

# ADDITIONAL DOCUMENTS FOR WEST AREA PLANNING COMMITTEE -TUESDAY 8 SEPTEMBER 2015

## 6. <u>4 - 5 Queen Street / 114 - 119 St Aldates: 14/02256/CND - details of</u> <u>conditions</u> (Pages 3 - 58)

Additional parts to Appendix 3 (pages 107 and 108 of the main agenda) now attached.

#### 7. Planning Appeals (Pages 59 - 64)

Summary information on planning appeals received and determined during August is now attached.

The Committee is asked to note the information.

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## ARCHAEOLOGICAL DESK BASED ASSESSMENT

## 114-119 ST ALDATES & 4-5 QUEEN STREET OXFORD

Planning • Heritage Specialist & Independent Advisors to the Property Industry

**JUNE 2014** 

## Local Planning Authority: OXFORD CITY COUNCIL

Site centred at: 451320, 206130

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**Report Status:** 

**FINAL** 

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#### **Executive Summary**

This archaeological desk-based assessment has been researched and prepared on behalf of Reef Estates and assesses the archaeological potential of land at 114-119 St Aldates and 4-5 Queen Street Oxford. This report forms the desk-based assessment required by paragraph 128 of the NPPF and Oxford Local Plan Policy HE.2, to identify the presence of heritage (archaeological) assets and, where present, to assess impact on their significance.

The assessment has established that no designated heritage assets are present within the study site. It has also demonstrated that, despite disturbance from previous construction activity and archaeological investigation, the study site has a high potential for the survival of non-designated buried archaeological assets relating to the Saxon, Medieval and Post-Medieval periods. These are likely to be of local/regional significance, although this should not preclude development of the site.

The local planning authority's archaeological advisor may request a programme of archaeological evaluation work to confirm the presence or absence of archaeological assets and their condition and location. If remains are present further appropriate investigation and recording may be required prior to construction. Any works could be secured by a planning condition and the scope agreed in advance with the local planning authority's archaeological advisor.

#### 1.0 INTRODUCTION AND SCOPE OF STUDY

- 1.1 This archaeological desk-based assessment has been researched and prepared by Nick Shepherd MIfA of CgMs Consulting on behalf of Reef Estates.
- 1.2 The report assesses the archaeological potential of a block of urban land on the corner of St Aldates and Queen Street in the centre of the City of Oxford (also referred to as the study site), which is being considered for re-development. The study site comprises the properties 114-119 St Aldates Street and 4-5 Queen Street.
- 2.0 In accordance with government policy on archaeology within the planning process (Section 12 of the National Planning Policy Framework) and 'saved' policies within the Oxford Local Plan, this assessment draws together the available archaeological, topographic and land-use information in order to clarify the archaeological potential of the study site.
- 2.1 Additionally, in accordance with the 'Standard and Guidance for Archaeological Desk-Based Assessments' (Institute for Archaeologists (IfA 2012), it incorporates an examination of evidence in the Oxford Urban Archaeological Database, and incorporates published and unpublished material and charts historic land-use through a map regression exercise.
- 2.2 As a result, the assessment enables relevant parties to assess the significance of any designated and non-designated heritage assets within the study site, assess the potential for as yet to be discovered archaeological assets and enables potential impacts on assets to be identified, along with the need for design, civil engineering or archaeological solutions.

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#### 2.3 PLANNING BACKGROUND AND DEVELOPMENT PLAN FRAMEWORK

- 2.4 In March 2012, the government published the National Planning Policy Framework (NPPF), which provides national policy relating to heritage and archaeology.
- 2.5 Section 12 of the NPPF, entitled Conserving and Enhancing the Historic Environment' provides policy for planning authorities, property owners, developers and others on the conservation and investigation of heritage assets. Overall, the objectives of Section 12 of the NPPF can be summarised as seeking the:
  - Delivery of sustainable development
  - Understanding the wider social, cultural, economic and environmental benefits brought by the conservation of the historic environment
  - Conservation of England's heritage assets in a manner appropriate to their significance, and
  - Recognition that heritage contributes to our knowledge and understanding of the past.
- 2.6 Section 12 of the NPPF recognises that intelligently managed change may sometimes be necessary if heritage assets are to be maintained for the long term. Paragraph 128 states that planning decisions should be based on the significance of the heritage asset, and that level of detail supplied by an applicant should be proportionate to the importance of the asset and should be no more than sufficient to review the potential impact of the proposal upon the significance of that asset.
- 2.7 Heritage Assets are defined in Annex 2 of the NPPF as: a building, monument, site, place, area or landscape positively identified as having a degree of significance meriting consideration in planning decisions. They include designated heritage assets (as defined in the NPPF) and assets identified by the local planning authority (including local listing).
- 2.8 Annex 2 also defines Archaeological Interest as a heritage asset which holds or potentially could hold, evidence of past human activity worthy of expert investigation at some point. Heritage assets with archaeological interest are the primary source of evidence about the substance and evolution of places, and of the people and cultures that made them.

- 2.9 A Designated Heritage Asset comprises a: World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area.
- 2.10 Significance is defined as: The value of a heritage asset to this and future generations because of its heritage interest. This interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.
- 2.11 In short, government policy provides a framework which:
  - Protects nationally important designated Heritage Assets (which include World Heritage Sites, Scheduled Ancient Monuments, Listed Buildings, Protected Wreck Sites, Registered Parks and Gardens, Registered Battlefields or Conservation Areas).
  - Protects the settings of such designations.
  - In appropriate circumstances seeks adequate information (from desk based assessment and field evaluation where necessary) to enable informed decisions.
  - Provides for the excavation and investigation of sites not significant enough to merit in-situ preservation.
- 2.12 In considering any planning application for development, the planning authority will be mindful of the framework set by government policy, in this instance the NPPF, by current Development Plan Policy and by other material considerations.
- 2.13 The Oxford Local Plan (adopted November 2005), contains the following saved policies relating to archaeology:

#### POLICY HE.1 NATIONALLY IMPORTANT MONUMENTS

Planning permission will not be granted for any development that would have an unacceptable effect on a nationally important monument (whether or not it is scheduled) or its setting. The scheduled monuments are shown on the proposals map.

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#### POLICY HE.2 ARCHAEOLOGY

Where archaeological deposits that are potentially significant to the historic environment of oxford are known or suspected to exist anywhere in oxford but in particular the city centre archaeological area, planning applications should incorporate sufficient information to define the character and extent of such deposits as far as reasonably practicable, including, where appropriate:

A. The results of an evaluation by fieldwork; and

B. An assessment of the effect of the proposals on the deposits or their setting. If the existence and significance of deposits is confirmed, planning permission will only be granted where the proposal includes:

C. Provision to preserve the archaeological remains in situ, so far as reasonably practicable, by sensitive layout and design (particularly foundations, drainage and hard landscaping); and

D. Provision for the investigation and recording of any archaeological remains that cannot be preserved, including the publication of results, in accordance with a detailed scheme approved before the start of the development.

- 2.14 The study site lies within the City Centre Archaeological Area.
- 2.15 This assessment therefore seeks to establish whether archaeological evidence from the site or its vicinity indicates that the study site contains or may contain heritage assets as defined by the NPPF and falls within the scope of policies contained within the Oxford Local Plan.

#### 3.0 GEOLOGY AND TOPOGRAPHY

#### 3.1 <u>Geology</u>

3.1.1 The study site lies on the second gravel terrace of the River Thames, though the first terrace starts just to the south (Brewer Street). The underlying solid geology is Oxford Clay and Kellaways Beds (British Geological Survey, Sheet 236).

#### 3.2 **Topography**

3.2.1 The study site comprises an area of approximately 0.135 hectares. The north end of the site lies at about 64.7m Above Ordnance Datum (AOD) with a gentle slope to the south. In light of this slope, terraces have been created in order to accommodate the construction of the buildings that occupy the study site. The natural fall of the slope is visible on St Aldates. The first river terrace lies approximately 250m to the south at around 58.5m AOD. The River Thames lies 450m to the south of the study site.

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## 4.0 ARCHAEOLOGICAL AND HISTORICAL BACKGROUND AND ASSESSMENT OF SIGNIFICANCE

The timescales used in this report are as follows

#### **Prehistoric**

Palaeolithic	45	50,000	-	12,000	BC
Mesolithic	1	12,000	-	4,000	BC
Neolithic		4,000	-	1,800	BC
Bronze Age		1,800	-	600	BC
Iron Age		600	-	AD 43	
<u>Historic</u>					
Roman	AD	43	-	410	
Saxon/Early Medieval	AD	410	-	1066	
Medieval	AD	1066	-	1485	
Post Medieval	AD	1486	-	1800	
Modern	AD	1800	-	Present	

#### 4.2 Introduction

- 4.3 The Oxford Urban Archaeological Database (UAD) contains information relating to all known archaeological and historical sites in the area. However, it is evident from this data that no Scheduled Ancient Monuments occur on or in the vicinity of the study site. There are a number of UAD records for the site itself and within its immediate vicinity. A Registered Historic Park and Garden (Christ Church) lies to the south east of the study site. There are no Registered Battlefields within or close to the study site. The study site also lies within the Oxford Conservation Area and a number of listed buildings lie close to the study area.
- 4.3.1 It is the aim of this assessment to review the available data and to use this to construct a predictive model of the archaeological potential of the study site. It will also seek to identify whether any part of the study site may contain remains of archaeological importance that require evaluation or further investigation.

4.3.2 A number of archaeological investigations have been undertaken close to the study site. The results of these investigations are considered below and Figure 3 indicates the location of the investigations.

### 4.4 Palaeolithic and Mesolithic

4.4.1 The UAD holds no records from the early prehistoric period for the study site. Two Lower Palaeolithic hand axes (UAD 243) have been found at St Ebbe's Church, some 50m to the south of the study site. While it is likely that the Thames flood plain would have been drier during this period than it has been over the last 4,000 years (Dodd 2003), artefactual evidence is likely to be very limited and if present isolated. Therefore a low potential is identified for the study site.

### 4.5 <u>Neolithic and Bronze Age</u>

- 4.5.1 Evidence for Neolithic or Bronze Age activity within the study site is not recorded on the UAD. However, excavations undertaken in 1972 to the immediate west of the study site (UAD 260) recorded postholes of possible prehistoric date. No finds were recovered from the features, so the interpretation is based upon the nature of the fills and the recovery of struck flint flakes in adjacent late Saxon features (Haplin 1983). Prehistoric finds have also been recorded to the southeast of the site at Christchurch (Sturdy 1961). Other evidence has been recovered else where in the city such as at the University Science Area and North Oxford.
- 4.5.2 Given the absence of artefactual evidence within the site, the uncertain date and provenance of the finds and features recovered from near by, a low potential is identified for the Neolithic and Bronze Age periods.

### 4.6 Iron Age/Roman

4.6.1 The SMR holds no records for the Iron Age or Roman periods within the study site. Three Roman coins have been found in the surrounding area. The earliest dates to the reign of Augustus (UAD 692) and was found near Carfax. A coin of Tetricus (AD 270-273) was found amongst late Saxon and Medieval finds during excavations at the Town Hall (UAD 148). The third, a coin of Valentinian II (AD 375-92) (UAD 720), was found on St Aldates Road, to the immediate east of the study site.

- 4.6.2 There is no major Roman settlement known at Oxford, with the focus for settlement being at Alchester to the north and Dorchester to the south. Rural settlement is known at the University Science Area. The Oxford area was a major pottery-producing centre during the Roman period, but the evidence indicates this was in the east of the modern City, some distance from the study site.
- 4.6.3 Given the isolated nature of the finds found near the study site, the fact that none were found in situ and that the archaeological record demonstrates that the study site lies away form the main focuses of activity during the Roman period, a low to nil potential is identified.

#### 4.7 <u>Saxon - Early Medieval</u>

- 4.7.1 The study site falls within the Saxon town of Oxford. While early Saxon settlement seems to have been focused further south along the Thames Valley at Abingdon and Dorchester-on-Thames, the earliest activity in Oxford dates to around the early 8<sup>th</sup> century, with the founding of St Frideswide's minster. The minster is thought to be located at Christ Church Cathedral, some 200m to the southeast of the study site.
- 4.7.2 A burh had been founded on the second gravel terrace at Oxford by the start of the 10<sup>th</sup> century. This is documented in the Anglo-Saxon Chronicle and is listed in the Burghal Hidage. The study site lies towards the centre of the planned Saxon town. The south gate of the town was located at the southern end of St Aldates, with the north gate at the north end of Cornmarket Street. Queen Street was also laid out in the Saxon period.
- 4.7.3 Unsurprisingly Late Saxon activity is recorded within the study site. Archaeological excavations at no 4 Queen Street (within the north end of the study site) revealed metalled surfaces from roads and markets about 2m below the ground surface (UAD 487), indicating that the street frontage lay to the south of the market (Collard 1986), but within the study site.
- 4.7.4 Immediately adjacent to the north east, beneath 121 St Aldates, a late Saxon bunshaped loom weight (the former Glyn and Mills Bank, UAD 682) was found during building work in 1931. Outside the study site evidence for Late Saxon street frontage was recorded in excavations at 7-8 Queen Street (UAD 344), where it was recorded as being no more than 3m behind (south of) the modern frontage (Durham 1986). Similar evidence was recorded during investigations at 11-12 Queen Street

(UAD 288), and the neighbouring Marks and Spencer site (UAD 482, Halpin 1983). Late Saxon/early Medieval activity is recorded along elsewhere on Queen Street (UAD 69 and 697), to the east (UAD 148), to the south (UAD 516) and west (UAD 287 and 493) of the study site. The evidence to the south comprised 8, charcoal lined burials and a small area of occupation surface in the nave at St Aldates Church.

4.7.5 In light of the study site being located within the Saxon town and that surviving Saxon deposits have been recorded at depth (potentially below modern basement level) within the study site, a high potential for the Saxon and Early Medieval period is identified.

#### 4.8 <u>Medieval</u>

- 4.8.1 The development of Oxford as a thriving City continued throughout the Medieval period. The study site was located in St Martin's Parish. Street frontages at St Aldates (or Fish Street as it was known) and Queen Street (Butcher Row/Great Bailey) continued to be occupied (Fig. 4).
- 4.8.2 The area around St Aldates, including the study site, was the Jewish quarter or Jewry of Oxford during the 12<sup>th</sup> and 13<sup>th</sup> centuries and probably in the later part of the 11<sup>th</sup> century after William the Conqueror invited them to England to establish a network of credit and trading links between his English and French lands. The first written record of the Jewry dates to 1141 when Matilda was under siege at Oxford Castle by Stephen of Blois (Manix 2004). Documentary evidence has survived detailing which properties belonged to which Jews and this information has been recently been complied (ibid). The Jewry continued to be part of the City of Oxford until the expulsion of the Jews from England by Edward I in 1290.
- 4.8.3 During this period the site was occupied by four properties. Manix (ibid) identifies the two more substantial land holdings fronting on to Aldgate Street as being in Jewish hands. The northernmost is the site of Jacobs Hall, possibly one of the most substantial private houses in Oxford at this time, with the southernmost owned by Elias or Elekin. Together these two land holding approximately correspond to the modern 114 to 119 Aldgate Street. During the late nineteenth century construction works revealed thirteenth century cellars running out across the whole width of the street at this point, linking properties on either side (UAD 1327).

- 4.8.4 Two much smaller properties, held by the Bishop of Lichfield, fronted on to Queen Street. These are in in the north western part of the study site, corresponding with the modern 4 and 5 Queen Street.
- 4.8.5 By the fourteenth century all properties were in Christian ownership, with the two St Aldates holdings now marked as being the site of Battes Inn and the Red Lion (Fig. 4). The recently produced Oxford Historic Area Character Assessment provides a useful summary of the later medieval development of the area around Carfax.

'The tenement pattern evolved in this period with subdivision of Late Saxon and Norman plots, especially along the desirable street frontages associated with the market, which extended along the streets leading off the central crossroads at Carfax including Queen. These tenements can be plotted with some confidence from 13th century records (notably the 1279 Hundred Rolls). In the late medieval period the frontages of the main streets centred on Carfax would have been occupied by narrow shop frontages within halls often at right angles to the street or set back parallel to the street behind a range of shops or courtyard. The eastern end of Queen Street housed stalls for dairy produce.'

- 4.8.6 Only a small amount of Medieval material has been recovered from the study site comprising pottery of the 11<sup>th</sup> century and later from building works in the late 19th and early 20th centuries (UAD 121 and 1131).
- 4.8.7 Beyond the boundaries of the study site, to the south west were two buildings, Gloucester Hall and Hinxey Hall, accessed from St Aldates via Kepeharm's Lane. The New Inn Court archaeological investigations (UAD 288) revealed structural remains of Hinxey Hall (originally known as domus Kepeharm) dating from the mid 13<sup>th</sup> century, when it was a domestic dwelling to the 16<sup>th</sup> century (Halpin 1983).
- 4.8.8 To the south east of the study site investigations at the Post Office revealed a 13<sup>th</sup>century crypt and late Medieval finds (UAD 1167). Further 13<sup>th</sup> century material was recovered from Nos 117-118 St Aldates. Excavations to the west along Queen Street recorded further evidence of the Medieval street frontage (UAD 344, 482 and 487). A rubbish pit dated to the 13<sup>th</sup>/14<sup>th</sup> centuries (6m below the ground surface) was revealed during excavations on the southwest corner of Carfax (UAD 131), and elsewhere road surfaces of probable Medieval date, have been recorded in excess of 4m below the present Queen Street.

4.8.9 The study site was clearly occupied during the Medieval period and the structural remains of former buildings and other associated finds and deposits have been shown to survive at considerable depth immediately adjacent to the site. A high potential for medieval remains is therefore identified.

#### 4.9 **Post-Medieval and Modern**

- 4.9.1 In this period, understanding of settlement, land-use and the utilisation of the landscape is enhanced by cartographic sources. These can give additional detail to data contained within the SMR and relevant maps are included as illustrations (Figs. 6-13).
- 4.9.2 Agas's 16<sup>th</sup> century Map of Oxford depicts buildings on the frontages of Fish Street, and Great Bayley Street (Fig. 5). The number of land holdings appear to correspond with those shown on the Slater plan (Fig.4). Behind this are gardens or open plots. This corresponds with the archaeological evidence recovered during the New Inn Court excavations, which indicated that Hinxey Hall, which had been located here, was demolished during the 16<sup>th</sup> century and the land laid to garden (Halpin 1983).
- 4.9.3 Loggan's 17<sup>th</sup> century bird's eye view shows that the medieval plots have been subdivided, particularly those fronting Fish Street, with ranges of buildings around yards constructed over the earlier gardens (Fig.6).
- 4.9.4 The Davis Map, published in 1797 (Fig. 7), confirms the built up character of the site, although here the blocks of development can still be seen to conform in overall layout to the main Medieval plots. Queen Street is called Butcher Row Street.
- 4.9.5 The 1876 Ordnance Survey (OS) shows the site divided up into up to six buildings fronting St Aldates (including one marked as a Bank), with two onto Queen Street. The modern street names have been adopted (Fig. 8). A similar layout is shown in 1900 and 1921 (Figs. 9 and 10). The 1939 and 1969/70 OS maps show redevelopment having taken place along St Aldates, with the earlier smaller buildings amalgamated into two main blocks as today (Figs. 11 and 12).
- 4.9.6 There are no listed building within the study site although several lie in the immediate vicinity. There are three UAD records for the study site in the Post-Medieval period, all relating to 17<sup>th</sup> century (or earlier) pottery recovered from development sites in the late 19<sup>th</sup> and early 20<sup>th</sup> century (UAD 908, 121, 1131).

- 4.9.7 There have been a number of phases of development on the site from the late medieval period through to the early 20<sup>th</sup> century. Each phase will have involved the removal or part removal of earlier phases. This process will have left a complex sequence of partly preserved features such as wall footings and fragments of redundant cellars and the later works have disturbed earlier deposits as noted above (s. 4.9.6).
- 4.9.8 Despite this process of renewal and disturbance there remains a high potential for the localised survival of fragmentary remains of Post-Medieval date, particularly along the street frontages.

#### Historic Urban and Landscape Character

- 4.10 Oxford and its environs have been mapped as part of an Historic Landscape Characterisation (HLC) survey. This is primarily focussed on the development of the landscape from the 19<sup>th</sup> century and simply defines the study site as 'Settlement pre 1880'.
- 4.11 The study site lies within the Central Oxford Conservation Area and the area covered by the Central Oxford Historic Urban Character Assessment (COHUCA), within the Zones 15 and 16, defined as the City Centre Commercial Core. The area is characterised as comprising 19<sup>th</sup>/20<sup>th</sup> century shops and offices, with the existing urban blocks, despite significant modification, reflecting the underlying medieval tenement pattern.

#### Assessment of Significance

- 4.9 No Scheduled Ancient Monuments lie within or in the immediate vicinity of the study site. Nor does it lie within or close to a Registered Battlefield. The study site does lie within a Conservation Area and within the City Centre Archaeological Area. There are several Listed Buildings in the vicinity of the study site.
- 4.9.1 The UAD holds no records for the Prehistoric and Roman periods on the study site, though isolated finds have been made in its vicinity. A low potential is therefore identified.

- 4.9.2 The whole of the study site lies within the Saxon and Medieval City. A number of archaeological investigations adjacent to the study site have revealed substantial evidence for structures on both the street frontages of St Aldates, and Queen Street. A high potential for non-designated archaeological remains of the Saxon and Medieval periods is identified, including the Medieval Jewry. A high potential is also identified for the Post-Medieval period, particularly along the street frontages
- 4.9.3 Deposits of these dates would be of local/regional importance, based on their evidential value (EH 2008).

## 5.0 <u>SITE CONDITIONS, THE PROPOSED DEVELOPMENT AND IMPACT ON</u> <u>HERITAGE ASSETS</u>

#### 5.1 Site Conditions

- 5.1.1 The study site was visited in February 2014 and comprises shops and offices fronting Queen Street and St Aldates, access roads, rear of property yards and car parking. The Queen Street properties are both mid-late 20<sup>th</sup> century buildings, currently occupies by shop and restaurant. The St Aldates properties are of early 20<sup>th</sup> century date and are occupied by a bank and shop. To the rear are narrow areas for access and storage.
- 5.1.2 The site visit included inspecting existing basements within all the properties. This was to check for any remains of possible medieval built fabric from the cellars of preexisting buildings on the site. No remains were identified, all visible structures being contemporary with the existing buildings.

#### 5.2 The Proposed Development

5.2.1 Development proposals for mixed use student and retail accommodation at 114 to 119 St Aldate's and 4& 5 Queen Street.

#### 114 to 119 St Aldate's

5.2.2 Proposals retain the existing buildings which are converted and refurbished to provide retail units at ground and basement levels with three storeys of student accommodation above to which is added a new attic storey. Student accommodation is accessed from St Aldate's. A central bicycle store is located at the rear and some non residential student rooms and services are at basement level. The mansard roof extension is in the style of the adjacent Edwardian building at no 121 St Aldate's at the corner of the Carfax crossroads.

#### 4 & 5 Queen Street

5.2.3 This comprises the demolition of the existing three storey retail buildings and the construction of a single retail unit at ground and basement level with four storeys of student accommodation above and with four rooms to each floor across the façade.

5.2.4 Student accommodation has a dedicated entrance through an existing archway between the site and no 121 St Aldate's with access to the central bicycle store located at the rear. The retail units to both St Aldate's and Queen Street are serviced from here.

#### 5.3 Impact on Heritage Assets

#### Past impacts

- 5.3.1 The majority of the properties fronting St Aldates and Queen Street have basements (Fig. 3). Basements may be more extensive when the footprint of former, now demolished buildings are taken into account. These are indicated on historic mapping and were summarised by CgMs in a previous desk-based assessment (CgMs 2008, and Fig.3). As noted above the multiple phases of rebuilding on the site will have wholly or partly removed earlier phases of activity.
- 5.3.2 Where previous archaeological investigations have taken place they will have already removed archaeological remains. However excavation at No 4 Queen Street were undertaken within a small trench (UAD 487), and along St Aldates investigations were confined to the collection of pottery during extensive redevelopment in the late 19<sup>th</sup> and early 20<sup>th</sup> century (UAD 901, 121, and 1131). The areas of investigation shown on Figure 3, therefore, are only indicative, and archaeological remains may still survive in places, even where previous investigations are marked.
- 5.3.3 Previous investigations indicate that archaeological remains from the Saxon to Post-Medieval period might survive in the general area to depths between 4m and 6m below the existing ground surface. Within the study area this means there is potential for survival beneath existing/former basements and between basements, and in localised areas were previous impacts may be more shallow. In some parts of the site archaeological deposits may have been completely removed.

#### Potential development impacts

5.3.4 Where new basements are planned these have the potential to wholly or partly remove any surviving archaeological remains. Preliminary drawings indicate that the proposed building fronting St Aldates will include a basement at around the same level as existing (61.96m AOD). The proposed building fronting Queen Street will

include a basement at a depth slightly deeper than existing (the new level will be at 60.60m AOD). Street level on Queens Street is approximately 64.7m AOD giving finished basement depths between 2.74m and 4.1m below existing ground surface. Construction depths to form foundations would be below these levels.

- 5.3.5 In practice the existing and former basements are likely to have removed much of at least the upper part of medieval and post-medieval deposits across the site. In general, across most of the study area, only earlier deposits (e.g. Saxon) will survive, or deeper features associated with later phases (e.g. wells).
- 5.3.6 Where deposits do survive they may be wholly or partly removed by the proposed development. The potential for adverse impact can be partly mitigated by further refinement of the basement/ foundation design and/or further appropriate investigation and recording carried out before or during the early stages of construction.

#### 6.0 SUMMARY AND CONCLUSIONS

- 6.1 A site, 0.135 hectares in extent, located on the corner of St Aldates and Queen Street in the centre of the City of Oxford is being considered for development.
- 6.2 The assessment has established that there are no non-designated heritage assets on the study site. There are a number listed close by, within the city centre conservation area and these are considered in a separate report.
- 6.3 The assessment has established that the study site has high potential for nondesignated, buried Saxon, Medieval and Post-Medieval archaeological remains of local/regional significance. The study concludes that, based on current evidence, the archaeological potential of the study site is not of sufficient importance to preclude development.
- 6.4 Furthermore, there are a number of existing and former basements on the study site which are likely to have wholly or partly removed archaeological remains. However, in previous investigations in the study area and close by, remains have been recorded in excess of 4m below present ground surface. Therefore, even in areas where basements are present, archaeological deposits may still survive.
- 6.5 Although there has been previous archaeological investigation across much of the site, this has been of limited scope, comprising isolated trenching on Queen Street and collection of pottery on St Aldates. Archaeological remains may, therefore, still survive in areas marked as having been previously investigated.
- 6.6 Archaeological remains may also survive in localised areas between existing/former basements.
- 6.7 Where archaeological remains do survive the proposed development has the potential to wholly or partly remove them, resulting in harm to their significance. The precise level of impact will become clearer when detailed basement and foundation designs are available.
- 6.8 Given the archaeological potential of the site it is likely that a programme of trial excavation will be required, in line with guidance in the NPPF and under Policy HE.2 of the Oxford Local Plan, to further understand the condition and location of archaeological remains on the site. Subsequently, and dependent upon the results of this work, a further programme of design iteration and/or pre-construction

archaeological investigation and recording may be required to mitigate any development impact. This work could be secured by a condition, with the scope agreed by the local authority archaeological advisor.

### 6.9 SOURCES CONSULTED

#### <u>General</u>

The Oxford Local Plan, November 2005 Oxfordshire Record Office Oxfordshire Local Studies Library Oxford Urban Archaeological Data Base English Heritage Register of Historic Parks and Gardens English Heritage Register of Battlefield Sites

#### **Bibliography**

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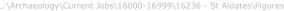
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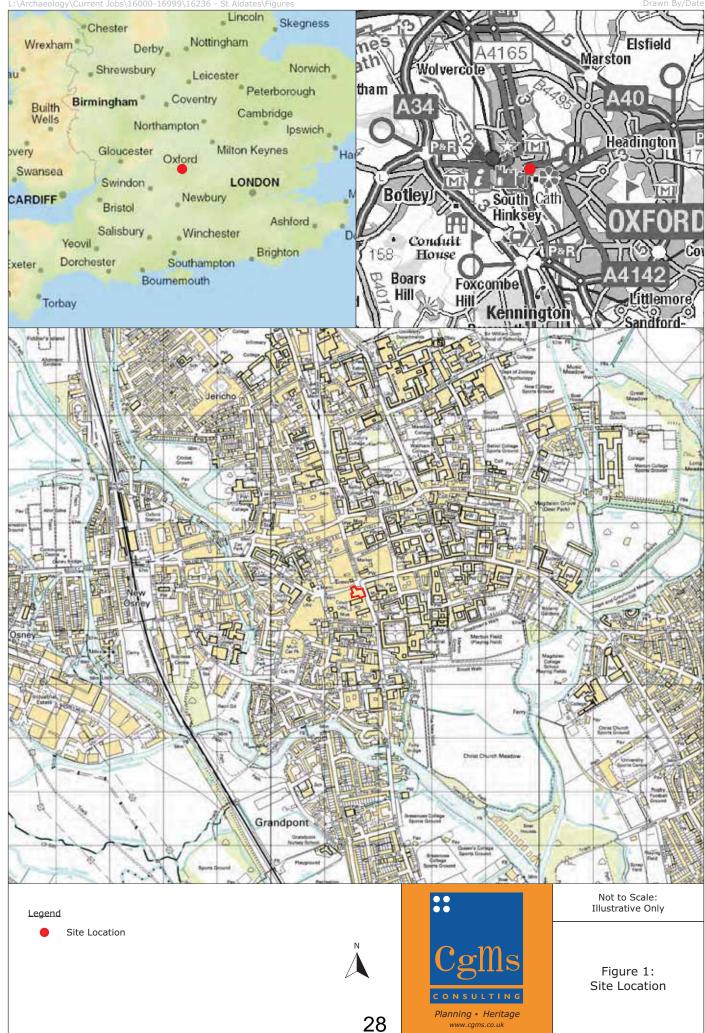
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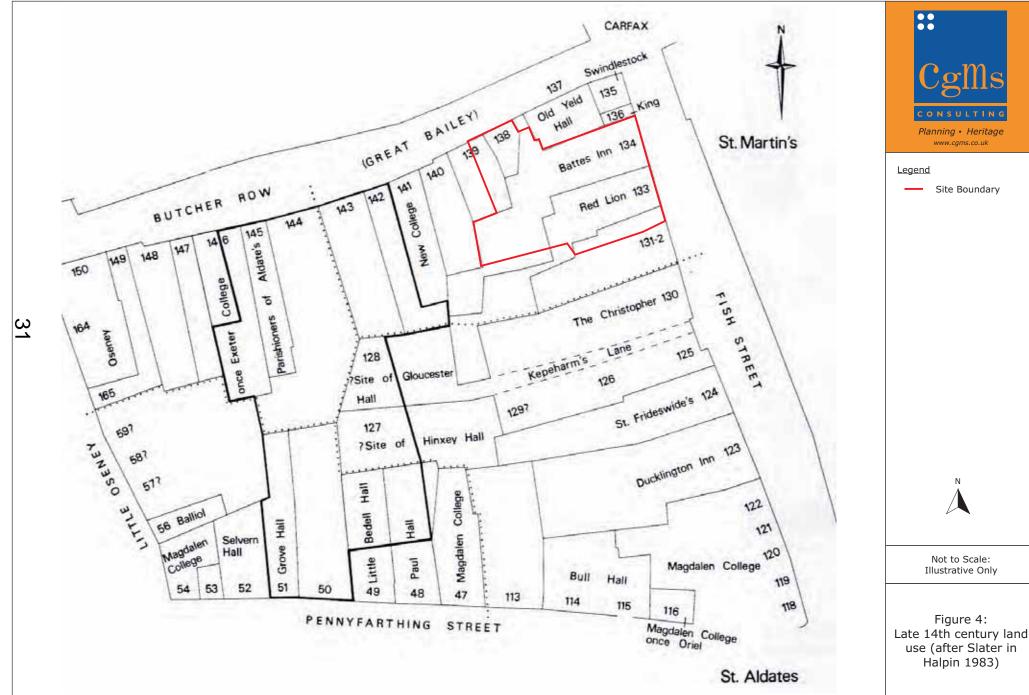


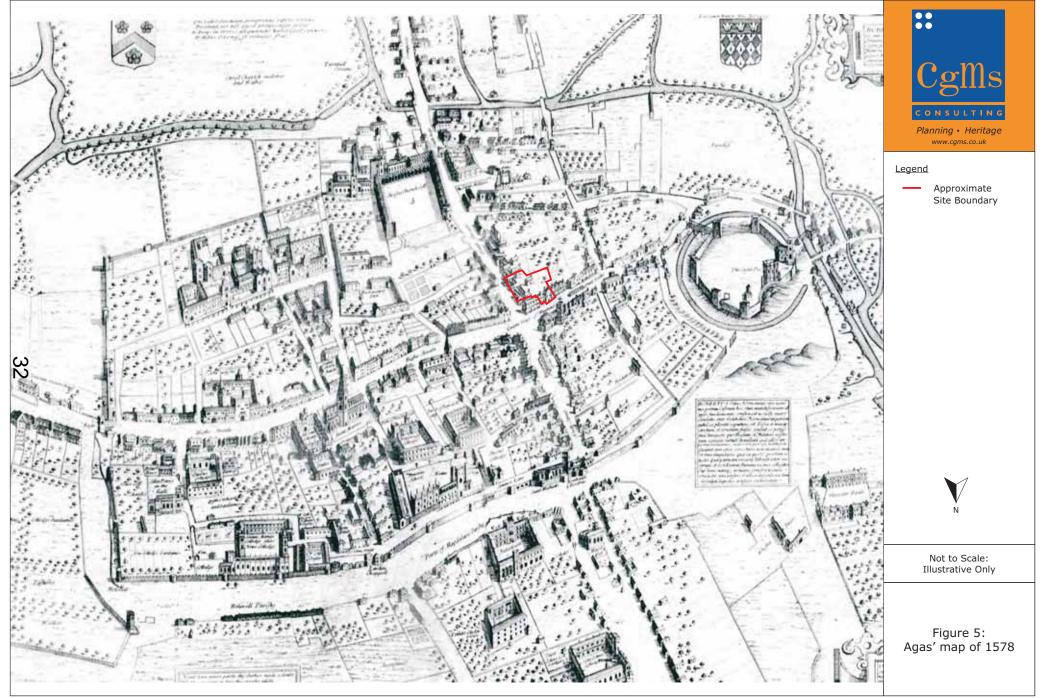
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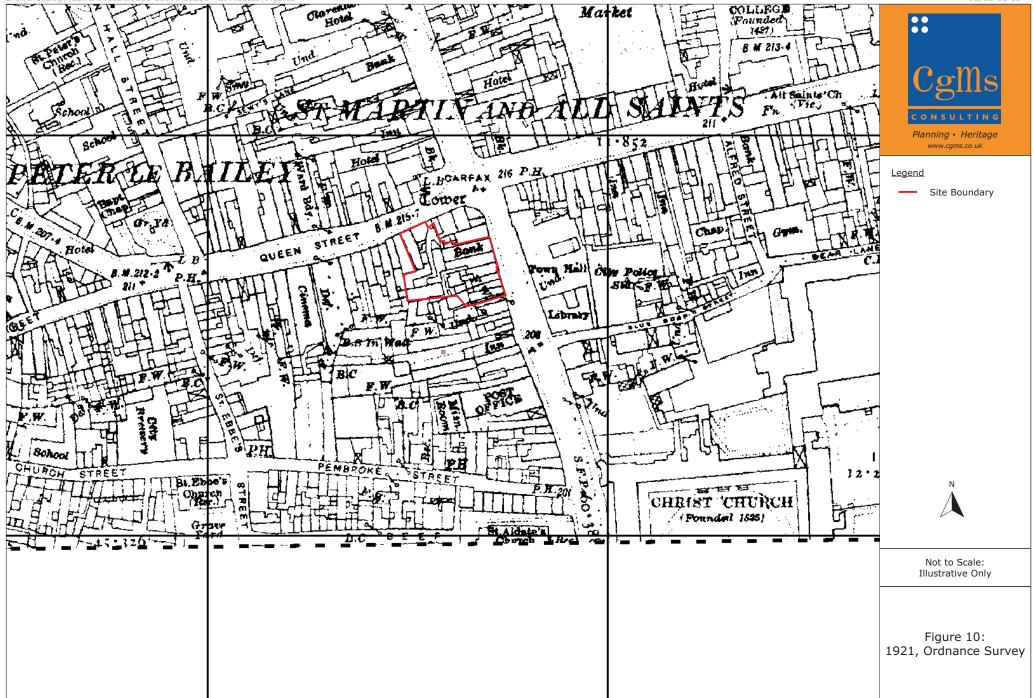
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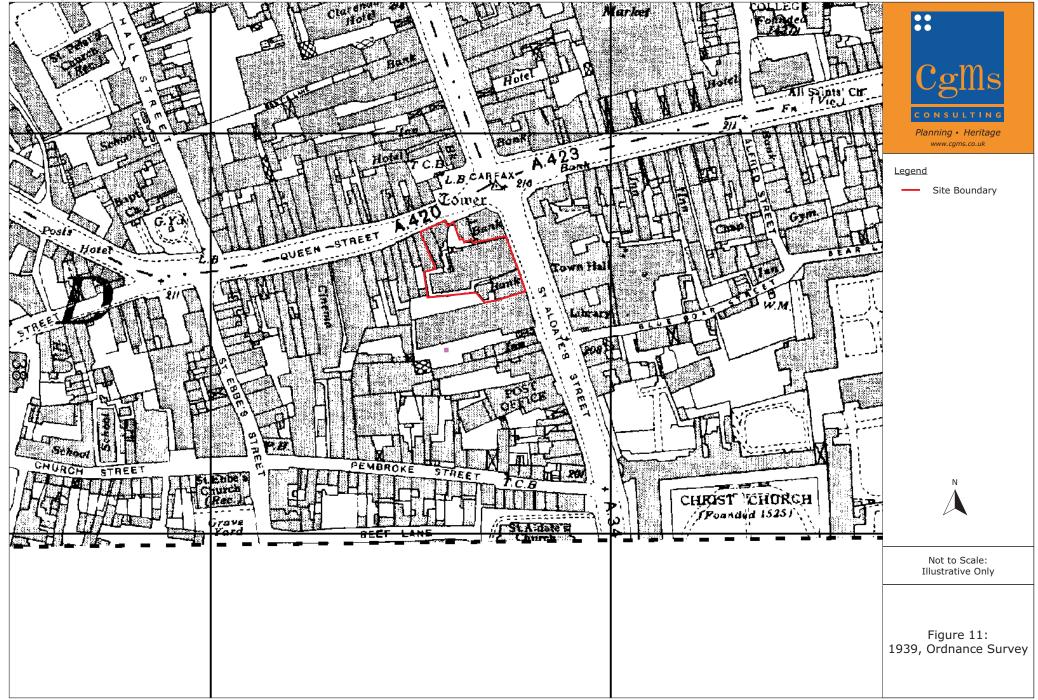


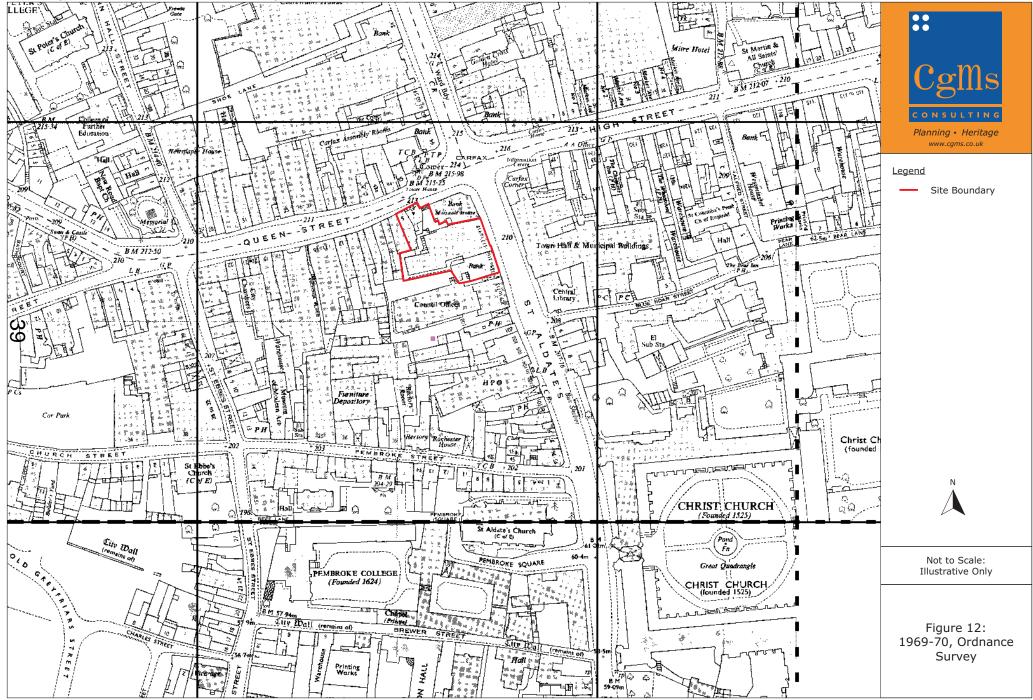


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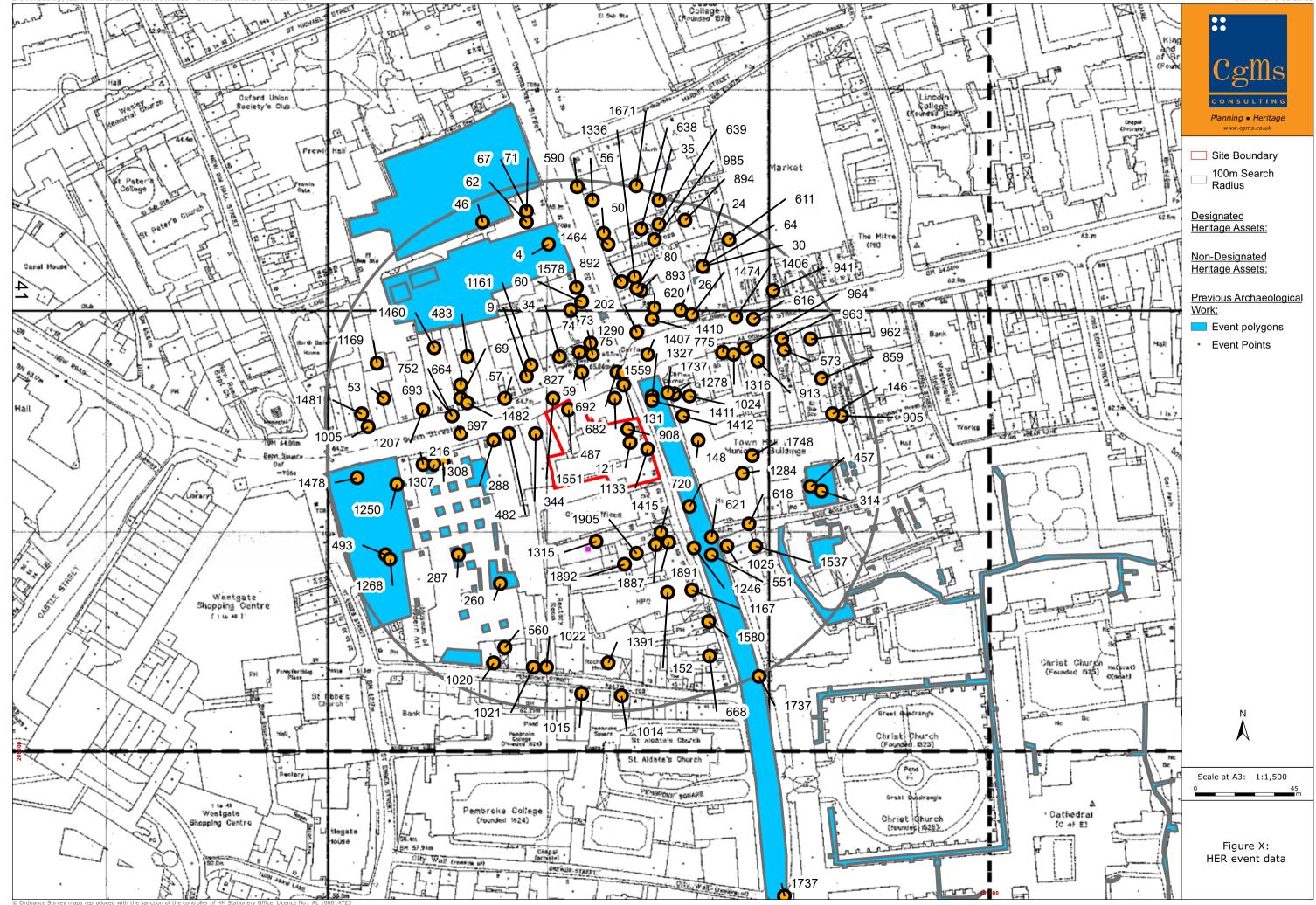




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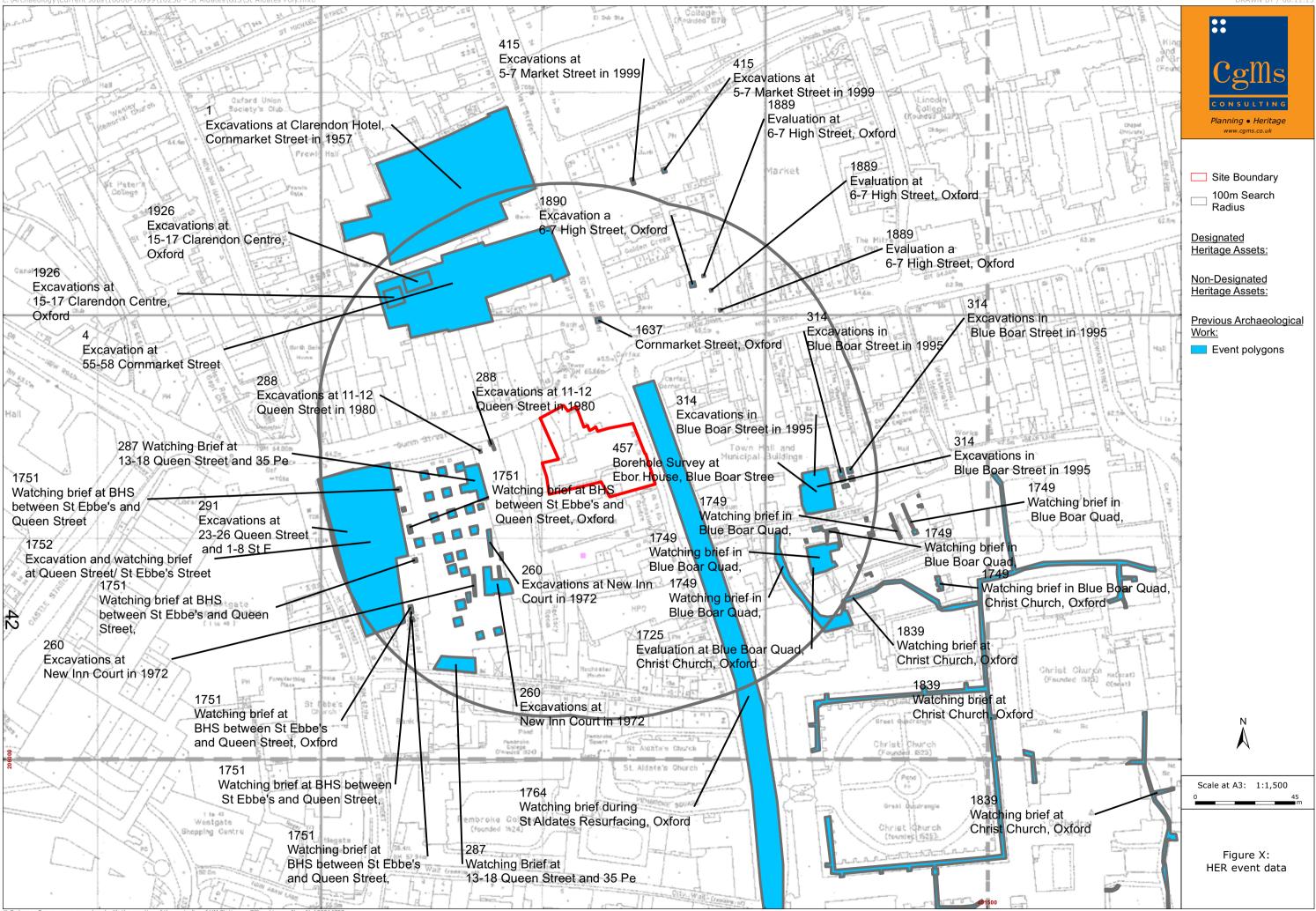
#### **APPENDIX 1**

#### **Oxford Urban Archaeological Database References**



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St Ald



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### ADDENDUM TO ARCHAEOLOGICAL DESK BASED ASSESSMENT

## 114-119 ST ALDATES & 4-5 QUEEN STREET OXFORD

Planning • Heritage Specialist & Independent Advisors to the Property Industry

**SEPTEMBER 2014** 

45

### Local Planning Authority: OXFORD CITY COUNCIL

Site centred at: 451320, 206130

Author: NICK SHEPHERD BA(Hons) PGDip MIfA

Approved by: NICK SHEPHERD BA (Hons) PGDip MIfA

**Report Status:** 

**FINAL** 

Issue Date: SEPTEMBER 2014

CgMs Ref: NS/16236

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# 114 – 119 St Aldates & 4 – 5 Queen Street, Oxford

### Addendum to Archaeological Desk-based Assessment

#### 1. Introduction

This addendum has been produced following post application consultation with the City Archaeologist David Radford. In this he has requested that:

- Additional information be considered in respect of the baseline (Medieval topographic maps of Oxford produced by HE Salter, and Dodd, A. (2003) *Oxford Before the University*). Greater consideration should also be given to the origin and potential for tunnels/cellars connecting the west and east sides of St Aldates.
- A review of existing and proposed levels be undertaken and that this be compared with predicted levels of archaeological survival to arrive at a more detailed understanding of potential impact.

#### 2. Baseline

The Medieval topography of the site is covered within the existing desk-based assessment in section 4.8. In this, although Salter is not directly referenced, studies based on his work, and used to reconstruct the 12<sup>th</sup> to 14<sup>th</sup> century land holdings are used. This identifies historic properties at No's 4 and 5 Queen Street and 114 to 119 St Aldates. Properties on the south-west corner of Car fax (including the site the Old Guildhall and Swindlestock Tavern are outside of the application site and will be unaffected by the proposed development.

In *Oxford Before the University*, Munby provides a commentary on the development of properties around Carfax (p 224-245). In this he demonstrates that, while the boundaries of the tenements have often been stable from the 13<sup>th</sup> century, the current arrangements result from, inter alia, the Carfax Improvement Scheme of 1986, resulting in a more open design, with wider roads in the approach to Carfax, and with frontages set back from the original narrow Medieval street lines.

Munby mentions cellars beneath Swindlestock Tavern and Knap Hall on the eastern side of St Aldates (now beneath the current Town Hall), and his plan shows these extending beneath St Aldates itself (his Figure 5.17). Parts of these cellars may survive and may have given rise to the tradition that they represent tunnels beneath and between pre-existing properties in the Medieval Jewry, although this origin is considered unlikely (Munby pers comm). The projected position of the cellars lies outside the application site and so they should be unaffected by the proposed development.

Excavation within Queen Street are noted within the original DBA, but more detail is supplied within *Oxford Before the University*. The excavations, within the application site, at No.4 Queen Street are reported on in detail (p 245-247), as are those to the west at 7 to 8 (p 247-254). The following is a summary of the main finding where they have particular relevance to the application site.

At 4 Queen Street a small test-pit was excavated within the in-filled basement of an earlier building (now replaced by the property occupied by the retailer Swarovski). The test-pit was

located in the north-eastern corner of the basement and was excavated to a depth of 2.6m beneath the existing basement level.

The top of the basement at the time was recorded at 62.90m, with the basement slab shown at up to 150mm thick. Archaeological remains survived, therefore, from 62.75m. Undisturbed natural deposits were recorded at around 61.70m giving a depth of archaeological remains of 1.05m, although individual pits/well were dug below this level to at least the full depth of the test-pit.

The earliest evidence was for a series of undated surfaces, possibly a yard or street. These were cut by pits and a well, with backfill including pottery of late Saxon (early to mid 11<sup>th</sup> century) date. These were overlain by deposits including a stone wall and floor surfaces associated with pottery of 11<sup>th</sup> to 13<sup>th</sup> century date. Pottery indicates the wall was demolished in the 17<sup>th</sup> century. The evidence indicates a well-preserved complex sequence of urban land-use relating to the late Saxon/Medieval street frontage.

At 7 to 8 Queen Street a similar sequence of deposits was identified, the earliest being associated with pottery of late Saxon date (although a Roman sherd, possibly residual, was found at the surface of the natural gravel). Deposits including remains of building, internal surfaces and possible street surfaces were recorded dating into the 12<sup>th</sup> century. Here archaeological deposits survived from around 62.6m, were in general around 1m in depth, with pits cut to greater depth of up to 1.4m below that.

These two excavation show that archaeological remains can survive beneath existing basements fronting on to Queen street (and also, by implication St Aldates). Later basements will have truncated these remains, but extensive areas of horizontal stratigraphy including remains of structures and surfaces might survive along Queen Street to depths of 61.6m, with deeper pits surviving beneath this.

#### 3. Estimated Existing and Proposed Impacts

Plans submitted with the application demonstrate that across much of the site existing basements are to be retained and proposed works are to be undertaken within the existing basement depths.

The proposed development fronting St Aldates will retain the existing structures and basements. There will be no significant additional impact in these areas, although there may be limited groundworks for new services. The following, therefore focuses on development fronting No's 4/5 Queen Street.

#### Existing topography

The historic ground surface has changed over time but existing ground levels show a north to south slope with levels on the pavement in front of No 4 Queen Street at 64.90, and levels in a yard outside to the south of the application area at 64.48. This is a drop of 400mm.

#### Estimated existing impacts

• 4 Queen St —top of existing slab at 64.6m, -base of previous (filled-in) basement at 62.90m (based on excavated evidence)

- 5 Queen Street top of existing basement slab at 61.96m
- 114/119 St Aldates (rear) -top of existing basement at 61.97m

Current slab depths are unknown but if we assume that all slabs are of similar depth to that excavated at 4 Queen Street (150mm) the depths of existing impacts are as follows:

- 4 Queen Street -62.90m
- 5 Queen Street- 61.81m
- 114/119 St Aldates (rear) -61.82m

#### Estimated archaeological survival

Using the evidence from the Queen Street excavations, and taking account of the north-south slope, complex stratified archaeological remains would survive to the following depths:

- 4 Queen Street -61.85m (up to 1.05m below base of existing slab, plus any deeper pits)
- 5 Queen Street -61.85m (so likely to have been removed by existing slab, except for deeper pits)
- 114/119 St Aldates (rear) -61.65m to 61.45m (between 170mm and 370mmm below base of existing slab, pus any deeper pits).

The best survival will be within the shallow basemented area of 4 Queen Street where around 1m of complex stratigraphy might survive, with deeper pits cut below this. Within 5 Queen Street, complex remains are likely to have been removed by the existing basement, although deeper pits may survive. To the south, at the rear of 114/119 St Aldates, assuming a similar depth of remains as excavated in the north, the natural slope means that existing basements might seal between 170mm and 370mm of surviving complex stratigraphy, with deeper pits beneath this.

The above calculations assume (a) uniform slab depth across the site (it could be deeper in places and existing strip foundations and drainage will have caused significant impact), (b) a similar depth of survival of archaeological remains as indicated by the Queen Street excavations (this could vary, and might be shallower and less complex to the rear of properties fronting the main streets), and (c) a uniform drop off in slope as indicated by modern ground surfaces (this could be shallower or deeper in places and does not take account of any historic terracing that might have occurred in relation to past development. The resulting cumulative uncertainty introduced by these variables should warn against taking any of the estimated figures as definitive.

#### Estimated proposed impacts

The proposed development fronting Queen Street will remove the existing buildings, and those parts of the rear of 114-119 St Aldates within the proposed footprint. Perimeter piling will be inserted around the northern, western, and southern limits of the new building. In the southern part of the new building basements will be formed at the same as existing levels. In the northern part of the building new basements, beneath existing levels are currently planned. Beneath the new basement, across the southern and northern parts of the building, existing foundations will be removed and new concrete pad foundations inserted.

On the basis of plans submitted the engineering formation level for the top of new basement slabs will be at 61.90m across the whole site. Assuming a slab depth of 300mm, predicted impact will be down to 61.60m (not including any required working depths). Allowing for the natural slope on the site this will have a varying impact on archaeological remains, where they survive, as follows:

- 4 Queen Street the depth of disturbance will be 1.3m below existing and this might remove all complex stratified remains and the upper part of any deeper pits
- 5 Queen Street all complex remains have (probably) already been removed, although the 201mm disturbance beneath existing base of slab might remove the upper part of any surviving deeper pits
- 114/119 St Aldates (rear) –allowing for the natural slope across the site, there may be better survival of remains in the south than in the north. In the north the 220mm of disturbance might remove the remaining part of any complex remains (already largely removed by earlier development) and the upper part of any deeper pits. In the south the 220mm of disturbance might remove only the upper part of any surviving complex remains, leaving the lower part, and any deeper features intact.

	Depth of existing impacts ( base of slabs)	Base of archaeological survival	Depth of survival below existing slab	Depth of predicted impact (base of new slab)	Potential depth of disturbance
4 Queen Street	62.90m	61.85m	1.05m plus deeper pits	61.60m	1.3m (all complex remains removed plus the upper part of deeper pits)
5 Queen Street	61.81m	61.85m	Only deeper pits	61.60m	210mm –the upper part of deeper pits
Rear St Aldates north	61.82m	61.65m	170mm plus deeper pits	61.60m	220mm – the remaining lower part of any complex remains and the upper part of deeper pits
Rear St Aldates south	61.82m	61.45m	370mm plus deeper pits	61.60m	220mm – the upper part of any complex remains.

The following table summarises the data presented in the above sections.

The above data focusses on the impact of planned basement levels. Where perimeter piling is proposed archaeological remains will be wholly removed in these area. In addition, where strip footings/ground beams are proposed these would also impact on buried remains beneath the depth of the slab.

#### 4. Mitigation

#### <u>Design</u>

The consultation with David Radford indicated that the most significant archaeological remains at risk are likely to lie in areas fronting Queen Street. These areas are likely to preserve Saxon and Medieval street frontages. Areas to the south to the rear of St Aldates, will likely be less complex but still significant backyard areas.

On the basis of the analysis in this addenda, under the existing proposals, the greatest level of impact is likely to occur on the most significant and best preserved area of archaeology. This impact would be significantly mitigated by a change to the design which involve a reduction in the planned basement area, removing it from the frontage area beneath 4 Queen Street while retaining it (if feasible) beneath 5 Queen Street, and to the rear of the St Aldates properties.

#### Archaeological Investigation

Where impact remains, in less significant areas of the site, this can be partly mitigated through archaeological investigation. This would need to include some pre-construction test-pitting to confirm the estimates and assumptions made in this addenda. Further investigation would then focus on excavating and recording any remains that would be removed during construction, and the preservation of any remains beneath the engineering formation levels. These works could be secured by a condition attached to consent.

#### 5. Summary and conclusions

This addendum to the archaeological desk-based assessment has been produced following consultation with the Oxford City Archaeologist.

The Salter map evidence has been consulted, but adds little to the interpretation of the site already provided in the original desk-based assessment.

It is possible that cellars were constructed under St Aldates, linking properties to either side, and these may survive. However, the origin of these structures is likely to be a storage for goods and there is no evidence to suggest they might form part of a network of tunnels linked to the Oxford Jewry. The cellars lie outside the application area and so will not be impacted by the development.

The evidence of excavated evidence elsewhere on Queen Street provides useful data to understand the significance and level of preservation of archaeological remains across the application site.

An analysis of existing impacts, archaeological survival, and proposed development impact identifies a range of potential impact on archaeological remains across the site. The significant impacts would occur within the northern part of the site under the present 4 Queen Street, with less significant impact to the south.

Some mitigation of development impact would be possible through alteration of the basement design to remove it in the area of 4 Queen Street. Further mitigation would be possible through the preservation in-situ of archaeological remains beneath engineering formation levels, elsewhere on

the site. Where this was not possible further appropriate archaeological investigation, controlled by a condition, could be undertaken prior to and during the early stages of demolition/construction.

#### 6. References

The following Reef Estates plans were consulted and are attached.

A.01 Existing basement plan with drainage, 09/07/14 (1:100)

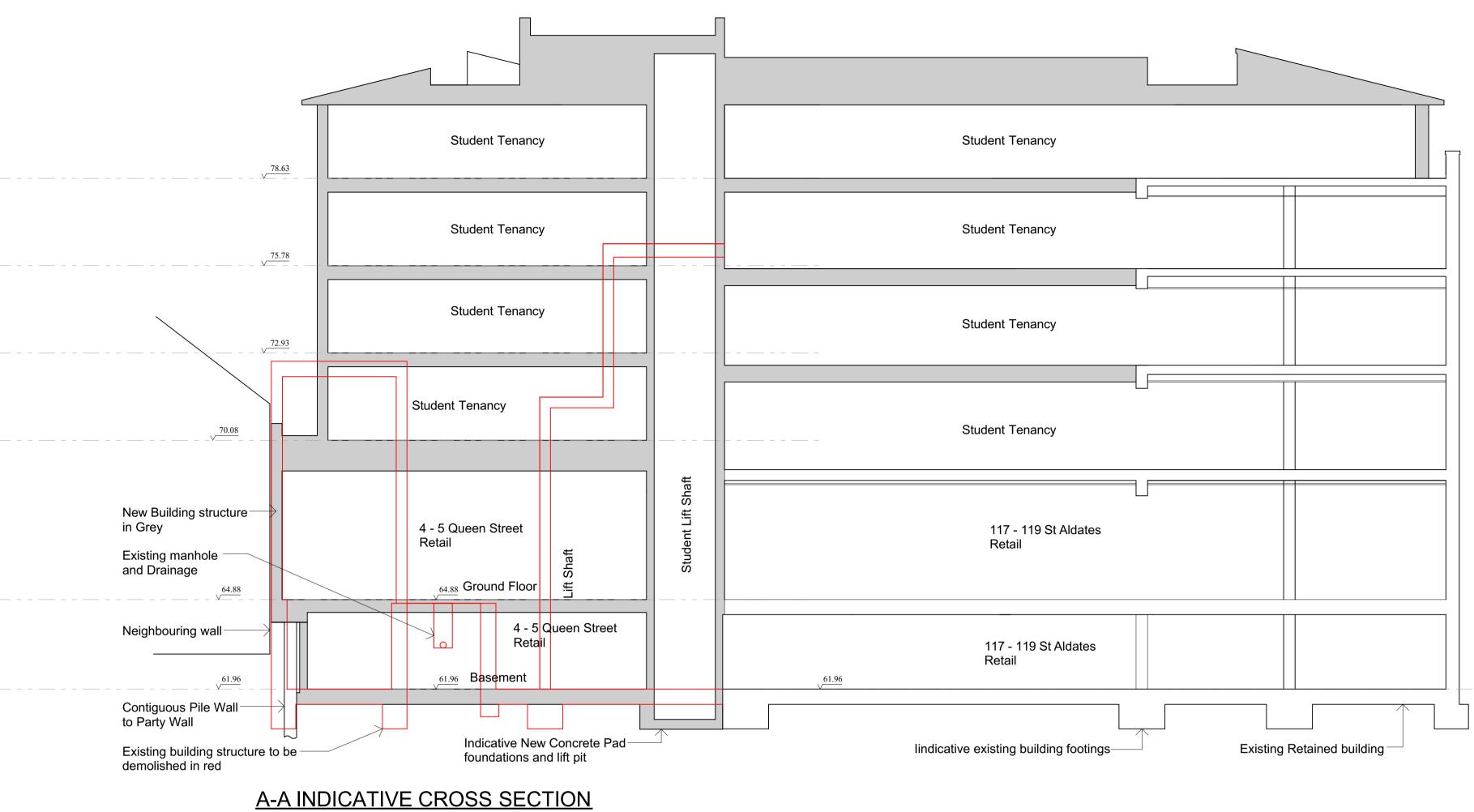
A.02 Proposed basement plan with existing overlay 09/07/14 (1:100)

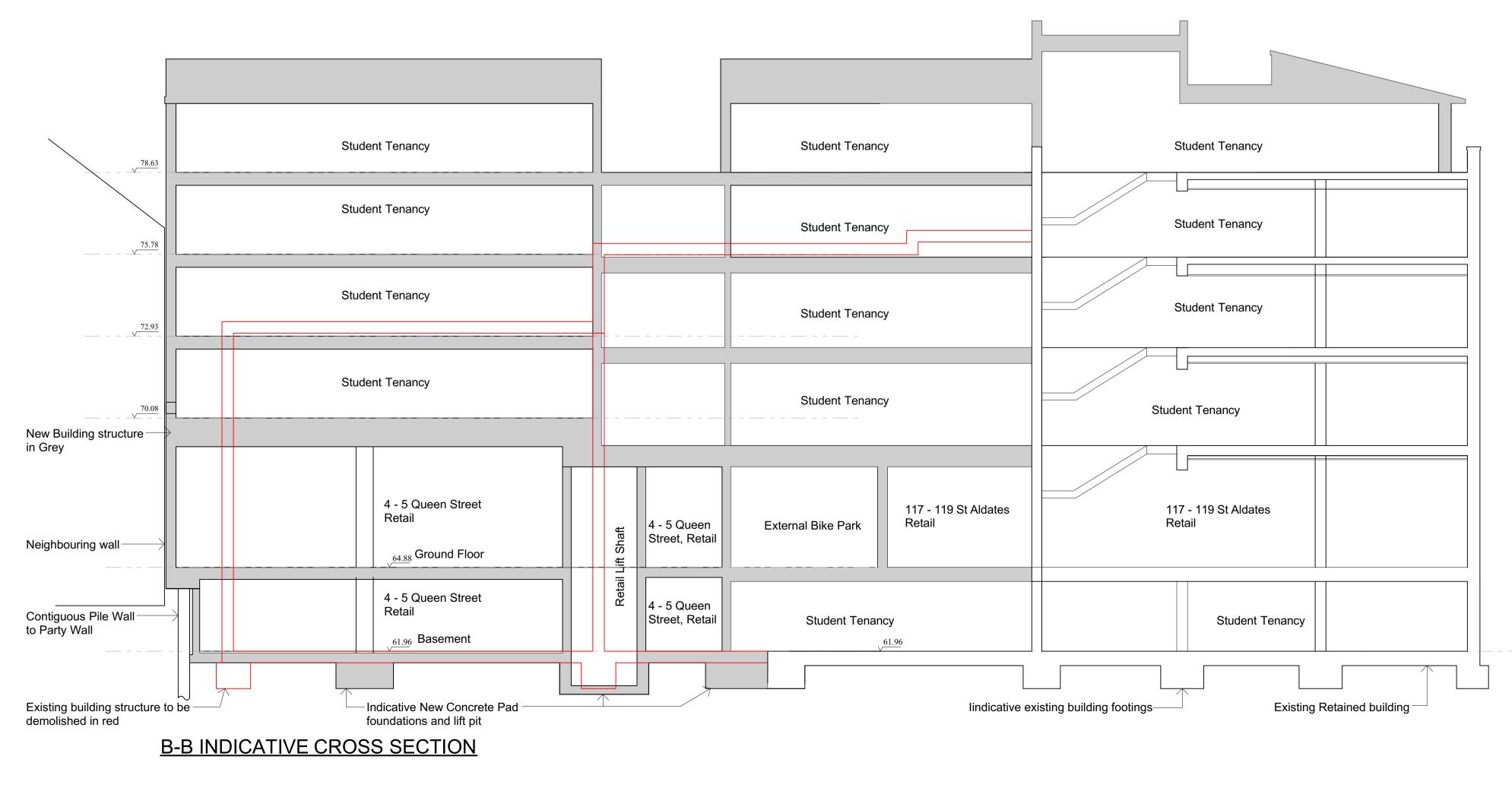
A.03 Indicative cross sections 09/07/14 (1:100)

A.04 Indicative cross sections 09/07/14 (1:100)



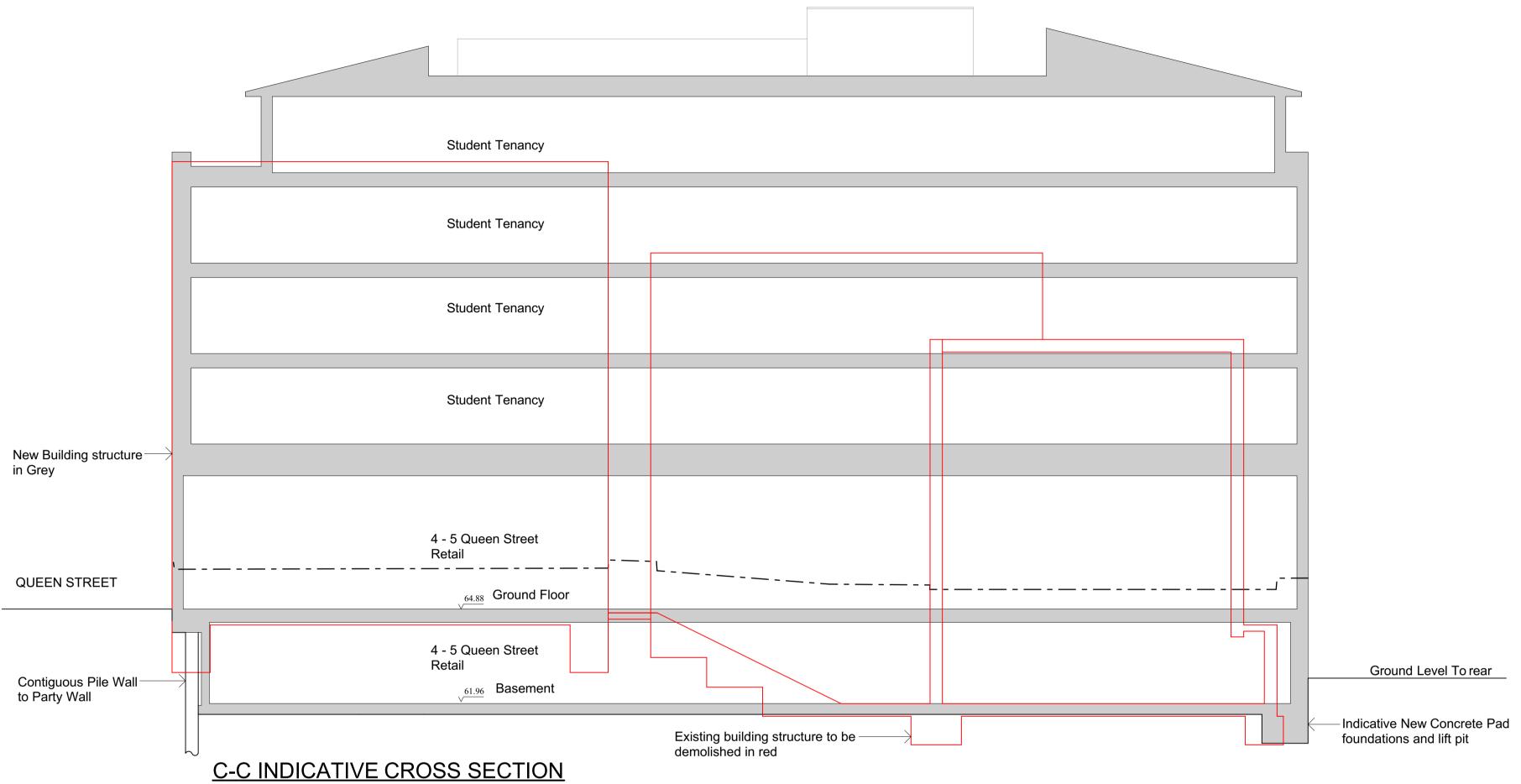






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London	
W1W 8BN Tel: 020 7637 0601	
Fax: 020 7580 1874 Job Title	
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# Agenda Item 7

## Monthly Planning Appeals Performance Update – August 2015

Contact: Head of Planning and Regulatory: Cathy Gallagher

Tel 01865 252360

- 1. The purpose of this report is two-fold:
  - i. To provide an update on the Council's planning appeal performance; and
  - ii. To list those appeal cases that were decided and also those received during the specified month.

#### Best Value Performance Indicator BV204

2. The Government's Best Value Performance Indicator BV204 relates to appeals arising from the Council's refusal of planning permission and telecommunications prior approval refusals. It measures the Council's appeals performance in the form of the percentage of appeals allowed. It has come to be seen as an indication of the quality of the Council's planning decision making. BV204 does not include appeals against non-determination, enforcement action, advertisement consent refusals and some other types. Table A sets out BV204 rolling annual performance for the year ending 31 August 2015, while Table B does the same for the current business plan year, ie. 1 April 2015 to 31 August 2015.

Table A	-	ouncil ormance	Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	9	29%	3	6
Dismissed	22 71% 31		2	20
Total BV204 appeals				

# Table A. BV204 Rolling annual performance(1 September 2014 to 31 August 2015)

Table B	-	ouncil ormance	Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No	%	No.	No.
Allowed	4	67%	2	2
Dismissed	2	34%	1	1
Total BV204 appeals	6			

Table B. BV204: Current business plan year performance(1 April 2015 to 31 August 2015)

#### All Appeal Types

3. A fuller picture of the Council's appeal performance is given by considering the outcome of all types of planning appeals, i.e. including non-determination, enforcement, advertisement appeals etc. Performance on all appeals is shown in Table C.

Table C	Appeals	Performance
Allowed	19	38%
Dismissed	31	62%
All appeals decided	50	
Withdrawn	5	

# Table C. All planning appeals (not just BV204 appeals)Rolling year1September 2014 to 31 August 2015

- 4. When an appeal decision is received, the Inspector's decision letter is circulated (normally by email) to the committee chairs and ward councillors. If the case is significant, the case officer also subsequently circulates committee members with a commentary on the appeal decision. Table D, appended below, shows a breakdown of appeal decisions received during August 2015.
- 5. When an appeal is received notification letters are sent to interested parties to inform them of the appeal. The relevant ward members also receive a copy of this notification letter. Table E, appended below, is a breakdown of all appeals started during August 2015. Any questions at the Committee meeting on these appeals will be passed back to the case officer for a reply.
- 6. All councillors receive a weekly list of planning appeals (via email) informing them of appeals that have started and been decided, as well as notifying them of any forthcoming hearings and inquiries.

# Table D

# Appeals Decided Between 1/08/15 And 31/08/15

DECTYPE KEY: COMM - Area Committee Decision, DEL - Delegated Decision, DELCOM - Called in by Area Committee, STRACM - Strategic Committee; RECM KEY: PER - Approve, REF - Refuse, SPL - Split Decision; NDA - Not Determined; APP DEC KEY: ALC - Allowed with conditions, ALW - Allowed without conditions, ALWCST - Allowed with costs, AWD - Appeal withdrawn, DIS – Dismissed

DC CASE	AP CASE NO.	DECTYPE:	<b>RECM:</b>	APP DEC	DECIDED	WARD:	ADDRESS	DESCRIPTION
14/03029/FUL	15/00013/COND	DEL	PER	AWD	13/08/2015	STCLEM	168 Divinity Road Oxford OX4 1LR	Demolition of external stores and canopy. Erection of single storey rear extension and formation of courtyard area. Change of use from 2 x flats to House in Multiple Occupation (Use Class C4) (amended plans)
14/03485/FUL	15/00016/REFUSE	DEL	REF	ALC	26/08/2015	COWLYM	128 & 130 Oxford Road Cowley Oxford OX4 2DU	Change of use of the first floor from Use Class A2 (Financial and Professional Services) to Use Class C1 (Guesthouse) to provide 6no. guest bedrooms. Change of Use of ground floor of 130 Oxford Road to Use Class A1 (Retail). Installation of new shop front and front door to first floor accommodation.

Total Decided: 2

# Enforcement Appeals Decided Between 1/08/2015 And 31/08/2015

APP DEC KEY: ALC - Allowed with conditions, ALW - Allowed without conditons, AWD - Appeal withdrawn, DIS - Dismissed

EN CASE	AP CASE NO.	APP DEC	DECIDED	ADDRESS	WARD:	DESCRIPTION
13//0062/5/ENF	15/00003/ENFORC	ALLOW	03/08/2015	9 Cumberland Road Oxford Oxfordshire OX4 2BZ	COWLYM	Alleged unauthorised outbuilding
14//0032/3/ENF	15/00006/ENFORC	DISMIS	11/08/2015	221 Cowley Road Oxford Oxfordshire OX4 1XG	STCLEM	Appeal against alleged unauthorised rear dormer
14//0050/0/ENF	15/00012/ENFORC	DISMIS	12/08/2015	Land To The Rear Of 9A And 11 Chester Street Oxford Oxfordshire	IFFLDS	Appeal against the construction of a single storey garage without planning permission.
14//0036/2/ENF	15/00023/ENFORC	ALLOW	21/08/2015	169 Windmill Road Oxford Oxfordshire OX3 7DW	HEAD	Appeal against Unauthorised creation of s/c flat in loft
14//0055/8/ENF	15/00019/ENFORC	ALLOW	24/08/2015	82 Cricket Road Oxford Oxfordshire OX4 3DH	COWLYM	Appeal against the construction of a single storey outbuilding without planning permission.
14//0054/2/ENF	15/00020/ENFORC	DISMIS	25/08/2015	1 Frederick Road Oxford Oxfordshire OX4 3HL	COWLEY	Appeal against possible unauthorised outbuilding

Total Decided: 6

# Table E

# Appeals Received Between 1/08/15 and 31/08/15

DECTYPE KEY: COMM - Area Committee Decision, DEL - Delegated Decision, DELCOM - Called in by Area Committee, STRACM - Strategic Committee; RECMND KEY: PER - Approve, REF - Refuse, SPL - Split Decision, NDA - Not Determined; TYPE KEY: W - Written representation, I - Informal hearing, P -Public Inquiry, H – Householder

DC CASE	AP CASE NO.	DEC TYPE	REC	CM TYPE ADD	RESS V	VARD:	DESCRIPTION	
15/00597/OUT	15/00033/REFUSE	04/08/2015	Ι	Trevor Saunders	Land Adj Canterbury House 393 Cowley Road Reliance Way Oxford Oxfordshire OX4 2FQ	access, lay erection of consisting bedroom fl of private a	plication (seeking approval of out and scale) for the four storey building of 4 x 1 bedroom and 4 x 3 lats (Use Class C3). Provision amenity space, car parking, waste storage.	Nik Lyzba
14/03204/OUT	15/00034/REFUSE	04/08/2015	Ι	Trevor Saunders	Rivera House And Adams House Reliance Way Oxford OX4 2FQ	accommod Adams Ho student stu disabled ca	n of existing office lation at Rivera House and use. Construction of up to 98 dy rooms with provision for ar parking spaces and cycle Dutline application with all served)	Nik Lyzba
15/00360/B56	15/00035/PRIOR	04/08/2015	Ι	Trevor Saunders	Canterbury House 393 Cowley Road Oxford Oxfordshire OX4 2BS	B1(a)) to r provide 3 x This applic to whether is required should be g assessed so	use from office (Use Class esidential (Use Class C3) to x 1-bed and 1 x 2-bed flats. cation is for determination as prior approval of the Council and, if required, whether it granted. This application is olely in respect of transport ay impacts and contamination ng risks.	Nik Lyzba
15/01059/FUL	15/00036/REFUSE	06/08/2015	W	Ed Pigott	12 Benson Road Oxford Oxfordshire OX3 7EH	Class C3) Occupation	use from dwellinghouse (Use to House in Multiple n (Use Class C4). Erection of ey rear extension.	Mr Eric Bolton

15/00370/FUL	15/00037/COND	06/08/2015	W	Robert Fowler	Store Adjacent 79 St Leonard's Road Oxford Oxfordshire	Demolition of existing store. Erection of 1 x 2-bed dwelling (Use Class C3).	
15/00932/CPU	15/00038/REFUSE	14/08/2015	W	Nadina Ranson	16 Argyle Street Oxford Oxfordshire OX4 1SS	Application to certify that the formation of rear dormer roof extensions and insertion of 2 no. front rooflights in association with loft conversion is lawful development.	Mr Mark Shrive
15/00670/ADV	15/00039/REFUSE	27/08/2015	Н	Sarah Orchard	72 London Road Headington Oxford Oxfordshire OX3 7PD	Display of 1No internally illuminated totem sign.	Ian Lesseter

Total Received: 7