

**West Area Planning Committee**

10 March 2015

**Application Number:** 14/02402/CND

**Decision Due by:** 20 April 2015

**Proposal:** Details submitted in compliance with conditions 6 (landscaping) and 17 (elevational treatments) of planning permission 14/02402/RES

**Site Address:** Westgate Centre and adjacent land encompassing the existing Westgate Centre and land bounded by Thames St, Castle Mill Stream, Abbey Place, Norfolk St, Castle St, Bonn Square, St Ebbes St, Turn Again Lane and Old Greyfriars St.

**Ward:** Carfax

**Agent:** Turleys

**Applicant:** Westgate Oxford Alliance

---

**Recommendation:** Committee is recommended to approve the details submitted in compliance with conditions 6 and 17 of reserved matters planning permission 14/02402/RES.

## **Background to Case**

1. At its meeting of 25<sup>th</sup> November 2014 West Area Planning Committee resolved to grant planning permission for reserved matters application 14/02402/RES for the Westgate development, subject to conditions. The committee had previously granted outline permission to application 13/02557/OUT following consideration at its 11<sup>th</sup> March 2014 meeting, also subject to conditions and accompanying legal agreement.
2. In approving the details of appearance, landscaping, layout and scale at the November 2014 meeting officers were instructed that certain further details required by condition should be brought to committee for consideration and determination. These related to:
  - landscaping at Abbey Place and at Greyfriar's Place to the west of Turn Again Lane;
  - elevational details relating to the south side of building 4; to the north - east side of building 3; the eastern elevation of building 3 to Old Greyfriar's Street; and to Pennyfarthing Place;
  - public realm features;
  - the lantern feature to building 4; and

- cycle parking details.
3. This report relates to the first two of the above. Details of public realm features, the lantern to building 4 and cycle parking will come before a future meeting.

## **Officers Assessment**

### **Condition 6: Landscaping at Abbey Place and Greyfriar's Place.**

4. Condition 6 of the reserved matters permission reads:  
*Notwithstanding the approved landscaping indicated on planting plan drawing OX5004 GIL L (20) RM PR 110 Rev. A, further details of the specification and location of proposed landscaping species at Abbey Place and the proposed Greyfriar's Place shall be submitted to and approved in writing by the local planning authority, and the landscaping implemented in accordance with the requirements of condition 9 of outline planning permission 13/02557/OUT. Amendments to the approved details may be agreed in writing from time to time by the local planning authority. The development shall be carried out in accordance with the approved details.*
5. Abbey Place. With the demolition of properties to the south side of Abbey Place and their replacement by building 1, (the department store), a new urban space is created which is framed by the remaining residential properties at Tennyson Lodge to the north, the department store itself to the south, the route leading to the bridged access to Oxford and Cherwell College to the west, and building 3 to the east side of Norfolk Street to the east. As presented to committee in November of last year this space was effectively divided into two with the bus priority route to the south and the residential street of Abbey Place closed at its eastern end to the north. In between and separating the two was proposed a row of some 9 hornbeam trees and beech hedge rising to 1.8m on maturity. This was an approach supported by residents of Tennyson Lodge who wished to see a degree of separation between themselves and the bus priority route. An alternative approach would have been to consider the whole as a single uninterrupted space. In view of the very different nature and requirements of the two halves the space as a bus priority route and virtually traffic free pedestrian thoroughfare respectively, this was not an approach supported by the applicant or officers.
6. In these amended proposals a paved footway with cycle parking would remain to the south side of the bus priority route with Abbey Place still as a mainly pedestrian street. The line of hornbeams and beech hedge would also remain as before. As now proposed however the shared surface to the bus priority route would be extended at the western end where it addresses the right angled bent, with hard surfacing also created between the easternmost 3 hornbeams. This allows a clear pedestrian route from Abbey Place and Paradise Street to be created across the shared surface leading to the footway to the north and west sides of the department store. This approach increases the shared surface to the western end of Abbey Place, helping to create a greater sense of place whilst still retaining the quieter feel to Abbey

Place with its more domestic character. Given the bus priority route and the frequency of bus movements along it, it is felt necessary and appropriate to create separation between these two distinct areas in order to protect the amenities of existing residents and their outlook, with the greenery providing visual relief to what would otherwise be a hard landscaped environment. These changes are supported by officers.

7. Greyfriar's Place. The arrangements for Greyfriars Place remains largely the same as previously presented to committee and provide for a variety of uses that are intended to give a purpose to the space and generate activity in the street that will be positive rather than negative. Old Greyfriar's Street to the south would be closed to general traffic, though a taxi rank would exist to the western side, whilst delivery vehicles would pass through to the space to the service bays for the northern part of the site. It would also form part of an important cycle route with the north - east corner of building 3 facing the space also being the location for a cycle hub with shop and café spilling outside. The greater part of the space is then given over to a public area set between Turn Again Lane and the east - west link between buildings 3 and 4 leading to Middle Square and Castle Street beyond. The space would be a mix of hard and soft surfaces laid out in a more formal arrangement, with an existing wild cherry tree retained and 6 new cherry trees added.
8. The amended details for Greyfriar's Place show that the level of cycle parking to be located here to be rationalised to about 114 spaces, (though full details will follow at a later date), sited to the eastern and western sides of the space. Importantly a degree of animation is given to the blank northern façade, discussed in detail below.

#### **Condition 17: Elevations to Old Greyfriar's Street, Greyfriar's Place and Pennyfarthing Place**

9. Condition 17 of the reserved matters permission reads:  
*Notwithstanding the approved drawings appended to this notice of permission, and if required by the local planning authority, within 12 months of commencement of development amended and / or additional elevational details of the following shall be submitted to and approved in writing by the local planning authority:*
  - the proposed eastern elevation to Building 3;
  - the southern elevation of existing Building 4 facing the public square west of Turn Again Lane; and
  - the eastern entrance to Building 4 where it faces Pennyfarthing Place.*The development shall only be carried out in accordance with the approved details.*
10. Greyfriar's Place. In addition to the works described above, these amended proposals indicate the potential to utilise the existing enclosed footpath running along the south side of building 4 for controlled cycle parking, probably for staff employed within the development. Breaks in the otherwise blank façade would provide views of the cycle parking and movement associated with it whilst painting and lighting would improve the general

appearance. Details have yet to be fully resolved but there is sufficient space to provide perhaps 30 cycle parking spaces whilst retaining the space also as an escape route. Access to the space would be controlled and be achieved via Roger Bacon Lane which would assist in increasing the use of this largely hidden lane and the connection to Pennyfarthing Place. Signage would request cyclists to dismount, but cycle movements should not be at a level which would conflict with pedestrian use of the route. St. Ebbe's Church and Oxford Preservation Trust as nearby occupiers have been consulted by the applicants and are supportive if administered properly.

11. Moreover climbing foliage is now proposed to be attached to the façade by a series of stainless steel cables. The planting would consist of evergreen clematis (*Clematis armandii*); climbing hydrangea (*Hydrangea petiolaris*); virginia creeper (*Parthenocissus quinquefolia*); and honeysuckle (*Lonicera x brownii* "Dropmore scarlet"). These species are chosen as being appropriate for the southern aspect whilst activating the façade and producing a variety of coloured flowers and leaves. The planting is envisaged to achieve the following sizes:
  - clematis: final size - 5m; after 3 years - 2.5m.
  - hydrangea: final size - 15m; after 3 years - 3m.
  - virginia creeper: final size - 15m; after 3 years - 4m.
  - honeysuckle: final size - 4m; after 3 years - 2m.
12. In sum the adjustments to the public space created, plus the animation of the southern façade to building 4 through creating a cycle parking facility with lighting; a glazed window above the service bay entrance; and extensive climbing plants creates an elevation which now provides interest and animation which in turn actively increases the attractiveness of the space in faces. Although details have yet to be drawn up it is also hoped to celebrate the importance of the site in historic and archaeological terms through public art and information installations. Collectively these measures significantly increase the sense of place for the intended Greyfriar's Place whilst retaining and improving its performance in functional terms.
13. Old Greyfriar's Street. It was an accepted principle that the activity in and around buildings 2 and 3 would focus on the covered southern square and arcade and on the Norfolk Street frontage where the principle entrances to retail units would be located, and in the case of the latter where bus stops would be sited. In contrast Old Greyfriar's Street represents a lower order thoroughfare, closed to general traffic but with taxi rank to its west side and access for delivery vehicles. It also forms an important cycle and pedestrian route. The different functions which this street is asked to perform has required the applicant to look carefully at the external envelope of the buildings 2 and 3 to ensure that the street has character and distinctiveness in its own right and is not experienced as merely the back of a big building. To this end officers have sought to work with the applicant's architects to secure animation through the use of 'non retail' windows and doors, cross routes, movement up and down the street and in the articulation of building elements and use of materials. Successful streets derive from the interplay between different activities and the buildings that surround them. It was important therefore to consider how all these different activities and details work together to

create interest and activity, recognising that time is often needed to establish a context.

14. Taking references from historic precedents elevations need not necessarily have openings to form part of a successful street. Indeed variation and points of interest may have greater overall effect than mere repetition. As proposed at the southernmost part of Old Greyfriar's Street the elevation relating to building 2 has been divided into two bays with variety in the choice of materials and texture between them, but each with large window openings at upper levels. In contrast the next, larger, bay has a sense of solidity with fewer window openings punctuating the façade, thereby giving a sense of enclosure whilst utilising lighter coloured brickwork with a warmer tone and texture. Beyond there the entrance leading to South Square which forms the junction between buildings 2 and 3 represents an important focus and a point of interest in the street. Progressing further north building 3 has a more regular if "offset" rhythm, leading into the stepped façade on the corner and the activity around the cycle hub and café which will occupy the ground floor at Greyfriar's Place.
15. Although the elevations to blocks 2 and 3 are not altered, additional images have been produced including views up Greyfriars Street. These inevitably illustrate the difference in scale between the domestic properties to the east side of Old Greyfriar's Street and the new Westgate Centre to the west. The light coloured and warm tones of brickwork here will help to offset the difference of scale and reflect light so that the street would not feel oppressive, with the use of bricks (rather than larger scale building elements, such as panels) also helping to create a familiar smaller scale to parts of the building. It should also be noted of course that the view is not fixed and people will be moving up and down the street entering and exiting from the surrounding street network. In the same way that in currently entering the city centre one progresses from a 'suburban' scale to city scale, Old Greyfriar's Street represents a new edge to the city centre where a similar transition occurs.
16. Pennyfarthing Place. The eastern section of the existing Westgate Centre is one where there are few changes as the existing Sainsburys supermarket is intended to remain and to continue trading throughout the construction period of the new development. The scope for change is limited therefore and the focus of attention has been to remodel the entrance and in cleaning the brickwork and simplifying the glazed detailing to the entrance.
17. Pennyfarthing Place itself falls outside the planning application site, and properties nearby are in other ownerships. The area is "tired" and currently experienced as a back entrance to the Westgate. However as a separate project to the Westgate permission itself, proposals are anticipated to come forward in the near future funded by Community Infrastructure Levy (CIL) contributions for improvements, possibly in conjunction with other public realm works in the area. Accompanying this current submission the applicant has illustrated how Pennyfarthing Place might be relandscaped with better quality paved surfaces reflecting the different characters of the "square" to the western end and the "lane" section to the east. The illustrations indicate a more appropriate approach to the raised Westgate entrance and the addition

of a further specimen tree. Such proposals would be complementary to the treatment of Westgate itself with the physical improvements augmented by controls preventing unauthorised vehicles entering the space. With these features in place the potential exists to create a revitalised public space in its own right which also links Westgate to the new and expanding facilities at Museum Art Oxford and the Story Museum nearby.

## **Conclusion**

18. This report has sought to provide more detail of the public spaces and elevational treatments proposed at Abbey Place, Old Greyfriar's Street and Greyfriar's Place than was possible at the November meeting of committee and indicates how the applicant has attempted to address the concerns expressed there. This has involved a dialogue between officers and the applicant and consultation by the letter with other stakeholders at Tnneyson Lodge at Abbey Place, Turn Again Lane and St. Ebbe's Church. Officers have taken the view that the response has been positive and together with further detail to come on public realm features and street furniture; cycle parking; the lantern to building 4; and separate proposals for Pennyfarthing Place, then a framework is in place to deliver high quality and robust public spaces in and around the new development.
19. Committee is recommended to support the details now submitted in compliance with conditions 6 and 17 to reserved matters permission 14/02402/RES.

## **Town and Country Planning (Environmental Impact Assessment) Regulations 2011**

In recommending that committee approve the details submitted in compliance with conditions 6 and 17 of reserved matters planning permission 14/02402/RES, officers have taken into account the Environmental Statement and other environmental information accompanying outline and reserved matters planning applications 13/02557/OUT and 14/02402/RES respectively.

## **Human Rights Act 1998**

Officers have considered the Human Rights Act 1998 in reaching a recommendation to approve the details submitted in compliance with the conditions specified above. 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 also had due regard to the likely effect of the proposals on the need to reduce crime and disorder in considering the submitted details, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to approve the details, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

**Background Papers:** 13/02557/OUT, 14/02402/RES.

**Contact Officers:** Murray Hancock / Nick Worlledge

**Extensions:** 2153 / 2147

**Date:** 27th February 2015

This page is intentionally left blank