22 May 2013
Ref: GLA/PRG/119

Angela Fettiplace
Oxford City Council
109 St Aldate's Chambers,
St Aldate's,
Oxford,
OX1 1DS

Dear Ms Fettiplace

Former Ruskin College Site, Walton Street, Oxford
Application Ref: 13/00832/FUL

I refer to the above planning application that has recently been submitted to the City Council, and to our letter of the 10 May 2013 making a holding objection to the proposal. This letter constitutes a formal objection submitted by Grover Lewis Associates on behalf of Worcester College and sets out substantive planning considerations to justify the objection.

Worcester College very much regrets that it has proved necessary to lodge a formal objection to this planning application since it is supportive of the principle of the re-use of the former Ruskin College site for academic purposes. The College had hoped that it would have been possible to secure a mutually acceptable scheme of redevelopment of the site. However, Worcester College was consulted very late in the process, after the proposals had been decided, and the plans consolidated. No significant changes have been made as a result of the consultation, and the overall massing, disposition and design of the proposals remains largely unchanged. Worcester College is extremely disappointed with the proposed development, which it considers to be un-neighbourly, insensitive, and inappropriate for such a sensitive historic location. For this reason Worcester College feels compelled to object to the proposal.

It should be mentioned that there are issues relating to the matter of a party wall on the boundary between the former Ruskin College site and Worcester College. This matter will be dealt with by separate communication, and therefore does not form part of the representations made in this letter.

The application site and its context

The application site occupies a prominent position within the historic centre of Oxford. The site falls wholly within the Central Oxford Conservation Area, and is in close proximity to the Jericho Conservation Area. The original Ruskin College building dating from 1913 occupies an anchor position at the junction of Walton Street and Worcester Place. It is designed in an Edwardian Baroque or 'Wrenaissance' style and comprises three storeys plus a dormered attic. It is constructed of limestone ashlar on the ground floor, and red brick on the upper two storeys. It has multi-paned windows of classical design throughout. The building has a slate-covered mansard roof. The original 1913 building makes a positive contribution to the local townscape of both the Central Oxford and Jericho
conservation areas. The 1936 extension to the building fronting Worcester Place is of modest architectural and townscape quality, whereas the later post-war additions to the west are of very limited merit.

When the current application for planning permission was initially submitted, no building on the site had the status of statutory protection through listing. However, the former Ruskin College building was identified within the Oxford Local Plan as a building of local interest.

Furthermore, the building was under consideration for listing by English Heritage. Therefore, the building had already been identified as a locally important undesignated heritage asset whose architectural and historical interest should be respected. Since the submission of the application the oldest part of Ruskin College, dating from 1913, has been added to the statutory List of Buildings of Special Architectural or Historic Interest. The building is therefore subject to the full weight of protection afforded by statutory listing and is formally recognised as a building of national significance.

Immediately abutting the application site to the south is the historic garden to Worcester College. The gardens have their origins in the grounds of Gloucester College, which was founded in the 1280s, and re-founded as Worcester College in 1714. The grounds were remodelled with additional planting between 1810 and 1820, around the crescent-shaped lake. This extensive area of parkland is widely recognised as one of the finest areas of historic landscape within the core of Oxford, and is a unique asset amongst Oxford's colleges. The importance of the Worcester College Gardens have been recognised through their designation by English Heritage as a Grade II* Registered Historic Park and Garden. Whilst the most highly-regarded parts of the garden centre around the lake and south lawns, the main quad and the Provost's Garden, an important element of the registered park includes the Orchard, which lies immediately to south of the application site.

A short distance to the south of the application site, beyond the Orchard lies the main buildings of Worcester College. The main buildings of the college date from 1720-86. They were commenced by Dr George Clarke and completed later by Henry Keene. The principal buildings, including the Main Block and the North and South Ranges are listed Grade I. The principal elevations of the buildings face into the main court. However, the Provost's Lodging, which forms the western end of the North Range, enjoys an important visual relationship with the gardens to the north, west and south. There are significant views over the historic landscape from the Provost's Lodging in each of these directions. There are important views from the College Board Room looking north over the Orchard towards the application site and beyond.

There is documentary evidence to suggest that the North Range at Worcester College was designed to have a visual relationship with the Radcliffe Observatory. The two buildings were both built to the designs of Henry Keene, and align on the meridian line. It is understood that the reference point for calibrating the observatory instruments was the north pediment of the North Range of Worcester College, and a clause was inserted by St John's College into its building leases to ensure that the construction of new buildings did not block this sight line. The heights of buildings in Walton Street have been restricted by covenant over many years in order to preserve the meridian line from the Radcliffe Observatory to Worcester College. The significance of this meridian line has been highlighted in Oxford City Council's conservation area assessment for Jericho. Whilst the views between the two structures have, to a considerable extent, been obscured by later intervening development, there is still some visibility from the upper storeys of the Provost's Lodging. The visibility would be lost if development of inappropriate height and massing were to be approved on the former Ruskin College site.

Relevant planning and heritage policy context

The proposals for the former Ruskin College site that are the subject of the current applications for planning permission and conservation area consent (and now that the building has been listed will, in due course, be subject to an application for listed building consent), must be judged in the light of the relevant legislative provisions and the prevailing national and local policy context. The relevant legislative provisions with regard to the historic environment are set out in the Planning (Listed Buildings and Conservation Areas) Act 1990. The relevant national policy guidance is provided in Section 12 of the National Planning Policy Framework (NPPF). At local level the relevant heritage policy context is provided by

the overarching policies contained within the Oxford Core Strategy (2011), and the relevant saved policies within the Oxford Local Plan (2005). Both of these documents pre-date the NPPF and hence the proper interpretation and application of policy needs to keep the significance of the NPPF particularly in mind.

The most important and obvious constraint applies to any works of demolition or alteration to the listed building. In this connection it should be noted that, in considering whether or not to grant listed building consent for any works, Section 16 of the LBCAA places a duty on the local planning authority to have special regard to the desirability of preserving a building or its setting, or any features of special architectural or historic interest that it possesses. A similar duty applies under Section 66 of the LBCAA with regard to new development within the setting of a listed building. Additionally, Section 72 of the Act sets out a general duty of local planning authorities, in the exercise of planning functions, to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

National policy guidance contained in the NPPF makes it clear at paragraph 132 that, in considering proposals that would have an impact on a designated heritage asset, '*great weight*' should be given to the asset's conservation. The more important the asset, the greater the weight should be. It advises that significance can be harmed or lost through alteration or destruction of the heritage asset, or by development within its setting, and that any harm or loss should require a clear and convincing justification. The NPPF further clarifies that substantial harm to or loss of a Grade II listed building should be *'exceptional'*. Substantial harm to or loss of heritage assets of the highest significance (including Grade I or II* registered parks or gardens) should be *'wholly exceptional'*. Paragraph 133 of the NPPF makes it clear that where a proposal would lead to substantial harm to or total loss of a designated asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Paragraph 134 of the NPPF advises that where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Overarching policy principles for the design of new development are set out in the Oxford Core Strategy (2011). Policy CS18 of the Core Strategy: *Urban design townscape character and the historic environment*, amongst other things, advises that development should respect and draw inspiration from Oxford's unique historic environment, responding positively to the character and distinctiveness of the locality. It advises that development must not result in loss or damage to important historic features, or their setting, particularly those of national importance.

A number of saved policies within the Oxford Local Plan (2005) are of particular relevance to the current proposal. Policy CP8: *Designing Development to Relate to its Context*, lays down clear principles for new development. It advises that all new and extended buildings should relate to their setting to strengthen, enhance and protect local character. Amongst other things it advises that permission will only be granted where the siting, massing and design of proposed development creates an appropriate visual relationship with the form, grain, scale materials and details of the surrounding area.

Policy HE3 *Listed Buildings and their settings,* advises that planning permission will be granted for the re-use of redundant or unused listed building for new purposes compatible with their character, architectural integrity and setting. However, it advises that planning permission will not be granted for proposals involving demolition of a statutory listed building, and that permission will only be granted for works involving alteration or extension to a listed building that is sympathetic to and respects its history, character and setting. The policy states further that permission will only be granted for development which is appropriate in

terms of its scale and location, and which uses material and colours that respect the character of the surroundings, and have due regard to the setting of any listed building.
Policy HE7: *Conservation Areas*, states that planning permission will only be granted for development that preserves and enhances the special character and appearance of the conservation areas and their setting, and that planning permission will not be granted for proposals involving the substantial demolition of a building or structure that contributes to the special interest of a conservation area.

Policy HE8: *Important Parks and Gardens* advises that planning permission will not be granted for any development that would adversely affect the visual, historical character of an historic park or garden or its setting, whether or not it is included on the statutory register.

It is clear from the above summary of relevant national and local policies that the application proposals engage a number of key heritage policy principles. This has important implications both in terms of procedure and criteria for assessing the current application for planning permission. The impact of the proposals on designated heritage assets, and the policy implications are discussed in detail below.

Impact of proposals on the significance of the listed building at Ruskin College

The application proposals would have a major impact on both the fabric and setting of the newly-designated listed building at Ruskin College. The proposals involve the demolition of a substantial proportion of the building. Specifically they involve the comprehensive gutting of the original 1913 structure, leaving only a partial shell comprising the principal facade to Walton Street and the two return elevations. The rear elevations of the listed building would be completely removed. It is noted that the architecturally modest but respectful elevations of the 1930s extension to the original building would be lost as a result of these proposals.

The proposals involve the erection of an entirely new structure behind retained facades. The new structure would incorporate five storeys of accommodation plus a full basement in the main block at the corner of the Walton Street and Worcester Place. The additional fifth storey of accommodation would be achieved through the creation of a steeply-pitched curving mansard roof. This tall roof structure, with large dormer windows of inelegant box-like proportions, would result in a curiously incongruous and disproportionate visual relationship with the retained facades, giving the building a 'top-heavy' appearance. The decision to unify the remnants of the original building with the contrasting new building under a continuous modern curving roof is a flawed concept that confuses old with new. To add to the incongruity of the design, the large expanse of roof, covered with 'Rinex' patinated stainless steel cladding of chequer board appearance, would result a jarring juxtaposition with the retained elements of the original building.

In addition to the loss of the greater part of the fabric of the listed building, the proposals involve alterations to all of its windows. Specifically, it is proposed that all of the building's existing multi-paned, white painted windows of classical proportions would be removed, and replaced with three-light bronze-anodised aluminium framed widows. No meaningful design rationale is provided in the application documentation for the comprehensive replacement of the original multi-paned windows of the listed building, which appears to have been dictated by a desire to make the original building tie in with the design concept for the new building. It is also proposed that all of the ground floor windows on the Walton Street elevation would have their cills lowered, resulting in windows of uncomfortably elongated proportions. This alteration would necessitate the projecting stone aprons bearing the inscriptions relating the foundation of the college having to be re-set at just above pavement level. On the Worcester Place elevation it is proposed to similarly lower the cills of the two western most ground floor windows, and to re-model the remaining lower level windows, by amalgamating the tall round-headed ground floor windows with the segmental-headed lower stage windows into four

single elongated window openings. If permitted the alterations to the windows would result in a substantial and harmful change to the appearance of the listed building.

Overall, the effect of the 'facadism' approach adopted for treatment of the listed building would lead to an unfortunate visual outcome, with an alien modern building appearing to rear up behind the much-altered retained facades. There is little evidence that Joseph and Smithem's competently-executed design for Ruskin College has been respected. Instead, the remnant facades of the building would be treated merely as a decorative stage set, behind which a disproportionately large and assertive new structure would be erected. As such, the proposal is in direct conflict with Core Strategy policy CS18 and saved Local Plan policies CP8 and HE3, breaches the statutory duty provided by section 16 of the 1990 Act, and constitutes substantial harm with regard to paragraphs 132 and 133 of the NPPF.

Impact on the setting of heritage assets at Worcester College

The application proposals would have an impact on the setting of highly-graded heritage assets at Worcester College. In particular, the proposals would have major impact on the Grade II* Registered Historic Park and Garden of Worcester College. As previously highlighted, the garden is widely recognised as one of the finest areas of historic landscape within the core of Oxford, and is a unique asset amongst Oxford's colleges. The scale, massing and disposition of the proposed development on the former Ruskin College site is such that it would have a dominating and overbearing visual impact on the setting of the registered park/garden. The western limb of the proposed new building would be set very close to the boundary wall of Ruskin Lane, and with its high curving roof would be substantially higher than the existing buildings on that part of the site. It would also be considerably higher than Worcester College's adjacent Ruskin Lane Building. The south-facing elevation of this element of the proposed development would have two rows of large windows at the raised first and second floor level overlooking the Worcester College Gardens. With its shiny textured stainless steel wall and roof cladding this element of the building would have a highly assertive appearance.

Overall, the overbearing and intrusive presence of the proposed development would in the opinion of Worcester College, result in a seriously adverse visual impact on the setting of the Grade II* Registered Historic Park and Garden. Using the terms of the NPPF, this adverse impact and would amount to *substantial harm* to the significance of the heritage asset. In relation to local policy, the proposal is contrary Core Strategy policy CS18 and saved Local Plan policies CP8 and HE8. Given the importance of the Grade II* registered garden at Worcester College, and the adverse impact that the application proposal would have on it, we trust that the Garden History Society has been consulted.

In considering the overall scale and massing of the application proposal it should be noted that the heights of buildings in Walton Street have been restricted by covenant over many years in order to preserve the meridian line from the Radcliffe Observatory to Worcester College. Whilst the views between the two structures have been obscured at lower level by later intervening development, the remaining visibility available from the upper storeys of the Provost's Lodging would be lost as a result of the proposed development. In this context its is relevant to note that, in recent years Oxford City Council has sought to limit the height of new development in this area. Specifically, the heights of new buildings in Worcester College's Ruskin Lane development of 2006 were suppressed as a result of consultation with council officers. As a result, the Ruskin Lane development is of restrained scale and massing, appropriate to its sensitive heritage setting. Worcester College considers that the same principles, and the similar height restrictions, should apply to the currently proposed development at the western end of the Ruskin College site.

We note that the applicant's heritage impact assessment refers to the planning officer's report on the Worcester College Buildings in 2006, noting that officer's comment that 'to some extent the permeability of views through the land to the north would be lost', and stating that the same consideration apply for the current proposals for the Ruskin College site. However, this fails to recognise that the 2006 Worcester College development is more that 5.5m lower in overall height than the western limb of the current application proposals, and is broken down into smaller, visually permeable elements.

In addition to the visual impact of the setting of the registered park and garden at Worcester College the application proposals would have an adverse impact on the setting of the adjacent main buildings of Worcester College, in particular, the Provost's Lodging, which is listed Grade I. The setting of the Provost's Lodging includes the immediately surrounding garden land, with important views looking northwards, from the Provost's Garden towards the Orchard, and to the Ruskin College site beyond. The Ruskin College buildings currently have a neutral impact on the setting of the Grade I listed building, but the proposed development would be of considerably greater height and massing, far more assertive in terms of design and materials, and would therefore cause harm to its setting. Whilst it is acknowledged that this impact of the proposed development of the provost's Lodging would amount to' *less than substantial harm'* in the terms of the NPPF, it is nevertheless considered that this harm should be taken into account weighing the overall planning balance of the scheme. Furthermore, the adverse impact on the setting of these adjacent listed buildings is in conflict with Core Strategy policy CS18 and saved Local Plan policies CP8 and HE3, and breaches the statutory duty provided by section 66 of the 1990 Act.

Impact on the character and appearance of the Central Oxford and Jericho Conservation Areas

In addition to the harm that the proposed development would have on individual heritage assets, Worcester College considers that the proposed development would have an adverse impact on the character and appearance on both the Central Oxford Conservation Area, and the Jericho Conservation Area.

Whilst a conservation area character appraisal has not been prepared for the Central Oxford Conservation Area in which the application site is located, a detailed Designation Study, highlighting the character of the area, does exist for the Jericho Conservation Area. The Designation Study for the Jericho Conservation Area highlights the richness of architectural detailing within the areas, including the importance of the survival of original windows, and unaltered roofscapes as an important contribution factors to the character and appearance of the area. Worcester College considers that the massive changes to the roofline, and to the detailing of the windows of the 1913 Ruskin College building (which is an anchor building in both conservation areas), would be seriously harmful to their character and appearance. It also considers that the excessive scale and massing of the development, coupled with the dominant and alien roof for with its shiny metallic covering, would be harmful to the established character of both conservation areas. The incongruity and harmful visual impact on the conservation area that would result from the current proposals can clearly be seen in the applicant's visualisations along Walton Street. For these reasons the proposal is in direct conflict with Core Strategy policy CS18 and saved Local Plan policies CP8 and HE7, breaches the statutory duty provided by section 72 of the 1990 Act, and constitutes substantial harm with regard to paragraphs 132, 133 and 138 of the NPPF.

Impact of the proposals on amenity of occupants of neighbouring buildings

The proposed development would, in its current form, have significant adverse impact on the occupants of the adjacent student residences within the 2006 Ruskin Lane development of Worcester College. The existing Ruskin College buildings that lie to the east of the Worcester College are set back, and rise only to two storeys. The application proposals would result in

the imposition of a high, masonry gable end, set hard up against the neighbouring Worcester College development. This would lead to shadowing, and have a deleterious impact on the living conditions of the occupants, particularly for those in the lower level north-facing rooms. In the opinion of Worcester College, the imposition of a building of the height proposed in this location represents an unacceptable and un-neighbourly relationship to the Ruskin Lane development. For this, and the reasons outlined above, Worcester College believes that a substantially lower development, perhaps in stepped form, should be considered in this location.

Conclusions

Worcester College supports the principle of the former Ruskin College Buildings being used for academic purposes, and welcomes the prospect of the site being brought back in to use. However, it is extremely disappointed by the proposals submitted by Exeter College. Worcester College considers that the proposals, in their present form, are un-neighbourly and extremely harmful to the significance of a number of designated heritage assets in the immediate vicinity. As such, the proposals are in conflict with local policy and the statutory duties outlined above.

Having regard to the proper application of the statutory tests, and Central Government policy on the historic environment set out in the NPPF, Worcester College believes that the harm caused to designated heritage assets must be weighed against the public benefits of the proposal. It considers that, in their current form, the proposals would lead to *substantial harm* to the significance of the newly-listed Ruskin College building, and to the setting of the adjacent Grade II* Registered Historic Park and Garden at Worcester College. Accordingly, it is necessary for the applicant to demonstrate that the substantial harm is necessary to achieve substantial public benefits that outweigh the harm or loss. No such demonstration has been provided, and it has not been demonstrated that the objective of re-using the site could be achieved without the degree of loss and damage that is currently proposed. It is also considered that the development would cause harm to the setting of the Grade I listed buildings at Worcester College, and to the character and appearance of the Central Oxford and Jericho Conservation Areas. The harm to these assets should also be taken into account in weighing the planning balance.

For the above reasons, Worcester College objects strongly to the proposals, and urges the Oxford City Council to seek to negotiate a more acceptable form of development for this important city centre site. In the event of Exeter College being unwilling to come forward with revised proposals that are more acceptable, Worcester College would urge the Council to refuse planning permission. As the Ruskin College building is now listed, we assume that the current application for conservation area consent will no longer be relevant, and that it will be superseded, in due course, by an application for listed building consent. If this is submitted in duplicate form, the above comments in respect of the current planning application will apply.

Yours sincerely

Philip Grover
BA (Hons), BTP, Dip Arch Cons, MRTPI, IHBC

On behalf of Worcester College