

East Area Planning Committee

6<sup>th</sup> July 2011

**Application Number:** 11/01410/FUL

**Decision Due by:** 19th July 2011

**Proposal:** Installation of work of public art.

**Site Address:** Land At The Corner Of Horspath Driftway And Blackstock  
Close Oxford Oxfordshire

**Ward:** Churchill Ward

**Agent:** N/A

**Applicant:** Mrs Abi Hehir

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## Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposed artwork delivers a tangible public benefit stemming from the now completed student/residential development (and is considered to be sited in a position that is visible on access to that site but is not of such significant size or form to distract or reduce visibility for vehicle drivers to the detriment of highway safety. The proposal is therefore considered to accord with policies CP1, CP6, CP8, CP10 and CP14 of the Oxford Local Plan 2001-2016 and policies CS17 and CS18 of the Oxford Core Strategy 2026.
- 2 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

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

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples

## **Main Local Plan Policies:**

### **Oxford Local Plan 2001-2016**

- CP1** - Development Proposals
- 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
- CP14** - Public Art

### **Core Strategy**

- CS17** – Infrastructure and developer contributions
- CS18** - Urb design, town character, historic env

### **Other Material Considerations:**

**PPS1** – Delivering Sustainable Development  
Planning Obligations Supplementary Planning Document (Adopted April 2007)

### **Relevant Site History:**

07/02261/FUL – Permitted June 2008

Demolition of existing Territorial Army buildings and:

- (i) Erection of 353 student study rooms and ancillary facilities on 3 and 4 levels in linked blocks, with entrance from Horspath Driftway. Provision 180 cycle parking spaces plus 10 car parking spaces accessed via Blackstock Close;
- (ii) Erection of 15x1 bed flats, 25x2 bed flats, 9x3 bed flats and 18x3 bed houses and 5x4 bed houses on 3 levels as affordable housing. Provision of 109 car parking spaces, 128 cycle parking spaces, bin stores and landscaping, accessed from Blackstock Close.

The Section 106 Agreement accompanying this permission secured a sum of £6,743.00 for the City Council to commission a work of public art upon completion of development on the site. This application is the result of this sum being paid to Oxford City Council as part of the aforementioned legal agreement and is fully in accordance with Policy CP14 of the Local Plan and section 2.10 of the Council's Planning Obligations SPD.

### **Representations Received:**

No comments received.

### **Officers Assessment:**

#### Site Description:

The development is proposed at the entrance to the site of the former Slade

Barracks Territorial Army Centre which was developed by Berkeley Homes following the granting of consent for student accommodation and flats in 2008. This development is now complete and, in accordance with the associated Section 106 Agreement, funds were paid to Oxford City Council to provide for public artwork on or adjacent to the site. This application is made on behalf of Oxford City Council following receipt of these funds. The application site is on the corner of the junction between Blackstock Close and Horspath Driftway on a grassed area of verge adjacent to the highway that will in due course be adopted by Oxfordshire County Council.

#### Description of Proposal:

Under the Section 106 legal agreement, the developer was obliged to contribute to the Oxford City Council's public art policy, and as a result funds were entrusted to the city council to commission a work of art upon completion of the site. An artistic brief was drawn up and a selection process to appoint an artist was undertaken. The successful artist was Melissa Cole who has worked on a number of projects nationally for public bodies and schools.

The application seeks permission for a 1000mm diameter hollowed out bronze disc with the intention that it appears as a flattened out wheel/tyre with a textured finish but safe-smooth edge. The disc is proposed to be supported on a structural steel profiled disc (8mm thick) with nine spokes placed underneath the main structure to give support. The bronze disc is proposed to be welded onto the steel frame with bronze tabs. The disc is proposed to be positioned such that the supporting 'spokes' hold it at approximately a 20 degree angle with its lowest part adjacent to the road. This will allow light to reflect better off the bronze disc and give it greater impact. Its maximum height from ground level will be 800mm.

It is intended that images of footprints and tire tracks will be impressed into the bronze disc to represent past journeys along Horspath Driftway and the disc will also include references to the former TA Centre from the Boer War to the present day.

#### Appearance and Amenity:

It is considered that the proposed public artwork, whilst not of substantial size, would provide an interesting feature particularly since, as the majority of the site is student accommodation, there is a substantial pedestrian footfall on this corner of Blackstock Close and Horspath Driftway. There is also substantial vehicle traffic along Horspath Driftway and this will result in the artwork being a regularly observed feature along the road. Whilst the artwork is not interactive or a central focal point for the development, it is located in a position where it is likely to be observed and enjoyed.

It is recognised that the design of the works and proposed materials have been chosen to reflect the past history of the site whilst ensuring that the structure is robust, of low maintenance and designed to deter climbing. It will also be stress tested prior to installation on the site. Due to its location adjacent to a busy highway and residential area it is considered that there will be significant natural surveillance of the site providing additional protection against damage by vandals or theft.

Due to its relatively small size and location set back from the highway, it is not considered that the proposed works will have an adverse impact on visibility from/to the highways or highway safety in general. The artwork is unlikely to result in significant direct and prolonged public interaction and therefore the residential amenities of the surrounding area would not be affected.

**Conclusion:**

It is considered that the proposed artworks would provide a positive contribution to the area without harming highway safety or nearby residential amenity. The proposal is therefore considered to comply with policies CP1, CP6, CP8, CP9, CP10 and CP14 of the Oxford Local Plan and policies CS17 and CS18 of the Core Strategy.

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

**Background Papers:**

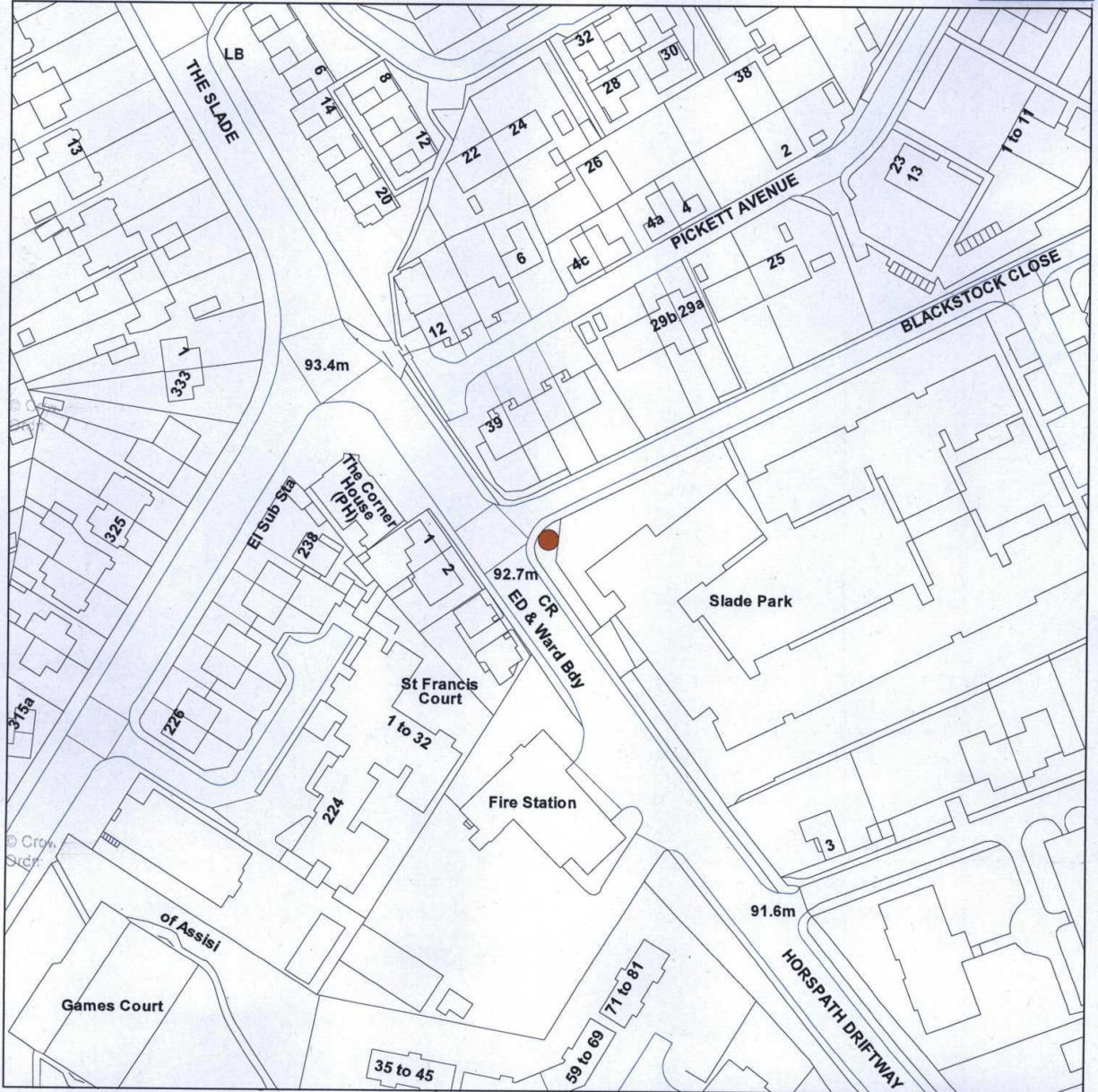
**Contact Officer:** Matthew Parry

**Extension:** 2160

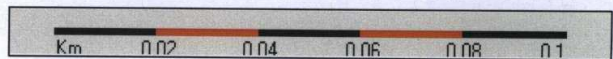
**Date:** 31st May 2011

11/01410/FUL

Land corner of Blackstock Close & Horspath Driftway



Scale : 1:1250



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Organisation	Not Set
Department	Not Set
Comments	Appendix 1
Date	24 June 2011
SLA Number	Not Set

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