

West Area Planning Committee

9th October 2018

Application number: 18/01340/FUL

Decision due by 22nd August 2018

Extension of time 26th October 2018

Proposal Demolition of the existing building and the erection of a replacement building to provide a new auditorium, teaching, and student communal area. On the lower floors together with administration offices and student accommodation to the upper floors. The relocation and widening of the existing vehicular access from Parks Road further South. External alterations to the rear of the President's Garage. Landscape enhancements to the immediate setting of the proposed new building, library quad and the small quad to the south of library quad. Provision of covered cycle parking and replace glass house and machinery and tool store for the gardeners.

Site address Trinity College, Broad Street. **Appendix 1** - site plan

Ward Carfax Ward

Case officer Felicity Byrne

Agent: Natasha Ireland **Applicant:** Trinity College

Reason at Committee Major application

1. RECOMMENDATION

1.1. **West Area Planning Committee** is recommended to:

1.1.1. **approve the application** for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and grant planning permission.

1.1.2. **agree to delegate authority** to the Head of Planning, Sustainable Development and Regulatory Services to:

- finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary; and
- finalise the recommended legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers as set out in this report, including refining, adding to, amending and/or deleting the

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

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

2. EXECUTIVE SUMMARY

2.1. This report considers the acceptability of demolishing an existing 20th Century building and erection of a new building providing 51 student study bedrooms, Auditorium/ lecture theatre, teaching accommodation, library facilities, office accommodation and other associated ancillary facilities. In addition, new landscaping, bin & bike storage, replacement Gardeners buildings and minor alterations including works to the Norrington Building and the President's Garage are also proposed.

2.2. Trinity College has many heritage assets of significance including Grade I, II & II* Listed Buildings and a Grade II registered Park and Garden 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 is of high quality design and appropriate to its context in terms of appearance, height and scale. There is a justifiable need for the accommodation in order for the College to provide high quality education to its students and continue to function as a College within the University of Oxford and Colleges. In relation to heritage assets and their setting the development would cause less-than-substantial-harm to the Conservation Area as a result of the demolition of the Cumberbatch building, but this is at the low end of this classification. There would be no harm to the significance or setting of other listed buildings, structures or registered Parks and Gardens. The proposal would result in the loss of some mature trees within the registered Park and Garden that are publicly visible and of high amenity value. Below ground archaeological heritage would be appropriately mitigated through targeted excavation. It concludes that the public benefits of the development including enhancement of the existing listed New Library, the high quality design of both the new building and landscaped garden and releasing housing back onto the general housing market have moderate weight and would outweigh the low level of less-than-substantial-harm in this case. 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 proposal would not harm views outside and within the City Centre. The net gain in student accommodation would release housing back to the general market and contribute to the overall housing need as set out within the Oxford Core Strategy.

2.3. In other matters the report concludes that there would be no harm to protected species or habitats on site or in the vicinity and the loss of biodiversity would be satisfactorily mitigated for off-site and as a result of the well-considered new landscaping and tree planting proposed. There would be no harm caused to the

highway network and car parking for one disabled users only is retained. Adequate cycle parking would be provided. There would be no detrimental impact as a result of Air Quality or Contamination.

- 2.4. 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.
- 2.5. 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

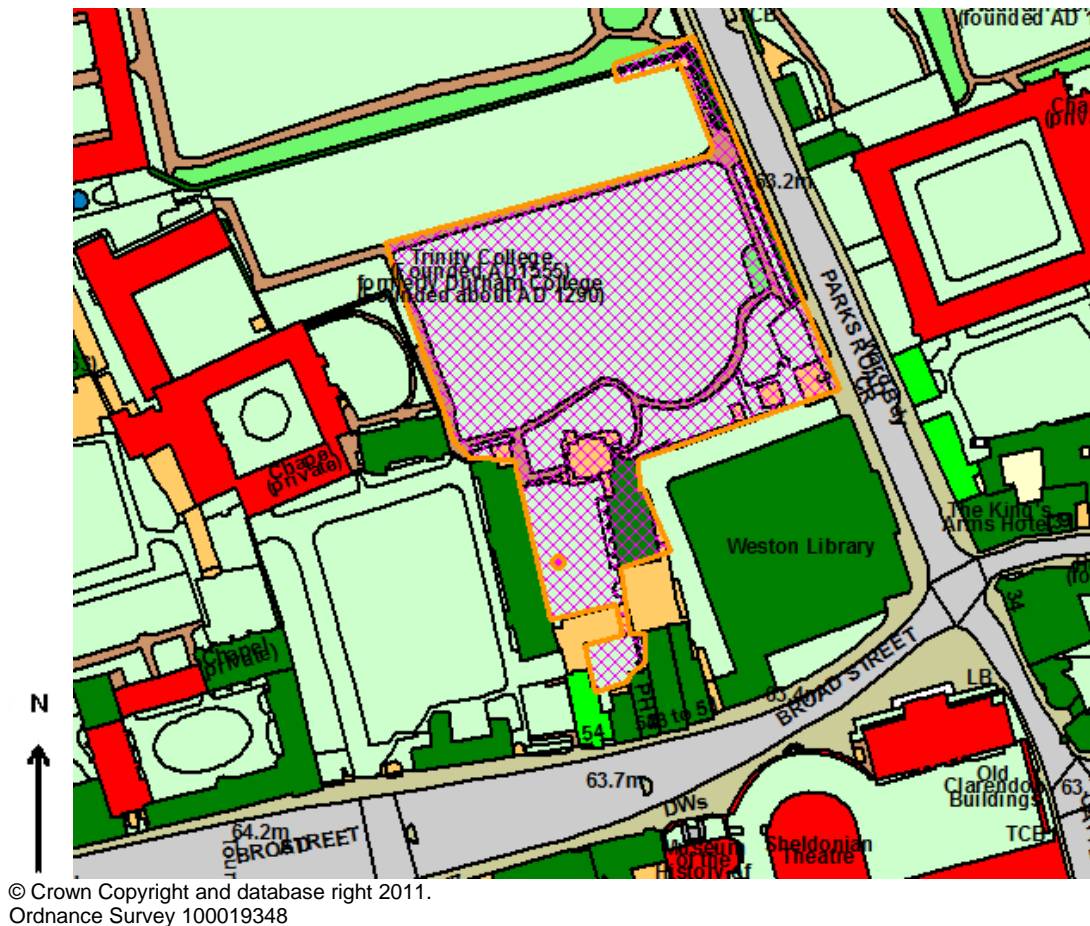
- 3.1. This application is subject to a legal agreement to secure off site biodiversity mitigation.

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 4.1. The proposal is liable for CIL amounting to £181,759.37.

5. SITE AND SURROUNDINGS

- 5.1. The site is located within Trinity College where the college borders Parks Road within the City Centre and lies within the Central Conservation Area. It comprises part of the existing garden, existing Quads, gardeners outbuildings, 1965 Cumberbatch Building by Maguire & Murray and 1930's Presidents Garage by Giles Gilbert Scott. The college itself has a number of historic buildings and structures listed Grade I, II and II* and other more modern buildings including 20th Century examples. It is also a registered Park and Garden which is Grade II.
- 5.2. West of the site on Parks Road is Wadham College, and the Kings Arms Public House. Adjacent to the south is the Bodleian's Weston Library. To the east is the remainder of Trinity College and to the north lies the registered park and garden of St John's College.
- 5.3. See Location plan below:



6. PROPOSAL

6.1. It is proposed to demolish the Staircase 4 Cumberbatch Building (20th Century non-listed) comprising 15 student bedrooms and teaching room and erect a new building to provide 51 ensuite student bedrooms, teaching accommodation (5 new dedicated teaching rooms and multipurpose function room), 18 study spaces, 148 seat Auditorium/ lecture theatre, office/ staff accommodation, ancillary café, improved library facilities (including officer and reception area) and other ancillary facilities. Alterations to the fire escape for the Norrington Room (below ground). In addition a new landscaped garden is proposed around the new building, which draws upon the significance of the existing Park and Garden. It is also proposed to re-landscape the existing quadrangles outside the Library, the Library Quad, and smaller Quad to the south of Library Quad proposed. Replacement gardeners' buildings in the northeast corner of the main lawn are proposed and new cycle parking sited adjacent to the southern boundary wall with the Weston Library. The President's Garage is retained and the ground floor re-organised to provide bin storage and retain one car parking space (disabled space) and the existing vehicular access onto Parks Road is widened and another external disabled parking space provided.

6.2. The proposed development is the result of extensive pre-app consultation over the last 4 years with Officers and Historic England. It has been presented to the Oxford Design Review Panel who supported the principle of the building and location at the southern end of the Garden, and offered advice on internal layout,

acoustics, landscaping which has been taken on board in the further evolution of the scheme. Public consultation has been undertaken with staff, students, neighbours, and interested parties including Oxford Preservation Trust & Oxford Civil Society.

7. RELEVANT PLANNING HISTORY

7.1. The college has an extensive planning history, however the most relevant to this development is set out in the table below:

63/14234/A_H - Extension to college including teaching and residential accommodation and extension to book shop for offices, sale and storage. Approved.
64/14234/AA_H - Extension to college including teaching and residential accommodation and extension to book shop for offices, sale and storage (revised). Approved
64/14234/AB_H - Extension to college including teaching and residential accommodation and extension to book shop for offices, sale and storage (revised). Approved
64/15133/A_H - Alterations. Approved

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Core Strategy	Sites and Housing Plan	Other planning documents
Design	117-123, 124-132	CP6 CP8 CP9 CP10 CP11 CP13	CS18_	HP9_ HP12_ HP13_ HP14_ HP15_	
Conservation/ Heritage	184-202	HE2 HE3 HE7 HE8 HE9 HE10 HE11			

Housing	59-76		CS22_ CS23_ CS24_	HP5_ HP6_	
Natural environment	170-183	NE15 NE16 NE21 NE23	CS11_ CS12_		
Social and community	91-101		CS16_ CS25_ CS29_		
Transport	102-111	TR1 TR2			Parking Standards SPD
Environmental	117-121 148-165, 170-183	CP22 CP23 NE14	CS9_ CS10_		Energy Statement TAN
Miscellaneous	7-12	CP.13 CP.24 CP.25		MP1	Telecommunications SPD, External Wall Insulation TAN,

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 13th June 2018 and an advertisement was published in The Oxford Times newspaper on 7th June 2018.

Statutory and non-statutory consultees

Oxfordshire County Council (Highways)

9.2. No objection subject to conditions regarding Construction Traffic Management Plan, sustainable drainage, Student accommodation Management Plan, Travel Plan, Dropped kerb. Their comments are summarised as;

- Proposal will result in the addition of 36 new bedrooms, a new auditorium, 3 music rooms and ancillary administrative accommodation.
- Student and staff levels accessing the site will not change as a result of the proposal.
- The proposal is not expected to result in a significant change in the traffic generation of the site.
- Student Accommodation Management Plan has been submitted; however some amendments are required for it to be acceptable to the county council.

- Appropriate levels of cycle parking have been provided for the residential use, however, no cycle parking has been provided for the D1 use.

Historic England

- 9.3. This proposal follows extensive pre-application consultation by the applicant with ourselves and the City Council over a number of years. We have accepted the principle of a major development on this site on the basis that this is the location that would cause the least harm to the significance of the College itself, which contains a number of listed buildings, many of them highly graded, the grade II registered garden at Trinity and the City Conservation Area in which the College sits. However, this is not to say that there would be no harm. The Cumberbatch building, though not of the very high quality needed for a post-war building to qualify for listed status, does have a degree of architectural and historic interest as the work of Maguire and Murray, a major post war practice, and there are a number of interesting aspects to its design.
- 9.4. The site also stands within a grade II listed registered garden in an area known as 'The Wilderness'. In our previous advice we accepted that, while there had been a very interesting labyrinth here in the 18th century current planting scheme was not of particular significance. Our main concerns were the impact that a large building would have on views from the lawn and we wished to be reassured that such a building would not have an adverse impact on the openness and setting of this key garden feature.
- 9.5. The verified views prepared by LDA have provided reassurance. The new building would be visible from the lawn, and from Parks Road, but would not be an overbearing presence. The decision to retain Giles Gilbert Scott's President's Garage is also a positive move as this would help manage the transition between Park Street, which has a very informal feel at this point, and proposed new building, which is both large and formal.
- 9.6. The bay studies provided give a clear idea of what the new building would look like and I am now convinced that this would be a handsome piece of architecture which carefully and cleverly adapts classicism to meet modern needs. It would work much better with the New Library and T G Jackson's East Range than the Cumberbatch Building currently does and presents a good opportunity to greatly improve the currently rather bleak Library Quad.
- 9.7. Nevertheless, the proposal would entail a degree of harm to the conservation area as the Cumberbatch building does contribute to its special interest. While it may not be highly visible from Park Street and so does not make a contribution to the wider cityscape of Oxford the way that Colleges sponsored innovative modern design during the latter part of the 20th century is arguably part of the reasons why the conservation area is of special architectural and historic interest. The loss of one of these innovative buildings, albeit not one of listable quality, therefore constitutes harm to the significance of the Oxford City conservation area. The proposal therefore needs to be assessed for compliance with paragraph 129 of the NPPF, which states that conflict between the conservation of a heritage asset and a proposal should be avoided or minimised, paragraph 132 of the Framework, which requires that any harm to a designated

heritage asset, such as a conservation area, needs to be clearly and convincingly justified and paragraph 134 of the NPPF, which requires the entailed by a proposal to be weighed against the public benefits it would bring.

9.8. In our view the requirements of paragraph 129 and 132 have been met as this is the least harmful site on College grounds for the facilities that they require. It is for the Council to weigh up this harm against the public benefits. These public benefits include improvements to the library quad which, although they do not outweigh the loss of the Cumberbatch building, should be counted as a heritage benefit that mitigates this loss to an extent (and should be considered to better reveal the significance of these listed buildings, which paragraph 137 of the NPPF states should count in favour of the proposals). We therefore do not object to this planning application.

9.9. Historic England has no objection to the application on heritage grounds. In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and 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.

In response to further consultation on amended information

9.10. The additional information submitted is in response to concerns raised about the impact that this application may have on the grade II listed Weston Library. HE had the opportunity to visit the Weston Library on the 12th September and view the Reading Room along with the conservation workshops above, which informs the following comments.

9.11. The most pertinent concern that has been raised is the impact on the reading room on the first floor of the library. This is a magnificent space but was originally conceived as a place of study and as far as it can be ascertained it was situated on the north side of the building to take advantage of an even north light rather than to command views out of the windows over Oxford. Indeed the view from the windows is principally of the large trees immediately opposite rather than a panorama of Oxford and this has been the case since the Library was built. It is I am sure pleasant to glance up and see trees while working and the backdrop of trees undoubtedly makes a contribution to the ambience of the room; but HE is not persuaded that the proposals would entail serious harm to the significance of the Weston library provided that light levels and the quality of light within the Reading Room were not affected and that the view out was of a high quality building.

9.12. The applicant has looked at moving the proposed building in response to comments on the application. Moving it 6 metres north would have a marked impact on the significance of the registered garden of Trinity College, as it would be much visible from this garden, while moving it less than 6 metres would not have an appreciable impact on the views from the Reading Room.

9.13. HE are firmly of the view that the Reading Room is the only part of the building which the proposed new building has the potential to affect the significance of. The north elevation has only ever been generally visible in oblique views from Parks Road and these would not be greatly altered if the proposed building was erected. The view from the second floor is not considered to contribute to the significance of the building as these were workshops. While enjoying high quality north light is of value to the processes currently taking place in them the current use is not an aspect of the significance of the library as a listed building.

9.14. Historic England has no objection to the application on heritage grounds.

Thames Water Utilities Limited

9.15. None received

Natural England

9.16. No comments to make

Oxfordshire Gardens Trust

9.17. We note that in essence the proposal is to construct a new building along the southern boundary of the college site stretching from Parks Rd (E) to the Library Quad (W). This will involve the demolition of the listed Cumberbatch Building and will take up a large part of the area known as the Wilderness in the registered college gardens involving the removal of up to 20 trees.

9.18. The Wilderness is part of what remains of the original C18 “Dutch” garden which lies to the east of the main college buildings as far as the wall and gates on Parks Rd. This area as a whole is divided into two sections separated by a yew “hedge”. To the north are the large formal lawns and the path running from the Garden Quad to the gate on Parks Rd. We acknowledge that the application proposal will have no direct impact on this area.

9.19. However it is on the area to the south of the yew hedge that the application proposals will have most impact. This area itself was originally divided into two equal parts by a long W-E path running parallel to the yew hedge towards the secondary gate on Parks Rd. The area closest to the southern boundary was known as the Labyrinth. By the C19 these two areas had grown together and the formal patterns of the Labyrinth were lost. The whole area became known as the Wilderness and took on a much more naturalistic woodland character with a mix of closely planted trees producing a dense canopy. The line of yews remains as its northern boundary but with trees replanted at different times it has lost much of its formal character.

9.20. We note that the applicant’s landscape consultants have categorised the Wilderness as having “medium” sensitivity to change. We can see that there is a certain logic in the proposal for a long range of buildings running W-E along the southern boundary of the site. The poorest trees (5 in category C, 1 in category U) are clustered along this boundary mixed with another 6 in category B. At the eastern end of the Wilderness is an area of gardener’s sheds tucked away

behind the President's Garage which we acknowledge will be rationalised and tidied up in this proposal. In effect this long building will take up the space originally occupied by the Labyrinth with its front running roughly along the line of what was the path running between the Labyrinth and the Wilderness towards the secondary gate on Parks Rd.

9.21. However in addition to this 3 storey W-E range there is a proposal for a Pavilion building projecting from it further into the area of the Wilderness to the north. This is 2 storeys high with a flat roof to create a terrace for entertaining. To accommodate this seems to require the felling of almost as many trees again as required for the main building alone and the majority of them are category B. In total around 20 trees are proposed for removal half of which are in category B. They will be replaced by two new trees to the north of the Pavilion and two on the Parks Rd frontage next to the President's garage. Whilst we acknowledge that there may be good reasons for thinning out some of the trees in the Wilderness we would have hoped that this might have been balanced by more substantial proposals for replacement.

9.22. We also note that the proposed location of the Pavilion slightly to the east of centre will create a residual area of the Wilderness close to Parks Rd. This will leave the majority of what remains to the west between the Pavilion and the President's Lodgings, to be renamed the Woodland Garden. Whilst we welcome the proposals for new under-planting here with shade tolerant perennials we should not lose sight of the fact that what remains of the Wilderness appears to be less than one third of the area that exists at the moment.

9.23. Overall we cannot help but feel that an opportunity has been lost to maintain the W-E lines of the original Dutch garden by confining any new building to the area to the south of the line of the old path between the Labyrinth and the Wilderness. A single new building fronting the line of that path would both respect and reinforce the W-E linearity of this part of the garden and leave the Wilderness, even if renamed and replanted as the Woodland garden, in broadly its original position on the C18 garden plan. We certainly have strong reservations about the damaging impact the size and location of the Pavilion will have on the extent of the tree cover and the lines of the garden here.

9.24. The Oxfordshire Gardens Trust recommends that reasonable steps be taken to investigate the archaeology of the Wilderness.

Public representations

9.25. Responses were received from Oxford Preservation Trust (OPT), Oxford Architectural and Historical Society, the Bodleian Weston Library. These can be summarised as follows:

- Loss of light to the Weston Library
- Loss of view from the Weston Library
- Proximity of the new building to the Weston Library
- Lack of regard to the historical significance of the Weston Library; misunderstood the function and therefore significance of the north side of

the library (siting of Reading Room, Conservation Room and Curatorial Room).

- Noise, general disturbance and nuisance cause by the students occupying the proposed development on the Weston Library
- Construction impact on the Library book vaults and possible flooding
- Harm to the Conservation Area, setting of listed buildings and registered gardens
- Size and bulk of the new building, in particular the north element
- Objection/ sadness to the loss of Cumberbatch Building – difficult to understand the significance of the Cumberbatch buildings and Norrington Room below. Understand that Historic England do not consider it worthy of listing.
- A safe design and largely hidden when viewed from the public domain

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- Principle of development
- Design & Historic Environment
- Historic Landscape, Trees & Landscaping
- Neighbouring amenity
- Transport & Parking
- Archaeology
- Lighting
- Biodiversity
- Energy
- Air Quality
- Contamination
- Flooding & Drainage

a. Principle of development

10.2. Trinity College is relatively small comprising 50 Fellows, 300 undergraduates, 150 graduate students and approximately 120 permanent and temporary staff, including academics who are not Fellows. The College has grown incrementally over time in response to arising need and the resulting layout and accommodation is piecemeal, illogical, at times of poor quality and with accessibility issues. The current teaching and student accommodation at Trinity is minimal and below the expected standard of that provided elsewhere at Oxford University and Colleges. Only five rooms teaching rooms are available within the

College to enable lecturers to teach small groups of students, two of which are of a very poor standard having been converted from student bedrooms. The College only has one larger room to hold large group meetings and lectures and there are no informal breakout study spaces available for students. In relation to student accommodation the College can only house 12 of its 150 graduate students on site. The College wishes to accommodate all its first year graduates enabling them to foster a stronger academic community, and by doing so would release housing back on to the general housing market.

- 10.3. 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 (CS) Policy CS2 encourage the reuse of previously developed land, while Policy CP6 of the Oxford Local Plan 2001-2016 (OLP) 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 of the CS.
- 10.4. The proposal seeks to make best & most efficient use of land owned by Trinity College to provide graduate student accommodation and teaching facilities for existing students at the College, thereby releasing family housing stock back on to the market. There is no intention to increase student numbers at Trinity as a result. 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 of the CS.
- 10.5. As set out elsewhere in the report this is the only viable location for development in this highly sensitive location and will be the last building that Trinity will build. The case for need put forward by the College satisfactorily demonstrates that the current facilities are very poor and the need for the academic teaching accommodation is high and robustly justified. Without the development the College will not be able to compete with other Colleges or be able to provide the high quality education expected of an Oxford College, or continue to function as a College within the University of Oxford and Colleges. It therefore accords with CS29 of the CS.
- 10.6. Sites and Housing Plan (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 CS 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 accords with CS25.

b. Design & Historic Environment

- 10.8. The Revised NPPF emphasises that high quality buildings are fundamental to achieving sustainable development and good design creates better places in which to live and work and helps make development acceptable to communities (para 124). New development should function well, be visually attractive, sympathetic to local character and history, establish or maintain a strong sense of place, optimise the potential of the site and create places that are safe, inclusive and accessible and which promote health and well-being (para 127).
- 10.9. In relation to the historic environment 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. 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 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. 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. The site is located within the 1,200m radius of Carfax Tower as set out in the High Buildings Policy HE.9 of the OLP. It also lies within View Cones under HE10 of the OLP.
- 10.10. 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 character or appearance 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).
- 10.11. 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 196 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.
- 10.12. There are several individually listed structures that lie close to the site and within the boundaries of Trinity College. The east wall of the garden forms the eastern

boundary of the site and is a Grade II listed building. The boundary wall's integrated ironwork gate and stone piers are a Grade II* listed building. The southern boundary wall of the garden (which forms the boundary with the Weston Library) and the Wall of the Presidents Garden are both Grade II listed buildings and also fall within the site.

- 10.13. There are also a number of listed buildings within the College grounds adjacent to the site including 'Garden Quad' and East Range facing Parks Road (Grade I), Presidents Lodging and Gateway and wall The Presidents Lodging, Bust of Cardinal Newman (Grade II), New Library and Library Quad buildings (both Grade II) and Kettell Hall (Grade II*).
- 10.14. In addition, there are several listed buildings and structures in the vicinity including Wadham College (Grade I listed and Grade II* listed onto Parks Rd), Parks Road wall and Wadham Cottages (Grade II), St John's College (immediately adjacent building Grade I), the Weston Library (Grade II), and The King's Arms public house Grade II). St John's College garden is also registered Park and Garden (Grade II).
- 10.15. 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 and Heritage Impact Assessment. These have considered the significance of the heritage assets within and surrounding the site and the impact of the development. The design has also been informed by the findings of a Visual Impact Assessment and a Landscape Impact Assessment (LIA) which consider the impacts of the proposed design on significant views, based on verified views. Further information has been submitted in a Heritage Statement and an LIA Addendums regarding the impact on the Weston Library.

Demolition

- 10.16. The Cumberbatch Building (Staircase 4) was designed by Maguire and Murray Architects and constructed in 1964-5. The building sits just within the Wilderness and is attached to the New Library. Whilst by recognised important Architects of the 20th Century building, it is considered that it is not the finest example of their work. The College were granted a Certificate of Immunity from listing by Historic England. Cumberbatch North was very crudely attached to the original and older library building; the gable end of which was part demolished and made good as the new was attached. However the addition although not overwhelming the earlier building paid little deference to the Library in terms of its architecture. Internally the Cumberbatch building layout does not meet the requirements of current College needs and standards.
- 10.17. It is proposed to demolish this building. It is considered that the removal of the Cumberbatch building would not result in harm to the significance of Trinity College or the historic park and garden. However, it is part of the collection of 20th Century Collegiate Buildings in the City Centre that make up this part of the

significance of the Conservation Area (CA). Historic England considers that its loss would therefore inevitably result in some harm to the character and the appearance of this part of the CA. It is considered that the harm would be less than substantial and sit at the low end of this classification. Officers concur with Historic England.

Design, Height and Massing

- 10.18. The College's architecture is rooted in classic architecture, with the exception of a small number of 20th Century buildings, and the College therefore decided to continue this classic and traditional design form so the new building would harmonise with existing buildings. The new building would be a modern building in the traditional Classic form and style of Architecture. The Architects have done other buildings within the City, most notably the Sackler Library on St John's Street. This proposed building 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.
- 10.19. The proposed building lies on an east-west axis with elements that project southwards and northwards. It has been designed to read as four elements of varying height and scale to reduce the overall bulk of the building. However all these elements are unified through the thread of the architectural style and materials. The height of the ridge of the main element of the building is less than the existing Cumberbatch Building and below the 18.2m height maxim for new development within the City Centre. It therefore accords with Policy HE.9. The materials proposed would be ashlar and rubble stone, bronze finish windows and doors and slate tile, where pitched. It is considered that this would be a high quality building given the materials proposed and attention to detail shown. Officers consider that it would preserve and enhance this part of the Central Conservation Area.
- 10.20. The unlisted President's Garage, also designed by Gilbert Scott, sits on Parks Road adjacent to the Weston Library, and currently provides one car parking space and a self-contained 2bed flat above. This is retained and the ground floor reorganised to provide bin storage and one disabled parking space for the development. The removal of the Cumberbatch means that a new fire escape route is required from the Norrington Room below. This would be achieved with minimal intervention and no harm in heritage terms to this building.
- 10.21. In terms of the impact on the street scene and Parks Road and the Weston Library, the new building would be set back 6.4m behind the existing President's Garage that sits right onto the edge of the pavement. This means that it would be approximately 14m from the edge of the pavement itself. When traversing down Parks Road towards Broad Street (southerly direction) the views of the building would be restricted by the high stone boundary walls and existing trees within St John's and Trinity College's gardens. Existing trees in the Wilderness and the Yew trees that line the formal lawn within Trinity would further screen the building, with only glimpsed views being possible.
- 10.22. The set back from Parks Road would still allow a large proportion of the north

façade of the Weston Library to be seen. The President's Garage in front provides an architectural continuity on the west side of Parks Road and visually acts as a foil to the new building. It has been carefully designed to respond with some deference to the more domestic scale of the garage and maintain some deference in views from Parks Road to the Weston Library. The rubble stone façade proposed would tie it in with both Weston Library and the President's Garage. It is therefore considered that the new building would not be visibly intrusive when seen from Parks Road. It is considered that it would not harm the setting of the adjacent listed buildings and any contribution that this setting makes to the significance of the heritage assets. This is discussed further at paragraph 10.51 below.

- 10.23. The submitted landscape visual impact assessment of the proposed development concludes that the introduction of this new building would have negligible impact upon Oxford's View Cones and views from high public vantage points within the city centre. Officers concur with this view and the proposal accords with HE10 of the OLP.

Gardener's Facilities

- 10.24. New facilities for the Gardeners are proposed in the north-eastern corner of the formal gardens. The glass house is a lean-to structure that is dropped into the ground (by approximately 250mm) to allow the roof to tuck under the capping of the listed boundary wall. The roof pitch of the glass house matches the neighbouring tool shed which would be set out to a minimum pitch of 15 degrees for a cedar shingle roof. An access door being is located to the western end. The Machine and Tool Store is a lightweight timber framed building, clad in timber boarding with a cedar shingle roof covering, designed to weather to a silver tone to blend in with the listed wall. The timber frame will sit on a stone base to match the glass house. The two buildings are spaced apart to allow for maintenance and to ease construction.
- 10.25. It is considered that the buildings have been carefully designed and located and sympathetic to their setting within the registered park and garden and adjoining the listed wall. There would be no harm as a result to these heritage assets.

Public Benefits

- 10.26. As the proposal would result in less-than-substantial harm to the character and appearance of the Conservation Area, resulting from the demolition of the Cumberbatch Building, this will need to be justified against the public benefits, including the optimum viable use, in accordance with the NPPF.
- 10.27. In redeveloping the site the proposal would make a positive contribution to Oxford's significant housing need by effectively releasing existing housing stock back into circulation for the general population. This would constitute a public benefit and given the need for housing in Oxford this is afforded moderate weight.
- 10.28. Paragraph 131 of the revised 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 a high quality building that would raise the standard of design in this area and Oxford.

- 10.29. 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 contextual design response and the high quality landscaping scheme proposed, which has been refined through the pre-application advice and design review process, and as such is also a public benefit that is afforded great weight.
- 10.30. 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 park and garden as designated heritage assets. It is considered that the less than substantial harm that would be caused by the proposed development has been adequately mitigated by high quality design and is justified by the public benefits that would result. 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.

c. Historic Landscape, Trees & Landscaping

- 10.31. The gardens at Trinity College are grade II registered Park and Garden. It has several different character gardens in it and trees within are features of significance in terms of the setting of the overall garden, both collectively and individually. The trees are also protected by virtue of location within the Central Area Conservation Area. The proposed development lies within the area of garden between Parks Road and 'Garden Quad' (listed grade I), St John's College garden (also registered Park and Garden grade II) to the north bounded by a stone wall (grade II), and to the south the Trinity's Library and Library Quad buildings, Weston Library and listed boundary stone wall (all grade II). Further south of the Library Quad, the small quad is surrounded by grade II and grade II* (Kettell Hall) listed buildings. The eastern boundary wall on Parks Road is listed grade II with the exception of the main gates and piers facing Garden Quad and section of wall to the north of these which are grade II*.
- 10.32. The gardens were laid out after the foundation of The College in the mid 16thC and have always extended as far east as the Parks Road boundary. The gardens form distinctly different areas and exhibit different characters. They are currently divided into two main areas; the formal lawns and herbaceous borders to the north, to the east of the Garden Quad; and the Wilderness to the south. The two areas are divided by an almost continuous line of Yew trees varying in age from approximately 40 years of to 100 years. The Wilderness also includes several mature trees. The lawns are used on a regular basis for college functions and garden parties throughout the summer, and as an informal area for students to sit and socialise in the summer months. A straight gravel path

connects the Garden Quadrangle to the Stuart Gates along Parks Road and gravel footpaths along the eastern boundary. An informal gravel pathway runs through the wilderness area connecting the Front Quad to the Library Quadrangle and gardener's area to the east.

- 10.33. 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.
- 10.34. Of most relevance in this case is OLP Policy HE8 which states that planning permission will not be granted for any development that will adversely affect the visual, historical or horticultural character of an historic park or garden or its setting, whether or not it is included on the statutory register. Permission will be granted for development that avoids the loss of key features, retains the essential character of the site and assists with the protection, management and restoration of important parks and gardens. The impacts of development on trees must be carefully considered given their significance as features within the listed garden.

Historic Landscape:

- 10.35. A Historic Landscape Assessment has been undertaken and submitted with the planning application. It describes the character and significance of Trinity College and its surrounding urban context and the evolution of the college and the gardens. In relation to the area of the park and garden of application site itself it began in the 13th to 16th Centuries as a grove and vegetable garden, originally created by the Benedictine Monks, which continued more or less after the dissolution of the monasteries in the 1500's. Later came the creation of a garden in the Dutch style in the 1700's, with three distinct gardens; a large formal lawn, a lime tree avenue, consisting of 48 trees, and a labyrinth garden, the remnants of which are seen today. As garden fashions changed and a more naturalist and simplified garden approach became popular in the late 1800's, much of the intricate 'Dutch' elements were removed, including the labyrinth. This appears to have become a woodland area which merged together with the remains of the lime avenue to form a single garden area, known as the 'Wilderness'. The division between all three original distinct 'Dutch' gardens became eroded leaving the Wilderness and the formal lawn area separated by a yew hedge.
- 10.36. The new Wilderness featured serpentine paths, flowering shrubberies and the lime trees whose canopies arched over to formed a covered walk. The Bodleian (Weston) Library was built adjacent to the south of the Wilderness between 1937 and 1940. The President's Garage was built on the eastern end of the wilderness garden as compensation for the College's loss of a small building,

No7 Parks Road, which was located on the site of the Weston Library.

- 10.37. By 1930 only 8 of the original 48 lime trees planted in 1730 remained. Little was done during the War years until the late 1950's when a new lime avenue and other trees were planted in the Wilderness. The greatest change then occurred with the construction of the Cumberbatch building in 1965-6. The old limes had died and the later limes had begun to become diseased. Brenda Colvin, regarded as most distinguished landscape architect, was approached to try to integrate the new Cumberbatch into the Wilderness area. She considered that the limes trees would impair the sense of community of the old buildings and the new, the avenue did not go to or from anywhere in particular and given that they were diseased, she advised on their removal. However this action was challenged by others and the debate went on for several years. Some Mongolian Limes were planted and rhododendron and bulbs planted within the Wilderness.
- 10.38. The debate was not resolved until 1989 when it was finally agreed to incorporate the lime walk into the woodland area which would retain some of the visually important older limes and give more interest in the informal open woodland area to the south, which was done by 1995. The Library Quad and Small Quad were re-landscaped in the early 1980's from soft landscaping to the hard landscaping seen today. By the mid 1990's the yews dividing the lawn were stricken with heart rot and had to be removed for safety reasons, but were replaced. Nothing significant has been done to the gardens since that time.
- 10.39. Trinity College is different to other Colleges in Oxford and has a somewhat unique spatial and visual relationship to its surrounding townscape and neighbouring public highways. Whilst there remains a clearly demarcated boundary between public and private domains, this is designed to be visually permeable and controlled views to core college buildings, set within their grounds, are possible both from Parks Road and Broad Street.
- 10.40. The development would result in the removal of some trees within the Wilderness area. The application includes an Arboricultural Report which includes a tree survey that assesses the quality and value of existing trees and identifies the constraints their retention places on site layout.
- 10.41. Proposals require some existing trees to be removed, as identified in the Arboricultural Impact Assessment (AIA), several of which feature in important and sensitive public views from Parks Road and make a valuable contribution to public amenity in the area; these include most notably a red chestnut (T85), 2 sycamores (T74 and T95) and a lime tree (T87) that are large, mature trees of moderate quality and value (BS5837:2012 B category) within The Wilderness wooded area. Collectively these trees enhance the existing character and appearance of this part of the Central Area Conservation Area in public views along Parks Road. The trees are also a component of the grade II listed registered garden which is important to the setting of the listed college buildings. However, the proposed building is within an area known as 'The Wilderness', and it is understood that the current 18th century planting scheme in this part of the garden is not itself of particular historic significance.

- 10.42. A significant proportion of the existing mature tree canopy cover, which is a scarce resource in the city centre and provides a range of environmental benefits (ecosystem services, such as reducing air pollution, modifying the urban heat island effect, reducing localised flooding from surface water run-off etc) to the area, will also be lost within the college site.
- 10.43. The proposals for the main building encroach within the Root Protection Area of several retained trees including 3 lime trees (T67, T90 and T97). While the proposed new gardeners facilities do not require any trees to be removed it does encroach within the Root Protection Areas of 2 trees; a paulownia (T34) and a London plane (T40; off-site) However, the encroachments are relatively minor in extent and if appropriate care is taken to protect these trees during the construction phase these encroachments should not be detrimental to the viability of the impacted trees going forward.
- 10.44. Various retained trees are likely to require pruning to facilitate the development, but if carried out by a competent arboricultural contractor in accordance with good practice (BS3998:2010) this should not be harmful to amenity in the area.
- 10.45. The submitted Landscape Impact Assessment is thorough and clearly sets out the evolution and historic significance of the park and garden. The resultant landscape strategy is subsequently carefully considered and based on a thorough understanding of the historic significance of the grounds and the changes they have undergone throughout its evolution. The proposed landscape design has been taken from the original historic 'Dutch' layout of the garden when the Wilderness was a formalised labyrinth/ maze and creates a new landscaped garden area with tree planting, paths, open spaces and seating. The organic free flowing planting within it references its relationship to Trinity's Library and the Bodleian's Weston Library, taken from the illustrated dentelle covers of library books which has been abstracted and simplified. The garden design strategy is taken through to the Library and small Quads, where current hard surfacing and lack of planting leaves these spaces devoid of attraction and activity. A roof terrace is incorporated into the new building above the 'pavilion' element, making good use of this elevated position and providing additional amenity for the students. A green Living wall is also proposed on the rendered section of southern elevation of the building facing towards the Weston Library.
- 10.46. The Historic Gardens Trust supports the proposal in principle and the location chosen for the building within the Garden. However they are concerned about the projecting 'pavilion' element because it would result in the loss of several trees and extends from the labyrinth part of the original Dutch Garden into the area that once was the lime walk. They consider siting of the Pavilion would result in the 'wilderness being less than a third of its original area and would like to see this part removed. They would also like provision of more substantial replacement tree planting as mitigation than currently proposed.
- 10.47. The proposals include detailed soft landscaping proposals and a landscape management plan that should ensure that this is successfully delivered to provide an appropriate setting for the proposed new building. However, the lost views of trees and canopy cover would not be replaced fully.

10.48. Officers support the Landscape Design strategy and detailed landscapes plans and consider they are entirely appropriate to their setting. They would preserve and enhance the significance of the historic park and garden, enabling the new building to respond to its existing garden setting whilst creating a contemporary evolution of what is known as the 'Wilderness' as a woodland garden. It has been accepted that this is the least harmful site within the college ground for the facilities it requires and the need for the facilities is justified and robust. Whilst the development would result in loss of public amenity as a result of the tree removals it would not result in the total loss of this key wooded feature of the Garden, and the essential character of the Wilderness and wider historic garden would be retained and managed. Furthermore, it is considered that in this case that any harm or loss of amenity is outweighed by the benefits of the proposed development. The proposed are therefore in accordance with HE8, NE15, NE16 and the details can be secured by conditions.

d. Impact on neighbouring amenity

Privacy & Noise

10.49. The nearest building, the Weston Library, has raised concerns about noise and privacy. Wadham College sits across Parks Road. The narrowest distance between the proposed building and the Weston Library is 10.7m at the east end. This distance then tapers out to 11.4m at the west end. Each bedroom has been designed for a writing desk to be placed under each window. The beds are set well back to the side of each room and out of direct view, allowing privacy to students. Diffusing blinds are to be integrated into all windows, up to the window transom, facing the Weston Library. This would provide privacy to all students, but would prevent the loss of natural daylight to each room. Given the distance between existing neighbouring and surrounding buildings and the design of the building, it is considered that there would be no harm in terms of loss of privacy.

10.50. In terms of noise any impact from the development will be mitigated by design of the façade with appropriate specification of acoustic glazing and attenuation of ventilation openings. To mitigate any surrounding noise levels or sound disturbance from the Weston Library service yard and the extraction vents from their basement, the windows would be fitted with acoustic trickle ventilators. It is proposed that any new plant installations would be subject to noise limits and this can be secured by condition. It is therefore considered that there would be no harm to the Weston Library or other surrounding neighbours as a result.

Light & Impact on the significance of the Weston Library

10.51. The Weston Library has objected to the proposed building on the grounds that the new building would result in the loss of existing trees along the common boundary, it would impact on the light into the Reading Room on first floor and the Conservation Workshop and Curatorial Room on the second (top) floor, and would result in the loss of views of the important gardens of Trinity, St John's College, Wadham College and Rhodes House. They consider that this would harm the significance of these rooms within the Library and would harm the setting of the Library as a result of breaking the relationship between the Library

and its public function and the area to the north.

- 10.52. In response to the objection Trinity has submitted Heritage and landscaping addendums, tree technical notes and undertaken a daylight and sunlight assessment of the proposed building, which has also included readings taken from within the Weston Library rooms. The methodology used, based on the BRE Guidance, is standard industry practise and is usually applied to residential accommodation only and two further tests a daylight factor (DF) and Spatial Daylight Autonomy (sDA) that supplement the methodologies in the BRE Guidelines. It cannot take account of existing trees or other landscaping nor can it take into account light reflected from any new building or structure. The analysis therefore represents worst case scenario.
- 10.53. The submitted Daylight and Sunlight Report by Waldrams dated 2nd May 2018 the evidence shows that in relation to the Reading Room, Conservation Workshop and Curatorial Room, which are most sensitive to light, would all meet the BRE Guidance in terms of vertical light and daylight distribution, which indicate that they would continue to be well day lit all receiving over 95% daylight in absolute terms. In relation to the Reading Room the further DF and sDA tests indicate that the change to the penetration of daylight would be relatively small and predominately to the rear of this room (a reduction of 0.39% DF and 10.12% sDA). The Reading Room is constantly lit by artificial light, including ceiling lights and desk task lights over each book stand/desk, and as such the change in daylight is, in Waldrum's opinion, unlikely to be noticeable. In sunlight terms the rooms only receive sunlight in the early morning and late afternoon in summer months. However, the BRE Guidelines do not recommend that north facing windows are measured in terms of sunlight.
- 10.54. Whilst the assessment does not take account of any light reduction as a result of the existing trees on the application site, Officers observe that for much of the year the trees when in leaf would impact on light into the Weston Library windows. Furthermore, the new building with its stone and render material facing the Weston Library, would naturally be brighter in appearance than the existing tree canopies and reflect sunlight in the afternoon into the Weston Library (as it is not directly north but southwest–northeast axis). It is therefore considered that taking in to account the Sunlight and Daylight Report and the change from natural screen to solid structure and materials, the impact on the Weston Library and the functioning of these key rooms would not be adversely impacted on in terms of sunlight and daylight. In particular, the Reading room would still be able to function as originally intended as a result.
- 10.55. The Weston Library has also cited the loss of views from these windows as an objection to the proposal and less-than-substantial harm to its setting. It is acknowledged that the occupants of the rooms identified have been very fortunate to have been able to coincidentally benefit from the borrowed view of the trees that run along Trinity's southern boundary and in winter months when standing at the windows of the Reading Room (the desks are ranked across the room) a glimpsed view into the gardens of Trinity College, none of the other gardens cited in the objection contribute to views from the Reading Room or workshop windows. However, it is also well known that there is no right to a view

in planning terms. This is a City Centre location and the location of this building has been carefully considered and located over many years of consultation with the Council and Historic England. The proposal represents the least harm to the heritage assets within the Trinity College main campus whilst allowing them to provide the vitally importance facilities they need in order to participate as part of the University of Oxford and Oxford Colleges. The new building would still allow the Weston Library to be seen in views form Parks Road (as discussed above) given its set back from the Road frontage and height and massing as it goes back into the site.

- 10.56. The Weston Library has cited the location of the Reading Rooms as important to its significance and quoted the Brief to the Architects in 1935 as evidence of this. Officers have had sight of this document. As with all instructions to Architects it is a directive document and devoid of emotional influence. Therefore it outlines that natural light required for the rooms and how they should be laid out. Furthermore the document stresses that the Broad Street and Parks Road facades to the building are to be the important ones and in the process of re vamping the Weston, Wilkinson Eyre identified the importance of the historic route through Catte Street and Park Street and how this alignment was significant to the Weston building. It does not say anything about the view to the north or that this is a particular feature to be accommodated within the building's design.
- 10.57. The new building would be 11m away, and whilst the view would change from green trees to solid building, the sky would still be visible, oblique views would still be possible and there would be no significant adverse impact on amenity. Trinity have also included a green living wall on the rendered section so that part of the changed view would retain a verdant quality which could be secured by condition. It would not possible to plant trees in between the buildings due to the restrictions placed by the extent of the basement of the Weston Library, known issues of water table levels and flooding, practicality of space and actually planting trees that would provide anything like the current canopy, that would survive any length of time and therefore the efficacy of any planting. Ideally the Weston Library would like the building moved sufficiently away to plant replacement tree screening (approximately 6m would be needed), which would require further tree removals and place it along the edge of the formal lawn. It is considered that the harm to the significance of the registered park and garden and the impact on the settings of Trinity's numerous other listed buildings, the harmful impact on both character and appearance of the Conservation Area through the presence of what would be a far more intrusive and present building than the current proposal, the significant loss of important trees that have a significant public amenity would all result in substantial harm, and therefore would be totally unacceptable. It is considered that the trees within Trinity do not contribute to the significance of the Library. Landscape is ever changing in any event and the library was not purposely designed to take of the tress but only the north light for the Reading Room, Curatorial Room and Conservation Workshop.
- 10.58. Historic England consider that the proposals would not entail serious harm to the significance of the Weston library provided that light levels and the quality of light within the Reading Room were not affected and that the view out was of a high

quality building. To move the building 6m would harm the registered park and garden. The oblique views of the Weston Library from Parks Road would not change as a result of the proposed building. The view from the second floor is not considered to contribute to the significance of the building as these were workshops. While enjoying high quality north light is of value to the processes currently taking place in them the current use is not an aspect of the significance of the library as a listed building.

- 10.59. In conclusion therefore, Officers consider that the development would not result in a significant loss of light to the Conservation Workshop, Curatorial Room or Reading Room and would not harm the function of these rooms and workshop. The new development would be a high quality building and whilst this represents a change from green verdant view to solid building it is considered that the development would not harm the significance of rooms within the Library or the contribution that the setting of the Weston Library makes to its significance.

e. Transport & Parking

Transport sustainability

- 10.60. The proposed development would not result in a change in staff numbers or students studying at the college. The existing vehicular access to the site will not be changed as part of this proposal, other than the widening of the access off Parks Road, in agreement with the County Council for an extended dropped kerb. Two car parking spaces will be provided for disabled users from its access off Parks Road (one inside the Garage and one outside adjacent) and 30 cycle parking spaces.
- 10.61. The site is in the City Centre and therefore a highly accessible by foot, cycle and public transport and local parking restrictions and the site not providing additional car parking for general use, the site will not generate significant numbers of vehicular trips as a result of this proposal. However, given the increase in student accommodation, the site will experience a short period of high traffic generation during term start and finish periods when students move in and out of the accommodation. A Student Accommodation Management Plan has been submitted which outlines how this will be managed. The County accept it in general but suggest it needs amending to allow moving in/out times over weekday mornings when Broad Street is less busy. The new auditorium will be used for events which will generate additional movements to the site. However, given that these trips will be outside peak hours, it will not result in a significant impact on the road network and that the surrounding streets are appropriately restricted, which will control any ad hoc car parking. Any vehicles accessing the site are able to use on-street car parking. The development allows the opportunity for the College to review and implement a Travel Plan for the whole college in line with that of the University of Oxford and other colleges. The County raise no objection therefore in terms of impact on the highway as a result of the development, subject to conditions.
- 10.62. The SHP policy HP15 requirement for cycle parking provision for student accommodation is 3 cycle parking spaces per 4 bedrooms. Therefore, the

proposal would need to provide 27 cycle parking to accord with standards. The provision of 30 spaces located to near the entrance of the proposed building therefore complies with Policy HP15.

- 10.63. The county suggest that additional cycle parking is provided for the Auditorium use within the site for additional staff and visitors. There are 197 existing cycle spaces within the College. The new facility is for the College and there is no increase in staff or students. Any public use is likely to be out of term time and there is Cycle parking elsewhere in the College grounds. Given the constraints on development here, including trees, listed buildings and registered park and garden, the provision of more cycle stands would not be possible without being harmful. It is therefore considered that it is not appropriate to request further cycle parking in this case. The County has confirmed that in view of the constraints and existing cycle parking that the additional provision is not required in this instance.
- 10.64. The development accords with Policies TR1 and TR2 of the OLP and HP15 and HP16 of the SHP, subject to conditions requiring a construction traffic management Plan, amended Student Accommodation Management Plan, Travel Plan and cycle parking.

f. Archaeology

- 10.65. The site lies within an extensive landscape of prehistoric ritual and funerary monuments and subsequent Iron Age and Roman rural settlement located across the Oxford 2nd gravel terrace (Summertown-Radley terrace) and has general potential for these periods although no known remains of prehistoric or Roman date have been previously recovered from the near vicinity. Furthermore given the proximity to the medieval town it is possible that the site contains tenement remains relating to the expansion of settlement along Beaumont Road (Parks Road) in the 12th or 13th century before the subsequent economic contraction of the town. By the mid-16th century the site became part of Durham College and it has potential to preserve rubbish and extraction pits and subsequent garden features relating to the college, particularly the 1706 'labyrinth' as depicted on historic mapping.
- 10.66. Further trial trenching has been undertaken at the request of Officers. This has revealed medieval features, post-med garden archaeology, and large numbers of post med gravel quarry pits and an addendum port has been submitted. Given the results of the trenching it is considered that suitable mitigation could be achieved via targeted excavation, the details of which could be secured by condition. As such the proposal accords with HE2 of the OLP and the NPPF.

g. Lighting

- 10.67. The Lighting Strategy proposes a range of luminaires in response to the different character areas, with the aim of achieving a unified palette across the site. The strategy shows the general arrangement and type of fittings being considered

and will be subject to detailed LUX level calculations and specification. The key principles of the strategy include:

- Using low level luminaires - to minimise light spill to neighbouring areas and generally maintain the evening character of the Trinity College Gardens
- To create a safe environment for students, staff and visitors
- To create safe and welcoming gateways for pedestrians moving to and from the new building
- To create a distinctive and attractive environment that is useable both in the daytime and during the evening

10.68. Officers support the provision of the light in accordance with the strategy in accordance with CP21 and the details can be secured by condition.

h. Biodiversity

10.69. The site is not of any significant or designated ecological value. 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.

10.70. The Ecology Report by BSG Ecology in April 2018 submitted has been reviewed. Officers are satisfied that the presence of protected habitats and species has been sufficiently assessed and there is no evidence of roosting bats, although there is evidence of foraging. There would be no harm to them or other protected species (nesting birds for instance).

10.71. There would be a loss of biodiversity as a result of the loss of trees and grassed garden area. However it is proposed that mitigation would be provided for off-site due to the constraints of the site including heritage assets and park and garden. The site is a meadow field on Ferry Road in Marston owned by Trinity, which is designated a SLINIC and lies immediately adjacent to the New Marston Meadows SSSI. The meadow is agriculturally unimproved and heavily grazed by ponies and has a poor biodiversity value. It is proposed that Trinity College fence line is maintained and manage it in a way so as to increase the biodiversity value of the site from poor to moderate. This could be secured via a legal agreement.

10.72. A scheme of ecological enhancements can be secured by condition. The proposal accords with CS12 of the CS and the NPPF. It should be noted by the Applicant that the protected species surveys undertaken are considered valid for two years, therefore surveys undertaken in respect of bats would need to be updated prior to any works on site commence. This could be secured by condition.

i. Energy

10.73. A Sustainability Statement and NRIA checklist has been submitted to show how 20% on site renewables and energy efficiencies can be achieved in accordance with Policies HP11 of the SHP and Core strategy CS11. It states the development would achieve a 29% reduction in carbon emissions, by using a low

carbon technology approach including air source heat pump and combined heat pump. The NRA check list shows that the project would achieve a score of 9 out of a maximum 11. The proposal would therefore accord with Policies HP11 of the SHP and CS9 of the CS and details/ implement could be secured by condition.

j. Air Quality

- 10.74. An Air Quality Assessment (AQA) has been submitted and reviewed along with other supporting documents in the application. Officers conclude that there will be no negative air quality impacts over current and future receptors as a result of the new development. However the dust mitigation measures set out in the AQA should be implemented during construction in order to prevent harm, which can be secured by condition. The development therefore accords with Policy CS23 of the OLP and the NPPF.

k. Contamination

- 10.75. A Ground Investigation Report was submitted with the application. The site investigation did not identify any contamination that could present a potentially significant risk of harm to future users of the site or other nearby environmental receptors, with the exception of some minor asbestos fibres located in two locations adjacent to the existing building footprint. The report recommends that appropriate remedial measures are taken to avoid potential exposure to site workers during construction and future occupiers of the site. The development accords with Policy CS22 of the CS, subject to a condition securing remediation of the site.

l. Drainage and Flooding

Flooding:

- 10.76. A Below Ground Drainage Strategy & Flood Risk Statement has been submitted and reviewed. The report concludes that the site is not at significant risk of flooding from any sources. The site is in Flood Zone 1, and is not shown to be at risk of surface water flooding. Groundwater was encountered during the ground investigation at a depth of 4.87 – 4.91m below ground level, with the underside of the slab at approx. 4.79m. It is proposed that the basement will be made waterproof, with an internal cavity drainage system in order to prevent flooding. Additionally, the report also concludes that there will be no effect on groundwater elsewhere.

Drainage:

- 10.77. The principle of the preliminary drainage strategy as submitted is considered acceptable but should to be amended to allow for a 40% climate change allowance, which Oxford City Council would expect, rather than the 20% used. Soakage tests suggest that infiltration will be feasible on the site, and proposes a cellular soakaway, subject to confirmation of soakage rates at the location of the proposed soakaway. A final strategy should be submitted once the additional soakage testing has been undertaken, and the higher climate change allowance

used. The maintenance strategy for the Sustainable Drainage Scheme (SuDS) systems proposed should also be produced in a form that can be given to those responsible for the maintenance, and it should be clearly stated who will be responsible.

- 10.78. The proposed development accords with Policy CS11 of the CS subject to conditions requiring an amended Drainage Strategy and SuDs Maintenance Plan.

11. CONCLUSION

- 11.1. Having regards to the matters discussed in the report, officers would make members aware that the starting point for the determination of this application is in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 which makes clear that proposals should be assessed in accordance with the development plan unless material considerations indicate otherwise.
- 11.2. The NPPF recognises the need to take decisions in accordance with Section 38(6) but also makes clear that it is a material consideration in the determination of any planning application. The main aim of the NPPF is to deliver Sustainable Development, with Paragraph 11 the key principle for achieving this aim. The NPPF also goes on to state that development plan policies should be given due weight depending on their consistency with the aims and objectives of the Framework. The relevant development plan policies are considered to be consistent with the NPPF despite being adopted prior to the publication of the framework.
- 11.3. It is therefore necessary to consider the degree to which the proposal complies with the policies of the development plan as a whole and whether there are any material considerations, such as the NPPF, which are inconsistent with those policies
- 11.4. It is considered that the development would provide for a clear and identified need for student accommodation and academic facilities for Trinity College. The site layout and built form has been developed in a comprehensive and thoughtful manner following an extensive pre-application process which has sought to deliver facilities of an appropriate and high quality design and form recognising the sensitivities of the site. The proposal, subject to the conditions imposed, would accord with the statutory duty to have regard to the special character and setting of adjacent listed buildings, registered park and garden and Conservation Area. Any harm to these designated and non-designated heritage assets through is outweighed in this case by the high quality design and public benefits of the proposed development. In addition to this, it is considered that the loss of trees from the site that are important within public views are partly mitigated by new planting. There would be no harm to adjoining neighbours.
- 11.5. In terms of any material considerations which may outweigh these development plan policies, the NPPF has a presumption in favour of sustainable development. NPPF paragraph 11 states that proposals that

accord with the development plan should be approved without delay, or where the development plan is absent, silent, or relevant plans are out of date, granting permission unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole; or specific policies in the framework indicate development should be restricted.

- 11.6. Officers consider that the proposal would accord with the overall aims and objectives of the NPPF for the reasons set out within the report. Therefore in such circumstances, Paragraph 11 is clear that planning permission should be approved without delay. This is a significant material consideration in favour of the proposal.
- 11.7. 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 2011-2026, and Oxford Local Plan 2001-2016, when considered as a whole, and that there are no material considerations that would outweigh these policies.
- 11.8. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the satisfactory completion (under authority delegated to the Head of Planning, Sustainable Development and Regulatory Services) of a legal agreement under section 106 of the Town and Country Planning Act 1990.

12. CONDITIONS

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

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

2. 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. (i) Samples of the exterior materials to be used shall be submitted to and approved in writing by the Local Planning Authority before the commencement of above ground works on the site.

(ii) Sample panels of the stonework/brickwork demonstrating the colour, texture, face bond and pointing shall be erected on site and approved in writing by the Local Planning Authority before relevant parts of the work are commenced.

The development shall be completed in accordance with the approved details.

Reason: In the interests of the visual appearance of the Central Conservation Area in which it stands in accordance with policies CP1, CP8 HE3 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. The development shall be implemented in accordance with the submitted and approved Landscape Plan and Planting Plans and managed in accordance with the Landscape Management Plan, unless otherwise agreed in writing by the Local Planning Authority.

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

6. Details of the living green wall on the rendered section of the southern elevation of the building facing the Weston Library shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development above ground and implemented in accordance with condition 7 below.

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

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

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

8. 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.

9. 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.

10. Detailed measures for the protection of trees to be retained during the development shall be submitted to, and approved in writing by, the Local Planning Authority (LPA) before any works on site begin. Such measures shall include scale plans indicating the positions of barrier fencing and/or ground protection materials to protect Root Protection Areas (RPAs) of retained trees and/or create Construction Exclusion Zones (CEZ) around retained trees. Unless otherwise agreed in writing by the LPA the approved measures shall be in accordance with relevant sections of BS 5837:2012 Trees in Relation to Design, Demolition and Construction-Recommendations. The approved measures shall be in place before the start of any work on site and shall be retained for the duration of construction unless otherwise agreed in writing by the LPA. Prior to the commencement of any works on site the LPA shall be informed in writing when the approved measures are in place in order to allow Officers to make an inspection. No works or other activities including storage of materials shall take place within CEZs unless otherwise agreed in writing by the LPA.

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

11. A detailed statement setting out the methods of working within the Root Protection Areas of retained trees shall be submitted to and approved in writing by the Local Planning Authority (LPA) before any works on site begin. Such details shall take account of the need to avoid damage to tree roots through excavation, ground skimming, vehicle compaction and chemical spillages including lime and cement. The development shall be carried out in strict accordance with of the approved AMS unless otherwise agreed in writing by the LPA.

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

12. 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.

13. The cycle parking hereby approved shall be implemented prior to occupation in accordance with the approved 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.

14. 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.

15. Prior to occupation of the development, a revised Student Accommodation Management Plan to include allocated time slots for the moving in / out of the accommodation appropriately staggered over weekday mornings to prevent any adverse impacts on the operation of the highway should be submitted for approval by the Local Planning Authority in advance of occupation of the student accommodation.

Reason: In the reason of highway safety and the efficient operation of the public highway in accordance with policies CP1, TR2 and TR12 of the Adopted Oxford Local Plan 2001-2016.

16. Prior to first occupation of the development hereby permitted, a Travel Plan for the whole College shall be submitted to and approved in writing of the Local Planning Authority. The College shall thereafter operate in accordance with the Travel Plan.

Reason: To encourage sustainable forms of transport other than the car in accordance with policies CP1, TR2 and TR12 of the Adopted Oxford Local Plan 2001-2016.

17. Prior to the commencement of development excluding demolition and enabling works the detailed design of the widened access onto Parks Road including a dropped kerb shall be submitted to and approved by the Local Planning Authority. The development shall be implemented in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

Reason: in the interest of highway safety and to encourage sustainable travel in accordance with policy TR4 of the Adopted Oxford Local Plan 2001-2016 and Policy CS25 of the Core Strategy and the National Planning Policy Framework.

18. No development shall take place until a written scheme of investigation (WSI) has been submitted to and approved in writing by the Local Planning Authority. For land that is included within the WSI, no development shall take place other than in

accordance with the agreed WSI, which shall include the statement of significance and research objectives; and

The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works.

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

Reason: The development may have a damaging effect on known or suspected elements of the historic environment of the people of Oxford and their visitors, including Late Saxon, medieval and post-medieval remains in accordance with Oxford Local Plan Policy HE2.

19. Prior to the commencement of development above ground, a scheme of ecological enhancements shall be submitted to and approved by the Local Planning Authority. The scheme will include provision of artificial roost features for bats and birds, including a minimum of two swift boxes, a replacement log pile and habitat for Priority Species hedgehog. Details of the lighting scheme should be presented and there shall be no lighting of any artificial roost feature, including no up-lighting of feature trees with potential to support bats. Details of management of the off-site biodiversity habitat will also be provided.

The specified scheme of enhancements shall not be altered without the prior consent in writing of the Local Planning Authority.

Reason: In the interests of improving the biodiversity of the City in accordance with NPPF and policy CS12 of the Oxford Core Strategy 2026 and to ensure the survival of protected and notable species protected by legislation that may otherwise be affected by the development.

20. The development shall be undertaken in strict accordance with the safeguards in respect of bats provided within the Revised Ecology Report produced by BSG (September 2018).

No bat roosts have been identified to date within any habitat to be affected by the development, however bat survey data are considered valid for a period of two years, therefore should determination take place any later than September 2018, an updated bat survey will be required, undertaken in accordance with prevailing best practice guidance. The results of the survey shall be submitted to and approved by the Local Planning Authority prior to commencement of any works on site.

Reason: In the interests of improving the biodiversity of the City in accordance with NPPF and policy CS12 of the Oxford Core Strategy 2026 and to ensure the survival of protected and notable species protected by legislation that may otherwise be affected by the development.

21. No development shall take place until a Dust Management Plan (DMP), containing the site specific dust mitigation measures identified for this development, has first been submitted to and approved in writing by the Local Planning Authority. The specific dust mitigation measures that need to be included and adopted in the referred plan can be found on Appendix E (pages 45-46) of the Air Quality

Assessment submitted with the application (Document reference: REP-1006797-CR-20180329-Trinity College Oxford-R3-(f), from 29th March 2018).

Reason: To ensure that the overall dust impacts during the construction phase of the proposed development will remain as “not significant”, in accordance with the results of the dust assessment, and with Core Policy 23 of the Oxford Local Plan 2001-2016.

22. Prior to the commencement of the development excluding demolition a phased risk assessment shall be carried out by a competent person in accordance with relevant British Standards and the Environment Agency’s Model Procedures for the Management of Land Contamination (CLR11) (or equivalent British Standards and Model Procedures if replaced). Each phase shall be submitted in writing and approved by the local planning authority.
 - I. Phase 1(desk study) and phase 2 (intrusive site investigation) have been completed and approved.
 - II. A phase 3 remediation strategy, validation plan, and/or monitoring plan must be submitted to and approved by the local planning authority to ensure the site will be suitable for its proposed use.

Reason: To ensure that any ground and water contamination is identified and adequately addressed to ensure the site is suitable for the proposed use in accordance with the requirements of policy CP22 of the Oxford Local Plan 2001-2016.

The development shall not be occupied until the approved remedial works have been carried out and a full validation report has been submitted to and approved by the local planning authority.

If topsoil material is imported to the site the developer should obtain certification from the topsoil provider to ensure that the material is appropriate for the proposed end use.

Reason: To ensure that any ground and water contamination is identified and adequately addressed to ensure the site is suitable for the proposed use in accordance with the requirements of policy CP22 of the Oxford Local Plan 2001-2016.

23. Prior to commencement of development excluding demolition, a final revised Drainage Strategy which includes a Sustainable Drainage System 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 and the results of the further infiltration testing undertaken shall be submitted and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved Strategy.

Reason: To prevent flood risk increase from surface water in accordance with Policy CS11 of the Core Strategy.

24. Prior to first occupation of the development, a Sustainable Drainage Maintenance Plan document for the sustainable drainage components shall be submitted and approved in writing by the Local Planning Authority. It should include details of maintenance tasks, schedule of tasks, responsibility for undertaking the

maintenance, and how this will be carried out (e.g. plant and techniques required etc.). The development shall be maintained in accordance with the Plan for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To keep the drainage system functional and safe for its lifetime, in order to prevent flood risk increase from surface water in accordance with Policy CS11

25. Prior to commencement of the development above ground, details of any proposed floodlighting or external lighting shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details which shall be implemented before the development is first occupied unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity and in the absence of information in accordance with policies CP1, HE3 and HE11 of the Adopted Oxford Local Plan 2001-2016 and policy CS18 of the Oxford Core Strategy 2026.

26. No demolition of the Cumberbatch Building Staircase 4 or enabling works within the 'Wilderness' shall take place until an appropriate programme of architectural recording of the 'Wilderness' and buildings to be demolished by measurement, drawing and photography to Historic England Level 2 Historic Building Survey has been secured and implemented in accordance with a Written Scheme of Investigation, which has been submitted to and approved in writing by the Local Planning Authority. One copy of the final report shall be deposited in the College's archives and one copy shall be deposited in the County Records Office.

Reason: To preserve by record the Cumberbatch Building Staircase 4, the 'Wilderness' and Central Conservation Area that will be affected by the works hereby granted permission in accordance with policies HE2 and HE4 of the Adopted Oxford Local Plan 2001-2016 and Policy CS18 of the Oxford Core Strategy 2026.

27. A phased public art strategy shall be submitted to and approved in writing by the Local Planning Authority:

Phase 1:

Within 6 months of the commencement of development, details of the competition brief for an artwork which can be directly experienced by members of the public from within the public realm of Saville Road and/or Mansfield Road shall be submitted to and agreed in writing with the Local planning Authority prior to issue of the brief; and

Phase 2:

Details of the successful competition artist and their work of art proposal including form, materials, location and timescales for implementation shall be submitted to and agreed in writing prior to commissioning of the art work; and

Phase 3:

The commissioned public art work shall be implemented within the agreed timescales which may be varied as necessary and shall thereafter be retained unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority shall be notified of the completed implementation.

Reason: To give further consideration to the matter in the interest of public amenity and in order to comply with CP14 of the Oxford Local Plan 2001-2016.

13. HUMAN RIGHTS ACT 1998

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

14. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

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