|  |  |
| --- | --- |
| To: | City Executive Board |
| Date: | 13 March 2019 |
| Report of: | Acting Head of Planning Services |
| Title of Report:  | Extension to Central (City & University) Conservation Area |

|  |
| --- |
| Summary and recommendations |
| Purpose of report: | To inform the City Executive Board of the results of the consultation period and authorise officers to consider these results further. |
| Key decision: | Yes |
| Executive Board Member: | Councillor Alex Hollingsworth, Board Member for Planning and Transport |
| Corporate Priority: | A Vibrant and Sustainable Economy; An Efficient and Effective Council |
| Policy Framework: | Local Plan 2036 |
| Recommendations: To inform the City Executive Board of the results of the consultation period and authorise officers to consider these results further and approve removal of the area entitled ‘southern boundary around Folly Bridge’ from further consideration and to: |
| 1. | Authorise the Head of Planning to consider further points raised during public consultation and return a report with recommendations on areas for inclusion within the Central Conservation Area to the City Executive Board for decision; and  |
| 2. | Approve the removal of the area entitled ‘southern boundary around Folly Bridge’ in the January 2019 consultation document from further consideration for Central Conservation Area boundary alteration in line with officer recommendations. |

|  |
| --- |
| Appendices |
| Appendix 1 | Consultation Report |
| Appendix 2Appendix 3 | Maps of proposed inclusion areasTable of consultation responses |

# Introduction and background

1. The conservation area was designated in April 1971 and has been amended on four subsequent occasions, the last being in 1998. The Council has a statutory duty to ‘(a) *from time to time determine which parts of their area are of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance, and (b) shall designate those areas as conservation areas. It shall be the duty of [the Council] from time to time to review the past exercise of functions under this section and to determine whether any parts or any further parts of their area should be designated as conservation areas; and, if they so determine, they shall designate those parts accordingly (s.69).* Although there is a short overview document, an appraisal has never been carried out. During Spring/Summer 2018, the area was appraised and a draft document prepared outlining the special interest of the area. This document went to public consultation from 3 September – 26 October 2018. Comments received indicated that there were other areas which would be considered worthy of designation if they were appraised as well.
2. Conservation Areas must comply with the definition given in s.69 of the Planning (Listed Buildings and Conservation Areas) Act 1990: *‘an area of architectural or historic interest, the character and appearance of which is it desirable to preserve or enhance’*. Each suggested area was considered by the consultants against that requirement. The designation is not a means of preventing development, but as a means of identifying areas where change should be managed to prevent harm to the existing character. Not every building or structure within a conservation area can be considered to contribute positively to the character, but the inter-relationships between the buildings and their spaces often provide a template for the process of managed change.
3. The Local Plan draft will be submitted on 22nd March 2019, and it was the aim of the department that the adopted boundary of the Central Conservation Area be part of that submission. The areas identified by the public consultation were appraised by the Council’s appointed consultants during December and January, and a recommendation made by the consultants, Alan Baxter, for the areas which most closely aligned with the designation criteria to be consulted upon for possible inclusion within the conservation area. These recommendations formed the basis of the recent public consultation, which ran for four weeks from 4th February to 4th March 2019. A summary of the consultation report recommendations for each area is set out below.

# Summary of areas consulted upon for inclusion and recommendations from the Alan Baxter Consultation report

1. The southern boundary around Folly Bridge: The existing boundary takes in some building on the south bank of the Isis, which front directly onto the river and relate primarily to the setting of the north bank of the Isis and Central Conservation Area. The area includes a fairly well-preserved district of late-Victorian terraced housing which is comparable with other such buildings nearby which have been included in the conservation area. The river crossing to the south of Oxford is an ancient route dating back to at least the twelfth century, and there were several industrial buildings in the area associated with the boat building company and mineral water works. The recommendation of the consultants was to make no changes to the boundary south of the River Thames at this time but that in the future consideration is given to a new conservation area rather than an extension of the Central Conservation Area.
2. Keble Road triangle: Originally the site of several 19th century dwellings with open countryside to the north, the site gained its first university building in the early 20th century. The most striking buildings now on the site were constructed in the 1960s, and are notable in policy terms for being the catalyst for creating height guidelines for future development within the city. Later buildings have continued in university engineering use, and have been designed to be ‘of their time’ in the same manner as the earlier Jenkin and Denys Wilkinson Buildings.
3. The structures here have some architectural merit and historical interest to both the North Oxford Conservation Area to the north, and the Central Conservation Area to the south. It is a transitional area, containing both town and gown functions and appearances.
4. Radcliffe Infirmary buildings: Constructed in 1759-67, the handsome Palladian infirmary buildings and associated Chapel of St Luke are listed at Grade II\* and Grade II, together with the central courtyard fountain. The buildings are of high historic and architectural interest, which is reflected by their listed status, and they are of comparable quality of appearance as the majority of the existing Central Conservation Area. The remainder of the site is either already protected by being within the North Oxford Conservation Area, or not of comparable worthiness for inclusion.
5. St Thomas’: one of the earliest suburbs outside the city walls (extramural), this area developed along a direct route between Osney Abbey and Oxford Castle. The road was moved in 1769, and St Thomas’ Street became a quieter, more residential area with Victorian tenements and terraces. To the north, Park End Street and Hythe Bridge Road attracted light industrial and commercial businesses, including interwar show rooms for the motor industry. The late-Victorian terrace fronting Frideswide Square is well-preserved, and complements the 1902 Cooper’s Marmalade Factory to the east.
6. The distinct ‘town’ character of the area, together with its medieval route and surviving buildings of architectural quality, makes it comparable with the already-included extramural suburb of Holywell. The light industrial and commercial elements of the area make it comparable with the areas identified as the Western Fringe along the Castle Mill Stream, river, and canal. The ambience within the area is that of a distinct and separate place away from the city centre, but incorporating elements of it which connect it back to the buildings on the other side of the river.
7. University Science Quarter: buildings connected to the furthering of scientific research were erected around and to the east of the University Museum after its construction in 1860. Formalisation of the study of science at the university was established in the early 20th century, during which time there was greater growth in the construction of purpose-built science buildings. Development has continued with large buildings such as Physical Chemistry (1939-40) and Inorganic Chemistry (1954-60) buildings, the Zoology and Psychology building (1970), and into the present day with Biochemistry (2009) and Physics (2018). The greater majority of Victorian structures in the area were removed to facilitate this.
8. Continuous development and reinvention is a key part of the character of the area, with all the buildings being ‘of their time’ and relevant to their specific science use. This has created an area which is somewhat eclectic in architectural style, but with a homogenous purpose. It reflects the development of the city as a site for world-renowned scientific research, and contains buildings of good architectural quality. Management of this area would seek to sustain and reinforce its education and research character by promoting the established high standards of architecture that the university is known for.

**Consultation Outcome and recommendations**

1. Ten key stakeholders were invited to a workshop on 14 February 2019 where a presentation was made by the Council’s consultants, Alan Baxter. These included the main landowners of the identified sites, and those who had attended stakeholder discussions for the 2018 public consultation. Discussions were had and initial feedback received from four attending groups. These were:
* Nuffield College
* Oxford Architectural and Historical Society
* Oxford Preservation Trust
* University of Oxford Estates Services

Initial concerns were raised over the potential complexity of responses and the time required in order to address the points which may arise from them.

1. Fifteen responses were received via email and the Council’s consultation portal, and these can be found in greater detail at appendix 3. This section provides a precis of their contents with regard to each area. The respondents were:
* Christ Church College
* Liberal Democrat City Councillors
* Oxford Architectural and Historical Society
* Oxford Civic Society
* Oxford Sciences Innovation
* St Johns Street Area Residents’ Association
* University of Oxford Estates Services
* Eight individuals including Oxford residents
1. Southern boundary around Folly Bridge: two respondents were concerned with this area. While the bridge itself was worthy of preservation, the appearance of the remainder of the area north of Thames Street is not comparable with other parts of the conservation area. The bridge is protected by its national designation as a Grade II Listed Building, and the surrounding area is considered to have historic importance as part of the ancient causeway connection. It is arguable that the area on the south riverbank has a greater relationship to the houses further south, but at present, they have architectural merit and a relationship to the crossing area. Should it be that the Council considers this area of late Victorian and Edwardian suburban expansion to be worthy of designation in the future, it is likely that the boundary would be redrawn to reflect those relationships. Consideration for a future possible Grandpont Conservation Area was given support.
2. It is recommended that the southern boundary around Folly Bridge remain as existing and no further consultation or alteration be considered for it at this time.
3. Keble Road triangle: seven respondents supported this inclusion due to the area’s historic and architectural interest, relationship to the existing Central Conservation Area, and lack of inclusion leading to an anomalous ‘hole’ in the area. The last reason is not justification for inclusion and has therefore been discounted, as it was during the first public consultation in 2018. However, this reason has also come with the argument that some of the existing buildings provide the ‘backdrop’ for other science buildings within the conservation area, and this does have greater weight. At present there is a lack of cohesion within the area due to the wide variety of buildings within a relatively small area of land. This needs additional research and consideration in light of the comments received, elevating the importance of 20th and 21st century buildings within historic settings.
4. It is recommended that further consideration be given to the consultation responses and the information therein regarding the architectural relationships of the existing buildings.
5. Radcliffe: six respondents supported this inclusion due to its architectural and historic interest, as well as its high standard of appearance and strong cohesion. However, there were questions raised over the remainder of the land to the west which was formerly part of the infirmary. While there has been modern development on the site, there is an argument that the historic character of the site and its relationship to the Observatory requires further consideration and research.
6. It is recommended that further consideration be given to the consultation responses and the information therein regarding the architectural and historical relationship of the existing buildings including the 2015 Blavatnik building, and the wider Central conservation area.
7. St Thomas’: eight respondents supported this inclusion due its historic association with the ‘town’ element of the city, the architectural importance of the ‘workingman’s’ housing, its ‘village-like’ atmosphere, and to ensure new development was of a high standard. One respondent was against the inclusion of the ‘Island Site’ (the buildings between Park End Street and Hythe Bridge Street) citing the anticipated complexities of retaining and refurbishing the existing buildings. The final two reasons are not considered to be adequate reasons to designate or not designate, but do raise questions about the future redevelopment of the area, as supported by the former West End Area Action Plan and the emerging Local Plan.
8. It appears from the responses that the currently identified St Thomas’ area could be split into three, each distinctly different: the area around the Church of St Thomas and the residential housing on St Thomas’ Street, the ‘Island Site’, and the properties on Hythe Bridge Street. The Council had previously considered the area as a whole, and this suggested approach requires further investigation, as it appears to be better way to consider the buildings in conjunction with their relationship to the existing conservation area.
9. It is recommended that further consideration of the St Thomas’ area is undertaken to consider whether the area can be assessed as three distinct characters which may require different approaches with regard to designation.
10. University Science Quarter: eight respondents supported this inclusion due to its cohesive character, architectural important buildings, distinguished history as the embodiment of the development of science teaching in Oxford, and due to the anomalous gap that its lack of designation causes. As has been seen in the comments on Keble Road triangle, this last reason is not justification for inclusion. Comments made regarding the backland at the Science Quarter, which has arguably less character than the townscape along South Parks Road, for example, have raised the issue of whether the proposed boundary has been drawn tightly enough. Both Historic England Advice Note 1 and the National Planning Policy Framework acknowledge that not every part of a conservation area will be a positive contributor, and these backland areas would fall into this category. The University states in their consultation response that their emerging masterplan for the science area promotes the use of high quality design for buildings which require replacement, and this would also be the requirement of conservation area designation. However, buildings and areas have been identified by respondents that require further examination to justify their inclusion.
11. It is recommended that further consideration of the Science Quarter is undertaken to re-assess the buildings and areas of lesser cohesion for their designation value.

**Recommendations**

1. Authorise officers to further consider the points raised during public consultation and return a report to the City Executive Board for decision. This would fulfil the Council’s statutory duty not only to review the designation, but to give due consideration and regard into the content of the consultation responses prior to finalising any statutory proposals. This is a requirement of a fair consultation.
2. Approve the removal of the area entitled ‘southern boundary around Folly Bridge’ in the January 2019 consultation document from further consideration for boundary alteration in line with officer recommendations. The area lies within the Central Conservation Area; while it may also have a relationship with the residential development to the south of the river, there has been no contradiction to the consultant’s report received. The area was recommended for a boundary alteration by the Council’s consultants; however, the Council is not in the position to be able to explore the special value of that southern area at present, but full consideration would be given to the appropriate area designation for the southern boundary around Folly Bridge if that worthiness was further explored at a later date.

**Other implications**

1. It was considered that it would be clearer to designate a new boundary where appropriate and submit this as part of the Local Plan Submission Draft. This was so that references in the plan to the Central Conservation Area can be updated along with the policies map ahead of submission. Officers consider that this risk can be managed providing any new boundary is designated in advance of the Inspector’s Matters and Questions on the Plan being received so that if the Inspector has queries about implications for policies these can be asked and comments made by representors. The final report to the City Executive Board would fully identify any modifications or implications to the Local Plan as part of its recommendations.

# Financial implications

1. There are no direct financial implications other than the costs associated with the statutorily required advertising of the designation in the London Gazette and local newspapers, and the wider publicising of the designation in the locality.

# Legal issues

1. Under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 a local planning authority must designate those areas it believes to have special architectural or historic interest as conservation areas, and thereafter must keep such designations under review to determine whether any additional areas should also be so designated as conservation areas.
2. The Council should give due consideration to the public consultation responses received when considering any new or revised conservation area boundary.

# Level of risk

1. The Central Conservation Area has not been fully reviewed since its designation in 1971; as such areas should be reviewed ‘*from time to time*’, and given that the identified areas were considered due to being raised through public consultation, the Council could be criticised as failing to fully deploy its duty to review and designate under s.69 of the Act.
2. In failing to review the issues raised in the complex consultation response prior to finalising any statutory proposals, the Council could be challenged as not having given due regard to the content of the consultation responses.

# Equalities impact

1. The inclusion of the proposed areas within the Central (City and University) Conservation Area is not considered to be detrimental or have an impact upon the protected characteristics. An Equalities Impact Assessment is therefore unnecessary for this recommendation.

|  |  |
| --- | --- |
| **Report author** | Claire Sutton |
| Job title | Urban Design and Heritage Team Leader |
| Service area or department | Planning Services |
| Telephone  | 01865 252823  |
| e-mail  | csutton2@oxford.gov.uk  |

|  |
| --- |
| Background Papers: None |