

WEST AREA PLANNING COMMITTEE

11th August 2015

Application Number: 15/00096/PA11

Decision Due by: 9th March 2015

Proposal: Application seeking prior approval for development comprising extension to the length of existing north bay platforms, replacement platform canopies, new re-locatable rail staff accommodation building and reconfiguration of short stay and staff car parking under Part 11 Class A Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995. (PLEASE NOTE THIS IS NOT A PLANNING APPLICATION BUT A NOTIFICATION SUBMITTED BY NETWORK RAIL FOR PRIOR APPROVAL BY OXFORD CITY COUNCIL.) Following an options assessment, the building has been relocated 2.5m to the south and has been reduced in size at first floor level by 186 sq.m; revised parking layout (AMENDED PLANS)

Site Address: Oxford Railway Station, Park End Street **Appendix 1**

Ward: Jericho And Osney Ward

Agent: N/A

Applicant: Network Rail

Recommendation:

PRIOR APPROVAL REQUIRED - Siting and design acceptable

For the following reasons:

- 1 The proposals constitute works needed to improve capacity and services at Oxford Station and to enable the first phase of the Oxford Station Masterplan. The location, design and external appearance of the proposals are acceptable subject to concerns about the impact on residential and neighbourhood amenity being addressed by the imposition of conditions dealing with the submission of materials samples, land contamination assessments, the removal of the temporary TOC building after 3 years, and the submission of applications to authorise the development works associated with the Oxford Station Masterplan. The proposal is therefore considered to accord with the requirements of the relevant policies in the Oxford Local Plan, Core Strategy, Sites and Housing Plan, and West End Area Action Plan.

- 2 Officers have considered carefully all objections to these proposals. Officers have come to the view, for the detailed reasons set out in the officers report, that the objections do not amount, individually or cumulatively, to a reason for refusal and that all the issues that have been raised have been adequately addressed and the relevant bodies consulted.
- 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 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.

Subject to the following conditions, which have been imposed for the reasons stated:-

- 1 Materials samples
- 2 Windows in east and north facing elevations
- 3 Contamination risk study
- 4 Remediation Strategy
- 5 Unexpected contamination
- 6 Surface water disposal
- 7 Time limit of 3 years

Main Local Plan Policies:

Oxford Local Plan 2001-2016

CP1 - Development Proposals

CP8 - Design Development to Relate to its Context

CP25 - Temporary Buildings

TR10 - Oxford Station Improvements

Core Strategy

CS1_ - Hierarchy of centres

CS2_ - Previously developed and greenfield land

CS5_ - West End

CS9_ - Energy and natural resources

CS10_ - Waste and recycling

CS13_ - Supporting access to new development

CS14_ - Supporting city-wide movement

CS18_ - Urban design, town character, historic environment

CS27_ - Sustainable economy

West End Area Action Plan

WE6 - Frideswide Square & railway station forecourt

Sites and Housing Plan

HP14_ - Privacy and Daylight

Other Material Considerations:

National Planning Policy Framework

Planning Practice Guidance

Background to the Amended Proposals

When the Committee considered the original scheme at its meeting on 12th May 2015, concerns were raised about loss of sunlight and overshadowing of neighbouring gardens. In response, Network Rail has submitted an options report dealing with the shadowing and other implications of the proposals and suggesting that an amended scheme will overcome the Committee's concerns. Their preferred option is Option 4 and amended plans have been submitted in relation to that option. Those plans were subjected to public consultation between 23rd June and 16th July via site notices at the station and in adjacent streets.

The options report is reproduced in full as **Appendix 2** to this report. The options and the NR's assessment in relation to each option are as follows:

Option	NR summary assessment: positive (ticked) and negative (crossed)
Option 1 A single storey building	<ul style="list-style-type: none">✓ The lower building will generate full reduction in the shadows that are cast on to the properties of Stable Close.× Loss of car park spaces.× No staff disabled car parking spaces can be accommodated.× No delivery vehicle turning space.× Removal of bus replacement facility.× Operational difficulties.× Temporary accommodation required in Beckett Street car park.× Loss of floor area.× Increased building footprint.× Hinder to the potential Masterplan scheme.× Noise increase for the domestic properties.× Potential staff relation difficulties, moving staff into temporary accommodation.× Increased costs.
Option 2 Reduce the internal heights of each floor	<ul style="list-style-type: none">× Little reduction on the shadows to the Stable Close properties.✓ Minimal impact on the current design & operational functions.✓ No impact on the potential Masterplan scheme.

<p>Option 3 Drop the building to car park level</p>	<ul style="list-style-type: none"> ✓ The option for dropping the building to the car park level will provide a large improvement in the shadows that are cast on to the properties of Stable Close. ✓ No impact on the potential Masterplan scheme. × Staff circulation to and from the platform will be affected and steps will need to be introduced plus a weatherproof trolley route. × Slight increase in noise for the domestic properties.
<p>Option 4 Reduce the first floor by half its width for most of its length and move the building 2.5m further south within the site</p>	<ul style="list-style-type: none"> ✓ Full reductions in the shadows that are cast on to the properties of Stable Close. ✓ No impact on the potential Masterplan scheme. ✓ No reduction in noise attenuation. × Reduction in the floor area of the building. × FGW Phase 2 staff unable to be accommodated into the building. × Modular construction less efficient / more costly.
<p>Option 5 Move the building south within the site</p>	<ul style="list-style-type: none"> ✓ Full reductions in the shadows that are cast on to the properties of Stable Close. ✓ No requirement for temporary accommodation. × Hinder the potential Masterplan scheme. × Relocation of car park spaces. × Short stay car park space a long distance from the station entrance. × Removal of bus replacement facility. × Operational difficulties. × Noise increase for the domestic properties. × Car park location is not in view of the general public (safety issues). × Additional construction works & additional construction costs.

Option 4 proposes a reduction in the floor space of the proposed temporary building of some 186m² by removing half the width of the first floor for most of the length of the building; and the repositioning of the building some 2.5m further to the south within the site. Thus the first floor intrusion into sunlight and the resulting shadowing is reduced, with a consequent full reduction in the shadows that were cast over Stable Close in the original scheme, while maintaining the noise attenuation properties of a two-storey building in this location.

In the table above it is noted that a negative consequence of Option 4 is “*FGW Phase 2 staff unable to be accommodated into the building*”. In relation to this, Network Rail has informed the case officer that the alteration to the building and the reduction in floor space means that there will not be enough room in the amended scheme to accommodate all the staff from both phases (the original plan was to accommodate all the staff which would be displaced during Phase 1 and Phase 2 of the Masterplan works). Given however that the Phase 2 works will require a Transport and Works Act Order, details of permanent arrangements for staff

accommodation and temporary accommodation if necessary, will be included in that later submission.

Representations Received on the Amended proposals:

12 Stable Close: resident commented that option 4 appears to leave light and shadows as they are at present at the backs of the housing on Stable Close, and also not likely to increase noise to the properties. Gives a cautious welcome to option 4, subject to the following:

- What is the increase in height of the building?
 - Network Rail response: there is no change in the overall height of the building (accept where it has been reduced from 2-storey to 1-storey). [Case officer note: the existing building is 6.5m high; at its highest point the amended proposed building will be 1.8m higher at 8.3m high)
- What would be the impact in Spring?
 - Network Rail response: A shadow survey for winter has been provided where the sun is at its lowest and also for summer where it is at its highest; there is no additional shadowing for either. This means there will be none in spring or autumn when the sun is in between the highest and lowest height.
- If the height is incorrectly assessed (as believe it was in previous application) and shadowing worse than predicted, could this decision be reversed?
 - Network Rail response: confirm that an existing digital site survey has been undertaken using a laser camera (3D scanner) to inform the proposed designs. This digital survey recorded all geometric points / nodes as a data file which is known as a point cloud survey. A typical accuracy of these surveys is circa +/- 2mm with various studies/organisations recommending this method including the Royal Institution of Chartered Surveyors. The survey provides an accurate representation within a 3D model of the whole site and immediate surrounding area with elements such as topographical levels, boundary elements and buildings etc. included.
 - The whole scheme has been fully modelled within a Level 2 BIM environment using the point cloud survey as the base information from which to design; with the sun path study produced using these models as presented within the reports. In the existing scenario certain levels of shade are experienced to the rear gardens of each property as a result of the boundary fence and existing accommodation building, this is demonstrated on all existing study outputs. Neither the existing study nor the proposed study take into account any boundary planting. The shadow projection experienced is actually worsened once any boundary planting is considered (the existing and proposed studies do

not include these to enable a worse-case scenario to be modelled and demonstrated).

- The proposed studies show that the proposed scheme does not provide a worsening of the shadows experienced to that which are already experienced and has resulted in the form and mass of the building currently proposed.
- Officer comment: it appears that the scheme has been designed based on current best practice as regards accurate surveying and modelling. If the height has been incorrectly assessed, a further planning application would have to be made to vary the scheme and the decision would be based on the information presented at the time and the material facts of the case. At this stage a guarantee cannot be given that the decision taken on the current scheme would be “reversed” as the resident requests.

8 Stable Close: resident objects to Option 4 as it directly impinges on the front of 8 Stable Close, indeed for the whole row of houses 7 to 10 Stable Close. Considers that the only unimpaired outlook from the front kitchen and bedroom windows is the space between the corner outside edge of Said Business School and 11 Stable Close which affords an upper outlook, light, depth and space. The choice of Option 4 plus alterations being made to allow for vehicles to access the substation on the eastern side of the building by way of moving the accommodation building west by 2.5m, with parking arrangements adjusted, means our outlook, light and residential status is obliterated in view of:

- a. height of proposed accommodation (two stories) moved 2.4 metres west directly in front of our houses;
- b. delivery vans and bus-turning area in full view from our windows plus accompanying noise and disturbance also directly in front of our houses;
- c. traffic movements; and
- d. unacceptable 'temporary' accommodation for ten years, should be reviewed at maximum of three years.

Network Rail's planning proposals for this development have fallen far short of the standards to which we are entitled as residents and I strenuously object to this latest development as the rest of us do in 7-10 Stable Close, which will indelibly wipe out our environment.

- Officer comment: a line drawn perpendicular from the proposed building to the front of 8 Stable Close measures some 55m, and in this view the 2-storey terrace on the opposite side of Stable Close intervenes. A line drawn from 8 Stable Close through the gap between 11 Stable Close and the corner of the Said Business School towards the proposed building measures some 60m although it is unlikely actually to ‘hit’ the proposed building. In the view of officers this objection, while sincerely made, has no foundation: the proposed building will probably be visible from the upper floor of 8 Stable Close but views from that property will not be unduly enclosed and the property will not be unacceptably overborne by it because of the distance between the property and the proposed station building. The movements of and disturbance caused by general traffic and delivery vans will be as at present.

Statutory and Internal Consultees (original plans):

Environment Agency – no objections, subject to conditions concerning assessment of risk from contaminated land.

Natural England – no objections.

Officers Assessment

Site and Surroundings

1. The site is adjacent to the north side of the main Oxford Station building and extends to 0.73 ha. It is currently occupied by a single-storey, flat roofed, brick building (6.5 metres high) used by the Train Operating Companies (TOC) as staff accommodation, stores and catering facilities; together with external storage (some covered), existing platforms, platform canopies and a surface car park (public rail users short stay: 36 + 8 disabled; and rail staff: 46 + 4 disabled).
2. The site slopes gently from trackside eastwards and is partly elevated above the surrounding residential areas (Rewley Road, Stable Close, Rickyard Close) to the east, and the Said Business School. It has a ramped vehicle access up from the bus interchange in front of the station supported by a retaining wall on its eastern boundary to a lower level footpath/cycleway leading into the adjacent residential areas. Residential properties in Cripsey Road and Abbey Road face or back onto the site from the west across the rail lines.

The Proposals

3. It is proposed to demolish the existing single storey TOC building, and the two-sided canopy to platforms 1 and 3 (north of the pedestrian over bridge).

Track and platform lengthening and new platform canopies (original scheme retained unaltered)

4. The track running into Platform 3 is to be lengthened southwards (into part of the current short stay car park) by some 32 metres bringing its southern end closer to the main station building (to a point just by the pedestrian over bridge – see comparison drawing at **Appendix 3** – this comparison drawing was prepared for the previous application but still generally reflects the position of the proposed building on the site). Platform 3 is to be widened (eastwards) and will encompass the bottom of the pedestrian over bridge. A new (northbound) platform to the east of the new track is to be built. These proposals are required in order to accommodate the longer trains which will be operated by Chiltern Railways between Oxford and Marylebone.
5. Cantilever gull wing type canopies suspended off steel columns are proposed over the extended and reconfigured Platforms 1 and 3; and over the new

northbound platform and gate line enclosure. The canopies are to be of steel frame construction with single skin profile metal cladding in a mid-grey colour.

Temporary TOC building (Amended proposals)

6. The existing TOC building needs to be demolished to make way for the track lengthening and platform modifications described above. The proposed temporary TOC will replace the existing accommodation and will allow implementation of the first phase of the Oxford Station Masterplan.
7. A new rectangular, part two-storey (track-side), part single storey (car park side), flat roofed, re-locatable temporary building is to be erected providing a gross internal area of 1214m² for TOC accommodation and food processing space for the three catering companies already operating at the station. It is to be a modular construction, much of which is to be constructed off-site and assembled on-site. It is proposed to have a footprint of some 56.4m x 12.2m. The two-storey element is to be 8.3 metres high.
8. The east elevation of the new temporary building is to be articulated through dark grey window panels, doors, and '*brise soleil*'; separated by vertical panels of buff facing brick slips and high quality light/mid grey horizontal metal cladding attached to the exterior of the modular units. The roof is to be a single skin profiled metal cladding but is not expressed in the external appearance: a low parapet is proposed. The staff entrances are on the east elevation accessed via a metal ramp and steps.
9. The elevations at the south end (visible from the Station forecourt) and north end (visible from Rewley Road) are to be articulated through panels of buff facing brick slips and high quality light/mid grey horizontal metal cladding with limited fenestration.
10. The west elevation (facing the platforms and tracks) is of a more utilitarian appearance designed with metal cladding but with some buff facing brick slip panels. Staff access doors directly onto the new platform are proposed, and part of a new canopy is located adjacent to this west flank of the new temporary building.
11. The temporary TOC building is to be constructed in two phases – the first replacing that which will be lost when the existing TOC building is demolished, and the second when further buildings are demolished in the wider station site in accordance with the Station Masterplan. The modular units proposed are suited to this phased construction and are manufactured off-site limiting noise and disruption in the construction phase.

Car park modifications (amended)

12. The main access ramp up from the bus forecourt is proposed to remain as it is, but the public short stay and staff car parking area is to be remodelled leading to a reduction in public parking of 20 spaces and a reduction in staff parking of 3 spaces. The TOC considers that this level of provision meets their

needs. A new external pedestrian platform access is to be provided direct from the short stay parking area via a new gate in the southeast corner of the site adjacent to the main station building.

Sustainability

The modular construction means that these units can be removed and re-used elsewhere. Fenestration is laid out to maximise natural daylight.

Determining Issues

- The Prior Approval Process
- Location
- Design and external appearance

The Prior Approval process

13. In making these proposals, Network Rail intends to rely upon planning permission granted by Part 11 Class A to Schedule 2 of the General Permitted Development Order 1995 (as amended). Where development consists of or includes the erection, construction alteration or extension of a building this permission is subject to a condition requiring the Prior Approval of the Local Planning Authority to the detailed plans and specifications. These proposals include the erection of a building.

14. The General Permitted Development Order 1995 (as amended) states that Prior Approval is not to be refused by the Local Planning Authority, nor are conditions to be imposed, unless the Local Planning Authority is satisfied that:

- i. the development should and could reasonably be carried out elsewhere on the land; or,
- ii. the design and external appearance would injure the amenity of the neighbourhood and is reasonably capable of modification to avoid such injury.

15. The determining issues in this case are therefore (i) the location/siting of the developments; and, (ii) their design and external appearance.

16. As already noted, these works are proposed in order to replace the existing TOC building, and to allow for the phased development of Oxford Station within the parameters of the Oxford Station Masterplan. The Masterplan is however still being developed and has not been the subject of a formal planning application process. The Council is working with the County Council, Network Rail and other partners and stakeholders to progress it to implementation. In these circumstances the City Council would like to see early submission of applications for the Transport and Works Act Orders needed to progress the Station Masterplan so that there can be reassurance that the temporary TOC building will not be required into the long term. In the light of concerns expressed later as to the design and external appearance of

the building such that, but for the wider scheme, the recommendation would be that the application be refused, conditions to be applied to the Prior Approval are suggested that seek the removal of the temporary TOC building within 3 years should that justification cease to apply.

Track and platform modifications and new platform canopies

17. Under the Prior Approval process there is no objection to the location and design of these modifications. They are of necessity located contiguous with the existing tracks. The canopies are of a contemporary design and will not harm the amenity of the area.

Temporary TOC building – location/siting

18. The temporary TOC building is located in a position on this site which allows for the phased development of Oxford Station within the parameters of the first phase of the Masterplan. Other locations within this site, or within the wider station site, including on the west side of the tracks, would interfere with that process. Its siting adjoining the proposed new platform is an operational requirement to allow staff access directly onto the platform.
19. The applicant has indicated that the building needs to include 2 storeys in order to replace the existing TOC floor space and allow for staff numbers to grow with the growth of services and passenger numbers at the station, while at the same time retaining adequate on-site car parking for staff and a short stay/disabled public parking facility. The range of options considered as part of this amended scheme is as already described above.
20. The location of the temporary TOC building close to residential properties, combined with the fact that it is proposed to be, in part, 2 storeys high has however raised concerns of overlooking, loss of sunlight and additional shading of adjacent houses and gardens in Stable Close (12 properties back onto the site).
21. In order to prevent overlooking, the applicant has confirmed that the windows facing Stable Close will be obscure glazed and non-opening below 1.7metres from finished floor level. This will be reinforced by condition.
22. Residents commented on sunlight and shading in relation to the original scheme, that currently they receive no winter sun from the east because of overshadowing from the Said Business School extension, and only very limited late afternoon winter sun from the west. The Sunlight and Shadow Analysis submitted with the previous scheme showed that compared to the existing situation there would be:
- no change to the sunshine available to any of the rooms or gardens at these properties at any time of the year at 9am, 12 noon or 3pm;
 - no change to garden shading but possibly some additional room shading from 6pm onwards in April;
 - additional garden shading and possibly additional room shading from 6pm onwards in May and August;

- additional garden shading in June and July from 6pm onwards but no additional room shading; and,
- in September the gardens and rooms are shaded currently and as proposed.

23. The Committee requested that alternative locations for the building be examined and the results are detailed above. The amended scheme fully removes all shading which would occur as a result of the height and location of the proposed building.

24. Concerns have also been raised about noise from people using the external metal ramps/stairs, about noise/smell from increased vehicle movements, and about smells from catering facilities, in close proximity to residential properties.

25. The applicant has offered to apply noise-dampening materials to the metal ramps/stairs and this can be secured by condition. The applicant prefers to use metal ramps/stairs, as these are re-locatable and recyclable rather than concrete, which would not be a sustainable alternative. The applicant has also confirmed that buses will not use this area, and that the proposals will not generate any additional vehicle movements, indeed fewer given the loss of parking spaces. Food preparation will be largely making sandwiches with limited on-site cooking. A domestic scale fan is all that is required: this activity is already taking place in the same location on the site.

Temporary TOC building - external appearance

26. At the pre-application stage officers stated that, in accordance with national and local planning policy, a building of much higher quality design would be required in this location if it were to be a permanent building. As a temporary building it is of fair design, to which Prior Approval can be given subject to conditions (i) requiring the submission of materials samples; and, (ii) requiring removal once the building has served its purpose or that purpose ceases to be relevant.

Conclusion

27. The proposals constitute works needed to improve capacity and services at Oxford Station and to enable the first phase of the Oxford Station Masterplan. Under the Prior Approval process there is no objection to the track and platform modifications. Subject to conditions including the removal of the temporary TOC building within time limits specified, it is concluded that the location, design and external appearance of the proposed temporary TOC building (amended design) is acceptable. The granting of Prior Approval for these proposals is therefore recommended.

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 Prior Approval subject to conditions, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Background Papers: 15/0096/PA11; Oxford Station Masterplan

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Date: 28th July 2015