

**OXFORDSHIRE ARCHITECTURAL
AND HISTORICAL SOCIETY**

Registered charity no. 259055

Listed Buildings Sub-Committee

138 Marlborough Road, Oxford OX1 4LS

Stewart Walker
Planning Services
Vale of the White Horse District Council
Abbey House
Abbey Close
Abingdon OX14 3JE

23/04/2014

Our ref: 19/14

Dear Mr Walker

Re: P13/V2733/FUL

Botley District Centre, Westway, OX2

Proposed demolition of a mix of existing buildings and the erection of mixed use development comprising retail, restaurants and cafes, offices, hotel, student accommodation and ancillary facilities, 33 apartments, replacement vicarage, library and place of worship (Baptist Church), health centre, cinema, gymnasium, covered car parking and access, public square, landscaping and associated works.

We note that this application is still open for comment. Subject to any further comments we might wish to make when the proposed Environmental Statement is published and issued for public consultation in conformity with the EIA Regulations, we wish to OBJECT to this planning application on the following grounds:

Issue A:

Harm to the setting of Grade I, II* and II listed buildings and scheduled monuments in Oxford and the character of its Central Conservation Area

The heritage assets concerned are of the highest designation grade in a Conservation Area that encapsulates a skyline of international importance. The size, scale and massing of the proposed development cannot be screened and will intrude significantly on a complex range of views from across and towards these heritage assets, detracting significantly from their very sensitive settings. This would be contrary to the desirability of preserving such settings and conserving or enhancing the character or appearance of conservation areas, to which the LPA must pay special regard under the Planning (Listed Buildings and Conservation Areas) Act 1990. NPPF paras 128-134 emphasise how the general duty to give considerable weight to these matters, whatever the grade of buildings affected, applies even more where those of the highest national importance are concerned. The development would also be contrary to the local plan policies of both the Vale of White Horse and Oxford City Councils which seek to preserve listed buildings and their setting and the character or appearance of Conservation Areas.

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Issue B:

The loss of undesignated heritage assets, notably Elms Parade and the Baptist Church

The demolition of Elms Parade and the Baptist Church would represent a loss of locally-valued buildings of some architectural merit which make a distinctive contribution to the historic character of the Botley suburb which is appreciated locally. This would be contrary to the NPPF which recognises that the value of the historic environment is not limited to designated assets but also encompasses features which reflect local history and character, thereby contributing to people's quality of life at a local level. In accordance with NPPF para 135, the Vale should recognise these buildings as being of historic interest and therefore subject to national and local plan policy to retain such assets.

Issue C:

Inappropriate form, scale, massing and bulk of the proposed buildings relative to the historic character of the area

The harm caused to specific heritage assets, both in terms of settings and physical loss, also contributes to a more general issue that the scale of the development is entirely inappropriate to the historic character of the area as a suburb of Oxford. In this respect it is entirely contrary to NPPF paragraphs 58, 60 and 61 and local policies which seek to promote good design which respects the character of the area. While some consideration has gone into the design of the complex to try to vary its appearance, this will never disguise its sheer scale, bulk and massing which are far more suited to a modern town centre than to a suburb of a major historic city. In this the scheme would not meet the requirement of NPPF para 58 to ensure that "*Planning policies and decisions should aim to ensure that developments:respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation.*" It is also contrary to para 60 in that it does not "*seek to promote or reinforce local distinctiveness*" and is contrary to para 61 in that it does not "*address the connections between people and places and the integration of new development into the natural, built and historic environment*". The design is not innovative or special and if it lasts 50 years it may well look as ordinary as its 1960s equivalent does now.

Issue D:

Inadequacy of information provided to date, and other procedural matters

There are several procedural matters under the Planning (Listed Buildings and Conservation Areas) Act 1990 and its Regulations and under the EIA Regulations that have not yet been fulfilled. In particular it appears that both the application and the EIA screening has not considered heritage assets located outside the District Boundary. The absence of any assessment of the implications of the development for the setting of Oxford's heritage in the screening report appears to be contrary to the EIA Regulations, the 1990 Act, and paras 128 and 132-135 of the NPPF.

It is also noted that English Heritage were not consulted about the EIA screening, and that the VoWH Council has not issued a formal scoping opinion.

The application should not be determined until all due processes are complete under the 1990 Act and its Regulations, and further opportunities afforded for consultation about what should be a much-enhanced body of assessment if the EIA is carried out properly and objectively.

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Overall conclusions

Unless the EIA proves conclusively and objectively that our assessment is grossly inaccurate, we believe that this application should be refused on heritage grounds. Instead, a conservation-led scheme for regenerating the site should be adopted via a properly formulated planning design brief that would improve, not harm, the character of the area and would not adversely affect the landscape setting of Oxford and its historic buildings.

The NPPF presumption in favour of sustainable development includes (para 17) a core planning principle to *"conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations."* Statutory obligations, together with national and local heritage policies, require that the importance of the heritage assets affected, and the scale of harm arising from development, be weighed against the need for the proposals, as stated by NPPF paragraphs 132 to 135.

In this case the need for the development has been stated to by the developer as follows: *"This development is considered to be of only local importance, in the context of Botley's urban area and is not of regional or even district-wide significance"*. (http://www.whitehorsedc.gov.uk/java/support/dynamic_serve.jsp?ID=273157020&CODE=D00E60A9219F9EC6532AB49491E8D4EC p5).

Given the *'considerable importance and weight'* that LPAs must statutorily give to the desirability of preserving the setting of Listed Buildings and preserving or enhancing the character or appearance of Conservation Areas, the applicant's own statement that the development is only of local, not even district-wide, importance clearly does not provide the level of clear and convincing justification required for the harm that would arise in relation to the setting of major nationally- and internationally-important heritage assets, or for the complete loss of undesignated buildings that warranted mention in the relevant county-wide volume of a national guide - *The Buildings of England (Berkshire)*.

In respect of all the above issues, this application falls clearly under the guidance provided by NPPF para 64, that *"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."*

Yours sincerely

Liz Woolley
Hon Secretary, Listed Buildings Sub-Committee

cc. David Brock and Kathryn Davies, English Heritage
Nick Worledge, Conservation Officer, Oxford City Council