

West Area Planning Committee

14 September 2011

**(1) Application Number:** 11/01040/FUL

**Decision Due by:** 18 July 2011

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

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

**Ward:** St Clement's Ward

**(2) Application Number:** 11/01044/CAC

**Decision Due by:** 18 July 2011

**Proposal:** Demolition of public toilets

**Site Address:** St Clements Car Park And Public Convenience St Clement's Street Oxford

**Ward:** St Clement's Ward

**Agent:** N/A

**Applicant:** Watkin Jones Group

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## Recommendation:

### Application for Planning Permission

It is recommended that the West Area Planning Committee resolve to grant planning permission subject to the conditions and obligations set out below and to delegate authority to officers to issue the notice of permission following satisfactory completion of the legal agreement for the following reasons:

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

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

- 2 The Council has had regard to all the comments received through the consultation process. The matters raised have been addressed within the report and when taken on balance are not considered to warrant refusal of the application.
- 3 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material issues, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

Conditions:

- 1 Development begun within time limit
- 2 In accordance with approved plans
- 3 Students in full time education only
- 4 Details of educational establishment /Management company
- 5 Student Accommodation – Management Controls
- 6 Scheme to prevent students bringing cars into the City
- 7 Samples of Materials in Conservation Area
- 8 Submit further architectural & construction details
- 9 Boundary details before commencement
- 10 Public Art - Scheme Details & timetable
- 11 Landscaping plan required (including areas of hard
- 12 Landscaping carry out by completion
- 13 Landscape hard surface design - tree roots
- 14 Landscape underground services - tree roots
- 15 Tree Protection Plan (TPP) 1
- 16 Mitigation and enhancement in accordance with Ecological Assessment
- 17 Arboricultural Method Statement (AMS) 1
- 18 Archaeology - Implementation of programme
- 19 Temporary car park provided before closure of existing car park (including relevant signage)
- 20 Construction Traffic Management Plan
- 21 Travel Plan
- 22 Provision of pedestrian access to Angel and Greyhound Meadow during construction period
- 23 Bin and cycle storage in accordance with plans
- 24 Land contamination study
- 25 Design of vehicular access (application site only)
- 26 Develop in accordance with FRA
- 27 Remediation Verification report
- 28 Disposal of Surface Water

- 29 Fire Hydrant
- 30 Removal of site from Controlled Parking Zone
- 31 Translucency of glazing in north elevation
- 32 Temporary public toilets during construction
- 33 Details of CCTV
- 34 Lighting scheme for site
- 35 In accordance with NRIA
- 36 3<sup>rd</sup> floor south facing windows of Building B to be omitted

#### Application for Conservation Area Consent

It is recommended that the West Area Planning Committee grant conservation area consent for the following reasons:

1. The Council considers that the proposal, subject to the conditions imposed, would accord with the special character and appearance of the conservation area. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity.

Conditions:

- 1 No demolition prior to contract for redevelopment

#### **Planning Obligations:**

In accordance with the Councils Planning Obligations SPD the following contributions are required to mitigate the impact of the proposals on City and County Services and infrastructure and have been agreed by the applicants. The contributions set out below are indexed linked to values at 2006 levels and should be increased accordingly to the real value at the time of payment.

- £8,460 towards indoor sports facilities
- £50,000 towards general environmental improvements in the local area
- £8,883 towards library infrastructure
- £19,458 towards cycle safety measures
- £19,950 towards the Oxford Transport Strategy
- £10,000 towards public transport infrastructure
- £600 as a travel plan monitoring fee

#### **Main Local Plan Policies:**

##### **Oxford Local Plan 2001-2016 (OLP)**

**CP1** - Development Proposals

**CP6** – Efficient Use of Land and Density

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

**CP9** - Creating Successful New Places

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

**CP11** - Landscape Design

**CP13** – Accessibility

**CP14** – Public Art

**CP17** – Recycled Materials

**CP18** – Natural Resource Impact Assessment  
**CP20** – Lighting  
**CP21** - Noise  
**NE14** – Water and Sewage Infrastructure  
**NE15** – Loss of Trees and Hedgerows  
**NE16** – Protected Trees  
**HE2** – Archaeology  
**HE3** – Listed Buildings and Their Setting  
**HE7** – Conservation Areas  
**HE9** – High Building Area  
**HE10** – View Cones of Oxford  
**HS19** – Privacy and Amenity  
**TR1** - Transport Assessment  
**TR2** – Travel Plans  
**TR3** - Car Parking Standards  
**TR4** - Pedestrian & Cycle Facilities  
**TR11** – City Centre Car Parking  
**DS82** – Part of St Clements Car Park – University of Oxford Use

**Oxford Core Strategy 2026**

**CS2** – Previously Developed and Greenfield Land  
**CS4** – Green Belt  
**CS9** – Energy and Natural Resources  
**CS11** – Flooding  
**CS12** – Biodiversity  
**CS13** – Supporting Access to New Development  
**CS14** – Supporting City-wide Movement  
**CS17** – Infrastructure and Developer Contributions  
**CS18** – Urban Design, Townscape Character and the Historic Environment  
**CS19** – Community Safety  
**CS25** – Student Accommodation

**Other Material Considerations:**

The site lies within the St Clements and Iffley Road Conservation Area  
PPS 1 – Delivering Sustainable Development  
PPS 4 – Planning for Sustainable Economic Growth  
PPS 5 - Planning for the Historic Environment  
PPS 9 - Biodiversity and Geological Conservation  
PPG 13 – Transport  
PPS25 – Development and Flood Risk  
Regional Spatial Strategy for the South East  
St Clements and Iffley Road Conservation Area Appraisal  
Planning Obligations Supplementary Planning Document  
Parking Standards, Transport Assessments and Travel Plans Supplementary  
Planning Document  
Natural Resource Impact Analysis Supplementary Planning Document  
Manual for Streets

### **Relevant Site History:**

10/02848/CAC - Demolition of public toilets - withdrawn

10/02790/FUL - Redevelopment of St Clement's car park to provide student accommodation (141 bedrooms) and ancillary facilities over 4 blocks. Replacement car park (65 spaces), public toilets and waste recycling facilities. Student cycle parking provision (with buildings). Retention of public footpath to Angel and Greyhound meadow – withdrawn

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

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

### **Third Party Comments on Original Plans**

- Loss of trees harmful to ecology and character of conservation area
- Adverse impact on the Setting of the Listed Florey Building
- Inadequate replacement car parking
- No temporary car park during construction would be detrimental to vitality and viability of St Clements shops and restaurants
- Proposed parking is not safe due to cramped layout
- Cramped overdevelopment of the site
- Design and density out of keeping with and harmful to the character and appearance of the conservation area
- Poor quality public realm due to lack of activity at ground level and undercroft parking
- Loss of light and outlook to St Clements properties
- Loss of light and outlook to Florey Building
- Loss of light and outlook to Allan Bullock Close
- No agreed end user for the student accommodation
- Student car parking in area. No realistic way to prevent this
- More students will adversely affect balance of community
- Poor quality architecture
- Adverse impact on Angel and Greyhound Meadow
- Lack of community engagement
- Significant impact on vitality of St Clements businesses
- Adverse impact on residential amenity due to noise and nuisance from development
- Negative impact on mental health and literary and intellectual production of neighbouring residents on St Clements

- Loss of privacy to adjoining property
- Flood concerns
- Adverse impact on servicing of shops and restaurants from existing car park

### **Third Party Comments on Amended Plans**

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

## **Statutory and Internal Consultees:**

### **Comments Received Regarding Original Plans**

Highways And Traffic – No objection subject to conditions

English Heritage Commission – Changes to the scheme help to mitigate the impact on setting of conservation area. However, due to increased activity associated with development the nature of the site will change when seen from Angel and Greyhound Meadow. Planning Authority should satisfy itself that the wider benefits of the scheme outweigh this harm to the conservation area.

Thames Water Utilities Limited – No objection

Environment Agency Thames Region – No objection subject to conditions

Thames Valley Police – Concern raised about community cohesion due to lack of defensible space between public realm and buildings. If undercroft parking to Building B can not be removed would recommend CCTV. Adequate lighting needed. No details at this stage to comment on. CCTV needed. Surveillance of public toilets needed and should not be open 24 hours a day.

Berks, Bucks And Oxon Wildlife Trust (BBOWT) – Application should accord with Core Strategy policy. Recommend that development carried out in accordance with Ecology Report and the mitigation and biodiversity enhancements as specified there in, in order to comply with policy

Natural England – No objection

Oxford Preservation Trust – Essential that concerns of stakeholders are considered given the vital role this plays to vibrancy of area. Proposals have addressed main concerns of Trust.

Oxford Civic Society – Design and position of blocks improved from last scheme. Still too large and overwhelming. Overdevelopment of site in conservation area. Attention to temporary car park needed. Increase in permanent parking if possible.

Oxford Green Belt Network – Concern about views of site from Angel and Greyhound Meadow.

### **Comments Received Regarding Amended Plans**

Highways And Traffic – No objection subject to conditions

Thames Water Utilities Limited – No objection

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



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

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

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

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

**Sustainability:** The application proposes the more efficient use of a brownfield site within an existing urban context with access to shops, services and public transport. The proposals include an acceptable Natural Resource Impact Analysis that sets out the sustainable credentials of the proposal in terms of its resource and energy efficiency.

## **Officers Assessment:**

### **Site Description and Proposal**

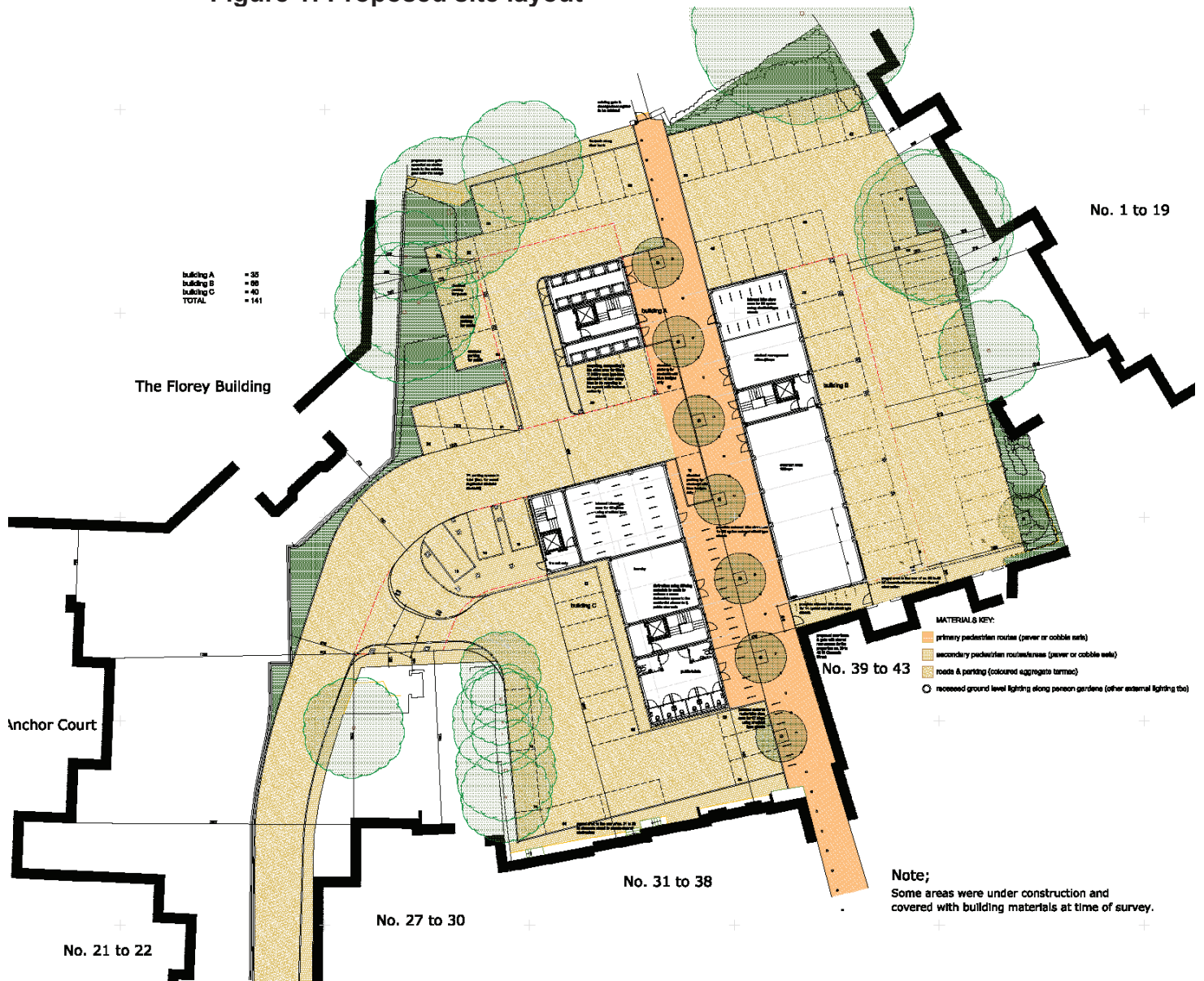
1. The application site comprises St Clement's Car Park, a public car park located approximately 50m to the east of the Plain. The site is accessed from the south off St Clement's Street via a vehicular access adjacent to that of the Florey Building, and Pensons Gardens a pedestrian route which is approximately 50m to the east. The site provides 112 parking spaces, public toilets and recycling facilities. There is also a small number of cycle stands. The Penson's Gardens route runs northwards through the site leading from St Clement's to the Angel and Greyhound Meadow.
2. The site is tightly constrained. To the north is the tree-lined bank of the River Cherwell, and the Angel and Greyhound Meadow beyond, to the east is Alan Bullock Close, a part 2/3/4 storey graduate student development. The southern boundary abuts the rear of the St Clement's and Penson's Gardens properties, which range from 3 to 4 storeys in height, and to the west is the 5-storey Anchor Court building and the Grade II Listed Florey Building which stands at 6-storeys in height.
3. The site is within the St Clement's and Iffley Road Conservation Area and



the northern portion of the car park is located within Flood Zone 3. There are a number of mature trees on the site, most notably those that create an informal edge to the footpath which leads to the meadow, and those that line the northern edge of the site. To the north the Angel and Greyhound Meadow is a Site of Local Interest for Nature Conservation (SLINC) a protected open space and undeveloped flood plain.

- The applications seek conservation area consent for the demolition of the public toilet block and planning permission for the erection of three buildings, ranging from 3 to 5 storeys in height, to provide 140 studio bedrooms, including common room facilities, a laundry room, and a cycle parking and bin storage area. The proposals retain 72 public car parking spaces, with 2 further spaces for disabled residents, and public toilet facilities. Figure 1 shows the proposed site layout.

**Figure 1: Proposed site layout**



5. Officers consider the principal issues in this case to be:

- Principle of Development
- Impact on the Character and Appearance of the Conservation Area and the Setting of Listed Buildings
- Layout and Public Realm
- Scale, Built Form and Appearance
- Trees
- Biodiversity
- Archaeology
- Impact on Residential Amenities of Neighbouring Properties
- Parking and Highways
- Temporary Replacement Car Park
- Impact on Vitality of St Clement's
- Energy and Resource Efficiency
- Planning Obligations

6. Following concerns raised by officers regarding the scale, bulk and architectural treatment of the buildings, the original plans have been amended. The following changes have been made to the buildings, **Appendix 2** shows all elevations, as originally submitted and as amended.

#### Building A

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

#### Building B

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

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

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

### Building C

- The roof form have been simplified. The entire building now has a flat roof;
- The palette of materials has been altered, omitting the double storey render section that previously faced Penson's Gardens. The language of the 'contemporary' wing (closest to the vehicular entrance) has been extended further into the eastern part of the building;
- The height of the eastern part of the building has been reduced by 0.5m.

7. The Committee in resolving to defer the application at the July meeting to allow public re-consultation on the amended plans, also requested that the matter of the temporary replacement car park be resolved. The Councils Corporate Assets Services have identified a site and a planning application has been submitted for the temporary change of use of the Harcourt House car park to a public car park. This application is due to be considered by the East Area Planning Committee on the 7<sup>th</sup> September 2011. Officers would point out that if the Harcourt House application is approved it is for the West Area Planning Committee to consider as part of its deliberations of this application whether it would provide an acceptable temporary replacement car park during construction works at St Clement's car park.

### **Background**

8. The Council marketed the site in 2008 for disposal to provide student accommodation, with replacement car parking and public toilets. Although the disposal of the land is not a planning matter, officers consider it important that the Committee is aware that the proposal has been to a great extent shaped by the development constraints of the site, i.e. relationship with neighbouring buildings and land, and the requirements of the brief, i.e. number of student rooms and car parking spaces required for the development to be delivered.
9. Following the withdrawal of planning application reference 10/02790/FUL, officers have had lengthy discussions with the applicants to resolve the concerns previously raised. Those discussions have seen the proposals evolve from four separate blocks of up to 6 storeys in height, to three blocks ranging from 3 to 5 storeys. The buildings have moved away from the edges of the site, whilst the number of public car parking spaces has

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

10. The overall layout has been revised, pulling the buildings away from the boundary and also creating a more cohesive environment. The route to the Angel and Greyhound Meadow has therefore been strengthened by the planting of new trees, albeit at the expense of the existing ones, and with the reduction in the number of undercroft parking spaces the ground floor space now comprises an enlarged common room, staff office, cycle and bin store, and laundry. This has improved the extent of active street frontage.
11. The design principles have been reviewed, with the intention of establishing a more appropriate architectural language for the development, using contemporary and traditional detailing, to help the building forms assimilate with their surroundings.

### **Principle of Development**

12. Local Plan policy DS82 relates specifically to the St Clement's Car Park site and states that *'Planning permission will be granted on part of St Clements car park for the development of purpose built student accommodation. The development of this site will be subject to the provision of satisfactory replacement car parking. Planning permission will not be granted for any other uses.'* It is policy DS82 that sets out the principle of redeveloping the site to accommodate student accommodation and surface level car parking and in this respect it is considered in broad terms acceptable.

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

#### Heritage significance

13. In the C17th St Clement's was demolished as part of the campaign to defend Oxford during the civil war. It faced wholesale demolition again during the 1960s and 1970s as part of a programme of redevelopment. The Florey Building is part of that programme to redevelop and followed the clearance of C19th terraced housing and other workshop buildings that occupied the site of the car park and Florey Building. All evidence of the former street pattern on the site is gone.
14. The existing car park is visible from St Clement's at the point of access (shared with the access to the Florey Building) and has a negative impact with poor quality surfaces and boundary treatments. There is a view of the 'bastion' towers to Florey building (a grade II listed building) from this access, but the setting the car park provides is not attractive. The appearance of the site, as an expanse of tarmac is mitigated by the tree coverage with the view down Penson's Gardens towards the meadows framed by trees. In longer distance views the tree canopies are an important characteristic that blend with the sylvan qualities of the river bank and meadow.



15. Remaining 'backland areas' have already been developed with C19th terraces, C20th student and other housing and the Florey building. The car park remains one of the few undeveloped areas (earlier C19th buildings having been demolished as part of the slum clearance in the 1960s). In views from the Meadows the site is obscured by the tree lined banks of the river, but the glazed north elevation of the Florey building, rising to 5 storeys, is visible as a dramatic foil to the natural landscape of the riverside.
16. Of the trees on the site (probably planted following the slum clearance of the 1960s) The ash (T4) and 2 of the planes (T2 and T3) are poor quality trees with low amenity value, but the other plane trees (T1, G2 and G3) are large mature trees that are prominent in internal views from within the car park site and in external views into the site from surrounding properties. Plane tree T1 is particularly valuable as an individual amenity tree standing adjacent to and overhanging the Penson's Gardens pedestrian route that links St Clements to the Angel and Greyhound meadow.
17. The city council's conservation area appraisal identifies the glimpse views down to the meadow *through an intimate space that originally led to Penson's Gardens, the building height and narrow width of the alley forming the strong sense of enclosure*. The appraisal also identifies the simplicity in the design of buildings with facades 'unadorned' and generally of brick or render. It concludes that there is a general character to the north side of St Clement's, generally three stories with buildings of differing heights to create a streetscape of stepped roofs with varying pitches.

Summary of character and appearance of the site:

- Historic street pattern is lost;
- The grade II listed Florey building, a modern re-interpretation of the traditional college quadrangle, is a prominent part of the context of the application site;
- The site access has a negative impact on the appearance of the conservation area;
- The trees add colour and texture and frame views and access to the meadows;
- Penson's Gardens is an alley characterised by a strong sense of enclosure;
- Outside of normal working hours the car park feels less safe.

#### Heritage Policy Framework

18. Planning Policy Statement No. 5: "*Planning for the Historic Environment*" (PPS5) explains the government's commitment to the protection of the historic environment and provides a policy framework on its effective management. The guidance asks that applicants and the local planning authority have sufficient information to understand the significance of a heritage asset and to understand the impacts that any proposal would have. It advises in particular that local planning authorities should take into

account the desirability of sustaining and enhancing the significance of heritage assets and the positive role that their conservation can make to the establishment and maintenance of sustainable communities and economic viability. PPS 5 recognises that intelligently managed change is necessary if heritage assets are to be maintained for the long term, but equally that it is desirable for development to make a positive contribution. Where there are impacts that will cause harm, that harm must be justified, and the greater the harm, the greater the justification. This makes clear that some harm can be accepted, particularly if there are wider public benefits that would follow from a development.

#### Heritage Impacts

19. The applicants have undertaken a detailed analysis of the character and appearance of the area to inform the layout and design of buildings. The site is a challenging one with a development that has to:
- mediate between the scale of the Florey Building and the lower frontage development onto St Clement's;
  - secure an appropriate setting for the listed Florey Building;
  - accommodate a sloping site;
  - respond to the contribution the tree cover makes;
  - relate to the broader urban context in views from the meadows and South Park (roofscape);
  - provide some 'active frontages'.
20. The initial submission, which was withdrawn, missed a lot of these opportunities and would have resulted in buildings that were unrelated to their context, too bulky and of poor quality appearance, with a poor quality public realm.

#### Layout

21. Officers have given advice explaining the need to deliver a layout that has a relationship to the surrounding street pattern, seeks to provide a more appropriate setting for and views of the Florey Building and delivers a tree lined approach down Penson's Gardens to the meadows. This proposal shows evidence that this can be achieved with a 'street' and alley with buildings fronting them and space in front of Florey. It involves the loss of trees and the replanting of suitable replacements (covered separately in the report). Retaining the trees has been explored, but to do so would compromise the layout.

#### Setting of Listed Buildings

22. There is a statutory duty for the City Council to have regard to the setting of listed buildings as well as the preservation or enhancement of the character or appearance of the conservation area. 27 St Clement's is a grade II late C17th stone building and Florey a Grade II 1960s building. The setting of No27 relates more to the street than the car park, but the quality of the access and the location of the existing ticket machines do little to enhance views from the car park. The Florey building commands a wider setting and again is compromised by the present access

arrangements and quality of the car park area.

- 23.** The new buildings provide the opportunity of creating a streetscape for the Florey Building to sit within and to frame views of it, which will help to improve its setting. In addition there is an opportunity that arises from this proposal to rationalise and significantly improve the visual quality of the existing access arrangements. Queens College is supportive of this ambition and has indicated its willingness to collaborate on a suitable alternative single access. Such works would improve the setting of the Florey Building when viewed from St Clements, improve the quality of experience for pedestrians and improve perceptions of safety and crime, enhancing this part of the conservation area. It is thought that the new access arrangements would provide opportunity for additional tree planting and soft landscaping. Although part of the land is not in control of the applicant or the Council, there is a commitment from all parties to drive these improvements forward. These improvements would enhance the character and appearance of this part of the conservation area.

Bulk and height

- 24.** Officers have had long and detailed discussions with the applicant to secure a design solution that delivers a viable development yet does not have an unacceptable adverse impact on the character and appearance of this part of the conservation area, including views of it from close by or in more distant views (e.g. South Parks). This has not been easy, given the need to retain surface level parking, which effectively adds an extra storey to the height of the buildings. Lower buildings will have a larger footprint and result in the loss of car parking, taller buildings retain car parking spaces but will be more prominent, making the design challenge even greater.
- 25.** Through discussions with officers the height has been reduced from earlier proposals and by careful design of the roof forms the apparent height is also reduced (pitched roofs with attic storeys). The revised site layout, which responds more positively to the existing street pattern, will help the development to appear a more integrated part of the townscape with pitched roof elements that have a similar form to traditional roofs. These elements break through the Carfax height limit and in longer distance views from South Park the ridges will be visible. However, Local Plan policy HE9 does not rule out this approach where these elements are of no great bulk. The view from South Park will be of a cluster of buildings with varied roof forms that will in part mask the present views of the Florey Building and integrate it more seamlessly into the townscape. Although visible the proposed buildings will not harm the view of Oxford's skyline or dominate foreground or middle ground views.
- 26.** The site has few buildings on it at the moment and any development would become more prominent in views from the meadow. The view will change and there is a need to ensure that the visibility of buildings (by virtue of the design, siting height and bulk) does not lessen the experience of the viewer or understanding of Oxford's green setting. In this respect the



proposed avenue of trees leading up to St Clement's from the meadow will be important.

#### Design and use of materials

27. Critical to the success of the scheme is the quality of the design and use of materials. Officers and others have been very disappointed in the earlier design proposals, which showed little evidence of delivering the quality required. Through a process of iteration the building design has improved. Key issues that officers have sought to address are:

- the treatment at street level, creating as much of an active frontage as possible,
- a fenestration pattern that adds interest and a finer grain detail to the building envelopes, blending the traditional and the contemporary, adding elements where there is a functional and aesthetic necessity,
- a roofscape with finished roof levels that have variety and an eaves line that has an acceptable height relationship to the context.

28. The revised plans now include detail that shows that officers' concerns have been adequately addressed. There remain some details (e.g. bay windows, eaves details) that require some further refinement, but it is proposed that these smaller elements can be controlled by condition.

#### Streetscape

29. Retaining the car parking creates challenges in the provision a high quality public realm, in design, use of materials and in the way it is managed to ensure that this development is successful and that the users of the area are and feel safe. The vision is to create a tree lined avenue to the meadow, lined with buildings that have some active frontages and arrange the building blocks so that the car park access has the sense of being part of a street. This will help in the pattern of movement for cars and pedestrians and will be reinforced with a simple palette of materials using textures and colour to suggest informality and shared spaces, rather than a car park. Lighting is an important and integral part of the streetscape and is proposed to include some architectural lighting.

30. As stated earlier the existing access arrangements are harmful to the character and appearance of the conservation area, spoiling the streetscape of St Clements and this proposed development offers a rare opportunity to deliver significant enhancements. Queens College have expressed an interest in addressing the access issues, which could involve additional tree planting and soft landscaping at the entrance. The separate details have yet to be finalised, but discussions with Queens College are ongoing.

#### Tree Matters

31. These amended proposals have sought to resolve the deficiencies in the earlier submitted scheme (10/02790/FUL), these were:

- the visual impacts resulting from the removal of removing existing trees;
  - the lack of new trees which are necessary to mitigate these impacts;
  - the pruning of retained trees; and
  - the inappropriate retention of existing trees.
- 32.** In order to accommodate the revised layout, it is proposed to remove 8 existing trees (from 10 that stand within the application site). These include 7 London planes (T1, T2, T3, G2 and G3) and 1 ash (T4) that stand within the car park site. The removal of T1, G2 and G3, which are prominent in internal views from within the car park site and in external views into the site from surrounding properties, would adversely affect visual amenity and the character and appearance of this part of the conservation area.
- 33.** All other trees within the site, including the large ash (T5) along the eastern boundary, the group of trees (G1) which stand along the boundary with the Angel and Greyhound Public House and the group of trees (T7-11 inclusive; 2 ash, 2 field maple and a Norway maple) in the north western corner of the site, near the Florey Building, will be retained
- 34.** The revised layout includes additional new trees to mitigate for the loss of existing trees. Most significantly, it is proposed to plant a row of 7 Turkish hazel trees along the length of Penson's Gardens. It is commonly planted in paved areas as a street tree and should be well suited to the location along Penson's Gardens, which is a relatively narrow pedestrian route between tall buildings, and at the spacing proposed can be expected to provide a nearly continuous canopy above head height when mature. The new trees will be advanced nursery stock sized specimen trees which will be about 5.5 metre tall so that they will make some contribution to visual amenity in the area as soon as they are planted. In local views along Penson's Gardens the trees will be important, however wider views of the trees will be limited by the tall buildings either side of Penson's Gardens so that the contribution these trees make to visual amenity in the area will be very localised.
- 35.** The mitigation provided by the proposed new trees is welcome but will be limited in extent, particularly in the early years post construction when the new trees are relatively small. However, as the new trees mature they will make a valuable contribution to visual amenity in the area, to the benefit of the character and appearance of this part of the conservation area.

### **Biodiversity**

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

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

#### Statutory Designated Sites

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

#### Non Statutory Designated Sites

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

#### Birds

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

#### Bats

41. A Bat Survey and Assessment accompanied the application. It concludes that there was no evidence to suggest that the toilet block and trees on site provide roosting opportunities. It did consider however that the neighbouring urban context would provide opportunities for roosting in roof voids. Bats were recorded foraging adjacent to, across within the application site. The site itself was not considered to be of any ecological value, however the wildlife corridor to the north was deemed to be a key foraging resource.

42. In the light of the above the Bat Survey and Assessment recommends that lighting level within the wildlife corridor should not increase. Officers therefore recommend a condition requiring details of a lighting scheme to be submitted prior to the commencement of development.

#### Other Biodiversity Matters

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

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

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

#### **Archaeology**

45. The application site lies within the historic core of St Clement's where there is potential for Late Saxon/Scandinavian, medieval and post medieval remains. An archaeological evaluation has been carried out by Southampton City Council Archaeology. This has identified a number of shallow medieval and post medieval pits and gully's along with two prehistoric flints that may indicate Mesolithic activity in the vicinity. The size and character of the medieval and post medieval features suggests non intensive use of this area, likely associated with rubbish deposition to the rear of properties on St Clements Street.
46. In the light of this, officers would recommend that a condition be attached to any grant of permission for a written scheme of investigation to be provided prior to commencement of development.

#### **Impact on Residential Amenities of Neighbouring Properties**

47. Core policy CP10 of the Local Plan states that development should be sited to ensure that the *'use or amenity of other properties is adequately safeguarded'*. Local Plan policy HS19 goes further and states that planning permission will only be granted for developments that adequately provide for the protection of the privacy or amenity of the occupants of the proposed and existing neighbouring residential properties.
48. Given the character and use of the application site, any redevelopment that would involve a more intensive use would inevitably have an impact on neighbouring properties. However, this is not to say that the impact would be unacceptable.

#### Impact on St Clement's Street Properties

49. Of the properties fronting St Clements, No 31-38 St Clement's would be the most affected by the proposals, and in particular by Building C which is closest to those buildings. Figure 2 below shows the rear elevation of No 31-38, on the left hand side of the image are office and store room windows, although the conservatory type addition at 4<sup>th</sup> floor level is residential. The windows on the right hand side of the image belong to the flats at No 33 St Clements and all serve habitable rooms. There is also a roof terrace.

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



50. As can be seen from figure 1, Building C has an L-shaped footprint and has been designed to minimise its impact on No 31-38 St Clement's. The highest part of the building (5 storeys) is parallel to the flats at 33 St Clements and is approximately 26.6m away. As the building turns at a right angle and moves closer to the St Clements properties it steps down in height, and where closest (approximately 9.4m) is 3 storeys, which is lower than the St Clements buildings. At this point Building C would be directly opposite windows which serve office and store space.
51. Officers recognise that the view out of the windows of the flats at 33 St Clement's would change, however, due to the distance between these windows and highest part of Building C, as well as its stepped roofline, it is considered that a sufficient degree of outlook would be retained and that the proposal would not have an unacceptably overbearing impact on the flats.
52. In regard to the impact on daylight, officers have applied the 45° vertical plane from the sill of the habitable room windows as advised by Appendix 6 of the Local Plan. Officers can confirm that it would not be breached by any part Building C and as such the impact on daylight to these windows is not considered to be unacceptable. Further, due to the position of the roof terrace in relation to the proposal officers consider this relationship to be acceptable.
53. Although there would be new windows facing those of No 33 St Clement's, they serve a corridor and due to the separation distance between them and the windows of 33 St Clements there would not be an unacceptable loss of privacy.



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

Impact on No 1 Penson's Gardens

55. No 1 Penson's Gardens is a student residence located to the rear of No 40 and 41 St Clement's. The building, which abuts the application site, has windows serving study bedrooms at 1<sup>st</sup> and 2<sup>nd</sup> floor level facing north, east and west. There is also a dining room window at ground level and lounge window at 1<sup>st</sup> floor level facing north, both of these are set back within a recess and are approximately 2.65m from the northernmost edge of the building.
56. Building B is between 2 and 2.2m away from No 1 Penson's Gardens. The windows in the north elevation (facing building B) has slit windows which are secondary, those facing east and west are the primary source of light and outlook to the study bedrooms. In the light of this officers do not consider the impact on light to and outlook from the study bedrooms of No 1 Penson's Gardens to be unacceptable.
57. The communal room windows which are set within the buildings recess are approximately 4.8m away from building B. Despite of these windows being double width and full height, due to the height of Building B, and its proximity to the windows, the proposal would result in a reduction of light to and outlook from both sets. In balancing this harm officers would ask the committee to be mindful that student accommodation is not subject to the same amenity standards as normal housing, this is the reason why it is not a suitable form of accommodation for non-student occupants. To this end in applying the standards set out in policy HS19 and Appendix 6 of the Oxford Local Plan, officers would consider it reasonable if the Committee concluded that No 1 Penson's Gardens should not be treated in the same manner as normal residential accommodation.
58. No 1 Penson's Gardens has raised concern about the location of a gate between it and Building B. Officers do not consider it necessary to erect a gate in this location and take the view that it would be visually detract from the environment being created. Windows can be easily inserted at ground floor to provide natural surveillance of this space which would negate the need for it to be gated. If the Committee are in agreement officers would

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

#### Impact on Alan Bullock Close

59. Alan Bullock Close is a graduate University of Oxford student residence. It is positioned in close proximity to the site boundary and has a number of habitable room windows looking across the site. Due to the undeveloped nature of the car park the residents of Alan Bullock Close have uninterrupted views across the car park, with the exception of the occasional tree that slightly obscures some views. In this regard it is accepted that any meaningful redevelopment of the site would curtail existing views enjoyed by residents of Alan Bullock Close. In response to this Building B, which is closest to Alan Bullock Close, has been designed so as to minimise the impact and deliver an acceptable form of development.
60. The form of Building B effectively appears as two ranges, both running north to south. The westernmost range has a pitch roof and is therefore higher, whilst the easternmost range, which faces Alan Bullock Close, has a flat roof. The elevation has a slight stagger, which seen along side the variation in materials serves to break up the bulk of the elevation. The top floor is also treated in a different material, being glazed, and as such appears more as an attic storey, thus reducing the perceived height and bulk of the building.
61. At its closest Building B is approximately 13.2m away from Alan Bullock Close, however this distance sharply increases to as much as 33m as Alan Bullock Close tapers away from the boundary. The impact of the proposal on the outlook of Alan Bullock Close is therefore not considered to be unacceptable due to the careful treatment of the east elevation of Building B and the reasonable separation distance. In addition the intervening vegetation, albeit limited, helps to soften the view at certain points.
62. In regard to the impact on daylight, officers have again applied the 45° rule in the vertical plane from the cill of habitable room windows as advised by Appendix 6 of the Local Plan. Officers can confirm that it would not be breached by Building B and as such it is not considered to have an unacceptable impact on daylight to Alan Bullock Close.
63. As regards the impact on privacy, the separation distance between Alan Bullock Close and Building B, being between 13.2m and in excess of 33m, is considered reasonable to ensure that there would not be an unacceptable loss of privacy to the existing student accommodation as a result of facing windows.

#### Impact on the Florey Building and Anchor Court

64. The Florey Building is a student residence built in the 1960's. With the exception of the dual aspect duplex study bedrooms on the 4<sup>th</sup> and 5<sup>th</sup> floor, the building has a single aspect, with the landings located along the car park side of the building and the bedrooms facing north towards the



Angel and Greyhound Meadow. As a result of this layout there are no habitable student room windows facing the application site on the lower levels. There is however a ground floor caretaker's flat in the north eastern corner of the building. This flat is adjacent to Building A.

65. The flat benefits from floor to ceiling height windows along its entire car park elevation, although the living room also has windows facing north. Between the flat and the car park is an area of hardstanding that is used as an amenity space, the living room also opens out onto an area of decking to the north of the flat.
66. Building A is 5 storeys in height and has a similar design approach to Building B. This sees the elevation facing the Florey Building lower in height with its top floor glazed. At its closest Building A is approximately 10m away from the flat. The flat has three rooms facing the car park, a bedroom, which also has an outlook to the south, a kitchen, and a living room which also has an outlook towards the north. Due to the undeveloped nature of the car park and the proximity of Building A to the flat, as well as its height, the outlook from the flat, and in particular the kitchen would significantly change.
67. In regard to the impact on daylight, officers have again applied the 45° rule in the vertical plane from the midpoint of the full height windows of the flat. Officers can confirm that it would not be breached by Building A and it is therefore considered to not have an unacceptable impact on the flat. It is also noted that the flat is served by floor to ceiling height windows that extend across the entire width of the car park elevation. This arrangement would allow more daylight in to the flat than conventional windows. The flat is also to the west of Building A and given the orientation of the site, Building A would not unacceptably curtail the amount of direct sunlight.
68. The flat is positioned beneath the main bulk of the Florey Building, with its upper levels projecting out above. At ground level Building A has no windows facing the flat, whilst any view down to the flat from the 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> floor windows would to an extent be curtailed by the upper levels of the Florey Building and in particular the canopy of the trees which stand between. As a result, despite the relatively close proximity between the caretaker's flat and Building A, any overlooking and effect on privacy would not be unacceptable.
69. The duplex study bedrooms have windows at 5<sup>th</sup> floor level overlooking the site. These are high enough to not be adversely affected by the proposals and are in any event dual aspect rooms.

#### General Impact of Student Use

70. Concern has been raised regarding the proposed use of the site. Notwithstanding policy DS82 which allocates the site for student accommodation, officers would highlight the terms of policy CS25 of the Oxford Core Strategy which states that the management of the site can be adequately controlled by condition. This would adequately address any

concerns there are about potential for noise and disturbance or other management matters.

## **Parking and Highways**

### Replacement Car Parking

71. Further to the replacement car parking requirements of Local Plan policy DS82, policy TR11 states that the *'City Council will not allow any significant increase in the overall number of parking spaces in the Transport Central Area, and will maintain approximately the present number of off street parking spaces.'*
72. The site currently accommodates 112 car parking spaces arranged in a substandard layout. The proposal would result in this being reduced to 72 public spaces which would be provided to adopted standards. The site is located within the Transport Central Area and as such is highly accessible by non-car modes of transport. The application has been supported by a Transport Assessment which indicates that during the week only 62% of the car park is used. The same assessment however acknowledges that on the weekend this usage increases.
73. The site is located within a Controlled Parking Zone and as such if parking displacement occurs as a result of the reduced level of car parking it is unlikely that this would result in an adverse impact on the highway network as parking controls are present in the area. On this basis and in the light of the accessibility of the site, the Highway Authority raises no objection to the reduction in the number of car parking spaces.

### Temporary Car Parking

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

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

#### Student Parking

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

#### **Impact on Vitality of St Clements**

80. The local business community has raised concerns about how the proposals will affect their livelihood. This concern largely relates to the need for a temporary replacement car park during construction and the level of car parking to be provided in the new development.
81. The Committee have before them a proposal for a temporary replacement car park.
82. In regard to the level of replacement car parking, the Highway Authority has already confirmed that due to the sustainable location, a reduction in the number of car parking spaces is acceptable. Officers have studied the survey produced by the applicant and also have a survey carried out by the City Councils Parking and Shopmobility team. The latter was conducted between November and December 2010 and included evening surveys. This survey showed an average 58% spare capacity during this period.
83. Whilst officers do not have any survey information to explain for what

purpose people use the car park, the site is in a highly sustainable location, with excellent public transport connections. It is also worth noting that if the car park were laid out to meet current adopted standards, the number of existing spaces would be reduced from 112 to 98. Officers fully appreciate the concerns of the local business community in respect of the eventual reduction in the total number of car parking spaces, however increasing the number of spaces would have adverse design implications, i.e. building height or undercroft car parking would need to increase, which is likely to be unacceptable. It is considered that the proposed scheme achieves a satisfactory balance between these competing issues.

### **Energy and Resource Efficiency**

- 84.** The City Council encourages all development to combine resource efficiency and renewable energy into their design. The development due to its size exceeds the threshold where a Natural Resource Impact Analysis (NRIA) is required. In this regard policy CS9 of the Oxford Core Strategy states that planning permission will only be granted for developments where, if through the NRIA, the proposal demonstrates careful attention to a) minimise energy use, b) delivery of a portion of renewable or low carbon energy on site, c) use of recycled or reclaimed materials, and minimise water consumption.
- 85.** A Natural Resource Impact Analysis has been submitted and the development scores highly, attaining 9 out of 11 on the checklist score (a minimum of 6 /11 required). The proposals would achieve a 34% reduction in CO<sub>2</sub> omissions and 37% of onsite energy requirements will be provided through the use of Air Source Heat Pumps. Further to the NRIA the development also achieves a 'Very Good' BREEAM score.
- 86.** Officers therefore consider that the proposals are satisfactory in terms of resource and energy efficiency in accordance with policy CS9.

### **Planning Obligations**

- 87.** In accordance with the Councils Planning Obligations Supplementary Planning Document contributions are required to mitigate the impact of the proposals on City and County Services and infrastructure. The contributions set out below are indexed linked to values at 2006 levels and should be increased accordingly to the real value at the time of payment.

#### City Council:

- £8,460 towards indoor sports facilities
- £50,000 towards general environmental improvements in the local area

#### County Council:

- £8,883 towards library infrastructure
- £19,458 towards cycle safety measures
- £19,950 towards the Oxford Transport Strategy
- £10,000 towards public transport infrastructure
- £600 as a travel plan monitoring fee

County and City Council monitoring and administration fees also apply.

### **Conclusion**

88. The broad principle of developing the site is established by Local Plan policy DS82 and the matters of management, including the restriction on residents keeping cars in the City, can be secured by condition and/or obligation as advocated by Core Strategy policy CS25.
89. Considering the characteristics of the site, it is recognised that any redevelopment would give rise to some adverse impacts, however as set out above this should be balanced against the benefits of the proposal. In this instance the proposal would provide purpose-built student accommodation within a sustainable location, which is supported by both the Core Strategy and the Local Plan. The scheme would also provides a new public car park and toilet facilities within a more secure and active environment.
90. The proposals will also offer the opportunity to improve the setting of the Florey Building and would be a catalyst to future improvements to the vehicular access, which would enhance the appearance of this part of the St Clement's and Iffley Road Conservation Area.
91. Weighing all the above in the balance, officers would conclude that the proposal would not be unacceptable and as such would recommend that the Committee resolve to grant planning permission but delegate authority to officers to issue the notice of permission, following completion of the s106 agreement and subject to the above conditions.

### **Human Rights Act 1998**

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

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

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

Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a

recommendation to grant planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

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

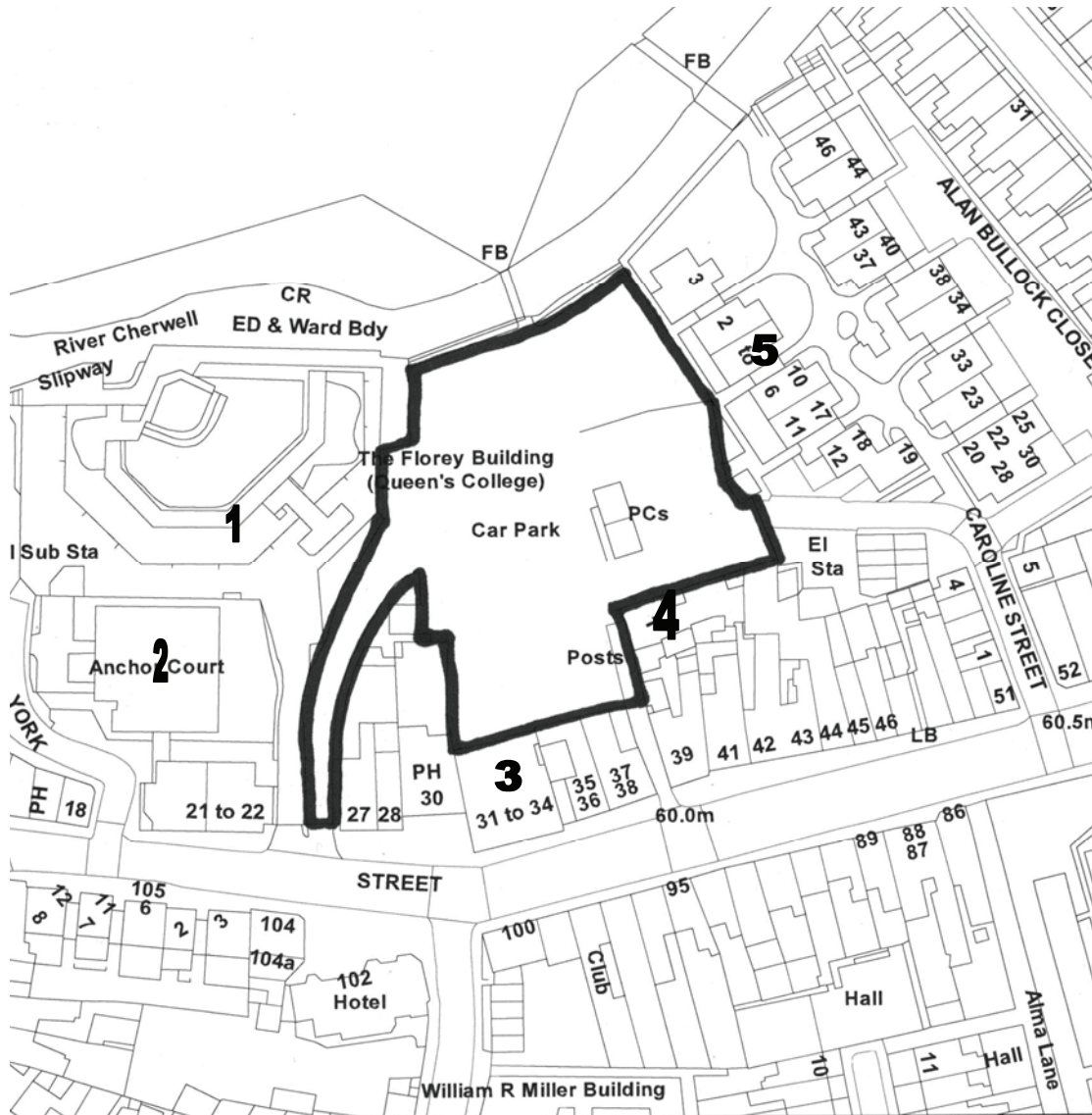
**Contact Officer:** Steven Roberts

**Extension:** 2221

**Date:** 30 August 2011

## **Appendix 1**





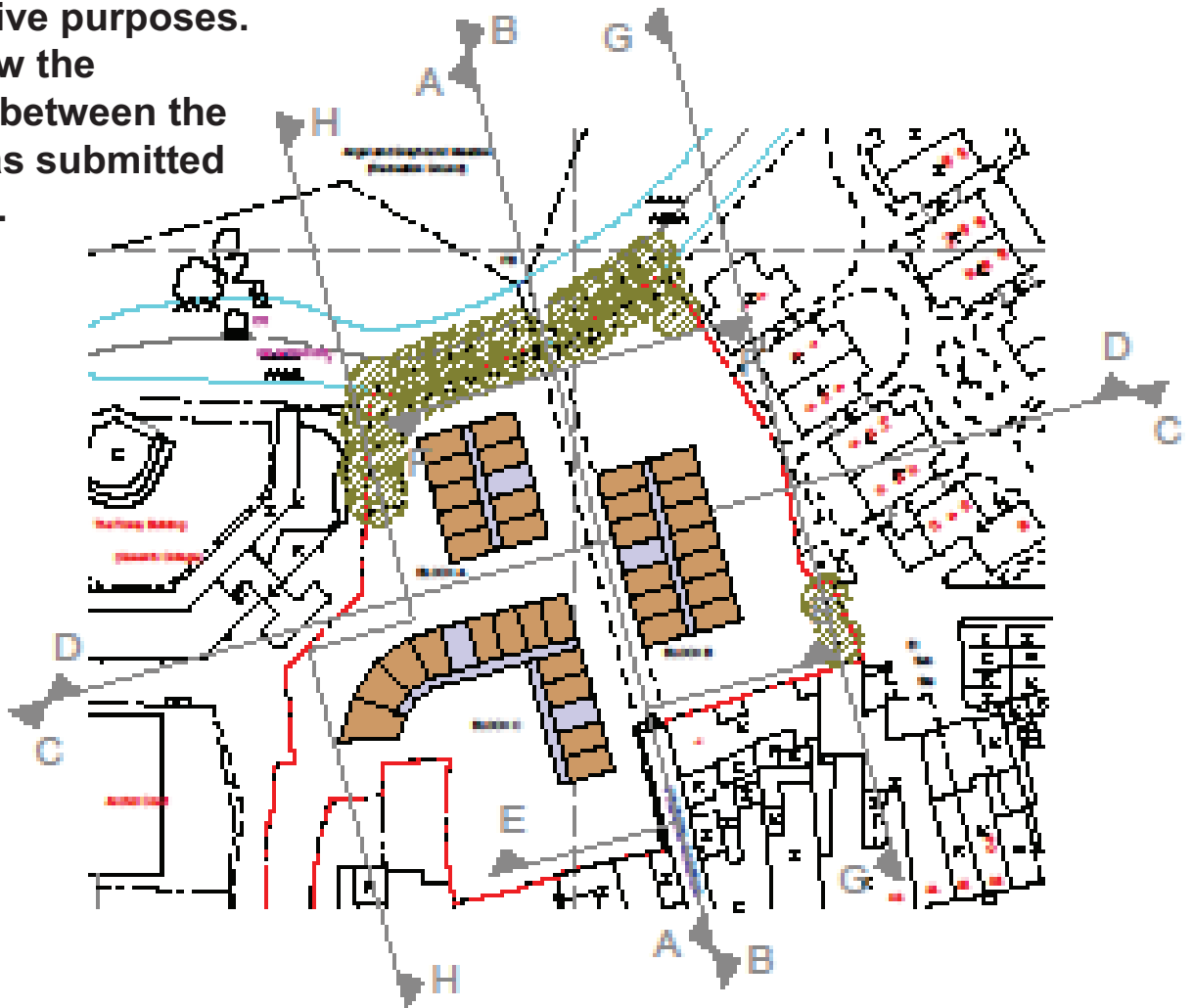
- 1 – Florey Building
- 2 – Anchor Court
- 3 – 33 St Clement's
- 4 – 1 Penson's Garden's
- 5 – Alan Bullock Close

**Appendix 2 (illustrative)**



# Site sections

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



Images produced using plans originally drawn by the



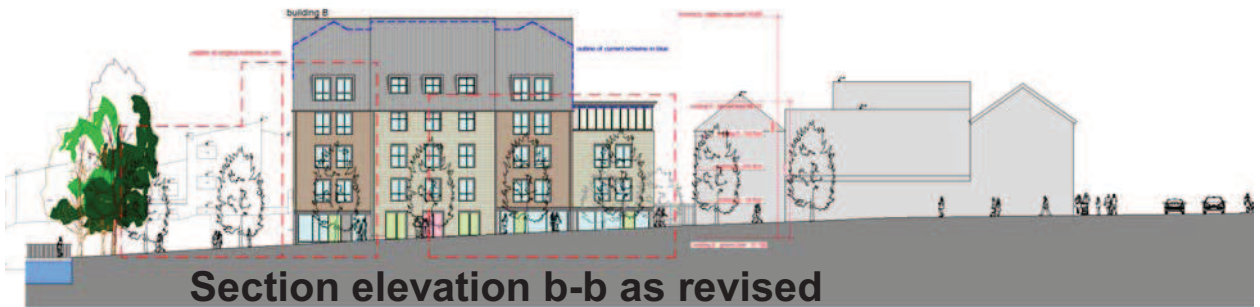
Illustrative



section elevation a-a (looking west)



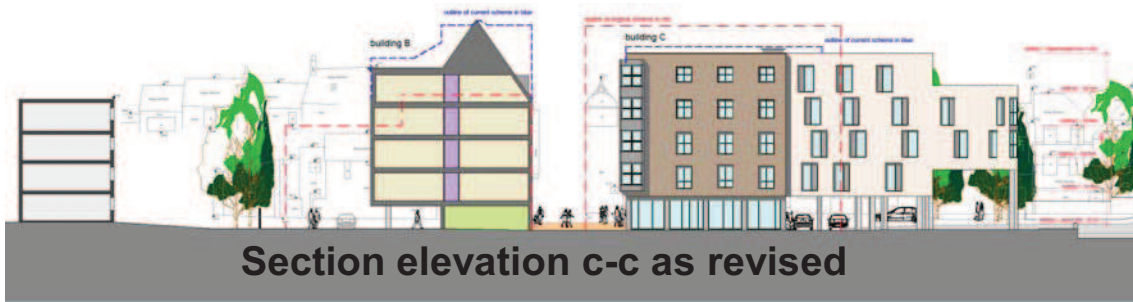
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section elevation b-b (looking east)



Illustrative



section elevation c-c (looking south)



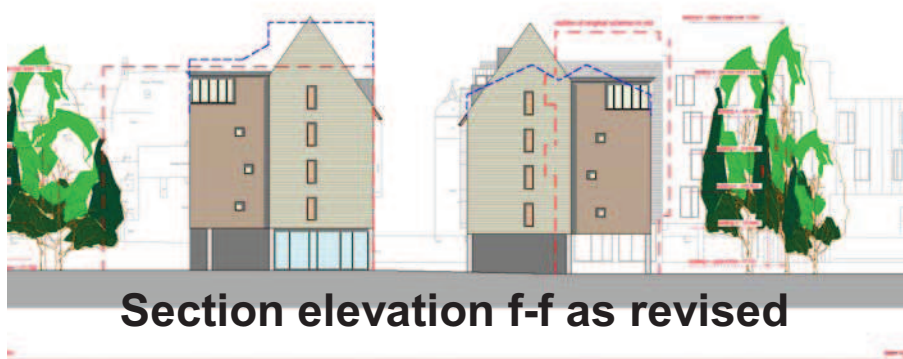
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section elevation d-d (looking north)

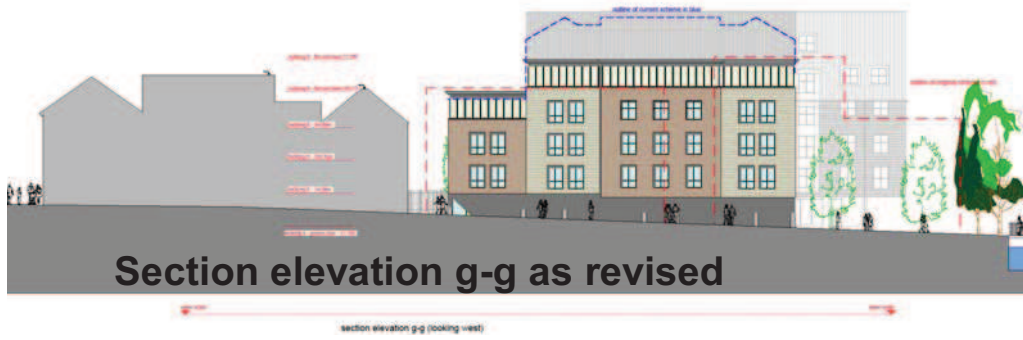


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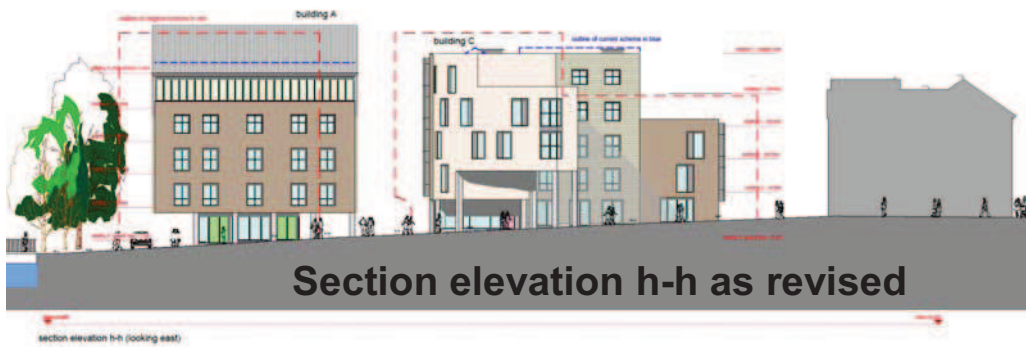




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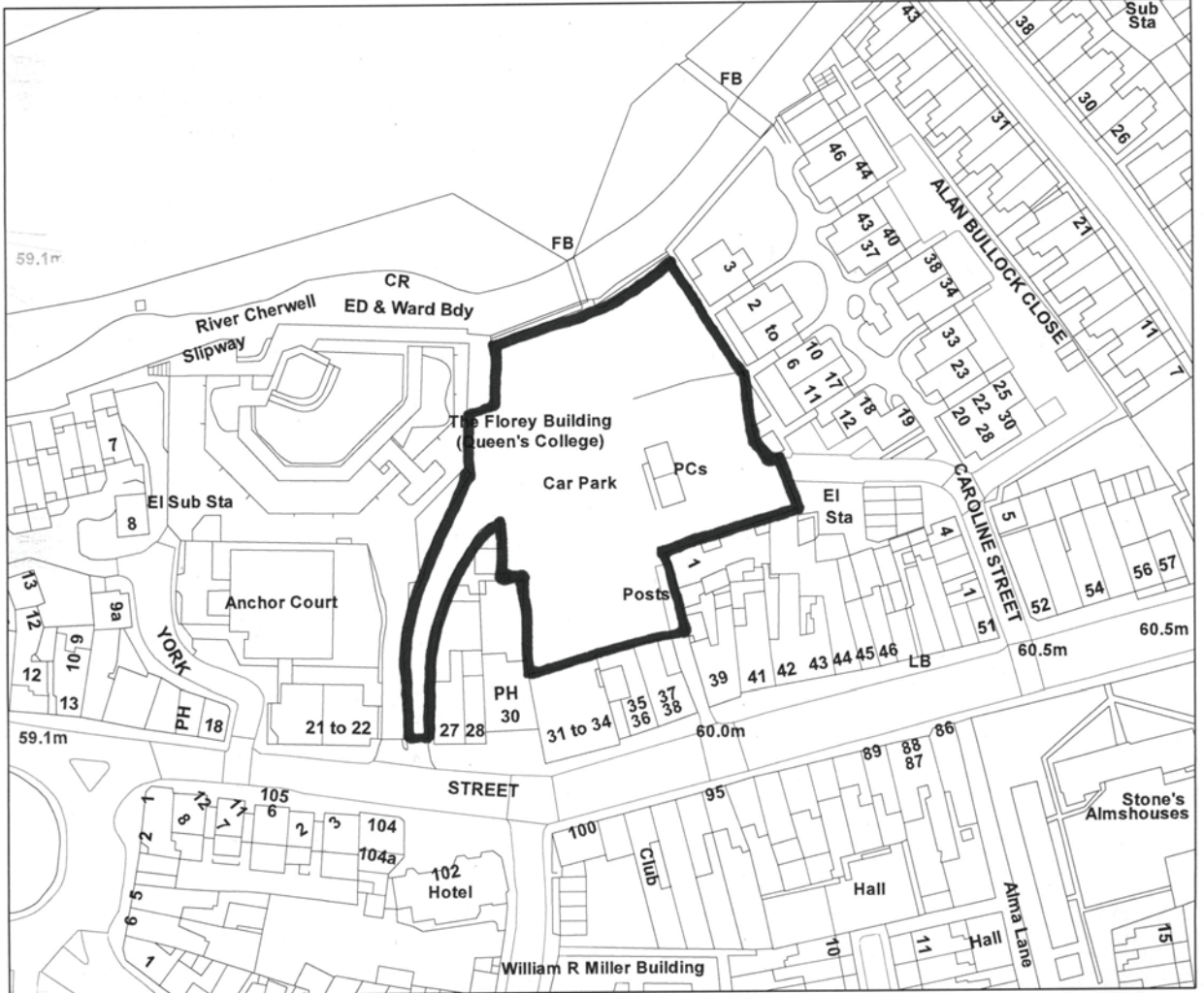
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59.1m

# 11/01040/FUL

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



**Legend**

Scale: 1:1250



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<b>Organisation</b>	Not Set
<b>Department</b>	Not Set
<b>Comments</b>	Appendix 1
<b>Date</b>	01 July 2011
<b>SLA Number</b>	Not Set

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