

# Agenda Item 3

West Area Planning Committee

10<sup>th</sup> December 2013

**Application Number:** 1. 13/00832/FUL  
2. 13/01075/LBD

**Decision Due by:** 11th July 2013

**Proposal:**

1. Redevelopment of existing student accommodation and teaching site comprising the demolition of all buildings, with exception of the 1913 Ruskin College facade to Walton Street and Worcester Place, and erection of 90 student study rooms, 3 Fellows/Staff residential rooms, teaching facilities, library archive social space, landscaping and associated works. (Amended plans and supplementary planning documents)
2. External alterations involving demolition of south and west facades of 1913 building, demolition of 1930's, 1960's and 1980's extensions and removal of existing roof. Erection of 4 storey extension to provide 90 student study bedrooms, 3 Fellows/staff residential rooms, teaching/lecture facilities, library archive and social space. Erection of replacement roof. Alterations to window openings, insertion of replacement windows and new gates to front elevation. [Amended plans and supplementary planning documents]

**Site Address:** Former Ruskin College Site, Walton Street Oxford Appendix 1

**Ward:** Jericho And Osney

**Agent:** Turnberry Planning

**Applicant:** Rector \_ Scholars Of Exeter College In The University Of Oxford

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**Recommendation:** Committee is recommended to support the proposals but to

Defer the listed building consent application for referral to the Government Office and to delegate to officers the issuing of the decision notice after the application has been cleared by the Government Office or 28 days expires without the Secretary of State either directing that the application be referred to him or giving notice that he requires further time to consider making such a direction

## **Reasons for Approval**

- 1 The City Council has given considerable weight and importance to the desirability of preserving or enhancing designated heritage assets and their settings, including the listed buildings, registered historic garden and conservation areas. It considers that any harm that would result from the proposed development and works to the listed building is justified by the public benefits that would result and that the proposal is considered to comply with adopted policies contained within the adopted Oxford Local Plan, the adopted Oxford Core Strategy, the adopted Sites and Housing Plan and National Planning policy and guidance.
- 2 The City Council has taken account of the many comments raised in public consultation, which are summarised below, in its assessment of the proposals but consider that they do not constitute sustainable reasons sufficient to refuse planning permission and/or listed building consent and that the imposition of appropriate planning and listed building consent conditions will ensure a good quality form of development that will enhance the appearance of the street scene and relate satisfactorily to nearby residential properties.
- 3 Oxfordshire County Council as Local Highway Authority is not raising any objection to the application and the City Council considers that the proposal accords with the policies of the development plan as summarised below and the National Planning Policy Framework and guidance. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed and by the public benefit that would flow from the development.

### **13/01075/LBD**

1. Commencement of works LB/CAC consent
2. LB/CAC consent - approved plans
3. 7 days notice to LPA
4. 1 months notice to EH
5. LB notice of completion
6. Further large scale construction details required (including windows, doors, eaves rainwater goods, abutments, parapets etc.)
7. Demolition and wall facade retention methodology
8. Architectural Recording
9. Materials - samples
10. Materials - sample panels
11. Setting aside/reinstatement of features

## **Conditions**

### **13/00832/FUL**

1. Development begun within time limit
2. Develop in accordance with approved plans

3. Samples in Conservation Area
4. Landscape plan required
5. Landscape carry out by completion
6. Variation of Road Traffic Order – Walton Street/Walton Place
7. Construction Traffic Management Plan
8. SUDS drainage
9. Cycle parking provision
10. Archaeology – Implementation of programme +historic Civic War remains
11. Secure by Design
12. Bat and bird boxes
13. Site Management Plan – 24 hour supervision of students, deliveries and use of roof terrace and lecture hall
14. Students – no cars
15. Flood Risk Assessment
16. Sustainable design/construction
17. No felling, lopping or cutting
18. Privacy measures for roof terrace
19. Details of external lights
20. Tree protection measures
21. Details of insulation for multi-purpose hall

### **Community Infrastructure Levy**

The Community Infrastructure levy (CIL) is a standard charge on new development and the amount of CIL payment is calculated on the basis of the amount of floorspace created by the development. CIL applies to developments of 100 sq metres or more and to new dwellings of any size. The reason that CIL has been introduced is to help fund the provision of infrastructure to support the growth of the city, for example transport improvements, additional school facilities and new or improved leisure and sports facilities. CIL is being brought in by Councils across the country although each local authority has the ability to set the actual charges according to local circumstances. CIL is non-negotiable and payable on the commencement of development.

### **Main relevant Planning Policies:**

#### Oxford Local Plan 2001-2016

**NE15** - Loss of Trees and Hedgerows

**NE16** - Protected Trees

**HE2** - Archaeology

**HE3** - Listed Buildings and Their Setting

**HE7** - Conservation Areas

**HE.8** – Important Parks and Gardens

**HE9** - High Building Areas

**HE10** - View Cones of Oxford

**CP1** - Development Proposals

**CP6** - Efficient Use of Land & Density

**CP8** - Design Development to Relate to its Context

**CP9** - Creating Successful New Places

**CP10** - Siting Development to Meet Functional Needs

**CP11** - Landscape Design  
**CP13** - Accessibility  
**CP14** - Public Art  
**CP17** - Recycled Materials  
**CP18** - Natural Resource Impact Analysis  
**CP20** - Lighting  
**CP21** - Noise  
**NE14** - Water and Sewerage Infrastructure

#### Core Strategy

**CS2\_** - Previously developed and greenfield land  
**CS9\_** - Energy and natural resources  
**CS10\_** - Waste and recycling  
**CS11\_** - Flooding  
**CS13\_** - Supporting access to new development  
**CS14\_** - Supporting city-wide movement  
**CS17\_** - Infrastructure and developer contributions  
**CS18\_** - Urban design, town character, historic environment  
**CS19\_** - Community safety  
**CS25\_** - Student accommodation

#### Sites and Housing Plan

**HP5\_** - Location of Student Accommodation  
**HP6\_** - Affordable Housing from Student Accommodation  
**HP9\_** - Design, Character and Context  
**HP11\_** - Low Carbon Homes  
**HP13\_** - Outdoor Space  
**HP15\_** - Residential cycle parking

#### Other Planning Documents

- National Planning Policy Framework
- Planning Obligations Supplementary Planning Document
- Natural Resource Impact Analysis
- The application site lies within the Central City and University Conservation Area (Jericho Conservation area Appraisal)
- Draft National Planning Practice Guidance

#### **Public Consultation**

In formulation their recommendations, Officers have taken into account all public comments received, summarised below:

#### Statutory and Other Bodies:

Environment Agency: The application site sits within Flood Zone 2 and is therefore at risk of flooding. However the proposal is considered to be 'lower risk' and the EA does not raise any objection.

Thames Water: Prior approval from TW required in relation to surface water drainage; informative suggested

Oxfordshire County Council as Local Highway Authority: No objection. An amended plan [SK 057 Rev.P10] tightens the proposed kerb line at the junction of Walton Street and Worcester Place and is likely to improve pedestrian crossing at the junction and reduce vehicle speeds into Worcester Place. The amended plan also relocates the on street cycle parking stands closer to the junction of Worcester Place and Walton Street and is considered to be acceptable. The majority of the cycle parking is housed within the building. The proposed highway works including footway widening and re-alignment, provision of cycle parking and changes to on street parking bays will need to be carried out under a section 278 Agreement with the County Council. Suggested conditions are exclusion of the site from the Controlled Parking Zone, SUDS drainage and the approval of a Construction Traffic Management Plan [CTMP].

Thames Valley Police: No objection subject to a Secure by Design condition

Ancient Monuments Society: Objection. The proposal to demolish all but two facades of the grade II listed Ruskin building would constitute substantial harm to the building and that the conditions set out in the NPPF have not been met. The demolition would also be detrimental to the significance of the Conservation Area and the wholesale replacement of the historic windows is not acceptable.

The Victorian Society: Objection on grounds of the significant level of harm the proposed changes to the 1913 building would cause to the conservation area and also to the listed building, which constitutes substantial harm within the terms of the NPPF

Oxfordshire County Council: drainage: The development shall be drained using SUDS methods including porous surfaces

Oxford Civic Society: No objection but have not been able to readily determine the intended colour and texture of the stainless steel tiling which comprises the cladding to many of the elements of the new buildings which will be visible from the public realm.

The Oxfordshire Architectural and Historical Society: Objection. The site has considerable environmental sensitivity and therefore the Environmental Impact Assessment Screening Option is flawed in saying that the development is not of more than local significance. The damage to the Ruskin building is excessive and unacceptable – most of the interior should be retained; the alterations to the Walton Street façade is disappointing; the alterations to the windows are inappropriate; the new roof is intrusive and awkward and the design and materials are not in keeping. Interferes with Observatory meridian line. Objects to cycle parking

English Heritage: Ruskin College, now grade II listed for both historic and architectural interest, may not be able, without loss, to accommodate a use as intensive as Exeter College now proposes in forming a 'Third Quadrangle'. This would, if the proposal is accepted, involve the loss of the interior and back walls, a

partial survival being clearly problematic. In that case the street elevations of the 1913 building should be accorded more respect than in the current submission. If the overall case for this use is accepted, the application should nevertheless be improved to preserve the exterior more fully. If these concessions are not made, the loss of character would be serious enough to merit refusal.

Copies of correspondence from English Heritage are attached as Appendix 2 to this report.

Georgian group. Objection. Harmful impact on character of conservation area and designed landscapes within it. Harmful impact on setting of registered park. Concerned about scale and materials and in particular the stainless steel roofing material.

Garden History Society. No comments received

Oxfordshire Garden Trust: Concerned that the new building would have the effect of extending the roof line on the existing listed building and would considerably alter the general aspect of this building looking outward from the northern part of the Worcester College garden. Due to its location and bulk this will adversely impact on Worcester College's next –door buildings [Ruskin Lane building, 10 Worcester Place, the new accommodation block and its newly designed courtyard garden]. The northern part of the Worcester College garden comprising the old orchard, the stone wall and the line of mature Holm oak trees contribute significantly to the established character and appearance of the registered garden and is worthy of every effort to retain its special quality and features including views inwards and outwards.

St John Street Area Residents' Association. Objects. Increased height, design, shape of the roof and use of materials will obtrude on views. The use of stainless steel for the roof is out of character

#### Interested Organisations:

Worcester College: Objection. Worcester College very much regrets that it has proved necessary to lodge a formal objection to the planning application since it is supportive of the principle of the re-use of the former Ruskin College site for academic purposes. The College had hoped that it would have been possible to secure a mutually acceptable scheme of redevelopment of the site. However Worcester College was consulted very late in the process, after the proposals had been decided and the plans consolidated. No significant changes have been made as a result of the consultation and the overall massing, disposition and design of the proposals remain largely unchanged. Worcester College is extremely disappointed with the proposed development which it considers to be unneighbourly, insensitive and inappropriate for such a sensitive location. In their present form, the proposals are extremely harmful to the significance of a number of designated heritage assets in the immediate vicinity and are in conflict with local policy. As regards the statutory tests set out in the NPPF, Worcester College consider that the proposals would lead to *substantial harm* to the newly listed Ruskin College building and to the setting of the adjacent grade II\* Registered Historic Park and Garden at Worcester College. Accordingly it is necessary for the applicant to demonstrate that the substantial harm

is necessary to achieve substantial public benefits that outweigh the harm or loss. No such demonstration has been provided and it has not been demonstrated that the objective of re-using the site could be achieved without the degree of loss and damage that is currently proposed. It is also considered that the development would cause harm to the grade I listed buildings at Worcester College and to the character and appearance of the Central Oxford and Jericho Conservation Areas.

#### Private Individuals:

32 letters of objection from persons related to Worcester College, either present or past students of persons in some other way connected with Worcester. The main points raised are as follows:

- Damage to Worcester College and to the area in general
- The proposal is too tall and will appear intrusive
- The scale of the proposal and the design is totally out of keeping with the area
- The students at Worcester College will suffer a lot of disruption
- Loss of amenity in the historic orchard
- Changes to the roof will appear jarring
- Loss of views into and out of Worcester College
- The plans show a complete disregard for the surrounding buildings
- The shiny roof materials will appear glaring and obtrusive
- The design and scale of the proposals are out of keeping with the area and will be very prominent
- Overshadowing and loss of privacy to Worcester College students

33 letters of objection from local residents. The main points raised are as follow:

- Unsympathetic to the character of the area
- Size of the building would be overbearing, oppressive and insensitive
- Excessive noise from cycle racks
- Excessive noise from 4 daily off peak food and refuse collections
- There should be noise level and hours restrictions for the new concert hall
- The new building would dominate the area
- Loss of residential amenity to neighbouring properties
- Increase in noise and disturbance and foot traffic
- The new building will block light to the houses on the opposite side of Worcester Place
- Loss of outlook from the houses in Worcester Place
- Worcester Place is a one way street and cyclists are likely to cycle against the flow of traffic which would be dangerous
- There is inadequate information relating to the mature tree belt along the boundary of the site with Worcester College which is very valuable and must be retained

2 letters of support stating that the proposals will improve the appearance of the street scene and dispose of an existing 'eye sore'.

#### **History**

1. Ruskin College [initially known as Ruskin Hall] was established in 1899 as 'a school of citizenship and public administration for working men' and the first

batch of students were sworn in at an inaugural meeting at Oxford Town Hall in February 1899.

2. The need for a new building to replace the existing ones led to an architectural competition in 1907 and the appointment of Jones and Smithern who envisaged a traditional college quadrangle designed as a U-shaped building in 17<sup>th</sup> century 'Wrenaissance' style with a six bay frontage, a central two bay pediment onto Walton Street and a ten bay façade with a central two bay pediment onto Worcester Place. The building was designed to be built out in two phases with phase 1 consisting of the Walton Street frontage and five bays of the Worcester Place façade completed in 1913. Between competition design and construction, the details of the scheme underwent a variety of modifications and the later phases of the competition design were never completed, but there were further phases of building:
  - 1936, a three bay extension to the Worcester Place range by Brook Kitchen, this being a stripped down 'copy' of the earlier phase in brick and stone
  - 1967 a six bay, four storey precast concrete range by Peter Bosanquet
  - 1982 a two storey 'domestic' range by Peter Bosanquet and John Perryman.

The Ruskin College Building was listed Grade II on 22<sup>nd</sup> April 2013.

### **Officers Assessment:**

#### **Background to Proposals**

3. The proposals have been the subject of pre-application discussions and stakeholder consultations since July 2012. Officers prepared a report and recommendation to the 10<sup>th</sup> September 2013 meeting of the West Area Planning Committee. At that meeting representations were made that the Officer's report had not properly addressed policy and legislative requirements and that any decision made by the committee would be vulnerable to challenge by Judicial Review. Those representations were subsequently provided in written form. Without further consideration of the merits of the proposal the committee agreed to defer consideration of the application to allow officers to consider the matters raised and to address them in a revised report. This has now been done. The applicant has sought to assist by providing additional information and clarifying the amendments that are proposed to address the concerns raised about the merits of the proposal. This information has been subject to separate public consultation and is available on the Council's web site. The need to notify the Secretary of State of an intention to grant listed building consent is explicitly addressed in this report. The environmental impact regulations screening criticism was without merit. The fact that someone finds the conclusion of a screening "surprising" is not a basis for challenge. More fundamentally the site area is below the 0.5 hectare threshold for an urban development project and is not in a "sensitive area" as defined in the regulations. As such this development cannot constitute EIA development requiring the provision of an environmental statement. Other criticisms



concerning the consideration of various issues are addressed within the main body of this report.

4. The application site extends to 0.186 hectares and is almost fully developed with buildings formerly occupied by Ruskin College. Ruskin vacated the site in the autumn of 2012 having consolidated its facilities at a new Campus in Headington. The numerous buildings, ranging in age and scale, epitomises the periodic and unplanned nature of Ruskin's College's growth since completion of the first phase of the original 1913 competition scheme. A small 1936 four storey extension fronting onto Worcester Place was followed by a larger, modern four storey 1967 extension also fronting onto Worcester Place. In the 1970's a single storey extension was erected on the Worcester College side of the site with two 1980's two storey extensions filling the rear of the site partly fronting onto Worcester Place.
5. Exeter College consists of seven sites, the majority of which are outside the City Centre. Only one accessible residential room is available at Turl Street. The Ruskin College site therefore provides an opportunity for Exeter to consolidate its accommodation and teaching facilities, whilst delivering modern, accessible and fit for purpose student and staff facilities.
6. The contrast in scale between Ruskin College and its neighbours on Walton Street and Worcester Place is marked and the existing building has a major presence as seen in long views along Walton Street from the north and south and along Worcester Place. Both these streets are largely residential in the immediate vicinity of the site with Worcester College and its listed gardens lying to the south of the site.

### **Heritage Significance**

7. Given the recent listing of the Ruskin building (grade II) and the extensive interventions proposed as part of these applications, it is necessary to outline what makes the building special in order to assess the impacts of the proposals.
8. The list description explains the reasons for designation and the extent of buildings on the site that hold interest as follows:

#### Summary of Building

*Working men's college, designed by Joseph and Smithem, built [though never completed] 1912 – 13. [The extensions of 1936 by Brook Kitchin, of 1964-7 by Peter Bosanquest and Partners and of 1982 by Peter Bosanquet and John Perryman are not of special interest].*

#### Reasons for Designation

*Ruskin College, built 1912-13 to the designs of Joseph and Smithem, is listed at Grade II for the following reasons: \*Historical Interest; a pivotal institution in the history of working-class adult education in the UK and one that shaped the consciousness of generations of trades union and Labour leaders; \*Architectural Interest; a capable and restrained – albeit incompletely realised*

– design in the late 17<sup>th</sup> century ‘Wrenaissance’ manner; \*Group Value; with nearby listed buildings including Worcester College boundary wall and numbers 1-2 and 4-15 Walton Street.

9. The 1913 range [Wrenaissance style] is characterised by bold massing, strong classical forms, motifs and vivid colour contrast between the soft red brick and the pale yellow Bath stone. A scrolled cartouche with the College’s name above the door and the giant pilasters to the two bay projecting stone centrepiece announce the main entrance to the building. The longer, equally grand façade onto Worcester Place was never realised and instead there are a series of extensions, each representing stylistic preferences of their period, which progressively dilute the original design concept for this elevation.
10. The interiors are *largely utilitarian and have been much altered* [statutory list description]. To the left of the main entrance lobby are office administration space and some teaching space with a timber service staircase at the end giving access to upper floors. To the right and in the Worcester Place range is the main hall and further teaching space. On the upper floors, accessed by the main staircase with decorative metal balustrade and central corridor is student bedroom accommodation and common rooms. Most of the original doors and fittings have been replaced although some rooms retain some original cupboards [which are plain]. Some of the original tiling to the corridors survives but has been overpainted.
11. Ruskin College roots lie in the British Trade Union and Labour movement, springing out of widespread social and political reforms from the mid 19<sup>th</sup> century. The site provides physical evidence of the pioneering contribution made by Ruskin College and its contribution to the history of education and growth of academic institutions in Oxford.
12. The College is less pioneering in its architectural response adopting a popular institutional language of architecture with the intention of having a visible presence in the street. The principal Walton Street elevation is a competent composition although it appears slightly squashed to fit the site frontage. The Worcester Place elevation was never realised as originally envisaged and presents as an unconnected series of building blocks. The list description explains that the extensions to the original 1913 range hold no architectural interest. The interior is spartan and lacks the decoration that might be implied by the exterior appearance. This may indicate the limits of the available funding or be deliberately simple and unadorned. The existing plan form shows how the institution functioned and how uses were distributed throughout the building with meeting rooms, halls and lecture spaces on the ground floor with college administration in one part, domestic quarters and social spaces on the upper floors. Apart from the attic bedrooms, the hierarchy of uses are not discernible from ‘reading’ the external elevations.
13. The site is associated with the provision of higher education for working

men [and women from 1919] unable to afford to study at Oxford Colleges and has associations with a number of notable politicians and social reformers. The institution is also associated with a variety of social reform movements and has hosted speakers such as Bertrand Russell, Jim Callahan and Tony Blair.

### **Setting and Character of the Conservation Area**

14. The site marks a transition between places – it straddles the civil war defences, is close to the boundary of the Central City and University Conservation Area and adjoins the 19<sup>th</sup> century working class suburbs of Jericho which is itself a conservation area. The main building is a focal point in this part of the street, a building of institutional scale, beyond which lies residential properties with a quieter architecture and more ‘domestic’ scale. It represents one in a series of institutional sites that form part of the character of Walton Street – others include the Oxford University Press, Somerville College and Radcliffe Observatory Quarter. Its gable ends are the prominent elements which first come into view. It is visible from parts of Worcester College gardens [Grade II\* registered Park and Garden] and seen as part of a group of more modern buildings that have been erected on the south and west sides of Worcester Place. The Jericho Conservation Area Appraisal comments that Worcester Place marks the transition between city centre and Jericho suburb. Some of the buildings date from the early building period of the suburb during the 1820’s-1830’s while others date to the late 19<sup>th</sup> century phase. The Appraisal comments that academic institutions have changed the original character with varying degrees of success. The quality of the Ruskin College extensions have done little to preserve or enhance the character of the street; indeed the under-croft parking and servicing area beneath the 1960’s extension detracts from the sense of enclosure, residential characteristics and quality of the public realm.

### **Heritage Management**

15. The relevant legislative provisions are set out in the Planning (Listed Buildings and Conservation areas) Act 1990. Sections 16, 66 and 72 are relevant requiring local authorities to have special regard to the desirability to preserve and enhance listed buildings, conservation areas and their settings. A recent legal case (East Northants v Secretaries of State for Communities and Local Government, 2013) considered what these provisions mean in practice and concluded that ‘special regard’ means that considerable weight and importance should be given to the desirability of preserving the assets and their settings. In the National Planning Policy Framework the government has reaffirmed its commitment to the historic environment and its heritage assets (including historic parks and gardens) which should be conserved and enjoyed for the quality of life they bring to this and future generations.
16. The significance of a heritage asset is the sum of its architectural, historical, artistic or architectural interest. There are two components to these criteria; the nature of the interest and the relative importance of that interest. At the heart of the NPPF is a presumption in favour of sustainable

development which is stated to mean, unless material considerations indicate otherwise, approving development proposals that accord with the development plan without delay. It lists a number of core planning principles that should underpin decision making including that it should *'conserve heritage assets in a manner appropriate to their significance so that they can be enjoyed for their contribution to the quality of life of this and future generations'*. The NPPF also points out in a footnote, to emphasise this point, that there are other policies in the Policy Framework that indicate there may be a need to restrict development in order to protect designated sites, including designated heritage assets.

17. A key message in the NPPF is that the historic environment is a finite and irreplaceable resource and the conservation of heritage assets should be a high priority. Development that causes harm to a heritage asset or its setting should be avoided unless there is a public benefit to outweigh that harm. The NPPF states that *'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of a heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification'*.

18. In relation to a proposal that would cause substantial harm or total loss of significance then the NPPF advises that local planning authorities should refuse consent unless it can be demonstrated that such harm or loss is necessary to achieve and outweighed by substantial public benefits. In relation to a proposal that would cause less than substantial harm then this would need to be weighed against the public benefits of the proposal including securing the optimum viable use for the asset.

19. The published consultation draft National Planning Practice Guide (2013) seeks to explain what is meant by substantial and less than substantial harm and states

*partial destruction is likely to have a considerable impact but, depending on circumstances, it may still be less than substantial or conceivably not harmful at all.*

20. It explains that the scale of works proposed is not necessarily determinative of whether any harm caused is substantial or less than substantial. It does point out that a key factor in determining whether works constitute substantial harm is if the adverse impact goes to the heart of why the place is worthy of demolition – why it is important enough to justify special protection.

21. The NPPF encourages local planning authorities to look for opportunities to better reveal or enhance heritage assets and their settings and states that proposals that do make a positive contribution should be treated favourably. As stated above harmful impacts should be avoided (and in

relation to substantial harm applications refused) unless there are public benefits that derive from any proposal that would outweigh the harm. The draft National Planning Practice guide seeks to explain what is meant by 'public benefits', suggesting it could be anything that delivers economic, social or environmental progress and can include heritage benefits such as

- sustaining or enhancing the significance of a heritage asset and the contribution of its setting
- reducing or removing risks to a heritage asset
- securing the optimum viable use of a heritage asset

22. Published guidance by English Heritage [The Setting of Heritage Assets, October 2011] provides a methodology for understanding the setting of a heritage asset and how it contributes to the heritage significance of that asset and explains how to assess the impact of development. English Heritage explains that the setting of a heritage asset is the surroundings in which it is experienced; furthermore the setting is not fixed and may change as the surrounding context changes.

### **The Proposals**

23. The proposals comprise the redevelopment of the site for use by Exeter College for modern and fully accessible student accommodation and teaching facilities. In order to facilitate a fully accessible design the scheme proposes the demolition of the majority of the existing buildings on the site with the exception of the original 1913 façade which will be retained together with its memorial plaques.

24. The proposals will provide a new Quadrangle which will house 90 student rooms, seminar and teaching rooms, Fellows accommodation, a rare book archive, lecture hall, Porter's Lodge, a retained 'Ruskin' room, a café and communal social spaces including a games room, north and south quadrangles and a learning commons.

25. A comparison with the existing buildings on the site shows that the number of student rooms will increase from 80 [existing] to 90, the residential floorspace will increase from 1,068 square metres to 1,412 square metres and the teaching and ancillary space will increase from 2,608 square metres to 3,706 square metres.

26. The applications are accompanied by an Archaeological desk based Assessment, a Buildings Appraisal and Structural Interventions to the Ruskin Building Report, a Heritage Impact Assessment, Sustainability, Energy and Noise Statements, including an NRA, a Flood Risk and Drainage Strategy, an Arboricultural Report, a Transport Statement, a Travel Plan, a bat Survey and a Ground Conditions Report..

27. The proposal involves the removal of the existing roof to the 1913 Ruskin building and an increase in the height of the building with a re-formulated roof shape which represents an evolution of the mansard roof typology in

form, structure and material. The height of the building facing Walton Street will increase from 15.4 metres as existing to 17.4 metres as proposed. The height of the new buildings along Worcester Place will also increase but will incorporate roofs that slope away from the road and in part are well set back from the road. The new accommodation would be laid out over five floors plus a basement with the student and Fellows rooms being located on the first, second, third and fourth floors.

28. The new building will be erected using Ashlar stone, brick with stainless steel roofing tiles. The windows in the new build will be bronze externally with timber doors and matching stone walls to boundaries. The new multi-purpose hall will seat some 110 people and will have its own ancillary facilities and covered bin stores and cycle racks will be provided at the rear of the new quad with direct access onto Worcester Place.

29. In support of the application, the agent states that Exeter College's vision for its new Walton Street Quad is to combine the best of Exeter, Oxford and Ruskin's collegiate tradition with a modern architectural solution to form a distinctive new site. The agent goes on to say that the guiding principles for the project are as follows:

- Consolidate the College's facilities within the City Centre
- Meet the scholastic, residential and social needs in modern facilities
- Improve accessibility across the College Estate
- Deliver a rare book archive to the house the College's important collections
- Maintain the presence of Ruskin College at Walton Street through the provision of a dedicated Ruskin room for use by Ruskin College for teaching and learning purposes
- Deliver a low carbon, sustainable and adaptable building
- Ensure other supporting facilities, such as the multi-purpose hall, can be accessed by the community, Ruskin College, researchers and other visitors

30. Amended plans have been submitted during the processing of the applications which firstly reduce the size of 3 new dormer windows on the Worcester Place elevation and secondly revise the treatment of the original ground floor windows on both the Walton Lane and Worcester Place elevations. ( These revised plans together with supplementary reports and an addendum have been subject to public consultation)

31. Officers consider the principle determining issues to be:

- Principle
- Form and appearance
- Impact on the listed building
- Impact in the Conservation Area
- Impact on the setting of the Registered garden at Worcester College
- Impact on neighbours

- Trees
- Affordable housing
- Highways and cycle parking
- Sustainability
- Biodiversity
- Archaeology
- Community hall use
- Deliveries and waste management
- Harm and public benefits

### **Principle**

32. Policy HP5 of the adopted Sites and Housing Plan states that planning permission will only be granted for student accommodation on or adjacent to an existing university campus, higher or further education college or other hospital or research campus. Ruskin College is an established university site and therefore the proposal complies with this policy.
33. Policy CS29 of the adopted Oxford Core Strategy states that planning permission will be granted for new academic floorspace on existing University of Oxford sites, increasing density where proposals respect the character and setting of Oxford's historic core.
34. It is therefore considered that the principle of the proposed redevelopment proposals broadly comply with planning policy as regards land use. However given that the oldest part of the existing building is now listed, the location of the site in the conservation area and adjacent to Worcester College grade II\* registered historic park and garden and the proximity of the site to neighbouring properties it is important to examine a number of issues as set out below.

### **Form and Appearance**

35. Policies in the adopted Oxford Local Plan seek to ensure that new development shows a high standard of design that respects the character and appearance of the area, uses materials of a quality appropriate to the development, the site and its surroundings and provides buildings and spaces with suitable access arrangements and facilities for use by all members of the community with special access needs. Development proposals should also make the best use of site capacity and should relate to their setting to strengthen, enhance and protect local character.
36. Policy CS18 of the adopted Oxford Core Strategy states that planning permission will only be granted for development that demonstrates high quality urban design that responds appropriately to the site and its surroundings, creates a strong sense of place and contributes to an attractive public realm. The policy goes on to say that development proposals should respect and draw inspiration from Oxford's unique historic environment and respond positively to the character and distinctiveness of the locality.
37. Policy HP9 of the adopted Sites and Housing Plan also seeks to ensure

that the form, layout and density of a development proposal make efficient use of land whilst respecting the site context and heritage assets.

38. The proposal seeks to retain the facades of the 1913 Ruskin building as a physical reminder of an important aspect of Oxford's history and British social history. The proposed new building height and massing steps down along Worcester Place to approach the roof height of the house at number 10. The development is also set back from Worcester Place towards the site's southern boundary. The proposed scheme incorporates a number aims as follows:

- An intention to improve the quality of the streetscape along Worcester Place by increasing the sense of permeability of the site to allow more sunlight to enter the street
- The provision of an S shaped building form with two open quads
- Restoring level access to the entire building [there are currently 20 separate staircases connecting the various levels that make up the ground floor of the existing building]
- To optimise the current capacity of the site through an expansion of the basement level to create a café leading to a new sunken garden and through an intervention at roof level

39. The supporting information comments that since the 17<sup>th</sup> century dormered roofs of various styles have been added to Oxford's building stock by the Colleges in order to increase their ability to house additional students. In this case, the applicant argues that the roof proposals at Walton Street represent an evolution of the 'mansard' and gambrel roof typology in form, structure and material. (The mansard roof was introduced in Paris in the 1860s as a manipulation of a traditional roof to overcome C19th planning restrictions on storey heights and the gambrel roof, which is of much earlier origins, was a progression of traditional pitched roofs to allow more space to be squeezed out of a buildings volume, without any increase in height). In this proposal the ridges and eaves of the mansard have been smoothed into radii, which are intended to reduce the apparent scale of the vertically extended roof form and simplify its construction. The architects explain that employing a pitched roof form will help to integrate the old and the new, engender a domestic characteristic as the proposed buildings step down in height down Worcester Place and allow greater architectural expression than would be the case with a flat roof.

40. The design and access statement submitted with the application explains the nature of the roof form as a flat material tailor and cut to envelope the building, expressing contemporary roof cladding technology and states that *"as one moves past the Ruskin building along Worcester Place to the fully new College building construction, the curved gambrel roof extends down to the ground floor level like a cloak, punctuated by dormers and a regular pattern of windows. This extension of the roof surface past the eaves line to become a façade draws on the tradition of hung tiles but more clearly and fluidly expresses contemporary cladding technology"*.



41. As regards the roofing materials, the statement goes on to say that the proposal utilises a traditional metal tile roofing pattern in two colours; metal tiles set in a diagonal format suit the proposed curved roof form and a subtle checkerboard patterning adds another layer of reference and meaning to the new roof, reflecting the latticed diagonal lead work of the Exeter Turl Street Chapel spire and the patterned tiles of the Chapel floor. The proposed coloured and textured stainless steel tile has been chosen to reduce reflectivity; the tile goes through a manufacturing process where it is patterned, textured, bead blasted and formed into the individual tiles which are installed on site.
42. The fabric of all the facades will be cleaned and restored with a timber gate reinstated beneath the entrance arch. The public pavement in front of the College will be widened and the short stay parking bays directly in front of the building entrance relocated.

### **Impact on the Listed Building**

43. The interior of the building is a steel structure with concrete floors. The evidence submitted with the application explains the need to improve accessibility and upgrade the rooms to meet modern standards (size and facilities) and that to work with the existing internal structure would mean in reality that what would be left would hold little value, but also that the scheme's viability would be under threat. As a consequence what is proposed is the complete removal of the existing internal structure and its replacement with a new frame and floor structure. This is a challenging aspect of the proposal but taking into account the utilitarian qualities of the interior and that the building's heritage significance lies mainly in its external principal elevations and in its 'communal' value and association with the labour movement that this aspect of the proposal would not cause 'substantial harm'. Its plain characteristics contribute to the understanding of the origins and aims of Ruskin College and so the loss of the interior does cause *some* harm, but officers consider it is less than substantial (the interior features and finishes that would be lost do not go to the heart of why the buildings was given special protection). Mitigation of this harm has been sought by ensuring that the spatial organisation of the new interior respects the existing plan form – the split between administration and lecture spaces and the location of staircases and circulation spaces (the proposed cloister is proposed in the place where Joseph and Smithem had intended one to be) for example. Positions of floor levels also ensure that the internal layout has an appropriate relationship to the architecture of the facades (unlike some examples of façade retention where the interior organisation is divorced from the external organisation of doors and windows). In this way the building's institutional role (that does hold historic and communal value) and its significance in providing intellectual access to the University of Oxford for those without financial means would be sustained. An important benefit of these changes is that they will provide fully inclusive physical access to all parts of the building.
44. English Heritage has identified that the loss of the interior causes harm, but not substantial harm and accepts that the existing steel frame would be

extremely unforgiving of even small adjustments.

45. The proposals involve an adjustment in floor levels to secure level access from the street. This allows the removal of the existing chair lift. A consequence of the change in floor levels though has led to the desirability of reducing the sill height to the ground floor windows. The applicant explains this is to help the sense of 'interaction' between the building, its users and the public realm. With a lower floor level it is also explained that the lower sills (thus taller windows) helps the natural light and sense of proportion to internal spaces. The proposal involves a like for like restoration and replacement approach to the existing timber sash windows; the ground floor windows will be replaced with new double glazed steel windows following the same design characteristics as the existing steel windows. As originally submitted English Heritage and officers had expressed concerns about the harmful impact of alterations to window openings and window designs. The proposal as now presented has involved amendments to address our concerns. Subject to a condition to control the precise detail of the lowered sills (where they in relation to the plinth) officers are satisfied that this aspect of the proposal would not result in any harm.
  
46. The applicant's rationale for the height of the roof is based on the rules of proportion in classical architecture and by reference to historic precedents here and in Europe. As the roof will be experienced mainly from street level, and as a form that 'recedes' with height it will not appear as illustrated in a true elevation, as evidenced in the building as existing. The form of the new roof over the retained parts of the building will be most visible in long views down the street, where the gable ends and part return elevations are the most prominent elements and from Worcester College gardens (the impact on the registered garden is covered separately in this report). The existing roof appears to have been designed as a utility measure to squeeze additional accommodation into the building volume, rather than being a deliberate, or for that matter prominent, element in the overall architectural composition.
  
47. The new roof would be more prominent but officers conclude it has the potential to contribute interest, rather than detract from the architectural and visual interest of the building. The choice of material and how it is used will be a critical element in this. The applicant has selected a metal roof, cut into diamond shaped tiles (not unlike the roof at the University Museum) as a modern iteration of the historic use of metal as a roof covering, which has led to a lot of disquiet through the public and statutory consultation responses. Colour, reflectivity and patina are important characteristics (and ones not easy to illustrate accurately) that the applicant wishes to exploit, but to date the sample panels tested do not satisfy officers that these characteristics are successfully demonstrated. The wrong finish and the roof material would appear too strident and cause harm. Suffice to say that if approval of these applications is agreed then a condition is recommended to require further sample panels of the proposed roofing material to be agreed. This will allow the potential for

harm by virtue of the colour, patina and reflectivity to be resolved.

### **Impact on the setting of Worcester College and its Historic Gardens**

48. The gardens are listed grade II. The main part of the college gardens, laid out in the early C19 as picturesque pleasure grounds, consists of three informal sections of open lawn, each area with its own wooded perimeter path, all connected by the central lake: The south lawn, entered from Main Quad, with a perimeter path, encircling the lawn, Provost's Garden and the cricket ground. (entry in the statutory register of parks and gardens, 1-June-1984). The list entry describes the garden areas and picturesque characteristics with designed views of garden structures and college buildings. The description records that the 'several C20th buildings in varying styles' that lie along the east and south boundaries of the south lawn and the views northwards from the cricket ground towards the 1981 Sainsbury Building.
49. The lawns to the north of the Provost's Garden and North Range are informally arranged, with a box-edged border running along the north boundary with Ruskin Lane, and garden service buildings in the north-east corner. An orchard is situated on the west half of this area. The application site is situated on the northern boundary of this part of the registered garden.
50. The historic gardens are designed to be enjoyed from within as 'internal spaces' with views managed by planting and other features – deliberately enclosing or opening up a view or vista across the gardens to a building, tree or other garden object.. The main areas of the garden, linked to the lake have high heritage significance, in part because they are designed to be enjoyed by those using the perimeter paths in these areas. The Orchard is more part of the working side of the garden and this is how this area is used today. It is of significance as part of the whole and the area is used as a route to the more recent student facilities in the north east part of the garden and so has some 'public' visibility.
51. Oxford has a very densely packed urban form and one of its characteristics is the juxtaposition of green spaces (mostly in private ownership) with the urban fabric of a living working city. History shows that the settings of historic institutional buildings and their gardens have been remodelled and reshaped to accommodate new development and the gardens to Worcester College are no exception. The principle of further change and a new addition to the landscape around the gardens is not at issue but officers have focused on the nature of the impacts and if they would cause harm to the characteristics of the garden that give it its heritage significance - what will be the experience of the buildings as a new addition to the existing views. Representations from Worcester College conclude that the visual impact will be harmful; that existing views out from the gardens and buildings (in particular the views to and from the Radcliffe Observatory) will be harmed –and that this harm is substantial. This is a conclusion of other individuals and organisations too.

52. The views to and from the Observatory have already been interrupted by intervening development and any surviving view from the upper rooms in the Provost's lodgings is fortuitous rather than designed. As a 'private' view the significance this view holds is more limited than the 'public' views from the gardens. The existing views north east from the garden, which also are not designed views, are of existing modern buildings that form part of Worcester College's student accommodation, added in recent years, and that define the edge of the garden. The proposal will change the view, but officers conclude that the existing view does not hold such significance that it should not be changed. Indeed at present some elements in this view are of poor quality, or intrusive – the existing Ruskin extensions and car parking. The proposed buildings step down in scale down the length of the application site, but would be taller than the existing and taller than the neighbouring Worcester College buildings (by virtue of the roof form).
53. The applicants have sought to find the balance between the need to optimise development on the site, whilst taking account of the special interest and setting of the nearby listed buildings and registered garden. A part of the proposed development will be screened behind existing holm oaks (evergreen) and it is mainly the lower section (three storeys – 14 metres to ridge) that will be visible from Worcester College gardens. Taking into account the existing context officers concluded that the proposed height of development is acceptable but note that the proposed cladding material as shown in the illustrative material serves to make the building appear more strident than otherwise might be. The patina, colour and reflectivity of the cladding material are therefore critical and should consent be given then a condition is proposed to control this. The proposed building will change the outlook from the college gardens and north facing windows; this is part of the changing dynamic of Oxford, and officers conclude that the special interest and setting of the registered gardens would not be harmed.

#### **Impact on the Conservation Area**

54. As stated earlier the site marks a transition between city and suburb and the building is one of a series of institutional buildings up Walton Street. The later extensions to the original Ruskin building do not make a positive contribution to the character and appearance of the conservation area and the undercroft parking that exists is particularly unsuccessful and does not make a positive contribution to the appearance of the conservation area.
55. From Walton Street the proposed roof over the existing buildings will be visible in long views, where the gable ends of the building are currently visible. The roof will be more prominent than the existing, but subject to control over the cladding material officers consider this will not be a harmful impact.
56. In Worcester Place the existing buildings would be entirely replaced, and so the changes will be more dramatic. A part of the immediate context is

characterised by C19th domestic housing, but this does not mean that any new building on this site must emulate that domestic characteristic. The original 1913 competition design was for a very formal (and institutional) scale and design. The proposed buildings step down in scale down the length of the site and in terms of heritage impacts this scale and massing is considered not to result in any harm (impacts on residential amenity are considered separately in this report). As before the qualities of the proposed cladding material affects perceptions and understanding of the building, but officers are satisfied that subject to conditions on materials the impact on the character and appearance of the conservation area would not be harmful. With associated public realm improvements there will be positive benefits.

57. Longer distance views have been assessed to consider the visibility of the proposed building from high viewing points and from various places in the area. Officers conclude that any longer distance views will not be harmed.

### **Impact on neighbours**

58. Policy HP14 of the Sites and Housing Plan states that planning permission will only be granted for new residential development that provides reasonable privacy and daylight for the occupiers of both existing residential dwellings and new units. The policy goes on to say that planning permission will not be granted for any development that has an overbearing effect on existing homes.

59. A number of objections to the scheme have been received from local residents and their comments are set out earlier in this report. The South Jericho Residents' Association was constituted on 7<sup>th</sup> July 2013 and covers the area from Worcester Place to Richmond Road including Walton Street [west side] and Walton Lane. The SJRA has submitted two documents which set out their objections to the proposal together with a further letter dated 26<sup>th</sup> August 2013 addressing comments made by the applicant's agent in reply to the objections made.

- The main objections put forward by the SJRA are as follows:
- The new building is too high and will cut off light to houses in Worcester Place
- The sunlight and daylight analysis submitted by the applicant is not wholly accurate and does not reflect the loss of light highlighted in the independent study commissioned by the SJRA
- The buildings proposed should be scaled back so there is no increase in height – it is too overbearing and not suitable for a residential street
- The auditorium is 1.3 metres higher than when presented at the public exhibition
- The glass dormers will be visible and intrusive
- The windows facing Worcester Place are much larger than the existing
- The outside roof terrace will be unneighbourly

- There are inconsistencies in the proposal and presentations
- On street cycle racks will result in noise and disturbance to residents in Worcester Place
- A large amount of cycle parking with access onto Worcester Place will result in students cycling the wrong way up Worcester Place which is a one way street.
- The proposal represents an overdevelopment of the site

60. The applicant's agent has responded to the objections by letter dated 20<sup>th</sup> August 2013. The main points made are as follows:

- In respect of sunlight and daylight, the potential impact of the scheme will be confined to just two properties and will be of minor or nil significance based on the BRE Guidelines for assessment
- The daylight/sunlight analysis submitted by the SJRA does not follow the accepted methodology
- The applicant has reduced the scale of three dormer windows located opposite 28 Worcester Place in response to the SJRA's concerns
- The roof terrace will be screened thereby removing potential for overlooking of residential dwellings
- The visualisations prepared are accurate representations of the plans submitted
- The height of the auditorium has not changed since the public exhibition; the reason for the apparent difference in height of this element of the scheme is that 2 sections were taken at different points
- The proposed cycle parking provision on Worcester Place has been moved in response to concerns raised by residents

61. In more detail, the agent states that the daylight/sunlight assessment submitted with the application was prepared by Capita Symonds, a well-regarded consultancy working in this complex field. The assessment was carried out in accordance with the accepted guidance, the Building Research Establishment's *'Site layout planning for daylight and sunlight: a good guide to practice'*.

62. The assessment quantifies the impact of the proposal on 30 neighbouring properties. Of these, the assessment concludes that the impact on 28 Worcester Place would be insignificant. The impact on two other properties, 10 Worcester Place and 4 Walton Street is categorised as at worst minor. The agent makes the point that these limited impacts are not surprising given the shift in the west wing away from the footpath of Worcester Place compared to the current building.

63. The daylight/sunlight analysis prepared for the SJRA is a more basic level of assessment that has not been prepared in accordance with BRE methodology and does not quantify the significance of any impact. It uses winter rather than the equinox as the period of assessment for impact on sunlight in the garden of 4 Walton Street which is contrary to BRE guidance. In winter the existing building already overshadows the garden

such that the additional height has no further significant effect whilst in mid- summer the development does not obstruct the sun.

64. As regards the proposed 4<sup>th</sup> floor glass dormers, the agent maintains that these will be transparent and hardly distinguishable from the sky behind. They are an important source of light to the 4<sup>th</sup> floor corridor which is essentially a waiting area for students attending tutorials in the Fellows rooms.
65. Amended plans have been submitted that reduce the scale of 3 dormer windows located opposite 28 Worcester Place. These alterations were made in response to comments made by local residents.
66. As regards overlooking, the proposal will not alter the use of the site and all rooms facing Worcester Place will remain single occupancy. Officers therefore take the view that the proposed scheme will not significantly worsen the existing situation and the set back of the west wing will lessen the number of windows fronting onto Worcester Place.
67. As regards the proposed third floor terrace, this will be sited some 21.9 metres back from the front of the houses in Worcester Place when measured horizontally and 26 metres when measured diagonally. In addition the parapet wall of the terrace facing Worcester Place is 0.75 metres high behind which is a 1.1 metre glass parapet. On the inside of the parapet planting is proposed to provide a further screen and details of privacy screening are required by condition [21].
68. Amended plans have been submitted which relocate the proposed on street cycle parking in Worcester Place from opposite numbers 27 and 28 Worcester Place closer to the junction of Worcester Place and Walton Street and not opposite any dwellings. It is considered that these are unlikely to give rise to disturbance and there would be a benefit from the removal of the existing open fronted parking undercroft which frequently gives rise to anti-social behaviour. In addition and in response to concerns raised regarding cycling the wrong way up Worcester Place, the agent has commented that the College is keen to ensure the safety of its students and will ensure that signage is placed on the inside of the gate leading to the cycle storage area to remind students that the street is one way.
69. The agent is also keen to emphasise that whilst originally only 3 of the 5 visualisations submitted are verified views, that is architectural photo-montages which have been created to a high level of verifiable accuracy using collected survey data, precise photography and a strict recorded methodology such that the 3d model and the photograph match up exactly, all of the visualisations that have now been submitted are verified views.
70. In their latest submission, the South JRA state that they have no proof that the new building will not breach a 45 degree line drawn from the windows in the Worcester Place properties opposite the proposed new extension. The application of the 45 degree rule is inextricably intertwined with an

assessment of the sunlight/daylight criteria and this is clearly set out in section 3.1 of the agent's Supplementary Planning Document dated July 2013. The sections A – G inclusive show that in only two of the cross sections is there an increase in the height of the new building and an associated increase in impact; in a further two cross sections there is an improvement on the current situation and in the remaining three cross sections, there is no significant difference to the existing situation. Officers have therefore concluded that the breach in the 45 degree rule is marginal.

71. Officers have concluded that the proposal would not result in an unacceptable level of overlooking compared with the existing building, result in an unacceptable loss of sunlight or daylight or appear unacceptably overbearing in the outlook of neighbouring residents to warrant refusing the application on grounds of the potential impact on neighbours.

### **Affordable Housing**

72. Policy HP6 of the Adopted Sites and Housing Plan refers to affordable housing from student accommodation and states that planning permission will only be granted for new student accommodation that includes 20 or more bedrooms if a financial contribution is secured towards delivering affordable housing elsewhere in Oxford. The Policy goes on to say that an exception to this requirement for delivering affordable housing will be made where the proposal is within an existing university or college academic site. Given that Ruskin is an established site, the above exemption applies and there is no requirement for a financial contribution towards affordable housing.

### **Trees**

73. The proposed scheme replaces the modern elements of the current Ruskin building footprint. The existing layout is composed of the original L shaped Ruskin College fronting onto Walton Street and Worcester Place together with a number of subsequent infill buildings.
74. A new 'north' quad is proposed to open onto Worcester Place that would support a single tree planting; three small trees are also proposed along the pavement further to the east and these would be a positive contribution to the appearance of the street scene.
75. Although there are no trees on the application site itself, the development has implications for the line of evergreen oaks located along the northern boundary of Worcester College. Tree canopies from Worcester College extend up to 3 metres across the boundary with the application site over a flat roofed building and two quads. These oak trees form a contiguous group feature which is important as a green backcloth to views from Walton Street looking northwest above the boundary wall and low buildings of Worcester College.
76. The tree group is also significant in landscape terms to the setting of the Worcester College grounds as they provide a strong element of enclosure



to the college grounds and separation from the surrounding urban environs beyond the college boundary. The tree group screens the rear elevations of the existing Ruskin buildings and therefore would also provide an important function in screening and softening the massing of the proposed new building from public views from Walton Street and from within the grounds of Worcester College. The eastern end of the group of trees is more significant to views from Walton Street whilst the western end of the group is more significant to views from Worcester College.

77. The trees of the oak group were planted close to the boundary with Worcester College but the deep foundations of the existing wall appear to have acted as a barrier to substantive root ingress into the Ruskin site which has been shown by trial pit root analysis within the existing Ruskin quads. This indicates that construction excavation for the development will not have any significant adverse impact on the root systems and physiological health of the oak trees.
78. The proposed building is set back from the Worcester College boundary by approximately 1 – 2 metres. The northern crown spread of the oak group is around 4.5 metres at its western end [T11, T12 and T14] and therefore it will conflict with the footprint of the proposed building by some 1.5 metres. Some pruning will therefore be required to facilitate the new development.
79. Evergreen oak is very vigorous when pruned so that dense, all year around shade will affect the light received and the views out of certain rooms including 3 Fellow's studies on the ground floor, 3 student rooms on the first floor and one Fellow's study on the third floor. However a detailed light study commissioned in response to these concerns concludes that internal light levels will meet recognised standards assuming that tree canopies will be cut back and maintained along the boundary line.
80. The important evergreen oak group within Worcester College will require on-going crown pruning away from the Ruskin boundary as a consequence of the development. The impact of this on the amenity of the tree group is considered to be minimal because their south facing outline, as seen from the principal public views and the views from Worcester College will be unaffected.
81. Officers take the view that the tree and landscape details submitted are acceptable subject to the imposition of appropriate tree protection and landscaping conditions.

### **Highways and Cycle parking**

82. Oxfordshire County Council as Local Highway Authority is not raising an objection to the application following a review of the submitted Transport Statement and Travel Plan. Officers have made the following comments:
  - The site is well located for public transport, walking and cycling
  - The site lies within a CPZ and should be excluded for eligibility for parking permits

- There are opportunities for short stay parking nearby
- Proposed cycle parking provision is acceptable
- The proposed delivery and servicing arrangements are considered to be satisfactory
- The proposed footway widening will reduce the impact of pedestrian congestion outside the College building

83. As a result of comments raised by local residents, amended plans have been submitted that re-site 20 on street cycle parking spaces together with 3 new Hawthorne trees closer to the junction of Worcester Place and Walton Street. Officers consider that this new location would be unlikely to interfere with traffic movements, cyclists or pedestrians and is acceptable. It is also considered that it will lessen the impact of the cycle racks and the activity associated with them on Worcester Place residents.

84. Concerns have also been raised that the provision of 50 cycle parking spaces at the western end of the site together with the provision of the 20 on street cycle parking spaces is likely to result in students cycling in the wrong direction along Worcester Place which is a one way street. Officers have considered this concern; however the site has a previous education/student use which would have created cycle movements and for this reason an objection on this ground is unlikely to be sustainable.

### **Sustainability**

85. The application is accompanied by Sustainability, Noise and Energy Statement [including an NRIA] which outlines the approach taken to energy conservation and sustainability, external lighting and noise control. The report describes the passive measures, such as building orientation, window sizes, solar control, insulation and ventilation which have been specified to reduce energy consumption. Air source heat pumps together with a solar thermal system are proposed to further enhance the sustainable credentials of the new building and in this way 32% of the total energy demand will be provided by way of sustainable measures.

86. The report goes on to say that noise levels have been carefully considered both in terms of minimising noise break-out and managing noise levels when the building is in use although the proposed uses on the site will be broadly similar to the historic uses and therefore it is not envisaged that noise levels should vary significantly.

87. Noise levels are proposed to be carefully managed with reverberation control provided in the main spaces including the new lecture hall/multi use hall which will also be acoustically lined. Plant noise will be controlled across the site.

88. Finally the report states that noise and vibration from construction and demolition works will also be controlled with the Contractor being required to provide a Method Statement for minimising noise, including controlling the hours of operation for particular activities and the types of tools to be used.

### **Biodiversity**

89. The application is accompanied by a Bat Survey which has been updated in the Supplementary Planning Document submitted in July 2013. One bat species was recorded during surveys that of common pipistrelle with many bat encounters recorded. Most of the bat movement was located alongside the boundary wall along the treeline which has been assessed as a commuting route for bats to the lake located in Worcester College grounds. The report concludes that the protection and strengthening of the boundary feature wall is key to the persistence of central Oxford bat colonies and recommends that demolition is best undertaken in the autumn and should be avoided in winter; an ecologist should advise operatives prior to demolition; external lighting should be kept to a minimum within the new scheme and bat tubes should be incorporated in the construction of the southern elevation. This is reflected in condition 12.

### **Archaeology**

90. The application is accompanied by an archaeological desk based assessment by Oxford Archaeology which notes that the site is of archaeological interest because it lies close to the projected line of the Royalist Civil War defences. Given the known depth of this defensive ditch [up to 5 metres in places] there is potential for this feature to survive within the site despite the disturbance caused by the construction of the existing buildings and basements.
91. Officers have studied the archaeological desk based assessment and concluded that, if planning permission is granted, appropriate building recording would be warranted supplemented by a targeted oral history report linked to the functional use of the building complex. This should consist of an overview of the buildings relationship with working class education and the trade union movement since its foundation and the oral history component should involve, as a minimum, interviews with current Ruskin staff and alumni to record experiences of the building in operation. The work should be undertaken by a professionally qualified archaeologist [or social historian for this component of the work] working to a brief issued by the City Council.

### **Community use of multi-use hall**

92. The proposed lecture hall at the west end of the proposed extensions will be a multipurpose space, available also for community use.
93. A proposed condition requires that details are submitted and approved that set out how community use of the lecture theatre/hall would be achieved.
94. This is a flat floor venue that will be equipped with a projection room, lighting and sound control for lectures, recitals and small scale theatrical productions. The hall can also be used for activities such as yoga, dance and fitness classes as well as for conferences and for formal dinner events. The hall will not be used for any events involving amplified music.

95. The walls of the hall will include insulation of half a metre thickness to ensure that its use does not cause any disturbance either to the students residing in the building or the occupiers of properties in Worcester Place.

#### **Deliveries and waste management**

96. A new loading bay is proposed along Worcester Place in order to allow deliveries to unload to the college. Deliveries will typically be brought into the building through the service lane and down to the basement via the platform lift.

97. Three 1100 litre Paladin bins for general waste will be provided which will be emptied daily. One of these bins will be dedicated to the waste from the kitchen. Two 1100 litre mixed recycling bins will also be provided which will be emptied three times per week. These bins must be accessible to the students who are responsible for emptying recycling from their student rooms. These bins will be located within a fire protected bin store adjacent to the cycle store at the western end of the site and within the service lane. Refuse collectors will have access to the lane in order to collect the bins and not cause any obstruction to Worcester Place.

98. Concerns have been raised by local residents as to the timings of collections and deliveries. The level of servicing is likely to be similar to that operated by Ruskin College which was 3 – 4 deliveries per day. It is proposed that Exeter will operate the new Walton Street quad in a similar way to the approach at the Turl Street campus as many of the same contractors will be involved. The present arrangement is that no deliveries/collections occur before 7.30 am and none later than 4 pm and it is envisaged that this arrangement will continue for the Walton Street site.

#### **Harm to heritage assets and public benefits**

99. The NPPF requires that where a proposal would result in harm to the significance of heritage assets then there needs to be a public benefit to outweigh that harm to justify granting planning permission and listed building consent. The draft National Planning Practice Guidance [NPPG] defines 'public benefit' in its widest sense including the delivery of economic, social or environmental improvements and includes heritage benefits as public benefits. The benefits must be proportionate to the level of harm. Subject to the considerations addressed in the report (including imposition of conditions and selection of appropriate materials) Officers have concluded that the proposal would not result in substantial harm to any heritage asset or its setting. Officers have concluded that the internal works to the Ruskin Building will cause some harm, but this would be less than substantial.

100. In their Addendum Statement dated October 2013, the agent sets what are considered to be the potential public benefits of the proposed development to outweigh this harm as follows:

- The consolidation of the College's facilities within the City Centre
- Meeting the College's scholastic, residential and social needs in

modern facilities

- Improving accessibility across the College Estate
- Delivering a rare book archive to house the College's important special collections
- The provision of a Ruskin room for use by Ruskin College for teaching and learning
- The delivery of a low carbon, sustainable and adaptable building
- Use of other supporting facilities such as the new lecture theatre for use by the local community, Ruskin College, researchers and other visitors
- Meeting student housing needs thus facilitating the release of open market housing and reducing housing pressure in Oxford
- Improvements to the public realm

100. In considering the public benefits promoted by the applicant Officer's would add the following comments.

- There is currently an identified lack of community facilities in Jericho area and the local community has expressed an interest in having access to a facility that could be used for meetings, activities, performances and other community based events. The applicant has agreed that the proposed lecture hall at the west end of the site could be used for these types of activities and would be directly accessible from Worcester Place. This represents a public benefit (social improvement).
- The Council is committed to working with Oxford University and the Oxford Colleges (and Oxford Brookes University) to improve facilities and build on the benefits they bring to Oxford (Oxford Core Strategy, paragraph 8.2.7). Responsibly meeting the needs of Oxford's academic community represents a social and economic benefit.
- Many of the Oxford Colleges hold rare collections and archives, some of which will have national significance. A number of the colleges have or are seeking to ensure that these archives are held in appropriate facilities that can allow improved public access. This proposal will allow Exeter College to achieve this thus preserving their archive and improving public access to and enjoyment of it. (social and environmental benefit).
- Improving physical access to all parts of the proposed building, where the existing has restricted access would be a social and environmental benefit. The reorganisation of the access to the building also involves improvements to the public, with a widened footpath and realigned junction to Worcester Place

101. Given the level of harm that officers consider would result from this development (less than substantial) and that the design seeks to mitigate some of the harm it is considered that there are public benefits

that would flow from this development to outweigh that harm.

### **Conclusion:**

There is a public benefit to be derived from the provision of purpose built student housing in the city together with the facilities that the new accommodation will provide. The proposals also facilitate public realm improvements and provide other public benefits as outlined above. The harm to the Listed Ruskin building is considered to be justified by the public benefits that would result. It is considered that the proposal forms an acceptable visual relationship with the existing building and the surrounding development and would not cause harm to the special character and appearance of the Central (City and University) Conservation Area, Jericho Conservation Area and the setting of other designated and non-designated heritage assets. Oxfordshire County Council as Local Highway Authority is not raising any objection to the application and the proposal is considered to comply with adopted policies contained within the Oxford Local Plan 2001 – 2016, the Oxford Core Strategy 2026 and the Sites and Housing Plan 2012 and relevant National Planning Policy and Guidance.

### Human Rights Act 1998

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

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

### Section 17 of the Crime and Disorder Act 1998

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

### **Background Papers:**

13/00832/FUL

13/01075/LBD

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**Date:** 19<sup>th</sup> November 2013