm that would be caused to the significance of heritage assets by the development. As such, the proposal would meet the test of paragraph 196 of the NPPF and would accord with Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

9.47. As detailed in the design section below, a number of conditions have been included to ensure that the proposals would deliver high quality design, materials and finishes.

#### **c. Design**

9.48. Oxford's Local Plan Policies CP1 (Development Proposals), CP9 (Creating Successful Places), CP11 (Landscape Design) along with Core Strategy Policy CS18 (Urban Design, Townscape and Character of the Historic Environment) all highlight the importance of high quality design in creating successful places. These requirements are carried through within Policies S1 (Presumption in Favour of Sustainable Development) and DH1 (High Quality design and Placemaking) of the emerging Local Plan 2036.

#### *Layout - Hard Landscaping*

9.49. The key principles of the proposed development are to:

- improve pedestrian access and connectivity through the site;
- improve the quality of the external landscape;
- rationalise vehicle circulation and implement shared surfaces;
- simplify circulation, legibility and vehicle movement;
- create landscape amenity areas for staff, students and the public.

9.50. The landscaping approach identifies three key landscape character areas across the site. These are

- Gateway spaces;
- Amenity spaces; and
- Shared Streets.

#### Gateway Spaces

9.51. Gateway spaces are identified at the entrance into the site from Parks Road into Sherrington Road, at the junction between Dorothy Hodgkin Road and Hinshelwood Road, and the entrance into the site from South Parks Road into Hinshelwood Road.

9.52. The proposed gateway spaces are intended to improve legibility and wayfinding, as well as improving connectivity between key routes and roads. The proposed materials include concrete block paving and granite kerbs.

### Amenity Spaces

9.53. The two key amenity spaces proposed within the application site are located on Hinshelwood Road adjacent to the Dyson Perrins Building and on Sherrington Road adjacent to the Sherrington Building.

9.54. The Hinshelwood Road amenity space is proposed to act as a key social hub for the wider science area. Characterised by granite stone and concrete block paving with areas of ornamental planting and formal and informal seating it would create a new spill out space within the application site.

9.55. Officers acknowledge that the application site is heavily constrained and therefore optimising the use of this relatively large, open space would significantly benefit both users of, and visitors to, the University Science Area.

9.56. The Sherrington Road amenity space is smaller and more heavily constrained than that on Hinshelwood Road. As such the area is more linear in form and helps to frame the main entrance of the Sherrington Building.

9.57. A similar approach to materials has been proposed in granite stone paving immediately adjacent to the front entrance and concrete stone paving utilised in the approach to the building. This area would include ornamental planting, feature tree planting and trellis systems to facilitate the growth of climbing plants onto areas of the building façade.

9.58. Both spaces include step and part M compliant ramp access into the adjacent buildings. Officers consider the proposed designs to be acceptable.

### Shared Spaces

9.59. The shared spaces comprise the remaining public realm not identified as a gateway space or amenity space. The spaces would be used by pedestrians, cyclists and vehicles with some areas restricted via controlled vehicle access. Car and cycle parking is proposed to be interspersed throughout these areas as well.

### Cycle Shelters

9.60. Cycle parking is proposed across the site through Sheffield stands, two tier cycle stands and through covered cycle stores. The overall cycle parking provision is considered further in the relevant transport section of this report. The following discussion relates to the proposed design of the covered cycle shelters.

9.61. The application proposes 4 different typologies for cycle shelters in the following locations:

- On Sherrington Road, adjacent to the Museum Lodge;
- On Sherrington Road, adjacent to the Robert Hooke Building;
- Off Dorothy Hodgkin Road, between the Dyson Perrins Building and the Le Gros Clark Building;
- On Hinshelwood Road, adjacent to the Dyson Perrins Building.

9.62. The proposed cycle stores vary in size and footprint ranging from 4 – 6 metres in width and 6 – 10.7 metres in length. All of the shelters would be no greater than 2.7 metres in height. The proposed design and materiality of the shelters would be consistent, comprising a steel box frame with natural larch timber slatted cladding with a charred/ blackened finish. Climber trellises are proposed on specific elevations which would be particularly visible i.e. on the elevation fronting South Parks Road.

9.63. Officers consider the proposed designs to be acceptable subject to a condition requiring samples of the proposed materials to be submitted for approval, to ensure that the proposals will deliver a high quality material finish. Likewise, additional details relating to the proposed climber planting have been requested by condition.

#### Street Furniture

9.64. The application proposes granite clad integrated benches and steel framed timber seating within the amenity spaces. Officers consider the location and principle of the street furniture to be acceptable but have included a condition requiring samples of the proposed materials to be submitted for approval, to ensure that the proposals will deliver a high quality material finish.

#### Wayfinding

9.65. Wayfinding signage is proposed at key points within the application site, namely within the Gateway Spaces, within the Amenity Space located on Hinshelwood Road adjacent to the Dyson Perrins Building, and at the entrance to the University Parks between the Sherrington Building and the Gene Function Building.

9.66. The submitted documents indicate that the signage would comprise totem signs of a similar appearance to that currently installed outside the Weston Library on Broad Street. However, detailed designs have not been supplied as part of the application submission.

9.67. Officers are satisfied with the locations identified for signage, however, to ensure that the signage would be consistent with the other signage used across both the University sites and the wider City, as well as being suitable in terms of accessibility requirements, Officers have included a condition to secure further signage details to be submitted and approved.

#### Lighting

9.68. Additional lighting has been proposed across the application site to improve general lighting levels and security as well as to emphasise specific features/

buildings. While Officers would consider additional lighting acceptable, the specific designs proposed in the submitted Design and Access statement are not considered to be acceptable. Therefore, a condition requiring the submission and approval of a lighting strategy has been included.

### Plant Screening

9.69. Currently, there are a number of buildings that have numerous plant, utilities and servicing requirements which are highly visible and detract from the public realm. To ameliorate these the application identifies detrimental features which need to be retained and proposes screening which would comprise a steel frame with timber louvres.

9.70. While Officers consider the screening of plant to be acceptable further details including material samples have been required by way of a condition to ensure a high quality material finish. This is particularly important as some of the proposed screening would be located within close proximity to listed buildings.

### *Layout - Soft Landscaping*

9.71. The proposed public realm works predominantly include hard landscaping however soft landscaping has been introduced in areas where this is possible. Notably additional planting including tree planting enhances the proposed amenity spaces and provides welcome oases of greenery in what otherwise is a functional setting.

9.72. Likewise, the proposals include planting beds to contribute towards biodiversity improvements and climber planting which would help to soften the existing buildings and create a sense of unity across the application site. The planting proposals include meadow planting, climbers and shrub and seasonal planting for both sunny and shaded areas.

9.73. The existing grass verge adjacent to the Physical Chemistry Laboratory has been retained albeit with-in the inclusion of 5 car parking spaces sited within the verge. While officers consider the inclusion of car parking spaces within one of the few areas that would support significant tree planting to be disappointing, it is accepted that the constrained nature of the application site has meant there are numerous competing pressures for operational parking and large vehicle access that come with a complex working research site. Officers also note the restrictions to providing additional planting across the site due to the prevalence of basements and an extremely dense underground services network.

9.74. To ensure that the proposed development delivers the high quality landscaping required to successfully enhance the public realm officers have included landscaping conditions.

### *Landscape Conclusions*

9.75. Officers consider that the proposals would deliver a range of improvements to the public realm. The inclusion of specific character areas as well as a unified

materials palette and coherent approach to lighting, wayfinding and street furniture are welcomed.

- 9.76. The increased soft landscaping is welcomed, especially the attempts to improve the amount and diversity of the planting as well as the greening of the building. Some areas would be less successful and undermined by car parking provision however officers consider that on balance the proposal would be acceptable and compliant with Local Plan Policies CP1 (Development Proposals), CP9 (Creating Successful Places), CP11 (Landscape Design) along with Core Strategy Policy CS18 (Urban Design, Townscape and Character of the Historic Environment) and DH1 (High Quality design and Placemaking) of the emerging Local Plan 2036.

#### **d. Transport**

##### Traffic Generation & Site Accessibility

- 9.77. The site is located between South Parks Road and Parks Road and is considered to be a highly sustainable location which can be accessed on foot and is within walking distance from a number of residential areas, furthermore, parking restrictions in the area make informal parking difficult.
- 9.78. Cycle infrastructure in the area is of a high quality with cycle lanes either side of both South Parks Road and Parks Road along with 2-way off-street cycle lanes abutting the site on both streets. The site also has good access to public transport and benefits from being close to the city centre.
- 9.79. The scheme does not result in additional floorspace or employees and therefore it is not considered that traffic generation related to the site will rise.
- 9.80. The public realm works will make the site more attractive for pedestrians/cyclists to use and therefore pedestrian/cycle movements are expected to increase. The site will be open for the general public to use which will support connectivity between Parks Road and South Parks Road as well as providing an access into University Parks.
- 9.81. To help the site feel less car dominated and improve the safety of pedestrians and cyclists the application proposes the implementation of a one-way system which would result in all motor vehicles having to enter the site from South Parks Road and exit onto Parks Road. The proposed one-way system will result in an increase in vehicles approaching the South Parks Road/Parks Road junction from the north and vehicles turning right onto South Parks Road, however, as there will not be an increase in total vehicles, this arrangement is considered acceptable.
- 9.82. To deliver the aforementioned changes to access the application proposes works to each access point to/from the public highway, these changes would ensure that cyclists had priority over motor vehicles, who would have to give way at appropriate give way lines. These proposed changes have been subject to a Stage 1 Road Safety Audit (RSA) which has been assessed and approved. The proposed new exit only junction from the site with Parks Road shows adequate

visibility splays which would protect cyclists using the 2-way cycle lanes. Officers note that all works on the public highway would require a Section 278 Agreement and any new signage would require the correct license. An informative has been included to this effect.

- 9.83. A number of tracking drawings for both HGV's and emergency vehicles have been submitted in support of this application which have been reviewed by Officers. Officers are satisfied that all vehicles would be able to move safely within the site however, due to the sensitivity of the city centre at peak times a Construction Traffic Management Plan has been required by condition.

#### Car Parking

- 9.84. The application site currently has 46 car parking bays. The application proposes 47 operational spaces and 9 disabled parking bays within the red line area as detailed below:

Building			Car Parking Allocation
<b>Physics</b>			7
<b>Sherrington Building</b>			8
<b>Biochemistry</b>			10
<b>Rex Richards Building</b>			2
<b>Dyson Perrins</b>			4
<b>Physical Chemistry</b>			1
<b>Security Services</b>			6
<b>Estates Services</b>			5
<b>Additional Spaces</b>	<b>Centralised</b>	<b>Bookable</b>	4
<b>Total</b>			47

- 9.85. Additionally 13 operational bays would be located outside of the red line area however as these are not located within the site area these have not been assessed. The proposals would be below the maximum standard and therefore are considered to be acceptable.

- 9.86. The scheme proposes 2 allocated delivery bays which would both located along Sherrington Road. This proposed arrangement would leave the south of the site without dedicated loading bays. There are currently up to 110 HGV/LGV deliveries to the site a day. The applicant has suggested that this number would drop should the university's freight strategy come forward in the future however

this does not form part of the submission and therefore has not been considered. However, following requests for further information from the applicant it has been confirmed that 2 vehicles can still safely pass on Hinshelwood Road which will also help provide better visibility if vehicles do stop. Therefore, on balance, the proposed number of delivery bays is considered to be acceptable.

- 9.87. Notwithstanding the discussion in the above sections relating to the proposed car parking adjacent to the Physical Chemistry Laboratory, the Highways Authority have raised concerns over the 2 bays proposed on the corner of Hinshelwood Road and Dorothy Hodgkin Road. This comes from the 90 degree bend they are parked on and the likely manoeuvre which the vehicles will be making. As discussed earlier the site is expected to be used heavily by cyclists and pedestrians and the risk this reversing manoeuvre creates would create an unacceptable impact on highway safety. Following discussions with the applicant it has been agreed that these 2 parking bays will be removed. Therefore, to ensure that the final parking arrangement is acceptable and does not include the aforementioned parking bays a condition has been included to require the submission and approval of a car parking layout plan.

#### Cycle Parking

- 9.88. As the application comprises public realm surrounding a number of academic buildings there is a minimum requirement for replacement cycle parking provision. The consented cycle parking within the red line area relates predominantly to two of the existing buildings, Beecroft and Biochemistry.

#### *Beecroft Building*

- 9.89. The Beecroft planning permission was granted on 15 June 2011 under reference 10/03207/FUL. The application plans and documents confirm that 160 cycle parking spaces were designed into the scheme. Planning Condition 17 secures this number and states that:

*“The number of new cycle parking spaces to serve the development shall be a minimum of 160 and shall include additional or relocated spaces sited within the forecourt area to the proposed building. Details of the revised locations for the cycle parking shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development or such period as previously agreed in writing by the local planning authority. The cycle parking as approved shall be provided prior to the first occupation of the development and retained at all times thereafter unless otherwise agreed in writing beforehand by the local planning authority.*

*Reason: To ensure that adequate cycle parking is available to serve the development at all times, in accordance with policies CP1, CP6, CP10 and TR4 of the Adopted Oxford Local Plan 2001 to 2016.”*

- 9.90. Details to satisfy the requirements of Condition 17 were approved by the LPA under reference 10/03207/CND on 5 May 2015. This application approved 56

cycle parking to the north of the building, 70 spaces between the building and the Lindemann Building, and 34 spaces to the south of the civic square.

### *Biochemistry Building*

- 9.91. The Biochemistry planning permission was granted under reference 05/00643/FUL on 31 March 2006. Phase 1 was completed in 2008. Phase 2 commenced in autumn 2018 and is programmed for completion in December 2020. Condition 15 of the planning permission requires the approved development to provide an additional 100 cycles (of 400 approved by the planning permission) under cover. Condition 15 states that:

*“Notwithstanding condition no. 3 above, the development hereby permitted shall not come into use until such time as details of covered and secure cycle storage facilities for a further 100 cycles of the total cycles of 400 indicated, (or such other number as otherwise agreed in writing), have been submitted to and approved in writing by the Local Planning Authority.*

*Reason: To ensure that adequate and appropriate cycle parking is available to serve the development at all times.”*

- 9.92. The greater requirement for 144 covered cycle parking spaces was agreed in writing between the LPA and Hawkins Brown on 22nd October 2007. It was subsequently decided by the University that for operational reasons the internal cycle parking would be relocated to an external store (to the rear of the Old Observatory). This led to an application under section 96A of the Act for a non-material amendment (reference 05/00643/NMA) to the original planning permission to, among other things, omit the internal cycle store from Biochemistry and relocate to a new cycle store to the rear of the Old Observatory. The non-material amendment was granted on 27 July 2018. Planning permission for 294 cycle spaces within a new external cycle store was granted under reference 17/03411/FUL. This external store has not yet been constructed but is located outside of the red line of this application.

- 9.93. An application to comply with Condition 15 (Cycle parking) was subsequently approved under reference 05/00643/CND on 27 July 2018. Approved plan number 960-HBA-00-00-SK-A-SK050-F identifies the approved cycle parking for Biochemistry.

### *Current Proposals*

- 9.94. Due to the location of the red line and the areas which have been included, and excluded, from this application site establishing the required number of cycle parking spaces required for this application compared to the requirements for the wider is complex.
- 9.95. The submitted details state that there are currently 698 cycle parking spaces within the application site. The applicant has stated that 1177 cycle parking spaces will be provided including 120 off-site spaces. These should not be taken into consideration and therefore the on-site numbers considered as part of this planning application are 1057 spaces.



9.96. These are broken down as 411 covered and 646 uncovered. This is in line with the Parking Standards, Transport Assessments and Travel Plans SPD which states that higher education facilities should provide 2 spaces per student plus 1 space per 5 staff. The standards state that staff/long term spaces should be covered but only states short term/visitor spaces should be covered where practical. Assuming students are considered short-term, these numbers are acceptable, however, officers consider that a higher number of covered spaces would have been greatly beneficial.

**e. Biodiversity**

9.97. An ecological appraisal was submitted in support of the application. The report found that the habitat within the site consisted of amenity grassland, hardstanding, open water, semi-improved grassland and trees. Of these areas most were of low or negligible ecological value with the exception of the semi-improved grassland found adjacent to the Department of Plant Sciences and the Physical Chemistry Laboratory which were of moderate ecological value.

9.98. The proposal includes a number of ecological enhancements including the incorporation of wildlife habitats in the form of bird boxes, bat roosts and insect hotels. The proposals would deliver additional planting and an increase in both the number and diversity of plant species within the site area. As such the application is found to comply with the requirements of Policy CS12 and emerging Local Plan Policy G2.

**f. Flooding/ Drainage**

9.99. The NPPF states that when determining planning applications Local Planning Authorities should ensure that flood risk is not increased elsewhere and only consider development appropriate in at risk areas where informed by a site specific flood risk assessment following the Sequential Test. If required an Exception Test may also be necessary to make the development safe without increasing flood risk elsewhere (paragraph 157).

9.100. Additionally, Core Strategy Policy CS11 (Flooding) requires that qualifying developments are accompanied by a full Flood Risk Assessment (FRA), which includes information to show how the proposed development will not increase flood risk. Development will not be permitted that will lead to increased flood risk elsewhere and unless it is shown not to be feasible, all developments will be expected to incorporate sustainable drainage systems or techniques to limit and reduce run-off rates. This has been carried through into emerging Local Plan 2036 Policy RE3 (Flood Risk Management) and RE4 (Sustainable and Foul Drainage, Surface and Groundwater Flow).

9.101. In addition to the above policies Oxfordshire County Council, the Lead Local Flood Authority (LLFA), have their own guidance on surface water drainage which requires that surface water management must be considered from the beginning of the development planning process and throughout – influencing, and not limited by, site layout and design. Likewise, wherever possible, runoff must be managed at source (i.e. close to where it falls) with residual flows then conveyed downstream to further storage or treatment components, where

required. The proposed drainage should mimic the existing drainage regime of the site and existing drainage features on the site should to be retained, utilised and enhanced wherever possible.

9.102. The application site is located with Flood Zone 1 and is less than 1 hectare in size and therefore a Flood Risk Assessment is not required. In support of the application a Drainage Strategy and Water Management Report has been submitted.

9.103. The LLFA and the LPA have considered the submitted details and consider that the proposals would be acceptable and compliant with the NPPF, Core Strategy Policy CS12 and emerging Local Plan 2036 Policy RE4.

**g. Other matters**

9.104. In terms of archaeology Officers note that this site is of interest because it involves ground works in an area known to preserve extensive remains relating to 1) a late Neolithic-Early Bronze Age ritual and funerary landscape 2) rural Iron Age and Roman settlement and 3) the line of the Royalist Civil War defences. A Written Scheme of Investigation has reviewed by officers and a condition has been included to ensure the development is carried out in accordance with this document.

9.105. In terms of land quality and potential land contamination risks the proposed landscaping is mainly hardstanding which normally presents a suitable barrier to potential ground contamination. Likewise, historical records indicate that there is no evidence of any significant previous contaminative uses of the site. In addition no significant contamination risks were identified in the made ground during a previous site investigation. However there remains a slight potential risk that unexpected contamination could be encountered during development from the current site use. As such a condition relating to unexpected contamination has been included.

## **10. CONCLUSION**

10.1. Having regard 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. In the context of all proposals Paragraph 11 of the NPPF requires that planning decisions apply a presumption in favour of sustainable development, this means approving development that accords with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; any adverse impacts of doing so would significantly and

demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

#### *Compliance with Development Plan Policies*

- 10.3. Therefore, in conclusion, it is 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. On balance the proposal is considered to comply with the development plan as a whole. The principle of development, changes to access and proposed improvements to the public realm are found to be acceptable.
- 10.5. The proposals would result in a moderate level of less than substantial harm to heritage assets however it is considered that, on balance, these public benefits would outweigh the less than substantial harm that would be caused to the significance of heritage assets by the development. As such, the proposal would meet the test of paragraph 196 of the NPPF and would accord with Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

#### *Material considerations*

- 10.6. The principal material considerations which arise are addressed below, and follow the analysis set out in earlier sections of this report.
- 10.7. Officers consider that the proposal would accord with the overall aims and objectives of the NPPF for the reasons set out within the report.
- 10.8. The proposal will not have an unacceptable impact on heritage assets, public highways, ecology or drainage. Conditions have been included to ensure this remains the case in the future.
- 10.9. Therefore, it is recommended that the Committee resolve to grant planning permission for the proposed development subject to the conditions set out in section 11 of this report.

## **11.CONDITIONS**

### **1. Development Time Limit**

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. Development in Accordance with Approved Plans**

Subject to conditions 3, 4, 5, 7 and 9 the development hereby 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. Material Samples**

Notwithstanding the details submitted with the application, prior to commencement of above ground works on the site samples of the external hard landscaping and surface treatments to be used shall be submitted to and approved in writing by the Local Planning Authority. Material samples to be submitted shall include as a minimum:

- Sample panels of the paving, kerbs, pigmented tarmac and resin bound gravel demonstrating the colour, texture, face bond and pointing.
- Timber cladding for use on cycle shelters and plant screening.
- Samples materials for all street furniture including, but not limited to, timber finish and concrete finish benches.

The development shall be completed in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual appearance of the designated heritage assets and in accordance with policies CP1, CP8, HE6 and HE7 of the Adopted Oxford Local Plan 2001-2016 and Core Strategy Policy CS18.

### **4. Wayfinding Strategy**

Notwithstanding the details submitted with the application, within 12 months from the date when the public realm works hereby permitted commence a wayfinding strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include details of wayfinding within the site and how that wayfinding relates to, and integrates appropriately with, the existing and proposed wayfinding and strategies for University of Oxford sites and Oxford City. Details shall include, but are not limited to, signage typologies, location, materials, compliance with inclusive design standards and shall include a timeframe for implementation.

All measures contained within the approved wayfinding strategy shall be provided in accordance with the approved details and within the approved timeframe (unless alternative phasing has been agreed by the Local Planning Authority in writing) and retained as approved thereafter.

Reason: To ensure a high level of legibility and access throughout the site in accordance with Oxford Local Plan 2001-2016 policy CP1.

### **5. Lighting Strategy**

Notwithstanding the details submitted with the application, no architectural lighting, security lighting or other external means of illumination of the site shall be provided, installed or operated in the development, except in accordance with a detailed Lighting Strategy which has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details and retained thereafter.

Reason: In the interests of the visual appearance of the designated heritage assets and in accordance with policies CP1, CP8, HE6 and HE7 of the Adopted Oxford Local Plan 2001-2016 and Core Strategy Policy CS18.

## **6. Construction Traffic Management Plan**

Prior to commencement of works a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority. The CTMP should follow Oxfordshire County Council's template if possible. This should identify;

- 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.

The development shall be completed in accordance with the approved CTMP unless otherwise agreed in writing by the Local Planning Authority.

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.

## **7. Car Parking Layout Plan**

Prior to commencement of the development, a plan detailing the layout of the car parking area shall be submitted to, and approved in writing by, the Local Planning Authority. The Car Parking Layout Plan must set out that all car parking spaces meet the minimum dimensions required and can be safely and easily accessed. The Car Parking Layout Plan shall also include details of marking of spaces and car parking signage and shall include a timeframe for implementation.

The car parking layout contained within the approved Car Parking Layout Plan shall be implemented in accordance with the approved details within the approved

timeframe (unless alternative phasing has been agreed by the Local Planning Authority in writing) and retained as approved thereafter.

Reason: in the interest of highway safety.

## **8. Construction Dust**

The commencement of the development shall not take place until a programme for the suppression of dust during the construction of the development has been submitted to and approved in writing by the Local Planning Authority. The specific dust mitigation measures to follow should be aligned with the recommendations IAQM [Guidance on the assessment of dust from demolition and construction](#) for medium risk sites. No building works shall commence until such approval in writing has been given by the Local Planning Authority. The approved measures shall be employed throughout the entire period of the construction of the development.

Reason: In accordance with Core Policy CP23 of the Oxford Local Plan 2001- 2016.

## **9. Landscape Plan**

Prior to commencement of above ground works, a landscape plan shall be submitted to, and approved in writing by, the Local Planning Authority. The plan shall show details of treatment of paved areas, and areas to be grassed or finished in a similar manner, existing retained trees, proposed new tree, shrub and hedge planting and details relating to climbing plants. The plan shall include a schedule detailing plant numbers, sizes and nursery stock types.

Reason: In the interests of visual amenity in accordance with policies CP1, CP11, NE15, NE16 of the Oxford Local Plan 2001-2016 and CS12 of the Oxford Core Strategy 2011-2026.

## **10. Landscape Proposals: Implementation**

The landscaping proposals as approved by the Local Planning Authority pursuant to condition 9 shall be carried out no later than the first planting season after substantial completion of the public realm works hereby approved unless otherwise agreed in writing beforehand by the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with policies CP1 and CP11 of the Oxford Local Plan 2001-2016 and CS12 of the Oxford Core Strategy 2011-2026.

## **11. Landscape Proposals: Reinstatement**

Any existing retained trees, or new trees or plants planted in accordance with the details of the approved landscape proposals that fail to establish, are removed, die or become seriously damaged or defective within a period of five years of the substantial completion of the public realm works hereby approved shall be replaced with others of a species, size and number as originally approved during the first

available planting season unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with policies CP1 and CP11 of the Oxford Local Plan 2001-2016 and CS12 of the Oxford Core Strategy 2011-2026.

## **12. Land Contamination**

A watching brief shall be undertaken throughout the course of the development to identify any unexpected contamination. Any unexpected contamination that is found during the course of construction of the approved development shall be reported immediately to the Local Planning Authority. Development on that part of the site affected shall be suspended and a risk assessment carried out by a competent person and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These approved schemes shall be carried out before the development (or relevant phase of development) is resumed or continued.

Reason: To ensure that any soil and water contamination is identified and adequately addressed to ensure the site is suitable for the proposed use in accordance with the requirements of policy CP22 of the Oxford Local Plan 2001-2016.

## **13. Written Scheme of Investigation**

All approved works shall be carried out and completed in accordance with the approved written scheme of investigation (Oxford Archaeology 2020), unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the historic environment in accordance with Local Plan Policy HE2.

## **14. SuDS**

No development shall take place until a detailed design and associated management and maintenance plan of surface water drainage for the site using sustainable drainage methods has been submitted to and approved in writing by the Local Planning Authority. The approved drainage system shall be implemented in accordance with the approved detailed design within 12 months from the date when the public realm works hereby permitted commence.

All works shall be carried out in accordance with the following documents:

- 19\_03149\_FUL-DRAINAGE\_STRATEGY\_PART\_1-2314008
- 19\_03149\_FUL-DRAINAGE\_STRATEGY\_PART\_2-2314009
- 19\_03149\_FUL-DRAINAGE\_STRATEGY\_PART\_3-2314010

Including the detail held in the Appendices of the above.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal, in accordance with Core Strategy Policy CS11.

#### **15. Completion and Maintenance of Sustainable Drainage – Shown on Approved Plans**

The sustainable drainage scheme for this site shall be completed in accordance with the submitted details within 12 months from the date when the public realm works hereby permitted commence. The sustainable drainage scheme shall be managed and maintained thereafter in perpetuity in accordance with the agreed management and maintenance plan. The management and maintenance contractor details shall be passed to both the Local Planning Authority and Lead Local Flood Authority.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal and maintained thereafter, in accordance with Core Strategy Policy CS11.

#### **16. Ecology**

The approved development shall be carried out in accordance with the submitted Ecological Appraisal Assessment and Biodiversity Recommendations (dated 12th November 2019).

Reason: In accordance with Policy CS12 of the Oxford Core Strategy.

#### **Informatives:**

1. The applicant is advised that any work on the public highway network will require a Section 278 Agreement prior to commencement. Any new signage required (i.e. no entry signs) on the public highway will require the correct license agreement from Oxfordshire County Council.

#### **12. APPENDICES**

- **Appendix 1 – Site location plan**

#### **13. HUMAN RIGHTS ACT 1998**

13.1. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to approve 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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## 19/03149/FUL – Site of Oxford University Science Area



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## Minutes of a meeting of the West Area Planning Committee on Tuesday 19 May 2020

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### Committee members present:

Councillor Cook (Chair)

Councillor Corais

Councillor Hollingsworth

Councillor Upton

Councillor Wade (for Councillor Harris)

Councillor Gotch (Vice-Chair)

Councillor Donnelly

Councillor Iley-Williamson

Councillor Wolff

### Officers present for all or part of the meeting:

Adrian Arnold, Head of Planning Services

Robert Fowler, Planning Team Leader

Andrew Murdoch, Development Management Service Manager

Anita Bradley, Monitoring Officer

Sally Fleming, Planning Lawyer

Catherine Phythian, Committee Services Officer

### Apologies:

Councillor(s) Harris sent apologies.

Substitutes are shown above.

### Introductory remarks

As this was a remote meeting and for the benefit of anyone following the meeting on audio the Clerk read out the names of the committee members and the substitute who were present and of those officers in attendance.

The Clerk read out a statement on the procedures which would apply to the remote meeting, the main points of which were:

- New regulations have been passed that enable the Council to hold meetings without some or all Committee Members being physically present together in a room. These regulations take precedence over existing legislation and the Council's pre-existing procedure rules.
- To ensure the smooth running of remote meetings under the new regulations, it has been necessary to amend some of the Council's procedure rules. The Chief Executive has done this by using the emergency powers delegated to him in the

Council's Constitution to adopt a protocol for remote meetings. The protocol is intended to replicate the Council's normal meeting procedures as far as possible. It would be formally considered at the Annual Council Meeting on 20 May 2020.

- When determining an application the voting would be by a roll call. Any Members who were not "in attendance" to hear the full presentation and debate on an agenda item are required to abstain from voting on that matter.
- Members are "in attendance" provided that they can hear and be heard by the other participants.

The Planning Lawyer made a statement regarding the status of the Oxford Local Plan 2036, the main points of which were:

- Once adopted, the Oxford Local Plan 2016-2036 will replace the Oxford Local Plan 2001-2016, the Core Strategy 2026 and the Sites and Housing Plan 2011-2026.
- The current stage that the new Local Plan had reached was that following the examination and the consultation on the main modifications in late February to March 2020, the Inspectors' report on the Local Plan was received on 18 May 2020. It has been published on the Council's website and all people on the Council's local plan database were being contacted directly.
- The next stage was for the Local Plan to be adopted by the Council and a report would be going to Cabinet and then to Full Council on 8 June 2020 recommending that it be adopted. Further publicity would then be required to be given following adoption of the plan.
- The weight to be given to the new local plan, in making decisions on planning applications, had been gradually increasing as each stage in the plan's progress was reached. It was for this reason that policies in the new plan have been referred to in committee reports on planning applications as the plan has moved towards adoption although the weight to be given has been assessed against paragraph 48 of the National Planning Policy Framework. Full weight cannot be given to them until adoption of the plan has taken place.
- As the Inspectors' report had now been received, and the new plan has reached an advanced stage, significant weight could now be given to the policies in the new plan which were referred to in each report. The receipt of the Inspectors' report did not, however, alter any of the recommendations in the reports on the agenda.

## **95. Declarations of interest**

Councillor Cook stated that as a Council appointed trustee for the Oxford Preservation Trust and as a member of the Oxford Civic Society, he had taken no part in those organisations' discussions or decision making regarding the applications before the Committee and that he was approaching the applications with an open mind, would listen to all the arguments and weigh up all the relevant facts before coming to a decision.

Councillor Gotch stated that as a member of the Oxford Preservation Trust and of the Oxford Civic Society, he had taken no part in those organisations' discussions or

decision making regarding the applications before the Committee and that he was approaching the applications with an open mind, would listen to all the arguments and weigh up all the relevant facts before coming to a decision.

Councillor Upton stated that as a Council appointed trustee for the Oxford Preservation Trust and as a member of the Oxford Civic Society, she had taken no part in those organisations' discussions or decision making regarding the applications before the Committee and that she was approaching the applications with an open mind, would listen to all the arguments and weigh up all the relevant facts before coming to a decision..

Cllr Hollingsworth stated that he had relatives who lived opposite the site of application 19/02366/OUT but that they had not commented on the application as part of the public consultation. However, for reasons of transparency he stated that he had no personal interest in the application and that he approached it with a completely open mind and would listen to all the arguments and weigh up all the relevant facts before coming to a decision.

## **96. 20/00616/VAR: Bardwell Court, Bardwell Road, Oxford,OX2 6SX**

The Committee considered an application (20/00616/VAR) for planning permission for the variation of condition 2 (Conservation Areas) and 13 (Privacy screen) of planning permission 19/00168/VAR (Variation of condition 2 (Develop in accordance with approved plans) of planning permission 17/02109/FUL (Partial demolition of existing building, alteration and extension to create a new link, rear extension and provision of bin and cycle stores. Removal of trees and landscaping (amended plans) to allow improvements to access, brickwork and circulation around the building)) to lower the first floor terrace screens to 19 Bardwell Road.

The Planning Officer presented the report.

In reaching its decision, the Committee considered all the information put before it. The Committee was mindful that the specification for the height of the first floor terrace screens had been an important factor in the determination of the original application and they were not persuaded that there were grounds to support a variation to the original planning permission.

After debate and on being proposed, seconded and put to the vote, the Committee agreed with the officer's recommendation to refuse the application.

### **The West Area Planning Committee resolved to:**

1. **Refuse the application** for the reasons given below and finalise the recommended reason for refusing the application as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary.
  - Having had regard to the views that would be possible into and out of the terraced area which the privacy screens in question serve as well as to the context of the site, the proposed development would introduce an unacceptable loss of privacy through overlooking between the first floor terraced area of Unit 2 at 19 Bardwell Road and neighbours. As a result of these impacts the proposed development has not been designed in a manner that would protect the residential amenities of the adjoining properties which



would be contrary to Policy CP1 of the Oxford Local Plan 2001-2016 and Policy HP14 of the Sites and Housing Plan.

Andrew Murdoch, Development Management Service Manager, left the meeting at the end of this item.

### **97. 19/02366/OUT: 472-474 Banbury Road, Oxford, OX2 7RG**

The Committee considered an application (19/02366/OUT) for planning permission for an outline application with all matters reserved apart from access for the demolition of two existing dwellings and erection of one four storey building and one two storey building for school boarding accommodation (use class C2) and associated parking, cycle and bin storage and closure of existing access onto A40.

The Planning Officer presented the report and referred the Committee to the fact that the applicant had submitted amended plans and made representations for the Committee to defer determination of the application. He advised the Committee that the request for deferral and the amended plans had not been accepted by planning officers. He confirmed that planning officers did not support a decision to defer the application as the amended plans did not address the issues of concern or overcome the reasons for refusal.

Julian Philcox, accompanied by Oliver McGovern, spoke in favour of the application.

In reaching its decision, the Committee considered all the information put before it, noting that the proposed development would result in a loss of two residential dwelling houses (use class C3) which was in conflict with adopted Policy HP1 of the Sites and Housing Plan 2013 and emerging Policy H5 of the Oxford Local Plan 2036.

After debate and on being proposed, seconded and put to the vote, the Committee agreed with the officer's recommendation to refuse the application.

#### **The West Area Planning Committee resolved to:**

1. **refuse the application** for the reasons considered fully in the report and listed below; and
2. **agree to delegate authority** to the Head of Planning Services to:  
finalise the recommended reasons for refusing the application as set out in the report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary.
3. The reasons for refusal were as follows:
  1. The proposed development would result in a loss of two residential dwelling houses (use class C3) in conflict with adopted Policy HP1 of the Sites and Housing Plan 2013 and emerging Policy H5 of the Oxford Local Plan 2036.
  2. The indicative floorspace of each of the warden's flats, intended as permanent residences, measures approximately 24sq. m. which falls below the minimum space standard for either a single or family dwelling and therefore the proposal conflicts with Policy HP12 of the Sites and Housing Plan 2013.
  3. The proposed warden's flats would cause an unacceptable loss of privacy to the occupants of no. 470 Banbury Road due to their proximity to the boundary



and location of the first floor window overlooking the rear garden of no. 470. The proposed development would therefore conflict with Policies CP1 and CP10 of the Oxford Local Plan 2001-2016 and Policy HP14 of the Sites and Housing Plan 2013.

4. The proposed undercroft vehicular parking would create hiding places and make vehicles, property and people vulnerable in term of safety as they are unsecured and therefore the proposed location and design of the proposed parking does not comply with policies CS18 and CS19 of the Core Strategy.
5. Insufficient information has been submitted, in particular the application is deficient in its failure to provide a Surface Water Management Strategy to enable the Local Planning Authority to fully assess the drainage proposals for this major development. The application therefore does not therefore conform to the requirements of the 'Oxfordshire County Council Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire 2018' and emerging Policy RE4 of the Oxford Local Plan 2036.
6. Insufficient information has been submitted, in particular the application is deficient in its failure to provide an Air Quality Assessment to enable the Local Planning Authority to fully assess the potential air quality impacts that may occur from the development's operational and construction phases. The application does not therefore comply with adopted Policy CP23 of the Oxford Local Plan 2001-2016, Policy ENS4 of the Summertown and St Margaret's Neighbourhood Plan and emerging Policy RE6 of the Oxford Local Plan 2036.
7. Insufficient information has been submitted, in particular the application is deficient in its failure to provide an Energy Statement to enable the Local Planning Authority to fully assess whether sustainable design and construction principles have been incorporated into the development. The application therefore does not conform to the requirements of emerging Policy RE1 of the Oxford Local Plan 2036 and Policy ENC2 of the Summertown and St Margaret's Neighbourhood Plan.

## **98. Minutes**

The Committee resolved to approve the minutes of the meeting held on 10 March 2020 as a true and accurate record.

## **99. Forthcoming applications**

The Committee noted the list of forthcoming applications.

## **100. Dates of future meetings**

The Committee noted the scheduled dates for future meetings and agreed that the remote meetings should start at 3pm.

**The meeting started at 3.00 pm and ended at 3.45 pm**

**Chair .....**

**Date: Tuesday 9 June 2020**

*When decisions take effect:*

*Planning Committees: after the call-in and review period has expired and the formal decision notice is issued*

*Details are in the Council's Constitution.*