

**West Area Planning Committee**

12 October 2011

**Application Number:** 11/01712/RES

**Decision Due by:** 23 September 2011

**Proposal:** Demolition of existing buildings on site. Erection of 166 student study rooms and 4 fellow's flats in two blocks on 3 and 4 levels, together with sunken gym, single storey pavilion amphitheatre, 5 car parking spaces, 100 cycle parking spaces, landscaping and ancillary works.  
(Reserved Matters as part of Outline planning permission 09/02518/OUT seeking approval of details of layout, scale, appearance, access and landscaping)

**Site Address:** Travis Perkins Builders Yard, Chapel Street, **Appendices 1 & 2.**

**Ward:** St Clement's Ward

**Agent:** John Philips Planning  
Consultancy

**Applicant:** W.E.Black Ltd

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**Recommendation:** Approve with conditions

## **Reasons for Approval**

- 1 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.
- 2 The design and layout of the development, and its architectural treatment are appropriate to the site and relate well to the existing grain of development in East Oxford. It is sited at a sustainable location convenient to St. Hilda's College whose graduates would occupy the development. It replaces a builders yard which is relocated to a more appropriate site elsewhere and as such heavy vehicle movements associated with that use are deleted. Officers consider the development to be acceptable at this location.
- 3 Having considered the public comments made in response to the proposals officers have come to the view, for the reasons set out in this report, that the

concerns raised are already addressed in the application or can be addressed either by conditions to this permission; those already imposed on the outline planning permission; or by the legal agreement which accompanied it. The relationships to neighbouring residential and other properties are acceptable and appropriate. As such it is considered that the reserved matters application should be supported and that refusal of permission would not be justified.

## **Conditions**

Some 28 planning conditions accompanied outline planning permission 09/02518/OUT granted in September 2010. These relate, inter alia, to materials, the positioning of buildings, occupation of the accommodation, management controls, car and cycle parking, construction arrangements, drainage, ground contamination measures, noise attenuation, public art, habitat creation etc.

These all remain in force and need only to be supplemented by standard conditions relating to the reserved matters if permission is granted:

1. Time limits.
2. Approved plans.
3. Reserved matters approved.
4. Details of boundary wall to eastern side of site.

## **Legal Agreement**

A legal agreement accompanied the outline planning permission securing £12,000 from the student accommodation towards public realm works in the locality, plus the costs of excluding the site from the Controlled Parking Zone (CPZ) in operation in the area. It also secured various financial contributions on a formulaic basis per student study room in accordance with the Planning Obligations Supplementary Planning Document (SPD). For this reserved matters application of 170 student study rooms the following matters are therefore secured:

- County Council costs of exclusion from CPZ: £1,000
- Public realm works: £12,000.
- Cycling improvements in the locality: £23,460.
- Library services: £10,700.
- Indoor sports facilities: £10,200.

In addition, in the event of the accommodation being occupied by graduate students of St. Hilda's College as intended, then the college would return its properties on Iffley Road currently occupied by its graduate students back onto the open housing market.

No further legal agreement is required to secure these matters.

## **Main Planning Policies:**

Oxford Local Plan 2001-2016.

CP1 - Development Proposals

CP5 - Mixed-Use Developments

CP6 - Efficient Use of Land & Density  
CP8 - Design Development to Relate to its Context  
CP9 - Creating Successful New Places  
CP10 - Siting Development to Meet Functional Needs  
CP11 - Landscape Design  
CP13 - Accessibility  
CP14 - Public Art  
CP17 - Recycled Materials  
CP18 - Natural Resource Impact Analysis  
CP19 - Nuisance  
CP21 - Noise  
CP22 - Contaminated Land  
TR1 - Transport Assessment  
TR3 - Car Parking Standards  
TR4 - Pedestrian & Cycle Facilities  
TR12 - Private Non-Residential Parking  
TR13 - Controlled Parking Zones  
TR14 - Servicing Arrangements  
NE21 - Species Protection  
NE23 - Habitat Creation in New Developments  
HE10 - View Cones of Oxford  
HS19 - Privacy & Amenity  
HS20 - Local Residential Environment

Oxford Core Strategy 2026.

CS2 – Development on previously developed land  
CS9 - Energy and natural resources  
CS10 - Waste and recycling  
CS12 - Biodiversity  
CS13 - Supporting access to new development  
CS17 - Infrastructure and developer contributions  
CS18 - Urban design, town character, historic environment  
CS19 - Community safety  
CS25 - Student accommodation

Other Material Considerations.

PPS1: Delivering Sustainable Communities.  
PPS4: Planning for Sustainable Economic Growth.  
PPG13: Transport.  
PPG24: Planning and Noise.

**Public Consultation.**

Prior to the submission of the planning application the applicant held a public exhibition in the Cross Street Family Centre on 5<sup>th</sup> July 2011. Approximately 20 members of the public attended the exhibition with four leaving written comments. The main issues raised were as follows:

- concern over increased height of rear block;
- need for effective tree species and landscaping strategy;
- loss of privacy;

- loss of light;
- concern at location of bin stores – too close to Ablett Close.

In response to consultation on the planning application as submitted the following comments have been received:

- Thames Water: No comments.
- Environment Agency: No observations.
- Thames Valley Police Crime Prevention: Recommendations made prior to submission of planning application have been incorporated.
- Oxfordshire County Council, Planning: No comments.
- Oxfordshire county Council, Highways: Layout satisfactory; conditions imposed at outline stage apply.
- Third Parties: Main points raised:
  - does not make best use of land;
  - development too dense;
  - too many students in local area already;
  - potential for anti social behaviour;
  - development should be located more centrally to site / too close to existing housing;
  - adverse impact on sunlight and daylight for existing residents;
  - new tree planting would lead to loss of light;
  - would lead to overlooking and loss of privacy;
  - overlooking of school play area;
  - noise and light pollution;
  - three story buildings would be preferred / should be fewer storeys;
  - cross sections through site misleading;
  - recycling bins etc adjacent to common boundary / should be closer to entrance;
  - fear future change of use;
  - fear use of central courtyard for external events;
  - no indication of what becomes of office site;
  - would prefer to see housing on the site;
  - may not be possible to control car ownership by students;
  - well managed student accommodation preferable to students living in HMOs in residential streets;
  - not opposed to principle of development.

Following amendments to the planning application the following additional comments were received:

- no reference is made to the office development;
- no sunlight and daylight impact statement has been carried out;
- does not comply with Local Plan policies HS19 (privacy) or CP10 (functional needs);
- does not comply with 25% rule;
- issues of noise, pollution and waste collection not resolved;
- may not be possible to control private car ownership.
- other facilities included as well as student rooms.

## Officers Assessment

### Background to Case

1. In 2010 planning permission was granted in outline for the construction of up to 200 student study rooms and 2,100 sq m of Class B1 office accommodation on the site of the Travis Perkins builders' yard at Chapel Street. The planning application was accompanied by a legal agreement securing the various matters referred to above. The builders yard site measures approximately 0.71ha. (1.75 acres). This current application represents the reserved matters submission for the student accommodation only and relates to the greater part of the site, measuring some 0.45 ha. (1.11 acres). The remainder of the land fronting Collins Street is intended for the office accommodation but is not the subject of this application. **Appendices 1 and 2** refer. The builders yard is intended to relocate to a site at Sandy Lane West for which planning permission already exists.
2. The outline permission secured the principle of student accommodation on the land but with all details of the development to follow later in this submission. This reserved matters application is not therefore an opportunity to revisit the principle of development or to reconsider the conditions previously imposed. Rather this application relates to the outstanding matters of layout, scale, appearance, access and landscaping only. The outline permission did impose various restrictions on the way the site could be laid out however and these are referred to later in this report.
3. As submitted the planning application sought reserved matters permission for 172 student study rooms plus 4 fellows' flats as graduate accommodation for St. Hilda's College which is located approximately half a mile away at Cowley Place. Subsequent to submission the application was amended however such that it now proposes 166 student study rooms plus 4 fellow's flats. The reduction in student rooms is achieved by reducing the amount of accommodation at third floor level to the northern block of accommodation.
4. The college currently houses its graduates in a number of individual properties, in the main along Iffley Road. These properties would be given up accordingly. In concentrating its graduates at this site the college would provide a small number of supporting facilities in the form of a gymnasium and some general meeting rooms. There would not be a bar or other social facilities on the site however other than common rooms. The site would be supervised on a day to day basis by a resident warden.
5. Officers consider the key determining issues in this reserved matters application to be:
  - built forms;
  - residential amenities;
  - highways, access and parking;
  - landscaping; and
  - sustainability.

## Built Forms

6. At the outline application stage various alternatives of how the site might be laid out were presented, though in the event none of these was fixed in the permission granted. Rather all these details were reserved for further consideration in this reserved matters submission. The basis of the development as now presented is in the form of two wings of student accommodation running parallel with Collins Street to the south and Ablett Close to the north, separately by an enclosed and partly sunken courtyard where students can gather and linger. Officers support such an approach which responds positively to the general grain of urban development in the locality. In these orientations the study rooms each receive direct sunlight for a significant proportion of the day, helping to reduce heating costs and reduce dependency on heating and lighting. It also provides natural surveillance around the development
7. Access to the site from Collins Street is via a porter's lodge at the eastern end of that street. From here entry into the student blocks is via the central courtyard, and then two stair wells or lifts to upper floor levels. This allows access to all 166 student study rooms at the various levels, including 13 adapted for full disabled use, plus the 4 fellows' flats. Within the central courtyard a sunken "amphitheatre" is created with a small gymnasium to the western side contained within a single storey crescent shaped building. Also within this central space is a single storey pavilion building which contains two general purpose meeting rooms. Along the eastern side of the site to the common boundary with the East Avenue properties, the existing brick boundary wall is retained with a series of single storey structures constructed off it containing cycle stores, laundry, building services room, bin stores and workshop. These structures are all contained under a flat sedum roof.
8. The two main blocks of accommodation rise to 3 floors to their eastern end and four to the western end in response to conditions imposed at the outline stage. Since this application was submitted the western end of the northern block has been amended so that the four storey element is drawn away from the northern façade along part of its length in order to ease the relationship with properties in Ablett Close. It is within the remaining third floor accommodation at this point that the 4 fellows' flats are located. Essentially they are made up of an amalgamation of study rooms, with two of the flats being one bed roomed and two of them two bed roomed. They are set out in a more self contained manner than the student study rooms however which are arranged in clusters of perhaps 6 or 7, with each cluster sharing a kitchen / common room space. Each student study room measures approximately 18 sq m and kitchen / common room 23 sq m.
9. The intention in creating blocks of accommodation set away from common boundaries is not just to ease the relationship with surrounding properties, but to create quiet and calm environments within which the college's postgraduate students can live and study. This is supported as a logical response to the college brief and the constraints of the site

10. Architecturally the main student blocks would be constructed essentially of brick punctuated by large, rectangular window openings containing the glazed elements but also a zinc panel and vertically hung timber battens. The use of brick as a common vernacular material is also supported as an appropriate material for the development, the more so perhaps as coincidentally the application site is located on the site of a former brickworks. The final choice of materials would be subject to condition in the normal way.
11. In summary officers regard the design approach adopted to be rational and entirely supportable in its context. It carries with it the potential to create a calm and relaxing collegiate environment within a correspondingly quiet but striking architectural solution.

### **Residential Amenities**

12. Although the outline planning permission granted in September 2010 reserved matters relating to layout, scale, appearance, access and landscaping to this reserved matters application, it nevertheless imposed certain restrictions on how the site could be laid out, but without attempting to be overly prescriptive. The outline permission therefore required that:
- the development generally be to a maximum of 3 storeys or 10.0m in height whichever were the lower;
  - that greater heights were only permitted to the western side of the site, to a maximum of 4 storeys or 12.5m in height whichever were the lower;
  - no student accommodation block should be constructed within 10m of the common boundary with properties in East Avenue; and 16m of the common boundary with properties in Ablett Close.
13. The intention of these requirements was to ensure that an acceptable relationship would be created with neighbouring properties whilst still allowing some flexibility as to how the site might be laid out. As proposed the 3 storey elements extend to 9.7m in height, including a low parapet at roof level, and the four storey element to 12.5m, both thereby complying with the restrictive condition. The 4 storey element is confined to the western side of the site where it adjoins larger buildings beyond the site, as again required by the outline permission. Within the northern block the 4 storey element is also in part set back from the northern edge of the building, as described above.
14. The new accommodation blocks also comply with the distance restrictions imposed, with the nearest point along the eastern side being 10.0m from the common boundary with the East Avenue properties, and 16m from the common boundary with Ablett Close.
15. Privacy. With these restrictions in place the typical window to window distances between the rear of properties in East Avenue and the end residential blocks would be in the range of 25m to 28m. This compares to a typical minimum distance usually sought of 20m or 21m. The study rooms to the eastern end of the accommodation blocks have their main window openings facing to the north or south, but with secondary units facing eastwards towards the East Avenue properties. These are shown obscure

glazed up to a height of 1.6m in any event to prevent direct overlooking. Moreover the rear brick wall to the storage buildings along this eastern side of the builders yard is intended to remain, as requested by a number of local residents. This would be set at a height to be agreed but could be to the present height in places of 5m. At such a height the accommodation blocks would only be visible beyond the wall from positions nearer the houses themselves in any event and would not be visible from the lower parts of gardens.

16. To the northern side the rear gardens to the Ablett Close properties are relatively short at about 7m or 8m only. However with the new buildings drawn away from the common boundary window to window distances of approximately 23m to 24m are achieved. At the third floor level the north facing windows to study bedrooms would also possess privacy screens. In addition the land in between would be landscaped accordingly to provide additional means of privacy as well as an appropriate setting for the development.
17. To the end (west) elevations of the accommodation blocks where they face an all weather pitch and primarily school, again the secondary windows here are fitted with obscure glazing above 1.6m to prevent any loss of privacy.
18. In sum officers are satisfied that good levels of privacy are maintained for all neighbouring occupiers whilst similarly providing privacy for students resident in the new accommodation.
19. Lighting Conditions. As indicated above the new accommodation blocks are located well away from the boundaries to the site, with 3 storey elements to east and 4 storey elements to the west. In terms of the west facing gardens to East Avenue which currently enjoy the evening sun, conditions would be little changed in view of the distances between these properties and the "bookends" to the accommodation blocks which rise to 3 storeys only at this point. This is especially so if the existing high brick wall is maintained.
20. To the northern side the eastern section of the northern wing is set at 3 storeys with only the western half at 4 storeys, with this in part this set back from the northern façade. This results in the full 4 storey element present directly opposite the parking and turning court at Ablett Close only. Moreover there is currently a 1.25m retaining wall between the application site and the gardens to Ablett Close with fencing above. In these proposals the ground level on the application site is lowered by 0.6m, so that the difference in ground levels becomes approximately 1.95m. Thus although the new accommodation block rises to 9.7m opposite the Ablett Close houses compared to a height of 4.8m for the existing storage shed at this point, bearing in mind the orientation of these gardens towards the south - west, the lowering in ground level, and that the new structures are set 5m further away, then officers have concluded that good lighting conditions will remain for these properties. Moreover at these distances and with an intermediate landscaped garden to the student accommodation officers do not consider that the outlook from the Ablett Close properties would appear overbearing but rather would



be enhanced as the tree planting matures.

## **Highways, Access and Parking**

21. Vehicular and pedestrian access to the application site is taken from its south - east corner. A control point within the caretaker's accommodation at this point would regulate its use with some 5 operational and service parking spaces only provided. Beyond these parking spaces gated access would allow for collections from a refuse / recycling store located at the southern end of the single storey service building, and for occasional maintenance access elsewhere. Also located within this service building is covered, secure storage for 100 cycles which is in excess of Local Plan requirements of 1 space per 2 student study rooms.
22. In terms of traffic generation, at the outline stage it had been suggested that some 27 car parking spaces would be provided in the proposals then before committees, 20 for the office accommodation (not the subject of this reserved matters application) and 7 for the student accommodation. At this level of provision it was concluded that overall traffic volumes would remain much as existing but with the proportion of HGV and LGV vehicles reduced dramatically by 60% to just 2% of all movements. In the event the outline permission restricted overall parking to 20 spaces rather than 27, with 15 intended for the office development and 5 only for the student accommodation. At this level of parking provision traffic movements would be considerably less than existing and the type and size of vehicles reduced accordingly. In any event as the office development permitted is not included in this submission and would be the subject of a future reserved matters application, then in the interim period traffic volumes resulting from the student accommodation would be at very low levels.
23. At the outline stage control of car parking was secured by excluding occupiers of the development from eligibility for residents parking permits within the Controlled Parking Zone in operation in the area whilst a clause imposed on students' tenancy agreement would require that they did not bring private cars to Oxford. The college already impose such a restriction on its graduates and none of those occupying college premises at its Iffley Road premises currently possess a car. As these matters were all secured by legal agreement or planning condition to the outline planning permission, they are not required to be revisited at this reserved matters stage. As a consequence the Highway Authority raises no objection to the proposals in traffic generation or other terms.

## **Landscaping**

24. Currently the application site contains no tree planting or soft landscaping, being given over entirely to buildings or hard surfaces for the external storage of materials for the builders yard. As such the opportunity exists within these proposals to bring forward a landscaping scheme which would provide both a setting for the new buildings themselves and introduce a more appropriate and pleasing relationship for neighbouring properties. It also allows the

creation of wildlife habitats within the site as required by the outline permission.

25. In terms of the entrance area and central courtyard, the landscaping in the main consists of hard surfaces, though with some turfed small areas, shrubs and a green sedum roof to the various cycle and other storage buildings along the eastern side of the site. Some 6 sweet gum trees (*Liquidambar styraciflua* Worpleston) are located to the western and eastern edges of the site and a hedge provided along the common boundary with the office site.
26. The largest area for new planting however is along the northern side of the site along the common boundary with the rear gardens of Ablett Close. An area measuring approximately 40m by 16m exists here where substantial planting can take place. As originally submitted it was intended that the soft landscaping be laid out in a rather formal fashion with linear arrangements of trees and shrubs in an east - west alignment. Some 19 trees were proposed forming two lines of birch trees, (*Betula ermai* and *Betula jacquemonti* respectively). Officers felt such an approach was rather too formal however and the landscaping was subsequently amended accordingly. As now proposed much less formal shrub planting is proposed with larger lawned areas created in a mix of contoured amenity lawn and longer wildflower areas.
27. Some 19 trees are still proposed along this northern side of the application site but now in a sinuous arrangement from east to west consisting of greater varieties of species intended to provide a setting for the buildings and a degree of screening when viewed from Ablett Close. The choice of species has been conditioned with this in mind but also by the need to not introduce so many large trees and leave coverage as to create inappropriate amounts of shading. The tree coverage is therefore made up of a mix of hornbeam (*carpinus betula*), common hawthorn (*Crataegus monogyna*), common beech (*Fagus sylvatica*), rowan (*Sorbus aucuparia*) and small leaved lime (*Tilia cordata*).
28. An ecological report accompanies the planning application but concludes that the site is currently of negligible nature conservation interest with no semi natural habitats present. A survey for bats revealed some evidence of activity probably related to foraging or commuting, but no evidence of roosts. It concludes that there are no suitable habitats for bats. The new development and amended landscaping scheme would create the potential to introduce an amount of local wildlife therefore, in addition to bird and bat boxes which can also be usefully introduced into the new buildings themselves.

## **Sustainability**

29. The application site is located at a very sustainable location immediately adjacent to the Cowley Road District Centre with frequent bus services to the city centre and to Cowley. It is within a few minutes walk of St. Hilda's College.
30. A Natural Resource Impact Analysis (NRIA) has been submitted with the

planning application and seeks to minimise energy consumption, in particular by passive measures. Solar gain would be maximised but minimised where appropriate with windows consisting of naturally ventilated double glazed units fitted with trickle vents. Gas fired condensing boilers would be utilised with all appliances to high efficiency AAA ratings, whilst lighting would be by controlled systems utilising high efficiency fittings. In terms of renewables, a ground source heat pump system in the form of a vertical closed loop system would be incorporated with roof mounted solar thermal and photovoltaics being considered for hot water and electricity production respectively.

31. Building materials would be sourced from within the UK wherever possible with timber from sustainable sources and material salvaged from existing buildings on site crushed and reused for the piling mat. Rainwater harvesting would be incorporated and a green sedum roof included to the service buildings along the eastern side of the site.
32. These measures would meet the minimum requirements of the NRIA in terms of energy efficiency, renewable energy, use of materials and water resources to produce an overall score 6 out of a possible 11. Upon completion of the development composting and recycling facilities would be provided on site.
33. The applicant would also commit to the Considerate Contractors Scheme.

### **Conclusion**

34. The reserved matters application before committee responds positively to the conditions and parameters established for the site in granting outline planning permission in September 2010. It provides purpose built student accommodation for St. Hilda's whose graduates currently occupy a number of single properties in East Oxford, particularly along Iffley Road. The design solutions seek to reflect the general grain of development in the locality and utilise facing brick as an appropriate vernacular material. The relationships to neighbouring properties are dealt with skilfully and the potential laid for introducing good quality tree planting, soft landscaping and wildlife habitats where none currently exist. The development is at a sustainable location, close not only to St. Hilda's main campus, but also to local shops and services. It is also located close to frequent bus services, whilst car parking is kept to a minimum and covered, secure cycle parking provided.
35. Committee is recommended to support the proposals accordingly.

### **Human Rights Act 1998**

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant reserved matters 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 reserved matters planning permission subject to conditions, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

**Background Papers:** Planning applications nos. 04/02259/OUT, 09/02518/OUT, 11/01712/RES.

**Contact Officer:** Murray Hancock

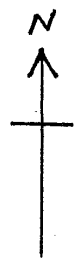
**Extension:** 2153

**Date:** 27 September 2011

APPENDIX I

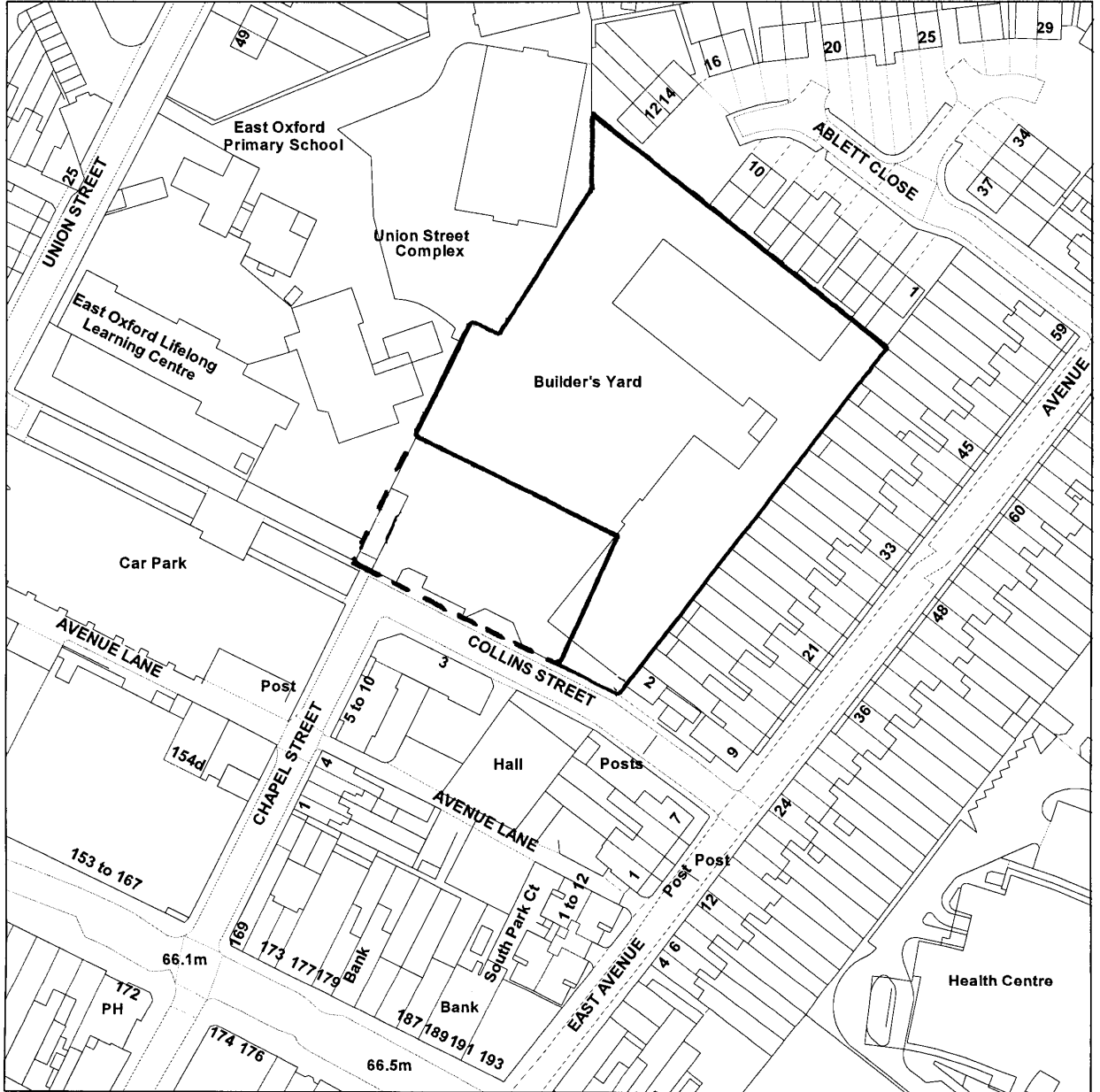


- 11/01712/RES
- TRAVIS PERKINS, CHAPEL STREET



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APPENDIX 2



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