

Agenda



Planning - Oxford City Planning Committee

This meeting will be held on:

Date: **Tuesday 23 May 2023**

Time: **6.00 pm**

Place: **Long Room - Oxford Town Hall**

For further information please contact:

Emma Lund, Committee and Members' Services Officer, Committee
Services Officer

☎ 01865 252367

✉ DemocraticServices@oxford.gov.uk

Members of the public can attend to observe this meeting and:

- may register in advance to speak to the committee in accordance with the [committee's rules](#)
- may record all or part of the meeting in accordance with the Council's [protocol](#)

Information about speaking and recording is set out in the agenda and on the [website](#)

Please contact the Committee Services Officer to register to speak; to discuss recording the meeting; or with any other queries.

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mycouncil.oxford.gov.uk.*

All public papers are available from the calendar link to this meeting once published

Committee Membership

Councillors: Membership 11: Quorum 5: substitutes are permitted.

Members will be appointed to the Committee at the Annual Council meeting on 17 May 2023.

*Decisions come into effect after the post-meeting councillor call in period expires, or after a called-in decision is reconsidered, **and** the Head of Planning Services has issued the formal decision notice.*

Oxford City Council, Town Hall, St Aldate's Oxford OX1 1BX

Agenda

Pages

Planning applications - background papers and additional information

To see representations, full plans, and supplementary information relating to applications on the agenda, please [click here](#) and enter the relevant Planning Reference number in the search box.

Any additional information received following the publication of this agenda will be reported and summarised at the meeting.

1 Apologies for absence and substitutions

2 Election of Chair for the Council Year 2023-24

3 Election of Vice-Chair for the Council Year 2023-24

4 Declarations of interest

5 22/02849/FUL: Land at Winchester Road, Banbury Road and Bevington Road, Oxford

13 - 86

Site Address: Land At Winchester Road, Banbury Road and Bevington Road, Oxford

Proposal: The development of land at Winchester, Banbury and Bevington Road for the provision of student accommodation through the construction of accommodation buildings, a new villa on Bevington Road and the conversion of 43-45 Banbury Road together with a student pavilion building, an academic accommodation building, maintenance and repair works to the conservatory at 59 Banbury Road and associated landscaping works including walls and

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railings to roadside frontages, electrical substation, associated ancillary accommodation, access, cycle parking, accessible parking and refuse and recycling facilities

Reason at Committee: The proposal is a major development

Recommendation:

The Oxford City Planning Committee is recommended to:

1. **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 subject to:
 - the satisfactory completion of a legal agreement under section 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 the report; and
2. **agree to delegate authority** to the Head of Planning Services to:
 - finalise the recommended conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary; and
 - finalise the recommended legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers as set out in the report, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in the 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 Services considers reasonably necessary; and
 - complete the section 106 legal agreement referred to above and issue the planning permission.

6 23/00326/FUL: 39 South Parade, Oxford OX2 7JL

87 - 118

Site Address: 39 South Parade, Oxford, Oxfordshire OX2 7JL

Proposal: Partial demolition of the existing building.

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Erection of a three storey building to create 6 x 1 bed flats (Use Class C3). Alterations to the existing 3 x 1 bed flats (Use Class C3). Alterations to fenestration on the west elevation. Provision of bin and bicycle stores. Alterations to landscaping and ancillary works

Reason at Committee:

The application was called in by Councillors Miles, Smowton, Gant, Fouweather, Sandelson and Goddard because of concerns about the impact of the development on the area in terms of its character and the impact of the proposals on the amenity of surrounding residential properties

Recommendation:

The Oxford City Planning Committee is recommended to:

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2. **agree to delegate authority** to the Head of Planning Services to:
 - finalise the recommended conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary.

7 22/00962/FUL: Ruskin Hall, Dunstan Road, Oxford, OX3 9BZ

119 - 170

Site Address:

Ruskin Hall, Dunstan Road, Oxford

Proposal:

Demolition of the existing 24-bed student accommodation building (Bowen Building) and erection of 65-bed student accommodation building and erection of 30 bed student accommodation building with associated landscaping. (Amended Plans and Additional Information).

Reason at Committee:

The proposal is a major development.

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Recommendation:

The Oxford City Planning Committee is recommended to:

1. **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
2. **agree to delegate authority** to the Head of Planning Services to:
 - finalise the recommended conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary; and
 - issue the planning permission.

8 Minutes

171 - 178

Recommendation: to approve the minutes of the meeting held on 18 April 2023 as a true and accurate record.

9 Forthcoming applications

Items currently expected to be considered by the committee at future meetings are listed for information. This is not a definitive list and applications may be added or removed at any point. These are not for discussion at this meeting.

21/02639/FUL: Land West Of 75 Town Furze, Oxford, OX3 7EW	Called-in
22/00410/LBC: Green Templeton College, Woodstock Road, Oxford, OX2 6HG	Major
22/00409/FUL: Green Templeton College, Woodstock Road, Oxford OX2 6HG	Major
22/01554/FUL: Land at Elizabeth Place and Westlands Drive, Oxford, OX3 9QS	Major
22/02555/FUL: Plot 27, Oxford Science Park, Robert Robinson Avenue, Oxford OX4 4GA	Major
22/02446/CT3: Donnington Recreation Ground, Freelands Road, Oxford OX4 4BT	Called-in
22/02667/VAR: Street Record, Chiltern Railway from Oxford to Bicester, Oxford	Major

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22/02880/RES: Plot 2000, John Smith Drive, Oxford	Major
22/03078/FUL: Land Bounded by Meadow Lane and Church Way, Oxford	Major
22/03076/FUL: 135-137 Botley Road, Oxford	Major
22/03067/FUL: Trinity House, John Smith Drive, Oxford OX4 2RZ	Major
22/02954/OUT: Land at Oxpens Road, Oxford OX1 1TB	Major
22/02955/FUL: Land at Oxpens Road, Oxford OX1 1TB	Major
22/03049/FUL: Land North of Bayswater Brook, Oxford	Major
23/00142/FUL: Linton Lodge Hotel, 11-13 Linton Road, Oxford OX2 6UJ	Major
23/00386/OUT: 152 London Road, Headington, Oxford OX3 9ED	Major
23/00272/FUL: 152 London Road, Headington, Oxford OX3 9ED	Major
23/00405/OUTFUL: Land at Blackbird Leys Road and Knight's Road, Oxford	Major
23/00707/RES: Oxford North Northern Gateway Land Adjacent A44 A40 A34 And Wolvercote Roundabout, A40 Section From Cherwell District Council Boundary To Wolvercote Roundabout, Oxford, Oxfordshire OX2 8JR	Major
23/00708/RES: Oxford North Northern Gateway Land Adjacent A44 A40 A34 And Wolvercote Roundabout, A40 Section From Cherwell District Council Boundary To Wolvercote Roundabout, Oxford, Oxfordshire OX2 8JR	Major
23/00810/VAR: 19 Between Towns Road, Oxford, Oxfordshire, OX4 3LX	Major
23/00693/FUL: Site of 6-25 Pusey Lane and 19-21 St John Street and rear of 7-11 John Street, Oxford	Major
23/00694/LBC: site of 6-25 Pusey Lane and 19-21 St John Street and rear of 7-11 John Street, Oxford	Major

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23/00713/FUL: 30 Buckingham Street, Oxford OX1 4LH	Called-in
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10 Dates of future meetings

Future meetings of the Committee are scheduled at 6.00pm on:

20 June 2023

18 July 2023

15 August 2023

19 September 2023

17 October 2023

21 November 2023

*Decisions come into effect after the post-meeting councillor call in period expires, or after a called-in decision is reconsidered, **and** the Head of Planning Services has issued the formal decision notice.*

Oxford City Council, Town Hall, St Aldate's Oxford OX1 1BX

Information for those attending

Recording and reporting on meetings held in public

Members of public and press can record, or report in other ways, the parts of the meeting open to the public. You are not required to indicate in advance but it helps if you notify the Committee Services Officer prior to the meeting so that they can inform the Chair and direct you to the best place to record.

The Council asks those recording the meeting:

- To follow the protocol which can be found on the Council's [website](#)
- Not to disturb or disrupt 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, even inadvertently, unless they are addressing the meeting.

Please be aware that you may be recorded during your speech and any follow-up. If you are attending please be aware that recording may take place and that you may be inadvertently included in these.

The Chair of the meeting has absolute discretion to suspend or terminate any activities that in his or her opinion are disruptive.

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". 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.

Members' Code – Other Registrable Interests

Where a matter arises at a meeting which directly relates to the financial interest or wellbeing** of one of your Other Registrable Interests*** then you must declare an

interest. You must not participate in discussion or voting on the item and you must withdraw from the meeting whilst the matter is discussed.

Members' Code – Non Registrable Interests

Where a matter arises at a meeting which ***directly relates*** to your financial interest or wellbeing (and does not fall under disclosable pecuniary interests), or the financial interest or wellbeing of a relative or close associate, you must declare the interest.

Where a matter arises at a meeting which affects your own financial interest or wellbeing, a financial interest or wellbeing of a relative or close associate or a financial interest or wellbeing of a body included under Other Registrable Interests, then you must declare the interest.

You must not take part in any discussion or vote on the matter and must not remain in the room, if you answer in the affirmative to this test:

“Where a matter affects the financial interest or well-being:

- a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
- b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest You may speak on the matter only if members of the public are also allowed to speak at the meeting.”

Otherwise, you may stay in the room, take part in the discussion and vote.

*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.

** Wellbeing can be described as a condition of contentedness, healthiness and happiness; anything that could be said to affect a person's quality of life, either positively or negatively, is likely to affect their wellbeing.

*** Other Registrable Interests: a) any unpaid directorships b) any Body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority c) any Body (i) exercising functions of a public nature (ii) directed to charitable purposes or (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which you are a member or in a position of general control or management.

Procedure for dealing with planning applications at the Oxford City Planning Committee 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 interests is available from the Monitoring Officer.

The following minimum standards of practice will be followed:

1. All members of the Committee will have pre-read the officers' report. Committee 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 guidance at 24.15 (Planning Code of Practice) in the Council's Constitution).
2. At the meeting the Chair may draw attention to this procedure. The Chair may 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.
4. In determining an application Committee 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 overturning the officer's recommendation have been formulated including the reasons for refusal or the wording of any planning conditions; 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.

Public requests to speak

Members of the public wishing to speak must notify the Committee 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 via e-mail or telephone, to the Committee Services Officer (details are on the front of the Committee agenda).

Written statements from the public

Any written statement that members of the public or 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 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

Applicants or members of the public can exhibit models or displays of photos and/or pictures at the meeting or a room provided for that purpose as long as they notify the Committee Services Officer of their intention by noon two working days before the start of the meeting so that members can be notified. Applicants or members of the public are not permitted to exhibit photos and/or pictures in any electronic format.

Recording meetings

This is covered in the general information above.

Meeting Etiquette

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.

This procedure is detailed in the Annex to part 24 of the Council's Constitution as agreed at Council in March 2023.

Oxford City Planning Committee

23rd May 2023

Application number: 22/02849/FUL

Decision due by 1st March 2023

Extension of time

Proposal

The development of land at Winchester, Banbury and Bevington Road for the provision of student accommodation through the construction of accommodation buildings, a new villa on Bevington Road and the conversion of 43-45 Banbury Road together with a student pavilion building, an academic accommodation building, maintenance and repair works to the conservatory at 59 Banbury Road and associated landscaping works including walls and railings to roadside frontages, electrical substation, associated ancillary accommodation, access, cycle parking, accessible parking and refuse and recycling facilities.

Site address

Land At Winchester Road, Banbury Road and, Bevington Road (see **Appendix 1** for site plan)

Ward

Walton Manor Ward

Case officer

Sarah De La Coze

Agent:

Carter Jonas

Applicant:

The Chancellor,
Masters And
Scholars Of The
University Of
Oxford

Reason at Committee

Major Application

1. RECOMMENDATION

1.1. The Oxford City Planning Committee is recommended to:

- 1.1.1. **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 section.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

1.1.2. **agree to delegate authority** to the Head of Planning 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 Services considers reasonably necessary; and
- 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 Services considers reasonably necessary; and
- complete the section 106 legal agreement referred to above and issue the planning permission.

2. EXECUTIVE SUMMARY

2.1. This report considers the redevelopment of the land to the rear of Winchester Road, Banbury Road and Bevington Road in the north of Oxford. The application seeks to provide a new academic community with the introduction of student accommodation and a new departmental building for Southeast Asian Studies Centre (SASC), bringing together Hertford College, Kellogg College, Reuben College and Oxford School of Global and Area Studies (OSGA).

2.2. The proposed development would provide 130 new graduate student rooms for Hertford College, Kellogg College and Reuben College across 6 new buildings together with the conversion and upgrade of the existing detached twin villa building at 43 - 45 Banbury Road, which is currently in academic use. The proposed accommodation comprises single occupancy study bedrooms, accessible en-suite study bedrooms and 6 self-contained duplex flats. In addition there would be ancillary student facilities including a pavilion which would accommodate a reading room, recreation room and common room. The ground floor of 11 Winchester Road would be partially refurbished to provide a Porter's Lodge, an accessible bedroom and staff facilities, replacing an existing bedroom and communal kitchen. A new academic building for SASC would provide approximately 1,153 m² of space comprising teaching spaces, academic office based research space, open plan study space, support meeting, administrative and break out spaces, and ancillary accommodation.

2.3. The site lies entirely within the boundary of the North Oxford Victorian Suburb Conservation Area (NOVSCA) a Conservation Area first designated in 1969 immediately following the confirmation of the Civic Amenities Act which brought into being such statutory designation and contains a Grade II listed building (59 Banbury Road) and is adjacent to the Grade II listed, Gee's Restaurant.

2.4. The site is an allocated site within the Oxford Local Plan. Policy SP31 'Banbury Road University sites'. Policy SP31 states that will be granted for academic institutional uses, student accommodation, and/or residential development, it also allows for academic institutional uses provided that the requirements of

policy H9, which links the delivery of new / redeveloped and refurbished academic facilities to the delivering of new residential accommodation are met. The allocation also requires a minimum of 60 homes which is the equivalent of 150 bedrooms to be delivered across the sites. The application seeks to provide 130 student rooms with the application stating that the remaining numbers in the allocation can be provided on the remaining plots within the allocation.

2.5. The application was subject to pre application discussions and was reviewed by the Oxford Design Review Panel in 2018.

2.6. Officers consider that the development would be acceptable with regard to principle, design, impact on the designated heritage assets, highways, environmental health and impact on neighbouring amenity.

2.7. The historic environment has been carefully considered and great weight has been given to preserving the significance of the designated heritage assets referred to in the report, and where harm would be caused to justify that harm and mitigate it through design choices. The benefits resulting from the development are considered to be of a weight that would outweigh the lower level of less than substantial harm to the significance of heritage assets that it is considered would be caused by the proposed development, officers therefore consider that the development would comply with the requirements of Paragraph 202 of the NPPF.

3. LEGAL AGREEMENT

3.1. This application is subject to a legal agreement to cover highway works as set out in the highways section and biodiversity net gain offsetting.

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. The proposal is liable for CIL at an amount of £1,823,004.00.

5. SITE AND SURROUNDINGS

5.1. The application site is located in the north of Oxford. The application site includes a number of existing University properties located on Winchester Road, Bevington Road and Banbury Road. The site comprises a roughly triangular area of land that lies between Banbury Road to the east and Winchester Road to the west. The land is bounded by Bevington Road to the south and the rear boundaries of properties lying on the south side of North Parade to the north. To the north of the site sits North Parade, a narrow street of small scale buildings in comparison to the much larger villas.

5.2. The existing buildings are substantial Victorian and Edwardian Villas which make up the frontage of the plots that make up the site. Those fronting onto Banbury Road are grander with more generous plots than those on Winchester and Bevington Roads. These buildings exhibit distinctive characteristics of the Victorian Gothic architectural language that makes a significant contribution to the special character and appearance of the Conservation Area as a whole

- 5.3. The site lies entirely within the boundary of the North Oxford Victorian Suburb Conservation Area (NOVSCA) a Conservation Area first designated in 1969 immediately following the confirmation of the Civic Amenities Act which brought into being such statutory designation and contains a Grade II listed building (59 Banbury Road) and is adjacent to the Grade II listed, Gee’s Restaurant
- 5.4. The site is located in a highly sustainable location with a number of bus stops in the vicinity as well as being located close to the City Centre and the Railway station
- 5.5. The site is an allocated site within the local plan which is permissive of its development for student accommodation.
- 5.6. See block plan below:



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 Ordnance Survey 100019348

6. PROPOSAL

6.1. The application seeks to provide a new academic community with the introduction of student accommodation and a new departmental building for Southeast Asian Studies Centre (SASC), bringing together Hertford College, Kellogg College, Reuben College and Oxford School of Global and Area Studies (OSGA). SASC is a new unit within OSGA and therefore does not yet have a dedicated academic building. The new SASC building would, for a range of existing departments, create a dedicated focus of research and teaching excellence in the academic study of the ASEAN countries within this established north Oxford location. The University state that the siting is critical to the organisational structure of the intended fields of study, locating teaching spaces adjacent to other University facilities to harness a strong synergy between

adjacent departments and groups, and to improve the academic setting for students and academics.

- 6.2. The proposed development would provide 130 new graduate bedrooms for Hertford College, Kellogg College and Reuben Colleges across 6 new buildings together with the conversion and upgrade of the existing detached twin villa building at 43 - 45 Banbury Road, which is currently in academic use. The proposed accommodation comprises single occupancy study bedrooms, accessible en-suite study bedrooms and 6 self-contained duplex flats. In addition there would be ancillary student facilities including a pavilion which would accommodate a reading room, recreation room and common room. The ground floor of 11 Winchester Road would be partially refurbished to provide a Porter's Lodge, an accessible bedroom and staff facilities, replacing an existing bedroom and communal kitchen. A new academic building for SASC would provide approximately 1,153m² of space comprising teaching spaces, academic office based research space, open plan study space, support meeting, administrative and break out spaces, and ancillary accommodation.
- 6.3. Each building benefit from a variety of architectural detailing, but are unified architecturally by the Victorian Gothic form. The individualised nature of the buildings is also reflected in their materials. There is a mix of red and yellow brick, usually with stone detailing. Sash windows predominate with occasional displays of Gothic tracery, particularly at the southern end of the road. Roofs are steeply pitched and clad in mixture of materials: clay tiles and slates. The existing villas are currently a mix of residential and institutional occupation by both Oxford University and Hertford College. The scheme is a landscaped led proposal with the scheme introducing varying pockets of landscaping in to both the main area of development as well as the frontages in order to preserve and enhance the Conservation Area.
- 6.4. The development would be car free and key entry points are identified towards the north-west between 10 and 11 Winchester Road, and the south-east between 45 and 47 Banbury Road. The main entrance to the new SASC building is located separately between 12 and 13 Bevington Road. Disabled car parking spaces are located around the site.
- 6.5. The proposals have been designed to support the University's desire to provide more purpose built graduate accommodation. Site ownership is split between Hertford College to the north and Oxford University to the south.

7. RELEVANT PLANNING HISTORY

- 7.1. There is no relevant planning history for this area of the application site.

8. RELEVANT PLANNING POLICY

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

126-136	DH1 - High quality design and placemaking DH2 - Views and building heights DH7 - External servicing features and stores	
189-208	DH3 - Designated heritage assets DH4 - Archaeological remains	
60-77	H2 - Delivering affordable homes H8 - Provision of new student accommodation H10 - Accessible and adaptable homes H14 - Privacy, daylight and sunlight	
174, 179--188	G1 - Protection of Green/Blue Infrastructure G2 - Protection of biodiversity geodiversity G7 - Protection of existing Green Infrastructure G8 - New and enhanced Green and Blue Infrastructure	
104-109	M1 - Prioritising walking, cycling and public transport M2 - Assessing and managing development M3 - Motor vehicle	Parking Standards SPD

	<p>parking M4 - Provision of electric charging points M5 - Bicycle Parking</p>	
183-188	<p>S1 - Sustainable development RE1 - Sustainable design and construction RE3 - Flood risk management RE4 - Sustainable and foul drainage, surface RE6 - Air Quality RE8 - Noise and vibration RE9 - Land Quality</p>	<p>Energy Statement TAN</p>
7-14, 38-50, 55-58, 110-111, 119-125,	<p>S2 - Developer contributions E2 - Teaching and Research H9 - Linking new/used/refurb University RE2 - Efficient use of Land RE5 - Health, wellbeing, and Health Impact Assessment RE7 - Managing the impact of development V8 - Utilities V9 - Digital Infrastructure SP31 - Banbury Road University Sites</p>	<p>External Wall Insulation TAN,</p>

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 21st December 2022 and an advertisement was published in The Oxford Times newspaper on 29th December 2022.

Statutory and non-statutory consultees

Oxfordshire County Council Highways

9.2. Recommendation

No objection subject to the following.

- Section 106 Contributions as summarised in the table below and justified in this Schedule.
- Planning Conditions as detailed below.
- Note should be taken of the informative stated below.

S106 Contributions

Contribution	Amount £	Price base	Index	Towards (details)
Highway works	200,000	December 2022	Baxter	Side road entry treatments at Bevington Road/Banbury Road junction and Norham Road/Banbury Road junction.
Highway works	10,000	December 2022	Baxter	Cycle priority measures on Bevington Road
Total	210,000			

9.3.

9.4. Comments

Transport Development Control

9.5. The planning application is accompanied by a Transport Assessment (TA). This is considered to be an appropriate level of submission given the nature quantum and location of the development proposals. The TA examines the development site in the context of the range of available transport modes and provisions surrounding it, and concludes that "...the site is well-positioned to capitalise upon a comprehensive availability of sustainable transport infrastructure. The central location of the site means that the car-free nature of the proposed development is appropriate." This conclusion is considered sound and is accepted by the County as local highway authority.

9.6. The TA presents a personal injury accident data analysis and concludes that "...it is clear there are no discernible highway issues which are causing

recurring PICs and therefore there are no causes for concern relating to highway safety for vulnerable road users looking to access the development proposals." It is difficult to support this conclusion on the basis of the TA alone since it does not supply the detailed PIC data or a plot showing the spatial distribution of PICs. The County has therefore referred to its own data source for the same period and notes a significant cluster of accidents at and near the junction of Banbury Road with Norham Road. This is the subject of a Section 106 request set out under the heading of Transport Strategy below.

- 9.7. The TA demonstrates that proposed cycle parking provision at the site comfortably exceeds the minimum requirements set out in standards. However, it is not clear from either the TA or from Plan No.1911-PL-095 what type of provision is being proposed. The plan suggests that different types of cycle parking are to be provided at different locations. The required details can be provided in discharge of a condition of planning permission.
- 9.8. The TA notes that there will be seven parking spaces for blue badge holders at the site and no other car parking. This is supported and will strongly contribute to the car free nature of the development.
- 9.9. Section 5 of the TA presents a trip generation analysis. Mode share is determined on the assumption that the site will be completely car free and only non car modes are carried into the analysis. This is a rather simplistic and unrealistic approach since the development will still attract some car trips in the form of pick-up / drop-off trips, parking on adjacent streets, taxi trips and deliveries, etc. However, given the sites car free credentials it is considered unlikely that such trips will have a significant adverse impact on the external road network.
- 9.10. Section 6 of the TA presents a comprehensive parking beat survey of the streets immediately surrounding the development site, and demonstrates that there is sufficient on-street parking capacity to accommodate student movements at term start and end dates. It then notes that "...in order to ensure car parking during the start/end dates for the university terms does not negatively impact onto the local highway network, the applicants are committed to provide a package of parking management measures..." Such measures should be presented in a Student Arrival / Departure Plan which specify the following.
- 9.11. The means by which students will apply for an arrival / departure slot.
 - How these will be allocated and over what time period.
 - Which streets will be included in the allocations process, and confirmation that site accesses will not be included.
 - Means of enforcement.
 - Any other relevant measures. The Student Arrival / Departure Plan can be submitted in discharge of a condition of planning permission.

- 9.12. The planning application is accompanied by a Construction Environmental and Traffic Management Plan (CETMP). The plan does not meet all of the requirements on the County's checklist for a Construction Traffic Management Plan and will require revision and resubmission. The County's checklist is set out below with items that need to be included or addressed highlighted in bold. A revised CETMP can be submitted in discharge of a condition of planning permission.
- The CTMP must be appropriately titled, include the site and planning permission number.
 - Routing of construction traffic and delivery vehicles including means of access into the site.
 - Details of and approval of any road closures needed during construction.
 - Details of and approval of any traffic management needed during construction.
 - Details of wheel cleaning/wash facilities – to prevent mud etc, in vehicle tyres/wheels, from migrating onto adjacent highway.
 - Details of appropriate signing, to accord with the necessary standards/requirements, for pedestrians during construction works, including any footpath diversions.
 - The erection and maintenance of security hoarding / scaffolding if required.
 - A regime to inspect and maintain all signing, barriers etc.
 - Contact details of the Project Manager and Site Supervisor responsible for on-site works to be provided.
 - The use of appropriately trained, qualified and certificated banksmen for guiding vehicles/unloading etc.
 - No unnecessary parking of site related vehicles (worker transport etc) in the vicinity – details of where these will be parked and occupiers transported to/from site to be submitted for consideration and approval. Areas to be shown on a plan not less than 1:500.
 - Layout plan of the site that shows structures, roads, site storage, compound, pedestrian routes etc.
 - A before-work commencement highway condition survey and agreement with a representative of the Highways Depot – contact 0845 310 1111. Final correspondence is required to be submitted.
 - Local residents to be kept informed of significant deliveries and liaised with through the project. Contact details for person to whom issues should be

raised with in first instance to be provided and a record kept of these and subsequent resolution.

- Any temporary access arrangements to be agreed with and approved by Highways Depot.
 - Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours.
- 9.13. **Transport Strategy** The car-free nature of the development proposals supports the transport user hierarchy as set out within the Central Oxfordshire Travel Plan (COTP), with walking and wheeling, cycling and riding and public transport being the three top priorities.
- 9.14. Banbury Road, to the east of the site is classified as an Active Travel Primary Route within the COTP and is identified as prioritised route OXR4 within the Oxford Local Cycling and Walking Infrastructure Plan (LCWIP).
- 9.15. Due to the car-free nature of the development proposals and the significant uplift of cycle parking provision proposed, it is anticipated that the number of both pedestrians and cyclists crossing at and using the Bevington Road/Banbury Road junction will increase. This junction is also located along the route from the site into the city centre, as well as the route to the Bevington Road bus stops.
- 9.16. As the Bevington Road/Banbury Road junction will be used by future site users, funding is requested for side road entry treatment at this junction to prioritise the safe crossing of pedestrians and encourage vehicles to reduce their speed on their approach to the junction. The works for the Bevington Road/Banbury Road junction have been costed and would require £100,000 for delivery of this specific side road entry treatment.
- 9.17. The provision of side road entry treatment at this junction will support both the COTP and Oxford LCWIP. Also, it is noted within the Transport Assessment that a personal injury accident was recorded at this junction between a car pulling out of Bevington Road and a cyclist travelling along Banbury Road. The side road entry treatment would therefore support the County's Vision Zero objectives, improving the junction safety for both pedestrians and cyclists.
- 9.18. Similarly, the County's own personal injury accident data, referred to under Transport Development Control above notes a significant cluster of accidents at and near the junction of Banbury Road with Norham Road. Funding is therefore also requested for side road entry treatment at this junction to prioritise the safe crossing of pedestrians and encourage vehicles to reduce their speed on their approach to the junction. These works are also costed at £100,000.
- 9.19. It is also anticipated that the development proposals would result in additional cycle trips routing along the western extent of Bevington Road and via Woodstock Road towards Oxford Station, Jericho and other University

buildings. The western extent of Bevington Road currently restricts access to vehicles turning from Woodstock Road, providing a dedicated cycle only access. However, the remaining extent of Bevington Road is lined with on-street parking bays on both sides of the carriageway and does not prioritise cycling. Therefore due to an anticipated increase in cycle movement along Bevington Road, funding is requested to provide cycle priority measures along Bevington Road in the form of cycle symbols on the carriageway to indicate to drivers the presence of cyclists travelling in both directions. This item has been costed at £10,000.

9.20. **Travel Plan**

9.21. Oxford University has an overarching Travel Plan. The aims, objectives and targets of that Travel Plan should therefore be referenced and included in the travel planning submission for this site.

9.22. A development comprising of 130 rooms requires a Travel Plan Statement to be produced. This should be produced prior to first occupation and meet the criteria contained within Appendix 4 of the County's guidance document Transport for New Developments: Transport Assessments and Travel Plans (March 2014). A Travel Plan has been submitted with this application, but a Travel Plan Statement is required. Further information is needed in order for it to meet the County's requirements.

9.23. A Residential Travel Information Pack is also required prior to occupation and then distributed to students at the point of occupation. This is to ensure all students are aware of the travel choices available to them from the outset. Further information regarding the required criteria can be found within the County's Travel Information Pack Guidance which can be obtained from the Travel Plans team.

9.24. Cycle parking, bicycle maintenance station and electric vehicle charging for bicycles should be provided within the site boundary.

9.25. For further information, advice, and assistance, please contact the Travel Plans Team at Oxfordshire County Council travelplan@oxfordshire.gov.uk

9.26. It is advised that the applicant consults the Travel Plan Statement criteria and template within Appendix 4 of the County's guidance document and the points below to ensure all criteria has been met before resubmitting.

- The document should be titled Travel Plan Statement.
- Information about expected occupancy levels of students, staff and visitors is required.
- Information about onsite facilities for pedestrians and cyclists is required.
- Information about facilities available at the closest bus stops is required.
- Details of the times of the first and last buses serving the development.

- Information about the number, type and location of cycle parking should be included
 - As the development is situated within the City Centre micromobility (scooter hire scheme) options should be included.
 - Reducing the need to travel – homeworking and home deliveries should be discussed.
 - Lift share and car clubs should be discussed.
 - • Information about deliveries is required.
 - Levels of car parking and cycle parking are required.
 - In the absence of an appointed Travel Plan Coordinator details of the interim contact for any travel plan related queries should be supplied.
 - Details of any barriers to the promotion of sustainable, active travel should be identified and the identified actions will seek to mitigate these issues.
 - Three actions are required for each objective to include the Oxford University objectives outlined within Table 4.1. The Travel Plan Statement and Travel Information Pack can be submitted in discharge of a condition of planning permission.
- 9.27. **S106 obligations and their compliance with Regulation 122(2) Community Infrastructure Levy Regulations 2010 (as amended)**
- 9.28. £200,000 Highway Works Contribution indexed from December 2022 using Baxter Index
- 9.29. **Towards** Side road entry treatments at Bevington Road/Banbury Road junction and Norham Road/Banbury Road junction.
- 9.30. **Justification** To prioritise the safe crossing of pedestrians and encourage vehicles to reduce their speed on their approach to the junction.
- 9.31. **Calculation** Based on the known cost of other side road entry treatments provided elsewhere in the city of Oxford.
- 9.32. **£10,000 Highway Works Contribution** indexed from December 2022 using Baxter Index
- 9.33. **Towards** Cycle priority measures on Bevington Road
- 9.34. **Justification** To provide for an anticipated increase in cycle activity on Bevington Road resulting from the proposed development.
- 9.35. **Calculation** Contractor quotes.

Planning Conditions

- 9.36. In the event that permission is to be granted, the following transport related planning conditions should be attached.
- 9.37. Before the development permitted is commenced details of the cycle parking areas, including dimensions, type of provision, and 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, type of provision, 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.
- 9.38. Before the development hereby permitted begins a Student Arrival / Departure Management Plan shall be agreed in writing with the Local Planning Authority and be put in place to ensure that, with the exception of disabled persons, the arrival and departure of students at the beginning and end of terms if managed such that it does not impact adversely on the external road network or on the operation of the site. The plan shall specify the arrangements which will be put in place to manage this process and how those arrangements will be monitored and enforced.
- 9.39. Prior to the commencement of the development a Construction Traffic Management Plan prepared in accordance with Oxfordshire County Council's checklist, must be submitted to and approved in writing by the Local Planning Authority. The construction works must be carried out in accordance with the details approved in the Construction Traffic Management Plan.
- 9.40. Prior to first occupation a Travel Plan Statement and Residential Travel Information Pack should be submitted to the Local Planning Authority.

Informative

- 9.41. Prior to commencement of development, a separate consent must be obtained from the County's Road Agreements Team for any new highway vehicular access under S278 of the Highway Act. Contact: 01865 815700; RoadAgreements@oxfordshire.gov.uk.

Oxfordshire County Council – Lead Local Flood Authority

- 9.42. Recommendation:
- 9.43. No objection subject to conditions.
- 9.44. Condition:
- 9.45. The approved drainage system shall be implemented in accordance with the approved Detailed Design prior to the use of the building commencing: Document Floor Risk Assessment and Drainage Strategy Report Ref: 000277 Issue: P04 Drawing Below Ground Surface Water Drainage Northern Network Drawing No: 0111, Rev P01 Drawing Below Ground Surface Water Drainage Southern Network Drawing No: 0110, Rev P01 Drawing Surface Water Drainage Manhole Schedule Drawing No: 0116, Rev P01 Drawing Below Ground Foul And Surface Water Drainage Details (Sheet 1) Drawing No:

0400, Rev P05 Drawing Below Ground Foul And Surface Water Drainage Details (Sheet 2) Drawing No: 0401, Rev P05 Drawing Below Ground Foul And Surface Water Drainage Details (Sheet 3) Drawing No: 0402, Rev P05

- 9.46. All relevant Hydraulic calculations produced via Microdrainage Date 18/11/2022 File 20221110 – 277-FEH-North
- 9.47. All relevant Hydraulic calculations produced via Microdrainage Date 18/11/2022 File 20221110 – 277-FEH-South Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal.
- 9.48. Condition:
- 9.49. Prior to first occupation, a record of the installed SuDS and site wide drainage scheme shall be submitted to and approved in writing by the Local Planning Authority for deposit with the Lead Local Flood Authority Asset Register. The details shall include: (a) As built plans in both .pdf and .shp file format; (b) Photographs to document each key stage of the drainage system when installed on site; (c) Photographs to document the completed installation of the drainage structures on site; (d) The name and contact details of any appointed management company information
- 9.50. **Historic England**
- 9.51. Historic England Advice - The Significance of the North Oxford Victorian Suburb Conservation Area and listed buildings.
- 9.52. The site of the proposed development is within North Oxford Victorian Suburb; predominantly a well conserved, leafy Victorian conservation area. Despite being built in phases and for a range of incomes the area has a very coherent character as it was owned by St John's College, who exercised a high degree of control over its development. Houses are spacious, with generous front and rear gardens. The large plot sizes and extensive use of the neo-gothic style gives the area its coherence while the fact that houses were designed and built individually or in small groups, all to differing designs, adds interest and charm. When built it was the ideal place for families of Oxford academics, professionals and businessmen to live and tells an important story about how the expansion and reform of the University in the later 19th century, particularly permitting dons to marry, dramatically changed the City as a whole. Today, the conservation area retains a remarkable homogeneity. The current institutional use of many larger buildings has sustained them and additions to the conservation area have both created points of interest and on occasions resulted in modifications that have diminished the character of the area.
- 9.53. North of the site sits North Parade a tightly clustered row of terraced properties, largely built prior to the main 4 phases of development of the Victorian suburb, associated with former market gardens, and now predominantly with commercial frontages.

- 9.54. Within the development site is 59 Banbury Road, an especially interesting and accomplished example of Victorian domestic gothic that is listed at Grade II. Adjacent to the site is Gee's restaurant, Grade II listed, which is significant as a good example of a Victorian glasshouse and for its historical interest as the plant shop for the new suburb.
- 9.55. Assessment of the impact on North Oxford Victorian Suburb Conservation Area
- 9.56. The proposals include a new departmental building for the South-East Asian Studies Centre (SASC) fronting Winchester Road, student accommodation in the form of new blocks within the gardens of the villas along Winchester Road and Banbury Road, a new student accommodation building on Bevington Road, student meeting rooms and cafe, and the conversion of existing buildings to student accommodation and porters lodge. Landscaping for the scheme proposes numerous new trees along the boundaries to the site along Winchester, Bevington and Banbury Road.
- 9.57. Visibility of the large villa gardens from outside streets is possible through glimpse views. However, the proposed street elevations indicate that whilst the new accommodation blocks within the centre of the site would be seen between some properties, the height and position of the new buildings together with proposed new tree planting is such that they would not be overly visible. The sense of there being only gardens behind the villas will change and therefore this element of the proposals would have a degree of harm to the experience of the conservation area (less than substantial at the lower end).
- 9.58. The proposed new South-east Asian Studies Centre building would be located on the rear garden plots of 13 and 15 Bevington Road. Currently the garden of No. 13 is a car park, but with the garden wall along the footpath edge, fronting Winchester Road, remaining. Building on this site would cause a degree of harm to the significance of the conservation area as an established characteristic of the layout of the suburb was the intention that each residence would have a good-sized garden to accompany the family home and the proposed development of this space would diminish that character (harm being less than substantial at the lower end). However, we can see potential benefits to the street scene of creating a substantial building on this site as the corner plot of 13 Bevington Road does have a somewhat awkward appearance along Winchester Road owing to its detached nature and height. A four-storey block here wouldn't appear out of scale height-wise with the buildings it would sit adjacent to. The subdivision of the building into what appears as 2 semi-detached elements (one with active windows and the other with detailed solid 'window' features) is welcomed as this better reflects the building forms along Winchester Road.
- 9.59. The student accommodation building along Bevington Road also appears sensitive in scale, and whilst proposed in a contemporary architectural form appears high quality and responds well to its context, and from the submitted information and would sit comfortably within the streetscene. Furthermore, the

proposed additions to 43 & 45 Banbury Road are modest and would not harm the character of the conservation area.

9.60. Impact on listed buildings

9.61. The proposed 2-storey student accommodation west of 59 Banbury Road would encroach on the garden of this architecturally accomplished villa, compromising its spacious setting. This would cause some harm to its significance. Likewise, the wider change to the setting of Gee's would cause a modest degree of harm, through eroding the historical villa garden setting and replacing it with built form. We conclude that the harm to these listed buildings would be less than substantial at the lower end.

9.62. Proposed heritage benefits and landscaping enhancements

9.63. The proposals put forward heritage benefits including restored or refurbished front gardens including numerous new specimen trees along public frontages, new front walls and railings. The proposals also detail the restoration and repair of the listed 59 Banbury Road including the original conservatory to the rear. Whilst modest these benefits are notable and welcomed as they will result in enhancement to the character and appearance of the conservation area. The Council must weigh up the relative heritage harm the proposals would result in, against the public benefits of the proposals including those heritage benefits the application puts forward.

9.64. Conclusions

9.65. The Council have many considerations to take into account and our comments focus only on those that pertain to the historic environment. Whilst we have identified areas of heritage harm it is our view that these are limited and constitute less than substantial harm at the lower end (both to the conservation area and the nearby listed buildings of 59 Banbury Road and Gee's). The Council must weigh up the heritage harm against the public benefits of the proposals and be content that they outweigh the considerable weight that must be afforded to the conservation of heritage assets, as set out the in NPPF.

9.66. Recommendation

9.67. We consider that the application would result in a degree of harm to the conservation area and listed buildings, and recommend if the Council are minded to approve the scheme they are content that the public benefits of the case clearly outweigh the harm that the proposals would cause.

9.68. Your authority should take these representations into account in determining the application. If there are any material changes to the proposals, or you would like further advice, please contact us. Please advise us of the decision in due course.

9.69. **Thames Water**

9.70. Waste Comments

- 9.71. The application indicates that SURFACE WATER will NOT be discharged to the public network and as such Thames Water has no objection, however approval should be sought from the Lead Local Flood Authority. Should the applicant subsequently seek a connection to discharge surface water into the public network in the future then we would consider this to be a material change to the proposal, which would require an amendment to the application at which point we would need to review our position.
- 9.72. Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection, however care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer networks.
- 9.73. With the information provided, Thames Water has been unable to determine the Foul water infrastructure needs of this application. Thames Water has contacted the developer in an attempt to obtain this information and agree a position for FOUL WATER drainage, but have been unable to do so in the time available and as such, Thames Water request that the following condition be added to any planning permission. "No development shall be occupied until confirmation has been provided that either:- 1. Foul water Capacity exists off site to serve the development, or 2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan, or 3. All Foul water network upgrades required to accommodate the additional flows from the development have been completed. Reason - Network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents. The developer can request information to support the discharge of this condition by visiting the Thames Water website at thameswater.co.uk/preplanning. Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (telephone 0203 577 9998) prior to the planning application approval.
- 9.74. Water Comments
- 9.75. The proposed development is located within 5m of a strategic water main. Thames Water do NOT permit the building over or construction within 5m, of strategic water mains. Thames Water request that the following condition be added to any planning permission. No construction shall take place within 5m of the water main. Information detailing how the developer intends to divert the asset / align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, must be submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any construction must be undertaken in accordance with the terms of the

approved information. Unrestricted access must be available at all times for the maintenance and repair of the asset during and after the construction works. Reason: The proposed works will be in close proximity to underground strategic water main, utility infrastructure. The works has the potential to impact on local underground water utility infrastructure. Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes> Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk.

- 9.76. There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>
- 9.77. Following initial investigations, Thames Water has identified an inability of the existing water network infrastructure to accommodate the needs of this development proposal. Thames Water have contacted the developer in an attempt to agree a position on water networks but have been unable to do so in the time available and as such Thames Water request that the following condition be added to any planning permission. No development shall be occupied until confirmation has been provided that either:- all water network upgrades required to accommodate the additional demand to serve the development have been completed; or - a development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan. Reason - The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development" The developer can request information to support the discharge of this condition by visiting the Thames Water website at [thameswater.co.uk/preplanning](https://www.thameswater.co.uk/preplanning). Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (telephone 0203 577 9998) prior to the planning application approval.
- 9.78. Supplementary Comments Thames Water advise that a drainage strategy should contain the points of connection to the public sewerage system as well as the anticipated flows (including flow calculation method) into the proposed

connection points. This data can then be used to determine the impact of the proposed development on the existing sewer system.

9.79. Thames Valley Police

9.80. Thank you for consulting me on the above application. I have reviewed the submitted documents and crime statistics for the local area. I am pleased to see consideration has been given to student safety and crime prevention throughout the development. I do not object to this application, subject to further detail being provided and conditions being placed on the approval as detailed below.

9.81. I provide the following comments to ensure forthcoming applications meet the requirements of;

- The National Planning Policy Framework 2021 paragraph 92(b); which states that Planning policies and decisions should aim to achieve healthy, inclusive and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion...
- The National Planning Policy Framework 2021, paragraph 130(f) which states that "Planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible... and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience".
- In order to ensure all opportunities are taken to design out crime from the outset, and to ensure all areas of the development are sufficiently secured to reduce the opportunities for crime and disorder to occur, I ask that the following or similarly worded condition be placed upon any approval;

9.82. Condition 1: Prior to commencement of development, an application shall be made for Secured by Design Silver accreditation on the development hereby approved. The development shall be carried out in accordance with the approved details, and shall not be occupied or used until confirmation of SBD accreditation has been received by the authority.

9.83. Condition 2: Prior to commencement of development, details of a proposed external lighting scheme shall be submitted to the local planning authority. The scheme shall set out the steps that will be taken to ensure that external lighting, including zonal/security lighting and column lighting within parking courts promotes a secure environment and does not cause a nuisance to local residents.

9.84. Landscaping

9.85. I am unable to locate detailed landscaping plans within this application. Whilst the security strategy mentions defensible space and planting, I am unable to accurately assess this from plans submitted. Prior to permission being

granted, I ask that detailed landscaping plans are submitted which indicate the location and specification for all planting across the development.

9.86. Surveillance

9.87. I ask that prior to permission being granted, additional ground floor windows are added to the blank facades

9.88. Gable ends of block HC2 to increase surveillance over internal circulation areas and cycle parking.

9.89. I ask that clarification is provided as to whether or not this is a window in the gable of block HC3. If not, a window must be added in this location to increase surveillance over cycle storage;

9.90. Cycle storage

9.91. I have concerns that there are no fully enclosed secure cycle stores proposed on the site. When considering high value cycles, such as electric bikes for example, it is important that high quality secure storage is provided to reduce opportunities for theft. Where insufficient secure storage is provided, there is a risk that residents will opt instead to take their cycles into the residential blocks, storing bikes in rooms or hallways, creates subsequent fire safety concerns.

Public representations

9.92. **The Victorian Group of the Oxfordshire Architectural and Historical Society**

9.93. We object to the proposal to redevelop this site for University use, which represents an even more destructive desecration of the North Oxford Conservation Area than the University College scheme.

9.94. Policy DH3 of the Local Plan states, with regard to the site: 'Any major development is unlikely to be suitable, but there is some potential to intensify the existing use, whilst respecting both plot patterns and boundary treatments. Development should be of a scale that respects the surrounding buildings' It requires 'development that respects and draws inspiration from Oxford's unique historic environment ... responding positively to the significance, character and distinctiveness of the heritage asset and locality'.

9.95. The present scheme does not just 'intensify the existing use', but is a grotesque overdevelopment of the site. It does not 'respect ... boundary treatments', as the garden walls largely disappear.

9.96. We particularly object to the proposal to erect new buildings on the former gardens of the houses in Bevington Road and Winchester Road. The design of these is far from 'responding positively' to the character of the existing houses. The shape and materials of what is proposed are out of scale and character. The Winchester Road block, with its excessive height, blocky structure and quite unsuitable roof, is even worse than the other. The

reference to 'shared language of architecture which also speaks to the materiality of the existing buildings', and 'the rhythmic form of "modern Gothic"' is pure hot air. More convincing is the reference to the 'contemporary aesthetic' of the Winchester Road block.

- 9.97. The sites of these structures were originally the gardens of the houses, though the University, with typical lack of concern for history, context and the environment, has used them as car parks.
- 9.98. The CGIs of the street elevations are surely quite misleading, as they try to suggest that the new buildings within the site (obliterating yet more gardens) will be more or less invisible. This cannot be correct.
- 9.99. No less than 46 trees or groups of trees are to be felled, which is preposterous in a Conservation Area. Only 22 would be retained. It is claimed that 88 new trees would be planted, but it is admitted that it would take at least 25 years for 'tree canopy' to be replaced.
- 9.100. We object to the demolition of a substantial part of 43-45 Banbury Road. This house is of special interest as it was designed by the distinguished architect Thomas Edward Collcutt (1840-1924) while he was in the office of G.E. Street. His best known works are the Imperial Institute, Lloyds Register of Shipping, the Savoy Hotel, and the Palace Theatre. He became President of the RIBA and received the Royal Gold Medal.
- 9.101. It is admitted that there would be 'some harm' to the Conservation Area, which is a serious understatement. The Appraisal emphasises the importance of the gaps between houses, and view beyond, and this has been stressed by Inspectors after Planning Inquiries. It also deplors the loss of front gardens, garden walls, etc.
- 9.102. Both we and others have been arguing lately, without success, that Oxford City Council pays far too little respect to the North Oxford Conservation Area. If this application is approved, our argument will be beyond dispute.

Oxford Preservation Trust

- 9.103. OPT are aware that the site forms part of the 'Banbury Road University Site', an allocated site within the adopted Local Plan under Policy SP31. Whilst the policy text states that planning permission will be granted for academic institutional uses, student accommodation, and/or residential development, the supporting text is clear that there are restrictions and considerations that need to be taken into account when redeveloping the site.
- 9.104. Paragraph 9.169 states that; "Any major redevelopment is unlikely to be suitable but there is some potential to intensify the existing use whilst respecting both plot patterns and boundary treatments. Development should be of a scale that respects the surrounding buildings."
- 9.105. Many of the existing buildings which sit on the site contribute to the character of the North Oxford Victorian Suburb Conservation Area or are listed. Plot B (from SP31, and the application site) is historically part of the late C19/early

C20 development of North Oxford and retains evidence of the planned “setting out” of this part of the city, characterised by large detached or semi-detached villas set back from the street behind boundary walls and the remains of front gardens.

- 9.106. More detailed guidance on the overall character of the application area and how it sits within the Conservation Area can be found within the Appraisal document. Banbury Road is identified as Character Area 6 within this document, and page 41 lists a number of negative features that can currently be found within this specific area. The majority of these features are as a result of institutional use of the existing buildings, which has led to an erosion of domestic character through things such as bright internal and external lighting, signage, loss of front gardens and unsympathetic modern development that inadequately replaces demolished houses.
- 9.107. Winchester and Bevington Roads sit within the North Parade Area (Character Area 7) in the Appraisal document. Here it states that there are many interesting gaps between buildings allowing an appreciation of large spaces behind. It goes on to say that the large spaces behind many of the Victorian houses allow for many interesting views across gardens or between buildings. It also acknowledges that where college campuses have developed on backlands north and south of the character area the views through gaps between houses have been blocked by the elevations of modern, institutional accommodation. The impact of this is particularly noticeable in Bevington Road.
- 9.108. Whilst the application site is an allocated site within the Local Plan, OPT feel that the amount of development being proposed constitutes a major redevelopment, with the majority of the site being built upon, including existing significant gaps on Bevington and Winchester Road. When assessing the proposals, alongside the Conservation Area Appraisal, it is clear that the scheme, as currently designed, will only exacerbate the existing highlighted negative features rather than improve on them. The amount of development proposed across the site will impact upon the wider character of the Conservation Area with the loss of gaps between houses and the loss of views of mature trees within plots to the rear of existing development.
- 9.109. OPT also consider that the proposed new academic departmental building, and the pavilion building take no reference from the adjoining development or the wider conservation area. In OPT’s first annual report published in 1927 it states the role of the Trust is to “guide positive change, not stop it”. The proposed buildings, whilst perhaps respectful in terms of height and scale, will sit at odds with the adjoining development, rather than enhancing it. The new academic building on Bevington Road resembles a number of other buildings that have recently been built in other parts of the city centre and there is nothing in the design to show consideration has been taken with regard to the unique features, and typical characteristics of this specific area. A requirement for respectful design to the surroundings is also found within Local Plan Policy DH3.

9.110. OPT urge Officers to consider if the proposals represent the Oxford tradition of promoting buildings of the highest quality, and whether they comply with the requirements of Policy SP31 which stipulates that any redevelopment of the site should respect the surrounding development. As this is the first of three closely located sites within the allocation to come forward, what is permitted is likely to set a precedent for the other sites, and so great care should be taken to ensure a high quality scheme is delivered, which could be used as the benchmark for future sites coming forward

The Victorian Society

9.111. The Victorian Society were notified of this application by the Oxfordshire Architectural and Historical Society. Previously, we took part in a pre-app consultation where we raised concerns with the proposal and the harm it would cause to the North Oxford Conservation Area. Unfortunately, the submitted proposals have not been substantially amended in line with our initial comments and therefore we submit this objection.

9.112. This development site lies within the North Parade and Banbury Road character areas of the North Oxford Conservation Area. The Conservation Area is significant in the development of Oxford in the 19th century and is notable for its association with notable architects and individuals connected with the University. Furthermore, the Conservation Area has high aesthetic significance due to the large number of fine 19th century buildings, notably substantial houses, many of which have now been converted to other uses.

9.113. The site is no exception and is characterised by the presence of large, detached, and semi-detached 19th century houses, some by significant architects such as 43-45 Banbury Road designed by T E Colcutt, sitting in spacious plots. While many remain in residential use, some have been converted institutional use. The Conservation Area Appraisal notes features which contribute to the significance of the Conservation Area in these character areas, such as spacious front gardens, spaces between houses, large rear gardens, and mature trees. It also notes negative features such as extensions which infill the spaces between historic buildings, loss of front gardens and overdevelopment.

9.114. This proposal would see the development of the existing rear gardens of properties on Winchester and Banbury Roads with mainly lower scale buildings, and some larger buildings directly abutting the existing roads. The density of this development would be high, historic garden boundaries would be demolished, and mature trees felled leaving little of the existing large rear gardens intact and compromising views through the existing spaces between the buildings. This would harm many of the noted positive features of the Conservation Area which contribute to its significance.

9.115. The Victorian Society recognise that in the local plan this site is earmarked for development for use by the University, however, we also note that paragraph 9.169 states:

9.116. 'Any major redevelopment is unlikely to be suitable but there is some potential to intensify the existing use whilst respecting both plot patterns and boundary treatments. Development should be of a scale that respects the surrounding buildings.'

9.117. These proposals are a major redevelopment and in many aspects do not respect existing boundary treatments. These proposals would harm the significance of the Conservation Area and therefore we object to the application.

9.118. 9 letters of representation have been received from properties located in North Parade, Acer Walk, Banbury Road (Gees) and Winchester Road. The comments can be read in full on the Oxford City Council planning website. In summary, the main objections/issues raised are:

- Increase noise and disturbance
- Overlooking and loss of privacy
- Impact on neighbouring listed buildings
- Impact on the Conservation area
- Increased overshadowing
- Overbearing impact
- Increased light spill and light pollution
- Development should be considered against the other linked allocated sites in the local plan
- Impact on business during the construction phase including working hours etc
- Development will have an adverse impact on businesses
- Loss of daylight and sunlight
- Impact on outlook
- Air source pump noise
- Impact on trees and loss of trees
- Oculus would cause light pollution
- There is an exit indicated from the site to North Parade. None of the plans shows where this actually is.
- Impact on tenants during the construction period
- The architecture is interesting and appealing
- Noise generating elements should be located away from the boundary
- Change in ambience
- Contrary to North Oxford Victorian Suburb Conservation Area Appraisal
- Will the college contribute to upgrading North Parade

- Biodiversity net gain
- Inaccuracies within the document
- Does not respect the pattern of development in the area
- The public benefits do not outweigh the harm to the Conservation Area
- Impact of ground and surface water
- Balconies create overlooking
- SASC is not subservient

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- a. Principle of development
- b. Design and Impact on the Historic Environment
- c. Impact on Neighbouring Amenity
- d. Highways
- e. Sustainability
- f. Biodiversity
- g. Drainage and Flooding
- h. Environmental Health
- i. Other matters

a. Principle of development

10.2. The application site is an allocated site within the Oxford Local Plan (OLP) 2036 'Policy SP31 Banbury Road University sites'. Policy SP31 sets out the requirements for the site.

Policy SP31: Banbury Road University Sites



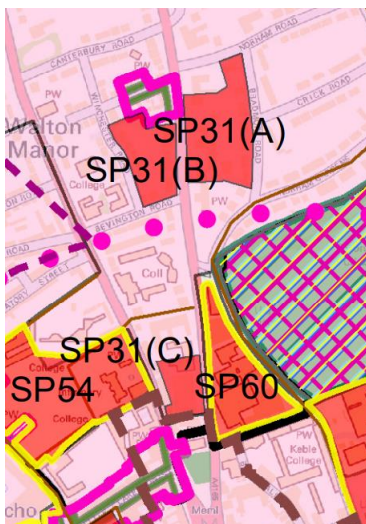
Planning permission will be granted for academic institutional uses, student accommodation, and/or residential development at the Banbury Road University Sites. Residential development could include employer-linked affordable housing in accordance with Policy H3. The minimum number of homes to be delivered is 60. Other complementary uses will be considered on their merits.

The site would only be suitable for academic institutional uses provided that the requirements of Policy H9 are met.

Pedestrian and cycle links should be enhanced through Plots A and C and to the University Science Area and Radcliffe Observatory Quarter.

Planning permission will only be granted if it can be proven that there would be no adverse impact upon surface and groundwater flow to the New Marston SSSI. Development proposals should reduce surface water runoff in the area and should be accompanied by an assessment of groundwater and surface water. Development proposals must incorporate sustainable drainage with an acceptable management plan. All proposals should minimise impact on air quality during construction phase and after implementation, particularly if they comprise of employment uses.

- 10.3. Policy SP31 of the OLP covers three separate plots in North Oxford. The supporting text in the policy states that “Any major redevelopment is unlikely to be suitable but there is some potential to intensify the existing use whilst respecting both plot patterns and boundary treatments. Development should be of a scale that respects the surrounding buildings.”



- 10.4. Policy SP31 of the OLP states that planning permission will be granted for academic institutional uses, student accommodation, and/or residential development, it also allows for academic institutional uses provided that the requirements of policy H9 are met. The allocation also requires a minimum of 60 homes which is the equivalent of 150 bedrooms to be delivered across the sites. The application seeks to provide 130 student rooms with the application stating that the remaining numbers in the allocation will be provided on the remaining plots within the allocation.
- 10.5. Policy H8 of the OLP allows for new student accommodation on sites which is allocated in the development plan. In addition planning permission will only be granted if:
- a. student accommodation will be restricted in occupation to fulltime students enrolled in courses of one academic year or more, subject to the provisions of criterion e below; and
 - b. for developments of 20 or more bedrooms, the design includes indoor communal amenity space for students to gather and socialise; and
 - c. a management regime has been agreed with the City Council that will be implemented on first occupation of the development ; and
 - d. the development complies with parking standards that allow only operational and disabled parking, and the developer undertakes and provides a mechanism to prevent residents from parking their cars anywhere on the site, (unless a disabled vehicle is required), which the developer shall thereafter monitor and enforce; and
 - e. a management strategy is agreed if it is intended there will be occupants other than students meeting the definition set in criterion a) outside of term times.
- 10.6. The application is proposed for full time students of the University, it includes internal communal space such as the pavilion, a management regime will be secured via condition, and the parking is limited to disabled spaces. The proposal complies with the requirements set out in Policy H8.
- 10.7. Policy E2 of the OLP states that planning permission will be granted to support the growth of the University of Oxford through the redevelopment and intensification of academic and administrative floorspace on existing University of Oxford and college sites and where it can be demonstrated that policy H9 can be met.
- 10.8. Policy H9 of the OLP links redeveloped and refurbished university academic facilities to university provided residential accommodation. The policy states that planning permission will only be granted for new academic, research or administrative accommodation where it can be demonstrated that a) the new accommodation would not generate or facilitate any increase in student numbers or b) the number of the their full-time taught course students living in Oxford in non-university provided accommodation does not exceed 2,500 at the time of the application.

- 10.9. The application confirms that the new SASC academic building will not lead to an increase in student numbers as the students attending will be from the existing student population.
- 10.10. The most recent annual monitoring report shows that the number of students at the University of Oxford in non-university accommodation is currently under the threshold set out in the policy and therefore the development complies with this aspect of Policy H9.
- 10.11. The OLP states in Policy H2 that planning permission will only be granted for residential development if affordable homes are provided in accordance with the range of criteria. Contributions towards affordable housing provision will not be sought where the proposal is within an existing student accommodation site or comprises the redevelopment of an existing purpose built student accommodation site which is owned by a university and which will continue to be owned by a university to meet the accommodation needs of the its students. In this instance, the proposal accords with the exceptions criteria as the site is within an existing student accommodation site as well as the proposal comprising a redevelopment and/or intensification of a site where the main existing use is student accommodation. Therefore, there is no requirement for the applicant to make a financial contribution towards off site affordable housing.
- 10.12. The allocation also requires the proposal to consider the impact of any development on the New Marston SSSI. The application is supported by a drainage and flood risk strategy which assess the impact on the SSSI and concludes that “we do not consider this change in the hydrogeology impactful upon recorded SSSIs and SAC’s given the distance to these features, the closest of which is 687m. Each of these sites lies adjacent to controlled surface water features (River Cherwell and River Isis) and are directly influenced by upstream water flows and the extensive river floodplains which are prominent”
- 10.13. In the consideration of the application it is also important to understand the context of this part of North Oxford, comments have been received relates to the intensification of institutional uses in this part of Oxford. The University have provided a plan outlining the existing academic uses surrounding the site.



10.14. It is clear from the plan and looking at the neighbouring uses that the intensification of the academic student use of the site would not be out of keeping with the wider uses in the area.

10.15. The principle of development is therefore acceptable and would comply with the requirements of the site allocation and relevant OLP planning policies outlined above.

b. Design and Impact on the Historic Environment

Design

10.16. Policy DH1 of the OLP states that planning permission will only be granted for development which shows a high standard of design, and which respects the character and appearance of an area and uses materials appropriate to the site and surroundings.

10.17. Policy DH2 of the OLP relates to views and building heights. The policy seeks to retain significant views both within Oxford and from outside, in particular to and from the historic skyline. Planning permission will not be granted for development proposed within a view cone or the setting of a view cone if it would harm the special significance of the view.

10.18. Policy DH3 of the OLP refers to heritage assets and states that planning permission will be granted for development that respects and draws inspiration from Oxford's unique historic environment (above and below ground), responding positively to the significance character and distinctiveness of the heritage asset and locality. For all planning decisions affecting the significance of designated heritage assets, great weight will be given to the conservation of that asset and to the setting of the asset where it contributes to that significance or appreciation of that significance.

10.19. Policy RE2 of the OLP sets out that planning permission will be granted where development proposals make efficient use of land. The policy sets out that any development shall have a density that is appropriate for the site, the

scale, height and massing should conform to the other policies in the OLP, built form and site layout must be appropriate for the capacity of the site.

10.20. The design strategy for the development is set out in the Design and Access statement submitted with the application:

10.21. *“The overall site strategy is based on the concept of weaving and inserting new buildings between and adjacent to existing buildings, whilst preserving east-west views into and through the site. Buildings are unified through the approach to form and materiality, and linked by an extensive landscape-led design. Architectural differences emerge in response to the scale and unique characteristics of the immediate context.”*

10.22. The development comprises:

- The construction of six new student accommodation buildings.
- The conversion of 43 and 45 Banbury Road villa into student accommodation.
- The construction of a shared mixed use pavilion building (student facilities).
- The construction of a new academic departmental building, SASC.
- The construction of a new substation to provide capacity for the site.
- Partial demolition of structures to the rear of 11 and 12 Bevington Road to reconfigure circulation access and facilitate linked connection to the SASC.
- Partial refurbishment of the existing villa at 11 Winchester Road to house a Porters’ Lodge, post area, and an accessible bedroom.
- Partial demolition at ground floor of rear extension to 11 Winchester Road and construction of ancillary facilities.
- Demolition of garden structures and buildings, cycle storage and garden walls throughout site.
- Partial demolition and alterations to the boundary garden walls to facilitate access.
- Associated landscape works including removal of and planting of trees.
- Provision of vehicle and cycle parking and refuse storage.
- Repair and restoration of front boundary walls and railings.
- Repair and partial reconstruction of the conservatory at the rear of 59 Banbury Road.

10.23. The new departmental building (SASC) would be located on the southern edge of the site. The building will be located adjacent to a number of Oxford School of Global and Area Studies (OSGA) student centres. The proposal and location of the building seeks to create greater links between these academic communities. The new SASC building would create a dedicated building for the study of The Association of Southeast Asian Nations (ASEAN). The building would comprise teaching spaces, study spaces, meeting, support and ancillary spaces. The University state that the location of the building is critical to create a strong connection between the departments and groups.

10.24. The graduate student accommodation would provide 130 units which would be located across 6 new buildings in addition to the existing villa building 43-

45 Banbury Road which is currently in academic use. A new student accommodation building would be provided along Bevington Road and the rest of the student accommodation would be located within the middle of the development site in separate buildings.

- 10.25. To the north of the site the scheme seeks to provide a new student pavilion. The pavilion would include a communal space, common room, kitchen, library space, reading room and office. Policy H8 of the OLP requires new student accommodation to provide a communal area. As part of the alterations to 11 Winchester Road internal plant, refuse and storage will also be incorporated. In addition the air source heat pump and covered cycle storage is located by the pavilion.
- 10.26. The scheme is landscape led with a north-south pedestrian route through the site creating a circulation route connecting the buildings and entrances to the site. The main entrances to the site are between 45-47 Banbury Road and 10-11 Winchester Road. The main entrance to the new SASC building would be located between 12 and 13 Bevington Road. Other entry points are also proposed for more direct access to the individual accommodation blocks.
- 10.27. A number of objections have been received with regard to the design, quantum of development and impact on the Conservation Area and neighbouring Listed Buildings.
- 10.28. The development has been designed within the context of the Conservation Area and the NOVSCA. This has required the villas enclosing the site to be retained and the development to sit within the site whilst paying close attention to the gaps, heights and positioning of the main villas.
- 10.29. To the south of the site are the proposed larger buildings taking advantage of the existing large villas and existing gaps in the perimeter of the site. The new buildings have been designed to sit below the heights of the surrounding villas to create a sense of subservience, allowing the existing buildings to retain their primacy and thus seeking to preserve the overall character and appearance of the place as it is presently seen.
- 10.30. The more modest buildings are located to the north of the site. The design of single storey buildings at the north end of the site adjacent to the smaller buildings of North Parade and the northern part of Winchester Road shows a responsiveness to the immediate surroundings. This area of the site is in close proximity to other neighbouring properties as well as the closest listed buildings, 59 Banbury Road and Gees.
- 10.31. Where taller buildings are proposed at this end - fundamentally the two storey building range HC2 which is proposed to be sited alongside the southern boundary of the glasshouse site the slab datum is set below the AGL of the Gees site and so the comparative building height is proposed to be lower than the ridge height of the former glasshouse. Additionally, the intervening boundary wall would reduce the apparent building mass as viewed from within the garden/grounds/internal spaces of the glasshouse.

- 10.32. The pavilion is proposed to be a single storey building inspired by the glasshouses and conservatories historically linked to the site, with the lantern creating a focal point. The pavilion/common room is proposed to consist of a standing seam zinc roof and simple glulam timber and steel sections with a slight taper to create a sense of slenderness.
- 10.33. The proposed accommodation buildings would be divided by the colleges. The Hertford College accommodation (HC1 – 2 storey, HC2 – 2-storey) and HC3 – up to 3 storey). These buildings have been designed to reflect their location on the site with HC2 being lowered due to its relationship to Gees Restaurant. Due to the location of HC3 there is height added to the middle in the least harmful way.
- 10.34. The Reuben College and Kellogg College accommodation (RC and KC1) are located in the centre of the site. The two blocks are separated into two halves which are connected by a lightweight bridge at first floor level.
- 10.35. Across all accommodation buildings there is a predominant language of brick, simply detailed in keeping with the NOVSCA character. The brickwork and lintels around windows and at the base of the building are proposed to be whitewashed in a limestone texture. A finer articulated façade is proposed for upper floor levels where slender, projecting mullions and decorated fibre cement panels are introduced.
- 10.36. The larger buildings would be located to the south of the site on Winchester Road. The new (SASC) departmental building would be located in the south west corner of the site. This building has been designed as part of a family of departments that work together in the immediate area to facilitate a connection with their neighbours in the field of international study at St Anthony's and the School of Global and Area Studies at 11, 12 and 13 Bevington Road. Oxford Preservation Trust (OPT) object to this building and consider its design out of keeping with the neighbouring buildings. The building would have an overall height of 13.6m which is not dissimilar to the height of no.1 Winchester Road at 12.6m. The design makes reference to the architectural vernacular of countries/places linked to the academic work of the department. This distinctive response would allow the new building to be read as such, a modern intervention that will not take away from or diminish the important character and architectural integrity of the existing and by definition the original suburb. With regard to this building Historic England state *“Building on this site would cause a degree of harm to the significance of the conservation area as an established characteristic of the layout of the suburb was the intention that each residence would have a good-sized garden to accompany the family home and the proposed development of this space would diminish that character (harm being less than substantial at the lower end). However, we can see potential benefits to the street scene of creating a substantial building on this site as the corner plot of 13 Bevington Road does have a somewhat awkward appearance along Winchester Road owing to its detached nature and height. A four-storey block here wouldn't appear out of scale height-wise with the buildings it would sit adjacent to.”*

- 10.37. The new accommodation building located along Bevington Road has also been designed to reflect the scale of the neighbouring buildings. The Victorian Group of the Oxfordshire Architectural and Historical Society (OAHS) object to this new building - its design, height and scale as well as the changes to 43 and 45 Banbury Road. The building would have an overall height of 7.6m (no.11-12 Bevington Road is 7.9m) These new perimeter buildings have been designed to reflect the pattern and scale of the existing perimeter buildings, with them being set back to allow for a frontage which can be landscaped to bring much relief to the street scene and to allow for enhancements to the frontages as well as to the Conservation Area. With regards to this building Historic England state *“The student accommodation building along Bevington Road also appears sensitive in scale, and whilst proposed in a contemporary architectural form appears high quality and responds well to its context, and from the submitted information and would sit comfortably within the streetscene. Furthermore, the proposed additions to 43 & 45 Banbury Road are modest and would not harm the character of the Conservation Area.”* The gap between the buildings would allow for the building to sit comfortably within the site and between the neighbouring buildings. In addition the overall height and location would be in keeping with those in the vicinity and therefore would not be considered out of scale. Whilst officers understand the concerns raised by the amenity groups, it is considered that the buildings are well designed and Historic England raises no objection to their design, scale or relationship with the neighbouring buildings.
- 10.38. Overall the biggest change occurs in the centre of the site where presently neglected “gardens” or open spaces would be lost, although this loss would be in part mitigated by the planting of spaces between new and existing buildings that would increase the amount of well-planted and purposefully landscaped land in comparison to what is presently neglected ‘gardens’ or open space. The new residential buildings have been designed to appear subservient to the large, Victorian villas. The buildings proposed have modest footprints with a tight depth of plan taking account of the desire to create good internal spaces and study bedrooms that work as clusters rather than corridors. Brick walls and tiled pitched roofs respond to the pervading architectural language of the suburb but the imperative to build the most sustainable buildings possible has driven the form of the buildings, the appearance of the external envelope and the expression of architectural language, including detail. The principle that underpins the architecture is one of highly crafted buildings and this accords completely with the principles of the Victorian Architects who established the design principles, architecture and landscape for North Oxford Suburb in its original incarnation. There is a symbiosis which should allow this “new” place to sit comfortably alongside its neighbours.

Impact on the Conservation Area and views

- 10.39. Policy DH2 of the Oxford Local Plan refers to views and building heights. Policy DH3 refers to heritage assets and states that planning permission will be granted for development that respects and draws inspiration from Oxford’s unique historic environment (above and below ground), responding positively to the significance character and distinctiveness of the heritage asset and locality. When considering the impact of a proposed development on the

significance of a designated heritage asset, paragraph 199 of the NPPF states that great weight will be given to the conservation of that asset. In addition officers are required to take account of Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended, that requires in considering a planning application, that special attention is paid to the desirability of preserving or enhancing the character or appearance of the conservation area, and section 16 of the NPPF which states that, with respect to buildings or other land in a Conservation Area and its setting, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

- 10.40. The site is located within the North Oxford Victorian Suburb Conservation Area and more specifically a section of the site is located within the North Parade Character Areas (Bevington Road and Winchester Road and most of the central area of the site) and the other section is located within the Banbury Road Character Area. OPT, OAHs and The Victorian Society raise objections to the impact of the development on the Conservation Area, the impact on the gaps in the Conservation Area, the continued institutionalisation of the area and loss of views.
- 10.41. The features highlighted within the North Parade Character Area is the greater variety of buildings, the framing of buildings, gaps between the houses revealing larger spaces and smaller mature and ornamental gardens. In addition a key view from this character area is the spire of St Phillip and St James.
- 10.42. The Conservation Area Appraisal (CAA) states that in this character area *“The mix of date, style and scale is reflected in the variety of building materials. There are bricks of various types and some stucco. Roofs vary in pitch and materials. Sash windows predominate though there is diversity here too, from Georgian examples with glazing bars and original glass to Victorian Gothic arched openings with large sheets of glass”* It also recognises the institutional uses that are present within the area *“The signs of institutional use are widespread: strip lighting, louvre blinds, signage, standardised paintwork, front gardens given over to bins and parking. On the south side of Bevington Road St Anne’s College has acquired houses backing onto its campus, with unsympathetic internal and external treatments evident from the street.”* Going on to state *“The large spaces behind many of the Victorian houses allow for many interesting views across gardens or between buildings. Where college campuses have developed on back-lands north and south of the character area the views through gaps between houses have been blocked by the elevations of modern, institutional accommodation. The impact of this is particularly noticeable in Bevington Road.”*
- 10.43. The CAA also highlights the negative features of this character area which includes, the loss of front gardens, car parking, intrusive alterations to existing buildings, loss of gaps between buildings and light pollution.
- 10.44. The features highlighted in the Banbury Road Character Area are characteristics such as high quality buildings, diversity of buildings, trees and large houses set back from the street.

- 10.45. The Conservation Area Appraisal highlights the inclusion of poor surfacing material and the dominance of parking for private cars set against the large houses which benefit from a range of designs and materials. It also recognises the institutional uses that are more present as you get closer to the city centre which bring with them negative features such as corporate branding, office style lighting, signs and logos.
- 10.46. The NOVSCA also highlights the significance of the Conservation Area. The NOVSCA has an architectural language that creates a strong underlying character and appearance that contributes to a singular, unified sense of place. The frontages, where these survive and rear gardens create a strong, green character and appearance with large trees as well as smaller fruit trees, in rear gardens that survive as evidence of a particular ethos or philosophical approach to domestic living that underpinned the suburb at its foundation. The principal roads, Banbury and Woodstock with larger villas in generous plots interspersed with Institutional buildings, such as Wycliffe College designed and built as such as well as groups of villas, added to and merged to be occupied by institutions, colleges and private schools as well as University academic departments. These villas are set back from the road in what were historically gardens enclosed by brick walls. On frontages walls are low often displaying evidence of lost ironwork railings.
- 10.47. The site's contribution to the significance of the Conservation Area is its strong plot character, with large residential Victorian villas set in generous plots, the homogenous variety of the villas (designed by a small number of architects) that make up the block, and the multi-sensory perception of verdant tranquil back gardens from the surrounding streets.
- 10.48. The significance in the Conservation Area is primarily derived from character and appearance. With the character and appearance of each area being different. The larger villas on Banbury Road – more architectural significance, grander more opulent buildings detached with larger gaps between them. The smaller semi-detached or terraced villas on Bevington and Winchester Roads, a tighter rhythm and narrower gaps. The Conservation Area character and appearance is very often described by views – what you see and how the views are framed. The Banbury Road benefits from larger gaps that allow more views into the garden spaces behind – the contribution that trees in the rear gardens make to the views. Winchester Road has some larger gaps and these clearly offer the ability to understand the rear garden space and for it to make a contribution to the character and appearance of the Conservation Area but between the semi-detached villas the gaps are narrower and therefore the contribution of the rear space to the Character and appearance of the place is less important. Bevington Road again has some important, larger gaps. The rhythm of villas in the short section of the street that is part of the site is disrupted – unlike the continuous rhythm that exists on the south side of the street (St Annes). The gap that allows a long view, particularly into the rear of the Banbury Road Villas (proposed to be demolished) is significant in that it offers the opportunity to understand the character of the rear garden spaces and for these to make a contribution to the character of the public realm. It also benefits from distinctive landmarks. In North Oxford this is often church spires and here the spire is Pip and Jim. From within the Conservation

Area there are long views and shorter glimpses of this church spire and it makes a contribution to views of the suburban townscape.

- 10.49. The gaps between buildings allow views into the rear gardens or “in-between” spaces that also make an important contribution to the overall character and appearance of the Conservation Area by allowing views of the green, rear garden spaces and whose large trees contribute views of their canopies to the observer in the public realm, the streets and pavements outside the plots. This particular characteristic makes a greater contribution in the eastern part of the NOVSCA, to the east of the Banbury Road than in the central part, where this site lies, due to the greater generosity of plots and spaces between as well as the wider streets however the particular character of Banbury Road with notably large villas, larger on the eastern side, exhibits this characteristic whereas Winchester Road is characterised by a greater variety of architecture and essentially, tall pairs semi-detached villas or houses with narrower gaps between them and of a homogenous architectural language suggesting the use of “pattern-book” detailing introduced after the earliest phase of building in the NOVSCA, Park Town notwithstanding. Winchester Road is also significantly narrower than Banbury Road. Bevington Road on the southern boundary of the site displays the homogeneous architecture of a small number of villa types, those at the southern end of the site reflecting the architecture of Winchester Road together with the tighter plots with the exception of the corner plot at the junction of Bevington and Banbury Roads where the openness of the corner provided by the rear garden of the dominant Banbury Road villa (No. 45) affords long views northwards into the rear gardens of the enclosing villas.
- 10.50. A number of mature and semi-mature, large trees provide important longer views of upper tree canopies to observers standing in the public realm that contribute to understanding of the special character and appearance of the Conservation Area and this is particularly evident from Banbury Road where the larger tree canopies make a significant contribution to the viewers understanding of back gardens and “in-between” spaces and to the particular contribution that views of “rear gardens” make to the special character and appearance of the conservation area. Otherwise the rear gardens of those properties that are and have since the last quarter of the C20 been occupied by College and University, are neglected and do not offer the lush verdant appearance with its consequent sensory benefits (sound, smell) that the privately owned villas contribute to the special character and appearance elsewhere in the NOVSCA. Additionally, whilst a small number of mature/semi-mature trees survive in front gardens of the villas across the site the gardens themselves, again a consequence of institutional functions exhibit the sign of neglect, a precedence for functions such as car and bicycle parking and loss of any historic front garden character and appearance that would have been present at the original occupation of these villas.
- 10.51. To the north of the site sits North Parade, a narrow street of small scale buildings in comparison to the much larger villas. A number appear to be survivals of former buildings associated with the market garden/nursery and these can be seen as single-storey, gabled, timber clad buildings displaying characteristics similar to garden sheds or outbuildings that have been adapted

for a number of different uses from art galleries to cafés. The street has more recently been closed off to motor vehicles and supports outdoor occupation that enlivens the public space with numerous community and activities associated with the uses of the buildings. There are several narrow passageways/alleys that run south from North Parade providing access to ancillary buildings, including domestic buildings that sit to the rear of plots and that sit alongside the northern, walled boundary of the site. There is a higgledy appearance to the built form here which provides the backdrop to the grander buildings around the perimeter of the site. Roofs are juxtaposed one against the other and buildings sited on different alignments resulting in layering of roofs and building facades to create a tight knit mix of built form that is clearly apparent looking from the principal streets as glimpsed views but also from within the site and plots themselves.

- 10.52. From the site and the surrounding streets it is possible to glimpse views of the spire of the former church of St Phillip and St James (Pip and Jim) which was one of the first churches to be built to support the religious life of the suburb. The building is grade II*listed. This is an important landmark in the NOVSCA and from outside and is of cultural and historical as well as architectural value.
- 10.53. The west side of Winchester Road is occupied by St Anthony's College as well as a University departmental building all contained behind a high, coursed stone, boundary wall in which there are a number of gated entrances. The high boundary wall runs along the back-edge of the western pavement of Winchester Road turning the corner into Bevington Road at its southern end and continuing along the frontage of Bevington Road to the point where it meets the Woodstock Road at its western end.
- 10.54. The new buildings have been designed to sit significantly below the heights of the surrounding villas to create a sense of subservience, allowing the existing buildings to retain their primacy and thus preserving the overall character and appearance of the place as it is presently seen. The front gardens are proposed to be reinstated and restored to enhance the frontages and the Conservation Area
- 10.55. Importantly the new buildings have been sited, oriented and aligned to ensure that important views, principally glimpsed and kinetic but nevertheless significant that are presently experienced between villas and that allow views across the "in between" to the backs of villas beyond reinforcing the sense of a "middle space", are preserved and that the content of these views is not largely buildings but actually the spaces between them. This would enable the observer standing on the street, whichever street that is to have the sense of a gardened or landscaped "middle space" at the back of large villas thus preserving this important characteristic of the NOVSCA.
- 10.56. Officers acknowledge that the proposal would change the character and appearance of the site with the existing garden land being developed to a form a new student village and understand the concerns raised in the comments and objections with regard to further institutionalisation. The site is an allocated site where change is permitted. Comments have been received that the level of developed proposed goes beyond the policy requirements. Policy

RE2 of the OLP states that development must make the best use of site capacity. This requirement therefore has to be balanced with good design and impact on heritage assets. The supporting text of the allocation states *“Any major redevelopment is unlikely to be suitable but there is some potential to intensify the existing use whilst respecting both plot patterns and boundary treatments. Development should be of a scale that respects the surrounding buildings.”* and a number of comments and objections refer to this. Officers consider that whilst there is a large level of development proposed in the centre of the site, the overall scale, heights and pattern of the development is not considered to be a major redevelopment given that the existing villas are mainly untouched. In addition the nature of the existing use of the site and requirements of the allocation would inevitably lead to intensification and in this case further institutionalisation. Notwithstanding, the scheme seeks to improve the poor quality frontage which will reduce the visible effects of the institutionalisation of the site.

- 10.57. Comments and objections have also been received with regard to gaps and impact on views. The views study within the heritage, townscape and visual impact assessment submitted with the application seeks to interrogate the views in order to get that balance right, by allowing the site to be fully utilised whilst still preserving the character and appearance of the Conservation Area. The views study show how the buildings have been designed to sit behind the existing buildings so to retain the views between the buildings and to hold on to this notion of gaps and views that is highlighted in the CAA. Officers acknowledge that the views will change and elements of the proposal will become more paramount depending on your location as you past the site, notwithstanding, it is considered that the location of the buildings have been designed in a way to preserve the overarching principles of gaps and views between buildings. The new building along Bevington Road would be highly visible in the street scene. It can be seen that the overall height and form of the building would not be out of keeping with the larger villas it sits between with the design of the building breaking up the massing and the retention of large trees in key locations helps soften the view as well as providing a level of screening.
- 10.58. The new building on Winchester Road would close the existing gap in the street creating a loss of openness and as well as the loss of a prominent gap in the street scene as well as that openness that can be experienced behind. The new building benefits from a more contemporary design but like the new Bevington Road building has been designed to a scale and height that is reflective of the neighbouring buildings. The design of the building has also been considered to ensure that the massing is appropriate for the location given the fenestration detailing. At the other end of Winchester Road, more of the rear buildings would be visible, the tree between 10 and 11 Winchester Road is to be retained providing screening, in addition the buildings that are visible in this location are the lower buildings on the site.
- 10.59. North Parade comprises of a number of buildings backing on to the site. Views of the site are available in certain locations, with the tops of the lower building located close to the boundary being visible.

- 10.60. Moving back on to the Banbury Road. The scheme proposes alterations to 45 Banbury Road which will change its appearance, in addition the view between 45 and 47 Banbury Road would be partially filled with a new building which would alter the view but a gap is maintained between the new building and the existing building on Banbury Road.
- 10.61. Historic England state *“Visibility of the large villa gardens from outside streets is possible through glimpse views. However, the proposed street elevations indicate that whilst the new accommodation blocks within the centre of the site would be seen between some properties, the height and position of the new buildings together with proposed new tree planting is such that they would not be overly visible. The sense of there being only gardens behind the villas will change and therefore this element of the proposals would have a degree of harm to the experience of the conservation area (less than substantial at the lower end).”*
- 10.62. Officers consider that given that the overall height of the development sits within the existing built form in the area, the development is likely to have limited impact on long range views and would be seen in the context of the built development in the area and therefore would not have an adverse impact on the Oxford Skyline.
- 10.63. The proposal will change the character of this part of the Conservation Area, due to the scale, location, loss of the gardens and their walls and density of the development proposed.
- 10.64. There would be changes to glimpsed views – the sense as well as partial appearance of back gardens which make a contribution to the character and appearance of the Conservation Area and contribute to the present sense of place as experienced from the public spaces/streets. The harm caused would be through the appearance of new buildings or parts of buildings to the rear of the existing villas that would interrupt some of the glimpsed views through and across the back gardens to the backs of the buildings edging the urban block beyond removing in part the sense of gardens and openness that contributes to the character and appearance. Where the more obvious gaps created by gardens on the properties on Winchester Road and Bevington Road are located the loss of these gaps will be more apparent. There would not be total loss of all views, or indeed all sense of gardens in the spaces in between, and the design has sought to mitigate the harm through the alignment and siting of buildings and keeping their height and mass down, such that they would appear as subservient to the principal villas preserving the significance of the latter. It is considered that the level of harm caused would be less than substantial harm.
- 10.65. The scheme would see the loss of the rear garden walls and the subdivision of plots. The surviving garden boundary walls in the back gardens would be almost entirely demolished. Officers consider that these elements provide evidence of the original plot layout and as such they make a contribution to the character and appearance of the Conservation Area. The loss of these structures would be harmful to the character of the Conservation Area in that they define back gardens to properties which are in themselves important

elements of the Conservation Area. The siting and alignment of the new buildings has been designed in part to preserve the sense of historic garden plots, replacing garden walls with new building facades and in so doing preserving a relationship between principal buildings and the spaces that presently belong to each of them and it is considered that whilst this will not mitigate the loss of any historic fabric that survives it will partially mitigate the change to plots. The harm that would be caused to the character and appearance of the Conservation Area would be less than substantial harm.

- 10.66. In addition to the above given there will be the loss of the rear gardens. The retention of important trees and new planting in gaps preserves a sense of the green space between and behind villas. As with the loss of walls the loss of the open garden spaces to the rear of the villas would be harmful to the character of the Conservation Area. There would be some mitigation through the inclusion of individual garden spaces between the villas and the new buildings to the rear as well as between the new buildings. Overall the level of harm that would be caused would be less than substantial harm to the character or appearance of the Conservation Area.
- 10.67. The scheme has looked to keep hold and preserve the important characteristics of the Conservation Area with the retention of gaps and views, the retention of trees and the introduction of front gardens and railings whilst making the most efficient use of the site. The scheme seeks to create a new 'place' where it benefits from its own garden and where it incorporates other elements of the Conservation Area.
- 10.68. Comments have been received with regard to the quantum of development on the site and questions have been raised as to why the other plots in the allocation can't be utilised. Supporting information to address this point has been submitted outlining that the University do not consider that the other plots within the allocation have the ability to deliver on this level of development that is set out in the allocation due to ownership issues and the ways the site are used at the moment. The proposal allows for a student village to be created, allowing that level of interdependence between the students and departments.
- 10.69. It is considered that the development would result in a low level of less than substantial harm to the Conservation Area. As set out in paragraph 202 of the NPPF where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. Great weight is given to the conservation of the Conservation Area. The public benefits of the scheme are explored as part of the balancing exercise further in the report

Impact on Listed Buildings

- 10.70. In accordance with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, when considering whether to grant planning permission, "special regard should be given to the desirability of preserving a listed building or its setting or any features of special architectural or historic

interest which it possesses.” A finding of harm to the setting of a listed building gives rise to a strong presumption against planning permission being granted. The presumption can be outweighed by powerful material considerations.

- 10.71. Paragraph 206 of the NPPF states that “Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.”
- 10.72. There are two listed buildings amongst the properties that sit immediately adjacent to the development site. No 59 Banbury Road a grade II Listed Building. A detached villa completed in 1859 to the designs of Frederick Codd, an architect whose work can be seen prolifically throughout the NOVSCA and who was instigative in producing pattern books of designs and architectural details that were used by speculative builders across the Conservation Area. The building has a distinctive “Arts and Crafts” architectural language which distinguishes it from its neighbours which are more overtly Victorian Gothic in appearance. The other listed building is a glasshouse, originally built to support a nursery and market garden that occupied the triangle of land that is the site and that supplied the new owners of the burgeoning suburb with conservatory plants and fruit trees for their houses and gardens supporting the strong Arts and Crafts ethos established by William Morris and his associates and that underpinned the development of the suburb. The building has more recently been converted to function as a restaurant and sits within a relatively tight curtilage with modest garden areas enclosed by brick walls. Its significance primarily derived from the aesthetic/architectural value of the building. It is important to note that few villas in NOVSCA are listed. Those that are listed are deemed to have a very special architectural or historical significance that qualifies them for that particular statutory protection. No. 59 exhibits an interesting architectural language that is not typical of Frederick Codd’s NOVSCA work which is more generally seen in the form of “pattern book” details employed by speculative builders or follows the more typical Victorian Gothic vernacular of his fellow architectural contributors to the Conservation Area.
- 10.73. The building has a very strong Arts and Crafts appearance with applied timber framing a reference to crafted detail, swept and kicked eaves lines that reference an architectural language seen in buildings such as Webb’s Red House and which later transfers to the suburban housing of the early and immediately post war C20 as domestic revival architecture. The conservatory to the rear of the building is a feature that was frequently added to or included in the design of villas in the NOVSCA but that rarely survives. It is unclear from supporting documents as to the significance of this element of the building or indeed its contribution to the overall, architectural significance of the building although in terms of a type or function it does arguably add some conservation value.

- 10.74. Gees is a Grade II Listed Building currently in use as a restaurant. A surviving glasshouse from the former nursery, market garden that occupied the site. The significance of the building lies in its construction and materials that identify the building's original function which made an important contribution to the function of the surrounding conservation area in that it supplied the many plants and trees that populated the conservatories and gardens of the burgeoning suburb. The present setting of the building does not make a contribution to the building's significance it is merely the frontage and the garden plot on which it now sits.
- 10.75. The removal of the rear gardens and the walls would have a low level of less than substantial impact on the setting of 59 Banbury Road, The surviving garden boundary walls in the back gardens would be almost entirely demolished. Officers consider that these elements provide evidence of the original plot layout and as such they make a contribution to the character and appearance of the Conservation Area and the setting of the Listed Building. Gees would retain its boundary but the changes in its wider setting due to the development would change causing a low level of less than substantial harm.
- 10.76. With regard to the impact on the Listed Buildings Historic England state *"The proposed 2-storey student accommodation west of 59 Banbury Road would encroach on the garden of this architecturally accomplished villa, compromising its spacious setting. This would cause some harm to its significance. Likewise, the wider change to the setting of Gee's would cause a modest degree of harm, through eroding the historical villa garden setting and replacing it with built form. We conclude that the harm to these listed buildings would be less than substantial at the lower end."*
- 10.77. As set out in paragraph 202 of the NPPF Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. Officers are of the opinion that the development would result in less than substantial harm to the setting of the listed buildings. Great weight is given to the conservation of the setting of these listed buildings. The harm identified is considered to be on the lower end of less than substantial. The public benefits of the scheme are explored as part of the balancing exercise further in the report.

Landscaping

- 10.78. The proposal is a landscape led scheme. The intention of the design is to create a clear route through the site from north/south and vice-versa. Objections have been received with regard to the level of trees proposed to be removed in order to bring forward the scheme.
- 10.79. The application scheme calls for the removal of large numbers of trees, mainly from the central rear gardens core of the site, but more prominent frontage trees are largely retained. Policy G7 of the OLP states *"Planning permission will not be granted for development that results in the loss of green infrastructure features such as hedgerows, trees or woodland where this would have a significant adverse impact upon public amenity or ecological*

interest. It must be demonstrated that their retention is not feasible and that their loss will be mitigated.”

- 10.80. There would be some points of access into the “new place” that will preserve the existing access to the back of plots thus preserving the important sense and appearance of individual villas, detached or semi-detached that is so important to the character and appearance of place although it is acknowledged that security measures will need to be in place although this does not have to be any different to and in fact probably an improvement on the present arrangements.
- 10.81. There is proposed to be substantial improvement to public realm through the remaking of planted front gardens and reinstating railings and the identification of individual front gardens rather than the more sterile, combined spaces that have gradually evolved through use over many years.
- 10.82. There would be a variety of spaces created within the new development, with small pockets of quiet soft landscape (gardens) immediately to the rear of villas and then harder landscaped courtyards and in-between spaces linked together by the north south route/path. The topography of the site with a distinctly lower middle space will enable the observer to see both through spaces and over buildings in the middle preserving a sense of a space held by the traditional villas that ring the site. Key trees have been retained and enhanced by further planting and the layout within the scheme with the horse chestnut being centre in the new square lawn.
- 10.83. The landscape design has allowed for pockets and areas of spaces to be created which will improve and provide variety for the graduates living on the site. The introduction of considered planting help curate the spaces as well as acknowledging its garden roots with tree lined gardens being proposed between the existing and new buildings. The planting ranges from herbs and low level planting to larger scots pines which all add to the quality of the development and the quality of the spaces available for the graduates.
- 10.84. The scheme seeks to incorporate and introduce new semi mature trees along the streets. *“Limes (Tilia cordata) along Bevington Road and the southern part of Banbury Road and plane trees (Platanus acerifolia) along the northern section, mirroring the planes of Kellogg College opposite. Winchester Road will be planted with chestnut-leaved oaks (Quercus castaneifolia), Black Walnuts (Juglans nigra) and the European Nettle Tree (Celtis australis). The internal orchards will be local Oxford apple varieties with accent planting of Magnolias (M. acuminata and M. soulangeana)”* In addition the reinstatement and restoration of historic railings along Winchester Road, Bevington Road and Banbury Road. The front gardens along Banbury Road will be replanted with trees and the car parking removed. This planting will continue along Bevington Road with the inclusion of Holly Hedges to redefine the original garden boundaries. The Winchester Road gardens would also be restored with the addition of tree and hedge planting. 4 Disabled car parking spaces will be provided within the frontage of no.11 Winchester Road.

- 10.85. The application scheme calls for the removal of large numbers of trees, mainly from the central rear gardens core of the site, but more prominent frontage trees are largely retained. Furthermore, due to replacement planting proposals the canopy cover is predicted to be restored to a no development scenario quantum after 25 years, and to increase by 24% at 40 years post development. Therefore, the policy requirements set under G7 are demonstrated to have been met in a Tree Canopy Cover Assessment study.
- 10.86. Officers consider that the restoration and reinstatement of the front gardens add positively to the Conservation Area and are considered a public benefit of the scheme.

Archaeology

- 10.87. Policy DH4 of the OLP relates to Archaeological remains. NPPF paragraph 203 states that 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 directly or indirectly affect 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. NPPF Paragraph 205 states that 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.
- 10.88. The Conservation Area Appraisal sets out a statement of special interest which states that the area special interest is derived from the considerable potential for below ground archaeology. The site is located 120m from the extensive parch-mark complex in University Parks comprising Middle Neolithic-Early Bronze Age funerary and ritual monuments and later Iron Age and Roman rural landscapes. Furthermore, Roman remains have been recovered immediately to the north, east and south-west of the site boundary indicating additional Roman potential. Early Saxon burials are also known from the nearby area (for example Park Town) which may share a relationship with Roman burial grounds.
- 10.89. An archaeological evaluation undertaken in February-March 2023 by Oxford Archaeology did not identify any significant archaeological remains at this site and noted significant localised disturbance from 19th century gravel quarrying. However, as the trenching locations were due restricted because of the tree constraints and the sample size restricted because of the need to use a mini digger with limited bucket width, officers have therefore included a condition to secure a watching brief given the scale of the development and the proximity to multi-period archaeological remains. Mitigation measures can be secured via conditions. The public benefits of the scheme are explored as part of the balancing exercise further in the report

Harm to the historic environment and public benefits

- 10.90. Paragraph 199 of the NPPF states 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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 10.91. It is considered that the proposal would not lead to substantial harm to (or total loss of significance of) a designated heritage asset as set out in the NPPF and Planning Policy Guidance. The scheme is therefore considered to have less than substantial harm at the lower end. In line with Paragraph 202 of the NPPF any harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 10.92. The National Planning Policy Guidance sets out what is meant by the term public benefits:
- 10.93. "Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework. Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits, for example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit."
- 10.94. In Historic England's comments they state "The Council have many considerations to take into account and our comments focus only on those that pertain to the historic environment. Whilst we have identified areas of heritage harm it is our view that these are limited and constitute less than substantial harm at the lower end (both to the conservation area and the nearby listed buildings of 59 Banbury Road and Gee's). The Council must weigh up the heritage harm against the public benefits of the proposals and be content that they outweigh the considerable weight that must be afforded to the conservation of heritage assets, as set out the in NPPF."
- 10.95. There are aspects of the development that would have a harmful impact on the character and appearance and significance of the historic assets most notably the loss of the garden walls and rear garden and changes to the views experienced in the this part of the Conservation Area as set out in the report. The harm attributed to the archaeology can be mitigated through conditions.
- 10.96. The site is an allocated site for this type of development and therefore there is an expectation and understanding that some level of change will be required to the site as well as to the Conservation Area in order to fulfil the requirements of the allocation. Some of the objections received relate to the quantum of development and level of development. Officers consider that the quantum of development proposed is appropriate for the site. With the buildings being designed in varying heights to relate to where they are positioned on the site, ensuring the development seeks to retain views where possible. Officers do consider there is a fine balance in terms of the quantum

of development on the site – weighing up the impact on heritage assets whilst making an efficient use of the site.

- 10.97. There are a number of benefits associated with the scheme and due to the multifaceted nature of the building there are many direct and indirect benefits to the scheme.
- 10.98. The biggest public benefit is considered to be the introduction of student accommodation on the site. The development will provide 130 rooms.
- 10.99. The delivery of 130 rooms will help the Council meet the housing need for the plan period. In allocating the Winchester Road site there is an expectation that a minimum of the equivalent of 60 homes will be provided. A minimum number is attributed to each allocation to ensure that the Council meet their overall housing set out in Policy H1. The delivery of housing in a Local Planning Authority's area against its requirement is measured in the Housing Delivery Test (HDT) which was introduced by the Government in November 2018. There are sanctions for authorities that are not delivering the required number of homes, including potentially that applications be assessed against the presumption in favour of sustainable development, rather than against local planning policies.
- 10.100. The Housing Delivery Test applies a ratio to assess the number of student rooms equivalent to one home. This ratio was calculated using ONS data about the number of students occupying student-only HMOs, on average. The ONS data for Oxford is very similar to the national picture. The HDT uses the equation that for every 2.5 student beds provided, 1 C3 dwelling is released. Therefore using this methodology, this indicates that with a net gain of 130 student beds at Winchester Road that there is scope for 52 C3 houses to be released back to the rental market. This principle is embedded in the Housing Delivery Test, established by Central Government, and was tested in the Examination in the Local Plan.
- 10.101. The proposals have a number of positive attributes. The new buildings are of high architectural quality and seek to sit comfortably within their historic context, by careful consideration of their siting, height and bulk, and use of materials. The development would allow the reinstatement of the front gardens and railings which will enhance the frontages and the Conservation Area by removing hard standing and car parking which has been identified as negative elements to the Conservation Area. In addition there would be new tree planting which will further enhance the Conservation Area.
- 10.102. The proposals would provide an energy and carbon efficient building which uses Passivhaus principles. Passivhaus sets goals above and beyond BREEAM targets.
- 10.103. There are a range of economic benefits that the development will bring both in the shorter term during construction as well as longer term whilst in its operational stage such as jobs.

10.104. On the basis of the above, having given great weight to the conservation of the designated heritage assets, it is considered that the benefits of the scheme collectively would on balance outweigh the identified less than substantial harm and would comply with the requirements of paragraph 202 of the NPPF. As a result the proposals are considered to comply with the requirements of national and local planning policies in relation to the impact on designated heritage assets as required by section 16 of the NPPF and Policies DH1, DH2, DH3 and DH4 of the Oxford Local Plan 2036.

c. Impact on neighbouring amenity

10.105. Policy H14 of the OLP states that planning permission will only be granted for new development that provides reasonable privacy, daylight and sunlight for occupants of both existing and new homes. Policy H14 sets out guidelines for assessing development in terms of whether it will allow adequate sunlight and daylight to habitable rooms of the neighbouring dwellings.

10.106. Policy RE7 of the OLP states that planning permission will only be granted for development that ensures that standards of amenity are protected. This includes the amenity of occupiers and neighbours is protected in addition to not having unacceptable unaddressed transport impacts and provides mitigation measures where necessary. The development is located in close proximity to a number of residential properties specifically those located in Acer Walk, North Parade and Winchester Road. A number of objections have been received with regard to loss of sunlight, daylight and increased overshadowing, overbearing impact and impact on outlook.

10.107. The Pavilion and plant room are proposed to be located against the existing boundary wall which it shares with a number of commercial and residential properties located in North Parade and Acer Walk. The pavilion building has been designed to have a flat roof close to the boundary which then goes in to a mono pitch roof. At the boundary the pavilion building would have an overall height of 3.3m going up to a height of 7.2m. The existing wall ranges from 1.8m in height up to 2.6m.

10.108. Appendix 3.6 of the OLP sets out the 25/45 degree guidance that is applied when assessing the impact of development on sunlight/daylight. The guidance should be assessed in combination with other material factors. The application is supported with information relating to the 25/45 degree guidance as well as a sunlight and daylight report. On North Parade from records, it appears that no.4, 5A, 6, 7, 8 and 4 Acer Walk that are located on the boundary of the site contain residential uses with some of the properties having residential widows on the rear elevation.

10.109. In 2016 planning permission was granted to include a flat at ground floor level as well as first floor level at no.4 North Parade. At ground floor level is a living room which is located 1.9m from the boundary. The property benefits from two openings on this elevation and also has access to a small patio area. At first floor level located 8.4m away is a bedroom that has a window overlooking the site with regard to this window it is not considered to be

adversely impacted by the development. At ground floor whilst the development will be located close to the boundary due to the single storey nature of the pavilion, the development is not considered to adversely impact on outlook or have an overbearing impact.

10.110. No 3 North Parade and 3A North Parade sit back from the boundary and are already impacted by No.4 Acer Walk and are therefore not considered to be directly impacted by the development with regard to sunlight/daylight

10.111. 5A North Parade appears to have residential accommodation within the building but is also in use as a cafe. This building is set further away from the boundary (just over 9m) and therefore the separation distance is considered sufficient so that the development does not adversely impact on neighbouring amenity due to the modest height on the development buildings at this area of the site. No 6 is also considered sufficiently distanced from the boundary so not to be adversely impacted with regard to sunlight/daylight. 7 North Parade has an E use but has also had records of residential uses. Whilst there is an outbuilding located on the boundary, there are no windows on the building facing on to the development site and no windows from the development site directly overlooking the neighbours therefore the development is not considered to have an adverse impact. No. 8 North Parade (Gardeners Arms Pub) includes a first floor living room window to the rear but this is located over 15m away from the boundary and therefore is not considered to be adversely impact by the development with regard to loss of light, loss of privacy, outlook and overbearing impact.

10.112. No 4 Acer Walk is also located in close proximity to the development, the property is a residential property and the site also has planning permission to build a new dwelling on the site. The proposal has considered the impact of the development on the existing arrangement and the extant permission. The new dwelling would be located against the boundary the property shares with the application site. The new dwelling comprises light shafts and angled windows to allow daylight/sunlight to enter the new property. When the 25 degree angle is applied it is clipped by the new building. The room that is impacted benefits from other window openings and therefore whilst there will be an impact on the available daylight/sunlight given the availability of other windows and openings in the building, it is not considered to be harmful as to warrant refusal. The existing dwelling is set further back from the boundary wall and the development is not considered to have an unacceptable impact on the light available to the existing dwelling. There are no windows overlooking no.4 with only rooflights and roof lantern visible which are not considered to cause overlooking or loss of privacy.

10.113. Objections have also been received with regard to overbearing impact and impact on outlook. The development will be located in close proximity to the gardens and rear elevations of those residential properties located close to the boundary on North Parade and Acer Walk. The buildings on the boundary and single storey and maintain a flat roof in the closest locations, whilst officers acknowledge that the view will change due to the combination of the heights and design of both the development and the neighbouring property layouts, the development is not considered to have an unacceptable

impact in terms of outlook and the development is not considered to be unacceptable overbearing. Comments received relate to changes to the outlook and as the site is allocated, the outlook on to the site was always earmarked for change and it is considered that the scheme has been designed in a way to minimise the impact on the outlook whilst still ensuring an efficient use of the site.

10.114. No.1 Winchester Road is surrounded by the development site. Objections have been received relating to the scheme, the development has been amended to address the concerns raised in the objections.

10.115. With regard to sunlight/daylight the scheme complies with the 25/45 degree guidance when applied to the property and therefore whilst there will be a change to the setting of the property, the development is not considered to have an adverse impact with regard to sunlight/daylight. The taller elements of SASC align with the building line and the lower portion stepping out in to the site. Therefore it is not considered to be overbearing given the scale of the existing buildings in the vicinity. Block KC1 is located to the rear of no.1 Winchester Road, whilst there are windows facing on to the site at first floor level these serve a corridor and are in excess of 21m away from the rear elevation of the property. At ground floor the building sits on the boundary but is only single storey in this location. The development is therefore not considered to be overbearing or adversely impact on outlook due to the combination of the distances, heights and design.

10.116. With regard to overlooking and loss of privacy, the University have responded to the concerns raised by the neighbour and by officers and have sought to address overlooking and loss of privacy. Amended plans have therefore been provided. The amended plans show the removal of access to the balcony at the furthest northern and eastern points. These elements of the terrace will only be accessed for maintenance and a condition will be included to ensure that remains. With regard to a number of other windows on the north and east elevation external shutters (fins) have been included which will provide screening fins between the property and the building. These screening fins will also be applied to the rear windows of the SASC windows that may cause perceived and actual overlooking. These fins allow light to enter whilst blocking views as set out in the plans. The fins also allow the windows to be opened whilst again safeguarding privacy. In addition the University has confirmed that the boundary wall will be raised to 2m to help screening at ground level. The building to the rear of No.1 Winchester Road also does not contain windows that directly overlook the rear. Officers are satisfied that these amendments that will be secured through conditions will allow neighbouring privacy to be retained and that the scheme will not result in unacceptable levels of overlooking or loss of privacy.

10.117. Gees is a restaurant that shares a boundary close to the development site. A number of objections have been received with regard to impact on its amenity and business. There are concerns with regard to light pollution and the illumination from the lantern which is proposed on the building and the impact on the garden of Gees. Whilst officers acknowledge these concerns it is also acknowledged that Gees its self is a business which produces its

own levels of light pollution due to its own design, opening hours and nature of use. The site has been allocated as a development site and therefore it is expected that some level of light pollution would be produced from the development. The buildings behind Gees have purposefully been lowered to ensure that the impact is minimal and officers are of the opinion that given that the site is located in a built up area there is always likely to be some level of light pollution. The buildings in the vicinity are large and benefit from a number of floors and therefore even at the upper levels there is the potential for light spillage.

- 10.118. There are also concerns with regard to the impact of the construction phase on the amenity and ambience of Gees. As with any development there will be a level of disruption, conditions such as a construction management plan will be required to help mitigate this. With regard to construction hours, it would be unreasonable to impose working hours on a site that is located in a built up area within the City Centre, notwithstanding the general industry standard to working hours would still apply.
- 10.119. With regard to drainage, additional drainage information has been submitted and the County Council Drainage raise no objection to the proposals.
- 10.120. The development would bring with it a new level of general noise and disturbance due to number of students that will be living on site. The development will be managed by the colleges and the students will have adhere to certain standards with regard to behaviour. Whilst officers acknowledge there will be this level of disturbance, it is one that would be expected on a site that is allocated for student accommodation and therefore with the alongside the management of the site, officers do not consider that the development would bring with it an unacceptable level of disturbance and noise.
- 10.121. With regard to overshadowing the buildings have been designed to respond to the site and their surroundings, with a range of heights and locations. The largest buildings will be located on the peripheral of the site in gaps with lower buildings located alongside boundaries. The development is not considered to give rise to unacceptable levels of overshadowing.
- 10.122. Objections have been received relating to the location of the air source heat pump as well as other plant. The application was submitted with a noise assessment which was found to be acceptable with regard to noise generated from the development and Environmental Health raise no objection.
- 10.123. The proposal has been amended to overcome concerns with its impact on neighbouring amenity. Officers acknowledge that there would be a large change to the site and the way it looks and the activity levels which is to be expected for an allocated site of this size for this use. It is also acknowledged that there would be a lot of potential disturbance during the construction phase which is common with projects of this size, but the construction phase will still have to comply with good working practice. Officers are of the opinion that the scheme would not have an unacceptable impact on

neighbouring amenity with regard to loss of sunlight/daylight, loss of privacy and overlooking, overshadowing, impact on outlook and with regard to be overbearing. The scheme is therefore considered to comply with policies H14 and RE7 of the Oxford Local Plan.

d. Highways

10.124. Policy M1 of the OLP states that Planning permission will only be granted for development that minimises the need to travel and is laid out and designed in a way that prioritises access by walking, cycling and public transport. Policy M2 of the OLP states that a transport assessment must be submitted for development that is likely to generate significant amount of movement. Policy M3 of the OLP relates to car parking. Policy H8 of the OLP which relates to student accommodation states that students should not bring cars into Oxford. However it is recognised that's some disabled and operational spaces should be available. The scheme proposes to be car free with the expectation of disabled car parking spaces which is considered acceptable in this location. The site is located within a highly sustainable location and is in walking distance to a number of bus stops. The surrounding roads benefit from controlled parking zones (Walton Manor) and therefore the development is not considered to give rise to parking pressures on the surrounding highway. Oxfordshire County Council Highways have been consulted on the application and raise no objection to a car free development in this location. The application was submitted with a Transport Assessment.

10.125. The scheme proposes 7 disabled parking spaces with 4 being located within the frontage of no.11 Winchester Road one being located in the front of no.59 Banbury Road and two being located in the frontage of 47 and 49 Banbury Road. The frontages are already used for parking. This area would also allow for delivery and operational vehicles to access the site. Other entry points in to the site would be pedestrian only. Policy M4 (Provision of Electric charge points) of the OLP 2036 requires a minimum of 25% of parking spaces to be provided with charging points on non-residential developments, and adequate ducting should be provided to all spaces to enable additional charging points in the future as demand requires. As the development anticipates the creation of 7 car parking spaces for blue badge holders, at least 2 of them will need to be EV ready, in order to be compliant with policy M4

10.126. The TA sets out the cycle parking proposed for the site which is set out in the table below:

Land Use	Minimum Requirement	Proposed Provision
Hertford College Accommodation (HCA)	53	80
Reuben College Accommodation (RC);	24	24
Kellogg College Accommodation (KC1);	20	20
New Villa (KC2);	13	13
43 & 45 Banbury Road (KC3);	20	20
Southeast Asian Studies Centre	29	40
Hertford College Pavilion (HCP)	N/A (Mostly ancillary to Hertford College Accommodation)	10 additional spaces provided for occasional external visitors
Total	159	207

10.127. In addition the re-provision of cycle spaces for the existing buildings is also proposed:

Land Use	Re-provision of cycle spaces
7-8, 9-10, 11 Winchester Rd and 57, 59, 61 Banbury Rd	45
1-2, 3-4, 5-6 Winchester Rd and 47-49, 51-53, 55 Banbury Rd	76
11-12, 13 Bevington Rd and 43-45 Banbury Rd	18
Total	139

10.128. In total 346 cycle parking spaces are to be provided as part of the redevelopment of the site.

10.129. The Travel Plan submitted with the application sets out how the University seek to incorporate initiatives to encourage sustainable travel.

10.130. Whilst the application was submitted with a Construction Management Plan, further details are required and therefore a condition will be included requiring one to be submitted. In addition the specifics of the cycle parking is also required and will be conditioned.

10.131. As part of the development the County Council have asked for section 106 contributions towards a side road entry treatment at Bevington Road/Banbury Road secured through a S106. A comment was received regarding funds to upgrade North Parade but the County Council have not sought funds for North Parade and instead require funds to be used for Banbury Road/Bevington Road.

S106 Contributions

Contribution	Amount	Price base	Index	Towards
Highway works	£100,000	December 2022	Baxter	Side road entry treatment at Bevington Road/Banbury Road junction.
Highway works	£10,000	December 2022	Baxter	Cycle priority measures on Bevington Road
Total	110,000			

10.132. Subject to conditions and the S106 contribution Oxfordshire County Council Highways raise no objection to the development.

10.133. A comment was received regarding an access that is shown on the plans that links North Parade to the application site. This is an existing access path and no changes are proposed to the access.

e. Sustainability

10.134. Policy RE1 sets out the sustainability requirements for new major development. Planning permission will only be granted for development proposals for new build major developments (over 1000sqm) which achieve at least a 40% reduction in the carbon emissions from a code 2021 Building Regulations.

10.135. The University of Oxford also have their own Estates Services Sustainability Design guide which sets out what the University expects from new building projects in environmental terms.

10.136. The energy statement submitted with the application sets out how the scheme has been designed to meet the policy.

10.137. *“The buildings are being designed to Passivhaus Principles with a high performing fabric, strict airtightness targets and triple glazing used throughout the scheme.*

10.138. *Heating loads are very low, and no gas is proposed anywhere in the scheme with electrification of heat throughout. There has also been significant work in eliminating the need for active cooling as far as possible with all buildings except KC2 and KC3 being predominantly naturally ventilated. An optimisation process has been undertaken with the architect and design team to ensure natural ventilation can be used to mitigate the risks of overheating wherever possible. This includes high performance glazing and external shading.*

10.139. *High efficiency mechanical ventilation is used throughout in winter. The very low heat loads to Hertford College Accommodation (HCA which comprises HC1, HC2 and HC3), Reuben and KC1 accommodation buildings are met using direct electric heating. The very low heating and cooling loads to KC2 and KC3 are met using a high efficiency polyvalent 4-pipe air source heat pumps.*

10.140. *Air Source Heat pumps are also used to generate domestic hot water to the accommodation buildings.*

10.141. *The Pavilion Building uses an air source heat pump for heating. SASC is served by two separate air source heat pump systems – one for heating and one for cooling.*

10.142. *The scheme has been tested for overheating risk using the TM52 (SASC and the Pavilion) and TM59 (all sleeping accommodation) methodologies using a 2050s medium emissions 50th percentile weather file with all buildings passing the assessment.*

10.143. *Results for the Part L compliance modelling and their performance against the Oxford Local Plan 2036 target reduction of 40% in regulated emissions relative to a baseline”.*

- 10.144. As set out in the application, the development has been designed in two phases with regard to sustainability. Part of the development (SASC, the Pavilion, HCA, Reuben and KC1) will be developed in line with the 2013 Building Regulations. As set out in the energy statement the design of the development has occurred over a number of years. The design therefore was developed in line with the 2013 building regulations which were in force at the time of the design and a building control application as submitted to secure the design of part of the scheme to these regulations. KC2 and KC3 were subject to a redesign in late summer 2022. As such, KC2 and KC3 are designed in accordance with the 2021 regulations.
- 10.145. The proposal is compliant with policy RE1 of the OLP and the 40% target set out in the policy.

f. Biodiversity

- 10.146. Policy G2 of the Oxford Local Plan refers to the protection of biodiversity and geo diversity. An ecology Impact Assessment was submitted with the application.
- 10.147. The primary ecological interest within the application site is roosting bats. Based on the findings of internal inspections and emergence / re-entry surveys, as summarised in Table 5.1 of the Ecological Impact Assessment (EclA), it is my understanding that a total of 26 bat roosts were recorded within eight of the buildings. These roosts were assessed to be occasionally used day roosts, belonging to three common species: Common pipistrelle, Soprano pipistrelle, and Brown long-eared.
- 10.148. The Local Planning Authority has a duty to consider whether there is a reasonable likelihood of protected species being present and affected by development at the application site. The presence of a protected species that may be affected by the development is a material consideration in its determination of a planning application (paras' 98, 99 ODPM and Defra Circular 06/2005: Biodiversity and geological conservation).
- 10.149. The Local Planning Authority has a duty as a competent authority, in the exercise of its functions, to secure compliance with the Habitats Directive (Regulation 9(1) The Conservation of Habitats and Species Regulations 2017 '2017 Regulations')
- 10.150. The Habitats Directive is construed from 31 December 2020 to transfer responsibilities to UK authorities to enable it to function as retained EU law. This applies to European sites (SACs and SPAs) and European Protected Species, both in and out of European sites.
- 10.151. It is a criminal offence to deliberately capture, kill, injure or disturb protected species and against the damage or destruction of a breeding site or resting place of such an animal, unless it is carried out with the benefit of a licence from Natural England. The 2017 Regulations provide a licensing regime to deal with derogations.
- 10.152. Almost all roosts would be impacted by the proposed development. Five of the ten roosts within 43/45 Banbury Road will be destroyed under the proposals, with

most other roosts recorded within the application site subject to disturbance. The proposed development would therefore only be able to proceed under licence from Natural England. The local planning authority must consider the likelihood of a licence being granted when determining a planning application. This requires consideration of the so-called “three tests” development must pass to qualify for a licence, as set out in the 2017 Regulations::

10.153. a) The purpose of the development must be preserving public health or public safety or another imperative reason of overriding public interest; b) There must be no satisfactory alternative; and c) The development will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

10.154. Officers are satisfied that the development meets the 3 tests as it complies with planning policy and provides public benefits in the form of student accommodation which in turn frees up further housing within the city. As there are bats present on site there will always be a base level of disturbance to the site. The site is allocated for this type of development and the application details why it cannot be provided on the other sites. In addition the identified roosts are of low conservation importance and the proposed mitigation, including the installation of ten bat boxes with the new structures, will ensuring roosting opportunities remain post-development.

10.155. The Local Planning Authority should have regard, in exercising its functions, to conserve, restore and enhance biodiversity (section 40 Natural Environment and Rural Communities Act 2006). Officers are satisfied with the assessments relating to all other protected species, and that the potential impacts identified on nesting birds, reptiles, hedgehogs, and common toads can be suitably mitigated, and that these measures can be set out in a Construction Environmental Management Plan (CEMP).

10.156. Biodiversity net gain is a policy requirement for all major developments within the city. The submitted Biodiversity Metric 3.1 indicates the proposals will generate a net loss of -3.74 habitat units (-22.75%) and a net gain of +0.47 hedgerow units (+981.64%). The applicant will therefore require biodiversity offsetting, with 4.56 habitat units required to deliver 5% net gain and comply with Policy G2 of the Oxford Local Plan 2036. The offsetting will be secured through the S106 Agreement.

10.157. Subject to condition and the S106 Agreement the proposal is considered to comply with policy G2 of the Oxford Local Plan.

g. Drainage and Flooding

10.158. The site is located within Flood Zone 1 and is therefore deemed to be at a low risk of surface water flooding. The application was submitted with a Flood risk and Drainage Strategy Report.

10.159. Comments have been received with regard to drainage issues. With issues such as the accuracy of the report and the potential for the scheme to exacerbate flooding and ground water flows to the neighbouring properties. In response to

the comments further information was provided which concludes that the risk of this small volume of water being able to flow above ground and enter the garden of No. 1 Winchester Road is therefore negligible.

10.160. Oxfordshire County Council and Thames Water have raised no objection on drainage or flooding grounds.

h. Environmental Health

Contaminated Land

10.161. Historical documentation and plans indicate that the site has not had a previously contaminative use, with the possible exception of a former backfilled quarry located at the southern end of the site that may present a contamination risk. The submitted Phase I Desk Study and Phase II Site Investigation has been reviewed and it is considered that the extent of work completed is sufficient to characterise the likely contamination risks on site. The report confirms the absence of any significant contamination risks to future occupiers, construction workers and the surrounding environment with respect to soil and groundwater contamination and ground gas risks. However in case any unexpected contamination is identified during site development works the following condition should be added to any permission granted for the site, to ensure that the contamination is risk assessed and remediated as required. The proposal therefore complies with Policy RE9 of the OLP.

Air Quality

10.162. The baseline assessment shows that the application Site is located within the Oxford city-wide Air Quality Management Area (AQMA), declared by Oxford City Council (OCC) for exceedances of the annual mean NO₂ air quality objective (AQO). The air quality baseline desk assessment shows that current air quality levels at the application site are below relevant air quality objectives for NO₂, PM₁₀ and PM_{2.5} concentrations. Therefore, the location of the application site is considered suitable for its intended use - the introduction of future residents (new receptors) without mitigation.

10.163. An objection has been received with regard to ventilation from the kitchen, the kitchen in 11 Winchester Road is an existing kitchen. Notwithstanding, environmental health raise no objection.

10.164. The proposed development subject to conditions complies with policy RE6 OLP.

Noise

10.165. A noise Impact assessment was submitted with the application. Appropriate noise guidelines have been followed within the submitted report such as Noise Policy Statement for England, National Planning Policy Framework (NPPF), Planning Practice Guidance on Noise, British Standard 8233: 2014 "Guidance on sound insulation and noise reduction for buildings and BS4142:2014 +A1:2019 "Methods for rating and assessing industrial and commercial sound" and policy RE8 of the Oxford Local Plan 2036.

- 10.166. A number of the objections refer to increased noise both due to the siting of the air source heat pump and through general activity on the site.
- 10.167. With regard to general activity it is acknowledged that the scheme would bring with it increased activity and noise due to the intensification of the use of the site. The use of the site for student accommodation is not considered to raise the level of noise and activity to such a level that would be unacceptable or incompatible with the neighbouring properties. With the site being owned and managed by the University it is considered that there will be clear expectations in regard to the behaviour of the students and a clear site management hierarchy where neighbours will be able to report back to the site manager regarding unacceptable noise disturbances. With regard to noise from plant the proposed plant noise levels criteria have been adequately predicted at the identified receptors taking into consideration distance losses, surface acoustic reflections and, where applicable, screening provided by the building. Based on the results of the submitted noise assessment, noise limits for the proposed plant have been adequately calculated. The calculations show that the noise criteria of the proposed plant strategy will meet the Local Authority criteria during the operating period and should not have an adverse impact on the nearest sensitive receivers. Additionally, appropriate façade and ventilation strategies have been developed to ensure occupants are protected from excessive external noise.
- 10.168. Officers are therefore satisfied that the submitted acoustic submission meets the local plan guidelines given appropriate design choice of plant and therefore acceptable in environmental health terms.
- 10.169. The proposal would therefore comply with policy RE8 of the OLP and is acceptable subject to conditions.

Health Impact Assessment

- 10.170. A Health Impact Assessment has been submitted in accordance with policy RE5 which seeks to promote strong, vibrant and healthy communities and reduce health inequalities. A completed Health Impact assessment has been included with the application.
- 10.171. The conclusion that can be drawn from the submitted HIA is that the development would not have any notably adverse impacts in terms of health outcomes and overall impact on public health would be positive. The proposal therefore complies with the requirements of policy RE5.

i. Other Matters

- 10.172. Comments have been made with regard to the accuracy of the plans included with the design and access statement. The plan has been copied from the Council policy map and is not to scale. The full policy map can be viewed on the Council website.
- 10.173. It has been suggested that family homes could be provided on the site. The site is a Council allocated site which allows for student accommodation and therefore

the application complies with the Oxford Local Plan as outlined in the principle of development.

11. CONCLUSION

- 11.1. 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.
- 11.2. 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 11 detailing 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 NPPF. 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

- 11.3. Therefore in conclusion it is 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 are inconsistent with the result of the application of the development plan as a whole.
- 11.4. The proposal is considered to comply with the development plan. Where issues have been raised with regard to harm to the historic environment, in line with the NPPF, paragraph 202 has been engaged. Whilst some harm has been identified to the historic environment and whilst great weight has been given to the conservation of the designated heritage assets, taking into account all the material considerations, it is considered that the benefits to the scheme would outweigh the less than substantial harm that has been identified.

Material considerations

- 11.5. The principal material considerations which arise are addressed below, and follow the analysis set out in earlier sections of this report.
- 11.6. National Planning Policy: The NPPF has a presumption in favour of sustainable development. NPPF paragraph 11 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.
- 11.7. 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 11 is clear that planning permission should be

approved without delay. This is a significant material consideration in favour of the proposal.

- 11.8. The proposal seeks to provide new student accommodation and a departmental block in a sustainable location, the proposal will not have an unacceptable impact on neighbouring amenity or the historic environment and conditions have been included to ensure this remains in the future. The proposal will allow for sufficient cycle parking and will provide biodiversity enhancements.
- 11.9. It is therefore 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 Planning Services) 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. Subject to other conditions requiring updated or revised documents submitted with the application, 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 S1 of the Oxford Local Plan 2016-2036.

3. Prior to the commencement of development excluding demolition and enabling works a schedule of materials together with samples and sample panels 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 above ground and only the approved materials shall be used unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure high quality development and in the interests of the visual appearance in accordance with policies DH1 of the Oxford Local Plan 2016-2036.

4. Details of the windows (including details of the screening fins) and doors shall be submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be carried out unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a sympathetic appearance of the proposed development in accordance with policy DH1 of the Oxford Local Plan 2016-2036.

5. Prior to the commencement of development excluding demolition and enabling works, large scale drawn details and specifications of the windows, common room roof, roof lights and oculus lantern details shall be submitted to, and approved in writing by, the Local Planning Authority. Only the approved details shall be carried out unless otherwise agreed in writing by the Local Planning Authority. The solar PV panels shall be colour matched to the roofing material.

Reason: To ensure a sympathetic appearance of the proposed development in accordance with policy DH1 of the Oxford Local Plan 2016-2036.

6. Prior to occupation, details of the lighting and fittings shall be submitted to, and approved in writing by, the Local Planning Authority. Only the approved details shall be carried out unless otherwise agreed in writing by the Local Planning Authority.
The strategy shall:
Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
Show how and where internal and external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their breeding sites and resting places.

All internal and external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances shall any other external lighting be installed without prior written consent from the Local Planning Authority.

Reason: To ensure a sympathetic appearance of the proposed development and enhance the safety and amenity of residents in accordance with policies RE7 and DH1 of the Oxford Local Plan 2016- 2036 and to prevent harm to species and habitats within and outside the site during construction in accordance with The Conservation of Habitats and Species Regulations 2017 (as amended), The Wildlife and Countryside Act 1981 (as amended) and Policy G2 of the Oxford Local Plan 2036.

7. No development shall take place until the complete list of site specific dust mitigation measures and recommendations that are identified on Table 7.1 (pages 20-22) of the Air Quality Assessment that was submitted with this application, are included in the current site's Construction Environmental Management Plan (CEMP). The new (updated) version of the CEMP will need to be submitted to, and approved in writing by, the Local Planning Authority. The updated approved CEMP shall be implemented as approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the overall dust impacts during the construction phase of the proposed development will remain as "not significant", in accordance with the results of the dust assessment, and with Core Policy RE6 of the new Oxford Local Plan 2016- 2036.

8. Prior to the commencement of development, details of the Electric Vehicle charging infrastructure shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the following provision:
 - a. Location of EV charging points;
 - b. The amount of electric car charging points should cover at least 25% of the amount of
 - c. permitted parking of the commercial development;
 - d. Appropriate cable provision to prepare for increased demand in future years.
 - e. The electric vehicle infrastructure shall be formed, and laid out in accordance with these details before the development is first in operation and shall remain in place thereafter.

The approved details shall be implemented as approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: To contribute to improving local air quality in accordance with policy M4 of the Oxford Local Plan 2016-2036 and enable the provision of low emission vehicle infrastructure.

9. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work and historic building recording in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority. All works shall be carried out and completed in accordance with the approved written scheme of investigation, unless otherwise agreed in writing by the Local 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, Roman and Victorian remains in accordance with policy DH4 of the Oxford Local Plan 2016-2036.

10. Noise from new plant proposed as part of the development is to be mitigated at all times such that is no more than 44dB LAr,T during the day (6am-10pm) and 30dB LAr,T during the night (10pm-6am), when measured at the façade of all noise sensitive receptors when measured and corrected in accordance with BS4142:2014 +A1:2019 "Methods for rating and assessing industrial and commercial sound."

Reason: To ensure the amenity of occupiers and neighbours is not impacted by the proposed development in accordance with policies RE7 and RE8 of the Oxford Local Plan 2036.

11. Prior to use, the proposed plant installation and ducting at the development shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration isolated from the casing and adequately silenced and retained and maintained thereafter.

Reason: To ensure the amenity of occupiers and neighbours is not impacted by the proposed development in accordance with policies RE7 and RE8 of the Oxford Local Plan 2036.

12. The design and structure of the development shall be of such a standard that it will protect residents within it from existing external noise so that they are not exposed to levels indoors of more than 35 dB LAeq 16 hrs daytime (6am – 10pm) and of more than 30 dB LAeq 8 hrs in bedrooms at night (10pm-6am).

Reason: To ensure the amenity of occupiers and neighbours is not impacted by the proposed development in accordance with policies RE7 and RE8 of the Oxford Local Plan 2036.

13. Construction works and associated activities at the development, audible beyond the boundary of the site should not be carried out other than between the hours of 07:00 - 19:00 Monday to Friday daily, 08:00 - 13:00 on Saturdays and at no other times, including Sundays and Public/Bank Holidays, unless otherwise agreed with the Local Planning Authority.

Reason: To ensure the amenity of occupiers and neighbours is not impacted by the proposed development in accordance with policies RE7 and RE8 of the Oxford Local Plan 2036.

14. At least 21 days prior to the commencement of any site works, all occupiers surrounding the site located in North Parade, Church Walk, Winchester Road, Bevington Road and 43-75 Banbury Road should be notified in writing of the nature and duration of works to be undertaken. The name and contact details of a person responsible for the site works should be made available for enquiries and complaints for the entire duration of the works and updates of work should be provided regularly. Any complaints should be properly addressed as quickly as possible.

Reason: To ensure the amenity of occupiers and neighbours is not impacted by the proposed development in accordance with policies RE7 and RE8 of the Oxford Local Plan 2036.

15. No waste materials should be burnt on site of the development hereby approved.

Reason: To ensure the amenity of occupiers and neighbours is not impacted by the proposed development in accordance with policies RE7 and RE8 of the Oxford Local Plan 2036.

16. All waste materials and rubbish associated with construction should be contained on site in appropriate containers which, when full, should be promptly removed to a licensed disposal site.

Reason: To ensure the amenity of occupiers and neighbours is not impacted by the proposed development in accordance with policies RE7 and RE8 of the Oxford Local Plan 2036.

17. Any contamination that is found during the course of construction of the approved development that was not previously identified shall be reported immediately to the Local Planning Authority. Development on that part of the site affected shall be suspended and a risk assessment carried out by a competent person and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These approved schemes shall be carried out before the development (or relevant phase of development) is resumed or continued. If topsoil material is imported to the site the developer should obtain certification from the topsoil provider to ensure that the material is appropriate for the proposed end use.

Reason: To ensure that any soil and water contamination is identified and adequately addressed to ensure the site is suitable for the proposed use in accordance with the requirements of policy RE9 of the Oxford Local Plan 2016 - 2036.

18. No development shall be occupied until confirmation has been provided that either all water network upgrades required to accommodate the additional demand to serve the development have been completed or a development and infrastructure phasing plan has been agreed with the Local Planning Authority, in consultation with Thames Water, to allow development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Reason: The development may lead to no or low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development. In accordance with policy RE4 of the Oxford Local Plan 2036

19. No development shall be occupied until confirmation has been provided that either: 1. Foul water capacity exists off site to serve the development, or 2. A development and infrastructure phasing plan has been agreed with the Local Planning Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan, or 3. All Foul water network upgrades required to accommodate the additional flows from the development have been completed.

Reason: Network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents in accordance with policy RE4 of the Oxford Local Plan 2036

20. Prior to commencement of development, an application shall be made for Secured by Design Silver accreditation on the development hereby approved. The development shall be carried out in accordance with the approved details, and shall not be occupied or used until confirmation of SBD accreditation has been received by the Local Planning Authority.

Reason: To ensure the safety and amenity of occupiers and visitors in accordance with policy RE7 of the Oxford Local Plan 2036.

21. A Landscape Plan shall be submitted to, and approved in writing by, the Local Planning Authority prior to first occupation or first use of the development hereby approved. The plan shall show details of treatment of paved areas, and areas to be grassed or finished in a similar manner, existing retained trees and proposed new tree, shrub and hedge planting. The plan shall correspond to a schedule detailing plant numbers, sizes and nursery stock types.

Reason: In the interests of visual amenity in accordance with policies G7, G8 and DH1 of the Oxford Local Plan 2016-2036.

22. The Landscape Plan as approved by the Local Planning Authority shall be carried out no later than the first planting season after first occupation or first use of the development hereby approved unless otherwise agreed in writing beforehand by the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with policies G7, G8 and DH1 of the Oxford Local Plan 2016-2036.

23. Any existing retained trees, or new trees or plants planted in accordance with the details of the approved landscape proposals that fail to establish, are removed, die or become seriously damaged or defective within a period of five years after first occupation or first use of the development hereby approved shall be replaced. They shall be replaced with others of a species, size and number as originally approved during the first available planting season unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with policies G7, G8 and DH1 of the Oxford Local Plan 2016-2036.

24. Prior to first occupation or first use of the development hereby approved a Landscape Management Plan, including long term design objectives, management responsibilities and maintenance schedules and timing for all landscape areas, other than small, privately owned domestic gardens, shall be submitted to, and approved in writing by, the Local Planning Authority. The

Landscape Management Plan shall be carried out as approved by the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with policies G7, G8 and DH1 of the Oxford Local Plan 2016-2036.

25. No development shall take place until details of the design of all new hard surfaces and a method statement for their construction shall first have been submitted to and approved in writing by the Local Planning Authority and the hard surfaces shall be constructed in accordance with the approved details unless otherwise agreed in writing beforehand by the Local Planning Authority.

Details shall take into account the need to avoid any excavation within the Root Protection Area of any retained tree and where appropriate the Local Planning Authority will expect "no-dig" techniques to be used, which require hard surfaces to be constructed on top of existing soil levels in accordance with the current British Standard 5837: "Trees in Relation to Design, Demolition and Construction - Recommendations".

Reason: In the interests of visual amenity in accordance with policies G7, G8 and DH1 of the Oxford Local Plan 2016-2036.

26. No development shall take place until details of the location of all underground services and soakaways have been submitted to and approved in writing by the Local Planning Authority. The location of underground services and soakaways shall take account of the need to avoid excavation within the Root Protection Areas of retained trees as defined in the current British Standard 5837 "Trees in Relation to Design, Demolition and Construction - recommendations". Works shall only be carried out in accordance with the approved details unless otherwise agreed in writing beforehand by the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with policies G7, G8 and DH1 of the Oxford Local Plan 2016-2036.

27. No development, including demolition or enabling works, shall take place until a Tree Protection Plan (TPP) has been submitted to, and approved in writing by the Local Planning Authority. The TPP shall include such details as are appropriate for the protection of retained trees during development, and shall be in accordance with the current BS. 5837: "Trees in Relation to Design, Demolition and Construction - Recommendations" unless otherwise agreed in writing by the Local Planning Authority.

The TPP shall include a scale plan indicating the positions of barrier fencing and/or ground protection materials to protect Root Protection Areas (RPAs) of retained trees and/or create Construction Exclusion Zones (CEZ) around retained trees. The approved physical protection measures shall be in place prior to the commencement of any development, including demolition or enabling works, and shall be retained for the duration of construction, unless otherwise agreed in writing beforehand by the Local Planning Authority.

The Local Planning Authority shall be informed in writing when physical measures are in place, in order to allow Officers to make an inspection prior to the commencement of development. No works or other activities including storage of materials shall take place within designated Construction Exclusion Zones unless otherwise agreed in writing beforehand by the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with policies G7, G8 and DH1 of the Oxford Local Plan 2016-2036.

28. No development, including demolition and enabling works, shall take place until a detailed statement (the Arboricultural Method Statement (AMS)) has been submitted to and approved in writing by the Local Planning Authority. The AMS shall detail any access pruning proposals, and shall set out the methods of any workings or other forms of ingress into the Root Protection Areas (RPAs) or Construction Exclusion Zones (CEZs) of retained trees. Such details shall take account of the need to avoid damage to the branches, stems and roots of retained trees, through impacts, excavations, ground skimming, vehicle compaction and chemical spillages including lime and cement. The development shall be carried out in strict accordance with of the approved AMS unless otherwise agreed in writing beforehand by the Local Planning Authority.

Reason: To protect retained trees during construction in accordance with policies G7, G8 and DH1 of the Oxford Local Plan 2016-2036.

29. Development, including demolition and enabling works, shall not begin until details of an Arboricultural Monitoring Programme (AMP) have been submitted to and approved in writing by the Local Planning Authority. The AMP shall include a schedule of a monitoring and reporting programme of all on-site supervision and checks of compliance with the details of the Tree Protection Plan and/or Arboricultural Method Statement, as approved by the Local Planning Authority. The AMP shall include details of an appropriate Arboricultural Clerk of Works (ACoW) who shall conduct such monitoring and supervision, and a written and photographic record shall be submitted to the LPA at scheduled intervals in accordance with the approved AMP.

Reason: In the interests of visual amenity in accordance with policies G7, G8 and DH1 of the Oxford Local Plan 2016-2036

30. Prior to occupation of the development, details of ecological enhancement measures including at least ten bat roosting devices, ten bird nesting devices, and two insect nest boxes shall be submitted to and approved in writing by the Local Planning Authority. Details must include the proposed specifications, locations, and arrangements for any required maintenance. The approved devices shall be installed prior to occupation of the approved development and retained as such thereafter, unless otherwise approved in writing by the Local Planning Authority. Any new fencing will include holes suitable for the safe passage of hedgehogs.

Reason: To comply with The Conservation of Habitats and Species Regulations 2017 (as amended), The Wildlife and Countryside Act 1981 (as amended), and to enhance biodiversity in Oxford City in accordance with paragraph 174 of the National Planning Policy Framework and Policy G2 of the Oxford Local Plan 2036.

31. If any phase of the development does not commence within a year of the bat roost surveys within that phase, or having commenced is suspended for more than one year, then further survey work shall be commissioned to establish if there have been any changes in the presence of protected species, and identify any likely new ecological impacts that might arise from any changes. Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, new ecological measures, and a timetable for their implementation, will be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Works will then be carried out in accordance with the approved ecological measures and timetable.

Reason: To comply with The Conservation of Habitats and Species Regulations 2017 (as amended), The Wildlife and Countryside Act 1981 (as amended) and Policy G2 of the Oxford Local Plan 2036 and Policy G2 of the Oxford Local Plan 2036.

32. No development shall take place (including demolition, ground works and vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following:
- a) Risk assessment of potentially damaging construction activities;
 - b) Identification of "biodiversity protection zones" in respect of protected and notable species and habitats;
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts on biodiversity during construction (may be provided as a set of method statements) and biosecurity protocols;
 - d) The location and timing of sensitive works to avoid harm to biodiversity features;
 - e) Contingency/emergence measures for accidents and unexpected events, along with remedial measures;
 - f) Responsible persons and lines of communication;
 - g) The role and responsibilities on site of a qualified ecological clerk of works (ECoW) or similarly competent person if required, and times and activities during construction when they need to be present to oversee works; and
 - h) Use of protective fences, exclusion barriers and warning signs.
- The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent harm to species and habitats within and outside the site during construction in accordance with The Conservation of Habitats and

Species Regulations 2017 (as amended), The Wildlife and Countryside Act 1981 (as amended) and Policy G2 of the Oxford Local Plan 2016-2036.

33. The development shall be implemented in strict accordance with the approved Energy Statement. Prior to the full occupation of the development evidence (including where relevant Energy Performance Certificate(s) (EPC), Standard Assessment Procedure (SAP) and Building Regulations UK, Part L (BRUKL) documents) shall be submitted to the Local Planning Authority prior to occupation to confirm that the energy systems have been implemented according to details laid out in the approved Energy Statement and achieve the target performance as approved.

Reason: To ensure compliance with policies S1 and RE1 of the Oxford Local Plan 2016- 2036.

34. The approved drainage system shall be implemented in accordance with the approved Detailed Design set out in the documents and drawings listed below prior to the use of the building commencing:

Document

Floor Risk Assessment and Drainage Strategy Report

Ref: 000277

Issue: P04

Drawing

Below Ground Surface Water Drainage Northern Network

Drawing No: 0111, Rev P01

Drawing

Below Ground Surface Water Drainage Southern Network

Drawing No: 0110, Rev P01

Drawing

Surface Water Drainage Manhole Schedule

Drawing No: 0116, Rev P01

Drawing

Below Ground Foul And Surface Water Drainage Details (Sheet 1)

Drawing No: 0400, Rev P05

Drawing

Below Ground Foul And Surface Water Drainage Details (Sheet 2)

Drawing No: 0401, Rev P05

Drawing

Below Ground Foul And Surface Water Drainage Details (Sheet 3)

Drawing No: 0402, Rev P05

All relevant Hydraulic calculations produced via Microdrainage

Date 18/11/2022

File 20221110 - 277-FEH-North

All relevant Hydraulic calculations produced via Microdrainage

Date 18/11/2022

File 20221110 - 277-FEH-South

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal in accordance with the requirements of policy RE4 of the Oxford Local Plan 2016-2036.

35. Prior to first occupation, a record of the installed SuDS and site wide drainage scheme shall be submitted to and approved in writing by the Local Planning Authority for deposit with the Lead Local Flood Authority Asset Register. The details shall include:
- As built plans in both .pdf and .shp file format;
 - Photographs to document each key stage of the drainage system when installed on site;
 - Photographs to document the completed installation of the drainage structures on site;
 - The name and contact details of any appointed management company information

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal in accordance with the requirements of policy RE4 of the Oxford Local Plan 2016-2036.

36. Prior to commencement details of the cycle parking areas, including dimensions, type of provision, and 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, type of provision, 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 encourage the use of sustainable modes of transport and to protect the visual appearance of the area in accordance with Policy M5, DH1 and DH3 of the Oxford Local Plan 2036.

37. Prior to occupation a Student Arrival / Departure Management Plan shall be agreed in writing with the Local Planning Authority and be put in place, and adhered to thereafter, to ensure that, with the exception of disabled persons, the arrival and departure of students at the beginning and end of terms if managed such that it does not impact adversely on the external road network or on the operation of the site. The plan shall specify the arrangements which will be put in place to manage this process and how those arrangements will be monitored and enforced.

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 RE7 and H8 of the Oxford Local Plan 2036.

38. Prior to the commencement of the development a Construction Traffic Management Plan prepared in accordance with Oxfordshire County Council's checklist, must be submitted to and approved in writing by the Local Planning Authority. The construction works must be carried out in accordance with the details approved in the Construction Traffic Management Plan.

Reason: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding network, road infrastructure and local residents, particularly at peak traffic times in accordance with Policy M2 of the Oxford Local Plan 2036.

39. Prior to first occupation a Travel Plan Statement and Residential Travel Information Pack should be submitted to the Local Planning Authority. The details as approved shall be brought into operation upon first occupation of the development and shall remain in place and be adhered to at all times thereafter unless otherwise agreed in writing beforehand 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 RE7 and H8 of the Oxford Local Plan 2036.

40. Details of the day to day management of the student accommodation permitted shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development. The details as approved shall be brought into operation upon first occupation of the development and shall remain in place and be adhered to at all times thereafter unless otherwise agreed in writing beforehand by the Local Planning Authority.

Reason: To avoid doubt and in order to ensure the development is appropriately managed so as to protect the amenities of neighbouring occupiers, in accordance with policies RE7 and H8 of the Oxford Local Plan 2036.

41. A plan detailing the areas of the terrace that will not be in use as part of the SASC building shall be submitted and approved by the Local Planning Authority. This area shall then not be used unless for maintenance purposes unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the privacy of neighbouring amenity in accordance with policy HP14 and RE7 of the Oxford Local Plan 2016-2036.

INFORMATIVES :-

- 1 Prior to commencement of development, a separate consent must be obtained from the County's Road Agreements Team for any new highway vehicular access under S278 of the Highway Act.
Contact: 01865 815700; RoadAgreements@oxfordshire.gov.uk.

13. APPENDICES

- **Appendix 1 – Site location plan**

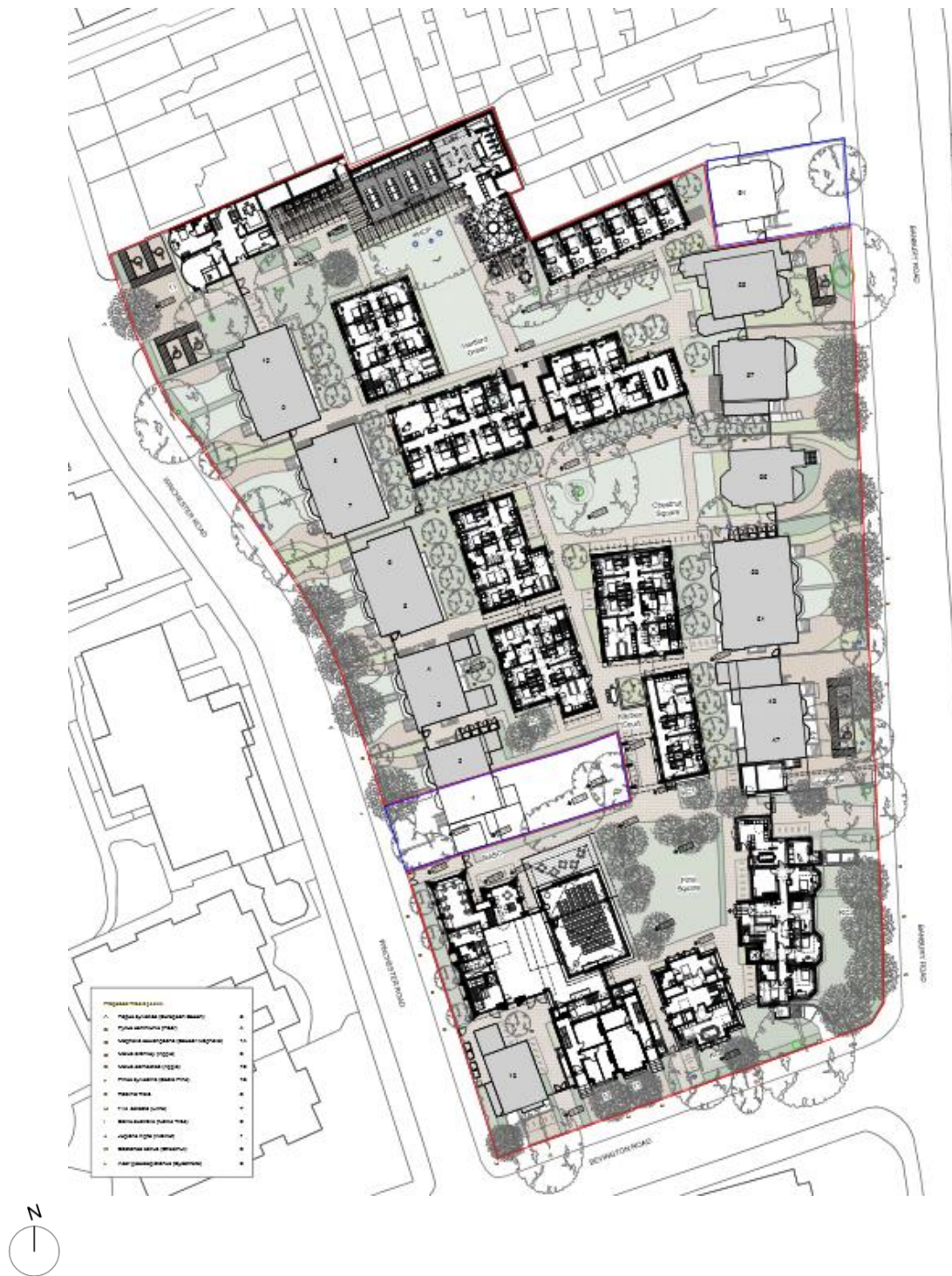
14. HUMAN RIGHTS ACT 1998

- 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.

Appendix 1 – Proposed Site Plan – Winchester Road



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Oxford City Planning Committee

23th May 2023

Application number: 23/00326/FUL

Decision due by 11th April 2023

Extension of time 31st May 2023

Proposal Partial demolition of the existing building. Erection of a three storey building to create 6 x 1 bed flats (Use Class C3). Alterations to the existing 3 x 1 bed flats (Use Class C3). Alterations to fenestration on the west elevation. Provision of bin and bicycle stores. Alterations to landscaping and ancillary works.

Site address 39 South Parade, Oxford, Oxfordshire, OX2 7JL – see **Appendix 1** for site plan

Ward Summertown

Case officer Rob Fowler

Agent: Mr Nik Lyzba **Applicant:** Cantay Estates Ltd

Reason at Committee This application was called in by Councillors Miles, Smowton, Gant, Fouweather, Sandelson and Goddard because of concerns about the impact of the development on the area in terms of its character and the impact of the proposals on the amenity of surrounding residential properties.

1. RECOMMENDATION

1.1. Oxford City Planning Committee is recommended to:

1.1.1. **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.

1.1.2. **agree to delegate authority** to the Head of Planning 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 Services considers reasonably necessary

2. EXECUTIVE SUMMARY

- 2.1. This report considers the partial demolition of the existing building at 39 South Parade. The demolition would be limited to the 20th Century additions to the original Victorian building and would result in the loss of much of the internal space serving the dwelling labelled as 'Unit 1' at ground floor level and the entirety of one of the dwellings at second floor level, labelled as 'Unit 3'. Minor alterations are proposed to the retained part of 39 South Parade, including minor alterations to the fenestration on the western elevation.
- 2.2. Planning permission is sought to erect a three storey building to form six one-bedroom flats, with two being set across each floor. The proposed new building would front Stratfield Road and would occupy land vacated by the demolition of part of 39 South Parade as well as occupying land in use as off-street parking serving the properties on the application site. Outdoor amenity space would be provided in the form of balconies or front gardens and a shared rear garden while access to the proposed dwellings would be achieved via an external staircase to the rear of the building. Cycle and bin storage would be provided in the rear garden; no car parking is proposed.
- 2.3. The application is a resubmission of two previously refused applications (references 22/00393/FUL and 22/01994/FUL). The previous application (reference 22/00393/FUL) was refused by the Oxford City Planning Committee on 24th May 2022; a subsequent appeal was dismissed on 4th January 2023 and a partial award of costs was granted in favour of the appellant. Whilst the appeal was dismissed the Inspector found that the proposals were acceptable in design terms and in terms of any overbearing impact on neighbouring occupiers. The appeal was solely dismissed in relation to the impact of the proposals in privacy terms, with overlooking from the proposed rear staircase being cited as the sole basis for the Inspector dismissing the appeal. On this basis, this new application has been made to overcome the outstanding basis for the development being found to be unacceptable in planning terms. The proposals only significantly differ with respect to the proposed rear staircase, which would be enclosed light provided by high level windows only. A copy of the Inspector's decision can be found in **Appendix 2**.

3. LEGAL AGREEMENT

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

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 4.1. The proposal is liable for CIL. The amount liable would be £53,230.20

5. SITE AND SURROUNDINGS

- 5.1. The site is located within the Summertown District Centre but outside of any designated retail frontage; the site also lies within the Summertown Area of Change which, is designated by Policy AOC5 in the Oxford Local Plan 2036.
- 5.2. The existing application site comprises of a tall Victorian building which has a 20th Century extension to its rear; it is understood that the rear extensions were

erected in the 1970s and in the 1990s when the final extension was added. The existing extended building has frontages on both South Parade and Stratfield Road. The building appears to have originally been built to provide commercial space at ground floor level with accommodation above, as is typical on the street; it is understood that the ground floor of the building had been used as a greengrocer's prior to the existing residential use at ground floor.

- 5.3. The original building is constructed of Oxford Yellow brick and exhibits interesting banding and detailing around the window and door openings, which is provided by a mixture of stone and red brick, while the roof is covered in plain red tiles. Aside from minor alterations to enable the current configuration of the building, the principal elevation of the building appears to remain largely original, including many timber sash windows. The aforementioned minor alterations clearly include the bricking up of the original shop front which has been relatively successfully done on the South Parade elevation. The subsequent extensions to the building are less noteworthy as they only loosely draw their design from the host building, most notably through the use of yellow brick, but are otherwise unremarkable in appearance.
- 5.4. To the rear of the site, fronting Stratfield Road, is a garage and private off-street car park. There is a shared garden space to the rear which the applicant owns and forms part of the application site; however it is currently unused by the current occupants of the application site.
- 5.5. The site lies within an important part of the Summertown area as the crossroads on which it is located formed one of the earlier roads of the original village and is characterised by Victorian buildings; although some of the characteristics of the area have changed over time as redevelopment and infilling has taken place. South Parade is characterised by commercial uses intermingled with residential uses between and above the commercial units. The site also has a significant frontage onto Stratfield Road which is almost totally residential in character. The uniform two storey Victorian terraces that comprise much of Stratfield Road are largely finished in Oxford Yellow brick and create a strong sense of continuity and group value, in terms of their contribution to the streetscene.
- 5.6. The application site falls within the 'Summertown Shopping Centre' character area as defined in the Summertown and St Margaret's Neighbourhood Plan. The Neighbourhood Plan makes reference to the Victorian terraces on the west side of Banbury Road and in South Parade forming an important part of the character the area. The mix of uses in South Parade itself is also important, this being the western edge of the Summertown District Centre. Aside from the fact that the application site lies within the aforementioned Summertown Shopping Centre character area the application site itself does address Stratfield Road which itself features in the 'South Summertown Terraces' character area of the Neighbourhood Plan. This area is cited within the Neighbourhood Plan as a textbook example of Victorian and Edwardian urban design; specific vulnerabilities within this character area are advanced by the Neighbourhood Plan including the limited opportunity for infilling and that care should be taken to respect the cohesive Victorian character of the area.

5.7. See a location plan below:



6. PROPOSAL

- 6.1. The application proposes the demolition of the existing extensions to the original Victoria Building that comprises 39 South Parade and the reinstatement of the original southern wall of the building. This would entail a reduction in the size of one of the units (Unit 1) within the building, namely a reduction from a two-bed to a one-bed flat, while also necessitating the total loss of another flat (Unit 3) within the extension, which is a one-bed dwelling. The proposed demolition also includes a garage which serves the existing ground floor flat (Unit 1).
- 6.2. The demolition would necessitate internal and external alterations to the retained Victorian building. This would include alterations to the internal configuration, most notably to the ground floor flat in order to move the kitchen and wash facilities into the retained part of the building as well as to create a new internal stairway to reach the flats above. Externally, the changes would be limited to the insertion of new windows on the western façade.
- 6.3. This application seeks to then erect a three storey building on the site to the south of the retained Victorian building. The proposed building would be up to 12m in depth, 9.5m in height and would have a maximum width of 17.4m. The building would be set back 1.8m from the retained Victorian building and 2.4m from the neighbour at 60 Stratfield Road. The building would also be set 5.6m from the boundary with the garden of 43 South Parade to the rear.
- 6.4. The proposed building would have a contemporary vernacular for the most part, resulting from the flat roof, large windows and the minimalistic components of the principal façade. However, there would also be traditional elements to the principal façade which include the protruding front bay windows, banding, materiality and the definition of the larger glazing units resulting from the

mullions. At the rear, the proposed staircase would be enclosed with high level windows to provide daylight without allowing any outlook. Adjacent kitchen windows at the rear of the building would also be high level windows, these rooms have windows at the front of the building.

6.5. In terms of the building’s layout within the site, the building would be positioned so as to match the front building line of the buildings either side; although the rear building line would extend beyond that of the neighbours, particularly when the proposed rear stairway is taken into account. A modest front garden would be set in front of the building, which would be enclosed by a modest stone walls with railings set above, while the principal amenity space would be a rear garden which would be shared by the occupants of the proposed six flats. The rear garden would be accessed via side gates and would house the proposed cycle and bin stores. The proposed dwellings would all be car-free.

7. RELEVANT PLANNING HISTORY

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

<p>22/00393/FUL - Partial demolition of the existing building. Erection of a three storey building to create 6 x 1 bed flats (Use Class C3). Alterations to the existing building to form 3 x 1 bed flats (Use Class C3) and alterations to fenestration on the west elevation. Provision of bin and bicycle stores. Alterations to landscaping and ancillary works.. REF 31st May 2022.</p> <p>22/01994/FUL - Partial demolition of the existing building. Erection of a three storey building to create 6 x 1 bed flats (Use Class C3). Alterations to the existing building to form 3 x 1 bed flats (Use Class C3). Alterations to fenestration on the west elevation. Provision of bin and bicycle stores. Alterations to landscaping and ancillary works.. REF 10th October 2022.</p>
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8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Other planning documents	Summertown and St Margaret’s Neighbourhood Plan:
Design	130-136	DH1, DH7, RE2, G6	Waste Storage TAN	HOS2, HOS3, HOS4
Housing	59-76	H4, H5, H14, H15, 16		

Commercial	84-91	V4		
Natural environment	174-188	RE3, RE4, G2, G7, G8	Biodiversity TAN	
Transport	104-113	M3, M5	Car and Bicycle Parking TAN	TRS2
Environmental	153-169	RE1, RE7, RE8, RE9	Energy Statement TAN Sustainable Construction and Design TAN	ENS2
Miscellaneous	7-12	S1, S2, AOC5		

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 24th February 2023.

Statutory and non-statutory consultees

Oxfordshire County Council (Highways)

9.2. No objection, conditions required relating to bicycle parking, a Construction Traffic Management Plan and parking permits.

Thames Valley Police

9.3. A holding objection was received due to issues regarding the design of the building in relation to the Secure by Design guidance. However, the comment received by the Council went on to outline the issues identified by the Crime Prevention Design Advisor and suggested a planning condition by included were planning permission to be granted. Having had regard to the advice received, and having afforded great weight to the consideration of this consultee, planning officers are of the view that the proposed development could be brought up to an acceptable standard in relation to Secure by Design with an appropriately worded condition, as is proposed in condition 12 as set out in Section 12 of this report.

Public representations

9.4. 10, 33 (x2), 44 South Parade (x2), 2 (x2), 5, 19 (x2), 24, 28, 31, 35 (x2), 39 (x2), 44, 48 (x2), 50, 52 (x2), 53, 56, 58 (x2), 60, 63 Stratfield Road 14, 27 Thorncliffe Road, 2, 7 (x2), 9, 12, 24, 35 Oakthorpe Road, 63 Hayfield, 26 Chalfont Road, 2 First Turn, 24 Beech Croft Road, 26 Victoria Road, 77 Middle Way, and no address provided x 2.

9.5. In summary, the main points of objection were:

- Access
- Amount of development on site
- Effect on adjoining properties
- Effect on character of area
- Effect on existing community facilities
- Effect on pollution
- Effect on privacy
- Effect on traffic
- Flooding risk
- General dislike or support for proposal
- Height of proposal
- Information missing from plans
- Light - daylight/sunlight
- Local ecology, biodiversity
- Local plan policies
- Noise and disturbance
- Not enough info given on application
- On-street parking
- Open space provision
- Parking provision
- Public transport provision/accessibility
- Contrary to Neighbourhood Plan

Officer response

9.6. Officers have considered carefully the objections to these proposals. Officers have come to the view, for the detailed reasons set out in the officer's report, that the reasons for the objections do not amount, individually or cumulatively, to a reason for refusal and that all the issues that have been raised have been adequately addressed and the relevant bodies consulted.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- i. Principle of development
- ii. Design
- iii. Neighbouring amenity

- iv. Occupier Amenity
- v. Ecology
- vi. Drainage
- vii. Trees
- viii. Cycle Parking
- ix. Car Parking
- x. Sustainability

i. Principle of development

- 10.2. Where proposals are presented for housing development on unallocated brownfield sites, the City Council will take a positive approach, applying the presumption in favour of sustainable development as per Policy S1 of the Oxford Local Plan 2036.
- 10.3. Policy RE2 of the Oxford Local Plan 2036 states that planning permission will only be granted where development proposals make efficient use of land. Development proposals must make best use of site capacity, in a manner compatible with the site itself, the surrounding area and broader considerations of the needs of Oxford, as well as considering the criteria set out in the policy.
- 10.4. Policy G6 of the Oxford Local Plan 2036 states that planning permission will be granted for new dwellings on residential garden land provided that the proposal responds to the character and appearance of the area and the size of plot to be developed is of an appropriate size and shape to accommodate the proposal. Any loss of biodiversity value on the site must also be fully mitigated, and where practicable enhanced.
- 10.5. Policy H4 of the Oxford Local Plan 2036 states that planning permission will be granted for residential development that is demonstrated to deliver a balanced mix of dwelling sizes to meet a range housing needs and create mixed and balanced communities. Proposals for 25 or more homes (gross) (C3 residential), or sites of 0.5 ha. and greater, and which are outside of the city centre or district centres, will be expected to comply with the prescribed following mix of unit sizes for the affordable element, where it is feasible. Sites below the threshold or within the city centre or a district centre should demonstrate how the proposal has had regard to local housing demand, including for affordable housing demonstrated by the housing register.
- 10.6. Policy H5 of the Oxford Local Plan 2036 states that planning permission will not be granted for any development that results in the net loss of one or more self-contained dwellings on a site, including family homes (loss of an HMO converted from a self-contained dwelling would be considered a loss of a self-contained dwelling), except in one of the extreme circumstances outlined in the policy.
- 10.7. Policy AOC5 of the Oxford Local Plan 2036 states that planning permission will be granted for new development within the area of change where it would take opportunities to deliver the objectives set out in the policy. This would include

building on the existing mix of uses by creating a high density environment that contributes to the vibrancy of the place and creating a new neighbourhood of high density, contemporary housing. The application site lies within the defined Summertown District Centre where a higher density of development is expected to be provided.

- 10.8. In principle, the proposal to demolish the existing 20th Century extension to 39 South Parade and erect a new three storey block of flats on the site of the former extension and existing car park is acceptable since it would constitute a far more efficient use of land than the existing arrangement, as per the aims of Policy RE2, and would better optimise the use of the land for residential use. This is particularly important since the current arrangement of the site does not make an efficient use of land as much of the site is given over to the parking of private vehicles, despite the sustainable location of the site and its good access to public transport. It is also noted that the existing housing on the site is not of a high density that makes the best use of the land. It is recognised that whilst the proposed building would front onto Stratfield Road the site does lie within the defined Summertown District Centre where a higher density of development is recognised to be appropriate in principle. The re-use of previous developed land and increases in density within district centre locations are important to the provision of housing as set out in the Oxford Local Plan (2036).
- 10.9. The applications site lies within the defined Summertown and St Margaret's Neighbourhood Plan (SSMNP) area. The SSMNP was formally adopted by the Council in April 2019; the SSMNP therefore forms part of the adopted Development Plan when considering the acceptability of the proposals in planning terms. The SSMNP acknowledges the need for smaller (and therefore more affordable) housing within the SSMNP area; the role of smaller sites and infill development is also acknowledged and supported in the plan subject to the need to respond appropriate to the scale and character of the area as required by Policies HOS2, HOS3 and HOS4 of the SSMNP.
- 10.10. In order for the proposed development to fully accord with the requirements of Policies S1, RE2 and G6, the proposal also needs to represent development that makes use of the capacity of the site in a manner compatible with the capacity and context of the site, including according with local and national design policies. These issues are fully explored in subsequent sections of this report but, in summary, planning officers consider that the principle of the proposed development is acceptable and would make best use of the land in a manner that is compatible with the character of the area and would not harm the streetscene nor overdevelop the site.
- 10.11. With regard to the mix of dwellings, it is noted that only single bed units are proposed, including the reconstituted dwelling at ground floor level at 39 South Parade. This is considered acceptable given that maximising the number of dwellings in this district centre location is desirable but also because Policy AOC5 specifies that single bed units are sought by the Council within this designated area of change.

- 10.12. While a single dwelling would be lost as a result of this development, six new dwellings would be gained. This net gain of five dwellings is sufficient to satisfy Policy H5.
- 10.13. In summary, planning officers consider that the overall principle of the proposal, namely a three storey residential building comprised of six dwellings, is acceptable in principle and satisfies Policies S1, RE2, G6, H4, H5 and AOC5 of the Oxford Local Plan (2036) and Policies HOS2, HOS3 and HOS4 of the SSMNP.

ii. Design

- 10.14. Policy DH1 of the Oxford Local Plan 2036 states that a planning permission will only be granted for development of high quality design that creates or enhances local distinctiveness. Proposals must be designed to meet the key design objectives and principles for delivering high quality development, set out in Appendix 6.1. Policy RE2 requires development proposals must make best use of site capacity, in a manner compatible with the site itself, the surrounding area and broader considerations of the needs of Oxford. Development will need to have a density appropriate for the use proposed, have an appropriate scale of development and utilise a layout appropriate to the capacity of the site.
- 10.15. The application site represents something of a transition between the three storey Victorian building at 39 South Parade to the two storey uniform terraces that comprise much of Stratfield Road. Therefore any building on the application site needs to have regard to this change in form and would need to be sensitively designed to bridge the differences in scale, massing and form between these two building typologies in order to sit comfortably on the site.
- 10.16. Planning officers note that the application site falls within the 'South Summertown Terraces' character area of the Summertown and St Margaret's Neighbourhood Plan. The character assessment contained within that plan states that this character area is a textbook example of Victorian and Edwardian urban design that enhances the quality of living in this area and engenders community involvement. It goes on to state that with very few exceptions, the area's original character has been respected during later development, and it is of vital importance that this should continue.
- 10.17. The proposals are for a modern building which would have a different architectural form and materiality to the adjacent properties in South Parade and Stratfield Road. The proposed development would be taller than the adjacent properties in the street frontage of Stratfield Road. Whilst both the Local Plan and the SSMNP are broadly supportive of contemporary and innovative development previous planning decisions (references 22/00393/FUL and 22/01994/FUL) for a development that would appear identical in the streetscene to the proposed development in this application were refused because of specific concerns about the proposals not adequately addressing the established context and character of the surrounding area:

The design of the proposed development fails to consider the established character and context of the application site and would give rise to a visually discordant and alien impact in the streetscene. As a result, the development is not considered to be high quality design and is contrary to Policies DH1 and RE2 of the Oxford Local Plan (2036), Policies HOS2 and HOS3 of the Summertown and St Margaret's Neighbourhood Plan and Chapter 12 of the NPPF.

- 10.18. Notwithstanding the above, an appeal was lodged with respect to the application 22/00393/FUL. The Inspector's decision carefully considered the refusal reason relating to the design of the proposed development as set out above but did not uphold that as a basis for dismissing the appeal. For clarity, the appeal was dismissed but only on the basis of the impact of the proposals in privacy terms. With respect to the proposed design of the development of 22/00393/FUL the Inspector acknowledged the uniform nature of materials and architectural features in Stratfield Road and that this contributed to the pleasant tight knit residential character. The Inspector also considered in their decision that the proposed development, whilst being higher than adjacent properties in Stratfield Road was lower than the properties in South Parade and therefore formed an appropriate transition between the building heights and would therefore not be excessive in scale. In conclusion the Inspector considered the proposals to be acceptable in design terms:

The proposed building would be set back in the plot in line with the front elevations of the dwellings on Stratfield Road and would be enclosed by a low stone wall. In addition, notwithstanding the modern design of the proposal, the development would accord with design components found in the surrounding area including the incorporation of protruding bay windows, enclosed front gardens, the vertical emphasis of window openings, banding detail to openings and the palette of materials. Consequently, the proposed building would be consistent with the established character of the surrounding area.

In light of the above I conclude that the proposed development would accord with the character and appearance of the area.

As such, the proposal accords with the design principles set out in LP Policies DH1 and RE2 and NP Policies HOS2 and HOS3 which collectively seek to encourage high quality design that creates or enhances local distinctiveness, is appropriate for the capacity of the site and respects the local heritage and prevailing character of the neighbourhood. For similar reasons the proposal accords with the guidance set down in paragraph 130 of the National Planning Policy Framework (the Framework), which, amongst other matters, seeks to ensure development is well designed and sympathetic to local character.

(Extract from Inspector's Decision to application 22/00393/FUL, a full copy of the decision is attached to this report as **Appendix 2**)

- 10.19. The proposed development in this application does not differ from the proposals referred to above in the Inspector's decision for application 22/00393/FUL other than with respect to the proposed rear elevation and fairly minor changes to the brick detailing. The proposed differences at the rear only relate to the enclosing

of the stairwell and differences in the fenestration to create high level windows and remove any potential overlooking from the rear aspect of the proposed building; in this respect they are fairly minor and would not have a harmful impact in public views. On the above basis, the proposed development has already been found to be acceptable in design terms by an Inspector, with the appeal decision being fairly comprehensive in terms of acknowledging the difference between the proposed development and the established character of the surrounding area but that this difference is not unacceptable in planning terms and should not serve as a basis for refusing planning permission. Officers recommend that the minor improvements to the brick detailing are welcomed in design terms. As a result, Officers recommend that the proposals are acceptable in design terms and meet the requirements set out in Policies DH1 and RE2 of the Oxford Local Plan (2036), Policies HOS2 and HOS3 of the SSMPN and Paragraph 130 of the NPPF.

10.20. Officers have recommended specific conditions to ensure that the proposed development is acceptable in design terms including a requirement for landscaping and to ensure that the proposals meet the required Secure by Design Standards.

iii. Impact on neighbouring amenity

10.21. Policy H14 of the Oxford Local Plan 2036 states that planning permission will only be granted for new development that provides reasonable privacy, daylight and sunlight for occupants of both existing and new homes. Policy H14 sets out guidelines for assessing development in terms of whether it will allow adequate sunlight and daylight to habitable rooms of the neighbouring dwellings.

10.22. Policy RE7 of the Oxford Local Plan 2036 states that planning permission will only be granted for development that ensures that standards of amenity are protected. This includes the amenity of communities, occupiers and neighbours is protected in addition to not having unacceptable unaddressed transport impacts and provides mitigation measures where necessary.

Daylight

10.23. The proposed development would comply with the 25/45 degree access to light test, outlined in Policy H14, with the exception of the westernmost downstairs and upper windows of 40 South Parade on the rear elevation of the building. However, officers understand that the downstairs window in question serves a kitchen associated with a non-residential use. Therefore, the impingement on this window would be acceptable since it would not be sensitive to a degree of lost daylight. Meanwhile the upper window in question serves a residential lounge/ dining area. This would be sensitive to an erosion of amenity through a loss of daylight. However, having regard to the fact that this room is also served by a second south facing window that would not be impinged upon by the proposed development in conjunction with the findings of the submitted Daylight and Sunlight Analysis, it is considered that the proposed development would not cause an unacceptable loss of light to this neighbour.

- 10.24. It is considered that the proposal would not impinge on the daylight received to the internal rooms of any other neighbours, having considered the 25/45 degree access to light test and the findings of the submitted Daylight and Sunlight Analysis since the rest of neighbours' windows would be set sufficiently far from the proposed building or would face away from the application site.
- 10.25. It is considered that the proposed dwelling would not unacceptably overshadow the outdoor amenity areas of neighbouring residences. The proposal would have a minimal impact on the gardens of the properties on Stratfield Road to the south, given the orientation of the sun while the properties to the west would be sufficiently distant from the site so as to not be impacted. There would be some impact on the gardens of 42-44 South Parade where the gardens may experience a degree of overshadowing during the mornings as a result of the proposed block of flats, but it is not considered that this would be to an extent that would prevent their quiet enjoyment of their gardens. It is also noted that the mature trees that were previously on the site, until they were removed sometime last year, would likely have blocked a similar amount of light during the summer months that the proposed building would.

Overbearing

- 10.26. The proposed building would be set alongside the existing dwellings at 60 Stratfield Road and 39 South Parade and so would only be perceptible to limited acute views from the windows serving these dwellings. The exception would be the rooflight windows serving the single storey rear extension and the side window serving the rear outrigger at 60 Stratfield Road.
- 10.27. It is considered that the dwellings to the west of the site are set sufficiently far from the application site so as for the proposed development to not give rise to unacceptable overbearing.
- 10.28. The proposed building would have an impact on the views from the rear of the flats at 40-41 South Parade and would also impact how the gardens of the three dwellinghouses to the east of that would be experienced by their occupants, although the building would be sufficiently far from the rear windows of those dwellings to not result in unacceptable overbearing to their internal rooms. In terms of the internal rooms of 40-41 South Parade, while views from the rear windows would be affected, planning officers consider that the proposed building would not be unexpectedly large or unprecedented in this regard. Furthermore, the proposed development would frame only a portion of views from these windows which are largely directed southward beyond the application site. Therefore officers consider that the proposal would not cause unacceptable overbearing to this neighbour.
- 10.29. In considering the impact of the development on the gardens of 42-44 South Parade, the proposed building would certainly result in a degree of enclosure to their outdoor amenity spaces. However, these gardens are already enclosed, to a degree, by the existing large buildings at Robert Saunder's House to the east, the dwellings of South Parade to the north and the extended building at 39 South Parade already on the application site. While the proposed building would be taller and would add to the sense of enclosure, it is considered that this sense

of enclosure would not be unexpected when considering their location within a district centre surrounded by taller buildings and the gardens would be set sufficiently far from the building as to mean that this overbearing would not be of an unacceptable or unexpected degree.

- 10.30. The previous applications 22/00393/FUL and 22/01994/FUL were refused because of the proposed development giving rise to an unacceptably overbearing impact on neighbouring properties and in particular No. 60 Stratfield Road. The appeal Inspector's decision for the application 22/00393/FUL addressed the Council's reason for refusal in relation to the aforementioned overbearing impact and the Inspector did not consider that the proposals would have an unacceptably overbearing impact:

The appellant has brought to my attention that the overbearing effect of the proposal was not mentioned as a matter of concern in the committee resolution. However, the subsequent decision references the overbearing effect of the proposal on 60 Stratfield Road and other neighbouring properties. While the Council concluded this was unacceptable, I noted that the windows within the side elevation of 60 Stratfield Road are located towards the rear of the building and would overlook the proposed rear staircase, which would be stepped in from the site boundaries. Thus, whilst the proposed development would be visible from these openings, due to the level of separation between the built form and the openings it would not compromise the outlook or result in a sense of enclosure or overbearing.

(Extract from Inspector's Decision to application 22/00393/FUL, a full copy of the decision is attached to this report as **Appendix 2**)

- 10.31. The proposed development in this application extends to the same height and depth along the common boundaries with adjacent properties and so would give rise to the same impact in amenity terms, specifically in the context of it being perceived to have an overbearing impact. In light of the Inspector's decision officers recommend that this is not a basis for refusing planning permission.

Privacy

- 10.32. The windows of the proposed new building would be concentrated on the front elevation while there would be some alterations to the fenestration of the retained building at 39 South Parade. These windows would be sufficiently far from neighbours so as to not cause unacceptable overlooking. Although the gardens and windows of dwellings to the west of the site would be visible, these would be at a distance that would not be uncommon and would not allow intrusive inter-looking; views of these neighbours' windows and amenity spaces would be limited to glimpses. In any case, the nearest garden to the west of the application site is in a non-residential use as outdoor seating while some of it has been given over to car parking. Therefore this space is not sensitive to overlooking while the gardens beyond are at a distance where overlooking would be minimal.
- 10.33. The proposed development includes no windows at the rear that would provide outlook, all windows would be high level. High level windows would

provide daylight into the rear aspect of the building but would not allow occupiers to see out of the building. As a result, there would be no views from the proposed development eastwards, including towards neighbouring residential properties. On this basis the proposed development would be acceptable on the basis of Policy H14 of the Oxford Local Plan (2036).

- 10.34. In the context of the aforementioned previous planning applications 22/00393/FUL and 22/01994/FUL it is important to note that this is an aspect of the proposed development that differs from previous proposals; the impact on privacy for neighbouring occupiers was the sole basis that the Inspector dismissed the appeal and upheld the Council's refusal of the application 22/00393/FUL:

The proposed block of flats would replace an existing two storey extension and car park. The building would be 3 stories in height and would be set back from Stratfield Road, projecting further into the plot than the existing extension. Access to the first and second floor flats would be from an external rear staircase which would afford open views of the rear gardens of Nos 42,43 and 44 South Parade and 60 Stratfield Road. As such, the staircase would have regular use and likely daily use that would enable views onto these gardens where the occupiers might be relaxing or undertaking leisure pursuits. The appellant states that overlooking from this staircase could be addressed by condition requiring approval of measures to avoid potential overlooking and I note that the appellant agrees to the imposition of such a condition. However, Annex M of the Procedural Guide, Planning Appeals, England (2019) and the national Planning Practice Guidance (PPG) advise that the appeal process should not be used to evolve a scheme to overcome the Council's reasons for refusal, rather a fresh planning application should usually be made. Moreover, it is important that the evidence which is considered by the Inspector is essentially the same as that which has been considered by the Council, and on which interested parties' views were sought. Thus, it is not appropriate to deal with the approval of such measures by condition.

Therefore, whilst a degree of overlooking can be expected in urban areas, the views possible from the stairway on to the rear gardens of the neighbouring dwellings would go beyond existing and reasonable levels and would harm the living conditions of the occupiers of these properties through loss of privacy.

(Extract from Inspector's Decision to application 22/00393/FUL, a full copy of the decision is attached to this report as **Appendix 2**)

- 10.35. The above extract from the Inspector's decision to application 22/00393/FUL relates to an identical scheme to the application that is before members; albeit enclosing the staircase to the rear (east) elevation and proposing only high level windows with no outlook. The Inspector's decision is somewhat unusually specific in terms of suggesting that a condition could have been included in relation to application 22/00393/FUL that could have removed harmful privacy impacts but they took the view that this would not be procedurally appropriate as part of the appeal process. Importantly though, by including reference to a

condition and the potential means of overcoming the basis for dismissing the appeal and upholding the Council's refusal reason solely in relation to privacy matters it is implied by the Inspector that this aspect of the proposals could have been addressed.

- 10.36. For completeness, members should be aware that the previous application 22/001994/FUL which was refused as a delegated decision in advance of the appeal decision for the application 22/00393/FUL sought to address the privacy impact that was a basis of the refusal of 22/01994/FUL by retaining windows at the rear (east) elevation but proposing that they were obscure glazed. That application was refused with respect to the design and overbearing nature of the development but not with respect to the privacy impact. No appeal was submitted with respect of application 22/01994/FUL.

Standards of Amenity

- 10.37. While the proposal would lead to an intensification of the use of the site, which would entail increased activity in the rear garden and use of the external stairway, it is considered that it would not lead to a degree of activity that would be unprecedented for a busy district centre location or would be unreasonable.
- 10.38. Having considered all of the above, it is considered that the proposal would not give rise to an unacceptable loss of amenity to neighbours and would accord with Policies H14 and RE7, subject to condition 11.

iv. Occupier Amenity

- 10.39. Policy H15 of the Oxford Local Plan states that planning permission will only be granted for new dwellings that provide good quality living accommodation for the intended use. All proposals for new build market and affordable homes (across all tenures) must comply with the MHCLG's Technical Housing Standards – Nationally Described Space Standard Level 113. Policy H16 of the Oxford Local Plan 2036 states that planning permission will only be granted for dwellings that have direct and convenient access to an area of private open space. H16 sets out the expectations for the size and quality of outdoor space across various types of dwellings.
- 10.40. The proposed indoor amenity space would be sufficient to offer occupants of the proposed dwellings high quality and functional living space that would accord with the space standards. Each flat would either have a balcony or front garden, which accords with the requirements of Policy H16, however the garden to the rear of the proposed building would also be for communal use, which would be acceptable.
- 10.41. The proposal would be acceptable in terms of offering potential occupants high quality amenity and would accord with Policies H15 and H16.

v. Ecology

- 10.42. Policy G2 of Oxford Local Plan 2036 states that important species and habitats will be expected to be protected from harm, unless the harm can be appropriately mitigated. It also outlines that, where there is opportunity, it will be expected to enhance Oxford's biodiversity. This includes taking opportunities to include features beneficial to biodiversity within new developments throughout Oxford.
- 10.43. The part of the building to be impacted was assessed to be of low suitability for roosting bats and a single bat roost survey was undertaken in August 2021. No bat roosts were identified. Planning officers are satisfied that a robust assessment was undertaken and the potential presence of protected habitats and species has been given due regard.
- 10.44. Virginia Creeper (*Parthenocissus quinquefolia*) was recorded in the application site. The species is listed on Schedule 9 of the Wildlife and Countryside Act, which makes it an offence to allow the species to grow in the wild. Schedule 9 species pose a conservation threat to native species. The Bat Survey Report recommends the plant is removed and disposed of as contaminated waste, which is appropriate.
- 10.45. The Landscape Plan includes Japanese Honeysuckle (*Lonicera japonica*). It is not listed on Schedule 9 but is an invasive non-native species and should be removed from the planting list.
- 10.46. More widely, the Landscape Plan is dominated by non-native species or cultivars of native species, which are of lower biodiversity value than native species. Given the urban location of the proposed development an element of ornamental planting is acceptable but native species are preferred. Planning officers consider that the proposed planting should be re-balanced to include additional native species.
- 10.47. Policy G2 of the Oxford Local Plan 2016-2036 requires certain planning applications to demonstrate they will deliver 5% biodiversity net gain through the use of a suitable metric. A Biodiversity Net Gain Assessment has been submitted in support of this planning application utilising the Defra Small Sites Metric, which is an appropriate metric for a site of this size/nature. The assessment shows a net gain of 0.0050 habitat units (a net gain of 16.08%). The assessment incorrectly classified the proposed sedum roofs as intensive green roofs, when they would instead constitute extensive green roofs. Making this change reduces the gain to 0.0029 units (9.47%). It also mistakenly categorises the ornamental planting as introduced shrub, rather than vegetated garden, but this does not affect the score. Because the application is a minor development then the quantitative policy requirement to provide the net gain is not applicable, nevertheless, the assessment provided indicates net gain will be delivered, while a bat box has been proposed as an additional enhancement and is recommended to be secured by condition.
- 10.48. In order to ensure non-invasive and non-native planting is minimised and biodiversity net gain on the site is secured, planning officers have included conditions 6, 9 and 10. Subject to conditions, the proposal is acceptable in terms of ecology and Policy G2.

vi. Drainage

- 10.49. Policy RE3 of the Oxford Local Plan 2036 states that planning permission will not be granted for development in Flood zone 3b except where it is for water-compatible uses or essential infrastructure; or where it is on previously developed land and it will represent an improvement for the existing situation in terms of flood risk. Minor householder extensions may be permitted in Flood Zone 3b, as they have a lower risk of increasing flooding. Proposals for this type of development will be assessed on a case by case basis, taking into account the effect on flood risk on and off site. Development will not be permitted that will lead to increased flood risk elsewhere, or where the occupants will not be safe from flooding.
- 10.50. Policy RE4 of the Oxford Local Plan 2036 states that all development proposals will be required to manage surface water through Sustainable Drainage Systems (SuDS) or techniques to limit run-off and reduce the existing rate of run-off on previously developed sites. Surface water runoff should be managed as close to its source as possible, in line with the drainage hierarchy identified in RE4.
- 10.51. The site is not at significant risk of flooding, since it is in a Flood Zone 1 area. However, the proposal would lead to an increase in built form on the site and the proposal must therefore be drained using SuDS and not lead to an increase in water run-off. Details have been provided by the applicant to this effect and include details of all hard surfacing on the site. Planning officers are therefore satisfied that the proposal would not lead to an increase in flood risk or water run-off from the site.
- 10.52. Additional information was sought from the applicant's agent with respect to Thames Water sewer capacity and the outfall from the proposed development. The additional information was received and this demonstrates that the proposed development would have a betterment in terms of surface water drainage having considered the impermeable nature of the existing site.
- 10.53. The proposal is therefore acceptable in terms of flooding, drainage and Policies RE3 and RE4.

vii. Trees

- 10.54. Policy G7 of the Oxford Local Plan 2036 states that planning permission will not be granted where development would result in the loss of green infrastructure features such as hedgerows, trees or woodland, where this would have a significant adverse impact upon public amenity or ecological interest. It must be demonstrated that their retention is not feasible and that their loss will be mitigated. Planning permission will not be granted for development resulting in the loss or deterioration of ancient woodland or ancient or veteran trees except in wholly exceptional circumstances.

10.55. There are no mature trees on the site that contribute significantly to public amenity. Planning officers are aware of the fact that a number of mature trees were removed from the site prior to the submission of this application. Notwithstanding the fact that this did not need planning permission, planning officers consider that these trees contributed positively to the character of the street. While their loss is regrettable, planning officers consider that the proposed scheme of landscaping on the site would be sufficient to compensate for the loss of these trees.

10.56. Turning to the retained trees on the site, on the eastern boundary, it is considered that no significant groundworks are proposed within their root protection areas and it is therefore considered that the proposed development would not harm the longevity of these trees.

10.57. The proposal is therefore acceptable in terms of trees and Policy G7.

viii. Cycle Parking

10.58. Policy M5 of the Oxford Local Plan 2036 states that planning permission will only be granted for development that complies with or exceeds the minimum bicycle parking provision as set out in Appendix 7.47.3. Bicycle parking should be, well designed and well-located, convenient, secure, covered (where possible enclosed) and provide level, unobstructed external access to the street. Bicycle parking should be designed to accommodate an appropriate amount of parking for the needs of disabled people, bicycle trailers and cargo bicycles, as well as and facilities for electric charging infrastructure.

10.59. 18 Cycle parking spaces are proposed. This would be sufficient to meet the required number of spaces for the proposed flats as well as the existing flats contained within the reduced building at 319 South Parade. The cycle parking would be secure, covered and allow good access to each cycle and to the public highway.

10.60. The proposed cycle parking is therefore acceptable and would accord with Policy M5.

ix. Car Parking

10.61. Policy M3 of the Oxford Local Plan 2036 states that in Controlled Parking Zones (CPZs) or employer-linked housing areas where occupants do not have an operational need for a car where development is located within a 400m walk to frequent public transport services and within 800m walk to a local supermarket or equivalent facilities planning permission will only be granted for residential development that is car-free. In all other locations, M3 states that planning permission will only be granted where the relevant maximum standards set out in Appendix 7.3 are complied with.

10.62. Officers consider that the application site is within 800m of several supermarkets that sell a range of everyday goods and within 400m of numerous

bus stops, indeed the site is within a district centre which offers a large range of goods and services. The application site is within a CPZ. The site is therefore required to be car free, as required by Policy M3 of the Oxford Local Plan.

- 10.63. The proposal includes no car parking for the proposed dwelling as well as the loss of four existing car parking spaces on the site; the proposal would therefore represent a net improvement over the existing arrangement and is therefore acceptable in this regard. Officers have also been mindful that the location of the application site would be particularly suitable for car free development; the site is within Summertown District Centre, a short bus journey to two railway stations and near to National Cycle Network Route 5, which runs along Banbury Road. Conditions (Conditions 4 and 5 in Section 12 of this report) have been recommended by officers that would seek to ensure that the site remains car free in perpetuity; preventing the creation of informal parking areas on site in the future or altering the site to facilitate access by vehicles.
- 10.64. It is noted that concerns have been raised via the public consultation with regard to potential parking by future occupants of the proposed development on the street. The proposed conditions include the removal of occupants for eligibility from parking permits and therefore occupants would not be able to park on the street within walking distance of the site.
- 10.65. It is noted that the Summertown and St Margaret's Neighbourhood Plan states that any future development must include parking sufficient for the users of the building and additional parking for residents and customers, to relieve congestion on the street, as part of its guidance for development on South Parade. However, this is guidance and the policies of the local development plan are afforded far greater weight; in this instance Policies M3 and TRS1 which seek a reduction in parking and traffic in the city and neighbourhood plan area respectively.
- 10.66. It is noted that the County Council have requested a Construction Traffic Management Plan to be submitted by condition. Given the scale of the development and proximity to sensitive uses, this has been included as condition 13.
- 10.67. Subject to conditions, it is considered that the development proposal would be acceptable in terms of car parking and Policies M3 and M4.

x. Sustainability

- 10.68. Policy RE1 of the Oxford Local Plan 2036 states that planning permission will only be granted where it can be demonstrated that sustainable design and construction principles, set out in RE1, have been incorporated. It is expected that 25% of energy will be on-site renewables; water consumption must also meet the requirements of Building Regulations Part G2. An Energy Statement will be submitted to demonstrate compliance with this policy for new-build residential developments (other than householder applications) and new-build non-residential schemes over 1,000m². On schemes of five more residential

dwellings or 1000m². The Energy Statement will include details as to how the policy will be complied with and monitored.

- 10.69. An energy statement and water usage calculations have been submitted which demonstrated compliance with the principles outlined in Policy RE1 in terms of carbon reduction, energy efficiency, on-site renewable energy, provided via solar panels which would produce a further regulated CO₂ savings of 36.00%, and insulation.
- 10.70. The proposal is therefore acceptable in terms of sustainability and accords with Policy RE1.

11. CONCLUSION

- 11.1. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the conditions set out in section 12 of the report.
- 11.2. Officers have included in the above report relevant extracts from the appeal decision for application 22/00393/FUL which given the similarities between the proposed development and that development is a highly relevant consideration. A copy of the appeal decision can be found in Appendix 2. Officers are satisfied that the modified proposals in this application overcome the Inspector's remaining basis for dismissing the appeal (22/00393/FUL) and as a result the proposed development would be acceptable in design and amenity terms. The Inspector's decision was issued in January 2023 and is therefore a very recent decision that reflects current planning policies. There are no material changes to the circumstances of the application site or the adopted national and local policies that would justify a different decision.
- 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 it 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 11 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.
- 11.5. Therefore 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 are inconsistent with the result of the application of the development plan as a whole.

11.6. In summary, the proposed development would be an acceptable addition to the site. The proposal is suitable in terms of local planning policy and complies with the relevant policies of the Oxford Local Plan 2036.

11.7. Therefore officers consider that the development accords with the development plan as a whole.

Material consideration

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

11.9. National Planning Policy: the NPPF has a presumption in favour of sustainable development.

11.10. NPPF paragraph 11 states that proposals that accord with the development plan should be approved without delay, or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

11.11. 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 11 is clear that planning permission should be granted without delay.

11.12. Officers would advise members that, having considered the application carefully, 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 Local Plan 2036 when considered as a whole. There are no material considerations that would outweigh these policies.

11.13. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the conditions set out in section 12 below

12. CONDITIONS

Time Limit

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.

In Accordance With the Approved Plans

2 Subject to conditions 6 and 11, 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 S1 of the Oxford Local Plan 2036.

Materials as Specified

- 3 The materials to be used in the proposed development shall be as specified in the application hereby approved. There shall be no variation of these materials without the prior written consent of the Local Planning Authority.

Reason: To ensure that the development is visually satisfactory as required by Policies S1 and DH1 of the Oxford Local Plan 2036.

Removal of Car Parking Permits

- 4 The development hereby permitted shall not be occupied until the relevant Oxfordshire County Council Controlled Parking Zone Order governing parking at the application site has been varied by the Oxfordshire County Council as highway authority to exclude the approved new dwellings subject to this permission from eligibility for residents' 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 Policy M3 of the Oxford Local Plan 2036.

Means of Access to the Highway

- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modifications) no additional means of access to the public highway from the plot of the approved development shall be installed on the basis of the Order without the prior written consent of the Local Planning Authority.

Reason: To ensure that the development is car-free, in accordance with Policy M3 of the Oxford Local Plan 2036.

Landscape Plan

- 6 The dwellings hereby approved shall not be occupied until a fully detailed Landscape Plan for the site has been submitted to and approved in writing by the Local Planning Authority. The Landscape Plan shall not include Japanese Honeysuckle (*Lonicera japonica*) and should prioritise native planting to the

written satisfaction of the Local Planning Authority. The approved Landscape Plan shall be carried out prior to the first occupation of the approved dwellings and retained and maintained thereafter unless agreed otherwise in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to ensure no car parking can take place on the site, in accordance with Policies M3, G7, G8 and DH1 of the Oxford Local Plan 2036.

Cycle and Bin Storage

- 7 Prior to the first occupation of the approved dwellings, the approved bicycle and bin storage enclosures shall be installed and retained for these purposes thereafter, unless agreed in writing with the Local Planning Authority.

Reason: In the interests of the character and appearance of the area and promotion of sustainable modes of transport in accordance with Policies DH7 and M5 of the Oxford Local Plan.

Sustainability

- 8 The development shall be carried out in accordance with the recommendations of the submitted 'Energy and Sustainability Statement', prepared by ERS Consultants Ltd (dated December 2021).

Reason: To ensure compliance with Policy RE1 of the Oxford Local Plan 2036.

Biodiversity Net Gain

- 9 Prior to the first occupation of the development, details of biodiversity enhancement measures including at least one bat box and one bird nesting device for building dependent-birds (i.e. breeding Swifts, House Sparrows and House Martins) 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: To comply with the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended) and Policy G2 of the Oxford Local Plan 2036.

Non-Native Species Protocol

- 10 Prior to the commencement of development, an invasive non-native species protocol shall be submitted to and approved in writing by the local planning Authority, detailing the containment, control and removal of Virginia Creeper on site. The measures shall be carried out strictly in accordance with the approved scheme prior to first occupation of the development.

Reason: To ensure compliance with the Wildlife and Countryside Act 1981,

Environmental Protection Act 1990 and the Environmental Protection Act Duty of Care Regulations 1991.

Drainage

- 11 The development only shall take place in accordance with the submitted drainage details (drawing reference: 330510730-STN-XX-XX-C-5001-REV P01). The approved drainage arrangements shall be retained and maintained thereafter unless agreed otherwise in writing by the Local Planning Authority.

Reason: To ensure compliance with Policies RE3 and RE4 of the Oxford Local Plan 2036

Secure by Design

- 12 Prior to commencement of development above slab level, an application shall be made for Secured by Design accreditation on the development hereby approved. The development shall be carried out in accordance with the approved details, and shall not be occupied or used until confirmation of SBD accreditation has been received by the Local Planning Authority. The application shall include measures such as lighting, controlled access and a visitor door entry system and access control system.

Reason: To ensure the proposed development is of sufficient design quality and to minimise crime and the fear of crime through good design, in accordance with Policy DH1.

Construction Traffic Management Plan

- 13 A Construction Traffic Management Plan (CTMP) shall be submitted to the Local Planning Authority and approved in writing by the Local Planning Authority prior to commencement of works. The CTMP shall follow Oxfordshire County Council's template if possible. This shall identify;

- The routing of construction vehicles and management of their movement into and out of the site by a qualified and certificated banksman,
- Access arrangements and times of movement of construction vehicles (to minimise the impact on the surrounding highway network),
- Details of wheel cleaning / wash facilities to prevent mud, etc from migrating on to the adjacent highway,
- Contact details for the Site Supervisor responsible for on-site works,
- Travel initiatives for site related worker vehicles,
- Details of times for construction traffic and delivery vehicles, which must be outside network peak hours,
- Engagement with local residents.

The development shall only take place in accordance with the approved CTMP.

Reason: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding network, road infrastructure and local

residents, particularly at peak traffic times, in accordance with Policy M2 of the Oxford Local Plan 2036.

13. APPENDICES

- **Appendix 1** – Site location plan
- **Appendix 2** – Appeal decision 22/00393/FUL

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.

Appendix 1 – Location Plan

23/00326/FUL - 39 South Parade



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Appeal Decision

Site visit made on 4 January 2023

by Nichola Robinson BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 January 2023

Appeal Ref: APP/G3110/W/22/3304247

39 South Parade, Oxford, Oxfordshire OX2 7JL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Cantay Estates Ltd against the decision of Oxford City Council.
- The application Ref 22/00393/FUL, dated 14 February 2022, was refused by notice dated 31 May 2022.
- The development proposed is demolition of part of existing buildings. Erection of 3 storey building comprising 6 x 1 bedroom flats and re-arrangement of existing flats (Use Class C3) with rear area for amenity purposes. Bin and bicycle stores. Pedestrian accesses from Stratfield Road

Decision

1. The appeal is dismissed.

Procedural Matters

2. I note the appellant's concern regarding the Council's pre-application advice and the procedural handling of the application. Nonetheless, this is a matter for the parties and not for my consideration as part of this case.

Application for costs

3. An application for costs was made against Oxford City Council by the appellant. This application is the subject of a separate Decision.

Main Issues

4. The main issues are the effect of the proposal on:
 - the living conditions of the occupiers of neighbouring dwellings 42, 43 and 44 South Parade and 60 Stratfield Road, with particular regard to privacy; and
 - the character and appearance of the surrounding area.

Reasons

Living conditions

5. The appeal property is an 'L' shaped site which comprises 39 South Parade, a 3-storey building which contains 4 self-contained flats. The site includes a parking area and the rear garden to 40-41 South Parade.
6. The site borders residential property 60 Stratfield Road, the rear garden to 42 South Parade and the rear elevation of 40-41 South Parade, which is in commercial use to the ground floor and residential use to the upper floor.

7. The appeal site looks onto the rear gardens of 42, 43 and 44 South Parade. 60 Stratfield Road contains windows in the side elevation which face the appeal site.
8. The proposed block of flats would replace an existing two storey extension and car park. The building would be 3 stories in height and would be set back from Stratfield Road, projecting further into the plot than the existing extension. Access to the first and second floor flats would be from an external rear staircase which would afford open views of the rear gardens of Nos 42,43 and 44 South Parade and 60 Stratfield Road. As such, the staircase would have regular use and likely daily use that would enable views onto these gardens where the occupiers might be relaxing or undertaking leisure pursuits. The appellant states that overlooking from this staircase could be addressed by condition requiring approval of measures to avoid potential overlooking and I note that the appellant agrees to the imposition of such a condition. However, Annex M of the Procedural Guide, Planning Appeals, England (2019) and the national Planning Practice Guidance (PPG) advise that the appeal process should not be used to evolve a scheme to overcome the Council's reasons for refusal, rather a fresh planning application should usually be made. Moreover, it is important that the evidence which is considered by the Inspector is essentially the same as that which has been considered by the Council, and on which interested parties' views were sought. Thus, it is not appropriate to deal with the approval of such measures by condition.
9. Therefore, whilst a degree of overlooking can be expected in urban areas, the views possible from the stairway on to the rear gardens of the neighbouring dwellings would go beyond existing and reasonable levels and would harm the living conditions of the occupiers of these properties through loss of privacy.
10. The appellant has brought to my attention that the overbearing effect of the proposal was not mentioned as a matter of concern in the committee resolution. However, the subsequent decision references the overbearing effect of the proposal on 60 Stratfield Road and other neighbouring properties. While the Council concluded this was unacceptable, I noted that the windows within the side elevation of 60 Stratfield Road are located towards the rear of the building and would overlook the proposed rear staircase, which would be stepped in from the site boundaries. Thus, whilst the proposed development would be visible from these openings, due to the level of separation between the built form and the openings it would not compromise the outlook or result in a sense of enclosure or overbearing.
11. Nonetheless, when considered as a whole, I conclude that the proposal would harm the living conditions of the occupiers of 42, 43 and 44 South Parade and 60 Stratfield Road.
12. Therefore, overall the proposal would be contrary to the aims of Policies H14, RE2 and RE7 of the Oxford Local Plan 2036 (2020) (LP) and Policy HOS4 of the Summertown and St Margaret's Neighbourhood Plan (2019) (NP). Collectively these policies seek, amongst other matters, to ensure that development proposals are carried out in a manner compatible with the surrounding area ensuring that the amenity of communities, occupiers and neighbours is protected, providing reasonable privacy for occupants of both existing and new homes.

Character and appearance

13. The appeal site occupies a prominent corner plot at the junction of South Parade and Stratfield Road. South Parade comprises predominantly 2 and 3 storey buildings of differing designs and the variety in building form, height and design contributes to the character and appearance of the area. Stratfield Road comprises a terrace of 2 storey yellow brick dwellings which are of a similar design, height and material palette.
14. The uniform nature of the dwellings and the limited alterations to properties contribute positively to the pleasant tight-knit residential character of Stratfield Road. The appeal site marks a transition between South Parade and Stratfield Road. The palette of materials and the features such as band detailing around the window and door openings contribute to the character of the area.
15. The proposed flat roof building would front Stratfield Road. The roof would be lower than that of the appeal property and taller than the dwellings in Stratfield Road, marking a transition between the ridge heights of the appeal property and the 2 storey dwellings in Stratfield Road. Thus, the proposal would not appear excessive in scale.
16. The proposed building would be set back in the plot in line with the front elevations of the dwellings on Stratfield Road and would be enclosed by a low stone wall. In addition, notwithstanding the modern design of the proposal, the development would accord with design components found in the surrounding area including the incorporation of protruding bay windows, enclosed front gardens, the vertical emphasis of window openings, banding detail to openings and the palette of materials. Consequently, the proposed building would be consistent with the established character of the surrounding area.
17. In light of the above I conclude that the proposed development would accord with the character and appearance of the area.
18. As such, the proposal accords with the design principles set out in LP Policies DH1 and RE2 and NP Policies HOS2 and HOS3 which collectively seek to encourage high quality design that creates or enhances local distinctiveness, is appropriate for the capacity of the site and respects the local heritage and prevailing character of the neighbourhood. For similar reasons the proposal accords with the guidance set down in paragraph 130 of the National Planning Policy Framework (the Framework), which, amongst other matters, seeks to ensure development is well designed and sympathetic to local character.

Other Matters

19. I acknowledge the social, environmental and economic benefits of the proposal which include the contribution towards the city's housing supply on a small brownfield site at low risk of flooding with good access to facilities and public transport. However, these benefits do not outweigh the harm I have identified in relation to the first main issue.
20. The proposal is likely to be able to meet with the relevant local and national policies in terms of landscaping, internal and external space provision, drainage, impact on trees, car parking, cycle and bin provision, and would exceed relevant local policy requirements in relation to sustainability of the proposal and biodiversity net gain. However, as these would be policy requirements in any event, I attribute these matters limited weight.

21. Additionally, the Council found that the proposal would not result in harm to the living conditions of the occupiers of neighbouring properties through loss of daylight and sunlight. This is noted but does not outweigh the harm I have found above.
22. The appellant has confirmed that since the determination of the planning application they have purchased 42 and 43 South Parade. Nonetheless, regardless of ownership, I have considered the proposal on its planning merits.

Conclusion

23. For the reasons given above, I conclude that the appeal should be dismissed.

Nichola Robinson

INSPECTOR

Oxford City Planning Committee

24th May 2023

Application number:	22/00962/FUL		
Decision due by	12th October 2022		
Extension of time	9 th June 2023		
Proposal	Demolition of the existing 24-bed student accommodation building (Bowen Building) and erection of 65-bed student accommodation building and erection of 30 bed student accommodation building with associated landscaping. (Amended Plans and Additional Information).		
Site address	Ruskin Hall , Dunstan Road – see Appendix 1 for site plan		
Ward	Headington Ward		
Case officer	Felicity Byrne		
Agent:	Sarah Isherwood	Applicant:	University Of West London
Reason at Committee	Major development		

1. RECOMMENDATION

1.1. The Oxford City Planning Committee is recommended to:

1.1.1. **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; and

1.1.2. **agree to delegate authority** to the Head of Planning 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 Services considers reasonably necessary; and
- issue the planning permission.

2. EXECUTIVE SUMMARY

- 2.1. This report considers demolition of an existing student accommodation block and the erection of two new student accommodation buildings within Ruskin College's Ruskin Hall Campus which contains listed buildings and structure and lies within the Headington Conservation Area to provide 95 student rooms. The development is identical to that approved first in 1997 and since then re-approved, the most recently being in 2018. The principle of development has therefore been previously accepted.
- 2.2. Officers consider that the development would be of good quality design and have an appropriate massing height and relationship to the existing buildings within the College campus. A degree of less-than-substantial harm to heritage assets would arise but that harm would be outweighed by the public benefits derived from the development in this case. In coming to this view great weight has been given to the preservation of the significance of heritage assets and the higher duty placed on decision makers under Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 2.3. There would be no significant adverse impact on neighbouring residential amenities as a result of overlooking, loss of privacy, overbearing, visual intrusion, noise or overshadowing. Subject to relevant conditions, the development would not have an adverse impact in relation to trees and landscaping, biodiversity, land quality, air quality, archaeology, drainage and transport.
- 2.4. In conclusion, subject to conditions set out at Section 12 of this report, the development would accord with the relevant policies of the Oxford Local Plan 2036, the Headington Neighbourhood Plan, the policy framework set out in the NPPF and complies with the duties set out in the Planning (Listed Buildings and Conservation Areas) Act 1990 and the Conservation of Habitats and Species Regulations 2017 (as amended).

3. LEGAL AGREEMENT

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

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

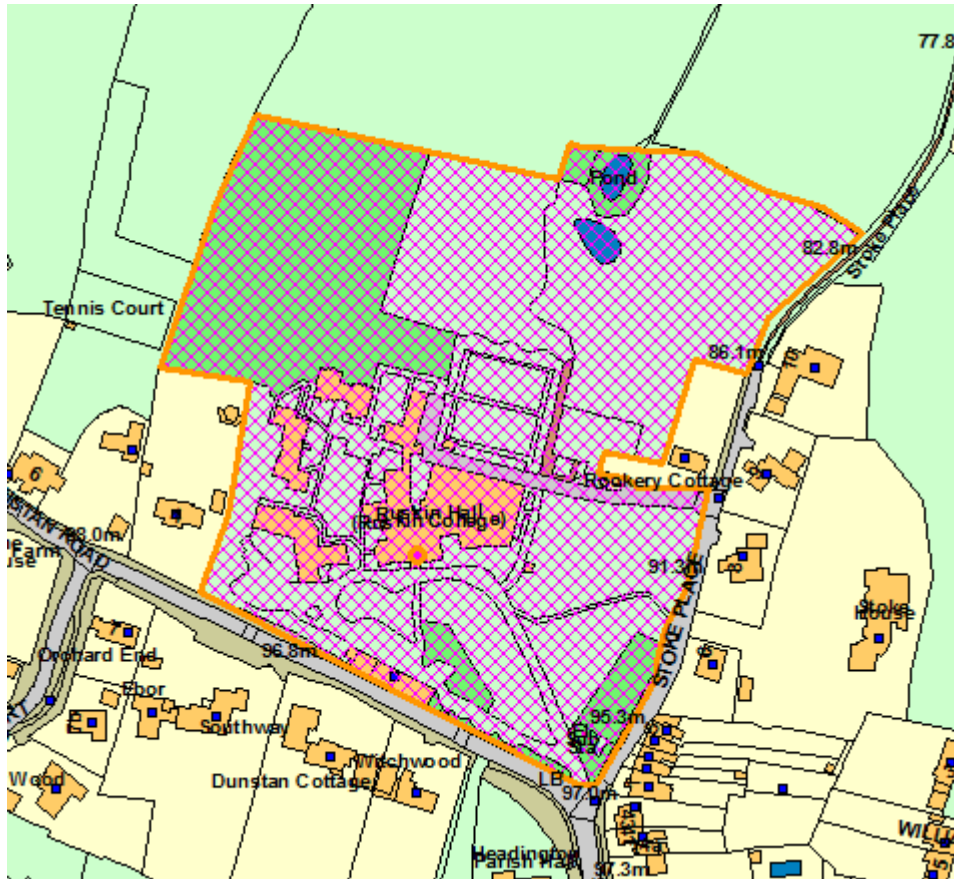
- 4.1. The proposal is liable for CIL amounting to £78223.04.

5. SITE AND SURROUNDINGS

- 5.1. The site relates to Ruskin College, which lies to the north east of Oxford and is an existing higher education college owned and operated by University of West London. The Ruskin College site measures 6.6ha and comprises Ruskin Hall and associated academic and accommodation buildings. The college site is contained by a stone wall which delineates the site's boundary to the south west along Dustan Road and to the east along Stoke Place.
- 5.2. Ruskin Hall, or the Rookery as it is formerly known is the principal building within the site and is a Grade II listed building. The building forms the main entrance building to the College and dates to late C16 early C17, but has been subject to later additions. Flanked to its side are buildings of a later C20

construction including the most recent library building to the immediate east of Ruskin Hall. To the north east of Ruskin Hall are separate detached accommodation blocks including the Bowen Building, a 3 storey flat roof building, and the Beko Building which is a 2 storey pitched roof building.

- 5.3. To the north of Ruskin Hall and to the east of the accommodation blocks lies a brick and stone built walled garden, which includes a crinkle crankle wall along its northern arm of the 4 sided garden. The wall is Grade II listed and believed to date back to C18, to around 1733. The walled garden is laid out to provide areas for growing vegetables for community gardeners.
- 5.4. To the north of Ruskin College buildings and gardens is an area of undeveloped fields, known as Ruskin Fields, leading up to the northern arm of the Ring Road.
- 5.5. The whole site lies within the boundary of the original designation of the Old Headington Conservation Area on 4th January 1971. The fields to the north of these lands, which formed part of Headington Meads, bounded by the Northern By-Pass, were taken into the conservation area through its last extension on 9th December 1998.
- 5.6. The Ruskin College site is a highly verdant parkland and heavily treed site which contributes significantly to the site's character. The location of the application site on the fringes of Old Headington adjacent the open fielded landscape result in a highly attractive and visible rural setting with views of the site in the landscape from Elsfield View Cone. This rural setting is an important feature of the character of this part of the conservation area and contributes to the setting of the above mentioned listed buildings.
- 5.7. To the east of the site is Stoke House which is a Grade II listed building. This building was formerly owned by Ruskin College and providing 12 student bedrooms, but no longer is part of the Ruskin College site having been sold prior to the purchase of the Ruskin College site by University of West London.
- 5.8. To the east of the site on Stoke Place and to the south west on Dunstan Road lies residential buildings. The principal vehicular entrance to the site is from Dunstan Road to the south east. Along Stoke Place lies existing pedestrian openings into Ruskin College
- 5.9. The site lies in Flood Zone 1.
- 5.10. See block plan below:



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Ordnance Survey 100019348

6. PROPOSED DEVELOPMENT

6.1. The proposal follows a series of identical applications for the proposed student accommodation blocks approved in 2009 (09/00634/FUL and 09/00636/FUL); in 2013 to extend the time limit of the 2009 permissions (12/03123/EXT and 12/03124/EXT) and in 2018 (17/02387/FUL). All schemes granted approval for 95 beds (net gain 71), in identical positions as proposed by this application. The last approval granted being 17/02387/FUL was granted 27th April 2018 and expired 27th April 2021. The principle of the development has therefore been previously established and accepted in principle.

6.2. Since permission was last granted the site has been acquired by University of West London in July 2021. University of West London is identified as being a public research university with campuses in Ealing and Brentford in Greater London as well as in Reading. The University of West London at Ruskin College provide higher education courses in social sciences and politics, as well as offering Access courses and community learning courses.

6.3. This report therefore considers how the proposals now accord with the relevant development plans and any material considerations arising since the last grant of planning permission in 2018.

6.4. It is proposed to demolish the existing 3 storey flat roof student accommodation block known as the Bowen Building located to the north west of Ruskin Hall and

erect a replacement 4 storey student accommodation building, identified as Block A. A further new 2 and 3 storey accommodation block is proposed to the east of Ruskin Hall, identified as Block D. There would be a total of 95 bedrooms provided and a net gain of 71 bedrooms on site.

- 6.5. The existing Bowen Building provides 24 bedrooms in a staggered block formation and measures overall approximately 8.8m high, 14.5m wide and 19.5m long.
- 6.6. Block A is an L-shaped building would provide 65 bedrooms and measures approximately 12.8m high (roof plant stands 0.90m high), 35.8m wide and 28.5m wide.
- 6.7. Block D is also an L-shaped building providing 30 bedrooms and measures approximately 9.7m high (at its highest point) and 47.5m wide by 50m long.
- 6.8. The buildings would be constructed from buff brick with blue brick plinth detail with bronze coloured aluminium fenestration, doors, spandrel and louvre panels.
- 6.9. In addition to the accommodation buildings are proposed cycle stores to accommodate additional cycle parking provision.
- 6.10. The existing vehicular access into the site from the south east remains unchanged and no new car parking is proposed.

7. RELEVANT PLANNING HISTORY

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

58/00768/D_H - Students' hostel and tutors' house (in principle). APPROVED 11th November 1958.

59/07795/A_H - Dwelling house. APPROVED 10th March 1959.

76/00240/AH_H - Erection of two storey residential block of 2 flats and bedsitting rooms for students. APPROVED 7th May 1976.

77/00396/AH_H - Adaptation and reconstruction of existing residential accommodation to provide offices and student facilities. APPROVED 22nd June 1977.

87/00067/NFH - Two storey building to provide 24 study bedrooms, with associated facilities and single storey seminar room. APPROVED 12th March 1987.

89/00325/NFH - Erection of prefabricated buildings to form nursery/creche. APPROVED 14th August 1989.

97/00732/LH - Conservation area consent for demolition of Bowerman building

plus outbuildings. Dismissed 12th June 1998.

97/00733/NFH - Construction of new academic centre incorporating teaching accommodation and 10 study bedrooms. Creation of new access drive and parking spaces. Dismissed 12th June 1998.

98/01058/NFH - Retention of prefabricated building for nursery/creche (Renewal of temporary permission for further ten years). APPROVED 18th August 1998.

06/01696/FUL - Planning permission for external alterations to reform and extend lower wing roof. Replacement windows and door, north elevation; new window and door, west elevation. Change of use from College central support office to a children's nursery. Erection of 1.5m high fence surrounding grass play area and walkway on west of building. Smith House. APPROVED 12th October 2006.

06/01695/LBC - Listed Building Consent for external alterations to reform and extend lower wing roof. Replacement windows and door, north elevation; new window and door, west elevation. Internal works including creation of corridors, internal partitions, reconfiguration of rooms, and ancillary/w.c. facilities. Smith House. APPROVED 12th October 2006.

07/02867/FUL - Removal of temporary building housing nursery plus other structures within walled gardens. Erection of freestanding dining hall, together with hard and soft landscaping works and ornamental pond. APPROVED 14th July 2008.

08/01403/FUL - Alterations to walled garden structure, including ground beams and buttressing on north elevation of part crinkle crankle wall. New oak gates to existing openings in south and west walls. Removal of brickwork above south gate opening to facilitate contractors access and reinstatement of fabric. The Rookery. APPROVED 21st August 2008.

08/01404/LBC - Listed Building Consent for i) repair and stabilization of walled garden structure, including ground beams and buttressing on north elevation of part crinkle crankle wall. ii) Removal of brickwork above south gate opening to facilitate contractors access and reinstatement of fabric. iii) New Oak gates to existing openings in south and west walls. (Note: the animal shelter and associated remains of buildings on land east of the walled garden do not need to obtain consent for their removal). The Rookery. APPROVED 21st August 2008.

08/02707/FUL - Formation of a 'trim trail' on part of Ruskin fields, including seven timber 'exercise stations' along a mown grass track. (Amended description). APPROVED 13th February 2009.

09/00213/FUL - Refurbishment of existing student accommodation blocks including replacement windows, new doors and new cladding to Beatrice Webb

Building; and replacement bay windows to Biko Building. 27th March 2009.

09/00548/FUL - Replacement sub-station. APPROVED 4th September 2009.

09/00546/LBD - Listed Building Consent for alterations including demolition of late 19th/ early 20th C. internal servants stair, 1960's Tawney Hall (Refectory wing and kitchens) and small scale rear late 19th/ early 20th C. additions. Alterations and extension on 4 levels for academic block. The Rookery. Formation of new gated pedestrian entrance in south boundary wall. The Walled Garden. APPROVED 2nd November 2009.

09/00547/FUL - Alterations and extension on 4 levels of The Rookery to provide academic accommodation and ancillary facilities. Associated hard and soft landscaping and cycle parking provision. Erection of smoking canopy, gazebo, fire pit, water tank and engineering operations to create steps and shallow pools/pond, regrading of land and creation of hard surface footpaths within fields to North of site.

Formation of new gated pedestrian entrance in south boundary wall. The Walled Garden. APPROVED 11th September 2009.

09/00549/FUL - Installation of car parking areas to provide 38 car parking spaces.. REF 4th September 2009.

09/00633/CAC - Conservation Area Consent for demolition of Bowen Building. APPROVED 11th September 2009.

09/00634/FUL - Erection of 4 storey building to provide student accommodation. Cycle parking. Associated hard and soft landscaping. APPROVED 11th December 2009.

09/00635/CAC - Conservation Area Consent for demolition of the Bowerman Building. APPROVED 11th September 2009.

09/00636/FUL - Erection of student accommodation on 2 and 3 storeys. Cycle parking. Associated hard and soft landscaping. APPROVED 11th December 2009.

10/00612/FUL - Alterations and extensions on 4 levels to provide academic accommodation and ancillary facilities. APPROVED 18th August 2010.

10/00613/LBD - Listed Building Consent. Alterations and extensions involving demolition of internal stairs, refectory wing and kitchens. Erection of academic and ancillary facilities on 4 levels. APPROVED 16th August 2010.

11/01404/EXT - Application to extend the time limit of the existing planning permission 07/02867/FUL for the new dining room building. Approved 8th August 2011.

12/01659/EXT - Application to extend time limit for implementation of planning permission 09/00548/FUL for replacement of sub-station. APPROVED 10th September 2012.

12/03123/EXT - Application to extend the time limit for implementation of planning permission 09/00636/FUL (Erection of student accommodation on 2 and 3 storeys. Cycle parking. Associated hard and soft landscaping). APPROVED 17th October 2013.

12/03124/EXT - Application to extend the time limit for implementation of planning permission 09/00634/FUL (Erection of 4 storey building to provide student accommodation. Cycle parking. Associated hard and soft landscaping).

17/02387/FUL - i) Erection of 65 bed student accommodation building on four storeys. ii) Erection of 30 bed student accommodation building on two and three storeys. Demolition of Bowen Building. (additional information and revised plans). APPROVED 27th April 2018.

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Other planning documents	Neighbourhood Plans:
Design	119-136	DH1		GSP4, CIP1, CIP3
Conservation/Heritage	189-208	DH3		CIP4
Housing	60-77	H1, H8		
Commercial				
Natural environment	174-188	G2, G7		GSP3
Social and community	92-103	V7 Infrastructure, cultural and		

		community		
Transport	104-113	M1, M2, M3, M4, M5	Parking Standards SPD	TRP3, TRP5
Environmental	152-173	RE1, RE3, RE4 RE9,	Energy Statement TAN	
Miscellaneous			External Wall Insulation TAN,	

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 26th July and on 14th December 2022 and an advertisement was published in The Oxford Times newspaper on 22nd December 2022.

Statutory and non-statutory consultees

Oxfordshire County Council (Highways)

9.2. Oxfordshire County Council Highways Authority: (first round consultation) No objection subject to conditions for increased cycle parking (safe/secure/ideally enclosed/ level access/ students/staff and visitors, disabled/ cargo bikes/ electric bikes), Student Traffic Management Plan, Construction traffic management plan, and a Travel Plan (including Travel Information Pack and Parent visiting/ Open days/ Conferences), Student no cars. Comments can be summarised as:

- No change to two existing access from Stoke Place and Dunstan Road. A Construction Traffic Management Plan is required to demonstrate route for construction traffic and measures to minimise impact on the local highway network.
- The site is in a sustainable location in transport terms. There are frequent bus services available at the entrance of the John Radcliffe Hospital (approximately 500m south west of the site), Osler Road (approximately 400m south) and along London Road. The bus services available head both towards the city centre and Thornhill park and ride. There are good walking/cycling routes to local nearby facilities with the local shops/amenities located along London Road 700m from the site.
- No additional parking spaces will be provided at the site as part of the proposal with the development proposed as 'car free' in accordance with Policy M3. Students must be prohibited from bringing cars to the Campus
- The proposal includes the provision of 33 cycle parking spaces for Block A and 15 cycle parking spaces for Block B, with one cycle parking space being provided for every two student bedrooms. 24 existing cycle parking spaces are not shown retained.
- Whilst the student accommodation blocks will be located near the

institution where students will be studying, as the development will be car-free it is important that sustainable travel modes are encouraged with a sufficient provision of cycle parking space. As a result, it is considered that the minimum parking standards included within policy M5 of the Oxford Local Plan should be applied. Therefore, the number of cycle parking spaces will need to be amended to provide one cycle parking space for every student as well as provide space for visitors and staff members.

- Cycle parking for students and staff will be covered, secure (and ideally enclosed). Visitor parking will need to be appropriately located near the front of the site.
- Cycle parking for block A will also need to be relocated to ensure that the cycle parking is provided with unobstructed and level access to the highway
- Provision for disabled parking spaces, cargo bikes and electric bikes
- Refuse collection would not change –accessed as currently via Stoke Place with sufficient turning within the site. Current arrangements are still considered suitable to serve the additional student accommodation.
- The development triggers the requirement for a Travel Plan Statement and a Residential Travel Information Pack to be produced prior to occupation. Whilst a travel plan was submitted, it is not satisfactory and an updated detailed version could be secured by condition that includes a Residential Travel Information Pack to ensure all residents are aware of the travel choices available to them at the point of occupation, EV charging for bicycles and vehicles, and cycle parking within residential boundaries.

9.3. (second round following amended plans)

- The amended site plan submitted by the applicant demonstrates that 65 cycle parking spaces will be provided to the rear of Block A and 30 spaces will be provided at Block D. This equates to one cycle space per bedroom, with the proposals meeting the minimum cycle parking standard as listed in policy M5 of the local plan.
- Furthermore, the applicant has addressed our previous concerns regarding the accessibility of the cycle parking at the rear of Block A, demonstrating both routes which could be taken to access the cycle store.
- The plans now include the retention of the existing visitor cycle parking. The visitor parking is considered acceptable, providing an appropriate amount of visitor cycle parking spaces.

9.4. Oxfordshire County Council Lead Local Flooding Authority (LLFA): No objection subject to conditions requiring implementation in accordance with the submitted information and plans and submission of a record of implementation.

9.5. Historic England: In this case we are not offering advice. This should not be interpreted as comment on the merits of the application. We suggest that you seek the views of your specialist conservation and archaeological advisers.

- 9.6. The Cycling Campaign for Oxford: Objection (first round consultation) The applicant has interpreted policy M1 in such a way as to minimise the amount of cycle parking to be provided. They propose half of what the policy requires. This is not acceptable. The nearest bus stop and shopping facilities are 13-15 minutes walk away and at least half an hour return journey on foot. Every resident needs to be able to choose to cycle, and have secure covered facilities that enable them to do so. It is disappointing to see the applicant seeking to avoid their clear responsibility for future residents.

The applicant also seeks to provide ebike charging only if there is a demand for it. The charging must be made available from the outset. This development is at the top of a hill above the city and this provision should be conditioned or else the application be refused.

- 9.7. Cyclox: First round consultation are summarised as: Objection. It does not sufficiently prioritise cycling contrary to Policy M1 and provides half the minimum cycle parking and visitor cycle parking contrary Policy M5. This site is well-suited for cycle travel to local facilities, libraries, the JR, Oxford centre and Thornhill P&R bus service to London. Students and staff should be able to choose a cycling option for these destinations.

Half the minimum policy requirement is proposed by exploiting a provision in Policy M5 which states "Provision of bicycle parking lower than the minimum standards set out in Appendix 7.3 may be acceptable for new student accommodation that is located close to the institution where most of its occupants will be studying". Cyclox argues that in this case it is not acceptable.

The nearest bus stop and the nearest shopping facilities are a 15-minute walk away - at least a half-hour return journey on foot. In our view every resident needs to be able to choose to cycle and have secure covered facilities that enable them to do so.

Cyclox believes the planning department should either refuse the application on these grounds or else set explicit conditions with respect to the minimum cycle parking ratio of one space per bedroom and a minimum number of covered visitor cycle spaces. Cyclox would also like to see the provision of E-bike charging stations (as required in the Local Plan Policy) as part of the approved plan rather than a vague future non-specific intention. E-bikes are a good solution for cyclists living at the top of a steep hill, and Ruskin attracts students of all ages and physical abilities. This provision should be a condition of approval or grounds for refusal.

- 9.8. Thames Valley Police (TVP): Objection (first round consultation) TVP is unable to support the application at this time, as there are concerns that the current proposals do not adequately consider or mitigate the risk of crime and antisocial behaviour. It is recommend that the applicants provide an addendum to the Design and Access Statement that comprehensively addresses crime and disorder, incorporating the principles of Crime Prevention through Environmental Design (CPTED) prior to approval. This document should demonstrate a commitment to achieving accreditation under the police's Secured by Design

(SbD) scheme. Occupants of student accommodation are often young adults living independently for the first time and may not prioritise their personal safety. These young adults often have a desirable amount of technology making them vulnerable likely victims of crime. Robust physical security should therefore be present to protect the occupants as well as the development as a whole. The areas of concerns relate to cycle storage; access arrangements into blocks; postal services; bin stores; defensible spaces and boundary treatments.

9.9. In order to ensure all opportunities are taken to design out crime from the outset, and to ensure all areas of the development are sufficiently secured to reduce the opportunities for crime and disorder to occur conditions requiring an application for SbD Silver accreditation and an external lighting Scheme should be imposed.

Public representations

9.10. A number of local people and association groups including Headington Heritage, Friends of Old Headington and Cllr Ker (City Council Councillor) commented on this application from addresses: 42 Hugh Allen Crescent, 140 Howard Street, Flat 1, Dunstan Cottage Dunstan Road, 1, 4, 5, 8, 10 Stoke Place, 1 no address given.

9.11. In summary, the main points of objection were:

- Insufficient cycle parking/ storage – provision for half the occupants seems an extremely stupid and irresponsible in this location. Whilst students may study on site the distance to the nearest shops facilities is a kilometre away. Cycling to Carfax is quicker than Public transport. One for one spaces should be provided.
- This application is for a substantial accommodation block and, if granted, should be excluded from inclusion in the resident and visitor CPZ scheme.
- The strategy for the academic future of the college is unclear. The academic reputation of Ruskin College has fallen to the lowest level ever. The development should come once the strategy and reputation has improved, not just for capital gain. Only support an application for an aggressive expansion in rooms provision if the college is on track to be a respected academic institution again, demonstrated over the next 3 years if degree courses and meaningful vocational qualifications are offered.
- Whilst ensuities are apparently required, the site has been occupied by nurses at the JR and it is good enough for them. Is the increase in student rooms and numbers justified, particular now since covid and remote/ hybrid learning. Stoke House student accommodation has recently been sold to Linacre College (loss of 16 rooms for Ruskin). Could AirB&B be used instead.
- This is not a brownfield site – it is virgin green land.

- Archaeology needs further examination prior to any work commencing
- Generated traffic from Amazon and other services will be unacceptable in Old Headington due to the restricted nature of St Andrew's Lane and Dunstan Road
- Improvements to Cycling infrastructure in a manner compatible with the Old Headington Conservation Area (OHCA) is required
- Significant harm done to surroundings by the proposed cycle racks insensitively placed on the driveway impacting on a Grade II Listed building from the public road
- No Management Plan presented to address severe impacts from transport, noise and others on the amenity of residents exacerbated by poor Old Headington infrastructure in contravention to the OHCA "tranquillity" of the village
- Will impact on a OHCA "significant" defined view to Ruskin, and in particular from the new Land North of Bayswater Brook development
- A Listed Building consent (/LBC) is required as the development is in the curtilage of a listed building
- No water quality assessment to determine if calcareous, or rare species supporting
- Concerned about the increased traffic, overflow parking and the inevitable deterioration to the road surface of Stoke Place which is an unadopted road and a byway open to all traffic. Parking places are extremely limited and are required by residents. Parking by students obstruct the road so that residents cannot park and service vehicles are obstructed. None of these issues are addressed by University of West London.
- Increased parking and traffic cause safety issues for residents. Conferences have not been well managed with parking in front of driveways and obstructing Stoke Place. Few attendees arrived by public transport.
- The new build will overlook multiple houses' garden and houses, reducing privacy. It will also create some light pollution.
- The vibration of this heavy traffic is likely to cause additional subsidence on No.5 Stoke Place.
- The assumption that all traffic will be by bike seems unrealistic: It should be noted that experience tells us that students bring their cars and seek parking close by. The on-site parking provision seems insufficient for the increased number of teacher's staff.

- The proposed buildings are very high and bulky. They are out of keeping with the Old Headington and Stoke Place conservation area. They will detract from the current aspect of the Ruskin parkland and damage the natural habitat including that which benefits the walled-garden allotment and other surrounding gardens and natural space.
- Light spill to neighbouring properties.
- New blocks would not improve and enhance, but infill and urbanise the parkland setting. Design more appropriate for a business park. Low design aspiration with off the peg shoe box shape.
- Materials proposed make no reference of old Headington of stone and brick/tiled building and walls. Brick will only be stretcher bond and not reflect other interesting detailed bonds around and on site (e.g. Local Flemish, Flemish Garden and English bond). Bog standard materials cannot be dress an indifferent brick façade.
- Loss of the Bowerman does not facilitate a replacement.
- Webb building shows more design imagination.
- Renewing permissions does not make them still acceptable.
- Increased overlooking to Stoke place – 20m from Stoke Place wall.
- 400 students on site – how are they and staff going to be managed? Including food deliveries, refuse collections, parking etc. How will parking be effectively policed by Ruskin/UWL?
- Arboricultural Barell Report poor.
- Concern that the new buildings D would be within the root protection zone of the Sequoia tree – poorly maintained by Ruskin.
- Bulky Block D would be visible, destroy the current setting and ‘uneasy’ on the eye from Barton Brook development. Block A would blight transverse views across the site.
- The area has changed around the site following construction of Rookery Villa (now private residential). Blocks D would be overbearing and overlooking on it, and noise impact resulting in loss of amenity.

Second round consultation

9.12. Additional comments raised to those previously can be summarised as:

- Given the sensitivity of the environment here we would expect all issues to be resolved satisfactorily, especially with respect to flooding and mitigation thereof.

- The new site plan appears to address the provision of cycle parking only
- Objection is rooted in the quality and nature of the proposed development in this important rural and green part of the Old Headington Conservation Area
- The Ruskin Hall site is not brownfield in the popular, post-industrial, sense of the word but a former grand home set inside the OHCA with a parkland and rural setting.
- It is part of the Green Space and Dunstan Road Character Areas that form part of the Character Appraisal for OHCA. Our concern is that this development proposal should be scrutinised as a new proposal and not as a rubber-stamped reiteration of former plans by former owners. It is important that the OHCA is preserved and enhanced with this development
- Stoke Place is being seriously eroded even by current use. Its width at its narrowest point is only 2.7m between the verges. The damage caused by the constant traffic can also be evidenced from the stone boundary wall of Ruskin College running the length of Stoke Place which is in a dangerous state of decay and presents a serious health and safety risk. One section has already partially collapsed.
- Use of Stoke place by heavy goods vehicles associated with this development over this period will leave Stoke Place in an even more perilous state. It is a Bridleway Open to All Traffic and as such Ruskin have a right to use it, but they also have a responsibility, as do local residents, to use it with care.
- Development must include an agreed transport plan so that should disputes or failings arise they can be tackled, with hopefully, a significantly greater level of commitment and success than Ruskin College
- Stoke Place is a rare example of a typical rural bridleway and needs to be protected to preserve its role and character in the Old Headington Conservation area.
- The road surface is significantly impacted by fast running drainage water when it rains, which seems to occur from some sort of blockage in the drains near the Ruskin boundary, opposite #5. This needs to be investigated and fixed.
- The road needs to be resurfaced from #1 to #8 (Ruskin Access Road)
- The road is very dark at night. This is a safety concern to users including students

- As part of the development work, can Ruskin include the road improvements (#1-8) on the road surface, lighting and wall fixes? To the standard where this section of the road could be adopted by the (City) Council, and made residents only parking?

Officer response

9.13. Listed Building consent is not required in this case because the development does not involve demolition of or works to the listed building or Crinkle Crankle Wall or any curtilage listed building. It is within the setting of the listed building but listed building consent is not needed for this. The Planning application considers the effect of building within the setting of the listed building in any event.

9.14. Adoption of the Stoke Place would be by the County Council as Highways Authority, not the City Council.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- Principle of development
- Affordable housing
- Design and Heritage
- Impact on amenity
- Transport
- Flood Risk and Drainage
- Archaeology
- Air Quality
- Trees
- Biodiversity
- Sustainable Design & Construction
- Land Quality

Principle of the development

10.2. The National Planning Policy Framework (NPPF) states that plans and decisions should apply a presumption in favour of sustainable development. To support the Governments objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land comes forward where it is needed, that the needs of groups with specific housing requirements are addressed and that the land with permission is developed without unnecessary delay. Within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected

in local policies, including students. Therefore it is clear that national policy expects that the housing needs of students are understood and should be met. The PPG also encourages Authorities to engage with universities to ensure they understand their student accommodation requirement.

- 10.3. Planning policies and decisions should promote an effective use of the land in meeting the need for homes and other uses (para 119) and states policies and decisions should give substantial weight to the value of using brownfield land within settlements for homes and promote and support the development of under-utilised land and buildings especially if this would help to meet identified needs for housing where land is constrained and available sites could be used more efficiently.
- 10.4. Policy S1 of the Oxford Local Plan 2036 (OLP) states that the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. Planning applications that accord with the Local Plan will be approved without delay unless material considerations indicate otherwise.
- 10.5. Policy H8 of the Oxford Local Plan states that planning permission will only be granted for student accommodation in restricted locations, including on or adjacent to an existing university campus and only if the use during university terms is to accommodate students being taught at that site or on a site which is allocated in the development plan to potentially include student accommodation. Being an existing student campus college, this site is defined as suitable for student accommodation. Because there are significant restrictions on where student accommodation can be delivered, delivery on sites that meet the locational criteria is particularly important in order that the accommodation needs of students can be met, as is required by policy.
- 10.6. Ruskin College is allocated in the Local Plan for development under policy SP55. This policy states “Planning permission will be granted for academic institutional uses, student accommodation and residential development at Ruskin College Campus. Residential development could include employer linked affordable housing in accordance with policy H3. Development could include open space, sports facilities and allotments. Other complementary uses will be considered on their merits. Pedestrian and cycle links through and to the site should be enhanced”.
- 10.7. In 2008, the Ruskin College Masterplan was developed and endorsed by the North East Area Planning Committee. The Masterplan sought to establish a framework for the future development at Ruskin’s College sites in Old Headington to span the next 15 years. The College had taken the decision to consolidate the two Ruskin College sites because it was not economical or ecologically sustainable to duplicate activities between the two sites. This has now been achieved with the construction of the new academic building on the Old Headington campus, the closure of Ruskin’s College on Walton Street and the transfer of all students and staff to the Old Headington Campus, now called Ruskin College campus. Since that time the college has been taken over by the University of West London (UWL).

- 10.8. In order to continue the implementation of the Masterplan, the college still need the two student accommodation blocks previously approved to be effectively renewed. As previously stated there have been 3 rounds of approvals for identical buildings in the same locations providing the same number of bedrooms, continuing to seek new accommodation to deliver the growth ambition of the College 09/00634/FUL & 09/00636/FUL and as further approved under 12/03123/EXT, 12/03124/EXT and 17/02387/FUL. This report therefore considers how the proposals now accord with the relevant development plans and any material considerations arising since the last grant of planning permission in 2018 (17/02387/FUL refers).
- 10.9. In view of the change of ownership, and the acquisition of the site in July 2021 by UWL, additional information has been provided regarding the courses that will be offered at Ruskin as a result of the change of ownership. The agent advises that the courses to be offered to students are Law, Politics, International Relations, Public Health and Social Work, as well as access courses for Health and Social Care, Access Nursing, Access Social Science. New courses are being set up now for recruitment in coming months. All of the courses offered are full time learning and the higher education courses offered on the website indicate they are over one academic year duration. UWL aim to increase numbers from 154 full time students currently to 500 students in 2025/2026. The increase in course provision and partnerships has led to an increase in demand for accommodation for full-time students. The College also requires an associated increase in high quality on student accommodation, which cannot be met through the existing on site accommodation alone.
- 10.10. UWL has advised that there are currently 1,713 students at Ruskin College. Of these 154 students are on full-time courses and all 75 existing student bedrooms were occupied last year and over 51% of students (approx.79) were living elsewhere in Oxford. This year demand for the site accommodation is increasing. UWL therefore need the proposed accommodation to meet this current need and increasing demand. Furthermore the accommodation needs to be modernised for a better student experience and for their health and wellbeing. They also currently lease other buildings for their summer school activities but would ideally like to house the students in their own accommodation therefore increasing the demand for accommodation.
- 10.11. The increase to the sites accommodation capacity will be from 75 to 146 rooms providing a net gain of 71 bedrooms which would allow Ruskin to meet most of the demand for its accommodation.
- 10.12. The National Planning Practice Guidance (NPPG) requires that student accommodation should now be considered as contributing towards the supply of housing, based on the amount of accommodation it releases onto the housing market. A total of 95 rooms would be provided by the development and based on the ratio of one house released on the open market per 2.5 student rooms provided by a new development (based on the nationally used Housing Delivery Test standard) the equivalent of 38 houses would be released back onto the general housing market as a result of the student accommodation. Based on net increased in student bedrooms this would be a net gain of 28 houses

- 10.13. From this information it is evident that the College are seeking to grow and attract students to Ruskin College to provide undergraduate courses for adults over a range of disciplines. The provision of student accommodation on site would support the development of the College and continue to provide the benefit of on-site campus accommodation which limits the need to travel and rent open market accommodation. This in turn would have the effect of reducing pressure on general market housing which is a key policy objection to ensure that there is a sufficient supply of housing to meet housing need across the City.
- 10.14. In view of the continued policy allocation for student accommodation at Ruskin College as set out in policy SP55; the location policy for student accommodation set out in policy H8 and the previous approvals for almost identical schemes for student accommodation, which are a material consideration, it is considered that the student accommodation is acceptable in principle on this site. Subject to conditions imposed to secure the use as student accommodation and occupation by those on full time courses together with out of term time use, a management plan and a mechanism for preventing students bringing cars to Oxford (normally a clause within any tenancy or similar agreement between College and student), the development accords with Policies SR1, SP55 and H8 of the OLP.

Affordable Housing

- 10.15. The OLP states in policy H2 that planning permission will only be granted for residential development if affordable homes are provided in accordance with the range of criteria. Contributions towards affordable housing provision will not be sought where the proposal is within an existing student campus site or comprises the redevelopment of an existing purpose built student accommodation site which is owned by a university and which will continue to be owned by a university to meet the accommodation needs of the its students.
- 10.16. In this instance, the proposal accords with the exceptions criteria as the site is within an existing student campus as well as the proposal comprising a redevelopment and/or intensification of a site where the main existing use is student accommodation. Therefore, there is no requirement for the applicant to make a financial contribution towards off site affordable housing. The scheme complies with policy H2 of the OLP.

Design and Heritage

- 10.17. The NPPF makes clear that the purpose of planning is to help achieve sustainable development (Section 2), and that creating well designed places (Section 12), effects on the natural environment (Section 15) and conserving and enhancing the historic environment (Section 16) are important components of this.
- 10.18. Section 11 of the NPPF notes in paragraph 122 that in respect of development density the considerations should include whether a place is well

designed and “the desirability of maintaining an areas prevailing character and setting”.

- 10.19. Paragraph 130 of the NPPF states that decisions should ensure that developments will a) function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; c) is sympathetic to local character and history, including the surrounding built environment and landscape setting; d) establishes or maintains a strong sense of place to create attractive, welcoming and distinctive places and e) optimises the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public open space).
- 10.20. OLP policy DH1 states planning permission will only be granted for development of a high quality design that creates or enhances local distinctiveness. All developments will be expected to be supported by a constraints and opportunities plan and supporting text and/or visuals to explain their design rationale.
- 10.21. OLP policy DH2 recognises that land is scarce and there is an imperative to use land efficiently. Taller buildings can positively contribute to increasing density, enabling a more efficient use of land. The policy recognises the sensitivity of the iconic historic skyline and care is needed to ensure taller buildings do not negatively impact on this, or the green hills surrounding. The policy states that the City Council will seek to retain significant views both within Oxford and from outside, in particular to and from the historic skyline. Planning permission will be granted for developments of appropriate height and massing subject to a range of criteria regarding clear design rationale and positive impact; regard to the High Buildings TAN and demonstrate the impact on important views both on the historic skyline and out towards Oxford’s green setting.
- 10.22. Policy DH2 identifies a 1200m radius of Carfax Tower, which contains all buildings that are in the historic skyline (Historic Core Area). The policy states that for buildings within this radius and exceed 18.2m in height are likely to intrude into this skyline. Development taller than 18.2m in that range will be subject to more extensive scrutiny to assess their impacts of the proposals. The Ruskin College site is outside of this 1200m radius and outside of the Historic Core. Any proposal within a View Cone that may impact on roofscape and the foreground part of any views should be designed carefully and meet the following criteria, including that they are being based on a clear understanding of characteristic positive aspects of roofscape in the area and they contribute positively to the roofscape, to enhance any significant long views the development may be part of and also the experience at street level. Planning permission will not be granted for development proposed within a View Cone or the setting of a View Cone if it would harm the special significance of the view.
- 10.23. Policy RE2 of the Local Plan states planning permission will only be granted where development proposals make efficient use of land. Development

proposals must make the best use of site capacity, in a manner compatible with the site itself, the surrounding area and broader considerations of the needs of Oxford and address a range of criteria.

10.24. The site falls within the Headington Neighbourhood Plan area. Policy GSP4 has regard to the protection of the setting of the site and states new development will be permitted where its design responds appropriately to the site and the character of the surrounding area. Policy CIP1 has regard to development respecting existing local character and states that new development will only be permitted where they respond to and enhance the distinctive local character where it is described in the character assessments". Policy CIP2 seeks to protect important views within Headington itself and out of the Headington Neighbourhood Plan area. In Appendix C of the Neighbourhood Plan it identifies views on the viewpoint map. Policy CIP3 encourages high quality development proposals, stating development proposals which are of an innovative and/or contemporary design will be permitted where they (inter alia) respect and take account local heritage; and enhance the distinctive identity, character and setting in terms of scale, layout, density, orientation and massing.

Significance

10.25. The Old Headington Conservation Area Appraisal was adopted in July 2011. The aims of this document are to assess the special significance of the conservation area and the elements that contribute to this significance and to provide guidance on preserving and enhancing this. Key characteristics of this part of the CA along Dunstan Road is its tree lined approach to the historic village core, with grass verges and high stone garden walls contributing to the village character. The houses are generally set well back from the road in large gardens, reflecting the process of development onto former agricultural land on the village-edge. Ruskin Hall (The Rookery) is an example of the big houses built on the edge of the village by an Oxford merchant, but also has historic interest as an educational institution. The character area contains a group of cottages of late 19th century construction that extend from the end of St. Andrew's Road down Stoke Place Lane. These introduce the more densely built up character of the village centre, as well as illustrating the difference in the housing provision made for the village's working class inhabitants and its wealthy inhabitants, such as the owners of The Rookery and Stoke House in the later 19th century. The green setting of the conservation area is also important and is recognised in the Conservation Area Appraisal. The north of the site is bounded by open fields, the northern bypass and then open countryside beyond this. This green wedge is indeed important to the setting of the existing buildings on the site and the rural quality and significance of the conservation area.

10.26. Ruskin Hall, formerly known as The Rookery, is 2 storeys constructed of stone, under a pitched roof, the earliest, and once freestanding, building on the site, dates from the 16th and 17th centuries. It survives in part only, retaining chimney - breasts and good fireplace surrounds, but its cross wings were removed in order to accommodate the 3 storied, ashlar limestone, 1810 classical building, whose main staircase is now the principal feature of its type within The Rookery.

- 10.27. Extensive alterations in the late 19th, early 20th century, collectively ascribed to the Arts and Crafts style, produced a long, single storey, north range under pitched roofs, skewed in plan, with a lower, cloistered arrangement built on the eastern side of the 16th/17th century building to provide a link. About the same time, a pitched roof with dormers was added above the first floor, and at the southern end of the early building, with single storey extension immediately to its north. It is likely that the servants' stair, inserted within the original building, dates from this period. Also built during this phase is a 2 storeyed flat roof and single storied bay extension against the western, side elevation of the classical building.
- 10.28. Small-scale additions of 1 and 2 storeys height, of an ancillary nature, were added to the north elevation of the Classical building in the mid 1960's. The extensive plan form, but single storey, Tawney, Dining Hall and kitchens also dated from this phase. In the 2010 a larger extension to the Rookery and other internal alterations and changes were made, as approved under 09/00547/FUL and 09/00546/LBD which included the demolition of late 19th/ early 20th C. internal servants stair, 1960's Tawney Hall (Refectory wing and kitchens) and small scale rear late 19th/ early 20th C.
- 10.29. Overall Ruskin Hall (Rookery) has a moderate level of architectural significance deriving primarily from its earliest surviving range but also contributed to by its evident architectural evolution and the various ancillary structures that contribute to an understanding of the building's importance within the settlement.
- 10.30. The Crinkle Crinkle wall forms part of the Walled garden built in the 18th Century and thought to be for structural reasons. It is a relatively rare survival of this type of structure historically common to walled, productive gardens (for fruit growing). It is constructed of stone on the north face and lined with brick on the internal southern face of the wall. The walled garden also offers an important cultural reference related to the 18th C aggrandisement of the site and the significance of productive gardens and particularly walled gardens to small as well as much larger estates at this period. The wall has been repaired and the walled garden brought back to life in recent years under the approval 09/00547/FUL, and is tended by the students and the Ruskin Crinkle Crinkle Garden Club. The Crinkle Crinkle walled garden therefore has both architectural (aesthetic value) for its enclosing walls, as well as its historical value as an important feature of garden history.

Design and appearance

- 10.31. The proposed two new student blocks are identical in terms of siting, height, massing and appearance to the two separate applications approved in 2018. Whilst this permission has recently lapsed, it is a material consideration albeit with less weight than if it were extant. The wider Ruskin College site is of substantial size, however, the academic and accommodation buildings that form the sites use are contained to the south of the site in a clustered form. The siting of the buildings as proposed has the effect of containing the buildings towards the south of the site, preventing sprawl of buildings into the adjoining fields and

respecting existing building patterns. The site layout is therefore considered acceptable.

10.32. Block A effectively replaces the existing 1960's Bowen Building that was demolished shortly after the original permission was granted in 2010 due to the failing fabric. This L-shaped building would provide 65 bedrooms and measures approximately 12.8m high. Whilst a storey higher (4m) than Bowen (approx. 8.8m High) the fall of the land has been made use of and as such it would have a similar relationship to the listed Ruskin Hall. The plan form pushes and pulls the façade which together with the varied heights breaks down the massing of the building. Block D to the east of the Rookery on the site of the demolished Bowerman building, again utilises the change in ground level reaching approximately 9.7m high (at its highest point). It would be lower in height than the modern extension to the listed Ruskin Hall and it is considered to have an appropriate relationship to it. Again the plan form pushes and pulls the façade and with the varied heights which helps to break down the massing.

10.33. Public comments are noted regarding the appearance of the building. The buildings are both architecturally the same in appearance with flat roofs, large windows to bedrooms and communal rooms, and vertical bands of glazing for stair wells and landings. Whilst not highly decorative it echoes the simplicity in form of the existing 1960's building with its flat roofs and large windows and would be constructed from buff brick with blue brick plinth detail with bronze coloured aluminium fenestration, doors, spandrel and louvre panels. This pallet of materials is widely seen in student accommodation development within the City. Whilst stone has not been proposed, buff brick is considered to be an appropriate alternative and indeed is found on the adjacent Biko building and existing Bowen. Bronze coloured fenestration and detailing is a contemporary alternative to charcoal grey which harmonises with buff bricks. As such it is considered that the material pallet is acceptable in this location.

10.34. Comments of Thames Valley Policy are noted with respect to the design of the development and crime prevention for students. They advise that robust physical security should be present to protect the occupants as well as the development as a whole. Their areas of concern relate to cycle storage; access arrangements into blocks; postal services; bin stores; defensible spaces and boundary treatments. Design details and measures necessary to ensure all opportunities are taken to design out crime and to ensure all areas of the development are sufficiently secured to reduce the opportunities for crime and disorder to occur could be secured by conditions requiring an application for SbD Silver accreditation and an external lighting and CCTV scheme. As such the development would accord with Policy DH1 of the OLP.

Impact on views and significance

10.35. In considering this application, the development plan has altered since the previous permissions were granted with the OLP 2036 being adopted in 2021. However the policy context has not materially altered and a local planning authority's duty to have special regard to the preservation or enhancement of designated heritage assets remains. The significance of the listed building and

its garden landscape setting, the Crinkle Cranckle wall and walled garden, the green field landscape and the significance of this part of the Old Headington Conservation Area are well understood. In previous determinations the Council found that the proposed plans, which are identical to those here, were not harmful to the significance of those assets. There has been no significant material change in circumstances either in the context of the site or surroundings since that time. However there has been case law since the original 2009 decision (and subsequent decisions) that would lead Officers to assess harm in a different manner to that before. In particular, in 2015, in the Barnwell Manor case, the Court of Appeal emphasized that a finding of harm to the setting of a listed building or conservation area gives rise to a strong presumption against planning permission being granted. The presumption is a statutory one. It can be outweighed by material considerations powerful enough to do so. This judgement, which has been reinforced/upheld by subsequent case law established the basis for determination of the present applications, considering that an authority can only properly strike the balance between harm to a heritage asset on the one hand, and planning benefits on the other, if it is conscious of the statutory presumption in favour of preservation, and if it demonstrably applies that presumption to the proposal it is considering.. As such Officers assessment is now more aligned with current case law and local plan policy.

Views

- 10.36. The site appears in views of the Oxford historic core from Elsfield. Whilst it is not within the identified view cone itself under Policy DH2, it does sit to the left of the historic core within the wider view, with the John Radcliffe Hospital very apparent in between. As part of this application a Landscape Report that assesses the visual impact of the development in the view from Elsfield has been submitted. Interrogation of the view has resulted in the original proposal being amended to remove some features for example chimneys, to reduce its visual impact within this view.
- 10.37. The site sits within the green and verdant edge of the wider setting of the historic core. Whilst there would be a change to this green mid-ground to old Headington as a result of the development, it is considered that the development would not adversely impact on the historic core itself by competing with or distracting from it, but would result in a change to the green setting, certainly in the short term before any mitigating landscaping planting matures.
- 10.38. As before the development would be mostly screened in winter months and totally screened in summer from the public footpath 'significant view line (which continues north from Stoke Place) as identified in the conservation area appraisal. As such there would no significant alteration to the view as a result.

Block D

- 10.39. Block D effectively replaces the existing 1960's Bowen Building and whilst a storey higher it would have a similar relationship as the existing building does to the listed building and its setting and as such there would be no harm to the

listed building and its setting. The land slopes down at this point within the site and views are obscured by mature trees to the north. From Dunstan Road to the south the land again falls within the site and the building would be obscured from views by the existing accommodation blocks Beatrice Webb and Biko. From Stoke Place the new Block D would be again glimpsed above and behind the northern range of the listed building. As such it would have a similar relationship as it does now and therefore have a neutral effect. It is considered that there would be no harm to the significance or setting of the listed building or conservation area as a result therefore.

Block A

- 10.40. Block A is located in a similar location to the Bowerman building that was demolished. The new building would result in the loss of some trees and reduce the existing parkland setting and which has contributed to the C18 and early C19 phases of the development of the site. The early original permission required mitigation in the form of tree planting along the site boundary which has been implemented. The siting of Block A to the east of the more recent modern extension to the listed building would align with this building frontage along the existing drive. Views of the rear building ranges and the walled garden would be maintained along this drive when entering from Stoke Place. Views of the modern extension and garden are glimpsed elsewhere along Stoke Place above the existing stone boundary wall and through the trees. As the land falls along Stoke Place so the wall screens views. The new building would like wise would be glimpsed and screened. As such it is considered that a low level of less than substantial harm would be caused to the setting of the listed building.
- 10.41. From entering the site from Dunstan Road, there will also be a level of harm caused to the setting of The Rookery by virtue of the siting of a relatively large, new building on the open space to the east of the listed building. The new building would result in the loss of two trees and also reduce the overall sense of a parkland setting that presently exists and that made an important contribution to the C18 and early C19 phases of the development of the site. The harm would be less than substantial due to the siting of the new building to the east of the campus and adjacent to the Rookery extension which would still allow a glimpsed view of the historic building on approach from Dunstan Road entrance as currently exists. However the new building would reduce the visibility of the walled garden to the rear which can presently be glimpsed from within the campus and Stoke Place, noting the new extension to the listed building already reduces the visibility and disconnects the garden from the original C18 Rookery building. As such it is considered that there would be a moderate to high level of less than substantial harm to the setting of the listed building and therefore the significance of the listed building.
- 10.42. In addition there would be some harm caused to the character and appearance of the conservation area by the intensification of buildings within the parkland/garden setting of Ruskin Hall campus which would alter the overall sense of a house within gardens in views into the site from outside, including glimpsed views from Stoke Place, within the conservation area, and in the

overall pattern of development which historically was a house within parkland/gardens. The level of harm to the conservation area is considered to be a low level of less than substantial harm.

Justification and Public benefits

10.43. As set out in the NPPF where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. Great weight is given to the conservation of the Conservation Area and setting of the listed building. In accordance with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, when considering whether to grant planning permission, “special regard should be given to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.” In addition officers are required to take account of Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended, that requires in considering a planning application, that special attention is paid to the desirability of preserving or enhancing the character or appearance of the conservation area, and section 16 of the NPPF which states that, with respect to buildings or other land in a Conservation Area and its setting, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

10.44. In accordance with the statutory test, the NPPF and Policies DH1, DH2 and DH3 of the OLP, as less-than-substantial harm to the significance of a number of heritage assets has been identified, the presumption against planning permission can only be outweighed by material considerations powerful enough to do so, and therefore it falls to consider any public benefits that may outweigh that identified harm. In carrying out a balancing exercise, great weight should be given to the conservation of these designated heritage assets. Public benefits may follow from developments could be anything that delivers economic, social or environmental objectives (NPPF para 8) and do not always have to be visible or accessible to the public in order to be genuine public benefits. The following public benefits have been identified as arising from the proposed development:

- 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 and given the need for housing in Oxford this is afforded a high level of weight in this case;
- Provision of purpose built student accommodation for Ruskin College/ and wider UWL to promote its education including community courses to the benefit of the City, regional and UK economy. This is afforded a moderate level of weight in this case;
- Provision of accommodation on site to improve the health and wellbeing of its students;

- Improvement of energy efficiency of the existing building through sustainable design and construction in reducing carbon and helping to tackle climate change; and
- Increased biodiversity and tree canopy cover through new planting and is afforded a moderate level of weight in this case.

10.45. As discussed above, a medium level of less than substantial harm would be caused to the heritage significance. There is considered to be a clear and convincing justification of need for the development in this location, which has been suitably mitigated through the design. Overall it is considered that the level of public benefits derived from the development would outweigh the level of less than the substantial harm caused. As such the proposal would accord with the NPPF, Policies DH1, DH2, DH3 and DH4 of the OLP36 of the OLP and GSP4, CIP1, CIP3 and CIP4 of the HNP.

Impact on neighbouring amenity

10.46. Policy RE7, as set out above, seeks to ensure a standard of amenity and make sure that development protects amenity and would not result in unacceptable impact on neighbours.

10.47. Officers previously considered that there would be no adverse impact on residential amenities. The proposed accommodation blocks would be situated well within the campus grounds and would have a significant distance to the nearest residential properties. Block A to the north overlooks an area of grass and trees and any oblique views to the rear of No. 4 Dunstan Road property, which is closest, are in excess of 47m (notwithstanding any boundary issues raised by No.4). It is also screened by the existing Biko building. There would be no direct overlooking, loss of privacy or overbearing. Block D is in excess of 34m to No. 8 Stoke Place. Whilst the building will face directly towards No.8 with windows to bedrooms, bathrooms and common rooms on all floors, it would be screened by existing and new tree planting and the central hall way windows have been covered with louvers also to restrict views. Furthermore the distance varies from 34m to 50m where the building sets back and is sufficient for there not to be any significant overlooking or loss of privacy. Neither would the building be overbearing.

10.48. Block D is positioned such that it directly overlooks the car parking and bins store area for the College and it set away from Ruskin Villa (on the site of the former Rookery Cottage) to the north–east of it. As such it would not directly overlook or be overbearing to that property.

10.49. Residents have also raised the issue of light pollution, and as before, a condition could be imposed requiring a lighting scheme in order to ensure lighting would not be an issue.

10.50. Subject to conditions, the proposal accords with Policy RE7 of the OLP36.

Trees

- 10.51. Policy G7 of the Local Plan seeks the protection of existing Green Infrastructure features and states planning permission will not be granted for development that results in the loss of green infrastructure features such as hedgerows, trees or woodland where this would have a significant public amenity or ecological interest. It must be demonstrated that their retention is not feasible and that their loss will be mitigated.
- 10.52. The policy goes on to state that planning permission will not be granted for development resulting in the loss of other trees, except in the following circumstances, that it can be demonstrated that the retention of the trees is not feasible; and where tree retention is not feasible, any loss of tree canopy cover should be mitigated by the planting of new trees or introduction of additional canopy cover, and where loss of trees cannot be mitigated by tree planting on site then it should be demonstrated that alternative proposals for new green infrastructure will mitigate the loss of trees, such as green roofs or walls.
- 10.53. Policy G8 states development proposals affecting existing Green Infrastructure features should demonstrate how these have been incorporated within the design of the new development where appropriate. This applies to protected and unprotected Green Infrastructure features such as hedgerow, trees and small public green spaces.
- 10.54. The Ruskin College site comprises attractive sylvan parkland, within which are numerous mature trees which characterise the parkland semi-rural landscape. The trees have a significant important role in this landscape setting and form an important role not only locally in short range views from around and through the site but also in the wider landscape, and views back towards the hillside from Elsfield.
- 10.55. The application is supported by an Arboricultural Impact Assessment (AIA) undertaken in March 2022 and recorded a total of 65 trees, 6 groups and 1 woodland. The tree stock comprises 7 high quality (category A) trees, 42 moderate quality (category B) trees, group and woodland, 14 low quality (category C) trees and 5 groups and 2 trees that a very poor quality and need removing (category U).
- 10.56. To implement the proposal, the AIA indicates that 6 trees would be lost to the development. These are moderate-quality category B trees T479 (Ginkgo), T492 (Apple), T493 (Apple), T494 (Cherry), T509 (Birch) and 1 low-quality category C tree T510 (Birch).
- 10.57. The assessment advises that “All these trees are well within the site and are not prominent as skyline features from any public viewpoints because of all the significant boundary tree cover that is being retained. Their loss will be noticeable in the immediate vicinity once the development is completed, but the comprehensive new landscaping proposals will rapidly mitigate those losses and limit the impact on local character to the short term and in the immediate vicinity. There will be no adverse impact to local character in the wider setting”

- 10.58. The proposal also involves development in close proximity to valuable trees, which are shown for retention; including in such proximity that special precautionary measures are proposed;- T511 (Beech), 478 (Yew), T477 (Tulip tree), T508 [veteran] (Alder).
- 10.59. Detailed tree protection measures are proposed within the Barrell Report, and it is considered that notwithstanding close spatial proximity of proposed buildings to retained trees, these would be adequate for the reasonable expectation of retained tree survival if implemented and maintained as specified; these details can be secured by conditions.
- 10.60. The scheme involves the loss of tree T479 (Ginkgo); it contributes positively both to the site internally and to views beyond the immediate vicinity, from Dunstan Road thereby it is a significant landscape feature to the character and appearance of the Ruskin Hall site. The applicant (tree consultants) has confirmed that the tree has to be lost to enable the construction of Block A. However, replacement trees are proposed for the location, which would ultimately and satisfactorily provide replacement tree canopy cover.
- 10.61. The arboricultural report includes a detailed Tree Canopy Cover Assessment (TCCA) study. The methodology and its calculations are sound (the study, as with all TCCA studies provides a means of comparing the development versus a no development scenario, rather than giving an accurate prediction of canopy cover for either).
- 10.62. In terms of canopy cover loss from tree removals, compared to the canopy cover gain from the new planting, the TCCA shows that the canopy cover loss is greatest at completion of development, but the new planting rapidly increases canopy cover to be almost equal after year 10 and turning into net gains of about 2% by year 20 and 3% by year 30. Therefore the proposed scheme is in compliance with Policy G7 of the OLP.
- 10.63. Landscape design details specifies a comprehensive new tree planting scheme for 29 new trees of mixed species intended to enhance local character. The landscape general arrangements are considered appropriate and the tree species selected support the canopy cover increase shown in the TCCA study. Details are indicative and a detailed landscape design providing nursery stock sizes, types and planting pit design detail are required and could be secured by condition.
- 10.64. In view of the mitigation being proposed to offset the trees lost to the development and the canopy cover assessment provided indicating a greater canopy in the mid to long term, that the policy requirements of policy G7 of the OLP has been met and the proposal is acceptable having regard to existing green infrastructure.

Transport

- 10.65. Policy M1 states that planning permission will only be granted for development that minimises the need to travel and is laid out and designed in a way that prioritises access by walking, cycling and public transport. In

accordance with policy M2, a Transport Assessment for major developments should assess the impact of the proposed development and include mitigation measures to ensure no unacceptable impact on highway safety and the road network and sustainable transport modes are prioritised and encouraged. A Travel Plan, Delivery and Service Management Plan and Construction Traffic and Environmental Plan Management Plan are required for major development.

- 10.66. Policy M3 sets out the Council's policy for motor vehicle parking. In Controlled Parking Zones (CPZs) or employer-linked housing areas (where occupants do not have an operational need for a car) where development is located within a 400m walk to frequent (15 minute) public transport services and within an 800m walk to a local supermarket or equivalent facilities (measured from the mid-point of the proposed development) planning permission will only be granted for residential development that is car-free. In the case of the redevelopment of an existing or previously cleared site, there should be no net increase in parking as existing on site and a reduction will be sought where there is good accessibility to a range of facilities.
- 10.67. Furthermore as set out above, Policy H8 makes clear that all student accommodation development must comply with parking standards under Policy M3. This states that only operational and disabled parking is allowed and the developer must undertake and provide a mechanism to prevent students from parking their cars anywhere on the site, (unless a disabled vehicle is required), which the developer shall thereafter monitor and enforce. This is usually done through the tenancy agreement (as stated above).
- 10.68. Policy M5 and Appendix 7 sets out minimum cycle parking standards for student accommodation of at least 4 spaces for every 4 study bedrooms (1:1), unless site specific evidence indicates otherwise in accordance with Policy M5. Policy DH7 of the OLP sets out design requirements for bike & bin stores and external servicing features. These should be considered from the start of the design process.
- 10.69. The site is considered to be in a sustainable location with good access to public transport in and out of the City within walking distance on the London Road and shops and facilities in Headington District area (approx.400-500m and 700m respectively). There would be no change to two existing access from Stoke Place and Dunstan Road. The County Council as Highway Authority (HA) has raised no objection subject to conditions (see paragraph 9.2 above). The development does not proposed any additional car parking and therefore accords with Policy M3. Whilst the HA advises provision of electric charging for cars, as there would be no change to current car parking on site, provision cannot be required under Policy M4 which is only for new additional spaces within a development. Students would not be allowed to bring cars to the site and this could be secured by condition. The condition requires a clause in the tenancy (or similar) agreement that sets out no cars are allowed and in addition makes clear the consequences if this is breached. Subject to this condition the development would accord with Policy H8..

- 10.70. The development requires a Travel Plan which was submitted with the application. The HA advise that it is not satisfactory in its current form and an updated detailed version could be secured by condition that includes a Residential Travel Information Pack to ensure all residents are aware of the travel choices available to them at the point of occupation. Furthermore a Visitor Travel Plan is also required so that parents/visitors/ conference delegates are also aware of the limited parking on site and other travel choices available. This could be secured by condition. As such the development would accord with Policy M2 of the OLP.
- 10.71. The first round of statutory and public consultation responses raised concern that the development failed to provide sufficient cycle parking provision in accordance with the minimum cycle parking standard set out in Policy M5. The HA, whilst they did not object, also considered that the minimum 1:1 student space standard was required in this case, and the exemption set out in the Policy whereby a lower standard could be provided was not applicable given the distance to public transport links. The HA suggested that the full amount could be secured by condition. However, in response to Statutory and public consultation responses the applicant amended the plans which now show 65 cycle parking spaces to the rear of Block A and 30 spaces provided at Block D (split in to two areas), together with the 24 existing visitor and spaces retained. As such the development would provide 1:1 student spaces (total 95) and sufficient visitor spaces. Electric bikes and cargo bikes would also be provided for. The details of the cycle parking, including appearance, electric/ cargo, could be secured by condition and the development accords with M5 of the OLP. Refuse collection, servicing and deliveries for the site would not change and are accessed as currently via Stoke Place with sufficient turning within the site. The HA considers that the current access arrangements are suitable to serve the additional student accommodation.
- 10.72. A Construction Traffic Management Plan is required to demonstrate route for construction traffic and measures to minimise impact on the local highway network. This could be secured by condition and as such the development would accord with Policies M2 and RE7 of the OLP.
- 10.73. Comments regarding the state of Stoke Place and maintenance of the road are noted. However, this is outside the remit of the planning application. The road is not adopted by the HA and as such they are not able to impose conditions or improvements to it.

Flood Risk and Drainage

- 10.74. Policy RE3 relates to flood risk management and states planning applications for development on sites larger than 1 ha in Flood Zone 1 must be accompanied by a site specific Flood Risk Assessment (FRA) to align with national policy.
- 10.75. Policy RE4 relates to sustainable and foul drainage, surface and groundwater flow, and states that all development proposals will be required to manage surface water through Sustainable Drainage Systems (SUDs) or techniques to limit run off and reduce the existing rate of run-off on previously

developed sites. Surface water run off should be managed as close to its source as possible, in line with the stated drainage hierarchy.

- 10.76. A Flood Risk Assessment and Drainage Strategy have been submitted with the application. The site is located within Flood Zone 1 which has a low probability of flooding at 1:1000 annual probability of flooding. The nearest watercourse is Bayswater Brook which lies 583m to the north of the site, which a ditch also to the north of the site that feeds into it. The drainage strategy demonstrates use of permeable soakaways where possible, an attenuation tank in order to facilitate the required green field discharge rates, and permeable paving. Any storm events would meet the 100 year plus 40% climate change event by directing water to towards the field to the north of the site and the existing pond and drainage ditch. Car parking areas would be porous hardstanding with porous sub base and access chambers for maintenance. Proposed foul water would connect into existing Thames Water sewers.
- 10.77. Further to the submission of amended and new information the LLFA have withdrawn their original objection and now raise no objection subject to conditions requiring implementation in accordance with the submitted Report and plans, and submission of a record of implementation. It is considered that the drainage strategy and sustainable drainage would be satisfactory in terms of reducing run off rates and the use of attenuation tanks and permeable paving is justified in this case. As such the proposed drainage strategy is acceptable in principle in accordance with RE3 and RE4 of the OLP, subject to a conditions securing implementation and a record of installation.

Archaeology

- 10.78. Policy DH4 states that within the City Centre Archaeological Area, on allocated sites where identified, or elsewhere where archaeological deposits and features are suspected to be present (including upstanding remains), applications should include sufficient information to define the character, significance and extent of such deposits so far as reasonably practical within a Heritage Assessment and, if applicable, a full archaeological desk-based assessment and the results of evaluation by fieldwork.
- 10.79. Development proposals that affect archaeological features and deposits will be supported where they are designed to enhance or to better reveal the significance of the asset and will help secure a sustainable future for it. Proposals which would or may affect archaeological remains or features which are designated as heritage assets will be considered against the policy approach in policy DH3.
- 10.80. Archaeological remains or features which are equivalent in terms of their significance to a scheduled monument are given the same policy protection as designated heritage assets and considered against policy DH3. Proposals that will lead to harm to the significance of non-designated archaeological remains or features will be resisted unless a clear and convincing justification through public benefit can be demonstrated to outweigh that harm, having regard to the significance of the remains or feature and the extent of harm. Where harm to an

archaeological asset has been convincingly justified and is unavoidable, mitigation should be agreed with Oxford City Council and should be proportionate to the significance of the asset and impact.

10.81. The application proposal is of interest because of the potential for Iron Age, Roman and post-medieval remains in this location. A desk based assessment has been produced for this site (2006) and a geophysical survey and archaeological evaluation have been undertaken (though the current application includes new impacts not covered by the previous scheme). The evaluation demonstrated the presence of Iron Age and Roman remains in the western part of the site (within the footprint of the proposed Block A building) and noted the potential for Roman kilns to be present in the vicinity. The Oxford Archaeology report concludes that the grounds of Ruskin College 'clearly have significant potential to contain archaeological remains of several periods' (2008, page 15). Subsequently Oxford Archaeology undertook further evaluation and a watching brief prior to redevelopment work in 2010-2011. Four trial trenches were excavated to investigate the impact areas of a new extension to Grade II listed Rookery and a watching brief was undertaken on service trenches associated with the development. The combined works identified a possible Roman ditch and a variety of post-medieval features (including an 18th Century cistern related to the Rookery in a service trench located in the area of proposed landscaping south of Block A) and post-medieval structures to the west of The Rookery. Furthermore, in 2011 approximately 50% of the footprint of Block D was subject to a topsoil strip.

10.82. In view of this and taking into account the results of the previous evaluation trenching and the physical site constraints Officers would request that, in line with the advice in the National Planning Policy Framework, any consent granted for this application should be subject to conditions to secure sensitive demolition and further archaeological recording. Subject to this and appropriate conditions being imposed, it is considered the scheme would accord with policy DH4 of the OLP.

Air Quality

10.83. Policy RE6 of the OLP has regard to air quality and states planning permission will only be granted where the impact of new development on air quality is mitigated and where exposure to air quality is minimised or reduced.

10.84. The application has been submitted with an Air Quality Assessment. The baseline assessment shows that the Application Site is located within the Oxford city-wide Air Quality Management Area (AQMA), declared by Oxford City Council (OCC) for exceedances of the annual mean NO₂ air quality objective (AQO). Analysis of DEFRA's urban background maps and of all pollutant concentrations at monitoring locations in the surrounding area of the application Site, show current air pollutant concentrations to be below their relevant air quality objectives. The proposed development would not be affected directly by road traffic emissions, and concentrations of both nitrogen dioxide and particulate matter would be close to background concentrations which are well below the air quality objectives. The impacts of existing pollution sources on the future

residents at the proposed development are therefore considered to be not significant and air quality at the application site would be acceptable.

- 10.85. According to the site's energy statement, no gas-fired boilers or centralised energy plant are proposed within the Site. The Proposed Development would be all-electric, with air source heat pumps and an low temperature hot water radiator system supplying each buildings hot water requirements. As such there would be no significant point sources of emissions and no negative impacts on local air quality from the use of these systems.
- 10.86. According to the site's transport assessment, the proposals do not include any increase in car parking provision on the campus and students using the accommodation would be prohibited from bringing cars to the campus, meaning that only limited additional daily traffic movements would be generated from deliveries and servicing. This development would therefore not generate any significant detrimental impacts on the operation of the local transport network.
- 10.87. The impacts of demolition and construction work on dust soiling and ambient fine particulate matter concentrations have been assessed on the AQ Assessment. The site was identified as "Medium Risk" during the demolition earthworks and construction phases and "Low Risk" for track out. These different risk levels were used to identify appropriate site specific dust mitigation measures. Provided these measures are implemented and included within a dust management plan, the residual impacts are considered to be not significant. These measures could be secured by condition.
- 10.88. In review of all the above documents, Officers conclude that that the air quality levels at this development will be below current limit values for NO₂, PM₁₀ and PM_{2.5} and that the proposed development is predicted to cause a negligible increase in pollutant concentrations at all human and ecological assessment receptors. Subject to imposing suitably worded conditions, the proposal is considered to be in accordance with policy RE6 of the OLP.

Biodiversity

- 10.89. OLP policy G2 states that development that results in a net loss of sites and species of ecological value will not be permitted. Compensation and mitigation measures must offset the loss and achieve an overall net gain of 5% for biodiversity and for major development this should be demonstrated in a biodiversity calculator. Policy G8 requires new development that affects green infrastructure to demonstrate how these have been incorporated within the design, including health and wellbeing and biodiversity enhancement.
- 10.90. The Local Planning Authority (LPA) has a duty to, in exercising its functions, to conserve, restore and enhance biodiversity (section 40 Natural Environment and Rural Communities Act 2006). It must consider whether there is a reasonable likelihood of protected species being present and affected by development at the application site. The presence of a protected species that may be affected by the development is a material consideration for the LPA in its

determination of a planning application (paragraphs' 98, 99 ODPM and Defra Circular 06/2005: Biodiversity and geological conservation). The LPA has a duty as a competent authority, in the exercise of its functions, to secure compliance with the Habitats Directive (Regulation 9(1) The Conservation of Habitats and Species Regulations 2017 '2017 Regulations'). The Habitats Directive is construed from 31 December 2020 to transfer responsibilities to UK authorities to enable it to function as retained EU law. This applies to European sites (SACs and SPAs) and European Protected Species, both in and out of European sites.

10.91. The 2017 Regulations provide a licensing regime to deal with derogations. It is a criminal offence to do the following without the benefit of a licence from Natural England:

1. Deliberate capture or killing or injuring of a European Protected Species (EPS)
2. Deliberate taking or destroying of EPS eggs
3. Deliberate disturbance of an EPS including in particular any disturbance which is likely
 - a) to impair their ability –
 - i) to survive, to breed or reproduce, or to rear or nurture their young, or
 - ii) in the case of animals of a hibernating or migratory species, to hibernate or migrate; or
 - b) to affect significantly the local distribution or abundance of the species to which they belong.
4. Damage or destruction of an EPS breeding site or resting place.

10.92. Badgers are not an EPS. The ODPM and Defra Circular 06/2005 Biodiversity and geological conservation paragraphs 123 and 124 provides "The likelihood of disturbing a badger sett, or adversely affecting badgers' foraging territory, or links between them, or significantly increasing the likelihood of road or rail casualties amongst badger populations, are capable of being material considerations in planning decisions". Anyone submitting an application for development in an area where there are known to be badger setts must comply with the provisions of the Protection of Badgers Act 1992 and first obtain a licence from Natural England before interfering with a sett for the purpose of development.

10.93. All wild birds are protected under the Wildlife and Countryside Act 1981. The developer must comply with the legal protection of wild birds. The LPA should consider if the developer has taken appropriate measures to justify any negative effects on wild birds.

10.94. An Ecological Impact Assessment (EclA), Biodiversity Impact Assessment and Biodiversity Metric 3.1 were submitted in support of the planning application.

Protected Species/ Badgers/ Birds

10.95. The proposals entail the demolition of one building and the construction of two more, in addition to extensive landscaping works. The existing building was

assessed to be of low suitability for roosting bats; a single bat roost survey was undertaken and no roosts identified. Potential impacts on nesting birds, reptiles and badgers are identified in the Ecological Impact Assessment (EclA). Appropriate mitigation is proposed and detailed method statements should be provided in the form of a Biodiversity Construction Environmental Management Plan (CEMP), which should be secured via planning condition.

10.96. Officers are satisfied that a robust assessment has been undertaken and the potential presence of protected habitats and species has been given due regard.

Biodiversity Net Gain

10.97. The submitted Biodiversity Metric 3.0 indicates the development would deliver an increase of 1.71 habitat units (+12.05%). This is largely underpinned by the creation of more species-rich grassland, which would only be achieved under suitable management. The long term management of the proposed habitats could be secured by condition. .

10.98. In summary, Officers are satisfied that the potential presence of protected habitats and species has been given due regard, a net gain in biodiversity would be achieved and subject to conditions listed, the development would accord with G2 of the OLP. Due regard has been given to the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981.

Sustainable Design & Construction

10.99. Policy RE1 states that planning permission will only be granted where it can be demonstrated that sustainable design and construction principles have been incorporated. In respect of carbon emissions the policy requires for major developments at least a 40% reduction carbon emissions from a 2022 Building Regulations compliant base case. This reduction could be secured through on-site renewable energy and other low carbon technologies and/ or energy efficiency measures.

10.100. An Energy Statement rev P02 for Ruskin College produced by KJ Tait has been submitted with the application. The proposal seeks to reduce carbon using low or zero carbon technologies and taking a fabric first approach which is supported. Air source heat pumps have been modelled on both Blocks A and D to supply all of their heating and hot water loads. Photovoltaic (PV) arrays mounted on the available roof space of each of the blocks. This will be circa 112m² on block A and 75m² on block D. The lighting systems in all the spaces will be LEDs of at least 120lm/W with daylighting control and occupancy sensing to reduce the lighting demand further. Heat recovery from the bathrooms will be implemented via a central mechanical ventilation with heat recovery system that will supply fresh air to the bedrooms. There would be in excess of 40% carbon reduction achieved for both blocks against a 2021 Part L Compliant baseline. Block A would achieve 70% reduction and Block D 78% reductions. Implementation of the energy strategy and further details of the PV could be

secured by conditions and as such the development would accord with RE1 of the OLP.

Land Quality

10.101. The Council has a statutory duty to take into account, as a material consideration, the actual or possible presence of contamination on land. As a minimum, following development, land should not be capable of being determined as contaminated land under Part 2A of the Environmental Protection Act 1990. Policy RE9 requires a land quality assessment report here proposals would be affected by contamination or where contamination may present a risk to the surrounding environment. The report should assess the nature and extent of contamination and the possible impacts it may have on the development and its future users, biodiversity, the natural and built environment; and set mitigation measures to allow the development to go ahead safely and without adverse effect.

10.102. No new assessment has been submitted with this application. The development is of the same scale, layout and amount of accommodation as the previously approved application (17/02387/FUL refers). Officers have therefore considered historical mapping, documentation and correspondence associated with the previous approval. A previous Phase I Geo-environmental desk study completed at the site by Listers Geotechnical (ref: 17.02.029 April 2017) under the existing site planning permission did not identify any significant potential contamination risks. There is no evidence of historically contaminative use of the site where the new accommodation is proposed. Some minor depths of made ground may however be present. It is therefore considered that the proposed development does not present a potentially significant contamination risk to future site users, so an intrusive site investigation is not considered necessary. However a condition requiring a watching brief is considered appropriate in case any unexpected contamination is encountered during the course of site development. As such the development accords with Policy RE9 of the OLP.

11. CONCLUSION

11.1. Having regards to the matters discussed in the report, officers would make members aware that the starting point for the consideration 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.

11.2. 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 11 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.

11.3. Therefore 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 are inconsistent with the result of the application of the development plan as a whole.

11.4. 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 NPPF, and relevant policies of the Oxford Local Plan 2016-2036, when considered as a whole, and that there are no material considerations that would outweigh these policies.

11.5. This development that would provide increased student accommodation on land owned by the College, thereby releasing housing back on to the general housing market which would help meet the high demand for housing in the City. It would make best and most efficient use of the land, providing net biodiversity gain, ecological benefit, sustainable drainage and high levels of sustainable design and construction. Any harm to heritage assets identified would be outweighed by the public benefits derived from the development. Protected Species have been given due regard, harm minimised and mitigation measures proposed. Subject to conditions, it is concluded that the development would accord with the relevant Policies of the Oxford Local Plan 2036 and the NPPF, and complies with the duties set out in the Planning (Listed Buildings and Conservation Areas) Act 1990, the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981.

11.6. It is recommended that the Committee resolve to grant planning permission for the development proposed.

12. CONDITIONS

Time

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.

Plans

2. Subject to conditions requiring updated or revised documents submitted with the application, 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 SR1 of the Oxford Local Plan 2036.

Materials

3. Prior to the commencement of development, excluding demolition and enabling works, a schedule of materials together with samples shall be submitted to and approved in writing by the Local Planning Authority. The following sample panels shall be provided on site:

- a) Large scale sample panels of all new brickwork and stonework demonstrating the colour, texture, face bond, mortar and pointing for the new development shall be erected on site.

- b) Large scale sample panels of all new ceramic cladding, metal claddings and screens, and roof materials demonstrating the colour, texture, reflectivity shall be erected on site.

The development shall be completed in accordance with the approved materials schedule and sample panels unless otherwise first agreed in writing with the Local Planning Authority. Where feasible the sample panels shall remain on site for the duration of the development works.

Reason: To ensure high quality development and in the interests of the visual appearance of the North Oxford Victorian Suburb Conservation Area in which it stands in accordance with policies DH1 and DH3 of the Oxford Local Plan 2036.

Design/appearance

4. Prior to commencement of development above slab level, an application shall be made for Secured by Design Silver accreditation on the development hereby approved. The development shall be carried out in accordance with the approved details, and shall not be occupied or used until confirmation of SBD accreditation has been received by the authority

Reason: To ensure that appropriate physical security is provided, especially to the communal dwellings, where detail is missing from this application relating to access controls, visitor entry, postal services. To safeguard future residents and the buildings themselves from crime and antisocial behaviour. To ensure the development accords with Secure by Design principles and Policy DH1 of the Oxford Local Plan 2036.

5. Prior to first occupation an internal and external lighting and CCTV scheme shall be submitted to and approved in writing by the Local Planning Authority. The details shall include siting (plans and elevations), luminance & spill of lights and technical specifications. The scheme shall set out the steps that will be taken to ensure that external lighting, including zonal/security lighting, particularly around parking areas, promotes a secure environment and does not cause a nuisance to local residents. The approved details shall be installed and retained thereafter.

Reason: In the interests of Secure by Design, Biodiversity, neighbouring amenity and the Character and appearance of the Conservation Area in which

the site lies in accordance with Policies DH1, DH3 and G2 of the Oxford Local Plan 2036.

Biodiversity

6. No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) for biodiversity has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following:
 - a) Risk assessment of potentially damaging construction activities affecting protected species.
 - b) Identification of "biodiversity protection zones".
 - c) Practical measures (both physical measures and sensitive working practices) to avoid impacts on protected species during construction (may be provided as a set of method statements).
 - d) The location and timing of sensitive works to avoid harm to biodiversity features.
 - e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - f) Responsible persons and lines of communication.The approved CEMP (Biodiversity) shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To protect nesting birds, reptiles and badgers in accordance with the Wildlife and Countryside Act 1981 (as amended) and the Protection of Badgers Act 1992.

7. A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior to the occupation of the development. The content of the LEMP shall include the following.
 - a) Description and evaluation of features to be managed.
 - b) Ecological trends and constraints on site that might influence management.
 - c) Aims and objectives of management.
 - d) Appropriate management options for achieving aims and objectives.
 - e) Prescriptions for management actions.
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
 - g) Details of the body or organization responsible for implementation of the plan.
 - h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan shall be implemented in accordance with the approved details.

Reason: To ensure the enhancement of biodiversity in accordance with Policy G2 of the Oxford Local Plan 2036.

8. Prior to commencement of the development, details of ecological mitigation and enhancement measures including at least ten bird nesting devices (including provision for building dependent such as swift, house sparrow, house martin) and two bat roosting devices shall be submitted to and approved in writing by the Local Planning Authority. Details must include proposed locations and arrangements for any required maintenance. The approved devices shall be fully constructed on site prior to occupation of the approved student accommodation and retained as such thereafter. Any new fencing will include holes suitable for the safe passage of hedgehogs.

Reason: To improve the biodiversity in Oxford City in accordance with Policy G8 of the Oxford Local Plan 2036 and the National Planning Policy Framework.

Transport

9. Notwithstanding the submitted Construction Traffic and Environmental Management Plan (CTEMP), no development shall take place until a revised CTEMP is submitted to and approved in writing by the Local Planning Authority.

The plan shall include details of the following matters:-

- the routing of construction and demolition vehicles and management of their movement into and out of the site by a qualified and certificated banksman,
- access arrangements and times of movement of construction and demolition vehicles (to minimise the impact on the surrounding highway network),
- times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours of 07:30-09:30 or 16:00-18:00;
- hours of working;
- travel initiatives for site related worker vehicles;
- signage for construction traffic, pedestrians and other users of the site;
- piling methods (if employed) and controls on vibration;
- earthworks;
- hoardings and security fencing to the site;
- noise limits;
- control of emissions;
- Dust mitigation measures including the complete list of site specific dust mitigation measures and recommendations that are identified in Appendix A4 (Table A4.1) on pages 48-50 of the Air Quality Assessment produced by Air Quality Consultants (April 2022) that was submitted with the application;
- waste management and disposal, and material re use;
- wheel cleaning / wash facilities to prevent prevention of mud / debris being deposited on public highway;
- contact details of the Project Manager and / or Site Supervisor;
- layout plan of the site;
- materials storage including any hazardous material storage and removal.
- Engagement with local residents and neighbours

The CTEMP shall identify the steps and procedures that will be implemented to minimise the creation and impact of noise, air quality*, vibration, dust** and waste disposal resulting from the site preparation, groundwork and construction phases of the development and manage Heavy Goods Vehicle (HGV) access to the site. Measures to minimise the impact on air quality should include HGV routes avoiding Air Quality Management Areas and avoid vehicle idling.

* The Institute of Air Quality Management <http://iaqm.co.uk/guidance/>

** The applicant should have regard to BRE guide 'Control of Dust from Construction and Demolition, February 2003

The approved Construction Traffic and Environmental Management Plan shall be adhered to at all times, unless otherwise first agreed in writing with the Local Planning Authority.

Reason: In the interests of the highway network, the amenities of neighbouring occupiers and to ensure that the overall dust impacts during the construction phase of the proposed development will remain as "not significant" in accordance with the results of the dust assessment and policies RE1, RE6, RE8, M1 and M2 of the Oxford Local Plan 2036.

10. Prior to the first occupation of the development hereby approved, an amended Travel Plan, prepared in accordance with the Department of Transport's Best Practice Guidance Note "Using the Planning Process to Secure Travel Plans", shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be implemented and operated in accordance with the approved details.

Reason: In the interests of sustainability and to ensure a satisfactory form of development, in accordance with Government guidance contained within the National Planning Policy Framework and Policies M1 and M2 of the Oxford Local Plan 2036.

11. Prior to first occupation of the development a Travel Information Pack shall be submitted to and approved by the Local Planning Authority. Thereafter the first residents of each student accommodation block shall be provided with a copy of the approved Travel Information Pack.

Reason: To ensure all residents and employees are aware from the outset of the travel choices available to them and to ensure a satisfactory form of development and to comply with Government guidance contained within the National Planning Policy Framework and Policies M1 and M2 of the Oxford Local Plan 2036.

12. Prior to first occupation of the development a Travel Plan for visitors (including staff, conference delegates, parents) shall be submitted to and approved by the Local Planning Authority. The Travel Plan shall ensure that at term start and ending and other occasions likely to involve large numbers of parents or people visiting the site are phased by the college to minimize the

impact on the neighbours and the local highway in the vicinity of the site and shall make clear that there is limited parking on site

Reason: In the interests of sustainability, to ensure all visitors and parents are aware from the outset of the travel choices available to them and to ensure a satisfactory form of development in accordance with Government guidance contained within the National Planning Policy Framework and Policies M1 and M2 of the Oxford Local Plan 2036.

13. Prior to occupation, details of a tenancy/ occupation agreement that includes a clause under which the study bedrooms shall be occupied restricting students resident at the premises (other than those registered disabled) from bringing or keeping a motor vehicle in the city and consequences for breaching this clause (for example loss of place at UWL/Ruskin College) shall be submitted to and approved in writing by the Local Planning Authority. The study bedrooms shall only be let in accordance with the approved agreement.

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 RE7, M2 and H8 of the Oxford Local Plan 2036.

14. A Student Accommodation Management Plan (SAMP) should be submitted for approval by the Local Planning Authority in advance of occupation of the student accommodation. This should set out control measures for ensuring that the movement of vehicles associated with the transport of student belongings at the start and end of term are appropriately staggered to prevent any adverse impacts on the operation of the highway. The approved SAMP shall be implemented upon first occupation of the development and remain in place at all times thereafter unless otherwise agreed in writing beforehand by the Local Planning Authority.

Reason: In the reason of highway safety and the efficient operation of the public highway in accordance with policies RE7, M2 and H8 of the Oxford Local Plan 2036.

15. Notwithstanding the submitted plans, prior to occupation of the development details of the cycle parking for students shall be submitted to and approved in writing by the Local Planning Authority. The details shall include appearance, materials, provision for disabled parking spaces, cargo bikes and electric bicycles and which shall be safe, secure and where possible covered and details of the electric charging infrastructure. The development shall not be brought into use until the cycle parking and electric charging infrastructure has been provided and installed within the site in accordance with the approved details and thereafter shall be retained solely for the purpose of the parking of cycles.

Reason: To encourage the use of sustainable modes of transport in line with policy M5 of the Oxford Local Plan 2016-2036.

16. The development shall be implemented in accordance with the approved drainage scheme set out below for the site before the development is completed and the use of the buildings commencing:
- Drainage strategy Ref: X222011 19/04/2022
 - Ruskin College - Maintenance Schedule Issue: 28th April 2023
 - Proposed Drainage Strategy Drawing No: 9200, Rev P05
 - Manhole Schedule Drawing No: 9210, Rev P02
 - Drainage Construction Details Sheet 4 Drawing No: 9254, Rev P01
 - All relevant Hydraulic calculations produced via Microdrainage Date 09/07/2022 File X222011 - Ruskin College Network

Reason: To avoid increasing surface water run-off and thereby attenuating flood risk and to ensure that the principles of sustainable drainage are incorporated into this proposal in accordance with Policy RE 2 of the Oxford Local Plan 2016-2036.

17. Prior to first occupation, a record of the installed Sustainable Drainage (SUDs) and site wide drainage scheme shall be submitted to and approved in writing by the Local Planning Authority for deposit with the Lead Local Flood Authority Asset Register. The details shall include:

- (a) As built plans in both .pdf and .shp file format;
- (b) Photographs to document each key stage of the drainage system when installed on site;
- (c) Photographs to document the completed installation of the drainage structures on site;
- (d) The name and contact details of any appointed management company information.

Reason: To ensure that the proposed development has been implemented in perpetuity to avoid increasing surface water run-off and thereby attenuating flood risk in accordance with Policy RE 2 of the Oxford Local Plan 2016-2036.

Archaeology

18. No demolition shall take place until a Demolition Methodology Statement designed to ensure the safeguarding of archaeological remains (i.e. staged demolition) has been submitted to and agreed in writing by the Local Planning Authority. All works shall be carried out and completed in accordance with the approved Demolition Methodology Statement unless otherwise agreed in writing by the Local 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 Roman remains in accordance with Policy DH4 of the Oxford Local Plan 2036.

19. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of

archaeological recording in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority. All works shall be carried out and completed in accordance with the approved written scheme of investigation, unless otherwise agreed in writing by the Local 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 Roman remains in accordance with Policy DH4 of the Oxford Local Plan 2036.

Land quality

20. Throughout the course of the development, a watching brief for the identification of unexpected contamination shall be undertaken. Any unexpected contamination that is found during the course of construction of the approved development shall be reported immediately to the Local Planning Authority. Development on that part of the site affected shall be suspended and a contamination risk assessment carried out by a competent person and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These approved schemes shall be carried out before the development (or relevant phase of development) is resumed or continued.

Reason- To ensure that any soil and water contamination is identified and adequately addressed to ensure the site is suitable for the proposed use in accordance with the requirements of policy RE9 of the Oxford Local Plan 2036.

Trees

21. Notwithstanding the submitted Landscape Plan, a Landscape Plan shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation or first use of the development hereby approved. The plan shall show details of treatment of paved areas, and areas to be grassed or finished in a similar manner, existing retained trees and proposed new tree, shrub and hedge planting. The plan shall correspond to a schedule detailing plant numbers, sizes and nursery stock types.

Reason: In the interests of visual amenity in accordance with policies G7, G8 and DH1 of the Oxford Local Plan 2016-2036.

22. The Landscape Plan as approved by the Local Planning Authority shall be carried out no later than the first planting season after first occupation or first use of the development hereby approved unless otherwise agreed in writing beforehand by the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with policies G7, G8 and DH1 of the Oxford Local Plan 2016-2036.

23. Any existing retained trees, or new trees or plants planted in accordance with

the details of the approved Landscape Plan that fail to establish, are removed, die or become seriously damaged or defective within a period of five years after first occupation or first use of the development hereby approved shall be replaced. They shall be replaced with others of a species, size and number as originally approved during the first available planting season unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with policies G7, G8 and DH1 of the Oxford Local Plan 2036.

24. Prior to first occupation or first use of the development hereby approved a Landscape Management Plan, including long term design objectives, management responsibilities and maintenance schedules and timing for all landscape areas shall be submitted to and approved in writing by the Local Planning Authority. The Landscape Management Plan shall be carried out as approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity and the appearance of the area in accordance with policies G7, G8 and DH1 of the Oxford Local Plan 2036.

25. The development shall be carried out in strict accordance with the Tree Protection Plan (Barrell Plan Ref: 22074-1) and other tree protection measures contained within the approved planning application details unless otherwise agreed in writing beforehand by the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with policies G7, G8 and DH1 of the Oxford Local Plan 2016-2036.

26. No development shall take place until details of the design of all new hard surfaces and a method statement for their construction shall first have been submitted to and approved in writing by the Local Planning Authority and the hard surfaces shall be constructed in accordance with the approved details unless otherwise agreed in writing beforehand by the Local Planning Authority.

27. Details shall take into account the need to avoid any excavation within the Root Protection Area of any retained tree and where appropriate the Local Planning Authority will expect "no-dig" techniques to be used, which require hard surfaces to be constructed on top of existing soil levels in accordance with the current British Standard 5837: "Trees in Relation to Design, Demolition and Construction – Recommendations".

Reason: To avoid damage to the roots of retained trees in accordance with policies G7, G8 and DH1 of the Oxford Local Plan 2036.

28. No development shall take place until details of the location of all underground services and soakaways have been submitted to and approved in writing by the Local Planning Authority. The location of underground services and soakaways shall take account of the need to avoid excavation within the Root Protection Areas of retained trees as defined in the current British Standard 5837 "Trees in Relation to Design, Demolition and Construction - Recommendations". Works shall only be carried out in accordance with the approved details unless otherwise agreed in writing beforehand by the local planning authority.

Reason: In the interests of visual amenity in accordance with policies G7, G8 and DH1 of the Oxford Local Plan 2016-2036.

29. Development, including demolition and enabling works, shall not begin until details of an Arboricultural Monitoring Programme (AMP) have been submitted to and approved in writing by the Local Planning Authority. The AMP shall include a schedule of a monitoring and reporting programme of all on-site supervision and checks of compliance with the details of the Tree Protection Plan and/or Arboricultural Method Statement, as approved by the Local Planning Authority. The AMP shall include details of an appropriate Arboricultural Clerk of Works (ACoW) who shall conduct such monitoring and supervision, and a written and photographic record shall be submitted to the Local Planning Authority at scheduled intervals in accordance with the approved AMP.

Reason: In the interests of visual amenity in accordance with policies G7, G8 and DH1 of the Oxford Local Plan 2016-2036.

Student accommodation

30. The development shall be solely used for student accommodation and for no other purpose (including any other purpose in Class C2 Part C of Schedule 1 of the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification and also including any other purpose as may be permitted under the relevant provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any order revoking and re-enacting that Order with or without modification).

Reason: To ensure the adequate provision of student accommodation and allow the Local Planning Authority to give further consideration to other uses in accordance with policies S1 and H8 of the Oxford Local Plan 2036.

31. During term time, as published by the College for the relevant academic year, the development hereby permitted shall be used for student accommodation

in accordance with the specifications and requirements of conditions 13 and 30 and for no other purpose unless otherwise agreed in writing beforehand by the Local Planning Authority. Outside term time the permitted use may be extended to include accommodation for cultural and academic visitors and for conference and summer school delegates. The buildings shall not be used for any other purpose other than that permitted by this condition.

Reason: To avoid doubt and to allow the Local Planning Authority to give further consideration to other forms of occupation which may result in the loss of student accommodation in accordance with policies S1 and H8 of the Oxford Local Plan 2036.

32. The development shall be implemented in strict accordance with the approved Energy Statement by KJ Tait submitted with the application. Prior to the full occupation of the development evidence (including where relevant Energy Performance Certificate(s) (EPC), Standard Assessment Procedure (SAP) and Building Regulations UK, Part L (BRUKL) documents) shall be submitted to the Local Planning Authority to confirm that the energy systems have been implemented according to details laid out in the approved Energy Statement and achieve the target performance as approved.

Reason: To ensure compliance with policies S1 and RE1 of the Oxford Local Plan 2036.

33. Notwithstanding condition 32 above, prior to construction of the development above slab level further details of the photovoltaics on Block D including siting, rake, number and technical specifications shall be submitted to and agreed in writing by the Local Planning Authority. The approved details shall be installed prior to first occupation of Block D.

Reason: To ensure compliance with policies S1 and RE1 of the Oxford Local Plan 2036.

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

22/00962/FUL – Ruskin Hall – Site Plan

Minutes of a meeting of the Planning - Oxford City Planning Committee on Tuesday 18 April 2023



Committee members present:

Councillor Clarkson (Chair)	Councillor Upton (Vice-Chair)
Councillor Altaf-Khan	Councillor Chapman
Councillor Fouweather	Councillor Hollingsworth
Councillor Hunt	Councillor Malik
Councillor Pegg	Councillor Rehman

Officers present for all or part of the meeting:

Jennifer Coppock, Principal Planning Officer
Natalie Dobraszczyk, Development Management Team Leader
Sally Fleming, Planning Lawyer
Chloe Jacobs, Senior Planning Officer
Hayley Jeffery, Development Management Team Leader (East)
Mike Kemp, Principal Planning Officer
Emma Lund, Committee and Member Services Officer
Andrew Murdoch, Development Management Service Manager

Apologies:

Councillor Aziz sent apologies.

74. Declarations of interest

General

Councillor Upton stated that as a member and trustee of the Oxford Preservation Trust she had taken no part in that organisation's discussions regarding any of the applications before the Committee. Councillor Upton stated that she was approaching the applications with an open mind, would listen to all the arguments and weigh up all the relevant facts before coming to a decision.

75. 22/02969/FUL: Littlemore House, 33 Armstrong Road and Plot 18 Oxford Science Park, Oxford OX4 4FY

The Committee considered an application (22/02969/FUL) for partial demolition of and alterations to Littlemore House; erection of 1 no. research and development building (Use Class E) at Littlemore House with ancillary accommodation, clinic, educational floorspace and restaurant; erection of 1 no. research and development building (Use Class E) and 1 no. building to accommodate servicing plant and bicycle parking facilities at plot 18 of the Oxford Science Park; erection of an elevated walkway linking Littlemore House and plot 18 of the Oxford Science Park; and new access

arrangements, parking, landscaping, engineering and ground modelling works at Littlemore House, 33 Armstrong Road and plot 18 of the Oxford Science Park.

The Planning Officer gave a presentation and highlighted the following:

- The application site comprised two connecting parcels of land (Littlemore House and plot 18 of the Oxford Science Park) which were largely separated by woodland, a tributary of Littlemore Brook, and the Newman Place residential development. A timber-clad elevated walkway was proposed to link the two buildings.
- The proposal involved the partial demolition of Littlemore House (a non-designated heritage asset) and erection of a new building in quadrangle form connecting to the remaining Littlemore House building. In addition to offices and laboratories, the building at Littlemore House would provide ancillary uses including a publicly accessible restaurant; accommodation for patients and visitors; a clinic; and educational floor space. A new raised building at plot 18 would also provide laboratories.
- The proposal included an extension of the existing footpath in order to link Armstrong Road to the Science Park and the future Cowley Branch Line station. Access to the footpath would be available to the public 24 hours a day, 7 days a week.
- An ancillary building located beneath the publicly accessible footpath would provide a sub-station, CCTV equipment, waste store, cycle parking and shower facilities. A plant room would be located below ground.
- 208 parking bays were proposed to be provided across both sites. This would equate to provision for 35% of staff, and was considered acceptable by the Highways Authority. Sufficient cycle parking would also be provided across both sites.
- Solar panels would be mounted on the rooftop of Littlemore House, the elevated walkway and the building at plot 18. Air-source heat pumps were proposed for heating and cooling of the building, and ground-source heat pumps would provide hot and chilled water. The scheme would achieve a 41% reduction in carbon emissions at Littlemore House, and a 55% reduction at plot 18 when set against Part L of the 2021 Building Regulations.
- The submitted drainage strategy proposed the use of blue rooves, permeable paving, extensive landscape features and an attenuation tank. The Lead Local Flood Authority had expressed no objections to the proposed drainage strategy.
- The route of the elevated walkway would avoid the root protection areas of the principal woodland trees, and the position of the plot 18 building allowed for the retention of most of the important boundary canopy cover. A courtyard garden at Littlemore House would provide an interesting landscape, with spaces designed for all intended uses. Additionally, a garden with water feature underneath the plot 18 building provided an interesting response to the on-site flooding constraints;
- It was predicted that the proposed planting would result in a 13% increase in canopy cover after 25 years, compared to a no-development scenario. This was in excess

of the local policy requirement for no net loss. The scheme would result in a biodiversity net gain of 15.5% in habitat units and 27% in hedgerow units. This was in excess of the currently required 5%, and also the 10% which will be required under national legislation from November 2023.

- Officers considered that the proposal successfully responded to the scale, articulation and materiality of Littlemore House through the incorporation of chimneys as a visual link between the old and the new, and the breaking up of the massing into smaller blocks which reflected the existing building. Stepping of the building line added to the perceived variation in roof line experienced at street level.
- Visual permeability with the streetscape was proposed through the use of a glazed atrium along the eastern elevation to allow views of Littlemore House; a glazed staircase to the corner at Armstrong Road; and a glazed main entrance giving views into the courtyard. These features were considered to contribute positively towards the streetscape.
- It was considered that the proposal would cause less than substantial harm to Littlemore House (a non-designated heritage asset) and the setting of the nearby Littlemore Conservation Area (a designated heritage asset). As required by the NPPF, great weight had been given to the conservation of the designated heritage asset and a balancing judgement had been undertaken in respect of the non-designated asset in the evaluation of the proposal, but it was considered that the less than substantial harm caused to both assets would be outweighed by the numerous public benefits provided by the scheme, as set out in the report.
- A detailed lighting strategy for the whole scheme would be conditioned, in order to ensure protection of the amenity of neighbours.
- Due to resourcing issues, comments had not yet been received from the Environment Agency in relation to flood risk. Their response was due by 30 May, and any comments received would be resolved by officers.
- Officers considered that the proposal responded appropriately to the site context and the Local Plan allocation for the Oxford Science Park, and that it accorded with the overall aims and objectives of the NPPF and policies within the Oxford Local Plan for the reasons set out in the report. It was therefore recommended for approval, subject to the conditions and planning obligations set out in the report and the resolution of any comments made by the Environment Agency.

Lisa Flashner (President and Chief Operating Officer of the Ellison Institute) and Guy Wakefield (agent) spoke in favour of the application.

The Committee asked questions about the details of the application, which were responded to by officers. The Committee's discussions included, but were not limited to:

- A Community Employment Plan would form part of the S106 legal agreement, which would provide accountability for achievement of local employment projections. The Planning Lawyer clarified that a requirement for periodic reporting could also be included, to enable monitoring.

- The publicly accessible footpath would be lit for surveillance: this would need to be balanced against the need to protect wildlife through the woodland area. The site was expected to be most occupied between normal working hours of 9am to 5pm (with the restaurant staying open later): however, security would also be provided on site at all times.
- The principle of Littlemore House as an employment site had been established through successive planning permissions. The site was allocated for employment in the previous Local Plan but had not been promoted by the landowner for inclusion within the current Local Plan.
- The clear and significant public benefits in terms of provision of jobs, biodiversity, carbon benefits, architectural design, and connectivity were considered by members of the committee to outweigh the less than substantial harm to Littlemore House and the setting of the conservation area, in addition to enhancing Oxford as an area of prime scientific research.
- The proposal would involve the loss of an avenue of lime trees along the Armstrong Road entrance to Littlemore House. The trees were not protected by a Tree Preservation Order.
- The pre-application work and design review process had refined the proposal in a collaborative way which had resulted in a scheme which was considered to be of a modern, exciting design with well thought out buildings.

On being proposed, seconded and put to the vote, the Committee agreed with the officer's recommendation to approve the application for the reasons set out in the report and subject to the conditions and planning obligations set out in the report and the resolution of any comments made by the Environment Agency.

The Oxford City Planning Committee resolved to:

1. **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 subject to:
 - the satisfactory completion of a legal agreement under section 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 were set out in the report; and
2. **delegate authority** to the Head of Planning Services to:
 - finalise the recommended conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary;
 - respond to comments made by the Environment Agency, resolve any concerns or objections and finalise any recommended conditions;
 - finalise the recommended legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers as set out in the report, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in the 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 Services considers reasonably necessary; and

- complete the section 106 legal agreement referred to above and issue the planning permission.

76. 23/00388/FUL: UYS Ltd, Garsington Road, Oxford OX4 2BW

The Committee considered an application (23/00388/FUL) for the demolition of 2 no. canopies to the north elevation and formation of 1 no. canopy to the main entrance; replacement cladding to all elevations; replacement cladding and rooflights to all roofs; and replacement window and fire exit doors at UYS Ltd, Garsington Road, Oxford.

The Planning Officer gave a presentation and highlighted the following:

- The County Highways Team had raised no objection to the development.
- The site comprised a large industrial building on the edge of the city. In addition to the building it consisted of an area of existing car park and hardstanding, with access via a security-controlled gate from Garsington Road through the adjacent Unipart site.
- The building was well-screened, and visible only from selected views.
- The building was currently clad in metal sheeting and composite material, coloured in blue and white, which had been extensively damaged as a result of a sprinkler system malfunction during the winter which had led to flooding in areas of the building. The cladding had also been identified as a potential fire risk. The proposal included the replacement of the existing cladding across the whole building with new cladding coloured in dark and light grey, and the demolition of a small entrance canopy to the front of the building which would be replaced by a new entrance lobby.
- It was considered that the new cladding represented an improvement on the existing, which had faded and was in poor condition. It would also offer improved fire safety. The proposals were considered to represent necessary works which were required in order to bring the building back into operational employment use, and was therefore considered by officers to be justified in accordance with policies E1 and SP7 of the Oxford Local Plan. In design terms the proposal was considered to offer enhancement on the appearance of the existing building and accord with policy DH1 of the Local Plan. The proposals were considered to have no adverse impacts in respect of amenity, nor any other environmental impacts. The application was therefore recommended for approval for the reasons set out in the report and subject to the required planning conditions set out in the report.

On being proposed, seconded and put to the vote the Committee agreed with the officer's recommendation to approve the application for the reasons set out in the report and subject to the required planning conditions set out in the report.

The Oxford City Planning Committee resolved to:

1. **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

2. **delegate authority** to the Head of Planning Services to:

- finalise the recommended conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary.

77. 22/02868/FUL: Kassam Stadium and Land Adjacent Falcon Close, Oxford

The Committee considered an application (22/02868/FUL) for change of use of part of car park for motorcycle testing/training and part of stadium for storage and office (a sui generis use) for a temporary period of 2 years at Kassam Stadium and Land Adjacent Falcon Close, Oxford.

The Planning Officer gave a presentation and highlighted the following:

- The proposal sought continued change of use of part of the car park at the Kassam Stadium for motorcycle testing and training, and part of the stadium for storage and office use, for a period of two years. The application had originally sought a permanent change of use; however, due to officers' concerns arising from the stadium being part of an allocated site for residential development within the Local Plan, the application had subsequently been amended to seek temporary consent.
- The site encompassed a large proportion of the Kassam Stadium, adjacent to Grenoble Road to the south-west of Blackbird Leys. The stadium was currently home to Oxford United Football Club; however, other uses had taken place in and around the site.
- The proposal involved small scale changes to the use of parts of the stadium site to provide the office and storage areas. The office area would be provided in the main building, with storage in a cupboard which would be accessed externally. Change of use of the car park was also sought, to provide the motorcycle training areas. The changes were considered to be small scale in the context of the overall site, which would not prejudice its principal use as a football stadium.
- The site was located more than 100 metres away from the nearest residential property: the proposal was therefore considered unlikely to give rise to any adverse impacts on neighbouring properties in terms of noise disturbance. As hotels were sited to the east and west of the site, the hours of operation had been restricted to between 8am and 8pm, in order to mitigate any adverse impacts on the hotel occupiers.
- The site had been in operation as a motorcycle training and testing facility since 2008, with no complaints having to date been received in respect of its use.
- The site included ample parking provision, and the motorcycle testing/training facility had operated successfully for a number of years without conflicting with the other uses of the site, including the use of the stadium. No objections had been raised by the Highways Authority, subject to requiring the proposed development to

be accessed from Grenoble Road only and for the use of the motorcycle training not to take place on match days or concurrently with other large events.

- For the reasons set out in the report, officers considered that the proposal was acceptable in design and amenity terms and recommended its approval, subject to the conditions outlined in the report.

In discussion a member of the committee commented on the value of offering motorcycle training and testing within the city, given recent and likely future transport changes which could increase demand for training on vehicles such as electric motorbikes or scooters.

On being proposed, seconded and put to the vote, the Committee agreed with the officer's recommendation to approve the application for the reasons set out in the report and subject to the required planning conditions set out in the report.

The Oxford City Planning Committee resolved to:

1. **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
2. **delegate authority** to the Head of Planning Services to:
 - finalise the recommended conditions and informatives as set out in the report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary.

78. Minutes

The Committee resolved to approve the minutes of the meeting held on 21 March 2023 as a true and accurate record.

79. Forthcoming applications

The Committee noted the list of forthcoming applications.

80. Dates of future meetings

The Committee noted the dates of future meetings.

The meeting started at 6.00 pm and ended at 7.00 pm

Chair

Date: Tuesday 23 May 2023

When decisions take effect:

Cabinet: after the call-in and review period has expired

Planning Committees: after the call-in and review period has expired and the formal decision notice is issued

All other committees: immediately.

Details are in the Council's Constitution.

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