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APPLICATION BY DEVONSHIRE METRO LIMITED
FOR FULL PLANNING PERMISSION FOR THE
EXTENSION, CONVERSION AND ALTERATION OF
THE UPPER FLOORS OF 4 CORNMARKE STREET,
OXFORD TO FORM THREE RESIDENTIAL UNITS.

PLANNING STATEMENT

MARCH 2021

STRUCTURE

	Page
1.0 Introduction	3
2.0 The Site and Surrounding Area	4
3.0 Planning History	5
4.0 The Proposals	6
5.0 Planning Policy Background	8
6.0 Planning Assessment	13
7.0 Conclusions	19

1.0 Introduction

1.1 This Statement has been prepared to accompany an application submitted to Oxford City Council for full planning permission for the extension, conversion and alteration of the upper floors of 4 Cornmarket Street, Oxford to form three residential units.

1.2 The Statement is structured as follows;

- Section 2 – The Site and Surrounding Area
- Section 3 – Planning History
- Section 4 – The Proposals
- Section 5 - Planning Policy Background
- Section 6 – Planning Assessment
- Section 7 – Conclusions

1.3 This Statement should be read in conjunction with the associated documents, including the plans detailed in Section 4.0, together with the following:

- Design and Access Statement prepared by A + K Architects; and
- Heritage Statement prepared by Purcell.

2.0 The Site and Surrounding Area

- 2.1 The site is located on the eastern side of Cornmarket Street, a short distance to the north of Carfax, and comprises a four-storey building (with additional roof level accommodation) that fronts to the west, directly on to Cornmarket Street. The building, which was re-built following fire damage in 1924, comprises a retail (shop) use at ground floor level with the upper floors most recently used as office accommodation.
- 2.2 The building incorporates a modern shopfront fascia at ground floor level, with passageway to the left that leads in to the Golden Cross courtyard to the rear (east). The first and second floor incorporates, to the west, marbled cladding under a corniced stringcourse with a traditional finish to the third-floor section, which has been designed with smaller window openings. The fourth-floor element is recessed from the west elevation. The rear (east) elevation of the building, which forms a component part of the Golden Cross courtyard, is almost entirely finished with a pebbledash render with a small number of related windows openings that serve the rear stairwell and rear facing rooms.
- 2.3 The site is otherwise located in Oxford City Centre which comprises a mix of commercial and residential uses, with the site and the immediate surroundings falling within the bounds of the Central (City & University) Conservation Area. In addition, whilst the subject building is not listed, there are a number of buildings in the immediate vicinity of the site that are Statutorily listed including:
- Golden Cross Hotel – Grade I
 - 3 Cornmarket Street – Grade II*
 - 8-10 Cornmarket Street – Grade II
 - Lloyds Bank – Grade II
 - Carfax Tower – Grade II
 - K2 Telephone Kiosk (adjacent to Carfax Tower) – Grade II
 - 64 Cornmarket Street (Midland Bank) – Grade II
- 2.4 The extent of the application site is shown outlined in red on the site location plan accompanying the application.

3.0 Planning History

- 3.1 Save for minor works and various applications for the provision of signage connected with the ground floor (retail) activity, there has been no previous (or material) planning history on the site.

4.0 The Proposal

4.1 The application seeks full planning permission for the extension, conversion and alteration of the upper floors of 4 Cornmarket Street, Oxford to form three residential units. Full details of the proposals are set out in the following plans and documents:

- 1236-01 Existing Roof Plan (1:100)
- 1236-02 Existing Ground Floor Plan (1:100)
- 1236-03 Existing First Floor Plan (1:100)
- 1236-04 Existing Second Floor Plan (1:100)
- 1236-05 Existing Third Floor Plan (1:100)
- 1236-06 Existing Fourth Floor Plan (1:100)
- 1236-07 Existing Section A (1:100)
- 1236-09A Existing Front Elevation (1:100)
- 1236-10 Existing Golden Cross (North) Elevation (1:100)
- 1236-11 Existing Rear (East) Elevation (1:100)
- 1236-12A Proposed First Floor Plan (1:100)
- 1236-13A Proposed Second Floor Plan (1:100)
- 1236-14C Proposed Front (West) Elevation (1:100)
- 1236-15A Proposed Third Floor Plan (1:100)
- 1236-16C Proposed Fourth Floor Plan (1:100)
- 1236-17A Proposed Sight Line Drawing (1:200)
- 1236-18 Site Location Plan (1:1250)
- 1236-19A Proposed Rear (East) Elevation (1:100)
- 1236-20A Proposed Golden Cross (North) Elevation (1:100)
- 1236-21 Proposed (South) Elevation (1:1000)

4.2 These plans should be read in conjunction with the documentation noted herein at Paragraph 1.3.

4.3 As detailed in the floor plans, the proposal involves converting and altering the first floor and second floor to provide a single one-bedroom apartment at each level. Such works would necessitate the removal of (modern) internal walls, and the subdivision of the internal space to provide an open plan kitchen/living area, with bedroom and bathroom. Access to the apartments would be via the existing stair well to the rear (east) of the building and accessed directly off the Golden Cross courtyard.

4.4 At third floor level the existing accommodation would be subdivided in to three bedrooms as part of a duplex apartment that would continue up to the fourth floor. The existing built

section at roof level – and currently occupied as offices - would be converted to a kitchen, with an extension proposed to the west on to the existing roof terrace. This extension, which would be recessed from the principal west elevation (to Cornmarket Street) by approximately 2.6m would have a broadly square plan form and would be lower than the existing built element at this level, incorporating a flat roof with a mixture of glazing and slate grey aluminium cladding to the external elevations. The extended section would provide a living room accessed directly from the kitchen.

- 4.5 Other minor internal works are proposed as part of the conversion, all as detailed in the Design and Access Statement, and including the provision of secondary glazing and repairs, as necessary, to existing windows.

5.0 Planning Policy Background

5.1 Under the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 there is a statutory obligation to determine planning applications and appeals in accordance with the Development Plan unless material considerations indicate otherwise. This section of the Statement therefore first outlines the National Planning Policy background before going on to consider the relevant Development Plan policies in the context of Section 38(6) of the Planning and Compulsory Purchase Act 2004.

National Planning Policy Framework (NPPF)

5.2 The NPPF was first published on 27 March 2012 and, with immediate effect, replaced a raft of advice and guidance contained in various Planning Policy Guidance notes (PPGs), and Planning Policy Statements (PPSs). On 24 July 2018 a revised version of the NPPF was issued, with paragraph 212 stating that *'the policies in this Framework are material consideration which should be taken into account in dealing with applications from the day of its publication'*. Further, albeit minor, revisions to the NPPF were published in February 2019.

5.3 As with the original (2012) NPPF, sustainable development remains at the heart of the Framework, with three interdependent and overarching objectives – economic, social and environmental – driving the achievement of sustainable development. In order to ensure that sustainable development is pursued in a positive manner, the Framework embodies, in paragraph 11, a presumption in favour of sustainable development.

5.4 For decision-taking – in respect of applications for planning permission – the presumption in favour of sustainable development means (paragraph 11):

(c) approving development proposals that accord with an up-to-date development plan without delay; or

(d) where there are no development plan policies or the policies which are most important for determining the application are out-of-date, granting planning permission unless:

(i) the application of policies in this Framework that protect areas of assets of particular importance provides a clear reason for refusing the development proposed; or

- (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

5.5 In addition, paragraph 38 advises that Local Planning Authorities should approach decisions on proposed development in a positive and creative way, and that decision-makers at every level should seek to approve applications for sustainable development where possible.

Housing

5.6 In terms of housing, paragraph 59 re-affirms that, in order to support the Government's objective of significantly boosting the supply of homes, *'it is important that a sufficient amount and variety of land can come forward where it is needed'*. Paragraph 68 recognises the value and contribution that small and medium sized sites can make to meeting housing requirements and states that, through the development plan, land to accommodate at least 10% of housing requirements should be on sites no larger than one hectare.

Transport

5.7 Insofar as it relates to matters of sustainable transport, paragraph 103 advises that significant development should be focused on locations that are, or can be made, sustainable. However, the Framework recognises that *'opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making'* (paragraph 103).

Making Effective Use of Land

5.8 Paragraph 118 advises that planning policies and decisions should, *inter alia*, promote and support the development of under-utilised land and buildings. Moreover, paragraph 122 states that policies and decisions should support development that makes efficient use of land taking account of a range of factors.

Design

5.9 Paragraph 124 highlights that good design is a key aspect of sustainable development by creating better places in which to live and work, with paragraph 127 seeking developments that:

- will function well and add to the overall quality of the area;
- are visually attractive as a result of good architecture;
- are sympathetic to local character and history;
- establish or maintain a strong sense of place;
- optimise the potential of the site to accommodate and sustainably an appropriate amount and mix of development; and
- create places that are safe, inclusive and accessible.

5.10 Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, albeit where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development (paragraph 130).

Flooding and Drainage

5.11 Paragraph 155 advises that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. Where development is proposed, local planning authorities (paragraph 163) should ensure that flood risk is not increased elsewhere and that, as appropriate, development should be supported by a site-specific flood risk assessment.

Heritage

5.12 Paragraph 189 requires that applicants should describe the significance of any heritage assets that may be affected by a development proposal, with the level of detail proportionate to the assets' importance and sufficient to understand the potential impact of the proposal on their significance.

5.13 When considering the impact of a proposed development on the significance of a heritage asset, paragraph 193 advises that great weight should be given to the asset's conservation. Any harm to, or loss of, significance of a designated heritage asset should require clear and convincing justification (paragraph 194). Where a proposed development would lead to substantial harm to a designated heritage asset, paragraph 195 advises that consent should be refused unless it is demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefit that outweighs the harm or loss. Where (paragraph 196) the harm is deemed less than substantial, that harm

should be weighed against the public benefits of the scheme, including (where appropriate) securing the optimum viable use.

Development Plan

5.14 For the purposes of this Statement, the Development Plan comprises the Oxford Local Plan 2016-2036, adopted in June 2020¹. The most relevant policies of the adopted Local Plan are considered to be:

- S1 Presumption in Favour of Sustainable Development
- S2 Development Contributions
- V2 Shopping Frontages in the City Centre
- E1 Employment Sites
- H1 The Scale of New Housing Provision
- H4 Mix of Dwelling Sizes
- H14 Privacy, Daylight and Sunlight
- H15 Internal Space Standards
- H16 Outdoor Amenity Space Standards
- RE1 Sustainable Design and Construction
- RE2 Efficient Use of Land
- RE6 Air Quality
- RE7 Managing the Impact of Development
- G8 New and Enhanced Green and Blue Infrastructure Network Features
- DH1 High Quality Design and Placemaking
- DH2 Views and Building Heights
- DH3 Designated Heritage Assets
- M1 Prioritising Walking, Cycling and Public Transport
- M3 Motor Vehicle Parking
- M5 Bicycle Parking

Other Matters

5.15 In addition to the above, the advice in the following documents are also material to the scheme and, in each case, have been adopted as Supplementary Planning Documents (SPD):

¹ There are a number of Area Action Plans (AAP) that form part of the Statutory Development Plan but the site does not fall within any of these areas such these AAP's are not relevant to this application.

- Balance of Dwellings SPD
- Parking Standards SPD

6.0 Planning Assessment

6.1 This section of the Statement considers the principal planning issues raised by the proposals having regard to the following:

- Principle of the Development
- Impact on Designated Heritage Assets
- Impact on Adjoining Amenity
- Quality of Living Environment for Future Occupiers
- Highways and Parking
- Flooding and Drainage
- Other Matters

6.2 These matters are considered in turn in the paragraphs below.

Principle of the Development

6.3 The site is located in Oxford City Centre where the provision of additional residential development is generally acceptable albeit, in this case, regard should be had to related employment policies given the established use of the upper floors of the building for office purposes. In this context, Policy E1 (Employment Sites) of the adopted Local Plan sets the framework for the alternative use of existing employment sites, establishing a hierarchy of employment sites (Categories 1, 2 and 3). The subject building does not fall within any of those sites identified in Categories 1 and 2 and, as set out in Policy E1, is therefore treated as a Category 3 site.

6.4 Insofar as it relates to Category 3 sites, Policy E1 states that proposals for residential development on such sites will be assessed on the basis of a balanced judgment taking account of four factors, namely

- The desirability of meeting as much housing need as possible in sustainable locations within the city;
- The need to avoid the loss of, or significant harm to, the continued operation of existing employment sites, and to avoid impairing existing employment operations through the juxtaposition with new residential uses;
- The importance of creating satisfactory residential living conditions for future occupiers;

- The desirability of achieving environmental improvements (including sustainable development forms), together with improvements to the living conditions of existing residents.

6.5 Having regard to these factors, the site is located in the City Centre – the most sustainable location in the City – and within an area where there are currently a mix and range of commercial and residential uses that satisfactorily co-exist, with one use not intruding unduly on the amenities and operation of the other. To that extent – and recognising that the proposals would otherwise amount to a sustainable form of development – the proposals would (as confirmed further in the paragraphs that follow) comply in positive terms with each of the four factors noted above. Given such, and recognising the overall positive balance, the proposals would comply with the requirements of Policy E1 and the principle of the proposed development is acceptable² in these respects.

6.6 Moreover, Policy V2 indicates that planning permission will be granted for the development – to residential use – of upper storeys above ground floor retail use (in the defined shopping frontages, as is the case here) providing such development does not compromise the functioning of the ground floor (retail) use. As shown in the plans attached herewith, access to the upper floors would be gained via the existing rear stair well and would not involve any physical or functional alterations to the operation of the ground floor unit. Given such, the principle of the proposals would also comply with the positive requirements of Policy V2 of the adopted Local Plan.

Impact on Designated Heritage Assets

6.7 As detailed previously, the application is accompanied by a Heritage Statement prepared by Purcell that, in the context of adopted Local Plan Policy and the advice in the National Planning Policy Framework, provides the basis for an assessment of the impact of the proposed development on the significance of designated heritage assets, and thereby provides the primary evidence-base for the consideration of the proposals in this respect.

6.8 In this regard, the Heritage Statement provides a contextual analysis of the building, its history and contribution to the character of the area, before identifying those designated heritage assets with the potential to be affected by the proposed development – either

² Notwithstanding such, it should be recognised that following the changes (in 2020) to the Use Classes Order, the existing use (Class E) is such that non-employment generating uses (as so defined in the Glossary to the Local Plan) could be undertaken within Class E.

directly or in terms of their setting – and includes the Central (City and University) Conservation Area together with the listed buildings identified in paragraph 2.3.

- 6.9 The assessment undertaken in the Heritage Statement concludes that the proposed works – in terms of their effect on the special interest of the Conservation Area and the setting of listed buildings – would have a level of impact defined as ‘None’ – that is, the proposals would not damage the special interest of the heritage asset(s) or the ability to appreciate that interest. Whilst it is acknowledged that the National Planning Policy Framework directs that it is for the Local Planning Authority to determine the effect on the significance of the heritage asset, the Heritage Statement nevertheless provides full information to facilitate that assessment and provides an appropriate indication of the (acceptable) scale of the impact.

Impact on Adjoining Amenity

- 6.10 As detailed in the plans accompanying the application, the only proposed physical (external) alterations relate to the provision of an extension at roof level that, due to its size, form and relationship with neighbouring buildings/uses would not have any material or unacceptable impact on the amenities or operation of neighbouring buildings/uses. The remaining works are wholly internal and would not impact on neighbouring amenity.
- 6.11 Furthermore, the use of the building for residential purposes would not represent a use that would generate a level or form of activity that would harm neighbouring amenity, or compromise the ability of neighbouring uses to fully operate now or in to the future.
- 6.12 Given such, the proposals would not materially or unacceptably harm the amenities neighbouring land/buildings and would thereby fully comply with the terms of Policy RE7 of the adopted Local Plan.

Quality of Living Environment for Future Occupiers.

- 6.13 Policy H15 of the adopted Local Plan requires that proposals for residential development meet the internal standards set out in the ‘Technical Housing Standards – Nationally Described Space Standards’. This requires that, for a one-bedroom, single level unit, a minimum internal area of 39sqm should be provided for a one-person unit, and 50sqm for a two-person unit. For a three-bedroom unit set over two levels, a minimum of 84 sqm

- should be provided for a four-person unit, 93sqm for a five-person unit and 102sqm for a six-person unit.
- 6.14 Having regard to the definition of 'bedspace' (ie. person) in the Technical Standards, both of the one-bedroom units (at first and second floor level) would be two-person units and, therefore, should be of a minimum of 50sqm. As detailed in the Design and Access Statement, these would both be 61sqm and thereby meet and exceed the minimum standards. The three-bedroom unit would, given the size of the bedrooms, be a four-person unit and, therefore, should be a minimum of 84sqm. The proposed unit would be in excess of 110sqm and, again, would comfortably comply with the minimum standards. Assessed in this context, the proposals would, in spatial terms, deliver a high-quality environment.
- 6.15 Moreover, the internal layout of the units (and the location of main habitable areas), combined with the position of window openings, and the relationship to, and with, existing buildings and uses surrounding the site, are such that each residential unit would be provided with an appropriate level of natural daylight and sunlight, with high standards of privacy delivered. In addition, and with appropriate measures during the course of the conversion works, there would be no unacceptable noise or disturbance from adjoining uses/activities.
- 6.16 In terms of amenity space provision, the three-bedroom unit would benefit from a roof terrace of a size and form that would comply with the requirements of Policy H16 of the adopted Local Plan. Whilst the one-bedroom units (less suited to family occupation) would not have direct amenity space provision (in the form of a balcony) they would have ready access to a range of areas of public open space within a short walk of the site that would meet the amenity needs of future occupiers. Moreover, it should be recognised that both one-bedroom units are, as noted above, some 20% larger in floor area than the minimum standard, facilitating a comfortable and spacious living environment.
- 6.17 Taken in combination, therefore, it is considered that the proposals would deliver a high standard living environment for future occupiers of the development.

Highways and Parking

- 6.18 Paragraph 7.27 of the adopted Local Plan, in the sub-text to Policy M3, states that '*for many residential schemes, in particular those developments in the city centre or in close proximity to district centres, car-free developments are expected. Car-free development*

means that no car parking spaces are provided within the site.....' Given such, the lack of any direct on-site parking provision in this case is – given the city centre location of the site – wholly acceptable and compliant with the terms of Policy M3 of the adopted Local Plan. Indeed, the proposals (for three residential units) would generate less demands/traffic movements than the established uses (for which there is also no parking) and there would, as a consequence, be a net reduction and beneficial effect in such respects.

- 6.19 Whilst there is not the ability, in this case, to provide ground level cycle parking for the apartments, the lack of such does not restrict the ability of residents to access a wide range of services and facilities by sustainable, non-car modes. In particular, the location of the site, on Cornmarket Street and in the heart of the City Centre, is such that the full range of services and facilities providing for day-to-day needs are within easy walking distance, with the site within walking distance of an extensive range of public transport services (both bus and rail). Given such, the lack of ground level cycle parking is not considered to be a constraint to the proposed development.

Flooding and Drainage

- 6.20 Evidence/data held by the Environment Agency indicates that the site is located in Flood Zone 1 (for fluvial flooding purposes) and, therefore, suitable as a matter of principle for the proposed development. In addition, the same data details that the site is not at risk of surface water flooding, nor flooding from any artificial sources (such as a reservoir breach). Given such, there are no constraints or limitations to the proposed development in terms of flooding and drainage.

Other Matters

- 6.21 On schemes of less than nine units such as this, the Balance of Dwellings SPD directs that, in the City Centre, there are no specific mix requirements. Similarly, Policy H4 (Mix of Dwelling Sizes) of the adopted Local Plan does not specify a mix on schemes of less than 25 dwellings but indicates that regard should be had to local housing demand. In this context, the scheme has been prepared having specific regard to local market demand and need and, notwithstanding the relatively small scale of the scheme, provides for an appropriate balance of smaller (one-bedroom) and larger (three-bedroom) units.

6.22 In addition, it should be noted and recognised that the scale of the scheme/site is such that the development falls below the threshold for the provision of affordable housing as set out in Policy H2 of the adopted Local Plan.

7.0 Conclusions

7.1 This Statement has been prepared to accompany an application submitted to Oxford City Council for full planning permission for the extension, conversion and alteration of the upper floors of 4 Cornmarket Street, Oxford to form three residential units.

7.2 Having regard to the Development Plan policies outlined, together with matters detailed in the accompanying Design and Access Statement and Heritage Statement, this Planning Statement has demonstrated:

- That the principle of the proposed development is acceptable;
- An appropriate framework for the assessment of the impact on designated heritage assets, and a general indication of the likely level of that impact;
- That there would be no adverse impact on neighbouring amenity, or the operation of neighbouring activities;
- That a high-quality living environment would be provided for future occupiers of the development;
- That there are no highways or parking constraints to the proposed development; and
- That there are no flooding or drainage limitations to the development; and
- That an appropriate balance and mix of units would be delivered.

7.3 Accordingly, it is considered that the proposals would comply with relevant Development Plan policy and advice in the NPPF and, that being so, that planning permission should be granted for the scheme.