

Application Number: 17/03330/FUL

Decision Due by: 17th March 2018

Extension of Time: 29th April 2018

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

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

Ward: Holywell Ward

Case Officer Felicity Byrne

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

Reason at Committee: Major Development

1. RECOMMENDATION

1.1. West Area Planning Committee is recommended to:

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

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

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

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

and issue the planning permission.

2. EXECUTIVE SUMMARY

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

3. LEGAL AGREEMENT

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

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

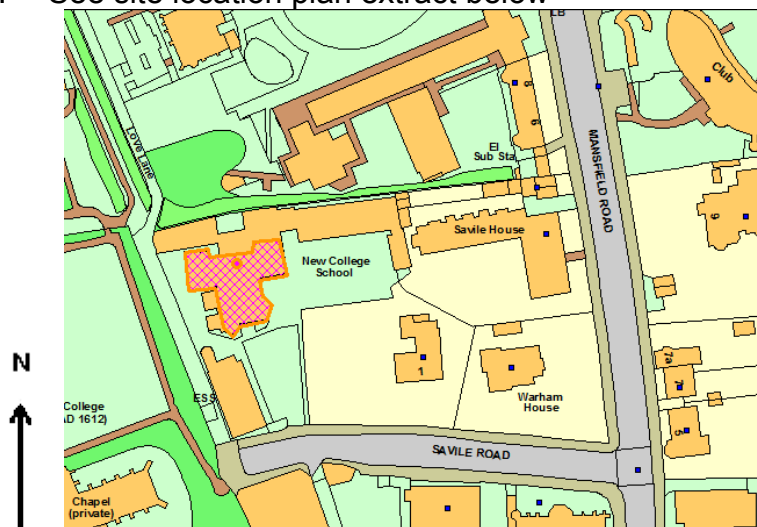
4.3. The proposal is liable for CIL amounting to £192,745.38.

5. SITE AND SURROUNDINGS

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

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

5.3. See site location plan extract below



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Ordnance Survey 100019348

6. PROPOSAL

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

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

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

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

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

7. RELEVANT PLANNING HISTORY

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

<p><i>New College School:</i> The School has extensive planning history, the most relevant being:</p> <p>05/02262/CAC - Conservation Area Consent for demolition of existing gymnasium building. Approved.</p> <p>05/02261/FUL - Demolition of existing gym building and erection of 2 storey building to accommodate a gym at ground floor and music rooms and art studio at first floor. Closure of existing access and formation of new car parking area accessed from an existing access to Savile Road. Approved.</p> <p><i>Savile Road Student Campus:</i> 15/00849/FUL - Demolition of garages and store. Erection of three storey building to provide music practice rooms (Use Class D1). Construction of glass link building between music rooms and Saville House. Approved. Construction almost complete.</p>

8. RELEVANT PLANNING POLICY

8.3. The following policies are relevant to the application:

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

9. CONSULTATION RESPONSES

9.3. Site notices were displayed around the application site on 10th and 31st January. It was re-advertised by site notice on 31st January and an advertisement was published in The Oxford Times newspaper on 25th January 2018 as a departure from the development plan policy HE9.

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

Statutory and Non-Statutory Consultees

Oxfordshire County Council (Highways)

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

bays on Mansfield Road will be required. There will be no net loss of parking spaces. The relocation of on-street parking bays will require an amendment to the Traffic Regulation Order and associated consultation and administrative costs shall be met by the applicant. We would question the requirement for a loading bay in this location and suggest that a section of Double Yellow Lines would be more appropriate and would allow for refuse / servicing requirements to be carried out on-street. The details of this will be determined through the TRO process.

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

Thames Water Utilities Limited

- 9.12. No comments received.

Natural England

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

documents for impacts on protected species.

- 9.15. **Local sites** – Enough information should be provided if the development has an impact on local sites.
- 9.16. **Biodiversity enhancements**- This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application. This is in accordance with Paragraph 118 of the National Planning Policy Framework. Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that ‘Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity’. Section 40(3) of the same Act also states that ‘conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat’.

Historic England

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

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

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

Public representations

- 9.25. Letters of comment have been received from Harris Manchester College, Mansfield College, Mansfield College JCR, 17 London Place, 62 York Road, No 5A & No. 6

Mansfield Road (Mansfield College), 1 Little Blenheim Yarnton, 86 Cedar Road, 65 Southmoor Road, 41 Nicholson Road, Nos.20 & 23 Stockmore St. 24 Ash Grove, 29 Marlborough Crescent Long Hanborough, 14 Oxford Road Littlemore, 82A Castle Mill House Juxon Street

In summary, the main points of comment are:

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

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

Oxford Civic Society:

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

Victorian Group of Oxford Architectural History Society

Object:

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

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

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

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

This part of the Central Conservation Area, which until comparatively recently was lightly built up, already has far too many new buildings, mostly excessively large and dominant,

and it is essential to its character that this conspicuous site should be carefully preserved.

Victorian Society

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

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

Oxford Preservation Trust (OPT):

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

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

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

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

Pre – App Discussion & Community Involvement:

1. The Applicant undertook extensive joint pre-application discussion with Officers of the Council and Historic England and the Oxford Design Review Panel (ODRP). The project has been to ODRP three times in total; 15th September 2016 (workshop), 16th October 2017 (full review) and 25th January 2018 (final full review). A copy of their final letter can be found at Appendix 3. The applicant engaged with the directly affected neighbour Mansfield College and other interested amenity groups such as Oxford Preservation Trust and Oxford Civic Society on various occasions during the pre-application stage and also consulted neighbouring Colleges, school staff and parents. Two public consultation events were held on 19th and 20th October 2016 and 30th November and 1st December 2017.

10. PLANNING MATERIAL CONSIDERATIONS

10.3. Officers consider the determining issues to be:

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

i. Principle of Development

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

recommended by officers should permission be granted and the proposal accord with CS25.

ii. Design and Heritage:

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

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

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

Demolitions and Heritage

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

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

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

Site Layout, Scale, Massing and Appearance

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

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

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

Appearance/Materials

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

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

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

Impact upon Views

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

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

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

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

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

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

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

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

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

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

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

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

Boars Hill

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

Raleigh Park

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

Elsfield

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

Doris Park

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

South Park

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

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

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

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

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

Public Benefits:

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

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

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

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

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

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

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

iii. Trees and Landscaping

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

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

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

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

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

iv. Transport

Transport Sustainability & Car parking

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

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

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

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

Cycle Parking

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

v. Impact on Neighbours

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

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

vi. Energy Efficiency

- 10.65. Core Strategy Policy CS9 (Energy and Natural Resources) states that all developments should seek to minimise their carbon emissions and should demonstrate sustainable design and construction methods and energy efficiency through design, layout, orientation, landscaping and materials. Qualifying developments, i.e. 10 or more dwellings or developments for over 2000m², should be energy efficient, deliver a proportion of renewable or low-carbon energy and

incorporate recycled or reclaimed materials.

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

vii. Biodiversity

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

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

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

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

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

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

viii. Flooding

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

ix. Air Quality

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

be met.

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

x. Archaeology:

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

The significance of the Civil War bank

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

The potential for an earlier earthwork along the same alignment

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

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

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

Impact on the Civil War rampart

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

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

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

11. CONCLUSION

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

Compliance with Development Plan Policies

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

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

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

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

Material Considerations

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

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

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

12. CONDITIONS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Reason: To prevent harm to mammals including hedgehogs.

13. APPENDICES

Appendix 1 – Site Exiting Block Plan

Appendix 2 - Site Proposed Block plan

Appendix 3 – ODRP review letter of 25th January 2018

14. HUMAN RIGHTS ACT 1998

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

15. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

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