

**West Area Planning Committee**

5<sup>th</sup> January 2016

- Application Number:**
- (1) 14/02402/CND4
  - (2) 14/02402/CND3
  - (3) 13/02557/CND12
  - (4) 14/02402/CND

**Decision Due by:** 22nd January 2016

- Proposal:**
- (1) Details submitted in compliance with condition 5 (public realm works) of planning permission 14/02402/RES.
  - (2) Details submitted in compliance with condition 8 (Details of Lantern to Building 4) of planning permission 14/02402/RES.
  - (3) Details submitted in compliance with conditions 21 (cycle parking) and 22 (cycle facilities) of planning permission 13/02557/OUT.
  - (4) 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 (**site plan: appendix 1**)

**Ward:** Carfax Ward

**Agent:** Turleys

**Applicant:** Westgate Oxford Alliance

---

## **Recommendation:**

The West Area Planning Committee is recommended the following

1. To approve the details submitted in compliance with conditions 21 (cycle parking) and 22 (cycle facilities) of outline permission 13/02557/OUT and condition 5 (public realm) and 8 (lantern design) of the reserved matters permission 14/02402/RES

2. To approve the amendments to the details approved under conditions 6 (landscaping) and 17 (elevational treatments) of reserved matters permission 14/02402/RES
3. To delegate to officers the ability to determine any future minor amendments that may be submitted as part of each of these conditions.

### **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 planning permission for the development (13/02557/OUT) at its meeting on the 11<sup>th</sup> March 2014, also subject to conditions and accompanying legal agreement.
2. In approving the reserved matters application (14/02402/RES), the committee requested that the following conditions be brought back to committee for consideration and determination.
  - Landscaping at Abbey Place and at Greyfriars 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 Greyfriars Street; and to Pennyfarthing Place;
  - Public realm features;
  - The lantern feature to building 4; and
  - Details of the cycle parking (condition on permission 13/02557/OUT) to ensure that the concerns of Cyclox were addressed.
3. This report will consider the details that have been submitted in relation to the public realm features; lantern to building 4; and the cycle parking provision for the development. The first two matters on the list have already been approved by the West Area Planning Committee on the 10<sup>th</sup> March 2015 however amendments are also sought to the landscaping within Greyfriars Place and Elevational details to the south side of building 4 under these conditions. These are also considered within the report.

### **Officers Assessment**

#### **Condition 5: Details of the Public Realm Works**

4. Condition 5 of the reserved matters permission reads

*Within 12 months of the commencement of development the specification and locations for each of the public realm materials to be approved, plus the design and location of street furniture relating to all covered areas and public spaces shall be submitted to and approved in writing by the local planning authority, and shall be implemented prior to the first opening of the development for trading. 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.*

*Reason: In the interests of the visual appearance of the public realm to the development, in accordance with policies CP1, CP8, CP9 and CP11 of the adopted Oxford Local Plan 2001 to 2016.*

5. In response to this condition the Westgate Alliance Oxford have provided more details on elements of the public realm which follow the basic principles for the public spaces and squares established at outline and reserved matters stage. These elements include the type of paving, location and specification of bus shelters, seating, and litter bins for public spaces; and the type of paving and specification of post mounted digital screens, furniture and circulation zones for the covered areas; along with wayfinding signage for the public spaces and covered areas.
6. Paving Types: Within the main public realm surrounding the development, the palette of materials will include the use of natural York stone paving of varying sizes at the key nodal points around the development, such as Bonn Square; Castle St / New Road Corner; Castle St / Norfolk St transition; Norfolk St / Norfolk Lane transition; and Turn Again Lane. The pedestrian footpaths in between these nodal points will be formed from concrete paving with stone setts while resin bound aggregate surfacing is proposed alongside Castle Mill Stream.
7. In the covered areas the paving materials will be similar to those in the surrounding streets so that the spaces on all levels are experienced as part of the streets and lanes of Oxford rather than an internal shopping mall. Therefore at the key nodal points the natural York stone paving will flow into the covered areas of the centre at Bonn Square, Turn Again Lane / Middle Square / South Arcade junction, and South Square. It would also be used in parts of the roof top area at second floor level. Granite paving will then be used throughout South Square, south arcade, Middle Square, north arcade, and at roof top level. There will be variances in the pattern of this paving through the different areas to distinguish the spaces, the most notable being in North Arcade which will have a chequered pattern and South Square which will employ a diagonal / herringbone pattern. The other paving types in the covered areas would include concrete pavers in Greyfriars Lane which lead from South Square to Old Greyfriars St; clay pavers at the second floor roof top level; timber on the bridge links; and synthetic grass at roof top level.
8. Bus Shelters: The location and specification of the bus shelters have been developed in consultation with bus operators and the County Council. The bus stops are to be located in Norfolk Street, Castle Street, and Thames Street. The locations have been determined following studies of pavement width, sight lines, and pedestrian movement.
9. The shelters are to be consistent with the current specification of other bus shelters within the city centre. There will be 14 in total, with the majority being 6 bay shelters with 4 bays shelters used where there are space restrictions.

10. Bollards: The scheme will include the placement of bollards at entrance points to the lanes into the Westgate Development and Castle Mill Stream pathway for security purposes and to prevent vehicles accessing the quasi-public spaces. The location and spacing of the bollards has been co-ordinated with the other street furniture or landscaping so as to reduce their visual impact and the clutter within the public spaces.
11. Seating: The location of seating within the public realm has been designed following a review of the pedestrian movement. This has identified seating opportunities to the site entrances (Bonn Square and Norfolk Street) and the main public spaces in Greyfriars Place and Castle Mill Place. It is also proposed to integrate seating into the built form of the western elevation on Castle Street and the southern elevation of Block 2 on Speedwell Street.
12. The type of seating will include large benches in Bonn Square and Old Greyfriars Street, and standard sized benches alongside Castle Mill Stream. A circular bench will be placed around the trunk of the tree in Castle Street, and smaller cube seating will be used in Greyfriars Place.
13. Litter Bins: The litter bins will be located in close proximity to the bus stops and entrance and exit points to the development. The litter bins will have a similar appearance to the wayfinding furniture and will include 'westgate' branding in order to have some consistency with these elements inside and outside the development.
14. Post-Mounted Digital Screens: A total of 9 post-mounted digital screens will be located within the ground and upper ground levels of the covered areas of the Westgate Development. The screens will be double-sized and encased in a metal frame on a two-legged post. The screens would be coloured bronze to reflect the family of other furniture (litter bins and wayfinding). The size of the screens and their frames would be discreet so as to work with the setting in the arcades and squares. The digital screen would only be sited in the top half of the frame with the bottom half open so as to further reduce the visual impact.
15. Wayfinding Signage: The wayfinding signage would consist of a full height totem (3m), mini totem (2.4m), and finger posts (2.8m) which would be formed from bronzed aluminium panels in order to be consistent with other wayfinding signage throughout the city centre.
16. The full height totems will give full orientation information at key entry points to the development and include a centre map and other directional signage to parts of the development and city in general. There will be 12 in total located at the entrances on Bonn Square, Turn Again Lane, Greyfriars Place, and then throughout South Square, South Arcade and Middle Square.
17. The mini-totem is a smaller scale version of the full height totem and will be used on the roof terrace at the main entrance points. There will be 4 in total and they will include directional information to the key points on the roof terrace.

18. The finger posts are provided in areas with lighter footfall such as Norfolk Street Lane, Old Greyfriars Street, and the roof terrace. There will be 5 in total and include only directional information.
19. Having reviewed these details, officers consider that these elements of the public realm have been designed in a sensitive manner which consider the competing demands on the use of the spaces while also creating a pleasing environment which establishes a clear sense of place within the public areas and covered areas so that the centre feels like part of the streets and lanes of Oxford rather than an enclosed shopping centre.
20. A number of matters regarding the public realm are also subject to a S278 agreement with the Oxfordshire County Council Highways Authority. These matters are still being discussed and therefore may result in minor changes to the information, which would not necessarily impact on the principles of the proposals before the committee. Therefore officers would ask that members support the support the submitted details and delegate authority to officers to deal with any minor changes that may occur as a result of this process.

#### **Condition 8: Details of the Lantern for Block 4**

21. Condition 8 of the reserved matters permission reads

*Within 12 months of commencement of development details of the proposed "lantern" feature to the building have been submitted to and approved in writing by the local planning authority. Only the details as approved shall be incorporated into the building. 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.*

*Reason: In the interests of the visual appearance of the locality and the conservation area, part of which the application falls within and adjacent to, in accordance with policies CP1, CP8 and CP9 of the adopted Oxford Local Plan 2001 to 2016.*

22. The outline planning permission (13/02557/OUT) and reserved matters (14/02402/RES) approved the basic principle of a tower and glazed lantern in illustrative form at the north-west corner of Block 4. The condition was imposed to allow further work on its final form to be undertaken prior to final approval.
23. The lantern has been designed as a piece of art which would act as a contemporary landmark and 'wayfinder' for the development. The design has taken inspiration from Roger Bacon's studies on optics and light refraction, and also historical window construction in Oxford University Buildings, notably the Codrington Library at All Souls College.
24. The design has evolved from the square form envisaged at reserved matters stage into a Tridecagon or 13 sided cylinder, and would be constructed from a lightweight metal structure with 78 rectangular glass panel inserts. The glass panes would have different finishes graduating from clear to opaque and varying

tones. The lantern would therefore have a multi-faceted geometric form which would create different lighting effects and play of light on the outside of the lantern dependent on the lighting conditions each day. The lantern would have a low level illumination at night to allow the sculpture to glow brighter at the base and diminishing in intensity towards the top.

25. The proposed lantern has been considered by the Oxford Design Review Panel (**appendix 2**) who concluded that it would provide an interesting 21<sup>st</sup> century addition to the collection of towers and spires throughout the city. The main concern of the panel related to the relationship between the tower and the lantern which in their view should appear as an integral part of the tower and therefore part of the building, or as a piece of art which sits atop a simple tall pedestal.
26. The applicant has taken on board the latter option put forward by the panel in refining the design of the tower and lantern. In doing so the stone coping to the tower has been simplified and the windows within the tower have included similar flashing details to the stone coping. This has provided the tower with a more simple form and thereby the impression that the lantern sculpture sits on a base that takes the form of a square masonry tower. Officers support this approach.
27. The impact of the tower and glass lantern from near, mid, and distant views has already been accepted as part of the outline permission and reserved matters. The design of the lantern is not dissimilar to that shown at the reserved matters stage and therefore it is important to consider how the finalised design will impact upon the viewing experience in terms of the potential for glare and light pollution.
28. The multi-faceted form of the lantern along with the variety of finishes to the glazing will minimise the potential for glare and reflection from the lantern. The scale of the glass panels would be quite small when viewed from distance so as to limit the impact on views. The lantern has been designed to ensure that the visual appearance is not static, but has subtle differences depending on weather conditions and times of the day. If there is any glare then this would be of a short duration so as not to be harmful in views. Although the lantern is visible in views, its degree varies depending on the viewpoints and a minor amount of glare should be difficult to understand with the naked eye, but even if it was visible then this would not necessarily be harmful as it helps to orientate the building in the retail core of the city, which was precisely what the colleges and university sought to do with their domes, towers, and spires.
29. The lantern is intended to be lit at night, but only subtly at the base and decreasing in intensity towards the top. The principle of lighting some of the towers and spires across the city is already established at night, and in many respects celebrated. The lantern is not intended to be a beacon but instead complement the skyline at night and be seen in the context of the adjacent street lighting. The illumination should not be harmful or cause any undue light pollution.
30. In light of the above, officers welcome the work that has been undertaken with respect to the design of the lantern. It is considered that the proposed tower and lighting would achieve the aims outlined at reserved matters stage in terms of

providing some emphasis to the development and signalling the development in longer views in a manner that would complement the historical context of the city. As a result officers would recommend that these details are approved under the terms of the condition.

### **Condition 21: Details of the Cycle Parking Provision**

31. Conditions 21 of the outline planning permission read

*Within 12 months of commencement of development, (which to avoid doubt does not include the site preparation works outlined in condition 4 above), details of a scheme of cycle parking, including covered, secure cycle parking for staff employed within the development, shall have been submitted to and approved in writing the local planning authority in consultation with the local highway authority. The cycle parking scheme as approved shall be available for use upon first occupation of the development and retained at all times thereafter.*

*Reason: To ensure adequate cycle parking is available to serve the development at all times, in accordance with policy TR4 and Appendix 4 of the adopted Oxford Local Plan 2001 to 2016, and policy HP15 of the adopted Sites and Housing Plan 2011 to 2026.*

32. The proposed cycle parking arrangements have been developed by the Westgate Oxford Alliance in conjunction with Oxford City Council and Oxfordshire County Council and are set out on the Landscape General Arrangement Plan – Cycle Parking Summary (GIL\_PRH\_SP\_90\_SK0100).

33. The Reserved Matters application set a target for 1000 spaces to be achieved across the development. The cycle parking scheme will provide 1034 spaces within the development site and surrounding area as follows:

- 428 spaces throughout the public realm in the application site boundary
- 304 spaces throughout the public realm in close proximity (70m) to the application site boundary
- 184 spaces within the cycle hub in building 3 (providing secure cycle parking)
- 118 secure cycle parking spaces for the apartments in Block 1a

34. The total number of spaces listed above does need to factor in the loss of 88 spaces at the northern end of the site near Bonn Square, which means that the net proposed number of spaces would be 946. The Westgate Oxford Alliance are committed to delivering the reserved matters target of 1000 spaces, and so the remaining spaces will be funded by the alliance and provided by Oxfordshire County Council as part of their on-going cycle provision improvement strategy at locations to be confirmed by the county.

35. With regards to the locations of the cycle parking, the intention was to site these in appropriate locations that are usable and accessible. As such the cycle parking is provided at all the main approach routes to the Westgate development. The main area would be within Greyfriars Place which will include on-street parking and also secure spaces in the cycle hub. The remaining spaces will be placed throughout Speedwell Street and Abbey Place. Additional spaces will also

be provided outside the site boundary at the end of Pike Terrace, Faulkner Street, Speedwell Street, Paradise Square, Paradise Street, Bonn Square, and Pennyfarthing Place. .

36. In terms of staff parking, it is envisaged that the secure store within the cycle hub in Block 2 would provide some secure cycle parking that could be used by staff as well as the public. This was considered the best location for the secure store, rather than seeking to provide individual secure storage within the public realm.
37. The residential accommodation of Block 1a would have a secure storage area for 78 spaces adjacent to Castle Mill Stream. The secure store was approved as part of the reserved matters application. However the alliance has confirmed that the store will employ a double stacking cycle storage system, and the store will be an open plan structure that is supported by dark grey painted galvanised steel posts with light grey vertical polyester powder coated steel louvres.
38. The proposed cycle stands are to be 'furnitubes' college stands in satin steel to reflect the other stands within the city. The County Council have raised a minor concern with respect to the dimensions of the proposed stands which should be a maximum of 800mm above ground, embedded into the ground by a minimum of 250mm, and have a diameter between 50 and 70mm. The proposed stands would be 860mm above ground, 245mm below ground and 38mm in diameter. The standard dimensions are considered important for the usability and security of the cycles and as such an amended plan has been requested for the cycle stands to ensure they meet these standards. The County Council has also suggested that the 4 stands on the north-west corner of the bus priority route are too closely spaced together. Again this is a simple change that can be amended through a simple revision to the plan
39. Having reviewed the submitted details, the cycle parking has been developed in conjunction with both the city and county council and would be provided in the suitable locations throughout the public realm, and include a number of enclosed secure public accessible spaces in the cycle hub and secure private spaces for the residents of Block 1A. The proposed cycle parking would be supported by officers.

## **Condition 22: Details of the Additional Cycling Facilities**

40. Conditions 22 of the outline planning permission read

*The development hereby permitted shall also include a scheme of additional cycling facilities which shall include secure storage facilities. Within 12 months of commencement of development details of the proposed scheme shall have been submitted to and approved in writing by the local planning authority, and shall be provided upon first occupation of the development. Amendments to the scheme may be agreed in writing from time to time by the local planning authority.*

*Reason: To ensure adequate cycle facilities are available to serve the development at all times, in accordance with policy TR4 and Appendix 4 of the adopted Oxford Local Plan 2001 to 2016.*



41. The proposal includes an operated secure cycle parking facility within Building 3 fronting Old Greyfriars Street. The facility is shown on drawing no.BDP\_MP\_B3\_101 and includes the cycle store and adjacent commercial unit which would provide the cycle hub. It was anticipated that the store would provide between 150 and 200 spaces, although the final quantum cannot be fixed until such time as an operator for the cycle hub has been secured. The Westgate Oxford Alliance has indicated that they will seek to provide 184 spaces within this building, but if this is not achieved then any shortfall would be secured through discussions with Oxfordshire County council for alternative off-site locations.
42. The operator for the cycle hub is not known at present, but the submitted details states that the opening hours for the hub will reflect the normal trading hours of the Westgate centre and be open seven days a week. It is also likely to include a cycle maintenance facility which will be discussed as part of the negotiations for an operator.
43. Having reviewed the submitted details, officers are satisfied that the proposal will provide a suitable on-site secure cycle parking facility which will be available for use during the trading hours of the Westgate. The layout would be appropriate and provide sufficient space to access the cycle storage and that as a managed secure facility it is likely that this will be used appropriately. As such officers would recommend the approval of these details under the terms of the condition.

#### **Condition 6: Amendment to landscaping in Greyfriars Place**

44. Condition 6 of the reserved matters permission reads as follows

*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.*

*Reason: In the interests of the visual appearance of the locality and the conservation area, part of which the application falls within and adjacent to, in accordance with policies CP1, CP11, NE15 and NE16 of the adopted Oxford Local Plan 2001 to 2016.*

45. The West Area Planning Committee approved the landscaping details submitted under condition 6 of the reserved matters permission in March 2015. These details included the landscaping proposals for Greyfriars Place.
46. Following a review of the archaeological information from the works undertaken, and consultation with officers and Oxford Preservation Trust a number of changes have been made to the landscaping design within Greyfriars Place. This

includes the provision of a large single-place maker tree (tulip tree) in place of 6 smaller trees in addition to the retention of the existing wild cherry tree; a raised area in the centre of the space to provide greater interest, allow tree planting above the below ground attenuation tanks, and more seating capacity.

47. The amendments would be minor in nature and would simplify the space enabling it to be put to better use while also responding to the overall constraints that have been informed through the construction process (i.e. archaeology and attenuation tanks). Officers would support the amendments.

**Condition 17: Amendments to the southern elevation of Building 4**

48. Condition 17 of reserved matters permission reads as follows

*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.*

*Reason: In the interests of the visual appearance of the locality and the conservation area, part of which the application falls within and adjacent to, in accordance with policies CP1, CP8 and CP9 of the adopted Oxford Local Plan 2001 to 2016.*

49. The West Area Planning Committee approved the details required by condition 17 of the reserved matters permission in March 2015. These included the elevational treatment for the southern elevation of Building 4.

50. The detailed design process for the structural works to Building 4 has identified that external bracing will be required on the Greyfriars Place façade adjacent to the service yard entrance. The bracing had the potential to provide a visible step in the Greyfriars Place façade, and therefore in order to reduce the visual impact of this step the bracing has been enclosed in a section of rendered wall that would create a portal around the service yard entrance. The extent of the climbing foliage that was proposed for this wall would then be pulled back in line with the protruding rendered wall.

51. Having reviewed the submitted details officers consider that the proposed changes would represent a minor amendment to the treatment of the southern elevation of Block 4. The creation of a portal around the service entrance which includes the structural bracing would be a neat design solution that enables the bracing to read as part of the built form of Block 4 and provide a feature to the service entrance and along with the retention of the climbing foliage would not

have an adverse impact upon the visual quality and sense of place intended for Greyfriars Place or undermine its performance in functional terms. Therefore officers would support the proposed amendments.

### **Conclusion:**

52. This report has sought to provide more detail of the matters requested by the committee with respect to the features of the public realm for the development; the lantern feature for building 4; the proposed cycle parking and cycle facilities for the development; along with amendments to the landscaping in Greyfriars Place and elevational treatments to the south side of building 4. Having reviewed these details, officers consider that the details provide a sufficient level of detail consistent with the principles approved within the outline and reserved matters provision which established the framework to deliver a high quality development with high quality and robust public. The details would accord aims of the National Planning Policy Framework and the relevant policies of the Oxford Core Strategy 2026, Oxford Local Plan 2001-2016, and West End Area Action Plan

### **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 permission, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

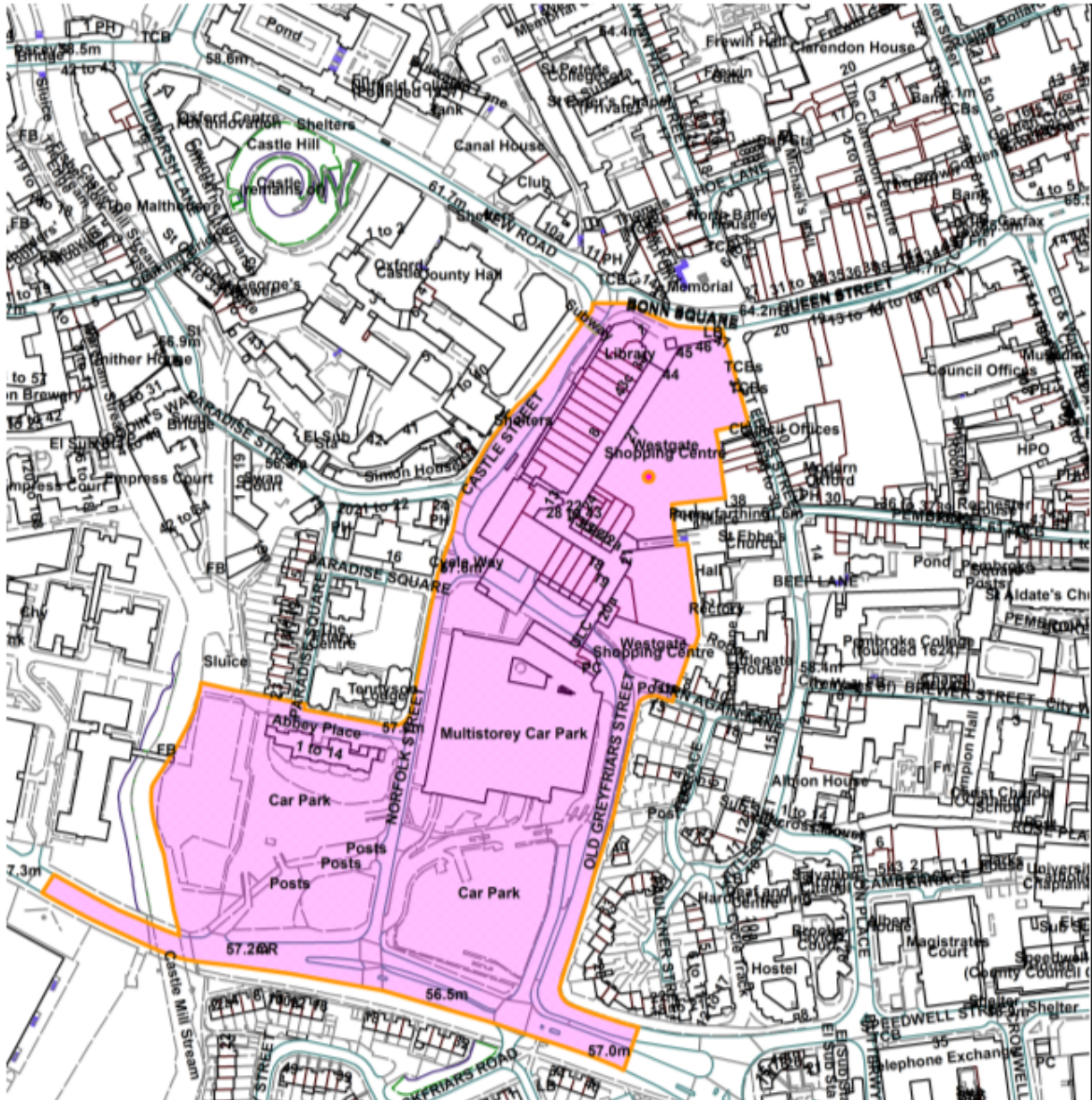
**Contact Officer:** Andrew Murdoch

**Extension:** 2228

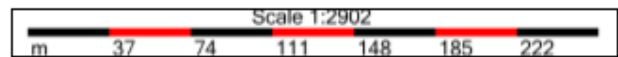
**Date:** 23<sup>rd</sup> December 2015

# Appendix 1

## Westgate Development



1:2901



<b>Organisation</b>	Oxford City Council
<b>Department</b>	City Development
<b>Comments</b>	Not Set
<b>Date</b>	22 December 2015
<b>SLA Number</b>	100019348

©  
C