

Appendix A – VES First Consultation Summary of Comments

Application Ref: 14/03013/FUL

Retrospective Environmental Impact Assessment for application 11/02881/FUL: Extension to existing student accommodation at Castle Mill to provide additional 312 postgraduate units consisting of 208 student study rooms, 90 x 1 bed graduate flats and 14 x 2 bed graduate flats, plus ancillary facilities, 360 covered cycle spaces and 3 car parking spaces.

Contributors (Individual)

Abbey Rd	25 x 2 comments, 31, 34 x 2 comments
Abbey St, Eynsham	unknown x 2 comments
Addison Crescent	28
Adelaide St	14
Alexandra Rd	12, 14, 20 x 2 comments
Arnold Rd	3
Arthray rd	51
Arthur St	16
Aston St	27, 33 x 2 comments, 44
Austin Place	53
Bagley Close	22
Bainton Rd	10, 35, 75, unknown
Balliol College	unknown
Balliol Court	24, 40
Banbury Rd	86d, 325, 516, unknown
Barracks Lane	104
Bath Terrace	unknown
Bedford St	39
Beech Croft Road	9, 37
Begbroke Crescent	27
Belbroughton Rd	2
Berkeley Rd	4
Binsey	Medley Wir Cottage
Blackhorse Lane	Cothill Farmhouse
Blandford Ave	26, 45
Blenheim Dr	68
Bridge St	33, 69, 84
Brightwell Baldwin	Brightwell Barn
Broadfields	38
Brogden Cl	4
Brookside	4
Burgess Mead	1, 7, 9 x 3 comments, 11 x 2 comments
Burra Cl	1, unknown
Butts Road	3
Campbell Rd	113
Canal St	16, 38
Canterbury Road	7
Cardigan St	49
Carell Rd	5

Caterbury Road	9
Chalfont R	4, 17, 19, 23, unknown x 3 comments
Charlbury Rd	4 x 2 comments
Charles St	unknown
Cherry Robertson	83
Chestnut Springs	86
Chilswell Rd	84
Church St	The Brew House
Combe Rd	8, 10
Cope Cl	30 x 3 comments
Cowley Rd	307, unknown
Cox's Ground	24
Coxwell Dr	3 x 3 comments
Cranham St	15, 18 x 2 comments, 51
Crock Lane, Dorset	unknown
Cromwell Terrace	4
Cumnor Hill	152, 180
Cumnor Rise Rd	17
Cunliffe Close	6
Cuttesslowe Park	Cuttesslowe Farmhouse
Dale Close	10
Davenant Rd	20 x 2 comments
Deptford Broadway	46
Devonshire Rd	122d
Divinity Rd	47, 64
Dorchester Court, Kidlington	2
Dove House Close	3, 18, 20 x 2 comments
Drewitt Court	5
Drove Acre Rd	6 x 3 comments
Droveside	8
Dudley Court, Rogers St	Flat 3
East St	8
Edington Road	1
Egrove Close	4 x 2 comments
Elizabeth Jennings Way	104
Fairacres Rd	52, 54
Farndon Rd	1 x 2 comments, 4, 6
Faulkner St	26
Ferry Rd	78a
Fitzherbert Cl	4
Five Mile Dr	65 x 3 comments, 80 x 2 comments
Folly Bridge	1
Foundry House	48 x 2 comments
Fox Close	2
Frenchay Rd	29, 56 x 2 comments, 67
Furnace House	15
Gardiner St	29
Godstow Rd	67, 84, 89, 137, 177, 185, unknown

Goring Heath	unknown
Great Clarendon St	51, 57, 77, unknown
Hamilton Road	unknown
Hampton Gay	Manor Cottage
Harefields	141
Harpes Rd	11
Hayfield Rd	5, 23, 32, 39 x 2 comments, 41, 46, 60, 68, 69, 70 x 2 comments, 71
Hazel Rd	24
Headington Hill	North House, South House
Heathside Rd, Manchester	5a
Henley St	51
Henry Rd	8
High St	47a
Hill Top Rd	12 x 2 comments, 26 x 2 comments, 34, 38 x 2 comments, 80
Hobson Road	12
Holywell St	96
Home Cl	20
Homefield	49
Hurst Rise Rd	10
Hurst St	139 x 3 comments, unknown
Hythe Bridge Arm	12
Hythe Bridge Mooring	8
Islip Road	Laurel Farmhouse
Jericho	unknown x 4 comments
Jericho St	17
John Lopes Road	5
Kineton Rd	16
Kingston Rd	16, 34 x 2 comments, 38, 44, 63, 114, 117, 134, 141, 169, 175, unknown
Kirby Place	14
Lamarsh Road	23
Leckford Pl	5, 8 x 2 comments
Leckford Rd	31, 33, 43, unknown
Lincoln Rd	22
London Place	25
London Rd	320
Longworth Rd	2, 8
Lonsdale Rd	20, 58 x 2 comments
Magdalen College	unknown
Maidcroft Rd	49
Marcus St, Derby	28
Marlborough Rd	27
Mayfair Rd	11
Maywood Rd	12
Meadow Lane	379
Meadow Prospect	17, 19, 28, 31 x 2 comments
Melbourne, AUS	unknown

Mere Road	30
Merton Court	61, 67
Middle St, Islip	Bannisters
Middle Way	40, 84, unknown
Mill Road	1
Mill St	16
Minster Rd	21
Montagu Rd	54
Morrell Ave	173
Mount Pl	Only House
Norreys Rd	60
North Moxon	94
Northmoor Rd	27 x 3 comments
Oakthorpe Rd	33 x 2 comments
Observatory Street	54
Old High St	56, 88
Osberton Rd	3 x 2 comments, 14, 17, 28
Oxford Rd	133 x 2 comments, 143 x 2 comments
Park End St	22
Park Town	20, 44b
Parker St	26
Plantation Rd	11, 14, 15, 47, 50, 91
Plater Dr	34 x 2 comments, 93
Polstead Rd	unknown, 17
Poplar Grove	13
Portland Rd	9, 16, 26
Quarry Rd	50
Radley College	unknown
Ramsey Rd	59
Rawlinson Road	unknown
Regent St	12
Rewley Rd	36 x 2 comments, 61, unknown
Richmond Rd	12 x 2 comments, 33
Robinson Rd	22
Rosamund Rd	54, 58
Rowland Close	15
Rowland Hill Court	44, 46
Rowles Paddock	5
Sandy Lane	172
Saunders Rd	23
School Lane, Stadhampton	Old School
Sidney St	5
Silver Rd	27
Slade Rd	47
South St	11 x 2 comments
Southend	126
Southfield Rd	104 x 2 comments, 116
Southmoor Rd	14, 20, 37 x 2 comments, 39 x 2 comments, 43, 68, 83, 90,

	109, 110, 114
Springdale	123
Squitchey Lane	26
St Andrews Rd	29
St Anne's Rd	50
St Barnabus St	9
St Barnabus Vicarage	unknown
St Bernard's	W7, 7, 13, 36 x 2 comments, 48, 58, 64 x 2 comments, 74
St Giles	54 x 2 comments
St John St	43
St Luke's Road	62
St Margarets Rd	26 x 2 comments, 31, unknown
St Marys Rd	7
Stanley Rd	32
Stanton St John	unknown
Stapleton Road	46
Stile Rd	25a
Stockmore St	15
Stoke Place	9 x 2 comments
Stone Meadow	22, 48
Stratfield Rd	35
Stratfield Rd	7
Stratford St	70 x 2 comments
Sunderland Ave	unknown
Sunningwell Rd	26
Sycamore Cr	4
Tawney St	20, unknown
Templar Rd	38
The Crescent	47, 51 x 3 comments
The Croft	12
The Glebe	58
The Green	3
The Poplars	17
The Towpath	7
The Villas	11
Thorney Leys	250
Tollington Court	3
Tree Lane	10, 46 x 2
Trinity St	50
Ulfgar Rd	34, 36, 54, 68
University College	unknown
Upland Park Rd	28
Upper Fisher Row	1, 8a x 3 comments
Vicarage Rd	48
Victor St	7
Victoria Rd	16 x 2 comments, 28, 87, 115, unknown
Walton Crescent	22
Walton Manor	unknown
Walton St	44, 92, 97

Walton Well Rd	4 x 2 comments, 6, 8 x 2 comments, 89, 73 Foundry House
Warnborough Rd	4, 12, 13, 18d, 22, 29, 35
Warneford Road	20
Warwick St	4, 31, 66
Watcombe Rd	7
Water Stratford Rd	Dairy Barn
Webbs Way	29
Weirs House	unknown
Wellington St	43
West St	51, 64
Westbury Cr	15
Western Rd	40
Wheatley Rd	1
White House Rd	unknown
William Lucy Way	12 x 2 comments, 14, 18 x 2 comments, 20, 26, 28, unknown x 2 comments
William St	2, 24
Willow Way	4
Wolvercote	unknown
Wolvercote Court	1
Wolvercote Green	5, 19, 31
Woodstock Rd	43, 55, 203b, 223, 396
Wytham	unknown
Unknown Address	252 comments

Contributors (Groups & Associations)

Oxford Preservation Trust
 Oxfordshire Badger Group
 East Oxford Residents Association
 Jericho Community Organisation
 Linton Road Neighbourhood Association
 Save Port Meadow campaign
 Friends of Old Headington
 Oxfordshire Architectural & Heritage Society
 Jericho Living Heritage Trust
 Campaign for the preservation of Rural England
 Cripsey Meadow Allotment Association
 Northway Residents Group
 English Heritage
 Port Meadow Protection Group
 Oxford Civic Society
 Oxford Pedestrian Association
 Oxfordshire Green Party

1. Summary of comments on the 3 Mitigation Options

720 (94%) comments would prefer Option 3, with 10 preferring Option 1 and 7 for Option 2. 28 comments did not state a preference. Of the 720 who prefer Option 3, 105 have stated that they consider Option 3 to be a compromise and not enough of a solution, and 254 commenters have stated that Options 1 and/or 2 will have little or no impact.

2. Planning Procedures (Process)

50 comments stated that planning procedures were not followed correctly and errors were made. 51 comments mention that the EIA should have been carried out in advance of the original planning permissions being granted. 44 comments consider that consultation procedures were not followed. A lack of sensitivity to Port Meadow, Oxford's heritage and environment was shown. Policies in regards to sensitive areas were not followed. Some information held by the University / Planning department was held back / not made transparent / ignored. 29 comments say that the policy for student accommodation should not be more important than the City's heritage.

3. The University's Argument for Option 1 and against Option 3

198 comments argue that the loss of 38 rooms is not a justified argument considering the 14,000+ rooms that the University already hold, or is negligible considering the impact that the buildings have had, with 4 commenters discussing that some of the University colleges are also building or planning to build accommodation. 24 commenters argue the University's figures saying that double counting has taken place – the loss of the 38 rooms and the cost to build new accommodation is counting twice considering the income that will be made from the new accommodation.

4. Main Issues that the Castle Mill Buildings Have Caused

Damage to the Oxford skyline / spires. Damage to the view of other heritage sites from and around Port Meadow. The scale (height, width & volume), the design (cheap, not aesthetically pleasing) of the buildings and their impact on Port Meadow. The devaluation of community space. The lack of preservation for green space. Damage to the tourist trade who visit Port Meadow. Access around Roger Dudman Way and the use of the roads. Noise pollution – there has been an increase of volume from the train station with noise bouncing off the blocks. Concerns are raised considering the planned increase of the station's use. Light pollution – concern for bats who inhabited the area. The roofs of the buildings cause glare.

5. Issues with the City Council / Oxford University

106 comments state that Oxford University have done something wrong and have damaged their reputation. 97 comments state that the City Council have done something wrong and have damaged their reputation. 17 comments say or suggest that the City Council have been guilty of favouritism towards the University.

6. Suggestions for Improvements

Hide the buildings behind climbing plants / better tree screen, Take two floors off Completely demolish some or all of the buildings, Discontinuance order / revoke permission. Lighter colours toward the tops of the buildings, Vary the buildings to make them look different to each other, Match materials to surroundings, Paint the buildings a bright, bold colour, Paint the buildings green to give effect of trees. New trees will cause problems to the allotments – new tree roots, additional shade, extra water usage.

Be mindful of the badger setts living in the area. Do not plant tall trees, the skyline will still be obscured. Consider a more green solution – living roofs / walls. Roofs that do not reflect the sun. Reinstate cycle track around Roger Dudman Way. Low lighting at night. Spread the cost of Option 3 by having it as a rolling programme. Reduce buildings to the same heights as adjacent buildings

Groups & Associations Comments

Oxford Preservation Trust

In the short term the impact must be lessened, in the medium term the site should be 'redeveloped in a way that returns the views of the skyline and better respects Port Meadow,' with the agreement of all stakeholders. A planning mistake was made and the City Council needs to ensure that they have the highest degree of professional advice within, and also better local stakeholder involvement. The highest concern is that of the effect on the character, the enjoyments and the loss of views. At the northern end of Port Meadow there are places where the open space can be enjoyed without compromise, the southern end has had its character lost. The joining effect between Port Meadow and Jericho has also been lost with the barriers of the buildings. The buildings are of poor quality & design, and have a barrier like effect. The buildings are not designed to last and have a lifespan of 35-50 years. Option 1, although lessens the impact of the buildings does not go far enough in terms of giving Oxford back its views. Option 3 would give back the views, however, referring to the quality and design of the buildings, it would not create a set of buildings suitable for the joining of Port Meadow. 'We suggest that the University enters into a legal agreement; with protections in place to ensure that it happens, agreeing to redevelop this site, within 25 – 30 years to an agreed brief, which gives back the full view and is sympathetic to the location.' Option 2 to be altered to Option 1+, an agreed package to alter the blocks to open up the view to St Barnabus' Tower, and/or modifying one of the taller blocks. 'In conclusion:

Short term -

- Option 1 mitigation
- Removal of one of the blocks to give a view of St Barnabas / modification of one of the taller blocks
- More clarity over how the City Council and University work together on planned future developments with more involvement from key local organisations at an early stage.
- Commitment from the City Council to funding a heritage team of the highest professional standing commensurate with the scale, development pressures, and the importance of the heritage work in Oxford.

Medium / Long term –

- Commit to redeveloping the site at the earliest possible opportunity with a legal agreement in place to ensure that this happen.
- In addition to the above, OPT suggests that the University agree to making a financial contribution to heritage-led improvements to public places in Oxford, working with key local stakeholders, which will act as a tangible demonstration of their regret at this situation and their commitment to improving Oxford's heritage and public realm for local Oxford residents.'

Oxfordshire Badger Group

Badgers used the Castle Mill site to forage and to avoid flooding. Although an artificial sett was created when their setts were destroyed, there is little evidence to show that they are using it, therefore, loss of setts. There is evidence that the badger run that was created is in use. Had the EIA been completed in advance, it would have shown the contaminated land that was excavated following the diesel spill in Nov 2013. The tree planting and raising of the ground, as offered in Options 1 & 2, is questionable in terms of impact to the badgers. The EIA states that further ground disturbance will be necessary, and there is a risk of exposure to contaminants. Their runs need to be kept to a lower level for this size development to reduce light pollution & disturbance. As the trees will take 15 years of growth to make any difference, and will not remove the high-adverse view issues, Options 1 & 2 will not meet their aim in mitigating the harm to the historic & natural environment of Port Meadow, which leaves Option 3 as the only acceptable measure. The building of Castle Mill has had a detrimental impact of badgers. They have lost setts, important

corridors and foraging in an area where they are already under intense pressure from the allotment and other developments. We conclude that the EIA Options 2 & 3 will further erode the mitigation given to the badgers and could make their already tenuous plight worse. The site has compromised both the historic environment and the welfare of badgers and we urge that steps are taken to mitigate the harm. The City Council need to honour their responsibilities and implement a coordinated strategy for conserving protected species and encouraging biodiversity.

East Oxford Residents Association

We support Option 3 in relation to the Castle Mill EIA. Implementing Option 3 would only mean 38 less rooms, and Option 3 could restore some of the historic views and ambience. The loss of the rooms and temporary placement of 300 students will not cause any threat to the new facilities or Oxford's economy, evidenced by the Travis Perkins/Chapel St site and the St Clements car park, both planned for by the University, then taken on by independent developers at a later date, providing student accommodation. Also, both St Hilda's and Exeter Colleges have sold student accommodation in the last 5 years. This clearly demonstrates the University is not in desperate need to student accommodation, therefore Option 3 should be recommended to preserve Port Meadow.

Jericho Community Organisation

The committee agree that the only solution to the major impact that the Castle Mill site has had upon Jericho. It is understood that the University is not required to carry out any works, as a world ranking academic body it is assumed that they will not and should not place financial considerations as the premier motive. Some element of doubt has been cast on the financial arguments advanced by the University we recommend an independent assessment is carried out to verify the costing. The loss of 38 rooms should not be considered as an unacceptable cost as the University holds over 14,000 in the city.

Linton Road Neighbourhood Association

No other issue has raised as much concern among residents as the Castle Mill development. The University should never have sought to build the current format of the site, and the City Council shouldn't have given permission to build them. Less than 5% of our members would accept Option 1 and leave them as an example that we all need to be more engaged in the planning process; however the overwhelming majority opt for Option 3, with the University bearing the costs. Key points:

The Council should not allow the University to claim historical environment that compromises our community. Money should not be an issue in the decision making. The £30m figure is clearly bogus and the University is being disingenuous in pretending otherwise. The University is by no means single-mindedly in favour of Option 1 as the association is made up of former members with some serving on Congregation. Its members would be relieved to see full remediation carried out. The University has demonstrated, historically, that it is feasible to develop a world class academic institution without compromising the physical environment.

Save Port Meadow campaign

The Castle Mill site has caused substantial damage to the city's visual and historic environment. The development should have never received planning permission.

The EIA states there is a fine balance between housing demands and the demands of protecting the environment and heritage of the city. We submit that a fine balance is not a clear and compelling case to overrule heritage protection policies. The decision not to call for an EIA before granting permission was a breach of the EIA directive. It is inexplicable that a City Council officer judged that this was not a development of 'more than local

significance', or proposed for 'a particularly environmentally sensitive location'.

The statement 'The development will not be visible from the majority of Post Meadow' was deeply misleading. Both The City Council & the University bear responsibility for the development which had caused serious damage to Port Meadow & surrounding heritage areas. Any option that does not include removing the fifth storey of the blocks (Option 3) will not acceptably lessen the damage. Even with Option 3, considerable harm will remain. Neither the cost of Option 3, nor the loss of student accommodation is a justified argument for not demanding the implementation of this option. Failing the University voluntarily taking on Option 3, we urge the City Council to require appropriate alterations to the buildings or nullify the planning permission with a discontinuance order. SPMC endorses the consultants' conclusion that the development has a high adverse impact on the heritage assets of high value. The height and roofs cause the most substantial adversity; the colour and design amplify their negative impact. The earlier 4-storey proposal would have caused impact, but moderate and a more acceptable balance of socio-economic and environmental needs. The City Council did not give the proper weight to issues and to own policies. If it had been given, permission would not have been received. The Council needs to consider the socio-economic factors and the environmental factors, issues of which are fully addressed in the report from Michael Gilbert Planning Ltd. The report concludes that Option 3 is the only option worth considering. It is wholly inappropriate for the University to include both the construction cost and the loss of future rent as the latter would be short term and is not a legitimate factor in this context. SPMC submits the actual cost is considerably less than currently estimated. The appropriateness of this development needs to be considered on its merits alone. The loss of accommodation does not stand with the Council's policy CS25, and does not justify damaging development. The University has recently disposed of student accommodation; therefore trying to justify this development on the grounds of student need would be perverse.

Friends of Old Headington

Of the three options offered, it is clear that Option 3 is the only one that offers a chance of genuine mitigation. Even this will only reduce the impact from high adverse to medium for the key viewpoints.

Oxfordshire Architectural & Heritage Society x 2 comments

The ES is a thorough and convincing document; however it has underestimated the substantial and cumulative harm to Oxford's heritage. On the ES:

The proposed tree planting is inadequate and will not provide protection to views of Oxford's heritage. The ES is only based on summer and spring. The choice of willows are not suitable as screening due to their management, willows can be dangerous in stormy conditions. We suggest Black Poplar, and a regime for their management. Little is said about cumulative effects on the setting of Port Meadow and other heritage assets. The forthcoming gantries along the eastern edge when the railway line is electrified will have an accumulative effect on Port Meadow, with the Roger Dudman Way buildings, by significantly increasing the urbanisation of the meadow fringe. The public benefits do not justify the harm caused. The residual substantial harm is neither 'clearly' nor 'convincingly' outweighed by any public benefit of the requirements of NPPF. Options 1 & 2 are both unacceptable. We support Option 3, although the effect on Port Meadow, views, listed buildings and the skyline will still be harmful. We consider that the ES has shown that flaws in the original decision making procedures are too grave to be fully rectified by the measures proposed. In addition we believe that the original application was based on the false premise that saved policies HE3 & HE7 were not relevant to the case. We urge the Council to refer explicitly to them as material considerations when considering their response to this consultation process.

Jericho Living Heritage Trust

Wide-ranging levels of harm listed in the Statement could not be compensated by the suggested socio-economic benefits, which in our view are overstated, and that the maximum level of mitigation needs to be applied to redress what will still remain a far from satisfactory development, which should not have received planning consent. Option 3 is the only one which goes any significant way to achieve this.

Campaign for the Preservation of Rural England

The ES establishes that there was a breach of the EIA directive that an EIA was not carried out before permission was given. The Council is under a duty to remedy the breach and to consider whether any of the options go far enough to remedy the harm caused. The Council has the power to make good the harm caused either by nullifying the permission or requiring alterations to the development. The environmental assessment indicates that it should not have been granted. The ES accepts that even after Option 3 mitigation the harm would still be moderate. The City would be vulnerable to legal challenge unless it opts for something more effective than any of the ES options.

Even if one of the 3 options were accepted, consider carefully such measures as more extensive wooden cladding and green walls. It is questionable whether the need for accommodation offsets the demonstrated harm to interests.

Cripley Meadow Allotment Association

The buildings have caused additional flooding to the allotments and badgers have moved in. The EIA does not account for these concerns. Tree planting in a raised badger run will do us harm unless issues with badger access to our site are resolved first.

The plans for the badger run break the conditions agreed between CMAA & OU.

The plan raises a strip of land out of the flood plain. The fence belongs to CMAA.

The 'new' boundary is higher. The cubic volume root area is insufficient for mature trees of the type and height specified and thus shade, root and canopy will encroach onto allotment land. The gaps with lower buildings give us some relief from height and shade, they must be retained. Tree planting as discussed with LDA would be more effective.

Concerns about remaining light pollution have not been addressed.

We have had a building site next door for two years, any building work before the resolution of our existing problems would be unacceptable.

Northway Residents Group

We urge you to reject options 1 & 2 as they do nothing to reduce the high adverse impact. We ask that you recommend Option 3 as this provides the only mitigation to the damage done. Neither cost nor loss of student accommodation would justify implementing 1 or 2. The NPPF is clear that the public benefits need to be wholly exceptional and this fails to meet the requirement. The need for student accommodation and the need to comply with policy CS25 cannot be legitimately used to justify retaining the 5th storey.

English Heritage

The impact upon the meadow is not uniform because it is so large, and there is some difficulty in reconciling, therefore, the northern aspect where the former view cone sat, and the southern part which has the heaviest use because it adjoins Jericho and leads to Medley & Binsey. However, the visual impact of the flats is startling by reason of their disposition, size & colour. Every design decision appears to have contributed to the failure of the scheme to address the environment in which it has been set. This is a comment of the undesignated heritage asset that is Port Meadow, and not on the setting of an ancient monument. I agree that the effect on this asset is high adverse whether we see it as a heritage asset or as a piece of landscape.

View cones & skyline – the view cone from Wolvercote only included a small part of the development site. The View Cones policy states that ‘planning permission will not be granted for buildings or structures proposed within or close to the areas that are of special importance for the preservation of views of Oxford or buildings that are of a height which will detract from these views’.

The skyline is not an asset but a view that consists of a great many assets which shift substantially in position within even a single view, but out of all relation between one view and the next. For this reason English Heritage has advised against considering the Views as assets themselves. In relation to planning and the view being a material consideration we agree that the flats are a detractor and should not have been approved. The effect of the development on St Barnabas’ Tower varies according to position. From Wolvercote along the path towards Walton Well Rd the view is good; thereafter it becomes barely visible for the length of the path to Medley. The harm is serious/substantial harm.

The Thames – I do not think that consideration of the river as a separate asset adds to the overall appreciation of impact. The exception would be the notice it draws to the National Paths. The effect of Phase 2 has been negative visually and exaggerated in this direction by the design choices. There is a danger of relying on specific controls which are not well adapted to that purpose, rather than relying on the planning process.

The case for mitigation is strong because some of the effects are design choices that can be reversed. There is a public benefit argument and one from expediency which must be fully weighed by the Council in the light of all policies, but there is no case for these to be assumed to be valid in view of the harm now identified.

Mitigation should aim to reduce the colour contrast and the starkness of the development. Considering the impact from the south end of the Meadow, Option 1 would leave the buildings too big, Option 2 would keep the development level, however in winter the effect would still be stark. Supply winter photos to get a full understanding of the impact.

Consider a concordance of the judgments of impact which are set at high adverse so that, where the setting designated heritage assets are involved, the provisions of the NPPF and the 1990 Act can be brought into the debate.

Port Meadow Protection Group

We are shocked at the City’s original mis-direction that an environmental assessment was not necessary. The impacts on the setting of the Ancient Monument, and the views enjoyed result in very significant adverse effect, and should have been addressed by the applicant and tested by the City in advance of permission being given. The appearance of the buildings should be the primary concern. It is above all the profile of the building that causes offence. Option 1 is too modest and effort and neither Option 2 nor 3 do more than apply a razor cut to the profile of the development. The most effective mitigation would be to break up the roofline by modifying the taller blocks, introducing an outline that suggests some architectural and visual awareness and reduces the mass of the more offensive elements. The views of St Barnabas’ Tower should be considered. We would support a careful reconsideration of the options to find a more sensible solution.

Oxford Civic Society

The ES establishes that Option 3 is the only one to deliver a significant reduction in the harm done to the landscape, visual effects and the historic environment.

Some members have expressed concerns about the cost of Option 3, drawing attention to the alternative uses to which the monies could be put. For this reason, and other factors addressed by the ES, they support Option 1.

Other members have noted that the cost of Option 3 over 25 years is £22.5m, after eliminating the double counting. In comparison to the University’s plans to spend £1800m over the next 10 years they should think again and adopt Option 3 to achieve the substantial reduction in harm.

Oxford Pedestrian Association

We recommend that Option 3 should be adopted as the minimum acceptable response. Thousands of walkers enjoy Port Meadow, Thames Path and the famed views of Oxford. These are now damaged by the height, mass and unsympathetic architecture of the development. Tree planting and cladding alone will be ineffective.

Oxfordshire Green Party

The focus is the impact of the development on the views from Port Meadow, the dreaming spires, the atmosphere and historic heritage of Port Meadow and the wider heritage area. The vandalising of these is too high a price to pay for 38 bedrooms. Responsibility belongs to the University and to the Council. Not calling for an EIA in the original application was an error. Any of the 3 options is understood to be a compromise, and will depend on how far those with the power are willing to compromise. The only acceptable option is Option 3 as a minimum response. Various questions regarding planning process. It is clear from the EIA that all guidance and planning directives relating to the protection, enhancement and conservation of heritage views and the settings of heritage assets have been ignored. It is also clear that none of the suggested options mitigate against the impact on heritage views to the extent that the adverse impact is undone. Moderate adverse is still unacceptable.

VES Summary of Comments (second and third consultations)

14/03013/CONSLT - Environmental Statement Addendum (ESA) Consultation (2nd September 2015 – 14th October 2015) and Substantive Additional Information (SAI) Consultation (16th November 2015 – 18th December 2015) in connection to:

11/02881/FUL - Extension to existing student accommodation at Castle Mill to provide additional 312 postgraduate units consisting of 208 student study rooms, 90 x 1 bed graduate flats and 14 x 2 bed graduate flats, plus ancillary facilities, 360 covered cycle spaces and 3 car parking spaces (Amended Plans).

Contributors (ESA):

- **10 Amenity Group / Statutory Consultee**
 - Save Port Meadow Campaign x 2 comments
 - Network Rail
 - Natural England
 - Oxford Preservation Trust
 - William Lucy Way Residents Association
 - Historic England
 - Cripsey Meadow Allotment Association
 - CPRE Oxfordshire x 2 comments
 - Oxfordshire Badger Group
 - Oxfordshire Architectural & Historical Society

Contributors (SAI):

- **3 Amenity Group / Statutory Consultee**
 - Save Port Meadow Campaign & CPRE
 - Oxford Civic Society
 - Natural England

- **171 Individuals**

Summaries of Groups & Consultee Comments for ESA:

Save Port Meadow Campaign

A report has been prepared by Mike Gilbert regarding the Castle Mill Phase 2 development, particularly relating to the socio-economic matters raised.

1. The ES Addendum confirms the significant harmful landscape and visual impacts and high adverse heritage impacts of the Castle Mill development. The heritage impacts amount to harm to the setting of the highest grade of heritage assets which requires a much higher (or wholly exceptional) level of "*public benefits*" for that harm to be lawfully justified. The University's socio-economic arguments against implementing Option 3 of the DMS need to be assessed against this requirement for a wholly exceptional level of public benefits.
2. The socio-economic arguments in the ES and the ES Addendum have not demonstrated that it is necessary to retain the 33 flats on the top floor of the Castle Mill blocks to meet the need for graduate accommodation in Oxford. In addition, there are plenty of options to provide replacement accommodation elsewhere without incurring substantial land purchase costs. As the ES finds that the issues are "*finely balanced*", the public benefits are substantially less than that required to pass the "*clear and convincing*" test set out in paragraph 132 of the NPPF. They certainly do not constitute the wholly exceptional level of public benefits required to lawfully justify the identified harm to the highest level of heritage assets.
3. The statutory presumption in favour of preserving the setting of the identified heritage assets under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 has not been outweighed by any "*powerful*" material considerations. Accordingly, the only remedy to ensure this statutory duty is met is to implement Option 3 of the DMS.

Network Rail

No objections or comments

Natural England

Natural England responded to the original application on the 8th Dec 2011 making no objection to the original proposal. Therefore, they agree with the conclusion of the Habitats Regulations Assessment Screening Report in Appendix 9.1 of the ESA, that there is unlikely to be a significant effect on the Oxford Meadows Special Area of Conservation.

Oxford Preservation Trust

Oxford Preservation Trust express concern that the matter continues without resolve. They reiterate the points made in their letter of Dec 2014 with regard to mitigation and a legal agreement to demolish the buildings within an agreed timeframe.

William Lucy Way Residents Association

1. The photograph of viewpoint 34 from William Lucy Way in Appendix 7.2 which shows trees in leaf is misleading as this is not the view that most residents now experience following the Network Rail tree felling and lopping.
2. The ESA, whilst it makes reference to the NR tree felling in Appendix 7.3, incorrectly assumes that it has had no effect on the view. It refers back to Appendix 7.1 section 3 which states that "There is material seasonal effect occurring from the greening of the framing vegetation in the view." It states that the trees in leaf reduce the substantial adverse level of effect to slight adverse. This argument is not valid.

3. Hence the assessment of DM Options 1, 2 and 3 in Appendix 7.1 section 3.1 which assumes that both Options 1 and 2 reduce the effect to moderate adverse cannot be supported.
4. Only DM Option 3 reduces the effect to slight adverse or negligible (neutral).

Historic England

Historic England has confined their comment to the issues which Nicholas Pearson Associates and John Phillips Planning Consultants have addressed in direct consequence of comments which they made (as English Heritage) on the main ES in December 2014. The views of the remaining matters are all as expressed in the comments of December 2014 and remain unchanged. Their comments focus on:

1. Whether 'high adverse' equates in this case to 'substantial harm'
2. Visual impacts in winter

Cripley Meadow Allotment Association

Conclusions from comments:

1. We are disturbed at the time and money spent by so many on consultants and lawyers on this issue which seems to slow down the process of resolution.
2. We have serious concerns about the proposals, particularly regarding the plans for tree planting between the flats and allotments. Key issues that we raised about this have not been addressed. The ESA fails to address our continued concerns regarding badger setts near the allotments.
3. The buildings have impacted negatively on the allotments. However, it would be damaging to Cripple Meadow if there were any further major building/demolition as well as really upsetting environmentally to waste resources thus.
4. On the positive side, Cripple Meadow has welcomed residents of Castle Mill and their children as members and it is great to see so many younger gardeners growing their own food. Also, vandalism on Cripple Meadow has ceased since the buildings arrived.
5. We believe that tree planting in the badger run could potentially cause problems and we also do not believe that trees planted here would screen the buildings as effectively as trees which are further away from the buildings.
6. We think it is time everyone got together to talk about effective screening. A large amount of money has been committed to this situation and should be spent if the screening is effective, but it would be sad to see more money wasted on things that will make little or no difference. We are willing to work with OCC and OU on plans to replace some of the willows on our Castle Mill stream boundary with trees that would screen more effectively.
7. After this hard learned lesson we trust OU will do better when the buildings need renewal. There is so much else that could be done with this kind of money to improve the lives of more people in the city. Everyone involved made mistakes and needs to learn from them. Please let's move on.

CPRE Oxfordshire x 2 comments

ES Addendum:

1. The Environmental Statement Addendum of August 2015 does not affect the summary, reasoning or conclusions of my Opinion of 18th December 2014.
2. Section 5.2.2, 5.2.5 and 5.2.6 do however confirm that the approach taken in the ES is an unlawful one as the approach has not been to approach the issues on the basis that the question which the competent authority (Oxford City Council) has to answer is:

"If the development had not already been constructed what should the City Council be prepared to permit here?"

Unless councillors approach the issues on the basis set out in my opinion of 18th December 2014 then their decision will be unlawful and open to challenge.

Geo-Environment Chapter:

We note the clear summary in Appendix 10.1 of the Risk Management Processes in relation to the development of the Castle Mill 2 site, a former railway siding. We welcome the recognition of the high to moderate risk to human receptors due to the presence of contaminants such as asbestos, hydrocarbons and heavy metals. The risk assessment also identifies a pollution pathway (e.g. inhalation and dermal digestion) indicating how human receptors such as construction workers, neighbours and future occupants could be affected. However, we are requesting that Oxford City Council reject the narrative of this summary. The impression is given that the information was submitted in a timely fashion. This is not correct, as the City Council has confirmed in a timeline (Officers report, Sept 2013). These reports were submitted well after the start of the development. This means that the University was, and still is, in breach of the contaminated land planning condition because the City Council had not approved a remediation strategy. We urge the Council to seek clarification from Oxford University as to why these two contamination surveys were not submitted in the pre-development phase.

Oxfordshire Badger Group

The Oxfordshire Badger Group would like to register its opposition to the planting of trees in the badger run which we feel will do little to ameliorate the harm documented in the Environment Statement which the Castle Mill student accommodation has had on Port Meadow.

Oxfordshire Architectural & Historical Society

We wish to reiterate and reinforce the comments we made previously. The updated EIS and other comments have strengthened, not alleviated, our concerns. Overall, the updated ES and other responses now published have not altered OAHS's original position that treating heritage as a major issue is the statutory duty of local planning authorities, a duty enshrined in the 1990 Act. The updated ES has only peripherally touched on concerns that we raised about it understating the cumulative harm of the development; and it still fails to examine alternative, less environmentally damaging solutions properly. We remain deeply concerned that this case has from the beginning fallen well below standards for due process, let alone the exemplary standards that Oxford City Council should be aspiring to for one of the great historic cities of the world.

Summaries of Groups & Consultee Comments for SAI:

Save Port Meadow Campaign & CPRE

CPRE and the Save Port Meadow Campaign believe that there have been multiple failures in process in relation to contamination at Castle Mill and that serious questions on these issues remain unanswered. The level of these inaccuracies are such that we do not believe any statements by the developer should now be accepted in good faith - all relevant claims must be supported by independent evidence and verification. They also question the independence of Nicholas Pearson Associates.

CPRE & SPMC include a Method Statement & Risk Assessment report prepared by Marron Civil Engineering Ltd.

Oxford Civic Society

Oxford Civic Society considers that the ES Addendum does not alter the position set out in the Society's letter of 18 December 2014.

Natural England

Natural England has previously commented on this proposal and made comments to the authority in our letter dated 05 October 2015. The advice provided in our previous response applies equally to this consultation although we made no objection to the original proposal.

Highlighted Comments from Individuals

Visual Impact x 9

- Cityscape merging with landscape
- Reflect sun
- Trees will not help
- Diminish the bucolic nature of Port Meadow
- The ES has made it clear that there has been a harmful visual impact
- Recent work by Network Rail have compounded this effect
- Spoil the views from Port Meadow
- View of towers and spires
- Unacceptable damage has been done to heritage views by the visual impacts of this unfortunate development
- I believe more concern should be given to the view from William Lucy Way as well, especially in the light of the felling of trees by Network Rail on this section of the railway.

Amount of development on site x 82

Effect on Character of area x 150

Effect on existing community facilities x 29

Height of proposal x 138

- The university's case for 33 extra rooms has shown to be invalid

Local ecology, biodiversity x 35

Procedures were not followed correctly x 12

General dislike or support for proposal x 73

- Key document is appendix 7.1 and section 8 discussing the substantial adverse impact and level of effect
- The way the information is presented indicates that the 'receptor group' is relatively unimportant

Local plan policies x 36

Option 3 x 91

- More creative solutions needed
- The minimum acceptable
- The effects on the 4 high-value sites are only mitigated by option 3
- The least that can be done is to lower the height of the buildings by one storey
- Take off storey and clad in wood
- Painting and tree painting would not address the adverse impact
- The Council should consider the seriousness of the Environmental Statement and insist on Option Three; in fact, I consider that a minimum of two storeys should, as soon as possible, be required to be removed.
- Option 3 - DOES make a difference, reducing the effects to "not significant".
- overall the addendum has strengthened the case for Option 3 of the Options in the main body of the ES, by making it clear that great damage has been done in heritage and visual terms
- It is clear from the Save Port Meadow Campaign's report by Planning Consultant Mike Gilbert that the need for more student accommodation or other arguments brought by the University do not justify the harm to this historic site.

Other x 42

- Reverse the damage done as documented in the Environmental Statement
- Many buildings owned by the university are empty. Students should be moved there.
- Harm obvious and confirmed by English Heritage. The university's mitigation proposals do nothing
- Behaviour throughout has been terrible. Secret, arrogant, disregarding of student/town opinion and delaying tactics.
- Socio-economic reasons are wholly inadequate and disingenuous.
- Option 3 would serve as a warning for the rest of England
- The materials used draw the eye in
- Negative impact on tourism
- I believe that this case is now being closely watched not only by Oxford residents but by those in 'heritage cities' around the UK and even internationally.
- The flats should be pulled down, and given that the original planning consultation was faulty, I can't see why this should not be seriously considered.
- Access
- Public transport provision/accessibility
- The long term benefit to Oxford far outweighs the cost.
- Amid quite a lot of verbiage it emerges that the University's Addendum makes no difference to their plan to darken the Roger Dudman Way blocks and plant some trees.
- An innovative solution would be to provide a living wall of vegetation to the blocks to disguise them using an additional outer structure.
- The addendum which uses terminology which sometimes obscures or belittles the negative impact this development has had on Port Meadow and the surrounding area by attempts to justify it on financial grounds.

Effect of adjoining properties x 35**Effect on existing community facilities x 2****Effect on pollution x 20****Effect on privacy x 12****Effect on traffic x 12****Flooding risk x 11****Noise & disturbance x 9****Not enough info given on application x 22**

- City Council ignored its own heritage advisor and failed to get the view of English Heritage

Information missing from plans x 25**Contaminated land issues x 31****Light - daylight/sunlight x 15**

- There are huge expanses of glass on the stair well areas that release a huge amount of light, just yards from areas where large numbers of rare waterbirds gather.

Open space provision x 10**Access x 1****Public Transport Provision/accessibility x 1**

Appendix B – Planning Conditions Assessment

West Area Planning Committee

Application Number: 11/02881/FUL

Proposal: Discharge of Planning Conditions pursuant to planning permission 11/02881/FUL - Extension to existing student accommodation at Castle Mill to provide additional 312 postgraduate units consisting of 208 student study rooms, 90 x 1bed graduate flats and 14 x 2 bed graduate flats, plus ancillary facilities, 360 covered cycle spaces and 3 car parking spaces.

Site Address: Castle Mill, Roger Dudman Way.

Ward: Jericho and Osney

Applicant: The University Of Oxford

1.0 Background:

- 1.1 The planning permission ref: 11/02881/FUL was subject to a legal agreement under s.106 of the Town and Country Planning Act 1990 (as amended) and twenty two planning conditions. The status of all of the planning conditions is tabulated further in this report.
- 1.2 The discharge of ten individual planning conditions are considered in this report as set out below. Officer commentary on the individual condition submissions is within the table.

2.0 Recommendation:

- 2.1 Committee is recommended to approve the outstanding planning conditions:
 - Condition No. 4: Restrictions on Occupation.
 - Condition No. 5: Landscaping.
 - Condition No. 7: Landscape Management
 - Conditions Nos. 9 & 10: Control of Private Vehicles and On – Site Parking
 - Condition No. 11: Noise Attenuation.
 - Condition No. 13: CCTV.
 - Condition No 16: Ground Contamination
 - Condition No. 18: Management of Badger Sett.
 - Condition No 22: Public Art

3.0 Purpose of the Report

- 3.1 The purpose of this report is to enable the City Council to confirm compliance with the outstanding planning conditions. All documents referred to in this report have been made available on the Council's website under the planning application number; 11/02881/FUL and the compliance with condition applications 11/2881/CND, 11/02881/CND2 and 11/02881/CND3.

Compliance with Planning Condition requirements

- 3.2 Normally confirmation of compliance with planning conditions is a matter delegated to Council officers. However there are a number of conditions awaiting approval of compliance, some of which Members have formally asked to be determined by the Committee. The current status of all the planning conditions attached to the planning permission is set out in this report.
- 3.3 All the information is now available to enable discharge of the outstanding planning conditions and it would not be reasonable for the City Council to continue to withhold or delay making a decision on each. Where these conditions have been implemented on site, what has been implemented is understood to be in accordance with the details in the conditions. In legal terms if the conditions are now approved retrospectively, this would now put the development on the same footing as if they had been discharged when originally required by the planning permission.
- 3.4 The main report raises the issues of exceptionality and unfair advantage. As regards exceptionality the consideration of schemes submitted under conditions was delayed by the Council in order to allow their consideration with the benefit of the environmental information to be produced. On the basis of the facts set out in this report there can be few more exceptional cases and officers are content that the circumstances pertaining to this scheme can fairly be described as exceptional. Turning to unfair advantage, there appears to be no advantage to the University on account of the delayed approvals under conditions.
- 3.5 Set out below is the officer assessment of each condition and a recommendation to approve. In summary the officers' recommendations are that Conditions 4, 5, 7, 9, 10, 11, 13, 16, 18 and 22 can be approved because the information provided is in compliance with the requirements of each condition.

Condition	Comments
Condition 1: 3 year time limit for commencement of the development	The development has been implemented, no details required.
Condition 2: Development to be constructed in accordance with the approved plans and agreed specifications in the application	This is a compliance requirement that does not need formally discharging.
Condition 3: Materials	Approved November 2012
Condition 4 “The student accommodation hereby permitted shall only be occupied by students in full time education on courses of an academic year or more. No occupation shall take place until details of the management controls applying to the accommodation, (which may include an on - site warden or other 24 hour supervision), shall have first been submitted to and approved in writing by the Local Planning Authority. There shall be no variation to the approved management controls without the prior written approval of the Local Planning Authority.”	<p>This is an on-going restriction on occupation as well as requiring submission of details. Details submitted 14th February 2013, called to Committee for determination.</p> <p>Officer Comments. The University has provided details of the management controls applying to the accommodation. The occupants are graduate students of the University. An onsite warden will live in the phase 1 accommodation block and will undertake day to day management of the existing and extended student accommodation.</p> <p>Recommend Approval</p>
Condition 5: Landscaping: Prior to the first occupation of the development or such other time as previously agreed in writing, a landscape plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include a survey of existing trees showing sizes and species, and indicate which (if any) it is requested should be removed, and shall show in detail all proposed tree and shrub planting, treatment of paved areas, and areas to be grassed or finished in a similar fashion.”	<p>Condition 5 can be approved because the requirements of the condition have been met. Details submitted 14th February 2013, called to Committee for determination.</p> <p>Officer Comments. The University submitted initial details of onsite landscaping in February 2013. The onsite planting consists of some 82 trees in and around the new buildings, interspersed with lawned areas and short sections of hedging. External seating is also provided. The tree species are generally of the more garden varieties. It has not been possible to plant a hedge along the eastern boundary of the site as Network Rail require a 900mm access and maintenance strip on the University’s site. In addition a financial contribution of £10,000 was secured towards off - site tree planting along the line of Willow Walk, along the southern edge of Port Meadow. This was previously reported to committee. Following</p>

	<p>further refinement and more detailed examination of the location for planting, some 56 native trees suitable to the waterside location were also planted in the 2013 planting season.</p> <p>In July 2013 the University submitted a detailed Landscape Mitigation Strategy prepared by LDA consultants. It concluded:</p> <p>“The landscape mitigation proposals within the locations described will combine to create a series of layers to help soften the appearance and prominence of the buildings in the important views from Port Meadow. The photomontages have illustrated the layering effect of existing and proposed trees on site, along Castle Mill Stream and within allotment land, following initial establishment and after 10 and 15 years growth. The additional tree planting along with appropriate and selective building colour rendering will substantially improve the views from Port Meadow and filter views towards the development. These landscape mitigation proposals will assist with the integration of the buildings into the surrounding landscape and will soften and filter views to the development and the urban edge of the city”.</p> <p>This has been reviewed by the City Council’s Independent Consultant SLR who concluded that the proposed landscape mitigation schemes appear to be appropriate given the character of the area and agrees with LDA that the proposals would significantly improve the visual effect of the development in the long term. In current views, the existing buildings are far more visible in views from Port Meadow than other structures on the edge of the city. The details submitted through the on-site landscaping scheme and the additional Landscape Mitigation Strategy are more than sufficient to enable approval to be given confirming compliance with the condition.</p> <p>Recommendation: Approve the existing details under this landscaping condition.</p>
Condition 6: Required timescales for landscaping proposals to be undertaken.	Timescales for completion will relate to finally approved details once these are agreed
Condition No. 7: Landscape Management. Prior to the first occupation of the development or such other time as previously agreed in writing, a Landscape Management Plan including long term design objectives,	<p>Details submitted 14th February 2013, called to Committee for determination.</p> <p>Officer Comments. A detailed landscape management plan has been submitted, drawn up by the Oxford University Parks Department. The maintenance regime consists of 2 elements:</p>

<p>management responsibilities and maintenance schedules for all landscaped areas shall be submitted to and approved in writing by the Local Planning Authority. The Landscape Management Plan shall be carried out only as approved.</p>	<p>areas around the new buildings, and the area around the badger sett at the northern end of the site. The first element has been drawn up to fully comply with BS7370-3:1991 in relation to grass care and BS7370-4: 1993 in relation to landscape care. The specific measures relate to regular and periodic maintenance through the year including the checking of young trees and their irrigation during dry spells of weather, and mulching and formative pruning during dormant winter periods.</p> <p>For the badger sett area trees and shrubs are planted within the restricted compound to provide a food resource as well as for reasons of amenity. During the winter months the landscaping would be allowed to mature to enhance amenity and encourage habitat creation and ecological diversity. For both areas a separate condition of the planning permission requires that any new trees which fail within three years must be replaced.</p> <p>Recommend Approval</p>
<p>Condition 8: Areas for vehicles to park and manoeuvre to be provided</p>	<p>These have been provided on site.</p>
<p>69 Conditions 9 and 10</p> <p>Condition 9 Control of Private Vehicles and On - Site Parking.</p> <p>There shall be no parking of vehicles on site other than those parking spaces indicated in the approved drawings. No occupation of the development shall take place until details of the means of control of on - site parking has been submitted to and approved in writing by the Local Planning Authority and implemented accordingly. There shall be no subsequent variation to the approved controls without the prior written approval of the Local Planning Authority.”</p> <p>“The student bedrooms comprised in the development shall not be occupied until the wording of a clause in the tenancy agreement under which the study bedrooms are to be occupied restricting students residents at the premises (other than those registered disabled) from</p>	<p>Details submitted 14th February 2013, called to Committee for determination.</p> <p>Officer Comments. The University has provided details of the means of control of on-site parking and the wording of a suitable clause in the tenancy agreement. Other than disabled students, all prospective occupiers of the development are advised beforehand that their tenancy excludes the ability to keep a private car within the city of Oxford. The onsite caretaker has responsibility for regulating the limited car parking provided for legitimate visitors such as maintenance staff, contractors, service vehicles, disabled visitors, visiting members of staff etc. Permits are issued accordingly to these users and any vehicles found without a permit are reported to the University’s Security Services. Security Services are also currently considering the introduction of fixed penalty notices. In addition, the site falls outside the Controlled Parking Zones in operation in West Oxford, City centre and elsewhere. Residents of the development would not therefore be eligible for residents parking permits to park on- street within these or any other controlled parking zones.</p> <p>Recommendation: Approve.</p>

bringing or keeping a motor vehicle in the city has been submitted to and approved by the Local Planning Authority; and the study bedrooms shall only be let on tenancies which include that clause or any alternative approved by the Local Planning Authority.”	
Condition No.11: Noise Attenuation. “Prior to the first occupation of the development or such other time as previously agreed in writing a scheme for the protection of the proposed development from noise emanating from the adjacent railway lines shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be fully incorporated into the development following the submission and approval in writing of a full verification report, also prior to first occupation.”	<p>Officer Comments. The building is naturally ventilated with the internal layout of the accommodation arranged so that the majority of windows to bedrooms etc face north and south rather than east towards the railway line. Where windows to rooms do face the railway line, they are fixed closed but with other windows in other elevations to provide ventilation. In December 2011 details were received and approved of the noise attenuation for the buildings following consultation with Environmental Development colleagues, but with a final validation report required on completion of the building work and before occupation. That report, entitled “External Sound Insulation Commissioning” by Jarman Cole Consultants has now been received. It concludes that testing has shown internal levels of noise comfortably below the bedroom day and night time noise criteria at LAeq 35dB. The report has been examined by Environmental Development Officers who accept the findings of the report and recommend that the details can be agreed.</p> <p>Recommendation: Approve.</p>
Condition 12: Vibration	Approved December 2012
<p>Condition 13: CCTV</p> <p>“Prior to the first occupation of the development or such other time as agreed in writing details of a scheme of Closed Circuit Television (CCTV) shall have been approved in writing by the Local Planning Authority and implemented on site. The CCTV as approved shall be retained at all times thereafter unless otherwise approved in writing beforehand by the Local Planning Authority”</p>	<p>Details submitted 14th February 2013, called to Committee for determination.</p> <p>Officer Comment.</p> <p>The University has provided details of the CCTV. Currently two CCTV cameras are located at the entrance to the existing Phase 1 accommodation block, at the entrance lodge and overlooking the entrance to the car park and access road leading to the site. This is intended to be supplemented by a further camera overlooking the northern entrance to the site from Walton Well Road. As the site is a secure one with 24 hour on site management presence, the University do not require further CCTV camera provision.</p> <p>Recommendation: Approve.</p>
Condition No.14: No infiltration of water (soakaways)	No details required

Condition 15 Sustainable Drainage	Approved November 2012
<p>Condition No 16: Ground Contamination:</p> <p>(a) The soil and water environment may be contaminated and prior to commencement of development, a desk-top study on the history of the site and a soil and water contamination survey and risk assessment shall be carried out in accordance with the guidelines set out in the Department of the Environment CLR report and in the CIRIA reports on remedial treatment for contaminated land volumes 1 -12, and any subsequent updates of the reports. Details of the desktop study, soil and water contamination surveys and risk assessment shall be submitted to the Local Planning Authority for approval in writing prior to the commencement of the development.</p> <p>(b) In the event of the findings of contamination to soil or water as a result of the surveys carried out under condition (a) above, a programme of remedial works shall be submitted to the Local Planning Authority for approval in writing prior to the commencement of the development.</p> <p>(c) The approved remedial measures and monitoring and certification of the works shall be carried out by an approved consultant or organisation quality assured under ISO 9001 and the approved remedial works shall be completed prior to first occupation of the development, unless otherwise agreed in writing by the Local Planning Authority beforehand or unless carried out in accordance with a programme which has been agreed in advance in writing by the Local Planning Authority. No property shall be occupied until a certificate has been received by the Local Planning Authority verifying that remedial</p>	<p>Various details in compliance received at intervals, to Committee for determination.</p> <p>Officer Comment: Oxford University has submitted the following reports seeking to secure the discharge of this condition.</p> <ul style="list-style-type: none"> • “Phase One Environmental Review” (Report number 611481 dated 26.07.2011) produced by Frankham Consultancy Group Ltd. Submitted November 2012. • “Report on a Ground Investigation” (Report reference O1241 dated October 2011) produced by ESG for Frankham Consultancy Group Castle Mill - Phase 2 Intrusive Ground Investigation Report). Submitted November 2012. • “Contaminated Land Generic Risk Assessment” (Report reference O1241/GRA dated November 2011) produced by ESG for Frankham Consultancy Group (submitted but only on 28 March 2013). • “Contamination Land Supplementary Generic Risk Assessment” (report no G3057 Rev 1 Final, dated May 2013) produced by ESG for Frankham Consultancy Group and received on 15 May 2013. • “Castle Mill, Oxford -Quantitative Groundwater Risk Assessment” (letter reference G3057/Groundwater RA) produced by ESG for Frankham Consultancy dated 13 June 2013. • “Castle Mill Phase 2, Oxford Verification Report” (Report reference R3089/VR) produced by ESG for Frankham Consultancy dated August 2013 and received on 13 August 2013. • “Verification Report Addendum Letter Report” (Report reference LO/R3089/SM/002) produced by ESG for Frankham Consultancy dated 09 September 2013. <p>Oxford University submitted the report: “Phase One Environmental Review” (Report number 611481 dated 26.07.2011) produced by Frankham Consultancy Group Ltd. This report outlined the history of the site and adequately identified the potential contamination risks using appropriate guidance. Based on the findings of this assessment, the report made recommendations for an intrusive investigation.</p> <p>An intrusive site investigation was then undertaken by Oxford University and the results</p>

works on that part of the site have been completed. A full validation report and final completion certificate shall be provided by the company consultant or organisation that carried out the remedial works on completion of this scheme.

were presented in a report entitled: "Report on a Ground Investigation" (Report reference O1241 dated October 2011) produced by ESG for Frankham Consultancy Group. The sampling methodologies for soil and groundwater were suitable and the appropriate suites of contaminants were tested for. Findings indicated that contamination existed and a risk assessment was necessary.

The consultants acting on behalf of Oxford University (Frankham Consultancy Group) submitted the following report on 28 March 2013: "Contaminated Land Generic Risk Assessment" (Report reference O1241/GRA dated November 2011) produced by ESG for Frankham Consultancy Group. This report summarised the results of the intrusive investigation and included an analysis and assessment of risks to human health and controlled waters. The consultants were asked to provide additional information to this report and submitted the following reports: "Contaminated Land Supplementary Generic Risk Assessment" (report no G3057 Rev 1 Final, dated May 2013) produced by ESG for Frankham Consultancy Group and received on 15 May 2013 and "Castle Mill, Oxford - Quantitative Groundwater Risk Assessment" (letter reference G3057/Groundwater RA) produced by ESG for Frankham Consultancy dated 13 June 2013. The "Contaminated Land Supplementary Generic Risk Assessment" included a Remediation Method Statement outlining the proposed remediation measures to address the identified risks at the site.

The Quantitative Groundwater Risk Assessment undertaken for groundwater from historic contamination showed that there was no significant risk posed to the Cripsey Meadows allotment wells or to controlled waters from historic contamination on the development site. Environmental Development and the Environment Agency agreed with the conclusions that no specific remediation was required with regard to pollution to water.

The Quantitative Groundwater Risk Assessment identified an oil spill incident on site which required further assessment and action. This incident is addressed separately below. The assessment for the historic contamination was also revised in a subsequent report although the conclusions remain the same.

Remediation measures proposed in the Remediation Method Statement were agreed and verified in the reports entitled 'Verification Report' (Report no. R3089/VR dated August 2013 produced by ESG on behalf of Frankham Consultancy Group), submitted on 13 August 2013, and 'Verification Report Addendum Letter Report' (Report reference

	<p>LO/R3089/SM/002) produced by ESG for Frankham Consultancy dated 09 September 2013. These reports address both the historic contamination and the contamination incident that occurred during construction.</p> <p>The Verification Report and Addendum Letter Report provide evidence that the remediation measures were implemented as agreed. These include: clean cover systems applied to all landscaped areas in accordance with BRE Report 465 ‘Cover Systems for Land Regeneration’. The report also provides evidence that there is no unacceptable risk to buried services and that contaminated materials removed from site were disposed of in accordance with all relevant waste legislation.</p> <p>The reports submitted satisfy the requirements of parts (a), (b) and (c) of Condition 16.</p> <p>Recommendation: Approve.</p>
Condition 17: Natural Resources Impact Analysis	No details required
<p>Condition 18: Management of Badger Sett.</p> <p>“Prior to the first occupation of the development or such other time as previously agreed in writing, details of the measures for the future management of the badger sett on site shall be submitted to and approved in writing by the Local Planning Authority. The badger sett shall only be managed in strict accordance with the details approved.”</p>	<p>Details submitted 14th February 2013, called to Committee for determination.</p> <p>Officer Comment: Prior to planning permission being granted for the development, a license was obtained from Natural England to relocate a badger sett central to the site to a new location at its northern edge within a cordoned off parcel of land. This relocation was successful and the new sett has become established.</p> <p>In response to the requirements of the condition a detailed management plan has now been submitted which allows for the land to grow over with scrub and be managed as rough grassland to provide a suitable foraging habitat. The grassland would also provide suitable reptile habitat. Periodically checks are to be made to ensure brambles, thistles etc do not become invasive and to ensure gaps under boundary fences do not become blocked by woody or bramble growth. Some tree planting of fruit trees was also suggested but this is considered separately within the context of the wider landscaping proposals. A 2m badger run is also maintained along the western boundary of the student residence to allow movement. A copy of the management plan has been forwarded to Natural England who has raised no objection to its details.</p> <p>Recommendation: Approve.</p>

Condition 19: Wildlife Initiatives	No details required
Condition 20 Condition 20 and 21 Construction Management Plan and Travel Plan	Approved November 2012
Condition No. 22: Public Art. "Prior to the occupation of the development or such other time as previously agreed in writing by the Local Planning Authority, details of a scheme of public art shall be submitted to and approved in writing by the Local Planning Authority, and a timetable agreed for its implementation. The public art as approved and implemented shall be retained at all times following its erection unless otherwise agreed in writing beforehand by the Local Planning Authority."	<p>Details submitted 26th July 2013, to Committee for determination.</p> <p>Officer Comment: It is proposed to create a display area close to the northern end of the public cycle / pedestrian route which will run through the site, set between the northern two blocks of accommodation. It would consist essentially of a window type display measuring approximately 2.1m by 1.5m set within a prominent section of curved walling adjacent to the public route. Artwork created by students at the University, (primarily from the Ruskin School of Art), would be displayed for a set period of time, to be replaced on a regular basis by new works.</p> <p>Recommendation: Approve.</p>

4.0 Other Matters: Contamination Incident during Construction

- 4.1 In early July 2013 it was discovered that an unknown quantity of diesel was spilt from a holding tank between 2 and 9 April 2013 located in the western boundary of the construction site. Subsequent to the spill, elevated levels of total petroleum hydrocarbons (TPH) within the diesel range were detected in a groundwater sample obtained from approximately 20 metres from the location of the spill. The TPH within the groundwater was identified as having the potential to pose a risk to the abstraction wells within the adjacent Cripsey Meadows allotments site and to nearby water courses.
- 4.2 The Environmental Consultants working on behalf of Oxford University began remediation of the diesel spill as soon as it became apparent to the University itself. This involved excavating impacted soils, pumping out impacted groundwater, and undertaking long term groundwater monitoring on-site and on the adjacent allotments as well as vapour monitoring in one room within the affected building. This monitoring programme was agreed and secured through a S106 commitment/Unilateral Undertaking. The long-term monitoring was for a period of 12 and 18 months for vapour and groundwater monitoring, respectively, and contained remedial target levels that had been agreed by the Environment Agency and Environmental Development.
- 4.3 Only 2 exceedances were reported in the badger run area for the groundwater samples which prompted additional sampling. No exceedances were reported in the adjacent allotments. After 17 months of sampling with no exceedances, the Environment Agency and Environmental Development agreed that the on-going risks to human health were negligible and no further monitoring would be required. The vapour monitoring had one exceedance in the first monitoring occasion. No further exceedances were reported after 12 months of monitoring. Environmental Development agreed that the room was suitable for occupation.
- 4.4 Officers consider that this brings suitable closure to this matter because adequate monitoring arrangements were carried out and revealed no significant residual risks from the diesel spill.

Background Papers:

Planning Applications 97/00342/NOY, 02/00898/RES, 11/02881/FUL.

Voluntary Environmental Statement and additional information Ref 14/03013/FUL for the original VES or 14/03013/CONSLT for the ES Addendum and additional substantive information.

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