

Planning Review Committee

27th April 2016

Application Number: 15/03643/FUL

Decision Due by: 15th February 2016

Proposal: Refurbishment and extension of existing student accommodation building to provide 25 additional study bedrooms, conference and support facilities.

Site Address: Florey Building, 23-24 St Clement's Street

Ward: St Clement's Ward

Agent: Ms Fiona Lamb

Applicant: Mr David Goddard

The application has been called-in to the Planning Review Committee by Councillors Benjamin, Wade, Hollingsworth, Simmons, Brandt, Pressel, Wolff, Tarver, Thomas, Hollick, Wilkinson, Brown on grounds that the decision by the West Area Planning Committee needs to be revisited because of concerns that the proposed two-storey extension would have an adverse impact upon the listed building

Recommendation:

The Planning Review Committee is recommended to grant planning permission for the following reasons:

- 1 The development proposals represent an appropriate response to the issues of increasing student accommodation on site, providing conference facilities and of restoring the listed building. The City Council has given considerable weight and importance to the desirability of preserving or enhancing designated heritage assets and their settings, including the listed building and conservation area, and that any harm that would result from the proposed development is justified by the public benefits of the proposal. The proposal has been designed to safeguard the amenities of the adjoining properties and would not create any adverse impacts in terms of highways, flood risk, sustainability, archaeology, biodiversity and land contamination that could not be mitigated by appropriately worded conditions. Therefore the proposal is considered to comply with policies contained within the Oxford Local Plan, Oxford Core Strategy, Sites and Housing Plan and National Planning policy and guidance.
- 2 Officers have considered carefully all objections to these proposals. Officers have come to the view, for the detailed reasons set out in the officer's 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.

Conditions:

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Material Samples in Conservation Area
- 4 Landscape Plan
- 5 Landscape Implementation
- 6 Hard Surface Design – Tree Roots
- 7 Underground Services – Tree Roots
- 8 Tree Protection Plan Implementation
- 9 Arboricultural Method Statement Implementation
- 10 Student Accommodation – Full Time Courses
- 11 Student Accommodation - No cars
- 12 Student Accommodation - Out of Term Use
- 13 Management Plan – including Service Management and Traffic Management Strategy including a restriction on delivery hours at the York Place access
- 14 Archaeology - WSI
- 15 Travel Plan
- 16 Student Travel Information Packs
- 17 Cycle and Refuse Areas Provided
- 18 Construction Traffic Management Plan
- 19 Noise Levels as stated in Noise Assessment Report
- 20 Air conditioning plant
- 21 Scheme of extraction / treating cooking odours from kitchen
- 22 Sustainability Statement Implementation
- 23 Flood Risk Assessment Recommendation Implementation
- 24 Drainage Strategy
- 25 Biodiversity Measures / Enhancements
- 26 Development of a Servicing Plan for all uses
- 27 Contaminated Land Risk Assessment
- 28 Scheme to provide noise insulation to reduce noise breakout

Representation Received

A summary of all the comments received from statutory consultees and third parties are set out within the original committee report included with the agenda. Since the report was submitted a further letter of comment in relation to the application has been received, and the comments are set out below:

East Oxford Resident Association Forum (EORAF)

The EORAF would object to the application on the following grounds.

- 1) Inadequate consultation. The East Oxford Residents Association Forum (EORAF), which represents 22 residents groups in the three East Oxford wards, only became aware of this application last week despite subscribing to Planning Finder. We have spoken to a number of residents in York Place, Anchor Court

sheltered accommodation and the service manager at Anchor Court who informed they had not seen the application. We don't believe this was an inclusive consultation which took into account the requirements of an older, disabled population including the ethnic Chinese who live on the Anchor Court premises. Furthermore there was inadequate consultation with statutory consultee the Environmental Agency who confirmed they were only notified on April 18.

- 2) Poor quality information regarding the design of the building.
- 3) Poor permeability by blocking access to the front doors of York Place 1-7 ,the riverside and Angel and Greyhound Meadow
- 4) We support the concerns expressed by York Place Residents Association about access, transport, loss of amenity and inappropriate design of the extension. We question the noise impact assessment as only impacts on York Place 1 and 8 have been assessed. York Place 1 is the furthest away from the Annex whilst impacts on adjacent number 7 don't seem to have been considered.
- 5) We share the concerns of the 20th Century Society and architect Alan Berman on the unacceptable impacts on the listed Florey building and its setting.
- 6) No evidence of an Equality Impact Assessment of this scheme. Anchor Court houses a number of older people from the Chinese community whose needs should be separately addressed in the equality impact assessment.
- 7) No reference to the temporary arrangements to accommodate Queens College students during the refurbishment period. We understand that the students would be accommodated in head-leased HMOs during the refurbishment period as renting accommodation in adjacent Alice House at £220 per week is deemed too expensive. We have seen in the Castle Mill mitigation options debate that options 2 and 3 were rejected as it involved moving students out into the private renting sector leading to unacceptable pressures on Oxford's overheated housing market. We urge the council to press the applicant for details on these arrangements and reject the application if students would be accommodated in the private sector.

If the committee is minded to approve the application we would like to see the following conditions which would:

- 1) Ensure access to the front doors of York Place 1-7
- 2) Ensure access to the towpath leading to the Angel and Greyhound Meadow as this route has been used for decades by walkers (until Queens college blocked access off 10 months ago).
- 3) Refuse a secondary access via York Place except for emergency vehicles
- 4) Refuse access for construction traffic via York Place
- 5) A condition on noise which considers the impacts on York Place 1 through to 8.

Background

1. At the West Area Planning Committee on the 12th April 2016, Members resolved to approve planning permission for the refurbishment and extension of the existing Grade II Listed Florey Building to provide 25 additional study bedrooms, conference, and support facilities under reference 15/03643/FUL. A copy of the officer's report has been attached to the committee agenda.

2. The decision of the West Area Planning Committee has subsequently been called-in to the Planning Review Committee by Councillors Benjamin, Wade, Hollingsworth, Simmons, Brandt, Pressel, Wolff, Tarver, Thomas, Hollick, Wilkinson, Brown on grounds that this decision needs to be revisited because there are concerns that the proposed two-storey extension would have an adverse impact upon the listed building
3. The purpose of this supplemental report is to provide specific comments on the matters listed above and to address other points that have been made following the West Area Planning Committee meeting.

Impact upon the Grade II Listed Building

4. The Florey Building is a Grade II Listed building which is recognised as having internationally recognised importance. The design development of the refurbishment of the existing student accommodation and insertion of a two-storey annexe building has given consideration to this significance. In doing so, the architects have involved the Oxford City Council Heritage Officers, Historic England, 20th Century Society, and other interested groups in the development of the proposed scheme.
5. The officer's committee report sets out clearly the assessment of the proposed two-storey annexe's extension's impact upon the significance of the Grade II listed building in paragraphs 17-29. The assessment includes reference to the specific comments of the relevant statutory bodies such as Historic England, and other groups such as the 20th Century Society. It also includes a summary of the Oxford Design Review Panel's conclusions with respect to the proposal.
6. The listed building consent (15/03643/LBC) also considered the impacts of the proposed works including the two-storey extension upon the listed building. This application was approved by the West Area Planning Committee but has not been called-in to the Planning Review Committee. A copy of the report is attached in **appendix 1**.
7. As stated within both committee reports, officers consider that the size, scale and massing of the development would be appropriate for the site and would not harm the significance of the St. Clement's And Iffley Road Conservation Area Conservation Area or the setting of the Grade II listed building. This would accord with the aims of the NPPF and also the above-mentioned policies of the Oxford Core Strategy 2026, Oxford Local Plan 2001-2016, and Sites and Housing Plan 2026.

Noise Impact

8. The East Oxford Resident Association Forum has raised concerns that the Noise Impact Assessment has not considered the impacts upon all of the properties within York Place. The officers report deals with this matter in paragraphs 37-39.

9. The assessment has identified a number of receptors throughout York Place in order to establish the existing background noise level within this area and then recommends that all plant is designed to achieve a rating level of 5dB below the existing background noise level. This is to be secured by condition in order to safeguard the amenities of all the adjoining properties.
10. The West Area Planning Committee resolved to grant planning permission subject to a number of conditions which sought to mitigate any such noise impact on residents. These included a scheme to mitigate noise breakout, and a restriction on delivery times to prevent disturbance to York place from deliveries within anti-social hours.
11. The officers report states in paragraph 7 that the proposed two-storey annexe would be used for a number of purposes including dances. The applicant has subsequently clarified that the multi-purpose space would only be used for lectures, seminars, and conferences. The nature of this use would be unlikely to give rise to significant noise disturbance to the surrounding residential properties but the condition requested by the West Area Planning Committee would seek to mitigate this, and a Management Plan for the facility is also to be secured by condition.

Flood Risk

12. The East Oxford Residents Association Forum have stated in their letter of comment that the Environment Agency have confirmed that they were only notified about the application on the 18th April 2016.
13. Officers would advise members that this statement is incorrect. The Environment Agency was formally consulted on the application on the 6th January 2016. The agency has since confirmed that they did not receive this consultation but have acknowledged that this may have been due to an administration error at the agency.
14. The application is accompanied by a Flood Risk Assessment which was developed following pre-application discussions with the Environment Agency which identified the potential flood risk for the site and possible impacts upon the adjacent watercourse. As set out within paragraphs 58-61 of the officers report included within the agenda.
15. The Environment Agency has confirmed that they have no objection to the principle of the development but are in the process of reviewing the Flood Risk Assessment to determine if the development will increase flood risk. They have indicated that a response will be provided prior to the committee meeting, and these comments will be provided verbally at the meeting.

Other Matters

16. Rights of Access: The East Oxford Residents Association Forum has reiterated the concerns of the York Place Residents Association that the proposed development would prevent access across the strip of land that lies adjacent to 8

York Place and leads to the towpath which currently provides access to 1-7 York Place and also the Angel & Greyhound Meadow.

17. As stated in paragraph 75 of the officer's report, matters relating to access rights across land are a matter for the applicant to deal with in terms of whether they are able to implement a planning permission and would not constitute a material consideration for the determination of this application.
18. In terms of Angel & Greyhound Meadow, it is incorrect to state that the development will prevent access to the meadow. The meadow is currently accessed via a bridge leading from the St Clement's Car Park, and this would be unchanged by the proposed development.
19. Equality Impact Assessment: The East Oxford Residents Association Forum has indicated that there is no evidence of an Equality Impact Assessment for the proposal. They have suggested that Anchor Court houses a number of older people from the Chinese community whose needs should be separately addressed in the equality impact assessment.
20. The National and Local Validation List for a full planning application does list an Equality Impact Assessment as a validation requirement for an application for this type of development. The lack of any such assessment would not be a material reason to withhold planning permission.
21. Temporary Arrangements: The East Oxford Residents Association Forum has also suggested that details of the temporary arrangements to accommodate the Queens College students during the refurbishment period should be provided.
22. Officers would advise members that such arrangements would not constitute a material planning consideration for the determination of this application.

Conclusion:

23. The proposal is considered to be acceptable in terms of the aims and objectives of the National Planning Policy Framework, and relevant policies of the Oxford Core Strategy 2026, Sites and Housing Plan 2011-2026, and Oxford Local Plan 2001-2016 and therefore officer's recommendation to Members would be to approve the application.

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.

Contact Officer: Andrew Murdoch

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Date: 21st April 2016

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