

**West Area Planning Committee**

12<sup>th</sup> 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 (**site plan: appendix 1**)

**Ward:** St Clement's Ward

**Agent:** Ms Fiona Lamb

**Applicant:** Mr David Goddard

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## **Recommendation:**

The West Area Planning 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
- 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

**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
- CP13** - Accessibility
- CP19** - Nuisance
- CP20** - Lighting
- CP21** - Noise
- TR1** - Transport Assessment
- TR4** - Pedestrian & Cycle Facilities
- HE2** - Archaeology
- HE3** - Listed Buildings and Their Setting

**HE7** - Conservation Areas  
**NE15** - Loss of Trees and Hedgerows

**Core Strategy**

**CS2\_** - Previously developed and greenfield land  
**CS11\_** - Flooding  
**CS25\_** - Student accommodation  
**CS12\_** - Biodiversity  
**CS18\_** - Urban design, town character, historic environment

**Sites and Housing Plan**

**HP5\_** - Location of Student Accommodation  
**HP6\_** - Affordable Housing from Student Accommodation  
**HP15** – Residential Cycle Parking

**Other Material Considerations:**

- National Planning Policy Framework
- This application is within the St. Clement's And Iffley Road Conservation Area and is affecting a Grade II Listed Building.
- Planning Practice Guidance

**Relevant Site History:**

68/19646/A\_H - Residential graduate accommodation with caretakers flat: Approved

71/24116/A\_H - Formation of new carriageway to Florey Building: Approved

72/12926/A\_H - Renewal of temporary consent for garage for two vehicles:  
Temporary Permission

82/00512/GFH - Revised access to Florey Building and St. Clement's Car Park associated works: Deemed Consent

**Public Consultation**

Statutory Consultees:

Historic England:

- The Florey building is 'truly remarkable' and has historic, architectural and aesthetic significance;
- The interiors contribute to the completeness as they are as Stirling designed;
- The building has always been challenging to live in and use and restoration and modernisation are necessary for its long-term future;
- The proposals represent a much-needed upgrading of the accommodation of this highly-important building. The proposals involve a high degree of change and a degree of harm, however they are probably the least harmful means of meeting the College's brief. The harm is less than substantial but not insignificant. Historic England accepts that this is justified to ensure that the building has a sustainable long-term future;

- The design of the western extension and the infill under the podium, is the most sensitive means of providing the extra accommodation needed to house the entire first year undergraduate cohort
- The harm mostly would arise from the infilling of the area under the podium and from the internal reconfiguration as the building would lose its completeness and not be as Stirling intended; and the extension would make it more difficult to appreciate the building's remarkable form and views would be compromised; and
- Historic England defers to the Council to weigh the balance between harm and benefit.

#### The Twentieth Century Society:

- The Society has been involved in pre-application discussions on the above site with the architects.
- Has concerns relating to the insertion of the new porter's lodge and additional ground floor accommodation. It is hard to ascertain from the provided visualisations the overall impact on the building. The movement forward of the screen wall affects the permeability of the space in terms of the passage of light between the quad and the rear approach of the building. This is a key feature of the building: the perceived separation of elements that the view of sky between the building and pods beneath confers is vitally important to the design ethos of the space. We would request that the Council seek assurances that it is the intentions of the applicants to maintain these views.
- Objects in principle to the loss of the mezzanine level in the majority of the double height rooms on the 4th/5th floor. The earlier proposals envisaged the retention of six of these 'heritage rooms': now reduced to three. The Society would like to see a minimum of six of these rooms being retained and in their original configuration. The loss of such a large part of significant heritage is not considered acceptable, especially as an earlier iteration of the proposals was considerably less damaging.
- Disappointed that the original internal décor and fittings in the student rooms are to be lost. Wants consideration being given to the retention of some of the timber detailing and original fabrics in the refurbished rooms, as well as some elements of the original colour scheme.
- It is noted that inserting the new rooms into the mezzanine will have an impact on the external appearance of new glazing system being proposed for the building. The "cascade effect" in the glazing is of fundamental importance and the detailing of the floor junctions with the glass at this point is critical in maintaining the glazing pattern. Whilst the Society understands the need for the new glazing system and acknowledges that considerable expertise has gone in to ensuring the similarity of the new to the original fabric, the join area at the new floor junction contains extra opening lights which break the continuity in glazing at this point. The Society would like to see this detail revised to minimise the visual impact of the changes at this critical junction.
- The proposed new annexe will be out of the main axis of view on the initial approach to the Florey Building, which the Society considers to be the correct approach to ensure that it is read as subservient to the listed building. The Society considers the proposed scale and massing of the new build extension to be uncontentious. The use of a complementary cladding material is appropriate. The Florey Building is rugged and robust, as well as being quirky in nature, and can withstand an extension that develops this ethos. The desire to re-invigorate

the road approach and especially the Riverside walk is welcomed, as is the very necessary proposal to provide a proper common room space.

#### Oxfordshire County Council Highways Authority:

- The county council is not opposed to the principle of the application, but without further information, would object
- The car park within the site will be reduced from 26 spaces which are currently used predominately by staff but also students at the beginning and end of term, to one disabled space. The site will also be able to accommodate service and maintenance vehicles and spaces for these vehicles will not be marked. The existing access to the site from St Clement's will be retained and an additional access point proposed from York Place
- The application would provide 78 cycle parking spaces to the south and east of the building away from the access and turning areas. This would accord with the adopted cycle parking standards
- The Transport Statement provides details of the accessibility of the site by non-car modes, however, there is no information included to demonstrate how staff that currently use the car park will be expected to travel to the site in future.
- There is no information to demonstrate that a Student Travel Information Pack for every student will be produced to promote sustainable transport
- There are no details to ensure how students will not bring or keep motor vehicles in Oxford
- A Construction Traffic Management Plan will be required
- The Transport statement outlines that the development will not have a negative impacts upon the highway network. However, there would be a concern about how drop off and pick up times will be managed to avoid queueing on the highway.
- The Transport Statement states that the additional two storey building set out in the application will be used to accommodate up to 100 people for various functions such as lectures and dances. While it is accepted that the location of the site is easily accessible by sustainable modes of transport, no information is provided to indicate where the users of this facility are likely to travel from or what impact this is likely to have on trip generation. This information is requested.

#### Third Parties

##### York Place Residents' Association

- The Residents' Association objects in the strongest possible terms to The Queen's College's plans to create an additional building and using York Place to service the Florey site
- The Association attended a preliminary 'consultation' exercise in the summer and were shocked to discover the extent of the work proposed. We therefore tried to engage the College in discussion on its plans and regret that the College has not responded in any meaningful way.
- We are now presented with essentially unchanged plans, underlying the fact that the summer exercise served no useful purpose whatsoever.
- We have come to admire the architect, Sterling's, conception and vision that the building represents and appreciate its being recorded as a Listed Building. Indeed, the Florey Building is recognised as an important Oxford landmark, and it seems that visiting

architects, their students and supporters of modern architecture make a bee-line to see and photograph it. Their preferred view, indeed the ONLY comprehensive view, is from York Place itself and the path leading down to the river. We therefore consider a plan to erect a new, barrack-like structure of even one storey obscuring the Florey Building, right up against it and in close proximity to nos. 7 and 8 York Place, entirely out of place (some have called it 'sacrilege', others 'a desecration'). We strongly oppose the proposal on aesthetic as well as on cultural heritage grounds.

- We cannot at all accept the argument that the proposed two-storey building represents an acceptable compromise between heritage concerns and practical usage. Indeed, Queen's, with its considerable resources, is in a position to adjust its undergraduate intake so that the number of students corresponds to the present number of rooms in the Florey Building. If it is felt that increased breakfast facilities are required, then internal re- planning is surely preferable to an ugly building on the doorstep, obscuring a representative and valuable example of 20th century architecture. Queen's also, unlike other poorer colleges, does not have to rely on conference income to balance its books, and extra facilities to increase conference provision beyond that available on its main site in the centre of town is entirely unnecessary. That the College can consider the astronomical cost of refurbishment of the Florey Building at all speaks of its considerable wealth.
- We understood from The Queen's College that it was in the process of purchasing from the City the strip of land stretching from the foot of York Place, adjacent to 8 York Place, down to the river. This is, of course, the access by the general public to the towpath on the right, leading to Angel and Greyhound Meadow, which the College blocked off months ago. The Residents' Association was not consulted on this matter. To the left, the towpath leads to the FRONT doors of houses on the river. As owners, we have used this access 'without force, stealth or permission', as the legal phrase goes, since the houses were built in 1981. Indeed, the strip represents an essential route for tradespeople and their vehicles and skips – builders, painters, window-cleaners, roofers, delivery-men, etc. - to carry out necessary works.
- There is also a safety issue. The City's HMO licence is only granted if there is safe exit from the houses on to the towpath and up to York Place. It must be understood that there has also to be access for fire-engines.
- We vehemently oppose any plan for deliveries to, and rubbish collections from, the Florey Building via York Place which is already congested by lorries dropping off supplies to the Public House, the Cocktail Bar and the constant flow of traffic by the estate agents whose car-park is off the private forecourt of nos. 1 – 8, as well as ambulances and vehicles servicing Anchor Court. The (relatively narrow) exit to St Clement's is frequently blocked.
- More traffic in York Place should be resisted. The Queen's College already has a dedicated road from St Clement's Street for deliveries, rubbish-collection, etc., and this should remain the only access.
- There is no way that a proposal involving a rectangular 2-storey building alongside the path down to the river could be made acceptable. We understand that this building would effectively become a restaurant/kitchen for undergraduates and the conference trade, involving deliveries, smells via extractor fans, rubbish collections and noise within very close proximity to residential housing, i.e. nos. 1 – 8 York Place and the Anchor Housing complex. And all that at the expense of obscuring a 20th century architectural masterpiece

### 103 Southfield Road

Queens College is to be commended for appointing Avanti Architects whose skill in dealing with modernist buildings is second to none. I accept that some additional accommodation may be warranted, and commend some of the design proposals.

With regard specifically to work proposed to the Florey Building itself, there are a number aspects to which I do however object:

- a) It appears from the drawings that the proposed additional space inserted underneath the main volume of accommodation will adversely affect the crucial view of sky and light that separates the original lower forms from the upper form suspended above. The separation of these two elements is essential to the quality of the design. I don't believe this need preclude additional accommodation, but rather that careful reconsideration of levels, heights and site lines is necessary to ameliorate this unfortunate impact.
- b) The proposed enlargement of the opening into the enclosed ground floor quad space destroys the initial conception of this as a private, quiet space, most particularly given the noise and busyness of St Clements. Such a wide opening is contrary to Oxford's tradition of enclosed spaces surrounded by accommodation: it should remain a "secret" place, hidden from view until entered.
- c) The loss of the tall uninterrupted glazing that fronts the 4th and 5th floors: this change to the glazing rhythm is important for which a glazing solution should be found if the additional floor is to be inserted. The details of this glazing, as well as other architectural details are not sufficiently clear from the drawings. Given the listed status of the building further details are important in order to understand the proposals fully. I have no doubt that with further development Avanti can develop the design in detail for the Florey Building itself to satisfactorily accommodate some of the necessary accommodation.

The proposed annexe however has no redeeming features. The essence of the Florey is that it stands as an isolated form, perceived as a sculptural object. The annexe renders this impossible as it only be some 5.7 meters from the Florey at its closest and some 7m at most. Queens' recognised this when objecting to the adjacent car park development - yet that proposal was some 16 m away.

In terms of locating the annexe I am aware there is a drain running across the site on which they do not propose to build - but that is not an excuse for so adversely affecting this heritage asset which is regarded as so important worldwide.

### **Pre-Application Discussions / Oxford Design Review Panel**

The applicant has undertaken extensive pre-application discussions with officers, Historic England, C20 Society, Alan Berman, Oxford Civic Society, Oxford Architectural and Historical Society, Oxford Preservation Trust, and public / local community and neighbouring properties prior to submission of the application.

A public consultation was held on the 9<sup>th</sup> July 2015, with invites issued to residents of York Place and Anchor Court, businesses and residents adjacent to the entrance to the site, and local amenity groups. 14 people attended the event.

The scheme has been reviewed by the Oxford Design Review Panel on the 16<sup>th</sup> October 2015, and 2<sup>nd</sup> July 2015. Copies of their comments are included within **appendix 2** of this report

## **Officers Assessment:**

### **Site Location and Description:**

1. The site is located on the northern side of St Clement's St and is bordered by the River Cherwell and Angel and Greyhound Meadow to the north, St Clements public car park and new student housing to the east, residential properties of York Place and Anchor Court to the west and south respectively (**appendix 1**).
2. The site comprises The Florey Building, which is a nationally significant heritage asset and was listed at Grade II in 2009. It was designed by James Stirling and Partners and completed in 1971 and forms one of a trio of "Red Buildings", now a famous part of the architect's work. The building has a comprehensive list description which emphasises its innovative design, architectural value and associational value with James Stirling. The site is also within the St Clement's and Iffley Road Conservation Area
3. The four storey building currently accommodates 78 study rooms within a structure that is suspended above a sculpted podium and wraps around a quad which faces northwards towards the River Cherwell and Angel and Greyhound Meadow.
4. The main vehicular and pedestrian access is from St Clement's Street alongside the entrance to the public car park, although a secondary access is located within York Place. The forecourt around the building currently provides approximately 26 parking spaces which are used by Queens College staff.

### **Proposal**

5. The proposal is seeking planning permission and listed building consent for the refurbishment of the listed building and the erection of a two-storey linked extension at the western end of the building.
6. The listed building would be refurbished to provide more modern student accommodation in order to house the college's undergraduates. The development would provide 23 new study bedrooms increasing the total number of bedrooms from 78 to 101. The works would include providing en-suite facilities for all rooms, improved access and circulation within existing corridors, alterations to the ground and lower floors to improve the existing bar area and a new bedroom for the caretaker / porters lodgings, and gyp-rooms incorporating basic cooking facilities on each floor.
7. In addition to these works, a new two-storey linked extension would also be created in order to provide a kitchen, servery, dining rooms, multi-purpose space for lectures, dances, conference functions and exercise classes, study rooms and basement plant room.
8. The development would seek to maintain the existing access from St Clement's Street for pedestrian, cycle, and vehicular movements. A secondary access is



also proposed via York Place which is to be used for servicing, deliveries and maintenance although the majority of movements will be via the main access.

9. Officers consider that the main determining issues would be as follows
- Principle of Development
  - Student Accommodation
  - Built Form & Impact upon Designated Heritage Assets
  - Impact on adjoining properties
  - Noise Impact
  - Landscaping
  - Highways & Transport
  - Flood Risk
  - Sustainability
  - Archaeology
  - Biodiversity
  - Contaminated Land
  - CIL
  - Other matters

### **Principle of Development**

10. The National Planning Policy Framework (NPPF) encourages the effective use of land by reusing land which has been previously developed, it also aims to secure good standards of design and amenity, to support the transition to a low carbon future, and to focus significant development in locations which are sustainable and where the fullest possible use of transport by sustainable mean can be made. The proposed development is consistent with those principles.
11. Policy CP6 of the Oxford Local Plan requires that development proposals make maximum and appropriate use of land and the best use of a site's capacity in a manner both compatible with the site itself as well as the surrounding area. Larger scale and higher density proposals are encouraged in appropriate locations.
12. The proposal would seek to make better use of an existing college site by refurbishing the existing student accommodation in order to increase the number of rooms and also improve the overall standard of accommodation while also providing additional ancillary space. The principle of the development would therefore accord with the above-mentioned aims of the National Planning Policy Framework and also local development plan policies.

### **Student Accommodation**

13. Oxford Core Strategy Policy CS5 encourages the provision of purpose-built university provided accommodation in order to house their students in order to limit the number of students living outside of such accommodation. Sites and Housing Plan Policy HP5 also states that planning permission will only be granted for student accommodation that is on or adjacent to an existing university or

college academic site; or in the city centre, district centre, or on a main thoroughfare; or on land that is allocated for student accommodation.

14. The proposal would seek to increase the density of an existing purpose-built student residence which is located on a main thoroughfare. The planning statement makes clear that Queen's College have a need to additional residential, education and conference accommodation due to a lack of space on other sites. The existing student accommodation within the Florey Building needs updating to modern standards and therefore the proposed refurbishment works represent an opportunity to increase the number of bedrooms within the building to address this need. At the same time the college also has limited space within its city centre site to expand and therefore need to make better use of this site for additional space.
15. Officers consider that the college has identified a clear need to improve their educational and student accommodation and therefore making better use of their existing sites including one which is located on a main thoroughfare would accord with the aims of the above-mentioned policies. Sites and Housing Plan Policy HP5 makes clear that student accommodation of 20 or more bedrooms would need to include some indoor and outdoor communal space for the occupants; a management regime for the building; and an undertaking to prevent residents from parking their cars within the site and anywhere in Oxford. The Florey Building already has some indoor and outdoor communal space and this would be improved as part of the proposal. The management plan and restriction on students bringing cars into the city would be secured by condition.
16. In addition to the above, Sites and Housing Plan Policy HP6 states that new student accommodation that includes 20 or more bedrooms will be required to make a financial contribution towards delivering affordable housing elsewhere in Oxford. However, it goes on to state that an exception to this requirement will be made where the proposal is for the redevelopment and/or intensification of a site, including proposals for the extension of a site on contiguous adjoining land where the main use is student accommodation. It is clear that the proposed development would qualify for this exception to the requirement to provide an affordable housing contribution.

### **Built Form & Impact upon Designated Heritage Assets**

17. The Florey Building is a grade II listed building within the St. Clement's And Iffley Road Conservation Area. Having regards to the building's internationally recognised importance it is essential that any interventions are handled in an extremely sensitive manner so as to maintain its significance. Throughout the design development the applicant has given consideration to this significance and involved the Oxford City Council Heritage Officers, Historic England, and the 20<sup>th</sup> Century Society in the development of the proposed scheme.
18. Conservation principles, policy and practice seek to preserve and enhance the value of heritage assets. The National Planning Policy Framework (NPPF) re-affirmed the aim for the historic environment and its heritage assets to be

conserved and enjoyed for the quality of life they bring to this and future generations. The NPPF requires proposals to be based upon an informed analysis of the significance of any affected Heritage Asset and expects applicants to understand the impact of any proposal upon the asset with the objective being to sustain that significance. These aims are embodied in Local Plan Policy HE7 which seeks to preserve or enhance the special character and appearance of the conservation area or its setting. In considering the impact of development on the significance of Heritage Assets, the objective must be for new development to sustain that significance but where there is potential for harm, then the public benefits must clearly outweigh that harm.

19. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. In the Court of Appeal, *Barnwell Manor Wind Energy Ltd v East Northants District Council, English Heritage and National Trust*, 18<sup>th</sup> February 2014, Sullivan LJ made clear that to discharge this responsibility means that decision makers must give considerable importance and weight to the desirability of preserving the setting of listed buildings when carrying out the balancing exercise (of judging harm against other planning considerations).
20. Policy CS18 of the Oxford Core Strategy 2026 requires development to demonstrate high-quality urban design responding appropriately to the site and surroundings; creating a strong sense of place; contributing to an attractive public realm; and providing high quality architecture. The Local Plan requires new development to enhance the quality of the environment, with Policy CP1 central to this purpose. Policy CP8 requires development to relate to its context with the siting, massing and design creating an appropriate visual relationship with the form, grain and scale of the surrounding area.
21. The proposed internal refurbishments to the Florey Building would restore and modernise the listed building while also creating additional student accommodation to house the entire undergraduate cohort. These works are considered in detail as part of the listed building consent (15/03644/LBC) which should be read in conjunction with this report.
22. The refurbishment works propose a number of external alterations to the building, including replacing the secondary glazing on the inner courtyard elevation with double glazing to match the original glazing bars; replacing the flashing on the stepped ledges between each storey with new profiled aluminium in a red colour to mirror the original tiled elements that delineated the floors; the restoration of the riverside terrace and walk. These repairs would replace some of the less successful interventions that have occurred to the Florey Building improving the overall condition and appreciation of the listed building and also the conservation area. This would accord with the above mentioned policies.
23. The proposed annexe would be located to the west of the Florey Building and would have two storeys and a glazed link to the main building. The building takes the form of an elongated rectangle with splayed front entrance which refers

to the canted bay characteristic of the Florey and the glazed link designed to be as simple and lightweight as possible. The refurbishment of the main building has enabled all the student rooms to be accommodated within that structure allowing the annexe to be as small as possible to fulfil the college's requirements and minimise the impact upon the listed building. At competition stage, taller buildings were proposed by other architects and these were rejected as causing too much harm to the setting of the Florey Building. The design and approach to the annexe addresses the main form and design of the Florey Building, whilst also differentiating between the new and the old as different volumes without competing or being too bold or radical. The overall scale and massing responds to that of the Florey without competing with it. The annexe has been designed to match the spacing and pattern of the main building and the footprint elongated due to site constraints and the major Thames sewer running down from York Place. The building has been kept as far away from the main building as possible in order to reduce the impact. The splayed end wall has a large window with a cantilevered main entry below and the splayed angle addresses the Florey's projecting end stairs. The width of the link block is dictated by the slope of the land and the amount of space required for ramped access. Although there will be some loss of heritage material, this has been kept to the minimum. The link would pass underneath the Florey's podium but would still appear separate to the main building.

24. The use of cladding materials albeit with different colour to the Florey would help differentiate the building from the listed building in material terms, in a similar way to Stirling's History Faculty Library in Cambridge which has concrete buildings surrounding it on the Sidgwick site. The rain screen cladding would be use ribbed terracotta tiles in reddish-black. This cladding would be in large panels, expressed by construction joint subdivisions, being suppressed construction joint subdivisions with vertical ribs, thus would appear as vertical cladding in three horizontal bands. The glazing system would have planar windows, flush with the cladding so as to read as part of the outer cladding, thus giving the appearance of sharp lines and sheer surfaces. The doors and windows would have black silicone bonded frames with flush glazing methods. The roof would be a green roof with biodiversity benefits and a reference to the green of the meadows nearby.
25. The Oxford Design Review Panel considered that the design of the proposed annexe building was more compelling than originally put forward at pre-application stage, and showed architectural merit in its own right. The panel suggested that the design could be further refined emphasising new elements through the proposed colour, scale, and texture of materials in order to ensure that the annexe is a distinct addition (**appendix 2**). Historic England considered that the design of the annexe and the infill is the most sensitive means of providing the extra accommodation needed to house the entire first year undergraduate cohort.
26. Having reviewed the proposal, officers consider that the size, scale, and design of the two-storey annexe and its impacts upon the listed building and conservation area have been carefully considered. As the Florey is already completely

different in scale and character from the rest of that part of the conservation area, the two-storey annexe was carefully designed to complement and not compete with the Florey and cannot be said to have a detrimental effect on the character or appearance of the conservation area.

27. Regarding the impacts on the setting of the listed Florey Building, there would be a partial loss of views towards the building and the full appreciation of its silhouette would be harmed to a lesser extent in some areas, however the loss of views have been kept to a minimum. Although the appreciation of the buildings original conception would be altered by the intervention in some views the proposed annexe is positioned away from the main axis of the building, in order to minimise its impact upon key sightlines of the building. The Florey is a substantial building tucked away from the main frontages of St Clement's Street. Its rear elevation can be partially seen and its staircase towers are a prominent feature in these views, but the location of the annexe would have no impact upon these views. The views from York Place would in parts be partly obscured by the new building but the loss of the views have been kept to a minimum and longer views from York Place would not be altered. While the main building is visible from the Angel and Greyhound Meadow, the glazing reflects the trees along this boundary and reduces its impact upon this setting. The annexe would be slightly visible from the north-east and Magdalen Bridge there is substantial foliage which restricts the view. It is considered that there would be no impact on the Grade II listed 27 St Clement's. The 20<sup>th</sup> Century Society identified that the perceived separation of elements that the view of sky between the building and pods beneath confers is vitally important to the design ethos of the space, and requested that the Council seek assurances that it is the intentions of the applicants to maintain these views. In response the architects have confirmed that the view of the sky between the building and the pods has been mostly retained.
28. The Florey Building roof is visible from South Park. There may be some impacts on this view from the proposed plant and by photovoltaic roof panels and details of these would be required by condition so as to minimise any adverse impacts. It is not considered that these would be visible from elsewhere such as from the meadows or St Clement's as these elements would be in the middle of the roof.
29. Overall 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 listed buildings surrounding the site. 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.

### **Impact upon Adjoining Properties**

30. The Florey Building is located within a dense urban environment with buildings of varying size and scale and differing uses all in close proximity to each other. The proposed two-storey linked extension has the potential to have an impact upon the residential properties of Anchor Court and York Place that surround the site and therefore needs to be considered.

31. The flatted development of Anchor Court is located to the south of the Florey Building and has its main windows in its east and west elevations which do not overlook the site. As such it is considered that the proposed two-storey extension would not have an adverse impact upon the amenities of this adjoining development in terms of loss of light, privacy, or overbearing impact.
32. The residential properties in York Place lie to the west of the Florey Building with nos.7 and 8 directly adjacent to the site. The main elevations of these properties face north and south respectively, with the elevation of no.7 facing directly onto the rear elevation of no.8. The properties do not have any primary windows facing eastwards towards the Florey Building, with the only windows being obscure glazed bathroom windows at first and second floor level in no.7. The two-storey extension would be sited parallel to the flank wall of these adjacent properties, although no.7 does taper away from the extension towards the north. The building would be sited approximately 3.6m at its closest point adjacent to 8 York Place, and approximately 5.6m - 7.6m from no.7.
33. With respect to 8 York Place, the orientation of this property to the Florey Building would mean that the proposed extension would not result in a loss of light or outlook to the habitable room windows of this property. The proposed extension may result in some loss of light to the habitable room windows in the front of 7 York Place, however, given the proposed gap between the extension and this property, along with the position of the habitable room windows in the front of this building (i.e. set further towards the western side of the building rather than closer to the site), then it is considered that any loss of light would not be so significant to warrant refusal.
34. In terms of overbearing impact, the proposed extension would introduce a two-storey built form between the Florey Building and the adjoining properties. While this would increase the sense of enclosure around these properties in York Place including Anchor Court, the siting would maintain a suitable gap between properties and the distances would not be too different to the surrounding urban grain which has numerous instances of large scale buildings sitting in close proximity to other properties including newly developed buildings. As such the gaps between the properties and the extension would mean that the development would not create any adverse overbearing impact to any of the adjoining properties.
35. The proposed extension has been designed to minimise any loss of privacy to no.7 and 8 York Place. The ground floor windows in the western elevation of the extension would not overlook either of these properties, and although there are some windows at first floor level, they either face onto the flank wall of 8 York Place (in the case of the study room) and are angled so as to minimise views onto the flank wall and rear garden of 7 York Place.
36. Therefore officers consider that the proposed extension has been designed in a manner that would seek to minimise the impact upon the adjoining properties in terms of loss of light, outlook, and privacy in accordance with Oxford Local Plan

Policy CP10.

## **Noise Impact**

37. A Noise Assessment Report has been submitted with the application. The report considers the potential noise impact of the proposed plant on the refurbished student accommodation and on the proposed extension on the surrounding residential properties (Anchor Court, York Place, and Alice House Student Accommodation).
38. The report has carried out an assessment of the current background noise levels within the area and recommends that the plant will be designed to achieve a rating level of 5dB below the existing background noise level. Oxford City Council Environmental Health Officers have advised that the noise levels for the mechanical plant should be set by condition in order to safeguard the amenities of the adjoining residential properties.
39. During the consultation process, concerns have been raised about the potential nuisance caused by deliveries from the York Place service area. The Transport Assessment has indicated that only one recycling and waste collection will occur each week, and there will be no more than one delivery per day of catering supplies. York Place is already serviced by refuse collections, and the commercial premises on St Clement's are serviced from this area. The use of this space for serving of the two-storey extension would not materially increase noise and disturbance given the extent to which it would be used. Officers have recommended a management plan for the student accommodation be secured by condition, and this should also include a management plan for servicing and deliveries so as to preserve the amenities of the York Place and Anchor Court properties.

## **Landscaping**

40. A Landscape Strategy and comprehensive Arboricultural report which includes an Impact Assessment and Method Statement has been submitted with the application. The landscape strategy states that the overarching aims of the strategy would be to reinforce the landscape setting of the building within the conservation area, by decluttering views through to the meadow from High Street; addressing the sensitivity of boundaries with neighbours through retaining trees to the east and a living roof to the building to the west; enhancing the riverside experience with a new specimen tree and riverside garden.
41. Having reviewed the landscape strategy, officers would note that the proposals require removal of 4 existing trees; 1 alder, 2 field maple, and 1 Himalayan birch referenced T1, T2, T8 and T10 in Arboricultural report. These tree losses will not have a significant detrimental effect on public amenity and can be adequately mitigated by new landscaping as proposed; details can be secured by planning condition. The construction work will encroach within the notional root protection areas of retained trees T3, T5 and T11. However, the site circumstances are such that if reasonable care is taken these trees are not likely to be harmed. It is essential that any new underground drainage and services is located to avoid damage to retained trees. Also new hard surfaces within the RPA of retained trees must be

appropriately designed to avoid damage to roots and ensure water and air permeability. Retained trees will need to be robustly protected during the construction phase. Further details of these matters could be secured by condition.

42. The landscaping around the building was an important part of Stirling's design and is part of the setting of the listed building. However various additions such as chain-link fencing, car parking arrangements, general neglect and unsympathetic treatment have harmed the setting. The riverside walk appears neglected. The landscape strategy proposes new gates at the entrance which would improve the setting however there is a lack of detail in this regard. These details should be secured by condition.
43. A new ramp would be constructed out of part of the steps to the riverside thus improving access; although this is a change to Stirling's design it would not harm this part or the setting and is in the spirit of his design intent to improve access to the river and how the building addresses the river.
44. Therefore subject to appropriate conditions the landscaping proposals accords with Policies CP1, CP11, and NE15 of the Oxford Local Plan.

### **Highways and Transport**

45. The site is within the Transport Central Area as defined by the Oxford Local Plan, which is an area of the city centre that is considered to be highly accessible by non-car modes of transport, and serviced by a range of shops and facilities. A Transport Statement has been submitted with the application which considered the highway impacts of the proposed development.
46. Access: The existing access from St Clements will remain the primary access point to the site and a secondary gated access will be provided via York Place. The main access will handle the majority of vehicle movements and will be used to provide the main access for pedestrian, cycle movements to the site. This would include pick up and drop offs, and servicing and maintenance vehicles. As this retains the current situation there would be no objection to this remaining as the main access.
47. With respect to the secondary access, although the Transport Statement suggests that a secondary access from York Place will be created, it was observed that there is already a secondary vehicle access albeit an underused one in this location. This access would only be used to facilitate the delivery of catering supplies to the building. The applicant has confirmed that this would only take the form of one small delivery vehicle per day. There would also be one recycling and one waste collection per week accessing this secondary access.
48. Although it is understood from the consultation process that there are concerns about the potential impact that the use of this secondary access will have upon York Place, officers recognise that there is already an access to the site in the proposed location which could be used by Queens College for servicing and maintenance at the current time. The Transport Statement has demonstrated that this will only be used for a small number of vehicles, in a similar fashion to



the other commercial uses that are serviced from York Place. Swept Path Diagrams have been provided which demonstrate how these catering vehicles would access the site. Moreover officers would note that York Place would already be serviced by recycling and waste collections. Therefore there would be no material reason to object to the use of this access.

49. Traffic Generation: The Local Highways Authority has raised a concern that the Transport Statement has not provided details of how the users of the academic accommodation in the two-storey extension are likely to travel to the site and what impact this is likely to have upon trip generation.
50. The applicant has confirmed that the function space is expected to be used for academic purposes and by college members. It is therefore not expected to attract any vehicular movements other than the servicing and maintenance vehicles discussed above. Outside of term time, the space may be used by residential guests who will be occupying the building for various periods. This is not expected to attract any vehicular movements since delegates / guests will not be able to bring their own vehicles to the site.
51. The Local Plan designates this as a city centre site which is highly accessible by non-car modes of transport which enables travel demand in these locations to be met by these other forms of transport. Therefore the Local Highway Authority's concerns in this regard are difficult to support and officers consider that the academic accommodation is unlikely to generate significant levels of traffic over and above the servicing and maintenance vehicles.
52. The Local Highways Authority has also expressed a concern about how the pick-up and drop-off of students at the start and end of term will be managed. The applicant has confirmed that these arrangements will be organised by the college. The students will be allowed on-site with vehicles but this will be restricted to a reduced number and arranged over a number of days and pre-booked in advance in order to minimise the impact of traffic in the vicinity of the site. A Traffic Management Strategy will be prepared by the college, and implemented prior to occupation. This should be secured by condition
53. Car Parking: The scheme is proposing no on-site parking, with the exception of a single accessible parking space for disabled users. Sites and Housing Plan Policy HP5 makes clear that proposals for student accommodation will only be granted where the developer undertakes to prevent residents from parking their cars within the site and anywhere in Oxford. This would be achieved by condition and officers would also recommend a condition securing Travel Information Packs for students to highlight their transport options.
54. The area around the building is currently used by staff of Queens College for parking, and has approximately 26 spaces. The college currently permits certain members of staff to park in this location but the spaces are to be removed as part of the development and as such staff will be encouraged and expected to use public transport as the college are not providing alternative parking. The reduction of operational parking is welcomed within the Transport Central Area

given the availability of other forms of transport. Therefore the loss of these spaces should not be seen as a constraint on development.

55. Cycle Parking: The application would provide 78 cycle parking spaces to the south and east of the building away from the access and turning areas. This would accord with the adopted cycle parking standards within the Sites and Housing Plan. The cycle parking should be secured by condition.
56. Construction Traffic Management Plan: Having regards to the nature of the site, a construction traffic management plan will be required by condition to ensure that this is managed appropriately without impact on the local highway network.
57. Overall the proposed development is considered acceptable in highway terms, subject to the above conditions in accordance with the aims of Oxford Local Plan Policies CP1, CP10, TR1 and TR4 and Sites and Housing Plan Policies HP15.

### **Flood Risk**

58. A Flood Risk Assessment has been submitted which identifies that the majority of the site including all ground floor developments are within Flood Zone 1, while the riverside access path around the building is in Flood Zone 3.
59. The assessment states that the risk of fluvial flooding of the site is very low. The finished floor levels of the building will be set at the 100year plus climate change plus 300m freeboard level. The refurbishment of the lower ground floor windows will also ensure that the cill heights of the windows will be set at this level. The improvements to the footpaths around the river frontage will ensure that this is not blocked to cause impacts on flood conveyance. The assessment identifies that there is still a risk of the lower floor breakfast room flooding during a design exceedance, but that this will be managed through a flood evacuation procedure and subscription to the EA Flood Warning Service.
60. In terms of drainage design, a sustainable urban drainage scheme will be developed to ensure that surface water run off does not exceed current rates, and may include a green roof on the two-storey extension, permeable paving, and bio-retention tree pits. This could be secured by condition
61. Officers consider that the proposal would accord with Oxford Core Strategy CS11.

### **Sustainability**

62. The site is not a qualifying site for a Natural Resource Impact Analysis because the new student accommodation is within the existing listed building, and the two-storey extension is less than 2,000m<sup>2</sup>. Oxford Core Strategy Policy CS9 which states that all development should optimise energy efficiency by minimising the use of energy through design, layout, orientation, landscaping and materials.
63. A Sustainability Statement has been submitted. The project aims are to improve the energy performance of the existing building, and is seeking to reduce energy

demand through building fabric improvement, passive design measures and soft landings engagement. The strategy has demonstrated that a 45% reduction in energy consumption and approximately 60% reduction in carbon dioxide equivalent emissions per square foot area compared to the existing building will be achieved. The strategy considers on site-renewables. It will use ground source heat pumps, and photovoltaics on the uppermost roof of the building. A green roof is to be used on the new extension. Energy monitoring and management will be achieved through site-wide energy metering. The construction will also use sustainable materials in line with BREAMM principles.

64. Overall, officers consider that the energy strategy would accord with the aims of Policy CS9.

## Archaeology

65. An Archaeological Desk Based Assessment has been submitted with the application. The site is of interest because of the potential for archaeological deposits from all periods. The site is located on the first gravel terrace close to the current channel of the River Cherwell. Nearby borehole data suggests that the northern part of the application site is underlain by superficial deposits of alluvium which have the potential to seal prehistoric activity, whilst in the southern part made ground may sit directly over the underlying natural mudstone. The potential for earlier palaeo-channels and for the presence of peat deposits across parts of this site is noted by the desk based assessment. The site is located close to a historic crossing point of the Cherwell and is likely to have been an attractive location for Mesolithic and later activity. A small amount of Mesolithic flint was recovered during a nearby archaeological evaluation in St Clement's Car Park in 2010.

66. The settlement of St Clement's is likely to have its origins in the late Saxon period. A small settlement on the banks of the river was originally known as *Bruggeset* suggesting a bridge settlement and may be related to the settlement of a Danish garrison in the early 11<sup>th</sup> century. The dedication of St Clement's Church and the presence of a 'Viking warrior' burial near Magdalen Bridge may be further evidence for such a garrison (Blair 1994). A manor is first mentioned in St Frideswide's charter of 1004 when three hides beyond Cherwell Bridge were granted to the minster, dropping to two hides by 1166 (Lobel 1957). A manor house, Bolshipton, originally owned by St Frideswide's nunnery, is recorded the north side of St Clement's Street (formerly High Street) nearly opposite the Black Horse Inn, until its destruction in 1643. Furthermore a hospital is documented in St Clement's in 1345 but its location is not known. In 1643 year the Royalist defences were extended around St Clements to defend Magdalen Bridge. Bolshipton House and parts of the settlement to the east of it appears to have been levelled to provide a clear field of fire between the Royalist lines and the Parliamentarian siege works on Headington Hill. A transcription of De Gomme's map of the Royalist defences mapped on the Urban Archaeological Database projects the outer defensive line through the basement footprint of the proposed scheme. However the exact line of the defences has yet to be established archaeologically. A recording action in 1983 located a feature 3.5m deep and 17m wide on the site of Anchor Court just to the south of the proposed basement

footprint raising a question mark over the exact location and sequence of the defences in this area.

67. The parish of St Clements remained a separate parish until 1836 when it was incorporated with the city. It was notable for being located just outside the jurisdiction of the university control of the assizes, staple food prices and weights and measures. In the post-medieval period the application site was mostly gardens, although a small structure is shown in the vicinity of the new extension on Davis's Map of Oxfordshire (1797). The site was partially developed for working class housing in the early 19<sup>th</sup> century. Waste pits and wells belonging to the terraced housing at Magdalen Prospect (now demolished) may be present within the proposed basement footprint.
68. In this case, bearing in mind the site constraints, including the likely depth of modern made ground in the location of the basement (up to 2m) and the results of the archaeological desk based assessment, officers would recommend that a condition be attached requiring a written scheme of investigation to be approved before the commencement of development.

### **Biodiversity**

69. Officers consider that there is not a reasonable likelihood of protected species or habitats being impacted by the proposals. However, the National Planning Policy Framework and Oxford Core Strategy Policy CS12 both make clear that opportunities should be taken to include features beneficial to biodiversity within new developments. As such the site and development offer an opportunity for enhancements, and therefore a condition should be imposed which seeks details of these measures. The measures could include the provision of bat roosting devices and swift roosting devices.

### **Contaminated Land**

70. A Ground Investigation Report has been submitted with the application. Having reviewed the report, the Councils Environmental Health Officers have indicated the report would not constitute an appropriate Phase 1 report in accordance with the Defra and Environment Agency guidance Model Procedures for the Management of Land Contamination.
71. This Phase 2 site investigation report does not include any pollutant linkages, conceptual site model or risk assessment. The report also does not offer any conclusions or recommendations regarding the contaminated found on the site, with the exception of ground gas, which was found to not pose a risk. The ground investigation was limited in spatial scope, with only 4 exploratory hole locations tested for contaminants (BH101, BH102, TP102 and WS103). Only one of these (BH101) was in the footprint of the proposed extension, where significantly elevated PAHs were found in the made ground. It is also noted that some of the exploratory hole locations differ between the maps provided in the document.
72. The western boundary of this site is bordered by land identified as potentially contaminated in accordance with Oxford City Council's Land Quality Strategy,

due to the former use as printing works. The eastern part of the site falls within another area of land identified as potentially contaminated due to the former use as boathouses. It is unclear whether groundworks are proposed in this area, but no samples from this area were analysed for contaminants. No groundwater quality analysis or risk assessment was carried out despite groundwater being struck and monitored in 3 of the four boreholes

73. As such officers are not satisfied that the submitted ground investigation is adequate to inform a risk assessment for this site. Therefore, a condition should be attached requiring the phased risk assessment to be carried out and the provision of a validation report for any remedial works identified as part of this phased assessment

### **Community Infrastructure Levy**

74. The Community Infrastructure Levy (CIL) is a standard charge on new development. The amount of CIL payable is calculated on the basis of the amount of floor space created by a development and applies to developments of 100 square metres or more. Based on the floor area of the proposed development the proposal will be liable for a CIL payment of £66,498.75.

### **Other Matters**

75. Rights of Access: During the consultation process, the York Place Residents Association has claimed that they have a right of access across the strip of land that lies adjacent to 8 York Place and runs down the river. Whether or not there is a right of access across this strip of land and around the towpath, is a matter for the applicant to deal with in terms of whether they are able to implement any planning permission and would not constitute a material consideration for the determination of this application

### **Conclusion:**

76. 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 officers 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

**Extension:** 2228

**Date:** 18th March 2016