

# Agenda

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## West Area Planning Committee

Date: **Tuesday 10 April 2018**

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Time: **6.00 pm**

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Place: **The Old Library, Town Hall**

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For any further information please contact the Committee Services Officer:

**Catherine Phythian, Committee and Member Services Officer**

Telephone: 01865 252402

Email: [democraticservices@oxford.gov.uk](mailto:democraticservices@oxford.gov.uk)

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If you intend to record the meeting, it would be helpful if you speak to the Committee Services Officer before the start of the meeting.

# West Area Planning Committee

## Membership

<b>Chair</b>	Councillor Louise Upton	North;
<b>Vice-Chair</b>	Councillor Colin Cook	Jericho and Osney;
	Councillor Jamila Begum Azad	St. Clement's;
	Councillor Jean Fooks	Summertown;
	Councillor Alex Hollingsworth	Carfax;
	Councillor Dan Iley-Williamson	Holywell;
	Councillor Mark Lygo	Churchill;
	Councillor Bob Price	Hinksey Park;
	Councillor Elizabeth Wade	St. Margaret's;

The quorum for this meeting is five members. Substitutes are permitted.

### Copies of this agenda

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# AGENDA

Pages

1 Apologies for absence and substitutions

2 Declarations of interest

3 17/03330/FUL: 2 Savile Road, Oxford, OX1 3UA (New College)

13 - 60

**Site Address:** 2 Savile Road, Oxford, OX1 3UA (New College)

**Proposal:** Proposed demolition of Warham House, New College School hall and partial demolition of Savile House rear extension. Erection of three new buildings and reconstruction of Savile House rear extension to provide C2 residential college including Music Hall, assembly, academic and study space, Porter's Lodge and associated accommodation, and replacement D1 facilities for New College School including dining hall, assembly space and class rooms.

**Reason at Committee:** Major Development

**Recommendation:**

West Area Planning Committee is recommended to:

**(a) Approve the application for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and grant planning permission subject to:**

- a) Public consultation on revised plans and information not resulting in any new issues being raised that are not dealt with in this report; and
- b) Receiving a revised Energy statement and Air Quality Assessment to the satisfaction of the Head of Planning, Sustainable Development and Regulatory Services; and
- c) Subject to further conditions as may be necessary in connection with b) above.

**(b) Agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:**

Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary and issue the planning permission.

**4 17/03332/FUL: New College Sports Ground, St Cross Road**

61 - 80

**Site Address:** New College Sports Ground, St Cross Road, Oxford

**Proposal:** Proposed car park of 17no. spaces. (Amended plans)

**Reason at Committee:** This is a delegated item. However as it is linked with Major development under 17/03330/FUL, Officers consider it appropriate for Committee to determine this application as well.

**Recommendation:**

West Area Planning Committee is recommended to:

**(a) Approve the application for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and;**

**(b) Agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:**

Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary and issue the planning permission.

**5 17/03040/FUL: 53 Sunderland Avenue, Oxford, OX2 8DT**

81 - 100

**Site Address:** 53 Sunderland Avenue, Oxford, OX2 8DT

**Proposal:** Demolition of existing dwelling house, parking and garage. Erection of a replacement building comprising 6 flats (2x3 bedrooms, 2x2 bedrooms and 2x1 bedroom), car parking and landscaping.

**Reason at Committee:** The development involves the creation of more than four residential units and therefore cannot be dealt with as a delegated item.

**Recommendation:**

West Area Planning Committee is recommended to:

**(a) Approve the application for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and grant planning permission subject to:**

The satisfactory completion of a legal agreement under s.106 of the Town and Country Planning Act 1990 and other enabling powers to secure the planning obligations set out in the recommended heads of terms which are set out in this report; and

**(b) Agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:**

1. Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary;
2. Finalise the recommended legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers as set out in this report, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in this report (including to dovetail with and where appropriate, reinforce the final conditions and informatives to be attached to the planning permission) as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary; and
3. Complete the section 106 legal agreement referred to above and issue the planning permission.

**6 17/02229/FUL: 12 Crick Road, Oxford, OX2 6QL**

101 -  
116

**Site Address:** 12 Crick Road, Oxford, OX2 6QL

**Proposal:** Part demolition and reconstruction of the western part of the house with alterations to the front elevation, the front eaves and the west facing gable, including revised fenestration, replacement of the secondary doorway with a window. Formation of a new access and lightwell to an extended and deepened basement level, with single, two and three storey extensions above to the rear. Reconstruction of the single storey side extension with an increased height. Landscaping and changes to the front boundary including installation of wall, gates and railings. Bin and Cycle stores. (Revised plans)

**Reason at Committee:** The application has been called in by Cllrs Upton, Pressel, Fry and Clarkson because of concerns over the effect on the special character and setting of the North Oxford Victorian Suburb Conservation Area.

**Recommendation:**

West Area Planning Committee is recommended to:

- (a) Approve the application for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and grant planning permission.**
- (b) Agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:**

Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary;

**7 18/00322/CT3: Oxford City Council Parks Depot, Cutteslowe Park, Harbord Road, Oxford, OX2 8ES**

117 -  
126

**Site Address:** Oxford City Council Parks Depot, Cutteslowe Park, Harbord Road, Oxford OX2 8ES

**Proposal:** Refurbishment of existing offices to create new kitchen/staff room and disabled WC. Formation of new office in existing storage area. Insertion of 1no. window to north elevation, alterations to existing disabled access to west elevation and re-cladding of external walls and installation of external insulation.

**Reason at Committee:** Council application

**Recommendation:**

West Area Planning Committee is recommended to:

- (a) Approve the application for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and grant planning permission subject to:**
- (b) Agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:**

Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary;

## 8 Minutes

127 -  
132

To approve as a true and accurate record the minutes of the meeting held on 13 March 2018.

## 9 Forthcoming applications

Items for consideration by the committee at future meetings are listed for information. They are not for discussion at this meeting.

15/03524/FUL: Oxford Spire Four Pillars Hotel, Abingdon Road, Oxford, OX1 4PS	Major application - awaiting response from applicant
17/02447/FUL: 8 Chadlington Road Oxford OX2 6SY	Called in by Cllrs Fry, Pressel, Upton, Tanner and Chapman
17/02817/FUL: 472 - 474 Banbury Road, Oxford, OX2 7RG	Committee level decision
17/02832/FUL: 276 - 280 Banbury Road, Oxford, OX2 7ED	Major development
17/03258/FUL: Oriel College, Oriel Square, Oxford, OX1 4EW	Major development
17/03259/LBC: Oriel College Oriel Square, Oxford, OX1 4EW	Major development
17/03427/FUL: 38 West Street, Oxford, OX2 0BQ	Called in by Cllrs Pressel, Lygo, Chapman, Fry and Rowley
18/00294/FUL: 25 Richmond Road, Oxford, OX1 2JL	Called in by Cllrs Pressel, Turner, Fry, Rowley and Azad
18/00258/FUL: Northgate House, 13 - 20 Cornmarket Street, Oxford, OX1 3HE	
18/00259/LBC: Northgate House, 13 - 20 Cornmarket Street, Oxford, OX1 3HE	
17/02164/FUL - 49-51 St Giles (Eagle and Child)	called in by Cllrs Hollingsworth, Sinclair, Turner, Pressel and Munkonge
17/02165/LBC: 49-51 St Giles (Eagle and Child)	Called in by Cllrs Hollingsworth, Sinclair, Turner, Pressel and Munkonge
18/00643/FUL: 8 Arthur Street	Called in by Cllrs Pressel, Price, Fry, Paule and Azad
18/00673/FUL: Former Cold Arbour Filling Station	Committee level application also called in

## 10 Dates of future meetings

The Committee will meet at 6.00pm on the following dates:

2018	2019
21 May 2018	15 January 2019
12 June 2018	20 February 2019
10 July 2018	12 March 2019
31 July 2018	9 April 2019
11 September 2018	

9 October 2018	
13 November 2018	
11 December 2018	





## **Councillors declaring interests**

### **General duty**

You must declare any disclosable pecuniary interests when the meeting reaches the item on the agenda headed "Declarations of Interest" or as soon as it becomes apparent to you.

### **What is a disclosable pecuniary interest?**

Disclosable pecuniary interests relate to your\* employment; sponsorship (ie payment for expenses incurred by you in carrying out your duties as a councillor or towards your election expenses); contracts; land in the Council's area; licenses for land in the Council's area; corporate tenancies; and securities. These declarations must be recorded in each councillor's Register of Interests which is publicly available on the Council's website.

### **Declaring an interest**

Where any matter disclosed in your Register of Interests is being considered at a meeting, you must declare that you have an interest. You should also disclose the nature as well as the existence of the interest.

If you have a disclosable pecuniary interest, after having declared it at the meeting you must not participate in discussion or voting on the item and must withdraw from the meeting whilst the matter is discussed.

### **Members' Code of Conduct and public perception**

Even if you do not have a disclosable pecuniary interest in a matter, the Members' Code of Conduct says that a member "must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself" and that "you must not place yourself in situations where your honesty and integrity may be questioned". What this means is that the matter of interests must be viewed within the context of the Code as a whole and regard should continue to be paid to the perception of the public.

\*Disclosable pecuniary interests that must be declared are not only those of the member her or himself but also those member's spouse, civil partner or person they are living with as husband or wife or as if they were civil partners.

## **Code of practice for dealing with planning applications at area planning committees and planning review committee**

Planning controls the development and use of land in the public interest. Applications must be determined in accordance with the Council's adopted policies, unless material planning considerations indicate otherwise. The Committee must be conducted in an orderly, fair and impartial manner. Advice on bias, predetermination and declarations of interest is available from the Monitoring Officer.

The following minimum standards of practice will be followed.

### **At the meeting**

1. All Members will have pre-read the officers' report. Members are also encouraged to view any supporting material and to visit the site if they feel that would be helpful (in accordance with the rules contained in the Planning Code of Practice contained in the Council's Constitution).
2. At the meeting the Chair may draw attention to this code of practice. The Chair will also explain who is entitled to vote.
3. The sequence for each application discussed at Committee shall be as follows:-
  - (a) the Planning Officer will introduce it with a short presentation;
  - (b) any objectors may speak for up to 5 minutes in total;
  - (c) any supporters may speak for up to 5 minutes in total;
  - (d) speaking times may be extended by the Chair, provided that equal time is given to both sides. Any non-voting City Councillors and/or Parish and County Councillors who may wish to speak for or against the application will have to do so as part of the two 5-minute slots mentioned above;
  - (e) voting members of the Committee may raise questions (which shall be directed via the Chair to the lead officer presenting the application, who may pass them to other relevant Officers and/or other speakers); and
  - (f) voting members will debate and determine the application.

### **Preparation of Planning Policy documents – Public Meetings**

4. At public meetings Councillors should be careful to be neutral and to listen to all points of view. They should take care to express themselves with respect to all present including officers. They should never say anything that could be taken to mean they have already made up their mind before an application is determined.

### **Public requests to speak**

5. Members of the public wishing to speak must notify the Democratic Services Officer by noon on the working day before the meeting, giving their name, the application/agenda item they wish to speak on and whether they are objecting to or supporting the application. Notifications can be made in person, via e-mail or telephone, to the Democratic Services Officer (whose details are on the front of the Committee agenda).

### **Written statements from the public**

6. Any written statements that members of the public and Councillors wish to be considered should be sent to the planning officer by noon two working days before the day of the meeting. The planning officer will report these at the meeting. Material received from the public at the meeting will not be accepted or circulated, as Councillors are unable to view give proper consideration to the new information and officers may not be able to check for accuracy or provide considered advice on any material consideration arising. Any such material will not be displayed or shown at the meeting.

### **Exhibiting model and displays at the meeting**

7. Applicants or members of the public can exhibit models or displays at the meeting as long as they notify the Democratic Services Officer of their intention by noon, two working days before the start of the meeting so that members can be notified.

### **Recording meetings**

8. Members of the public and press can record the proceedings of any public meeting of the Council. If you do wish to record the meeting, please notify the Committee clerk prior to the meeting so that they can inform the Chair and direct you to the best place to record. You are not allowed to disturb the meeting and the chair will stop the meeting if they feel a recording is disruptive.
9. The Council asks those recording the meeting:
  - Not to edit the recording in a way that could lead to misinterpretation of the proceedings. This includes not editing an image or views expressed in a way that may ridicule, or show a lack of respect towards those being recorded.
  - To avoid recording members of the public present unless they are addressing the meeting.

### **Meeting Etiquette**

10. All representations should be heard in silence and without interruption. The Chair will not permit disruptive behaviour. Members of the public are reminded that if the meeting is not allowed to proceed in an orderly manner then the Chair will withdraw the opportunity to address the Committee. The Committee is a meeting held in public, not a public meeting.
11. Members should not:
  - (a) rely on considerations which are not material planning considerations in law;
  - (b) question the personal integrity or professionalism of officers in public;
  - (c) proceed to a vote if minded to determine an application against officer's recommendation until the reasons for that decision have been formulated; or
  - (d) seek to re-design, or negotiate amendments to, an application. The Committee must determine applications as they stand and may impose appropriate conditions.

**Code updated to reflect Constitution changes agreed at Council in April 2017.**

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## WEST AREA PLANNING COMMITTEE

10<sup>th</sup> April 2018

**Application Number:** 17/03330/FUL

**Decision Due by:** 17th March 2018

**Extension of Time:** 29<sup>th</sup> April 2018

**Proposal:** Proposed demolition of Warham House, New College School hall and partial demolition of Savile House rear extension. Erection of three new buildings and reconstruction of Savile House rear extension to provide C2 residential college including Music Hall, assembly, academic and study space, Porter's Lodge and associated accommodation, and replacement D1 facilities for New College School including dining hall, assembly space and class rooms.

**Site Address:** 2 Savile Road, Oxford, OX1 3UA,

**Ward:** Holywell Ward

**Case Officer:** Felicity Byrne

**Agent:** Mr Chris Pattison      **Applicant:** New College

**Reason at Committee:** Major Development

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### 1. RECOMMENDATION

1.1. West Area Planning Committee is recommended to:

**(a) Approve the application for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and grant planning permission subject to:**

- a) Public consultation on revised plans and information not resulting in any new issues being raised that are not dealt with in this report; and
- b) Receiving a revised Energy statement and Air Quality Assessment to the satisfaction of the Head of Planning, Sustainable Development and Regulatory Services; and
- c) Subject to further conditions as may be necessary in connection with b) above.

**(b) Agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:**

1.2. Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary

and issue the planning permission.

## 2. EXECUTIVE SUMMARY

- 2.1 This report considers the redevelopment of New College School and New College Savile Road Campus. The proposal comprises the demolition of several buildings or parts thereof and the erection of new buildings, including a new tower, to provide more efficient and effective use of the site for both the School and College. The site contains listed buildings and the remains of the Civil War Rampart and there are other listed buildings adjacent and nearby. It also lies within the Central Conservation Area. The report concludes that the proposed development is considered acceptable in principle and would be a unique and contemporary architectural development of exemplary high quality design. The form and layout takes account of the suburban character setting whilst creating a new landmark tower that signifies the collegiate use onto Mansfield Road. There would be some less-than-substantial harm to the setting of designated heritage assets but this harm would be relatively low. However, this low harm would be appropriately mitigated by the high quality design and public benefits of the proposal. The development would enhance the character and appearance of the Conservation Area in accordance with section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. The report also considers the impact of a new tower form on views within, across and into the city and concludes that the tower would be a positive addition to the City's rich and diverse roof scape and 'dreaming spires' and any perceived harm is outweighed by the high quality design and materials proposed.
- 2.2 In other matters the report concludes that any net loss of biodiversity could be mitigated through the well-considered new landscaping and tree planting proposed for the development. Whilst there would be a large proportion of trees removed that are publicly visible, these trees are not significant, and their loss would be appropriately mitigated and enhanced by the proposed landscaping. Car parking is reduced to the minimum for disabled and visitors only and adequate cycle parking would be proposed.
- 2.3 The application has been developed following pre-application discussions with officers, including two reviews by the Oxford Design Review Panel. Copies of their comments are included within **Appendix 3** of this report. The panel were supportive of the scheme and considered that the proposals create an exemplary scheme for the college
- 2.3. Officers consider that the proposal would accord with the policies of the development plan when considered as a whole and the range of material considerations on balance support the grant of planning permission.
- 2.4. The scheme would also accord with the aims and objectives of the National Planning Policy Framework would constitute sustainable development, and, given conformity with the development plan as a whole, paragraph 14 advises that the development proposal should be approved without delay. Furthermore there are not any material considerations that would outweigh the compliance with these national and local plan policies

## 3. LEGAL AGREEMENT

- 3.3. There is no requirement for a legal agreement.

#### 4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

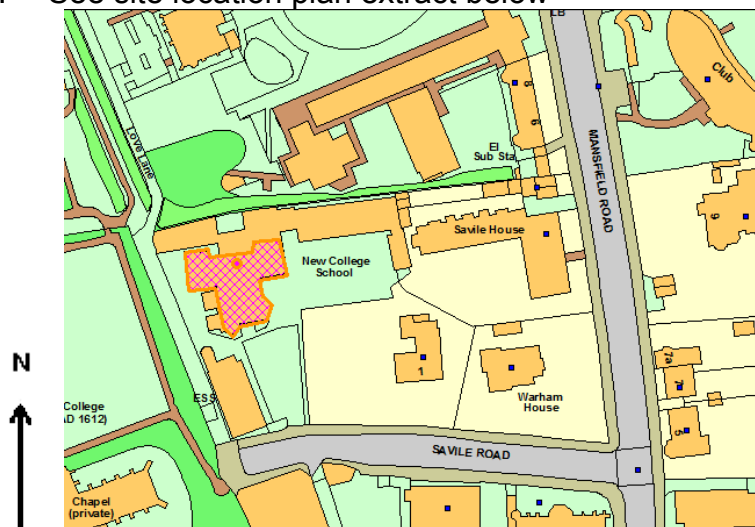
4.3. The proposal is liable for CIL amounting to £192,745.38.

#### 5. SITE AND SURROUNDINGS

1.1. The site is located within the Central Conservation Area and is bounded by Saville Road to the south and Mansfield Road to the east. To the west is Wadham College (grade I listed and Registered Park and Garden) and bounding the site to the north is Mansfield College (grade II\* listed). The site comprises land and buildings that lie on the northern side of Savile Road including New College School and its associated buildings, Nos. 1 and 2 Savile Road, Warham House and Savile House. No.1 Savile Road is grade II listed. There are a number of other listed buildings adjacent to the site including No.3 & No.9 Mansfield Road which are both grade II and Harris Manchester College which is grade III.

1.2. No.1 Savile Road and Warham House are two surviving late 19<sup>th</sup> Century villas that sit in what survives of their gardens behind low, weathered timber boundary fence that runs along the northern side of Savile Road and turns along Mansfield Road. Savile House was originally built in the late 19<sup>th</sup> Century as a house, but then acquired by the College and extended both north and westward to provide student bedrooms now covering the north eastern portion of the site. This building has recently been extended to provide a Music Room (15/00849/FUL refers). The western portion of the site is occupied by New College School, with original, 19<sup>th</sup> Century stone buildings in a Cotswold domestic vernacular style in the north western corner then extending east along the northern boundary with a midC20, two-storey, brick-faced building and most recently added gable-ended rendered building with low eaves and multiple dormers in a steeply pitched roof. The street at this point has a suburban and domestic character which changes as one travels up Mansfield Road from the City centre towards the larger buildings of the Science Area on South Parks Road.

5.3. See site location plan extract below



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Ordnance Survey 100019348

## 6. PROPOSAL

6.3. The application proposes the comprehensive redevelopment of New College School and New College Savile House Student Campus which sit side by side on Savile Road. To facilitate this, the proposal requires demolition of several elements within both the school and campus as follows:

- The rear north-western extension range of Savile House (16 bedrooms);
- No 2. Savile Road also known as Warham House;
- The 1950's/ 60's north-eastern extension range of the School;
- Removal of a small single storey extension to No.1 Savile Road, which is also subject to listed building consent.

2.1. It also proposes the redevelopment of this area comprising:

- New Porters Lodge onto Mansfield Road:
  - Porter's Office and kitchen
  - Mail room
  - Visitor and accessible bicycle parking - 12 spaces;
- A New Warham House replacement building including a feature tower:
  - Student bedrooms – 15
  - Student kitchens – 2
  - Bicycle parking - 110 spaces;
- New north-western extension to Savile House providing teaching and 12 bedrooms (net loss 4 rooms);
- Erection of a new Main Quad Building spanning both the School and College Campus that provides accommodation for both:
  - College:
    - Music Hall – 70 seats
    - Student communal and teaching space:
    - Lecture theatre – 120 seats
    - Independent and group study booths – 30 capacity
    - Student Bedrooms – 73
    - Student Kitchens – 9
  - School:
    - 5 Classrooms – up to 20 children per classroom
    - Dining hall – 65 person
    - Kitchen
    - Assembly hall – 200 person
- Making good the No.1 Savile Road as a result of the demolition works (no new additions proposed);
- Alterations to the ground floor windows in the School gym to provide bi-folding doors;
- Cycle Parking and reduction in car parking;
- Landscaping



- 6.4. In total 102 student study bedrooms are proposed for the College. Currently the site has 28 bedrooms, 26 would be re-provided and 2 re-furnished within No.1 Savile House, resulting in a net gain of 74 additional rooms on site as a whole.
- 6.5. New Warham House comprises 15 bedrooms and shared kitchens over 4 floors, the top two floors are within the roof; the roof measures approximately 13.5m to the ridge and 5.2m to eaves at its lowest point. The tower provides office accommodation for the College's Institute of Philanthropy over three floors (floors 4 to 7) and the stairs and lift access for the whole building in order to make it accessible for all. It measures approximately 25m to the top of the tower parapet at its highest point and 22.6m at its lowest point.
- 6.6. The new north-western extension to Savile House retains its original northern façade and provides 2 refurbished student bedrooms and teaching space. The ridge measures approximately 12m high and the eaves and eaves approximately 7m high.
- 6.7. The Main Quad building provides 74 student study bedrooms over three and four floors; It measures 13.8m to its highest point and eaves approximately 13m at its highest and 7.8mm at its lowest;

## 7. RELEVANT PLANNING HISTORY

- 7.3. The table below sets out the relevant planning history for the application site:

*New College School:*

The School has extensive planning history, the most relevant being:

05/02262/CAC - Conservation Area Consent for demolition of existing gymnasium building. Approved.

05/02261/FUL - Demolition of existing gym building and erection of 2 storey building to accommodate a gym at ground floor and music rooms and art studio at first floor. Closure of existing access and formation of new car parking area accessed from an existing access to Savile Road. Approved.

*Savile Road Student Campus:*

15/00849/FUL - Demolition of garages and store. Erection of three storey building to provide music practice rooms (Use Class D1). Construction of glass link building between music rooms and Saville House. Approved. Construction almost complete.

## 8. RELEVANT PLANNING POLICY

- 8.3. The following policies are relevant to the application:

Topic	National Planning Policy Framework (NPPF)	Local Plan	Core Strategy	Sites and Housing Plan	Other Planning Documents
<b>Design</b>	Chp.7 Paras.56-68 69, 95-96, 125	CP8, CP9, CP10,	CS18_, CS19_,	HP9_, HP12_, HP13_, HP14_,	
<b>Conservation/ Heritage</b>	Chp.12 Paras.56-68 126 -141, 169-170	HE2, HE3, HE7, HE9, HE10,			
<b>Housing</b>	Chp.6		CS23_, CS24_, CS25_,		
<b>Commercial</b>	Chp.1, 2	HE11,			
<b>Natural Environment</b>	Chp.9, 11, 13 Paras. 7-9, 14, 17, 93- 108, 117- 118, 109- 125, 152, 156-157, 162-168, 170	CP11, CP18, NE12, NE13, NE14, NE15, NE16, NE21, NE23,	CS9_, CS10_, CS11_, CS12_,		
<b>Social and community</b>	Chp.8				
<b>Transport</b>	Chp.4	TR1, TR2, TR3, TR4, TR11, TR12,		HP15_, HP16_,	Parking Standards SPD
<b>Environmental</b>	Chp.10 Para 124, 17, 91, 93- 98, 156, 162	CP17, CP19, CP20, CP21, CP22, CP23,			
<b>Misc</b>	Chp.5	CP.13, CP.24, CP.25		MP1	

## 9. CONSULTATION RESPONSES

9.3. Site notices were displayed around the application site on 10<sup>th</sup> and 31st January. It

was re-advertised by site notice on 31<sup>st</sup> January and an advertisement was published in The Oxford Times newspaper on 25th January 2018 as a departure from the development plan policy HE9.

- 9.4. The consultation responses received in relation to the application are summarised below. Officers would make members aware that copies of all the consultation responses listed below are available to view in full on the Council's public access website.

### **Statutory and Non-Statutory Consultees**

#### Oxfordshire County Council (Highways)

- 9.5. **Traffic Impacts** *New College School* It is not considered that the proposed development would have any long-term impacts in terms of traffic generation from the New College School side of the development. We note that the school will not be increasing its pupil intake or staff numbers. On a local level the relocation of car parking from the New College School site to the Weston Buildings site on St Cross Road will cause some rerouting, however this impact will be very minor. *New College* As required under planning policy within Oxford, no parking is to be provided for the increase in student accommodation. Furthermore, parking restrictions in place in the local area, which do not allow eligibility to parking permits for residents of student accommodation, restrict the possibility for students to keep vehicles while they are staying at the site. It is therefore not considered that the increase in student numbers at the site would lead to a significant increase in vehicle trips to the site. Also, as noted above, due to the location of the site within the TCA it is to be expected that a high proportion of trips to and from the site will be made by sustainable transport modes.
- 9.6. Due to the increase in the number of students resident at the site, there is however likely to be a modest increase in the number of personal deliveries to the site. The development is also not expected to result in a significant number of additional deliveries or servicing trips. A Student Accommodation Management Plan has been submitted which sets out the measures to be employed to minimise the impact of student movements on the local highway during the times of year when students are moving in to / out of the accommodation. This includes scheduling arrivals and using the hardstanding area in the New College School site for loading / unloading (outside of school hours). The measures set out in this plan must be fully implemented.
- 9.7. A revised Construction Traffic Management Plans has been received and the HA has confirmed that this is acceptable.
- 9.8. **Parking** The provision for off-street parking which is currently located on the New College School site is to be removed. It is understood that this parking is primarily used by staff of the school and it is proposed that this provision will be relocated onto the New College Weston Building site on St Cross Road. There will be no net gain in parking spaces and this proposal is acceptable. It is understood that the relocation of spaces onto the St Cross Road site will be subject to a separate planning application. There is no change in the existing parking arrangement at the New College site, with two parking spaces available adjacent to 1 Savile Road and accessed via the existing

vehicle access from Savile Road. Due to the relocation of the main pedestrian and cycle access into the site, and the proposed dropped kerb to allow easier access for cyclists wheeling bikes into / from the site, alterations to the location of the parking bays on Mansfield Road will be required. There will be no net loss of parking spaces. The relocation of on-street parking bays will require an amendment to the Traffic Regulation Order and associated consultation and administrative costs shall be met by the applicant. We would question the requirement for a loading bay in this location and suggest that a section of Double Yellow Lines would be more appropriate and would allow for refuse / servicing requirements to be carried out on-street. The details of this will be determined through the TRO process.

- 9.9. **Cycle Parking** New College School The current provision of 36 cycle parking spaces on the New College School site is to be retained. This is slightly below the required standard set out in the Adopted Parking Standards SPD however information has been submitted to demonstrate the current usage of these spaces is well below this number and, since the school will not be increasing staff or pupils numbers, this is unlikely to change significantly. The Travel Plan measures are intended to increase the use of sustainable transport to the site. So with this in mind we would recommend that the usage of the cycle parking spaces is continually monitored with additional cycle parking spaces provided as or when required. New College: The number of cycle parking spaces to be provided on the New College side of the development exceeds the minimum requirement for the number of student rooms proposed, this is welcomed. The majority of the cycle parking (bar 10 visitor cycle parking spaces near to the main entrance to the site) is to be located in the basement of the New Warham House building. A revised plan showing step free access to the basement cycle parking has been demonstrated to the satisfaction of the HA who remove their previous objection to the proposal in this regard.
- 9.10. Since the amount of student accommodation available on site is increasing from 28 student rooms to 100 student rooms there is a travel plan requirement for the site. Oxfordshire County Council guidance states a travel plan is a requirement for developments over 80 student rooms. The submitted travel plan has been checked by the Travel Plans team at the county council against our approved guidance and detailed amendments have been suggested. [note: these are not reproduced here as they are technical in nature and lengthy] A revised Travel Plan condition is suggested.
- 9.11. A drainage condition is also suggested by the County.

Thames Water Utilities Limited

- 9.12. No comments received.

Natural England

- 9.13. **Statutory nature conservation sites** – no objection Natural England has assessed this application using the Impact Risk Zones data (IRZs) and is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the Magdalen Grove and New Marston Meadows SSSI's have been notified. We therefore advise your authority that these SSSI's do not represent a constraint in

determining this application.

- 9.14. **Protected species** - We have not assessed this application and associated documents for impacts on protected species.
- 9.15. **Local sites** – Enough information should be provided if the development has an impact on local sites.
- 9.16. **Biodiversity enhancements**- This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application. This is in accordance with Paragraph 118 of the National Planning Policy Framework. Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that ‘Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity’. Section 40(3) of the same Act also states that ‘conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat’.

#### Historic England

- 9.17. Both Historic England and the Council have been closely involved with the formulation of the proposals for the College’s new Savile Road campus, which have also been assessed by the Oxford Design Review Panel. As a result of this engagement Historic England is broadly supportive of the current application.
- 9.18. The proposed buildings are unusual, quite unlike anything currently in Oxford, but we are convinced that the architectural concept is very good. If the materials used, the detailing and execution of the project are up to the standards currently envisaged this would be an innovative, playful and beautiful group of buildings which would bring joy to all those who experienced them and enhance the architectural riches of the City. In our view the detailed design has progressed to a point where the intended forms of the buildings are clear and enough information has been provided to convince us that it is buildable.
- 9.19. The main Quad building would be very close to a section of the Civil War defences which probably overlie a Saxon field boundary. Archaeological investigations have confirmed the extent of the survival of the 17<sup>th</sup> century feature (much of the bank now visible is the result of a later build-up of leaf mould) and the design of the building and associated landscaping has been modified to address this. I understand that the City archaeologist may still have some concerns about the details of the landscaping here and we defer to him on this matter.
- 9.20. Another notable element of the proposals is the relatively tall tower. Policy HE9 of Oxford City Council’s Local Plan states that: *“Planning permission will not be granted for any development within a 1,200 metre radius of Carfax which exceeds 18.2 m (60 ft) in height or ordnance datum (height above sea level) 79.3 m (260 ft) (whichever is the lower) except for minor elements of no great bulk.”* At 25m tall and 87.21m above

Ordnance datum the proposed tower would exceed both these heights. In our view it is nonetheless a minor element (at least in terms of the overall mass of the proposals) of no great bulk and therefore it would be appropriate to view it as an exception to the policy. The tower and has been made as small as possible while still having lift access and providing a usable space in the upper floors. The form of the tower is intriguing and if well-crafted in stone (as the proposals suggest it will be) it is likely to be a very handsome structure. A comparative study with historic towers suggests that while it is larger and taller than some of these structures it is not unusually tall or bulky in comparison and is by no means the largest. A careful views study from viewpoints outside the city (as identified in the City's Viewcone's document) and from high points within the city suggests that while it will be clearly visible in a number of views it is likely to make a positive contribution to the variety and character of Oxford's skyline.

- 9.21. Any forthcoming application will need to be assessed against the policies contained in the National Planning Policy Framework, along with the policies in the Council's local plan. Paragraph 131 of the Framework states that in determining planning applications, local planning authorities should take account of the desirability of new development making a positive contribution to local character and distinctiveness. In our view the proposals are a creative response to the surrounding historic environment and are certainly distinctive so would fulfil this aim.
- 9.22. As Warham House, an early 20<sup>th</sup> century building of some merit, and the rear wing of Savile House, which again is of some architectural quality, are to be demolished the proposals would entail a degree of harm to the significance of the conservation area in which the site sits. Paragraph 132 of the NPPF requires any harm to a designated heritage asset such as this to be clearly and convincingly justified. As we judge the level of harm to be low, as there are not particularly important buildings, and the applicants have made a clear case that demolition is necessary if the additional accommodation required in the design brief is to be delivered, we are content that the level of harm is justified. Paragraph 134 of the Framework goes on to require any harm to be weighed against the public benefits of the proposal. It is for the Council to undertake this exercise, as they are best placed to weigh heritage concerns against the wider planning benefits of providing better student facilities. In our view it would be reasonable for the Council to conclude that the benefits outweighed the harm.
- 9.23. Paragraph 137 of the Framework goes on to state that local planning authorities should look for opportunities for new development in Conservation Areas that enhances or better reveals their significance. By continuing the long tradition of Oxford colleges commissioning new buildings of outstanding architectural quality and adding a new 'dreaming spire' to the Oxford skyline that succeeds in being truly contemporary but responds creatively to its historic context we conclude that this proposal achieves the aims of this policy.
- 9.24. Historic England has no objection to the application on heritage grounds. We consider that the application meets the requirements of the NPPF, in particular paragraph numbers 131, 132, 134 and 137. In determining this application you should bear in mind the statutory duty of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

## **Public representations**

9.25. Letters of comment have been received from Harris Manchester College, Mansfield College, Mansfield College JCR, 17 London Place, 62 York Road, No 5A & No. 6 Mansfield Road (Mansfield College), 1 Little Blenheim Yarnton, 86 Cedar Road, 65 Southmoor Road, 41 Nicholson Road, Nos.20 & 23 Stockmore St. 24 Ash Grove, 29 Marlborough Crescent Long Hanborough, 14 Oxford Road Littlemore, 82A Castle Mill House Juxon Street

In summary, the main points of comment are:

- Design form and scale inappropriate and does not relate to its context or protect local character;
- Height, Scale and massing in close proximity to Mansfield College would be dominating;
- Overlooking and loss of privacy to Mansfield College and vice versa;
- Tower; too high, bulky, dominant, adverse impact on street scene, exceeds policy and would be an unacceptable precedent; block natural light especially in the winter months; Overlooking from the Tower; treatment of the windows;
- Comparison made of St Mary's is misleading: the tower of St Mary's University Church is about 35 m. high, while the narrow spire adds another 20 m;
- Adverse impact on the Oxford skyline;
- No objection in principle to a modern building
- Overdevelopment of the site
- Noise and disturbance from construction
- Restrict use of office within the tower to ensure noise control in future
- CTMP and control of noise during construction should be sensitive to the students surrounding the site, particularly at examination times.
- Mansfield College's northern boundary has already been disfigured by the tall towers above the Chemistry building which have destroyed a beautiful skyline. The view from our main building across to the south will now be equally overshadowed.
- Loss of trees on corner of Savile Rd and Mansfield Rd would cause harm to the character of the area, site more visible;
- Agree buildings/ part thereof to be demolished do not contribute to the special interest of the CA;
- Demolition of Warham House contributes to character of the area and loss not justified by relatively low student bedrooms replacing it;
- New building would not preserve or enhance special character and appearance of the CA;
- Adversely impact on setting of a number of listed buildings nearby and Wadham Registered Park and Garden.
- adverse effect on local ecology and biodiversity
- no provision for parents of New College School to turn vehicles when delivering children to and collecting them from New College School although they regularly block Savile Road already
- increased traffic from theatre and during construction
- public benefits of the proposal, can be achieved without the tower

Comments were also received from the Oxford Civil Society, Victorian Group of the Oxford Architectural and Historical Society, Victorian Society and Oxford Preservation Trust; These are summarised below.

#### Oxford Civic Society:

- Oxford Civic Society have been consulted during pre-application development of this project.
- Impressed by the rigorous approach adopted to making the best use of the site with due regard to its wider context, and meeting the needs of the School and the College, while keeping these two very different users quite separate.
- The design is a welcome and refreshing departure from the dominant rectangular styles currently fashionable in major projects being undertaken by the colleges and the University of Oxford.
- Consideration of the Tower should be seen in the context of the new, more sophisticated, approach to views being developed currently in consultation with stakeholders as part of the preparation of new Local Plan policies. A departure from a slavish consideration of the “Carfax height limit” and the ten view cones.
- OCC considers the Tower is suitable for its location and purpose and will become accepted as a significant modern contribution to the cityscape.
- Proximity and overlooking to Mansfield College expressed by them needs addressing.
- OCC shares the views of Historic England, who wrote: “What is now proposed is certainly a very unusual building, quite unlike anything currently in Oxford, but we are convinced that the architectural concept is very good. If the materials used, the detailing and execution of the project are up to the standards currently envisaged this would be an innovative, playful and beautiful building which would bring joy to all those who experienced it and enhance the architectural riches of the City.”.

#### Victorian Group of Oxford Architectural History Society

##### Object:

(i) The demolition of Warham House should not be allowed. The house was built in 1924 to the design of Robert Langton Cole (1858-1928) an architect of some distinction, holding Warham House is just the sort of building which should be retained in a Conservation Area. With tile-hanging, rendering, and stone details, its massing is unusual and effective, and with its highly individual wooden fence on Mansfield Road and numerous and shrubs (many of which would be felled for this proposal) it makes an attractive element in its crucial position at the junction of Savile Road and Mansfield Road.

(ii) The demolition of the back part of the Listed Building 1 Savile Road is also unacceptable. Historic England writes of the single-storey service range that ‘as servicing arrangements for this type of house are now relatively rare it does make a contribution ... to the significance of the Listed Building’. We disagree with their conclusion that the merits of the scheme outweigh this consideration. The setting of the house, as an independent structure, would be seriously compromised by this scheme.

(iii) We object to the demolition of most of the Savile House extension, a handsome work by N.W. Harrison with the advice of Sir Charles Peers (1935).

(iv) The proposed new building could hardly be more incongruous with the Conservation Area. The architects seem to have overdosed on Expressionism and this random and frantic style would look crazy in Oxford. The building is impractical, with its kooky plan, restless windows, and rooms of wildly varying shapes and sizes. We are told that the ridiculous tower will resemble ‘an inhabited ruin’, but it would dominate the whole area in a



manner totally inappropriate for a mere college annexe.

This part of the Central Conservation Area, which until comparatively recently was lightly built up, already has far too many new buildings, mostly excessively large and dominant, and it is essential to its character that this conspicuous site should be carefully preserved.

#### Victorian Society

- The Victorian Society objects to the proposals and is principally concerned about the impact the development would have on the character of the Central Conservation Area. The part of the conservation area is markedly suburban in character, which is in stark contrast to the area to the south along Holywell Street, with its tight urban grain and the towering north façade of New College itself, and to the eclectic, bulky, and much more industrial character of the agglomeration of science department buildings to the north, along South Parks Road (excluded from the conservation area). Any development on the site will inevitably entail some harm to this transitional and suburban character.
- The Victorian Society does not wish to be understood as opposed to exciting and imaginative new architecture. Nor are we objecting to the principle of at least some development on this site.
- The Society concedes that some development may be necessary for New College to meet its evolving needs and that some such harm is in principle acceptable. It nonetheless maintains that such harm should be mitigated as far as possible, and that the current proposals fall short in this respect.
- Detailed objections are hence not to the principle of the scheme, but to its architectural realisation.
  - The proposed main building although set back from the road is still of considerable bulk, and would impose too far upon the site, looming over the rear of 1 Savile Road and presenting an overbearing elevation to the west quad of Mansfield College to the north.
  - Unclearly articulated mass with its undulating surfaces and rounded outline, which increase the impression of size. Its massing would compromise the open nature of the site.
  - The traditional theme of the collegiate quadrangle, but suggest that it is just this theme that is inappropriate in this place.
  - The proposed porters' lodge, although contrastingly modest in scale, would alter the character of the Mansfield Road frontage of the site by bringing built elements right up to the pavement, in marked contrast to the way in which the current buildings on the site, and those surrounding it, are set back generously from their boundaries.
  - The forms of the proposed buildings are at odds with the prevailing architectural character of this part of the conservation area.
  - The proposed designs present a sharp contrast to such characteristic roof-forms with their curvilinear cornice lines and their rather flat roofs.
  - The material palette with pink granite detailing and bronze anodised aluminium doors and windows would sit awkwardly in the prevailing environment of limestone, brick and tile.
  - New Warham House with its substantial tower would have a serious impact upon the character of the conservation area.
  - Towers are a characteristic aspect of Oxford's cityscape, and can act as powerful symbols of collegiate identity; the foundation of New College itself

involved the conversion of a tower in the city walls. The association of towers with both Oxford's collegiate fabric in general and the traditional identity of New College in particular is hence adequately established, and is reinforced in the application by several comparisons of Oxford tower heights. To suggest, however, that it is therefore acceptable for New College to erect

- a new tower in this particular place is specious, because such a suggestion entirely ignores the importance of preserving what is special about the local character and would read as an imposition within the suburban setting of villas and gardens.
- Objects to the demolition of the service wing to 1 Savile Road. Despite the internal alterations it can still be read as a complete example of a single dwelling. Demolition of the service wing would erode the significance of this listed building as a legible example of domestic architecture. The service wing is mostly original to the building. There is a later extension to this wing, but the proposals are to demolish the service wing in its entirety.

#### Oxford Preservation Trust (OPT):

OPT recognise that this a project that has been subject to consultation with officer an Historic England and the Oxford Design Review Panel, which clearly has influenced the detailed design. However, having examined the supporting information OPT are concerned that:

- The cumulative impact of this and other similar proposal has not been addressed
- It is not clear that there are adequate public benefits to outweigh the harm that would result from this proposal.
- There is potential to minimise or eliminate that harm, which should be explored first before any decision is made.

In coming to this conclusion OPT has made detailed comments which can be summarised as follows;

- The setting of No.1 Savile Road would be harmed by the proximity and scale of the proposed new buildings;
- The freestanding campanile nature of the tower is at odds with the historic college precedents;
- View assessments need to consider carefully how this proposed tower would sit alongside, in front of or behind existing historic towers/domes and spires;
- High quality architecture should be expected and is not a 'public benefit';
- There is no consideration of the cumulative impact of similar proposal in the skyline;
- Any assessment of weighing public benefits against the harm should be clearly set out to avoid any legal challenge.

#### **Pre – App Discussion & Community Involvement:**

1. The Applicant undertook extensive joint pre-application discussion with Officers of the Council and Historic England and the Oxford Design Review Panel (ODRP). The project has been to ODRP three times in total; 15th September 2016 (workshop), 16th October 2017 (full review) and 25<sup>th</sup> January 2018 (final full review). A copy of their final letter can be found at Appendix 3. The applicant engaged with the directly affected neighbour Mansfield College and other interested amenity groups such as Oxford Preservation Trust and Oxford Civic Society on various occasions during the pre-

application stage and also consulted neighbouring Colleges, school staff and parents. Two public consultation events were held on 19<sup>th</sup> and 20<sup>th</sup> October 2016 and 30<sup>th</sup> November and 1<sup>st</sup> December 2017.

## **10. PLANNING MATERIAL CONSIDERATIONS**

10.3. Officers consider the determining issues to be:

- i. Principle of Development;
- ii. Design & Heritage;
- iii. Trees & Landscaping;
- iv. Transport;
- v. Energy Efficiency
- vi. Flood risk and drainage;
- vii. Contamination
- viii. Biodiversity;
- ix. Air Quality;
- x. Archaeology;

### **i. Principle of Development**

- 10.4. The National Planning Policy Framework (NPPF) states that sustainable development should be granted planning permission without delay, unless other material considerations dictate otherwise. The NPPF and Oxford Core Strategy Policy CS2 encourage the reuse of previously developed land, while Policy CP6 of the Oxford Local Plan 2001-2016 requires development proposals to make an efficient use of land in a manner where the built form suits the sites capacity. The Council supports access to education set out in Policy CS16.
- 10.5. The proposal seeks make best & most efficient use of previously developed land owned by New College to provide improved teaching and accommodation for existing students at the College and pupils at the School which is designed to meet their needs. The proposed seeks to house existing student numbers and there is no intention to increase student numbers at New College as a result. The proposed development would enable the College to provide on-site accommodation for a further 74 students who would otherwise take up accommodation in the City's private housing stock. As the proposal is within an existing College site and is in the City Centre it accords with Policy HP5 of SHP and Policies CP6 of the OLP and CS2 and CS16 of the CS.
- 10.6. SHP Policy HP6 sets out the requirement to either provide or contribute towards affordable housing on student accommodation of over 20 bedrooms, and also criteria for exemption. As the proposal within an existing College site and is in the City centre, the proposed development is exempt from this Policy requirement.
- 10.7. Policy CS25 of the Core Strategy encourages the provision of high quality purpose-built student accommodation buildings that do not significantly harm the amenity enjoyed by local residents. The policy also states that the Council will seek appropriate management controls to restrict students from bringing cars to Oxford through the imposition of appropriate conditions or planning obligations. It is proposed

that the student accommodation would be car-free in any event. Such conditions are recommended by officers should permission be granted and the proposal accord with CS25.

**ii. Design and Heritage:**

- 2.2. The NPPF requires proposals to be based upon an informed analysis of the significance of all affected heritage assets and expects applicants to understand the impact of any proposal upon those assets with the objective being to sustain their significance (paragraphs 128 & 131). In making any such assessment great weight should be given to the asset's conservation. While there is a general presumption that development proposals should not substantially harm, or result in total loss of the significance of a designated heritage asset, Paragraph 134 of the NPPF advises that where development proposals will harm the significance of a designated heritage asset but that harm would be less than substantial then this harm should be weighed against any public benefits the proposed development may offer, including securing its optimum viable use.
- 2.3. Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses and the setting of any conservation area. In the Court of Appeal, Barnwell Manor Wind Energy Ltd v East Northants District Council, English Heritage and National Trust, 18<sup>th</sup> February 2014, Sullivan LJ made clear that to discharge this responsibility means that decision makers must give considerable importance and weight to the desirability of preserving the setting of listed buildings when carrying out the balancing exercise (of weighing harm against other planning considerations).
- 2.4. Oxford Local Plan Policies HE3, HE7, and HE8 which seek to seek to preserve or enhance the special character and appearance of Conservation Areas and their settings; the settings of Listed Buildings; and the settings of historic parks and gardens. Whilst the wording of these policies does not include the balancing exercise identified in paragraphs 134 of the NPPF and that they would therefore be deemed to be out-of-date with the framework, they would be consistent with the above-mentioned legal requirements of Section 66 and 72, and they must therefore carry considerable weight in the determination of this application.
- 2.5. The NPPF requires that local authorities seek high quality design and a good standard of amenity for all existing and future occupants of land and buildings. It suggests that opportunities should be taken through the design of new development to improve the character and quality of an area and the way it functions. Policies CP1, CP6 and CP8 of the Oxford Local Plan, together with Policy CS18 of the Core Strategy and Policies HP9, HP13 and HP14 of the Sites and Housing Plan in combination require that development proposals incorporate high standards of design and respect local character.
- 2.6. Published guidance by Historic England on 'The Setting of Heritage Assets (Oct 2011) provides a methodology for understanding the setting of an asset and how it contributes to the heritage significance of that asset and explains how to assess the

impact of development. Historic England explains that the setting of a heritage asset is the surrounding in which it is experienced. Furthermore the setting is not fixed and may change as the surrounding context changes. The Landscape Institute has also published guidance in 'Landscape and Visual Impact Assessment' (2013) to help identify the significance and effect of change resulting from development. Finally the Council published their own 'View Cones Assessment' in 2015, a document that was drawn up in partnership with Oxford Preservation Trust and Historic England which also references the Landscape Institute 2013 guidance and sets out its own guidance on how to assess development in views both from within and outside of Oxford.

- 2.7. The Design and Access Statement sets out clearly that the application has been developed following pre-application discussions with officers and the Oxford Design Review Panel. The design of the scheme has been informed throughout its development by an understanding of the historic environment which provides the context for the proposal in a Heritage Statement. This heritage statement has considered the significance of the heritage assets within and surrounding the site. The design has also been informed by the findings of a Townscape and Visual Impact Assessment which considers the impacts of the proposed design on significant views, based on verified views which are appended to the Planning Design & Access Statement.

#### *Demolitions and Heritage*

- 10.8. There are a number of listed buildings both on the site and adjacent to it;
- 1 Savile Road – grade II
  - 9 Mansfield Road - grade II
  - Harris Manchester College – grade II
  - 3 Mansfield Road – grade II
  - Wadham College – grade I, Registered Park & Garden
  - Mansfield College– grade II\*
- 10.9. It is considered that the removal of the 1950s/ 60s school building will not result in harm to the significance of either the Central Conservation Area or No.1 Savile Road. The building is of little architectural merit and makes no significant contribution to either architectural or historic interest of either heritage asset.
- 10.10. The removal of the rear ranges of buildings to No.1 Savile Road would result in some harm to the architectural and historic significance of the building in that as service ranges these parts of the building clearly played a role in the daily functioning of the 19<sup>th</sup>C domestic villa. However, the interior of the building has undergone relatively recent re-modelling and the domestic service rooms are no longer evident as such. Whilst the loss of external integrity is regrettable, the harm to the overall significance of the building would be very small and to the significance of the conservation area less in that architecturally the building will still retain its 19<sup>th</sup>C domestic appearance which is important in providing a reference to the development of the area in that period. It should be noted that these works are subject to separate listed building consent.
- 10.11. The loss of part of the later wing of Savile House would not result in harm to the significance of the conservation area in that the more significant elements of this

building, the original domestic building which fronts onto Mansfield Road would be retained, together with some of the later additions.

- 10.12. As a survival from the late C19/early C20 development of this area north of Holywell Street Warham House makes some contribution to the character of the conservation area that is derived from this part of its historical development and therefore the loss of the building would inevitably result in some harm to the significance of the conservation area. The harm would be less than substantial and sit at the low end of this classification.

#### *Site Layout, Scale, Massing and Appearance*

- 10.13. The development rationalises the School and College grounds and as such several demolitions are required to enable this to happen as set at 6.3 of the report. The overall layout has an organic interpretation of the traditional quad form and is fluid in both its layout but also its overall form and appearance with curved walls and roofs. In order to preserve and reinforce the suburban character and appearance of the site, the new building that is to replace Warham House has been deliberately designed as a detached “villa”, particularly when viewed from the south. The Main Quad Building runs parallel to the northern boundary enabling it to capture the southern light aspect and create enclosed gardens and school playground with in new sympathetic and complimentary landscape planting. The porter’s lodge is a single storey building that would sit adjacent to the boundary on Mansfield Road and would be for the most part hidden behind the existing hedging. The setting of No.1 Savile Road would change, however is it is considered it would still be possible to appreciate it as a detached villa within its garden, much as it is currently.
- 10.14. The scale and massing of the buildings have been designed to respect the general heights of existing buildings within the school and College grounds. Whilst over four floors the maximum height of the Main Quad building would be approximately 1.18m higher than the existing Savile House and would be approximately 1.28m higher than the existing school building adjacent. Warham House scale and massing is also similar to that of No.1 Savile Road and Savile House, with the exception of the new tower element which would be a new feature to the site. The tower has a trefoil plan form with a fluid parapet ridge that undulates around the trefoil structure, reaching 25m to its highest point.
- 10.15. This is a well-considered and high quality proposal that has undergone a great deal of pre-application consultation with the Council, Historic England and ODRP. ODRP considers the design to be ‘exemplary’ and ‘The architecture being explored in this proposal will create distinctive contemporary buildings that will complement the historic buildings on the site and within the local area. Due to the curved building forms, roofscapes and materials, the proposed building forms would be unique to Oxford...’. Historic England are convinced that the architectural concept is very good. It is considered that the design of the new buildings offers a bold intervention to both the conservation area and to the setting of No.1 Savile Road in a contemporary and modern way that would be new to Oxford. The overtly organic form of the buildings and their fluid massing presents an interesting contrast to the domestic vernacular of the site at present. However within the context of the site, including its wider context, there is a variety of markedly different architectures. Therefore whilst not slavishly

copying those architectural style or forms, it is considered that the overtly modern and innovative design would contribute something more to the architectural “conversation” in a way that would be both challenging and delightful, consistent with paragraph 63 of the NPPF which attaches great weight to innovative design. Whilst some may consider that it would undermine the rectilinear form of other nearby buildings, Officers consider that it would be a welcome and refreshingly distinctive that is unashamedly contrasting and acts as a foil to the traditional rectilinear forms of architecture. It may not be to everyone’s taste but as with all forms of art and design beauty is in the eye of the beholder, and Oxford has a history of innovative architecture as seen in the widely praised and celebrated innovative St Antony’s Zaha Hadid and the University of Oxford’s Blavatnik Buildings’ have been.

- 10.16. The siting, scale and massing of the buildings have been carefully considered to improve the quality of the spaces that the sites various users require within a limited space. However in doing so the new buildings would not overwhelm the remaining buildings, ensuring for example that a garden is restored around No.1 Savile Road enhancing its setting and to allow the spaces between buildings to be functional. This functionality and in some cases multi-functionality would contribute to the overall quality and sense of place that the developed site would have. The buildings spaces have been arranged to allow glimpsed views from the street into the site whilst maintaining privacy and security, which is a principal that is borrowed from many of the college sites across the city.
- 10.17. The tower itself has undergone several iterations during the pre-app stage and it’s organic plan form has been followed through to the parapet level. The trefoil of each side of the tower serves to break down the overall massing of the tower into a more fluid and elegant structure. A study has been made of other towers in which it is demonstrated that the proposed tower would not be the highest or bulkiest tower in the City, for example with New Colleges own Bell Tower (26m), towers of Magdalen Tower (44m high) and Tom Tower (45.75m) and subordinate to the dominant landmark feature of St Mary’s Church (54.8m). Historic England has commented that the comparative study with historic towers suggests that while it is larger and taller than some of these structures it is not unusually tall or bulky in comparison and is by no means the largest. Officers would concur with Historic England on this point.

#### *Appearance/Materials*

- 10.18. Whilst the proposal introduces a new architectural language the use of materials of appropriate colour and tones that take reference from the traditional surroundings would offer an interesting complexity to the building’s facades. The proposed materials are:
- Main cladding Ancaster limestone
  - Surrounds and detailing Luna rosa granite and umber (bronze) anodized aluminium
  - Windows / doors Metal framed
  - Roof Ceramic tiles.
- 10.19. The buildings, excluding Savile House extension, would be clad in diamond shaped stone pieces set on a diagonal that would emphasise the fluidity of the facades and add richness. The materials for Savile House would be chosen to match the existing

building or recycled material from demolition if possible. The curved roofs would be tile hung using specially crafted ceramic tiles.

10.20. It is considered that whilst the rose coloured granite is not typical for Oxford it would be an accent material and overall the main Ancaster limestone would be appropriate in colour and tone that take reference from the surrounding traditional buildings. Their application would add richness interest and complexity both to College and school buildings and the wider site context. The use of stone would anchor the buildings within the context of the site and within the wider context of Oxford. In relation to the tower the proposed materials would enable it to site well in relation to other towers nearby and the roof scape. Its tonal variation appearance would aid the tower to recede within views as opposed to dominate views, this is discussed more below.

### *Impact upon Views*

10.21. The Oxford Local Plan recognises the importance of views of Oxford from surrounding high places, both from outside its boundaries but also in shorter views from prominent places within Oxford. Local Plan Policy HE9 (High Building Area) states that planning permission will not be granted for developments which exceed 18.2 metres (or ordnance datum height of 79.3 metres) within a 1,200 metre radius of Carfax Tower. The exception to this policy is where there are minor elements of “no great bulk”. In addition to this the View Cones Policy (HE10) protects views from 10 recognised viewpoints on higher hills surrounding the City to the east and west and also within the City. There are also a number of public view points within the city centre that provide views across and out of it, for example Carfax Tower, St Georges Tower and St Marys Church.

10.22. The application site lies within 1,200m of Carfax, and the proposed Warham tower element would 25m in height, thereby making Policy HE9 applicable. It also falls within the designated View Cones and therefore Policy HE10 applies. Oxford City itself is nationally important and a significant heritage asset and the views of the city from the view cones are kinetic and need to be considered in a broader sense than the view cone drawn within the local plan. It is worth reiterating the NPPF which states that significance can be harmed or lost through alteration or destruction of a heritage asset or development within its setting and also Historic England advice that ‘...setting is not fixed and may change as the surrounding context changes’.

10.23. Prior to submission the proposals were subject to extensive pre-application discussions, including input from Historic England, and the Oxford Design Review Panel (ODRP). Both parties have supported the provision of a tower in this location and its proportions, height and contribution to the skyline has been given very careful thought and consideration. The most recent guidance from the Oxford Design Review Panel (issued on 25<sup>th</sup> February 2018) supported the proposal stating:

*“Based on the drawings available to illustrate the relationships between the building and their immediate and wider areas, we think the building heights appear sound. The Oxford skyline is comprised of a rich tapestry of roofs interspersed with towers and spires. We think the tower would positively contribute to this skyline...” and*



*“We support the proposed building heights and the proposal to create a tower as a point of interest / identification marker for the College”.*

10.24. Historic England, who also attended the design reviews state:

*“In our view it is nonetheless a minor element (at least in terms of the overall mass of the proposals) of no great bulk and therefore it would be appropriate to view it as an exception to the policy. The tower and has been made as small as possible while still having lift access and providing a usable space in the upper floors. The form of the tower is intriguing and if well-crafted in stone (as the proposals suggest it will be) it is likely to be a very handsome structure. A comparative study with historic towers suggests that while it is larger and taller than some of these structures it is not unusually tall or bulky in comparison and is by no means the largest. A careful views study from viewpoints outside the city (as identified in the City’s Viewcone’s document) and from high points within the city suggests that while it will be clearly visible in a number of views it is likely to make a positive contribution to the variety and character of Oxford’s skyline”.*

10.25. The application is accompanied by a Townscape and Visual Assessment, Verified Views (appendix A of the Planning Design & Access Statement) and a Heritage Impact Assessment. It is acknowledged that the introduction of a Tower here would signify the College in a way that the site currently does not. The addition of a tower makes reference to a number of important architectural elements; the towers or spires that identify many of the colleges’ campus’ at both street level but also in important views from high view-points; or the elaborate feature, turret, oriel or bay window or porch characteristic of the late-Victorian, Edwardian architecture that typifies this part of the conservation area. The latter is replicated in modern elements such as Harris Manchester’s recent turret tower on Mansfield Road. In contrast to many of its existing counterparts, the space within the tower is intended to be entirely functional as working space, with a series of floors creating modest but useable rooms at each internal level. It is also intended to be different to existing towers or spires in that it’s window openings would coincide to present a less solid, more open structure when viewed from outside.

10.26. In closest street views, from Mansfield Road or Savile Road, without deliberately looking up, the entirety of the tower would not be visible. In medium distance views, from Holywell Street/Mansfield Road junction looking north the lodge turret, library gable and new turret of Harris Manchester would intervene. Moving further down Mansfield Road, from the junction with Jowett Walk, the tower would be evident as a separate element rising above the soft, landscaped edge of the site’s southern boundary and sitting within the more mature tree canopies within the site. However from this view point it would be read as a sense of continuity beyond Harris Manchester to Mansfield College further to the north. In longer street views from the university’s science area the tower will be seen against the backdrop of Harris Manchester and Wadham with New College’s main campus buildings on Holywell Street further to the south-east.

10.27. From high viewpoints within the City, the tower would be visible, principally from St Mary’s Tower. However the verified views submitted demonstrate that whilst it would be seen amongst the roofscape of the city, its materials and organic form would be

such that it would not distract the viewer from properly observing the strong and distinctive form of the Radcliffe Camera, the Bodleian and the slightly more filigree form of the Sheldonian lantern or indeed in widening the view to include Magdalen's towers to the east or the Radcliffe Observatory to the north west. It would sit below the skyline and nestle within backdrop of the green edge of the City north-eastwards towards Elsfield. Whilst there would be change to the setting of other buildings it is considered that tower would not compete with them and make a positive contribution to the roof scape of Oxford.

- 10.28. In wider longer distance landscape views into the City the visual analysis demonstrates that the tower would sit within the existing urban fabric. However, these views are kinetic and change depending on view point, season and lighting conditions.

*Boars Hill*

- 10.29. When viewed from Boars Hill the tower would sit behind other buildings, principally All Saints Church & spire, and mature vegetation within the urban landscape. When moving further to the east the tower would be visible beside the Radcliffe Camera and Bodleian Tower. However in this view the tower, due to its location in the outlying student area, would recede in the view, deferring to the larger and more prominent Radcliffe Camera Dome and Bodleian Tower. It would not compete with them in this view but compliment the grouping of historic buildings sitting against the green back drop below the skyline.

*Raleigh Park*

- 10.30. From Raleigh Park, visibility of the tower may be obscured by trees and shrub vegetation within the foreground of the view. The tower would be set within the urban fabric and due to the distance from the park it would be quite hard to see. The height, massing and materials proposed means that it would not be prominent or competing with the historic high buildings within this view and would sit below the green backcloth of Headington Hill,

*Elsfield*

- 10.31. In views into the City from Elsfield the tower would again sit within the urban fabric and vegetation, joining to the right hand side of the cluster of towers, domes and spires: Carfax, All Saints, The Radcliffe, New College, St Mary's. Its height, massing, materials and form mean that this would not be prominent or compete with other buildings in these views. It is considered that it would complement this cluster.

*Doris Park*

- 10.32. In views into the City from Doris Park the tower would sit to the right of New College Bell Tower and would nestle within the green backdrop of the verdant green setting behind. It is considered that its form and materials means that as with other views it would be complementary and not compete with other Towers, spires and Domes within this view.

*South Park*

- 10.33. For the most part the mature trees of the park would obscure views of the tower even in winter months. However South Park at the bottom to the south-west of the Park, where views are no longer obscured by the trees to the north the proposed tower would become discernible as a new feature. However it would be separate to the main

historic cluster of towers, dome and spires which make up the 'dreaming spires' within this view. Again as with other views the tower would be complementary and not compete with those in the cluster.

10.34. It would not be visible from Crescent Road or Port Meadow.

10.35. Whilst the tower may be visible from within longer distance views, depending on season, lighting, and location, it is considered that the proposed tower would not be overly assertive within them or so dominant as to detract from other existing, and arguably more significant, towers, domes and spires. Its form and materials temper its appearance and thus it is considered that whilst there may be harm as a result of the change to the setting of Oxford's historic core, it would make a positive contribution to the skyline of Oxford and its 'dreaming spires' in these longer distance views and would not compete with the taller or larger more significant of these towers, domes or spires such as St Mary's or the Radcliffe Camera. The visual impact would be felt more from the shorter distance views within the City centre and in particular St Mary's Church.

10.36. The insertion of a tower within this heritage asset would cause change to its setting and appearance and thus cause harm. In this instance the harm is considered to be less-than-substantial given its location, high quality design and visibility within views. It therefore falls to consider the public benefits of the proposal.

*Public Benefits:*

10.37. As the proposal would result in less-than-substantial harm this will need to be justified against the public benefits, including the optimum viable use, in accordance with Section 12 paragraph 134 of the NPPF.

10.38. In redeveloping the site the proposal would make a positive contribution to Oxford's significant housing need by effectively releasing existing housing stock back into circulation for the general population. This would constitute a public benefit.

10.39. Paragraph 63 of the NPPF states that 'great weight should be given to outstanding or innovative designs that raise the standard of design more generally in the area'. It is considered that this proposal is both innovative and would raise the standard of design in this area and Oxford, and as such is also a public benefit that is afforded great weight.

10.40. The setting of the Civil War Rampart would be significantly enhanced, reinforcing the ability to interpret this historical feature more fully than the Music Room development, which is currently being implemented, is able to do. The rampart is currently overgrown with plants and enclosed by the existing Savile Road buildings, within the rear service area. The proposed scheme pulls the building away, giving it greater space and removal of plants etc. to reveal its form. The development would allow the opportunity for members of the public to actually access the rampart and therefore appreciate its form and significance, see below in the report on Archaeological implications. This is also a public benefit.

10.41. In accordance with Historic England's 'Good Practice Advice in Planning Note 2:

Managing Significance in Decision-Taking in the Historic Environment', it is considered that the less-than-substantial harm would be adequately mitigated by the high quality and innovative contextual design response, which has been refined through the pre-application advice and design review process, and the proposed landscaping scheme which would be an enhancement to both the School and College grounds.

10.42. In assessing the impact of the development, officers have attached great weight and importance to the desirability of preserving or enhancing the character and appearance of the conservation area, and the settings of the surrounding listed buildings and registered parks and gardens as designated heritage assets. It is considered that the less than substantial harm that would be caused by the proposed development including a departure from the high buildings policy (HE9) has been adequately mitigated by high quality design and is justified by the public benefits that would result, namely the need of the School and College to expand, grow and rationalise the space to provide additional on-site student accommodation, the improvements to the street scene and college entrance along Cowley Place, and the improvements to the setting of the grade II No.1 Savile Road. Subject to conditions, the proposal is considered to comply with sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, paragraphs 132 and 134 of the NPPF, policies CP1, CP8, HE3, HE7, HE8 and HE10 of the Oxford Local Plan 2001-2016 and policy CS18 of the Oxford Core Strategy.

### **iii. Trees and Landscaping**

10.43. The trees within the site are protected by virtue of location within the Central Area Conservation Area. The OLP requires that as far as possible existing trees and other landscape features are successfully retained within new development and that new trees and new soft landscaping including tree planting is included whenever it is appropriate. Policy NE16 of the OLP seeks to ensure that development will not destroy protected trees if it will have a significant adverse effect upon public amenity. Any protected tree that is destroyed must be replaced by a tree, or trees, suitable for the location. Policy NE15 seeks to ensure that development will not destroy hedgerows and other valuable features where this would again have a significant adverse impact upon public amenity or ecological interest.

10.44. There are no Tree Preservation Orders currently applied to the site or its near environs. The proposal involves the removal of a large number of existing trees. These tree removals are predominantly within the current grounds of No 1 Savile Road and Warham House respectively, including along their boundaries facing Savile Road. Most of the trees that are lost are from an irregular group to the west of No 1 Savile Road and result from the proposed new sports pitches and the southern projection of the New College School wing of the Main Quad Building. Further trees are lost due to a proposed new system of paths, planting beds and general landscape arrangements.

10.45. The application includes an arboricultural development report, which summarises the tree removals (Table 1, Page 3), and their associated Quality Categories as assessed using the criteria set out in BS.5837:2012- *Trees in relation to design, demolition and construction- Recommendations*. A total of 24 individual trees, 1 tree group and 2 hedges are lost to the development. Of these, no 'High' quality (A category) trees are

lost, and 5 individual 'Moderate' (B category) quality trees and one tree group are lost; the remaining tree removals being of 'Low' (C category) quality trees and hedges.

- 10.46. A large number of trees are proposed for removal, however most of these are low in quality. A significant proportion is removed as part of a thinning-out of self-seeded trees from over-stocked locations; as a result of self-seeded trees not being removed in the past. The arboricultural development report contains indicative details of proposed tree protection measures for demolition and construction phases of development. These details provide reassurance that tree protection measures are realistic and not fundamentally conflicted by the layout of the proposed scheme. A condition requiring a finalised Tree Protection Plan and associated conditions for details of underground services and hard surfaces will be necessary.
- 10.47. The application's design and access statement includes a Landscape Masterplan that describes the proposed hierarchy and sequencing of buildings and spaces on the site; these are linked by circular and axial pedestrian routes. A narrow pallet of hard materials is used for paths, nodes and building thresholds to provide unifying elements of design around the site. The treatment of these hierarchical spaces using different forms of soft landscaping very effectively reinforces the design aim of creating a gradation from Collegiate to Palladian architectural styles from north to south. The quads, which are formed in the northern portion of the site are formal and open in design, whereas a 'garden glade' and 'woodland' are featured in the southern part of the site, which will act to both enhance a relaxed Arcadian landscape style around the listed No1 Saville Road house, while preserving the existing well-treed suburban character of Saville Road. Replacement tree planting incorporates a pallet of exotic tree types, which is appropriate in the context of the site; for example a columnar form of Gingko is intended to be used as a complimentary foil to the verticality of the proposed tower.
- 10.48. The sites' principal mature trees would be retained and whilst there are significant numbers of trees intended for removal due to elements of the proposed scheme, these are considered to be acceptable as any harm can be mitigated by suitable replacement tree planting as indicated. It is considered on balance that the scheme could produce a net benefit in terms of the landscape quality of the site and its contribution to the appearance and character of the Central Conservation Area locally. The application is therefore considered to be acceptable in relation to the OLP policies CP1, CP11, NE15 and NE16 and the NPPF, subject to various detailed conditions including protecting existing retained trees and securing appropriate new landscape design and implementation.

#### **iv. Transport**

##### *Transport Sustainability & Car parking*

- 10.49. The site lies within the City Centre which has excellent public transport links into and out of the City and is therefore in a sustainable location. It is anticipated that students will walk and cycle around Oxford, with the site located a short walk from New College's main site. A Transport Statement and Travel Plan have been submitted to demonstrate that the proposals would be acceptable in highways terms. A Student Traffic Management Plan and Travel Plan have also been submitted demonstrate how

to movements would be managed, sustainable modes of travel promoted, and reduce congestion as a result of the development. Car parking would be relocated to the College's Weston Building sites, an 8 minute walk away (application 17/03332/FUL refers). The site itself would retain 2 car parking spaces at No.1 Savile Road for disabled users and visitors.

- 10.50. The HA considers that the proposed development would not have any long-term impacts in terms of traffic generation from the New College School side of the development. It notes that the school will not be increasing its pupil intake or staff numbers. On a local level the relocation of car parking from the New College School site to the Weston Buildings site on St Cross Road will cause some rerouting, however this impact will be very minor.
- 10.51. In regards the New College Student accommodation the HA notes that no parking is to be provided for the increase in student accommodation in this site. Furthermore, parking restrictions in place in the local area, which do not allow eligibility to parking permits for residents of student accommodation, restrict the possibility for students to keep vehicles while they are staying at the site. The HA therefore considers that the increase in student numbers at the site would not lead to a significant increase in vehicle trips to the site. Also, as noted above, due to the location of the site within the Transport Central Area (TCA) it is expected that a high proportion of trips to and from the site would be made by sustainable transport modes (i.e. on foot or cycle).
- 10.52. The development would not alter the current situation on site with regards to student numbers and would not result in additional car parking. A Travel Plan (TP) for both the School and College Campus has been submitted in order to encourage residents, pupils, staff and visitors to travel by sustainable modes of transport. Implementation of Travel Plan initiatives contained within the TP by New College and New College School would contribute to the achievement of this objective. The TP survey data highlights that there is scope within the existing school population to encourage more sustainable trips and instigate a reduction in private car usage in school related trips. The principle of the TP is acceptable however the HA requires some amendments in order for it to be fully compliant.
- 10.53. This application is supported by another application to replace the car parking for staff of the school and New College itself within their Sports Field which is located off St Cross Road adjacent to the Lesley Martin Law Library (17/03332/FUL refers). Currently vehicles park on the grass on the edge of the sports field in an informal, haphazard manner and at all times, not just associated with sporting events. The car park application presents the opportunity to formalise this parking with a suitable substructure and improve the impact of the parked vehicles within the field and within the Conservation Area. This is the subject of a separate report however it is considered that given the comments of the HA and there would be no net increase in car parking within the TCA in compliance with TR2 of the OLP, and the imposition of the Travel Plan which would seek to reduce car parking for both School and College Officers raise no objection to this formalised car park, subject to conditions.
- 10.54. It is considered that in this sustainable location within the City Centre and within an existing College Campus that the proposal would accord with TR1 and TR2 of the OLP and HP16 of the SHP, subject to conditions ensuring that students are not

permitted to bring cars to Oxford and a revised Travel Plan.

### *Cycle Parking*

- 10.55. A total of 122 cycle parking spaces will be provided on site for the student accommodation. The existing cycle parking for the school remains the same. The HA has commented that the level of cycle parking for both is considered acceptable. Revised plans have been received which demonstrate a level access for cycles down in to the basement parking and the HA have removed their earlier objection in this regards. Officers concurs with the comments of the HA and it is considered that the proposal accords with HP15 of the SHP subject to condition.
- 10.56. A revised Construction Traffic Management Plans has been received and the HA has confirmed that this is acceptable. It can be secured by condition.

### **v. Impact on Neighbours**

- 10.57. National Planning Practice Guidance explains that in order to achieve good design consideration should be given to buildings and the spaces between them. The layout of developments whether existing or new should be considered in relation to adjoining buildings to ensure that new and existing buildings relate well to each other (Paragraph 24).
- 10.58. The Oxford Local Plan Policy seeks to safeguard the amenities of the occupiers of properties surrounding any proposed development. As a result Policy CP10 requires development to be sited in a manner which ensures that the amenities of the occupiers of properties surrounding any proposed development are safeguarded.
- 10.59. Mansfield College forms the adjoining northern boundary of the site. The Civil War Rampart along this boundary is more visible from within Mansfield, which sits at a lower ground level, approximately 0.50m. Adjacent to both the school building and Savile House are three student accommodation blocks, the Hands Building, the Garden Building and the John Marsh Building all approximately 3 storeys high which lie almost perpendicular to the joint boundary with grassed areas in between. Mansfield College has objected to the proposal on the basis that the new building would be higher and larger in massing and overlook their buildings and grassed areas. Harris Manchester sit on the opposite side of Savile Road and support the development in principle but are also concerned about overlooking from the Tower. Other similar comments from residents or staff member are noted.
- 10.60. Savile House has a significant number of windows facing towards Mansfield's buildings and grassed areas and the school building has some at the upper floor within their Assembly Hall/ theatre. The latter building is built right onto the joint boundary and is approximately 8m to the flat roof. The rest of the School main buildings are also on the boundary and have windows at ground floor facing north. Savile House is set back approximately 7.5m from the boundary at its closest due to the Civil War Rampart, and measures approximately 12m to the top of the ridge and 6m to lower eaves with dormer windows and flat roof bays within the roof above this eaves height.

- 10.61. The new building would be set back from the northern boundary in order to improve the setting of the Rampart. At its closest point to the boundary, approximately 1.8m, it replaces the existing school building which currently sits on the boundary. The building would look onto the blank southern façade of Mansfield's Garden Building and there would be 5.5m between the buildings at their closest point. At its furthest point 6.5m away from the northern boundary, the building faces the John Marsh North Building and would have a distance of approximately 9.3m at their closest points. It too has a blank southern façade.
- 10.62. The concerns about scale massing, proximity to the boundary and overlooking towards Mansfield are noted. The change in ground levels between the sites is also noted. It is considered that the new building would be sufficiently distanced from both the northern boundary and Mansfield College buildings to mitigate the difference in height and massing between the existing buildings and the new one. Consequently the new building would not be overbearing to either buildings or grassed areas of Mansfield's. Furthermore there would be no significant increase in overshadowing than currently exists. Whilst there would be overlooking onto the grassed areas of Mansfield, weighing in the balance the existing windows and ability to overlook from Savile House and the School building it is considered that there would be no significant increase in overlooking or loss of privacy as a result than currently exists such that permission should be withheld in this case. There would be no direct overlooking into rooms within the closest Mansfield Buildings.
- 10.63. In relation to issues of overlooking from the Tower element of Warham House towards Harris Manchester the two of the three windows in the southern elevation of the tower at the 6<sup>th</sup> and 7<sup>th</sup> floors are to office/ college rooms associated with the Institute of Philanthropy. The top circular window is in the parapet and therefore at roof level. Whilst it is acknowledged that the tower would include windows at the 6<sup>th</sup> and 7<sup>th</sup> floor of the tower the increase in overlooking over that possible at lower levels from the existing or new Warham House is not considered significant in this case to warrant refusal given the views are across the public realm of Savile Road toward Harris Manchester.
- 10.64. In relation to other aspects of overlooking from the tower to neighbouring buildings, one trefoil element has the lift core with in it and therefore viewing through these windows would be restricted. The other trefoil element contains the stair core of the tower and windows at upper levels. Whilst one may have the opportunity to linger and take in the views, these windows are directed over the site itself in a north-easterly direction towards Savile House and the large beech tree in between or south-easterly over the garden and new planting towards Savile Road. Again views and overlooking is not considered significant in this case to warrant refusal.

**vi. Energy Efficiency**

- 10.65. Core Strategy Policy CS9 (Energy and Natural Resources) states that all developments should seek to minimise their carbon emissions and should demonstrate sustainable design and construction methods and energy efficiency through design, layout, orientation, landscaping and materials. Qualifying developments, i.e. 10 or more dwellings or developments for over 2000m<sup>2</sup>, should be energy efficient, deliver a proportion of renewable or low-carbon energy and



incorporate recycled or reclaimed materials.

10.66. The proposed development would meet the definition of qualifying development and the applicant has submitted an Energy Statement in support of the application. This is being revised at the time of publishing the Report in response to Officers comments on discrepancies within it regarding carbon reduction. Committee will be updated verbally, subject to it demonstrating 20% on site renewables and carbon reduction, a condition securing this is suggested in accordance with Policies HP11 of the SHP and Core strategy CS9.

#### **vii. Biodiversity**

10.67. CS12 of the CS states that there should be no net loss of sites and species of ecological value and where there is opportunity development will be expected to enhance Oxford's biodiversity. The NPPF, paras 117-118, sets out that the planning system should contribute to and enhance the natural and local environment by minimising adverse impacts on biodiversity and incorporating opportunities to enhance it. The site is not covered by any statutory or non-statutory wildlife site designation.

10.68. A revised Ecological Survey Report has been submitted in support of the development. It concludes that the development proposal is unlikely to have any direct or indirect adverse impact on any statutory or non-statutory wildlife sites. It finds that there would be a net gain in habitats for wildlife once the development is complete.

10.69. The Report has identified that the demolition of Warham House would result in the loss of a day roost of a single soprano pipistrelle bat, which means that the building would need to be demolished under the auspices of a Natural England (NE) European Protected Species Mitigation licence. In this instance, given the small number of bats and bat species involved, the Report states that the demolition could be implemented under the auspices of an NE Bat Low Impact Class Licence (BLICL) which would not require restriction on demolition timing. It concludes that compensation for the loss of the roost should be provided under the terms of the licence by the provision of a single woodcrete bat box in the wider site (that should be maintained for a minimum of five years). The mitigation strategy provides proposals to ensure no overall negative impact on bats from the development and suggests enhancements in the form of bird and bats boxes within the development.

10.70. All species of bat and their roosts are protected under the Wildlife and Countryside Act 1981 and The Conservation of Habitats and Species Regulations 2010. In considering whether permission should be granted the Local Planning Authority must be satisfied that the three tests stated in the Conservation (Natural Habitats, &c.) Regulations 2010 listed below can be met:

- a. The development must be for one of the reasons listed in regulation 53(2) of the 2010 Regulations. This includes imperative reasons of overriding public interest of a social or economic nature or of a public health and safety nature
- b. There must be no satisfactory alternative, and
- c. Favourable conservation status of the European Protected Species in their natural range must be maintained – this is the test that drives the need for the developer to provide replacement habitat.

- 10.71. As set out elsewhere in the Report the public benefits of the proposal include the release of student accommodation back to the general housing market, the innovative design and the improvements and enhancement of the Civil War Rampart. It is considered therefore that these benefits meet the first test. In relation to the second test the demolition of the building is required to enable efficient effective and comprehensive re-development of the site to provide enhance facilities and accommodation for both the School and College. In considering the proposals provided for mitigation in the Ecology Report (Applied Ecology Ltd, March 2018), it is considered that it would be possible to meet test 3, subject to the inclusion of the conditions outlining the following:
- 10.72. It states that the development would not harm nationally or locally designated wildlife sites. Protected Species (bats) and roosts have been identified on the site and as such a licence to remove and demolition would need to be sought via separate legislation. There would be a net loss of biodiversity as a result of the tree and planting removals. However this could be mitigate for by the planting of biodiverse plant species with in the extensive landscaping proposed for the site. Other enhancements measures are also suggested.
- 10.73. Officers concur with the findings of the report and mitigation and enhancement measures could be satisfactorily secured by conditions in accordance with Policy CS12 of the CS and the NPPF.

#### **viii. Flooding**

- 10.74. The site is within Flood Zone 1 and the proposed development site is at a low risk of fluvial flooding. Other sources of flooding are also considered to be of low risk, and a Flood Risk Assessment and Drainage Strategy has been submitted which states that here would be a significant reduction in surface water runoff flow rates from existing surface water peak of 128.8l/s for the 1 in 100 year storm event to 12l/s. The drainage calculations for the proposed attenuation tanks have been designed for the 1 in 100 year plus 20% allowance for climate change storm event, therefore complying with policy CS11 of the CS. A Drainage Report has also been submitted with sets out a A preliminary surface water drainage strategy.
- 10.75. It is considered that the principles of the proposed drainage strategy contained within the Drainage Report are acceptable in compliance with CS11 subject to conditions requiring a final drainage strategy, calculations and details, based on the these principles, including agreement with Thames Water, and a condition to ensure the implementation of the maintenance plan, as detailed in the Drainage Report.

#### **ix. Air Quality**

- 10.76. The site lies with in Oxfords Air Quality Management Area. (AQMA). The NPPF, para 124, states that planning decisions should ensure that any new development in Air Quality Management Areas is consistent with the local air quality action plan. Policy CP23 of the Oxford Local Plan states planning permission will not be granted for development which would have a net adverse impact upon the air quality in the Air Quality Management Area, or in other areas where air quality objectives are unlikely to

be met.

- 10.77. An AQA was submitted but further information was required in order to assess the impact on air quality in this instance. A revised AQA is being drafted in consultation with Officers which should demonstrate that the proposal would not harm air quality in accordance with CP23. Therefore Officers raise no objection subject to an acceptable AQA being received and conditioned accordingly.

**x. Archaeology:**

- 10.78. The NPPF states the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. Where appropriate local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. OLP HE2 also applies.
- 10.79. This application is of interest because of this application will impact on the setting of a section of upstanding Royalist Civil War rampart and buried remains likely to belong to the truncated tail of the rampart. The site also has the potential for prehistoric, Roman, Late Saxon, medieval and post medieval remains.

*The significance of the Civil War bank*

- 1.44. The remains of the Royalist defences around Oxford can now only be clearly read as a landscape feature between the reworked earthwork bastion at the University Club on Mansfield Road and the eastern side of Rhodes House on South Parks Road, forming an L-shaped earthwork truncated by Love Lane. This asset is clearly illustrative of Oxford's important role during the English Civil War reflecting its adoption and defence as the Royalist Capital between 1642 and 1646 and reflecting the labours of enthusiastic Royalist students and subsequently less enthusiastic conscripted townsfolk. Although not currently scheduled the surviving earthworks can be assessed as of national significance for their illustrative/associative historical value and evidential value.

*The potential for an earlier earthwork along the same alignment*

- 1.45. A further dimension to the interest of the Savile House earthwork is that it may follow the route of a pre-existing boundary or substantive earthwork. The available historic mapping, going back to Agas's 1578 map shows a seemingly straight east-west boundary, broken by Parks Road, running from the application site through to St Giles. Former Ashmolean Assistant Keeper David Sturdy suggested an 11<sup>th</sup> century defensive earthwork along this line citing documented evidence for a big ditch east of Parks Road and the observation of a large ditch during the installation of a water tank at St John's College. He also thought that this barrier defined part of the Northgate Hundred which is also recorded on a listed boundary stone, roughly near this line, on Parks Road. In 2016 an excavation just to the north of Canterbury Quad at St John's

College exposed a 30m stretch of 4m wide V shaped east-west ditch following the projected line of Sturdy's 'ditch'.

- 1.46. Archaeological evaluation at the Saville House Music Room site in 2014 revealed that below the redeposited gravel of the Civil War rampart, was a thick bank of redeposited reddish loam. An OSL sample from the loam produced a 9<sup>th</sup>-11<sup>th</sup> date, thus potentially tying-in with Sturdy's theory. However subsequent archaeological recording undertaken prior to the construction of the new Music Room appears to show that the loam bank, whilst also producing late Mesolithic and early Saxon scientific dates, sealed a feature that produced a 14<sup>th</sup> century radio-carbon date (the post excavation work is still in progress).
- 1.47. Subsequently as part of the phased MOLA evaluation for the No 2 Savile House development a test pit was excavated within the projected extent of the loam bank within Savile House yard and this revealed a slightly different sequence of redeposited loam over a further soil layer. Here the loam sealed a Post-Conquest sherd of pottery (OXY c1075-1350).
- 1.48. Therefore at present the best fit for the evidence would be for both the loam bank and the gravel bank above to be the result of the Civil War construction work. However the potential for sampled material to be intrusive, the variation in depositional profiles, the topographical and cartographic evidence and the range of dates and artefacts recovered to-date leave open a number of potential scenarios including the presence of a significant boundary feature along this line predating the Civil War and perhaps reworked by the Royalists.
- 1.49. Elsewhere within the application boundary archaeological evaluation trenching recorded a late medieval or post medieval well and other post medieval artefacts suggesting localised settlement activity in the area of the proposed new basement.

*Impact on the Civil War rampart*

- 1.50. The current proposals may involve the loss of a significant area of the buried loam layer, currently interpreted as the truncated tail of the Civil War rampart, located in the western part of Savile House yard and projected to survive under the current school building (if it has not been disturbed by the construction of the School building). Thus the application will involve harm to part of an asset that can be assessed as nationally significant. However the loss of the loam 'tail' in this area will not impact on the illustrative value of the extant earthwork. It can also be noted that the loam layer has previously been impacted by landscaping, building foundations and services routes. The harm to the loam layer (and any further buried soil layers or features sealed beneath) should therefore be weighed up against the wider merits and public benefits of the scheme, including the removal of the New College School building from the top of the rampart.
- 1.51. It is considered that the Civil War rampart and its setting in this location has not been well served by the developments that have been allowed to build up around it. The recent New College Music room application proved to be an opportunity to improve its setting by moving the building footprint south to allow a newly grassed over rampart to be viewed from publically accessible point on Mansfield Road. The current New College Campus scheme continues this trajectory by pulling back the school building

line from the top of the rampart and opening up a new view of it from the south (although the building footprint moves closer to the rampart at the western end of Savile House yard) and will allow greater appreciation of the assets form by both students and members of the public. Sensitive indicative landscape proposals have been submitted to enhance this appreciation further, including a new footpath over the rampart. This enhancement and improvement is a public benefit of the development, and together with the other public benefits, outweigh any less-than-substantial harm to this heritage asset in this case.

- 1.52. In this case, bearing in mind the results of the archaeological desk based assessment and field evaluation by Museum of London Archaeology, in line with the advice in the National Planning Policy Framework, any consent granted for application should be subject to conditions to secure 1) the implementation of the enabling works archaeological Written Scheme of Investigation 2) sensitive demolition to facilitate archaeological recording 3) a methodology for foundation and ground works 4) archaeological excavation and public outreach work 5) the protection of the Civil War rampart during development and 6) sensitive landscaping and boundary treatments to improve the setting of the Civil War rampart in accordance with HE2 of the OLP and the NPPF.

## **11. CONCLUSION**

- 11.3. Having regards to the matters discussed in the report, officers would make members aware that the starting point for the determination of this application is in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 which makes clear that proposals should be assessed in accordance with the development plan unless material considerations indicate otherwise.
- 11.4. The NPPF recognises the need to take decisions in accordance with Section 38(6) but also makes clear that it is a material consideration in the determination of any planning application (paragraph 2). The main aim of the NPPF is to deliver Sustainable Development, with Paragraph 14 the key principle for achieving this aim. The NPPF also goes on to state that development plan policies should be given due weight depending on their consistency with the aims and objectives of the Framework. The relevant development plan policies are considered to be consistent with the NPPF despite being adopted prior to the publication of the framework.

### *Compliance with Development Plan Policies*

- 11.5. Therefore in conclusion it would be necessary to consider the degree to which the proposal complies with the policies of the development plan as a whole and whether there are any material considerations, such as the NPPF, which is inconsistent with the result of the application of the development plan as a whole.
- 11.6. In summary, the proposed development would seek to make an efficient use of previously developed land in accordance with Oxford Core Strategy Policy CS2. The redevelopment of additional accommodation for the college within its own campus is also supported by Sites and Housing Plan Policy HP5. The site layout and built form has been developed in a comprehensive and thoughtful manner following an extensive pre-application process which has considered the impact upon designated

heritage assets including archaeological heritage assets and results in a development which would mitigate the less than substantial harm to these assets by innovative high quality design and a number of public benefits would be derived that would outweigh said harm. As such it would accord with Local Plan Policies CP1, CP6, CP8, HE2, HE3, HE7, HE8 and HE10 along with Core Strategy Policy CS18. It is considered that it would be acceptable in terms of the impact on amenities of the adjoining properties in accordance with Local Plan Policy CP10. In transport terms, it is considered that the proposal would be acceptable in terms of access, parking, highway safety, traffic generation, and pedestrian and cycle movements in accordance with Local Plan Policy CP1, TR1, TR2, TR3, TR4 and Sites and Housing Policy HP15. There would be no harm to public amenity from proposed tree removals and landscaping proposals would positively enhance and mitigate the setting of the new building and heritage assets accord with Local Plan Policies CP1, CP11, and NE15. There would be no adverse environmental impacts in accordance with Local Plan Policies CP1, CP11, and NE15. The loss of a single bat & its roost from the demolition meets the requirements of the Conservation (Natural Habitats, &c.) Regulations 2010 subject to mitigation measures and in other respects there would be a net gain in wildlife habitats in accordance with Core Strategy Policy CS12. Where there are any adverse impacts in relation to these matters officers consider that these could be mitigated through appropriately worded conditions.

2.8. The main policy where there could be considered a departure from development plan policy would be with regard to Oxford Local Plan Policy HE9 which states that permission will not be granted for developments which exceed 18.2m (or ordnance datum height of 79.3m within a 1,200m radius of Carfax Tower). While it is accepted that the proposed tower would exceed the 18.2m height limit as prescribed by the policy and cannot reasonably be considered a 'minor element', and thus exempt from the policy. The tower would reach 25m at the top of its parapet. The Townscape & Visual Analysis and Heritage Impact Assessment submitted with the application has demonstrated that the tower would not be a visually dominant competing element within the skyline or detract from the significant views of the historic cluster of Spires, domes and towers within the City, that Policy HE9 seeks to protect and which would remain the prominent features within the views, thereby according with policies HE10 and CS18, and chapter 12 of the NPPF. Therefore the innovative and contemporary high quality contextual design approach for the tower in accordance with paragraph 63 of the NPPF considerably reduces the weight to be attached to the conflict with this policy.

2.9. Therefore officers consider that the proposal would accord with the development plan as a whole.

#### *Material Considerations*

2.10. The principal material considerations which arise are addressed below, and follow the analysis set out in earlier sections of this report.

2.11. National Planning Policy: The NPPF has a presumption in favour of sustainable development which should be viewed as the golden-thread running through decision taking.

- 2.12. NPPF paragraph 14 states that proposals that accord with the development plan should be approved without delay, or where the development plan is absent, silent, or relevant plans are out of date, granting permission unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole; or specific policies in the framework indicate development should be restricted.
- 2.13. Officers consider that the proposal would accord with the overall aims and objectives of the NPPF for the reasons set out within the report. Therefore in such circumstances, Paragraph 14 is clear that planning permission should be approved without delay. This is a significant material consideration in favour of the proposal.
- 2.14. Officers would advise members that having considered the application carefully including all representations made with respect to the application, that the proposal is considered to be acceptable in terms of the aims and objectives of the National Planning Policy Framework, and relevant policies of the Oxford Core Strategy 2026, Sites and Housing Plan 2013 and Oxford Local Plan 2001-2016, when considered as a whole, and that there are no material considerations that would outweigh these policies.
- 2.15. It is therefore recommended that the Committee resolve to grant planning permission for the development proposed subject to:
- a) Public consultation on revised plans and information not resulting in any new issues being raised that are not dealt with in this report; and
  - b) Receiving a revised Energy statement and Air Quality Assessment to the satisfaction of the Head of Planning, Sustainable Development and Regulatory Services; and
  - c) Subject to further conditions as may be necessary in connection with b) above.

## **12. CONDITIONS**

1. The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

2. The development permitted shall be constructed in complete accordance with the specifications in the application and approved plans listed below, unless otherwise agreed in writing by the local planning authority.

Reason: To avoid doubt and to ensure an acceptable development as indicated on the submitted drawings in accordance with policy CP1 of the Oxford Local Plan 2001-2016.

3. Samples of the exterior materials to be used shall be submitted to, and approved in writing by the Local Planning Authority before the start of work on the site and only the approved materials shall be used.

Reason: In the interests of the visual appearance of the Headington Conservation Area in which it stands in accordance with policies CP1, CP8 and HE7 of the Adopted Oxford Local Plan 2001-2016.

4. Notwithstanding the submitted Construction Traffic Management Plan, prior to the commencement of development including demolition and enabling works a revised Construction Traffic Management Plan shall be submitted to and approved in writing by the local planning authority. The construction of the development shall be carried out in strict accordance with the approved plan unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of local amenity and the free flow of traffic on the public highway in accordance with policies CP1, CP19, CP21 and TR2 of the Adopted Oxford Local Plan 2001-2016.

5. Notwithstanding the submitted landscape Masterplan and landscape plans, further detailed plan(s) shall be submitted to and approved in writing by the Local Planning Authority prior to substantial completion of the development as a whole or relevant phase or phases of the development as may be agreed. The plans shall show in detail all proposed tree and shrub planting, treatment of paved areas, and areas to be grassed or finished in a similar manner. Only the approved details shall be implemented.

Reason: In the interests of visual amenity in accordance with policies CP1, CP11 and NE15 of the Adopted Local Plan 2001-2016.

6. The landscaping proposals as approved by the Local Planning Authority shall be carried out in the first planting season following substantial completion of the development as a whole or each phase of development if this is after 1st April. Otherwise the planting shall be completed by the 1st April of the year in which building development is substantially completed. All planting which fails to be established within three years shall be replaced.

Reason: In the interests of visual amenity in accordance with policies CP1 and CP11 of the Oxford Local Plan 2001-2016.

7. Prior to the commencement of development including enabling works and demolition, details of the design of all new hard surfaces and a method statement for their construction shall be submitted to and approved in writing by the Local Planning Authority. Details shall take into account the need to avoid any excavation within the rooting area of any retained tree and where appropriate the Local Planning Authority will expect "no-dig" techniques to be used, which might require hard surfaces to be constructed on top of existing soil levels using treated timber edging and pegs to retain the built up material. The development shall be constructed in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To avoid damage to the roots of retained trees in accordance with policies CP1, CP11 and NE16 of the Adopted Local Plan 2001-2016.



8. Prior to the commencement of the development excluding demolition and including enabling works, details of the location of all underground services and soakaways shall be submitted to and approved in writing by the Local Planning Authority (LPA). The location of underground services and soakaways shall take account of the need to avoid excavation within the Root Protection Areas (RPA) of retained trees as defined in the British Standard 5837:2012- 'Trees in relation to design, demolition and construction-Recommendations. Works shall only be carried in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To avoid damage to the roots of retained trees; in support of Adopted Local Plan Policies CP1, CP11 and NE15.

9. The development shall be carried out in complete accordance with the methods of working contained within the approved Arboricultural Method Statement unless otherwise agreed in writing by the Local Planning Authority prior to commencement of development.

Reason: To protect retained trees during construction. In accordance with policies CP1, CP11 and NE16 of the Adopted Local Plan 2001-2016.

10. The development shall be carried out in strict accordance with the approved tree protection measures contained within the approved Tree Survey and Arboricultural Method Statement dated November 2017 or as amended unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect retained trees during construction in accordance with policies CP1, CP11 and NE16 of the Adopted Local Plan 2001-2016.

11. Development shall not begin until details of a Tree Protection Monitoring Plan (TPMP) have been submitted to and approved in writing by the LPA. The TPMP shall include details of a monitoring programme for compliance with the approved Tree Protection Plan and Arboricultural Method Statement. An Arboricultural Clerk of Works (ACoW) appointed by the applicant shall oversee implementation of the approved TPMP. The TPMP shall include the following details:

- The role and responsibilities on site of the ACoW or similarly competent person;
- Responsible persons and lines of communication and reporting including with the LPA Tree Officer;
- The times during construction when ACoW will be present on site to oversee works.

Reason: To demonstrate compliance with tree protection conditions and to ensure that trees are protected from injury or damage during development. To ensure a high quality landscape appearance in the interests of public visual amenity in accordance with policies CP1, CP11 and NE15 of the Adopted Local Plan 2001-2016.

12. The cycle parking hereby approved shall be implemented prior to occupation in accordance with the approved basement plans and there after retained at all times thereafter.

Reason: To ensure adequate cycle parking provision in accordance with HP15 of the Sites and Housing Plan 2013.

13. The student study bedrooms comprised in the development shall not be occupied until the wording of a clause in the tenancy agreement under which the study bedrooms are to be occupied restricting students resident at the premises (other than those registered disabled) from bringing or keeping a motor vehicle in the city has been submitted to and approved by the local planning authority; and the study bedrooms shall only be let on tenancies which include that clause or any alternative approved by the local planning authority.

Reason: To ensure that the development does not generate a level of vehicular parking which would be prejudicial to highway safety, or cause parking stress in the immediate locality, in accordance with policies CP1, TR12, ED6 and ED8 of the Adopted Oxford Local Plan 2001-2016.

14. Prior to occupation of the development involving residential accommodation details of a Student Travel Information Pack shall be submitted to and approved in writing by the local planning authority in consultation with the local highway authority. The approved Student Travel Information Pack Travel information pack shall be provided to every resident on their first occupation.

Reason: In the interests of sustainability and to ensure a satisfactory form of development, in accordance with Policy CS25 of the Core Strategy and the National Planning Policy Framework.

15. Prior to the first occupation of the school element of the development hereby permitted the applicant shall submit to and obtain the agreement in writing of the local planning authority, a travel plan. The plan shall detail how it is proposed to achieve a reduction in the amount of staff vehicles accessing the replacement car parking site over a rolling 5 year period, the means for implementing the plan, method of monitoring and amending the plan on an annual basis. The results of the annual monitoring exercise shall be submitted to the local planning authority in writing and the travel plan amended accordingly in light of discussions with the local planning authority. Reason. To limit the number of journeys by private motor car and reduce the pressure for car parking in the locality in accordance with policies CP1, TR2 and TR12 of the Adopted Oxford Local Plan 2001-2016.

16. Prior to the commencement of development, plans, calculations and drainage details to show how surface water will be dealt with on-site through the use of sustainable drainage methods (SuDS) shall be submitted to and approved in writing by the Local Planning Authority. The plans, calculations and drainage details will be required to be completed by a suitably qualified and experienced person in the field of hydrology and hydraulics.

The plans, calculations and drainage details submitted shall demonstrate that;

- I. The drainage system is to be designed to control surface water runoff for all rainfall up to a 1 in 100 year storm event with a 40% allowance for climate change.
- II. The rate at which surface water is discharged from the site may vary with the severity of the storm event but must not exceed the greenfield runoff rate for a given storm event.
- III. Excess surface water runoff must be stored on site and released to receiving system at greenfield runoff rates.
- IV. Where sites have been previously developed, betterment in runoff rates will be expected, with discharge at, or as close as possible to, greenfield runoff rates.

Any proposal which relies on Infiltration will need to be based on on-site infiltration testing in accordance with BRE365 or alternative suitable methodology, details of which are to be submitted to and approved by the Local Planning Authority. Consultation and agreement should also be sought with the sewerage undertaker where required.

Reason: To ensure compliance with Policy CS11 of the Oxford Core Strategy 2011-2026.

17. The SuDS Maintenance plan as detailed in 'Drainage Report Version 2 – March 2018' should be implemented by the property owner for the lifetime of the development.

Reason; To ensure that the drainage system functions safely and effectively for the lifetime of the development

18. The work should be carried out in accordance with the proposed mitigation measures outlined in the Ecology Report (Applied Ecology Ltd, March 2018), including hand removal of hanging tiles. Detailed mitigation plans (including specific location and specification of bat features) shall be submitted to and approved in writing by the Local Planning Authority prior to work starting on site.

Reason: In the interest of avoiding harm leading to a criminal offence as outlined by the Conservation of Species & Habitats Regulations 2010.

19. Work shall not commence unless the local planning authority has been provided with either:
- a) a licence issued by Natural England pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2010 authorising the specified activity/development to go ahead; or
  - b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence.

Reason: In the interest of avoiding harm leading to a criminal offence as outlined by the Conservation of Species & Habitats Regulations 2010.

20. Condition: Prior to the commencement of the development, details including specification and location plans of biodiversity enhancement measures including at least 20 x bird nesting and 5 x bat roosting devices shall be submitted to and approved in writing by the local planning authority. The approved measures shall be incorporated into the scheme and be fully constructed prior to occupation of the approved dwellings and retained as such thereafter.

Reason: In the interests of improving the biodiversity of the City in accordance with NPPF and policy CS12 of the Oxford Core Strategy 2026.

21. Condition: No works which include the creation of trenches or culverts or the presence of pipes shall commence until measures to protect mammals from being trapped in open excavations and/or pipe and culverts are submitted to and approved in writing by the local planning authority. The measures may include:

- a) creation of sloping escape ramps, which may be achieved by edge profiling of trenches/excavations or by using planks placed into them at the end of each working day; and
- b) open pipework being blanked off at the end of each working day.

Reason: To prevent harm to mammals including hedgehogs.

### **13. APPENDICES**

**Appendix 1** – Site Exiting Block Plan

**Appendix 2** - Site Proposed Block plan

**Appendix 3** – ODRP review letter of 25<sup>th</sup> January 2018

### **14. HUMAN RIGHTS ACT 1998**

14.3. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to approve this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection of the rights and freedom of others or the control of his/her property in this way is in accordance with the general interest.

### **15. SECTION 17 OF THE CRIME AND DISORDER ACT 1998**

15.3. Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to approve of planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community.

**NOTES**  
- Do not scale from this drawing.

-  Site Boundary
-  School Boundary
-  Site Entrances

\* 15/12/17      Planning  
REV DATE      FOR



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PROJECT  
New Campus Savile Road

RIBA Stage 3

PROJECT ADDRESS  
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CLIENT  
Austin Newport Group

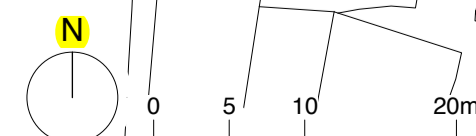
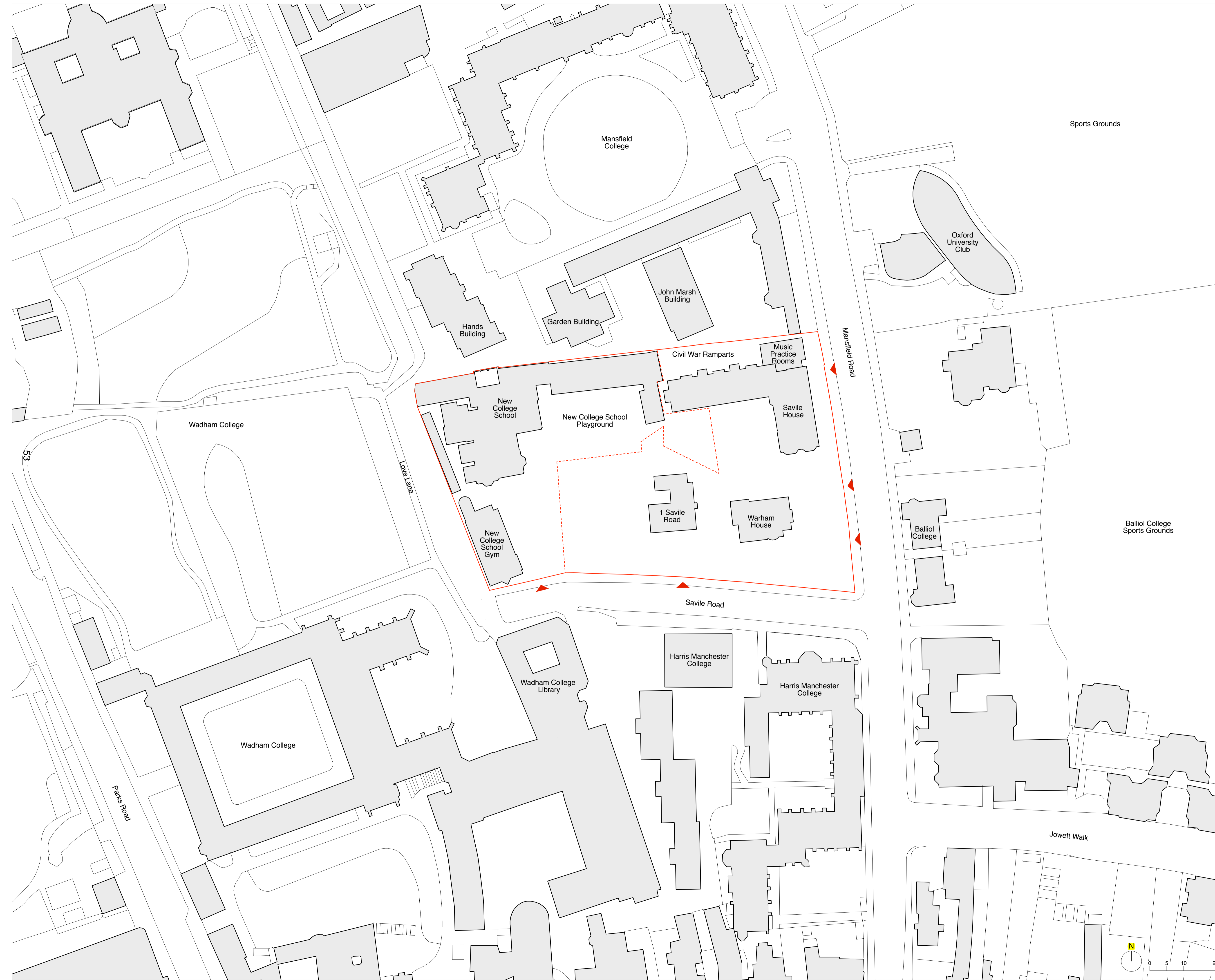
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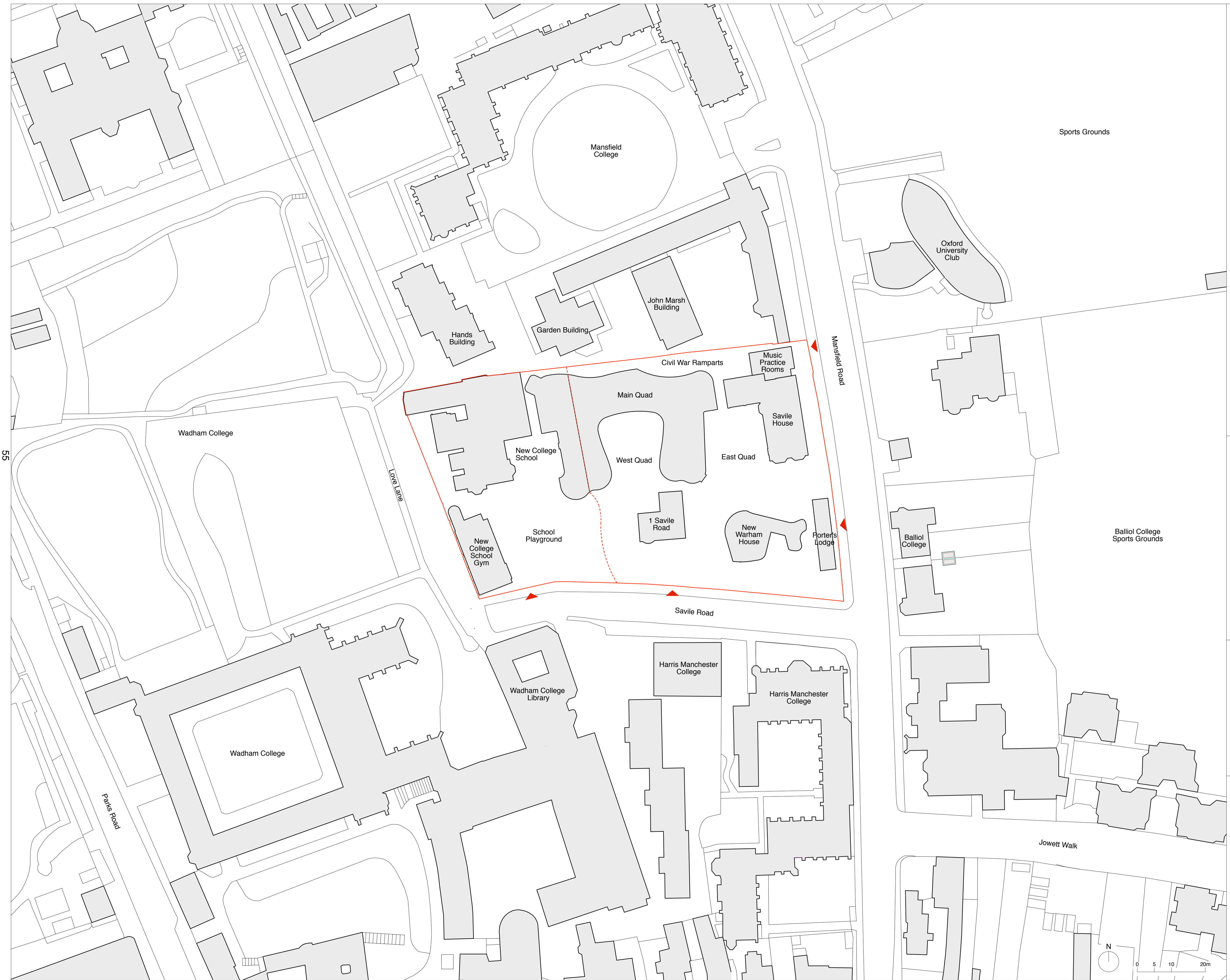
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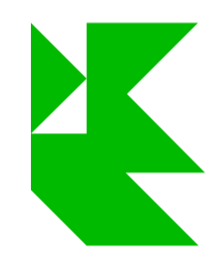
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**NOTES**  
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- Site Boundary
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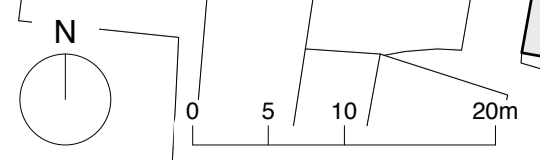
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Proposed Block Plan

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Mark Curtis  
New College  
c/o Turnberry Planning Ltd  
41-43 Maddox Street  
London  
W1S 2PD

14 March 2018

Our reference: DCC/0801

### **Oxford City Council: New College, Savile Road**

Dear Mark Curtis,

Thank you for the opportunity to engage in the Design Review of the proposal for New College Savile Road at the planning application stage on 25 January 2018. This review builds upon the recommendations from two previous reviews of this scheme at pre-planning stage dated 15<sup>th</sup> September 2016 and 16<sup>th</sup> October 2017.

#### **Summary**

We continue to support the strong brief to provide new student accommodation for the College. The proposal delivers the high ambition of the client to create an exemplary scheme for New College, and the design team has successfully maintained and enhanced the design integrity of this innovative scheme throughout the design process.

Based on the drawings available to illustrate the relationships between the buildings and the immediate and wider areas, we think the building heights appear sound. The Oxford skyline is comprised of a rich tapestry of roofs interspersed with towers and spires. We think the tower would positively contribute to this skyline but some further analysis of its contribution to the Oxford skyline would ensure it integrates well with its heritage context.

The proposal overall for New College has progressed in a positive manner with the architectural expression having been faithfully maintained despite the complexity of the scheme and the challenges in designing a building with a complex curved plan and roof profile. The architecture being explored in this proposal will create distinctive contemporary buildings that will complement the historic buildings on the site and within the local area. Due to the curved building forms, roofscapes and materials, the proposed building forms would be unique to Oxford, which is in keeping with the brief to create a distinctive scheme for New College. The variety of forms, materials and hues give a richness and uniqueness to the proposal. Some further fine-tuning of the elevations could add refinement to the proposal.

There is strong scope for the project to lead on the environmental credentials and be an exemplar in this regard. In line with the innovative architectural approach, we think the scheme should develop an equally rigorous approach to environmental sustainability.

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The existing rampart is a unique historic feature of this site that has been addressed thoughtfully in the proposal. Enjoyable views and ways of experiencing the site have been established by the proposed routes and provision of new planting. The landscape design has progressed well since the previous review. Further refinement to access and servicing arrangements could be considered in preparation for the planning application.

### **Building heights and design**

The current design for New College successfully addresses the points raised in the previous letter including the positioning of New Warham House and the tower, the finish of the parapet and the form and design for the roof for New Warham House which better complements the main building and helps the two buildings to be read as a comprehensible whole. We support the proposed building heights and the proposal to create a tower as a point of interest/identification marker for the College. In progressing the design for the proposed tower element, it would be worth reviewing its level of transparency and considering the use of tinted or stained glass. We think there may be scope to further enhance the northern elevation of the main building by continuing to explore its articulation and detailing, for example, by lowering the eaves line in parts to create more interest along the northern elevation.

Internally, the basement has progressed well, and its curved form has the potential to create a unique space for learning and study. We think some more careful thought should be given to the configuration and geometry of different areas and rooms and how they might be furnished. The internal corridors within the main building are significant in length, introducing some natural light would make them feel more welcoming and would benefit the students.

This architecturally innovative and ambitious scheme could help set the precedent for environmental sustainability in Oxford. We recommend continuing to progress this aspect of the scheme, for example building upon fabric first principles and passive cooling whilst ensuring the approach is bespoke to the project going forward.

### **Landscape**

The existing rampart is a unique historic feature of this site and has been sensitively accommodated and addressed thoughtfully in this iteration of the proposal. We support the creation of the walkway over the rampart to acknowledge its presence within the site whilst optimising the use of amenity space on the site. We suggest considering in more detail the signage and/or lighting to help celebrate the importance of this feature.

The central open space to the south of the main building works well as a meeting point/circulatory space for most residents and visitors within this area. In the development of the central open space, we suggest considering in more detail the noise/disturbance from this space to the residents on the ground floor. The student rooms back immediately onto this public space and a sense of privacy for the students could be created in through the landscape design.

In terms of servicing, in the current proposal the main entrance to Mansfield Road is proposed for both students and service access, we think it would be beneficial to consider a secondary access into the site, for example from Savile Road, to separate refuse

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collection and the main entrance for residents/visitors. Thought should also be given to the function, design and maintenance of the triangle of green space to east of the site adjacent to this entrance.

The boundary treatment could complement the architecture and allude to the innovative building design within the site itself, particularly at the south west corner which is a key focal point/point of arrival to the college.

Thank you for consulting us and please keep us informed of the progress of the scheme. If there is any point that requires clarification, please telephone us.

Yours sincerely,

A. Osborne

**Annabel Osborne**

Design Council Cabe Advisor

Email [annabel.osborne@designcouncil.org.uk](mailto:annabel.osborne@designcouncil.org.uk)

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**Review process**

Following a site visit, (and) discussions with the design team and local authority and a pre-application review, the scheme was reviewed on 25 January 2018 by Keith Bradley (chair), Jo Van Heyningen, Dan Jones, Deborah Nagen and Kathryn Davies. These comments supersede any views we may have expressed previously.

**Confidentiality**

Since the scheme is not yet the subject of a planning application, the advice contained in this letter is offered in confidence, on condition that we are kept informed of the progress of the project, including when it becomes the subject of a planning application. We reserve the right to make our views known should the views contained in this letter be made public in whole or in part (either accurately or inaccurately). If you do not require our views to be kept confidential, please write to [cabe@designcouncil.org.uk](mailto:cabe@designcouncil.org.uk).

**cc (by email only)**

Andrew Murdoch

Oxford City Council

Gill Butter

Oxford City Council

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## WEST AREA PLANNING COMMITTEE

10<sup>th</sup> April 2018

**Application Number:** 17/03332/FUL

**Decision Due by:** 22nd February 2018

**Extension of Time:** 20<sup>th</sup> April 2018

**Proposal:** Proposed car park of 17no. spaces. (Amended plans)

**Site Address:** New College Sports Ground , St Cross Road

**Ward:** Holywell Ward

**Case Officer** Felicity Byrne

**Agent:** Mr Chris Pattison                      **Applicant:** c/o Agent

**Reason at Committee:** This is a delegated item. However as it is linked with Major development under 17/03330/FUL, Officers consider it appropriate for Committee to determine this application as well.

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## 1. RECOMMENDATION

1.1. West Area Planning Committee is recommended to:

**(a) Approve the application for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and;**

**(b) Agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:**

1. Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary and issue the planning permission.

## 2. EXECUTIVE SUMMARY

2.1. This report considers the creation of a car park providing 17 car parking spaces for use by New College and New College School. The car park is located on the edge of New College Sports ground which lies within the Central Conservation Area (CCA), Green Belt and Flood Zones 2 & 3. The car park is required in association with the major redevelopment of New College School and Student Campus grounds on Savile Road (17/03330/FUL refers). The report concludes that the development would not harm the significance of the CCA. Whilst in the Green Belt it is considered appropriate development that would preserve the

openness of the Green Belt and would not conflict with the five purposes of including land within the Green Belt. It finds that whilst within the flood plain of the River Cherwell, the site would be monitored and controlled by the Porter's Lodge and with the implementation of a Flood Management Plan that prevents the use of this car park during flooding events any potential risk is reduced and can be satisfactorily mitigated in this case. Soft landscaping around the car park would aid its visual integration. Officers therefore recommend that the application is approved subject to conditions set out in Section 12 of the Report.

### 3. LEGAL AGREEMENT

3.1. There is no requirement for a legal agreement in this case.

### 4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. The proposal is not liable for CIL.

### 5. SITE AND SURROUNDINGS

5.1. The site is located on the south-western edge of New College Sports ground adjacent to New College's Weston Buildings student accommodation and their Brian Johnstone Sports Pavilion. The car park is accessed from St Cross Road via the existing access in to the New College campus. The site lies within the Central Conservation Area (CCA), the Green Belt and Flood Zones 2, 3a & 3b. The listed Grade I Lesley Martin Law Library is situated the other side of the Weston Buildings and the access on St Cross Road. Opposite New College Sports Field on the western side of St Cross Road are the playing fields of Balliol and the University. The eastern edge of the Sports Field is bounded by the River Cherwell and mature screening.

5.2. The site is identified on the plan below



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### 6. PROPOSAL

6.1. The application proposes the creation of a car park providing 17 car parking spaces, which formalises existing informal parking on the sports field.

## 7. RELEVANT PLANNING HISTORY

7.1. The table below sets out the relevant planning history for the application site:

80/00847/NFH - New Sports Pavilion (Amended Plans). Approved
94/00487/NFZ - Erection of building up to 3 storeys high to provide accommodation for 48 students with shared facilities. Ancillary laundry and store buildings, communal gardens and covered cycle storage (48 spaces), and disabled parking space. Approved
97/01021/LH - Conservation Area consent for demolition of 5 staff houses. Approved
97/01022/NFH - Buildings up to 3 storeys for 45 student study beds in 8 houses & junior fellow in flat, accommodation for porter & groundsman, with porters lodge, barrier access, 4 car & cycle spaces, ancillary facilities & landscaping. (Amended plans). Approved

## 8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework (NPPF)	Local Plan	Core Strategy	Sites and Housing Plan	Other Planning Documents
Design	7	CP6, CP8, CP10,	CS18_		
Conservation/ Heritage	12	HE2, HE3, HE7,			
Housing	6				
Commercial	1, 2				

<b>Natural Environment</b>	9, 11, 13 Paragraphs 93 to 108	CP11, NE15, NE16, NE23, NE6,	CS11_ CS12_		
<b>Social and community</b>	8	SR5,			
<b>Transport</b>	4	TR1, TR2, TR3, TR12, TR11,			Parking Standards SPD
<b>Environmental</b>	10	CP19, CP20, CP21, CP22, CP23,			
<b>Misc</b>	NPPF Paras 80 - 90	CP.13, CP.24, CP.25	CS4		

## 9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 10<sup>th</sup> January 2018.

### **Statutory and Non-Statutory Consultees**

#### Oxfordshire County Council (Highways)

- 9.2. The application relates to the relocation of the parking spaces that will be lost as a result of 17/03330/FUL. Since there is no net increase in spaces proposed, the county council considers that the proposal to relocate these spaces at the nearby St Cross Road site is acceptable. The county council does not object to the application, subject to a condition requiring a sustainable drainage scheme.
- 9.3. It is noted from the submitted plans that the parking bays measure 4.8m x 2.4m. This is below the minimum dimensions set out in the county council's design guidance which sets out that parking spaces must have minimum dimensions of 5m x 2.5m. Consequently accessing those parking bays may prove difficult for larger modern vehicles. We note that these parking bays are not located on or near to the public highway and so any obstructions caused by vehicles overhanging the parking bays or manoeuvring in to / from bays will not affect the operation or safety of the highway, however we would recommend that the layout and dimensions of the parking bays are reviewed in line with the county council's guidance. NB. Amended plans to address this concern have been received.
- 9.4. The additional hard surfaced area must be drained using SUDs methods.

#### Sport England

- 9.5. Sport England is concerned about the proximity of the car park access road to the outer edge of the run off zone for the rugby pitch and damage to cars from



cricket balls. They would like to see the access road to the car park narrowed if possible to allow further run off space and the use of materials for the surfacing may cause health and safety issues.

Environment Agency:

- 9.6. The Environment Agency has objected to the application. The NPPF and its associated National Planning Practice Guidance classifies development types according to their vulnerability to flood risk and gives guidance on which developments are appropriate in each flood zone. The development type in the proposed application is classified as 'more vulnerable', as noted within Table 2 of the National Planning Practice Guidance (NPPG). Tables 1 and 3 of the NPPG make clear that this type of development is not compatible with this flood zone and should not therefore be permitted.
- 9.7. The Environment Agency have suggested that the applicant can overcome our objection by either removing the proposed development from Flood Zone 3b or demonstrating that the proposed development is not located within Flood Zone 3b. This may include undertaking further studies such as detailed flood modelling.

**Public representations**

- 9.8. None received.

**10. PLANNING MATERIAL CONSIDERATIONS**

- 10.1. Officers consider the determining issues to be:

- i. Principle of development;
- ii. Design and impact on Heritage;
- iii. Transport;
- iv. Flooding;
- v. Sport Facilities;
- vi. Landscape;
- vii. Biodiversity;
- viii. Archaeology.

**i. Principle of Development**

- 10.2. The National Planning Policy Framework [NPPF] includes a presumption in favour of sustainable development (paragraph 14) and recognises that the planning system has an economic, social, and environmental role in achieving this aim. The proposed development involves the creation of a car park within land that is previously developed that lies within the green belt.
- 10.3. The NPPF places great importance on Green Belts. The fundamental aim is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts being their openness and permanence (paragraph

79). This fundamental aim is also supported through Oxford Core Strategy CS4 which states that permission will not be granted for inappropriate development within the Green Belt, in accordance with national planning policy.

- 10.4. According to Paragraph 80 of the NPPF the Green Belt serves five purposes,:
- *To check the unrestricted sprawl of large built up areas;*
  - *To prevent neighbouring towns merging into one another;*
  - *To assist in safeguarding the countryside from encroachment;*
  - *To preserve the setting and special character of historic towns; and*
  - *To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*
- 10.5. It goes on to state that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances (paragraph 87). Furthermore when considering any planning application, substantial weight should be given to any harm to the Green Belt. ‘Very Special Circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations (paragraph 88).
- 10.6. Paragraph 90 of the NPPF states that certain forms of development are not considered inappropriate in Green Belt locations provided they preserve the openness of the Green belt and do not conflict with the purposes of including land in Green Belt. This includes engineering operations.
- 10.7. The creation of a car park would constitute an ‘engineering operation’ and therefore it falls to consider whether the development would
- (a) preserve the openness of the Green Belt; and
  - (b) does not conflict with the purposes of the Green Belt; and that it is thereby appropriate, or, if not appropriate, that there are very special circumstances which justify the grant of planning permission in accordance with NPPF para.88.
- 10.8. The Green Belt designation encompasses New College Sports Field and University Parks to the North and the River Cherwell and its meadows to the east of the site up to Marston. The car park would be made using Biopave, a surfacing material similar to grass create, which would allow the grass to grow through it, and therefore provide a hidden substructure sufficient enough to withstand vehicles. It would be flush with the existing grass and therefore would be effectively camouflaged. When the car parking is in use the parked vehicles would be seen, as is currently the situation, however, the applicant has agreed to the provision of a hedge screening around the car park as discussed elsewhere in this Report.
- 10.9. It is considered that the proposal would result in a relatively small area of car parking close to the existing Weston Buildings. It should be noted that in allowing certain types of appropriate development within the Green Belt such as developments associated for outdoor sport and recreation, there would be an acceptance that some form of ancillary parking would be required to serve such uses. While it would be within the otherwise open playing field it would not negate the role of the Green Belt in checking urban sprawl. It would not lead to

the merging of built up areas either physically or visually due to the River Cherwell bounding the eastern edge and the mature screening beyond. The safeguarding of the countryside from encroachment would be maintained as the car park is within an existing sports field again constrained by the river and trees which prevent the encroachment further east into the meadows and floodplain.

10.10. As discussed in more detail below the special character and significance of the Conservation Area and the setting of Oxford as a whole would not be harmed. The sports field is previously developed land and therefore the proposal would not negate its purpose in assisting urban regeneration by encouraging the recycling of derelict and other urban land.

10.11. In conclusion therefore it is considered that the development would preserve the openness of the Green Belt and does not conflict with the purposes of the Green Belt; and that it is thereby appropriate in accordance with the NPPF and CS4 of the CS.

**ii. Design and Impact on Character of Surrounding Area:**

10.12. The site lies within the Central Conservation Area (CCA), adjacent to the Weston Buildings that bound the sports field providing student accommodation for New College. The sports field itself is set behind fencing and mature tree screening St Cross Road to the west and mature trees and hedging along the River Cherwell that bounds east of the Field. To the north of the field is Linacre College bounded by a high brick wall and the Marston Cyclepath that separates the field from University Parks to the north and is again bounded by hedging and mature trees. The other side of the River is the Music Meadow of to the rear of St Cat's College on Manor Road and views in to the sports field are heavily screened and only glimpsed. Sitting behind the Weston Buildings is the Grade I listed Lesley Martin Law Library.

10.13. This part of the CCA has its origins as a small settlement on the outskirts of the Medieval City, and still maintains a suburban character typified by residential scale housing and buildings set back from the street with front gardens and informal tree and shrub planting. The change in character from City to suburban can be seen as one moves up Longwall and then changes into St Cross Road. The Leslie Martin law library built in the 20<sup>th</sup> Century is dominant at the corner of Manor Road with the Weston Buildings beside it on St Cross Rd. Opposite are the buildings of Balliol College Master's Field and the University Sports field. This character changes again further up St Cross Road as the University Science area presents itself on the western side of the St Cross Road. The science area is excluded from the CCA. To the east the River Cherwell and its tributaries sit within the swath of enclosed and open meadows which present a rural character and appearance and form part of the setting of Oxford.

10.14. The New College sports field together with other sports fields nearby contribute to the character and appearance of the CCA at this point. There is already informal parking of cars and larger vehicles (e.g. minibus's) taking place at the northern end of the sports field which has a visual impact on the appearance of the CCA at this point. It is considered that the development presents the opportunity to improve this visual impact on the CA. Whilst the car park

substructure itself would not be visible due to the proposed materials which would make it look like grass, the vehicles themselves would be visible. It is therefore considered that soft landscape planting around the car park in the form of hedging, would enhance the CA and mitigate the visual intrusion of the vehicles. The Applicant has already agreed to such planting, which could be secured by a suitably worded condition.

10.15. It is considered that the formalisation of this parking at this location, subject to a landscaping condition, would not harm the significance of the CA or the harm the setting of Oxford as it would not harm the ability to appreciate its rural setting.

**iii. Transport:**

10.16. The car park would provide 17 car parking spaces, 3 for the College and 14 for the School. The Planning Design & Access statement states that currently all car parking for the school is available on site, taking up space that should otherwise be available for play by the pupils. The school has some need for staff parking, in particular for peripatetic teachers who travel between schools during the day teaching music lessons and rely on use of a private car for transportation of musical instruments. The school also have a minibus that requires parking. Various options for incorporating car parking on the main Savile Road site have been considered. The number of spaces has been reduced to 2 formal car parking spaces adjacent to 1 Savile Road, including for accessible parking, including one designated accessible parking bay (17/033308/FUL refers).

10.17. The College have considered their parking needs across their central Oxford sites (main site at Holywell Street, Weston Buildings, and Savile Road site). The College already runs a permit based system which limits the number of private vehicles able to park on site. Currently there is some limited informal car parking occurring at New College sports field which is used by three main groups:

- The College – visiting teams that use the sports field (all staff and students of New college are expected to arrive on foot or by bicycle);
- The School – young children use the sports field and there are currently no safe set down and pick up points. Again, there is sometimes a need for parking for visiting teams in particular when bringing sports kit and equipment;
- The Community – the sports grounds are used by external groups such as local cricket teams. The most significant commitment of the College, particularly in the summer, is use of the sports field by KEEN, a registered charity and joint organisation of Oxford University and Oxford Brookes University providing social, sporting and recreational activities for children and adults with special needs in the surrounding area. There are currently around 200 people with special needs using the services of KEEN. KEEN uses the ground every Saturday in the summer term and has a big sports day at the end of term.

10.18. The strategic approach to rationalising car parking provision for the College has been seen as an opportunity to enhance current facilities for the three key user groups, whilst freeing up space on the Savile Road site for use as play areas for the school and improve its setting.

- 10.19. In response to the comments from the County the size of the spaces has been increased, resulting in a minor increase in the size of the site. This would not have any adverse implications, discussed elsewhere in this Report.
- 10.20. The HA has raised no objection in principle to the provision of a car park in in this location given that the car parking numbers within the Central Transport Area (TCA) would not increase from the Savile Road site. A draft Travel Plan has been submitted which encompasses both the School and College.
- 10.21. It is considered that given the comments of the HA and that there would be no net increase in car parking within the TCA in compliance with TR2 of the OLP, and the imposition of the Travel Plan which would seek to reduce car parking for both School and College, no objection to this formalised car park, subject to conditions.

**iv. Flooding:**

- 10.22. The NPPF states that when determining planning applications, Local planning authorities should ensure that flood risk is not increased elsewhere and only consider development appropriate in areas at risk where informed by a site specific flood risk assessment following the Sequential Test, and if required an Exception Test which aims to make the development safe without increasing flood risk elsewhere (paragraph 103). The National Planning Practice Guidance [NPPG] provides guidance on how the risks associated with flooding should be taken into account in the planning process. The starting point for any assessment would be to consider the flood risk vulnerability of the proposed land use.
- 10.23. At a local level, Oxford Core Strategy Policy CS11 states that permission will not be granted for development in the functional flood plain (Flood Zone 3b) except for water compatible uses and essential infrastructure. It requires Flood Risk Assessments from developments over 1ha and in any area of flood risk from rivers (Flood Zone 2 and above) and other sources, and that such assessments shall show how the proposed development will not increase flood risk. That mitigation measures must be implemented to mitigate risk and that schemes should incorporate sustainable urban drainage measures to limit run off, and preferably reduce the existing rate of run-off. Development will also not be permitted that will lead to increased flood risk elsewhere, or where the occupants will not be safe from flooding.
- 10.24. A site specific Flood Risk and Drainage Assessment [FRA] has been submitted with the application in accordance with the NPPF and Core Strategy Policy CS11.
- 10.25. Officers have noted that there is slight discrepancy between the latest data for the Strategic Flood Risk Assessment and the Environment Agency Flood Map for Planning with regards to the extents of Flood Zone 2, however Flood Zone 3 is in agreement. The site appears to lie mostly within Flood Zone 3, with a small section of the site closest to the River Cherwell, amounting to the last two spaces and the turning head, falling within Flood Zone 3b.

- 10.26. The classification of car parks as 'water compatible' is debateable, and views differ on this issue. The Environment Agency (EA) has objected on the grounds that they consider it to be water incompatible and consider that the development type in the proposed application is classified as 'more vulnerable', as noted within Table 2 of the National Planning Practice Guidance (NPPG). Tables 1 and 3 of the NPPG make clear that this type of development is not compatible with this flood zone and should not therefore be permitted.
- 10.27. However, the FRA identifies that open car parks are not included in the NPPG's vulnerability classification tables, contrary to the EA's opinion, and considers that open car parks can be classified as a water compatible development. Officers have noted that the NPPG does not include a 'car park' within its tables that categorises different uses according to their vulnerability to flood risk and as a result it is not possible to use the criteria to identify directly whether the development is 'appropriate' and whether or not it should be permitted. Officers consider that it could be reasonably argued that the flood vulnerability for a car park would be low due to the non-residential nature of the facility and because there is no overriding requirement for the facility to remain operational during exceptional flood events.
- 10.28. The NPPG paragraph 67 Table 3 advises that "less vulnerable uses" are, in principle, not appropriate in flood zone 3b unless they meet both Sequential and Exception Tests. The FRA states that 'the NPPG states that "when applying the sequential test a pragmatic approach on the availability of alternatives should be taken. For example, in considering planning applications for extensions to existing business premises it might be impractical to suggest that there are more suitable alternative locations for that development elsewhere". The College have considered their overall estate in Oxford city centre for options to rationalise their parking provision. The College have therefore determined to consolidate its New College School car parking at its sports grounds. This allows more efficient use of their site at Savile Road, and will also improve the availability of car parking for sports use out of school hours. Therefore the proposed development should not be subject to the sequential and part of the exception tests as the car park is needed to serve this particular site'.
- 10.29. In this case the proposed development is considered to be minor, given its overall size and works involved. Furthermore, the siting of the car park in this location is the most sustainable and closest to the main Savile Road development (17/03330/FUL refers), within a few minutes walk, for which the car parking would be used daily and formalises existing car parking that occurs adjacent to the existing Weston Buildings. The car park could not easily be located elsewhere on the sports field within Flood Zone 2 without a likely detrimental impact on the sporting facilities or harm to mature trees that are significant to public amenity. To locate additional car parking within New College main campus would likely have detrimental impacts on highly valued designated heritage assets. Taking a pragmatic approach it is therefore considered that this is the most suitable location for the car park and meets the Sequential Test.
- 10.30. In considering the Exemptions Tests it is considered that this site is the most sustainable and the public benefits derived from the main campus re-

development (17/03330/FUL refers) outweigh flood risk in this case. It therefore falls to consider the site specific flood risk of the site.

#### *Flood risk on site/Safe access and Egress*

10.31. The flood depth from the Environment Agency modelled flood levels is shown to be 56.87m AOD for the 1 in 100y +25% Climate Change flood event, and the site plan shows the lowest level to be around 56.48m AOD, and a max flood depth of approximately 400mm. The FRA quotes DEFRA/EA 'Flood Risks to People' document "*cars will stop and/or float in relatively shallow water (as low as 0.5m in depth)*" and deduces that cars will therefore be at low risk of flotation. In line with the methodology of the report, depth and velocity should be taken into account. This is however included within the EA modelled flood data attached to the FRA, which shows the majority of the site area to be a 'Very low hazard', which would generally be considered as acceptable in terms of access and egress.

10.32. The FRA states that: *'In accordance with the SFRA and the EA's advice a Warning and Evacuation Plan must be prepared in liaison with the Local Authority and the Emergency Services to allow site users to leave the site in the event of a flood.'* and *'The university will be registered with the EA's Flood Warning Service, monitor the EA flood alerts and prevent people from using the car park when there is a flood alert. This mitigates against the risk of flooding on the cars and people accessing the park car park during a flood event'*.

10.33. Officers concur that the majority of the site is very 'low risk' hazard rating and the depth of the potential flood water at approximately 0.40cm would be sufficiently below the 0.50cm depth where cars would be at risk of being flooded and floating away. Furthermore it should be recognised that this is a private car park, where access to the Sports Ground and Weston Buildings from St Cross road is barrier controlled by the Lodge Porter could effectively prevent all access in time of flooding thereby reducing risk and vulnerability. In addition a Flood Warning and Evacuation Plan for the site has been submitted, which along with the 'Very low risk' hazard rating, would reduce risk to users of the site. This could be secured by condition.

#### *Flood risk off site*

10.34. The FRA states that *'There will be no increase in levels for the site and therefore there will be no displacement of flood water as a result of the development'*, so there should be no encroachment on flood plain storage as a result of the development. It also states that permeable paving will be used (either with infiltration if feasible, or conveyance if not) which would mitigate any greenfield area being paved. Given both of the above, it is considered that the development would not significantly increase risk offsite.

#### *Drainage*

10.35. The submitted Flood Risk Assessment provides two possibilities for drainage: permeable paving with infiltration if soakage tests demonstrate feasibility, or permeable paving with an outfall to the River Cherwell if infiltration is not feasible. Full details of these should be submitted if approved, with results of soakage tests in accordance with approved procedure (BRE Digest 365, British

standard etc.) provided. If based on attenuation and discharge into the river, they should take into account a surcharged outfall for discharge in times of higher river levels/flood.

10.36. In conclusion therefore, whilst a very small part of the car park appears to fall within Flood Zone 3b the majority of the site is in Flood Zones 3a & 2. The proposal constitutes minor development within Flood Zones 2 & 3 and therefore the sequential and exceptions tests do not apply. It is considered that the development is appropriately flood resilient and resistant, safe for its users for the development's lifetime and will not increase flood risk overall in accordance with the NPPF and CS11 of the CS.

**v. Sport Facilities:**

- 1.1. The sports field itself is designated a protected open space under SR2 and SR5 of the OLP and it is therefore important to ensure that the development would not harm the functioning of this sporting facility or open space. The sports Ground currently comprises: 1 cricket (oval) pitch, 6 grass tennis courts, 1 hard surface tennis court, 1 football pitch, 1 smaller pitch, 2 sports pavilions and 2 squash courts. The proposal would result in a small area of the grassed field being given over to the new internal access road and car park to the south-western part of the field. This area is already parked on.
- 1.2. The car park would be located where three of the grass tennis courts are currently situated. These would be moved and replaced elsewhere on the sports field. There would be the loss of one court but overall there would be no loss of sporting facilities.
- 1.3. The comments of Sport England have been noted by the College. The car park is approximately 97m at one end and 85m at the other to the closest parking space. The College feels that it would be very rare for a cricketer to hit the ball this far. In any instance where a ball did reach the car park, a hedge would be an ineffective barrier, as the trajectory of a falling ball struck from the batting pitch would likely pass through the top section of a hedge. Netting would be a more effective barrier in this respect, although this has not been applied for. The area of car parking is outside of the zone of both the cricket and rugby pitches, and would not result in any loss of sports provision. The use of Biopave, similar to grass-crete, means that there would be flush surface with the grass, should players run off that far.
- 1.4. It is considered therefore that whilst there would be a small loss of protected open air sports facilities and public open space contrary to SR2 and SR5, the applicant has satisfactorily demonstrated that there would be no long term harm to the functioning of those sporting facilities. In addition the benefits derived from the development, in particular the formalising of parking of vehicles and soft landscaping around it would outweigh the marginal loss of grassed area in this case.

**vi. Landscape:**

10.37. The trees within the site are protected by virtue of location within the Central



Area Conservation Area. The OLP requires that as far as possible existing trees and other landscape features are successfully retained within new development and that new trees and new soft landscaping including tree planting is included whenever it is appropriate. Policy NE16 of the OLP seeks to ensure that development will not destroy protected trees if it will have a significant adverse effect upon public amenity. Any protected tree that is destroyed must be replaced by a tree, or trees, suitable for the location.

10.38. The sports field is open grass surrounded by mature trees and hedging on the east, west and northern boundaries. Public views are obtained from various points along the western boundary from St Cross Road and from the bridge on the cycleway at the far the north-eastern corner. The parked cars would therefore be visible within the sports field. No landscaping has been proposed. It is considered that the northern boundary of the new car park should be soft landscaped appropriately with native species hedging and trees to help screen it in views from the wider landscape. The College has agreed to the imposition of a condition to secure this and on this basis the proposal accords with HE3, and NE15 of the OLP.

10.39. Trees along the existing access drive from St Cross Road are also protected and would need to be adequately protected during the construction phase which could also be secured by condition.

**vii. Biodiversity:**

10.40. CS12 of the CS states that there should be no net loss of sites and species of ecological value and where there is opportunity development will be expected to enhance Oxford's biodiversity. The NPPF, paragraphs 117-118, set out that the planning system should contribute to and enhance the natural and local environment by minimising adverse impacts on biodiversity and incorporating opportunities to enhance it.

10.41. The proposal would result in the grass becoming a biopave grassed area. Therefore there would not be a loss of grassed area and therefore biodiversity. However there is the opportunity for enhancement. The new soft landscaping presents that, which can be secured via the landscaping condition for biodiverse planting, and as such it accordance with CS12 and the NPPF.

**viii. Archaeology:**

1.5. The NPPF states the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. Where appropriate local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact,

and to make this evidence (and any archive generated) publicly accessible. OLP HE2 also applies.

- 1.6. This application is of interest because it involves 500mm strip for new car parking and access located 15m north of the Royalist Civil War ramparts (as mapped on the 1876 OS map) where the remains of related outworks may be present and within an extensive and dispersed landscape of Late Neolithic – Early Bronze Age ritual and funerary monuments (though the site is some distance from the nearest recorded component of this landscape). Archaeological recording in 1961 during the construction of the Law Library 40m to the south recorded ‘Large quantities of pottery... some at least post medieval’ in date, presumably related to the settlement core of the medieval and post-medieval suburb of Holywell to the south.
- 1.7. In this case, bearing in mind the scale of the proposed work, in line with the advice in the National Planning Policy Framework, any consent granted for application should be subject to a condition to secure the implementation of a programme of archaeological works in accordance with a Written Scheme of Investigation.

## **2. CONCLUSION**

- 2.1. It is considered that the development would not harm the significance of the CCA. Whilst in the Green Belt it is considered appropriate development that would preserve the Green Belt and would not conflict with the five purposes of including land within the Green Belt. It finds that whilst the site is within Flood Zone 3, only a small part of the site would be within the functional flood plain (Flood Zone 3b) of the River Cherwell, the site would be monitored and controlled by the Porter’s Lodge and with the implementation of a Flood Warning and Evacuation Plan that prevents the use of this car park during flooding events any potential harm can be satisfactorily mitigated in this case and risk would be reduced.
- 2.2. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to conditions set out in Section 12 of the Report.

## **3. CONDITIONS**

- 1 The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

- 2 The development permitted shall be constructed in complete accordance with the specifications in the application and approved plans listed below, unless otherwise agreed in writing by the local planning authority.

Reason: To avoid doubt and to ensure an acceptable development as indicated on the submitted drawings in accordance with policy CP1 of the Oxford Local Plan 2001-2016.

- 3 The materials to be used in the new development shall be as shown on Plan no. \*\*\*\*. There shall be no variation of these materials without the prior written consent of the Local Planning Authority.

Reason: To ensure the satisfactory visual appearance of the new development in accordance with policies CP1 and CP8 of the Adopted Oxford Local Plan 2001-2016.

- 4 Prior to the commencement of development, a fully detailed landscape plan showing soft landscape planting around the car park so as to screen parked vehicles, and including a planting plan schedule to include biodiverse species, shall be submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented.

Reason: To screen the development from within the wider landscape and from public views in the interest of the Conservation Area and Green Belt in accordance with Policies CP1, CP8 CP10 and HE3 of the Oxford Local Plan 2001-2013 and CS4 and CS18 of the Core Strategy.

- 5 The landscaping proposals as approved by the Local Planning Authority shall be carried out in the first planting season following substantial completion of the development if this is after 1st April. Otherwise the planting shall be completed by the 1st April of the year in which building development is substantially completed. All planting which fails to be established within three years shall be replaced.

Reason: In the interests of visual amenity in accordance with policies CP1 and CP11 of the Adopted Local Plan 2001-2016.

- 6 The development shall be carried out in strict accordance with the approved tree protection measures contained within the planning application details unless otherwise agreed in writing by the LPA.

Reason: To protect retained trees during construction. In accordance with policies CP1, CP11 and NE16 of the Adopted Local Plan 2001-2016.

- 7 No development shall take place until the applicant, or their agents or successors in title, have secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority.

Reason: Because the development may have a damaging effect on known or suspected elements of the historic environment of the people of Oxford and their visitors, including prehistoric and post-medieval remains in accordance with policy HE2 of the Adopted Oxford Local Plan 2001-2016.

- 8 Prior to the first occupation of the development hereby permitted the applicant shall submit to and obtain the agreement in writing of the local planning authority, a travel plan. The plan shall detail how it is proposed to achieve an annual reduction in the amount of vehicles accessing this site, the means for implementing the plan, method of monitoring and amending the plan on an annual basis. The results of the annual monitoring exercise shall be submitted to the local planning authority in writing and the travel plan amended accordingly in light of discussions with the local planning authority.

Reason. To limit the number of journeys by private motor car and reduce the pressure for car parking in the locality in accordance with policies CP1, TR2 and TR12 of the Adopted Oxford Local Plan 2001-2016.

- 9 The 'Flood Warning and Evacuation Plan' (Price & Myers - Job No. 24735 - March 2018) should be implemented on the site prior to first use, and maintained thenceforth.

Reason: In accordance with Oxford Core Strategy Policy CS11 and the NPPF.

- 10 This permission shall only be implemented in association with 17/03330/FUL.

Reason: Because otherwise it would introduce additional car parking within the Central Transport Area contrary to Policy TR3 of the Oxford Local Plan 2001-2010.

- 11 Prior to the commencement of development, plans, calculations and drainage details to show how surface water will be dealt with on-site through the use of sustainable drainage methods (SuDS) shall be submitted to and approved in writing by the Local Planning Authority. The plans, calculations and drainage details will be required to be completed by a suitably qualified and experienced person in the field of hydrology and hydraulics.

The plans, calculations and drainage details submitted shall demonstrate that;

- I. The drainage system is to be designed to control surface water runoff for all rainfall up to a 1 in 100 year storm event with an allowance for climate change.
- II. The rate at which surface water is discharged from the site may vary with the severity of the storm event but must not exceed the greenfield runoff rate for a given storm event.
- III. Excess surface water runoff must be stored on site and released to receiving system at greenfield runoff rates.
- IV. Where sites have been previously developed, betterment in runoff rates will be expected, with discharge at, or as close as possible to, greenfield runoff rates.

Any proposal which relies on Infiltration will need to be based on on-site infiltration testing in accordance with BRE365 or alternative suitable methodology, details of which are to be submitted to and approved by the Local Planning Authority.

Reason: To ensure compliance with Policy CS11 of the Oxford Core Strategy 2011-2026.

- 12 A SuDS maintenance plan should also be submitted and approved by the Local Planning Authority. The Sustainable Drainage (SuDS) Maintenance Plan will be required to be completed by a suitably qualified and experienced person in the field of hydrology and hydraulics. The SuDs maintenance plan will be required to provide details of the frequency and types of maintenance for each individual sustainable drainage structure proposed and ensure the sustainable drainage system will continue to function safely and effectively in perpetuity.

Reason: To ensure compliance with Policy CS11 of the Oxford Core Strategy 2011-2026.

#### **4. APPENDICES**

## **Appendix 1 – Proposed Site Block Plan**

### **5. HUMAN RIGHTS ACT 1998**

- 5.1. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to approve this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection of the rights and freedom of others or the control of his/her property in this way is in accordance with the general interest.

### **6. SECTION 17 OF THE CRIME AND DISORDER ACT 1998**

- 6.1. Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to approve of planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community.

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# NEW COLLEGE SPORTS FIELDS - PROPOSED BLOCK PLAN.

# APPENDIX 1

Legend Hatchedwork

	Reinforced Turf (Bodypave system or similar)
	Tarmac
	Rubber Kerb
	Safety offset around Rugby Pitch
	Existing Fence
	Site Boundary
	Existing Tree
	Existing Level
	Proposed Level
	Proposed Top of Kerb Level
	Proposed Bottom of Kerb Level

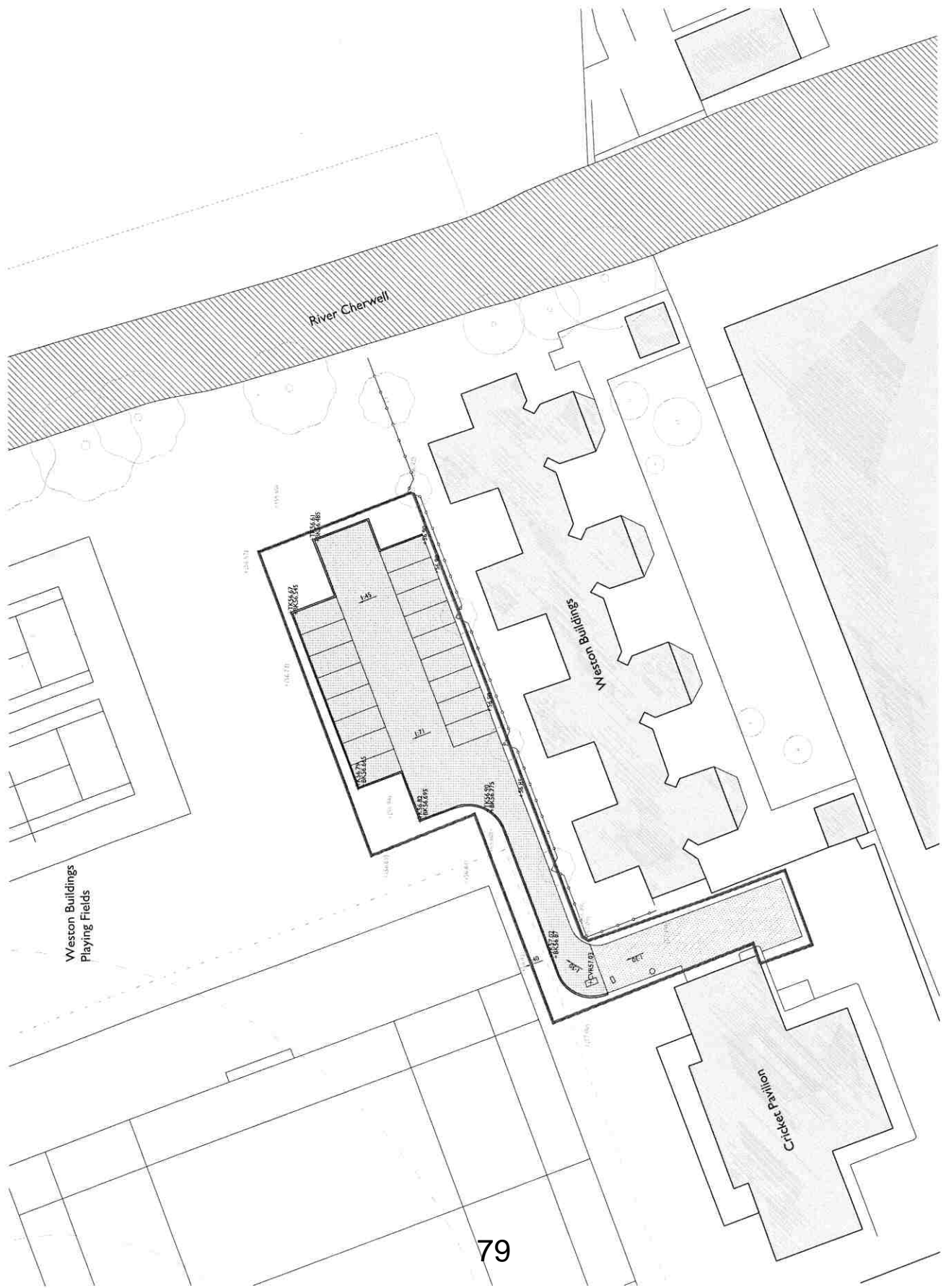
Author	15/01/2017	TLG
Checked	15/12/2017	TLG
Drawn		
Scale		
Subject		
Date		
Sheet		

New College Savile Road  
General Arrangement Plan  
Weston Buildings Parking

1:200 @ A1

Drawing no. TLG.295.GA.005

Todd Longstaffe-Gowan



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## WEST AREA PLANNING COMMITTEE

**Application Number:** 17/03040/FUL

**Decision Due by:** 12th January 2018

**Extension of Time:** 18th April 2018

**Proposal:** Demolition of existing dwelling house, parking and garage. Erection of a replacement building comprising 6 flats (2x3 bedrooms, 2x2 bedrooms and 2x1 bedroom), car parking and landscaping.

**Site Address:** 53 Sunderland Avenue, Oxford, OX2 8DT,

**Ward:** Wolvercote Ward

**Case Officer** Tobias Fett

**Agent:** Mr Alex Cresswell      **Applicant:** -

**Reason at Committee:** The development involves the creation of more than four residential units and therefore cannot be dealt with as a delegated item.

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## 1. RECOMMENDATION

1.1. West Area Planning Committee is recommended to:

**(a) Approve the application for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and grant planning permission subject to:**

1. The satisfactory completion of a legal agreement under s.106 of the Town and Country Planning Act 1990 and other enabling powers to secure the planning obligations set out in the recommended heads of terms which are set out in this report; and

**(b) Agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:**

1. Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary;

2. Finalise the recommended legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers as set out in this report, including refining, adding to, amending and/or deleting the obligations detailed in the

heads of terms set out in this report (including to dovetail with and where appropriate, reinforce the final conditions and informatives to be attached to the planning permission) as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary; and

3. Complete the section 106 legal agreement referred to above and issue the planning permission.

## **2. EXECUTIVE SUMMARY**

2.1. This report considers the demolition of an existing family dwelling and its replacement with a block of six flats with car parking and landscaping. The proposed scheme would be acceptable on balance; while not viable to contribute financially towards affordable housing off site the development would make a more efficient use of a sustainable site and provide additional residential accommodation.

2.2. The key matters for assessment set out in this report include the following:

- Principle of development;
- Affordable Housing;
- Design;
- Living Conditions;
- Highways
- Flooding
- Biodiversity
- Trees and landscaping;
- Contaminated land;

## **3. LEGAL AGREEMENT**

3.1. This application is subject to a legal agreement to be drawn up to secure financial contributions for off-site affordable housing from any potential uplift from the currently assumed sales values. To clarify, the existing position is that this site cannot provide a financial contribution towards affordable housing off-site but it is necessary to require a legal agreement in the event that this situation changes.

## **4. COMMUNITY INFRASTRUCTURE LEVY (CIL)**

4.1. The proposal is liable for CIL at an amount of £24,919.82.

## **5. SITE AND SURROUNDINGS**

5.1. The site is located within the wider Wolvercote Area, along Sunderland Avenue's western end, adjacent to the Wolvercote Roundabout.

- 5.2. This area is characterised by the major traffic and transport nodes, as well as varied architectural styles of mainly detached housing developments.
- 5.3. The application site is on the southern part of the road, accessible via a separate service road to the northern bypass and comprises a large but irregular shaped plot, that narrows towards the south with a square shaped enclave to the rear of the communal garden at No. 51 Sunderland Avenue.
- 5.4. There have been a number of redevelopments of plots in the area that have led to contemporary apartment blocks, this includes No. 51 Sunderland Avenue adjacent to the application site.

5.5. Site Location Plan



**6. PROPOSAL**

- 6.1. The application proposes to demolish a detached 1950s four bedroom family dwelling and replace it with an apartment block with six flats, car parking and landscaping.

- 6.2. The proposal includes two one-bed, two two-bed and two three-bed units, each with parking and balconies, as well as some shared garden, bin and bike storage space.
- 6.3. The proposal would be accessed from Sunderland Avenue with allocated parking spaces to the front and access to the rear garden and bin/cycle storage at the side.
- 6.4. The rear comprises of two private gardens for the large ground floor flats, communal areas for bin and cycle storage as well as communal garden towards the rear of the plot.
- 6.5. The proposed materials include blue/grey bricks, rendering, timber cladding and metal cladding for the roof showcasing the separate floors and geometric shapes of this contemporary building. The ground and first floor are of an angular appearance through a number of recesses, setback and cantilevering, while the roof is scaled back and softer to reduce mass and scale of the building.
- 6.6. The proposed boundary treatment shows a new boundary wall to the front of the plot, along Sunderland Avenue, with opening for pedestrian and vehicular access.
- 6.7. The mature planting to the rear would be retained, with new planting along the side elevational boundaries and two small trees along the road frontage.

## 7. RELEVANT PLANNING HISTORY

- 7.1. The table below sets out the relevant planning history for the application site:

50/00054/DO\_H - Land at Sunderland Avenue - House. PER 24th October 1950.

51/01618/A\_H - House and garage. PER 27th February 1951.

52/02509/A\_H - House and garage. PER 9th September 1952.

90/00711/NF - Demolition of existing garage and store. Two storey side extension including integral garage. Single storey front extension. PER 10th October 1990.

17/01021/FUL - Demolition of existing dwelling and garage. Erection of three storey building comprising 2 x 3-bed, 2 x 2-bed and 2 x 1-bed flats. Provision of car parking and landscaping.. REF 18th July 2017.

17/03040/FUL - Demolition of existing dwelling house, parking and garage. Erection of a replacement building comprising 6 flats (2x3 bedrooms, 2x2 bedrooms and 2x1 bedroom), car parking and landscaping.. PDE .

## 8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework (NPPF)	Local Plan	Core Strategy	Sites and Housing Plan	Other Planning Documents		
Design	7	CP8, CP9, CP10, P11,	CS18_	HP9_			
Housing	6		CS23_	HP4_	HP12_	HP13_	P14_
Natural Environment	9, 11, 13	CP11, NE15, NE16,	CS9_	CS11_			
Transport	4			HP15_	HP16_	Parking Standards SPD	
Environmental	10			HP11_		Energy Statement TAN	
Misc	5	CP.13, CP.24, CP.25		MP1		Telecommunications SPD, External Wall Insulation TAN,	

## 9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 1st December 2017.

### Statutory and Non-Statutory Consultees

Oxfordshire County Council (Highways)

9.2. No objection; the proposal is acceptable, subject to imposition of conditions relating to parking permits, visibility splays, TRO, cycle parking and drainage.

### Public representations

9.3. 1 local person commented on this application from an unknown address.

In summary, the main points of objection 1 resident) were:

- Amount of development on site.
- Effect on adjoining properties.
- Effect on character of area.
- Effect on existing facilities
- Effect on pollution
- Effect on privacy
- Effect traffic.
- General Like /dislike of proposal
- Height of proposal
- Information missing on Plan
- Light - Daylight
- Local Plan Policies
- Disturbance and Noise
- Not enough information given on application.
- On Street parking
- Open space provision
- Other details.
- Parking Provision.
- Materials
- Impact on streetscene
- Lack of contribution for affordable housing
- Community benefits
- Biodiversity

### **Officer Response**

9.4. The above points are all address in the officer's report below. The proposals have been considered carefully; some of the objections are dealt with by specific conditions that recommended in Section 12 of the report.

## **10. PLANNING MATERIAL CONSIDERATIONS**

10.1. Officers consider the determining issues to be:

- i. Principle of development;
- ii. Affordable Housing;
- iii. Design;
- iv. Living Conditions;
- v. Highways
- vi. Flooding
- vii. Biodiversity
- viii. Trees and landscaping;
- ix. Contaminated land;

## **i. Principle of Development**

### Efficient use/developed land

- 10.2. The application site is currently used for a residential use (Use Class C3) and its redevelopment would therefore be acceptable in principle for the same use; whilst there would be a greater number of residential units resulting from the development. The proposed intensification for the use of six flats is increasing densities on a generously sized plot of 0.08 ha. The proposal would include sufficient garden space while meeting other technical requirements as outlined in following paragraphs, and therefore the proposal would make a more efficient use of the land in accordance with CP6 of the Oxford Local Plan and is therefore acceptable. In reaching a view that the proposal optimises the efficient use of land, officers have considered the context of the application site which is situated around larger properties with generous rear gardens. The proposed development would retain the existing large rear garden and this approach makes the development acceptable in the context of Policy CP8 of the Oxford Local Plan 2001-2016 and Policy HP9 of the Sites and Housing Plan (2013).

### Balance of Dwellings

- 10.3. Policy CS23 states that planning permission will only be granted for residential development that delivers a balanced mix of housing to meet the projected future household need, both within each site and across Oxford as a whole. The Balance of Dwellings Supplementary Planning Document (BoDSPD) seeks to ensure that an appropriate mix of dwelling sizes will be provided in new development. Policy CP6 of the Oxford Local Plan states that planning permission will only be granted where development proposals make maximum and appropriate use of land.
- 10.4. The application site is located within an 'Amber' Neighbourhood Area as specified in the BoDSPD. The 'amber' classification highlights the considerable pressure, whereby the Council needs to protect family dwellings and achieve a reasonable proportion of new family dwellings as part of the mix for new developments. The mix required for the Neighbourhood Areas recognised as 'amber' is as follows:

<b>Dwelling types</b>	<b>Residential development 4-9 units (percentage range)</b>
1 bed	0-30%
2 bed	0-50%
3 bed	30-100%
4+bed	0-50%

- 10.5. The proposed mix of dwellings is 33% 1-bed, 33% 2-bed and 33% 3-bed. The application complies with the provisions of 3-bed units however the proposal over provides 1-bed units three percent. This slight deficiency in 1-bed units is considered to be acceptable having had regard to the quality of accommodation and good provision of family dwellings provided.

10.6. On the above basis the proposal provides an appropriate housing mix for the location. Consequently the proposal ensures that a balanced mix of housing is provided for the City and is in accordance with Policy CS23 of the Oxford Core Strategy and the Balance of Dwellings SDP.

**ii. Affordable Housing**

10.7. Policy HP4 of the Sites and Housing Plan requires an affordable housing contribution in association with this proposal. The applicant has however sought to argue viability grounds to avoid the need to provide such a contribution.

10.8. Policy HP4 (and supported by the adopted Planning Obligations & Affordable Housing SPD) requires sites for 4 to 9 units to make a financial contribution towards the provision of affordable housing off site. The financial contribution required is 15% of the Gross Development Value (GDV) plus a 5% admin fee. This proposal clearly triggers this policy requirement. The Council considers that small developments should still be required to contribute towards affordable housing provision given the severity of housing affordability within the City.

10.9. The applicant has submitted information to demonstrate that the proposed scheme would not be viable if required to make a financial contribution towards affordable housing. This has been independently reviewed, and tested, for the Council. The conclusion of that review is that the proposal is not able to make a financial contribution towards affordable housing.

10.10. The following conclusions have been made:

1. In reviewing the scheme details and viability appraisal many of the assumptions utilised do not appear unreasonable
2. The scheme as presented is shown to result in a profit of £194,427 or a return of 8.18% of Cost which the VAR states is below the applicant's target profit level of 25% of cost
3. A number of trial adjustments have been made, include reducing the assumed Benchmark Land Value (BLV) figure in line with the Land Registry House Price Index (LRHPI), removing the arbitrary £25,000 cost relating to the restrictive covenant and adjusting the development timings
4. These changes result in an improved out-turn developer's profit of 11.51% on cost or £265,335. This level of profit is however still significantly below what could be regarded as 'normal' profit criteria although does still represent a level of profit above that presumably acceptable to the applicant to bring the site forward for development
5. As an additional layer of sensitivity testing we have also applied the median BCIS build costs, as opposed to the upper quartile figure used within the submitted VAR. When making this change the scheme generates a profit of £429,975 or 19.28% on cost; thus resulting in an output marginally below a "break-even" scenario
6. Due to the significant adjustments needed to be made to the appraisals in order to present an outcome that appears even marginally viable, it seems clear that the scheme as presented is undeliverable by any normal standards and that it is not the affordable housing financial contribution or any other



planning obligation affecting the viability of the scheme. That said even by reviewing all of the input assumptions and adjusting those as described within this report, it seems improbable that a sufficient surplus could be generated in order to fund a financial contribution towards affordable housing.

- 10.11. Policy HP4 states that the Council will accept a lower contribution if it can be demonstrated that the full contribution would make the development unviable. In this case, the independent advice received is that the scheme could not support any contribution. The scheme is therefore considered to comply with the guidance set out in Policy HP4 and the Affordable Housing and Planning Obligations Supplementary Planning Document.
- 10.12. The Council accepts the fundamentals of the viability argument at this point in time, but officers consider the possibility of the sales value increasing upon completion of the approved scheme, and subsequently a potential uplift would allow for a full or reduced contribution.
- 10.13. Therefore a legal agreement should be drawn up requiring a financial contribution to affordable housing in the case that the assumed sales values of the viability work is exceeded, and a contribution should be required of any uplift achieved.
- 10.14. The lack of affordable housing contribution at this point in time must be weighed against the benefits of the scheme which include the delivery of six new residential units. Given the above, it is considered in this instance that the proposal is acceptable.

### **iii. Design and Impact on Character of Surrounding Area**

- 10.15. The proposal is for a three storey block of flats. The design is very contemporary and makes extensive use of geometric forms; the choice of design has been specified to address the constraints of ensuring no negative impact on neighbouring amenity by incorporating setbacks and recessing and cantilevering part of the block.
- 10.16. The block is fronted by parking and soft landscaping. The ground floor would be set back in line with the building line at No 51 Sunderland Avenue, with the first floor cantilevered by 2.5m to meet the more forward building line at No 55 Sunderland Avenue. This is considered an acceptable attempt to situate the proposed development within its context and ensure it does not have an imposing impact on the streetscene.
- 10.17. The overall height also places the building as having a reasonable impact in its context, specifically in terms of having had regard to the surrounding property heights by being ca. 300mm taller than No. 55 Sunderland Avenue and 300mm lower than No 51 Sunderland Avenue.
- 10.18. The second floor is set-back to provide balconies as well as to reduce the visual mass and scale. The visual mass is further reduced by the use of a

contemporary half-hipped mansard type roof that gives rise to the second floor accommodation; this element would read as roof-level in the streetscene and thereby have a lower visual impact.

- 10.19. The roof light serving the communal stair case would be conditioned to be flush with the flat metal clad roof.
- 10.20. The proposal would use grey/blue brick at ground floor level which helps the building appear grounded and solid, render and laminated timber cladding on the middle storey to break up the building and metal cladding at the roof level, which choice of materials will help the building provide visual interest and provide a more fluid visual of the scale and massing and thus reducing the blocks impact on the streetscene.
- 10.21. Overall the design is considered in line with local and national planning policy and represents high quality design. The contemporary approach to shape, scale, massing and materials is not unusual within the streetscene and is considered to fit in with the character of the suburban modern Sunderland Avenue.
- 10.22. The proposal is acceptable and complies with the requirements of Policies CP1, CP8 and CP10 of the Oxford Local Plan 2001-2016 and Policy CS18 of the Core Strategy (2011).

#### **iv. Living Conditions**

##### Privacy and Impact on Daylight

- 10.23. The proposal has evidenced its compliance with the 45/25 degree guideline to its nearest neighbour at No. 55 Sunderland Avenue. The relationship between the proposed development and this property would be acceptable because of the use of the setback elements to ensure no detrimental impact on privacy.
- 10.24. The block of flats at No 51 Sunderland Avenue is similarly set back from the boundary and the reduced scale and massing to the rear would ensure no detrimental impact on privacy would result from this development.
- 10.25. The distance to the rear windows of the Banbury Road neighbours is in excess of 30 metres, as a result it is considered that there would be no harmful impact to the privacy or the enjoyment of the private garden spaces, which is further reduced by mature planting.
- 10.26. The proposal is in accordance with the requirements of national and local planning policies including Policy CP1 of the Oxford Local Plan 2001-2016 and Policy HP14 of the Sites and Housing Plan (2013).

##### Overbearing

- 10.27. The sensitive contemporary design has taken care to provide setback elements, a change in scale, massing and materials in way that makes sure that the

development would have a reduced overall mass and not appear overbearing. The proposal has taken inspiration from the existing block of flats at the adjacent site and other recent developments in the area.

- 10.28. The residential plots and gardens are quite generous, which further enhance the feeling of space, and thus the proposal does not appear overbearing and is acceptable, in accordance with Policy HP14 of the Sites and Housing Plan.

#### Space Standards

- 10.29. The proposed one bed units are 53sqm and 58 smq and meet national minimum standard of 50 sqm for a single storey 2person 1bedroom dwelling.
- 10.30. The two bedroom units are 71 sqm and 90 sqm, and both exceed the 70 sqm standard for 4person-2bedroom units.
- 10.31. The proposed three bed units are 92sqm and 93sqm and meet 5person 3 bed dwelling standard of 86 sqm.
- 10.32. All proposed flats appear to provide generous and practically spaced accommodation in accordance with local policy, and would therefore be acceptable in the context of national space standards and Policy HP12 of the Sites and Housing Plan (2013).

#### Outdoor amenity space

- 10.33. The proposal includes two private, directly accessible gardens for the ground floor three bed family flats. Both gardens are of an adequate size and shape and would provide generous out door amenity space provision for the family flats.
- 10.34. The proposed unit 3 provides small two balconies to the front and rear, which provides acceptable outside spaces.
- 10.35. The first floor unit 4 provides one balcony of just over 4sqm to the rear, which is quite compact, however it is an adequate provision and of a practical size and southerly orientation which would provide generous natural light to this space.
- 10.36. The two top floor 1bed units would have balconies of a large size with 10 sqm and 6 sqm, and would be acceptable.
- 10.37. In addition to the above, all flats would have access to a shared communal garden, and bin and cycle storage would be located in the communal area. The proposal accords with policy HP13 of the Sites and Housing Plan and is therefore acceptable.

### **v. Highways**

#### Car Parking

- 10.38. The county council has made the following comment: “The application proposes six car parking spaces overall, one for each of the proposed dwellings. This is below the number recommended in HP16 of the Sites and Housing plan, which requires one car parking space for a 1-bed dwelling and two car parking spaces for 2-bed+ dwelling.
- 10.39. Therefore, the development is likely to increase on-street parking pressures in the area. The site is located within a CPZ and the proposed dwellings must be excluded from eligibility from parking permits to prevent an increase on-street parking demand affecting existing resident's access to on-street parking.”
- 10.40. Officers have recommended the conditions that are suggested by the Highway Authority are added to any permission granted for this development. The proposal would be therefore in accordance with Policy HP16 of the Sites and Housing Plan and acceptable in highway safety terms.

#### Cycle Parking

- 10.41. The Highway Authority have commented: “There are sixteen cycle parking proposed in the application. This number is in line with policy HP15 of the Sites and Housing Plan which recommends two spaces for 1 or 2-bed dwellings and three spaces for 3-bed dwellings. Furthermore, the cycle parking is shown to be secure, enclosed and undercover.”
- 10.42. The above requirement can be required by condition and the development would therefore meet the requirements of Policy HP15 of the Sites and Housing Plan.

#### Access

- 10.43. The highways representation has made the following comments in regards to access arrangements: “The application proposes that the existing access is to be used. However if a new access is proposed, see the following comments:
- 10.44. If replacing the existing two entrances with a single central access point is required, then this will involve the reinstatement of the existing dropped kerb and dropping of the centre kerb, which will be at the expense of the applicant. Visibility splays for the new entrance must also be provided.
- 10.45. Furthermore, this change will affect the existing on-street parking bays and the double yellow lines to the front of 53 Sunderland Avenue. The parking bays must be reinstated in front to the new development, either side of the new access point. Furthermore, the double yellow lines must be altered to cover only the new single access to the site. These amendments to the Traffic Regulation Order will be at the expense of the applicant.”
- 10.46. The county council has requested the imposition of conditions to mitigate the proposal, which would be acceptable with local and national planning policies.

**vi. Flooding**

- 10.47. The proposed development is located within Flood Zone 1 according to the Environment Agency's Flood Maps. This means that the area is not in a defined area of high flood risk. Furthermore the Environment Agency's Surface Flood Mapping does not indicate the development as being in an area subject to surface water flooding.
- 10.48. No details of the proposed drainage system have been submitted for assessment. Considering the increase in impermeable area, the surface water flood risk category is low it is recommended that a conditions requiring the provision of further Sustainable Drainage system design/plans be provided prior to commencement of work as well as its retention and maintenance in perpetuity.
- 10.49. The above can be mitigated by imposition of a drainage condition, and therefore the proposal can be in accordance with local and national policy, specifically Policy CS11 of the Core Strategy (2011).

**vii. Biodiversity**

- 10.50. The application site would not likely be a habitat for protected species. Officers recommend that a condition is included to ensure that there is provision of biodiversity enhancement measures. Subject to this condition the development would meet the requirements of Policy CS12 of the Core Strategy (2011).

**viii. Trees and Landscaping**

- 10.51. The scheme involves the removal of a small length of beech hedging along the front western boundary and a young self-seeded specimen; neither feature represents a significant or justified constraint to development and any harm can be mitigated through landscape enhancements secured under condition.
- 10.52. The proposal would be in accordance with CP1, CP11 and NE15 of the OLP and therefore would be acceptable.

**ix. Contaminated land**

- 10.53. The development involves the creation of residential dwellings. Residential dwellings are considered to be sensitive uses. The risk of any significant contamination being present on the site is low. However, it is the developer's responsibility to ensure that the site is suitable for the proposed use. Therefore, it is recommended that an informative is placed on any planning permission regarding unexpected contamination in accordance with local and national planning policy.

**x. Planning Obligations**

10.54. It is considered that the following matters should be secured through a s106 legal agreement:

- Financial contribution to affordable housing in case of future value increase from sales in uplift from assessed values

**xi. Other**

10.55. The applicant has addressed and outlined a number of measures to ensure the proposal is sustainable, saves energy and water resources. Those measures are considered acceptable.

1. High performance double glazing
2. Communal air source heat pumps
3. Where necessary, passive flue gas heat recovery devices will be installed to all gas-fired boilers.
4. High levels of insulation to floors, walls and roofs (super insulated)
5. Passive solar gain via orientation and layout
6. High level of natural lighting and ventilation
7. Integrated energy management controls within individual units
8. User information within individual units, highlighting energy efficiency.

10.56. Water is considered by fitting flow restrictors to all taps, dual flush cistern and installation of baths with smaller profiles, as they require less water as well as SuDS, which would be secured through conditioning.

**11. CONCLUSION**

11.1. The proposal for the replacement of a single family dwelling with six apartments and associated parking and landscaping is considered acceptable on balance in planning terms.

11.2. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the satisfactory completion (under authority delegated to the Head of Development Management) of a legal agreement under section 106 of the Town and Country Planning Act 1990.

**12. CONDITIONS**

- 1 The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

- 2 The development permitted shall be constructed in complete accordance with the specifications in the application and approved plans listed below, unless otherwise agreed in writing by the local planning authority.

Reason: To avoid doubt and to ensure an acceptable development as indicated on the submitted drawings in accordance with policy CP1 of the Oxford Local Plan 2001-2016.

- 3 Details of the exterior materials to be used shall be submitted to, and approved in writing by, the Local Planning Authority before the start of work on the site and only the approved materials shall be used.

Reason: In the interests of visual amenity in accordance with policies CP1 and CP8 of the Adopted Oxford Local Plan 2001-2016.

- 4 Prior to the commencement of development, plans, calculations and drainage details to show how surface water will be dealt with on-site through the use of sustainable drainage methods (SuDS) shall be submitted to and approved in writing by the Local Planning Authority. The plans, calculations and drainage details will be required to be completed by a suitably qualified and experienced person in the field of hydrology and hydraulics.

The plans, calculations and drainage details submitted shall demonstrate that;

- I. The drainage system is to be designed to control surface water runoff for all rainfall up to a 1 in 100 year storm event with an allowance for climate change.
- II. The rate at which surface water is discharged from the site may vary with the severity of the storm event but must not exceed the greenfield runoff rate for a given storm event.
- III. Excess surface water runoff must be stored on site and released to receiving system at greenfield runoff rates.
- IV. Where sites have been previously developed, betterment in runoff rates will be expected, with discharge at, or as close as possible to, greenfield runoff rates.

Any proposal which relies on Infiltration will need to be based on on-site infiltration testing in accordance with BRE365 or alternative suitable methodology, details of which are to be submitted to and approved by the LPA. Consultation and agreement should also be sought with the sewerage undertaker where required.

A SuDS maintenance plan should also be submitted and approved by the LPA. The Sustainable Drainage (SuDS) Maintenance Plan will be required to be completed by a suitably qualified and experienced person in the field of hydrology and hydraulics. The SuDS maintenance plan will be required to provide details of the frequency and types of maintenance for each individual sustainable drainage structure proposed and ensure the sustainable drainage system will continue to function safely and effectively in perpetuity.

Reason: To ensure compliance with Policy CS11 of the Oxford Core Strategy 2011-2026.

- 5 The development hereby permitted shall not be occupied until the Order governing parking at Sunderland Avenue has been varied by the Oxfordshire County Council as highway authority for the Double Yellow Lines and Controlled Parking Bays on Sunderland Avenue.

Reason: To ensure that the development does not generate a level of vehicular parking which would be prejudicial to highway safety, or cause parking stress in the

immediate locality, in accordance with policies CP1, CP6, CP10 and TR13 of the Adopted Oxford Local Plan 2001-2016.

- 6 Before the development permitted is commenced details of the cycle parking areas, including means of enclosure, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall not be brought into use until the cycle parking areas and means of enclosure have been provided within the site in accordance with the approved details and thereafter the areas shall be retained solely for the purpose of the parking of cycles.

Reason: To promote the use of cycles thereby reducing congestion on adjacent roads in accordance with policies CP1, CP10 and TR4 of the Adopted Oxford Local Plan 2001-2016.

- 7 The development hereby permitted shall not be occupied until the Order governing parking at Sunderland Avenue has been varied by the Oxfordshire County Council as highway authority to exclude the site, subject to this permission, from eligibility for resident's parking permits and residents' visitors' parking permits unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development does not generate a level of vehicular parking which would be prejudicial to highway safety, or cause parking stress in the immediate locality, in accordance with policies CP1, CP6, CP10 and TR13 of the Adopted Oxford Local Plan 2001-2016.

- 8 Prior to occupation of the dwelling vision splays measuring 2m by 2m shall be provided to each side of the access. This vision splays shall not be obstructed by any object, structure, planting or other material with a height exceeding or growing above 0.6m as measured from carriageway level.

Reason: To provide and maintain adequate visibility in the interest of highway safety in accordance with policy.

- 9 A landscape plan shall be submitted to, and approved in writing by, the Local Planning Authority before development starts. The plan shall include a survey of existing trees showing sizes and species, and indicate which (if any) it is requested should be removed, and shall show in detail all proposed tree and shrub planting, treatment of paved areas, and areas to be grassed or finished in a similar manner.

Reason: In the interests of visual amenity in accordance with policies CP1, CP11 and NE15 of the Adopted Local Plan 2001-2016.

- 10 The landscaping proposals as approved by the Local Planning Authority shall be carried out upon substantial completion of the development and be completed not later than the first planting season after substantial completion.

Reason: In the interests of visual amenity in accordance with policies CP1 and CP11 of the Adopted Local Plan 2001-2016.

- 11 The Council considers that, by virtue of the provisions to be made under the section 106 agreement, the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.



- 12 Prior to the commencement of the development, details of biodiversity enhancement measures including at least 6 x bird nesting and 3 x bat roosting devices, landscaping to include nectar sources (non-hybrid species) and a pollinator box, shall be submitted to and approved in writing by the local planning authority. The approved measures shall be incorporated into the scheme and be fully constructed prior to occupation of the approved dwellings and retained as such thereafter.

Reason: In the interests of improving the biodiversity of the City in accordance with NPPF and policy CS12 of the Oxford Core Strategy 2026.

- 13 The dwelling(s) shall not be occupied until the Building Regulations Part M access to and use of building, Category 2 accessible and adaptable dwellings, Optional requirement M4(2) has been complied with.

Reason: To ensure that new housing meets the needs of all members of the community and to comply with the Development Plan, in particular Local Plan policies CP1, CP13, Core Strategy Policy CS23 and Sites and Housing Plan Policy HP2.

- 14 The obscured glazed glass privacy screens to the balconies and terraces should be maintained and retained obscure glazed for perpetuity.

Reason: To protect and ensure adequate residential amenities in accordance with HP14 of the Sites and Housing Plan.

- 15 Notwithstanding the approved plans, this permission specifically excludes the details of the roof light protrusion; shown on plan(s) No(s) 15033-PE0011-A, PE0010-A; received on 17th November 2017. The rooflight shall be flush with the metal clad flat roof.

Reason: To avoid doubt and in the interest of visual amenities in accordance with CP1 and CP8 of the Local Plan, CS18 of the Core Strategy and HP9 of the Sites and Housing Plan.

### **13. APPENDICES**

#### **Appendix 1 – Site Location Plan**

### **14. HUMAN RIGHTS ACT 1998**

- 14.1. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to approve this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection of the rights and freedom of others or the control of his/her property in this way is in accordance with the general interest.

### **15. SECTION 17 OF THE CRIME AND DISORDER ACT 1998**

- 15.1. Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to approve of planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community.

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# Appendix 1

17/03040/FUL

53 Sunderland Avenue



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## WEST AREA PLANNING COMMITTEE

**Application Number:** 17/02229/FUL

**Decision Due by:** 25th October 2017

**Extension of Time:** TBC

**Proposal:** Part demolition and reconstruction of the western part of the house with alterations to the front elevation, the front eaves and the west facing gable, including revised fenestration, replacement of the secondary doorway with a window. Formation of a new access and lightwell to an extended and deepened basement level, with single, two and three storey extensions above to the rear. Reconstruction of the single storey side extension with an increased height. Landscaping and changes to the front boundary including installation of wall, gates and railings. Bin and Cycle stores. (Revised plans)

**Site Address:** 12 Crick Road, Oxford, Oxfordshire, OX2 6QL

**Ward:** North Ward

**Case Officer** Tim Hunter

**Agent:** Mr Kieron Roberts      **Applicant:** Chackmore Holding Company Limited

**Reason at Committee:** The application has been called in by Cllrs Upton, Pressel, Fry and Clarkson because of concerns over the effect on the special character and setting of the North Oxford Victorian Suburb Conservation Area.

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### 1. RECOMMENDATION

1.1. West Area Planning Committee is recommended to:

**(a) Approve the application for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and grant planning permission.**

**(b) Agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:**

1. Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary;

## **2. EXECUTIVE SUMMARY**

2.1. This report considers an application for the partial demolition of a substantial Victorian detached house and reconstruction of the western part of the house with alterations to the front elevation, the front eaves and the west facing gable. It is also proposed to create a new access and lightwell to an extended and deepened basement level, with single, two and three storey extensions above to the rear, the reconstruction of the single storey side extension with an increased height and changes to the landscaping and front boundary including installation of wall, gates and railings and new bin and cycle stores.

2.2. Officers find that subject to the recommended conditions, the proposed development would preserve the special character and appearance of the North Oxford Victorian Suburb Conservation Area and would not result in an unacceptable loss of amenity to adjacent occupiers. The proposed development would not result in harm to the Conservation Area. No other unacceptable impact has been identified.

2.3. The key matters for assessment set out in this report include the following:

- Design and Impact on North Oxford Victorian Suburb Conservation Area.
- Impact on adjacent occupiers
- Flooding and groundwater flows

## **3. COMMUNITY INFRASTRUCTURE LEVY (CIL)**

3.1. The proposal is liable for a CIL payment, currently calculated as £17,298.70

## **4. SITE AND SURROUNDINGS**

4.1. The site is a substantial Victorian dwelling, designed by Frederick Codd and located within a residential street in the Norham Manor area of the North Oxford Victorian Suburb. Whilst the west and eastern parts of the building have the appearance of having been built at different times, this reflects the different status of these different parts, with the western wing being essentially a service wing. The house is surrounded by a mix of generally Victorian dwellings set back from the road in well-proportioned plots. The site and house appear to have been vacant for some time and now appear somewhat run down.

4.2. The plot measures just over 21m in width and 46m in depth on the eastern boundary, with the western side being 2m deeper. Boundary treatments are generally brick walls that rise to between 1.5 and 2m in height, although in some areas of the rear garden, these fence panels have been added to the walls to increase the height. The front garden is bounded to the side by brick walls of less than 1.5m in height, with a low level wall to the front that may once have been topped by railings.

4.3. The site is well stocked with mature planting and a number of larger trees towards the rear of the site, with an impressive copper beech tree to the north-eastern corner, adjacent to, and partly breaking through the front boundary wall.

None of these trees are subject to Tree Protection Orders, other than their status within the conservation area.

4.4. The nearest Listed Building is some 80m away, on the other side of Norham Gardens to the south and there would not therefore be an impact in terms of the setting of any listed buildings.

4.5. 12 Crick Road, Oxford: Location plan - see Appendix 1

## **5. PROPOSAL**

5.1. The application proposes the partial demolition of a substantial Victorian detached house and reconstruction of the western part of the house with alterations to the front elevation, the front eaves and the west facing gable. It is also proposed to form a new access and light well to an extended and deepened basement level, with single, two and three storey extensions above to the rear, the reconstruction of the single storey side extension with an increased height and changes to the landscaping and front boundary including installation of wall, gates and railings and new bin and cycle stores.

5.2. The works would amount to alterations to a non-listed building in a conservation area which include an element of demolition. It is the opinion of officers that this demolition, if carried out as a separate operation, would require planning permission.

## **6. RELEVANT PLANNING HISTORY**

6.1. The table below sets out the relevant planning history for the application site:

95/01814/NFH - Single storey side extension to provide garage.. WDN 26th January 1996.

96/00809/NFH - Erection of conservatory. (Amended plan). PER 24th September 1996.

10/03156/PDC - PERMITTED DEVELOPMENT CHECK - Replacement of collapsed front boundary wall with metal railings (or similar). PNR 18th January 2011.

## **7. RELEVANT PLANNING POLICY**

7.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework (NPPF)	Local Plan	Core Strategy	Sites and Housing Plan	Other Planning Documents
Design	7 Paras 60 - 61	CP8, CP1, CP10,	CS18_,	HP9_,	
Conservation/ Heritage	12 Paras 132 to 134, 141	HE7,			
Housing	6			HP13_, HP14_,	
Natural Environment	9, 11, 13	NE15, NE16,	CS12_,		
Transport	4			HP15_ , HP16	Parking Standards SPD
Environmental	10		CS11_,		Energy Statement TAN
Misc	5	CP.13, CP.24, CP.25		MP1	

## 8. CONSULTATION RESPONSES

8.1. Site notices were displayed around the application site on 18th September 2017 and an advertisement was published in The Oxford Times newspaper on 14th September 2017. Further notices were displayed when the proposal and/or its description was amended, with the final notice being displayed on the 6<sup>th</sup> March 2018.

### **Statutory and Non-Statutory Consultees**

#### Oxfordshire County Council (Highways)

8.2. No objection subject to conditions (vision splays and alterations to the public highway at the applicant's expense).

#### Norham Manor Residents Association

8.3. Object – Effect on adjacent occupiers and the architectural heritage of the Conservation Area.



The Victorian Group of the Oxfordshire Architectural and Historical Society

- 8.4. Object – remodelling and overdevelopment of a house by Frederick Codd, an important architect for the area, which would change the appearance of the house and alter the relationship with surrounding houses and the conservation area.

Internal – Heritage

- 8.5. Recommended refusal for the initially submitted scheme but objections removed as a result of amendments being made.

Internal – Trees

- 8.6. No objection, subject to conditions

Internal – Flooding (groundwater)

- 8.7. Applicant should provide a Flood Risk Assessment to demonstrate acceptability with regards to groundwater. [This has been provided] Groundwater water ingress should be the subject of a condition of any grant of permission.

Internal - Archaeology

- 8.8. No objection made, but recommends condition (written scheme of investigation)

**Public representations**

- 8.9. Local people commented on this application from 29 Norham Road, 4, 11 and 13 Crick Road, 13 and 15 Fyfield Road, 10 Belbroughton Road and 6 Linton Road.

In summary, the main points of objection were:

- Misleading or inaccurate drawings and description
- Effect on adjacent occupiers - loss of light and outlook
- Effect on adjacent occupiers - overbearing
- Effect on adjacent occupiers - overlooking
- Effect on the character of the building
- Effect on the special character and appearance of the Conservation Area.
- Loss of views between buildings

**9. PLANNING MATERIAL CONSIDERATIONS**

9.1. Officers consider the determining issues to be:

- i. Design and impact on North Oxford Victorian Suburb Conservation Area
- ii. Neighbouring amenity
- iii. Impact on trees
- iv. Archaeology
- v. Flooding and groundwater flows

- vi. Highway issues
- vii. Cycle and bin storage

**i. Design and Impact on North Oxford Victorian Suburb Conservation Area**

- 9.2. The National Planning Policy Framework states (NPPF) that when considering the impact of a proposed development on the significance of 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.
- 9.3. Oxford City Council requires that all new development should demonstrate high quality urban design where the siting, massing and design creates an appropriate visual relationship with the built form of the local area. Local planning policies provide support to this aim, specifically Policies CP1 and CP8 of the Oxford Local Plan 2001-2016, Policy CS18 of the Core Strategy (2011) and Policy HP9 of the Sites and Housing Plan (2013).
- 9.4. Policy HE7 of the OLP states that planning permission will only be granted for development that preserves or enhances the special character and appearance of the conservation area or its setting. Policy CS18 of the Core Strategy requires that developments demonstrate high quality urban design that respects the unique townscape and character in different areas of Oxford.
- 9.5. The relevant heritage asset in this case is the North Oxford Victorian Suburb Conservation Area. This area has considerable historical and architectural significance, both locally and nationally. Indeed, the North Oxford Conservation Area Overview states in its concluding words that the area "is as much special to Oxford as are the Colleges, University buildings and City Centre."
- 9.6. Much of the proposed development will be clearly visible from the public domain, and whilst the current revisions seek to reflect the character and details of the existing façade, the success of the development will rest on the quality of the rebuilt parts, the amount of material that can be recovered from demolition, and scrutiny over the materials and details that are required by the recommended conditions.
- 9.7. The proposal includes the demolition of the west wing of the house – the old service wing, and a rebuilt and extended wing with a façade that would seek to reflect, if not replicate, the character and appearance of the existing façade. The demolition is regrettable, but the applicant considers it necessary to allow the provision of internal accommodation compatible with modern life. The house is not listed locally or nationally, but officers consider that the partial demolition would require planning permission, even if carried out as a separate operation. The demolition itself is therefore considered as part of the assessment of this application.
- 9.8. The scheme as originally submitted was of concern to officers because of its effect on the heritage asset, both as a result of the loss of original fabric and because of the inappropriate form and detailing of the amended and additional parts. There were specific concerns with the attempt to rationalise and

regularise the appearance of the east and west wings by the re-positioning of windows and alignment of the rooflines and eaves of the east and west parts.

- 9.9. As a result, amended proposals were submitted and officers felt that these went some way to overcoming the previous concerns and alleviating the less-than-substantial harm that would be caused to the character and appearance of the building and Conservation Area. However, there were still concerns, and further amendments were recommended.
- 9.10. The current revisions show a new wing that would remain subservient to the existing bayed wing by ensuring that the new eaves projected no further than the existing rear wall, a façade that more closely reflected the existing façade (which reflected the original interior parts and functions) and an eaves line that clearly preserves the visual record of the separate east (main dwelling) and west (service) wings. The contemporary addition to the ground floor at the rear has been somewhat amended to reduce its visibility from, and its effect on, the street scene and public domain and as a result its effect on the public areas of the Conservation Area is now considered to be minimal and would not have a harmful impact on the Conservation Area.
- 9.11. The roof lights to the west slope of the new wing that were previously visible from the street have now been removed in the final drawing/s. Whilst similar roof lights have been allowed in similar locations in the area, this was considered to be a necessary amendment to ensure that the overall scheme, which involves some demolition and a partial new façade to the building, be adequately ameliorated, in the interests of the special character and appearance of the Conservation Area.
- 9.12. Officers note the comments received relating to the loss of views through the area between buildings. In this case, there is no upper floor addition to the side of the existing house, the changes to the scale of the ground floor side element are small, and whilst the increased depth behind the house might restrict some oblique views to the area and trees behind, there are a limited number of points in the street that this would effect. It is also noted that existing trees to the west of the site currently reduce the visibility of the existing gap.
- 9.13. It is proposed that the front wall is rebuilt to an improved specification and topped with railings in an approved pattern for this part of the Victorian suburb. The details and successful implementation of these will be dealt with by the recommended conditions.
- 9.14. In summary, the proposal has been extensively revised; this follows an extensive period of negotiation, that officers consider has addressed the previous concerns raised and that subject to the recommended conditions, the development would not therefore result in harm to the appearance of the existing building, the surrounding area or North Oxford Victorian Suburb Conservation Area. The development therefore complies with Policies CP1 and CP8 of the Oxford Local Plan, Policy CS18 of the Core Strategy and Policy HP9 of the Sites and Housing Plan and Paragraphs 132-134 of the NPPF.

## **ii. Impact on Neighbouring Amenity**

- 9.15. Policy CP1 of the adopted Oxford Local Plan 2001-2016 states that where relevant, development proposals must safeguard the amenities of adjoining land users and occupiers. This is supported by Policy CP10, which seeks to safeguard the amenities of adjoining properties.
- 9.16. Oxford City Council requires development proposals to safeguard the privacy and amenities of adjoining occupiers and policies CP1 and CP10 of the Oxford Local Plan 2001-2016 and Policy HP14 of the Sites and Housing Plan (2013) support this aim.
- 9.17. Appendix 7 of the Sites and Housing Plan (2013) sets out the 45 degree guidance, used to assess the effect of development on the windows of neighbouring properties.
- 9.18. The position of the proposed development towards the western part of the site would mean there would be not material loss of light or increase in overbearing to properties to the east or the south of the application site.
- 9.19. There are no side facing windows on the eastern wall of the house to the west (No. 10, Crick Road). There is a prominent bay window that is important to the interior amenity of that house and the development will be visible from that window. However, the proposed development complies with the 45/25 degree guidance in respect of that and all other windows of that property. Officers therefore consider that the impact of the proposed development on that property would be acceptable in the context of Policy HP14 of the Sites and Housing Plan (2013).
- 9.20. In the interests of clarity, the 45/25 guidance refers to rear facing windows and it is the rear facing part of the bay window that has been assessed. Despite this, officers have considered the impact of the proposed development on the side facing windows and it is argued that the proposed development would not result in a materially harmful loss of light to the neighbouring property.
- 9.21. Officers do consider that there would be an impact on the garden at No. 10 Crick Road; specifically the area between the existing side walls of No.s 10 and 12 Crick Road would experience some loss of light. This would be as a result of the increased depth, height and proximity of the proposed rear wing when compared with the existing situation. A photograph has been provided in the supporting documentation which suggests that the area is somewhat underused. Despite this, officers have visited No. 10 Crick Road and do consider that the affected area is in regular use and affords the occupier of No. 10 some considerable amenity. Although there are currently side facing windows at 12 Crick Road that overlook the garden at number 10, it appears that one of the main benefits of the area is its sense of seclusion and for this reason, if members are minded to approve the application, they may wish to consider an additional condition to control overlooking from the proposed side facing windows, for reason of their increased proximity to number 10 and the resultant increase in the perception of overlooking.

9.22. Notwithstanding the above, officers consider that the affected area is relatively small in comparison to the rest of the garden at number 10; the effect on it could not reasonably be used to justify a refusal of planning permission, and overall the development would not result in a material loss of amenity to adjacent occupiers and the proposal complies with Policies CP1 and CP10 of the Oxford Local Plan 2001-2016 and Policy HP14 of the Sites and Housing Plan (2013).

### **iii. Flooding**

9.23. Policy CS11 of the Core Strategy seeks to limit the effect of development on flood risk and expects all developments to incorporate sustainable drainage systems or techniques to limit or reduce surface water run-off. Policy NE12 of the Oxford Local Plan 2001-2016 states that planning permission will not be granted for development that would have an adverse impact on groundwater flow.

9.24. The development will add to the level of non-porous surfaces on the site, resulting in an increased level of rain water run-off. However the increase is relatively modest and subject to a condition to ensure the development is carried out in accordance with the principles of Sustainable urban Drainage Systems, the proposals will not result in an unacceptable risk of flooding and comply with Policy CS11 of the Core Strategy.

9.25. A hydrogeological assessment has been provided by the applicant that indicates that the basement development is unlikely to interrupt or affect groundwater flows in accordance with the requirements of Policy NE12.

### **iv. Trees**

9.26. The proposals require construction activities to be undertaken within the Root Protection Areas of several retained trees, including a copper beech tree that is in the front garden which is important for public amenity in the area. The application includes a tree report that makes recommendations for tree protection measures and working methods during the various phases of the project that if strictly implemented should ensure that the viability of these trees will not be significantly harmed; in accordance with policies CP1, CP11 and NE15 and this can be secured by the recommended conditions

### **v. Archeology**

9.27. Policy HE2 of the Oxford Local Plan states that where archaeological deposits that are potentially significant to the historic environment of Oxford are known or suspected to exist, planning applications should incorporate sufficient information to define the character and extent of such deposits as far as reasonably practicable.

9.28. The application is accompanied by an archaeological report that details the results of two evaluation trenches that were excavated on site. In summary, the

relevant finds were a middle Iron Age pit and a pit of post-medieval date (18th – early 19th century), as well as a later dog burial.

9.29. In light of the above officers consider that if permission is granted for the development, and in line with the advice in the National Planning Policy Framework, it should be conditional on the submission and approval of a written scheme of investigation (WSI), setting out the programme and methodology of on-site archaeological investigation and recording, and the nomination of a competent person(s) or organisation to undertake the agreed works and no development shall take place other than in accordance with the agreed WSI, to control the potentially damaging effects of development on known or suspected elements of the historic environment, in accordance with Policy HE2 of the Oxford Local Plan.

**vi. Other - cycle and bin storage**

9.30. Cycle and bin storage enclosures are proposed. There is ample room to locate these out of sight to the rear of the frontage, but if they are to be built in the position proposed, officers consider that more information is required as to their exact form, to ensure they do not have a negative impact on the special character and appearance of the conservation area, and this should be secured by condition of any grant of planning permission.

**10. CONCLUSION**

10.1. Officers consider that subject to the recommended conditions, the proposed development would preserve the special character and appearance of the North Oxford Victorian Suburb Conservation Area and would not result in an unacceptable loss of amenity to adjacent occupiers. The proposed development would not have a harmful impact on the Conservation Area. No other unacceptable impact has been identified that cannot adequately be controlled by a condition of planning permission.

10.2. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the recommended conditions.

**11. CONDITIONS**

1 The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

2 The development permitted shall be constructed in complete accordance with the specifications in the application and approved plans listed below, unless otherwise agreed in writing by the local planning authority.

Reason: To avoid doubt and to ensure an acceptable development as indicated on the submitted drawings in accordance with policy CP1 of the Oxford Local Plan 2001-2016.

- 3 Samples of all the exterior materials to be used (including but not limited to bricks, stone, roofing materials including slate, ridge tiles, flat roof system, cladding, new hardsurfacing) shall be submitted to, and approved in writing by the Local Planning Authority before the start of demolition on the site and only the approved materials shall be used.

Reason: In the interests of the visual appearance of the North Oxford Victorian Suburb Conservation Area in which it stands in accordance with policies CP1, CP8 and HE7 of the Adopted Oxford Local Plan 2001-2016.

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, no additional windows shall be placed in the side elevation(s) without the prior written consent of the Local Planning Authority.

Reason: To safeguard the amenities of the adjoining occupiers in accordance with policies CP1 and CP10 of the Adopted Oxford Local Plan 2001-2016 and HP14 of the Sites and Housing plan.

- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or enacting that Order), no part(s) of the roof of the building(s) permitted shall be used as a balcony or terrace nor shall any access be formed to the roof.

Reason: To safeguard the amenities of the adjoining occupiers in accordance with policies CP1 and CP10 of the Adopted Oxford Local Plan 2001-2016 and HP14 of the Sites and Housing plan.

- 6 All extensions / developments which increase the size of the hard areas must be drained using Sustainable Urban Drainage measures (SuDS), including porous pavements to decrease the run off and volumes to public surface water sewers and thus reduce flooding. The applicant should carry out soakage tests to prove the effectiveness of soakaways or filter trenches. Where this is not feasible surface water should be attenuated on site and discharged at a controlled discharge rate no greater than prior to development using appropriate SuDS Techniques.

Reason: To avoid increasing surface water run-off and volumes to prevent an increase in flood risk in accordance with policy CS11 of the Oxford Core Strategy 2011-2026

- 7 Prior to occupation of the dwelling vision splays measuring 2m by 2m shall be provided to each side of the access. This vision splays shall not be obstructed by any object, structure, planting or other material with a height exceeding or growing above 0.6m as measured from carriageway level.

Reason: To provide and maintain adequate visibility in the interest of highway safety in accordance with policy CP1 of the adopted Oxford Local Plan 2001 - 2016.

- 8 Prior to the start of any work on site including site clearance, details of the design of all new hard surfaces and a method statement for their construction shall be submitted to and approved in writing by the Local Planning Authority. Details shall take into account the need to avoid any excavation within the rooting area of any retained tree and where appropriate the Local Planning Authority will expect "no-dig" techniques to be used, which might require hard surfaces to be constructed on top of

existing soil levels using treated timber edging and pegs to retain the built up material.

Reason: To avoid damage to the roots of retained trees. In accordance with policies CP1, CP11 and NE16 of the Adopted Local Plan 2001-2016.

- 9 Prior to the start of any work on site, details of the location of all underground services and soakaways shall be submitted to and approved in writing by the Local Planning Authority (LPA). The location of underground services and soakaways shall take account of the need to avoid excavation within the Root Protection Areas (RPA) of retained trees as defined in the British Standard 5837:2012- 'Trees in relation to design, demolition and construction-Recommendations'. Works shall only be carried in accordance with the approved details.

Reason: To avoid damage to the roots of retained trees; in support of Adopted Local Plan Policies CP1,CP11 and NE15.

- 10 The development shall be carried out in strict accordance with the approved tree protection measures contained within the planning application details unless otherwise agreed in writing by the LPA.

Reason: To protect retained trees during construction. In accordance with policies CP1, CP11 and NE16 of the Adopted Local Plan 2001-2016.

- 11 The development shall be carried out in strict accordance with the approved methods of working and tree protection measures contained within the planning application details unless otherwise agreed in writing by the LPA.

Reason: To protect retained trees during construction. In accordance with policies CP1, CP11 and NE16 of the Adopted Local Plan 2001-2016.

- 12 An Arboricultural Clerk of Works (ACoW) appointed by the applicant shall oversee implementation of the approved Tree Protection Plan and Arboricultural Method Statement. Prior to the start of any work on site a Tree Protection Monitoring Plan shall be submitted to and approved in writing by the Local Planning Authority which includes details of:
- I. The role and responsibilities on site of an arboricultural clerk of works (ACoW) or similarly competent person;
  - II. Responsible persons and lines of communication and reporting including with the LPA Tree Officer;
  - III. The times during construction when ACoW will be present on site to oversee works;

Reason: To avoid damage to the retained trees. In accordance with policies CP1, CP11 and NE16 of the Adopted Local Plan 2001-2016.

- 13 No development shall take place until a written scheme of investigation (WSI) has been [submitted to and] approved by the local planning authority in writing. For land that is included within the WSI, no development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and
- o The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works.



- o The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI

Reason: Because the development may have a damaging effect on known or suspected elements of the historic environment of the people of Oxford and their visitors, including Iron Age and early Saxon remains (Local Plan Policy HE2).

- 14 The development shall be carried out entirely in accordance with the recommendations of the Hydrogeological Assessment prepared by Perter Brett Associates and dated 14.11.2017.

Reason: To protect the occupants of the property from flooding and in accordance with CS11 of the Core Strategy and NE12 of the adopted Oxford Local Plan 2001 - 2016.

- 15 Further details of the new front railings and lightwell railings shall be submitted to, and approved in writing by, the Local Planning Authority, to show:
- a) fixings to the existing boundary wall/plinth
  - b) colour and finish of the new railings and gate
  - c) either by sample or by large scale drawing profiles and sections of the different elements of the new railings and gate
  - d) any security or opening/closing devices
  - e) details of automated gates and method of opening

The above details shall be approved prior to the installation of the railings and the works shall be carried out in accordance with the approved details only.

Reason: To ensure a sympathetic appearance for the new work and in the interest of the special character and appearance of the conservation area, in accordance with policies CP1 and HE7 of the Adopted Oxford Local Plan 2001-2016 and policy CS18 of the Oxford Core Strategy 2026.

- 16 Before the start of above ground work, mortar details and brick sample panels shall be provided showing colour, texture, face bond and pointing.

Reason: In the interests of the visual appearance of the North Oxford Victorian Suburb Conservation Area in which it stands in accordance with policies CP1, CP8 and HE7 of the Adopted Oxford Local Plan 2001-2016.

- 17 The development shall be carried out with the retention and reuse of existing fabric in full accordance with the submitted 'specifications for material reclaim and refurbishment' document.

Reason: In the interests of the visual appearance of the North Oxford Victorian Suburb Conservation Area in which it stands in accordance with policies CP1, CP8 and HE7 of the Adopted Oxford Local Plan 2001-2016.

- 18 Before the start of above ground work on site, large scale details shall be provided (and approved by the Local Planning Authority) of the aspects listed below and the development shall be carried out entirely in accordance with the approved details:

- new windows and doors.
- metal framed doors and glazing panels in the rear single-storey extension.

- roof junctions of the new extensions, including eaves, fascia and soffits.

Reason: In the interests of the visual appearance of the North Oxford Victorian Suburb Conservation Area in which it stands in accordance with policies CP1, CP8 and HE7 of the Adopted Oxford Local Plan 2001-2016.

- 19 Before the start of above ground work on site, details shall be provided (and approved by the Local Planning Authority) of proposed rooflights (which should be of traditional painted metal construction, with slender frames, vertical glazing bar and sited flush to the roof planes) and the development shall be carried out entirely in accordance with the approved details.

Reason: In the interests of the visual appearance of the North Oxford Victorian Suburb Conservation Area in which it stands in accordance with policies CP1, CP8 and HE7 of the Adopted Oxford Local Plan 2001-2016.

- 20 Before construction of the bin and cycle stores,, details of such shall be provided (and approved by the Local Planning Authority) showing dimensions, size, design and finished appearance and the development shall be carried out fully in accordance with the approved details.

Reason: In the interests of the visual appearance of the North Oxford Victorian Suburb Conservation Area in which it stands in accordance with policies CP1, CP8 and HE7 of the Adopted Oxford Local Plan 2001-2016.

- 21 The development permitted shall not commence until details of the following additional matters have been submitted to, and approved in writing by the Local Planning Authority and the development shall be undertaken in accordance with the details as approved: Landscaping Plan

Reason: To enable the Local Planning Authority to give further consideration to these matters

## **12. APPENDICES**

### **Appendix 1 – Site Location Plan**

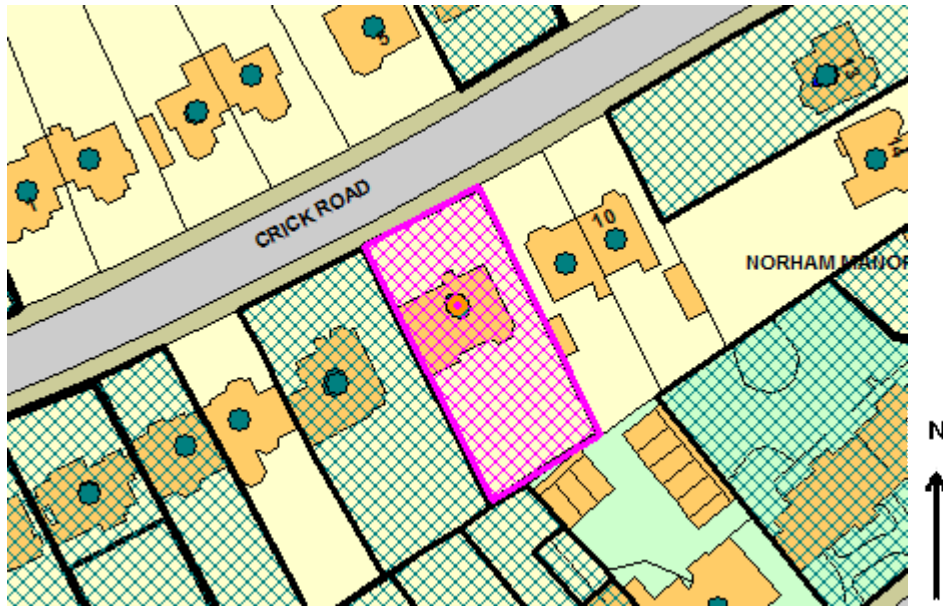
## **13. HUMAN RIGHTS ACT 1998**

- 13.1. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to approve this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection of the rights and freedom of others or the control of his/her property in this way is in accordance with the general interest.

## **14. SECTION 17 OF THE CRIME AND DISORDER ACT 1998**

- 14.1. Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to grant planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community.

**Appendix 1**  
**17/02229/FUL**  
**12 Crick Road**



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## WEST AREA PLANNING COMMITTEE

10th April 2018

**Application Number:** 18/00322/CT3

**Decision Due by:** 5th April 2018

**Extension of Time:** 18th April 2018

**Proposal:** Refurbishment of existing offices to create new kitchen/staff room and disabled WC. Formation of new office in existing storage area. Insertion of 1no. window to north elevation, alterations to existing disabled access to west elevation and re-cladding of external walls and installation of external insulation.

**Site Address:** Oxford City Council Parks Depot, Cutteslowe Park, Harbord Road, Oxford

**Ward:** Wolvercote Ward

**Case Officer** Tobias Fett

**Agent:** Mr Martin Shaw **Applicant:** Mr Richard Webb

**Reason at Committee:** Council application

---

## 1. RECOMMENDATION

1.1. West Area Planning Committee is recommended to:

**(a) Approve the application for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and grant planning permission subject to:**

**(b) Agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:**

1. Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary;

## 2. EXECUTIVE SUMMARY

2.1. This report considers refurbishment of existing council depot offices and extension and better use of existing storage area to be included in the office provision.

2.2. The key matters for assessment set out in this report include the following:

- Design;
- Neighbouring Amenity
- Sustainability.

### 3. LEGAL AGREEMENT

3.1. This application is not subject to a legal agreement.

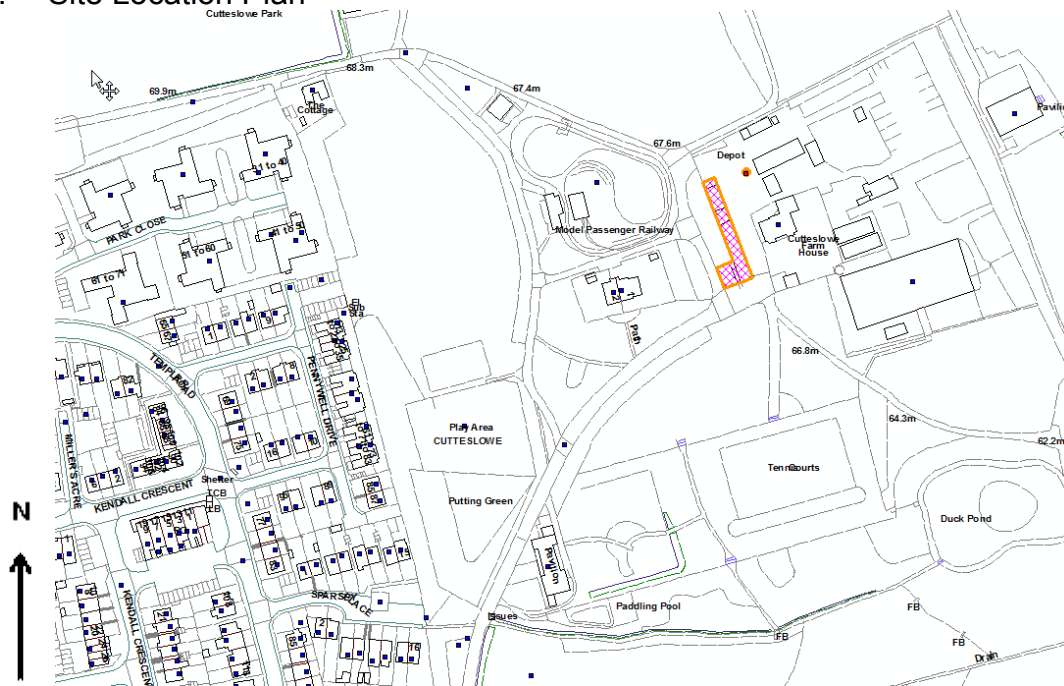
### 4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. The proposal is not liable for CIL.

### 5. SITE AND SURROUNDINGS

5.1. The site is located within the existing work compound of the City Council's depot within the Cutteslowe Park to the north of Oxford. Cutteslowe park is a large park to the north of the ring road and east of the Cutteslowe residential area. The park is very popular and has many different users including sports pitches, tennis courts, a pond and model railway. The existing building on the application site is a flat roof building with a gently pitched section; the building is used for offices and storage by the Council.

#### 5.2. Site Location Plan



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## 6. PROPOSAL

- 6.1. The proposal seeks planning permission for the refurbishment of the existing office to create a new kitchen/staff room and disabled WC. An existing storage area is proposed to be converted to additional office accommodation and new windows are to be inserted in the north elevation. Furthermore alterations to the existing disabled access are proposed as well as re-cladding and external insulation.
- 6.2. The proposal would not create new built floor space.

## 7. RELEVANT PLANNING HISTORY

- 7.1. The table below sets out the relevant planning history for the application site:

84/00564/CHS - Storeroom extension to office. PER 15th January 1985.
87/00828/CHS - Portable toilet unit (retrospective). PER 16th February 1988.
88/00342/CHS - Land at Harbord Road - Erection of chemical store. PER 21st June 1988.
91/00004/CHS - Renovate existing shed and provide mess room facilities. PER 30th January 1991.
07/01948/ADV - Display of "Green Flag Award" Flag. PER 12th October 2007.
18/00322/CT3 - Refurbishment of existing offices to create new kitchen/staff room and disabled WC. Formation of new office in existing storage area. Insertion of 1no. window to north elevation, alterations to existing disabled access to west elevation and re-cladding of external walls and installation of external insulation.. PDE .

## 8. RELEVANT PLANNING POLICY

- 8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework (NPPF)	Local Plan	Core Strategy	Sites and Housing Plan	Other Planning Documents
Design	7, 14	CP8,	CS18		

<b>Natural Environment</b>	9, 11, 13		CS4		
<b>Social and community</b>	8	SR5, SR2,			
<b>Environmental</b>	10				Energy Statement TAN
<b>Misc</b>	5	CP.13, CP.24, CP.25		MP1	Telecommunications SPD, External Wall Insulation TAN,

## 9. CONSULTATION RESPONSES

- 9.1. Site notices were displayed around the application site on 16th February 2018 and an advertisement was published in The Oxford Times newspaper on 15th February 2018.

### **Statutory and Non-Statutory Consultees**

Oxfordshire County Council (Highways)

- 9.2. The highways authority had no comments to make.

### **Public representations**

- 9.3. 1 local person commented on this application from an address in Cutteslowe Park.

In summary, the main points raised were:

- Choice of materials (timber potentially standing out more than existing)
- Dislike of one parking spot

### **Officer Response**

- 9.4. The choice of material is considered acceptable, due to its location and small scale the cladding will not stand out more than the existing brick.
- 9.5. The parking space layout and arrangements are not part of this application.

## 10. PLANNING MATERIAL CONSIDERATIONS

- 10.1. Officers consider the determining issues to be:



- i. Design;
- ii. Neighbouring amenity
- iii. Sustainability.

**i. Design and Impact on Character of Surrounding Area**

- 10.2. The existing one storey building is used by the parks department of the City Council for some offices and storage. The office building has been appended to the older garage block.
- 10.3. The proposed changes would convert part of the storage to office space, and replace an old garage door with upvc windows on the east elevation. It is proposed to provide new roof insulation and external timber cladding to the west, south and north elevations.
- 10.4. The main entrance would have an extended ramp installed to improve accessibility.
- 10.5. The proposal is considered to make discreet and modest design alterations while respecting the nature and location of the building. The proposal represents a design improvement and would also make the environmental performance of the building more efficient. As a result, the development meets the requirements of Policy CP1, CP8, CP10 and CP13 of the Oxford Local Plan 2001-2016 and Policy CS18 of the Core Strategy (2011).

**ii. Impact on Neighbouring Amenity**

- 10.6. The proposal would not detrimentally alter the amenity of any nearby residential occupiers. There is a substantial distance of over 20m to the nearest residential property (Cutteslowe Farmhouse). The proposals would not have a detrimental impact to the enjoyment of the park other than external changes to a small scale utilitarian building.
- 10.7. The building will become more accessible for existing and future users by providing better entrance arrangement and better internal accessible facilities.
- 10.8. The proposal would therefore accord with national and local planning policies and is considered acceptable in terms of its impact on neighbours, specifically in relation to Policies CP1 of the Oxford Local Plan 2001-2016 and Policy HP14 of the Sites and Housing Plan (2013).

**iii. Sustainability and Energy**

- 10.9. The proposal would create a better thermally insulated building, and improve the sustainability of the existing inadequate office and storage space. The existing building can therefore be improved and used more efficiently. The proposals

therefore represent more sustainable development for the purposes of Policies CP6 and CP10 of the Oxford Local Plan 2001-2016 and Policy CS9 of the Core Strategy (2011).

## **11. CONCLUSION**

- 11.1. The proposed alterations would provide a better use of the building while providing more and better office accommodation, improving accessibility and thermal insulation. The proposal is in accordance with local and national policies and is therefore acceptable.
- 11.2. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to conditions.

## **12. CONDITIONS**

- 1 The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.
- Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.
- 2 The development permitted shall be constructed in complete accordance with the specifications in the application and approved plans listed below, unless otherwise agreed in writing by the local planning authority.
- Reason: To avoid doubt and to ensure an acceptable development as indicated on the submitted drawings in accordance with policy CP1 of the Oxford Local Plan 2001-2016.
- 3 Except where indicated otherwise on the drawings hereby approved, all external works and finishes and all materials shall be as stated in the application form, and there shall be no change unless otherwise agreed in writing by the Local Planning Authority.
- Reason: To ensure a satisfactory appearance in accordance with policies CP1, CP8 and CP10 of the Adopted Oxford Local Plan 2001-2016 and policy CS18 of the Oxford Core Strategy 2026 and HP9 of the Oxford Sites and Housing Plan.

## **13. APPENDICES**

### **Appendix 1 – Site Location Plan**

## **14. HUMAN RIGHTS ACT 1998**

- 14.1. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to approve this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection of the rights and freedom of others or the control of his/her property in this way is in accordance with the general interest.

**15. SECTION 17 OF THE CRIME AND DISORDER ACT 1998**

15.1. Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to grant planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community.

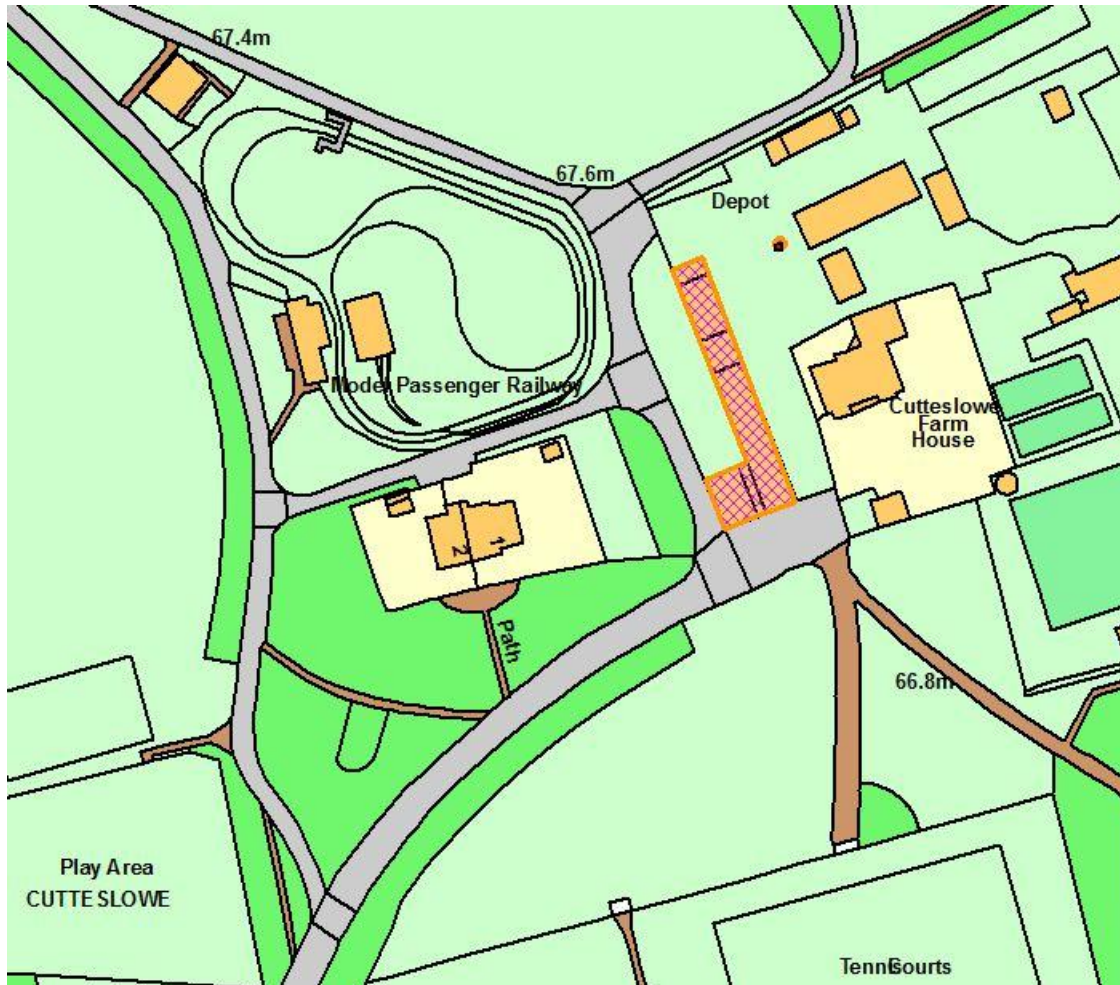
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# Appendix 1

18/00322/CT3

Oxford City Council Parks Depot

Cotteslowe Park



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## Minutes of a meeting of the WEST AREA PLANNING COMMITTEE on Tuesday 13 March 2018

www.oxford.gov.uk



### Committee members:

Councillor Azad	Councillor Fooks
Councillor Hollingsworth	Councillor Lygo
Councillor Price	Councillor Wade
Councillor Clarkson (for Councillor Iley-Williamson)	Councillor Tanner (for Councillor Cook)

### Officers:

Adrian Arnold, Development Management Service Manager  
Tobias Fett, Planning Officer  
Sally Fleming, Lawyer  
Robert Fowler, Planning Team Leader  
Andrew Murdoch, Planning Team Leader  
Catherine Phythian, Committee Services Officer

### Apologies:

Councillor(s) Upton, Cook and Iley-Williamson sent apologies.

## 75. Election of Chair

The Committee elected Councillor Clarkson as Chair for this meeting.

## 76. Declarations of interest

There were no declarations of interest.

## 77. 17/02537/FUL: St Hilda's College, Cowley Place, Oxford, OX4 1DY

The Committee considered an application (17/02537/FUL) for planning permission for the demolition of existing buildings within the college campus, and the erection of a new building to provide student accommodation (59 bedrooms), porters lodge, middle common room, fellows' accommodation and academic and administrative offices; erection of new pavilion building; removal of existing porch to old hall building and provision of replacement; creation of new pedestrian access from Cowley Place; replacement bin and bicycle parking.

The Planning Officer presented the report and made the following points of clarification:

- Paragraph 9.6 – should make it clear that Section 72 relates to the need to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.
- Condition 7 should refer to a scheme of recording of the buildings prior to demolition and would be reworded to reflect that.

The Planning Officer reported that the Environment Agency have withdrawn their objection to the proposal on grounds that no ecological buffer was to be provided to the River Cherwell.

Debbie Dance (Oxford Preservation Trust) spoke against the application.

Sir Gordon Duff (Principal, St Hilda's College), Simon Sharp (Agent), Chris Neve and Marcus Beale (Architects) spoke in favour of the application.

The Committee asked questions of the officers and public speakers about the details of the application.

The Committee noted the following points:

- that the scheme had been developed through an extensive pre-application process with planning officers, the design review panel, and Historic England
- that although the application proposed a departure from development plan policy, in that it includes a tower that would exceed the maximum height limit defined within the Local Plan, planning officers, for the reasons detailed in the report, did not consider that this was sufficient to warrant withholding planning permission
- that the proposed pavilion building and associated groundworks would add to the river landscape
- that the scale and mass of the proposed development, including the tower, would not detract from the existing views of the “dreaming spires” and city skyline
- that although the proposed development would have some impact on the conservation area, officers judged this to be less than substantial harm and outweighed by the benefits achieved from the comprehensive re-development of a constrained campus

The Committee, mindful of the sensitivity associated with the proposals for a tower within the site, focussed much of its discussion on this aspect of the application with particular regard to lighting and decorative design. The Committee noted that adjacent buildings and the existing local street scene generated some lighting in the environs of the application site and that the proposed lighting for the tower itself would be significantly less than the floodlighting of Magdalen Tower.

It was agreed that approval of the details required by conditions 8, 9 and 10 as they relate to the tower, should be brought back to the Committee and not delegated to the Head of Planning, Sustainable Development and Regulatory Services to approve.



In reaching its decision, the Committee considered all the information put before it. The Committee concluded that this was a persuasive application which would provide significant benefit to St Hilda's College and much needed improvements to the public realm at Cowley Place.

The Committee thanked planning officers for a comprehensive report.

On being put to the vote the Committee agreed with the officer recommendation.

**The West Area Planning Committee resolved to:**

- a) Approve the application for the reasons given in the report and subject to the required planning conditions set out in section 11 of the report but that the details required by conditions 8, 9 and 10 as they relate to the tower, should be brought back to the Committee to approve;**
- b) Grant planning permission; and**
- c) Delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:**
  - 1. Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary.

## **78. 17/03086/FUL: 1A Cranham Street, Oxford, OX2 6DD**

The Committee considered an application (17/03086/FUL) for planning permission for the erection of a three storey building to provide 1x1bed flat at first floor and 1 x 2 bed duplex flat (both Use Class C3) to first and second floor and office accommodation (Use Class A2) at the ground floor and the provision of bin/cycle stores.

The application was called in by Councillors Cook, Turner, Smith, Pressel and Rowley on the grounds that this is an application on a controversial site and has been the subject of at least three previous withdrawn applications.

The Planning Officer presented the report and referred the Committee to the recently published appeal decision by the planning inspectorate granting permission for a previous application for this site (as detailed in Appendix 2 of the report).

The Committee noted that the appeal decision was a material consideration and that the approved scheme has been considered by the inspector to be acceptable in terms of impact on neighbouring amenities, design and on the character of the conservation area.

The Planning Officer explained that the application before the Committee was recommended for approval as it has a vastly improved design and would fit much more neatly into the street scene and would cause less harm to neighbouring amenities as it

was set further back and there was provision for privacy screens and some green roofing.

Stephen Broadley (Agent) spoke in favour of the application.

In reaching its decision, the Committee considered all the information put before it. The Committee were of the opinion that the application before them was a significant improvement over the previous applications submitted for this site, including the application which had been approved on appeal. The Committee agreed to impose a further condition relating to the maintenance arrangements and further details for the green roof areas.

On being put to the vote the Committee agreed with the officer recommendation.

**The West Area Planning Committee resolved to:**

**(a) Approve the application for the reasons given in the report and subject to the required planning conditions set out in section 12 of the report and the addition of a planning condition relating to the maintenance arrangements and further details for the green roof areas;**

**(b) Grant planning permission; and**

**(c) Delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:**

1. Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary.

## **79. 17-00005-ORDER - Cripsey Road (No.1) Tree Preservation Order 2017 - Land On The East Side Of Cripsey Road Oxford**

The Committee considered an application to confirm, without modification, a Tree Preservation Order (TPO) to protect trees along the east side of Cripsey Road.

The Planning Officer presented the report.

In reaching its decision, the Committee considered all the information put before it.

On being put to the vote the Committee agreed with the officer recommendation.

**The West Area Planning Committee resolved to confirm the Oxford City Council – Cripsey Road (No.1) Tree Preservation Order, 2017 without modification.**

## **80. 17/02893/RES: Westgate Shopping Centre, Bonn Square, OX1 1NX**

The Committee considered an application (17/02893/RES) for approval of amended reserved matters in respect to the public realm and the removal of four approved street trees along the south end of Castle Street.

The Planning Officer presented the report and clarified the following points:

- Paragraphs 1.1 a) and 2.4 should be revised to reflect that the application is for the approval of amended reserved matters not planning permission
- Paragraph 9.1 – there was no requirement for a s106 agreement in relation to this application
- Paragraph 13.1 should refer to approval not refusal.

In reaching its decision, the Committee considered all the information put before it.

The Committee acknowledged the reasons for the removal of the four street trees but expressed regret at the loss of landscaping in this part of the Westgate development. The Committee asked planning officers to discuss options for alternative landscaping measures with the applicant.

On being put to the vote the Committee agreed with the officer recommendation.

**The West Area Planning Committee resolved to:**

- a) Approve the application for the reasons given in the report and subject to the required planning conditions set out in section 10 of the report;**
- b) Grant approval of the amended reserved matters; and**
- c) Delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:**
  1. Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary.

## **81. 18/00095/FUL: 9 Union Street, Oxford, OX4 1JP**

The Committee considered an application (18/00095/FUL) for planning permission for change of use of dwellinghouse (Use Class C3) to a House in Multiple Occupation (Use Class C4).

This application was determined by the Committee as the applicant is an officer of the Council.

The Planning Officer presented the report.

In reaching its decision, the Committee considered all the information put before it.

On being put to the vote the Committee agreed with the officer recommendation.

**The West Area Planning Committee resolved to:**

- a) **Approve the application for the reasons given in the report and subject to the required planning conditions set out in section 12 of the report and grant planning permission; and**
- b) **Delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:**
  - 1. Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary.

**82. Minutes**

The Committee resolved to approve the minutes of the meeting held on 21 February 2018 as a true and accurate record.

**83. Forthcoming applications**

The Committee noted the list of forthcoming applications.

**84. Dates of future meetings**

The Committee noted the dates of future meetings.

**The meeting started at 6.00 pm and ended at 7.35 pm**

Chair .....

**Date: Tuesday 10 April 2018**